CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIRST LEGISLATIVE DAY

FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, January 3, 1949

Pursuant to the requirements of the Constitution of the State of California and the law, at the hour of 12 o'clock meridian, the Assembly of the 1949 Regular Session of the Legislature of California was called to order by Arthur A. Ohnimus, Chief Clerk of the 1948 Regular Session.

In conformity with the law, the following officers of the 1948 Regular Session were also present: Geraldine B. Hadsell, Minute Clerk, and Wilkie Ogg, Sergeant-at-Arms.

PRAYER

Upon invitation of the Chief Clerk, the following prayer was offered by the Reverend Raymond Renwald, Chaplain of the Assembly for the 1948 Regular Session:

O God, the source of all authority, both civil and religious, Who has willed that Church and state should work together harmoniously as two perfect societies, help their leaders to cooperate in promoting both the spiritual and material welfare of the citizens of California. Help our Legislators to realize that they frame laws as God's agents. Help our citizens to obey these just laws as ordinances approved by God Bless the Legislators who have labored so long and diligently for the common good.—AMEN

CERTIFICATE FROM SECRETARY OF STATE

The Chief Clerk read the following certificate of duly elected Members of the Assembly of the 1949 Regular Session of the Legislature of the State of California.

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that the following is a complete list of those duly elected at the general election held on the second day of November, A.D. 1948, to represent the people of the State of California as Members of the Assembly at the 1949 Session of the Legislature of said State, as appears from the statement of vote received from the county clerks of the

various counties and the registrars of voters of the County of Los Angeles and the City and County of San Francisco, comprising the several assembly districts of the State of California, said statement of vote being a record of and on file in my office, viz:

Members of the Assembly-elect

Name	*District*	*County or Counties Comprising District*
A. W. Way	First	Del Norte, Humboldt, Mendocino
Lester T. Davis	Second	Siskiyou, Modoc, Lassen, Shasta, Trinity, Sierra, Plumas
Lloyd W. Lowrey	Third	Tehama, Glenn, Colusa, Yolo
Arthur W. Coats, Jr.	Fourth	Butte, Sutter, Yuba
Ernest C. Crowley	Fifth	Lake, Napa, Solano
Francis C. Lindsay	Sixth	Placer, El Dorado, Amador, Mono, Calaveras, Tuolumne, Mariposa, Alpine, Inyo, Nevada
Richard H. McCollister	Seventh	Marin, Sonoma
Gordon A. Fleury	Eighth	Sacramento
John E. Moss, Jr.	Ninth	Sacramento
Robert L. Condon	Tenth	Contra Costa
Charles M. Weber	Eleventh	San Joaquin
Verne W. Hoffman	Twelfth	San Joaquin
Francis Dunn, Jr.	Thirteenth	Alameda
Randal F. Dickey	Fourteenth	Alameda
Luther H. Abe Lincoln	Fifteenth	Alameda
Marvin Sherwin	Sixteenth	Alameda
William Byron Rumford	Seventeenth	Alameda
Thomas W. Caldecott	Eighteenth	Alameda
Bernard R. Brady	Nineteenth	San Francisco
Thomas A. Maloney	Twentieth	San Francisco
Arthur H. Connolly, Jr.	Twenty-first	San Francisco
George D. Collins, Jr.	Twenty-second	San Francisco
William Clifton Berry	Twenty-third	San Francisco
Charles W. Meyers	Twenty-fourth	San Francisco
Robert I. McCarthy	Twenty-fifth	San Francisco
Edward M. Gaffney	Twenty-sixth	San Francisco
Richard J. Dolwig	Twenty-seventh	San Mateo
Robert C. Kirkwood	Twenty-eighth	Santa Clara
John F. Thompson	Twenty-ninth	Santa Clara
Ralph M. Brown	Thirtieth	Stanislaus
George A. Clarke	Thirty-first	Madera, Merced
Donald L. Grunsky	Thirty-second	San Benito, Santa Cruz
James W. Silliman	Thirty-third	Monterey, San Luis Obispo
James G. Crichton	Thirty-fourth	Fresno
S. L. Heisinger	Thirty-fifth	Fresno
Harlan Hagen	Thirty-sixth	Kings, Tulare
Stanley T. Tomlinson	Thirty-seventh	Santa Barbara
John B. Cooke	Thirty-eighth	Ventura
Joe C. Lewis	Thirty-ninth	Kern
William H. Rosenthal	Fortieth	Los Angeles
Julian Beck	Forty-first	Los Angeles
Everett G. Burkhalter	Forty-second	Los Angeles
H. Allen Smith	Forty-third	Los Angeles
Edward E. Elliott	Forty-fourth	Los Angeles
Thomas J. Doyle	Forty-fifth	Los Angeles
Glenn M. Anderson	Forty-sixth	Los Angeles
Albert I. Stewart	Forty-seventh	Los Angeles
Bruce V. Reagan	Forty-eighth	Los Angeles
Ernest R. Geddes	Forty-ninth	Los Angeles
Thomas M. Erwin	Fiftieth	Los Angeles
Elwyn S. Bennett	Fifty-first	Los Angeles
Jonathan J. Hollibaugh	Fifty-second	Los Angeles
Montivel A. Burke	Fifty-third	Los Angeles
John L. E. Collier	Fifty-fourth	Los Angeles
Vernon Kilpatrick	Fifty-fifth	Los Angeles
Glenard P. Lipscomb	Fifty-sixth	Los Angeles
Charles J. Conrad	Fifty-seventh	Los Angeles
Laughlin E. Waters	Fifty-eighth	Los Angeles
Willard M. Huyck	Fifty-ninth	Los Angeles
Harold K. Levering	Sixtieth	Los Angeles
Lester A. McMillan	Sixty-first	Los Angeles

Name	*District*	*County or Counties Comprising District*
Augustus F. Hawkins	Sixty-second	Los Angeles
G. Delbert Morris	Sixty-third	Los Angeles
Vacancy	Sixty-fourth	Los Angeles
John W. Evans	Sixty-fifth	Los Angeles
Gordon R. Hahn	Sixty-sixth	Los Angeles
Clayton A. Dills	Sixty-seventh	Los Angeles
Vincent Thomas	Sixty-eighth	Los Angeles
Ralph C. Dills	Sixty-ninth	Los Angeles
William S. Grant	Seventieth	Los Angeles
Carl Fletcher	Seventy-first	Los Angeles
R. Fred Price	Seventy-second	San Bernardino
L. Stewart Hinckley	Seventy-third	San Bernardino
Earl W. Stanley	Seventy-fourth	Orange
Sam L. Collins	Seventy-fifth	Orange
John D. Babbage	Seventy-sixth	Riverside
George R. Butters	Seventy-seventh	Imperial
Frank Luckel	Seventy-eighth	San Diego
Kathryn T. Niehouse	Seventy-ninth	San Diego
Howard K. Cramer	Eightieth	San Diego

(SEAL)

WITNESS my hand and the Great Seal of the State of California, at office in Sacramento, this third day of January, A.D. 1949.

FRANK M. JORDAN, Secretary of State

ROLL CALL BY COUNTIES

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

MEMBERS SWORN IN

As required by Section 9023 of the Government Code, the Chief Clerk called the roll of counties in alphabetical order, and the following members-elect appeared before the bar of the Assembly, presented their certificates of election, and duly qualified by taking and subscribing to the following oath administered by Hon. Frank M. Jordan, Secretary of State.

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the 1949 and 1950 Regular Sessions of the Legislature of the State of California, according to the best of my ability.

Francis Dunn, Jr., Randal F. Dickey, Luther H. Abe Lincoln, Marvin Sherwin, William Byron Rumford, Thomas W. Caldecott, Francis C. Lindsay, Arthur W. Coats, Jr., Lloyd W. Lowrey, Robert L. Condon, A. W. Way, James G. Crichton, S L. Heisinger, George R. Butters, Joe C. Lewis, Harlan Hagen, Ernest C. Crowley, Lester Thomas Davis, William H. Rosenthal, Julian Beck, Everett G. Burkhalter, H. Allen Smith, Edward E. Elliott, Thomas J. Doyle, Glenn M Anderson, Albert I. Stewart, Bruce V. Reagan, Ernest R. Geddes, Thomas M. Erwin, Elwyn S Bennett, Jonathan J. Hollibaugh, Montivel A. Burke, John L. E. Collier, Vernon Kilpatrick, Glenard P. Lipscomb, Charles J. Conrad, Laughlin E. Waters, Willard M Huyck, Harold K. Levering, Lester A. McMillan, Augustus F. Hawkins, G Delbert Morris, John W. Evans, Gordon R. Hahn, Clayton A. Dills, Vincent Thomas, Ralph C. Dills, William S. Grant, Carl Fletcher, George A. Clarke, Richard H. McCollister, James W. Silliman, Earl W. Stanley, Sam L. Collins, John D.

Babbage, Gordon A. Fleury, John E Moss, Jr., Donald L. Grunsky, R. Fred Price, L. Stewart Hinckley, Frank Luckel, Kathryn T. Niehouse, Howard K. Cramer, Bernard R. Brady, Thomas A. Maloney, Arthur H. Connolly, Jr., William Clifton Berry, Charles W. Meyers, Robert I. McCarthy, Edward M. Gaffney, Charles M. Weber, Verne W. Hoffman, Richard J. Dolwig, Stanley T. Tomlinson, Robert C. Kirkwood, John F. Thompson, Ralph M. Brown, and John B Cooke.

ANNOUNCEMENT

The Chief Clerk announced that the next order of business was the nomination and election of officers for the 1949 Regular Session of the Assembly, and declared that nominations for the office of Speaker of the Assembly were now in order.

NOMINATIONS FOR SPEAKER

Mr. Randal F. Dickey of Alameda placed in nomination for Speaker Mr. Sam L. Collins of Fullerton.

The nomination of Mr. Sam L. Collins was seconded by Mr. Carl Fletcher of Long Beach.

Nominations Closed

Mr. Vincent Thomas of San Pedro moved that the nominations for Speaker be now closed

Mr. John W. Evans of Los Angeles seconded the motion.

Motion carried.

ELECTION OF SPEAKER

The roll was called, with the following result:

FOR HON. SAM L. COLLINS—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—77.

NOES—None.

Whereupon the Chief Clerk announced the vote of the Assembly, and declared Hon. Sam L. Collins the choice of the Assembly for Speaker of the 1949 Regular Session of the Legislature.

APPOINTMENT OF COMMITTEE OF ESCORT

The Chief Clerk appointed Messrs Dickey, Fletcher and Mrs. Niehouse as a Select Committee to escort Speaker-elect Hon. Sam L. Collins to the chair.

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Speaker-elect Hon. Sam L. Collins took and subscribed to the following oath administered by Hon. Frank M. Jordan, Secretary of State:

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

Speaker Presiding

At 12.23 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REMARKS BY THE SPEAKER

Speaker Sam L. Collins then addressed the Assembly as follows:

Members of The Assembly: May I first thank you all for the trust and faith you have placed in me by again electing me your Speaker of the Assembly.

It is an honor I cherish deeply and one, with your cooperation, which I hope to dispatch with fairness to all.

It seems good to meet old friends and colleagues of many years standing and to anticipate the friendships to be generated with the 18 new members to whom I wish to extend a firm handclasp of special greetings.

To the nineteenth new member—well, he can hardly be classed as "new" to many of the present members. His vacation away from these halls he found not too alluring and so decided to return.

In the same vein of good fellowship, may I congratulate the Members of the Assembly on your selection of the one-and-only—San Francisco's favorite son—the Honorable Thomas A. Maloney, as our Speaker pro Tempore. Also, I'm glad to know that our good friend Arthur A. Ohnimus will be on hand to prevent chaos and keep order at the desk as Chief Clerk while his counterpart, Wilkie Ogg, Sergeant-at-Arms, will perform a similar service on the floor

But midst all this warm feeling of good will, as we are about to embark upon our legislative duties for the people of the State of California, I cannot help but pause to express my own feelings of sorrow—and I know full well I express yours—over the untimely passing of Assemblyman John C. Lyons, Representative of the Sixty-fourth Assembly District in Los Angeles.

John was good man; a kindly man.

Assemblyman Lyons was forthright and he was honest in every sense of the word.

Look at the record:

At a time when the designation "labor leader" may have meant different things to various groups of people, in the Handbook of the California Legislature you will find opposite John's name and under the heading, "occupation," he had listed "*labor leader.*"

He was proud of what he stood for and those who knew him best were proud of him for the recognition he had achieved among his fellow craftsmen.

While labor has lost a strong advocate, those of us who served the three long sessions with John Lyons, whether we agreed with him or not in the debates on this floor, regret the passing of a real man—a man's man.

If I were to sum up my hopes for the accomplishments of this session of the Legislature * * * if I were to tell you in a single word what I believe should be our motto and our objective during the next months of our deliberations here that word would be "*ECONOMY!*"

I'm afraid that during the war and in the years that have followed—years in which most of us have been experiencing the somewhat hypnotic effects of a war-inflated, money-mad, price-spiralling world, ECONOMY is a word that has been forgotten.

In fact, there have been times when to mention it would bring looks of askance from your audience.

Now, however, if we, as Members of the California Legislature, are to bring any signs of hope to California taxpayers, ECONOMY must be our *watchword!*

Everywhere we see signs pointing unmistakably to the end of the inflation road

Gradually there are those who are coming to the realization that the tax-dollar has definite size and shape; that it is not a limitless dollar.

The issues arising out of pre-existing financial problems, as well as the new ones added by the adoption of Proposition No. 4 at the last general election, are upon us, and accompanying these issues are many divergent thoughts as to the proper solution

Without attempting to pre-judge the issues or any of these divergent thoughts, I feel constrained to say that personally I hope we can find a solution without any increase in the tax burden now resting upon the people of this State. By this I mean a continuance of the tax rates which we have had since the 1943 enactments of the Legislature. Clearly, careful consideration must be given to the funds which have been set aside out of surplus tax receipts in boom years, as well as to the ability of the taxpaying public to bear additional tax burdens These problems have already

had study from our Interim Taxation Committee, and I am sure will have the careful and diligent consideration of our standing committee and the Members of this Legislature

I am sure, too, that Governor Warren has given this matter careful study, and look forward to his recommendations contained in his message to us today, which I am sure that our Taxation Committee and members will be pleased to receive and carefully consider.

With intelligent direction and an alert and responsive Legislature, I'm hopeful that this Legislature can complete its duties with honor and distinction. And, I might add, in a minimum amount of time

In this, let me say you will have my complete cooperation—complete and as full as my thanks again to you for electing me your Speaker

Motion That Remarks by Speaker Collins Be Printed in the Journal

Mr. Stanley moved that the remarks by Speaker Sam L. Collins be ordered printed in the Journal.

Motion carried.

COMMITTEE FROM THE SENATE

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

NOMINATIONS FOR SPEAKER PRO TEMPORE

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

Mr. Laughlin E. Waters of Los Angeles placed in nomination for Speaker pro Tempore Mr. Thomas A. Maloney of San Francisco.

The nomination of Mr. Maloney was seconded by Messrs. Bernard R. Brady of San Francisco, Ernest C. Crowley of Fairfield, and Charles M. Weber of Stockton.

Nominations Closed

Mr. Thomas J. Doyle of Los Angeles moved that nominations for Speaker pro Tempore be now closed.

Mr. Montivel A. Burke of Alhambra seconded the motion.

Motion carried.

ELECTION OF SPEAKER PRO TEMPORE

The roll was called, with the following result:

FOR HON. THOMAS A. MALONEY—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

NOES—None.

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

APPOINTMENT OF COMMITTEE OF ESCORT

The Speaker appointed Messrs. Weber, Brady, and Doyle as a Select Committee to escort Speaker pro Tempore-elect Hon. Thomas A. Maloney to the bar of the Assembly.

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Speaker pro Tempore-elect Hon. Thomas A. Maloney took and subscribed to the following oath administered by Hon. Frank M. Jordan, Secretary of State:

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

REMARKS BY THE SPEAKER PRO TEMPORE

Speaker pro Tempore Maloney then addressed the Assembly as follows:

Mr. Speaker, Members of the Assembly: Once again may I extend to you my sincere thanks and appreciation for electing me as the Speaker pro Tempore for this coming session.

I wish to assure you one and all that when I am presiding over you, I will carry on in a manner that will leave no cause for complaint when the session ends.

I will make mistakes, as do we all, but if I do, they will be mistakes of the mind, and not of the heart.

Before coming to Sacramento, I have in the past few weeks made many utterances that this will be a real tough and arduous session. Common sense will verify my predictions. The State of California has grown tremendously in population and industry in the past eight years, and as we grow and expand, the problems of those who are charged with the making of laws naturally grow too.

I pray that at this session of the Legislature we can meet our problems in the same honest and decent way we have done in the past. There will be differences of opinion on many issues that will be presented, so I also pray that, when we come to our final conclusions, all of our differences be left inside of this Assembly Chamber.

That is the way Democracy works, and I'm sure it will work at this session.

To you all, I wish you good luck to you and your families. I join with the Speaker in extending to you best wishes for a happy, prosperous and enjoyable new year. Thank you.

Motion That Remarks by Speaker pro Tempore Be Printed in the Journal

Mr. Stanley moved that the remarks by Mr. Maloney be ordered printed in the Journal.

Motion carried.

NOMINATIONS FOR CHIEF CLERK

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

Mr. Ralph C. Dills of Compton placed in nomination for Chief Clerk Mr. Arthur A. Ohnimus of San Francisco.

The nomination of Mr. Ohnimus was seconded by Mr. Thomas A. Maloney of San Francisco.

Nominations Closed

Mr. John W. Evans of Los Angeles moved that nominations for Chief Clerk be now closed.

Mr. Clayton A. Dills of Gardena seconded the motion.

Motion carried.

ELECTION OF CHIEF CLERK

The roll was called, with the following result:

FOR ARTHUR A. OHNIMUS—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78

NOES—None

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

OATH OF OFFICE ADMINISTERED

Mr. Arthur A. Ohnimus, Chief Clerk-elect, appeared before the bar of the Assembly, and took and subscribed to the following oath, administered by Hon. Frank M. Jordan, Secretary of State:

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

Chief Clerk Arthur A. Ohnimus at the Desk

NOMINATIONS FOR MINUTE CLERK

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

Mrs. Kathryn T. Niehouse of San Diego placed in nomination for Minute Clerk Miss Geraldine B. Hadsell of Los Angeles.

The nomination of Miss Hadsell was seconded by Mr. William S. Grant of Long Beach.

Nominations Closed

Mr. Richard J. Dolwig of South San Francisco moved that nominations be now closed.

Mr. Donald L. Grunsky of Watsonville seconded the motion.

Motion carried.

ELECTION OF MINUTE CLERK

The roll was called, with the following result:

FOR GERALDINE B. HADSELL—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

Miss Geraldine B. Hadsell being the choice of the Assembly for Minute Clerk, the Speaker declared her duly elected.

OATH OF OFFICE ADMINISTERED

Miss Geraldine B. Hadsell, Minute Clerk-elect, appeared before the bar of the Assembly, and took and subscribed to the following oath, administered by Hon. Frank M Jordan, Secretary of State:

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

NOMINATIONS FOR SERGEANT-AT-ARMS

The Speaker declared the nomination and election of Sergeant-at-Arms of the Assembly now in order.

Mr. John W. Evans of Los Angeles placed in nomination for Sergeant-at-Arms Mr. Wilkie Ogg of Sacramento.

The nomination of Mr. Ogg was seconded by Mr. Edward M. Gaffney of San Francisco.

Nominations Closed

Mr. William Clifton Berry of San Francisco moved that nominations be now closed.

Mr. Arthur H. Connolly of San Francisco seconded the motion.

Motion carried.

ELECTION OF SERGEANT-AT-ARMS

The roll was called with the following result:

FOR WILKIE OGG—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

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

OATH OF OFFICE ADMINISTERED

Mr. Wilkie Ogg, Sergeant-at-Arms-elect, appeared before the bar of the Assembly, and took and subscribed to the following oath, administered by Hon. Frank M. Jordan, Secretary of State:

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

NOMINATIONS FOR CHAPLAIN

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

Mr. Gordon A. Fleury of Sacramento placed in nomination for Chaplain Dr. Torrance Phelps, Pastor of the Pioneer Congregational Church of Sacramento.

The nomination of Dr. Torrance Phelps was seconded by Mr. John E. Moss of Sacramento.

Nominations Closed

Mr. Gordon A. Fleury of Sacramento moved that nominations be now closed.

Mr. John E. Moss of Sacramento seconded the motion.

Motion carried.

ELECTION OF CHAPLAIN

The roll was called, with the following result:

FOR DR. TORRANCE PHELPS—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley,

Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

Dr. Torrance Phelps being the choice of the Assembly for Chaplain, the Speaker declared him duly elected.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Fleury and Moss as a Select Committee to escort Dr. Torrance Phelps to the rostrum.

OATH OF OFFICE ADMINISTERED

Dr. Torrance Phelps Chaplain-elect, appeared before the bar of the Assembly, and took and subscribed to the following oath, administered by Hon. Frank M. Jordan, Secretary of State:

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

FURTHER NOMINATIONS

NOMINATION OF CHIEF ASSISTANT SERGEANT-AT-ARMS

Mr. Randal F. Dickey of Alameda placed in nomination for Chief Assistant Sergeant-at-Arms, Mr. Andrew J. Cecchettini of Sacramento.

The nomination of Mr. Cecchettini was seconded by Mr. Ernest R. Geddes of Pomona.

Nominations Closed

Mr. Ernest R. Geddes of Pomona asked for, and was granted, unanimous consent that nominations for Chief Assistant Sergeant-at-Arms be now closed.

ELECTION OF CHIEF ASSISTANT SERGEANT-AT-ARMS

The roll was called, with the following result:

FOR ANDREW J. CECCHETTINI—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

Mr. Andrew J. Cecchettini being the choice of the Assembly for Chief Assistant Sergeant-at-Arms, the Speaker declared him duly elected.

NOMINATION OF ASSISTANT CHIEF CLERK

Mr. Randal F. Dickey of Alameda placed in nomination for Assistant Chief Clerk Mr. Harold Lewright, of Sacramento.

The nomination of Mr. Lewright was seconded by Mr. Ernest R. Geddes of Pomona.

Nominations Closed

Mr. Ernest R. Geddes of Pomona asked for, and was granted, unanimous consent that nominations for Assistant Chief Clerk be now closed.

ELECTION OF ASSISTANT CHIEF CLERK

The roll was called, with the following result:

FOR HAROLD LEWRIGHT—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

Mr. Harold Lewright being the choice of the Assembly for Assistant Chief Clerk, the Speaker declared him duly elected.

OATHS OF OFFICE ADMINISTERED

Mr. Cecchettini, Chief Assistant Sergeant-at-Arms-elect, and Mr. Harold Lewright, Assistant Chief Clerk-elect, appeared before the bar of the Assembly, and took and subscribed to the following oath, administered by Hon. Frank M. Jordan, Secretary of State:

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

PLEDGE OF ALLEGIANCE TO THE FLAG

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

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 1: By Messrs. Maloney, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—Relative in honor of the late Honorable John C. Lyons.

Resolution read.

Request for Unanimous Consent That Members Present Be Co-authors of Assembly Concurrent Resolution No. 1

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 1 as co-authors.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Assembly Concurrent Resolution No. 1—Relative in honor of the late Honorable John C. Lyons.

Resolution read, and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate.

MOTION THAT REMARKS BY MR. MALONEY BE PRINTED IN THE JOURNAL

Mr. Weber moved that the remarks by Mr. Maloney, relative to Assembly Concurrent Resolution No. 1, be ordered printed in the Journal.

Motion carried.

Remarks by Mr. Maloney Relative to Assembly Concurrent Resolution No. 1

Mr. Speaker, Members of the Assembly: Most grievous of all occasions in life is that of bidding farewell to one whom we have known and loved. Truly it is not easy for me today to face the need or to give expression to what you and I most deeply feel.

Into the home of one of our dearest friends, there has come a sorrow, and if by brief and single tribute, we can make it known to them, that this sorrow is not only theirs, but yours and mine as well, we do it gladly.

So today, upon the convening of the 1949 Session of the California State Legislature, meeting for a common purpose, we pause and share a few minutes, to signify our respect, our sympathy and our love to the memory of a member of this body—the late Assemblyman John C Lyons of the Sixty-fourth District, Los Angeles, California, indicating, if sorrow is capable of division, we tenderly assume our part.

No man or no woman ever graced the legislative halls of this great State of ours, who was more loved and respected than our late colleague.

No man and no woman ever represented his constituents in a more able manner than John C. Lyons.

Possessed with ability to be a leader, he was chosen by his organization—The Plasterers Union of Los Angeles—as its manager, striving and succeeding to promote closer relationship between Employer and Employee. His goal was better working conditions and wages for his fellow man, and lasting peace for the Industry he so well represented.

John C Lyons was a Christian man, a devoted husband, a perfect father, and a staunch and devoted friend In all of the years I had known him, I never heard him speak ill or disparagingly of anyone. He loved his family, he loved you and me, and, above all, Gentlemen, he loved his Country As this fine American goes down the lane from which no one has ever returned, he leaves behind him broken hearts which never can be healed, but he also leaves behind a cherished memory, with those who had the privilege of serving with him

Some one once said, "Life is but a day in the cycle of eternity," then I may say of him,

"For memory has painted this
Perfect day
With colors that never fade,
And we find at the end of a
Perfect day
The soul, of a friend we've made"

To Mrs. Lyons, his devoted wife; to his daughter, Virginia, we extend our sympathy in their hours of bereavement

May God have mercy on his soul.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 1

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

Sam L. Collins_____*Speaker*
Thomas A. Maloney_____*Speaker pro Tempore*
Arthur A. Ohnimus_____*Chief Clerk*
Harold F. Lewright_____*Assistant Chief Clerk*
Geraldine B. Hadsell_____*Minute Clerk*
Wilkie Ogg_____*Sergeant-at-Arms*
Andrew J. Cecchettini_____*Chief Assistant Sergeant-at-Arms*
Dr. Torrance Phelps_____*Chaplain*

Resolution read.

Request for Unanimous Consent

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

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 1, the Speaker announced the appointment of Messrs Maloney, Erwin, and Doyle as such Select Committee to wait upon the Senate.

By Mr. Waters:

House Resolution No. 2

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

Resolution read.

Request for Unanimous Consent

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

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 2, the Speaker announced the appointment of Messrs. Waters, Kirkwood, Beck, Heisinger, and Hoffman as such Select Committee to wait upon the Governor.

By Mr. McCollister:

House Resolution No. 3

Resolved by the Assembly of the State of California, That the Speaker appoint a Select Committee of Three to wait upon the Senate and invite that honorable body to meet with the Assembly in Joint Convention at 3 p m. for the purpose of hearing the Governor deliver his message.

Resolution read.

Request for Unanimous Consent

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

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 3, the Speaker announced the appointment of Messrs. McCollister, Dickey, and Dunn as such Select Committee to wait upon the Senate and invite that honorable body to meet with the Assembly in Joint Convention at 3 p.m.

By Mr. Dickey:

House Resolution No. 4

Resolved by the Assembly of the State of California, That the Standing Rules of the 1947 Regular Session as amended in 1947, be and the same are hereby adopted as the Temporary Rules of the 1949 Session.

Resolution read.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 4, at this time, without reference to committee or file.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

By Mr. Hawkins:

House Resolution No. 5

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly in the sum of twenty dollars ($20), to be used as the Post Office Revolving Fund, and the Treasurer is hereby directed to pay the same.

Resolution read.

Request for Unanimous Consent

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

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig,

Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

By Mr. Evans:

House Resolution No. 6

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Resolution read.

Request for Unanimous Consent

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

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

By Mr. Cooke:

House Resolution No. 7

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

Resolution read.

Request for Unanimous Consent

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

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

By Mr. Anderson:

House Resolution No. 8

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

Resolution read.

Request for Unanimous Consent

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

Resolution read, and adopted.

By Mr. Crowley:

House Resolution No. 9

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

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	A W Way	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Lloyd W Lowrey	Rumsey Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats Jr	Yuba City Sutter County	58	--	--	58	116	5 80
5	Ernest C Crowley	Fairfield Solano County	40	--	--	40	80	4 00
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	**Richard H McCollister**	Mill Valley, Marin County	105	8	--	113	226	11 30
8	**Gordon A Fleury**	Sacramento, Sacramento County	--	--	--	--	--	----
9	John E Moss Jr	Sacramento, Sacramento County	--	--	--	--	--	----
10	*Robert L Condon*	*Walnut Creek Contra Costa County*	62	1	--	63	126	6 30
11	Charles M Weber	Stockton San Joaquin County	48	--	--	48	96	4 80
12	Verne W Hoffman	Acampo San Joaquin County	48	--	14	34	68	3 40
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	--	84	168	8 40
14	Randal F Dickey	Alameda Alameda County	84	5	--	89	178	8 90
15	Luther H Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	**William Byron Rumford**	Berkeley, Alameda County	84	--	1	83	166	8 30
18	*Thomas W Caldecott*	*Berkeley, Alameda County*	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00
23	William Clifton Berry	San Francisco San Francisco County	90	--	--	90	180	9 00
24	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Robert I McCarthy	San Francisco San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	John F Thompson	San Jose, Santa Clara County	128	--	--	128	256	12 80
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas Monterey County	208	--	--	208	416	20 80
34	James G Crichton	Fresno, Fresno County	169	--	--	169	338	16 90
35	S L Heisinger	Calwa, Fresno County	169	5	--	174	348	17 40
36	Harlan Hagen	Hanford Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	John B Cooke	Ventura Ventura County	490	--	--	490	980	49 00
39	Joe C Lewis	Buttonwillow, Kern County	278	21	--	299	598	29 90
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	$42 60
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	H Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Glenn M Anderson	Hawthorne, Los Angeles County	447	12	--	459	918	45 90
47	Albert J Stewart	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Bruce V Reagan	Pasadena, Los Angeles County	447	13	--	460	920	46 00
49	Ernest R Geddes	Pomona, Los Angeles County	447	30	--	477	954	47 70
50	Thomas M Erwin	Puente, Los Angeles County	447	19	--	466	932	46 60
51	Elwyn S Bennett	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Hollibaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Glenard P Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Willard M Huyck	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
60	Harold K Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Ralph C Dills	Compton, Los Angeles County	447	18	--	465	930	46 50
70	William S Grant	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Carl Fletcher	Long Beach, Los Angeles County	447	22	--	469	938	46 90
72	R Fred Price	Upland, San Bernardino County	508	--	23	485	970	48 50
73	L Stewart Hinckley	Redlands, San Bernardino County	508	9	--	517	1 034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D Babbage	Riverside, Riverside County	512	--	--	512	1,024	51 20
77	George R Butters	Brawley, Imperial County	661	--	14	647	1 294	64 70
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Nichouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Howard K Cramer	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco, San Francisco County	--	--	--	--	---	-----
Geraldine B Hadsell	Los Angeles, Los Angeles County	447	--	--	447	894	$89 40
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	---	---	-----

Resolution read, and ordered printed in the Journal.

Announcement

Speaker Sam L. Collins requested that all members check their mileage allocations as set forth above, and report any errors prior to consideration and adoption of House Resolution No. 9

By Mr. Dickey:

House Resolution No. 10

Resolved by the Assembly of the State of California, That the Chief Clerk be authorized to receive from the Members of the Assembly a mailing list of all bills, resolutions, and Histories; to be directed to libraries, chambers of commerce, and other

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

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

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

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 11

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of one thousand nine hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail, and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five ($1,975), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

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

Resolution read.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 11, at this time, without reference to committee or file.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

NOES—None.

By Mr. Ralph C. Dills:

House Resolution No. 12

Relative to the creation of the Assembly Interim Committee on lending transactions

WHEREAS, The current period of economic inflation has forced increasing numbers of the people of this State to borrow money from persons, firms, and corporations licensed to make such loans; and

WHEREAS, Experience has shown that many borrowers are subjected to great hardship because of high rates of interest and other charges made by such licensees, to the detriment of the general welfare of the State; and

WHEREAS, In order for the Legislature to enact laws adequate to protect the interest of the borrowers in these transactions it is necessary that the Legislature be fully informed as to all facts and matters pertaining thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Lending Transactions is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution or in any way appertaining to lending transactions and interest and other charges thereon, the administration, operation, and effectiveness of the Personal Property Brokers Act, the California Small Loan Act, and any related legislation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and until March 15, 1949, with authority to file its final report not later than that date.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 3, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate has elected the following statutory officers for the 1949 Regular Session:

President pro Tempore—Harold J. Powers
Secretary of the Senate—Joseph A. Beek
Sergeant-at-Arms—Joseph F Nolan
Minute Clerk—John F. Lea
Chaplain—Rev. Nelson E. Hinman

J. A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

COMMUNICATIONS

By Speaker Collins:

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

REPORT OF THE STATE PERSONNEL BOARD TO THE GOVERNOR CONCERNING THE STATUS OF STATE EMPLOYEES' SALARIES PREPARED IN CONFORMANCE WITH HOUSE RESOLUTION NO. 80

January 3, 1949

The State Personnel Board at its regular meeting on December 3, 1948, adopted the following resolution:

It is hereby resolved that the Report to the Governor concerning the Status of State Employees' Salaries together with recommendations be adopted as the report prepared in conformance with House Resolution No. 80. The Secretary of this Board is directed to transmit the Report to the Governor and to file a copy of same with the Clerk of the Assembly in accordance with House Resolution No. 80.

AYES—Messrs. Chatters, Lutgens, Mallary, Olson, and Gray. The motion was carried.

I, John F. Fisher, Secretary of the State Personnel Board, hereby certify that the foregoing resolution was duly and regularly adopted at the regular meeting of the State Personnel Board on the third day of December, 1948.

JOHN F. FISHER, Secretary

CALIFORNIA STATE PERSONNEL BOARD, December 3, 1948

The Honorable Earl Warren
Governor of California

We are submitting to you herewith, in accordance with House Resolution No. 80, and in fulfillment of our general responsibilities, a report on the current status of salaries of state employees (See pages 2 to 5) This report includes three specific conclusions:

1. In order that salaries of state employees may be brought in line as of September 1, 1948, with those paid by other governmental agencies and by private business, there is need for a further appropriation of $1,660,000 from the General Fund for the balance of this fiscal year. This will permit the board to grant to 15,500 state employees comparable increases already given to 18,000 employees as of September 1, 1948 (See pages 5 to 7)

2. From our best information, there is a strong possibility that there will be further wage increases in private industry and other governmental agencies during the next fiscal year. In order for the State to meet this possible increase, it will be necessary to provide a salary increase fund of 5 percent of total state salaries (See pages 7 and 8)

3. In order to make it possible for the board to continue to adjust inequities in salaries of individual classes within the state service, a further salary increase fund of $300,000 will also be required for the next fiscal year (See page 9.)

All of the figures quoted above refer to appropriations from the General Fund for civil service employees Comparable adjustments should be provided for employees paid from special funds

We have been informed that the Department of Finance is preparing recommendations for salaries of exempt employees We have also been informed that the University of California has been requested to submit recommendations for its employees.

The reasons and evidence supporting these conclusions are contained in the following report

Respectfully submitted,
STATE PERSONNEL BOARD

ROBERT D GRAY, President
FORD A. CHATTERS, Vice President
HARRY LUTGENS, Member
BENJAMIN E. MALLARY, Member
EMERY E. OLSON, Member

Report to the Governor Concerning the Status of State Employees' Salaries

December 3, 1948

This report is prepared pursuant to House Resolution No. 80, a copy of which is attached, requesting the State Personnel Board to make a "full and complete report on the status of state employees' salaries in relation to prevailing rates in private business and other public jurisdictions, together with its recommendation to the Governor in such time as will enable him to give consideration to it in connection with preparing his Message to the 1949 Session of the Legislature"

Several different authorities determine salaries for state employees. The salaries for some are set by specific provision in the State Constitution. Another group of employees, including the Governor and most of the department heads and judges, have their salaries determined by direct action of the Legislature A larger number of exempt employees, approximately 3,000, have their salaries set by the Director of Finance. In arriving at his decision, the Director of Finance may call upon the staff

of the State Personnel Board for its recommendations. Approximately 11,225 employees on the staff of the University of California have their salaries determined by the University. The largest number of employees, approximating 46,000 on July 1, 1948, the civil service employees of the State of California, have their salaries determined by the State Personnel Board in accordance with Section 18850 of the Government Code.

Section 18850: The board shall establish and adjust salary ranges for each class of position in the state civil service. The salary ranges shall be based on the principle that like salaries shall be paid for comparable duties and responsibilities. In establishing or changing such ranges consideration shall be given to the prevailing rates for comparable service in other public employment and in private business, improvement of living standards, the current costs of living, and the State's financial condition The board may make a change in salary range retroactive to the date of application for such change. (Amended by Stats. 1945, Ch 1279)

The salaries of all civil service employees are also subject to Section 18852 which provides that salary ranges shall consist of minimum and maximum salary limits together with some intermediate steps within those limits.

For all monthly-salaried employees, the board must establish a uniform salary which is paid throughout the State regardless of locality. For a small group of "laborers, workmen and mechanics employed on an hourly or per diem basis," approximately a thousand, the board in accordance with Section 18853 of the Government Code sets prevailing rates of compensation for different localities in the State. This group of employees is usually referred to as "prevailing-rate employees" Their salaries or wage rates are determined primarily by union contracts existing in the particular locality of the State. It should be noted, however, that the "prevailing-rate employees" are entitled to a range in rates above the actual rate when the practice in the specific craft is for the payment of a single rate.

The status of state employees' salaries can be most effectively considered if the problem is divided into two principal parts:

Part I—General Analysis of the Present Status of State Salaries
- A. Actions Taken Between June, 1946, and September, 1948
- B. Adjustments Received by "Prevailing-Rate Employees"
- C. Actions Taken Since September 1, 1948

Part II—Estimate of the Future
- A. Estimates of Possible Salary Trends in the 1949-50 Fiscal Year
- B. Estimates of Salary Adjustment Funds Needed to Meet Individual Class Adjustments

Part I—General Analysis of the Present Status of State Salaries

In the following discussion we propose to review those factors which most significantly affect the present state salary structure and which must be taken into account in determining the relative status of state employees' salaries.

A. *Actions Taken by the Legislature and the State Personnel Board Between June, 1946, and September, 1948, to Keep Salaries of State Employees in Line With Prevailing Rates.*

1 On June 1, 1946, from funds made available by the Legislature for the 1945-1946 Fiscal Year, the State Personnel Board provided for an increase of $10 in the base salary of all employees having minimum entrance salaries of less than $400 a month.

2 On March 25, 1947, the State Senate requested, in Senate Resolution No 61, that the State Personnel Board make a complete report on the status of state salaries.

3 On April 12, 1947, the State Personnel Board made its report to the Legislature indicating that the cost of living had increased 14 percent since June 1, 1946, that the State was lagging behind salaries in other governmental jurisdictions, and that a "second round" of salary increases in private industry had materialized at from $25 to $35 per month

4 To meet this critical situation, the Legislature appropriated the sum of $8,777,100 from the General Fund to provide salary increases during the 1947-1948 Fiscal Year, plus an additional amount to make such an adjustment retroactive

5 On July 25, 1947, the State Personnel Board provided a general salary increase of at least $15 and averaging $22 a month to all civil service employees retroactive to April 1, 1947. This adjustment brought state salaries in line with those prevailing in private industry and other governmental employment. At the same time a new salary plan was adopted which permits employees in each salary range to advance over a four-year period to a maximum salary rate that is approximately 21 percent higher than their starting salary. This plan eliminated many of the inequities which existed under the former salary plan and provided a sound base on which future upward or downward adjustments might be applied with uniform equity to all employees. In addition to this general salary increase, the State Personnel Board continued its program of studying and adjusting the salaries of individual classes to correct internal salary inequities. During the 1947-48 Fiscal Year, increases were granted to 5,532 employees in 528 classes.

6 Beginning on October 1, 1947, many employees, principally in the institutions, benefited from a reduction of working hours to a 40-hour week made possible by legislative action.

7. At the close of 1947 and the beginning of 1948, there were some indications that the cost of living was increasing and that there would be a third round of wage and salary increases At the same time, however, there were other indications that the cost of living would be stabilized. The prices of some commodities broke sharply. Many major companies such as United States Steel Corporation and the large electrical manufacturing companies stated publicly that they would not grant further wage increases In view of the evidence, the board concluded that it had no basis on which it could recommend to the 1948 Budget Session of the Legislature that a large fund should be provided for a possible third-round increase in salaries. The board did request and the Legislature did appropriate $2,000,000 for the correction of internal inequities. The Director of Finance on July 1, 1948, made $1,005,000 of this salary increase fund available for use by the State Personnel Board to adjust salaries of General Fund civil service employees during the 1948-49 Fiscal Year.

8. As of September 1, 1948, the State Personnel Board was confronted with a different situation The rapid change in events beginning at the end of May, 1948, resulted in the conditions which are briefly summarized as follows:

a The general business and economic conditions in the United States had been stimulated by the passage of the European Recovery Program and the increased expenditures by the Federal Government for national defense.

b. By June, 1948, the cost of living had increased 10 percent in the United States, 7 2 percent in Los Angeles, and 7 9 percent in San Francisco over April, 1947, the date of the last general increase in salaries of state employees. The September figures show further increase to a total of 11.8 percent for the United States, 8 6 percent for Los Angeles, and 9 7 percent for San Francisco. The figures on the changes in the Bureau of Labor Statistics Index of Consumers' Prices is included as an appendix to this report.

c. A third round of wage and salary adjustments had resulted in increases of from 7 to 9 percent or from 11 cents to 13 cents an hour ($19 to $22 50 a month) in private industry.

d A few indications of the third round had appeared as early as November 19, 1947 The real impetus for a third round, however, began in May, 1948, with a settlement of the General Motors negotiation A substantial number of industries such as automobile, coal, electrical manufacturing, steel, and rubber granted increases during June and July Other industries such as telephone and railroads made adjustments subsequent to September 1. A majority of these industries have major plants in California whose employees received the increases These adjustments provided the impetus for local industries to provide corresponding increases It appeared reasonable, therefore, to use the date of September 1, 1948, as an approximate time when a substantial majority, but not all of the employers, had granted the third round.

e. As of July 1, 1948, Congress increased the salaries of federal classified employees by $27 50 a month and of Postal employees by $37 50 a month. At the same time widespread salary increases were granted by San Francisco City and County, Los Angeles City, Los Angeles County, Los Angeles School District and other governmental jurisdictions such as Vallejo, Berkeley, Sacramento County and Bakersfield As a result of these changes, the salary ranges for many classes in the state service averaged from $10 to $40 a month below those of other governmental agencies in California.

f Within the preceding few months there had been a considerable reduction in the number of persons on civil service employment lists who would accept state employment.

g A survey in the Los Angeles area by the Merchants and Manufacturers Association showed an average increase over the six-month period from February to August, 1948, for the classes surveyed of 5 6 cents an hour for office and technical classes, and 5 4 cents an hour for shop classes This would represent an average increase of approximately 4 percent The average increase over the year period from August, 1947, to August, 1948, was 9 4 cents an hour for office and technical, and 11 7 cents an hour for shop classes or average increases of approximately 6 percent and 8 percent.

From the above summary of facts, it appeared to the members of the State Personnel Board that the salaries of a large number of state employees were falling below those prevailing in private industry and in other governmental jurisdictions. Based on the above prevailing rate information, salary adjustments were found to be warranted for approximately 85 percent of the state employees as of September 1, 1948.

B *Adjustments Received by Prevailing Rate Employees in the State Service*

Most of the approximately 1,000 laborers, workmen, and mechanics in the state service whose salaries are set by prevailing rates, in accordance with Government Code Section 18853, have received "third-round" adjustments which have averaged 8 6 percent over their 1947 rates.

The Personnel Board would like to point out that under provisions of Government Code Sections 18050 and 18100, which provide for vacation and sick leave benefits, these state "prevailing-rate employees" who are paid at hourly rates receive the regular state benefits of 15 working days' vacation with pay and may receive 12 working days for sick leave. Most comparable employments in the construction industry do not receive these benefits.

Under the provision of Government Code Section 18853 requiring the establishment of minimum and maximum salary limits for these prevailing rate classes, the trades and craft employees who are paid on a prevailing hourly rate basis receive a 5 cent and a 10 cent per hour differential over the prevailing rate after one and two years' employment with the State.

The result of these provisions of law has been that these state employees receive the same wage rates negotiated with private contractors and receive all the collateral benefits such as premium pay for night work, and overtime as received by employees in private industry, and in addition, they receive the added state benefits of vacation and sick leave with pay, plus the 5 cent and 10 cent premium pay. Legislative action would be required to place these employees on the same basis as comparable employees in private employment with respect to both pay and special benefits. Some private employers have complained that the present practices have placed them at a disadvantage in recruiting and retaining employees.

C *Actions Taken by the State Personnel Board Since September 1, 1948*

Having noted the salary trends in private and other public employment, the State Personnel Board instructed its staff to make a study of the effect of the third-round adjustments on the salaries of state employees. This study involved the detailed comparison of state salaries with rates paid in private industries and other governmental jurisdictions for comparable employment. The primary sources of this information were surveys conducted jointly with other governmental agencies in February and March, 1948, in the major population centers of the State, and comparisons with salaries of other governmental agencies which were effective on July 1, 1948. These governmental rates generally were based on this same information. A check of a representative sample of 175 firms in San Francisco and Los Angeles indicated that 58 percent of these firms had granted wage increases from March 1, 1948, to September 1, 1948, and an additional 11 percent were negotiating salary adjustments. The information from these surveys was supplemented by later information from a private agency survey in one area and by special studies conducted by the staff. It should be pointed out, therefore, that the prevailing rate information used does not reflect all of the third-round wage increases granted by industry.

On the basis of this study, the State Personnel Board reported to the Governor and the Director of Finance that if state salaries were to be maintained in a reasonable relationship to prevailing rates, increases should be granted, effective September 1, to 1,100 classes and affecting approximately 85 percent of the state employees. The board estimated that the granting of these increases would involve an expenditure from the General Fund of approximately $3,700,000 for the remainder of the fiscal year. Inasmuch as there remained a total of only $1,275,000 in the Salary Adjustment Fund, it was agreed that the State Personnel Board should present the problem to the Joint Legislative Budget Committee for its recommendation.

On September 3, 1948, the State Personnel Board submitted to the committee a "Memorandum on State Employees' Salaries" which indicated the extent of adjustments needed and which presented much of the data contained in this report. The Budget Committee requested the Legislative Auditor to analyze the information upon which the Personnel Board's recommendation was based and report to the committee.

The Legislative Auditor, on October 15, 1948, reported that there was basic justification for an increase in nearly all cases where individual adjustments had not been made by the State Personnel Board since April, 1947. However, he suggested that the matter be referred to the Legislature in January. The Joint Legislative Budget Committee expressed its inability to commit the Legislature to any substantial expenditure in excess of budget authorization for purposes of pay roll increases.

The State Personnel Board had informed the Budget Committee that of the money remaining in the Salary Increase Fund, $993,000 could be used immediately by the State Personnel Board to adjust salaries of general fund civil service employees. While this amount was insufficient to make all of the adjustments which the facts warranted, several members of the Joint Legislative Budget Committee expressed the thought that the State Personnel Board should use all of the resources at its disposal to meet the immediate situation and refer the general problems to the Legislature in its regular session.

At the State Personnel Board meetings of November 5th and 6th and November 19th and 20th, salary adjustments were approved for approximately 300 classes in the lower salary brackets affecting 18,000 employees, after receiving certification by the Director of Finance that sufficient funds were available to make these adjustments.

These adjustments have exhausted the salary increase funds. If the remaining civil service classes for which increases are warranted are to be adjusted as of September 1, 1948, an additional amount of $1,660,000 would be required from the General Fund for the balance of the present fiscal year. We understand that the Department

of Finance and the University of California, the other two salary fixing authorities, are preparing estimates of the funds needed to grant comparable adjustments to employees of the University of California and other exempt employees

Part II—Estimate of the Future

A. *Estimate of Possible Salary Trends in the 1949-50 Fiscal Year*

It is not possible at this time to make definite predictions as to trends in salaries for the Fiscal Year 1949-50 As of the date of this report, various reliable governmental and private sources seem to agree that there is little or no evidence pointing to a reduction in the current high level of employment, production, and consumption in the forthcoming year Prices and wages will probably remain at a high level with a possible leveling off or even a slight drop in some industries, such as some agricultural products and some household appliances. The tone of almost all reports, however, is optimistic and indicates no serious setback in prospect The Department of Finance in its August 13th circular letter on "Tentative assumptions regarding state population, economic conditions, and price levels for use in 1949-50 budget requests" states the following:

> "Continued high level of economic activity through the 1949-50 Fiscal Year appears to be the most logical prediction possible at the present time. Although there are factors of weakness in the business outlook, they are more than balanced by factors of strength. Limitations upon production capacity will curb expansion in physical volume of output in many basic lines. However, further price rises may increase the dollar value of production."

There are indications that in certain commodities there will be a closer balance between supply and demand and, therefore, it may be expected that there will be greater resistance to those salary increases that cannot be reflected in higher prices.

The Department of Finance report of August 13th further states that "record employment, further wage increases, the reduction in federal income tax, available workers, and a large volume of liquid assets in the hands of consumers are all factors which will support the domestic economy for a considerable time in the State."

The exact pattern of changes in salaries and prices during 1949-50 is not clear at present. The two most likely patterns are that either salaries and prices will rise still further, or that salaries may become stabilized and prices will decline.

The United Mine Workers have announced further wage demands amounting to 15 cents. The Wage Research Division of the National Foreman's Institute in October reported fourth-round adjustments averaging 9.4 cents an hour based on an analysis of 600 contracts signed in the last 60 days Based on increases granted and promised under the General Motors cost of living formula, a 6 cents an hour wage increase is indicated. The American Federation of Labor has announced its intention to seek a fourth round of wage increases based on increases of 35 percent in cost of living since the end of the war as contrasted with an increase in factory wages of 29 percent. On November 17, 1948, Henry Ford II, president of the Ford Motor Company, said a fourth round of wage increases "is inevitable. Workers are going to get another pay boost." Some recent wage settlements in California may be significant: an increase of 12½ cents an hour in the oil industry, an increase of 15 cents an hour on the water front, and increases for meat cutters of $10 a week ($43 a month) in Los Angeles and $14 a week ($60 a month) in Ventura, Santa Barbara, and San Luis Obispo.

A reasonable estimate of the extent of additional wage adjustments, should they develop, would be a pattern of from 5 cents to 9 cents per hour, which would represent a monthly increase of from $9 to $15. At the same time there are indications that attention in 1949 may be focused on reducing prices rather than on increasing wages

A wide variety of industries is surveyed to determine prevailing rates for classes comparable to those in the state service There is a considerable time lag until the full effects of wage increases granted by the major industries are completely reflected in prevailing rates. Because of this time lag, and because only a portion of the third round was reflected in the April, 1948, area surveys, it can be anticipated that the April, 1949, surveys will reflect continued increases in the prevailing rates of classes comparable to state employment. In estimating the amount required for 1949-50 salary adjustments, the further influences of third round plus the possible additional increases should be considered.

A minimum reasonable estimate of funds needed for salary adjustments to meet possible increases in prevailing rates appears to be approximately 5 percent of salaries and wages. This salary increase fund would be used only if and when required by prevailing rates in California. This policy was followed by the board in the 1947-48 Fiscal Year and resulted in there being an unexpended balance in the salary increase fund at the end of the fiscal year of $878,000 This saving reverted to the General Fund.

Because the economic situation is subject to rapid changes and in order to provide the Governor and the Legislature with current information on the status of employees' salaries, the State Personnel Board will continue its study of economic conditions and salary trends in order to provide further reports or information that may be requested.

B. *Estimate of Salary Adjustment Funds Needed to Meet Individual Class Adjustments*

Regardless of what occurs generally and in addition to the possibility of the need for a widespread adjustment of salaries, there is a continuing need for special adjustments in individual occupations or classes. These adjustments are required to meet prevailing rate changes that affect only individual classes or series of classes, to maintain equitable salary relationships within the state service, and to compensate employees for changes in workload, work assignments, and responsibility.

Based on an analysis of the experience of the last two years, it is estimated that $300,000 would be required from the General Fund for the 1949-50 Fiscal Year to enable the State Personnel Board to make these individual adjustments for civil service employees.

Respectfully submitted,

CALIFORNIA STATE PERSONNEL BOARD
ROBERT D GRAY, President
FORD A. CHATTERS, Vice President
HARRY LUTGENS
BENJAMIN E. MALLARY
EMERY E. OLSON

APPENDIX

House Resolution Adopted March 24, 1948

House Resolution No. 80

Relative to Salaries of State Employees

WHEREAS, Full salary fixing responsibility in state service is placed by law upon the State Personnel Board insofar as the establishment and continuous adjustment of salaries of civil service employees are concerned under Section 18850 of the Government Code which provides: "The board shall establish and adjust salary ranges for each class of position in the State Civil Service"; and

WHEREAS, Section 18850 of the Government Code also requires that in establishing salaries for state employees "consideration shall be given to the prevailing rates for comparable service in other public employment and in private business"; and

WHEREAS, The Legislature has heretofore declared itself in favor of the principle that state employees' salaries should be maintained as nearly as possible up to prevailing salaries with a minimum of lag in doing so; and

WHEREAS, It appears that as of this date the overall salaries of state employees are reasonably comparable with prevailing rates, which has been made possible by the appropriation of sufficient funds in the Salary Increase Fund of the budget by the last session of the Legislature; and

WHEREAS, In order to keep the salary ranges of various classes in the state civil service properly adjusted it is necessary that, and the duty of, the Personnel Board to make continuous studies and keep current data in its files on prevailing rates and salary trends; and

WHEREAS, If between now and the convening of the 1949 Session of the Legislature the Personnel Board, on the basis of its studies and information, should determine that state employees' salaries in general are below the prevailing rates there may not be sufficient funds in the salary increase item of the Budget for the 1948-49 Fiscal Year to enable the Personnel Board and other salary fixing agencies to keep the salaries of state employees in line with prevailing rates; and

WHEREAS, It appears that the Governor in preparing the Budget for this session of the Legislature gave only limited consideration to this general problem and it further appears that the Personnel Board does not have any policy or procedure for keeping the Governor and the Legislature regularly advised and informed on the salary status of state employees, or salary trends generally, thus leaving the Legislature without the benefit of the Governor's recommendation in this regard and without the benefit of up-to-date data and recommendations from the State Personnel Board unless specifically requested for such sufficiently in advance of the time of need for legislative consideration; and

WHEREAS, It might therefore be necessary and desirable that the Legislature give consideration to the matter of state employees' salaries upon convening in January, 1949, and in order to properly do so should have immediately available to it all pertinent and necessary information on the subject; now, therefore, be it

Resolved, That the State Personnel Board be and it is hereby requested to make a full and complete report on the status of state employees' salaries in relation to prevailing rates in private business and other public jurisdictions together with its recommendations to the Governor in such time as will enable him to give consideration to it in connection with preparing his Message to the 1949 Session of the Legislature, and also to file a copy of the same with the Clerk of the Assembly not later than the second day of the 1949 Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send a copy of this resolution to the Governor, the Director of Finance and the State Personnel Board.

APPENDIX—TABLE 1

U. S. Bureau of Labor Statistics Index of Consumers' Prices for Moderate-income Families

(1935-39 = 100)

Date			Percent increase since April		Percent increase since April		Percent increase since April
Year	*Month*	*U. S.*	*1947*	*L. A.*	*1947*	*S. F.**	*1947*
1940	June	99.8		100 8		100.1	
1941	June	104 6		105 6		105.4	
1942	June	116 4		118 6		117.9	
1943	June	124 8		126 3		128.7	
1944	June	125.4		126 8		129.2	
1945	June	129 0		130.5		132 7	
1946	June	133 3		136 1		137.8	
	Dec.	153 3		154.5		160.4	
1947	April	156 1		157.4		161.4	
	May	155 8	—.2	157 6	.1	160.7	—.4
	June	157.1	.6	156.3	—7	159 3	—1.3
	July	158.4	1.5	157.2	—.1		
	Aug.	160 3	2.7	157.8	.3		
	Sept.	163.8	4.9	161 6	2.7	165.7	2.7
	Oct.	163 8	4 9	161.3	2.5		
	Nov.	164 9	5.6	164.1	4 3		
	Dec.	167 0	6 9	166.0	5 5	168.9	4.6
1948	Jan.	168.8	8.1	167.6	6 5		
	Feb	167 5	7.3	168.1	6 8		
	March	166 9	6 9	167.4	6.4	171.4	6.2
	April	169.3	7 8	169 3	7.6		
	May	170.5	9 2	169.1	7.4		
	June	171 7	10.0	168 8	7.2	174.2	7.9
	July	173.7	11 3	170.3	8.2		
	Aug.	174.5	11 8	171.0	8.6		
	Sept.	174 5	11.8	171.0	8.6	177 1	9.7
	Oct.	173.6	11.3	171 8	9 1		

* Index for S. F. is now reported quarterly.

RECESS

At 1.35 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Collins:

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

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS, SACRAMENTO, December 28, 1948

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

Re: H. R. 46, 1948 Regular Session

DEAR SIR: By House Resolution No. 46, adopted March 26, 1948, the Assembly requested the Division of Highways, Department of Public Works, to investigate the necessity and feasibility of constructing a San Pedro, Wilmington, Terminal Island, and Long Beach "T" Tunnel to connect the Harbor Freeway with the Long Beach Freeway and to report its findings and recommendations to the Assembly not later than 15 days after the convening of the next regular session of the Legislature.

There are transmitted herewith six copies of a Report of the Division of Highways to the Legislature of the State of California on the necessity and feasibility of constructing highway tunnels in the vicinity of Terminal Island, dated December 1948.

Yours very truly,

C. H. PURCELL, Director of Public Works

Enclosures

Above mentioned report ordered referred to the Committee on Conservation, Planning, and Public Works.

By Speaker Collins:

A communication from J. H. Covington, Executive Secretary of the Division of Beaches and Parks, State of California, relative to an attached Report of the State Park Commission as to the suitability of Angel Island as a State Park or recreational area, was received and read.

Above mentioned report ordered printed in the Journal as follows:

EXCERPT FROM THE MINUTES OF THE MEETING OF THE CALIFORNIA STATE PARK COMMISSION, HELD IN SAN FRANCISCO, CALIFORNIA, ON NOVEMBER 19, 1948

Proposed Acquisition—Angel Island

Commissioner Kasch presented report upon the findings of this commission relative to the acquisition of Angel Island as an addition to the State Park System. It was moved by Commissioner Kasch that the following resolution be adopted:

Resolved, That the following be approved in the matter of the proposal that Angel Island be acquired as a state park

Under the provisions of Assembly Joint Resolution No. 2, the State Park Commission was requested to investigate "the suitability of Angel Island, relative to cost, development, cost and mode of transportation, water facilities and suitability as a state park or recreational area," and that if the commission, after such investigation, concludes that it would be desirable for inclusion in the State Park System, to proceed with acquisition.

This commission has made an investigation in conformity with the foregoing resolution, without, however securing detailed engineering studies. We felt that the wide engineering experience of General Hannum, Director of the Department of Natural Resources, and Colonel Kelton of our staff qualified them to supply adequate information to enable us to reach a decision without incurring heavy expense.

In an opinion of the Attorney General dated September 24, 1948, it is concluded that the island itself is owned in fee by the United States of America. It has been declared surplus real property to War Assets Administration by the War Department Corps of Engineers and, we were advised, could be acquired by the State of California, acting through this commission, for the sum of $350,000

Under the provision of Chapter 1422, Statutes of 1945, $5,000,000 was appropriated for state parks, which would enable this commission to proceed with the acquisition if, in its opinion, it is desirable for inclusion in the State Park System

Angel Island comprises approximately 640 acres. It is in San Francisco Bay, lying principally in Marin County, but a small portion is in the City and County of San Francisco. The summit, on clear days, commands inspiring views of the bay and hills of San Francisco, Alameda, Contra Costa and Marin Counties. A road has been constructed around the island not a great distance above the water line Virtually all the improvements and installations are between this road and the shore The lands above the road are arid and rocky. The vegetation is not varied or interesting. Nature has not been able to do much by itself for lack of soil and water.

There are several small beaches on the island, but it must be recognized that they are wholly inadequate for bathing or even sunning on the sand. After a thorough investigation we must conclude that the beaches on Angel Island are not of sufficient size or so situated with reference to climate as to justify a belief that any considerable number of families would prefer them to the beaches of San Francisco, Marin, San Mateo and Santa Cruz Counties. We recognize that various trails could be developed. However, we cannot convince ourselves that these trails could afford specialized recreational activities or will be attractive to hikers. At present the state has mountain trails and public areas on Mount Tamalpais, Samuel P Taylor and Mount Diablo State Parks, all reasonably near the populated Bay area.

Transportation can only be by a special ferry service or a high level suspension bridge from Tiburon. We have not attempted to secure figures from which a reliable estimate can be made of the cost of a bridge to Angel Island. We are convinced, however, that the recreational opportunities of the island do not justify such expenditure of public funds. We are also convinced that an equal sum expended in the development

of an accessible area could be justified in the public interest. The island cannot be developed as a recreational area according to policies of the State so as to warrant the expense to sufficient visitors who must arrive by ferry.

The water supply of the island is inadequate. In the past water has been brought from San Francisco by barge. If an intensive use is to be made of the area a water main must be laid on the bottom of the bay. This can be done, but we are advised that the cost would be from $369,000 to $567,000, depending on whether the water comes from Treasure Island, San Francisco or Richmond

It is our conclusion that the great cost of a submarine water supply or a capital investment of several millions of dollars in bridge construction could not be economically justified for the development of 640 acres of real estate for recreational purposes situated as is Angel Island.

There are many large and substantially constructed buildings. Some of these structures might be utilized if the area is developed as a state park The remainder should either be destroyed, which would be pure economic waste, or should be put to some beneficial use, and such use would not be compatible with a recreational area or playground.

Consideration has also been given to the use of a portion of the island as a small boat harbor, in addition to other recreational facilities, but again we are forced to the conclusion that the island is not so situated as to make it attractive to a sufficient number to warrant the initial expenditure estimated at a minimum of $1,000,000

We appreciate that many persons and organizations have advocated the inclusion of Angel Island into the State Park System. Pursuant to the resolution of the Legislature, we have made a thorough study of the suitability of the area for recreational purposes, bearing in mind that in the consideration of the expenditure of such a large sum of public funds, we must seek the greatest good for the greatest number

Accordingly, we conclude that it is not desirable to acquire Angel Island for inclusion in the State Park System.

Seconded by Commissioner Scott and approved.

By Speaker Collins:

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

CALIFORNIA FARM BUREAU FEDERATION
BERKELEY, CALIFORNIA, December 29, 1948

The Honorable Speaker of the Assembly
State Capitol, Sacramento 14, California

DEAR SIR: The California Farm Bureau Federation would greatly appreciate the honor of entertaining all of the Members of the Legislature at a dinner on Wednesday, January 5, 1949, beginning at 6 p.m., in the Hotel Senator, Sacramento

Recently we addressed individual invitations to each Member of the Legislature, sending these invitations to the home addresses of the members

In case some of the letters were missent, I take this opportunity of repeating the invitation through you Would you be good enough to have this matter brought to the attention of the Assembly in an appropriate time and manner.

Thanking you for this favor and with kindest personal regards and Greetings of the Season, I am

Yours sincerely,

RAY B WISER, President
California Farm Bureau Federation

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO AUTHORIZE PRINTING OF 3,000 BOOKLETS

Mr. Dickey asked for, and was granted, unanimous consent that the Chief Clerk be instructed to authorize the printing of 3,000 booklets listing the names of the Members of the California Legislature for the Nineteen Forty-Nine Regular Session and of the State and Congressional Officers for 1949.

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

The following resolution was offered:

Assembly Joint Resolution No. 1: By Messrs. Ralph C. Dills, Fletcher, Doyle, Beck, Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Condon, Cooke, Crichton, Crowley, Davis, Clayton A. Dills,

Dunn, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, and Thomas—Relative to the election of the Honorable Harry S. Truman as President and the Honorable Alben W. Barkley as Vice President of the United States.

Resolution read.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 1

Assembly Joint Resolution No. 1—Relative to the election of the Honorable Harry S. Truman as President and the Honorable Alben W. Barkley as Vice President of the United States.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78

NOES—None.

Resolution ordered transmitted to the Senate.

REPORT OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor reported that it had performed its duty.

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

RECESS

At 2.55 p.m., on motion of Mr. Dickey, the Assembly recessed for the purpose of meeting with the Senate in Joint Convention.

IN JOINT CONVENTION

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 3, 1949

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

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ANNOUNCEMENT

Speaker Sam L. Collins announced the presence in the Assembly Chamber of the Hon. Goodwin J. Knight, Lieutenant Governor of the State of California and President of the Senate; and the Hon. Harold

J. Powers, President pro Tempore of the Senate, and invited them to the rostrum.

INTRODUCTION OF PRESIDENT PRO TEMPORE OF THE SENATE

Hon. Sam L. Collins, Speaker of the Assembly, then presented President pro Tempore Harold J. Powers of the Senate to the Joint Convention.

PRESENTATION OF THE LIEUTENANT GOVERNOR

Senator Harold J. Powers, President pro Tempore of the Senate, then presented the President of the Senate, Lieutenant Governor Goodwin J. Knight, to the Joint Convention.

SENATE ROLL CALL

Hon. Goodwin J. Knight, President of the Senate, directed the Secretary of the Senate to call the roll of Senators.

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

Senators Abshire, Breed, Brown, Hugh M. Burns, Michael J. Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—40.

The President declared a quorum of the Senate present.

ASSEMBLY ROLL CALL

Hon. Sam L. Collins, Speaker of the Assembly, directed the Chief Clerk to call the roll of Assemblymen.

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

The Speaker of the Assembly declared a quorum of the Assembly present.

APPOINTMENT OF JOINT COMMITTEE ON ESCORT

Lieutenant Governor Goodwin J. Knight, President of the Senate, announced the appointment of Senators Powers, Chairman; Hulse, Cunningham, Busch, and Crittenden as the Senate Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

Hon. Sam L. Collins, Speaker of the Assembly, announced the appointment of Messrs. Maloney, Chairman; Sherwin, Dickey, Ralph C. Dills, and Lowrey as the Assembly Committee to escort His Excellency, Hon. Earl Warren, Governor of the State of California, to the bar of the Assembly.

ANNOUNCEMENT

Speaker Sam L. Collins announced the appointment of Mr Weber as a Select Committee to escort Mrs. Earl Warren, wife of His Excellency, the Honorable Earl Warren, Governor of the State of California, to the rostrum.

REPORT OF JOINT COMMITTEE ON ESCORT

The Joint Committee on Escort, appointed to wait upon the Governor, and escort him to the Joint Convention, appeared at the bar of the Assembly, and announced the presence of His Excellency, Hon. Earl Warren, Governor of the State of California.

PRESENTATION OF THE PRESIDENT OF THE SENATE

Hon. Sam L. Collins, Speaker of the Assembly, then presented the President of the Senate, the Honorable Goodwin J. Knight, Lieutenant Governor of the State of California, to the Joint Convention.

PRESENTATION OF THE GOVERNOR

Hon. Goodwin J. Knight, Lieutenant Governor of California, then presented Governor Warren to the Joint Convention.

ADDRESS BY THE GOVERNOR

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

ANNUAL MESSAGE TO THE LEGISLATURE

By

GOVERNOR EARL WARREN

Sacramento, California

January 3, 1949

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

Once again I welcome you to Sacramento for what I trust will be an interesting and a purposeful session of the Legislature. I particularly welcome the new members who are here for the first time to share in the responsibilities of our State Government. To them I say, as I have said on other occasions to the older members, that I not only believe in, but have always respected in practice, the wise constitutional separation of powers which assigns to the Legislature the power of making the laws, and to the Governor, the responsibility for their administration. This constitutional pattern makes us partners in the Government of our State. It contemplates, and I am sure the people expect, that we will work as partners to achieve for them honest, efficient, humane, and forward looking government.

It is in this spirit of welcome and cooperation, and in compliance with our Constitution, that I report to you upon the condition of our State Government, and make certain recommendations which call for your consideration.

Anniversary of Days of '49

There is both historic and practical significance in the fact that we commence this session of the Legislature in the Centennial Anniversary of the Days of '49. Just 100 years ago California experienced its first great influx of settlers in search of the gold that had been discovered in the hills of the Mother Lode. Those were colorful, adventurous days that have been recorded for us in the romantic, stirring tales of our history books. But they were also difficult days for those thousands who found themselves striving for existence in a new region which had never expected them and had never prepared itself for their arrival.

When gold was discovered there were less than fifteen thousand people, exclusive of native Indians, in the length and breadth of what is now California. In the spring of 1849 the settlers came by sea and trail, pouring in by the thousands, and within little more than a year there were over a hundred thousand people. They clustered in makeshift communities and attempted to get along without houses, without roads, without law enforcement services, without health or sanitation facilities. They were without schools for their youngsters and those that would soon be born here. They had no havens for the care of the unfortunates among them who broke under the strains of a feverishly busy, but thoroughly disorderly, life.

Those forty-niners had no time to theorize about government. Their day-to-day experience, however, gave them a very practical realization of the discomforts, the severities, and the tragedies that multiplied as long as they delayed the work of setting

up the basic services that make for orderly community life. They realized that other thousands following them into California would aggravate the living problems of all. They reacted with common sense, energy, foresight, and speed. They understood their predicament and they did something about it to save themselves from disaster.

Local governments were quickly created. Before the year's end, in the American tradition, a State Government was established under a Constitution. Courts were set up, roads were planned, and the first state services—schools, jails and other institutions—were authorized by the Legislature and built with remarkable speed.

History Repeats Itself

Since that time history has been repeating itself. Wave after wave of migration has swept over California, often to find us unprepared. The first came in the 'sixties with the building of the first transcontinental railroad, another during the 'eighties with improved transportation and the silver boom, another during the first decade of the present century with a drift of settlers from the Middle West; another during the 'twenties with the great movement of easterners and middle westerners to Southern California; another during the 'thirties with the exodus from the drought and the dust bowl.

Present Population Growth

But it remained for World War II to put into motion the greatest and most overwhelming influx that our State has ever known.

From less than seven million people in 1940 we have swelled in population to more than ten million in the short period of eight years, an increase of 46 percent in contrast to a national increase of 9 percent—an absorption of over three million people, the equivalent of the combined populations of many states of the Union. It is without question one of the greatest voluntary peacetime migrations in recorded history.

In 1940 no one could have visualized the tremendous proportions of this population growth. We did not realize then that a million war workers from other parts of the nation would come to and remain in California after the war. We did not realize then that over three hundred thousand service men from other states would take their discharges and stay in California. We did not realize that this population movement would continue on at the rate of almost a quarter of a million new settlers in California every year since the war.

From the fifth state of the Union in population in 1940 we are now pressing Pennsylvania for second place, with an official estimate by the United States Department of Commerce that our 1948 population was 10,031,000.

California is happy to receive these people and make them a part of its life. For the most part they come here with the very simple, understandable, and commendable object of improving themselves and creating a better life for their families. They will make possible the fuller development of our State. But this unprecedented growth has also created urgent governmental problems, partly because we did not expect to digest so large a population in so short a time, and partly because, even if we had been forewarned, we could have done little to prepare for this situation during stringent war years.

Now we must make up for those lost years—for the losses and delays caused first by depression and then by a world war, and finally by inflation with its resultant shortages and increase in costs. Just as the pioneers of one hundred years ago faced their predicament and did something about it, so we must accept the responsibility of adjusting this State to its growth and for preparing ahead of time for the requirements of the future.

It is easy to be misled into the error of assuming that growth itself is prosperity, particularly in inflationary times. Yet, the terms are clearly not synonymous. In every phase of life, growth can be either good or bad, orderly or disorderly. Growth, if it is to be good growth, must receive constant attention. We must prepare for it and adjust to it. Otherwise, it will bring distress and disaster—the very opposite of prosperity.

I am sure everyone who has had occasion to travel our State during recent months and survey the growth and expansion which has taken place, recognizes this distinction. Growth in population in California has outstripped physical plant, and in public facilities the shortage has become so extreme that the security, the health, and the education of a growing population is involved.

As we meet here today to bring action to bear upon this problem, we are fortunate, in view of the enormity of the job to be done, that through foresight we have an accumulation of reserve funds with which to finance our endeavors. These reserves were saved during wartime and since, in fulfillment of a fixed state policy of setting aside funds for the construction of needed public utilities when such construction is possible. During the years we have set aside enough to take care of some of the most urgent construction needs of State Government, but there is need for every dollar saved and there will be need for additional dollars, for construction costs have been rising even as our requirements for additional facilities have risen. It is not my purpose to discuss finances today. That will be done in the Budget Message at a later date.

But in reporting on the condition of the State I must comment on its needs. And needs call for money, either money that has been saved or money that must be raised by taxation.

Education

The needs for which these reserves have been created are great in every branch of our State Government. They range from the requirements for schools and hospitals to correctional institutions. Our State University is grossly overcrowded. It is endeavoring to meet the requirements of 17,000 more students than it had in 1940, the year of its peak enrollment before the war. The same thing is true of our state colleges. They are trying to care for 12,000 more students. Our public schools—elementary, high schools, and junior colleges—are desperately trying to meet the needs of 500,000 more pupils than we had in 1940.

We have set up reserves for the minimum construction needs of our university and state colleges. But, the needs increase day by day and sound public policy requires that these reserves be used for their intended purposes as promptly as building conditions permit.

We must also have a comprehensive program to assist, as far as State Government can reasonably do so, in the construction of elementary, high school, and junior college facilities in order to catch up with the tremendous educational requirements of a new population.

In the last two years, the State Government has appropriated $55,000,000 to hard-pressed school districts in order to relieve their classroom shortage But, we find that school classes are still being held under difficult conditions, oftentimes in temporary war housing, church buildings, or makeshift quarters.

The crowding of children into our public schools in this way makes it difficult to maintain the teaching standards that our people demand. It is of the utmost importance that we formulate an orderly program for the construction of new schools, one that will be based on the idea of the cooperation of all levels of government in order to get the job done.

California schools have been the pride of our State. I am sure that all of us want them maintained in accordance with high standards. But, if these standards are to be maintained, we must see to it that our state colleges for the training of teachers are adequate, that the conditions of the school teaching profession are attractive to present and future teachers, and that class-room facilities are sufficient to permit proper teaching and training of our children.

Hospitals for the Mentally Ill

Then there are the hospitals which all civilized and humane societies provide for the care of their unfortunate mental casualties. For years these hospitals have been inadequate Overcrowding, fire hazards, a high incidence of tuberculosis, and lack of adequate treatment facilities combine to create a deplorable situation that would touch the heart of anyone capable of pity. One of our first moves six years ago was to eliminate certain serious fire hazards and take measures for the over-all improvement of treatment and care. The Department of Mental Hygiene was reorganized and modern methods put into effect as far as possible to transform it from a mere custodial agency into one for the prevention and cure of mental illness

But at no time have we caught up with the housing needs at our hospitals. Even the acquisition of two former army general hospitals with temporary facilities for approximately 5,800 patients did not materially ease the strain These facilities and others of a more permanent nature to be added will still leave our hospitals overcrowded by approximately 30 percent at the end of the next fiscal year.

The funds which have been set aside by the Legislature for this purpose will measurably relieve these conditions but the ever increasing needs and higher construction costs will require many more millions if the building program originally authorized by the Legislature is to be completed If there ever was a conscience fund in government, this reserve fund is it

Youth Authority

As a result of the complete reorganization of the California Youth Authority, we are now in a position for the first time in the history of our State to make an intelligent approach to juvenile delinquency. But the demands upon it have more than doubled in the last five years and it must be given the minimum need facilities for which provision has also been made in our postwar building construction reserve

Unless these additional facilities can be made available at once, we will again have hundreds of young boys and girls waiting in our county jails and juvenile homes for long periods of time before they can be accepted by the Youth Authority. This deplorable and demoralizing situation must not be allowed to occur.

This is an obligation that rests heavily upon all of us, and I am sure that the people of the State do not want us to neglect the young people who need the assistance of the Youth Authority in their retraining for good and useful citizenship.

Corrections

There is also the problem of providing adequate facilities for the confinement and rehabilitation of the criminal offenders in our state prisons The public safety requires that every effort be made to prepare prison inmates for a useful place in society, thereby diminishing the possibility that these persons will be a menace to the lives and property of law abiding citizens upon release.

Our prison population is now the highest in the State's history—more than ten thousand as of this date Although the ratio of prison inmates to total population is still less in California than in many states, the continuing growth in population forces us to conclude that the present steady increase in prisoners will continue for years to come.

To house its more than ten thousand prisoners, California now has capacity in permanent structures for a total of only 5,300 The excess population is being cared for by overcrowding of the institutions, by the use of unsatisfactory temporary facilities, and by the expansion of prison road and forest camps to an unprecedented degree. San Quentin is overcrowded by 68 percent and Folsom by 41 percent The California Institution for Women, built to house 150 inmates, is now caring for more than 315 We have reached, and perhaps already passed, the limit beyond which we may expect to avoid serious trouble. Prisoners cannot be handled under such circumstances in an orderly, or even a safe manner

Although we have completely reorganized our prison system and have initiated one of the Country's most progressive correctional programs, lack of proper facilities is forcing a well-trained and efficiently organized personnel in the Department of Corrections to perform its functions under the most difficult conditions. Funds have been saved and authorized for new institutions to take care of immediate needs and to provide additions and modernization for existing prisons. Postwar conditions have delayed construction until now. In the interests of public safety we must now catch up with 20 years of accumulated needs.

Unemployment Insurance

Our Unemployment Insurance System, in operation since 1936, has demonstrated its great value as an economic stabilizer in a state where job turnover is high because of diversified and seasonal employment. The number of individuals in the Unemployment Insurance System increased more than one million between 1940 and 1948 Five percent of these insured workers drew benefits during the first months of 1948 as compared with 6.2 percent during 1940.

We have learned through experience a great deal about unemployment insurance administration. Many of the loopholes through which the fund could be abused by persons fraudulently claiming benefits have been discovered and the Department of Employment has been constantly reducing this kind of exploitation It has been somewhat handicapped in this field by restrictions of the Federal Government, but the latter is being urged to authorize sufficient funds to continually improve administration. It is only through such improvement that we can give better service to workers and employers and eliminate the abuses which defraud a system to which millions of honest workers look for effective protection against economic upsets and inevitable job turnover.

At the present time, substantial groups of workers, mainly agricultural workers and employees of nonprofit corporations, are denied protection and are excluded from the system. The exclusion of farm workers has worked unfairly against many rural communities which have had to deal with unemployment of farm workers by the unsatisfactory and costly method of relief. I have always believed that, if unemployment insurance is sound government policy for some employees, it is equally sound for all.

I, therefore, urge that you give consideration at this session to extending the protection of our unemployment insurance program to those groups which have heretofore been excluded.

Disability Insurance

Two years ago we established a disability insurance program under which the employees' unemployment contributions were set aside for their protection against unemployment due to illness. I am happy to report that this program has been successful. The results have been even better than we anticipated. Industry, workers, and private insurers have cooperated under good administration by the Department of Employment.

After payment of all expenses and benefits, we have already built up a reserve of approximately eighty-five million dollars—a reserve substantially exceeding the present and reasonably anticipated requirements of the program In addition, there is the sum of $107,000,000 in the Unemployment Fund in the Federal Treasury consisting of employees' contributions made prior to the time our disability program went into effect These funds can also be used for disability purposes if needed

The working men and women of the State have contributed this entire fund. They are entitled to receive such liberalization of disability benefits as their contributions make possible.

I, therefore, urge that the benefits of this disability program be liberalized as far as can be done consistently with the financial solvency of the program.

Our disability program, which is one of the pioneers of its kind, now covers 3,100,000 wage or salary workers in our State. Of this number, 930,000 are covered under voluntary plans, which, as you know, are permitted to participate in the program.

I have always believed that workers need protection when their unemployment is due to illness even more than when their unemployment is due to job market conditions. A liberalization of this protection will give our California working people a measure of security in the event of sickness or injury—risks which are a constant source of anxiety to every family.

Highways

The conditions of California's Highway System proved in another way what a doubling of population can do to public facilities that have not been expanded to meet growth. The congestion of nearly four million vehicles on our highways and streets required more and wider traffic lanes with safer operating conditions. Positive action was necessary to reduce an appalling accident record by building modern safety features into highway facilities, including a more widespread application of the freeway principle.

Our present program for the extension and modernization of California's highways and major city streets was adopted in the nick of time. The increase in revenue which it provided will help to correct, in substantial part, the deficiencies of our highways, streets, and bridges.

I am sure that the highway construction now under way in all parts of the State strikingly demonstrates the need for the program and the justification for its adoption. We are working at the program diligently and, I believe, effectively. I am hopeful that in a comparatively short time, we will have relieved the immediate, serious congestion and will have reduced the hazards that would otherwise retard the progress of our State.

Public Health

No state can absorb millions of new residents as swiftly as California without being confronted with conditions calling for vigorous steps to protect the public health. We have made considerable progress in the last few years through measures designed to reorganize and improve our State Department of Public Health, to raise the standards of local health departments and assist them financially, to stimulate the construction of new community hospitals, to speed up the fight against tuberculosis and cancer, to expand the medical center at San Francisco and to establish a new and badly needed medical center at Los Angeles.

We have not, however, come to grips with the fundamental problem of bringing good medical care within the financial means of the average family. We have developed high standards of medical service and facilities in our State, but they have become so costly as to be beyond the means of a large percentage of our people. I do not refer to those who are indigent. The public hospitals and clinics in most places supply them with adequate services. I refer to those who work hard for modest pay and who do not want to become indigent, who want to raise good American families and pay their own way as they go through life. They are the backbone of America.

For these people, and there are millions of them in California, the cost of medical care is so high that they cannot pay for it without crippling their finances and without depriving themselves of other things that are needed to raise a good American family.

I believe this situation can be remedied by a System of Health Insurance to which everyone contributes and through which everyone will receive benefits in time of sickness.

In 1945 and 1947 I recommended such a system, but the bills were never permitted to reach the floor for debate—this in face of the fact that it was recommended by a special interim committee of the Senate in January, 1947.

I have never had any pride of authorship on this subject. I have never claimed that the bill sponsored by me was the only one that could solve the problem. I have always offered to counsel and advise with any group that is sincerely interested in bringing good medical care within the financial means of our people. I repeat that offer now in renewing my recommendation for action in this field.

I also repeat that this should be and can be done without interfering with the traditional freedom of choice between patient, hospital and doctor—a freedom which I have always wanted to see preserved—and that it can be done without socialization of either our physicians or our hospitals—a system to which I have always been opposed.

Water Pollution

In the field of public health I again call your attention to the need for preventing the contamination of the waters of this State—the waters of our streams, our offshore waters, and our underground waters. These waters are being polluted to an alarming degree by industrial wastes and by sewage disposal. The rapid growth of our popula-

tion, coupled with industrial expansion, has made this problem more urgent day by day. It has increased in seriousness since I called it to your attention two years ago.

Unless something is done, the pollution of our waters will destroy their usefulness to agriculture, will retard the expansion of industry, and will create a constant menace to the public health. Pollution of water is waste of water, and we cannot afford to waste water for any of its purposes. Certainly we cannot continue to carry on germ warfare against our people.

I trust that your committee studies of this subject will result in effective measures to meet this condition.

Workmen's Compensation

At the 1947 Session of the Legislature a commendable advance was made to bring the schedule of workmen's compensation benefits up to date. While the maximum death benefit was then increased from $6,000 to $7,500, payable $30 a week, I call your attention to the fact that in the case of a widow with small children the period of these benefits would terminate in about five years, leaving such a widow without further resources.

I recommend that our workmen's compensation schedule of benefits be reviewed in the light of present living costs, and, particularly, that the death benefit provision be reviewed for the purpose of making better provision for a widow during the period of her children's dependency.

I also believe that the time has come when consideration should be given to the inclusion in our Workmen's Compensation System of the groups that are now excluded from this protection by law.

Small Loans

Two years ago, I instructed the Corporation Commissioner to request legislation designed to correct a deficiency in our laws governing small loans, a deficiency which has become more serious during this inflationary period.

Under present law, loans only up to $300 are regarded as small loans subject to control on interest rates. But no ceiling has ever been fixed for such loans over $300. Legislation was introduced at the 1947 Session of the Legislature to impose a ceiling on such loans over $300, but in the course of the session, amendments were adopted which had the effect of making these ceilings ineffective. The bill in its final form was so obviously inadequate that neither the Corporation Commissioner nor I could longer support it in good conscience.

The legislative deficiencies in the small loan field which existed two years ago still remain. I, therefore, again urge that action be taken to provide a ceiling on interest rates and charges in the small loan business on loans over $300 This ceiling should be so fixed as to give, not the mere appearance of control, but real protection to necessitous borrowers in our State.

Labor-management Relations

Three years ago we established the Institute of Industrial Relations at the University of California. It has been given a good start and I believe that it can be made an even more practical means of bringing about better understanding in the field of industrial relations in California. Both labor and management have taken a real interest in its work. We should now make increasingly practical use of the information that has been developed by the institute concerning the technique of collective bargaining. We can do this now by taking the forward looking step of establishing a representative Industrial Relations Commission, which would have the benefit of the institute staff and committees, to make enlightened findings on labor relations in industry without waiting for actual controversies to arise. If we do this, we will place our State firmly upon the only true road to labor-management cooperation. I suggest that such a commission be established

I have on occasions similar to this expressed the belief that industrial peace can best be achieved, not by legislative counterattacks of management and labor against each other for their own advantage, but only through the better understanding that comes from a knowledge of the other fellow's problem as well as our own. It depends upon the extent to which management and labor look upon their relations as something that involves the public interest as well as their own.

This is particularly important in a state where basic industry is not yet expanding as rapidly as population. Industry in our State is still insufficient to give any long term assurance of jobs and payrolls to our additional thousands of breadwinners.

If the conditions causing present high level employment should change, and if workers should be looking for jobs instead of jobs looking for workers before we get more basic industry, we would be hit harder than any state in the Union. We must, therefore, encourage the development of industry. There is no better way to do this than by establishing a reputation for and by practicing good industrial relations.

Housing

The extent to which the population of California has outstripped our physical plant has been distressingly demonstrated by our housing shortage. For nearly two

decades and for reasons peculiar to the depression, the war, and inflation, we have fallen far behind in the supply of housing within the means of the new families that have been clamoring for them. Only recently has it been possible to make some headway with the construction of thousands of new homes. But, we are still a very congested State and thousands of families are living under conditions that are not good for them or their communities.

At my suggestion the 1945 Legislature passed an Urban Redevelopment Act establishing the procedure by which a city, largely with private funds, could clear and rebuild its slums and blighted districts, modernize its physical environment, and stimulate the construction of decent housing, especially for low income groups that are the victims of slum conditions.

At the 1947 Session of the Legislature we followed with the creation of a State Redevelopment Agency through which California might formulate a real program to stimulate the supply of dwellings for its people, eliminate slums and temporary war housing, and assist our cities with urban redevelopment projects.

The law creating this Redevelopment Agency became effective in September, 1947. It was given only a temporary tenure with a terminal date 91 days after the adjournment of this 1949 Legislature. Funds for its support were provided only until June 30, 1948. I appointed its personnel and instructed it to proceed as expeditiously as possible. The 1948 Budget Session of the Legislature failed to approve funds requested for its continued operation and it therefore became inoperative before it had a chance to make a real start.

The Redevelopment Agency was a logical and practical step in the development of sound state policy in the field of housing, which is filled with complex, difficult problems. It must be reactivated if this State is to keep itself properly informed on housing conditions and upon the soundest methods for stimulating the production of the amount and kind of housing the situation requires. Only through such an agency can we determine the appropriate time and manner of replacing temporary war facilities with permanent housing, develop a policy that will encourage the construction of rental units; bring about more uniformity in our building codes and requirements; work with the Federal Government and the local communities on any federal housing program that may be undertaken, and find a formula for implementing and stimulating the Urban Redevelopment Act of 1945.

It seems fundamental to me that California, which has been experiencing a housing shortage greater than any state in the Union, should not neglect the first step for improvement of its housing situation; namely, the creation of an agency to work at it.

I, therefore, recommend that the Redevelopment Agency be made permanent and that it be enabled to resume its important work as soon as possible.

Social Welfare

In the field of social welfare our State Government has been engaged in the task of preparing to put into effect the recently adopted Proposition No. 4, now Article XXV of our State Constitution. This constitutional amendment calls for a transfer of the administration of our old age assistance program from the counties to the State and provides a new schedule of benefits for old age assistance.

I wish to commend the efficiency and resourcefulness of our State Controller, our Director of Finance, and the former Director of our Department of Social Welfare. These officials and their staffs have accomplished what for a time seemed to be the almost impossible task of adjusting present administrative procedures to the requirements of the new constitutional amendment, which became effective January first.

This difficult adjustment has been made in such a way that there will be a minimum of inconvenience and delay in the service of those entitled to old age assistance.

I also wish to express the appreciation of the State to the counties for their cooperation in entering into contracts under which the county personnel has been temporarily enlisted to put the new procedure into effect. This cooperation has been invaluable pending such time as this service can be integrated into the State Government.

There has been a great deal of discussion concerning the amount of additional money required by the new constitutional amendment and the source from which that money should come. This has been stimulated by the new constitutional provision creating a first lien on all money in the State Treasury for the payment of old age assistance benefits.

I am quite sure that the people of our State, when voting for old age assistance increases and liberalizations, expected the Legislature to provide for their payment under a soundly devised financing program. Such a program certainly means that provision should be made for a permanent source of revenue that will raise funds regularly to meet the new requirements.

The expedient of using funds presently on hand, but accumulated for and committed to other necessary humanitarian purposes, would not meet the requirements of a real financing program. That would be a mere gesture of financial legerdemain which would leave the financing of the new program still unsolved.

I, therefore, recommend that the Legislature take into consideration not only all of the revenue resources of the State, but also all of its needs and obligations, and take such steps as may be necessary to raise such additional funds as may be required

to soundly and regularly finance the old age assistance program as modified by Article XXV of the Constitution.

Planning and Research

No state can grow as swiftly and variously as California without attention being given to its fundamental economic and social trends as reflected by dependable statistical information. Coupled with this, attention must also be given to comprehensive planning for its public works in order to bring public services into line with industrial and community growth. We have had for many years on our statute books a Planning Act, and in the 1947 Session of the Legislature, we adopted a Planning and Research Act which, among other things, would implement this Planning Act. This Planning and Research Act, however, contained a time limit which would terminate its operation on the ninety-first day after the adjournment of this present Legislature. This made it difficult to obtain a qualified director and staff to carry out its provisions As a result of this difficulty, together with the fact that no funds were provided for research and physical planning at the 1948 Budget Session, there is now no means at all for carrying out the Planning Act. I, therefore, recommend that the research and planning function be made a permanent state activity.

Such action will be of great value to the Legislature, the Governor, the state departments, local units of government, and the public It will minimize the danger of costly mistakes that often result when public agencies fail to plan ahead cooperatively among themselves and with private industry.

Crime Commissions

In November, 1947, acting under statutory authority, I created five special crime commissions for the purpose of making a careful factual study of the various phases of criminal justice in our State. To these commissions I appoint outstanding citizens. They have worked courageously and diligently.

While their tasks have not yet been completed, progress reports are being made and I commend them to your consideration. In accordance with the original plan, these commissions will make their final reports and be discharged on or before July 1, 1949. The work of most of them should be completed by that time and the need for their activities at an end.

However, in the case of the Commission on Organized Crime, the developments to date indicate clearly the necessity for a continued study of underworld conditions The fact that there is in our State an underworld which is reaching out and seeking to organize crime on a commercial basis must be apparent to all who read the news of the day.

That California is a fertile field for such activities no one can doubt. Law enforcement officers know it and want the public to appreciate the seriousness of it. They feel the need for a public understanding of crime conditions. Through their state associations and as individuals they have worked cooperatively with the commission They have commended the commission for its activities and have urged that the work be continued. I thoroughly agree with them. I am also certain that a failure to do so would be a complete surrender to the underworld and an invitation to racketeers, crooks, and gangsters everywhere to prey upon the people of our State.

Agriculture

No report on the condition of our State could be complete without reference to the foundation of its economy. It is important to remember that for a number of years, California's agricultural crops and products have exceeded in value those of any other state of the Union, with the single exception that during 1948, when our $2,000,000,000 agricultural crop was exceeded in one state by a very small margin.

California agriculture, upon which we so greatly depend for our welfare and prosperity, was tremendously stimulated by wartime requirements. Its condition is still, to a large extent, abnormal by reason of the requirements of foreign relief and other federal programs. Our many specialty crops have not had the protection of subsidies and supports that has been provided for the more staple crops of the Nation. It is of the utmost importance, therefore, that we be alert to any change of economic conditions that might disrupt our agriculture, and in so doing, injure our whole state economy.

We must prepare ourselves ahead of time to meet any such situation It would, therefore, be well at this time for the Legislature to review all our state programs affecting agriculture, agricultural research, standards, soil conservation and utilization, pest control and animal diseases, and especially the various marketing programs that have been devised in the past to meet the unique requirements of California agriculture.

The latter should be reviewed in the light of present conditions to make certain that they serve the best interests of both producer and consumer.

No discussion of agriculture, or, for that matter, of business or industry In California, would be adequate without mention of our all-important problem of water conservation.

I firmly believe that the most important feature in the development of our State is the conservation of our water. We must save every drop of it. We must use

it for every purpose that it can be used for, irrigation, flood control, power, domestic use, preservation of wild life, and many other uses.

There is developing throughout the Country a general awareness of the necessity for water conservation in the West. I believe the federal programs for that purpose will be accelerated, and we must continue to do our part in seeing that California is a beneficiary of them.

Political and Economic Equality

In recent years we have had an influx into our State of thousands with varied racial backgrounds. For the most part we have enjoyed freedom from racial bitterness and conflict. It cannot be denied, however, that this situation presents a constant occasion for racial tension which would be aggravated by any economic or political crisis.

I have always believed that the government of a great State like ours has a continuing obligation to concern itself with the promotion of a good relationship between racial groups. We must seek continuing improvement and ultimately the eradication of those habits of thought and action which block the road to an era of mutual respect and consideration.

This is a problem to be solved by bringing about more thoughtfulness on the part of all of us. We can do this if we have some fair-minded, thoroughly representative body, acting on behalf of all the people, to survey actual conditions and bring to light such latent causes of conflict as threaten to disturb our community life.

I have on several occasions recommended the establishment of a Commission on Political and Economic Equality. Such a commission would investigate, study, and report conditions to the Legislature and to the Governor At the present time, State Government has no means of obtaining objective information in this field. A commission, such as I have suggested, would be in a position to center public attention on fundamentals of Americanism that are involved. It would be a constructive move toward the building of a finer, more livable State for all. I, therefore, again recommend its establishment.

I have spoken to you at this length because the Constitution contemplates that on this occasion we should take stock of the condition of our State. There are many other matters, of course, that will require your consideration. I have no doubt that many of you have additional problems in mind. It is not possible to deal adequately with all these matters within the limits of this formal message. I will, however, be glad to discuss all of them with you from time to time in my office to which I invite each and every one of you for the discussion of anything that you consider of importance to our State.

I believe you will find, as I have, that few of our problems are really new. Most of them have been with us for some time, but they are becoming more pressing as our State grows. They will not solve themselves We must do something about them.

With a desire to cooperate for the common good I am sure that we can accomplish a great deal to prepare this wonderful State for a second century of progress.

GOVERNOR AND MRS. WARREN ESCORTED FROM JOINT CONVENTION

Upon request of Speaker Sam L. Collins, the Joint Committee on Escort accompanied Governor and Mrs. Earl Warren from the Joint Convention.

ADJOURNMENT OF JOINT CONVENTION

At 4.19 p.m., there being no further business, the Speaker of the Assembly declared the Joint Convention adjourned sine die.

IN ASSEMBLY

At 4.22 p.m , the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT GOVERNOR WARREN'S MESSAGE BE ORDERED PRINTED IN THE JOURNAL

Messrs. Doyle and Dickey asked for, and were granted, unanimous consent that the speech of His Excellency, the Honorable Earl Warren, Governor of the State of California, be ordered printed in the Journal.

EXPLANATION OF ABSENCE

Mr. Brady explained that the absence, today, of Mr. George D. Collins, Jr., is because of illness.

COMMUNICATIONS

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 3, 1949

Mr. Arthur A. Ohnimus, Chief Clerk, The Assembly
Sacramento, California

DEAR MR. OHNIMUS: The Capitol Correspondents Association has elected the following officers to serve during 1949:

President—Earl C. Behrens, San Francisco Chronicle.
Vice President—Neil Shaw, International News Service.
Secretary—J. F. McLaughlin, United Press.
Standing Committee—Archie Wells, Associated Press, Chairman; Lloyd Lapham, United Press; Neil Shaw, International News Service.

Sincerely,

EARL C. BEHRENS, President

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 3, 1949

Mr. Arthur A. Ohnimus,
Chief Clerk, The Assembly, Sacramento, California

DEAR MR. OHNIMUS: The Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and recommend the following action:

Approved for Press Cards

Associated Press—Archie Wells, Wayne Harbert, Joseph T. Cullivan, Morrie Landsberg, William Waugh, Roger Barr, Joseph Lipper, Allan Barton, Carol Ann Carlson.
United Press—Lloyd Lapham, J. F. McLaughlin, Thomas J. Goff, Edward J. Dolan, Allen Merriam, Wayne Sargent, Robert Young.
International News Service—Neil Shaw, Frederic J. Rupp.
Sacramento Union—J. L. Roy Rosenberg, E. E. Nichols, H. D. Osborne, Norman Deuel, Stanley I. Wilson, Joseph Benetti.
Sacramento Bee—Herbert L. Phillips, Richard Rodda, Thomas Arden, Robert M. Blanchard, S. J. Archibald, Walter P. Jones, Myron V. Depew, Hamilton Hintz, Rudy Hickey, Al Lyons, Robert Handsaker.
Fresno Bee and Modesto Bee—O. M. Shelton.
McClatchy Broadcasting Company—George E. Helmer, Tony Koester.
San Francisco Chronicle—Earl C. Behrens
San Francisco News—Mary Ellen Leary.
San Francisco Examiner—Royal W. Jimerson, Jack Welter.
San Francisco Peoples World—Steve Murdock.
San Francisco Call-Bulletin—C. Lyn Fox.
Wall Street Journal—Chapin A. Day.
Oakland Tribune—Don Thomas.
Los Angeles Times—Chester Hanson.
Los Angeles Daily News—Leslie E. Claypool.
Los Angeles Examiner—Carl Greenberg.
Los Angeles Mirror—James Bassett.
Copley Papers—Dick Bergholz.
Western News Service—Earl G. Waters, Henry C. MacArthur, William E. O'Brien, Norris C. Mills, Christian R. Holmes.
Radio Station KROY—Clyde F. Coombs, William J. Ratcliffe, Paul Sullivan.

Approved for Visitors Cards (Magazines)

Fortnight—Douglas Jaquest
MacBride's Newsletter—Kirt MacBride, Agnes Booe.

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF ACTION TAKEN BY THE CAPITOL CORRESPONDENTS ASSOCIATION BY UNANIMOUS CONSENT

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California.

REQUEST FOR UNANIMOUS CONSENT THAT CORRESPONDENCE BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that, in the interest of time, certain correspondence be deemed read and be either noted in the Journal or be printed in full in the Journal.

COMMUNICATIONS

By the Chief Clerk:

A communication from A. S. Gainson of Salinas, relative to the cost of government, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A resolution from Miss Esther F. Lange, Secretary of San Joaquin County Pomona Grange No. 20, relative to the sale of dairy cattle, was received, and ordered referred to the Committee on Livestock and Dairies.

By the Chief Clerk:

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

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, December 6, 1948

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

DEAR SIR:

Re: H. R. 110, 1948 Regular Session

By House Resolution No. 110, adopted March 26, 1948, the Assembly requested the California Highway Commission to defer further acquisition of right of way on that portion of the Hollywood Freeway between Van Ness Boulevard and a point midway between Hollywood Boulevard and Sunset Boulevard until May 1, 1949, or until the Legislature acted on legislation creating a proper authority on rapid mass transit.

The said resolution also requested the city council of the City of Los Angeles to survey and renegotiate any existing agreements in order that the matter might be finally resolved for the best interests of all the people.

While the resolution does not request a report from this department, I wish, in view of the fact that the department felt unable to comply with the request, to report to the Assembly the reasons for noncompliance. These reasons are:

1. The department and the City of Los Angeles had previously made and executed certain contracts for cooperative action on this freeway project. There was no request from the City of Los Angeles that these contractual arrangements be renegotiated. The city council did at one time adopt a resolution (the so-called Warburton resolution) requesting delay pending an engineering report. The engineering report was made by the city engineer to the council, whereupon the said resolution of the city council was rescinded.

2. After careful and serious consideration of House Resolution No. 110, it was our conclusion that the resolution was based on the mistaken premise that it is essential in the construction of rail rapid transit to the San Fernando Valley to utilize that portion of the Hollywood Freeway between Van Ness Avenue and Selma Avenue. This is not the fact, for as shown by the above referred to report of the City Engineer of the City of Los Angeles, it is perfectly feasible to construct the rail line independently of the freeway between said points.

A few months before House Resolution No. 110 was adopted, the proponents of rail rapid transit had requested a delay of a few months on the section of the Hollywood Freeway between Vermont and Selma Avenues, on which section a real saving could have been accomplished through joint construction. At the time that request was made, it was understood by the proponents of the rail rapid transit that the department had acquired rights of way, had plans practically completed on the Vermont to Selma section and, accordingly, the delay was requested only until it could be ascertained whether the legislation could be secured at the 1948 Regular Session or at a special session held concurrently with said session.

In view of the circumstance that House Resolution No. 110 was never referred to committee, the department did not have opportunity to explain this situation properly to the Assembly and felt that had the factual situation been properly understood, the resolution might not have been adopted.

3 Another major reason for not delaying the Hollywood Freeway project was the effect which delay would have had on the existing budget and on the overall program for the completion of the freeway.

I wish to assure you that the decision to proceed with the existing program was not made lightly or without regard to House Resolution No. 110. The subject of the resolution was most carefully and seriously considered by the California Highway Commission, the Director of Public Works, and this office. I know that the matter was also thoroughly and carefully studied by the responsible officials of the City of Los Angeles

A full and detailed explanation of the position taken in this matter has been made to the Assembly Interim Committee on Highways, Streets and Bridges, and will be found in the testimony of Fred J. Grumm, Deputy State Highway Engineer, in the transcript of the official proceedings of said Interim Committee for Wednesday, the thirteenth day of October, 1948, beginning on page 37, line 16, of said transcript, and ending on page 84. Attention is also respectfully directed to the testimony of Hugo N. Winter, Deputy City Engineer, City of Los Angeles, pages 103 to 120 of said transcript.

Respectfully submitted,

G. T. McCOY, State Highway Engineer

By the Chief Clerk:

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

CALIFORNIA HIGHWAY COMMISSION
SACRAMENTO, CALIFORNIA, August 25, 1948

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

DEAR SIR: Reference is made to your letter of March 30, 1948, receipt of which was acknowledged on April 1, 1948, submitting copy of Assembly Concurrent Resolution No. 27, which was adopted by the California Legislature on March 26, 1948.

This resolution requests the California Highway Commission to name bridges over Noyo River and Hare Creek for two war heroes of World War II.

For your information I am attaching a certified copy of the resolution of the California Highway Commission passed on August 18, 1948, authorizing the erection of suitable tablets and plaques as indicated therein at an estimated cost of $1,500

Very truly yours,

G. N. COOK, Assistant Secretary

RESOLUTION

WHEREAS, On March 26, 1948, the California Legislature adopted Assembly Concurrent Resolution No. 27, requesting the California Highway Commission to name the bridges over Noyo River and Hare Creek for two war heroes of World War II; and

WHEREAS, It is fitting and proper that heroes who have died in the defense of the United States should be memorialized in the naming of highway bridges; and

WHEREAS, Two highway bridges in the vicinity of Fort Bragg are as yet unnamed, one over the Noyo River, and one over Hare Creek; and

WHEREAS, Lieutenant Charles Larson was lost somewhere in the Pacific while flying a mission in defense of the United States; and

WHEREAS, Sergeant Emil H. Evensen was killed in action at Attu in defense of the United States; now therefore, be it

Resolved, That the bridge over the Noyo River, in the vicinity of Fort Bragg, be dedicated to Lieutenant Charles Larson and the bridge over Hare Creek, in the vicinity of Fort Bragg, be dedicated to Sergeant Emil H. Evensen; and be it further

Resolved, That the Division of Highways is authorized to erect suitable tablets and plaques at these locations, at an estimated cost of $1,500.

THIS IS TO CERTIFY That the foregoing is a full and correct copy of the original resolution passed by the California Highway Commission at its meeting regularly called and held on the eighteenth day of August, 1948, in the City of Sacramento, a majority of the members of said commission being present and voting therefor

Dated this twenty-fifth day of August, 1948.

G. N. COOK
Assistant Secretary of the
California Highway Commission

By the Chief Clerk:

A communication from Mr. Walter C. Peterson, City Clerk of Los Angeles, relative to the granting of liquor licenses, was received, and ordered referred to the Committee on Public Morals.

By the Chief Clerk:

A communication from Vernon W. Janney, Secretary of the Superior Court of Los Angeles County, relative to two resolutions adopted unanimously by Los Angeles Superior Court judges, regarding a recommendation that the board of supervisors in each county should be vested with authority to fix the salaries of various county employees rather than the Legislature, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

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

CITY OF LOS ANGELES
OFFICE OF CITY CLERK, CITY HALL, December 9, 1948

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

DEAR SIR: At the meeting of the Council held December 8, 1948, resolutions submitted by Councilman Ernest E Debs and Councilman Ed. J. Davenport that certain state officials be urged to take action to correct abuses of the Personal Property Brokers Act and the Small Loan Law enacted by the 1939 Session of the California State Legislature, and approved by the people on referendum, were adopted, and I was instructed to transmit copies to you for your information.

Very truly yours,

WALTER C. PETERSON, City Clerk

Above mentioned resolutions ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Col. Dwight F. Johns, Division Engineer, Department of the Army Corps of Engineers, South Pacific Division, relative to a public notice regarding the advisability of the further improvement of Redwood Creek, California, was received, and ordered referred to the Committee on Conservation, Planning and Public Works.

By the Chief Clerk:

Resolutions from Mr. William Burke, Jr., Secretary of the Imperial County Planning Commission; Mr. W. J. McClelland, Clerk of the Board of Supervisors of Imperial County; Mr. A. E. Rhoades, Jr., Secretary of the Yolo County Planning Commission; Mr. A. F. Parrott, Secretary of the Siskiyou County Planning Commission; Mr. H. H. Burbank, City Clerk of the City of San Leandro; Miss Harriet E. Sitherwood, Deputy City Clerk of the City of Manhattan Beach; Mr. Lee R. Lovett, Secretary of the City Planning Commission of the City of Pismo Beach; Mr. William J. Donohue, Secretary of the Park Planning and Zoning Commission of the City of Albany; Mr. J. Vard Loomis, Secretary of the Arroyo Grande Planning Commission of the City of Arroyo Grande; Miss Lillian B. Thornburg, Clerk of the Board of Supervisors of Alpine County; Mr. R. G. Manley, Secretary of the Upland Planning Commission, County of San Bernardino; Mr. Ben D. Conrad, Secretary of the County Planning Commission of the County of San Luis Obispo; and Mr. W. T. Paasch, Clerk of Contra Costa

County, relative to resolutions adopted by various bodies regarding the creation of a board of appeals to review the right-of-way decisions of the California Division of Highways, were received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Thomas H. Kuchel, Controller, with Controller's receipt No. 5815 acknowledging receipt of a check in the amount of $90 which covered the sale of old typewriters, and which stated that this amount was credited to the General Fund without credit to any appropriation, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from the Interstate Commerce Commission, Washington, D. C., relative to Assembly Joint Resolution No. 14, which was adopted by the California Legislature on March 26, 1948, was received, and ordered referred to the Committee on Public Utilities and Corporations.

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

OAKLAND, CALIFORNIA, April 27, 1948

DEAR ART: Many thanks to you and the Members of the Assembly for the beautiful resolution just received.

EDWIN J. COREY

April 18, 1948

Hon. Arthur A. Ohnimus, Chief Clerk, California Assembly
Sacramento, California

DEAR FRIEND OHNIMUS: Thank you very much for the beautiful job of printing, and the handsome courtesy you extended to my family and me. The resolution will be treasured.

Cordially and gratefully,

CELESTINE J. SULLIVAN

DUN AND BRADSTREET, INC.
THE MERCANTILE AGENCY, Established 1841
April 13, 1948

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: I know of nothing that has occurred since our report to the President was completed which I have as deeply appreciated as the resolution of the Assembly of the California Legislature.

We were very, very earnest in the job we did as we had a definite conviction after months of consideration and after hearing the most confidential information from all government sources, that the peril to this Country has never been as great as it is today, and that the 70 group airforce is the minimum strength required to protect this Country if attacked or probably to prevent an attack within the next three or four years.

If we have that force of the type of planes which are essential, I question whether this Country will have serious difficulty with Russia until their airforce is greatly superior to ours both in number and efficiency—and that we can never allow to happen.

Sincerely yours,

A. D. WHITESIDE, President

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE, SACRAMENTO, April 28, 1948

Mr. Arthur A. Ohnimus, Chief Clerk
California State Assembly
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: House Resolution No. 93 of the 1948 Regular Session of the Legislature has been received and considered by the State Social Welfare Board.

In my letter of August 4, 1947 (printed on page 37, Journal of 3/1/47) I stated that an increased budget was put in effect on August 1, 1947, and that the department was preparing to make another survey of prices beginning September 1, 1947. House Resolution No. 93 makes it appear that the revised budget adopted by the Social Welfare Board on March 19, 1948, was the result of the pricing survey begun in September, 1947. This is not the case.

The pricing survey conducted in September and October, 1947, indicated that prices had undergone the following variations from the previous survey:

Food	increase of	$0.34
Household operations	decrease of	.15
Clothing	decrease of	.70
Overall *decrease*		$0.51

The adoption by the Social Welfare Board of a revised Old Age Security budget based on the September-October, 1947, pricing survey would have resulted in a decrease in the grant of many recipients of aid. In view of the fluctuations to which prices appeared subject, the Social Welfare Board, on my recommendation, declined to put the decreased budget schedule in effect, and directed the department to continue its cycle of pricing surveys.

The next survey was completed in March, 1948, and showed the following variations from the April, 1947, survey:

Food	increase of	$1.64	($2.90 if all meals
Household operations	decrease of	.15	purchased in rest.)
Clothing	decrease of	62	
Overall *increase*		$0.91	($2.13 if all meals purchased in rest.)

Upon being informed of this increase in prices the Social Welfare Board adopted a revised budget under which recipients, depending on their needs and income, may receive increases in the monthly grant amounting to as much as $3.

Since the amount of the increase depends on the individual's need and income, cases must be recomputed individually. This is a tremendous task, to be performed by the local county welfare departments. In order that the processing of new applications and the other essential services rendered by the county welfare departments might not be retarded, the board allowed a period of slightly more than three months for the purpose of this recomputation, and prescribed July 1, 1948, as the effective date of the new budget schedule.

In April 1948, the board was informed that some counties had reported their ability to make the increases effective at an earlier date without delaying their other essential work. The board thereupon amended its order and declared the new budget schedule effective as soon as administratively possible, but in no event later than July 1, 1948.

Very sincerely yours,

CHARLES M WOLLENBERG, Secretary
State Social Welfare Board

CHAMBERS OF THE SUPERIOR COURT
LOS ANGELES 12, CALIFORNIA, April 27, 1948

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

DEAR ARTHUR: We have just received yesterday three copies of the resolution adopted by the Assembly on March 24, 1948, in memory of my mother, Sara Wilde Houser, who passed away the day preceding the adoption of said resolution.

It was very thoughtful of the Members of the Assembly to adopt this resolution and all the members of our family deeply appreciate it. We thought, too, that the resolution itself was beautifully prepared, and all three copies arrived in fine condition. Thanks very much for your thoughtfulness and courtesy in sending us the three copies.

Most sincerely,

FREDERICK F HOUSER

By the Chief Clerk:

A communication and a resolution from the House of Representatives of the State of Mississippi, relative to memorializing the Congress of the United States to consider military prisoners of war as well as civilian prisoners of war in the division of the Japanese assets now frozen in this Country, was received, and ordered referred to the Committee on Military Affairs.

By the Chief Clerk:

A communication from Mr. M. W. Schneider of Kulmbach, Germany, relative to exchanging letters with Americans interested in facts about Germany, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from the National Foundation for Infantile Paralysis, Inc., of New York, signed by Mr. Joe W. Savage, Executive Director, relative to the policy of this organization in the use of funds received by donations, was received, and ordered referred to the Committee on Public Health.

By the Chief Clerk:

A communication from Mrs. Dudley H. Mills, Secretary of the Girl Scouts of the United States of America, relative to expressing appreciation to the Assembly for a resolution passed by this body, on behalf of the Girl Scouts, on March 17, 1948, was received, and ordered filed with the Secretary of State.

By Speaker Collins:

A communication from Mr. Daniel O'Connor, Grafton State Hospital, North Grafton, Massachusetts, relative to his request for a certain official investigation and for appropriate action, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

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

SACRAMENTO 17, CALIFORNIA, April 19, 1948

Mr. Arthur A. Ohnimus, Chief Clerk Assembly
California Legislature, Sacramento, California

DEAR MR. OHNIMUS: Will you please accept our most sincere thanks and appreciation for the beautiful copies of the House Resolution No. 60, relative to the passing of my son, Harlin D. Smith, for his wife, Evelyn M Smith, and his sister, Catherine L Sharrer, which I received on Saturday, April 17th

They are indeed very beautiful, and we shall treasure them.

Kindly extend our thanks to Hon Dwight Stephenson and Hon. Chester Gannon for the resolution and to the other Members of the Assembly for passing same.

We knew that he was highly respected, and his passing has verified it beyond our comprehension.

I am going to San Mateo tomorrow (Tuesday) and am taking a copy to my daughter-in-law, Mrs. Smith.

Again we thank you.

Sincerely yours,

JULIA P. WARD

By the Chief Clerk:

A communication from C. Girard Davidson, acting Secretary of the United States Department of the Interior, relative to Assembly Joint Resolution No. 10, was received, and ordered referred to the Committee on Agriculture.

By the Chief Clerk:

A communication from Elwin E. Brown of Fillmore, relative to his request for an investigation of the Modesto State Hospital, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

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

GRIDLEY, CALIFORNIA, April 12, 1948

DEAR ARTHUR: Your kind letter of April 3d received a week ago today, and following a few minutes later by parcel post, came the beautiful resolution introduced by Assemblyman Bert Loomis, which was unanimously passed by the Assembly

I was deeply touched by this fine gesture, and I can assure you it is greatly appreciated I think of the many happy hours we spent in Sacramento

I shall send Assemblyman Loomis a note of thanks by this same mail

I believe I will send one copy of the resolution to Jack's sister, who is now residing in Sawyers Bar, their birthplace in Siskiyou.

Sincerely,

MRS ALICE FRAZIER

By Speaker Collins:

A communication from Mrs. Caroline York of Berkeley, relative to the necessity of imposing restrictions, by law, upon drivers in regard to animals, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

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

OILDALE, CALIFORNIA, April 10, 1948

Arthur A. Ohnimus, Chief Clerk,
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: On the eighth day of April I received the beautiful illuminated copy of Assembly Resolution No. 12 in respect to the memory of my father, Mr. Wear. Words fail to express my appreciation. I trust I can some day meet these members that spoke so highly of my father. Thanking all again, I beg to remain

Sincerely,

MRS. E. R. PUTNAM

By the Chief Clerk:

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

LOCKEFORD, CALIFORNIA, April 8, 1948

DEAR MR. OHNIMUS: I am deeply grateful to you for your kind expressions of sympathy, and am sincerely touched by the wonderful copies of the Assembly resolution you have so kindly sent us.

I wish you could convey to the Members of the Assembly my sincere thanks for the expression of their regard for Jim. He was always so interested in his "job" there and would not consider the thought of giving it up as long as he was able to keep going I cannot help but feel it was a blessing he went as he did—in the harness, and was not forced to suffer a period of retirement.

He often spoke of you as his friend, and I want to thank you at this time for the extra attention you always gave him.

My son lives in Burbank and when he comes next time I will give him his copy of the resolution My daughter is living in Harrisburg, Pennsylvania, and I will send hers to her.

We are terribly lonesome without Jim and it is gratifying to know others also are missing him.

Sincerely yours,

THERESA L. THORP

By the Chief Clerk:

A communication from two little girls, signed by Carole Kleckner of Los Angeles, relative to experimental and scientific work on animals, and prevention of said work, was received, and ordered filed with the Secretary of State.

By Speaker Collins:

The following report of progress from the Hon. T. Fenton Knight was received, read, and ordered printed in the Journal:

JOHANNESBURG, SOUTH AFRICA, December 27, 1948

DEAR SAM: Your job of riding herd on 79 Assemblymen is no easy task, as I know full well from watching you do it in 1947 and 1948, but I can assure you that it is nothing compared with bucking the "mosquito fleet" from one end of the Congo to the other. These insects are as thick as Democrats in the States and their attack equally as deadly, if the reports I get on the November election out here are true.

If the Belgians could only get the mosquito to organize the traveler might get a little peace during one shift of the day but this pest never heard of an eight-hour day or a five-day week One group starts to work at dusk and another takes over at dawn. I slept in so many beds draped with bridal veils that I found myself getting young ideas but the hot tropical sun takes that sort of thing out of you fairly early in the morning.

You may recall that I am traveling under authorization of House Resolution No. 72, authorized by Assemblyman A I. Stewart, which calls for a report from me as to my findings upon my return to California. This is a progress memo only. My final report, which should not exceed more than 400 printed pages, will include among other important findings, the recommendation that every public servant in California, whether elected or appointed, shall forthwith take a journey substantially along the route I have been traveling. If this recommendation is favorably acted upon I am sure that I will have rendered my State a great service.

This entire trip has been a wonderful and wild experience but should be tackled only by those who have had legislative training for one is constantly coming in contact with the strange and weird here in Africa just as he does in the halls of the Capitol during the session. In spite of all the fun I am having I must confess that I do miss the old associations and an occasional opportunity to press the red button in opposition to some excessive appropriation but I am confident that Bruce Reagan will do the job much better than I ever did. My very best to all the gang, both old and new.

Sincerely yours,

FENTON

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Calvin Collins of Santa Rosa and Mrs. John F. Bacon of Sacramento.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to J. Alfred Beath of Philadelphia.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Miss Aline Cunningham of Riverside.

On request of Messrs. McCarthy and Gaffney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. C. Berry, Mrs. George Miller, Jr., Herbert Hanley, Mrs. Helen Josephine Harang and Mrs Julia Bridget Duryea of San Francisco.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Stanley T. Tomlinson of Santa Barbara.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. H. W. Hahn, Mrs. S. L. Hughes and Mr. and Mrs. Fred N. Baker of Camptonville.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. B. Rumford, D. G. Gibson, Mr. and Mrs. Wm. Watkins, Rev. John H. Dorn, Ben Watkins, Andrew Smith, Mr. and Mrs. H. T. S. Johnson and Master Randolph Rumford of Berkeley.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Norma Lorne, Montreal, Canada, Eleanor Stevenson, Nova Scotia and Margaret G. Marshall, Montreal.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman James Quigley and Mrs. James Quigley and the Misses Mary and Claire Quigley of San Francisco.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Maybelle Mirage of Hollywood.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Adelaide Tremaine of Santa Barbara.

On request of Mr. Way, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. R. P. Brown of Eureka.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. James H. Fisher and Ed. Pearce of Vallejo, Joe Gerpas, Ellis Godgrey, and David Weir of Fairfield.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Talmage V. Burke of Alhambra.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gordon A. Fleury, and Mrs. Arthur C. Fleury of Sacramento.

On request of Mr. Grant, the usual courtesies of the Assembly for this day were unanimously extended to Fred D. Fagg, Jr., Norman Larson, John Felton Turner, and Warren E. Carey of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Francis Lindsay, Mrs. O. F. Huggins, Isaac F. Lindsay, and Francis C. Lindsay, Jr. of Loomis.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert McCarthy, and Gerald P. Haggerty of San Francisco.

On request of Mr. Collier, the usual courtesies of the Assembly for this day were unanimously extended to Spencer E. Van Dyke of Los Angeles.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lloyd Fuller of Encino.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Voigt of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. J. L. Stockrahn of Portola.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Paul E. Lipscomb, and Mrs. Virginia Lipscomb of Los Angeles.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Lyle Eveland, Mrs. L. H. Lincoln, Jerry R. Lincoln, and Col. Felton Turner of Oakland.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Jordan of Sacramento and Mrs. Mary Ann Hollibaugh of Huntington Park.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Arthur W. Coats, Jr., and James Carl of Yuba City.

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. J. Lewis of Buttonwillow.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jean Moss, Harry R. Anderson and Carl Barnum of Sacramento.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles F. Meyers, Mrs. Chrystal Schueszler, Mrs. Helen Harrang, Judge Edward F. O'Day, former Assemblyman James Quigley, Frank Curley, Mr. and Mrs. John S. Duryea, Harry Franco, former Assemblyman Joe Gilmore, Mr. and Mrs. Michael Coll, Mr. and Mrs. James J. Duryea, Miss Aline Aviani, James Naccarratta, Miss Rita Schueszler, Byron Ghent, Joe D. Osterloh, and Bob Benassine, all of San Francisco.

On request of Messrs. Maloney and Gaffney, the usual courtesies of the Assembly for this day were unanimously extended to Judge Edward F. O'Day, Mrs. Thomas Maloney, Mrs. Mary C. Gaffney, Helen, Matt, Peter, Edward, and Margaret Mary Gaffney of San Francisco.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Frank Luckel of San Diego.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. H Allen Smith of Glendale.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Trinidad Morris and Mrs. Mary Weltner Morris of Los Angeles.

ADJOURNMENT

At 4.28 p m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, January 4, 1949, out of respect to the memory of the late Honorable John C. Lyons, Assemblyman of the Sixty-fourth District, Los Angeles.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SECOND LEGISLATIVE DAY

SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, January 4, 1949

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Torrance Phelps:

Eternal God: May we meet together with the spirit of Christmas still aglow within us, and its glory about us.

Let us come like the Wise Men, who looked to the Star, emblematic of the infinite enlightenment which shines upon seekers after truth.

Let us look back upon the Shepherds, the humble men of the field and forest, and remember that the soil of the earth is the source of wealth and the basis of industry.

Let us cherish the vision of the Mother and the Child in the Manger, and the sacred halo and sentiments of love it awakens in every home, and the eternal gladness of childhood.

When we behold the gorgeous Magi and the lowly shepherd before a common shrine, may it remind us that all classes of society can unite in the common cause of human betterment.

Above all, let the song of the Heavenly Host that echoed above Judaean hills continue to fill us with the goodwill and harmony for which the Prince of Peace was born.—AMEN.

MOTION THAT DAILY PRAYERS OF THE CHAPLAIN BE PRINTED IN THE JOURNAL

Mr. Heisinger moved that the prayers of the Chaplain, for the entire session, be ordered printed in the Journal, each day.

Mr. Rosenthal seconded the motion.

Motion carried.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

Mr. Lindsay, on motion of Mr. Waters.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, January 3, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you herewith a list of all appointments so made since the last session of Legislature.

Respectfully,

EARL WARREN, Governor

EDWIN L. CARTY, a resident of Oxnard, Mayor of the City of Oxnard, Past President of the Southern California Council of Conservation Clubs, was appointed April 27, 1948, as member of the Fish and Game Commission, vice H. H. Arnold, resigned.

WILLIAM G. WELT, a resident of San Francisco, retired railroad conductor, member of the Board of State Harbor Commissioners for San Francisco Harbor since May 4, 1943, was reappointed May 3, 1948, vice self, term expired.

MIKE VUJOVICH, a resident of Camarillo, rancher near Camarillo Hospital, was reappointed May 20, 1948, as member of the Board of Trustees, Camarillo State Hospital.

W. D. BANNISTER, a resident of Oxnard, Principal of Oxnard Union High School, was reappointed May 20, 1948, as member of the Board of Trustees, Camarillo State Hospital.

MRS. FLORENCE JANSS, a resident of Los Angeles, was reappointed May 20, 1948, as member of the Board of Trustees, Camarillo State Hospital.

GEORGE E. COURSER, a resident of San Diego, Chief of the San Diego Fire Department, was appointed May 4, 1948, as member of the State Fire Advisory Board, vice Walter M. Johnson, resigned.

GLENN V. WALLS, a resident of Sacramento, Deputy Attorney General and legal advisor of the Department of Employment until May 5, 1948, was appointed May 5, 1948, as member, California Unemployment Insurance Appeals Board and member, California Employment Stabilization Commission, vice Hiram W. Johnson III, resigned.

EARL B. REEVES, a resident of Fontana, Chief of the Fontana Fire Department, was appointed June 7, 1948, as member of the State Fire Advisory Board, vice C. Neal Niday, resigned.

MRS. ELIZABETH L. HOEY, a resident of Martinez, active in community affairs and the Red Cross, was appointed September 14, 1948, as member of the Social Welfare Board, vice Mrs. Jessie Williamson, deceased.

B J. FEIGENBAUM, a resident and attorney of San Francisco, member of the Assembly representing the Thirty-first Assembly District, San Francisco, 1926 to 1932, was appointed November 9, 1948, as member of the Board of State Harbor Commissioners for San Francisco Harbor, vice Thomas Coakley, resigned.

PETER E. MITCHELL, a resident of Sacramento, a member of the City Council of Sacramento since November, 1938, was appointed November 12, 1948, as member,

California Unemployment Insurance Appeals Board and member, California Employment Stabilization Commission, vice Toland C. McGettigan, resigned.

EDWARD P. WALSH, a resident of San Francisco, Chief of the San Francisco Fire Department, was appointed November 18, 1948, as member of the State Fire Advisory Board, vice A. J. Sullivan, resigned.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 3, 1949

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

Senate Concurrent Resolution No. 1
Senate Concurrent Resolution No. 2

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 1—Relative to passing of the Honorable William R. Sharkey.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 2—Relative to approving amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

Speaker Pro Tempore Presiding

At 10.12 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1: By Messrs. Anderson, Hawkins, Beck, Cooke, Conrad, McMillan, Morris, and Rosenthal—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896, and 2899 of, and to repeal Sections 2674, 2742, 2794, and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections and Reapportionment.

Assembly Constitutional Amendment No. 1: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2: By Mr Burke—An act to amend an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, by adding Sections 48.1 to 48.9, inclusive, thereto, relating to the withdrawal of land from registry under the said act, said amendment to take effect upon the approval thereof by the electors, and providing for the

submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3: By Messrs. Collier and Hahn—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to lobbying.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 4: By Messrs. Conrad, Collier, Kirkwood, and Stanley—An act to amend Sections 19601, 19601.5, 19601.6, 19602, 19607, and 19608, to add Section 19601.7, and to repeal Section 19617 of the Education Code, relating to child care centers.

Referred to Committee on Education.

Assembly Bill No. 5: By Mr. Crichton—An act to add Article 5 to Chapter 1, Part 5, Division 11, of the Water Code, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 6: By Mr. Crowley—An act to amend Section 18101 of the Government Code, relating to sick leave.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 7: By Mr Dickey—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 8: By Messrs Ralph C. Dills, Fletcher, Thomas, Geddes, Anderson, Clayton A. Dills, Erwin, Grant, Stanley, and Hollibaugh—An act to provide for the establishment of a state college in the area of Orange County and the southeastern part of Los Angeles County, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 9: By Messrs. Doyle and Geddes—An act to add Section 1514.3 to the Elections Code, relating to ballot pamphlets and providing for detailed analyses of measures submitted to the voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 10: By Mr. Fletcher—An act to add Section 247.5 to the Vehicle Code, relating to the wrecking or dismantling of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 11: By Messrs. Fleury and Moss—An act to add Section 66n to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of judges of the Superior Court of the State of California, in and for the County of Sacramento, to provide for the appointment of an additional judge and for his compensation," approved June 16, 1923, relating to the number of superior court

judges and providing for the appointment of an additional Superior Court Judge in and for the County of Sacramento.

Referred to Committee on Judiciary.

Assembly Bill No. 12: By Messrs. Geddes, Stanley, Morris, Dunn, and Doyle—An act to add Section 95 to the Streets and Highways Code, relating to selection of freeway sites.

Referred to Committee on Transportation and Commerce.

Assembly Concurrent Resolution No. 2: By Messrs. Grant and Fletcher—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

Assembly Bill No. 13: By Mr. Grunsky—An act to amend the title, and Sections 4, 16, 18 5, 19, and 24 of the California Small Loan Act, Chapters 953 and 1045 of the Statutes of 1939, relating to loans and charges thereon.

Referred to Committee on Finance and Insurance.

Assembly Constitutional Amendment No. 2: By Mr. Hawkins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 3 to Article VIII of said Constitution, to prohibit segregation and discrimination in military organizations.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 14: By Mr Hahn—An act to amend Section 420.1 of the Vehicle Code, relating to security following an accident.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 15: By Messrs. Hoffman, Heisinger, and Clarke—An act to add Section 1066 7 to the Agricultural Code, relating to economic poisons.

Referred to Committee on Public Health.

Assembly Bill No. 16: By Messrs Hollibaugh and Geddes—An act to amend Section 7.5 of the Bank and Corporation Franchise Tax Act, Section 5.5 of the Corporation Income Tax Act, and Sections 6051, 6201, 17053.5, 19200, 19201.5, 19202, 19203 5, 19204.5, and 19205.5 of the Revenue and Taxation Code, relating to state taxation and providing for rates and exemptions, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 17: By Messrs. Lewis and Hagen—An act establishing a state college in the vicinity of the City of Bakersfield, County of Kern, to be known as the Kern State College.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Joint Resolution No. 2: By Messrs. Lowrey and Coats—Relative to memorializing the President and the Congress of the United States in relation to two irrigation canals to supply water from the Sacramento River to areas in Northern California.

Referred to Committee on Rules.

Assembly Bill No. 18: By Mr. Luckel, Mrs. Niehouse, and Mr. Cramer—An act to amend Sections 985 and 986.3 of, and to add Section 987.11 to, the Military and Veterans Code, relating to farm and home purchases for veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 19: By Mr. Maloney—An act to amend Section 7137 of the Business and Professions Code, relating to contractors' licenses.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 20: By Mr. McCollister—An act to add Sections 159.5, 159.6, and 159.7 to the Vehicle Code, relating to motor vehicle registration.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 21: By Mr. Morris—An act to add Chapter 2 to Division 8 of the Military and Veterans Code, relating to state assistance through the Department of Veterans Affairs in the financing of mass residential housing and other facilities incidental or appurtenant thereto and making an appropriation therefor.

Referred to Committee on Military Affairs.

Assembly Constitutional Amendment No. 3: By Messrs. Rosenthal, Anderson, Thomas, Fletcher, Cooke, Davis, Hawkins, and Lewis—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31e, relating to bonuses to members of the armed forces between December 7, 1941, and September 2, 1945, and authorizing the issuance of bonds therefor.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 22: By Messrs. Sherwin, Maloney, Caldecott, McCollister, Burke, Butters, Collier, Conrad, Dickey, Dolwig, Erwin, Geddes, Grant, Hollibaugh, Lincoln, Luckel, Morris, Stanley, and Stewart—An act to add Article 4, comprising Sections 11615 and 11616 to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704, of said code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Concurrent Resolution No. 3: By Mr. Smith—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

Assembly Bill No. 23: By Messrs. Stanley and Geddes—An act to amend Sections 10200, 10201, 10202, 10203, 10204 and to repeal Section 10205 of the Education Code, relating to automobile driver education and automobile driver training, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 24: By Messrs. Thomas, McCollister, Thompson, Crichton, Ralph C. Dills, and Rosenthal—An act making an appropriation for the development of a foreign trade zone at Los Angeles Harbor.

Referred to Committee on Transportation and Commerce.

Assembly Concurrent Resolution No. 4: By Mr. Waters—Relative to approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the second day of November, 1948.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 5: By Mr. Way—Relative to approving amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

Assembly Bill No. 25: By Messrs Thomas, Fletcher, and Grant—An act to add Section 544 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 26: By Mr. Stanley—An act to add Section 20894.2 to the Government Code, relating to employees of contracting agencies in the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 27: By Mr. Sherwin—An act making an appropriation for support of the Department of the California Highway Patrol for the 1948-49 Fiscal Year, providing for the transfer of such appropriation, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 28: By Mr Morris—An act to add Section 1.5 to Chapter 1 of the Statutes of the 1938 Extraordinary Session of the Legislature, exempting from all taxation the property and bonds of certain corporations under the Limited Dividend Housing Corporations Act.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 29: By Mr. McCollister—An act to add Section 66k to the Code of Civil Procedure, relating to the number of judges

of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 30: By Messrs. Maloney and Gaffney—An act to amend Sections 642 and 666 of the Agricultural Code, relating to products which are substitutes for or imitations of dairy products.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 31: By Mr. Luckel, Mrs. Niehouse, and Mr. Cramer—An act to amend Section 800 of the Military and Veterans Code, relating to veterans' aid and welfare.

Referred to Committee on Military Affairs.

Assembly Bill No. 32: By Messrs. Hawkins and Rumford—An act to add Article 5, comprising Sections 11628 and 11629 to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704 of said code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 33: By Mr Hahn—An act to develop a Comprehensive State-wide Program of Community Recreation and providing the procedure for allocation of funds to cities, counties, cities and counties, and school districts declaring the urgency thereof to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 34: By Mr. Grunsky—An act to amend the title, and Sections 17, 19.5, 20 and 23 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, and to amend the title, and Sections 17, 19.5, 20 and 24 of the Personal Property Brokers Act as revised by Chapter 1044 of the Statutes of 1939, relating to limitations on loans and charges by personal property brokers.

Referred to Committee on Finance and Insurance.

Assembly Concurrent Resolution No. 6: By Messrs. Elliott, Hawkins, Condon, and Lewis—Relative to defining the scope and improving the efficiency of legislative committees, safeguarding democratic liberties and real Americanism, and preventing the unwise expenditure of public funds by prohibiting the creation of so-called Committees on Un-American Activities.

Referred to Committee on Rules.

Assembly Bill No. 35: By Mr. Dickey—An act to add Section 987.11 to the Military and Veterans Code, relating to veterans' farm and home purchases.

Referred to Committee on Military Affairs

Assembly Bill No. 36: By Mr. Crichton—An act to amend Section 595 of the Vehicle Code, relating to unattended motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 37: By Messrs. Conrad, Collier, Cramer, Dolwig, Erwin, Grant, and Sherwin—An act to amend Section 19607 of the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 38: By Mr. Collier—An act to amend Section 59.5 of the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 39: By Messrs. Butters, Heisinger, Collier, Clarke, Thomas, Brown, Burke, Cooke, Davis, Erwin, Grant, Huyck, Lowrey, Sherwin, Thompson, and Waters—An act to add Article 4, comprising Sections 17390 to 17394, inclusive, to Chapter 4, Part 10, Division 2, of the Revenue and Taxation Code, relating to the personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 4: By Mr. Burke—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article IV thereof, relating to initiative measures.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 40: By Messrs. Anderson, Hawkins, Beck, Cooke, Bennett, Elliott, Fletcher, Geddes, Hahn, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Mrs Niehouse, Messrs. Rosenthal, Thomas, and Waters—An act to amend Sections 1500, 1501, and 1503 of the Welfare and Institutions Code, relating to needy children

Referred to Committee on Education.

ANNOUNCEMENT

Mr. Dickey announced that all members should put charter amendments across the desk, today, if possible, as a meeting of the Committee on Rules will be called at the earliest moment.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION BE READ, AND PRINTED IN THE JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be read, and ordered printed in the Journal:

Opinion of Legislative Counsel

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, December 28, 1948

Hon Randal F. Dickey
3221 Thompson Avenue
Alameda, California

Interim Committees—No 1764

DEAR MR. DICKEY: You have asked whether it would be possible to create or continue a number of Assembly interim committees in one house resolution rather than to adopt a separate resolution for each committee continued or created.

In our opinion there is no legal reason why such action may not be taken by a single resolution.

Article IV, Section 37 of the Constitution provides that "the Legislature may by resolution provide for the appointment of committees" for certain purposes. Nothing

contained in this section expressly prohibits the Legislature from creating more than one committee in any one resolution, and we do not believe that such a prohibition exists by necessary implication.

We can see no reason why this "single resolution" method should cause any great administrative or accounting problems. As a result of conversations with Mr. Artz of the Controller's Office, we believe a resolution similar to the one enclosed will not present any great problems to that office.

We do not, however, believe that such resolution can, at the present time, allocate to the committees named therein the "unexpended balances" of sums originally allocated to them.

The reason for this is that the committees in question were created at the 1947 Regular Session, and many of them received allocations of Assembly Contingent Funds both at that session and at the Budget Session. As a result some of the funds from which the allocation was made have "lapsed" and are no longer available for expenditure.

Instead of providing in the resolution that the "unexpended balances" are available to the several committees, we believe it would be safer and less uncertain to determine from the Controller the available balance in each committee's account, and to provide for the allocation of that amount to the committee.

The resolution we have prepared is drafted in this manner, with blanks in which the appropriate amounts may be inserted.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By A. C. MORRISON, Deputy

REQUEST FOR UNANIMOUS CONSENT TO OFFER HOUSE RESOLUTION OUT OF ORDER

Mr. Dickey asked for unanimous consent that he be permitted to introduce a House resolution, out of order, at this time

Mr. Lowrey withheld unanimous consent.

Mr. Lowrey withdrew his objections.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 13

Relative to creating the Assembly Legislative Process Committee and defining its powers and duties

WHEREAS, Many of the legislative proposals involve problems within the jurisdiction of more than one standing committee of the Assembly, and the adequate consideration of such measures requires the cooperation of such several committees in order to avoid duplicating the work of one such committee by another, and much delay in the legislative process could be avoided if it were possible to eliminate such duplication of effort and provide a means for expediting the consideration of such measures; and

WHEREAS, There is a need for a committee equipped to ascertain facts and secure facts and information upon assigned topics from time to time during the session, a committee acting in aid of and in collaboration with the several standing committees of the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. A special committee designated the "Assembly Legislative Process Committee" is hereby created and authorized and directed to take such steps as may be necessary to coordinate the work of the various standing committees of this session in considering questions before such session in order that there be no duplication of work or effort, and to make such studies as may be necessary, ascertain such facts and information, and secure such statistics for the use of the members and committees of the Assembly as may be of aid to them in considering and acting upon legislative proposals at this session.

2. The committee shall consist of the members of the Rules Committee The Chairman of the Rules Committee shall be Chairman of the Process Committee. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to meet during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing

Rules of the Assembly, as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members except that the members of the committee shall serve without compensation and shall not be allowed mileage.

Until the adoption of the Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other law-enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders, and other process issued by the committee.

(c) To report its findings and recommendations to the Assembly from time to time and at any time.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of three hundred thousand dollars ($300,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims they may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered held at the desk.

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

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

Assembly Concurrent Resolution No. 7: By Mr. Grunsky—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of September, 1948.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 8: By Mr. Thomas—Approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the thirteenth day of April, 1948.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 9: By Messrs. Maloney, George D. Collins, Connolly, McCarthy, Meyers, Brady, Gaffney, and Berry—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated primary and special municipal election held therein on the first day of June, 1948.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 10: By Messrs. Maloney, Connolly, McCarthy, Berry, George D Collins, Brady, Gaffney, and Meyers—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of

said City and County of San Francisco at a consolidated general election and special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

Assembly Bill No. 41: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 42: By Mr. Thomas—An act to amend Section 730 of the Fish and Game Code, relating to California halibut.

Referred to Committee on Fish and Game.

Assembly Bill No. 43: By Mr. Thomas—An act to amend Section 794 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 44: By Mr. Thomas—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Referred to Committee on Fish and Game.

Assembly Bill No. 45: By Mr. Crichton—An act to add Section 66p to the Code of Civil Procedure, and to repeal an act entitled "An act to provide one additional Judge of the Superior Court in the County of Fresno," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of two additional superior court judges in and for the County of Fresno.

Referred to Committee on Judiciary.

Assembly Bill No. 46: By Mr. Crichton—An act to amend Section 737j of the Political Code, relating to salaries of superior court judges in Fresno County.

Referred to Committee on Judiciary.

Assembly Bill No. 47: By Mr. Stanley—An act to add Section 254.6 to the Vehicle Code, relating to student temporary licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 48: By Mr. Stanley—An act to add Article 2.2, comprising Sections 16440 and 16440.1, to Chapter 3, Division 8 of the Education Code, relating to safety guards in the public schools.

Referred to Committee on Education.

Assembly Bill No. 49: By Mr. Luckel and Mrs. Niehouse—An act to add Section 59.3 to the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 50: By Mr. Luckel, Mrs. Niehouse, and Mr. Cramer—An act to amend Section 2600 of the Elections Code, relating to primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 51: By Mr. Luckel—An act to amend Sections 642, 643, 644, 645, 646, 647, 648, and 666 of the Agricultural Code, relating to products which are imitations of or substitutes for dairy products.

Referred to Committee on Livestock and Dairies.

RESOLUTIONS

The following resolution was offered:

By Messrs. Doyle and Geddes:

House Resolution No. 14

Congratulating Benjamin S. Hite, Registrar of Voters of the County of Los Angeles, for his performance in the last November election

WHEREAS, More voters registered and voted in the County of Los Angeles than ever before in history in the last November election; and

WHEREAS, Benjamin S. Hite filled the office of Registrar of Voters, to which he has been recently appointed, with zeal and efficiency; and

WHEREAS, Benjamin S. Hite rose to his present appointment after 22 years of faithful and competent service in the office of the Registrar of Voters, the last eight years of which were under the late and lamented Registrar of Voters of the County of Los Angeles, affectionately known as Mike Donahue; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California congratulates Benjamin S. Hite, Registrar of Voters of the County of Los Angeles, on his performance in connection with the election of the second day of November, 1948; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to convey to Benjamin S. Hite, Registrar of Voters of the County of Los Angeles, these congratulations and transmit a copy of this resolution to the Board of Supervisors of the County of Los Angeles.

Resolution read, and referred to the Committee on Rules.

Speaker Presiding

At 11.10 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Speaker Sam L. Collins announced the appointment to membership on Standing Committees as follows:

AGRICULTURE—Clarke (Chairman), Cooke (Vice Chairman), Burkhalter, Brown, Butters, Babbage, Davis, Erwin, Hagen, Hoffman, Heisinger, Lindsay, Lowrey, Price, Silliman, Stanley, and Lewis.

CIVIL SERVICE AND STATE PERSONNEL—Cramer (Chairman), Caldecott (Vice Chairman), Fleury, Hoffman, Moss, George D. Collins, Silliman, Meyers, and Rumford.

CONSERVATION, PLANNING AND PUBLIC WORKS—Weber (Chairman), Lipscomb (Vice Chairman), Clarke, Cramer, Hagen, Lindsay, Lincoln, Lewis, Luckel, McMillan, and Moss.

CONSTITUTIONAL AMENDMENTS—Crowley (Chairman), Maloney (Vice Chairman), Dickey, Crichton, McCollister, Rosenthal, and Thompson.

CRIME AND CORRECTION—Price (Chairman), Bennett (Vice Chairman), Babbage, Conrad, Fleury, Cooke, Kilpatrick, Hagen, and Reagan.

EDUCATION—Dunn (Chairman), Beck (Vice Chairman), Anderson, Burkhalter, Babbage, Collier, Caldecott, Ralph C. Dills, Gaffney, Geddes, Hinckley, Huyck, Kirkwood, Levering, McCarthy, Niehouse, Tomlinson, Lincoln, Meyers, and Way.

ELECTIONS AND REAPPORTIONMENT—Waters (Chairman), Butters (Vice Chairman), Coats, Burke, Hahn, Hinckley, Stanley, Tomlinson, Conrad, Sherwin, George D. Collins, Berry, and Davis.

FINANCE AND INSURANCE—Geddes (Chairman), Dolwig (Vice Chairman), Doyle, Brady, Beck, Grunsky, Levering, Lipscomb, Maloney, Morris, Meyers, Dunn, and Stanley.

FISH AND GAME—Erwin (Chairman), Thomas (Vice Chairman), Butters, Burkhalter, Doyle, Hahn, Heisinger, Lindsay, Luckel, and Reagan

GOVERNMENTAL EFFICIENCY AND ECONOMY—Stewart (Chairman), Hinckley (Vice Chairman), Huyck, Dunn, Brady, Brown, Collier, Conrad, Davis, Evans, Grant, Lincoln, Lipscomb, McCarthy, Kilpatrick, McMillan, Sherwin, Smith, Thomas, and Waters.

INDUSTRIAL RELATIONS—Fletcher (Chairman), Gaffney (Vice Chairman), Berry, Condon, Conrad, Collier, Elliott, Kirkwood, Maloney, Hollibaugh, Lewis, Levering, Burke, and Rosenthal.

JUDICIARY—Brown (Chairman), Rosenthal (Vice Chairman), Babbage, Beck, Bennett, Caldecott, Connolly, Dolwig, Grunsky, Fleury, George D. Collins, Crowley, McCarthy, Smith, Tomlinson, Waters, and Brady

LEGISLATIVE PROCEDURE—Huyck (Chairman), Grunsky (Vice Chairman), and Coats.

LIVESTOCK AND DAIRIES—Silliman (Chairman), Heisinger (Vice Chairman), Clarke, Ralph C. Dills, Davis, Lowrey, Hoffman, Erwin, Way, and Weber.

MANUFACTURING, OIL, AND MINING INDUSTRY—Ralph C. Dills, (Chairman), Morris (Vice Chairman), Crichton, Dunn, Fletcher, Hollibaugh, Thompson, Dickey, and Niehouse.

MILITARY AFFAIRS—McCollister (Chairman), Hoffman (Vice Chairman), Cooke, Clayton A. Dills, Dolwig, Niehouse, Price, Stewart, Cramer, and Elliott.

MUNICIPAL AND COUNTY GOVERNMENT—Stanley (Chairman), Burke (Vice Chairman), Anderson, Bennett, Hahn, Lincoln, Reagan, Coats, Dolwig, and Rumford.

PUBLIC HEALTH—Thompson (Chairman), Connolly (Vice Chairman), Clayton A. Dills, Grant, Hawkins, Huyck, Lipscomb, Luckel, Rosenthal, Rumford, and Smith.

PUBLIC MORALS—McMillan (Chairman), Crichton (Vice Chairman), Dickey, Fletcher, Maloney, Thompson, and McCollister.

PUBLIC UTILITIES AND CORPORATIONS—Evans (Chairman), Brady (Vice Chairman), Burke, Berry, Burkhalter Cramer, Grant, Morris, Reagan, Dickey, Moss, and Stewart.

REVENUE AND TAXATION—Hollibaugh (Chairman), Clayton A. Dills (Vice Chairman), Anderson, Doyle, Connolly, Evans, Geddes, Hawkins, Hahn, Morris, Way, Reagan, Sherwin, and Thomas.

RULES—Dickey (Chairman), Doyle (Vice Chairman), Crichton, Crowley, Dolwig, Dunn, Evans, Fletcher, Geddes, Hollibaugh, McCollister, Maloney, Thompson, and Waters.

SOCIAL WELFARE—Niehouse (Chairman), Kilpatrick (Vice Chairman), Condon, Elliott, Levering, Smith, Evans, Weber, and Cooke.

TRANSPORTATION AND COMMERCE—Luckel (Chairman), Berry (Vice Chairman), Grant, Lindsay, Fleury, Condon, Thomas, Way, Kirkwood, and Tomlinson.

WAYS AND MEANS—Sherwin (Chairman), Lowrey (Vice Chairman), Anderson, Butters, George D. Collins, Clarke, Crowley, Connolly, Caldecott, Collier, Erwin, Elliott, Gaffney, Grunsky, Hawkins, Hinckley, Kilpatrick, Kirkwood, McCollister, McMillan, Price, Silliman, Stewart, Weber, and Lipscomb

Hon. Ralph C. Dills Presiding

At 11.12 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

MOTION TO COMPLIMENT SPEAKER COLLINS

Mr. Cooke moved that the Members of the Assembly extend a rising vote of thanks to Speaker Sam L. Collins for so expeditiously appointing

committees, and for the fair manner in which his appointments have been made.

Mr. Doyle seconded the motion.

Motion carried.

The Members of the Assembly did then arise.

Speaker Presiding

At 11.18 a.m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Mr. Dickey announced that a meeting of the Committee on Rules will be held immediately upon recess in Room 320.

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

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

Assembly Bill No. 52: By Mr. Luckel and Mrs. Niehouse—An act to add Section 6368 to the Revenue and Taxation Code, relating to sales and use taxes, and providing for the exemption of medicines and drugs therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 53: By Messrs. Dunn and Gaffney—An act to add Section 579.5 to the Agricultural Code, relating to the sale and manufacture of oleomargarine colored in imitation of butter.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 54: By Mr. Evans—An act to add Section 1.5 to Chapter 788, Statutes of 1937, as amended, relating to the caravaning of vehicles.

Referred to Committee on Transportation and Commerce.

ANNOUNCEMENT

Mr. Cooke announced a meeting of all Democratic members, today, upon adjournment, in Room 426.

ANNOUNCEMENT

Speaker Sam L. Collins announced that many Members of the Assembly are receiving letters from presumed constituents asking for character recommendations, and requested all new members to be warned that many demands are not legitimate.

ANNOUNCEMENT

Speaker Sam L. Collins announced that all Republican members will meet, upstairs, immediately upon adjournment.

RECESS

At 11.25 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 4, 1949

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

Assembly Concurrent Resolution No. 1
Assembly Joint Resolution No. 1

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 11: By Messrs. Maloney, Cooke, and Sherwin—Relative to the selection of the Legislative Counsel of California.

Resolution read.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 11, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 11

Assembly Concurrent Resolution No. 11—Relative to the selection of the Legislative Counsel of California.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Mr. Speaker—68.

NOES—None

Resolution ordered printed, and transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 9

By Mr. Crowley:

House Resolution No. 9

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

respective names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	A W Way	Eureka, Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats, Jr	Yuba City, Sutter County	58	--	--	58	116	5 80
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	4 00
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	**Richard H. McCollister**	Mill Valley, Marin County	105	8	--	113	226	11 30
8	**Gordon A. Fleury**	Sacramento, Sacramento County	--	--	--	--	--	----
9	John E Moss Jr	Sacramento, Sacramento County	--	--	--	--	--	----
10	Robert L Condon	Walnut Creek, Contra Costa County	62	1	--	63	126	6 30
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	48	96	4 80
12	Verne W Hoffman	Acampo, San Joaquin County	48	--	14	34	68	3 40
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	--	84	168	8 40
14	Randal F Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Luther H Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	**William Byron Rumford**	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W Caldecott	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly, Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	John F Thompson	San Jose, Santa Clara County	128	--	--	128	256	12 80
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	James G Crichton	Fresno, Fresno County	169	--	--	169	338	16 90
35	S L Heisinger	Calwa, Fresno County	169	5	--	174	348	17 40
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	John B Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
39	Joe C Lewis	Buttonwillow, Kern County	278	21	--	299	598	29 90
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	H Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Glenn M Anderson	Hawthorne, Los Angeles County	447	12	--	459	918	45 90
47	Albert J Stewart	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Bruce V Reagan	Pasadena, Los Angeles County	447	13	--	460	920	46 00
49	Ernest R Geddes	Pomona, Los Angeles County	447	30	--	477	954	47 70
50	Thomas M Erwin	Puente, Los Angeles County	447	19	--	466	932	46 60
51	Elwyn S Bennett	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Holibaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Glenard P Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Willard M Huyck	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
60	Harold K Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	**Vincent Thomas**	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	**Ralph C. Dills**	Compton, Los Angeles County	**447**	**18**	--	**465**	**930**	**46 50**
70	**William S. Grant**	Long Beach, Los Angeles County	447	22	--	469	938	46 90

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
71	Carl Fletcher	Long Beach, Los Angeles County	447	22	--	469	938	$46 90
72	R Fred Price	Upland, San Bernardino County	508	--	23	485	970	48 50
73	L Stewart Hinckley	Redlands, San Bernardino County	508	9	--	517	1,034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D Babbage	Riverside, Riverside County	512	--	--	512	1,024	51 20
77	George R Butters	Brawley, Imperial County	661	--	14	647	1,294	64 70
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Howard K Cramer	Chula Vista San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco, San Francisco County	--	--	--	---	---	-----
Geraldine B Hadsell	Los Angeles, Los Angeles County	447	--	--	447	894	$89 40
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	---	---	-----

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—71.

NOES—None.

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

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

Assembly Concurrent Resolution No. 12: By Mr. Luckel—Relative to the designation of United States Highway Number 50 as George Washington Highway.

Referred to Committee on Rules.

Assembly Bill No. 55: By Messrs. Stanley and Ralph C. Dills—An act to provide for the establishment of a state college in the area of Orange County and the southeastern part of Los Angeles County, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 56: By Mr. Dickey—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 57: By Mr Dickey—An act to amend Section 103 of the Code of Civil Procedure, relating to compensation of justices of the peace.

Referred to Committee on Judiciary.

Assembly Bill No. 58: By Mr. Ralph C. Dills—An act to amend Section 1 of the Municipal Court Act of 1925, relating to municipal courts, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 59: By Mr. Ralph C. Dills—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 60: By Mr. Ralph C. Dills—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, creating a new class of cities to be known as cities of the four and seven-eighths class, and to provide for their organization, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 61: By Mr. Ralph C. Dills—An act to amend the title and Sections 1 and 3 of the Judges' Retirement Act and to amend Sections 2, 4, and 4.5 of the Judges' Retirement Fund Act, relating to the State System for the Retirement of the Judges and Justices, and providing for the inclusion of justices of justices' courts of Class A within that system.

Referred to Committee on Judiciary.

Assembly Joint Resolution No. 3: By Messrs. Geddes, Erwin, Butters, and Clarke—Relative to memorializing Congress to make the Pomona Remount Station available to the California State Polytechnic College, for the extension of its practical educational program in agriculture, industry, and kindred subjects, and for the continuation of the Arabian horse breeding program.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 1
Senate Concurrent Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No 2
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 4
Assembly Concurrent Resolution No 5
Assembly Concurrent Resolution No. 8
Assembly Concurrent Resolution No. 9
Assembly Concurrent Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 2

Assembly Concurrent Resolution No. 2—Relative to approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gafney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—71.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 3

Assembly Concurrent Resolution No. 3—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and

ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—68.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 4

Assembly Concurrent Resolution No. 4—Relative to approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—67

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 5

Assembly Concurrent Resolution No. 5—Relative to approving amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn,

Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Thomas asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 8, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 8

Assembly Concurrent Resolution No. 8—Approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the thirteenth day of April, 1948.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCarthy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 9, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 9

Assembly Concurrent Resolution No. 9—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated primary and special municipal election held therein on the first day of June, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—73.

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCarthy asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 10, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 10

Assembly Concurrent Resolution No. 10—Relative to approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated general election and special municipal election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sulliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76

NOES—None.

Resolution ordered printed, and transmitted to the Senate.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 13

By Mr. Dickey:

House Resolution No. 13

Relative to creating the Assembly Legislative Process Committee and defining its powers and duties

WHEREAS, Many of the legislative proposals involve problems within the jurisdiction of more than one standing committee of the Assembly, and the adequate consideration of such measures requires the cooperation of such several committees in order to avoid duplicating the work of one such committee by another, and much delay in the legislative process could be avoided if it were possible to eliminate such duplication of effort and provide a means for expediting the consideration of such measures; and

WHEREAS, There is a need for a committee equipped to ascertain facts and secure facts and information upon assigned topics from time to time during the session, a committee acting in aid of and in collaboration with the several standing committees of the Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. A special committee designated the "Assembly Legislative Process Committee" is hereby created and authorized and directed to take such steps as may be necessary to coordinate the work of the various standing committees of this session in considering questions before such session in order that there be no duplication of work or effort, and to make such studies as may be necessary, ascertain such facts and information, and secure such statistics for the use of the members and committees of the Assembly as may be of aid to them in considering and acting upon legislative proposals at this session.

2. The committee shall consist of the members of the Rules Committee. The Chairman of the Rules Committee shall be Chairman of the Process Committee Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to meet during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members except that the members of the committee shall serve without compensation and shall not be allowed mileage.

Until the adoption of the Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders, and other process issued by the committee.

(c) To report its findings and recommendations to the Assembly from time to time and at any time.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of three hundred thousand dollars ($300,000), or so much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims they may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—74.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Messrs. Ralph C. Dills and Stewart:

House Resolution No. 15

Relative to the third annual Little Rose Bowl game

WHEREAS, The third annual Little Rose Bowl game sponsored by the Pasadena Junior Chamber of Commerce was played on December 11, 1948 before a record crowd of over 50,000 fans; and

WHEREAS, The outstanding eastern football team of Duluth Junior College of Duluth, Minnesota was pitted against Compton College of Compton, California for the National Junior College Championship; and

WHEREAS, Compton College successfully defended the title by defeating Duluth Junior College by a score of 48 to 14; now, therefore, be it

Resolved by the Assembly of the State of California, That by this resolution, this Assembly does hereby compliment and commend the Pasadena Junior Chamber of Commerce for sponsoring this annual grid classic, and also commends and congratulates the coaching staff and players of Compton College upon the excellent football form, sportsmanship, and skill, in winning the coveted National Junior College Championship for a second time; and be it further

Resolved, That the Chief Clerk of this Assembly transmit suitably prepared copies of this resolution to Coach "Tay" Brown, Director of Athletics, "Goldie" Holmes, and President O. Scott Thompson, all of Compton College.

Resolution read.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 15, at this time, without reference to committee or file.

Resolution read, and adopted.

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

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

Assembly Bill No. 62: By Messrs. Cramer, Luckel, and Mrs. Niehouse—An act providing for a declaration of a water shortage emergency by the governing body of a distributor of a public water supply, authorizing the regulation and restriction of water deliveries and consumption during a water shortage emergency, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 63: By Messrs. Erwin, Thomas, Fletcher, Beck, Burkhalter, Doyle, and Hollibaugh—An act to amend Section 19.6 of the Fish and Game Code, relating to the Fish and Game Commission and extending the period during which its general regulatory powers shall continue in existence.

Referred to Committee on Fish and Game.

Assembly Bill No. 64: By Messrs. Luckel, Cramer, and Mrs. Niehouse—An act to add Section 46.5 to the State Water Resources Act of 1945, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 65: By Mr. Luckel and Mrs. Niehouse—An act relating to the development and improvement of the Mission Bay Park and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE ADDED AS CO-AUTHOR TO ASSEMBLY BILL NO. 8

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that the name of Mr. Hollibaugh be added, as a co-author, to Assembly Bill No. 8.

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

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

Assembly Bill No. 66: By Messrs. Luckel, Cramer, and Mrs. Niehouse—An act to amend Sections 804, 814, 815, 985.5, 986.4, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 67: By Messrs. Lindsay and McCollister—An act to add Chapter 10.5, comprising Sections 6401 to 6406, inclusive, to Division 3 of, and Section 5026.3 to, the Education Code, relating to state payments to school districts.

Referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 2

Senate Concurrent Resolution No. 2—Relative to approving amendments to the charter of the City of Sacramento, a municipal corporation in the County of Sacramento, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Weber—69.

NOES—None.

Request for Unanimous Consent That Name Be Added to Roll Call

Mr. Collier asked for, and was granted, unanimous consent that his name be added to the roll call on Senate Concurrent Resolution No. 2, and that he be recorded as voting yea.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

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

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 1

Senate Concurrent Resolution No. 1—Relative to passing of the Honorable William R. Sharkey

Resolution read, and adopted unanimously by a rising vote, there being 68 members present.

Resolution ordered transmitted to the Senate.

MOTION THAT TEMPORARY STANDING RULES OF THE ASSEMBLY FOR THE 1949 REGULAR SESSION BE PRINTED IN THE JOURNAL

Mr. Dickey moved that the Temporary Standing Rules of the Assembly for the 1949 Regular Session be ordered printed in the Journal, prior to consideration of the Permanent Rules, tomorrow.

Mr. Butters seconded the motion.

Motion carried.

TEMPORARY STANDING RULES OF THE ASSEMBLY FOR THE 1949 REGULAR SESSION

SECTION 1

LEGISLATIVE ORGANIZATION

Assignment of Desks to Members

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

Hours of Meeting

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

Following the constitutional recess, the Assembly shall meet promptly at 9.30 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

RULES

Adoption of Standing Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rules

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

Parliamentary Rules

7. In all cases not provided for by the Constitution, by the Assembly Rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual of Legislative Procedure.

Standing Committees

Standing Committees

8. For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

A. LEGISLATURE:

Two committees to consider legislative organization, functions and procedure:

Committee on Rules

There is a Committee on Rules, No. 1, which shall act as an executive committee of the House having the following powers:

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

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

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

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committees.

Twenty-five standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works

4. Fish and Game
5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Crime and Correction
10. Public Morals
11. Public Health
12. Social Welfare
13. Civil Service and State Personnel
14. Military Affairs
15. Municipal and County Government
16. Elections and Reapportionment
17. Judiciary
18. Constitutional Amendments
19. Agriculture
20. Livestock and Dairies
21. Public Utilities and Corporations
22. Manufacturing, Oil, and Mining Industry
23. Industrial Relations
24. Finance and Insurance
25. Transportation and Commerce

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

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week.

Motions to Change Membership or Numbers of Standing Committees

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

SECTION 2

HOUSE FUNCTIONS

Duties of Assembly Officers

Duties of the Speaker

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

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

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

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

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

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

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

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

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

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

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

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

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

Duties of the Speaker pro Tempore

11. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly may mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or the Chairman of the Committee on Rules.

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Miscellaneous

Admission to Assembly Chamber

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

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

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

Lobbying in the Assembly Chamber

21. All persons appearing or being, or desiring to appear or be, at or in the Assembly Chamber, or at or in any committee room of the Assembly for the purpose of advocating the adoption or defeat of any bill, measure, or resolution introduced in, pending before, or being considered by the Assembly or by any committee thereof, or for the purpose of soliciting the vote of any Member of the Assembly upon any such bill, measure, or resolution, shall register with the Sergeant-at-Arms his name and address, together with a statement of the person or persons, corporation or corporations, or interest represented by or intended to be represented by him, and shall file with the Sergeant-at-Arms his written

authority to represent such person, corporation, or interest; and thereupon the Sergeant-at-Arms shall issue to such person a certificate that he has so registered in conformity with this rule, which certificate shall be exhibited to the chairman of a committee upon request. A complete record of all persons so registered, together with their respective addresses and the persons, corporations, or interest represented by them, shall be kept and preserved by the Sergeant-at-Arms, and shall be open at all times to public inspection.

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

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

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

Smoking in Assembly Chamber

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

Fees for Witnesses

23. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear, and the sum of five and one-half cents ($0.05½) for each mile he shall travel in coming to and going from the place of examination.

Press Privileges

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

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the standing committee of the Capitol Correspondents Association; also the necessary rooms for the exclusive use of such accredited press representatives.

SECTION 3
LEGISLATIVE PROCEDURE

Speaker to Call Assembly to Order

25. The Speaker, or in his absence the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

The functions of the temporary chairman shall terminate upon return of the Speaker or Speaker pro Tempore.

Roll Call and Quorum

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

Order of Business

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

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

Pledging Allegiance to the Flag

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

Reading, Correcting and Approving Journal

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

b. All Journals of the Assembly shall be corrected by the Minute Clerk and delivered by him to the Chief Clerk within seven calendar

days from the date of such Journal. Such corrected Journals may thereafter be approved by a majority vote of the members present.

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

Presentation of Petitions

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

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

Messages from the Governor

31. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

Messages from the Senate

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

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

Bills

Bills Defined

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

Introduction and Reference of Bills

34. Each bill shall be signed by the member, or each of the members, who is an author of the bill before it is introduced. If any bill is introduced which does not contain the signature of such author or co-author, the same, on motion of the member whose name appears thereon without such signature, shall be stricken from the file by a recorded vote of a majority of the elected membership. In each legislative session, on the first day when bills are introduced under "Introduction and Reference

of Bills," the roll shall be called from A to Z and then back from Z to A, and as each member's name is called, he may introduce one bill, constitutional amendment, concurrent or joint resolution.

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

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

Reference of Bills to Committee

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

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

Examining of Bills by Legislative Counsel Bureau

36. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule.

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

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

Introduction of Bills After Constitutional Recess

37. Any member requesting permission to introduce a bill, except a resolution or constitutional amendment, after the constitutional recess shall send such request together with the bill to the Clerk's desk, and it shall be referred by the Speaker to the Committee on Legislative Procedure. The committee shall ascertain if the granting of such request will exceed the limitations as set forth in Section 2 of Article IV of the

Constitution, and if it will not, shall report back on the same legislative day each bill so referred to it. The adoption of the report of the committee granting permission to introduce any bill shall require an affirmative recorded vote of three-fourths of all members elected to the Assembly.

Standing Committee Functions

Standing Committee Rules

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

A majority of the committee members present may order a call of the committee.

Meetings of Standing Committees

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

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

Committee Quorum

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

Bills Reported Back to Assembly

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

Reports of Committees

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

Signing Bills Out of Committee

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

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

Committee of the Whole

44. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

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

Committee on Ways and Means

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

Committee Expenditures

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

Reports of Interim Committees

47. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth day after the convening thereof.

Passage of Bills

Daily File

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

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

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

Record of Bills

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

Second Reading of Bills

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

Committee Amendments

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

Amendments From the Floor

52. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate an extra copy of the proposed amendment must be delivered to the Clerk's desk and made available to the author of the bill. Bills so amended on second reading shall be treated the same as committee amendments. Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

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

Nonconcurrence in Senate Amendments

57. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a committee of three (3) on conference, and the Chief Clerk shall immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee.

Committee on Conference

58. The Speaker, in appointing a committee on conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

59. The Chairman of the Senate committee on conference for the same bill shall arrange the time and place of meeting of such committee. It shall require an affirmative vote of not less than four of the members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly. Such

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

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

Engrossing and Enrolling Bills

60. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

Enrollment

61. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Committee on Legislative Procedure shall report both the day and the hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

SECTION 4

PARLIAMENTARY PROCEDURE

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

63. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 62 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

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

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

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

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

Speaker Explains Order of Business

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

68. A motion to lay on the table is not debatable and cannot be amended.

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

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

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

The Previous Question

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

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

72. When a motion is made to postpone indefinitely any bill, motion, or amendment, it opens the main question to debate. Should the motion to postpone indefinitely prevail by a majority vote of the entire elected

membership, the main question shall not be acted upon again during the session.

Motion to Amend

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 68.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Constitution of Motions

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

Division of Questions

78. Any member may call for a division of the question, and the Speaker shall order the question divided if it comprehend propositions

in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Assembly.

Withdrawal of Motions

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

Motion to Be Germane

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

Motion to Withdraw and Recall Bills

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

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

Bills Stricken from File

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

Motion to Rescind Action and Expunge Record

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

Reconsideration of Vote

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

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

adjourn. Upon such notice of motion being given, the bill, constitutional amendment, concurrent or joint resolution shall forthwith be placed upon the unfinished business file, and no further action shall be taken prior to the next legislative day. When a notice of a motion to reconsider has once been made, the same shall be considered to be the property of the Assembly.

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

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

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

Call of Assembly

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

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the State police, and sheriffs or their deputies, and

brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered shall become the immediate order of business before the Assembly.

Resolutions

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

Motions and Resolutions

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

Adjournment

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

Members' Decorum and Privileges

Order in Speaking to Questions

89. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr. Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor.

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

Leave of Absence

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

Personal Privilege

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

Objection to Reading of Any Paper

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

Members Called to Order for Transgressing Rules

93. a. If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

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

Members Voting

94. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote,

submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

In addition to the entry of his name in the Journal, any member who refuses so to vote when required, and who has not been excused from doing so, may, immediately after the announcement of the vote, in the discretion of the Speaker or upon demand of any member, be summoned to appear before the bar of the Assembly for public censure by the Speaker or by any member designated by the Speaker. Censure of a member as provided by this rule shall not constitute a bar to proceedings for his expulsion from the Assembly pursuant to Section 9 of Article IV of the Constitution.

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

Ayes and Noes

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

Voting Not to Be Interrupted

96. When once begun, voting shall not be interrupted, except that before the vote is announced any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

Members at Clerk's Desk

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

Tie Vote

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

"Two-thirds of the Entire Elected Membership" Defined

99. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

SCHEDULE OF ASSEMBLY COMMITTEE MEETINGS

MONDAY

Period I. 3.00 to 6.00 p.m.	Room	Period II. 8 00 p.m.	Room
Ways and Means	435	Judiciary	435
Public Utilities and Corporations	432	Finance and Insurance	432
Crime and Correction	426	Military Affairs	426

TUESDAY

Period I. 3 00 to 6.00 p.m.	Room	Period II. 8 00 p.m.	Room
Fish and Game	435	Judiciary	435
Agriculture	432	Livestock and Dairies	432
Public Health	426	Elections and Reapportionment	426
Social Welfare	430		

WEDNESDAY

Period I. 3.00 to 6.00 p.m.	Room	Period II. 8 00 p m.	Room
Governmental Efficiency and Economy	435	Constitutional Amendments	435
Manufacturing, Oil, and Mining Industry	432	Education	432
Conservation, Planning, and Public Works	426	Municipal and County Government	426

THURSDAY

Period I. 3.00 to 6.00 p.m.	Room	Period II. 8 00 p m.	Room
Ways and Means	435	Revenue and Taxation	435
Transportation and Commerce	432	Industrial Relations	432
Public Morals	426	Civil Service and State Personnel	426

FRIDAY

Period I. 3.00 to 6.00 p.m.	Room	Period II. 8 00 p m.	Room
	435		435
	432		432
	426		426

Subject to Call of Speaker or Chairman	Room	Attaches	Room	Attaches	Room
Rules	428	Engrossing and Enrolling Clerk	423	Amending Clerk	431
Legislative Procedure	431	Sergeant-at-Arms	436	Journal Clerk	431
Legislative Organization	436				

Rational Organization of Standing Committees of the Assembly

CUT HERE

Name of Member

CALIFORNIA STATE LEGISLATURE

General category	Functional category	Particular functions	COMMITTEE ORGANIZATION					TOTAL MEASURES				MEETING SCHEDULE				
								Referred		Action pending						
			Committee Name and Number	Chairman Vice Chairman	Members	Time of Meeting	Room No.	Senate	Assembly	Senate	Assembly	Mon.	Tues.	Wed.	Thurs.	Fri.
LEGISLATURE	Legislative Organization and Procedure	Legislative Organization	Legislative Organization (Permanent)			ON CALL	436									
		House Functions	1. Rules			ON CALL	320									
		Introduction of Bills, Consolidation of Legislation, Engrossment and Enrollment	2. Legislative Procedure			ON CALL	431									
GOVERNMENT	Conservation and Planning	Natural Resources, Irrigation, Pub. Wks., Parks, Buildings and Planning	3. Conservation, Planning and Public Works			WEDNESDAY PERIOD I 3 to 6 p m	426									
		Wild Life	4. Fish and Game			TUESDAY PERIOD II 8 p m	426									
	Fiscal Matters	Departmental Organization and Administration	5. Governmental Efficiency and Economy			WEDNESDAY PERIOD I 3 to 6 p m.	435									
		Taxation and Revenue Sources	6. Revenue and Taxation			THURSDAY PERIOD II 8 p.m	435									
		Appropriations, Expenditures and Budgets	7. Ways and Means			MON. & THURS PERIOD I 3 to 6 p m	435									
	Education	Universities, Colleges and Schools	8. Education			WEDNESDAY PERIOD II 8 p m	432									
	Social Welfare	Crimes, Prisons, Reforms	9. Crime and Correction			MONDAY PERIOD I 3 to 6 p m	426									
		Control of Behavior, Gaming, and Liquor	10. Public Morals			THURSDAY PERIOD I 3 to 6 p m.	426									
		Health and Healing	11. Public Health			TUESDAY PERIOD I										

GOVERNMENT		Social Service	12. Social Welfare			TUESDAY PERIOD I 3 to 6 p m	430									
	Civil Service and State Personnel	Civil Service and State Employees	13. Civil Service and State Personnel			THURSDAY PERIOD II 8 p m	426									
	Military and Police	Police, Naval, Military and Veterans	14. Military Affairs			MONDAY PERIOD II 8 p m	426									
	Political Subdivisions	Organization and Administration of	15. Municipal and County Government			WEDNESDAY PERIOD II 8 p m	426									
		Elections and Districting	16. Elections and Reapportionment			TUESDAY PERIOD II 8 p m	426									
	Judiciary and Laws	The Judiciary and General Laws	17. Judiciary			MON & TUES PERIOD II 8 p m.	435									
		Constitutional and Initiative Laws	18. Constitutional Amendments			WEDNESDAY PERIOD II 8 p m	435									
INDUSTRY	Means of Production of Wealth	Farming, Horticulture, Agronomy and Fairs	19. Agriculture			TUESDAY PERIOD I 3 to 6 p m	432									
		Animal Husbandry and Products	20. Livestock and Dairies			TUESDAY PERIOD II 8 p m	432									
		Organization and Operation of	21 Public Utilities and Corporations			MONDAY PERIOD I 3 to 6 p m	432									
		Organization and Operation of	22. Manufacturing, Oil, and Mining Industry			WEDNESDAY PERIOD I 3 to 6 p m.	432									
		Labor, Wages, Unemployment and Accident Risks	23. Industrial Relations			THURSDAY PERIOD II 8 p m	432									
		Capital, Loans and Risks	24. Finance and Insurance			MONDAY PERIOD II 8 p m.	432									
	Means of Distribution of Wealth	Transportation by Air, Water, Rail, Road Commerce, Merchandising	25. Transportation and Commerce			THURSDAY PERIOD I 3 to 6 p m.	432									

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 16

Relative to the continuance of Assembly interim committees heretofore created

Resolved by the Assembly of the State of California, As follows:

1. The Assembly interim committees created by resolutions of the 1947 Regular Session and enumerated in paragraph 3 of this resolution are continued as Assembly committees at this session, with the same membership and with all the rights, powers and duties conferred and imposed upon them by resolutions adopted at said 1947 Regular Session.

2 There is hereby made available to each such committee, from the Contingent Fund of the Assembly, the amount set forth opposite its name in paragraph 3 of this resolution. Each committee is authorized to expend said amount for the expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution Payment shall be made from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

3. (a) Assembly Committee on Interstate Cooperation, created by House Resolution No. 23 ..... $975 20
(b) Assembly Interim Committee on State and Local Taxation, created by House Resolution No 37 ..... 11,073 96
(c) Assembly Interim Committee on Aviation created by House Resolution No. 247 ..... 1,652 61
(d) Assembly Interim Committee on Detention Homes and County and City Jails, created by House Resolution No 164 ..... 167 08
(e) Assembly Interim Committee on Fairs and Expositions created by House Resolution No 225 ..... 1,645 45
(f) Assembly Interim Committee on Fire Hazards and Prevention, created by House Resolution No. 260 ..... 1,214 40
(g) Assembly Interim Committee on Fish and Game, created by House Resolution No. 204 ..... 3,963 56
(h) Assembly Interim Committee on Governmental Efficiency and Economy, created by House Resolution No. 216 ..... 16,157 90
(i) Fact-Finding Committee on Highways, Streets and Bridges, created by House Resolution No 221 ..... 12,905 55
(j) Assembly Interim Committee on Industrial Safety, created by House Resolution No. 239 ..... 414 24
(k) Assembly Interim Committee on the Judicial System and Judicial Process, created by House Resolution No. 226 ..... 4,462 01
(l) Assembly Committee on Military and Veterans Affairs, created by House Resolution No. 205 ..... 393 97
(m) Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products, created by House Resolution No. 219 ..... 4,145 00
(n) Assembly Interim Committee on Public Education, created by House Resolution No. 236 ..... 13,634 19
(o) Assembly Interim Committee on Public Morals, created by House Resolution No. 213 ..... 2,832 25
(p) Assembly Interim Committee on Soil Conservation, created by House Resolution No 224 ..... 450 15
(q) Assembly Interim Committee on State Civil Service, created by House Resolution No 218 ..... 3,769 84
(r) Assembly Interim Committee on Tide and Submerged Lands, created by House Resolution No. 287 ..... 1,274 65
(s) Assembly Interim Committee on Transportation and Commerce, created by House Resolution No. 252 ..... 4,678 27
(t) Fact-Finding Committee on Water Pollution, created by House Resolution No. 27 ..... 58,112 32
(u) Assembly Interim Committee to Study Promotion of the Welfare of the Youth of the State, created by House Resolution No 234 ..... 2,224 17
(v) Assembly Interim Committee on Ways and Means, House Resolution No. 62 ..... 13,262 63
(w) Assembly Interim Committee on Wildlife Conservation, House Resolution No. 69 ..... 1,363 90

4. Each of the committees listed in paragraph 3 hereof is authorized to act during this session of the Legislature, including any recess, until and including March 15, 1949, with authority to file a report not later than March 15, 1949.

5. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as soon as such rules are adopted and from time to time amended at this session become applicable to each such committee and the members thereof. Until the adoption of Joint Rules at this session, the Joint Rules of the 1947 Regular Session are incorporated herein and made applicable to each such committee and the members thereof. Vacancies occurring or existing in the membership of any such committee shall be filled by the appointing power.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 68: By Messrs. Maloney and Connolly—An act to amend Section 15442 of the Revenue and Taxation Code, relating to exemptions from gift tax, including the exemption of nonprofit membership hospital associations or corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 69: By Messrs Maloney and Connolly—An act to amend Section 13842 of the Revenue and Taxation Code, relating to exemptions from inheritance tax, including the exemption of nonprofit membership hospital associations or corporations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 70: By Messrs. Maloney, McCarthy, Gaffney, Berry, Meyers, Brady, and Connolly—An act to amend Section 19622 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 71: By Mr. Maloney—An act to amend Section 19622 of the Business and Professions Code, relating to the disposition of state revenues derived from the regulation and licensing of horse racing, horse racing meetings, and wagering on the results thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 72: By Mr. Cramer—An act to amend Section 139.28 of the Vehicle Code, relating to the establishment of Highway Patrol headquarters and substations.

Referred to Committee on Transportation and Commerce.

COMMUNICATIONS

By the Chief Clerk:

A communication from Richard H. Epler, of Hollywood, relative to the displacement of people from their premises on the Los Angeles Freeway, was received, and ordered referred to the Interim Committee on Highways, Streets, and Bridges.

By the Chief Clerk:

A communication from Elwin E. Brown of Fillmore, relative to his request for an investigation of the Modesto State Hospital, ordered referred yesterday, to the Committee on Judiciary, was ordered re-referred to the Committee on Governmental Efficiency and Economy.

By the Chief Clerk:

A communication from United States Senator Albert W. Hawkes, of New Jersey, commending the California Legislature for its intelligent interest in aviation matters, was received, and ordered referred to the Interim Committee on Aviation.

By the Chief Clerk:

A communication from W P Barkel, Secretary of the Interstate Commerce Commission, relative to adoption, last session, of Assembly Joint Resolution No. 14, was received, and ordered referred to the Interim Committee on Aviation.

By the Chief Clerk:

A communication from Brigadier General Leonard E. Thomas, relative to the California Air Conference, was received, and ordered referred to the Interim Committee on Aviation.

By the Chief Clerk:

A communication from W. T. Irwin of Livingston, relative to capital punishment, was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Mrs Paul Rittenhouse, National Director of the Girl Scouts of the United States of America, relative to Assembly House Resolution No. 44, adopted by the Assembly on March 17, 1948, was received, and ordered referred to the Honorable Kathryn Niehouse, Member of the Assembly from San Diego County.

By the Chief Clerk:

A communication from Marshall E Beeman, President, Southern California Chapter, National Aeronautic Association, relative to commending the Legislature for concurrence and sanction of the California Air Policy Conference, was received, and ordered referred to the Interim Committee on Aviation.

By the Chief Clerk:

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

WAR ASSETS ADMINISTRATION
WASHINGTON, D. C., April 8, 1948

In reply refer to: PNI-3-PD Angel Island (Fort McDowell) San Francisco, California (W-Calif.-191)

Mr. Arthur A. Ohnimus, Chief Clerk, Assembly California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: Your letter of March 26, 1948, enclosing a copy of Assembly Joint Resolution No. 2, adopted by the California Legislature on March 25, 1948,

concerning interest in the acquisition of Angel Island (Fort McDowell), San Francisco, California, by the State of California for park and recreational use, has been referred to this office by the White House.

Until Congress enacts legislation pertaining to disposal for recreational and public park purposes, as contemplated by Senate Concurrent Resolution No. 31, no disposal action will be taken with respect to this facility in accordance with the informal request of the State of California made pursuant to the resolution.

Sincerely yours,

THOMAS L. PLYTON, Director
Non-Industrial Division Office of Real Property Disposal

By Speaker Collins.

A communication from Assemblyman Ernest R. Geddes, relative to a resolution received by him from the State Board of Education, regarding the Kellogg Ranch property, with resolution attached.

Communication ordered filed with the Secretary of State. Resolution ordered printed in the Journal as follows:

Resolution

Requesting the California State Legislature to memorialize the Congress of the United States to make it possible for the California State Polytechnic College to acquire for educational purposes the Pomona Remount Station

WHEREAS, The agricultural and industrial welfare of the State of California is materially assisted by a sound program of practical public education in fields leading to occupations in farming and industrial production; and

WHEREAS, The rapid increase in population in California, especially in the southern part on the State, demands increased facilities for conducting such a program in practical education; and

WHEREAS, The California State Polytechnic College has demonstrated its ability to conduct such a practical training program in these and other fields; and

WHEREAS, The present facilities of the California State Polytechnic College, especially at its Voorhis Unit located near San Dimas, are completely inadequate to meet the need and the demand for student enrollment; and

WHEREAS, The Pomona Remount Station (commonly known as the Kellogg Ranch) currently owned by the United States Government, is being discontinued and is located within a short distance of the Voorhis Unit of the California State Polytechnic College; and

WHEREAS, The acquisition of this property would provide many hundreds of young men, and perhaps young women, with an opportunity which they do not now have to secure practical training leading to employment; and

WHEREAS, The Committee for the Study of Higher Education, in its survey made at the request of the legislature in 1947, recommended the expansion of the educational offerings and facilities of the Voorhis Unit of the California State Polytechnic College at San Dimas; and

WHEREAS, No other institution is as favorably situated as the California State Polytechnic College, either by location or type of education, to carry on the animal husbandry program, particularly the breeding of Arabian horses, as established by the founder of the Kellogg Ranch; or to carry on and develop the extensive plantings of trees and shrubs; or to utilize more completely for instructional purposes the land and the other available facilities that are a part of the Kellogg Ranch; now, therefore, be it

Resolved by the State Board of Education, That the Assembly and Senate of the State of California be respectfully requested to memorialize the Congress of the United States to make available the Pomona Remount Station to the California State Polytechnic College as an extension of and an addition to its Voorhis Unit at San Dimas, for the continuation of its practical education of young men and women in useful occupations, and for the continuation of the Arabian horse breeding program already established at the station

By the Chief Clerk:

A communication from Karl Stefan, Member of Congress from Nebraska, relative to Assembly Concurrent Resolution No. 21, adopted

last session with a report attached, relative to National Aviation Policy. Communication ordered filed with the Secretary of State. Report ordered referred to the Interim Committee on Aviation.

By the Chief Clerk:

Two communications from A. A. Brock, Director of the State Department of Agriculture, relative to Assembly Concurrent Resolution No. 19 and Assembly Concurrent Resolution No. 10, adopted in the 1948 Session, were received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Kenneth Potter, Commissioner of the Public Utilities Commission, relative to House Resolution No. 43 of the 1948 session, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Mrs. Maxine Graves of Bryte, relative to legislation continuing child care centers, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Harold James Trainor of Los Angeles, relative to proposed passage of a Public Welfare Law, providing for the abatement of restaurant nuisances, was received, and ordered referred to the Committee on Public Health.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Bernard Sheridan of Oakland, former Assemblyman.

On request of Messrs. Kilpatrick and Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Isaac Kushner of Los Angeles.

On request of Messrs. Cooke and Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to George Luckey of Brawley, former Senator.

On request of the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Jess Hession of Sacramento.

ADJOURNMENT

At 3.22 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, January 5, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRD LEGISLATIVE DAY

THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, January 5, 1949

The Assembly met at 10 a. m.

Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Torrance Phelps:

O God of the Dawn: May we be grateful for the advent of the New Year, with its fresh opportunity, and behold the new beginnings that beckon to us.

Let us now forget the dark experiences of the past that may hinder a fresh beginning, and every memory that casts a shadow upon our mind and heart.

Let us begin with a new spirit of good nature, free from old hates and grudges, and cherish a new mood of kindliness and benevolence to every living creature.

Let us begin with a mind free from old prejudices and preconceptions, and have an open mind to new suggestions and fresh ideas.

Let us begin with that new spirit of mutuality and kinship with all classes and races—the new feeling of oneness with all mankind, which is the prophecy of universal concord.

So by our new minds and new attitudes we may make a new world of unity about us, and make every yesterday a memory of service and every tomorrow a vision of hope.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr McCarthy, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mrs. Niehouse, on motion of Mr. Cramer.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Waters.

Mr. Hinckley, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Lincoln, on motion of Mr. Caldecott.

COMMUNICATIONS

By Speaker Collins:

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

Resolution

WHEREAS, State Department of California, American Legion, at previous sessions endorsed the 24-hour schools known as "California Academies," under which the California Legislature established three such schools for dependent, homeless children, two for boys and one for girls; and

WHEREAS, The department is extremely interested in youth welfare problems; and were, in conjunction with others, instrumental in having the Legislature of 1947 pass the law known as "California Academies Act," under which said schools were established for such dependent and homeless children, and it is now necessary to obtain funds through appropriation for the building of the schools and operation of the same, as provided in said act; now, therefore, be it

Resolved, By this department, meeting assembled at San Francisco this day, that we again approve the establishment and maintenance of the said California Academies, and urge the Governor of the State of California to provide in his budget to be submitted to the 1949 Session of the California Legislature, and the members thereof in said session, adequate appropriation to secure the construction of the school buildings and the early operation of said schools, and that the legislative representative of the department be instructed to assist, in every way possible, the authors of the California Academies Act, and those interested, by appearing before the Appropriation Committee of the Legislature having to do with appropriations and in urging the favorable action of the committee and the Members of the Legislature; be it further

Resolved, That copies of this resolution be forwarded to the Honorable Earl Warren, Governor of the State of California, Honorable Goodwin J. Knight, Lieutenant Governor and President of the Senate, the President pro Tempore of the State Senate and Speaker of the State Assembly, with the request that the same be printed in the respective Journals on the opening day thereof, and that copies be given to the press for publication, this to certify that the foregoing resolution was adopted by unanimous vote of the department at its meeting held in San Francisco, September, 1948.

(Signed) REX F. WHITTEMORE
Department Commander

(SEAL)

(Signed) DONALD L. CLARKE
Department Adjutant

Original authenticated copy of the above resolution is in possession of the Senate Interim Committee on State Training Schools for Boys and for Girls.

By the Chief Clerk:

A resolution from Edward Kosin, Chairman of the San Pedro Civic Council, relative to a proposed "T" Tunnel project under the waters of the Los Angeles-Long Beach Harbor area, was received, and ordered referred to the Committee on Transportation and Commerce.

By the Chief Clerk:

A resolution from W. B. Hengy, President of the Oroville Chamber of Commerce, relative to the need for an additional judge for the Superior Court of Butte County was received, and ordered referred to the Committee on Judiciary.

By the Chief Clerk:

A communication from Frank S. Robison of Vallejo, relative to investigating the hiring of unnecessary help in governmental offices, was received, and ordered filed with the Secretary of State.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 4, 1949

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

Senate Concurrent Resolution No. 3

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 3—Relative to approving amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, January 4, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GENTLEMEN: Pursuant to the provisions of Section 1774 of the Government Code, which provides that within 10 days after the meeting of the Legislature the Governor must transmit to it a list of all appointments made by him in accordance with that section, I have the honor to transmit to you, in addition to the names previously submitted on January 4, 1949, the following.

HAROLD P. HULS, 2161 Byron Street, Palo Alto, formerly City Attorney of Pasadena, member of the Public Utilities Commission since November 1, 1945, was reappointed on December 30, 1948, effective January 1, 1949, as member of the Public Utilities Commission, vice self, term expired.

KENNETH POTTER, a resident of Fresno, professor at Fresno State College, member of the Public Utilities Commission since February 5, 1947, was reappointed on December 30, 1948, effective January 1, 1949, as member of the Public Utilities Commission, vice self, term expired.

Respectfully,

EARL WARREN, Governor

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 73: By Messrs Anderson and Geddes—An act to add Section 103.1 and Article 3.5, Chapter 1, Division 1 to the Streets and Highways Code, relating to condemnation of property dedicated to

a public use, creating a Highway Board of Appeals, prescribing its powers and duties, and making an appropriation for its support.

Referred to Committee on Judiciary.

Assembly Bill No. 74: By Messrs. Hawkins and Anderson—An act to amend Section 5301 of the Elections Code, relating to campaign funds.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 75: By Mr. Hawkins—An act to amend Sections 3, 4, 12, and 15 of the Relief Act of 1945, relating to relief of hardship and destitution.

Referred to Committee on Social Welfare.

Assembly Bill No. 76: By Messrs. Elliott, Anderson, Fletcher, Thomas, Bennett, Burkhalter, Condon, Cooke, Davis, Clayton A. Dills, Doyle, Dunn, Hawkins, Kilpatrick, Lewis, McMillan, Rosenthal, and Rumford—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 77: By Messrs. Luckel and Cramer—An act to amend Section 736 of the Fish and Game Code, relating to the taking of fish, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Fish and Game.

Assembly Bill No. 78: By Messrs. Luckel and Cramer—An act to add Section 7350 to the Revenue and Taxation Code, relating to the imposition of the motor vehicle fuel tax upon the consumer.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 79: By Mr. Luckel—An act to amend Section 588 of the Probate Code, relating to executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 80: By Mr Cramer—An act to add Section 421 to the Penal Code, relating to use of certain language against an officer.

Referred to Committee on Judiciary.

Assembly Bill No. 81: By Messrs. Lewis and Hagen—An act establishing a state college in the vicinity of the City of Bakersfield, County of Kern, to be known as the Kern State College, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 82: By Messrs. Geddes and Burke—An act to amend Section 252 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 83: By Mr. Hahn—An act making an appropriation to the Recreation Commission for the purpose of developing a comprehensive State-wide Program of Community Recreation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 84: By Mr. Cramer—An act to amend Section 139.32 of the Vehicle Code, relating to authorized patrol equipment.

Referred to Committee on Transportation and Commerce.

Assembly Constitutional Amendment No. 5: By Mr. Weber—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2a to Article IV thereof, relating to sessions of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 6: By Mr. Cramer—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article IV thereof, relating to terms of Assemblymen.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 85: By Mr. Stewart—An act authorizing the sale, exchange, or other disposition of certain state property located in the City of Los Angeles, appropriating the proceeds thereof, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 17

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes to each Member of the Assembly, and one (1) complete set of the codes to the Chief Clerk of the Assembly.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Constitutional Amendment No. 7: By Mr. Heisinger—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California, relating to compensation of the Members of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 86: By Mr. Heisinger—An act to amend Section 9300 of the Government Code, relating to the salaries of Members of the Legislature.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 87: By Mr. Tomlinson—An act to amend the title and Sections 2, 5.1, 5.3, 5.4, 5.7, 6.1, 6.3, 9.1, 10.1, and 10.2 of the Santa Barbara County Water Agency Act, relating to the purposes, powers, and administration of the Santa Barbara County Water Agency, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Speaker Pro Tempore Presiding

At 10.40 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY SPEAKER SAM L. COLLINS, RELATIVE TO THE PASSING OF THE LATE HONORABLE JOHN C. LYONS, BE PRINTED IN THE JOURNAL

Mr. Lewis asked for, and was granted, unanimous consent that the remarks delivered by Speaker Sam L. Collins last night at a memorial meeting in the Labor Temple, relative to the passing of the late Honorable John C. Lyons, Member of the Assembly from the Sixty-fourth District, be ordered printed in the Journal.

Remarks by Speaker Collins

On an occasion such as this, we pause as though to catch our breath as we speed on life's way with always "Hurry! Hurry!" the order of the day. In this mad rush, we scarce have time to make a friend or learn to know him well.

In the firm conviction that we are doing the bidding of One who holds our destiny in His hand, we play our part in this drama of life always, I am sure, to the best of our ability. And so with John—more talented than most, more understanding than many, more forthright and honest in the part he played Blazoned in bold type were the words "Labor Leader" as the occupation set forth in the Handbook of the California Legislature. He was proud, and rightfully so, for the recognition he had achieved among his fellow craftsmen.

We, of the Legislature, were proud, and yet retain this pride in his achievement. Words now are wholly inadequate, as words so often are Actions now are of no avail except to place a wreath to mark the passing from one scene to another. So little we can do. So much we wish to do. My effort seems so puny—and thus I feel, in contemplation of the one we eulogize this day.

I think of John C. Lyons as you must think of him, expressed so well in the words of James Whitcomb Riley

"I cannot say, and I will not say
That he is dead—he is just away!
With a cheery smile, and a wave of the hand
He has wandered into an unknown land,
And left us dreaming how very fair
It needs must be, since he lingers there

* * *

Think of him faring on, as dear
In the love of There as the love of Here;

* * *

Think of him still as the same, I say
He is not dead—he is just away."

ANNOUNCEMENT

Mr. Dickey announced, on behalf of Mr. John B. Cooke, former minority floor leader, the results of the Democratic Caucus held on Tuesday, January 4th, as follows:

Mr. Julian Beck of San Fernando was chosen minority floor leader. He will be assisted by Messrs. Ralph C. Dills of Compton, Ralph M. Brown of Modesto, and John E Moss, Jr of Sacramento.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting today:

Upon adjournment—

Rules—in Room 320.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Marshall S. Johnson of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to L. R. Loffmark of Goodyears Bar.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mary E. Scanlon of Daly City.

ADJOURNMENT

At 10.46 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Thursday, January 6, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FOURTH LEGISLATIVE DAY

FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 6, 1949

The Assembly met at 10 a.m.
Hon. Sam. L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Rev. Torrance Phelps:

God of Our Fathers: May we realize this morning how ancient and universal is this practice to pray at this opening moment.

May we remember that famous Cicero in the Roman Senate began every address with an invocation, and recall that Columbus knelt on San Salvador and invoked the Divine blessing upon the new continent.

Let us behold Washington, when he knelt at Valley Forge to pray that his army might maintain its morale and fight on 'til victory dawned.

And behold Lincoln kneeling in his chamber in the White House praying for light and power to do the right.

Above all, let the vision dawn, of the vast multitude of men and women, who at altar and fireside offer up their earnest supplications.

So may we believe that by the prayers of our own lips our minds may be enlightened and our courage strengthened for the great work to be performed.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Way, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mrs. Niehouse, on motion of Mr. Cramer.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

COMMUNICATIONS

By the Chief Clerk:

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

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, January 5, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
The Assembly, Sacramento, California

DEAR MR. OHNIMUS: The Standing Committee of the Capitol Correspondents Association has examined applications for authentication as accredited press representatives and recommend the following action:

Approved for Press Cards

Radio Station KROY—Gene Desimone, Howard Martineau.
These are additions to the KROY staff already listed.

Sincerely,

EARL C. BEHRENS, President

ACTION TAKEN BY CAPITOL CORRESPONDENTS ASSOCIATION RATIFIED BY UNANIMOUS CONSENT

By unanimous consent, the Assembly ratified the above action taken by the Capitol Correspondents Association of California.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 18

Resolved by the Assembly of the State of California, That the action of Arthur A. Ohnimus, Chief Clerk of the Assembly for the 1948 Regular Session, in employing necessary assistance for the organization of the Assembly for the 1949 Regular Session, be and the same is hereby ratified and approved, and the State Controller is hereby authorized and directed to draw his warrants in favor of the following named persons for the items and amounts set opposite their respective names, upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same.

Ethel E. Brockelbank, History Clerk, January 2, 1 day at $13 per day	$13 00
Geraldine B. Hadsell, Minute Clerk, January 2, 1 day at $15 per day	15 00
Arthur A. Ohnimus, Chief Clerk, January 1, 2, 2 days at $20 per day	40 00
Harold F. Lewright, Assistant Chief Clerk, January 1, 2, 2 days at $15 per day	30 00
Randal F. Dickey, Jr., Assistant Clerk, January 1, 1 day at $12 per day	12 00
Charles W. Robbins, Engrossing and Enrolling Clerk, January 1, 1 day at $14 per day	14 00

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 18, at this time, without reference to committee or file.

Resolution read.

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

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—63.

NOES—None.

By Mr. Dickey:

House Resolution No. 19

Resolved by the Assembly of the State of California, That the action of Wilkie Ogg, Sergeant-at-Arms of the Assembly for the 1948 Regular Session, in employing necessary assistance for the organization of the Assembly for the 1949 Regular Session, be and the same is hereby ratified and approved, and the State Controller is hereby authorized and directed to draw his warrants in favor of the following named persons for the items and amounts set opposite their respective names, upon the Contingent Fund of the Assembly, and the Treasurer is hereby directed to pay the same:

Elizabeth Marty, Postmistress and Bookkeeper to Sergeant-at-Arms, December 29, 30 31, January 1, 2, 5 days at $9 per day	$45 00
Henry W. Ogg, Assistant Sergeant-at-Arms, January 2, 1 day at $12 per day	12 00
Thomas E. Meyers, Assistant Sergeant-at-Arms, January 2, 1 day at $9 per day	9 00
Andrew J. Cecchettini, Jr., Chief Assistant Sergeant-at-Arms, January 2, 1 day at $13 per day	13 00
Harry Blass, Assistant Sergeant-at-Arms, January 2, 1 day at $9 per day	9 00
Wilkie Ogg, Sergeant-at-Arms, January 1, 2, 2 days at $15 per day	30 00

Request for Unanimous Consent

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

Resolution read.

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

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—63

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 1—Relative to the election of the Honorable Harry S. Truman as President and the Honorable Alben W. Barkley as Vice President of the United States;

Assembly Concurrent Resolution No. 1—In honor of the late Honorable John C. Lyons;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fifth day of January, 1949, at 11 a.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 5, 1949

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

Assembly Concurrent Resolution No. 10
Assembly Concurrent Resolution No. 11

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 5, 1949

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

Assembly Concurrent Resolution No. 2
Assembly Concurrent Resolution No. 3
Assembly Concurrent Resolution No. 5

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 5, 1949

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

Senate Concurrent Resolution No. 4
Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Concurrent Resolution No. 4—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the City of Santa Rosa, a municipal corporation of the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a regular general municipal election held therein on the sixth day of April, 1948.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 6—Relative to approving a certain amendment to the charter of the County of San Mateo, State of California.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 88: By Mr. Sherwin—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Sections 75 and 76

of the Unemployment Insurance Act, relating to the salaries of state officers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 89: By Mr. Silliman—An act to amend Section 533 of the Vehicle Code, relating to school buses and the regulation of traffic in connection therewith.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 90: By Mr. Sam L. Collins—An act to add Sections 19564, 19565, and 19566 to the Business and Professions Code, relating to horse racing, providing for quarter horse races during horse racing meetings.

Referred to Committee on Public Morals.

Assembly Bill No. 91: By Mr Sherwin—An act to add Section 738a to the Code of Civil Procedure, relating to judgments quieting title to real property.

Referred to Committee on Judicary.

Assembly Bill No. 92: By Mr. Sherwin—An act to add Article 2.5, consisting of Sections 1045 to 1049, inclusive, to Chapter 7 of Division 5 of the Agricultural Code, establishing a California Board of Plant Food Investigation, providing for its support and making an appropriation.

Referred to Committee on Agriculture.

Assembly Bill No. 93: By Mr. Burkhalter—An act to amend Section 2930 of the Streets and Highways Code, relating to the withdrawal of protests.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 94: By Mr. Burkhalter—An act to amend Sections 5221 and 5222 of the Streets and Highways Code, relating to the withdrawal of protests and the time within which proceedings may be reinstituted after majority protest.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 95: By Mr Burkhalter—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 96: By Mr. Burkhalter—An act to amend Section 102 of the Agricultural Code, relating to the fees of the agricultural commissioner.

Referred to Committee on Agriculture.

Assembly Bill No. 97: By Mr Hahn—An act adding Sections 12713, 12714, and 12715 to the Business and Professions Code, relating to county sealers of weights and measures.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 98: By Mr. Hahn—An act to amend Sections 26822, 26826, 26828, 26829, 26833, 26834, 26838, 26841, 26848, and 26852 of, to repeal Section 26835 and to add Section 26849.1 to, the Government Code, relating to the fees of county clerks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 99: By Mr Hahn—An act to add Chapter 9, comprising Section 1141 to Part 3 of Division II of the Labor Code, relating to discrimination in employment.

Referred to Committee on Industrial Relations.

Assembly Bill No. 100: By Mr. Waters—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 101: By Messrs. Waters, Huyck, Lipscomb, and Stewart—An act to amend Section 770 of the Vehicle Code, relating to disposition by cities of certain fines and forfeitures.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 102: By Mr. Cramer—An act to add Chapter 8, comprising Sections 2801 to 2810, inclusive, to Division 2 of the Public Resources Code, relating to mining conducted by dredging operations.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 103: By Mr. Cramer—An act to add Section 733 to the Vehicle Code, relating to the privilege from arrest of Members of Congress.

Referred to Committee on Judiciary.

Assembly Bill No. 104: By Mr. Cramer—An act to add Section 732 to the Vehicle Code, relating to legislators' privilege from arrest.

Referred to Committee on Judiciary.

Assembly Bill No. 105: By Mr Lipscomb—An act to add Section 483a to the Penal Code, relating to the unauthorized reproduction of phonograph records.

Referred to Committee on Judiciary.

Assembly Bill No. 106: By Mr. Doyle—An act to add Section 1630.1 to the Labor Code, relating to employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 107: By Mr. Luckel—An act to amend Section 2600 of the Elections Code, relating to primary elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 108: By Messrs. Grant and Fletcher—An act authorizing the State Director of Finance to convey to the City of Long Beach certain real property belonging to the State of California located in the City of Long Beach.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 109: By Mr. Waters—An act to amend Section 386 of the Code of Civil Procedure, relating to parties to civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 110: By Mr. Crichton—An act to repeal Section 384a of the Penal Code, and to add Chapter 7, comprising Sections 4900 to 4916, inclusive, to Division 4 of the Public Resources Code, relating to the removal of plants and other substances from public or private lands or rights of way, centralizing the control of Christmas tree traffic in the Division of Forestry, providing for revenue for its administration and enforcement, and prescribing penalties for the violation thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 111: By Messrs. Lipscomb, Hollibaugh, Huyck, Geddes, Anderson, Beck, Bennett, Burke, Burkhalter, Collier, Conrad, Clayton A. Dills, Doyle, Elliott, Evans, Fletcher, Hahn, Hawkins, Kilpatrick, McMillan, Morris, Rosenthal, Smith, Stanley, Stewart, Thomas, and Waters—An act to amend Sections 1, 2, 3, 4, and 5 of an act entitled "An act establishing a four-year state institution of higher education in the City of Los Angeles, County of Los Angeles," approved July 2, 1947, relating to the establishment, government and maintenance of a four-year state institution of higher education in the City of Los Angeles.

Referred to Committee on Education.

Assembly Bill No. 112: By Mr. Fletcher—An act to amend Section 451 of the Unemployment Insurance Act, dealing with disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 113: By Mr Fletcher—An act to amend Section 923 of the Labor Code, dealing with collective bargaining

Referred to Committee on Industrial Relations.

Assembly Bill No. 114: By Mr. Fletcher—An act to amend Sections 301, 305, 309, 311, 312, 313, 314, 319, 320, 357.1, 357.3, 362, and 362 1, to repeal Sections 302, 303, 304, 306, 307, 348.3, 348 4, and 348.5, and to add Sections 307 and 319.1 to the Agricultural Code, relating to inspection.

Referred to Committee on Agriculture

Assembly Bill No. 115: By Mr. Fletcher—An act to amend Section 201 of the Unemployment Insurance Act, dealing with disability insurance

Referred to Committee on Finance and Insurance

Assembly Bill No. 116: By Mr. Conrad—An act to amend Sections 2799, 2800, 2802, 2804, 2805, 2815, 2816, 2831, 2832, 2839, 2840, 2841, 2842, 2843, and 3931 of, to add Sections 2831.1, 2831 2, 2831.3, 2831.4, 2831.5, 2831 6, and 3946 5 to, and to repeal Section 3935.5 and Article 11 of Chapter 1 of Division 5 of, the Elections Code, relating to political parties, and including provisions relating to the selection,

organization, meetings, and functions of state conventions and state and county central committees thereof.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 117: By Mr. Morris—An act to amend Section 18930 of the Government Code, relating to civil service examinations.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 118: By Mr. Maloney—An act to amend Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts

Referred to Committee on Judiciary.

Assembly Bill No. 119: By Mr. Maloney—An act to amend Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 120: By Mr. Maloney—An act to amend Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 121: By Mr. Maloney—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 122: By Mr. Maloney—An act to repeal Section 75 and Section 76 and to amend Section 83 of the Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 123: By Mr Maloney—An act to amend Section 4661 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 124: By Mr. Maloney—An act to amend Section 3204 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 125: By Mr. Maloney—An act to amend Sections 4452, 4453, and 4455 and to repeal Section 4656 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 126: By Mr. Maloney—An act to repeal Section 4702 of the Labor Code and to add Section 4702 to the Labor Code, dealing with death benefits under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 127: By Mr. Maloney—An act to amend Section 3072 of the Labor Code, dealing with apprenticeship.

Referred to Committee on Industrial Relations.

Assembly Bill No. 128: By Messrs Fleury and Moss—An act authorizing the State Director of Finance to sell, exchange or otherwise dispose of certain state property located in the County of Sacramento.

Referred to Committee on Governmental Efficiency and Economy.

MEMBER SWORN IN

As required by Section 9023 of the Government Code, Mr. George D. Collins, Jr., appeared before the bar of the Assembly, presented his certificate of election, and duly qualified by taking and subscribing to the following oath administered by the Honorable Sam L Collins, Speaker of the Assembly:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the 1949 and 1950 Regular Sessions of the Legislature of the State of California, according to the best of my ability.

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

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

Assembly Bill No. 129: By Messrs. Dickey and Stewart—An act to add Article 4, comprising Sections 9220 to 9222, inclusive, to Chapter 2, Part 1, Division 2, Title 2 of the Government Code, relating to the powers and duties of the Speaker of the Assembly.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 130: By Mr. Dickey—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Referred to Committee on Rules.

Motion to Place Rush Order on Printing of Assembly Bill No. 130

Mr. Dickey moved that a rush order be placed upon the printing of Assembly Bill No. 130.

Motion carried.

Assembly Bill No. 131: By Messrs Elliott, Hawkins, and Rosenthal—An act creating a Division of Inspection in the Department of Justice and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 132: By Mr. Ralph C. Dills—An act to amend Section 2980 of the Civil Code, relating to the recording of conditional sales contracts and leases of livestock, animate chattels, mining equipment and machinery, and bailment or feeder agreements and rights and remedies in connection therewith.

Referred to Committee on Judiciary

Assembly Bill No. 133: By Messrs. Beck, Stewart, Grant, Burke, Anderson, Burkhalter, Clayton A. Dills, Ralph C. Dills, Erwin, Fletcher, Geddes, Huyck, Levering, McMillan, Reagan, Smith, and Thomas—An act to amend Section 26800 of the Government Code, relating to duties of county clerks

Referred to Committee on Judiciary.

Assembly Bill No. 134: By Mr. Dunn—An act to add Section 7109.5 to the Elections Code, relating to election supplies and records.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 135: By Mr. Dunn—An act to amend Section 2621 of the Elections Code, relating to declaration of candidacy.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 136: By Mr. Dunn—An act to amend Section 690 of the Elections Code, relating to the compensation of members of precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 137: By Mr. Dunn—An act to add Section 5505.5 to the Elections Code, relating to polling places.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 138: By Messrs. Erwin, Butters, Doyle, and Burkhalter—An act to amend Section 404 of the Fish and Game Code and to repeal Section 432 thereof, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 139: By Mr. Way—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act to reduce the number of judges of the Superior Court in and for the County of Humboldt and to repeal an act entitled "An act to provide for the appointment and election of one additional judge for the County of Humboldt," approved March 8, 1895," approved June 10, 1933, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Humboldt.

Referred to Committee on Judiciary.

Assembly Bill No. 140: By Messrs. Elliott, George D. Collins, and Burkhalter—An act to amend Section 17 of the Municipal Court Act of 1925, relating to the filling of judicial vacancies.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 8: By Messrs. Brown, Caldecott, Beck, and Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolutions were offered:

By Mr. Crowley:

House Resolution No. 20

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

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
22	George D Collins, Jr	San Francisco, San Francisco County	90	--	--	90	180	$9 00

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 20, at this time, without reference to committee or file.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—None.

By Mr. Dickey:

House Resolution No. 21

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

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed

to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same:

Commencing Monday, January 3, 1949	*Per day*
Chief Clerk, Arthur A. Ohnimus	$20 00
Minute Clerk, Geraldine B. Hadsell	15 00
Sergeant-at-Arms, Wilkie Ogg	15 00
Chaplain, Rev. Torrance Phelps	5 00
Assistant Chief Clerk, Harold F. Lewright	15 00
Engrossing-Enrolling Clerk, Charles W Robbins	14 00
History Clerk, Ethel E. Brockelbank	13 00
File Clerk, Ruth Riley	12 00
Assistant Clerk, Randal F. Dickey, Jr	12 00
Assistant Clerk, Paul F. Crum	12 00
Assistant Clerk	12 00
Journal Clerk, Walter W. Feeley	12 00
Assistant at Desk, William J. Greene	10 00
Chief Assistant Sergeant-at-Arms, Andrew J Cecchettini	13 00

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 21, at this time, without reference to committee or file.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—None.

By Messrs Hawkins and Anderson:

House Resolution No. 22

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to investigate all facts relating to the governmental agencies responsible for the control of "smog"

WHEREAS, The unprecedented increase in the number of industrial and manufacturing plants in this State and their concentration in small areas has caused an increase in the discharge of noxious fumes into the air and has produced a concentration of such fumes known as "smog" in many areas in this State; and

WHEREAS, This condition is injurious to the health, safety and welfare of the people of the State, and can be controlled or diminished by proper equipment; and

WHEREAS, In order to determine whether such regulation of manufacturing and industrial firms as is necessary to remedy these conditions should be left to local governmental agencies, it is necessary to ascertain what provision, if any, has been made by such local governmental agencies, and to ascertain whether such agencies are operating in an efficient manner with respect to the control of "smog"; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy (created by House Resolution No. 216, 1947 Regular Session and continued by resolution as an assembly committee at this session) is hereby authorized and directed to ascertain, study and analyze all facts relating to "smog", including but not limited to the adequacy of existing state and local regulation thereof, the efficiency of the state and local agencies administering such laws and regulations, and the need for legislation on the subject, and to do all other things necessary to provide the Assembly with all facts necessary to proper consideration of remedial legislation on the subject, including in its reports its recommendations for appropriate legislation; and be it further

Resolved, That said investigation be commenced at the earliest possible date; and be it further

Resolved, That in addition to any money heretofore made available the sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly

for the expenses of the committee and its members and for any charges, expenses or claims it may incur under the resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 141: By Mr. Cramer—An act to add Section 4001.5 to the Penal Code, relating to jails

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred

Senate Concurrent Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 142: By Mr. Lipscomb—An act to amend Section 18 of the Community Redevelopment Act, relating to the rehabilitation and redevelopment of blighted areas in urban and suburban communities of this State.

Referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT

Mr. Way asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 3, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 3

Senate Concurrent Resolution No. 3—Relative to approving amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Mr Speaker—66

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 143: By Messrs. Evans, Burkhalter, Coats, Clayton A. Dills, Elliott, Fleury, Huyck, Lipscomb, Morris, Moss, Rumford, Smith, and Thomas—An act to amend Section 252 of the Revenue and Taxation Code, relating to affidavits for exemption and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 144: By Mr. Burke—An act to amend Section 27265 of the Government Code, relating to destroying temporary index sheets by county recorders.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 145: By Mr. Ralph C. Dills—An act to amend Section 4 of the Personal Property Brokers Act, as revised by Chapter 952 of the Statutes of 1939, relating to loans of five thousand dollars ($5,000) or more.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 146: By Mr. Ralph C. Dills—An act to amend Section 4 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to loans of five thousand dollars ($5,000) or more.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 147: By Messrs. Elliott and Hawkins—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the public ownership and operation of a transportation system in the metropolitan areas of Los Angeles County; the construction thereof; and relating to rail transportation in metropolitan areas.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 148: By Mr. Erwin—An act to amend Section 455 of the Fish and Game Code, relating to the shipment and transportation of birds, fish, mammals, mollusks, and crustaceans.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 2—Approving certain amendments to the charter of the City of Long Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948;

Assembly Concurrent Resolution No. 3—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948;

Assembly Concurrent Resolution No. 5—Relative to approving amendments to the charter of the City of Eureka, a municipal corporation in the County of Humboldt, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948;

Assembly Concurrent Resolution No. 11—Relative to the selection of the Legislative Counsel of California;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the sixth day of January, 1949, at 10 a m.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT APPRECIATION BE EXTENDED TO MR. JUSTIN CHILD

Mr. Doyle asked for, and was granted, unanimous consent that appreciation be extended by the Members of the Assembly to Mr. Justin Child, Superintendent of Buildings and Grounds, for the efficient way in which he has done everything possible for their comfort; and that the Chief Clerk and the Sergeant-at-Arms inform Mr. Child of the action taken this day by the Members of the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 4
Senate Concurrent Resolution No. 5
Senate Concurrent Resolution No. 6

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 4, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 4

Senate Concurrent Resolution No. 4—Relative to the appointment of the State Controller as accounting officer for the Legislature for tax and other purposes.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills,

Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 5, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 5

Senate Concurrent Resolution No. 5—Relative to approving certain amendments to the charter of the City of Santa Rosa, a municipal corporation of the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a regular general municipal election held therein on the sixth day of April, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dolwig asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 6, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 6

Senate Concurrent Resolution No. 6—Relative to approving a certain amendment to the charter of the County of San Mateo, State of California.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Mr. Speaker—66

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Hollibaugh, Hawkins, Evans, Anderson, and Geddes.

House Resolution No. 23

WHEREAS, At a public hearing of the Assembly Interim Committee on State and Local Taxation held in Los Angeles December 21 and 22, 1948, it was generally agreed by those testifying that $27,500,000 additional funds will be required to administer and pay claims for the balance of the Fiscal Year from January 1 to June 30, 1949, under Section XXV of the Constitution, known as Proposition No. 4.

WHEREAS, It was further generally conceded that by the terms of the act all state funds are available for use, for the purpose of the amendment, regardless of their prior appropriation by the Legislature; and

WHEREAS, The Department of Finance and the Legislative Auditor agreed substantially that without the additional demand on the moneys of the State due to the act there would probably be an unencumbered accumulated surplus in the General Fund June 30, 1949, in the amount of $16,000,000; and

WHEREAS, The Controller's Office agreed with others that No. 4 establishes a prior claim upon all existing funds regardless of appropriations, but that in the absence of specific language in the amendment and lack of sufficient legal instructions, in any month in which there was insufficient unappropriated funds available to service claims, he would be unable to determine which "appropriated funds" he should draw against; and

WHEREAS, It being apparent that with an estimated accumulated surplus of $16,000,000 to pay claims of $27,500,000 a deficit of $11,500,000 will be created; and

WHEREAS, It is necessary to clarify the problem of the departments as to funds, and in order that money will be available to meet the demands voted by the people and until such time as the Legislature can permanently provide for the same, the Legislature desires to reaffirm its concurrence with the Governor in the intent, when the "Rainy Day Fund" was established in 1947 to the amount of $75,000,000, that it was for the purpose of support of aid to the needy among other things; and

WHEREAS, On the final page of a "*Summary of Governor Earl Warren's Recommendations to the Fifty-seventh Legislature*," prepared for the assistance of the Members of the Legislature, the press, and the public, by William T. Sweigert, Executive Secretary to the Governor, dated February 18, 1947, we find "*Third*, the creation of a $75,000,000 Revenue Deficiency Reserve within the General Fund * * * described by the Governor as a "Rainy Day Fund," would * * * put the State in a position to maintain its obligations for * * * *support of aid to the needy* * * * would ease the burden on the taxpayers * * * when such relief would be most important to them"; now, therefore, be it

Resolved by the Assembly of the State of California, That it does reaffirm its original and expressed intent to use the $75,000,000 "Rainy Day Fund" for the purpose of paying *claims of the needy* and hereby informs the State Controller, the State Treasurer, and the Department of Finance of its intentions and hereby gives its approval to the above departments for such use of these funds.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 149: By Mr. Lindsay—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 150: By Mr. Waters—An act to amend Sections 122, 230, 2571, 5620, and 5623 of the Elections Code, Sections 1810, 1812, 1824, 22376, 22378, and 22692 of the Education Code, and Sections 34324 and 34051 of the Government Code, relating to registration and residence of electors, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 151: By Mr. Rumford—An act to add Section 130 to the Military and Veterans Code, prohibiting segregation and discrimination in the Militia.

Referred to Committee on Military Affairs.

ANNOUNCEMENT

Speaker Collins announced receipt of a letter from Miss Joyce Lynn, former Legislative Secretary, written from Yokohama, Japan, in which she extended her best wishes to the Members of the Assembly for a successful legislative session.

Miss Lynn, now secretary to Major Charles R. Fernandez of the Commanding Officer's staff in Japan, was chosen to cut the orders for the execution of Tojo, Japanese warlord, when he was recently executed in Japan.

RECESS

At 11.12 a.m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Collins:

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

STATE LANDS COMMISSION
DIVISION OF STATE LANDS
DEPARTMENT OF FINANCE, SACRAMENTO, January 3, 1949

To the Assembly of the State of California:

Pursuant to the provisions of Section 6211 of the Public Resources Code (formerly Chapter 800, Statutes of 1917), may we respectfully report that, according to advices received, certificates of title under the Torrens Law were issued by the following counties in accordance with the tabulation below:

Alameda	212	San Diego	10,034
Fresno	113	San Francisco	16
Humboldt	452	San Luis Obispo	1
Imperial	80	Santa Barbara	1,280
Kern	206	Santa Cruz	545
Los Angeles	179,949	Sierra	8
Merced	1	Sonoma	1,069
Orange	12,350	Tulare	121
Riverside	411	Ventura	6
San Bernardino	14,637		

It will be noted that there are but 19 counties included in the above tabulation. The remaining counties have heretofore reported that there are not now and have not been in the past any Torrens title registrations in their respective counties.

The books of the State Treasurer, as reflected by his report for the fiscal year ending June 30, 1948, show a cash balance of $48.96 in the "Torrens Title Assurance Fund" and a net deficit of $7,624.57.

Respectfully submitted,

STATE LANDS COMMISSION
DIVISION OF STATE LANDS
By A. P. IRELAND

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 6, 1949

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

Assembly Concurrent Resolution No. 4
Assembly Concurrent Resolution No. 8
Assembly Concurrent Resolution No. 9

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1949

MR. SPEAKER: Your Committee on Legislature Procedure has examined:

Assembly Concurrent Resolution No. 7

And reports the same correctly engrossed.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Grunsky asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 7, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 7

Assembly Concurrent Resolution No. 7—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of September, 1948.

Resolution read.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 152: By Mr. Lindsay—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 153: By Messrs Rosenthal, Huyck, Bennett, Doyle, Burke, and Smith—An act to amend Sections 311, 312, 313, and

314 of the Penal Code, relating to obscenity and indecency and punishment therefor and the destruction of materials used for those purposes.

Referred to Committee on Judiciary.

Assembly Bill No. 154: By Messrs. Rosenthal and Bennett—An act to amend Section 4652 of the Labor Code, relating to waiting period under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 155: By Messrs. Rosenthal and Bennett—An act to amend Section 4650 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 156: By Mr. Rosenthal—An act to repeal Section 309 and Part 6 consisting of Sections 450 through 462, inclusive, of the Unemployment Insurance Act, dealing with disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 157: By Mr. Cramer—An act to amend Section 144 of the Streets and Highways Code, relating to the separation of state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 158: By Mr. Smith—An act to amend Section 29142 of the Government Code, relating to county and district budgets.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 159: By Mr. Maloney—An act to amend the title of Part 5, Division 2 of the Labor Code, relating to housing.

Referred to Committee on Industrial Relations.

Assembly Bill No. 160: By Messrs. Grunsky, Hahn, Caldecott, Connolly, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, George D. Collins, Cramer, Crichton, Davis, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Morris, Reagan, Rosenthal, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries.

Referred to Committee on Industrial Relations.

Assembly Bill No. 161: By Messrs. Hawkins, Anderson, Burkhalter, George D. Collins, Condon, Clayton A. Dills, Ralph C. Dills, Elliott, Fletcher, Kilpatrick, Luckel, Mrs. Niehouse, Messrs. Rosenthal, Rumford, and Thomas—An act to amend Sections 19601 and 19617 of the Education Code, relating to child care centers, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Joint Resolution No. 4: By Messrs. Maloney, Crowley, Dunn, Caldecott, Sherwin, Berry, George D. Collins, Condon, McCarthy, Connolly, Meyers, Hahn, McCollister, Rumford, Lincoln, and Dickey—Relative to shipbuilding on Pacific Coast.

Resolution read.

Request for Unanimous Consent

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

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 4

Assembly Joint Resolution No. 4—Relative to shipbuilding on Pacific Coast.

Resolution read.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Concurrent Resolution No. 13: By Mr. Sherwin—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the thirteenth day of April, 1948.

Referred to Committee on Rules.

Assembly Bill No. 162: By Mr. Morris—An act to amend Section 4853 of the Labor Code, relating to disability payments for city policemen and firemen.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 163: By Messrs. Gaffney and George D. Collins—An act to amend Section 6.5 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 164: By Messrs. Gaffney and George D. Collins—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 165: By Messrs. Gaffney and George D. Collins—An act to amend Section 4600 and Section 4601 and to repeal Section 4602 and Section 4603 of the Labor Code, to allow an injured workman choice of his own physician.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 166: By Messrs. Gaffney and George D. Collins—An act to amend Sections 5410 and 5804 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 167: By Messrs. Elliott, Hawkins, Kilpatrick, and Lewis—An act to provide for housing accommodations and for the betterment of housing facilities of the State through programs of construction of new housing, for the clearing of slum and blighted areas, creating a State Housing and Slum Clearance Authority and prescribing its powers and duties, providing for the purchase of land, the erection of housing accommodations and for the rental and other disposition thereof, exempting the property of said authority from taxation and providing for payments in lieu of such taxation, making an appropriation and providing for the expenditure thereof, providing for the issuance and sale of revenue bonds and the use of the money derived therefrom for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 168: By Messrs Maloney, Gaffney, McCarthy, Meyers, Connolly, Berry, George D. Collins, Beck, Brown, Caldecott, Cooke, Crowley, Dickey, Doyle, Geddes, Kilpatrick, McCollister, Sherwin, and Waters—An act to add Section 1.7 to the Judges' Retirement Act and to add Section 4.7 to the Judges' Retirement Fund Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency.

Referred to Committee on Judiciary.

Assembly Bill No. 169: By Messrs. Meyers, Gaffney, and Berry—An act to amend Section 4553 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 6, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 130

Has had the same under consideration, and reports the same back with the recommendation: Do pass

DICKEY, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dickey:

Resolved, That Assembly Bill No. 130 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section

requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, considered engrossed, and placed upon its passage.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

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

CONSIDERATION OF ASSEMBLY BILL NO. 130

Assembly Bill No. 130—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Bill read second time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

Assembly Bill No. 130—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately.

Bill read third time.

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

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 4, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 16 (BY UNANIMOUS CONSENT)

By Mr. Dickey:

House Resolution No. 16

Relative to the continuance of Assembly interim committees heretofore created

Resolved by the Assembly of the State of California, as follows:

1. The Assembly interim committees created by resolutions of the 1947 Regular Session and enumerated in paragraph 3 of this resolution are continued as Assembly committees at this session, with the same membership and with all the rights, powers and duties conferred and imposed upon them by resolutions adopted at said 1947 Regular Session.

2. There is hereby made available to each such committee, from the Contingent Fund of the Assembly, the amount set forth opposite its name in paragraph 3 of this resolution. Each committee is authorized to expend said amount for the expenses of the committee and its members, and for any charges, expenses or claims it may incur under this resolution. Payment shall be made from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

3. (a) Assembly Committee on Interstate Cooperation, created by House Resolution No. 23 ..... $975 20
(b) Assembly Interim Committee on State and Local Taxation, created by House Resolution No. 37 ..... 11,073 96
(c) Assembly Interim Committee on Aviation, created by House Resolution No. 247 ..... 1,652 61
(d) Assembly Interim Committee on Detention Homes and County and City Jails, created by House Resolution No. 164 ..... 167 08
(e) Assembly Interim Committee on Fairs and Expositions, created by House Resolution No. 225 ..... 1,645 45
(f) Assembly Interim Committee on Fire Hazards and Prevention, created by House Resolution No. 260 ..... 1,214 40
(g) Assembly Interim Committee on Fish and Game, created by House Resolution No. 204 ..... 3,963 56
(h) Assembly Interim Committee on Governmental Efficiency and Economy, created by House Resolution No. 216 ..... 16,157 90
(i) Fact-Finding Committee on Highways, Streets and Bridges, created by House Resolution No. 221 ..... 12,905 55
(j) Assembly Interim Committee on Industrial Safety, created by House Resolution No. 239 ..... 414 24
(k) Assembly Interim Committee on the Judicial System and Judicial Process, created by House Resolution No. 226 ..... 4,462 01
(l) Assembly Committee on Military and Veterans Affairs, created by House Resolution No. 205 ..... 393 97
(m) Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products, created by House Resolution No. 219 ..... 4,145 00
(n) Assembly Interim Committee on Public Education, created by House Resolution No. 236 ..... 13,634 19
(o) Assembly Interim Committee on Public Morals, created by House Resolution No. 213 ..... 2,832 25
(p) Assembly Interim Committee on Soil Conservation, created by House Resolution No. 224 ..... 450 15
(q) Assembly Interim Committee on State Civil Service, created by House Resolution No. 218 ..... 3,769 84
(r) Assembly Interim Committee on Tide and Submerged Lands, created by House Resolution No. 287 ..... 1,274 65
(s) Assembly Interim Committee on Transportation and Commerce, created by House Resolution No. 252 ..... 4,678 27
(t) Fact-Finding Committee on Water Pollution, created by House Resolution No. 27 ..... 58,112 32
(u) Assembly Interim Committee to Study Promotion of the Welfare of the Youth of the State, created by House Resolution No. 234 ..... 2,224 17
(v) Assembly Interim Committee on Ways and Means, House Resolution No. 62 ..... 13,262 63
(w) Assembly Interim Committee on Wildlife Conservation, House Resolution No. 69 ..... 1,363 90

4. Each of the committees listed in paragraph 3 hereof is authorized to act during this session of the Legislature, including any recess, until and including March 15, 1949, with authority to file a report not later than March 15, 1949.

5. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as soon as such rules are adopted and from time to time amended at this session become applicable to each such committee and the members thereof. Until the adoption of Joint Rules at this session, the Joint Rules of the 1947 Regular Session are incorporated herein and made applicable to each such committee and the Members thereof. Vacancies occurring or existing in the membership of any such committee shall be filled by the appointing power.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

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

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

Assembly Bill No. 170: By Mr. Anderson—An act to amend Section 32001 of the Health and Safety Code, relating to the establishment, organization, government and powers of hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 171: By Mr. Silliman—An act to add Section 66r to the Code of Civil Procedure, relating to the number of judges in the Superior Court in the County of Monterey and providing for the appointment of an additional Superior Court Judge in and for the County of Monterey, and for his compensation.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Messrs. Collier, Doyle, Stanley, and Erwin:

House Resolution No. 24

Relating to the victory of Occidental College in the Raisin Bowl

WHEREAS, The Raisin Bowl football game was played in Fresno, California, on New Year's Day of 1949; and

WHEREAS, The football team of Occidental College, located in the Eagle Rock–Highland Park District of Los Angeles, was victorious over the players of the Colorado State College of Agriculture and Mechanical Arts, winning by a score of 21 to 20; and

WHEREAS, The courageous teammates supported by the student body of over twelve hundred young men and women and with the encouragement of the faculty, brought to the West, the State of California, and themselves the honor of having won for the Pacific Coast the only triumph in a bowl game in the 1948-49 season; now therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby tenders its congratulations and commendation to Occidental College, the members of its football team, and to Coach Roy Dennis for this signal victory which has afforded new distinction to California; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send suitably prepared copies of this resolution to the President of Occidental College and to Coach Roy Dennis.

Request for Unanimous Consent

Mr. Collier asked for, and was granted, unanimous consent to take up House Resolution No. 24, at this time, without reference to committee or file.

Resolution read.

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

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT OF INTERIM COMMITTEE ON MILITARY AFFAIRS BE PRINTED IN THE JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that the Final Report of the Interim Committee on Military Affairs be ordered printed in the Journal in 10-point type.

Above mentioned report will be printed prior to the motion to adjourn.

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

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

Assembly Constitutional Amendment No. 9: By Mr. Burke—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures.

Referred to Committee on Constitutional Amendments.

Speaker Pro Tempore Presiding

At 3.10 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding:

Assembly Bill No. 172: By Mr. Dunn—An act to amend Section 3208 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 173: By Mr. Dunn—An act to amend Section 10 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 174: By Mr. Dunn—An act to amend Section 12 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 175: By Mr. Dunn—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 176: By Mr. Dunn—An act to amend Section 1 and Section 57 of the Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 177: By Mr Dunn—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 178: By Mr. Dunn—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 179: By Mr. Dunn—An act to amend Section 58 of the Unemployment Insurance Act, dealing with unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 180: By Mr. Dunn—An act to amend Section 153 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 181: By Mr. Dunn—An act to amend Section 202 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 182: By Mr. Dunn—An act to amend Section 205 of the Unemployment Insurance Act, dealing with disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 183: By Messrs. Grant and Fletcher—An act to add Section 10c to the Municipal Court Act of 1925, relating to bail in municipal courts in cities or cities and counties of the second and one-half class.

Referred to Committee on Judiciary.

COMMUNICATIONS

By Speaker Collins:

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

SACRAMENTO POST NO. 61
THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA
SACRAMENTO, CALIFORNIA, January 6, 1949

Hon. John Moss
State Capitol, California

DEAR JOHN: Please extend a most cordial invitation to all Members of the Assembly to attend the meeting of the Sixth District of the American Legion, Department of California.

This meeting will be held on Sunday, January 9th, commencing at 10 o'clock in the Post 61 Hall at 15th and H Streets.

I shall appreciate it very much if you will please call this to the attention of the Assembly. Many thanks.

Cordially,

J. J. MURPHY
Commander Post 61

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

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

Assembly Bill No. 184: By Messrs. Grant and Fletcher—An act to amend Section 822 of the Penal Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 185: By Mr Beck—An act to amend Section 5801 of the Labor Code, relating to attorney's fees under the Workmen's Compensation Act.

Referred to Committee on Industrial Relations.

Assembly Bill No. 186: By Mr. Beck—An act to amend Section 3854 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 187: By Mr. Beck—An act to amend Section 3856 of the Labor Code, dealing with workmen's compensation

Referred to Committee on Industrial Relations.

Hon. Randal F. Dickey Presiding

At 3.18 p.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

Assembly Concurrent Resolution No. 14: By Mr. Caldecott—Relative to approving amendments to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twelfth day of April, 1948.

Referred to Committee on Rules.

ANNOUNCEMNTS

Acting Speaker Dickey announced that Mr. Earl W. Stanley, of Balboa Island, has been elected Chairman of the Republican Delegation; that Mr. Gordon A. Fleury, of Sacramento, has been elected Secretary; and that Mr. James W. Silliman, of Salinas, has been elected Sergeant-at-Arms.

Acting Speaker Dickey announced that Mr. Jonathan J. Hollibaugh, of Huntington Park, has been re-elected Chairman of the Los Angeles County Delegation, and that Mr. Vincent Thomas, of San Pedro, has been named Secretary of the Los Angeles Delegation.

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

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

Assembly Bill No. 188: By Mr. Ralph C. Dills—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Military Affairs.

Assembly Bill No. 189: By Mr. Evans—An act to add Section 587d to the Penal Code, relating to malicious injuries to railroad property.

Referred to Committee on Judiciary.

Assembly Bill No. 190: By Mr. Evans—An act to amend Section 587b of the Penal Code, relating to trespass upon railroad equipment.

Referred to Committee on Judiciary.

Assembly Bill No. 191: By Mr. Ralph C. Dills—An act to add Section 122.5 to the Labor Code, relating to medical assistance of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Industrial Relations.

RESOLUTIONS

The following resolution was offered:

By Mr. Ralph C. Dills:

House Resolution No. 25

Relative to small loan information

WHEREAS, The Assembly of California is vitally interested in information relative to the business of small loans because of the economic and social impact thereof; and

WHEREAS, Small loan business is organized on a nation-wide basis, and information on this subject available in other states would be extremely pertinent with respect to conditions existing in this State; and

WHEREAS, An investigation with relation to the small loan business was conducted by the Federal Grand Jury in San Antonio, Texas, in the Spring of 1944; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Tom C. Clark, Attorney General of the United States, is respectfully requested to make available to this Assembly a copy of the indictments of the Federal Grand Jury at San Antonio, Texas, in the Spring of 1944, relating to small loan business anti-trust violations and, also, a transcript of the testimony of Charles H. Watts of the Beneficial Management Company, L. J. Styskaal, James Monroe Jefferson, and the representatives of the Better Business Bureau of Minneapolis and St. Paul, Minnesota, before that Grand Jury; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution by the most expeditious available means to the Honorable Tom C. Clark.

Resolution read, and ordered referred to the Committee on Rules.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 192: By Mr. Rosenthal—An act to amend Section 29610 of the Government Code, relating to convention expenses of county officers.

Referred to Committee on Municipal and County Government.

Speaker Presiding

At 3.52 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 26

Relative to the memory of Matthew A Flynn

WHEREAS, In the City and County of San Francisco, on December 5, 1948, there was called to his heavenly home the late Matthew A. Flynn, pioneer San Franciscan; and

WHEREAS, Matthew A. Flynn, born in County Sligo, Ireland, on September 4, 1860, came to America in the year 1880, making his residence in San Francisco in the State of California; whereupon, arriving in San Francisco, he married Mary O'Malley who was also born in Ireland in the County Mayo; and

WHEREAS, This lovable individual, recognized for his ability as a marine surveyor and a shipbuilder, was drafted to supervise the building of the Doheny fleet of oil tankers during World War I, a fleet of ships so badly needed during that emergency; and

WHEREAS, For his outstanding accomplishments in the supervising of the building of ships, and his capabilities, which were recognized as a marine surveyor, he became one of the national organizers of the Propeller Club, an organization built upon a foundation in the interests of ship building and commerce upon the waters of this great Nation; and

WHEREAS, During an honorable and beautiful life, spent by Matthew A. Flynn, principally in the State of California, he raised two fine, lovely children, Frank X. Flynn and Katharine Demarest; and

WHEREAS, Upon his death he not only leaves behind two children, but five grandchildren, Raymond Demarest, James Demarest, Mary Demarest Townsend, Patricia Ann Flynn, and Mary Frances Flynn, and three great-grandchildren, Mary Lynn Demarest, Sally Ann Demarest, and Raymond Orr Demarest II; now therefore, be it

Resolved, That when the Assembly adjourns this day, we do so out of respect to the memory of Matthew A. Flynn; and be it further

Resolved, That suitable engrossed copies of this resolution be sent to the son and daughter of Matthew A. Flynn, Mrs. Katharine Demarest, and Frank X. Flynn.

Resolution read, and ordered referred to the Committee on Rules

REQUEST FOR UNANIMOUS CONSENT THAT USE OF THE ASSEMBLY CHAMBER BE PERMITTED

Mr Geddes asked for, and was granted, unanimous consent that the Interim Committee on Highways, Streets, and Bridges be permitted to use the Assembly Chamber on Wednesday, January 12th, at 3 p.m., for the purpose of holding a meeting, providing the Assembly is not in session.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Next Wednesday, January 12th, at 3 p.m.—

Interim Committee on Highways, Streets, and Bridges, in Room 435. (If the Assembly is not in session, the meeting will be held in the Assembly Chamber.) Subject: Metropolitan Rapid Transit System.

Next Wednesday, January 12th, at 2.30 p.m.—

Education—in Room 432. Subject: State College Situation in Los Angeles.

Next Wednesday, January 12th, at 8 p.m.—

Municipal and County Government.

Tomorrow, January 7th, at 10 a.m.—

Interim Committee on Governmental Efficiency and Economy, in the office of the State Personnel Board.

FINAL REPORT OF INTERIM COMMITTEE ON MILITARY AFFAIRS

January 6, 1949

MR. SPEAKER: Your Interim Committee on Military Affairs, created in May, 1947, by House Resolution No. 205, and further augmented in March, 1948, by House Resolution No. 48, submits herewith its final report, as follows:

State and National Guard

Your committeemen have been mindful of the general unrest throughout the world since the cessation of hostilities, and we have been especially mindful of the fact that for national defense the United States now count heavily upon "reserve" military forces such as the National Guard. In this connection numerous bills had been passed during the 1947 Session dealing with the change-over from our State Guard to the National Guard. Your committee therefore undertook the business of conducting an immediate and thorough investigation of National Guard operations in California.

We had two main objectives in this matter, (1) to determine the adequacy of our change-over legislation, and (2) to learn what was needed or what could be done to bolster enlistments in California's National Guard so that we might have on hand the full authorized complement assigned to our State. After several meetings your committee engaged the services of Mr. Lynn Coe, a World War I officer and investigator whose previous good work for this committee has been well known and appreciated. Mr. Coe obtained the complete cooperation of Adjutant General Curtis D. O'Sullivan, Brigadier General Floyd W. Stewart, and the full staff of the California command, and we were supplied with the complete confidential information necessary for our purposes. Mr. Coe then made an unscheduled and unannounced tour of the guard units in California, visiting on drill nights, et cetera, without notice or fanfare. In this manner the actual conditions were observed and officers and enlistees were interviewed on the spot. Equipment and facilities were noted and leading local citizens were also interviewed in order to get

the full picture. The results thus gathered were very complete and authentic, but extremely discouraging.

Accordingly, your committee assembled in Sacramento in December of 1947 to discuss the Coe report with the military authorities, both State and Federal. The main points were:

1. Our legislation had been reasonably adequate;
2. Our Guard had a personnel of only 8,000 men;
3. California's component, as authorized by the Federal Government and accepted by us, was 43.301 men;
4. Most of our units that had been activated were without uniforms, guns, or elementary practice armament;
5. The morale of our Guard was reasonably good, under these circumstances;
6. The Federal Government had contributed $4,350,000 in drill pay and other maintenance for our Guard, and stood ready to double this budget as we grew;
7. Some $45,000,000 worth of ordnance, uniforms, guns, jeeps, radios, tanks, and so forth were in storage at San Luis Obispo, being held by the Federal Government for ultimate distribution to National Guard Units;
8. The main fault, by all odds, in California's position was (and still is) our lack of military housing, i.e , armories

All of the above facts were confirmed by the military authorities present, and while we discussed many miscellaneous matters relative to the subject, all things led back to the main problem of armories. Colonel Leonard R. Boyd, Infantry, Regular Army, and Lieutenant Colonel Weyland Miller, United States Property Custodian, testified in confirmation of the equipment in storage, but held that federal regulations prohibited the distribution of same until our units had proper buildings for safe keeping. We could not be given motor vehicles nor tanks for our anti-tank companies until we had properly fenced yards; nor could we have small arms issued until we had storage rooms with properly barred windows. And so it went, leading in each instance to the need for armories.

These hearings were highlighted by official testimony regarding dependence upon our National Guard units in case of attack. References were made to other states, even mid-western states not exposed with a vulnerable coast line, showing California to be dangerously behind in all phases of National Guard work. A 364 page transcript of such testimony is in our records for those who wish detailed data on this subject, yet your committee feels it is sufficient in this report to state the alarming conclusion that our National Guard is in very serious need of armories, and that our National Guard was (at that time) disastrously small, lacking equipment, and totally inadequate.

Your committee, although thoroughly disturbed by its investigation into this matter, took satisfaction in the plans for development presented by the California command Adjutant General O'Sullivan and his staff carefully and firmly defended the situation. Your committee readily agreed that they had hardly had time to get a full organization under way. Enlistment problems, uniforms, temporary housing, and plans for new armories were thoroughly discussed. It was obvious that insufficient

funds were available to the Adjutant General for a reasonable armory program, and in this matter your committee sponsored $10,000,000 in new appropriation bills during the legislative session of March, 1948, which amount was thereupon included in our current budget.

Pending another meeting on this subject, to be called at a later date after the Guard had had a chance to gain in strength, your committee chairman, and each member thereof, was directed to keep in close contact with the situation. We made many appearances to encourage interest in the Guard, with excellent cooperation from all veteran organizations. We visited our colored officers with good results, contacted city councilmen regarding the urgency of new armory sites, and we were supplied with data showing the growth of the Guard, week by week.

Armories and National Guard Improvements

As agreed, your committee again assembled the military authorities in August, 1948, for a further examination of the Guard and its progress. The following main points are to be noted:

1. Enlistments in the California National Guard had been tremendous, even exceeding our quota;

2. Additional units had been activated in excess of previous estimates;

3. Temporary armory facilities were available in most areas;

4. A minimum amount of equipment had been issued;

5. The new armory program was progressing with about a dozen such buildings now under construction.

In all of these matters the Adjutant General and his staff are to be accordingly complimented, for, in the judgment of your committee, their work has been excellent. California now has the framework of a full National Guard, the efficiency of which depends now upon the completion of our new armories. And, as to new armories, we now have three standard types of buildings to be used as required by the various communities. These armories are approved by the State Architect and can be made available in every city having a population of 5,000 or over as rapidly as the sites for same are given over to the State. Some delay has been encountered in the conveying of these sites and your committee requested that new instructions covering the necessary procedure be sent to all city councils, which was done. In addition, the Adjutant General has assigned liaison officers to work in cooperation with local government on this subject.

National Guard Recommendations

The National Guard now serves three important functions, namely:

1. It is an integral "reserve" portion of our national military forces to be activated in time of war;

2. It is an alternate training force; and

3. It is our State Militia.

Your committee is mindful of these functions and further mindful of the unfinished business and still necessary items needed by the National Guard. We therefore recommend that the new and forthcoming budget

of the Adjutant General be readily and willingly approved by this Legislature. Also, your committee recommends that such unused portions of funds for new armories as may remain unexpended under the current budget be reappropriated, as will no doubt be requested by the Adjutant General. No other basic or major remedial legislation regarding the National Guard appears necessary at this time.

Interest Rate: Farm and Home Loans

Through the correspondence that customarily comes to this committee on all varieties of veteran matters, we were apprised of a wide difference of opinion on the proper rate of interest to be charged on veteran farm and home loan purchases This subject emanates from recent legislation empowering the Department of Veterans' Affairs to set the interest rate at not less than 2½ percent nor more than 4 percent. Once again, Mr. Lynn Coe was detailed by your committee to make an inspection of the accounts in this department, and Mr. Lawrence Stevens, Director of the Department of Veterans' Affairs, and Mr. Marvin Russell, Manager of the Farm and Home Loan Purchase Fund, were both called into session with your committee for a discussion of Mr. Coe's findings.

Mr. Coe submitted figures showing this fund had been operating at a loss since the establishment of the 3 percent interest rate. At that time (December, 1947) the deficiency amounted to approximately $300,000 (exact figures for each month, etc , available upon request), and your committee discussed the ramifications of this situation.

Mr. Russell confirmed the deficiency figures obtained by Mr. Coe, but contended that such losses were true only as a bookkeeping feature. Supporting data were submitted by Mr. Russell showing that this fund actually has a large undistributed surplus that belonged to the participating veterans. He further contended that as the plan increased its volume of borrowers the technical operating loss would be eliminated. It was his opinion that the fund was perfectly solvent and that the 3 percent interest rate was ample, under the circumstances.

Upon the basis of this explanation the matter was continued, with instructions to your committee chairman that the subject be considered again prior to the 1949 Session of the Legislature Accordingly, the Farm and Home Loan Purchase Fund was again checked in November, 1948, and it was found that the previous operating loss has been overcome. Still at 3 percent, the operation of this fund is now showing a slight profit. Therefore, in view of the aforementioned surplus on hand, and in view of the requirement to change the interest rate as necessary, which duty is imposed upon this department by present statutes, your committee reports herewith that no new legislation seems necessary on the subject.

G. I. Schools

Through requests made to your committee we were asked to examine the circumstances surrounding the approval or disapproval of California schools charging tuitions for training under the G. I. "Bill of Rights", as administered by our State Department of Education, Bureau of Readjustments. Accordingly, your committee held two meetings on this subject during 1948.

At our first meeting the G. I. school procedure was discussed, including an outline of our state responsibility to govern the qualifications, number of instructors, validity of courses, etc., within the schools to

make certain that the veteran would get a proper training. The minutes of this meeting show no particular points, other than a request by your committee for direct and detailed reports on the status of four schools about which we had received complaints. The department was directed to reinvestigate each of these schools and to meet with us again within 30 days.

At the second meeting it developed that the four schools in question were training approximately 100 veterans in watchmaking, locksmithing, short story writing, and commercial art After an exhaustive review of the reports on each school, and without reciting herein the troubled details, your committee wishes to report that it agreed and recommended that:

1. The writing school be disapproved;

2. The art school be limited in size; and

3. The watchmaking school be approved subject to certain corrections. The locksmithing school withdrew voluntarily, and the Department of Education agreed with your committee in carrying out the recommendations. (Names of schools, etc., available upon request.)

Rehabilitation Contracts

On the subject of the contracts made between the Department of Veterans' Affairs and the qualified veterans' organizations, under Section 699.5 of the Military and Veterans Code, all relative to rehabilitation service to veterans, your committee was asked to schedule a meeting between Mr. Lawrence Stevens, Director of the Department, and representatives of the American Legion, Veterans of Foreign Wars, and the Disabled American Veterans. For this purpose we assembled in executive session.

It appeared that the $500,000 appropriated under this section was not enough to meet the budgetary requirements of the participating veterans' organizations, and that Director Stevens as well as the organizations were hard pressed to meet the prescribed matching basis and other contract requirements.

While this was, and is, an administration problem, we did, however, take part in the discussions which led to the present allocation of funds and contract changes which were necessary in order to reach an agreement satisfactory to all present.

Although no new legislation seems necessary, as a result of our participation above outlined, your committee does recommend that this Legislature approve as a budgetary item in the new budget that amount which, under this section, will equal the total requests submitted by all participating veterans' organizations.

Miscellaneous Matters

Your committee, in addition to the above, considered many requests for new legislation. The following items are listed for consideration by the full legislature, together with our recommendation:

1. To provide that veteran memorial districts may construct recreational facilities, swimming pools or parks as memorials. APPROVED.

2. To provide that California veterans now on active duty may participate in the Farm and Home Loan Purchase Fund. APPROVED.

3. To provide that members of the Coast Guard Temporary Reserve may qualify for veteran benefits. NO RECOMMENDATION.

4. To provide state funds for the construction of a family reception building at the Yountville Veterans Home. APPROVED.

5. To amend Section 699.5 of the Military and Veterans Code so as to include the organization known as the AMVETS. NO RECOMMENDATION.

6. To permit veteran organizations to purchase prison made goods as post furnishings. APPROVED.

7. To provide for reemployment rights of new draftees. APPROVED.

8. To memorialize Congress that operation of the National Guard be left with the states. APPROVED.

New legislation to accomplish the approved subjects has been drafted and will be introduced during the 1949 Session under the sponsorship of your committee.

Acknowledgements

Your committee wishes to acknowledge the valuable work done and assistance received from Mr. Lynn Peterson of the American Legion, Mr. Rufus Klawans of the Veterans of Foreign Wars, Mr. Lynn Coe, as committee investigator; Mr. Lawrence Stevens and Mr. Marvin Russell of the Department of Veterans' Affairs, Mr Earl Washburn of the Department of Finance, Mr. Frank Wright of the Department of Education, Mr. Anson Boyd of the Division of Architecture, and, in particular, Adjutant General Curtis O'Sullivan and staff.

Respectfully submitted,

RICHARD H. McCOLLISTER, Chairman
CLAYTON A. DILLS
RICHARD DOLWIG
FRED PRICE
EARL STANLEY

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Crichton, the usual courtesies of the Assembly for this day were unanimously extended to Charles Martin of Napa.

On request of Messrs. Conrad and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Lloyd G. Davies of Los Angeles.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Don Loker and Mrs. Mary Thomas of San Pedro.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Edward Mulligan of San Francisco.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to G. Harvey Mydland of Los Angeles.

On request of Messrs. Doyle and McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Debs of Los Angeles, former Assemblyman.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Albert A. Horn of Los Angeles.

On request of Mr. Collier, the usual courtesies of the Assembly for this day were unanimously extended to John Holland of Los Angeles.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Don Loker of Los Angeles.

On request of Messrs. Geddes and Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Harold Wilson of San Dimas.

ADJOURNMENT

At 3.55 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Monday, January 10, 1949.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTH LEGISLATIVE DAY

EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 10, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowery, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Liberty: May we rejoice today that we assemble in this free land where there is freedom of assembly and liberty of speech and of conscience.

How grateful we are that we live in a republic that has endured the most trying ordeal of history, and has demonstrated that it is the most efficient form of government on earth.

Let us guard our American way which has provided the highest standard of living and of education in the history of mankind and which offers equal opportunity to every citizen.

May we now cherish the part we play as the agents of Democracy, responsible for the efficiency and success of government Let us strive to make this State a model commonwealth, free from sectionalism and corruption, and labor for the welfare of all classes

Inspire us, O God, in this grave Atomic Age, when the fate of civilization is at stake, to foster the Divine Faith and the sacred liberties which cost so much blood, and are the main hope of the survival and peace of mankind —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lindsay, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Berry, on motion of Mr. Thompson.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Condon, on motion of Mr. Way.

Mr. Hinckley, on motion of Mr. Erwin.

Mr. Davis, on motion of Mr. Cooke.

COMMUNICATIONS

By Speaker Collins:

A communication from Harry Rose of Los Angeles, relative to a suggestion pertaining to legalized boxing, was received, and ordered referred to the Committee on Public Morals.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 4—Approving certain amendments to the charter of the County of Los Angeles, State of California, submitted to, voted for, and ratified by, the electors of said county at the general election held in said county on the second day of November, 1948;

Assembly Concurrent Resolution No. 8—Approving certain amendments to the charter of the City of Torrance, County of Los Angeles, State of California, voted for and ratified by the electors of said City of Torrance at a general municipal election held therein on the thirteenth day of April, 1948;

Assembly Concurrent Resolution No. 9—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated primary and special municipal election held therein on the first day of June, 1948;

Assembly Concurrent Resolution No. 10—Approving amendments to the charter of the City and County of San Francisco voted for and ratified by the electors of said City and County of San Francisco at a consolidated general election and special municipal election held therein on the second day of November, 1948;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of January, 1949, at 11 a.m

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 7, 1949

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

Assembly Concurrent Resolution No. 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 6, 1949

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

Senate Concurrent Resolution No. 7
Senate Concurrent Resolution No. 8
Senate Concurrent Resolution No. 9

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 7—Relative to Joint Rules of the Senate and Assembly committees and committee meetings.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 8—Relative to approving certain amendments to the charter of the County of Butte, State of California, voted for and ratified by the qualified electors of said county at a special election held on the first day of June, 1948.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 9—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said City of Bakersfield at a special election held therein on the second day of November, 1948.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 7—Relative to approving amendments to the charter of the City of Watsonville, a municipal corporation in the County of Santa Cruz, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the fourteenth day of September, 1948;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of January, 1949, at 11 a.m.

HUYCK, Chairman

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 193: By Mrs. Niehouse, Messrs. Cramer, Luckel, Thompson, Clarke, Crichton, Ralph C. Dills, and Kirkwood—An act to amend Sections 20452, 20481, and 20482 of the Education Code, relating to the granting of master degrees by state colleges.

Referred to Committee on Education.

Assembly Bill No. 194: By Mrs. Niehouse and Mr. Cramer—An act to amend and renumber Section 66a of the Code of Civil Procedure as added by Chapter 415 of the 1945 Statutes of California to be Section 66a-1, relating to the number of judges of the Superior Court in the

County of San Diego, and providing for the appointment of two additional judges and for their compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 195: By Mr. Maloney—An act to amend Section 1160.5 of the Harbors and Navigation Code, relating to pilots.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 196: By Mr. Cramer—An act to amend Section 259 of, to add Section 259.2 to, and to repeal Section 258.1 of, the Vehicle Code, relating to the driving of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 197: By Mr. Cramer—An act to repeal Section 586 of, and to add a new Section 586 to, the Vehicle Code, relating to parking of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 198: By Mr. Cramer—An act to repeal Section 257, to amend Section 268 of, and to add Section 268.5 to, the Vehicle Code, relating to operator's license.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 199: By Mr. Cramer—An act to amend the title of, and Section 1 of, an act entitled, "An act regulating the hours of service on regular duty by members of the police department of cities of the first class, cities and counties, cities of the first and one-half class, and cities of the second class," Chapter 46, Statutes of 1903, relating to hours of duty of police officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 200: By Mr. Crichton—An act to add Article 5 to Chapter 1, Part 5, Division 11, of the Water Code, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 201: By Mr. Crichton—An act to amend Section 28105 of the Government Code, relating to jury fees.

Referred to Committee on Judiciary.

Assembly Bill No. 202: By Messrs. Anderson and Hawkins—An act to amend Section 690 of the Elections Code, relating to compensation of precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Concurrent Resolution No. 15: By Mr. Crichton—Relative to approving amendment to the charter of the County of Fresno, State of California, which was submitted to the qualified electors of said county and voted on and ratified by them at the general election held therein on November 2, 1948.

Referred to Committee on Rules.

Assembly Bill No. 203: By Messrs. McCollister, Dolwig, Hoffman, Cramer, Cooke, Clayton A. Dills, Mrs. Niehouse, Messrs. Stanley, and Stewart—An act making an appropriation to the California National Guard for the construction, improvement and equipment of armories, and providing that this act shall take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 204: By Messrs. Sherwin and Lowrey—An act to amend Section 18850 of the Government Code, relating to compensation of state civil service employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 10: By Mr. Cramer—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 23 of Article IV thereof, relating to the compensation and mileage of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF HOUSE RESOLUTION NO. 10

By Mr. Dickey:

House Resolution No. 10

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

Resolved, That no additional mailing list shall be allowed or authorized, unless the sum of seventy-five dollars ($75) each is paid therefor, to the State Printer and which sum shall be credited to legislative printing and accounted for to the Legislature; and be it further

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

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS BE ADDED TO MORNING ROLL CALL

At 10.22 a.m., Mr. Grunsky asked for, and was granted, unanimous consent that his name, and the names of Messrs. Reagan and Evans be added to the morning roll call, because they were present and in conference on legislative business.

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

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

Assembly Bill No. 205: By Messrs. Elliott and Lewis—An act to amend Section 7 and to add Section 7.3 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 206: By Messrs. Doyle, Hollibaugh, Cooke, Geddes, and Erwin—An act to prohibit sales under certain mortgages on agricultural land, and to make voidable at the instance of the owner any sale made in violation of this act.

Referred to Committee on Judiciary.

Assembly Bill No. 207: By Messrs. Erwin, Burkhalter, and Butters—An act to amend Section 29.1 of the Fish and Game Code, relating to bounties on crows and magpies.

Referred to Committee on Fish and Game.

Assembly Bill No. 208: By Messrs. Erwin, Burkhalter, and Butters—An act to amend Section 37 2 of the Fish and Game Code, relating to bounties on mountain lions, coyotes, and wildcats.

Referred to Committee on Fish and Game.

Assembly Bill No. 209: By Mr. Bennett—An act to amend Section 70 of the Civil Code, relating to solemnizing marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 210: By Mr. Erwin—An act to add Section 374d to the Penal Code, relating to possession of loaded firearms in vehicles on highways.

Referred to Committee on Judiciary.

Assembly Bill No. 211: By Mr Thomas—An act to add Sections 10.2, 10.3, 10.4, and 10 5 to the Fish and Game Code, relating to commercial fishing, establishing a Commercial Fisheries Commission, and providing for the administration and enforcement of the laws relating to the taking and use of fish, mollusks and crustaceans for commercial purposes.

Referred to Committee on Fish and Game.

Assembly Bill No. 212: By Mr. Thomas—An act to amend Section 970 of the Fish and Game Code, relating to regulation of nets and other appliances.

Referred to Committee on Fish and Game.

Assembly Bill No. 213: By Mr. Thomas—An act to amend Section 1015 of the Fish and Game Code, relating to privilege taxes.

Referred to Committee on Fish and Game.

Assembly Bill No. 214: By Mr. Thomas—An act to amend Section 741 of the Fish and Game Code, relating to sardines

Referred to Committee on Fish and Game.

Assembly Bill No. 215: By Messrs. Anderson, Ralph C. Dills, and Clayton A. Dills—An act to add Section 551 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 216: By Messrs. Price, Butters, Heisinger, Cooke, Babbage, Clarke, Erwin, Hoffman, Reagan, Stanley, and Thompson

—An act to extend the time for the payment of taxes on citrus-producing lands.

Referred to Committee on Judiciary.

Assembly Bill No. 217: By Mr. Price—An act to amend Section 377 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 218: By Mr. Price—An act to add Section 75.5 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 219: By Mr. Burkhalter—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources for the acquisition of the home of John Stevens McGroarty in the City of Los Angeles in Los Angeles County.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 220: By Messrs. Hawkins and Anderson—An act to amend Section 985 of, and to add Section 988 4 to, the Military and Veterans Code, relating to farm and home purchases for veterans' widows, and making an appropriation therefor.

Referred to Committee on Military Affairs.

Assembly Bill No. 221: By Mr. Luckel, Mrs. Niehouse, and Mr. Cramer—An act to amend Sections 813, 815, 980, 985, 986.3, and 986.5 of, and to add Sections 987.02, 987.11, 987.12, and 988.4 to, the Military and Veterans Code, relating to farm and home loans for veterans and making an appropriation.

Referred to Committee on Military Affairs.

Assembly Bill No. 222: By Mr. Grunsky—An act to amend Section 445 of the Education Code, relating to salaries of county superintendents of schools in counties of the forty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 223: By Mr. Grunsky—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 224: By Mr. Grunsky—An act to amend Section 737rr of the Political Code, relating to superior judges' salaries in Santa Cruz County.

Referred to Committee on Judiciary.

Assembly Bill No. 225: By Mr. Grunsky—An act to amend Section 28145 of the Government Code, relating to compensation for public service in counties of the forty-fifth class.

Referred to Committee on Municipal and County Government.

Hon. Ralph C. Dills Presiding

At 10.35 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

Assembly Bill No. 226: By Mr Grunsky—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 227: By Mr. Grunsky—An act to amend Section 737ii of the Political Code, relating to superior judges' salaries in San Benito County.

Referred to Committee on Judiciary.

Assembly Bill No. 228: By Mr George D. Collins—An act to add Section 1513.5 to the Elections Code, relating to the order of measures on ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 229: By Mr Burke—An act to amend Sections 18600 and 18625 of, and to add Section 18600 6 to, the Health and Safety Code, relating to auto and trailer camps.

Referred to Committee on Public Health.

Assembly Bill No. 230: By Messrs Fleury and Moss—An act to amend Section 4656 of the Labor Code, relating to payments for temporary disability under the Workmen's Compensation Act.

Referred to Committee on Industrial Relations.

Speaker Presiding

At 10.40 a m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 231: By Messrs Fleury and Moss—An act to amend Section 4455 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 232: By Mr. Fleury—An act to amend Section 799 of the Code of Civil Procedure, relating to partition of property.

Referred to Committee on Judiciary.

Assembly Bill No. 233: By Mr Morris—An act to amend Section 3 of the Housing Cooperation Law, making the provisions of that law applicable to certain corporations formed under the Limited Dividend Housing Corporations Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 234: By Mr. Babbage—An act to add Section 66*l* to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of judges of the Superior Court of the County of Riverside, and to provide for the appointment of an additional judge," approved June 3, 1921, relating to the number of superior court judges

and providing for the appointment of an additional Superior Court Judge in and for the County of Riverside.

Referred to Committee on Judiciary.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Journals for Monday, January 3, 1949; Tuesday, January 4, 1949; Wednesday, January 5, 1949; and Thursday, January 6, 1949, were approved as corrected by the Minute Clerk.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 114

Mr. Clarke moved that Assembly Bill No. 114 be withdrawn from the Committee on Agriculture, and re-referred to the Committee on Livestock and Dairies.

Motion carried.

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

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

Assembly Bill No. 235: By Mr. Elliott—An act to expedite the State Highway and Freeway Program by providing for construction of housing facilities for persons evicted or threatened with eviction upon condemnation of property for state highway or freeway purposes; to provide against the eviction of occupants from property condemned for state highway or freeway purposes until suitable accommodations are available for them; to provide for an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 236: By Mr. Thompson—An act to amend Section 1394 of the Labor Code, relating to activities of minors.

Referred to Committee on Industrial Relations.

Assembly Bill No. 237: By Messrs. Thompson and Kirkwood—An act to amend Section 66e of the Code of Civil Procedure, relating to the number of judges in the Superior Court in the County of Santa Clara and providing for the appointment of an additional Superior Court Judge in and for the County of Santa Clara, and for his compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 238: By Mr. McMillan—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Referred to Committee on Public Health.

Assembly Bill No. 239: By Mr. Waters—An act to require that consideration be given to airport needs of a community when zoning ordinances are proposed, and declaring such ordinances ineffective when such consideration is not given.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 240: By Messrs. Grant and Fletcher—An act to amend Section 10b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and one-half class, and the marshals and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 241: By Messrs. Grant and Fletcher—An act to amend Section 10a of the Municipal Court Act of 1925, relating to clerks and attaches.

Referred to Committee on Judiciary.

Assembly Bill No. 242: By Messrs. Grant and Fletcher—An act to amend Section 10 of the Municipal Court Act of 1925, relating to the constitution of said court and the judges, clerks, marshals and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 243: By Messrs Rosenthal, Bennett, Clayton A. Dills, Fletcher, Hawkins, Hollibaugh, Huyck, Kilpatrick, McMillan, Smith, and Waters—An act to amend Sections 31452 and 31595 of, and to add Sections 31601, 31602, 31603, 31604, 31605, 31606, and 31607 to, the Government Code, relating to county employees retirement systems, authorizing the investment of the funds of such systems in courthouses and other public buildings, and prescribing the limitations upon such investments.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 244: By Mr. Rosenthal—An act to amend Sections 459 and 459.4 of the Vehicle Code, relating to the adoption of local ordinances affecting traffic on state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 245: By Mr. Rosenthal—An act to amend Sec- 12 of the Municipal Court Act of 1925, relating to residential qualifications of judges and attaches of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 246: By Mr. Rosenthal—An act to add Section 4300 to, and to amend Section 4300f of, the Political Code, relating to fees and mileage of jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 247: By Mr. Butters—An act to amend Section 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 248: By Mr. Butters—An act to amend Section 737m of the Political Code, relating to salaries of judges of superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 249: By Mr. Beck—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 250: By Mr. Beck—An act to amend Section 31526 of the Government Code, relating to retirement of county employees, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Concurrent Resolution No. 16: By Messrs. Cramer, Luckel, and Mrs. Niehouse—Relative to naming the freeway between San Diego and Tia Juana the John J. Montgomery Freeway.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT MR. LAWRENCE G. ALLYN BE PERMITTED TO APPEAR IN ASSEMBLY CHAMBER FOR PURPOSE OF EXPLAINING PROPOSED PERMANENT STANDING RULES

Mr. Dickey asked for, and was granted, unanimous consent that Mr. Lawrence G. Allyn of the office of the Legislative Counsel be permitted to appear in the Assembly Chamber for the purpose of explaining the proposed Permanent Standing Rules.

CONSIDERATION OF PROPOSED PERMANENT STANDING RULES

Proposed Permanent Standing Rules read.

(The proposed Permanent Standing Rules appear in the Assembly Journal of Tuesday, January 4, 1949, on pages 27 to 53 inclusive)

MOTION FOR COMMITTEE OF THE WHOLE

Mr. Dickey moved that the Assembly resolve itself into a Committee of the Whole for the purpose of hearing Mr. Lawrence G. Allyn of the office of the Legislative Counsel explain the proposed Permanent Standing Rules.

Motion carried.

IN COMMITTEE OF THE WHOLE

Speaker Sam L. Collins presiding.

Proposed Permanent Standing Rules considered.

On motion of Mr. Dickey, the committee did arise, and report back to the Assembly.

IN ASSEMBLY

Speaker Sam L. Collins presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORT OF COMMITTEE OF THE WHOLE

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1949

GENTLEMEN: Your Committee of the Whole has considered the proposed Permanent Standing Rules.

SAM L. COLLINS, Chairman

RECESS

At 12.12 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

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

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

Assembly Bill No. 251: By Mr. Heisinger—An act to amend Sections 602 and 627 of the Penal Code, relating to trespass.

Referred to Committee on Judiciary.

Assembly Bill No. 252: By Mr. Kilpatrick—An act to add Section 7114 to the Health and Safety Code, relating to authorizations for the performance of autopsies.

Referred to Committee on Public Health.

Assembly Bill No. 253: By Mr. Lewis—An act to repeal Chapter 11 of Division 9, and to add a new Chapter 11 of Division 9, comprising Sections 19601 to 19618, inclusive, to the Education Code, relating to child care centers, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 254: By Messrs. Dunn, Caldecott, Rumford, Sherwin, Dickey, and Lincoln—An act to amend Section 14797 of the Revenue and Taxation Code, relating to maximum commissions that may be retained by county treasurers out of inheritance taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 255: By Messrs Erwin and Butters—An act to add Article 5 to Chapter 2, Division 4 of Title 1 of the Government Code, relating to loyalty oaths of public employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 256: By Mr. Caldecott—An act to amend Sections 3047, 3048, and 3051 of the Business and Professions Code, relating to professional courses in optometry.

Referred to Committee on Public Health.

Assembly Bill No. 257: By Messrs. Caldecott and Dunn—An act to add Section 14637.1 to the Education Code, relating to payment of State Teachers' Retirement System benefits.

Referred to Committee on Education.

Assembly Bill No. 258: By Messrs. Caldecott, Crichton, Brown, Dunn, and Rumford—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 259: By Messrs. Dunn, Geddes, and Ralph C. Dills—An act to amend Sections 32125 and 32126 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 260: By Messrs. Lindsay and Fleury—An act to amend Section 16271 of the Education Code, relating to the transportation of public school pupils and employees.

Referred to Committee on Education.

Assembly Bill No. 261: By Messrs. Lindsay, Cramer, Thompson, and Fleury—An act to add Article 4 to Chapter 2 of Division 9 of the Public Resources Code, relating to soil conservation, providing for a Special Fund for the acquisition of soil conservation machinery and equipment and the rental thereof to soil conservation districts, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 262: By Mr. Thomas—An act to amend Section 11552 of the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 263: By Mr. Thomas—An act to amend Sections 139 04 and 139.05 of the Vehicle Code, relating to the Department of Highway Patrol and Safety.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 264: By Mr. Thomas—An act to add Sections 924 and 925 to the Labor Code, relating to employment of aliens, subject to deportation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 265: By Messrs. Hoffman, Brown, Clarke, Heisinger, and Price—An act to add Section 3456a½ to the Political Code, relating to the raising of money for reclamation districts by means of taxation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 266: By Messrs Cramer, Thompson, and Lindsay—An act relating to soil conservation districts and providing for grants of state funds to such districts, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 267: By Messrs Huyck, Waters, Smith, and Lipscomb—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and veterans' widows.

Referred to Committee on Military Affairs.

Assembly Bill No. 268: By Messrs. Huyck, Waters, Thompson, Kirkwood, Lipscomb, Price, and Smith—An act to amend Section 1086.1 of the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of California and for the reimbursement of hospitals and physicians rendering this aid.

Referred to Committee on Military Affairs.

Assembly Bill No. 269: By Mr. Way—An act to amend Section 28125 of the Government Code, relating to compensation of county officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 270: By Mr Heisinger—An act to add Section 1204 to the Fish and Game Code, relating to migratory birds.

Referred to Committee on Fish and Game.

Assembly Bill No. 271: By Messrs Thompson and Kirkwood—An act to amend Section 2 of an act entitled "An act to provide for the relocation of a portion of State Highway Route 5 in Santa Clara County, making an appropriation therefor, and declaring the urgency hereof, to take effect immediately," approved July 17, 1947, relating to relocation of a portion of State Highway Route 5, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 272: By Messrs. Grant, Levering, Weber, Conrad, Cramer, Hahn, Luckel, Mrs. Niehouse, and Mr. Stanley—An act to provide for the development and improvement of state parks now or hereafter incorporated in the State Park System, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 273: By Messrs. Geddes, Doyle, and Cramer—An act to add Article 3, comprising Section 17600 to Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to life memberships in social, athletic, and country clubs.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 274: By Mr. Thomas—An act to add Section 866 to the Fish and Game Code, providing for a fishing season for sharks

Referred to Committee on Fish and Game.

Assembly Bill No. 275: By Mr. Thomas—An act to amend Section 1065 of the Fish and Game Code, relating to the taking of fish for use in reduction plants or by packers.

Referred to Committee on Fish and Game.

RESOLUTIONS

The following resolution was offered:

By Messrs. Cramer and Thompson:

House Resolution No. 27

Relative to augmenting the funds of the Assembly Interim Committee on Soil Conservation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Soil Conservation (created by H. R. No. 224, 1947 Regular Session and continued by H. R. No. 16 of this session) and its members and for any charges, expenses, or claims it may incur

under said resolution to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrant drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 7, 1949

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

Senate Concurrent Resolution No. 10
Senate Concurrent Resolution No. 11
Senate Concurrent Resolution No. 12

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 10—Relative to approving an amendment to the charter of the City of Riverside, a municipal corporation in the County of Riverside, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the sixteenth day of November, 1948.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 11—Relative to approving amendments to the charter of the City of Roseville, a municipal corporation in the County of Placer, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the thirteenth day of April, 1948.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 12—Relative to approving certain amendments to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on the second day of November, 1948.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 11
Senate Concurrent Resolution No. 12
Senate Concurrent Resolution No. 8
Senate Concurrent Resolution No. 9
Senate Concurrent Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption

REQUEST FOR UNANIMOUS CONSENT

Mr. Cramer asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 12, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 12

Senate Concurrent Resolution No. 12—Relative to approving certain amendments to the charter of the County of San Diego, State of California, submitted to, voted for, and ratified by the qualified electors of said county at a general election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Babbage asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 10, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 10

Senate Concurrent Resolution No. 10—Relative to approving an amendment to the charter of the City of Riverside, a municipal corporation in the County of Riverside, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the sixteenth day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Coats asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 8, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 8

Senate Concurrent Resolution No. 8—Relative to approving certain amendments to the charter of the County of Butte, State of California, voted for and ratified by the qualified electors of said county at a special election held on the first day of June, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Lindsay asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 11, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 11

Senate Concurrent Resolution No. 11—Relative to approving amendments to the charter of the City of Roseville, a municipal corporation in the County of Placer, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the thirteenth day of April, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 10, 1949

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

Assembly Bill No. 130

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 10, 1949

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

Assembly Joint Resolution No. 4

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

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

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

Assembly Bill No. 276: By Mr. Rosenthal—An act to amend Section 7c of the Municipal Court Act of 1925, relating to the appointment and compensation of court commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 277: By Mr. Rosenthal—An act to amend Section 7 of the Municipal Court Act of 1925, relating to the number, qualification, and compensation of judges, officers, and attaches of a city or city and county of first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 278: By Mr Rosenthal—An act to add Section 261.1 to the Code of Civil Procedure, relating to the appointment and compensation of court commissioners in counties, or cities and counties. of 2,000,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 279: By Mr. Rosenthal—An act to amend Section 737s of the Political Code, relating to the salaries of Superior Court Judges in and for the County of Los Angeles.

Referred to Committee on Judiciary.

Assembly Bill No. 280: By Messrs. Rosenthal and Brown—An act to amend Section 28a of the Municipal Court Act of 1925, relating to bail in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 281: By Mr. Rosenthal—An act to amend Section 1033.7 of the Code of Civil Procedure, relating to judgment creditors claiming costs or disbursements.

Referred to Committee on Judiciary.

Assembly Bill No. 282: By Mr. Rosenthal—An act to add Sections 466 and 467 to the Code of Civil Procedure, relating to demurrers and motions

Referred to Committee on Judiciary.

Assembly Bill No. 283: By Messrs. Rosenthal, Brown, and Beck—An act to amend Sections 1476 and 1505 of the Penal Code, relating to habeas corpus proceedings and bail.

Referred to Committee on Judiciary.

Assembly Bill No. 284: By Mr. Rosenthal—An act to amend Section 413 of, and to add Section 413 5 to, the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary.

Assembly Bill No. 285: By Messrs. Rosenthal, Brown, and Beck—An act to add Section 1009 to the Code of Civil Procedure, relating to service of orders of court.

Referred to Committee on Judiciary.

Assembly Bill No. 286: By Mr. Rosenthal—An act to add Section 1057b to the Code of Civil Procedure, relating to exception to the sufficiency of corporate sureties.

Referred to Committee on Judiciary.

Assembly Bill No. 287: By Mr. Rosenthal—An act to add Section 1209.5 to the Code of Civil Procedure, relating to interference with legal process.

Referred to Committee on Judiciary.

Assembly Bill No. 288: By Messrs. Rosenthal, Brown, and Beck—An act to amend Section 413 of the Code of Civil Procedure, relating to service by publication.

Referred to Committee on Judiciary.

Assembly Bill No. 289: By Messrs Rosenthal, Brown, and Beck—An act to amend Section 1011 of the Code of Civil Procedure, relating to service of notices or papers.

Referred to Committee on Judiciary.

Assembly Bill No. 290: By Messrs. Rosenthal, Brown, and Beck—An act to amend Section 1013 of the Code of Civil Procedure, relating to service by mail.

Referred to Committee on Judiciary.

Assembly Bill No. 291: By Messrs. Rosenthal, Brown, Caldecott, and Beck—An act to add Section 1275 1 to the Penal Code, relating to fixing the amount of bail.

Referred to Committee on Judiciary.

Assembly Bill No. 292: By Messrs. Conrad and Sherwin—An act to add Section 1514 3 and Article 4 to Chapter 1 of Division 4 of the Elections Code, relating to elections and providing for an advisory vote at direct primary elections on measures to be submitted to the electors at the ensuing general elections, and for the showing of the approval or disapproval of political parties as to such measures on the ballot and in the ballot pamphlet for such general elections.

Referred to Committee on Elections and Reapportionment.

Assembly Constitutional Amendment No. 11: By Messrs. Rosenthal and Brown—A resolution to propose to the people of the State of California an amendment to Section 7 of Article VI of the Constitution

of the State of California, relating to assignment of judicial business and compensation of judges.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

FURTHER CONSIDERATION OF PROPOSED PERMANENT STANDING RULES

Proposed Permanent Standing Rules read.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment to proposed Permanent Standing Rule No. 35:

Amendment No. 1

On page 37 of the Journal of January 4, 1949, in Section 3, paragraph 35, in the second line after "committee", insert "dealing with its subject matter".

Amendment read.

Demand for Previous Question

Messrs. Evans, Conrad, Grant, McMillan, and Clayton A. Dills demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Heisinger that an amendment to proposed Permanent Standing Rule No. 35 be adopted.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Clayton A. Dills, Elliott, Erwin, Fleury, Hawkins, Heisinger, Hoffman, Kirkwood, Moss, Price, Rosenthal, Rumford, Sherwin, Silliman, Stanley, and Stewart—26.

NOES—Brady, Brown, Burke, Caldecott, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Dunn, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hollibaugh, Huyck, Kilpatrick, Levering, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Niehouse, Reagan, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—39.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Hawkins, Rumford, Weber, Erwin, and Thomas as a Select Committee to escort Miss Lena Horne to the rostrum.

RECESS

At 2.57 p.m., on motion of Mr. Hawkins, the Assembly recessed until 3 p.m. to hear remarks by Miss Lena Horne, prominent motion picture actress and stage star.

REASSEMBLED

At 3 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

FURTHER CONSIDERATION OF PROPOSED PERMANENT STANDING RULES

Proposed Permanent Standing Rules read.

Motion to Amend

Mr. Collier moved the adoption of the following amendment to proposed Permanent Standing Rule No. 20:

Amendment No. 1

On page 33 of the Assembly Journal of January 4, 1949, strike out the period at the end of Rule No. 20, and insert a semicolon and: "provided, that none of the above mentioned persons in this rule shall engage in influencing the passage or defeat of legislation in the Assembly Chamber".

Amendment read.

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

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Holhbaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—65.

NOES—None.

Consideration of Further Amendments

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment to proposed Permanent Standing Rule No. 100:

Amendment No. 1

After Rule 99, insert:

"*Regulation of Lobbying*

100. (1) When used in this rule:

(a) The term "contribution" includes a gift, subscription, loan, advance, or deposit of money or anything of value and includes a contract, promise, or agreement, whether or not legally enforceable, to make a contribution

(b) The term "expenditure" includes a payment, distribution, loan, advance, deposit, or gift of money or anything of value, and includes a contract, promise, or agreement, whether or not legally enforceable, to make an expenditure.

(c) The term "person" includes an individual, partnership, committee, association, corporation, and any other organization or group of persons.

(d) The term "Secretary" means the Secretary of State of California.

(e) The term "legislation" means bills, resolutions, amendments, nominations, and other matters pending or proposed in either house of the Legislature, and includes any other matter which may be the subject of action by either house.

(2) (a) It shall be the duty of every person who shall in any manner solicit or receive a contribution to any organization or fund for the purposes hereinafter designated to keep a detailed and exact account of:

All contributions of any amount or of any value whatsoever;

The name and address of every person making any such contribution of two hundred dollars ($200) or more and the date thereof;

All expenditures made by or on behalf of such organization or fund; and

The name and address of every person to whom any such expenditure is made and the date thereof.

(b) It shall be the duty of such person to obtain and keep a receipted bill stating the particulars, for every expenditure of such funds exceeding ten dollars ($10) in amount, and to preserve all receipted bills and accounts required to be kept by this

section for a period of at least two years from the date of the filing of the statement containing such items.

(3) Every individual who receives a contribution of two hundred dollars ($200) or more for any of the purposes hereinafter designated shall within five days after receipt thereof render to the person or organization for which such contribution was received a detailed account thereof, including the name and address of the person making such contribution and the date on which received

(4) (a) Every person receiving any contributions or expending any money for the purposes designated in subparagraph (a) or (b) of paragraph (6) shall file with the secretary between the first and tenth day of each calendar month, a statement containing complete as of the day next preceding the date of filing

The name and address of each person who has made a contribution of two hundred dollars ($200) or more not mentioned in the preceding report, except that the first report filed pursuant to this title shall contain the name and address of each person who has made any contribution of two hundred dollars ($200) or more to such person since the effective date of this title;

The total sum of the contributions made to or for such person during the calendar year and not stated under the preceding paragraph;

The total sum of all contributions made to or for such person during the calendar year;

The name and address of each person to whom an expenditure in one or more items of the aggregate amount or value, within the calendar year, of ten dollars ($10) or more has been made by or on behalf of such person, and the amount, date, and purpose of such expenditure;

The total sum of all expenditures made by or on behalf of such person during the calendar year and not stated under the preceding paragraph;

The total sum of expenditures made by or on behalf of such person during the calendar year

(b) The statements required to be filed by subparagraph (a) shall be cumulative during the calendar year to which they relate, but where there has been no change in an item reported in a previous statement only the amount need be carried forward.

(5) A statement required by this rule to be filed with the secretary

(a) Shall be deemed properly filed when deposited in an established post office within the prescribed time, duly stamped, registered and directed to the Secretary of State, State Capitol, Sacramento, California, but in the event it is not received, a duplicate of such statement shall be promptly filed upon notice by the secretary of its non-receipt;

(b) Shall be preserved by the secretary for a period of two years from the date of filing, shall constitute part of the public records of his office, and shall be open to public inspection

(6) The provisions of this rule shall apply to any person (except a duly organized state or local committees of a political party), who by himself, or through any agent or employee or other persons in any manner whatsoever, directly or indirectly, solicits, collects, or receives money or any other thing of value to be used principally to aid, or the principal purpose of which person is to aid, in the accomplishment of any of the following purposes:

(a) The passage or defeat of any legislation by the Legislature of the State of California.

(b) To influence, directly or indirectly, the passage or defeat of any legislation by the Legislature of the State of California

(7) (a) Any person who shall engage himself for pay or for any consideration for the purpose of attempting to influence the passage or defeat of any legislation by the Legislature of the State of California shall, before doing anything in furtherance of such object, register with the Secretary of State and shall give to that officer in writing and under oath, his name and business address, the name and address of the person by whom he is employed, and in whose interest he appears or is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included Each such person so registering shall, between the first and tenth day of each calendar month, so long as his activity continues, file with the secretary a detailed report under oath of all money received and expended by him during the preceding calendar quarter in carrying on his work; to whom paid, for what purposes; and the names of any papers, periodicals, magazines, or other publications in which he has caused to be published any articles or editorials; and the proposed legislation he is employed to support or oppose The provisions of this section shall not apply to any person who merely appears before a committee of the Senate or Assembly in support of or opposition to legislation; nor to any public official acting in his official capacity; nor in the case of any newspaper or other regularly published periodical (including any individual who owns, publishes, or is employed by any such newspaper or periodical) which in the ordinary course of business publishes news items, editorials, or other comments or paid advertisements, which directly or indirectly urge the passage or defeat of legislation, if such newspaper, periodical, or individual, engages in no further or other activities in connection with the passage or

defeat of such legislation, other than to appear before a committee of the Senate or Assembly in support of or in opposition to such legislation

(b) All information required to be filed under the provisions of this section with the secretary shall be compiled by said secretary, as soon as practicable after the close of the calendar month with respect to which such information is filed and shall be printed in the Assembly Journal.

(8) All reports and statements required under this title shall be made under oath, before an officer authorized by law to administer oaths.

(9) The Assembly Committee on Rules, on complaint by any Member of the Assembly, or on its own motion, shall investigate any alleged violation of this rule If, after hearing, the committee determines that any person has violated this rule, such person shall be prohibited, for a period of_____from the date of such determination, from attempting to influence, directly or indirectly, the passage or defeat of any proposed legislation or from appearing before a committee of the Assembly in support of or opposition to proposed legislation "

Amendment read.

Point of Order

Mr. Dunn arose to the following point of order: That the proposed amendment offered by Mr. George D. Collins is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Dickey arose to the following point of order: That Mr George D. Collins is out of order because there is nothing before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 28

Resolved by the Assembly of the State of California, That the Temporary Rules of the 1949 Session, as printed in the Assembly Journal of January 4, 1949, be and the same are hereby adopted, as amended January 10, 1949, as the Permanent Standing Rules of the Assembly for the 1949 Regular Session.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 28, at this time, without reference to committee or file.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT PERMANENT STANDING RULES BE PRINTED, IN FULL, AS AMENDED

Mr. Dickey asked for, and was granted, unanimous consent that the Permanent Standing Rules, as amended, be printed, in full, in the Journal.

PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1949 REGULAR SESSION, AS AMENDED

SECTION 1
LEGISLATIVE ORGANIZATION

Assignment of Desks to Members

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

Hours of Meeting

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

Following the constitutional recess, the Assembly shall meet promptly at 9.30 o'clock a.m., daily (Sundays excepted), unless otherwise ordered by a majority vote of the members present.

RULES

Adoption of Standing Rules

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

Suspension of Rules

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

Amending Standing Rules

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

Temporary Rules

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

Parliamentary Rules

7. In all cases not provided for by the Constitution, by the Assembly Rules, or by the Joint Rules of the Senate and Assembly, the authority shall be Mason's Manual of Legislative Procedure.

Standing Committees

Standing Committees

8. For their convenient functioning and in furtherance of the thorough consideration of all bills on a given subject, the several standing committees of the Assembly are respectively grouped into the following categories:

A. LEGISLATURE:

Two committees to consider legislative organization, functions and procedure:

Committee on Rules

There is a Committee on Rules, No. 1, which shall act as an executive committee of the House having the following powers:

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

The Committee on Rules shall for the purpose of Joint Rule No. 2 be deemed to be the Rules Committee of the Assembly.

Committee on Legislative Procedure

There is a Committee on Legislative Procedure, No. 2, which shall have and exercise the following powers:

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

To consider and report on bills introduced after the constitutional recess.

To assist the Speaker, upon his request, in recommending the reference of bills to the appropriate standing committees.

Twenty-five standing committees of the Assembly are hereby created, upon the several subjects, and numbered respectively, as follows:

1. Rules
2. Legislative Procedure
3. Conservation, Planning, and Public Works
4. Fish and Game

5. Governmental Efficiency and Economy
6. Revenue and Taxation
7. Ways and Means
8. Education
9. Crime and Correction
10. Public Morals
11. Public Health
12. Social Welfare
13. Civil Service and State Personnel
14. Military Affairs
15. Municipal and County Government
16. Elections and Reapportionment
17. Judiciary
18. Constitutional Amendments
19. Agriculture
20. Livestock and Dairies
21. Public Utilities and Corporations
22. Manufacturing, Oil, and Mining Industry
23. Industrial Relations
24. Finance and Insurance
25. Transportation and Commerce

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

No Member of the Assembly shall be a member of more than three standing committees except that upon appointment by the Speaker or the approval of the House a member may serve on four committees.

There shall be published weekly in the Assembly Weekly History during each session of the Legislature a chart showing the Rational Organization of the Standing Committees of the Assembly and showing Chairman and Vice Chairman, Number of Members, Time of Meeting, Room Number, Total Number of Measures, "referred" and "action pending," and a meeting schedule for each day of the week

Motions to Change Membership or Numbers of Standing Committees

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

SECTION 2

HOUSE FUNCTIONS

Duties of Assembly Officers

Duties of the Speaker

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

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

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

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

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

(e) To appoint the membership of all standing and special committees, and their respective chairmen and vice chairmen.

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

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

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

(i) To order the Lobby and Gallery cleared whenever he shall deem it necessary.

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

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

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

Duties of the Speaker pro Tempore

11. The Speaker pro Tempore shall have the powers and perform the duties of the Speaker during his absence.

Duties of the Chief Clerk

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

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

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

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

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

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

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

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

(h) Before the commencement of any regular session of the Legislature the Chief Clerk of the Assembly may mail to each member a blank form on which the member may indicate his committee preferences. Accompanying such blank shall be mailed a stamped envelope addressed to the Chief Clerk of the Assembly for returning such form. After their receipt, all such communications shall be delivered to the Chairman of the Interim Committee on Legislative Organization, if such a committee has been created, who shall deliver them to the Speaker immediately upon the organization of the Assembly.

(i) To certify to the Controller, pay rolls of members and attaches.

(j) To certify all requisitions upon the Controller for the payment of bills incurred by the Assembly.

(k) To order and sign for all documents and printing, subject to approval by the Speaker or the Chairman of the Committee on Rules.

Duties of the Sergeant-at-Arms

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

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

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

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

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

(e) To execute all commands of the Speaker.

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

Printing

Authority for Printing

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

Printing Style, Form and Amount to Be Printed

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

Printing Assembly History

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

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

Printing of Maps

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

Miscellaneous

Admission to Assembly Chamber

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

Use of Assembly Chamber

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

Persons Admitted to Floor of the Assembly

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

All guests shall be seated only in the chairs in back of the rail in the rear of the Assembly Chamber and shall not be permitted to sit at the desks of the members while the Assembly is in session. No person other than an accredited newspaper representative shall be permitted to sit at the press desks. A special section in the balcony shall be reserved for those holding guest cards; provided, that none of the above mentioned persons in this rule shall engage in influencing the passage or defeat of legislation in the Assembly Chamber.

Lobbying in the Assembly Chamber

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

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

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

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

Smoking in Assembly Chamber

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

Fees for Witnesses

23. Each witness summoned to appear before the Assembly or any of its committees shall receive the sum of ten dollars ($10) for each day such witness shall be required to appear, and the sum of five and one-half cents ($0.05½) for each mile he shall travel in coming to and going from the place of examination.

Press Privileges

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

The Speaker shall assign the Assembly press desks to accredited newspaper representatives authenticated by the standing committee of the Capitol Correspondents Association; also the necessary rooms for the exclusive use of such accredited press representatives.

SECTION 3

LEGISLATIVE PROCEDURE

Speaker to Call Assembly to Order

25. The Speaker, or in his absence the Speaker pro Tempore, shall, at the hour appointed for meeting, call the Assembly to order. In the absence of both the Speaker and the Speaker pro Tempore, the Chief Clerk, or his assistant, shall call the Assembly to order, whereupon a temporary chairman shall be elected from among the members to preside.

The functions of the temporary chairman shall terminate upon return of the Speaker or Speaker pro Tempore.

Roll Call and Quorum

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

Order of Business

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

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

Pledging Allegiance to the Flag

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

Reading, Correcting and Approving Journal

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

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

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

Presentation of Petitions

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

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

Messages from the Governor

31. Messages from the Governor shall be delivered to the Chief Clerk or an assistant, and shall be read and ordered printed on the Journal unless otherwise ordered by a recorded vote of two-thirds of the elected membership.

Messages from the Senate

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

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

Bills

Bills Defined

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

Introduction and Reference of Bills

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

After these two roll calls, any member desiring to introduce bills, constitutional amendments, concurrent and joint resolutions may at any time during a session send the same to the Clerk's desk.

When received at the Clerk's desk it shall, under the proper order of business, be numbered, read the first time, referred to a standing committee, be printed, and a copy placed upon the desk of each member.

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

Reference of Bills to Committee

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

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

Examining of Bills by Legislative Counsel Bureau

36. After introduction, all bills shall be delivered to the Legislative Counsel for the purpose of determining if the bill is in the proper form as prescribed by law or Assembly rule.

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

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

Introduction of Bills After Constitutional Recess

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

Standing Committee Functions

Standing Committee Rules

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

A majority of the committee members present may order a call of the committee.

Meetings of Standing Committees

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

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

Committee Quorum

40. A majority of the membership of any standing committee shall constitute a quorum for the transaction of its business, including the

adoption of any amendments to any bill. At least a majority of all members constituting such committee shall be required to report a bill out of committee.

Bills Reported Back to Assembly

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

Reports of Committees

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

Signing Bills Out of Committee

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

Committee of the Whole

44. The Assembly may resolve itself into a Committee of the Whole at any time by a majority vote of the members present. While sitting as such committee, persons other than members may address the committee. The Speaker of the Assembly, or any member named by the Speaker, shall preside as Chairman of the Committee of the Whole.

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

Committee on Ways and Means

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

Committee Expenditures

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

Reports of Interim Committees

47. All interim committees, unless otherwise authorized, shall report to the next succeeding Legislature on or before the fortieth day after the convening thereof.

Passage of Bills

Daily File

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

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

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

Record of Bills

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

Second Reading of Bills

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

Committee Amendments

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

Amendments from the Floor

52. Any member may move to amend a bill during its second or third reading and such motion to amend may be adopted by a majority vote of the members present.

Before debate an extra copy of the proposed amendment must be delivered to the Clerk's desk and made available to the author of the bill. Bills so amended on second reading shall be treated the same as

committee amendments. Any bill so amended upon second or third reading shall be reprinted and re-engrossed. The Chief Clerk shall order printed not to exceed 1,000 copies of all amended bills.

Consideration of Constitutional Amendments, Concurrent and Joint Resolutions

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

Bills Transmitted to the Senate

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

Bills Considered During Last Seven Days

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

Concurrence in Senate Amendments

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

Nonconcurrence in Senate Amendments

57. If the Assembly refuse to concur in Senate amendments to an Assembly bill, and when notified that the Senate has refused to concur in Assembly amendments to a Senate bill, the Speaker shall appoint a committee of three (3) on conference, and the Chief Clerk shall

immediately notify the Senate of the action taken by the Assembly and request the appointment of a like committee

Committee on Conference

58. The Speaker, in appointing a committee on conference, shall select two members from those voting with the majority on the point about which the difference has arisen, and the other member from the minority, in the event there is a minority vote.

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

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

Engrossing and Enrolling Bills

60. The Engrossing and Enrolling Clerk shall engross and enroll all bills which shall come to his hands for such purposes, in compliance with the provisions of Section 9503 of the Government Code, and in the order of time in which the same shall be acted upon by the Assembly.

Enrollment

61. After final passage by both houses, any Assembly bill not amended by the Senate shall be forthwith ordered by the Speaker to be enrolled, as provided in Sections 9508 and 9509 of the Government Code. The Committee on Legislative Procedure shall report both the day and the hour each enrolled bill is presented to the Governor, which report shall be entered in the Journal.

SECTION 4

PARLIAMENTARY PROCEDURE

Motions and Questions

Precedence of Motions During Debate

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

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

Questions of Order Decided Without Debate

63. All incidental questions of order, arising after a motion is made for any of the questions named in Rule 62 and pending such motion, shall be decided by the Speaker without debate, whether on appeal or otherwise.

Appeal From Decision of the Speaker

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

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

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

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

Speaker Explains Order of Business

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

To Adjourn

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

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

To Recess to a Time Certain

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

To Lay on the Table

68. A motion to lay on the table is not debatable and cannot be amended.

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

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

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

The Previous Question

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

Motion to Set Special Order

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

Motion to Postpone to a Time Certain

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

Motion to Postpone Indefinitely

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

Motion to Amend.

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

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

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

A motion to lay an amendment on the table may be adopted by a majority vote of the members present, as provided in Rule 68.

Amendment to Be Germane

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

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

Substitute Motion

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

Motions in Writing

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

Constitution of Motions

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

Division of Questions

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

Withdrawal of Motions

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

Motion to Be Germane

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

Motion to Withdraw and Recall Bills

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

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

Bills Stricken from File

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

Motion to Rescind Action and Expunge Record

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

Reconsideration of Vote

84. Notice of a motion to reconsider on the next legislative day, the vote whereby any bill, constitutional amendment, concurrent or joint

resolution was passed or refused passage, must be given on the same day such vote to be so reconsidered was taken.

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

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

No notice of motion for reconsideration shall be in order on the day preceding the last day for consideration of Assembly or Senate bills in the Assembly. No motion to reconsider shall be adopted except upon an affirmative recorded vote of a majority of the entire elected membership, except that it shall require a two-thirds vote of the entire elected membership to reconsider the vote on any matter originally requiring a two-thirds vote for its passage or adoption.

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

Call of Assembly

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

Those members who are found to be absent, and for whom no leaves of absence have been granted, shall be forthwith taken into custody wherever found by the Sergeant-at-Arms or his assistants or any person designated by the Sergeant-at-Arms, including members of the California Highway Patrol, the state police, and sheriffs or their deputies, and

brought to the Assembly Chamber. No recess or adjournment shall be taken during a call of the Assembly. During such call, the Assembly may consider and transact any matter of business by unanimous consent. No call of the Assembly shall be ordered on any matter while the Assembly is already under call. A call of the Assembly may be dispensed with at any time upon a majority vote of the members present, at which time the completion of the roll call pending when the call of the Assembly was ordered shall become the immediate order of business before the Assembly.

Resolutions

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

Motions and Resolutions

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

Adjournment

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

Members' Decorum and Privileges

Order in Speaking to Questions

89. When a member desires to address the Assembly, he shall rise from his seat and respectfully address himself to "Mr Speaker." Upon being recognized, he may speak, confining himself to the question under consideration. When two or more members rise at the same time, the Speaker shall designate the member who is entitled to the floor

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

Leave of Absence

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

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

Personal Privilege

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

Objection to Reading of Any Paper

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

Members Called to Order for Transgressing Rules

93. a If any member transgresses the Rules of the Assembly, the Speaker shall, or any member may, call the offending member to order. The member so called to order shall immediately take his seat, until the Speaker without debate, shall have determined whether he is in order or not. Such decision by the Speaker shall be subject to an appeal to the Assembly.

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

Members Voting

94. Every member in the Assembly Chamber when a roll call is required shall record his vote openly and without debate, unless the Assembly shall, by a majority vote of the members present, excuse him.

The name of any member who refuses to vote as required by this rule, after being requested by the Speaker to do so, shall be entered in the Journal of the Assembly, together with a statement that he was present and did so refuse to vote. Any member who refuses so to vote may, if he so desires, and immediately after the announcement of the vote, submit a written explanation of his failure to vote and have such explanation printed in the Journal, provided no such explanation shall exceed 50 words in length.

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

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

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

Ayes and Noes

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

Voting Not to Be Interrupted

96. When once begun, voting shall not be interrupted, except that before the vote is announced, any member may have the total pending vote flashed on the visible vote recorder. Prior to the announcement of the vote the Speaker shall inquire if all members have voted. Any member may move a call of the Assembly after the completion of the roll and prior to the final recording, but no member shall be allowed to change his vote, or have his vote recorded after the vote is announced.

Members at Clerk's Desk

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

Tie Vote

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

"Two-thirds of the Entire Elected Membership" Defined

99. Wherever the words or figures, "two-thirds of the entire elected membership" appear in any rule, it shall mean 54 votes.

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

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

Assembly Concurrent Resolution No. 17: By Messrs. Dunn, Caldecott, Rumford, Dickey, and Lincoln—Relative to congratulating the University of California Varsity Eight upon its victory in the 1948 Olympic Games.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 18: By Mr. Caldecott—Relative to approving amendments to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California,

voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twelfth day of April, 1948.

Referred to Committee on Rules.

Assembly Bill No. 293: By Mr. Beck—An act to amend Section 261 of the Code of Civil Procedure, relating to salaries of court commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 294: By Mr. Waters—An act to amend Section 373 of, and to add Section 373.5 to, the Elections Code, relating to indexes of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 295: By Mr. Dolwig—An act to add a new division to the Vehicle Code, to be numbered 9b, relating to the regulation, control and policing of vehicles and vehicular traffic on privately owned toll bridges and the approaches thereto, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 296: By Mr Dolwig—An act to amend Section 10050 of the Elections Code, relating to consolidation of elections.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 297: By Mr. Dolwig—An act to amend Sections 7930 and 7931 of the Elections Code, relating to canvass of election returns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 298: By Mr. Dolwig—An act to amend Sections 9001 and 9851 of the Elections Code, relating to special and local elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 299: By Mr. Dolwig—An act to repeal Section 7103 of, and to amend Section 7104 of, the Elections Code, relating to the return of precinct supplies to the county clerk.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 300: By Mr. Dolwig—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign expenditures.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 301: By Mr. Dolwig—An act to amend Section 2571 of the Elections Code, relating to registration of voters.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 302: By Mr. Dolwig—An act to amend Section 658 of the Elections Code, relating to election officers.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 303: By Messrs. Morris and Evans—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 304: By Messrs. Waters and Dolwig—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative, referendum and recall petitions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 305: By Messrs. Waters and Dolwig—An act to amend Sections 4530 and 4532 of the Elections Code, relating to the filing of campaign statements by candidates for party county central committees.

Referred to Committee on Elections and Reapportionment

Assembly Constitutional Amendment No. 12: By Mr. Dolwig—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to the right to vote.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 19: By Messrs. Collier and Butters—Relative to the manner of preparing annual state budgets.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 10, 1949

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

Senate Joint Resolution No. 1

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 1—Relative to memorializing the President and the Congress of the United States in relation to the establishment of a support price for black-eyed beans.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 9, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 9

Senate Concurrent Resolution No. 9—Relative to approving a certain amendment to the charter of the City of Bakersfield, County of Kern, State of California, voted for and ratified by the electors of said

City of Bakersfield at a special election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined Assembly Concurrent Resolution No. 13

And reports the same correctly engrossed.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Sherwin asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 13, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 13

Assembly Concurrent Resolution No. 13—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the thirteenth day of April, 1948.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

WITHDRAWAL OF ASSEMBLY BILL NO. 87 BY UNANIMOUS CONSENT

Mr. Tomlinson asked for, and was granted, unanimous consent that Assembly Bill No. 87 be withdrawn from the Committee on Municipal and County Government, and be placed upon the file, for purpose of amendment.

SECOND READING OF ASSEMBLY BILL NO. 87 BY UNANIMOUS CONSENT

Assembly Bill No. 87—An act to amend the title and Sections 2, 5.1, 5.3, 5.4, 5.7, 6.1, 6.3, 9.1, 10.1, and 10.2 of the Santa Barbara County Water Agency Act, relating to the purposes, powers, and administration of the Santa Barbara County Water Agency, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out the entire title, and insert

"An act to amend an act entitled "An act to create a district to be called 'The Santa Barbara County Water Agency' for the purpose of controlling and conserving storm, flood and other surface waters, for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water; to provide for the powers of such district necessary to carry out its purposes including the right to contract, the right to acquire property and to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof; to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Santa Barbara shall be ex officio officers and employees of said district; to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying and collection of special assessments, the levying and collection of taxes; to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds; to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act; and to empower municipalities, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency." by amending the title of said act, by amending sections numbered 2, 5.1, 5.3, 5.4, 5.7, 6.1, 6.3, 9.1, 10.1, and 10.2 of said act, all relating to the power of said agency on behalf of itself or its member units to acquire water or a water supply, to purchase and sell water, to cooperate and contract in connection with such water, water supply, and purchase and sale of water with the United States, the State, municipalities and certain public districts, to assume certain indebtedness as principal, guarantor or underwriter, to make certain contributions in aid of purchasing or obtaining water or a water supply or works, to suspend delivery of water to member units, imposing certain limitations on indebtedness and taxes, defining member units of said agency and establishing certain powers, rights and liabilities of such member units and their power to contract with said agency in connection with such water or water supply, or purchase and sale of water, declaring the urgency hereof, to take effect immediately."

Amendment No. 2

On page 1, line 12, of said bill, strike out the first "such".

Amendment No. 3

On page 1, line 15, of said bill, strike out the second "and", and insert ", the right to purchase and sell water, the right".

Amendment No. 4

On page 3, line 9, of said bill, strike out the semicolon, and insert ", or for (iv) the payment in whole or in part for water to be furnished or sold to such district by the agency or the United States."

Amendment No. 5

On page 3, line 25, of said bill, after "furnishing", insert "or sale".

Amendment No. 6

On page 3, line 25, of said bill, after "agency", insert "or the United States".

Amendment No. 7

On page 3, line 30, of said bill, after "furnished", insert "or sold".

Amendment No. 8

On page 4, line 6, of said bill, after "agency", insert "or a member unit".

Amendment No. 9

On page 4, line 36, of said bill, after "furnished", insert "or sold".

Amendment No. 10

On page 5, line 29, of said bill, after "furnished", insert "or sold".

Amendment No. 11

On page 6, line 10, of said bill, after "kind," insert "in the purchase and sale of water,".

Amendment No. 12

On page 6, line 45, of said bill, strike out ", or", and insert "; plus (3)".

Amendment No. 13

On page 7, line 18, of said bill, after "furnished", insert "or sold".

Amendment No. 14

On page 9, line 1, of said bill, after "1949", strike out ", and are", and insert ". The Committee on Appropriations of the House of Representatives of the Eightieth Congress recommended that further appropriations will be".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, to be re-referred to the Committee on Municipal and County Government.

ANNOUNCEMENT

Mr. Stanley announced that a Republican caucus will be held at 8 a.m., tomorrow morning, January 11, 1949, at the Hotel Senator, in the Jubilee Room, and urged all Republican members to be present.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Upon adjournment—

Rules, in Room 432. Subject: Resolution by Mr. Ralph C. Dills, relating to small loans.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Fred N. Baker of Camptonville.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Eleanore Chambers of Los Angeles.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Geoffrey F. Morgan and Frederick Austin of Santa Monica.

On request of Messrs. Stewart and Reagan, the usual courtesies of the Assembly for this day were unanimously extended to Charles H. Brown of Pasadena.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to L. A. Klein of Los Angeles.

On request of Mr. Hollibaugh and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Robert J. Mullenbach, Burton N. Arnds, B. A. Bannan, L. H. Chaille, A. O. Dragge, N. W. Hagelberg, J. H. Pengilly, Philip C. Raykoff, E. M. Dundas, John A. Knaust, O W. Carlson, Chas. A. Lyon, of Los Angeles; P. H. Cozier, Ontario; Neal Rasmussen of Santa Barbara; A. L. Holven of Crocket; Chas. Weeks of Redwood City; Mr. Wilkins of Napa; Frank Thill of Sacramento; A. K. Beckley, Chas. Pottol of Berkeley; G. Milo Graham of Bakersfield; G. A. Field, J. F. Garvin, J. E. Phillips, L. F. Cummings, Wm. B. Tyler, Harry S. Schenk, and T. B. Gibson, of San Francisco; B. A. Bannan of Lynwood, and R. B Laird of Merced.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Lena Horne of Los Angeles.

On request of Mr. Evans and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to S. Tex Rose of Los Angeles.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Ed. T. Thayer of San Francisco.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Father P. S. Sheehy of Auburn.

On request of Messrs. Rumford and Hagen, the usual courtesies of the Assembly for this day were unanimously extended to Harold N. Corbin of Porterville.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to R C. Mendelsen, Richard and Gary Mendelsen, Mr. and Mrs. Sam R. Lewis and Kate Lewis of Los Angeles.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Dr. S. Elihu Posin of Sun Valley.

On request of Messrs. Collier and Reagan, the usual courtesies of the Assembly for this day were unanimously extended to Burton N. Arnds of Los Angeles.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Charles Swanson, Chris Andersen, Mrs. Ida Skow, and Wayne Ross of San Jose.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Charles Van Winckle of Huntington Park.

ADJOURNMENT

At 3.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, January 11, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTH LEGISLATIVE DAY

NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, January 11, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of the Stars: May we lift up our thoughts for a moment, above our material affairs which appear to us so momentous, to the vast and mysterious Universe above us.

Let us consider the stars which revolve in their stupendous orbits and which are so remote that 10,000 years will pass before their rays will reach our planet.

May we think of the infiniteness of space, which extends beyond the farthest constellations, and stretches on into depths only eternity can measure.

Then let us behold our planet which is but a moving pin point in the vast empyrean, and yet so many here anxiously strain and scramble for a place in the sun.

Upon the background of these infinite distances may we place our finite problems and view them through the eyes of the Watcher in the Skies.

May the spectacle of every part working in harmony for the whole of the universal obedience to law and of the spirit of cooperation which binds the constellations, be the Divine pattern for us to follow.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Levering, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Berry, on motion of Mr. George D. Collins.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 87

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered re-referred to the Committee on Municipal and County Government.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 29

Relative to adjournment in respect to the memory of Dr. David P. Anderson of Santa Rosa

WHEREAS, In his eightieth year of life, Dr. David P. Anderson was called to eternal rest, in the City of Santa Rosa on January 3, 1949; and

WHEREAS, David P. Anderson, a native of South Carolina, the son of George P. and Margaret Anderson, was educated in the schools of Suisun, San Jose, and Santa Rosa, graduating from high school as one of four boys in the class, the other three being the late C. C. Young, long a member and Speaker of the Assembly of the State of California, and more recently Governor of California; George Lowell, a prominent divine, and Fred Julliard of the Julliard School of Music; and

WHEREAS, Entering upon the practice of dentistry at an early age in Santa Rosa, Dr. Anderson devoted himself to the practice of his profession and to his duties as President of the Santa Rosa Savings and Loan Association, yet found time to carry on extensive gardening activities stimulated by his early friendship with Luther Burbank; and

WHEREAS, Dr. David P Anderson also contributed largely to the civic and cultural life of his community, through his activities in such organizations as the Santa Rosa Chamber of Commerce of which he was a past president and member of the Board of Directors, as a Director of the Sonoma County Symphony Association, and as a Director of the Santa Rosa Public Library, he having pursuaded Andrew Carnegie to provide funds for the restoration of the library after it suffered extensive damage in the earthquake of 1906; as an elder in the Presbyterian Church for more than fifty years, a trustee of the San Anselmo Theological Seminary, a member of the Rotary Club, and of Santa Rosa Lodge No. 53, Independent Order of Odd Fellows; and

WHEREAS, Dr. David P. Anderson's interests extended also to the political field, resulting in his nomination on both tickets and bringing him to the service of the State of California as a Member of this Assembly in 1924; and

WHEREAS, Dr. David P. Anderson is sincerely mourned as a loving husband and father, a beloved neighbor and friend, and an outstanding leader in public service to the City of Santa Rosa, the County of Sonoma, and the State of California; now, therefore, be it

Resolved by the Assembly of the State of California. That the Members of this Assembly express their deep regret at the death of Dr. David P. Anderson and the loss to this State and his community of so fine and public spirited a citizen and

leader, and extend to the family of Dr. Anderson deepest sympathy in their bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Mrs. Mattie Reid Anderson, widow of Dr. David P. Anderson and member of a pioneer Sonoma County family, and to their children: Dr. Weston R. Anderson of Santa Rosa, Clarendon W. Anderson, an attorney of Santa Rosa, and Ruth Anderson, now Mrs John Phillips of Fresno; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Dr. David P. Anderson.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up House Resolution No. 29, at this time, without reference to committee or file.

Resolution read, and adopted unanimously by a rising vote.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 306: By Mr. Rumford—An act to amend Section 8 of the Deadly Weapons Control Law, relating to the issuance of licenses to carry concealed pistols, revolvers and other firearms

Referred to Committee on Crime and Correction.

Assembly Bill No. 307: By Mr. Anderson—An act to amend Section 1394 of the Labor Code relating to the employment of minors

Referred to Committee on Industrial Relations.

Assembly Bill No. 308: By Mr Crichton—An act to amend Sections 19485, 19597, 19620, and 19627 of the Business and Professions Code, relating to revenue derived by the State from horse racing, increasing the license fees of licensees conducting horse racing meetings, creating a Special Fund and appropriating the money therein for the purpose of carrying out the provisions of Article XXV of the State Constitution relating to aid to aged and blind persons.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 309: By Mr. Crichton—An act to add Section 803.5 to the Agricultural Code, relating to nectarines, prescribing standards of quality and regulating the packing thereof, declaring the emergency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 310: By Mr. Price—An act to amend Section 4605 of the Labor Code.

Referred to Committee on Industrial Relations.

Assembly Concurrent Resolution No. 20: By Mr. Grunsky—Relative to the creation of the Joint Legislative Committee on Small Loans.

Referred to Committee on Rules.

Motion to Place Rush Order on the Printing of Assembly Concurrent Resolution No. 20

Mr. Grunsky asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 20.

Motion carried.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that a motion picture featuring the famous Tournament of Roses parade, and the Rose Bowl football game in Pasadena on last New Year's Day is available; and requested the two party caucus chairmen to confer and decide if the demand is sufficient to warrant the showing of this picture in the Assembly Chamber for the pleasure of the members

Speaker Sam L. Collins announced that it will be helpful if members will speed the introduction of their bills, and urged immediate action, in the interest of time.

RESOLUTIONS

The following resolution was offered:

By Mr. Grant.

House Resolution No. 30

Relative to the creation of the Assembly Committee on Crop Damage

WHEREAS, This State has recently experienced, and is now experiencing an almost unprecedented wave of extremely cold weather, and

WHEREAS, It appears that this unprecedented freeze may cause severe damage to the agricultural crops of the State and cause substantial losses to be incurred by the State's industries; and

WHEREAS, It is desirable to ascertain at the earliest possible time the nature and extent of the damage caused by such weather to the end that appropriate remedial legislation can be wisely considered, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Crop Damage is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the damage, agricultural and otherwise, to the economy of the State, resulting directly or indirectly from the recent and current cold weather, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people at the earliest possible date but not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 311: By Mr. McCollister—An act to add Section 5410.1 to the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 312: By Mr. McCollister—An act to add Section 54.1 to the Unemployment Insurance Act, relating to the benefits payable thereunder.

Referred to Committee on Industrial Relations.

Assembly Bill No. 313: By Mr. McCollister—An act to add Section 4664 to the Labor Code, relating to workmen's compensation benefits.

Referred to Committee on Industrial Relations.

Assembly Bill No. 314: By Mr. Price—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts, creating a new agricultural district and providing for the distribution of funds and assets.

Referred to Committee on Agriculture.

Assembly Bill No. 315: By Mr. Price—An act to add Section 72 5 to the Agricultural Code, relating to district agricultural fairs and county fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 316: By Mr. Fletcher—An act to amend Section 3929 of the Elections Code, relating to ballots at direct primary elections.

Referred to Committee on Elections and Reapportionment.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No 15
Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No 18

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

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

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

Assembly Bill No. 317: By Mr. Cramer—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the Teletypewriter System of Communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Crime and Correction.

Assembly Bill No. 318: By Mr. Elliott—An act to add Sections 6046.5, 6046.6, and 6046.7 to the Business and Professions Code, relating to state bar examinations.

Referred to Committee on Judiciary.

Assembly Bill No. 319: By Mr. Thomas—An act to add Section 866 to the Fish and Game Code, relating to the use of nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 320: By Mr. Thomas—An act to amend Section 927 and to repeal Section 927.5 of the Fish and Game Code, relating to the use of nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 321: By Messrs. Geddes, Hollibaugh, Morris, Beck, Collier, Doyle, Evans, and Luckel—An act to add Sections 9413 and 9414 to the Government Code, relating to contempts before legislative committees.

Referred to Committee on Legislative Procedure.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Thomas, Erwin, and Butters:

House Resolution No. 31

Relative to the preservation of young lobsters

WHEREAS, Lobsters in their natural state are subject to attack by various marine predators, particularly by the predatory fish called the sheepshead; and

WHEREAS, The natural defense against such attack is for the lobster to conceal himself in a crevice into which the predator can not reach; and

WHEREAS, The lobster beds ordinarily do not contain sufficient natural crevices to furnish protection for all of the lobsters, with the result that in time of danger the larger lobsters occupy the available shelters and the younger ones are left to their fate; and

WHEREAS, There are a number of substances which would provide suitable shelter for small lobsters at little cost, particularly broken sewer tile, which could be scattered among the lobster beds and thereby afford the younger lobsters a better chance for survival; and

WHEREAS, The California Fish and Game Commission has general authority to encourage the propagation of fish and could with very little trouble or expense provide the necessary shelters for the young lobsters and thereby preserve them from destruction; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Fish and Game Commission is requested to investigate the feasibility of dumping broken sewer tile and other materials likely to provide shelters for immature lobsters onto lobster beds for the purpose of preserving such lobsters for purposes of human consumption and if such procedure is likely to produce desirable results to follow it; and be it further

Resolved, That said commission is requested to report the results of its investigations and its activities taken pursuant to this resolution to the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the members of the Fish and Game Commission and its executive officer

Resolution read, and ordered referred to the Committee on Rules

By Messrs Thomas and Butters:

House Resolution No. 32

Relative to soup-fin sharks

WHEREAS, The soup-fin shark is the principal source of shark-liver oil and the taking of such sharks for the purpose of obtaining such oil has increased within recent years to such an extent that the supply is steadily decreasing; and

WHEREAS, It is a biological fact that male soup-fin sharks prefer cool water while the females prefer the warmer waters, with the result that 90 percent of the sharks taken in the water off the north coast of the State are males, while 90 percent of those taken in the waters off the most southerly portions of the State are females; and

WHEREAS, The soup-fin shark has come to play an important part in the fisheries industry of California and provides a source of vitamins and other useful materials of importance to the public health, and the propagation thereof should be encouraged by all practicable means; and

WHEREAS, The Fish and Game Commission has vessels and equipment which could be used to capture soup-fin sharks in the northern waters and transport them to the southerly waters where most of the female sharks are found, now, therefore, be it

Resolved by the Assembly of the State of California, That the California Fish and Game Commission is requested to investigate the feasibility of encouraging the propagation of soup-fin sharks by capturing male sharks in the northerly waters of the State and liberating them in the southerly waters of the State and if it finds that such a procedure is practicable to proceed to follow it; and be it further

Resolved, That the California Fish and Game Commission is requested to report its findings and activities in respect to this resolution to the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the members of the Fish and Game Commission and its executive officer.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 322: By Mr. Morris—An act to amend Sections 4850, 4852, and 4853 of the Labor Code, relating to compensation for disability of certain persons engaged in active law enforcement service or in active fire fighting or prevention service.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 323: By Mr. Morris—An act to amend Section 41.5 of the California Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 324: By Mr. Bennett—An act to amend Section 4753 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Constitutional Amendment No. 13: By Messrs. George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher, and Thomas —A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Assembly Constitutional Amendment No. 31, 1927 Regular Session and amending Section 22 of Article IV as amended by the adoption on November 6, 1928 of the amendment proposed by Senate Constitutional Amendment No. 21, 1927 Regular Session.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 14: By Messrs. George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher, and Thomas —A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 1.6, 8a, 14½, 14¾, 15½, and 16½ and amending Sections 14 and 14⅘ of Article XIII thereof, relating to taxation.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 15: By Messrs George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher and Thomas —A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 4, 5, 6, 7, 8, and 9 of Article XXII, relating to the putting into effect of said Constitution of 1879 and the election for that purpose.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 16: By Messrs. George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher, and Thomas —A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 26a of Article I thereof, relating to the suspension of non-existent Sections 26 and 27 of said article, said sections not having been adopted.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 17: By Messrs. George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher, and Thomas —A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 19 of Article XX thereof, relating to expenses of the Constitutional Convention of 1879.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 18: By Messrs. George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher, and Thomas —A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 1a of

Article IV thereof, as adopted June 27, 1933, relating to the effective dates of statutes enacted in the year 1933.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 19: By Messrs. George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 3, 5, and 18 of Article IV, Sections 17 and 22 of Article V, Section 25 of Article VI, Section 2 of Article IX, Section 20 of Article XX, and to repeal Section 19 of Article V, Section 17 of Article VI, and Section 10 of Article XXII, relating to state officers and deleting and repealing obsolete and superseded provisions relating to state officers and the election and compensation thereof.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 20: By Messrs. George D. Collins, Anderson, Brown, Kilpatrick, Bennett, Fletcher, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 7½a, 8a, and 18½ and amending Section 18 of Article XI thereof, relating to local government, thereby repealing and deleting certain obsolete and superseded provisions.

Referred to Committee on Constitutional Amendments.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 12 FROM COMMITTEE

Mr. Ralph C. Dills gave notice that on the second legislative day he would move to withdraw House Resolution No. 12 from the Committee on Rules, and have it placed upon the file.

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

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

Assembly Bill No. 325: By Mr. Waters—An act to amend Sections 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2750, 2753, 2795, 2798, and 2804 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 326: By Mr. Davis—An act to amend Section 800 of the Labor Code, relating to midday meals of employees in the lumber industry.

Referred to Committee on Industrial Relations.

Assembly Bill No. 327: By Mr. Davis—An act to amend Section 151 of the Unemployment Insurance Act, dealing with disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 328: By Mr. Caldecott—An act to repeal Section 1203b of the Penal Code, relating to summary probation.

Referred to Committee on Crime and Correction.

Assembly Bill No. 329: By Messrs Caldecott, Brown, and Rosenthal—An act to amend Section 5258 of the Welfare and Institutions Code, relating to the order of commitment of persons to the Department of Mental Hygiene and the transportation of nonresident persons so committed to the state of their residence.

Referred to Committee on Social Welfare.

Assembly Bill No. 330: By Messrs. Caldecott and Brown—An act to add Section 729 to the Welfare and Institutions Code, relating to the detention of minors by peace officers and probation officers when such detention is necessary for the health and welfare of such minors

Referred to Committee on Crime and Correction.

Assembly Bill No. 331: By Mr. Caldecott—An act to amend Section 957 of the Welfare and Institutions Code, relating to state reimbursement of counties for juvenile homes and camps.

Referred to Committee on Crime and Correction

Assembly Bill No. 332: By Messrs Moss and Fleury—An act to amend Sections 5501, 5502, 5511, 5512, 5514, and to repeal Section 5512.5 of the Welfare and Institutions Code, and to amend and renumber Section 5502.5 thereof to be Section 5517, relating to sexual psychopaths and providing for their commitment and discharge.

Referred to Committee on Crime and Correction.

Assembly Constitutional Amendment No. 21: By Messrs. Cramer, Doyle, Kilpatrick, Grant, Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 23b of Article IV thereof, relating to expenses of Members of the Legislature while attending sessions of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 333: By Mr. Morris—An act to add Article 7.5 consisting of Section 28246 to Chapter 6, Division XXI of the Health and Safety Code, relating to sale of bakery products.

Referred to Committee on Public Health.

Assembly Bill No. 334: By Mr McCollister—An act to amend Section 10 of the Political Code, Section 18025 of the Government Code, and Section 8151 of the Education Code, relating to holidays.

Referred to Committee on Industrial Relations.

Assembly Bill No. 335: By Mr. McCollister—An act to add Section 337h to the Penal Code, relating to gaming and gambling and acts in furtherance thereof.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 336: By Mr. McCollister—An act to add Section 330.1 to the Penal Code, relating to gaming, and to gambling places.

Referred to Committee on Public Morals.

REQUESTS FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETINGS OF COMMITTEES

Mr. Weber asked for, and was granted, unanimous consent that a special meeting of the Committee on Conservation, Planning, and Public Works be permitted to be held in Room 426, at 3 p.m., on Thursday, January 13, 1949, for the purpose of considering a bill pertaining to the Los Gatos Dam.

Mr. Waters asked for, and was granted, unanimous consent that a special meeting of the Committee on Elections and Reapportionment be permitted to be held, at his desk, upon adjournment, today, for the purpose of considering Assembly Bill No. 150.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION BE PRINTED IN THE JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

Opinion of Legislative Counsel

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, January 9, 1949

Hon. Lloyd W. Lowrey
Assembly Chamber

Administration of Wildlife Conservation Act—No. 2381

DEAR MR. LOWREY: The Wildlife Conservation Act (Chapter 1325, Statutes of 1947) creates a Wildlife Conservation Board consisting of the President of the Fish and Game Commission, the executive officer or some other employee of the commission and the Director of Finance. The act further provides (Sec. 2) that three Members of the Senate, appointed by the Committee on Rules, and three Members of the Assembly, appointed by the Speaker, shall meet with the board and participate in its activities to the extent that such participation is not incompatible with their respective positions as Members of the Legislature. The section further provides that these Members of the Legislature shall constitute an interim investigating committee on the subject of the act. You have called our attention to this latter provision and ask our opinion whether it limits the participation of the legislative members to the period between sessions.

It is our opinion that the act contemplates and provides for participation by the legislative members in the activities and deliberations of the Wildlife Conservation Board at any and all times, regardless of whether the Legislature is or is not in session.

The provision of Section 2 directing three Members of the Senate and three Members of the Assembly to meet with and participate in the action of the board is clear and unqualified. There is no constitutional reason why Members of the Legislature should not perform that function during sessions as well as between sessions. The subsequent provision of the section designating these members an interim investigating committee is not, in our opinion, a limitation or restriction of their powers to participate in the activities of the board but, rather, is an implementing and enlarging of those powers and a granting to the legislative members of a certain degree of independent authority to meet and act independently of the board and to conduct investigations in the legislative field upon the subject matter of the act itself.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

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

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

Assembly Bill No. 337: By Mr. McCollister—An act to amend Section 53.2 of the Alcoholic Beverage Control Act, relating to the unlawful maintenance of club rooms or other premises.

Referred to Committee on Public Morals.

Assembly Bill No. 338: By Mr. McCollister—An act to repeal Chapter 11 of Division 4 and Sections 5153.5, 6933, 7042, 7102.1, 7104, 7105, 12143.5, 12144, and 12145 of the Education Code, relating to the education of mentally retarded children.

Referred to Committee on Education.

Assembly Bill No. 339: By Mr McCollister—An act to amend Sections 4902, 4911, 4912, and 4920 of the Education Code, relating to the unification or other reorganization of school districts.

Referred to Committee on Education.

Assembly Bill No. 340: By Mr. McCollister—An act to amend Section 5062 of the Business and Professions Code, relating to the practice of public accountancy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 341: By Mr. McCollister—An act to add Section 5082.2 to the Business and Professions Code, relating to the registration of public accountants.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 342: By Mr. McCollister—An act to amend Section 3440 of the Civil Code, relating to transfers of particular personal property without delivery.

Referred to Committee on Judiciary

Assembly Bill No. 343: By Mr. McCollister—An act creating a commission to be known as the California State Advertising and Publicity Commission, providing for the membership thereof, defining its powers and duties, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 344: By Mr. McCollister—An act to add Article 19, comprising Section 1120, to Chapter 1, Part 2, Division 1 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 345: By Mr. McCollister—An act to amend Section 2071 of the Insurance Code, relating to the standard form of fire insurance policy.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 346: By Mr. McCollister—An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and

operation of establishments or facilities for the sale of merchandise or services to the public.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 347: By Mr. McCollister—An act authorizing the State Lands Commission to exchange property of the State of California for property of Marin County.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 348: By Mr. McCollister—An act to amend Section 464 of the Agricultural Code, relating to milk drinks.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 349: By Mr. McCollister—An act relating to the purchase of Angel Island and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 350: By Mr. McCollister—An act relating to the acquisition and maintenance of Angel Island and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 351: By Mr. McCollister—An act to amend Sections 19624 and 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation and expenditure of the money in said fund.

Referred to the Committee on Agriculture.

Assembly Bill No. 352: By Mr. McCollister—An act to amend Section 827 of the Agricultural Code, relating to apple standards.

Referred to Committee on Agriculture.

Assembly Bill No. 353: By Mr. McCollister—An act to amend Sections 1510, 1511, and 1512 of the Welfare and Institutions Code, relating to aid to needy children and the amount of state and county aid to be provided for such children and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 354: By Mrs. Niehouse, Messrs. Cramer and Luckel—An act to amend Section 464 of the Agricultural Code, relating to market milk.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 355: By Mr. Waters—An act to amend Sections 1502, 1503, 1505, and 1506 of, and to add Section 1503.5 to, the Elections Code, relating to arguments for or against measures submitted to the voters of the State.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 356: By Mr. Grant—An act to amend Sections 330 and 335 of the Penal Code, relating to gaming.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 130—An act making an appropriation for the contingent expenses of the Assembly, including expenses of committees, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of January, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 4—Relative to shipbuilding on Pacific Coast,

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eleventh day of January, 1949, at 11 a.m.

HUYCK, Chairman

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

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

Assembly Bill No. 357: By Messrs. Burkhalter, Evans, Kilpatrick, and Clayton A. Dills—An act to provide for the allocation of the money in the Social Welfare Aid Fund, providing for aid to persons in need thereof who are not entitled to aid under Article XXV of the State Constitution and prescribing the duties of the Department of Social Welfare in connection with said fund.

Referred to Committee on Social Welfare.

Assembly Bill No. 358: By Messrs. Burkhalter, Evans, Kilpatrick, and Clayton A. Dills—An act to amend Sections 19485.1 and 19620.1 of the Business and Professions Code, increasing the state revenue derived from horse racing, abolishing the State College Fund, creating the Social Welfare Aid Fund and appropriating the money therein for aid to persons other than those entitled to aid under Article XXV of the State Constitution.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 359: By Mrs. Niehouse—An act to amend Section 24526 of the Education Code, relating to uniform fire signals in schools.

Referred to Committee on Education.

RESIGNATION OF MEMBER FROM STANDING COMMITTEE

January 11, 1949

MR. SPEAKER: I herewith tender my resignation from membership on the Committee on Livestock and Dairies.

CHARLES M. WEBER

APPOINTMENT OF MEMBER TO INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Lindsay as a member of the Interim Committee on Soil Conservation, vice, Mr. Loomis.

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

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

Assembly Constitutional Amendment No. 22: By Messrs Rosenthal, Kilpatrick, Bennett, George D. Collins, Evans, Fletcher, Hollibaugh, and Thomas—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article I, Sections 1, 1a, 4, 4b, 5, 11, 12, 14, 18, and 24 of Article VI, and repealing Sections 11a and 13 of Article VI, relating to courts of justice.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 360: By Mr. Rosenthal—An act amending Section 24005 of the Government Code, relating to vacations of county officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 361: By Mr. Rosenthal—An act adding Sections 31681 and 31738 to the Government Code, relating to retirement allowances.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 362: By Mr. Rosenthal—An act amending Sections 31672 and 31700 of the Government Code, relating to retirement.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 363: By Mr. Rosenthal—An act adding Section 31114 to the Government Code, relating to county civil service systems.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 364: By Mr. Rosenthal—An act amending Section 11 of the Political Code, relating to holidays.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 365: By Mr. Rosenthal—An act adding Section 10.2 to the Political Code, relating to holidays.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 366: By Mr. Rosenthal—An act to amend Section 24260 of the Government Code, relating to office hours of county offices.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 367: By Mr. Rosenthal—An act to amend Section 20100 of the Government Code, relating to the Board of Administration of the State Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 368: By Mr. Rosenthal—An act adding Section 31676.1 to the Government Code, relating to retirement pensions.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 369: By Mr. Rosenthal—An act to amend Section 31679 of the Government Code, relating to retirement allowances.

Referred to Committee on Civil Service and State Personnel.

Assembly Constitutional Amendment No. 23: By Messrs. Cramer, Evans, Thompson, Ralph C. Dills, Hahn, and Mrs. Niehouse—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 19 of Article IV thereof, relating to electors.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 24: By Messrs. Fleury and Moss—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1d to Article IV thereof, relating to measures submitted to the voters.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Mr. Smith:

House Resolution No. 33

Relative to extending birthday congratulations to Hon. Willard M. Huyck

WHEREAS, On this memorable day of January 11, 1949, our esteemed colleague, Willard M. Huyck has reached the thirty-second anniversary of his natal day; and

WHEREAS, Willard M. Huyck is now in his second term of office, representing the Fifty-ninth Assembly District of California, and during that time has participated fully and actively in all the work of this Assembly, ably representing the people of his district and of the people of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this Assembly heartily congratulate Willard M Huyck upon his record of public service in this Assembly, and extend to him warm felicitations and wish him many happy returns of his birthday anniversary; and be it further

Resolved, That the Chief Clerk of this Assembly transmit a suitably prepared copy of this resolution as a token of the friendship and esteem of the members of this Assembly to Assemblyman Willard M. Huyck.

Request for Unanimous Consent

Mr. Smith asked for, and was granted, unanimous consent to take up House Resolution No. 33, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Dickey and Caldecott as a Select Committee to escort Senator Arthur H. Breed and his guests, Messrs. Frank Adams and L. C. Musselman, well-known scientist, to the rostrum.

RECESS

At 11.45 a.m., on motion of Mr. Dickey, the Assembly recessed until 11 58 a.m., to hear remarks from Senator Arthur H. Breed, Jr., and his guest, Mr. L. C. Musselman of Berkeley, a scientist who has served with Admiral Byrd in the Antarctic, and who will be presented the United States Antarctic Expedition Medal for the 1939-1941 Byrd Antarctic Expedition, today, by His Excellency, the Honorable Earl Warren, Governor of the State of California.

REASSEMBLED

At 11.58 a m , the Assembly reconvened.
Hon Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk

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

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

Assembly Bill No. 370: By Mr Hollibaugh—An act authorizing and making an appropriation for the purchase of land or improvements or both by the Sixth District Agricultural Association

Referred to Committee on Ways and Means

Assembly Bill No. 371: By Mr. Hollibaugh—An act to amend Section 86 of the Agricultural Code, relating to the powers of district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 372: By Messrs Waters and Dolwig—An act to add Chapter 7 to Division 8 of the Elections Code, relating to elections and providing for an alternative and optional method of balloting and ascertaining the vote at elections and in precincts for which such method is adopted.

Referred to Committee on Elections and Reapportionment.

RECESS

At 12 03 p.m , on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Collins:

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

LETTER OF TRANSMITTAL

STATE OF CALIFORNIA, STATE FIRE MARSHAL
SACRAMENTO 14, January 11, 1949

The Honorable Sam L. Collins
Speaker of the Assembly
Sacramento, California

MY DEAR SIR: Senate Bill No 658, passed by the 1947 Legislature and approved by Governor Warren, directed that the State Fire Advisory Board conduct a study of the facts relating to the need for State Fire Training Schools in California. The bill further directed that the board report its findings and recommendations to the Legislature on the seventh legislative day of the next regular session of the Legislature.

The State Fire Advisory Board has complied with the mandate and has prepared and submitted the attached report to me with the request that I submit it to the Legislature in accordance with the provisions of the act

In making their study, the Fire Advisory Board has consulted fire officials all over the State of California They have discussed the problems with both state and

local governmental agencies concerned with the matter and have prepared for you a brief but complete report with their recommendations.

In submitting this report to your honorable body, I am happy to report that, in my opinion, the subject has been thoroughly studied and carefully considered, the recommendations made therein should, if followed through, greatly improve the fire fighting procedure in California. I am also pleased to report that even though this study and survey required considerable time and effort on the part of the board members, it was not necessary to expend any of the $5,000 appropriated by the Legislature to make this survey.

The report on the subject of a State Fire Training Program is respectfully submitted to the State Legislature by

JOE R. YOCKERS, State Fire Marshal

cc: Governor Warren
Members of the Board

REPORT TO THE STATE LEGISLATURE OF THE STATE FIRE ADVISORY BOARD IN ACCORDANCE WITH AN ACT ADOPTED AT THE 1947 LEGISLATURE AUTHORIZING AND DIRECTING THE STATE FIRE ADVISORY BOARD TO INVESTIGATE A STATE FIRE TRAINING PROGRAM

This report is submitted to the Legislature of the State of California by the State Fire Advisory Board in compliance with Senate Bill No. 658 passed by the Senate and Assembly and approved by the Governor at the 1947 legislative session. Senate Bill No. 658 directed the State Fire Advisory Board to ascertain, study and analyze all facts relating to the establishment of a State Fire Training School or schools; to submit its findings and recommendations to the Legislature on the seventh legislative day of the 1949 Session and appropriated the sum of $5,000 to meet the cost of the study.

The State Fire Advisory Board is composed of 11 fire chiefs appointed by the Governor and confirmed by the Senate and is advisory to the office of the State Fire Marshal. Copy of Senate Bill No. 658 is attached and marked as Appendix "A."

The board believes that it is proper to point out to the Legislature the background of Senate Bill No. 658. At the request of the fire chiefs of California, at the 1947 legislative session proposals were introduced in the Legislature calling for appropriation totaling $811,000 to establish a State Fire Training School for the purpose of furnishing training to officers and members of fire departments, to standardize procedures of fire departments throughout the State and to improve the efficiency of fire departments in the State. After a number of committee hearings, it was generally agreed that the problem required more mature study and Senate Bill No. 658 resulted.

It is the opinion of the board that complete needs for fire training in the State cannot be properly met by establishing one or more State Fire Training Schools. There now exists and has for a number of years existed under the State Department of Education, Bureau of Trade and Industrial Education, a Program of Fire Training. This is one of the vocational services of the State Department of Education. Under this program itinerant instructors have been employed who visit fire departments maintained by political subdivisions of the State and carry on courses of vocational training. To the extent to which it has been carried out, the board believes that the program has been highly successful.

The board believes that the first step which should be taken to improve fire training in the State is to amplify the program already established. Personnel now available consists of one special supervisor and two traveling instructors. This personnel has proven entirely inadequate. During the Fiscal Year 1947-1948, this small staff conducted 131 classes with 2,557 men registered for a total of 2,023 class hours of instruction. Nevertheless, 200 additional requests for this instruction from departments in the State were pending and could not be complied with. It is the belief of the board that not less than six additional traveling instructors should be employed.

Senate Bill No. 658 instructed the board to secure the cooperation of state agencies in investigating the matters set forth in the bill. In compliance with this, conferences were held with the deputy superintendent representing the State Superintendent of Public Instruction, the State Director of Vocational Education, the Chief of the Bureau of Trade and Industrial Education and other members of the staff of the State Department of Education. The Department of Education indicated its willingness to expand this program subject, of course, to necessary appropriations and authority of the Legislature.

Normal expenditures for the California State Fire Training Program are $32,003 annually. The board believes that this should be increased to not less than $101,520.83. Attached and marked as Appendix "B" is a detailed breakdown of present expenditures, proposed increases and proposed totals. This was not the original estimate of the Bureau of Trade and Industrial Education. The original estimate was carefully reviewed and in a number of respects revised and reduced by the State Fire Advisory Board. The proposal is, in our opinion, a minimum. It will make it possible to carry the Itinerant Training Program into those political subdivisions in the State which need it and where it will serve the best purpose.

Our first recommendation is, therefore, that the program now being carried on by the Bureau of Trade and Industrial Education under the Department of Education of the State be augmented and appropriations be increased as set forth in Appendix "B."

The State Fire Advisory Board has carefully considered and investigated the advisability of establishing a state fire training school, schools, center or centers with land, building, buildings and equipment. This may be the ultimate solution. We do not believe that it should be undertaken at this time and certainly not until greater experience in fire training on the state level has been developed. It is the board's belief that there is definite need for some type of centralized state fire training which would provide to the fire departments of all political subdivisions the best thinking and the combined experience of fire officers throughout the State. In order to accomplish this, we propose two annual fire training institutes—one in the northern and one in the southern section of the State. We propose that these institutes be under the supervision of the Bureau of Trade and Industrial Education of the State Department of Education.

We have investigated the feasibility of conducting these institutes during the summer months, utilizing public school facilities not in use during vacation periods. We have found that this is feasible and very economical. We believe that certain instructors must be drawn from the fire service itself as the only source of experience in certain specialized subjects. We have investigated the possibility of local fire officials being employed by the State temporarily as instructors under contract with their employers, whether a municipality or other political subdivision. It is possible and legal for the State to enter into a contract with a political subdivision for the services of a fire official, paying to the political subdivision a sum comparable to the salary paid that official locally, and in addition paying necessary travel and subsistence expenses. In certain specialized subjects such as physics and chemistry, it will be necessary to employ instructors, at state expense, which can be done legally and without great difficulty. In view of the fact that the proposed institutes will be in the summer time, we believe that such instructors will be readily available, coming either from the Public School System, junior or state colleges

The initial institutes are proposed to cover a period of five weeks each. We have determined that this can be done for a cost of not to exceed $21,785. Attached as Appendix "C" is a detailed estimate of the cost of these two fire training institutes.

Senate Bill No. 658 instructed the State Fire Advisory Board to develop a curricula. This has been done. Attached as Appendix "D" is the proposed curricula for the first two institutes It should be noted that the same curricula will be offered in the northern and southern portions of the State and in all probability a number of the instructors will be the same in both cases.

We respectfully point out to the Legislature that this recommendation entails an expenditure of less than 25 percent of that proposed at the 1947 legislative session. We also respectfully point out that in the case of the extension of the Itinerant Training Program, a number of the expenditures are initial and will not be repeated annually thereafter, being for certain equipment required If approved, this means that the continuing expenditure annually will be substantially less than the first year's expenditure.

We respectfully point out that there is a definite need for fire training in the State of California; that it is a problem which cannot be entirely and satisfactorily met on the local level by individual fire departments; that it is to the advantage of the entire State that the standards and efficiency of the state fire service be improved.

We urge your favorable consideration of this report and express to the Legislature our appreciation of the opportunity given for this study by your adoption of Senate Bill No. 658.

APPENDIX "A"

An act to authorize and direct the State Fire Advisory Board to investigate a State Fire Training Program and making an appropriation therefor.

The people of the State of California do enact as follows:

SECTION 1. The State Fire Advisory Board is here authorized and directed to ascertain, study and analyze all facts relating to the establishment of a State Fire Training School or schools, and in connection therewith, necessary sites, buildings, equipment, and curricula. The State Fire Advisory Board also shall cooperate with and secure the cooperation of state and local agencies in investigating any matter within the purpose of this act and shall report its findings and recommendations to the Legislature on the seventh legislative day of the next regular session of the Legislature.

SEC. 2. There is hereby appropriated out of any moneys in the State Treasury not otherwise appropriated, the sum of five thousand dollars ($5,000) to be expended by the State Fire Marshal during the 1947-1948 Fiscal Year for the purpose of this act.

APPENDIX "B"

California State Fire Training Program Budget Estimates

Preliminary budget for the year 1949-1950 showing the normal budget, the augmentation of the itinerant training program and the total budget if the program

is enlarged as proposed. These amounts are only preliminary and are subject to modification by all concerned

	Normal 1949–50	*Augmentation 1949–50*	*Total 1949–50*
Salaries and Wages			
Special supervisor	$5,772 00		$5,772 00
2 Traveling instructors	10,838 00		
6 Traveling instructors		$27,072 00	37,910 00
½ Intermediate stenographer	1,458 00		
½ Intermediate typist	1,190 00		
2 Intermediate stenographers		4,800 00	7,448 00
	$19,258 00	$31,872 00	$51,130 00
Operating Expense			
Travel	$9,000 00	$18,000 00	$27,000 00
Rent	906 00	1,614 00	2,520 00
Communications	520 00	1,480 00	2,000 00
Office supplies	1,140 00	2,280 00	3,420 00
Printing	200 00	400 00	600 00
Pro rata of administration	600 00	1,200 00	1,800 00
Subscriptions	15 00	30 00	45 00
	$12,381 00	$25,004 00	$37,385 00
Equipment			
Office—See itemized statement	$364 00	$3,381 80	$3,745 80
Audio-visual aids		8,712 83	8,712 83
	$364 00	$12,094 63	$12,458 63
Subtotal of above three groups	$32,003 00	$68,970 63	$100,973 63
Equipment			
Fire fighting (Salvage covers)		547 20	547 20
	$32,003 00	$69,517 83	$101,520 83

Proposed Augmentation—California State Fire Training Program

Equipment—Office

1 Typewriter, electric 14", Underwood or equal	$325 00
2 Typewriters, KMC, #17, 15", Remington or equal	330 00
1 Copy holder, 14", Prest-O-Line	29 00
2 Desks, stenographic	240 00
2 Chairs, posture, #C70, MOF Co. or equal	80 00
4 Files, Kardex, 10 tray sections or equal	441 00
1 Mimeograph, complete	700 00
6 Brief cases, four pocket	84 00
4 Files, letter size, 4-drawer, steel, green	320 00
1 Adding machine, Victor, electric	125 00
1 Stapler, heavy duty	10 00
4 Book cases, four sections	312 00
1 Model 140C Atlas stencil file or equal	185 80
Miscellaneous	200 00
TOTAL	$3,381 80

Equipment—Audio Visual Aids

8 Projectors, 16 mm., sound, Ampro compact or equal	$3,480 00
8 Screens, 60" x 60"	384 00
8 Projectors, combination slide, strip film and record players, Illustravox or equal	960 00
Film, film strips, slides, developing, printing, mounts, flash bulbs, flood lights and records	2,000 00
1 Visualcast	300 00
1 Recorder, tape (3 hours)	450 00
1 Camera, 35 mm. with flash, case and accessories	153 00
1 Camera, 16 mm., movie, Automaster complete with case and accessories	650 83
8 Slide boxes for 2 x 2 slides	84 00
1 Tripod, Ambol or equal	31 00
1 Spencer combination delineascope, Model VA	220 00
TOTAL	$8,712 83

Equipment—Fire Fighting

16 #102 Shuredry salvage covers, white 12 x 18 feet	$547 20

APPENDIX "C"

Estimate—Fire Training Institutes

Instructors	*Course*	*Time*	*Cost*
1 Chemistry professor	Basic & Adv. F. P.	1 Mo.	$524 00
1 Physics professor	Basic	½ Mo.	262 00
1 Fire department	Basic 3-9 & Adv.	4 Wks, 2 Da.	540 00
1 Fire department	Basic 4	1 Wk.	125 00
1 Fire department	Basic 5 & Adv. F. P.	4 Wks	500 00
1 Psychologist	Basic 6 & Adv. F. P.	5 Wks.	625 00
1 Fire department	Basic 7	1 Wk.	125 00
1 Attorney	Basic 8 & Adv. F. P.	3 Wks.	375 00
1 Fire department	1-2-4 F. C.	2 Wks.	250 00
1 Fire department	3-5 F. C.	2 Wks	250 00
1 Fire department	7-10-11 F. C.	3 Wks.	375 00
1 Fire department	6 F. C.	2 Wks	250 00
1 Fire department	8-9 F. C.	2 Wks.	250 00
1 Fire department	12 F. C.	2 Wks.	250 00
			$4,701 00
Travel expense—163 days @ $10 per day			1,630 00
Transportation			375 00
Total cost—Salaries and expense (travel) 1 Institute			$6,706 00

Instructional Material

Conference of instructors—10 @ $500 per month—2 wks.	$2,500 00
Expense of attending conference	1,400 00
Transportation	375 00
Stenographic and clerical help	500 00
1000 reams mimeograph paper @ 69¢ (6/16/48)	690 00
20 quires stencils (6/16/48)	50 00
Miscellaneous	500 00
	$6,015 00

School Facilities

Los Angeles—

1 Laboratory, 5 classrooms (6) 22 days @ $42	$924 00
6 Classrooms, 11 days @ $42	462 00
	$1,386 00

Berkeley—

1 Laboratory for 20 days @ $3.50	$70 00
5 Classrooms for 22 days @ $12.50	275 00
6 Classrooms for 11 days @ $15.00	165 00
1 Janitor for 33 days @ $8	264 00
1 Clerk for 33 days @ $6	198 00
	$972 00
Salaries and travel expense for two institutes, one to be held in Los Angeles and one to be held in Berkeley	$13,412 00
Instructional material, including instructors' salaries, expense, stenographic help and materials	6,015 00
Rental of school facilities at Los Angeles	1,386 00
Rental of school facilities at Berkeley	972 00
Total cost of two institutes—five weeks each	$21,785 00

APPENDIX "D"

Basic Course Pertaining to Fire Service

I. Basic courses for all who attend the institute

		Approx. hrs.
1.	Basic course in firemen's chemistry (flammable liquids, etc.)	20
2.	Basic course in firemen's physics	10
3. *	How to make and read rough sketches of buildings, fire escapes, etc, and making appropriate reports	5
4.	How to identify types of materials and their reaction under various conditions	5
5	Principles of ventilation (chemicals involved), transmission of heat, smoke, gases and how they travel	5
6.	Basic applied psychology as it pertains to the fire service	10
7.	Fire department hydraulics (simplified)	4
8.	Collection, preservation, recognition and organization of evidence	6
9. *	Types of building construction (recognition of and their resistance to fire) nomenclature	5
	TOTAL	70

II. Fire Prevention course

A. Subjects 1 to 9 inc., Item I.
B. Special subjects.
1. Advanced firemen's chemistry.
2. Advanced course in basic 3.
3. Advanced course in basic 5 (refrigeration, ventilation and air conditioning)
4. Advanced psychology (public contact, reaction, etc.)
5. Police powers and their application in law enforcement.
6. Advanced Number 9, Item I.
7. Procedures of making surveys and inspections.

Allotted time—100 hrs

III. Fire Control and Suppression (Fire Fighting)

1.	Response.	
2.	Size up—plan of action (exposure)	10
3	Methods of forcible entry (exposure)	6
4.	Choice, location and handling of lines, streams and extinguishing agents	10
5.	Ventilation, ladder use and placement	10
6.	Rescue and life saving procedures	10
7.	Command and coordination	5
8.	Salvage operations	10
9.	Overhauling	10
10.	Investigation	5
11.	Fire public relations	5
12.	Special type fires	20
	TOTAL	101

* Suggested that Numbers 3 and 9 be together and possibly cut time to eight hours total.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 15
Assembly Concurrent Resolution No 17
Assembly Concurrent Resolution No 18

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 11, 1949

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

Assembly Concurrent Resolution No. 13

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

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

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

Assembly Bill No. 373: By Mr. Sherwin—An act to amend Section 7026 and repeal Section 7027 of, and add Sections 7050, 7051, 7052, and 7053 to, the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT

Mr. Heisinger asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 15, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 15

Assembly Concurrent Resolution No. 15—Relative to approving amendment to the charter of the County of Fresno, State of California, which was submitted to the qualified electors of said county and voted on and ratified by them at the general election held therein on November 2, 1948.

Resolution read.

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

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, and Mr. Speaker—60

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 374: By Mr. Ralph C. Dills—An act to add Section 17533.7 to the Business and Professions Code, relating to display of uniforms of police and Highway Patrol officers in advertisements.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 375: By Messrs. Clayton A. Dills and Burkhalter (By request)—An act to add Chapters 3 and 4 to Part 2, Division 2 of the Military and Veterans Code, relating to the creation and organization of a security force and a reserve force, the authority for the organization of military forces when the National Guard is absent in federal

service or Congress has consented thereto, the rules and regulations for the government of such forces and reserves, the pay, allowances, expenses, supply, equipment, maintenance, training, discipline and administration of such security and reserve forces, the use of armories and buildings, the use of the forces without the State, the authority to use the forces of other states within this State, federal service, civil groups, disqualifications, oaths of office, Articles of War, freedom from arrest, jury duty, unemployment, exemption from civil service, Workmen's Compensation, removal from service and the employment of such forces in the service of the State.

Referred to Committee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT

Mr. Caldecott asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 18, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 18

Assembly Concurrent Resolution No. 18—Relative to approving amendments to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twelfth day of April, 1948.

Resolution read.

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

AYES—Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following was offered:

By Messrs. Condon, Beck, George D Collins, Rumford, Kilpatrick, Lewis, Coats, Moss, Davis, Anderson, Burkhalter, Cooke, Dunn, Hawkins, McCarthy, Rosenthal, Heisinger, Brown, Hagen, Lowrey, Elliott, Clayton A. Dills, Cramer, Ralph C Dills, and Doyle:

House Resolution No. 34

Relative to creating the Assembly Telephone Rate Inquiry Committee

WHEREAS, The Pacific Telephone and Telegraph Company has pending an application before the California State Public Utilities Commission for the granting of substantial increases in rates for telephone service; and

WHEREAS, In recent years a number of major rate increases have been granted said corporation; and

WHEREAS, Serious doubts on the part of many municipalities and individuals exists as to the justification of any additional increases; and

WHEREAS, The Pacific Telephone and Telegraph Company has resisted orders of the Public Utilities Commission regarding contractual obligations between it and

its parent company, the American Telephone and Telegraph Company, on the grounds that the Public Utilities Commission lacks power to regulate said agreements, and

WHEREAS, It is the feeling of the Assembly of the State of California that a thorough reexamination of the corporate structure of said Pacific Telephone and Telegraph Company is desirable as a basis on which any needed changes in laws governing the regulation of said company might be made, now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1 The Assembly Telephone Rate Inquiry Committee is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operations, revenues, and financial condition of the Pacific Telephone and Telegraph Company, the American Telephone and Telegraph Company and its various subsidiaries and associated companies and the relations between them; the extent to which a noncompetitive supply subsidiary, The Western Electric Co., affects the cost of telephone equipment; the extent to which telephone service meets the needs of the people of the State, and the extent to which regulation of the telephone industry by the Public Utilities Commission, pursuant to the provisions of the State Constitution and the Public Utilities Code, has been in the public interest; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power The chairman shall be appointed by the Speaker

3 The committee is authorized to act during this session of the Legislature including any recess with authority to file its final report not later than the last legislative day.

4 The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpenas, orders and other processes issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

7. The Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Public Utilities Commission of the State of California

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dunn asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 17, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 17

Assembly Concurrent Resolution No. 17—Relative to congratulating the University of California Varsity Eight upon its victory in the 1948 Olympic Games.

Resolution read.

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

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—69.

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 376: By Messrs. Gaffney, McCarthy, and George D. Collins—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Referred to Committee on Education.

Assembly Bill No. 377: By Messrs. Gaffney, McCarthy, and George D. Collins—An act to add Section 13001.2 to the Education Code, relating to the confirmation of prior employment of certificated employees of school districts, and the conditions therefor.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 32
House Resolution No. 26
House Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

COMMUNICATIONS

By Speaker Collins:

A communication from Ewing Hass, Deputy Controller of the State of California, relative to a request for an increase in salary for Mr. Lee Artz, was received, and ordered referred to the Committee on Rules.

CONSIDERATION OF HOUSE RESOLUTION NO. 26

By Mr. Maloney:

House Resolution No. 26

Relative to the Memory of Matthew A. Flynn

WHEREAS, In the City and County of San Francisco on December 5, 1948, there was called to his heavenly home the late Matthew A. Flynn, pioneer San Franciscan; and

WHEREAS, Matthew A. Flynn, born in County Sligo, Ireland, on September 4, 1860, came to America in the year 1880, making his residence in San Francisco in the State of California; whereupon, arriving in San Francisco, he married Mary O'Malley who was also born in Ireland in the County Mayo; and

WHEREAS, This lovable individual, recognized for his ability as a marine surveyor and a ship builder, was drafted to supervise the building of the Doheny fleet of oil tankers during World War I, a fleet of ships so badly needed during that emergency; and

WHEREAS, For his outstanding accomplishments in the supervising of the building of ships, and his capabilities, which were recognized as a marine surveyor, he became one of the national organizers of the Propellor Club, an organization built upon a foundation in the interests of ship building and commerce upon the waters of this great Nation; and

WHEREAS, During an honorable and beautiful life, spent by Matthew A Flynn, principally in the State of California, he raised two fine, lovely children, Frank X. Flynn and Katharine Demarest; and

WHEREAS, Upon his death he not only leaves behind two children, but five grandchildren, Raymond Demarest, James Demarest, Mary Demarest Townsend, Patricia Ann Flynn and Mary Frances Flynn, and three great-grandchildren, Mary Lynn Demarest, Sally Ann Demarest and Raymond Orr Demarest II; now therefore, be it

Resolved, That when the Assembly adjourns this day, we do so out of respect to the memory of Matthew A. Flynn; and be it further

Resolved, That suitable engrossed copies of this resolution be sent to the son and daughter of Matthew A. Flynn, Mrs. Katharine Demarest and Frank X. Flynn.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 31

By Messrs. Thomas, Erwin, and Butters:

House Resolution No. 31

Relative to the preservation of young lobsters

WHEREAS, Lobsters in their natural state are subject to attack by various marine predators, particularly by the predatory fish called the sheepshead; and

WHEREAS, The natural defense against such attack is for the lobster to conceal himself in a crevice into which the predator can not reach; and

WHEREAS, The lobster beds ordinarily do not contain sufficient natural crevices to furnish protection for all of the lobsters, with the result that in time of danger the larger lobsters occupy the available shelters and the younger ones are left to their fate; and

WHEREAS, There are a number of substances which would provide suitable shelter for small lobsters at little cost, particularly broken sewer tile, which could be scattered among the lobster beds and thereby afford the younger lobsters a better chance for survival; and

WHEREAS, The California Fish and Game Commission has general authority to encourage the propagation of fish and could with very little trouble or expense provide the necessary shelters for the young lobsters and thereby preserve them from destruction; now, therefore, be it

Resolved, by the Assembly of the State of California, That the California Fish and Game Commission is requested to investigate the feasibility of dumping broken sewer tile and other materials likely to provide shelters for immature lobsters onto

lobster beds for the purpose of preserving such lobsters for purposes of human consumption and if such procedure is likely to produce desirable results to follow it; and be it further.

Resolved, That said commission is requested to report the results of its investigations and its activities taken pursuant to this resolution to the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the members of the Fish and Game Commission and its executive officer.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 32

By Messrs. Thomas and Butters:

House Resolution No. 32

Relative to soup-fin sharks

WHEREAS, The soup-fin shark is the principal source of shark-liver oil and the taking of such sharks for the purpose of obtaining such oil has increased within recent years to such an extent that the supply is steadily decreasing; and

WHEREAS, It is a biological fact that male soup-fin sharks prefer cool water while the females prefer the warmer waters, with the result that 90 percent of the sharks taken in the water off the north coast of the State are males, while 90 percent of those taken in the waters off the most southerly portions of the State are females, and

WHEREAS, The soup-fin shark has come to play an important part in the fisheries industry of California and provides a source of vitamins and other useful materials of importance to the public health, and the propagation thereof should be encouraged by all practicable means; and

WHEREAS, The Fish and Game Commission has vessels and equipment which could be used to capture soup-fin sharks in the northern waters and transport them to the southerly waters where most of the female sharks are found; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Fish and Game Commission is requested to investigate the feasibility of encouraging the propagation of soup-fin sharks by capturing male sharks in the northerly waters of the State and liberating them in the southerly waters of the State and if it finds that such a procedure is practicable to proceed to follow it; and be it further

Resolved, That the California Fish and Game Commission is requested to report its findings and activities in respect to this resolution to the Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the members of the Fish and Game Commission and its executive officer.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 25

By Mr. Ralph C. Dills:

House Resolution No. 25

Relative to small loan information

WHEREAS, The Assembly of California is vitally interested in information relative to the business of small loans because of the economic and social impact thereof; and

WHEREAS, Small loan business is organized on a nation-wide basis, and information on this subject available in other states would be extremely pertinent with respect to conditions existing in this State; and

WHEREAS, An investigation with relation to the small loan business was conducted by the Federal Grand Jury in San Antonio, Texas, in the Spring of 1944; now, therefore, be it

Resolved by the Assembly of the State of California, That the Honorable Tom C Clark, Attorney General of the United States, is respectfully requested to make available to this Assembly a copy of the indictments of the Federal Grand Jury at San Antonio, Texas, in the Spring of 1944, relating to small loan business anti-trust violations and, also, a transcript of the testimony of Charles H. Watts of the Beneficial Management Company, L. J. Styskal, James Monroe Jefferson, and the representatives of the Better Business Bureau of Minneapolis and St. Paul, Minnesota, before that grand jury; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution by the most expeditious available means to the Honorable Tom C. Clark.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT

Mr. Brown asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 1, at this time, without reference to file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 1

Senate Joint Resolution No. 1—Relative to memorializing the President and the Congress of the United States in relation to the establishment of a support price for black-eyed beans.

Resolution read

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

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMullan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—61.

NOES—None

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 378: By Mr. Beck—An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, and 14525.1 to, and to amend Sections 14400, 14401, 14406, 14450.5, 14451, and 14510 of, the Health and Safety Code, relating to county fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 379: By Mr. Maloney—An act to amend Section 1588 of the Labor Code, and to add Section 1588.2 thereto, relating to license fees of employment agencies and labor contractors and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Industrial Relations.

Assembly Bill No. 380: By Mr. Hawkins—An act to amend Section 19488 of the Business and Professions Code, relating to horse racing track operators' license fees and taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 381: By Mr. Hawkins—An act to amend Section 19620 of the Business and Professions Code, relating to revenue derived from horse-racing licenses.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 382: By Mr. Condon—An act to amend Section 5405 and Section 5406 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 383: By Mr. Cramer—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, as amended, relating to capital outlays by cities, counties, cities and counties, or districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 384: By Mr. Morris—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 385: By Mr. Way—An act to amend the Highway Carriers' Act by amending Section 3 thereof and to add Section 6½ thereto, and to amend the City Carriers' Act by amending Section 3 thereof, to add Section 5½ thereto, and to repeal Section 8 thereof, relating to motor carriers of property for compensation

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 386: By Mr. Way—An act to amend an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, by amending Sections 1 and 3 thereof, relating to fees payable by such persons, corporations and forwarders, including motor transportation brokers, and the collection and disposition of such fees.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 387: By Mr. Way—An act to amend Section 694 of the Vehicle Code, relating to width of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 388: By Mr. Way—An act to amend Section 697 of the Vehicle Code, relating to the height and length of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 389: By Mr. Way—An act to add Section 8654 to the Revenue and Taxation Code, relating to the use fuel tax, and providing this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 390: By Mr. Way—An act to amend Sections 704 and 705 of the Vehicle Code, relating to axle loading and spacing.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 391: By Mr. Elliott—An act to add Chapter 7.5 to Division 11 of the Business and Professions Code, relating to hearing aid devices and providing for the regulating thereof.

Referred to Committee on Public Health.

Assembly Bill No. 392: By Mrs. Niehouse and Mr. Luckel—An act to amend Section 1308 of the Labor Code, relating to minors.

Referred to Committee on Crime and Correction.

Assembly Bill No. 393: By Mr. Fletcher—An act to add Section 432.5 to the Labor Code, relating to contracts of employment.

Referred to Committee on Industrial Relations.

REQUEST FOR UNANIMOUS CONSENT THAT INFORMATION IN DAILY HISTORY BE CORRECTED

Mr. Evans asked for, and was granted, unanimous consent that a correction be made in the Daily History of yesterday, January 10th, on page 35, and that the record show that Assembly Bill No. 147 was originally ordered referred to the Committee on Public Utilities and Corporations instead of Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT THAT CORRECTION BE MADE IN DAILY JOURNAL

Mr. Kirkwood asked for, and was granted, unanimous consent that a correction be made in the Assembly Daily Journal of Thursday, January 6th, on page 14, and that the record show that Assembly Bill No. 147 was originally ordered referred to the Committee on Public Utilities and Corporations instead of Conservation, Planning, and Public Works.

ANNOUNCEMENTS

Mr. Beck announced that a meeting of the Democratic Delegation will be held tomorrow, upon adjournment, in Room 426, and urged all members of the delegation to be present.

Mr. Thomas announced that the Los Angeles Chamber of Commerce will entertain the Los Angeles Delegation at luncheon, at the Hotel Senator, tomorrow, Wednesday, January 12th.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 19

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 2 p.m.:

Rules, Room 320,

Upon adjournment:

Elections and Reapportionment, at the desk of Mr. Waters Subject: Consideration of Assembly Bill No. 150 (special meeting).

Next Thursday, January 13th, at 3 p.m.:

Conservation, Planning, and Public Works. Subject: Consideration of a bill pertaining to Los Gatos Dam (special meeting).

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Beatrice B. Bemis and the following pupils of the Arden School of Sacramento County: Nancy Eakins, Bonnie Stradan, Carol Jane Coats, Ann Lindsay, Joyce Korich, Dawn Bloom, Beverly Argante, Lois Griffin, Mae Shimizu, Nancy Nordine, Macie Payton, Marian Baker, Helen O'Donnell, Janis Rider, Donna South, Beverly Born, Vivian Ford, Betty Tull, Ina Mae McMahon, Joan Nelson, Gordon Kloss, Douglas Shearer, Dale Northcutt, Steven Hodge, Chuck McCrone, Gary Herbold, Alan Heath, Eugene Otten, Aldy Raymond, Jack Huckabay, Ray Baker, Richard Farrell, John Brink, Jack Biggs, Jerry Pilz, Robert Skemp, Robert Hathaway, Robert Rothschild, and Joseph Myhren.

On request of Messrs. Burkhalter and Beck, the usual courtesies of the Assembly for this day were unanimously extended to John M. Wright of North Hollywood.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Grace T. Gaede, Frank P. McCall, and Louis E. Fisher of Lynwood.

On request of the San Francisco and Los Angeles Delegations, the usual courtesies of the Assembly for this day were unanimously extended to James L. Quigley of San Francisco, William H. Parker, Mark C. King and Robert A. Hatfield of Los Angeles.

On request of Messrs. George Collins, Gaffney, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Herbert C Clish, Irving Breyer and Harold A. Berliner of San Francisco.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Joe Genshlea of Sacramento and Archie M. Closson of Lodi.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Henry Bertch of South Pasadena.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Ellary E. Cuff of Los Angeles.

On request of Mr. Cramer, the usual courtesies of the Assembly for this day were unanimously extended to Mayor Gilbert Fritz, Del Dixon, and Richard Adams of San Diego.

ADJOURNMENT

At 3.32 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, January 12, 1949, out of respect to the memory of the late Dr. David P. Anderson, former Assemblyman, and the late Matthew A Flynn.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTH LEGISLATIVE DAY

TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, January 12, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrence Phelps:

O God of Truth. May we catch the vision of the majesty of noble character to which Thou dost call us and which is the most august and admirable possession of our human life.

When we feel the sense of duty urging us, and hear the voice of conscience speaking to us, we rise above the animal level of existence to the real glory of human life

May we find that the moment of greatest satisfaction, the time when we feel an inner glow and a stirring emotional surge, is the time when we do right against great odds

Let us behold the superior men of history, who were great because they had strength to obey the voice of conscience in the face of opposition, and behold the Man of Galilee who even found joy in being crucified for righteousness' sake.

May we aspire and strive to gain the feeling of buoyant elevation, the gladness that comes from the courageous decision to follow the hard right against the easy wrong.

Then shall we walk among men with the calm eye of those who are inwardly fortified against temptation and who never need to fear the muck rakers of society.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. George D. Collins, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Berry, on motion of Mr. Gaffney.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.
Mr. Huyck, on motion of Mr. Smith.
Mr. Sherwin, by unanimous consent.
Mr. Anderson, by unanimous consent.

COMMUNICATIONS

By Speaker Collins:

A resolution from John N. Bille, Chairman of the Board of Supervisors of Butte County, relative to a request for an additional Superior Court Judge in Butte County, was received, and ordered referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE CORRECTED

Mr. Cooke asked for, and was granted, unanimous consent that a correction be made in the Assembly Journal of Tuesday, January 11th, on page 224, to show that Mr. L. C. Musselman of Berkeley was presented the United States Antarctic Expedition Medal for the 1939-1941 Byrd Antarctic Expedition, instead of the Congressional Medal of Honor, as previously announced.

RESOLUTIONS

The following resolution was offered:

By Messrs. Moss, Fleury, and Lindsay:

House Resolution No. 35

Relative to the creation of the Assembly Committee on the Electric Power Supply

WHEREAS, The recent power shortage in this State, and particularly in Northern California and the central valleys, has emphasized the seriousness of the electric power problem in California, not only at the present time but also as it affects the future of this State; and

WHEREAS, It is apparent that there is a need for a study of this problem by the Legislature in order that it may be provided with facts to enable it to enact adequate legislation to insure that the electric power supply is adequate at all times and that the development of new sources of power will keep pace with increasing demands; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on the Electric Power Supply is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the foregoing matters set forth in the recitals of this resolution including the present needs and probable future needs for electrical power in this State, and particularly in Northern California, the present generating equipment and facilities, proposed additional facilities, and all matters directly or indirectly relating to the production and

distribution of electric power in this State, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

At 10.23 a.m., Mr. Beck announced that later in the morning he will ask unanimous consent that the Democratic Delegation be excused for the purpose of holding a caucus in Room 426.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 394: By Mr. Hawkins—An act to add Section 18850.5 to the Government Code, relating to compensation of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 395: By Mr. McCollister—An act to define the powers and duties of the California Toll Bridge Authority in respect to the Golden Gate Bridge and Highway District, providing for the redemption of bonds and the payment of interest, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 396: By Mr. McCollister—An act to provide for the incorporation by the State of the Golden Gate Bridge into the State Highway System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 397: By Mr. Hollibaugh—An act to add Section 2797.5 to, and to amend Sections 2798 and 2800 of, the Elections Code, relating to filling vacancies in the membership of party state conventions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 398: By Messrs. Lewis, Hawkins, Condon, and Davis—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 399: By Messrs. Thompson and Kirkwood—An act making an appropriation for the acquisition of additional real property and buildings at the San Jose State College.

Referred to Committee on Education.

Assembly Bill No. 400: By Mr. Lindsay—An act to add Article 6 to Chapter 7 of Part 2 of Division 2 of Title 3 of the Government Code, relating to water and power projects by counties or groups of counties, providing for the acquisition, construction, and operation of property, works, and facilities for such projects and the development, distribution and sale of water and power, for the financing of such projects, and for cooperation in relation to such projects between local, state, and federal agencies.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 401: By Mr. Lindsay—An act relating to local water and power projects, authorizing and providing for the acquisition, construction and operation of water projects, power projects, or water and power projects by counties or groups of counties, providing for the financing of such projects, including provision for the issuance of bonds payable from the revenues derived from the sale and distribution of water, power, or water and power, authorizing the creation of local water project authorities, prescribing their powers and duties and the powers and duties of boards of supervisors in connection with such projects and authorities.

Referred to Committee on Conservation, Planning, and Public Works.

APPOINTMENT OF MEMBERS TO INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Grunsky and Connolly as members of the Interim Committee on the Judicial System and Judicial Process, vice Messrs. James and Sheridan.

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

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

Assembly Concurrent Resolution No. 21: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to reports of the annual conventions of the Jewish War Veterans.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 22: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to reports of the annual conventions of the Military Order of the Purple Heart.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 23: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS).

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 24: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to reports of the department encampments and the annual encampments or conventions of the United Spanish-American War Veterans.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 25: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to reports of the annual conventions of the American Legion.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 26: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to the reports of the sessions of the department encampment of the Grand Army of the Republic.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 27: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 28: By Messrs. Crowley, McCollister, Hoffman, Cramer, Dickey, Dolwig, and Mrs. Niehouse—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California.

Referred to Committee on Rules.

MOTION THAT REPORT ON INVESTIGATION OF PERSONAL PROPERTY BROKERS BY GEORGE W. ROCHESTER, SPECIAL DEPUTY ATTORNEY GENERAL, BE PRINTED IN THE JOURNAL

Mr. Ralph C. Dills moved that a Report on Investigation of Personal Property Brokers by George W. Rochester, Special Deputy Attorney General, to the Honorable Fred N. Howser, Attorney General, be ordered printed in the Journal.

Mr. Fletcher seconded the motion.

Motion to Lay on the Table

Mr. Silliman moved that the motion by Mr. Ralph C. Dills be laid on the table.

Motion died for lack of a second.

The question being on the motion by Mr. Ralph C. Dills that a report by Mr. George W. Rochester be ordered printed in the Journal.

Demand for Previous Question

Messrs. Grant, Luckel, Hahn, Kirkwood, and Hoffman demanded the previous question.

Demand for previous question sustained

The question being on the motion by Mr. Ralph C. Dills that a report by Mr. George W. Rochester be ordered printed in the Journal.

Roll Call Demanded

Messrs. Clayton A. Dills, Elliott, and Rosenthal demanded a roll call.

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

AYES—Beck, Brown, Burkhalter, Coats, George D Collins, Condon, Cooke, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Fletcher, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McMillan, Meyers, Rosenthal, Rumford, and Thomas—25.

NOES—Babbage, Brady, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Price, Reagan, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—46.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE REFERRED TO THE COMMITTEE ON RULES

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that the above mentioned report be ordered referred to the Committee on Rules.

MOTION THAT RULES COMMITTEE REQUEST MR. GEORGE W. ROCHESTER TO APPEAR

Mr. Ralph C. Dills moved that the Committee on Rules be instructed to request Mr. George W. Rochester to appear at 3 p.m. tomorrow, Thursday, January 13th, before the Committee on Rules to answer questions pertaining to his report which is now before said committee.

Mr. Lowrey seconded the motion.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT DEMOCRATIC DELEGATION BE EXCUSED

At 11.09 a.m., Mr. Beck asked for, and was granted, unanimous consent, that the members of the Democratic Delegation be excused, for the purpose of holding a caucus in Room 426, at this time.

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

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

Assembly Bill No. 402: By Mr. Smith—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 403: By Messrs. Rosenthal, Gaffney, Crowley, Hawkins, Elliott, Lewis, Rumford, and Thomas—An act to add Section 421 to the Penal Code, relating to the discrediting of a religious denomination or a person because of his religious belief.

Referred to Committee on Judiciary.

Assembly Bill No. 404: By Mr. Thomas—An act to add Section 21.2 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 405: By Mr. Thomas—An act to add Sections 7 5 and 21.6 to the Municipal Court Act of 1925, relating to municipal courts in cities and cities and counties of the first and one-half class, including the judges and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 406: By Mr. Cooke—An act to amend Section 7044 of the Business and Professions Code, relating to licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 407: By Messrs. Brown and Clayton A. Dills—An act to add Section 587.6 to the Vehicle Code, relating to fire hoses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 408: By Mr. Brown—An act to amend Section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903, as amended, and relating to compensation of directors.

Referred to Committee on Agriculture.

Assembly Bill No. 409: By Messrs. George D. Collins and Rosenthal—An act to add Section 1028 to the Government Code, relating to disqualification from office or employment as peace officers for persons

convicted of felonies and prescribing fingerprint records to be made of peace officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 410: By Mr. Brown—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 411: By Mr. Brown—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 412: By Messrs. Brown, Clayton A. Dills, and Rumford—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Referred to Committee on Industrial Relations.

Assembly Bill No. 413: By Messrs Brown, Rumford, and Clayton A. Dills—An act to amend Section 5800 of the Labor Code, relating to findings and award of the Industrial Accident Commission under the Workmen's Compensation Act.

Referred to Committee on Industrial Relations.

Assembly Bill No. 414: By Mr. Stewart—An act to add Section 246 to the Penal Code, relating to the discharging of firearms or throwing of missiles into dwelling houses or occupied buildings.

Referred to Committee on Judiciary.

Assembly Bill No. 415: By Mr. Maloney—An act to pay the claim of A. D. Sgarlato against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 416: By Messrs. Caldecott, Brown, Rosenthal, and George D. Collins—An act to add Section 638.1 to the Welfare and Institutions Code, relating to the duties of probation officers.

Referred to Committee on Crime and Correction.

Assembly Bill No. 417: By Messrs Caldecott, Brown, Rosenthal, and George D. Collins—An act to amend Section 871 of the Welfare and Institutions Code, relating to support of wards of the juvenile court.

Referred to Committee on Social Welfare.

Assembly Bill No. 418: By Messrs. Caldecott, Brown, Rosenthal, and George D. Collins—An act to repeal Section 826.5 of the Welfare and Institutions Code, relating to the appointment of judges, justices, and recorders to act as referees in juvenile court matters.

Referred to Committee on Judiciary.

Assembly Bill No. 419: By Messrs. Caldecott, Brown, Rosenthal, and George D. Collins—An act to amend Section 638 of the Welfare and Institutions Code, relating to the duties of probation officers.

Referred to Committee on Social Welfare.

Assembly Bill No. 420: By Messrs. Caldecott, Brown, and George D. Collins—An act to amend Section 721 of the Welfare and Institutions Code, relating to the duties of probation officers.

Referred to Committee on Social Welfare.

Assembly Bill No. 421: By Messrs. Hahn, Burke, Bennett, Reagan, and Stanley—An act to add Section 959.1 to, and to amend Section 960 of, the Streets and Highways Code, relating to the reservation of easements on the abandonment of county highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 422: By Messrs. Hahn, Burke, Bennett, Reagan, and Stanley—An act to add Sections 3a, 16a, 16b, 16c, 16d, and 16e to the Los Angeles County Flood Control Act, relating to the officers and employees of the Los Angeles County Flood Control District.

Referred to Committee on Municipal and County Government

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 13—Relative to approving amendments to the charter of the City of Piedmont, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election here therein on the thirteenth day of April, 1948;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twelfth day of January, 1949, at 11 a.m

HUYCK, Chairman

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, January 11, 1949

MR SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No 150

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 150—An act to amend Sections 122, 230, 2571, 5620, and 5623 of the Elections Code, Sections 1810, 1812, 1824, 22376, 22378, and 22692 of the Education Code, and Sections 34324 and 34051 of the Government Code, relating to registration and residence of electors, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Speaker Pro Tempore Presiding

At 11.18 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 11, 1949

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

Senate Joint Resolution No. 3 -

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 3—Relative to memorializing the President and the Congress of the United States in relation to the effect of the recent freezing weather conditions on the agricultural industry of California.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1949

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

Assembly Concurrent Resolution No. 15
Assembly Concurrent Resolution No. 17
Assembly Concurrent Resolution No. 18

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 2 P.M.—

Interim Committee on Public Education in Room 432. Subject: State College Situation in Los Angeles

At 3 P.M.—

Interim Committee on Highways, Streets and Bridges, in Room 435. Subject: Metropolitan Rapid Transit District. Reports by Messrs. Neil Petrie and James Beebe.

Tonight at 8 P.M.—

Education in Room 432. Subject: Urgency Measures.
Municipal and County Government in Room 426.

Tomorrow, January 13, at 10 A.M.—

Rules in Room 320.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Bill Silva of Modesto.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Clarence Smith, Harold Johnson of Downey, and Dr. William F. Henry of Compton.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Goldie Brewer of Auburn.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Robert A. Hatfield, William H. Parker, and Mark C. King of Los Angeles.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. John K. Livingston of San Francisco and Mrs. Lawrence L. Conrad of Sacramento.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Laurens D. Mason, Dr. William R. Barker, Dr. Walter C. Varnum, and Loren M. Hendrickson of Los Angeles.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Master Richard Kahn of Sacramento, and Mrs. Mildred Stirdivant of Los Angeles.

On request of Mr. Hollibaugh and the Los Angeles County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to James Beebe and Charles Bayer of Los Angeles.

On request of Mr. Reagan, the usual courtesies of the Assembly for this day were unanimously extended to Col. Walter Thurber of Sierra Madre.

ADJOURNMENT

At 11.21 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 11 a.m., Thursday, January 13, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTH LEGISLATIVE DAY

ELEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 13, 1949

The Assembly met at 11 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of Law: We assemble in this historic place aware of the majesty of the Laws, which Thou hast ordained in the universe above us and in human society about us.

By Thy Laws, the stars are contained in their orbits, the electron in every atom and the cell in every tissue are controlled, and bud and blossom come to their fruition.

By laws human society maintains its orderly pursuits, disciplines the lawless and careless, and guards the sacred precincts of altar and fireside.

By the statutes which have been enacted here, the liberties of this Commonwealth have been preserved, the rights of all of the citizens guaranteed and their welfare insured.

May the people honor these ordinances which have sprung from the long experience and genius of the past and reveal the wisdom of the Almighty.

May every citizen stand in awe before the inviolate Majesty of the Law, and be quick to obey its injunctions, knowing that its provisions are the sacred charter of his own and his children's security.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Caldecott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

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

Mr. Berry, on motion of Mr. George D. Collins.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

Mr. Thomas, on motion of Mr. Fletcher.

COMMUNICATIONS

By Speaker Collins:

A resolution from the California Moose Association, Loyal Order of Moose, signed by Clifton E. Brooks, State President, relating to approval of 24-hour schools for neglected and dependent children, was received, and ordered referred to the Committee on Education.

By Speaker Collins:

A resolution from William E. Mealer, Department Adjutant, Department of California, Disabled American Veterans, relating to approval of the California Academies Act passed by the 1947 Session of the California State Legislature, was received, and ordered referred to the Committee on Education.

By Speaker Collins:

A resolution from the Board of Supervisors of the County of Sonoma, relative to proposed passage of a bill making it permissive, in counties having a population of more than 60,000, to appoint a County Counsel, was received, and ordered referred to the Committee on Judiciary.

ROLL CALLS CORRECTED BY UNANIMOUS CONSENT

Because of a defect in the voting machine, the "Aye" vote of Mr. Cooke, on a motion by Mr. Ralph C. Dills (see page 246 of the Assembly Journal, January 12, 1949) was incorrectly recorded. He asked for, and was granted, unanimous consent, that the Journal for that date be corrected to record that he voted "Aye" on this motion.

Because of a defect in the voting machine, the "No" vote of Mr. Connolly, on a motion by Mr. Heisinger to amend Proposed Permanent Standing Rules (see page 174 of the Assembly Journal, January 10, 1949) was incorrectly recorded. He asked for, and was granted, unanimous consent that the Journal for that date be corrected to record that he voted "No" on this motion.

Because of a defect in the voting machine, the "No" vote of Mr. Connolly, on a motion by Mr. Ralph C. Dills (see page 246 of the Assembly Journal, January 12, 1949) was incorrectly recorded. He asked for, and was granted, unanimous consent, that the Journal for that date be corrected to record that he voted "No" on this motion.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 150

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 15—Approving amendment to the charter of the County of Fresno, State of California, which was submitted to the qualified electors of said county and voted on and ratified by them at the general election held therein on November 2, 1948;

Assembly Concurrent Resolution No. 17—Relative to congratulating the University of California Varsity Eight upon its victory in the 1948 Olympic Games;

Assembly Concurrent Resolution No. 18—Relative to approving amendments to the charter of the City of Albany, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the twelfth day of April, 1948;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the thirteenth day of January, 1949, at 11 a.m.

HUYCK, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 87

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 87—An act to amend the title and Sections 2, 5.1, 5.3, 5.4, 5.7, 6.1, 6.3, 9.1, 10.1, and 10.2 of the Santa Barbara County Water Agency Act, relating to the purposes, powers, and administration of the Santa Barbara County Water Agency, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred

Assembly Bill No. 383

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 383—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, as

amended, relating to capital outlays by cities, counties, cities and counties, or districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, January 12, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 8
Assembly Bill No. 23

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 8—An act to provide for the establishment of a state college in the area of Orange County and the southeastern part of Los Angeles County, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 23—An act to amend Sections 10200, 10201, 10202, 10203, 10204 and to repeal Section 10205 of the Education Code, relating to automobile driver education and automobile driver training, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

RECESS

At 11.15 a.m., on motion of Mr. Ralph C. Dills, the Assembly recessed until 11.16 a.m. to hear remarks from former Assemblyman Alfred W. Robertson of Santa Barbara.

REASSEMBLED

At 11.16 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 423: By Mr. Doyle—An act to add Section 385 to the Vehicle Code, relating to fees for registration of vehicles and credits and refunds in connection therewith.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 424: By Messrs. McCarthy, Rumford, and Beck—An act to amend Section 4702 of the Labor Code, relating to death benefits.

Referred to Committee on Industrial Relations.

Assembly Bill No. 425: By Mr. Sherwin—An act to amend Section 781 of the Vehicle Code, relating to disposition and transfer of moneys from the Motor Vehicle Fund, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 426: By Messrs. Dolwig, Hoffman, McCollister, Cooke, Burkhalter, Clarke, Collier, George D. Collins, Conrad, Crichton, Doyle, Elliott, Gaffney, Geddes, Grant, Hawkins, Huyck, Lincoln, McCarthy, Price, Rumford, Stanley, and Stewart—An act to add Section 1292 to the Military and Veterans Code, relating to headquarters for the United Spanish War Veterans, Department of California; preparation and preservation of war records, history and mementos; the conducting of the office business rehabilitation service thereof and making an appropriation therefor.

Referred to Committee on Military Affairs.

Assembly Concurrent Resolution No. 29: By Messrs. Cooke, Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—Relative to adjournment in respect to the memory of Marguerite Mary McBride.

Request for Unanimous Consent That All Members Present Be Co-Authors of Assembly Concurrent Resolution No. 29

Mr. Cooke asked for, and was granted, unanimous consent that the names of all members present be added to Assembly Concurrent Resolution No 29, as co-authors

Request for Unanimous Consent

Mr. Cooke asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 29, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 29

Assembly Concurrent Resolution No. 29—Relative to adjournment in respect to the memory of Marguerite Mary McBride

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY MESSRS. COOKE AND MALONEY, BE PRINTED IN THE JOURNAL

Mr. Doyle asked for, and was granted, unanimous consent that the remarks by Messrs Cooke, Maloney, and Speaker Sam L. Collins, relating to Assembly Concurrent Resolution No. 29, be ordered printed in the Journal.

REMARKS BY MR. COOKE RELATIVE TO ASSEMBLY CONCURRENT RESOLUTION NO. 29

Mr. Speaker and Fellow Members: Mere words cannot express my deep feeling on the passing of Marguerite McBride.

All of the older members and attaches knew Marguerite McBride well. She always had a big smile and a word of cheer for everybody.

Had this fine woman been with us at the opening of this session you new members and your families would have been greeted by Marguerite. Her greeting would have been full of cheer, intended to bring sunshine and warm friendship to your hearts.

She was a Pal, and she was, to all of us, everything that the word "Pal" implies.

We have many of the members of the Pals Club seated in the rear of this Chamber, today. They are here out of respect to a departed friend—a Pal.

Marguerite McBride was just a grand person. I must stop, I cannot go on.

(The above mentioned remarks by Mr. Maloney will appear in the Journal of a later date.)

(NOTE: The remarks of Mr. Maloney appear in the Assembly Journal for Wednesday, January 26, 1949, on page 714.)

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

The following bill was introduced, and read the first time:

Assembly Bill No. 427: By Messrs. Smith, Erwin, Rosenthal, Grunsky, Beck, Conrad, Grant, Hahn, Huyck, Lipscomb, Stanley, Stewart, and Tomlinson—An act to add Section 641 1 to the Welfare and Institutions Code, relating to the powers and duties of probation officers

Referred to Committee on Social Welfare.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON DETENTION HOMES AND COUNTY AND CITY JAILS BE PRINTED IN THE JOURNAL

Mr. Kilpatrick asked for, and was granted, unanimous consent that the Report of the Assembly Interim Committee on Detention Homes and County and City Jails (Crime and Corrections), be ordered printed in the Journal in 10-point type.

(The above mentioned report will appear prior to the motion to adjourn.)

NOTICE OF MOTION TO OFFER AMENDMENT TO PERMANENT STANDING RULE NO. 59

Mr. Maloney gave notice that on the next legislative day he would move to offer an amendment to Permanent Standing Rule No. 59.

PROPOSED AMENDMENT TO PERMANENT STANDING RULES OF THE ASSEMBLY FOR THE 1949 REGULAR SESSION

(As printed in the Assembly Journal for January 10, 1949, commencing at page 178)

Amendment No. 1

Strike out the second sentence of Rule 59, as printed on page 192, and insert "It shall require an affirmative vote of not less than two of the Assembly members and two of the Senate members constituting the Committee on Conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly."

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

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

Assembly Bill No. 428: By Messrs. Smith, Stanley, Erwin, Rosenthal, Grant, Grunsky, Hahn, Huyck, Lipscomb, Stewart, and Tomlinson —An act to add Section 834 to the Corporations Code, relating to derivative actions by shareholders.

Referred to Committee on Judiciary.

Assembly Bill No. 429: By Mr Connolly—An act to add Section 3370 to the Civil Code, relating to injunctive relief in connection with an act of unfair competition as defined in the Unfair Practices Act.

Referred to Committee on Judiciary.

Assembly Bill No. 430: By Mr. Connolly—An act to add Section 17087 to the Business and Professions Code, relating to power of Attorney General and district attorneys, or any of them, to file injunction actions in enforcement of the Unfair Practices Act.

Referred to Committee on Judiciary.

Assembly Bill No. 431: By Messrs. Brown, Weber, and Stanley—An act to add Section 15 to an act entitled the "State Aeronautics Commission Act," relating to liability of aircraft owners, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 432: By Messrs. Brown, Stanley, and Weber—An act relating to labor and material liens on aircraft.

Referred to Committee on Judiciary.

Assembly Bill No. 433: By Messrs. Brown, Stanley, and Weber—An act to add Section 625b to the Penal Code, relating to wilful or malicious injury to aircraft and providing a penalty therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 434: By Messrs. Brown, Stanley, and Weber—An act to amend Section 499b of, and to add Section 449d to, the Penal Code, relating to unauthorized taking or operation of vehicles or aircraft.

Referred to Committee on Judiciary.

Assembly Bill No. 435: By Messrs. Brown, Stanley, and Weber—An act to amend Section 3 of the State Aeronautics Commission Act, relating to the California Aeronautics Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 436: By Messrs. Brown, Beck, George D. Collins, Caldecott, and Rosenthal—An act to add Section 683.5 to the Civil Code, relating to the survivorship interest in joint tenancy property.

Referred to Committee on Judiciary.

Assembly Bill No. 437: By Messrs. Caldecott and Brown—An act to amend Section 330a of the Penal Code, relating to slot and card machines and similar devices.

Referred to Committee on Judiciary.

Assembly Bill No. 438: By Messrs. Caldecott, Connolly, Brown, Maloney, and Sherwin—An act to amend Section 5402 of the Welfare and Institutions Code, relating to appearance in court, time and place of hearing and commitment to rehabilitation center.

Referred to Committee on Judiciary.

Assembly Bill No. 439: By Messrs. Caldecott and Brown—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 440: By Messrs. Caldecott, Brown, and George D. Collins—An act to add Section 340 to the Penal Code to provide for the keeping of records of all personal property pledged to or purchased by pawn brokers and requiring daily reports thereof to the State Bureau of Criminal Identification and Investigation.

Referred to Committee on Judiciary.

Assembly Bill No. 441: By Messrs. Butters, Clarke, and Davis—An act to amend Section 829.3 of the Agricultural Code, relating to standard packs for cantaloupes.

Referred to Committee on Agriculture.

Assembly Bill No. 442: By Messrs. Butters, Erwin, Clarke, Davis, and Lowrey—An act to add Section 512.6 to the Vehicle Code, relating to speed limits.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 443: By Messrs. Butters, Clarke, Davis, Erwin, and Lowrey—An act to amend Sections 45 and 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 444: By Messrs. Butters, Erwin, Clarke, and Lowrey—An act to add Section 7.3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor.

Referred to Committee on Agriculture.

Assembly Bill No. 445: By Mr. Evans—An act to add Section 6361 to the Revenue and Taxation Code, relating to retail sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 446: By Mr. Lindsay—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of the old Overland Emigrant Trail as part of the California Riding and Hiking Trails Project.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 447: By Mr. Ralph C. Dills—An act to add Sections 20703.1, 20810, and 20811 to the Business and Professions Code, relating to the sale, standards and labeling of anti-freeze substances and preparations for use in internal combustion engines

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 448: By Mr. Crichton—An act to amend Sections 11110, 11111, 11140, 11145, and 11148 of the Insurance Code, and to repeal Sections 11112, 11113, 11141, 11143, 11144, 11149, and 11153 thereof, relating to fraternal benefit societies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 449: By Mr. Caldecott—An act to amend Sections 117 and 117r of the Code of Civil Procedure, relating to small claims actions.

Referred to Committee on Judiciary.

Assembly Bill No. 450: By Mr. Condon—An act to amend Sections 21200 and 21201 of and to add Section 21202 to the Corporations Code, relating to the property of certain unincorporated associations.

Referred to Committee on Judiciary.

Assembly Bill No. 451: By Messrs. Condon, Hawkins, Rumford, and George D. Collins—An act to amend Section 69 of the Civil Code and to repeal Section 60 thereof, relating to marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 452: By Mr. Stanley—An act making an appropriation for construction, improvement, repairs and equipment of Corona Del Mar Beach State Park.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 453: By Messrs. Moss and Fleury—An act to amend Section 18852 of the Government Code, relating to salaries of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 454: By Messrs. Moss and Fleury—An act to amend Section 18903 of the Government Code, relating to employment lists for state civil service employees

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 455: By Messrs. Moss and Fleury—An act to amend Sections 11020 and 11021 of the Government Code, relating to operation of state offices on Saturdays.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 456: By Messrs. Moss and Fleury—An act to amend Section 18850 of the Government Code relating to salaries of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 457: By Messrs. Moss and Fleury—An act to amend Section 19140 of the Government Code relating to reinstatement of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 458: By Messrs. Burkhalter and Cooke—An act to add Section 5003.1 to the Public Resources Code, relating to power of State Park Commission to establish and maintain roadside picnic areas, and making an appropriation from the State Park Fund therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 459: By Mr. Burkhalter—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 460: By Mr. Lipscomb—An act to amend Section 370 of the Elections Code, relating to registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 461: By Mr. Lipscomb—An act to amend Section 374 of the Elections Code, relating to registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 462: By Messrs. Waters, Conrad, Huyck, Fletcher, Hollibaugh, and Maloney—An act to amend Sections 1595 and 1663 of the Labor Code, relating to employment agencies, including artists' managers, the transfer of an interest in an employment agency and the applicability of various Labor Code sections to artists' managers.

Referred to Committee on Industrial Relations

Assembly Bill No. 463: By Messrs. Kilpatrick, Burke, and Hahn—An act to amend Section 5075 of the Penal Code and to add Sections 5075.1, 5075.2, and 5075.3 thereto, relating to the appointment of members of the Adult Authority and prescribing their duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 464: By Messrs. Kilpatrick, Bennett, Hahn, and Burke—An act to add Section 18596 to the Government Code and to amend Section 6050 of the Penal Code, relating to wardens of state prisons and the Superintendent of the California Institution for Women.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 465: By Messrs. Kilpatrick, Bennett, Burke, and Hahn—An act to amend Section 1752.2 of the Welfare and Institutions Code and to add Section 5058.1 to the Penal Code, relating to leaves of absences of employees required by the State Personnel Board to possess teaching certificates, to attend educational sessions.

Referred to Committee on Education.

Assembly Bill No. 466: By Messrs. Kilpatrick, Burke, Bennett, and Hahn—An act to add Section 932 to the Penal Code, relating to the preparation of a Manual for Grand Jurors by the Attorney General, and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 467: By Messrs. Kilpatrick, Burke, Bennett, and Hahn—An act to amend Section 3045 of the Penal Code, relating to paroles.

Referred to Committee on Judiciary.

Assembly Bill No. 468: By Messrs Kilpatrick, Burke, Bennett, and Hahn—An act to amend Section 3049 of the Penal Code, relating to paroles.

Referred to Committee on Judiciary.

Assembly Bill No. 469: By Messrs. Kilpatrick, Burke, Bennett, and Hahn—An act to add Title 4 5 to Part 3 of the Penal Code, to amend Sections 769 and 867 of an act entitled, "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883; and to amend Section 36903 of the Government Code, relating to the custody and detention of prisoners.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 470: By Messrs. Kilpatrick, Burke, Bennett, and Hahn—An act to add Section 4007 5 to the Penal Code, relating to unfit, unsanitary, and overcrowded county jails.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 471: By Messrs. Kilpatrick, Burke, Bennett, and Hahn—An act to amend Section 6029 of the Penal Code, relating to the Board of Corrections.

Referred to Committee on Judiciary.

Assembly Bill No. 472: By Messrs. Hollibaugh, Geddes, Way, Dolwig, and Doyle—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code, relating to the motor vehicles transportation license tax, and providing that this act shall take effect immediately

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 473: By Messrs. Fletcher, McMillan, Mrs. Niehouse, Messrs. Grant, and Waters—An act relating to the operation of airports and airparks, providing for procedure to abate as a nuisance

Referred to Committee on Judiciary.

Assembly Bill No. 474: By Mr. Price—An act to add Section 27472 to the Government Code, relating to removal of dead bodies.

Referred to Committee on Public Health.

Assembly Bill No. 475: By Messrs Evans, Clayton A. Dills, and Morris—An act to add Chapter 1.5, comprising Sections 13010 and 13011, to Part 1 of Division 12 of the Health and Safety Code, relating to regulations of local authorities respecting the parking of vehicles.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 476: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, amending Section 124 of the Welfare and Institutions Code, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 477: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 478: By Mr. Anderson—An act to amend Sections 19485 and 19597 of the Business and Professions Code, relating to horse racing, and changing the license fees and commissions of horse racing licensees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 479: By Mr. Hollibaugh—An act to amend Section 3423 of the Public Resources Code, relating to delinquent assessment and charges for the Petroleum and Gas Fund, Division of Oil and Gas, Department of Natural Resources

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Constitutional Amendment No. 25: By Messrs. Brown, Stanley, and Weber—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain

Referred to Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 26: By Mr. Brown—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1c to Article IV thereof, relating to initiative measures.

Referred to Committee on Constitutional Amendments

Assembly Concurrent Resolution No. 30: By Messrs. Hollibaugh, Geddes, Way, Dolwig, and Doyle—Relative to the lowering of rates by highway carriers.

Referred to Committee on Rules.

Assembly Joint Resolution No. 5: By Messrs. Lewis, Heisinger, Beck, Butters, Clarke, Coats, George D. Collins, Crichton, Fletcher, Hagen, Hoffman, Lindsay, and McMillan—Relative to memorializing the President and the Congress of the United States in relation to agricultural compositions and extensions under the Federal Bankruptcy Law.

Referred to Committee on Rules.

Assembly Joint Resolution No. 6: By Messrs. Heisinger, Cooke, Beck, Burkhalter, Anderson, Bennett, Brady, Brown, Burke, Coats, George D. Collins, Condon, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Hagen,

Hawkins, Kilpatrick, Lewis, Lindsay, Lowrey, McCarthy, McMillan, Meyers, Moss, Rosenthal, and Rumford—Relative to California water projects.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Kilpatrick, Burke, Bennett, and Hahn:

House Resolution No. 36

Relative to changing the name of the Assembly Interim Committee on Detention Homes and City and County Jails, and augmenting the funds of said committee

Resolved by the Assembly of the State of California:

1. The Assembly Interim Committee on Detention Homes and City and County Jails, created by House Resolution No. 164 of the 1947 Session and continued as an Assembly committee by Resolution No. 16 of the 1949 General Session, is renamed and shall hereafter be designated as the "Assembly Interim Committee on Crime and Corrections."

2. The sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims incurred under the resolution mentioned in paragraph 1 hereof, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Maloney

House Resolution No. 37

Relative to congratulating Thomas H. Werdel

WHEREAS, The Honorable Thomas H. Werdel of Bakersfield ably represented the Thirty-ninth Assembly District in this Assembly from 1942 to 1946, and during that time contributed greatly to the deliberations and work of this body and was devoted to the best interests of the people of his district and of the State of California; and

WHEREAS, In recognition of his wise and statesmanlike understanding of all matters of legislation, his ability, integrity and record of patriotic public service, Thomas H. Werdel has been elected to represent the Tenth District of California in the Congress of the United States; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly by this resolution heartily commend and congratulate Thomas H. Werdel and extend to him their best wishes for a long and distinguished career in the Congress of the United States; and, be it further

Resolved, That the Chief Clerk of the Assembly present to Thomas H. Werdel a copy of this resolution as an expression of the friendship and esteem of the Members of this Assembly.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Doyle, Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Price, Reagan,

Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber.

House Resolution No. 38

Relating to Joseph Patrick Moloney

WHEREAS, The members of this Assembly have learned with profound regret of the illness of a respected friend and devoted state servant, Joseph Patrick Moloney, better known to all his friends as Joe Moloney; and

WHEREAS, Joe Moloney has faithfully and honorably served his Country in World War I as a member of the 91st Infantry Division; and

WHEREAS, Joe Moloney has faithfully served the people of this State and the Members of this Assembly for over forty years in various positions of trust and confidence; and

WHEREAS, The members of this Assembly are both shocked and sorry that this illness has fallen upon their friend and former Sergeant-at-Arms; now, therefore, be it

Resolved by the Assembly of the State of California, That the members of this Assembly extend to Joe Moloney their sympathy and best wishes that he may have a speedy recovery from his illness and soon return to his duties with this State; and be it further

Resolved, That the Chief Clerk of this Assembly transmit a copy of this resolution to Joe Moloney.

Request for Unanimous Consent That All Members Present Be Co-Authors of House Resolution No. 38

Mr Doyle asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 38, as co-authors.

Request for Unanimous Consent

Mr. Doyle asked for, and was granted, unanimous consent to take up House Resolution No. 38, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

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

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

Assembly Bill No. 480: By Mr Evans—An act to add Chapter 4 to Division 4 of the Elections Code, relating to circulation of initiative petitions and regulating persons, firms, corporations, or organizations circulating such petitions for compensation.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 481: By Messrs. Evans and Morris—An act to add Article 17, comprising Sections 2510 to 2521, inclusive, to Chapter 5 of Division 2 of the Business and Professions Code, relating to the regulation of the removal of human tissue and to the study of such tissue, increasing the annual tax and registration fee of physicians and surgeons, creating a Board of Pathology and prescribing its powers and duties.

Referred to Committee on Public Health.

Assembly Bill No. 482: By Mr. Lewis—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 12 FROM COMMITTEE CONTINUED

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that his notice of motion to withdraw House Resolution No. 12 from committee be continued until the next legislative day.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Gaffney, Beck, Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Sam L Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber:

House Resolution No. 39

Relating to the birth of Jan Lowrey

WHEREAS, Jan Thomas Lowrey arrived at 6 p m. on the ninth day of January of this year of 1949 to assist his brother, Lloyd, Jr., in carrying on the tradition of the Lowrey name now so ably represented in this Assembly by Lloyd W. Lowrey; and

WHEREAS, This Assembly rejoices with the proud parents, Helen and Lloyd W. Lowrey, and desires to extend its felicitations; now, therefore, be it

Resolved by the Assembly of the State of California, That it does hereby extend to Hon. and Mrs. Lloyd W Lowrey its best wishes and heartiest congratulations; and be it further

Resolved, That the Chief Clerk present to Hon. and Mrs. Lloyd W. Lowrey a suitably prepared copy of this resolution

Request for Unanimous Consent That All Members Present Be Co-Authors of House Resolution No. 39

Mr. Rosenthal asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 39, as co-authors.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 39, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Ralph C. Dills:

House Resolution No. 40

Relative to the Report on Investigation of Personal Property Brokers by Special Deputy Attorney General

WHEREAS, The Attorney General of the State of California has appointed a special deputy to investigate the administration of the Personal Property Brokers Act; and

WHEREAS, On or about December 28, 1948, said special deputy did report to the Attorney General, and release to the press the following copy of his report:

To: Hon. Fred N. Howser, Attorney General Place. Los Angeles
From. Geo. W. Rochester, Special Deputy Attorney General
Subject: REPORT ON INVESTIGATION OF PERSONAL PROPERTY BROKERS

Since your appointment of me as Special Deputy Attorney General, with unqualified directions to investigate all phases of the enactment of statutes, applications in

granting licenses, the practical administration and the transacting of business under the Personal Property Brokers Act of California, and to make recommendations to the Legislature, if any amendments are necessary to more equitably protect the borrowers from the brokers. I have to report up to this time what my study of the Act investigation of the brokers, and examination of their operation of their businesses, has accomplished

THE STATUTE The long history of the Personal Property Brokers Act since 1905, and its amendments down the years, preclude me in this bi-monthly report detailing all of these legislative changes The Act and amendments, taking into consideration the modification of the California State Usury Law, is now before the Supreme Court of our State in case entitled CARTER v. SEABOARD FINANCE CO., and therefore my final conclusions and interpretations necessarily must wait the Court's opinion and decision

It can be stated that the Act as now interpreted places no ceiling on the interest chargeable on loans over $300, and personal property brokers have been since 1934, by the same interpretation, exempted from the general usury law of our State, that provides a maximum of 10% per annum on loans

We find, therefore, an anomaly in our law, where certain classes of money lenders are exempt from even maximum interest charges on loans (in the case of Personal Property Brokers no interest limitation on loans over $300), and for other lenders of money a limitation of 10% per annum. This situation should be observed by the Legislature and remedied at the next session so that uniform interest rates are established. I have wondered why the Corporation Commissioner, whose duty it is to administer the Personal Property Brokers Act, has not considered the doubtful constitutionality of the accepted discrimination exempting one class of money lenders from any usurious limitation, and limiting another class of money lenders to a 10% legal interest rate. This would seem to be contrary to the Fourteenth Amendment of the U. S. Constitution

APPLICATION IN GRANTING LICENSES AND PRACTICAL ADMINISTRATION:

The Personal Property Brokers Act provides that the Commissioner of Corporations shall grant licenses to the Brokers, supervise and examine the business of the Brokers, enforce their compliance with the provisions of the Act, renew licenses each year, and it delegates to the Corporation Commissioner the general administrative and quasi-judicial powers to regulate the personal property brokers, vesting in him in the exercise thereof, a high degree of discretion in determining that these licensees have good character, and are worthy of public confidence

In the money lending business in our State there are annual loans exceeding $166,000,000, to more than 425,000 of our fellow citizens from approximately 436 business sites throughout the State. The Commissioner of Corporations is supposed to examine all the accounts, check the due compliance of each operator with the law, check applications for licenses and renewals each year. In addition the Commissioner has many other acts to enforce, excluding his primary duty to enforce the Corporate Security Laws of our State. His personnel for all these multifarious duties, examinations, investigations and decisions is entirely inadequate. This may explain why the Personal Property Brokers Act has not been efficiently enforced and why violations are readily observed, even upon a cursory investigation of some of the licensees' account books

With all the duties imposed upon the Commissioner of Corporations by the Legislature, and with no additional employees provided, he does not, and possibly cannot, adequately administer the Personal Property Brokers Act.

For example, the annual report of each licensed place of business concerning its *loan accounts and operations under the law, must be filed with the Corporation Commissioner* by March 15th of each year, and the Commissioner in turn files his report to the Governor. If the licensees do not report by March 15th the commissioner is empowered to examine their books within ten days and make the report for them. In 1947 such annual report to the Governor was not made until October 1, 1948—7½ months late

In examining the files of the Corporation Commissioner, I found felons and *ex-convicts to be licensees and operating their money lending businesses under* successive annual permits.

TRANSACTING OF BUSINESS: A most limited examination of some of the licensees' places of business has disclosed numerous violations of the law. For instance, additional charges on loans of $300 and less exclusive of the 2½% per month on the first $100, and 2% per month on the next $200; a "kick-back" to the lender of a percentage on the premium collected for insurance on the personal property offered by the borrower to secure the loan; errors in the interest calculating charts used by some lenders, allowing more than the maximum interest chargeable on loans of $300 and less These are misdemeanors under the Personal Property Brokers Act.

I perceive from my examinations and inspections to this date a probable unity of action in these violations by some of the licensees, which constrains the inference of a possible concerted action on these violations that could sustain conspiracy complaints. Further time to gather more evidence will confirm this statement Nothing

has been done by the Corporation Commissioner to stop the above violations. As has been suggested, he may not have the manpower to ascertain the existence of violations. The least that should be done is to institute actions to rescind the licenses of violating brokers.

RECOMMENDATIONS FOR LEGISLATION: I shall not burden this report with the situations which cause my recommendations for amendments to the Act, for the reason that the Legislature will be petitioned to appoint an Interim Committee to investigate, and I trust they will pave the way for your office to present the evidence and appropriate adequate funds to bring before the public the true condition which now prevails in this business among some licensed brokers.

1. I think, from past failures, in efficiently enforcing the law, possibly because of insufficient personnel, the Commissioner of Corporations has sufficient to do without his attempting to administer the Personal Property Brokers Act, and allied loan acts. Consequently, there should be created an Industrial and Personal Property Loan Commissioner. The expense of his office can easily be supported from the license fees now paid by the licensees. Each applicant pays a $100 application fee and $200 each year for license fees. One Commissioner, two assistants, five investigators and 10 accountants could efficiently administer and enforce the law, if they had no other duties to perform. The Commissioner should be appointed by the Governor, and confirmed by both Houses of the Legislature. He should serve for a term of two years.

2. There should be a maximum interest charge on all loans, whether they be for $300 or less, or $300 or more, in this classification of money lenders (Personal Property Brokers.) I think the amount for delineation of interest rate differences should be at least $750 rather than $300. At present over 75% of all loans are over $300, and this fact is perceptibly erasing the $300 delimitation.

3. All other charges such as insurance fees, collections, investigations, registrations and incidental fees, should be included in the over-all interest rate permitted to be collected, and such charges should not be allowed to be unlimited, as is now the practice for loans over $300. The limitations should be plainly written into the law.

4. There should be a percent limitation placed on the amount of money a money lender can receive on a line of credit from a banking institution. The Personal Property Broker borrows from the banks between 25% to 75% or more of his money, at from 1% to 3% per annum, and then lends to an unfortunate borrower for not less than 24% per annum, and many times for more. This practice subjects the borrower to a great disadvantage on the one hand, and tends to allow banks to indirectly control a line of business they are not chartered to engage in under the national banking laws. A Personal Property Broker should not be permitted to borrow over 49% of his lending money from a bank, if the Legislature concludes this system should be tolerated at all.

5. I suggest you use your good offices to endorse a legislative resolution to appoint a Committee to investigate what is known as the "small loan" division of financing in California, and I trust that the Legislature will act at this time.

It is upon the assumption that the Legislature will so act, that I recommend cooperation with the Legislature rather than the empanelling of a Grand Jury in the different large counties of the State to investigate the subject, ascertain any law violations, and make recommendations for remedial legislation.

Let me thank you for the complete and free hand you have given me in my work, and that no qualification was placed on my duties at the time of appointment. No law enforcement officer could, or has been, more impartial that you in this matter.

Respectfully submitted,

GEO. W. ROCHESTER

now, therefore, be it

Resolved, That the Assembly respectfully request the Rules Committee or any Interim Committee on Lending Transactions which may be formed at this 1949 Session to thoroughly and completely consider this report.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT

Mr. Babbage announced that the Members of the Committee on Crime and Correction will leave, by bus, at 9 a.m., on Saturday, January 15th, on a trip to San Quentin; where, after an inspection tour, Warden and Mrs. Duffy will entertain members of the tour at luncheon. Return to Sacramento is scheduled in time for dinner.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS BE PLACED UPON THE MORNING ROLL CALL

At 12.20 p.m., Mrs. Niehouse asked for, and was granted, unanimous consent that her name and those of Messrs. Thompson and Waters be placed upon the morning roll call because they have been attending to legislative business in the Office of the Governor

ANNOUNCEMENT

Mr. Cramer announced that the members of the Committee on Transportation and Commerce will meet tomorrow morning, Friday, January 14th, at 11 a.m., at the north entrance of the Capitol, for the purpose of visiting, in a group, the Highway Patrol Academy at McClellan Field.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 12, 1949

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

Senate Concurrent Resolution No. 14

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 14—Relative to the creation of the Joint Legislative Committee on Lending Transactions.

Referred to Committee on Rules.

RECESS

At 12.27 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

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

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

Assembly Bill No. 483: By Mr. Conrad—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes and making an appropriation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 484: By Messrs. Rosenthal and Evans—An act to add Section 1367.5 to the Penal Code, relating to the mental status of defendants.

Referred to Committee on Judiciary.

Assembly Bill No. 485: By Messrs. Rosenthal and Evans—An act to amend Sections 3701, 3703, and 3704 of the Penal Code, relating to the mental status of defendants under judgment of death.

Referred to Committee on Judiciary.

Assembly Bill No. 486: By Messrs. Rosenthal and Bennett—An act to amend Section 25a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to powers and duties of marshals in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 487: By Messrs Rosenthal and Bennett—An act to amend Section 19a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to emergency employees in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 488: By Messrs. Rosenthal and Bennett—An act to amend Section 7e of an act entitled "An act authorizing the establishment of muncipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 489: By Messrs. Rosenthal and Bennett—An act to amend Section 7c of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to commissioners in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 490: By Messrs Rosenthal and Bennett—An act to amend Section 12 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts,

their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to residential qualifications of attaches of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 491: By Messrs. Rosenthal and Bennett—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 492: By Messrs. Rosenthal and Bennett—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary

Assembly Bill No. 493: By Messrs Rosenthal and Bennett—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to deputy marshals and attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 494: By Mr Dolwig—An act to amend Section 370 of the Elections Code, relating to the registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 495: By Mr Dolwig—An act to amend Sections 122, 230, 331, 5620, and 5623 of the Elections Code, relating to elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 496: By Mr. Dolwig—An act to amend Sections 22376, 22378, and 22692 of the Education Code, relating to residence requirements of electors in library districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 497: By Mr. Dolwig—An act to amend Sections 3, 756, and 856 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," Chapter 49, Statutes of 1883, relating to municipal elections, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 498: By Messrs. Dolwig and Connolly—An act to amend Section 6140 of the Business and Professions Code, relating to fees payable by members of the State Bar.

Referred to Committee on Judiciary.

Assembly Bill No. 499: By Messrs McCollister, Cramer, Dolwig, Hoffman, and Mrs. Niehouse—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 500: By Messrs McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to amend Sections 804, 813, 814, 815, 986 3, 986 4, and 986.5 of the Military and Veterans Code, relating to the purchase of farms and homes by veterans

Referred to Committee on Military Affairs.

Assembly Bill No. 501: By Messrs McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to amend Sections 1191, 1193, and 1262 of the Military and Veterans Code, and Section 4408a of the Political Code, relating to buildings and recreational facilities for veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 502: By Messrs McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to aid in the acquisition and construction of homes for veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 503: By Messrs McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to amend Section 985 of the Military and Veterans Code, relating to veterans' farm and home purchases.

Referred to Committee on Military Affairs.

Assembly Bill No. 504: By Messrs McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs Niehouse—An act to amend Section 2701 of the Penal Code, relating to the employment of prisoners in state prisons

Referred to Committee on Judiciary.

Assembly Bill No. 505: By Messrs. McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to add Section 429.6 to the Fish and Game Code, relating to exemption from license fees for patients in veterans' and military hospitals.

Referred to Committee on Fish and Game.

Assembly Bill No. 506: By Messrs. McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to add Section 984 to Article 3, Chapter 6, Division 4 of the Military and Veterans Code, relating to farm and home purchases.

Referred to Committee on Military Affairs.

Assembly Bill No. 507: By Messrs. McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to amend Section 395.1 of the Military and Veterans Code, relating to re-employment rights of persons who leave or have left employment to join the armed forces.

Referred to Committee on Military Affairs.

Assembly Bill No. 508: By Messrs. McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to add Section 3 to an act entitled "An act making an appropriation to carry out the State Postwar Building Program in respect to the Veterans' Home of California," approved March 11, 1946, relating to construction of a reception building at the Veterans' Home of California.

Referred to Committee on Military Affairs.

Assembly Bill No. 509: By Messrs. McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to amend Sections 2701, 2709, and 2875 of the Penal Code, relating to the employment of prisoners in state prisons and the disposition of prison-made goods.

Referred to Committee on Judiciary.

Assembly Bill No. 510: By Messrs. McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—An act to add Section 699.6 to the Military and Veterans Code, relating to rehabilitation services for veterans.

Referred to Committee on Military Affairs

Assembly Bill No. 511: By Mrs. Niehouse, Messrs. Cramer, and Luckel—An act to amend Sections 9100 and 9101 of the Government Code, relating to legislative offices in San Diego, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 512: By Mrs. Niehouse—An act to amend Section 9.3 of the Municipal Court Act of 1925, relating to the constitution of the municipal court of a city or city and county of the second and one-fourth class and to compensation of officials.

Referred to Committee on Judiciary.

Assembly Bill No. 513: By Mrs. Niehouse, Messrs. Cramer, and Luckel—An act to amend Sections 2200 and 2421 of the Elections Code, relating to delegates to national conventions of political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 514: By Mrs. Niehouse, Messrs. Cramer, and Luckel—An act to add Chapter 15, comprising Sections 800 to 842, to

Division 2 of the Business and Professions Code, relating to the practice of audiometry, creating a Board of Audiometry, and prescribing its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 515: By Mrs. Niehouse and Mr. Cramer—An act to provide for leasing additional facilities and service for the extension, maintenance and operation of the teletypewriter system of communication by the State Department of Justice and to make an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Constitutional Amendment No. 27: By Messrs. Rosenthal and Evans—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 4½ of Article VI thereof, relating to the powers and duties of courts.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 28: By Messrs McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1¼a to Article XIII of said Constitution, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 29: By Messrs. McCollister, Cramer, Dolwig, Gaffney, Hoffman, and Mrs. Niehouse—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article XIII thereof a new section to be numbered 1d, relating to the exemption from taxation of the property of veterans' organizations.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 516: By Mr. Elliott—An act to amend Section 784.5 of the Agricultural Code, relating to the packing of fruits, nuts, and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 517: By Mr. McCollister—An act to amend Section 699.5 of the Military and Veterans Code, relating to the powers and duties of the Veterans' Welfare Board in aiding veterans in connection with veterans' rights, privileges, and preferences.

Referred to Committee on Military Affairs.

Assembly Bill No. 518: By Mr. Caldecott—An act to amend Sections 1203.1 and 1203a of the Penal Code, relating to the terms and conditions of probation.

Referred to Committee on Judiciary.

Assembly Bill No. 519: By Messrs. Morris and Evans—An act to add Section 19564 to the Business and Professions Code, relating to the sale of liquor at horse racing meetings.

Referred to Committee on Public Morals.

Assembly Constitutional Amendment No. 30: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 6 of Article IV thereof, relating to senatorial districts.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 520: By Mr. Bennett—An act to amend Section 19233 of the Streets and Highways Code, relating to highway lighting districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 521: By Mr. Bennett—An act to repeal Sections 4136, 4137, 4138, and 4139 of, and to add Sections 4136, 4137, 4138, and 4139 to, the Health and Safety Code, relating to garbage disposal districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 522: By Mr. Bennett—An act to amend Sections 4890 and 4910 of the Health and Safety Code, relating to sewer maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 523: By Mr. Evans—An act to add Section 2142.12 to the Business and Professions Code, relating to the use of the titles Doctor of Medicine and Doctor of Osteopathy.

Referred to Committee on Public Health.

Speaker Presiding

At 2:42 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESIGNATION OF MEMBERS FROM STANDING COMMITTEE

Speaker Sam L. Collins announced the resignation from membership on the Committee on Livestock and Dairies of Messrs. Weber and Lowrey; and that the remaining members on this committee will comprise the permanent standing committee.

APPOINTMENT OF MEMBERS TO COMMITTEES

Speaker Sam L. Collins announced the appointment of Mr. Lowrey as a member of the Committee on Conservation, Planning, and Public Works; and the appointment of Mr. Beck as a member of the State Allocation Board, vice, Mr. Field.

Speaker Pro Tempore Presiding

At 2:45 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

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

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

Assembly Bill No. 524: By Messrs Anderson, Hawkins, Beck, and Elliott—An act to add Chapter 7 to Division 4 of the Military and Veterans Code, relating to loans to veterans to assist them in pursuing a gainful occupation.

Referred to Committee on Military Affairs.

Assembly Joint Resolution No. 7: By Messrs. Clarke, Lowrey, and Butters—Relative to memorializing and petitioning the House of Representatives of the Congress of the United States to appoint a Committee to Investigate the Mango Fruit Fly.

Referred to Committee on Rules.

Assembly Bill No. 525: By Mr. Levering—An act to amend Sections 11 and 11d of the Municipal Court Act of 1925, relating to municipal courts and the attaches of said courts.

Referred to Committee on Judiciary.

Assembly Bill No. 526: By Mr. Levering—An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Monica upon certain trusts and conditions.", relating to the use of certain tidelands and submerged lands granted to the City of Santa Monica.

Referred to Committee on Transportation and Commerce.

Assembly Constitutional Amendment No. 31: By Mr. Reagan—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 21 to Article XI, relating to regulation and taxation by cities, counties, and cities and counties, in fields occupied by the State.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR SPEAKER Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 2

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 13, 1949

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

Senate Joint Resolution No. 2

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 2—Relative to Big Oak Flat Road. Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 17

By Mr. Dickey:

House Resolution No. 17

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase eighty-one (81) sets of the latest edition of Deering's Codes of the State of California.

Resolved further, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) complete set of the codes to each Member of the Assembly, and one (1) complete set of the codes to the Chief Clerk of the Assembly.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Thompson, Waters, Way, Weber, and Mr. Speaker—59.

NOES—None.

MOTION THAT 1,000 LEGISLATIVE INFORMATION PAMPHLETS BE PRINTED

Mr. Ralph C. Dills moved that the Chief Clerk be instructed to prepare and have printed Legislative Information pamphlets, 1,000 in number.

Mr Clayton A. Dills seconded the motion.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR. SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 22

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

DICKEY, Chairman

Above reported resolution ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 8
Assembly Bill No. 23
Assembly Bill No 383
Assembly Joint Resolution No. 2

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading
Above reported resolution ordered on file for adoption.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

A communication addressed to the Honorable Sam L. Collins, Speaker, from Thomas H. Kuchel, Controller, dated January 11, 1949, relating to a salary increase for the Legislative Accounting Officer, Mr. Lee Artz,

Has had the same under consideration, and reports the same back with the recommendation: Be approved, and the Controller be so notified.

DICKEY, Chairman

Communication read, and approved.

Speaker Presiding

At 2.56 p m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER

Mr. Dickey moved that the Chief Clerk be instructed to write a letter to the Honorable Thomas Kuchel, State Controller, and inform him, on behalf of Speaker Sam L. Collins and the Members of the Assembly, that the Assembly authorizes his office to make a salary adjustment in the case of Mr. Lee Artz.

Mr. Hawkins seconded the motion.

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

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—65

NOES—None.

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

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

Assembly Bill No. 527: By Mr. Sherwin—An act making an appropriation for the purpose of increasing the salaries of state employees, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 528: By Messrs. Doyle and Hollibaugh—An act to amend Section 6509 of the Business and Professions Code, relating to the inspection of barber shops and barber colleges.

Referred to Committee on Public Health.

Assembly Joint Resolution No. 8: By Mr Luckel, Mrs. Niehouse, and Mr. Cramer—Relative to providing a veterans' hospital at San Diego.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 19—Relative to the manner of preparing annual state budgets.

Resolution read.

Point of Order

Mr. Doyle arose to the following point of order: That the explanation of the resolution by Mr. Collier is not germane to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of Assembly Concurrent Resolution No. 19.

Point of Order

Mr. Kirkwood arose to the following point of order: That the question by Mr. Evans is not germane to the subject.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken

Demand for Previous Question

Messrs. Thompson, Connolly, Weber, Waters, and Doyle demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 19.

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

AYES—Babbage, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Reagan, Sherwin, Stanley, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—47

NOES—Anderson, Beck, Coats, Condon, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Evans, Geddes, Hagen, Heisinger, Lewis, Morris, Niehouse, Rosenthal, and Rumford—18.

Resolution ordered transmitted to the Senate.

APPOINTMENT OF INTERIM COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Thomas, Thompson, McCollister, Crichton, and Ralph C. Dills to membership on the statutory Commission on Interstate Cooperation.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 529: By Messrs. Rosenthal, Thomas, McMillan, Rumford, Anderson, Beck, Brady, Brown, Burkhalter, George D. Collins,

Condon, Cooke, Davis, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Hawkins, Hollibaugh, Huyck, Kilpatrick, Lewis, Maloney, McCarthy, Meyer, Morris, Mrs. Niehouse, and Mr. Waters—An act to prohibit the advocation of hatred by reason of race, color or religion, and effectuate the Bill of Rights, and providing penalties.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 150—An act to amend Sections 122, 230, 2571, 5620, and 5623 of the Elections Code, Sections 1810, 1812, 1824, 22376, 22378, and 22692 of the Education Code, and Sections 34324 and 34051 of the Government Code, relating to registration and residence of electors, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—57.

NOES—Anderson, Brady, Burkhalter, Condon, Ralph C. Dills, Elliott, Evans, Hagen, and Lewis—9.

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

AYES—Babbage, Beck, Bennett, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—57.

NOES—Anderson, Brady, Burkhalter, Condon, Ralph C. Dills, Elliott, Evans, Hagen, and Lewis—9.

Bill ordered transmitted to the Senate.

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON DETENTION HOMES AND COUNTY AND CITY JAILS (CRIME AND CORRECTIONS)

Letter of Transmittal

January 13, 1949

To the Speaker and Members of the Assembly

GENTLEMEN: On behalf of this committee, re-created by House Resolution No. 164 of the 1947 Session, we have the pleasure of submitting our further report.

Included herein are recommendations for legislation; also suggestions leading in the direction of further legislation but which, because of inadequate investigation due to lack of time and funds, the committee is loathe, in some instances, to place in the form of actual legislative proposals.

Your committee calls attention to Assembly Journals of previous sessions containing extensive and far-reaching studies, suggestions, and

recommendations. All of the committee's earlier reports re-affirm the further study herewith submitted.

Your committee believes it has been diligent and conscientious in its work, and strongly recommends this report to your most earnest attention. It is the committee's firm contention that it contains information of the most vital importance to the welfare of the State of California.

Respectfully submitted,

VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE, Vice-chairman
ELWYN S. BENNETT, Secretary
GORDON R. HAHN, Member

(Edward J. Carey, former member, is no longer a Member of the Assembly)

Introduction

During the course of its studies the committee has availed itself of the most competent advisers and authorities in the Country on the matters committed to its investigations. Its conclusions have been arrived at after extensive hearings, investigations, and the accumulation of a great mass of information attested by many agencies and officials.

It is worth noting at this point that the Adult Corrections and Release Procedures Commission has within the past several weeks issued a report covering to some extent the same ground as that covered by your committee. It, too, has had the advantage of consultation and investigation with and by eminent men in the field under study.

It is extremely agreeable to the committee to report that the recent findings of the Adult Corrections and Release Procedures Commission are in almost all major respects on a city and county level closely parallel to the earlier reports advanced by this committee.

However, this report is at variance to the Adult Corrections and Release Procedures Commission as it pertains to the State Penal and Rehabilitation System, and offers a number of suggestions and recommendations which are backed by data and arguments more persuasive to the committee than the report of the Adult Corrections and Release Procedures Commission. The major recommendations are listed below, with supporting data.

Before listing the recommendations—which are supplemental to the numerous ones previously presented to this body—the committee would like to mention the following, which come within the scope of this report:

A brief of hearings held in Los Angeles, and visits by committee members to the Los Angeles County Honor Farm and road camps, Fresno County penal road camps, the Fred C. Nelles School for Boys, the Paso Robles School for Boys, the Ventura School for Girls, the Santa Barbara-Ventura joint program facilities for boys, the California Institution for Men at Chino, the California Institution for Women, State Prison at San Quentin. Also a brief of a Los Angeles County Grand Jury Report containing material pertinent to this committee's work, and numerous other inquiries.

Recommendations

In offering these recommendations, the committee desires to point out that the substantiating material has been kept at a minimum.

Increase in Personnel of Adult Authority

Your committee believes:

First. The personnel of the Adult Authority should be increased, probably from three to five members, and the supervision of paroles transferred to the Department of Corrections—for these reasons:

The present Adult Authority, a vital part of our Penal System set up in 1944, has been headed by generous-hearted men who have worked hard during its formative period. Yet the investigation of its functioning by the committee—admittedly not complete—indicates vital deficiencies in its organization and operation.

In the first place, it has exclusive judicial powers within the Department of Corrections (Men's Division). At the same time, it has extensive administrative powers and administers parole supervision to approximately 3,300 parolees.

Your committee is firmly convinced that administrators should never, under our government system, be judges of their own operations or administration (The Board of Trustees for the California Institution for Women will be dealt with in a later report). Yet that appears to be happening within the Adult Authority, which, during its period of growth, has been singularly free to develop its own policies and form of organization.

Under the law, the authority is composed of three members, each of whom is appointed by the Governor, with the advice and consent of the Senate, for the term of four years and until the appointment and qualification of his successor, with the chairman designated by the Governor from time to time. One member, says the law, shall be an attorney-at-law, one shall have had practical experience in handling adult prisoners, and one a sociologist in training and experience.

It is not known to your committee whether any member can qualify as a sociologist. Whether he can or not, the three-man board is composed of three ex-policemen To be sure, one is also an attorney, and one an ex-police chief. All are quite human. But their training essentially appears to have been that of prosecutors or law-enforcement agents—and not that of experts in rehabilitation. And rehabilitation presumably is the groundwork upon which California's prison system is built.

In any case, it appears obvious that the present three-man board has a greater load on its shoulders than any three men should bear.

Consider these facts; actual comparisons with other agencies are enlightening, and the committee's principal reason for suggesting more detailed study of the problem.

Under the Adult Authority there are now about 10,000 men in prison, and 3,300 on parole within the State—the parolees being roughly one-third of the prison figure.

Under the Board of Trustees for the California Institution for Women there are approximately 315 persons in prison and about 200 on parole—about two-thirds of the prison total.

The Federal System

Without attempting to compare the federal system with that of the State, 38.8 percent of those convicted before the federal court, according to the most recent figures, were not sent to prison, but placed on probation—at a greatly reduced cost to the taxpayer. In other words, of 27,311

convicted under the federal system, only 16,724 were sent to prison, while more than 10,000 were placed on probation at a saving of about $10,000,000 a year, and 96 percent make good. In Los Angeles County, the Probation Department reports that about 90 percent make good.

In this connection, it is interesting to note that federal officials estimate that persons on federal probation earned during the year something like $25,000,000 for their own support

Overburdened System of Adult Authority

To illustrate how clogged the Adult Authority is with its three-man overburdened system, last July the authority passed judgment on more than 500 parole cases and nearly 200 other matters.

Take a single prisoner, to narrow the illustration. He is one of more than 30 that appear in a single day's session of the authority. Under the authority's present method of operation, he will have waited more than a year to get his hearing for parole. Is it any wonder that he should feel like a kernel of wheat entering a thresher?

What sort of a hearing will this one man among 30 receive on his fateful day—when it finally arrives?

This committee is strongly inclined to believe, from first-hand observation that he will not get what he is legally entitled to, a matter that will be discussed under a later heading.

Meanwhile, your committee would like to make a few observations concerning what appears to be an excessively costly method of operation by the Authority—which might be greatly cut with increase of the body to five men, and transferring the matter of paroles and other administrative duties from its jurisdiction.

First of all, such contact with and study of the Authority as the committee was able to make revealed an apparently deep distortion of aim and goal in that body's program

Two Penal Systems Operating in State

Briefly, there seem to be two penal systems operating in the State. One, the avowed basis of penology in California, and the system endorsed by the highest authorities in the land, aims to keep a man in prison no longer than necessary—releasing him on parole as soon as it can be established that he may rehabilitate himself.

The other system in California, which preliminary study by this committee indicates is largely due to the questioned operation of the Adult Authority, throws a man in jail and leaves him there. It is the system the State of California aimed to overthrow when it reorganized its prison system in 1944. It is operated by three men with police backgrounds—which appears to be out of harmony with the language and intent of Section 5077 of the Penal Code. These men carry heavy administrative as well as operational duties and thereby, in many respects are, as administrators, judges of their own acts.

One keeps a man in prison, often seemingly unnecessarily, at an estimated cost of from $800 to $1,300 a year, while the other would release him and provide supervision at under $150 a year.

The difference between these two systems, the inferior one operating virtually within the framework of the other, may well be responsible

for the greatly overcrowded conditions in our prisons, which it is estiated need plant additions and new structures to the tune of something like $5,000,000.

If your committee's brief inquiry is supported by further study, it may appear that not only will society receive better protection through a more thorough and scientific study and, thereby, the release of only those who are fit to live with, making more certain that those who could be good risks be given the benefit of parole, but we believe that millions of dollars annually will be saved in the process.

All this is said with full awareness by the committee of the dangers of either a "do-gooder" or a "police" attitude toward the problem. Rehabilitation is no field for either police or the soft-hearted, but rather for the most learned men in the field.

Probably half of those in prison today in California have been there before—a pretty certain indication that the system has fallen short of what it should do, thus providing much of its own overcrowding problem.

Suggested Personnel of Adult Authority

Psychiatrists, medical men, sociologists, and men trained in probation and similar work, it would seem, should replace the present police-trained personnel for the most part in our jails and penitentiaries and parole systems. The committee's brief review seems to justify further study of this field, but at present an extremely conservative recommendation would be that a minister, (with a social service background) and a psychiatrist be included in the membership of the Authority.

Parole Hearings

Second—The shortcomings of parole hearings should be overcome by transfer of the Authority's administrative duties to the Director of Corrections, thus releasing more time for parole study.

Some of the members of your committee have, through the courtesy of the Adult Authority, sat in on several parole hearings; and each member has been impressed by the seeming lack of factual data surrounding the circumstances for which the prisoner was committed to prison as required by law, and upon which decision concerning the prisoner should properly be based. Many times after five or ten minutes of explanation of the prisoner's record, followed by brief questioning, the latter was excused. In some instances, because of the lack of pertinent data, questions asked concerning the prisoner or his fitness for release could not be answered. In view of the latter fact, the prisoner, if denied parole, was informed he could again appear before the board a year hence.

Section 5077 of the Penal Code, concerning powers and duties, states:

"The Adult Authority shall cause each person committed to a state prison to be examined and studied. This includes the investigation of all pertinent circumstances of his life and the antecedents of the violation of law because of which he has been committed to prison. Any person may be re-examined to determine whether existing orders and dispositions should be modified or continued in force.

"The granting and revocation of parole, the fixing of sentences, and the commitment of a prisoner to a particular state prison for the serving of his sentence shall be made by the Adult Authority by majority vote."

From the foregoing it is apparent the Authority is charged with the duty of making thorough inquiry, yet in following through on one complaint brought to the attention of this committee, it was learned that the files of the prisoner involved were decidedly incomplete though the prisoner had several times appeared before the Authority. Data offered by a relative was ignored The interview date for parole consideration was passed without notice to the prisoner's wife, who had requested the privilege of being present upon notice.

Following the above incident, your committee requested, six months in advance, to be notified of the next interview date of this prisoner. The request was never complied with.

Indeterminate Sentences

Probably the most important duties of the Adult Authority as it is now set up are its functions to fix terms and act as parole board and administer parole custody under the Indeterminate Sentence Law.

The indeterminate sentence in California is of comparatively recent origin and, from a review of the rich and varied literature on the subject, it is clear that, while the indeterminate sentence in theory represents advanced thought on the subject and has as its chief feature rehabilitation, its operation falls far short of a desired goal.

California has indeed been fortunate in securing the type of men it has had to head up the Adult Authority during its formative period. They have given of their time and talents generously, and have labored long hours and far into the night to clear their desks. They have been unusually cooperative to the members of the committee, and have indicated a zealous effort to insure the success of the Authority

Your committee has shown great interest in the practical working of the Adult Authority in its administration of this important function, and has made every effort to investigate complaints directed against the operation of the Authority:

(1) To the method of hearings of the Authority, which are closed to the public.

(2) To the failure to make extensive investigations into the background for which the prisoner was convicted, as required by law, which your committee believes has not been carried out.

(3) To the fact that a man's record is based on so-called confidential reports from arresting officers, jailers and transportation officers, the information contained therein being based on conclusions rather than fact and by persons untrained in human behavior.

(4) To the fact that this information together with all other data is withheld from the prisoner.

(5) To the fact that the Adult Authority simply does not have the time to spend on collecting information and for consideration of the average case considered by it. The Authority, according to its own report, December 1, 1946, considered, on an average, 488 cases per month for the previous two years. July, 1948, 537 cases.

(6) To the fact that the Adult Authority has arbitrarily set up conditions and required the signing of forms as a condition of release on parole, which appear on the face to be contrary to practical compliance and all of otherwise accepted legal concepts.

(7) To the fact that the Adult Authority has, wholly on its own initiative, imposed parole conditions which have no bearing upon the offense for which the prisoner was sentenced, and which the prospective parolee must agree to, regarding rights of contracts, marriage, ownership of property, etc., which tend to degrade rather than rehabilitate.

(8) To the fact that actions taken in fixing sentences and granting paroles are not subject to review by an impartial reviewing body.

(9) To the fact that although the Authority is charged with the establishment of diagnostic clinics and providing treatment to the end of rehabilitating the prisoners, it is a fact that of this date the Adult Authority does not go on record as having effected any increase in the rehabilitation of paroled or released prisoners or in any actual beneficial behavior on the part of inmates.

The foregoing nine facts which we present for consideration impel this committee to believe that further investigation of the Adult Authority and the indeterminate sentence procedure should be made. Many sincere people have expressed wonderment at the intent of the California Legislature in passing legislation creating a body composed of three men, no matter how wise, sincere, or well-intentioned, having in their hands so absolute power over the lives of some 13,000 wards of the State without power of review.

Further Recommendations

The wholly reasonable view has been expressed that the Adult Authority, being still in its swaddling clothes, should be very carefully watched by the Legislature to the end that abuses can be detected and corrected.

The committee recommends that the Adult Authority:

1. Provide for appearances of a limited number of relatives or friends who request the privilege of being present at hearings.

2. Make prisoner's record available to him in advance of hearing.

3. Cease to rely on information or records, other than court records and such behavior records as are attested to and signed by a psychiatric diagnostician.

4. Revise present form required for parole limiting the action of the parolee to the extent of degrading him

5. Use a form prescribed by proper legislative action, which will be in effect a contract between the parolee and the people of the State of California, a contract based on human dignity and a sincere living belief in rehabilitation.

The committee also suggests study of the works of the Adult Authority based on its first four and one-half years to determine whether or not the system can be greatly improved. To this end we suggest a study providing for a hearing authority within each prison organization, and subject to review by the Adult Authority. The committee suggests the desirability of requiring the Adult Authority to provide stenographic notes of all revocations, this parole hearing, which notes shall be subject to review.

Just as your committee believes that quasi-judicial and administrative powers should not be vested in the same officer or body, so it also believes that investigations in aid of legislation should not normally be

vested in or under the supervision of officers or bodies exercising administrative powers. While an efficient administrator needs to make investigations in aid of his administration, he should not be permitted to carry his inquiry beyond the scope of the laws governing his own agency nor should he be permitted so to occupy the field of investigation as to preclude investigation by the legislative department in accordance with the express mandate of our State Constitution.

Committee Recommendations Enacted Into Law

The committee submitted to the 1945 Extraordinary Session of the Legislature a progress report; and in January, 1947, at the regular session, submitted its final report under the original authorization. This report covered testimony by leading state officials and top-ranking penologists of the State and Nation.

The summing up of that first two years' study resulted in the committee making 11 recommendations for changes in the penal laws of California.

The committee's entire legislative program was approved by the Assembly, and the following measures were enacted into law:

1. Creation of the office of jail inspector within the Department of Corrections.
2. Approval of plans for alteration or new jail or local custodial structures by Department of Corrections.
3. Prohibition of the fee system of feeding prisoners.
4. Prohibition of "Kangaroo" court.
5. Provision that Director of Corrections shall determine standards of quality and quantity of food and clothing to be used within jails.

Other Recommendations Presented to the Legislature, 1947

Among the committee's recommendations was the request for the establishment of two inebriate colonies, (one in the northern and one in the southern part of the State) under the Department of Mental Hygiene.

Provision of law should be made for a Department of Rehabilitation on the county level, which authority and responsibilities should be comparable to the State Department of Corrections. In counties too small to support such a department, we have recommended that two or more counties join together in a regional program.

Establishment of a uniform accounting system for local penal institutions.

Authority of State Health Department to enter and inspect jails without previous notice.

Establishment of minimum standards both as to facilities and personnel set up by the Department of Corrections.

A report was made on public hearings at San Diego and San Jose. The former pertaining to Juvenile Hall and the latter largely devoted to jail conditions. In that report we recommended:

1. Juvenile Hall should be administered by probation officer instead of by probation committee or the juvenile court and gave six detailed reasons therefor, together with operational breakdown.
2. Closing of Santa Clara County Jail as unfit for housing prisoners, and recommended that the jail be closed and prisoners transferred to Santa Rita (Alameda County Jail Farm) where ample facilities exist.

The committee now suggests, in line with a report issued April 15, 1947, that a Manual for Grand Juries be issued. The latter reports referred to, and subsequent investigations by the committee, has brought to light the impotency of many grand juries and their lack of concrete knowledge concerning their responsibilities. One glaring instance uncovered by the committee, which at least to some degree would be overcome by issuance of such a manual, is the failure of many grand juries in the State to make investigations of jails and other penal institutions definitely required by law.

While not the only causative force, economic privation is often the motivating cause for criminal conduct. Accordingly, the committee believes funds should be available, particularly to probationers, on a loan basis limited to $5 or $10 as a means of relieving an extreme incident during the period of their rehabilitation, giving them the means to live without being forced into illicit activity.

Your committee also believes that, as a result of its work, it can tentatively offer the following proposals as suitable for further study: (1) Although prison labor should not interfere with private enterprise to any serious degree, a much more likely method, whereby sale of prison handiwork can be effected, surely should be given study. (2) The pay of teachers in penal institutions is now grossly inferior to that of regular public teachers; there is no apparent reason why this should be so—in fact, if real justice were done, the penal teacher would receive more than the outside teacher. At least some adjustment in this matter is in order. (3) A more thorough study of the handling of sex offenders is surely overdue. (4) More study of the lengthy waits parole applicants are forced to undergo seems almost obligatory; corollary to this is the fact that serious consideration and recommendations by our most thoughtful and learned authorities should be given to the desirability of placing parole on a uniform basis for those eligible. (5) More study should be given to the efficiency of the Executive Department's handling of pardon applications based upon claim of innocence by the applicant.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p. m.—

Conservation, Planning, and Public Works, in Room 426. Subject: Urgency matter.

Today, upon adjournment—

Revenue and Taxation.

Rules.

Conservation, Planning, and Public Works, in Room 426.

Saturday, January 15th—

Interim Committee on Highways, Streets and Bridges, in Room 435.

Monday, January 17th, upon adjournment—

Ways and Means. Subject: Fixed Budget Charges.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, Mr. Babbage, and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Richard Welch of Riverside.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Fred Freeman of Portola, and Edwin Davis of Tulelake.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to John B. Knight of Los Angeles, former Assemblyman.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Col. Floyd Newman Shumaker and Major Marcel A. Kraft of San Francisco.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Justice Paul Peek, former Assemblyman of Long Beach.

On request of Mr. Dickey and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Lenore Underwood and Miss Aline Nickell of San Francisco.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Byron O. Wilson of Martinez.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Vern Summers of Bridgeport.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Arnold Klaus of San Diego.

On request of Mr. George D. Collins and the San Francisco delegation, the usual courtesies of the Assembly for this day were unanimously extended to John J. Sullivan of San Francisco

On request of Mr Moss, the usual courtesies of the Assembly for this day were unanimously extended to W. B. Masters and Frank E. Russell of Sacramento.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Melvin Larson of Madison, Wisconsin.

On request of Mr Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Serene W. Anderson of Los Angeles and Mrs. Deena Johnson of Graettinger, Iowa.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to V. W Grubbs and Charles O'Neill of Riverside.

On request of Mr. Tomlinson and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Alfred W. Robertson of Santa Barbara, former Assemblyman.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to F. Carl Sherwood of San Diego.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Walter E. Read and R. T. Jensen of Lynwood.

On request of Speaker Sam L Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Attorney General Fred N. Howser, former Assemblyman, of Los Angeles.

ADJOURNMENT

At 3.45 p m., on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, January 17, 1949, out of respect to the memory of the late Marguerite Mary McBride, wife of Senator James J. McBride of Ventura.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINTH LEGISLATIVE DAY

FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, January 17, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Lights: Upon this day when Benjamin Franklin was born (January 17th), let us look with gratitude to the immense service he rendered our Country in its critical struggle for independence.

Let us honor his labors as Ambassador to France in securing French aid to win our struggle to become an independent Nation, and his steadying influence in the constitutional era.

Let us behold in him an example of versatility of mind, of the amazing variety of interests that a man can pursue and the discoveries one can make.

Let us honor him for his practical inventions for our comfort—bifocals for the eyes, lightning rods for the houses, and the common stove, and his discovery of the practical uses of electricity.

Let us remember his great contribution to education—the circulating public library—and his prophecy of aerial transportation.

May we cherish his faith in democracy and in the future of the Republic, his religious faith in the Divinity who presides over the destinies of nations, and emulate his devotion and sacrifices for this Republic.—AMEN.

(Benjamin Franklin asked in a deadlock in the Constitutional Convention that they rise and pray to the God of Lights).

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Berry, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Clayton A. Dills.

Mr. Hinckley, on motion of Mr. Erwin.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMUNICATIONS

By Speaker Collins:

A communication from Harry Rose of Los Angeles, relative to his suggestion that certain people in California be prevented from voting in the future, was received, and ordered filed with the Secretary of State.

By Speaker Collins:

A communication from Lucille Richards of San Francisco, relative to protecting practical nurses, was received, and ordered referred to the Committee on Public Health.

By Speaker Collins:

A communication and a report from DeWitt Nelson, State Forester, relative to a great demand for the Division of Forestry to carry out controlled burning projects, was received, and ordered filed with the Secretary of State.

ANNOUNCEMENT

Speaker Sam L. Collins announced that at the time committee appointments were read across the desk, certain changes he had made on his work sheet had, through inadvertance, not been noted on the final list which he submitted to the desk, and which was printed in the Journal; and that, at an early date, he will announce the needed corrections.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR SPEAKER Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No 271

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chariman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 271—An act to amend Section 2 of an act entitled "An act to provide for the relocation of a portion of State Highway Route 5 in Santa Clara County, making an appropriation therefor,

and declaring the urgency hereof, to take effect immediately," approved July 17, 1947, relating to relocation of a portion of State Highway Route 5, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, January 13, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Assembly Bill No. 143

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 143—An act to amend Section 252 of the Revenue and Taxation Code, relating to affidavits for exemption and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 14, 1949

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

Senate Concurrent Resolution No. 19

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 19—Relative to the creation of the Joint Economic Survey Committee.

Ordered held at desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 14, 1949

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

Assembly Concurrent Resolution No. 29

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 14, 1949

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

Senate Concurrent Resolution No. 16
Senate Concurrent Resolution No. 17

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 16—Relative to honoring Robert Mathias.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 17—Relative to the continuance of the Joint Committee on Water Problems.

Referred to Committee on Rules.

REMARKS ON CONDITION OF THE FILE

Mr. Erwin spoke upon the condition of the file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 14, 1949

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

Senate Concurrent Resolution No. 15

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 15—Relative to the continuance of the Joint Legislative Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 530: By Mr. Burkhalter—An act to repeal Section 28004 of the Health and Safety Code, relating to horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 531: By Mr. Cramer—An act to amend Section 18006 of the Government Code, relating to moving expenses of state officers, agents, and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 532: By Mr. Crichton—An act making an appropriation for the purchase of a farm adjacent to the campus of the Fresno State College.

Referred to Committee on Education.

Assembly Bill No. 533: By Mr Doyle—An act to be known as the "Off Track Wagering License Act," defining off-track wagering, and providing for licensing, bonding, regulating and supervising the activities of the same; providing for the enforcement of this act by the Director of Social Welfare and prescribing penalties for the violation of the provisions thereof.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 534: By Mr. McCollister—An act to amend Section 374 of the Vehicle Code and to add Section 10783 to the Revenue and Taxation Code, relating to exemption of automobiles given to paraplegic veterans from registration fees and vehicle license fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 535: By Mr McCollister—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts.

Referred to Committee on Judiciary.

Assembly Bill No. 536: By Mr. Weber—An act to add Section 1408 to the Elections Code, relating to initiative measures.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 537: By Mr. Elliott—An act relating to property taken or damaged in the construction of state highways, county roads, and city streets, and to prevent tenants of such property from being removed until suitable accommodations are found.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 538: By Mr. Elliott—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 539: By Mr. Elliott—An act to add Section 6537.5 to the Business and Professions Code, relating to barbers' colleges.

Referred to Committee on Public Health.

Assembly Bill No. 540: By Mr. Hollibaugh—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 541: By Mr. Connolly—An act to amend Sections 545 and 546 of the Code of Civil Procedure, relating to garnishments.

Referred to Committee on Judiciary.

Assembly Bill No. 542: By Messrs Moss, Fleury, Lindsay, and Weber—An act to establish a Capitol Planning Commission, prescribing its organization, powers and duties, transferring to the commission certain functions of the Department of Finance, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 543: By Mr. Cooke—An act to amend Sections 6032 and 6038 of the Harbors and Navigation Code, relating to elections in harbor districts.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 544: By Mr Condon—An act to amend Section 117p of the Code of Civil Procedure, relating to fees charged by public officers in connection with small claims actions.

Referred to Committee on Judiciary.

Assembly Bill No. 545: By Mr. Coats—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 546: By Messrs Anderson, Cooke, Beck, Conrad, Bennett, Burkhalter, Davis, Clayton A Dills, Ralph C Dills, Dunn, Fletcher, Lowrey, and Moss—An act to add Section 2847.4 to the Elections Code, relating to membership in a county central committee.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 547: By Mr. Anderson—An act to amend Section 18973 of the Government Code, relating to veterans' preference in state civil service

Referred to Committee on Military Affairs

Assembly Bill No. 548: By Mr Anderson—An act to add Article 4 5, comprising Sections 4330 and 4331, to Chapter 13 of Division 2 of the Education Code, relating to the boundaries of high school and junior college districts.

Referred to Committee on Education

Assembly Bill No. 549: By Mr. Anderson—An act to amend Sections 1594, 1597, 2563, 3722, 3726, 3729, 3761, 3762, 4281, 4282, 4318, 4669, and 4962 of, and to repeal Sections 1597 1, 1597 2, 1601, 3576, 3603, 3671, 3725, 3763, 3764, 3765, 3766, 3785, 3866, 4283, 4284, 4285, 4286, 4343, 4667, 4668, 4961, and 4961 1 of the Education Code, relating to territorial liability to taxation for outstanding bonded indebtedness, upon the creation or abolition of, or the annexation to, or the change in boundaries of, school districts.

Referred to Committee on Education.

Assembly Bill No. 550: By Mr Clayton A. Dills—An act making an appropriation to pay the claim of the Ben Hur Refinery against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 551: By Mr. Clayton A. Dills—An act to add Section 216 to the Agricultural Code, relating to certain diseases of swine, to prevent their spread and transmission by requiring processing of garbage fed to the swine.

Referred to Committee on Agriculture

Assembly Bill No. 552: By Mr Ralph C. Dills—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Referred to Committee on Judiciary.

Assembly Bill No. 553: By Mr. Silliman—An act to add Section 12700.6 to Chapter 7, Division 5 of the Business and Professions Code, relating to public weighmasters.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 554: By Mr Silliman—An act to amend Section 28117 of the Government Code, relating to compensation for public services in counties of the seventeenth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 555: By Messrs Levering and Reagan—An act to add Chapter 5 6 to Division 2 of the Business and Professions Code, relating to the practice of physical therapy by registered physical therapists

Referred to Committee on Public Health.

Assembly Bill No. 556: By Mr. Ralph C. Dills—An act adding Sections 32039, 32040, 32339, and 32340 to the Government Code, relating to retirement systems for peace officers, foresters, firewardens, and county fire protection district firemen

Referred to Committee on Municipal and County Government

Assembly Bill No. 557: By Mr. Lewis—An act to amend Section 6512 of the Business and Professions Code, relating to compensation of members of the State Board of Barber Examiners.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 558: By Mr. Lewis—An act making an appropriation for the acquisition of a site and the construction of buildings thereon, for a state college to be located in the vicinity of Bakersfield.

Referred to Committee on Education.

Assembly Bill No. 559: By Mr. Erwin—An act to amend Section 1278 of the Fish and Game Code, relating to deer license tags.

Referred to Committee on Fish and Game.

Assembly Bill No. 560: By Mr. Erwin—An act to add Chapter 16 7 to Division 3 of the Business and Professions Code, relating to the inspection of vessels, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 561: By Mr. Morris—An act adding Sections 28602.1, 28658, 28659, 28661 1, 28661.2, 28661 3, 28661 4, and 28661.5 to the Health and Safety Code, relating to sanitary standards for restaurants, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 562: By Mr. Morris—An act to add Section 384 to the Penal Code, relating to placing combustible materials in tobacco.

Referred to Committee on Judiciary.

Assembly Bill No. 563: By Mr. Waters—An act to amend Section 695 of the Elections Code, relating to election officer's right of absence from employment

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 564: By Messrs Waters and Huyck—An act to amend Sections 11510, 11511, 11535, 11551, and 11575 of, and to add Sections 11021 and 11548 to, the Business and Professions Code, relating to subdivided lands, including subdivision maps thereof

Referred to Committee on Municipal and County Government.

Assembly Bill No. 565: By Messrs. Caldecott, Beck, and George D Collins—An act to amend Section 1013 of the Code of Civil Procedure, relating to service by mail

Referred to Committee on Judiciary.

Assembly Bill No. 566: By Messrs. Burke and Kilpatrick—An act to amend Section 16074 of the Education Code, relating to the liability for damage or loss of school property.

Referred to Committee on Education

Assembly Bill No. 567: By Messrs. Fleury and Moss—An act to amend Section 6535 of the Business and Professions Code, relating to barber colleges.

Referred to Committee on Public Health.

Assembly Bill No. 568: By Messrs. Thompson and Kirkwood—An act to amend Section 737qq of the Political Code, relating to the compensation of Superior Court Judges in Santa Clara County.

Referred to Committee on Judiciary

Assembly Bill No. 569: By Messrs. Thompson and Kirkwood—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 570: By Messrs. Thompson and Kirkwood—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 571: By Mr. Cramer—An act to add Chapter 8, comprising Sections 686 to 688.4 inclusive, to Division 10 of the Vehicle Code, relating to the equipment of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 572: By Mr. Cramer—An act to amend Sections 41, 139.60, 139.61, 525.1, 575, and 672.5 of the Vehicle Code and to add Sections 44.12 and 575.1 thereto, relating to motor vehicles, including regulations relative to traffic officers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 573: By Messrs. Cramer and Thompson—An act to amend Sections 9000, 9016, 9041, 9042, 9060, 9062, 9160, 9164, 9252, and 9261 of the Public Resources Code; to repeal Sections 9022, 9024, 9025, 9026, 9061, 9255, and 9280 of said Code; to repeal Articles 2, 3, 4, 5, 6, 11, and 12 of Chapter 3, Article 1 of Chapter 4, and Articles 1, 2, and 3 of Chapter 5 of Division 9 of said Code; to add Sections 9027 and 9041.5 to said Code; and to add Articles 2, 3, 4, 5, and 12 to Chapter 3 of Division 9, Article 1, to Chapter 4 of Division 9; and to add Chapter 8 to Division 9, all relating to soil conservation and soil conservation districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 574: By Mr. Cramer—An act to add Section 4004.5 to the Public Resources Code, relating to the use of state fire fighting equipment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Concurrent Resolution No. 31: By Messrs. Thompson and Kirkwood—Relative to approving a certain amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 32: By Mr. Silliman—Relative to moving the Legislative Halls to Monterey and creating a committee to investigate the feasibility thereof.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 33: By Mr. Dolwig—Relative to the continuance of the Legislative Constitutional Revision Committee.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 34: By Messrs. Fleury and Moss—Relative to reports of the department encampment and the annual convention of the United Spanish-American War Veterans.

Referred to Committee on Rules.

Assembly Bill No. 575: By Mr. Tomlinson—An act to amend Section 19302 of the Education Code, relating to school district cafeterias.

Referred to Committee on Education.

Assembly Joint Resolution No. 9: By Messrs. McCollister, Dolwig, Cramer, Hoffman, and Mrs. Niehouse—Relative to memorializing the President and the Congress of the United States in relation to the retention of the National Guard under state control.

Referred to Committee on Rules.

Assembly Bill No. 576: By Mr Burke—An act to amend Section 18702 of the Education Code, relating to the sale of personal property of school districts.

Referred to Committee on Education

Assembly Bill No. 577: By Mr. Burke—An act to amend Sections 18051, 18053, and 18059 of the Education Code, relating to the letting of contracts by school districts.

Referred to Committee on Education.

Speaker Pro Tempore Presiding

At 10.37 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By 78 Members of Assembly:

House Resolution No. 41

WHEREAS, Due to the high winds in and around Southern California, there has mysteriously disappeared a prize stork, who was due and scheduled to arrive at the home of Sam E. Collins of Fullerton, California; and

WHEREAS, It is essential that this bird be located immediately, to properly leave his precious gift at the home of Sam E Collins and Mrs. Collins; now therefore, be it

Resolved, That the Fish and Game Commission do hereby exercise all of the powers conferred upon it by ordering all wardens in the service of the Fish and Game Commission to locate this lost stork and its gift from heaven.

Request for Unanimous Consent

Seventy-eight Members of the Assembly asked for, and were granted, unanimous consent to take up House Resolution No. 41, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

Speaker Presiding

At 10.39 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

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

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

Assembly Bill No. 578: By Mr. Davis—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 579: By Mr. Davis—An act to amend Section 737ff of the Political Code, relating to the salary of the Judge of the Superior Court in the County of Plumas.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended; and with the recommendation that the Speaker appoint the Honorable Ralph C. Dills as one of the members of the Assembly committee.

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 14 (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 14—Relative to the creation of the Joint Legislative Committee on Lending Transactions.

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the printed measure, between lines 13 and 14, insert

"4.5. The committee is expressly authorized and empowered to summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, records and papers of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and to procure testimony, oral and documentary.

Each member of the committee is authorized and empowered to administer oaths, and all of the provisions of Chapter 4, Part 1, Division 2, Title 2 of the Government Code, relating to the attendance and examination of witnesses before the Legislature and the committees thereof, shall apply to the committee."

Amendment read, and adopted

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 2

On page 1, line 26, of the printed measure, strike out "three", and insert "five".

Amendment read, and refused adoption

Consideration of Further Amendments

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 34, of the printed measure, strike out "ten thousand dollars ($10,000)," and insert: "twenty thousand dollars ($20,000)."

Amendment read, and adopted.

The question being on the adoption of Senate Concurrent Resolution No. 14, as amended.

Resolution read, as amended, and adopted unanimously, as amended, there being more than a quorum present.

ANNOUNCEMENT

Mr. Geddes announced that he will hold at his desk, until after recess, bills on child care center continuation, so that all members desiring to be co-authors may have this opportunity as the bills are ready for introduction.

REQUEST FOR UNANIMOUS CONSENT TO HOLD MEETING OF COMMITTEE ON RULES

At 11.09 a.m., Mr. Dickey asked for, and was granted, unanimous consent that the Committee on Rules be permitted to hold a meeting, in Room 320, at this time.

REQUEST FOR UNANIMOUS CONSENT THAT CHAIRMEN ANNOUNCE BILLS TO BE CONSIDERED AT SPECIAL COMMITTEE MEETINGS

Mr. Beck asked for, and was granted, unanimous consent that when special committee meetings are called, committee chairmen be instructed to announce the bills, or subject matter, to be considered, so that members will be informed, and not miss the committee hearings in which they are interested.

ANNOUNCEMENTS

Mr. Stanley announced a Republican caucus breakfast meeting tomorrow morning, Tuesday, January 18th, at 8 a.m., in the Jubilee Room of the Hotel Senator, and urged all members of the Republican Delegation to be present.

Mr Burkhalter announced a dinner meeting of the Business and Professional Women's Council, tonight, at 6 p.m., at the Hotel Sacramento, and extended an invitation to all members with their wives to be present as guests of this organization, which wishes to discuss legislative matters in which women are interested.

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

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

Assembly Bill No. 580: By Mr. Davis—An act to amend Section 1361 of the Government Code, relating to oaths of office.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 581: By Mr. Davis—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 582: By Messrs. Burkhalter, Cooke, Kilpatrick, Burke, and Geddes—An act to add Chapter 5.5, comprising Sections 7150 to 7158, inclusive, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state hospitals for inebriates and the regulation thereof, and to make an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 583: By Mr. Burkhalter—An act to add Chapter 4, comprising Sections 2125 to 2133, inclusive, to Division 3 of the Streets and Highways Code, relating to city, city and county, and county contracts for street and highway work.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 584: By Mr. Burkhalter—An act to amend Section 199 of, and to add Sections 1625 1, 1625.2, and 1685 to, the Streets and Highways Code, relating to contracts for public highway construction.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 585: By Mr. Burkhalter—An act to amend Sections 1073 and 1075 of, and to add Section 1076 to, the Streets and Highways Code, relating to county highway contracts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 586: By Mr. Burkhalter—An act to add Section 4006 5 to, and to amend Section 4007 of, the Government Code, relating to public work

Referred to Committee on Municipal and County Government.

Assembly Bill No. 587: By Mr Burkhalter—An act to add Section 1737 to the Labor Code, relating to public works

Referred to Committee on Municipal and County Government.

Assembly Bill No. 588: By Mr. Burkhalter—An act to amend Sections 6511 and 6617 of the Business and Professions Code, relating to barbers.

Referred to Committee on Public Health

Assembly Bill No. 589: By Messrs Price and Rosenthal—An act to amend Section 10094 of, and to add Section 10092 1 to, the Education Code, relating to the fire prevention courses in the public schools

Referred to Committee on Education.

Assembly Bill No. 590: By Mrs. Niehouse, Messrs. Cramer, and Luckel—An act to amend Section 18109 of the Health and Safety Code, relating to auto courts and resorts, and auto and trailer camps.

Referred to Committee on Public Health.

Assembly Bill No. 591: By Mrs. Niehouse and Mr Cramer—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioners and assistant.

Referred to Committee on Judiciary.

Assembly Bill No. 592: By Messrs Fletcher and Thomas—An act to amend Sections 26, 951, 2792, 2799, 2807, 2839, 2842, and 2843 of the Elections Code, relating to the direct primary election, changing the date thereof and the dates of other events to conform thereto.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 593: By Mr Maloney—An act to amend Section 20382 of the Education Code, relating to sabbatical leave of state college employees.

Referred to Committee on Education.

Assembly Bill No. 594: By Mr Maloney—An act to add Section 20374 1 to the Education Code, relating to the termination of employment of employees of state colleges

Referred to Committee on Education.

Assembly Bill No. 595: By Mr Maloney—An act to amend Section 18711 of, and to add Sections 18711.5 and 18753 to, the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Public Morals.

Assembly Bill No. 596: By Mr. Maloney—An act to add Section 20394.15 to the Education Code, relating to demotion of state college employees

Referred to Committee on Education.

Assembly Bill No. 597: By Mr Maloney—An act to amend Section 20392 of the Education Code, relating to dismissal of state college employees.

Referred to Committee on Education.

Assembly Bill No. 598: By Mr Rosenthal—An act to add Section 625 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 599: By Mr. Rosenthal—An act to amend Section 1258 of the Civil Code, relating to compensation of appraisers.

Referred to Committee on Judiciary.

Assembly Bill No. 600: By Mr. Luckel—An act to amend Sections 35 and 515.1; to repeal Sections 35.5 and 620.5 of; and to add Sections 620.5 and 670.1 to the Vehicle Code, relating to speed limit applicable to and equipment required on motor-driven cycles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 601: By Mr Luckel—An act to add Sections 37.1 and 670.6 to, and to amend Section 141 of the Vehicle Code, relating to auxiliary dollies, the registration thereof, and brakes thereon.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 602: By Mr Luckel—An act to amend Sections 50 and 81 of, and to add Section 90.2 to the Vehicle Code, relating to definitions of certain terms used therein.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 603: By Messrs Luckel, Berry, Thomas, Grant, Condon, Fleury, Lindsay, and Tomlinson—An act to amend Section 576 of the Vehicle Code, relating to vehicles which must stop at crossings.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 604: By Mr. Luckel—An act to amend Section 109 of, and to add Sections 128.2, 135, and 139.40 to the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the Department of the California Highway Patrol

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 605: By Mr Luckel—An act to amend Sections 140.1 and 142 of, and to add Section 140.2 to the Vehicle Code, relating to permits for the operation of and registration of vehicles.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 606: By Mr. Luckel—An act to amend Sections 146, 175, and 185 of the Vehicle Code, relating to registration and transfer of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 607: By Mr. Luckel—An act to amend Sections 195, 196, and 197 of, and to repeal Section 195 5 of the Vehicle Code, relating to chattel mortgages on registered vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 608: By Mr. Luckel—An act to amend Sections 271.2, 304, 307, 311, and 332 of the Vehicle Code, relating to the licensing of drivers of motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 609: By Mr Luckel—An act to amend Section 308 of the Vehicle Code, relating to suspension of licenses to drive motor vehicles.

Referred to Committee on Judiciary.

Assembly Bill No. 610: By Mr Luckel—An act to add Section 378.2 to, and to amend Sections 379 and 381 of the Vehicle Code, relating to fees for registration of motor vehicles and for issuance of operator's and chauffeur's licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 611: By Mr. Luckel—An act to amend Section 383 of the Vehicle Code, to amend Section 10901 of the Revenue and Taxation Code, an to amend Section 11, Chapter 788, Statutes of 1937, as amended, relating to the refund of fees collected thereunder.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 612: By Mr. Luckel—An act to add Section 383.2 to the Vehicle Code relating to the refund of fees

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 613: By Mr. Luckel—An act to add Section 404.1 to the Vehicle Code, relating to the service of process on absent residents.

Referred to Committee on Judiciary.

Assembly Bill No. 614: By Mr. Luckel—An act to amend Section 414 of the Vehicle Code, relating to proof of ability to respond in damages.

Referred to Committee on Judiciary.

Assembly Bill No. 615: By Mr. Luckel—An act to amend Section 468.1 of the Vehicle Code, relating to description of speed restriction signs.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 616: By Mr. Luckel—An act to amend Sections 452, 459.2, and 476 of, and to add Sections 454.1, 469.1, and 474.1 to the Vehicle Code, relating to the regulations of traffic on highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 617: By Mr. Luckel—An act to amend Section 502 of the Vehicle Code, relating to persons driving under the influence of liquor.

Referred to Committee on Judiciary.

Assembly Bill No. 618: By Mr. Luckel—An act to amend Sections 511.3, 515, and 601.5 of, and to repeal Section 511.6 of the Vehicle Code, relating to speed regulations.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 619: By Mr. Luckel—An act to amend Sections 525, 525.1, and 540 of, and to add Section 525.2 to the Vehicle Code, relating to the driving of vehicles on highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 620: By Mr. Luckel—An act to add Section 531.1 to the Vehicle Code, relating to overtaking and passing on a grade.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 621: By Mr. Luckel—An act to amend Sections 552, 553, and 554 of the Vehicle Code, relating to pedestrians and the operation of vehicles on highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 622: By Mr. Luckel—An act to amend Sections 560.1, 560.5, 562, and 564.1 of the Vehicle Code, relating to pedestrians on highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 623: By Mr. Luckel—An act to add Sections 585.4 and 585.5 to the Vehicle Code, relating to the removal of vehicles from highways by peace officers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 624: By Mr. Luckel—An act to amend Section 586 of, and to add Section 585.6 to the Vehicle Code, relating to the parking of vehicles adjacent to railroad tracks.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 625: By Mr. Luckel—An act to repeal Section 586.5 of, and to add Sections 39.7 and 586.5 to the Vehicle Code, relating to the operation of tow cars.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 626: By Mr. Luckel—An act to amend Sections 589.5, 589.6, 591, 595, and 596.6 of the Vehicle Code, relating to the parking or stopping of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 627: By Mr. Luckel—An act to add Section 599.6 to the Vehicle Code, relating to installation of television receiving screen in motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 628: By Mr. Luckel—An act to amend Section 600 of the Vehicle Code, relating to throwing lighted substance from or upon a highway.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 629: By Mr. Luckel—An act to amend Sections 700.5 and 709 of, and to add Section 604 to the Vehicle Code, and to amend Section 731 of the Streets and Highways Code, relating to the use of and damage to highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 630: By Mr. Luckel—An act to amend Section 604.10 of the Vehicle Code, relating to the removal of persons injured on highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 631: By Mr. Luckel—An act to amend Sections 641 and 650 6 of the Vehicle Code, relating to lights and reflectorized materials on vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 632: By Mr Luckel—An act to amend Sections 671 and 672 of the Vehicle Code, relating to the use of horns and warning devices.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 633: By Mr Luckel—An act to add Section 682 to the Vehicle Code, relating to the display of owner's identification on commercial vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 634: By Mr Luckel—An act to add Section 685 to, and amend Section 701 of the Vehicle Code, relating to the operation of vehicles on highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 635: By Mr. Luckel—An act to add Section 697.1 to the Vehicle Code, relating to the length of passenger busses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 636: By Mr. Luckel—An act to add Section 700.1 to the Vehicle Code, relating to transportation of logs

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 637: By Mr. Luckel—An act to amend Sections 737 and 771 of, and add Sections 739.3 and 763.1 to the Vehicle Code, relating to procedure in criminal cases.

Referred to Committee on Judiciary.

Assembly Bill No. 638: By Mr. Luckel—An act to amend Section 10781 of the Revenue and Taxation Code, relating to exemptions from payment of taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 639: By Mr. Luckel—An act to amend Section 2982 of the Civil Code, relating to the form and requisites of conditional sale contracts and penalties for violation of the same.

Referred to Committee on Judiciary.

Assembly Bill No. 640: By Mr Luckel—An act to amend Sections 1, 2, and 3 of an act to regulate the caravaning of vehicles upon the public highways of this State, defining the term caravaning and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposing of such fees and imposing penalties for violation thereof, approved July 1, 1937, relating to the definitions of the terms employed therein.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 641: By Messrs. Huyck and Waters—An act to add Section 13147 to the Health and Safety Code, relating to rules and regulations of the State Fire Marshal.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 642: By Mr. Anderson—An act to add Section 1301.1 to the Education Code, relating to the employment of assistant and deputy superintendents of school districts.

Referred to Committee on Education.

Assembly Bill No. 643: By Mr Rosenthal—An act to amend Section 32064 of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 32: By Messrs. Butters, Collier, Clarke, and Grant—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 3 of Article XX, relating to oaths of office

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 33: By Mr. Sam L. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to regular sessions of the Legislature designated as budget sessions.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 644: By Mr Rosenthal—An act to repeal Article 7.5 comprising Sections 7125 and 7126, of Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors, including workmen's compensation reports of such contractors and reports of their insurers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 645: By Messrs Gaffney, Crowley, Mrs. Niehouse, Messrs. George D. Collins, Brady, Maloney, McCarthy, and Meyers —An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount of the grant thereof, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 646: By Mrs Niehouse—An act to amend Section 7408 of the Education Code, relating to school district bond elections.

Referred to Committee on Education.

Assembly Bill No. 647: By Messrs Heisinger, Dunn, Lowrey, Burkhalter, Anderson, Beck, Bennett, Berry, Brady, George D. Collins, Condon, Cooke, Crichton, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Fletcher, Geddes, Hagen, Hawkins, Hollibaugh, Kilpatrick, Lewis, McCarthy, McMillan, Meyers, Rosenthal, Rumford, and Thomas—An act to amend Section 370 of the Vehicle Code, relating to registration fees for vehicles, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 648: By Mr Dunn—An act to amend Section 8953 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 649: By Mr Dunn—An act to amend Section 8951 of the Education Code, relating to the Public School System.

Referred to Committee on Education

Assembly Bill No. 650: By Mr. Dunn—An act to amend Section 3121 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

Assembly Bill No. 651: By Mr. Dunn—An act to add Section 18707 to the Education Code, relating to the sale of materials by school districts to pupils.

Referred to Committee on Education.

Assembly Bill No. 652: By Mr. Dunn—An act to amend Section 11671 of the Education Code, relating to textbooks for pupils in classes for adults.

Referred to Committee on Education.

Assembly Bill No. 653: By Mr. Weber—An act to amend Section 10242 of the Government Code, relating to duties of the Legislative Counsel.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 654: By Messrs Grant and Beck—An act to amend Sections 18051 and 18057 of the Education Code, relating to expenditures by school districts.

Referred to Committee on Education.

Assembly Bill No. 655: By Mr Grant—An act to add Section 330b to the Penal Code, relating to gambling by the use of slot machines.

Referred to Committee on Public Morals.

Assembly Bill No. 656: By Mr Grant—An act to amend Sections 511.2, 511.3, and 511.6 of the Vehicle Code, relating to speed limits upon highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 657: By Mr Grant—An act to amend Section 525 of the Vehicle Code, relating to the driving of vehicles in public streets and highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 658: By Mr. Grant—An act to amend Section 589.5 of, and to add Section 589.7 to, the Vehicle Code, relating to parking regulations by local authorities, including cities and counties and the enforcement thereof.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 659: By Mr. Brown—An act to add Section 1513.2 to, and amend Section 3812 of, the Elections Code, relating to measures submitted to the voters of the State.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 660: By Messrs. Butters, Clarke, Thompson, Burke, and Erwin—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 661: By Mr. Ralph C. Dills—An act to amend Sections 3814, 3816, and 3929 of the Elections Code, relating to ballots

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 662: By Mr. Ralph C. Dills—An act to add Section 2501 to, to amend Sections 2793, 2893, 2894, 2896, and 2899 of, and to repeal Sections 2674, 2742, 2794, and 2795 of, the Elections Code, relating to partisan candidates.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 663: By Mr. McMillan—An act to amend Section 5681 of the Public Resources Code, relating to regional shoreline park and recreational districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 664: By Mr Gaffney—An act to amend Section 3104 of the Education Code, relating to the Public School System.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Mr. Luckel:

House Resolution No. 42

Relative to Dr. Edward Lucian Dornberger

WHEREAS, The Members of the Assembly of the State of California have learned with profound regret of the death of Dr. Edward Lucian Dornberger of San Diego; and

WHEREAS, Edward Lucian Dornberger was born January 21, 1878 in Santa Clara County, the son of pioneer parents, his father, Lambert Dornberger, having come to California in the decade following the discovery of gold in California; and

WHEREAS, Edward Lucian Dornberger was a student at Stanford University and received his D.D S. degree from the College of Physicians and Surgeons of San Francisco, practiced his profession a few years in Mountain View, and then removed to San Diego where he remained a leading member of his community throughout a long life which ended just short of his seventy-first year; and

WHEREAS, During those years he devoted himself to the improvement as well as the practice of the dental profession and in 1917 became a member of the State Board of Dental Examiners, becoming in turn vice president and in 1921 and 1922 president of the board; now, therefor, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly profoundly regret the passing of Dr. Edward Lucian Dornberger and the close of his long and distinguished service to the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution as an expression of the sympathy and esteem of the Members of this Assembly to Mrs Louise B Dornberger, widow of Dr Edward Lucian Dornberger, and to their daughters, Mrs. Fiss and Mrs Hawley.

Request for Unanimous Consent

Mr. Luckel asked for, and was granted, unanimous consent to take up House Resolution No 42, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

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

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

Assembly Bill No. 665: By Messrs. Berry, Gaffney, and Meyers—An act to amend Section 278 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 666: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 450 of the Unemployment Insurance Act, dealing with disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 667: By Messrs. Berry, Gaffney, and George D. Collins—An act to amend Section 314 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 668: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 476 of the Vehicle Code, relating to traffic signals.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 669: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 670: By Messrs. Berry, Gaffney, George D. Collins, and Meyers—An act to amend Section 471 of the Vehicle Code, relating to traffic signs.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 671: By Mr. Tomlinson—An act to amend Section 1812 of the Education Code, relating to school district elections

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 672: By Mr. Davis—An act to amend the heading of Article 2 of Chapter 16 of Division 3 of the Education Code and to amend Sections 7211, 7212, 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, and 7222 of, and to add Section 7213 to, said code, all relating to the attendance of pupils residing in California and attending school in an adjoining state.

Referred to Committee on Education

RESOLUTIONS

The following resolutions were offered:

By Mr. Brady, Mrs. Niehouse, and Mr. Crowley:

House Resolution No. 43

Relative to augmenting the funds of the Assembly Interim Committee on Tide and Submerged Lands

WHEREAS, The Assembly of the State of California has had an Interim Committee on Tide and Submerged Lands functioning for the latest four years whose sole function has been to study, plan, investigate and report to this body on the reclamation and development of our tidelands; and

WHEREAS, During these four years our investigations and reports have indicated more and more that a very thorough and intensive survey must be made so that new industrial, residential, sport and vacation areas might be opened up; and

WHEREAS, There is presently on the statute books of our State and in the Rules and Regulations of the State Lands Commission many laws and orders which should be studied and collocated; and

WHEREAS, In the Eureka area, in San Francisco Bay, at Moss Landing and in the San Diego area the United States Army Engineers are currently contemplating great developments which should be coordinated, assisted, or opposed by our legislative body on behalf of the people of the State of California; therefore, be it

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Tide and Submerged Lands (created by House Resolution No. 287, 1947 Regular Session and continued by House Resolution No. 16 of this session) and its members and for any charges, expenses, or claims it may incur under said resolution to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer; and, be it further

Resolved, That the appointing power may augment the membership of said committee should he deem it advisable.

Resolution read, and ordered referred to the Committee on Rules.

Request for Unanimous Consent That Name of Mr. Crowley Be Placed Upon House Resolution No. 43

Mr. Brady asked for, and was granted, unanimous consent that the name of Mr. Crowley be placed upon House Resolution No. 43 as a co-author.

By Mr. Dolwig:

House Resolution No. 44

Relative to the creation of the Assembly Fact-finding Committee on Tideland Reclamation

WHEREAS, The problem of tideland reclamation and development is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that with the rapid growth of industry and commerce within the borders of the State of California, land which is easily accessible to rail and water is being used to capacity, and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State of California desires land easily accessible to rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, There is an urgent need for the Legislature to be fully advised in all the facts relating to the need for the reclamation and development of tidelands, the scarcity of industrial sites available to rail and water, and the demands of industry and commerce for adequate and satisfactory locations within the borders of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1. The Assembly Fact-finding Committee on Tideland Reclamation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California; and

(b) The methods that are generally used for the reclamation of tidelands; and

(c) The needs of industry and commerce for expansion and location within the borders of the State of California upon land easily accessible to rail and water;

(d) Specific tideland areas within the State that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial and commercial use, including adequate provisions for access thereto; the estimated costs of any or all such projects;

(e) All matters pertaining to or directly or indirectly affecting the subject matter of this resolution; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of _____ Members of the Assembly appointed by the Speaker. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its finding and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

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

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Berry:

House Resolution No. 45

Relative to purchasing sets of Attorney General's Opinions for Members of the Assembly

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and is hereby authorized and directed to purchase eighty-one (81) sets of the following California Attorney General's Opinions:

24 Booklets of Advance Sheets and
2 Bound Volumes for 1949
24 Booklets of Advance Sheets and
2 Bound Volumes for 1950

and, be it further

Resolved, That the Chief Clerk is instructed to deliver one set of California Attorney General's Opinions to each Member of the Assembly, and one set to the Chief Clerk of the Assembly; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of California Legal Publications for four thousand one hundred fifty-one and twenty-five one-hundredths dollars ($4,151.25) in payment for the above volumes and advance sheets, and the State Treasurer is directed to pay the same.

Resolution read, and ordered referred to the Committee on Rules.

LEAVE OF ABSENCE FOR THE BALANCE OF THE LEGISLATIVE DAY

At 11:30 a.m., Mr. Davis asked for, and was granted, unanimous consent that Mr. Lowrey be excused for the balance of the legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 143
Assembly Bill No 271

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading

RECESS

At 11.35 a.m., on motion of Mr. Conrad, the Assembly recessed until 2 p m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 29—Relative to adjournment in respect to the memory of Marguerite Mary McBride;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the seventeenth day of January, 1949, at 1 p.m.

HUYCK, Chairman

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

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

Assembly Bill No. 673: By Mr. Crowley—An act to add Sections 30.5 and 30.6 to, and to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2747, 2753, 2791, 2792, 2793, 2794, 2796, 2797, 2894, 3920, 3921, 3924, 3925, 3926, 3930, 3946, 7966, 8720, 8721, and 8722, and to repeal Section 2838 of the Elections Code, relating to nominations and party conventions.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 674: By Mr. Crowley—An act to amend Sections 7929, 7930, and 7931 of the Elections Code, relating to the canvass of elections returns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 675: By Mr Lipscomb—An act to amend Section 8757 of the Education Code, relating to the Public School System

Referred to Committee on Education.

Assembly Bill No. 676: By Mr. Morris—An act to amend Section 5906 of the Elections Code, relating to voting by an absentee voter.

Referred to Committee on Elections and Reapportionment

COMMUNICATIONS

By Speaker Collins:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH
SAN FRANCISCO, CALIFORNIA, January 10, 1949

Hon. Earl Warren, Governor
Hon. Goodwin J. Knight, President of the Senate
Hon. Sam L. Collins, Speaker of the Assembly
State Capitol, Sacramento 14, California

DEAR SIRS: By the provisions of Assembly Concurrent Resolution No. 42 (1947), the Department of Public Health was directed to investigate the problems involved in the reduction of deaths and disability from cancer and other chronic diseases; to report to the 1949 General Session of the Legislature the results of its investigation; and to make recommendations as to a program for the reduction of such deaths and disability.

The department—recognizing that the chronic disease problem involves many and varied interests—called upon leading professional and lay persons in the State for guidance, advice, and assistance. An Advisory Committee and technical advisory groups played major roles in the chronic disease investigation.

As Director of the State Department of Public Health, I respectfully submit the Report of the Chronic Disease Investigation. In so doing, I take great pleasure in pointing out that this is not the report of the department alone—but rather the report of the Department and the Advisory Committee working together as a team, ably assisted by the technical advisory groups.

Respectfully,

WILTON L. HALVERSON, M.D
Director, Department of Public Health

Above mentioned report ordered referred to the Committee on Public Health.

ANNOUNCEMENT OF RESIGNATIONS FROM COMMITTEE MEMBERSHIPS

Speaker Sam L. Collins announced the resignation of Mr. Lipscomb from membership on the Committee on Conservation, Planning, and Public Works; and the resignation of Mr. Reagan from membership on the Committee on Fish and Game.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Speaker Sam L. Collins announced the appointment of Mr. Ralph C. Dills to membership on the Assembly Committee on Governmental Efficiency and Economy; the appointment of Mr. Clayton A. Dills to membership on the Assembly Committee on Public Utilities and Corporations; and the appointment of Mr. Brady to membership on the Assembly Interim Committee on Fairs and Expositions, vice Mr. Stephenson.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 677: By Mr. Morris—An act to add Article 10, comprising Sections 10191 to 10195, inclusive, to Chapter 1 of Division 5 of the Education Code, relating to the reading of the Bible in public schools.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 15
Senate Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 2
Senate Joint Resolution No. 3

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 7
Assembly Joint Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 17, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 22
Assembly Concurrent Resolution No. 23
Assembly Concurrent Resolution No. 24
Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No. 27
Assembly Concurrent Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

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

The following bill was introduced, and read the first time:

Assembly Bill No. 678: By Mr. Lipscomb—An act to amend Section 7056, Public Resources Code, relating to oil, gas, and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Referred to Committee on Manufacturing, Oil, and Mining Industries.

ANNOUNCEMENT OF COMMITTEE REAPPOINTMENTS

Speaker Sam L. Collins announced the reappointment of Mr. Maloney to membership on the Assembly Committee on the State Allocation Board; the reappointment of Mr. Doyle to membership on the Assembly Committee on the California Centennials Commission; the reappointment of Mr. Geddes to membership on the Assembly Committee on the Economic Advisory Council; the reappointment of Mr. Kirkwood to membership on the Assembly Committee on Physical Planning Advisory Council; and the reappointment of Messrs. Heisinger, Erwin, and Lowrey to membership on the Assembly Committee on the Wildlife Conservation Board.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Speaker Sam L. Collins announced the appointment of Mr. Hoffman to membership on the Joint Interim Committee on Agriculture and Livestock Problems, vice Mr. Johnson; and the appointment of Messrs. Stewart and Sam L. Collins to membership on the Assembly Committee on the State Public Works Board, vice Messrs. Boyd and Stephenson.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Brown, Weber and Stanley:

House Resolution No. 46

Relative to memorializing the President and the Congress of the United States to effect legislation which will enable the Civil Aeronautics Administration to prohibit the taking off of aircraft from airports during periods of poor visibility

WHEREAS, There have recently occurred several serious aircraft accidents in Seattle, Washington; Portland and other areas during periods of poor visibility; and

WHEREAS, These accidents have resulted in the deaths and injuries of many persons, thereby causing tremendous losses to the air transportation industry due to lack of public confidence in air transportation because of such accidents; and

WHEREAS, It is believed these accidents were caused by take-offs from airports during weather conditions of poor visibility; and

WHEREAS, The Civil Aeronautics Administration does not have authority under the presently existing laws to prevent aircraft from taking off during periods when visibility is below the legal minimum; and

WHEREAS, If granted such authority it is believed that many of the recent tragic aircraft accidents could have been prevented; therefore, be it

Resolved by the Assembly of the State of California, That the President and the Congress of the United States be memorialized to effect and enact legislation authorizing the Civil Aeronautics Administration to prohibit the taking-off of aircraft from airports during periods when visibility is less than the legal minimum; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative from the State of California.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Meyers:

House Resolution No. 47

Relating to the March of Dimes Campaign to solicit funds to combat infantile paralysis

WHEREAS, The disease of infantile paralysis has caused the death and crippling of many of the people of this State and of this Nation; and

WHEREAS, This dread disease has stricken many who are unable to pay for medical treatment; and

WHEREAS, The National Foundation for Infantile Paralysis is now conducting the "March of Dimes Campaign" to aid needy persons afflicted and who may become afflicted with this disease, and to support the research program necessary to bring about an eradication of this disease; now, therefore, be it

Resolved by the Assembly of the State of California, That the people of this State are urged to contribute generously to this worthy campaign so that the victims of infantile paralysis may be aided and the research programs necessary for the eradication of this disease continued.

Request for Unanimous Consent

Mr. Meyers asked for, and was granted, unanimous consent to take up House Resolution No. 47, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST BY MR. HAHN

Mr Hahn remarked about a 14-year-old boy who has been stricken with polio, and is in a Sacramento hospital, and requested all members to save unusual postage stamps for this boy, as he is desirous of carrying on his hobby while bedridden.

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

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

Assembly Bill No. 679: By Mr. McCollister—An act to add Sections 21253.2 and 21253.3 to the Government Code, relating to crediting "prior service", under certain conditions, to persons who were absent from state service on military service prior to January 1, 1932, and revising the benefits payable with respect to certain classes of members, including those who have retired prior to the effective date hereof, in connection with the State Employees' Retirement System.

Referred to Committee on Military Affairs

Assembly Bill No. 680: By Mr McCollister—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Constitutional Amendment No. 34: By Mr. McCollister—A resolution to propose to the people of the State of California an

amendment to the Constitution of the State by amending Section 1¼ of Article XIII, relating to exemptions of property on account of military service.

Referred to Committee on Constitutional Amendments.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 12 FROM COMMITTEE CONTINUED

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that his notice of motion to withdraw House Resolution No. 12 from committee be continued until the next legislative day

NOTICE OF MOTION TO OFFER AMENDMENT TO PERMANENT STANDING RULE NO. 59 CONTINUED

Mr. Maloney asked for, and was granted, unanimous consent that his notice of motion to offer an amendment to Permanent Standing Rule No. 59 be continued until the next legislative day.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 87—An act to amend an act entitled "An act to create a district to be called 'The Santa Barbara County Water Agency' for the purpose of controlling and conserving storm, flood and other surface waters, for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water; to provide for the powers of such district necessary to carry out its purposes including the right to contract, the right to acquire property and to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof; to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Santa Barbara shall be ex officio officers and employees of said district; to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying and collection of special assessments, the levying and collection of taxes; to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds; to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act; and to empower municipalities, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency," by amending the title of said act, by amending sections

numbered 2, 5.1, 5.3, 5.4, 5.7, 6.1, 6.3, 9.1, 10.1, and 10.2 of said act, all relating to the power of said agency on behalf of itself or its member units to acquire water or a water supply, to purchase and sell water, to cooperate and contract in connection with such water, water supply, and purchase and sale of water with the United States, the state municipalities and certain public districts, to assume certain indebtedness as principal, guarantor or underwriter, to make certain contributions in aid of purchasing or obtaining water or a water supply or works, to suspend delivery of water to member units, imposing certain limitations on indebtedness and taxes, defining member units of said agency and establishing certain powers, rights and liabilities of such member units and their power to contract with said agency in connection with such water or water supply, or purchase and sale of water, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, and Mr. Speaker—64.

NOES—None.

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

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 8—An act to provide for the establishment of a state college in the area of Orange County and the southeastern part of Los Angeles County, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—66

NOES—None

Request for Unanimous Consent That Name Be Recorded on Roll Call on Urgency Clause to Assembly Bill No. 8

Mr. Rosenthal asked for, and was granted, unanimous consent that he be recorded as voting "Aye," on the roll call on the urgency clause to Assembly Bill No. 8.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 23—An act to amend Sections 10200, 10201, 10202, 10203, 10204 and to repeal Section 10205 of the Education Code, relating to automobile driver education and automobile driver training, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Neihouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—Brady and Hagen—2.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Neihouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—Brady and Hagen—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 22

By Messrs. Hawkins and Anderson:

House Resolution No. 22

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to investigate all facts relating to the governmental agencies responsible for the control of "smog"

WHEREAS, The unprecedented increase in the number of industrial and manufacturing plants in this State and their concentration in small areas has caused an increase in the discharge of noxious fumes into the air and has produced a concentration of such fumes known as "smog" in many areas in this State; and

WHEREAS, This condition is injurious to the health, safety and welfare of the people of the State, and can be controlled or diminished by proper equipment; and

WHEREAS, In order to determine whether such regulation of manufacturing and industrial firms as is necessary to remedy these conditions should be left to local

governmental agencies, it is necessary to ascertain what provision, if any, has been made by such local governmental agencies, and to ascertain whether such agencies are operating in an efficient manner with respect to the control of "smog"; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy (created by House Resolution No. 216, 1947 Regular Session and continued by resolution as an assembly committee at this session) is hereby authorized and directed to ascertain, study and analyze all facts relating to "smog", including but not limited to the adequacy of existing state and local regulation thereof, the efficiency of the state and local agencies administering such laws and regulations, and the need for legislation on the subject, and to do all other things necessary to provide the Assembly with all facts necessary to proper consideration of remedial legislation on the subject, including in its reports its recommendations for appropriate legislation; and be it further

Resolved, That said investigation be commenced at the earliest possible date; and be it further

Resolved, That in addition to any money heretofore made available the sum of _____dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under the resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules.

Amendment No. 1

On page 2 of the resolution, second paragraph, second line, after "date", strike out the semicolon; and strike out "and be it further resolved", and insert: "and that a report shall be filed not later than March 15, 1949."

Amendment No. 2

On page 2 of said resolution, strike out entire last paragraph.

Amendments read, and adopted

Consideration of House Resolution No. 22, as Amended

By Messrs. Hawkins and Anderson:

House Resolution No. 22

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to investigate all facts relating to the governmental agencies responsible for the control of "smog"

WHEREAS, The unprecedented increase in the number of industrial and manufacturing plants in this State and their concentration in small areas has caused an increase in the discharge of noxious fumes into the air and has produced a concentration of such fumes known as "smog" in many areas in this State; and

WHEREAS, This condition is injurious to the health, safety and welfare of the people of the State, and can be controlled or diminished by proper equipment; and

WHEREAS, In order to determine whether such regulation of manufacturing and industrial firms as is necessary to remedy these conditions should be left to local governmental agencies, it is necessary to ascertain what provision, if any, has been made by such local governmental agencies, and to ascertain whether such agencies are operating in an efficient manner with respect to the control of "smog"; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy (created by House Resolution No. 216, 1947 Regular Session and continued by resolution as an Assembly committee at this session) is hereby authorized and directed to ascertain, study and analyze all facts relating to "smog," including but not limited to the adequacy of existing state and local regulation thereof, the efficiency of the state and local agencies administering such laws and regulations, and the need for legislation on the subject, and to do all

other things necessary to provide the Assembly with all facts necessary to proper consideration of remedial legislation on the subject, including in its reports its recommendations for appropriate legislation; and be it further

Resolved, That said investigation be commenced at the earliest possible date and that a report be filed not later than March 15, 1949.

Resolution read, as amended, and adopted, as amended

MESSAGES FROM THE GOVERNOR

Acts of Executive Clemency of California Granted for Period March 1, 1948, to January 3, 1949, Concerning Pardons, Commutations and Reprieves

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO

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

In accordance with the provisions of Section 1 of Article VII of the Constitution of California, I hereby transmit to you a report of the cases of pardon, commutation of sentence, and reprieve issued by me from March 1, 1948, to January 3, 1949.

Respectfully submitted,

EARL WARREN, Governor

Reprieve

ARTHUR EGGERS, San Quentin No. A-4145, was convicted on May 30, 1946, in Los Angeles County, of murder first degree, and scheduled to be executed September 24, 1948. Reprieve granted by Acting Governor Goodwin J. Knight to enable Arthur Eggers to apply for a writ of certiorari in the Supreme Court of the United States. Granted September 22, 1948, extending date of execution to October 15, 1948.

Pardons

Granted pursuant to Chapter 3.5, Sections 4852.01 to 4852.2 of the Penal Code, under which persons who have been released from state prison can demonstrate to the superior court of the county of their residence that they have rehabilitated themselves and earned the right to be considered for a pardon.

In each of the following cases the pardon has been granted pursuant to a certificate of rehabilitation issued by the superior court of the county of residence recommending the applicant to the Governor for a pardon.

HARRY AFTERGOOD, San Quentin No. 62724, plead guilty to the crime of grand theft in Los Angeles County during November, 1938. He served approximately 1 year in prison and approximately 1 year and 1 month on parole, being discharged therefrom on January 17, 1941. Certificate of rehabilitation issued October 30, 1946, by the Superior Court of Los Angeles County. Granted December 24, 1948.

RAYMOND WILLIAM ANDERSON, San Quentin No. 63283, was convicted of the crime of robbery first degree in Alameda County during March, 1939. He served approximately 2 years and ½ month in prison and approximately 2 years and 1½ months on parole, being discharged therefrom on May 25, 1943. Certificate of rehabilitation issued February 28, 1947, by the Superior Court of Alameda County. Granted January 3, 1949.

J. F. BALZER, San Quentin No. 43952, plead guilty to the crime of assault by means and force likely to produce great bodily injury in Los Angeles County during August, 1927. He served approximately 1 year and 9½ months in prison and approximately 1 year and 9½ months on parole, being discharged therefrom on March 6, 1931. Certificate of rehabilitation issued March 5, 1947, by the Superior Court of Los Angeles County. Granted January 3, 1949.

MANUEL BETTENCOURT, San Quentin No. 54593, was convicted of the crime of burglary second degree in Del Norte County during August, 1933. He served approximately 1 year and 2½ months in prison and approximately 1 year and 5½ months on parole, being discharged therefrom on April 22, 1936. Certificate of rehabilitation issued September 18, 1946, by the Superior Court of Del Norte County. Granted November 9, 1948.

CHARLES H. BRANSCOMB, San Quentin No. 60433, plead guilty to the crime of assault with a deadly weapon in Lassen County during May, 1937. He served approximately 2 years and 3 months in prison and approximately 1 year and 4 months

on parole, being discharged therefrom on December 29, 1940. Certificate of rehabilitation issued August 31, 1946, by the Superior Court of Lassen County. Granted December 24, 1948.

ANTONE BRUZZONE, San Quentin No. 36113, plead guilty to the crime of murder first degree in Alameda County during March, 1922. He served 13 years and 2 months in prison and approximately 1 year and 2 months on parole, being discharged therefrom on July 2, 1936, at which time his sentence was commuted to time served by Governor Frank F. Merriam. Certificate of rehabilitation issued June 16, 1947, by the Superior Court of Alameda County. Granted December 24, 1948.

ROBERT D. CHALMERS, San Quentin No. 58797, plead guilty to the crime of grand theft in Los Angeles County during March, 1936 He served approximately 1 year and 8 months in prison and 2 years and 6 months on parole, being discharged therefrom on May 21, 1940. Certificate of rehabilitation issued December 5, 1945, by the Superior Court of Los Angeles County. Granted December 24, 1948.

WM. R CLARK, San Quentin No. 40934, plead guilty to the crime of violation of Section 476a of the Penal Code in San Diego County during May, 1925. He served 2 years in prison and 1 year on parole, being discharged therefrom on June 3, 1928 Certificate of rehabilitation issued October 18, 1946, by the Superior Court of the City and County of San Francisco. Granted December 24, 1948.

DANIEL CLEMENTI, San Quentin No. 65592, plead guilty to the crime of violation of Section 11036 of the State Narcotic Act in Contra Costa County during October, 1940. He served approximately 1 year and 7 months in prison and 1 year and 7 months on parole, being discharged therefrom on November 15, 1943 Certificate of rehabilitation issued December 17, 1945, by the Superior Court of Contra Costa County Granted November 9, 1948.

EMIL J COLSON, San Quentin No 54019, plead guilty to the crime of perjury in the City and County of San Francisco during April, 1933. He served approximately 4 years and 4 months in prison, being discharged therefrom on August 21, 1937 Certificate of rehabilitation issued March 22, 1946, by the Superior Court of the City and County of San Francisco. Granted December 24, 1948.

IRVEN CURNOW, San Quentin No. 50888, plead guilty to the crime of burglary second degree in Sacramento County during September, 1931. He served approximately 3 years and 8 months in prison, being discharged therefrom on May 26, 1935. Certificate of rehabilitation issued January 18, 1946, by the Superior Court of Sacramento County. Granted December 24, 1948.

GEORGE DEWITT, San Quentin No. 52563, plead guilty to the crime of robbery first degree in Los Angeles County during July, 1932. He served 3 years and 2 months in prison and 1 year on parole, being discharged therefrom on September 23, 1936. Certificate of rehabilitation issued December 18, 1946, by the Superior Court of Los Angeles County. Granted December 24, 1948.

RAY ENOS, San Quentin No 37410, was convicted of the crime of robbery in Los Angeles County during February, 1923. He served 6 years and 8 months in prison and 1 year and 6 months on parole, being discharged therefrom on April 9, 1931 Certificate of rehabilitation issued March 1, 1946, by the Superior Court of the City and County of San Francisco. Granted March 11, 1948.

JOE GHIO, San Quentin No. 41301, was convicted of the crime of rape in San Mateo County during September, 1925. He served approximately 7 years and 8 months in prison and 4 years and 2 months on parole, being discharged therefrom on August 20, 1937. Certificate of rehabilitation issued October 10, 1946, by the Superior Court of the City and County of San Francisco Granted January 3, 1949.

GLENN HANCOCK, San Quentin No. 67370, was convicted of the crimes of manslaughter and assault by means of force likely to produce great bodily injury in Alameda County during October, 1941. He served approximately 1 year and 1 month in prison and approximately 1 year and 4½ months on parole, being discharged therefrom on April 10, 1944. Certificate of rehabilitation issued August 7, 1946, by the Superior Court of Alameda County. Granted December 24, 1948.

A. H. HESBON, San Quentin No. 65683, plead guilty to the crime of violation of Section 476a of the Penal Code in Riverside County during November, 1940. He served approximately 1 year and 6 months in prison and approximately 1 year and 6½ months on parole, being discharged therefrom on November 15, 1943. Certificate of rehabilitation issued January 6, 1947, by the Superior Court of Sacramento County. Granted January 3, 1949.

RUTH HOGUE, San Quentin No. 41034 and Tehachapi No. 592, plead guilty to the crime of grand larceny in Los Angeles County during July, 1925. She served 1 year and 4 months in prison, being paroled therefrom on November 4, 1926. On June 23, 1928, she was returned to state prison for violation of her parole. She served approximately 1 year and 4 months in prison and ½ month on parole, being discharged therefrom on November 6, 1929. During March, 1941, she plead guilty to the crime of petty theft with prior conviction of a felony (2 counts) in Los Angeles County She served approximately 2 years and ½ month in prison and approximately 1 year and 3 months on parole, being discharged therefrom on July 13, 1944. Certificate of rehabilitation issued May 29, 1946, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted December 24, 1948.

JAMES HOLLAND, San Quentin No. 62324, was convicted of the crime of manslaughter in Los Angeles County during August, 1938. He served approximately 3 years and 7 months in prison, being discharged therefrom on March 14, 1942 Certificate of rehabilitation issued November 9, 1945, by the Superior Court of Alameda County Granted November 9, 1948.

G L. HUDSON, San Quentin Nos. 54846 and 54846A, was convicted of the crime of burglary in Fresno County during March, 1930, and was granted 5 years probation, with the condition that he serve 1 year in the Fresno County jail. However, probation was revoked as a result of his having been convicted of the crime of burglary second degree in Fresno County during October, 1933. He served approximately 1 year and 3 months in prison, being released on parole on January 31, 1935 On September 4, 1935, he was returned to prison after being convicted of the crime of burglary second degree and prior in Tulare County. He served approximately 4 years and 6½ months in prison, being discharged therefrom on March 14, 1940 Certificate of rehabilitation issued January 7, 1946, by the Superior Court of Tulare County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 9, 1948.

HUGH E IRWIN, San Quentin No 48362, plead guilty to the crimes of robbery first degree and burglary first degree in San Diego County during April, 1930. He served approximately 4 years and 2 months in prison and approximately 1 year and 11½ months on parole, being discharged therefrom on June 2, 1936. Certificate of rehabilitation issued May 3, 1946, by the Superior Court of Santa Clara County. Granted January 3, 1949.

ORRIN P. JACOBSEN, San Quentin No. 60317, plead guilty to the crime of burglary first degree in Alpine County during May, 1937. He served 2 years and 3 months in prison and 2 years and 5 months on parole, being discharged therefrom on February 10, 1942 Certificate of rehabilitation issued January 10, 1947, by the Superior Court of Sacramento County. Granted December 24, 1948.

KENNETH JARNAGIN, San Quentin No 50691, plead guilty to the crime of forgery in Fresno County during August, 1928, and was granted 2 years probation. However, probation was revoked as a result of his conviction of issuing checks without sufficient funds during June, 1929 He was committed to the Preston School of Industry and was released therefrom on parole on February 22, 1931. During August, 1931, Jarnagin plead guilty to the crime of forgery (5 counts) in Fresno County. He served 2 years and 7 months in prison and 1 year on parole, being discharged therefrom on March 14, 1935. Certificate of rehabilitation issued February 20, 1946, by the Superior Court of Alameda County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted December 24, 1948.

PETE KASPAROFF, San Quentin No 45332, was convicted of the crime of burning insured property in Los Angeles County during May, 1928. He served approximately 4 years and 9 months in prison and approximately 7 months on parole, being discharged therefrom on August 10, 1933. Certificate of rehabilitation issued October 9, 1946, by the Superior Court of Los Angeles County. Granted December 24, 1948.

BERT LAKE, San Quentin No. 45486, plead guilty to the crime of assault with the intent to commit robbery first degree in Alameda County during May, 1928. He served approximately 3 years and 9 months in prison and approximately 2 years on parole, being discharged therefrom on February 26, 1934. Certificate of rehabilitation issued August 5, 1946, by the Superior Court of Solano County. Granted December 24, 1948.

JAMES D McMILLEN, also known as JOHN McMILLEN, San Quentin No 53820 and 53820-A, plead guilty to the crime of burglary second degree in Tulare County during March, 1933, and was convicted of the crime of robbery first degree

in Orange County during May, 1933. He served approximately 5 years in prison and approximately 1 year and 6 months on parole, being discharged therefrom on September 14, 1939 Certificate of rehabilitation issued June 26, 1946, by the Superior Court of San Diego County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted November 9, 1948.

JACK NELLIS, San Quentin No. 56533, was convicted of the crime of robbery first degree (2 counts) in Los Angeles County during August, 1934. He served 5 years in prison and 6 years and 11 months on parole, being discharged therefrom on July 18, 1946 Certificate of rehabilitation issued December 9, 1947, by the Superior Court of San Mateo County. Pardon recommended by a majority of the Justices of the California Supreme Court. Granted November 9, 1948.

GEORGE O'BRIEN, San Quentin No. 64488, plead guilty to the crime of robbery first degree in Los Angeles County during January, 1940. He served approximately 3 years in prison and approximately 3 years and 6 months on parole, being discharged therefrom on July 13, 1946 Certificate of rehabilitation issued August 29, 1946, by the Superior Court of the City and County of San Francisco. Granted December 24, 1948.

KENNETH S OLIVIER, San Quentin No. 58540, plead guilty to the crime of violation of Section 424 of the Penal Code (embezzlement and falsification of accounts by public officer) (three counts) in Ventura County during January, 1936. He served 1 year and 7 months in prison and 2 years and 6 months on parole, being discharged therefrom on February 15, 1940. Certificate of rehabilitation issued March 24, 1947, by the Superior Court of Ventura County Granted January 3, 1949.

CLARA A. OSBORN, Tehachapi No. 445, was convicted of the crimes of violation of Section 113 of the Penal Code (2 counts) and violation of Section 470 of the Penal Code in Butte County during March, 1939. She served approximately 1 year and 1½ months in prison and approximately 1 year and ½ month on parole, being discharged therefrom on May 17, 1941. Certificate of rehabilitation issued September 17, 1946, by the Superior Court of Tehama County Granted December 24, 1948.

RICHARD CHARLES RICHARDSON, San Quentin No. 61271, was convicted of the crime of negligent homicide in Tulare County during January, 1938 He served 2 years in prison, being discharged therefrom on January 5, 1940 Certificate of rehabilitation issued March 13, 1946, by the Superior Court of Kern County Granted November 9, 1948

DONALD R. RUSSELL, San Quentin No. 59263, was convicted of the crime of grand theft in Orange County during July, 1935, and was granted 5 years probation with the condition that he serve 1 year in the Orange County jail However, probation was revoked as a result of his arrest for the crime of grand theft in Los Angeles County during July, 1936 He served 1 year and 4 months in prison and 2 years and 3 months on parole, being discharged therefrom on March 1, 1940 Certificate of rehabilitation issued March 28, 1945, by the Superior Court of Los Angeles County Pardon recommended by a majority of the Justices of the California Supreme Court Granted March 11, 1948

FRANK A. SCOTT, San Quentin No. 61363, was convicted of the crimes of conspiracy to violate the Corporate Securities Act, violation of the Corporate Securities Act, (3 counts), and conspiracy to obtain property with intent to defraud, (2 counts) in San Diego County during January, 1938 He served approximately 1 year and 7 months in prison and approximately 2 years on parole, being discharged therefrom on August 26, 1941. Certificate of rehabilitation issued November 22, 1944, by the Superior Court of Los Angeles County. Granted March 11, 1948

WM. BROOKS SISSON, San Quentin No 63672, was convicted of the crimes of (Group I) grand theft, (2 counts to run concurrently), and (Group II) grand theft, (2 counts to run concurrently), and (Group III) grand theft, (2 counts to run concurrently) and conspiracy to commit grand theft, (1 count to run concurrently), (groups to run consecutively), in Los Angeles County during June, 1939 He served 2 years in prison and 2 years on parole, being discharged therefrom on June 17, 1943 Certificate of rehabilitation issued September 20, 1944, by the Superior Court of Los Angeles County Granted November 9, 1948

EDWARD SMITH, San Quentin No 63758, was convicted of the crimes of violation of Section 9 of the Narcotic Act, (forgery of prescription), with prior conviction of a felony, and violation of Section 1 of the Narcotic Act, (possession), (probation revoked), in Alameda County during July, 1939 He served 2 years and 1 month in prison and approximately 1 year and 4 months on parole, being discharged therefrom on

December 15, 1942 Certificate of rehabilitation issued May 9, 1945, by the Superior Court of Los Angeles County. Pardon recommended by a majority of the Justices of the California Supreme Court Granted November 9, 1948, with the condition that Smith refrain from the use of narcotics and subject to the further provisions prescribed on August 5, 1946, by the State Board of Medical Examiners. (Conditional pardon.)

GORDON VINCENT, San Quentin No. 51993, plead guilty to the crime of burglary second degree in Fresno County during April, 1932. He served 3 years and 6 months in prison and 3 years on parole, being discharged therefrom on October 23, 1938 Certificate of rehabilitation issued April 8, 1946, by Superior Court of Kings County. Granted December 24, 1948.

JOSEPH E WARREN, San Quentin No 57198, was convicted of the crime of robbery first degree in Los Angeles County during January, 1935 He served 2 years and 9 months in prison and 2 years on parole, being discharged therefrom on October 26, 1939 Certificate of rehabilitation issued November 6, 1946 by the Superior Court of Los Angeles County. Granted December 24, 1948

WILLIAM WEAVER, San Quentin No 43679, plead guilty to the crime of murder second degree in San Mateo County during May, 1927. He served 12 years and 10 months in prison and 5 years and 3 months on parole, being discharged therefrom on June 25, 1945 Certificate of rehabilitation issued January 7, 1946, by the Superior Court of San Mateo County. Granted March 11, 1948

CARL D WHEELER, San Quentin No. 62577, plead guilty to the crime of robbery second degree in Los Angeles County during October, 1938 He served approximately 2 years and 1½ months in prison and approximately 1 year and 1 month on parole, being discharged therefrom on January 13, 1942 Certificate of rehabilitation issued October 15, 1946, by the Superior Court of Sacramento County. Granted December 24, 1948.

ERNEST WOODS, San Quentin No. 46744, plead guilty to the crime of robbery second degree in Los Angeles County during March, 1929. He served 2 years and 6 months in prison and 4 years on parole, being discharged therefrom on September 9, 1935. Certificate of rehabilitation issued November 1, 1946, by the Superior Court of Alameda County. Granted January 3, 1949.

Pardons

Granted without reference to Chapter 3 5, Sections 4852 01 to 4852.2 of the Penal Code, after favorable recommendation

JOSE FLORES, San Quentin No. 29047, was convicted of the crime of assault with a deadly weapon in Orange County during November, 1915. He served 10 months in prison, being discharged therefrom on September 20, 1916. Pardon recommended by James A Musick, Sheriff of Orange County, and the Adult Authority. Granted January 3, 1949.

STEVE KOZAK, San Joaquin Sheriff's Office No. 10406-V, plead guilty to the crime of petty theft in San Joaquin County on February 3, 1936. He served 30 days in the San Joaquin County jail Kozak has been deported to Canada Pardon recommended by the Adult Authority Granted December 24, 1948.

FERNANDO MIGUEZ, Los Angeles County No. 197802, was convicted of the crime of contributing to the delinquency of a minor in Los Angeles County during May, 1934. He served 10 months in the Los Angeles County jail. Miguez is subject to deportation to Spain. Pardon recommended by the Adult Authority Granted November 9, 1948.

LOUIS PEARSON, San Quentin No 43248, was convicted of the crime of murder first degree in Fresno County on February 14, 1927, and was given a life sentence. He served 12 years in prison and was released on parole February 15, 1939. Pardon recommended by James M. Thuesen, District Attorney of Fresno County, George J. Overholt, Sheriff of Fresno County, R. T Wallace, Chief of Police, Fresno, Fred Finsley, Chief State Parole Officer, and the Adult Authority. Granted November 9, 1948.

FOY C PHILLIPS, San Quentin No. 67506, plead guilty to the crimes of grand theft and grant theft from person in Imperial County during November, 1941 He served 1 year and 9 months in prison, being released therefrom on August 12, 1943, on a Special Service Parole, pursuant to Chapter 396, Statutes of 1943. He was discharged from parole on August 23, 1946. Pardon recommended by R W Ware, Sheriff of Imperial County, and the Adult Authority. Granted January 3, 1949.

HERMAN STETTLER, San Quentin No 64434, now a resident of the State of Oregon, plead guilty to the crime of drawing and issuing a check without sufficient funds in Mariposa County during January, 1940. He served approximately 1 year and 10½ months in prison and approximately 5½ months on parole, being discharged therefrom on May 3, 1942. Pardon recommended by Louis T. Milburn, former District Attorney of Mariposa County and the Adult Authority. Granted November 9, 1948.

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

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

Assembly Bill No. 681: By Messrs. McMillan and Fletcher—An act to add Section 6562 to the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Public Health.

Assembly Bill No. 682: By Messrs. Lewis, Coats, Clarke, Brady, Brown, Condon, Hagen, and Heisinger—An act creating the California Farm Debt Adjustment Commission, defining its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 683: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 684: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, amending Section 124 of the Welfare and Institutions Code, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 685: By Mr. Hollibaugh—An act to amend Section 7873 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 686: By Mr. Hollibaugh—An act to amend Section 10100 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 687: By Mr. Waters—An act to add Sections 6348.2 and 6348.4 to the Business and Professions Code, relating to the powers and duties of boards of law library trustees.

Referred to Committee on Judiciary.

Assembly Bill No. 688: By Messrs Sherwin, Caldecott, Dickey, Condon, Dunn, Lincoln, and Rumford—An act to amend Section 2150 of the Streets and Highways Code, relating to moneys received by counties from the Highway Users Tax Fund.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 689: By Messrs Huyck, Hahn, Rosenthal, Thompson, and Stewart—An act making an appropriation for allocation to cities, counties, cities and counties and school districts to develop a Comprehensive State-wide Program of Community Recreation, providing the procedure for making such allocations

Referred to Committee on Municipal and County Government

Assembly Bill No. 690: By Mr. Anderson—An act to add Section 4024 to the Insurance Code, relating to mutual insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 691: By Mr Anderson—An act to add Section 1284 to the Insurance Code, relating to reciprocal insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 692: By Mr Anderson—An act to add Section 18972 5 to the Government Code, relating to physical qualifications of veterans for state civil service

Referred to Committee on Military Affairs.

Assembly Bill No. 693: By Messrs. Gaffney, Berry, McCarthy, Connolly, George D Collins, and Mrs Niehouse—An act to add Section 18860 to the Government Code, relating to compensation of civil service employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 694: By Mr Evans—An act creating the Indoor Recreation Commission, providing for the licensing of mechanical amusement devices and vending machines, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 695: By Messrs. Brown, Beck, Rosenthal, Caldecott, and George D Collins—An act to amend Section 1126 of the Probate Code, relating to testamentary trusts.

Referred to Committee on Judiciary.

Assembly Bill No. 696: By Messrs. Brown, Beck, Rosenthal, Caldecott, and George D Collins—An act to amend Section 412 of the Code of Civil Procedure relating to commencement of actions

Referred to Committee on Judiciary

Assembly Bill No. 697: By Messrs Brown, Rosenthal, Beck, Caldecott, and George D. Collins—An act to amend Section 645 of the Probate Code, relating to the setting aside of estates without administration.

Referred to Committee on Judiciary.

Assembly Bill No. 698: By Messrs Brown, Rosenthal, Beck, Caldecott, and George D. Collins—An act to amend Section 987a of the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Referred to Committee on Judiciary.

Assembly Bill No. 699: By Messrs. Brown, Rosenthal, Beck, Caldecott, and George D. Collins—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 700: By Messrs. Brown, Rosenthal, Beck, Caldecott, and George D. Collins—An act to add Section 2470.5 to the Civil Code, relating to the use of fictitious names, and the filing of certificates of abandonment thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 701: By Messrs. Brown and Rosenthal—An act to amend Section 537 of the Code of Civil Procedure, relating to attachments.

Referred to Committee on Judiciary.

Assembly Bill No. 702: By Messrs. Brown, Rosenthal, Beck, Caldecott, and George D. Collins—An act to add Section 6007 to the Business and Professions Code, relating to membership in the State Bar.

Referred to Committee on Judiciary.

Assembly Bill No. 703: By Messrs Brown, Rosenthal, Beck, Caldecott, and George D. Collins—An act to amend Section 1080 of the Probate Code, relating to distribution of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 704: By Messrs. Brown, Beck, Rosenthal, and George D. Collins—An act to amend Section 1570 of the Probate Code, relating to the appointment of guardians for minors and insane or incompetent persons.

Referred to Committee on Judiciary.

Assembly Bill No. 705: By Messrs Brown, Rosenthal, Beck, Caldecott, and George D. Collins—An act to amend Section 801 of the Probate Code, relating to the sale of property in probate.

Referred to Committee on Judiciary.

Assembly Bill No. 706: By Mr. Thomas—An act to amend Sections 7055, 7056, 7057, 7058, and 7059 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 707: By Messrs. Geddes, Dunn, Luckel, Doyle, Burke, Conrad, Clayton A. Dills, Ralph C. Dills, Gaffney, Maloney, McMillan, Morris, Mrs. Niehouse, and Mr. Thompson—An act to amend Section 19607 of, and to add Section 19604 1 to the Education Code, relating to child care centers.

Referred to Committee on Education.

Assembly Bill No. 708: By Messrs. Geddes, Dunn, Luckel, Doyle, Burke, Conrad, Clayton A. Dills, Ralph C. Dills, Gaffney, Maloney, McMillan, Morris, Mrs. Niehouse, and Mr. Thompson—An act making an appropriation for the support of child care centers, to take effect immediately.

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 17, 1949

MR SPEAKER. I am directed to request your honorable body to return Senate Concurrent Resolution No. 19 to the Senate for further action.

J. A. BEEK, Secretary of the Senate

Senate Concurrent Resolution No. 19 returned to the Senate by unanimous consent.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY BE PERMITTED TO HOLD SPECIAL MEETING

Mr. Stewart asked for, and was granted, unanimous consent that the Committee on Governmental Efficiency and Economy be permitted to hold a special meeting upon adjournment, tomorrow, Tuesday, January 18th, in Room 435.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tomorrow, Tuesday, January 18th, at 2 p.m.—

Fish and Game.

At 3 p.m. (or upon adjournment, if prior to 3 p.m.)—

Interim Committee on Public Education. Subject: Minimum and Adequate Programs.

Upon adjournment, in Room 426—

Crime and Correction.

Today, upon adjournment, in Room 435—

Ways and Means. Subject: Deficiency Bills and Fixed Charges.

At 8 p.m., in Room 435—

Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Archie Robeson of Galt.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Arthur Eaton of Berkeley.

On request of Mr. Brady and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to William H. Popert and Milton Levy of San Francisco.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Isaac H Hawkins of Redondo Beach.

On request of Speaker Sam L. Collins and the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Fred Aberle of Los Angeles.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Lenore Underwood of San Francisco.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Marie Potts of Los Angeles.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Marie Jeanerette of Pasadena.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Rosalind G. Bates and Dolly Lee Butler of Los Angeles.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Ruth Hughes of Los Angeles.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mary Malone of Riverside.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Hiltrud McSpadden of Glendale

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Caryl Sheldon of El Monte.

On request of Mr. Elliott, the usual courtesies of the Assembly for this day were unanimously extended to Elma Morgan and Mildred Hutchinson of Los Angeles.

On request of Mr George D Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Ethel Sullivan of San Francisco.

On request of Mr Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Edwin Cartey and Robert Cartey of Oxnard.

On request of Messrs. Reagan and Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Russell Keller of Balboa.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Christian Petersen of Denmark.

ADJOURNMENT

At 3.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, January 18, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TENTH LEGISLATIVE DAY

SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 18, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Source of Health and Healing: May we pause this day to realize that we live below the level of our possibilities, and always before us lies the opportunity to enhance the efficiency of the body and the clarity of the mind

Help us to realize the power of the mind over the physical body, and observe how thoughts and feelings can increase or deplete our vital energy.

Let us see how the mood of trust—the firm belief that the Divine is with us, calms the nervous system, promotes the healthy action of every organ and tissue, and thereby arouses our latent resourcefulness.

Then let us see how anxiety and fear cause the strain and tension that retards circulation, overtaxes the heart, and threatens our very existence

Above all, let us see how scornful doubt and cynicism irritate the nervous system, lower our vital resistance, and invite mental and physical illness.

Remind us how many people today go crazy because they have no sustaining Faith

May we keep the thoughts of faith and hope in the subconscious margins of the mind so that we may have a sense of adequacy for every task, and enjoy health of body and sanity of mind.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Kirkwood, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

Mr Lindsay, on motion of Mr. Rumford.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No 26
Assembly Concurrent Resolution No 27
Assembly Concurrent Resolution No 28

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolutions ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No 7
Assembly Joint Resolution No 8
Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 22
Assembly Concurrent Resolution No 23
Assembly Concurrent Resolution No. 24

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No. 58
Assembly Bill No. 60

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 58—An act to amend Section 1 of the Municipal Court Act of 1925, relating to municipal courts, to take effect immediately

Bill read second time, and ordered engrossed

Assembly Bill No. 60—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, creating a new class of cities to be known as cities of the four and seven-eighths class, and to provide for their organization, to take effect immediately.

Bill read second time, and ordered engrossed

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Assembly Bill No. 477
Assembly Bill No. 527

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 477—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 527—An act making an appropriation for the purpose of increasing the salaries of state employees, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred.

Assembly Bill No. 27
Assembly Bill No. 476

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 27—An act making an appropriation for support of the Department of the California Highway Patrol for the 1948-49 Fiscal Year, providing for the transfer of such appropriation, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 11, of the printed bill, following the comma, insert "pursuant to Section 19 of the Budget Act of 1948,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 476—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, amending Section 124 of the Welfare and Institutions Code, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 3 of the title of the printed bill, following the comma, insert "and amending Section 124 of the Welfare and Institutions Code, relating to availability of appropriations,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, between lines 13 and 14, insert

"SEC. 2. Section 124 of the Welfare and Institutions Code is hereby amended to read:

124. There is a Social Welfare Fund established in the State Treasury, in which there shall be deposited:

(a) All grants of money received by the State from the United States *under the provisions of Titles I, IV, and X, and Part 3 of Title V of the Social Security Act, and any other grants*, the expenditure of which is administered through or under the direction of the State Department of Social Welfare.

(b) All money appropriated by the State for the support of the State Department of Social Welfare. The department may use the money within this subdivision for the purposes for which the money in subdivision (a) is made available by the United States for expenditure by this State but all money so used by the department shall be returned to the support appropriation from the next subsequent grant or grants of the United States [but in no event any later than one year from the time it was so used by the department]. The money to be deposited in the Social Welfare Fund under this subdivision shall be transferred to the Social Welfare Fund [monthly, in case of a biennial appropriation, in amounts of not more than one-twentieth of the appropriation or, in cases of appropriations for greater or lesser periods, in amounts of not more than 20 percent more than an equal monthly rate determined by the number of complete calendar months within the period.] *in such amounts as may be authorized by executive order of the Director of Finance.*

The State Department of Social Welfare *may and the Controller* shall keep a record of the classes and sources of income credited to the Social Welfare Fund and of the disbursement therefrom.

Unless otherwise expressly provided, all money deposited in the Social Welfare Fund under an appropriation by the State shall be available for all expenditures incurred for the purposes for which it was appropriated during the period thereof, and [three years from the time the appropriation became available, the unexpended amount thereof shall revert to the state fund from which the appropriation was made] *shall be subject to the provisions of Section 16304 of the Government Code.*"

Amendment No. 3

On page 1, line 14, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 1, lines 2 and 3, of said bill, strike out "three million three hundred thousand dollars ($3,300,000)", and insert "three million seventy-five thousand three hundred twenty-two dollars ($3,075,322)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion to Place Rush Order on Printing of Assembly Bills Nos. 27 and 476

Mr. Sherwin moved that a rush order be placed upon the printing of Assembly Bills Nos. 27 and 476.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:

Assembly Bill No. 59

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 59—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "counties", insert: "and all of the provisions of this act applicable to municipal courts in cities or cities and counties of the fifth class, including Section 22, shall apply to municipal courts established in cities or cities and counties of the four and seven-eighths class".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 17, 1948

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

Senate Concurrent Resolution No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 20—Relative to felicitating the San Bernardino Daily Sun and its Editor, James A. Guthrie, on the occasion of the opening of its new publishing establishment.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 17, 1949

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

Senate Bill No. 27
Senate Bill No. 83
Senate Bill No. 100
Senate Bill No. 101

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 27—An act to amend Section 3 of the Property Acquisition Act, relating to the acquisition of property by the State in connection with the postwar construction program, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 83—An act to amend Section 9357.2 of the Government Code, relating to retirement of Members of the Legislature, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 100—An act to amend Section 12410 of the Government Code, relating to the duties of the Controller, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 101—An act authorizing the conveyance of certain property belonging to the State of California at San Francisco State College in the City and County of San Francisco, State of California, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lowrey, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber:

House Resolution No. 48

Relative to the seventy-fifth birthday of the Honorable George A. Clarke

WHEREAS, This Assembly has permitted the ninth day of January, 1949, to pass without taking note that that day marked the seventy-fifth birthday of the Honorable George A. Clarke, Assemblyman from the Thirty-first District; and

WHEREAS, It is eminently fitting and proper that this Assembly pause to consider the long and distinguished public career of this esteemed colleague and to dwell upon the characteristics which make him one of the finest examples of American manhood; and

WHEREAS, George A. Clarke was born in Bishop, California, on January 9, 1874, and since early manhood has engaged in public enterprises and public service, participating in the incorporation of the Town of Bishop and serving as trustee thereof for 13 years, organizing the Owens Valley Bank, promoting a local light and power enterprise, serving as president of a county farm bureau and for seven years as State Director of the Farm Bureau Federation, serving as Director of the Production Credit Association and as a member of the Farm Debt Adjustment Commission, in which latter capacity he was instrumental in saving the homes of many people; and

WHEREAS, George A. Clarke was first elected to this Assembly in 1912 from what was then the Forty-seventh Assembly District consisting of the Counties of Mariposa,

Tuolumne, Mono, and Inyo, and therefore in point of time his earliest service antedates that of any other member of this body; and

WHEREAS, George A. Clarke was reelected from the Forty-seventh Assembly District again in 1922 and served one term, and thereafter removed from said district to Merced County in which he has since resided; and

WHEREAS, George A. Clarke has represented the Counties of Merced and Madera continuously in the Assembly since his election therefrom in 1938; and

WHEREAS, Throughout his legislative career Assemblyman Clarke has displayed great interest in and a keen understanding of governmental problems, particularly in all fields related to any phase of agriculture, and has been chairman of committees such as Irrigation and Agriculture; and

WHEREAS, By virtue of his years of practical and legislative experience in the fields of irrigation, mining, and agriculture he became a counsellor and guide to the younger Members of the Legislature in matters relating to these fields, and such members have frequently sought counsel and guidance in much the same way a student consults a highly respected dean; and

WHEREAS, George A. Clarke has not only been ever willing to share his wisdom and experience with other members in the fields in which he has special knowledge and training but brings to bear upon each governmental problem that confronts this body the calm, sure judgment and the sound appraisal of all relevant factors that his lifetime of experience in public and private affairs has qualified him to exercise; and

WHEREAS, His calm and courteous demeanor, his inherent integrity, his instinctive turning to whatever is fundamentally right, coupled with his deep understanding of events and men acquired through a lifetime of activity in affairs of a public nature have made George A. Clarke a man in whom all Members of this Assembly have always reposed the most implicit trust and confidence and a man with whom long association serves only to bring more clearly into focus the fundamental virtues with which he is endowed; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly, somewhat belatedly but with the greatest sincerity, hereby congratulates the Honorable George A. Clarke upon having attained and passed the seventy-fifth milestone in his long and distinguished career and wishes for him a long continuance of life full of all the good things which he so richly deserves

Request for Unanimous Consent That All Members Present Be Co-authors of House Resolution No. 48

Mr. Lowrey asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No 48 as co-authors.

Request for Unanimous Consent

Mr Lowrey asked for, and was granted, unanimous consent to take up House Resolution No 48, at this time, without reference to committee or file

Resolution read, and adopted unanimously

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 709: By Messrs George D. Collins, Gaffney, Connolly, Brady, Maloney, McCarthy, and Meyers—An act making an appropriation to the Board of State Harbor Commissioners for maintenance of fire boats, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 710: By Messrs George D Collins, Berry, Gaffney, McCarthy, Brady, Connolly, Maloney, and Meyers—An act making an appropriation to the Board of State Harbor Commissioners to reimburse the City and County of San Francisco for contributions made by the city and county to the retirement fund in relation to fire protection of the San Francisco waterfront.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 711: By Messrs George D. Collins, Berry, Gaffney, Connolly, Brady, Maloney, McCarthy, and Meyers—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 712: By Messrs. George D. Collins, Berry, Gaffney, Connolly, Brady, Maloney, McCarthy, and Meyers—An act to add Section 1908.1 to the Harbors and Navigation Code, relating to police protection, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 713: By Messrs. George D. Collins, Gaffney, Berry, Brady, Connolly, Maloney, McCarthy, and Meyers—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 714: By Messrs George D. Collins, Berry, Gaffney, Connolly, Brady, Maloney, McCarthy, and Meyers—An act authorizing the Board of State Harbor Commissioners to purchase fire boats from the City and County of San Francisco, to provide fire protection for its property in San Francisco Harbor, and making an appropriation therefor.

Referred to Committee on Municipal and County Government.

Speaker Pro Tempore Presiding

At 10.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 715: By Mr. Bennett—An act to add Section 32.5 to the Code of Civil Procedure, relating to service of process.

Referred to Committee on Judiciary.

Assembly Bill No. 716: By Mr Sam L Collins—An act to amend Section 737dd of the Political Code, relating to the compensation of Superior Court Judges in the County of Orange.

Referred to Committee on Judiciary.

Assembly Bill No. 717: By Mr Sam L. Collins—An act relating to the holding of Olympic Games in California in 1952, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 718: By Mr. Sherwin—An act to amend Sections 7372 and 7396 of the Business and Professions Code, relating to the practice of cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 719: By Mr. Crichton—An act to add Part 13 comprising Sections 30001 to 30405, inclusive, to Division 2 of the Revenue and Taxation Code, imposing a state tax on cigarettes, prescribing the method and manner of levying and collecting the tax, conferring powers and imposing duties on the State Board of Equalization, providing penalties for violations of this act, and allocating the revenue derived therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 720: By Messrs. Waters, Lipscomb, Stewart, Stanley, Babbage, Conrad, Huyck, and Smith—An act to amend Section 5931 of, and to add Section 5931.5 to, the Elections Code, relating to absentee voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 721: By Mr. Waters—An act to amend Section 11535 of the Business and Professions Code, relating to the regulation of real estate subdivisions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 722: By Mr. Heisinger—An act to add Chapter 4 to Title 2 of Part 2 of Division 2 of the Civil Code, relating to real property, and providing for the relinquishment and abandonment of rights in underlying land owned separately from the fee title of the overlying surface land.

Referred to Committee on Judiciary.

Assembly Bill No. 723: By Messrs. Heisinger, Hagen, Lewis, and Clarke—An act to amend Sections 1231 and 1234 of, and to add Sections 1231.5, 1237.5, and 1239.5 to, the Agricultural Code, relating to agricultural warehouses.

Referred to Committee on Agriculture.

Assembly Bill No. 724: By Messrs Gaffney, Berry, and George D. Collins—An act to amend Sections 1296, 1301, 1305, 1306, 1311, 1398, and 1776 of the Labor Code, and Sections 16687 and 16732 of the Education Code, relating to the Division of Labor Law Enforcement.

Referred to Committee on Industrial Relations.

Assembly Bill No. 725: By Messrs. McCollister and Crowley—An act to add Section 19333 to the Government Code, relating to authorizing absences from veterans' homes.

Referred to Committee on Military Affairs.

Assembly Bill No. 726: By Mr. Clayton A. Dills—An act to add a new section to the Agricultural Code to be numbered Section 830.7, requiring the sterilization of used containers of fruits, nuts, or vegetables, before such containers are again used or sold, for the purpose of containing, shipping, or transporting fruits, nuts, or vegetables, and requiring the sterilization of used containers before such containers are returned to, or taken upon, the premises of any grower, packer, or shipper of fruits, nuts or vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 727: By Messrs. Reagan and Levering—An act to amend Section 5931 of the Elections Code, relating to absentee voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 728: By Mr. George D. Collins—An act to add Section 4652 to the Elections Code, relating to campaign expenditures for a candidate without authorization.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 729: By Messrs George D. Collins, Berry, Gaffney, McCarthy, Brady, Maloney, and Meyers—An act to amend Section 261b, as added by Chapter 1031 of the Statutes of 1943 and amended by Chapter 544 of the Statutes of 1947, of the Code of Civil Procedure, relating to the increasing of said filing and appearance fees from $3 to $5 in addition to any other fees now required by law.

Referred to Committee on Judiciary.

Assembly Bill No. 730: By Mr. Evans—An act to add Section 135 to the Welfare and Institutions Code, relating to the compensation of members of the board or committee appointed by the Director of the State Department of Social Welfare, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolutions were offered:

By Mr. Evans:

House Resolution No. 49

Congratulating G. Delbert Morris upon his marriage to Mary Jean Weltner

WHEREAS, On the thirtieth day of July, 1948, G. Delbert Morris, Assemblyman from the Sixty-third District of Los Angeles, took unto himself a bride, Mary Jean Weltner, a beautiful native California girl who is a graduate of Fremont High School in Los Angeles; and

WHEREAS, This successful young insurance man had an enviable record in World War II and is highly respected in his community; and

WHEREAS, The happiness of this young couple has brought joy to the hearts of their many friends; now, therefore, be it

Resolved, That the Assembly of the State of California hereby extends hearty congratulations to this young veteran and his bride and wishes them a lifetime of happiness and success; and be it further

Resolved, That a copy of this resolution be prepared by the Chief Clerk of the Assembly and forwarded to Mr. and Mrs. G. Delbert Morris.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 49, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. McMillan and Brady:

House Resolution No. 50

Congratulating former Assemblyman James J. Boyle

WHEREAS, James J. Boyle, a Member of this Assembly from 1932 until 1938, representing the Sixty-sixth Assembly District, was recently appointed United States Marshal for the Southern District of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend to their friend and former colleague James J. Boyle, heartiest congratulations upon his appointment and wish him all success in his office; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to United States Marshal, James J. Boyle.

Request for Unanimous Consent

Mr. McMillan asked for, and was granted, unanimous consent to take up House Resolution No. 50, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

Speaker Presiding

At 10.37 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

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

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

Assembly Bill No. 731: By Mr. Ralph C. Dills—An act to add Section 3440.1 to the Civil Code, relating to fraudulent conveyances.

Referred to Committee on Judiciary.

Assembly Bill No. 732: By Mr. Burkhalter—An act to amend Section 4755 of the Health and Safety Code, relating to county sanitation district contracts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 733: By Mr. Beck—An act to amend Section 20 of the Escrow Act, relating to penalties.

Referred to Committee on Judiciary.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 12 FROM COMMITTEE CONTINUED

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that his notice of motion to withdraw House Resolution No. 12 from committee be continued until the next legislative day.

MOTION TO OFFER AMENDMENT TO PERMANENT STANDING RULE NO. 59

In compliance with a notice given on a previous day, Mr. Maloney offered the following amendment to Permanent Standing Rule No. 59:

Amendment to Permanent Standing Rules of the Assembly for the 1949 Regular Session

(As printed in the Assembly Journal for January 10, 1949, commencing at page 178)

Amendment No. 1

Strike out the second sentence of Rule 59, as printed on page 192, and insert "It shall require an affirmative vote of not less than two of the Assembly members and two of the Senate members constituting the committee on conference to agree upon a report, and the report shall be submitted to both the Senate and the Assembly."

Amendment read.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—64.
NOES—None.

NOTE: (Permanent Standing Rules, as amended, were printed in the Journal of Monday, January 10, 1949, pages 178 to 200, inclusive.)

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 2—Relative to memorializing the President and the Congress of the United States in relation to two irrigation canals to supply water from the Sacramento River to areas in Northern California.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, and Weber—68
NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 6 FROM COMMITTEE

Mr. Heisinger gave notice that on the second legislative day he would move to withdraw Assembly Joint Resolution No. 6 from the Committee on Rules, and have it placed upon the file.

MOTION THAT OPINION OF LEGISLATIVE COUNSEL BE REFERRED TO COMMITTEE ON RULES

Mr. Ralph C. Dills moved that an opinion of the Legislative Counsel, relative to immunity in legislative proceedings, be ordered referred to the Committee on Rules with the suggestion that the committee consider recommending that it be printed in the Journal.

Mr. Butters seconded the motion.

Motion carried.

Above mentioned opinion ordered referred to the Committee on Rules.

ANNOUNCEMENT

Mr. Anderson announced that he will hold at his desk, until after recess, a bill calling for a Constitutional Revision Convention, so that

all members desiring to be co-authors may have this opportunity, as the bill is ready for introduction.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 271—An act to amend Section 2 of an act entitled "An act to provide for the relocation of a portion of State Highway Route 5 in Santa Clara County, making an appropriation therefor, and declaring the urgency hereof, to take effect immediately," approved July 17, 1947, relating to relocation of a portion of State Highway Route 5, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—69.

NOES—None.

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

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that Mr Thompson be instructed to request an opinion from the Legislative Counsel, relative to relocation of a portion of the State Highway in Santa Clara County, and that said opinion be ordered printed in the Journal

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 18, 1949

Hon. John F. Thompson
Assembly Chamber

A.B. No. 271—Relocation of portion of State Highway in Santa Clara County—No. 3219

DEAR MR. THOMPSON: You have asked our opinion whether Assembly Bill No. 271 is an appropriation bill within the meaning of Section 34 of Article IV of the Constitution, which section provides that until the Budget Bill has been finally enacted, neither house shall place upon final passage any other appropriation bill except emergency bills recommended by the Governor.

In our opinion, Assembly Bill No. 271 is not an appropriation bill and is not subject to the restriction in Section 34 of Article IV of the Constitution referred to above.

This bill amends Section 2 of Chapter 19 of the Statutes of the 1947 First Extra Session. That chapter provided for the relocation of a portion of a state highway in Santa Clara County and made an appropriation for that purpose. The appropriation is contained in Section 1 of that chapter which is not amended by this bill.

Section 2 provides for the transfer of the appropriation from the General Fund to the State Highway Fund It also contains certain restrictions and limitations upon the expenditure of the money appropriated. Assembly Bill No. 271 would delete these restrictions and limitations. We do not believe that the amendment proposed to be made by this bill constitutes an appropriation of money.

Very truly yours,

FRED B. WOOD
Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Copy to Mr. Kirkwood

RECESS

At 11.10 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 35: By Messrs. Meyers and Maloney—Relative to the seventy-fifth anniversary of Sacred Heart College High School.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE BE PERMITTED TO HOLD MEETING

At 2.01 p.m., Mr. Erwin asked for, and was granted, unanimous consent that the Assembly Committee on Fish and Game be excused for the purpose of holding a joint meeting with the Senate Committee on Fish and Game, in Room 414, at this time.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY COMMITTEE ON WILDLIFE CONSERVATION BE PERMITTED TO ATTEND MEETING

At 2.02 p.m., Mr. Lowrey asked for, and was granted, unanimous consent that the members of the Assembly Committee on Wildlife Conservation be permitted to attend the joint meeting of the Senate and Assembly Fish and Game Committees, and that they be excused, for this purpose, at this time.

REQUEST FOR UNANIMOUS CONSENT THAT YOUTH AND GOVERNMENT PROGRAM BE PERMITTED USE OF ASSEMBLY CHAMBER FOR MEETING

Mr. Weber asked for, and was granted, unanimous consent that permission be granted to the Youth and Government Program, sponsored by the Y. M. C. A., for the use of the Assembly Chamber on February 18th and 19th for the purpose of holding a model youth legislature.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 58
Assembly Bill No. 60
Assembly Bill No. 477
Assembly Bill No. 527

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

COMMUNICATIONS

By Speaker Collins:

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

Letter of Transmittal

STATE OF CALIFORNIA
STATE WATER RESOURCES BOARD
PUBLIC WORKS BUILDING, SACRAMENTO, CALIFORNIA, January 18, 1949

Hon. Sam L. Collins, Speaker of the Assembly
California State Legislature
State Capitol, Sacramento, California

DEAR MR. COLLINS: Transmitted herewith is a report to the Legislature which was adopted by the State Water Resources Board at its regular meeting on January 7, 1949. This report is required by Section 11 of the Flood Control Fund Act of 1946, as amended.

Very truly yours,

EDWARD HYATT, Secretary

Above mentioned report ordered referred to the Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1949

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

Senate Bill No. 72

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 72—An act to amend Section 2191.5 of the Business and Professions Code, relating to applications to the Board of Osteopathic Examiners of the State of California for physicians' and surgeons certificates, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 14

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Pursuant to the provisions of Senate Concurrent Resolution No 14, Speaker Sam L. Collins announced the appointment of Messrs. Ralph C.

Dills, Hollibaugh, and Grunsky as members of said Joint Legislative Committee on Lending Transactions.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, January 10, 1949; Tuesday, January 11, 1949; Wednesday, January 12, 1949; and Thursday, January 13, 1949, were approved as corrected by the Minute Clerk.

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

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

Assembly Bill No. 734: By Messrs. Maloney, Gaffney, Berry, Meyers, Connolly, and McCarthy—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of four additional Superior Court Judges in and for the City and County of San Francisco, and providing for their compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 735: By Mr. Silliman—An act to amend Section 627.5 of the Agricultural Code, relating to chocolate drinks containing milk or skimmed milk.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 736: By Mr. Clayton A. Dills—An act amending Section 5838 of the Streets and Highways Code, relating to the annexation of territory to county maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 737: By Mr. Clayton A. Dills—An act to add Section 5473 to the Health and Safety Code, relating to sewerage systems in incorporated and unincorporated territory and connections thereto.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 738: By Mr. Luckel—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 739: By Mr. Maloney and Mrs. Niehouse—An act to add Part 10 to Division 3 of Title 2 of the Government Code, creating a Commission on Political and Economic Equality, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 740: By Mr. Maloney—An act to amend Section 5076 of the Penal Code, relating to the compensation of members of the Adult Authority.

Referred to Committee on Judiciary.

Assembly Bill No. 741: By Mr. Cramer—An act to amend Sections 2797, 2831, 2832, 2842, and 2843 of, and to add Sections 28085 and 2830.5 and 2849 to, and to repeal Article 11 of Chapter 1, of Division 5 of, the Elections Code, relating to political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 742: By Mr. Maloney—An act to amend Section 860 of the Penal Code, relating to examination and commitment.

Referred to Committee on Judiciary.

Assembly Bill No. 743: By Mr. Maloney—An act to amend Section 859a of the Penal Code, relating to a plea of guilty to the complaint before a magistrate.

Referred to Committee on Judiciary.

Assembly Bill No. 744: By Messrs. George D. Collins, Gaffney, Berry, and Meyers—An act to add Section 6.7 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 745: By Messrs. George D. Collins, Gaffney, Berry, and Meyers—An act to amend Section 57 of the Unemployment Insurance Act, relating to ability to, and availability for, work.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 746: By Messrs. Kilpatrick, Hahn, Burke, and Bennett—An act to amend Section 4801 of the Penal Code, relating to clemency for certain prisoners.

Referred to Committee on Judiciary.

Assembly Bill No. 747: By Messrs. Kilpatrick, Hahn, Burke, and Bennett—An act to amend Section 2877 of the Penal Code, relating to prisons and prisoners.

Referred to Committee on Judiciary.

Assembly Bill No. 748: By Messrs. Hahn, Burke, Kilpatrick, and Bennett—An act to add Section 10007 to the Penal Code, relating to inspection of public prisons.

Referred to Committee on Judiciary.

Assembly Bill No. 749: By Messrs. Hahn, Kilpatrick, Burke, and Bennett—An act to add Section 10006 to the Penal Code, relating to production of prisoners as witnesses in legislative proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 750: By Messrs. Hoffman, Connolly, and Caldecott—An act to amend Section 412 of the Code of Civil Procedure and to repeal Section 27291 of the Government Code, relating to service of summons, abolishing certificates of residence and recordation thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 751: By Mr Davis—An act to amend Section 737aaa of the Political Code, relating to the compensation of Superior Judges in and for the County of Trinity.

Referred to Committee on Judiciary.

Assembly Bill No. 752: By Mr. Davis—An act to amend Section 737ss of the Political Code, relating to the compensation of Superior Judges in and for the County of Shasta.

Referred to Committee on Judiciary.

Assembly Bill No. 753: By Mr. Davis—An act to amend Section 737uu of the Political Code, relating to the salary of Superior Judges in and for the County of Siskiyou.

Referred to Committee on Judiciary.

Assembly Bill No. 754: By Mr. Davis—An act to amend Section 737y of the Political Code, relating to the compensation of Superior Judges in and for the County of Modoc.

Referred to Committee on Judiciary.

Assembly Bill No. 755: By Mr. Davis—An act to amend Section 737r of the Political Code, relating to the compensation of Superior Judges in and for the County of Lassen.

Referred to Committee on Judiciary.

Assembly Bill No. 756: By Mr. Davis—An act to amend Section 737tt of the Political Code, relating to the compensation of Superior Judges in and for the County of Sierra.

Referred to Committee on Judiciary.

Assembly Bill No. 757: By Mr Davis—An act to amend Section 28140 of the Government Code, relating to compensation for public services in counties of the fortieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 758: By Mr. Davis—An act to amend Section 28155 of the Government Code, relating to compensation for public services in counties of the fifty-fifth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 759: By Mr Davis—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 760: By Mr Davis—An act to amend Section 28131 of the Government Code, relating to compensation for public services in counties of the thirty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 761: By Mr. Davis—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 762: By Mr Davis—An act to amend Section 28144 of the Government Code, relating to compensation for public services in counties of the forty-fourth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 763: By Mr Davis—An act to amend Section 28156 of the Government Code, relating to compensation for public service in counties of the fifty-sixth class.

Referred to Committee on Municipal and County Government

Assembly Bill No. 764: By Mr. Morris—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens.

Referred to Committee on Industrial Relations

Assembly Bill No. 765: By Mr Morris—An act to amend Section 2884 of the Streets and Highways Code, relating to special assessment investigation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 766: By Mr. Kilpatrick—An act to amend Section 2116 of the Business and Professions Code, relating to investigators for the Board of Medical Examiners.

Referred to Committee on Public Health

Assembly Bill No. 767: By Mr. Tomlinson—An act to amend Sections 16 and 27 of the Vehicle Parking District Act of 1943, relating to motor vehicle parking facilities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 768: By Mr. Kilpatrick—An act to amend Section 1755 of the Welfare and Institutions Code, relating to the care of persons committed to the Youth Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 769: By Mr Ralph C Dills—An act to amend Section 117 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Referred to Committee on Judiciary.

Assembly Bill No. 770: By Mr Lipscomb—An act to amend Section 5700 of the Welfare and Institutions Code, relating to private institutions for the care or treatment of insane, alleged insane, mentally ill, or other incompetent persons.

Referred to Committee on Public Health.

Assembly Bill No. 771: By Mr Lipscomb—An act to amend Section 2300 of the Welfare and Institutions Code, relating to institutions and boarding homes for aged persons.

Referred to Committee on Public Health.

Assembly Bill No. 772: By Mr. Lipscomb—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care and home-finding agencies.

Referred to Committee on Public Health.

Assembly Bill No. 773: By Mr. McCarthy—An act to amend Sections 52 and 53 of the Labor Code, relating to the Department of Industrial Relations.

Referred to Committee on Industrial Relations.

Assembly Bill No. 774: By Mr McCarthy—An act to amend Section 7080.1 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 775: By Mr. Babbage—An act to amend Section 737gg of the Political Code, relating to the salaries of Superior Court Judges in Riverside County.

Referred to Committee on Judiciary.

Assembly Bill No. 776: By Mr. Lincoln—An act to amend Section 7100 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 777: By Messrs Anderson, Hawkins, Moss, Fleury, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Fletcher, Geddes, Hagen, Hahn, Heisinger, Kilpatrick, Levering, Lewis, Lowrey, McCarthy, McMillan, Meyers, Morris, Mrs. Niehouse, Messrs. Rosenthal, Rumford, and Thomas—An act to provide for the revision of the Constitution of this State, including the election of Delegates to the Convention, the proceedings, powers, duties, and matters incidental to the convention, the submission of the revised Constitution to the people and matters incidental thereto, and making an appropriation therefor.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 10: By Messrs. Stewart, Waters, Ralph C. Dills, McMillan, Burke, Geddes, Grant, Huyck, Kilpatrick, Lipscomb, and Smith—Relative to memorializing the Congress of the United States in relation to the waters of the Colorado River.

Referred to Committee on Rules.

Assembly Bill No. 778: By Mr. Dickey—An act to amend Section 203 of the Code of Civil Procedure, relating to the selection of jurors in municipal courts and in police courts in cities of the second class.

Referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred,

Senate Concurrent Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 17, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 17

Senate Concurrent Resolution No. 17—Relative to the continuance of the Joint Committee on Water Problems.

Resolution read.

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

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stewart, Thompson, Tomlinson, Way, Weber, and Mr Speaker—52.

NOES—Lewis and Morris—2.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Vote on Roll Call on Senate Concurrent Resolution No. 17 Be Changed

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to change his vote from "No" to "Aye" on Senate Concurrent Resolution No. 17, and that he be recorded as having voted "Aye" on the roll call on Senate Concurrent Resolution No. 17.

Request for Unanimous Consent That Names Be Recorded on Roll Call on Senate Concurrent Resolution No. 17

Messrs. Evans and Thompson asked for, and were granted, unanimous consent that their names be added to the roll call on Senate Concurrent Resolution No. 17, and that they be recorded as having voted "Aye" on Senate Concurrent Resolution No. 17.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER. Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No 31

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 27
Assembly Bill No. 476

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

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

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

Assembly Bill No. 779: By Mr. Morris—An act to amend Section 464 of the Agricultural Code, relating to market milk.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 780: By Mr Tomlinson—An act to amend Section 690 26 of the Code of Civil Procedure, and add Section 690.5 of the same code, relating to exemption from execution of a house trailer.

Referred to Committee on Judiciary.

Assembly Bill No. 781: By Mr. Tomlinson—An act to amend Section 690.24 of the Code of Civil Procedure, relating to the value of motor vehicle exempt from execution.

Referred to Committee on Judiciary.

Assembly Bill No. 782: By Messrs Thompson, Fleury, and Hollibaugh—An act to amend Section 26301 of the Government Code, and Section 5157 of the Public Resources Code, relating to public recreation areas and facilities, and to the powers and duties of counties and the boards of supervisors thereof in connection therewith, and authorizing the issuance and sale of revenue bonds for public improvements and the acquisition and leasing of public property for recreational purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 783: By Mr. Thompson—An act to amend the title of, and to add Section 1.2 to, the Mount San Jacinto Winter Park Authority Act, as amended, relating to winter parks.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 383 BE TAKEN UP, OUT OF ORDER

Mr. Cramer asked for, and was granted, unanimous consent that Assembly Bill No. 383 be taken up, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 383 (BY UNANIMOUS CONSENT)

Assembly Bill No. 383—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, as amended, relating to capital outlays by cities, counties, cities and counties, or districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Cramer moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, after "amended," insert "and to amend Section 53737 of the Government Code,"

Amendment No. 2

On page 2, line 21, of said bill, after "2", insert "Section 53737 of the Government Code is amended to read:

53737. The term "capital outlays" does not include the construction, acquisition, extensions of, or additions to, *public* utilities *as defined in the Public Utilities Act*, other than utilities for the furnishing of water supply

SEC. 3. Section 2 of this act becomes operative only if Title 5 of the Government Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Title 5 takes effect; at which time Section 1 of the act cited in the title hereof is repealed

SEC. 4."

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 27

By Messrs. Cramer and Thompson:

House Resolution No. 27

Relative to augmenting the funds of the Assembly Interim Committee on Soil Conservation

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Soil Conservation (created by H. R. No. 224, 1947 Regular Session and continued by H. R. No. 16 of this session) and its members and for any charges, expenses, or claims it may incur under said resolution to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrant drawn by the State Controller upon the State Treasurer.

Resolution read

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

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stewart, Thompson, Tomlinson, Way, and Weber—55.

NOES—None

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 8—Relative to providing a veterans' hospital at San Diego.

Resolution read.

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

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan,

Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Way, and Weber—55.
NOES—None

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 21—Relative to reports of the annual conventions of the Jewish War Veterans.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—58.
NOES—Reagan—1.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 22—Relative to reports of the annual conventions of the Military Order of the Purple Heart.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—57.
NOES—Reagan—1.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 23—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS).

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—57.
NOES—Reagan—1.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 24—Relative to reports of the department encampments and the annual encampments or conventions of the United Spanish-American War Veterans.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln,

Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—57.
NOES—Reagan—1.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 25—Relative to reports of the annual conventions of the American Legion.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—57.
NOES—Reagan—1.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 26—Relative to the reports of the sessions of the department encampment of the Grand Army of the Republic.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—57.
NOES—Reagan—1.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 27—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Silliman, Smith, Stewart, Thompson, Tomlinson, Way, Weber, and Mr Speaker—61
NOES—Reagan—1.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 28—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick,

Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sillman, Smith, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—61.

NOES—Reagan—1.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 143—An act to amend Section 252 of the Revenue and Taxation Code, relating to affidavits for exemption and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan Rosenthal Rumford Sherwin, Sillman, Smith, Stewart, Thompson, Waters, Way, Weber, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 16—Relative to honoring Robert Mathias.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY MR. HAGEN BE PRINTED IN THE JOURNAL

Mr. Way asked for, and was granted, unanimous consent that the remarks by Mr. Hagen, relative to Assembly Concurrent Resolution No. 16, be ordered printed in the Journal

Remarks by Mr. Hagen

Mr Speaker and Members of the Assembly

On behalf of all the people of California and particularly the personal friends of the Mathias family of Tulare, California, I urge the adoption of Senate Concurrent Resolution No. 16 honoring Bob Mathias, the greatest athlete and junior citizen of Tulare County and the San Joaquin Valley

As you all know, Bob out-ran, out-threw, out-jumped and out-vaulted 34 of the cream of the world's athletes at the recent Olympic Games in London, in that great test of athletic ability and endurance, the Decathlon

Bob is the pride of Tulare High School He is not only a great track athlete, but also a great football and basketball player I recall first observing him in action at the 1947 Fresno Relays where he won four or five events I thereafter saw him continue his magnificent performance on the football field.

Not only is Bob a great athlete, but he is also a great citizen, and it is appropriate that our Gallery today is crowded with persons of high school and junior high school

age who take personal pride in his accomplishments, and inspiration from the fact that a person of their approximate age has received world admiration

The good citizenship of Bob is verified by the fact that, while participating in the Olympic Games, he transmitted a message across the Atlantic Ocean urging the adoption of a bond issue vital to the best interests of his high school.

Most of the credit for Bob's accomplishment belongs to his parents, Dr. and Mrs Mathias of Tulare, who are exemplars of fine American parenthood.

I am proud to state that I am one of the legislative representatives of the area wherein Bob Mathias resides, and I urge a "Yes" vote on the adoption of the resolution

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 2—Relative to Big Oak Flat Road.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hawkins, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Tomlinson, Way, and Weber—55.

NOES—None

Resolution ordered transmitted to the Senate.

RE-REFERENCE OF BILL

By order of the Speaker, the following bill was withdrawn from the Committee on Civil Service and State Personnel, and ordered re-referred to the Committee on Governmental Efficiency and Economy:

Senate Bill No. 83

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 33

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

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 33 (BY UNANIMOUS CONSENT)

Assembly Concurrent Resolution No. 33—Relative to the continuance of the Legislative Constitutional Revision Committee.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 22, of the printed measure, after "of", strike out "_____ dollars ($_____)", and insert "eight thousand eight hundred eighty-four dollars and thirty-five cents ($8,884.35)".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

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

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

Assembly Bill No. 784: By Messrs. Stewart, Sherwin, Grant, Caldecott, Bennett, Burke, Evans, Gaffney, Grunsky, Lincoln, Maloney, Moss, and Rumford—An act relating to the centennial celebrations and providing for the construction and disposition of centennial buildings for the primary purpose of housing historical and cultural material and activities, creating the California Centennial Building Commission and defining its powers and duties, and defining the powers and duties of other state and local governmental agencies in connection therewith, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 785: By Messrs Coats, Lowrey, Heisinger, Clarke, and Lewis—An act to add Section 10004 to the Water Code, relating to water development projects.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 786: By Mr. Dolwig—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 787: By Mr Dolwig—An act to amend Section 7.2 of the Unemployment Insurance Act, relating to employment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 788: By Mr. Dolwig—An act to add Section 59 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 789: By Mr. Dolwig—An act to amend Section 9.2 of the Unemployment Insurance Act, relating to the definition of "unemployed."

Referred to Committee on Finance and Insurance.

Assembly Bill No. 790: By Mr. Dolwig—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 791: By Mr. Dolwig—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 792: By Mrs. Niehouse—An act to amend Section 7329 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 793: By Mrs. Niehouse—An act to amend Section 7380 of, and to add Section 7385 to, the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 794: By Mrs. Niehouse—An act to amend Section 7301 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 795: By Mrs. Niehouse—An act to amend Section 7322 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 796: By Mrs. Niehouse—An act to amend Section 7320 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 797: By Mrs. Niehouse—An act to amend Section 7302 of the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 798: By Mr. Clayton A. Dills—An act to amend Section 5837 of the Streets and Highways Code, relating to maintenance districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 799: By Mr. Clayton A. Dills—An act granting to counties, county sanitation districts and sanitary districts the right to construct, operate and maintain sewers and appurtenances thereof across, along, in, under or upon any road, street, alley, avenue or highway, or across any railway, canal, ditch or flume, and providing the conditions on which such right of way may be exercised.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 800: By Messrs. George D. Collins, Gaffney, Berry, Brady, Condon, Davis, Kilpatrick, and Maloney—An act to add Section 20585 to the Government Code, relating to the inclusion of local policemen in the State Employees' Retirement System.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 801: By Mr. Stewart—An act to amend Section 420.5 of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 802: By Mr. Stewart—An act to amend Sections 419 and 420 of the Vehicle Code, relating to financial responsibility and declaring the urgency thereof.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 803: By Mr McMillan—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance

Referred to Committee on Finance and Insurance.

Assembly Bill No. 804: By Mr. McMillan—An act to amend Section 4658 and Section 4659 of the Labor Code, relating to the computation of payment for permanent disability under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance

Assembly Bill No. 805: By Mr. McMillan—An act to repeal Sections 39, 39 1, 39 5, 40, 41, 41 1, 41 2, 41.3, 41 5, 42, and 47 of the Unemployment Insurance Act, relating to merit rating.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 806: By Mr McMillan—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 807: By Messrs Rumford, Hawkins, Thomas, Fletcher, Anderson, Beck, Brady, George D Collins, Clayton A. Dills, Doyle, Dunn, Gaffney, Hagen, Maloney, McCarthy, Meyers, Moss, and Rosenthal—An act to add Section 130 to the Military and Veterans Code, prohibiting segregation and discrimination in the Militia

Referred to Committee on Military Affairs

Assembly Bill No. 808: By Mr. Sherwin—An act to add Part II, comprising Sections 23001 to 26481a, inclusive, to Division 2 of, and to add Sections 50016 and 50017 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Bank and Corporation Franchise Tax Act and the Corporation Income Tax Act, and repealing acts and parts of acts specified herein.

Referred to Committee on Revenue and Taxation

REQUEST FOR UNANIMOUS CONSENT THAT REASON FOR ABSENCE BE NOTED IN THE JOURNAL

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that it be noted in the Journal that his absence on roll calls, this afternoon, was caused because he was attending to legislative business in a Senate committee.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 31

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ANNOUNCEMENT

Mr. Beck announced that a Democratic dinner meeting will be held at 7.30 p.m., tomorrow night, Wednesday, January 19th, at the Hotel Senator, and urged all members of the Democratic Delegation to be present.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, upon recess—

Rules, in Room 320.

Today, upon adjournment—

Crime and Correction.
Transportation and Commerce, in Room 426.
Governmental Efficiency and Economy.
Interim Committee on Education, in Room 432.

Tomorrow, Wednesday, January 19, at 3 p.m —

Manufacturing, Oil, and Mining Industry.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L Collins and the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Gerald J Kepple and Ralph Beal, former Assemblymen of Los Angeles.

On request of Mr Moss, the usual courtesies of the Assembly for this day were unanimously extended to Harold Schilling, vice principal, Marianne Criswell, teacher, and the following pupils of the Bates Union School of Courtland: Bobby Yabu, Steven Medina, Richard Okamoto, Carl Criyido, Eichi Okamoto, Sebastian Rojo, David Luna, Manuel Nunez, Pansy Chan, Martha Parsons, Art Garcia, Rayona Grimes, Albert Zayas, Gloria Kunkel, Glenda Kunkel, Jo Ann Weideman, Colleen Fautt, James Ross, Bernard Novotny, Frank Marias, Densil McGinnis, Bobby Rose, Edward Chavez, Richard Lujan, Agapito Garcia, Raymond Garcia, Oscar Garcia, Gene Bunnell, William Peterson, John Pylman, Joey Simoni, Charles King, William Weilinger, Ralph Rose, Leroy Hein, Frank Mestas, Daniel Marquez, Stephen Connor, Kenneth McGinnis, Franklin Neilson, Donald Anderson, Warren Chan, Gilbert Orepesa, Pat Pruden, Hazel Jonson, Carole Neilson, Flora Grullen, Clydene Bishop, June Sato, Ada Archualota, Jo Ann Gentner, Janet Savage, Virginia Belton, Donald Carr, and James Cole.

On request of Mr Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Horace Miller, Don Underwood, and John L. Thomas, of Blythe.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gertrude Coats, Robert Luther, teachers, and the following pupils of the Fruit Ridge School: Audrey Joanne Belarde, Loretta Belarde, Edwyna Maier Blair, Betty Lou Bringuel, Janet Burnip, Patricia Dole, Marlene Haase, Joanna Jean Hall, Joanne Hammer, Ina Dolores Hill, Sharon Gayle Kaerth, Virginia Lee Kehoe, Barbara Marie LaForce, Eleanor Maciel, Hazel May McKissick, Mary Kathryn Shackleford, Sandra Lee Soderlund, Helen Jannet Tesch,

May Yee, Richard C. Aievoli, Lloyd Francis Ciriniconi, Harle Everette Bissonette, Donald Deene Driggs, Jack Loren Fitzpatrick, Ronald Lee Halverson, Norman Fredrick Johnson, James Vernon La Perle, Robert Stanley Loots, Manuel Maciel, Craig McFarlane, Martin Christian Nielson, John Robert Normington, Darrel Roger Shank, George Edwin Sloppye, Jr, George Smith, and Mathew Valencia.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to E. Hamilton of San Luis Obispo.

On request of Mr. Way, the usual courtesies of the Assembly for this day were unanimously extended to Ralph W. Bull of Eureka and Owen Duffy of Yountville.

On request of Messrs. Fleury and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Joe Gallegos and Ody Bohtander of Stockton.

On request of Messrs. Anderson, Morris, and Lewis, the usual courtesies of the Assembly for this day were unanimously extended to James Armstrong of Los Angeles.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. I. H. Hawkins of Redondo Beach.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Richard Newell, Arthur Whitfield, and George Glavos of Sacramento.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Emmet Daly of San Francisco.

ADJOURNMENT

At 3.18 p.m., on motion of Mr. McCarthy, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, January 19, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ELEVENTH LEGISLATIVE DAY

SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, January 19, 1949

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite and Eternal God: Before Thee, the generations come and go, and our own lives are but a ripple in the vastness of Eternity, and yet contain the essence of the Everlasting

Let this be an august moment, in which we acknowledge Thee, to whom we owe all things, and show by our reverence what manner of men we are.

Let us see that this is a creative time for the mind and soul, and may be to us what blooming is to the rose, and in this moment, while our busy minds rest, that greater nature below our conscious minds, expands like a flower in the sun.

In this time of prayer, we may strengthen every God-like impulse and thought and enkindle the spark of the Divine within us, and do a greater work in the white flame of its fire.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Fleury, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Lincoln, on motion of Mr. Rumford.

ANNOUNCEMENT

Mr. Doyle announced that Mr. Joseph Moloney, of the Legislative Bill Room, is recovering from his illness, and desires to express his appreciation to the Members of the Assembly for their thoughtfulness in adopting House Resolution No. 38, which expressed sympathy and best wishes for his rapid recovery.

ANNOUNCEMENT OF INVITATION

Mr. Thompson announced, on behalf of his daughter, Mrs. Jack Hughes, and Mr. Hughes, a cordial invitation to the Members of the Assembly and their wives to be their guests, when convenient, at their Ski Hut in the Flagpole Mountain Ski Area, on United States Highway 50, three miles east of Echo Summit. Mr. and Mrs. Hughes may be reached at Tallac 72Y12.

COMMUNICATIONS

By Speaker Collins:

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

THE WHITE HOUSE
WASHINGTON, January 14, 1949

Hon. Arthur A Ohnimus, Chief Clerk
Assembly of California, California Legislature
Sacramento 14, California

DEAR MR OHNIMUS: I was pleased to receive your letter and the enclosed copy of Assembly Joint Resolution No. 1 which was adopted by the California Legislature on January 4th

Please assure the Members of the Legislature that I am indeed grateful for the congratulations and felicitations conveyed by the resolution on behalf of the people of your fine State. Furthermore, the friendliness and good will which prompted this action mean a great deal to me. My thanks to all of you

Very sincerely yours,
HARRY TRUMAN

By Speaker Collins:

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

RESOLUTION

WHEREAS, California's growing and ever changing population presents major problems at election times, both in the recording of bona fide registrants and the elimination of illegal registrants; and

WHEREAS, The members of the California Council of Republican Women, because of their campaign activities are mindful of the need for a new and more accurate registration roster in each of the State's 58 counties; now therefore, be it

Resolved, That the California Council of Republican Women, this day, December 3, 1948, in convention assembled hereby petition the California Legislature while convening in session in 1949 to amend the Elections Code so that provision will be made in the near future for a complete, new, state-wide, re-registration.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 33

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 383

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 59

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred,

Assembly Bill No 295

Has had the same under consideration, and reports the same back with the recommendation Do pass

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 295—An act to add a new division to the Vehicle Code, to be numbered 9b, relating to the regulation, control and policing of vehicles and vehicular traffic on privately owned toll bridges and the approaches thereto, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 18, 1949

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

Senate Concurrent Resolution No. 21

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 21—Relative to respecting the discovery of gold at Coloma.

Referred to Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 809: By Mr. Conrad—An act to amend Section 7420 of the Business and Professions Code, relating to the granting of cosmetology licenses.

Referred to Committee on Public Health.

Assembly Bill No. 810: By Mr. Conrad—An act to add Section 9807.5 to, and to repeal Section 9808 of, the Education Code, relating to the education of mentally retarded minors

Referred to Committee on Education.

Assembly Bill No. 811: By Mr. Anderson—An act to amend the title of, and to add Section 1.1 to "An act authorizing and requiring boards or commissions having management and control of paid fire departments to grant the members thereof yearly vacations, and regulating hours on duty," approved March 26, 1895, relating to leaves of absence of members of certain fire departments.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 812: By Mr. Burkhalter—An act to add Section 18722.1 to the Health and Safety Code, relating to liability of auto court operators.

Referred to Committee on Judiciary.

Assembly Bill No. 813: By Mr. Burkhalter—An act to add Section 19566 to the Business and Professions Code, prohibiting the sale of alcoholic beverages at places where horse race meetings are held.

Referred to Committee on Public Morals.

Assembly Bill No. 814: By Mr. Burkhalter—An act relating to taxation, providing for the licensing of vending machines, providing for the enforcement of this act, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 815: By Mr. Burkhalter—An act to add Section 337h to the Penal Code, relating to coin operated amusement devices.

Referred to Committee on Public Morals.

Assembly Bill No. 816: By Mr. Crichton—An act to amend Section 511.1 of the Vehicle Code, relating to speed limits and the operation of vehicles upon the highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 817: By Mr. Crichton—An act to amend Section 511.3 of the Vehicle Code, relating to speed limits and the operation of vehicles upon the highways, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 818: By Messrs Thompson, Cramer, and Lindsay—An act to amend Section 9030 of the Public Resources Code, relating to the Soil Conservation Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 819: By Mr. Dickey—An act to repeal Section 28004 of the Health and Safety Code, relating to horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 820: By Mr. Ralph C. Dills—An act to amend Section 20060 of the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 821: By Mr. Elliott—An act to add Section 649.5 to the Penal Code, relating to restrictive covenants and other restrictions based on race or religion.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 51

Welcoming Mr. and Mrs. A. A. Bennett upon the occasion of their visit to the Assembly of California

WHEREAS, The State of Idaho has long been famous for its superior spuds, and has recently become even more famous for its splendid winter resorts; and

WHEREAS, Magnificent as these contributions are, still, to those initiate, the great State of Idaho has two assets even more engaging and only slightly less well known, her delightful fishing streams, and her citizen extraordinary, A. A. Bennett; and

WHEREAS, The arrival of the latter in California, accompanied by his charming wife, is the subject of this resolution; and

WHEREAS, The said A. A. Bennett is a well known figure in aviation circles, having been Director of Aeronautics in Alaska, and more recently Director of Aeronautics in the State of Idaho; and

WHEREAS, It has long been a particular pleasure and hobby of A. A. Bennett to exhibit his special skill in canyon flying to any of the curious, flying on edge with as much calm and fortitude as when on an even keel; and

WHEREAS, Many Members of the Legislature have enjoyed the unsurpassed pleasure of visiting the delightful hunting and fishing camp maintained by A. A. Bennett on the Middle Fork of the Salmon River in Idaho, and have developed a deep and enduring admiration and friendship for their famous host; and

WHEREAS, A. A. Bennett has at last yielded to the importuning of his many friends, and, relying upon his skill in flying to prevent him from being blown off his course by the blasts of hot air which are sometimes known to sweep this Chamber, the said A. A. Bennett and Mrs. Bennett have accepted the numerous invitations extended to them to visit this Legislature, and to our pleasure are here with us today; now, therefore, be it

Resolved by the Assembly of the State of California, That A. A. Bennett and Mrs. Bennett are cordially welcomed to the State of California and to this Assembly Chamber with the same warmth and hospitality with which so many Members of this Legislature have been made welcome when visiting the Bennett camp in Idaho; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Mr. and Mrs. A. A. Bennett as a token of esteem of their many friends in the Legislature of California and as an expression of good wishes for their enjoyment of their visit to this Capitol and to the State of California

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 822: By Messrs. Geddes and Dunn—An act to amend Section 11005 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 823: By Mr. Clayton A. Dills—An act to add Section 336a to the Penal Code, relating to the prohibition of minors from any gambling establishment.

Referred to Committee on Public Morals.

Assembly Bill No. 824: By Mr Collier—An act to amend Section 91 of, and to add Section 91.1 to, the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 12 WAIVED

Mr. Ralph C. Dills waived his notice of motion to withdraw House Resolution No. 12 from the Committee on Rules

MOTION THAT CHIEF CLERK BE INSTRUCTED TO PURCHASE LOOSE LEAF BINDERS

Mr. Dickey moved that the Chief Clerk be instructed to purchase loose leaf binders, as bill holders, for Members of the Assembly; and that the books be placed upon the desks of members prior to the opening of the March legislative session

Mr. Dunn seconded the motion.

Motion carried unanimously, there being more than a quorum present.

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

The following bill was introduced, and read the first time·

Assembly Bill No. 825: By Mr. Morris—An act to add Chapter 2 5 to Division 5 of the Elections Code, relating to minor political parties, providing for county conventions, state conventions and state central committees of such parties, and for the nomination of candidates for elective office by such minor parties other than through the Direct Primary System.

Referred to Committee on Elections and Reapportionment

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

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

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

Assembly Bill No. 826: By Mr. Geddes—An act to amend Section 39 of the Unemployment Insurance Act, relating to employer's contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 827: By Mr. Geddes—An act to amend Section 39.1 of the Unemployment Insurance Act relating to benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 828: By Mr. Geddes—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 829: By Mr. Geddes—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 830: By Mr. Geddes—An act to amend Section 67 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 831: By Mr Geddes—An act to amend Section 13 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 832: By Mr. Geddes—An act to amend Section 41.2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 833: By Mr. Thompson—An act to add Section 310 to the Penal Code, relating to minors and nudist camps.

Referred to Committee on Public Morals.

Speaker Pro Tempore Presiding

At 10.29 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 834: By Mr Huyck—An act to amend Sections 4011.5, 4011.6, and 4024 of, and to add Section 4010.5 to, the Health and Safety Code, relating to water and water supply systems.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 835: By Messrs. Huyck, Smith, Levering, Tomlinson, Collier, Grant, Morris, Reagan, Stewart, and Waters—An act to add Section 13668 to the Government Code, relating to mailing lists maintained by state agencies for distribution of publications or other printed matter.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Mr. Lindsay:

House Resolution No. 52

Relative to commending the Auburn Sierra Rangers for their study and Report on the Overland Emigrant Road through Donner Pass

WHEREAS, The Overland Emigrant Road through Donner Pass was the principal route used by wagon trains during the early period of the Gold Rush and is for that reason an extremely important part of the early history of California; and

WHEREAS, The Auburn Sierra Rangers have undertaken the task of locating and marking this historic road, which the passage of time has largely obscured; and

WHEREAS, The Report of the Auburn Sierra Rangers on the performance of this task is so rich in details of historical interest that it is incorporated in full as a part of this resolution.

Report on Overland Emigrant Road

The Overland Emigrant Road over the Sierra Nevada at Donner Pass carried more wagons and more people to California in the Gold Rush of 100 years ago, than any other wagon trail then in use by California pioneers.

It was first traveled when a wagon train guided by the Indian Truckee, and Captained by Elisha Stevens proved the route with 10 wagons and many horsemen in December, 1844. The wagon tracks of the Stevens Party were followed by others in following years.

Then came the tragedy which indelibly wrote the name Donner on this mountain pass through the Sierra. The Donner Party were following the tracks of other parties who preceded them in 1846. At this time, and later during 1849 and the early 'fifties, the pass was known as Truckee Pass and the lake as Truckee Lake.

The early winter of 1846, which brought deep smothering snows to the Sierra Nevada beginning on the last day of October, caught the careless, slow traveling Donner Party as the victim of a tragedy of cold and starvation. It has impressed the Donner name ever deeper into the fabric of names and places in this portion of the mountains as time rolls by. The location of their most forward camp has been thoughtfully preserved by the Donner Memorial Monument and the Donner Lake California State Park.

During the period of our western emigration, it was the common custom of travelers to keep written diaries of the daily incidents of their trip. Therefore, our libraries and historical collections today have many of the original manuscript diaries, or published copies of them, which are accurately descriptive of the road traveled and its location with relation to the present geographical features we are familiar with. By study of a number of these personal records, members of our organization in this region have been able to accurately mark the route of the Overland Emigrant Road from Donner Lake to the old Johnson Rancho, in the Sacramento Valley. This Overland Road was the principal route used by Gold Rush wagon trains to California, and carried the great load of the over-the-plains travel to California from 1848 to 1852. In 1852, toll road improvements on the Donner Summit took the wagon wheels from the old tracks to better grades.

Marking the route is admirable and important, but today the old Overland Road can again render new service to the rapidly expanding population of California. There is great need of an open recreational riding and hiking trail to cross the Sierra, that is removed from congested and dangerous traffic on over-crowded highways. The route of the old Emigrant Road is best located to serve this requirement, and adds to the advantages of location, the absorbing historical interest of all Californians, which

attaches to the greatest of all roads to the Gold Rush of '49. The Overland Emigrant Road should be open for such use as a project of the State, and developed under the Riding and Hiking Trails Program of the State Park Commission.

The beneficial character of this proposal has been recognized by the member clubs belonging to the Sacramento Region of the California Horsemen Association, and endorsed by them for state approval during this Centennial Year of 1949.

It is believed the actual work of opening this trail on the old Emigrant Road would be assisted in a considerable measure by the Tahoe National Forest on the portion from Mule Springs to Donner Lake, as most of it lies on national forest land.

In the work which has been done to locate and sign this road of the pioneers, our people have accumulated many old records and notes of the past. A few of these may be interesting, and are quoted here for your information.

The Donner Camp by an Eye Witness

From the John Markle Diary of 1849, the original of which is in Auburn, comes the following, dated August 20, 1849. "Tonight we camped in a valley at the base of the mountain, about ¾ of a mile east of Truckee Lake. Today we passed the valley where Donner encamped, and where his cabins were. There are a number of fragments left, but more human bones than anything else. It was 6 miles before we came to where the Graves family wintered, and to the Foster and Breen's cabins just beyond. They present a gloomy appearance, and with old clothes, which were worn by females, and also long female hair, which appeared as if it had fallen from the head, and any quantity of bones in and around the cabin."

Crossing the Summit

E. Douglas Perkins wrote in his diary of 1849, which is now in the Huntington Library, "the ascent to the pass from the Donner cabins is about 5 miles, as the road was very winding in finding a passage thru the trees and rocks. At 3 o'clock we arrived at the foot of the terrible passage over the backbone. The pass is thru a slight depression in the mountains, about 1500 feet lower than the tops of the mountains in its immediate vicinity. As we came up to it, the appearance was like marching up to an immense wall, and the road goes up to its very base, before turning short to the right, and then ascends by a track in the side of the mountain, when about ¼ of the distance from the top, it turns left again, and goes directly over the summit In a distance of about ½ mile, I judge this steep climb covers an elevation somewhere near 2000 feet. We rested ½ hour at the top, and went down into the valley to camp."

Mountain Lakes

Both the Markle and Perkins Party camped in Summit Valley. The next day both of them mentioned a group of lakes on the road. Markle says, "They are six in number. The water in them is cool and perfectly clear. They average a mile or two in length, and from 400 to 500 yards in width." Perkins speaks in addition of a lofty and solitary rocky peak. This is today called Devil's Peak. Beyond the lakes, the road turned sharp down the side of the mountain to the valley of the South Yuba. Markle said it is the "infernalest roughest road that ever was traveled. The last mile was so steep we had to check down with ropes." Perkins says "Camp was down an almost perpendicular descent, where the wagons are let down with ropes, and trees at the top are cut and marked deeply by the friction."

Along the Yuba

All speak of a location in the granite rock along the Yuba, where again they had to rope down a short distance. The tree used to check the wagons down this granite slope, was located by our sign party, and the marks of the rope observed. This is only 200 yards from Rainbow Tavern on the north bank of the Yuba River. Below it, on the trail to Big Bend Ranger Station, are trees notched deeply where bumped by the hubs of emigrant wagons, and old, rusty marks in the granite where marked by the iron tires and hub caps of emigrant wagons A number of oxen shoes were found by the Sign Party along the route of the old road from Big Bend Ranger Station, where the old road crossed the Yuba and took to the south bank, and southwesterly around a steep hill to the flat valley of the present Auburn Ski Club location. Below the Cisco Road, the old road turns sharp up a rocky shelf, where all the wagons were compelled to travel in the same tracks, and where the rock is deeply scored with parallel wagon tracks It again drops in to the flat along the river at Indian Springs, and then climbs directly up the ridge to Crystal Lake Half way up this climb is the place where young Stanton of the Donner Party died from exhaustion, after so bravely guiding help and assistance to the snow bound camp from Sutters Fort

Emigrant Gap to Bear Valley

All along this portion, the road is again clearly defined, by red rust from the wagon tracks, among the granite ledges and boulders Beyond Crystal Lake at the pass into Six Mile Valley is a place where many emigrants were forced to abandon their wagons. M A Kelly of Newcastle stated he saw them there in 1858. A short distance below is a cottonwood tree blazed 1847 On the road beyond Carpenter Flat

the Emigrant Road passed through the famous Emigrant Gap, to Bear Valley. The old Emigrant Gap is now covered by a 90-foot railroad fill Markle states "in descending to the valley, there is a very steep hill where we let down with ropes for ¾ of a mile The trees are much worn by the friction of the ropes. We camped at the lower end of the valley, and mowed grass for our stock"

Fremont's Camp

Near the top of the ridge beyond Bear Valley is a limb-stripped cedar tree which John C Fremont used as a flag pole for one of his camps. It is probably the first place in the mountain region to fly the Stars and Stripes. Nearby are two massive cedars, one of which marks the grave of a '49er. Not far beyond Fremont's Flag Pole is the location of Mammoth Springs, where a 16-year-old emigrant girl, Eliza Ann McAulay, wrote in her dairy of 1851, "This is most delicious water"

The Mother Pine and Mule Springs

Beyond Springfield Flat, which was reached by some of the survivors of the Donner Party, is the famous Mother Pine, which was recorded by many members of emigrant trains as the largest pine tree ever seen by them in California This was a gigantic sugar pine 13 feet in diameter and with a circumference then of 48 feet Many years later, two men of Lowell Hill sought shelter under the Mother Pine during a winter storm, and to warm their chilled bodies, they built a fire in the hollow of the tree. Their fire spread up the trunk, and in a few hours the Mother Pine became a dead tree, and now is only a tall, blackened stump From the Mother Pine, the Emigrant Road leads over the shoulder of a hill to Mule Springs in a beautiful meadow, which was used in 1846 as the base of operations by the rescuers of the Donner Party. The name of a party of Mormons is retained at Mormon Springs, where two of them were buried at the base of a large black oak

Steep Hollow and Storm's Ranch (Now Chicago Park)

West of Liberty Hill the road passes over the Camel Humps, and into Steep Hollow, which was named from the diary record of Edwin Bryant when he stated in 1846, that "We entered a *Steep Hollow* by a descent so steep for a mile and a half, that our animals slid rather than walked down it." Beyond the Greenhorn, were the famous ranches of Ben Taylor, who brought the first horse herd of good blood to California, and the well known Storm's Ranch, which came into prominence when United States Troops and State Volunteers rounded up the Indian followers of Chief Wemah at this ranch, and deported them to Mendocino County, with Storm as the first Indian Agent in California.

On part of the old Storm Ranch is now located the town of Chicago Park, Nevada County. It is at this place that the old Overland Emigrant Road, leading eastward over the Sierra, intersects with the present route of the State Riding and Hiking Trail

In the present State System of Riding and Hiking Trails, there are trails through passes of the Coast Range Mountains, which provide for travel between the counties of the Coast and of the Central Valley.

No riding or hiking trail in the state system now supplies the need in the system for a trail to reach the mountain and recreational regions in the counties eastward of the Sierra. We desire to point out that the addition of the route of the old Overland Emigrant Road will answer this requirement in the most central portion of the State, in that it leads directly to the Lake Tahoe country, and the recreational regions north and south along the eastern border of California. It is especially desirable for riding and hiking purposes, in that this route is truly a trail in scenic and historical surroundings, and is not a part of present motor roads or highways. Riding and hiking parties on a state trail, to follow the Overland Emigrant Road, would have protection from traffic hazards. Only three highway crossings would exist, and they are direct crossings, without requiring travel on shoulders or the adjoining right of way.

Since it is reasonable for the use of our people to provide this route in the State Trail System, and desirable to preserve to all future generations of state citizens the opportunity to see and know intimately the road traveled by the pioneers over the California mountains, we ask your support to this legislation. Here 100 years after the wagons rolled over mountains, you can see the marks of the wagon tracks over the rocks. If the route is marked and preserved in right of way now, then in future generations these marks of wagon travel will remain for other hundreds of years. The signs in iron stains and rock wear where the wagon wheels rolled, are imperishable, if retained for use as an over mountain trail. The memory and record can be lost, if other kinds of development should block access, and knowledge of the original road location forgotten. Inclusion in the State Trail System now, will preserve it forever

AUBURN SIERRA RANGERS

Postscript

If you desire some information in a short description of the Overland Emigrant Road as traveled from Storm's Ranch to the Sacramento Valley at Johnson's Rancho, then you may be interested in this Addenda for that purpose.

To Camp Far West and Johnson's Rancho

Beyond Windy Hill, to the west of Chicago Park, and down the old Emigrant Road, is the location where Edwin Bryant wrote, on August 30, 1846, "After rising and descending a number of hills from the summit of one more elevated than the others surrounding it, the spacious Valley of the Sacramento burst upon our view"

After descending to the valley along the watersheds of South Wolf Creek and the north bank of Bear River, the Emigrant Road approaches the side of old Camp Far West, a small Army post maintained in 1849 and 1850. It is located on a slight, rocky bluff overlooking Bear River about two miles east of the site of Johnson's Rancho.

Saved from destruction is a small cemetery, used jointly by the people of Johnson's Rancho and the military post, in the period from 1844 to 1856. It is occupied by 18 graves, mostly Soldier victims of Indian raids and disease, generally malaria. One little girl, Betsey Parker, occupied a brick lined grave in the corner of the plot. All are unmarked and lost to memory, except for a common monument erected there in 1911 by the Native Sons of the Golden West.

Two miles beyond the mountain section of the Overland Emigrant Road terminates in the Valley of the Sacramento, at Johnson's Rancho, 3½ miles east of the present Town of Wheatland. The small adobe buildings are gone without a trace. Today, only a mammoth oak remains to mark the resting ground of the emigrant trains, and the grassy site of a once huge spring. Nearby is the worn track where the wagons pulled down the bank for the crossing of Bear River and the valley road to Sutters Fort.

AUBURN SIERRA RANGERS

Now, therefore, be it

Resolved by the Assembly of the State of California, That the Auburn Sierra Rangers are commended on their fine work in locating and marking the Overland Emigrant Road and on the excellence of their report; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to send a copy of this resolution to the President of the Auburn Sierra Rangers.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 836: By Mr. Fletcher—An act relating to taxation, providing for the licensing of vending machines, providing for the enforcement of this act, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 837: By Mr. Fletcher—An act to prohibit the dispensing or vending of any tobacco products through coin-operated machines.

Referred to Committee on Public Morals.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 425

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 425—An act to amend Section 781 of the Vehicle Code, relating to disposition and transfer of moneys from the

Motor Vehicle Fund, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 18, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 83
Senate Bill No. 100

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 83—An act to amend Section 9357.2 of the Government Code, relating to retirement of Members of the Legislature, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 100—An act to amend Section 12410 of the Government Code, relating to the duties of the Controller, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 7—Relative to memorializing and petitioning the House of Representatives of the Congress of the United States to appoint a Committee to Investigate the Mango Fruit Fly.

Resolution read.

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

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Recorded on Roll Call on Assembly Joint Resolution No. 7

Mr. Elliott asked for, and was granted, unanimous consent that he be recorded as having voted "Aye" on the roll call on Assembly Joint Resolution No. 7.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE CONCURRENT RESOLUTION NO. 15 BE TAKEN UP, OUT OF ORDER

Mr. Clarke asked for, and was granted, unanimous consent that Senate Concurrent Resolution No. 15 be taken up, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 15

Senate Concurrent Resolution No. 15—Relative to the continuance of the Joint Legislative Committee on Agriculture and Livestock Problems.

Resolution read.

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

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCollister, Meyers, Moss, Nicholson, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—48.

NOES—Anderson, Caldecott, George D Collins, Dunn, Geddes, Hahn, Hawkins, Hollibaugh, Huyck, Levering, Lipscomb, Luckel, McCarthy, McMillan, Morris, Rosenthal, and Rumford—17.

Resolution ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 477:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 477, "An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation to augment the appropriation for the support of the State Controller for the current fiscal year to take care of the cost of administering Article XXV of the Constitution.

I therefore recommend consideration of Assembly Bill No. 477 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

CONSIDERATION OF ASSEMBLY BILL NO. 477

Assembly Bill No. 477—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller to take effect immediately.

Bill read third time, and ordered passed on file temporarily.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 58—An act to amend Section 1 of the Municipal Court Act of 1925, relating to municipal courts, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 58 ordered passed on file temporarily.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 53

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone & Telegraph Company (exchange service charges)	$7 75
Sleeper Stamp and Stationery Co. (supplies)	2 89
Martyrs' (supplies)	8 57
Department of Finance (supplies)	610 65

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 53, at this time, without reference to committee or file.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—69

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 35

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 35

Assembly Concurrent Resolution No. 35—Relative to the seventy-fifth anniversary of Sacred Heart College High School.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sillman, Stanley, Stewart, Thompson, Waters, and Way—62

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY MR. MEYERS BE PRINTED IN THE JOURNAL

Mr. Berry asked for, and was granted, unanimous consent that the remarks by Mr. Meyers relative to Assembly Concurrent Resolution No. 35 be ordered printed in the Journal

Remarks by Mr. Meyers on Assembly Concurrent Resolution No. 35

Mr. Speaker and Members of the Assembly:

This concurrent resolution extends to the faculty, students, alumni, and friends of Sacred Heart College High School the hearty congratulations of the Members of the California State Legislature upon the celebration of its Diamond Jubilee.

Sacred Heart College High School, conducted by the Christian Brothers, was founded in the year 1874, and since that time it has been instrumental in attaining distinction and honor in giving to every walk of life men whose training reflects with credit upon those whose splendid teachings and guidance started them on the road to success and fame.

May I also say, Mr. Speaker and Members of the Assembly, this is my Alma Mater, and I am delighted to be privileged to introduce this resolution.

I ask an "Aye" vote

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 58

Assembly Bill No. 58—An act to amend Section 1 of the Municipal Court Act of 1925, relating to municipal courts, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—67.

NOES—None.

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

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—67.
NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 60—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, creating a new class of cities to be known as cities of the four and seven-eighths class, and to provide for their organization, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—67.
NOES—None.

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

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 59—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—67.
NOES—None.

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

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 40

By Mr. Ralph C. Dills:

House Resolution No. 40

Relative to the Report on Investigation of Personal Property Brokers by Special Deputy Attorney General

WHEREAS, The Attorney General of the State of California has appointed a special deputy to investigate the administration of the Personal Property Brokers Act; and

WHEREAS, On or about December 28, 1948 said special deputy did report to the Attorney General and release to the press the following copy of his report:

To: Hon. Fred N. Howser, Attorney General Place Los Angeles
From Geo W. Rochester, Special Deputy Attorney General

Subject: REPORT ON INVESTIGATION OF PERSONAL PROPERTY BROKERS

Since your appointment of me as Special Deputy Attorney General, with unqualified directions to investigate all phases of the enactment of statutes, applications in granting licenses, the practical administration and the transacting of business under the Personal Property Brokers Act of California, and to make recommendations to the Legislature, if any amendments are necessary to more equitably protect the borrowers from the brokers, I have to report up to this time what my study of the Act, investigation of the brokers, and examination of their operation of their businesses, has accomplished.

THE STATUTE: The long history of the Personal Property Brokers Act since 1905, and its amendments down the years, preclude me in this bi-monthly report detailing all of these legislative changes. The Act and amendments, taking into consideration the modification of the California State Usury Law, is now before the Supreme Court of our State in a case entitled CARTER v. SEABOARD FINANCE CO., and therefore my final conclusions and interpretations necessarily must wait the Court's opinion and decision

It can be stated that the Act as now interpreted places no ceiling on the interest chargeable on loans over $300, and personal property brokers have been since 1934, by the same interpretation, exempted from the general usury law of our state, that provides a maximum of 10% per annum on loans.

We find, therefore, an anomaly in our law, where certain classes of money lenders are exempt from even maximum interest charges on loans (in the case of Personal Property Brokers no interest limitation on loans over $300), and for other lenders of money a limitation of 10% per annum. This situation should be observed by the Legislature and remedied at the next session so that uniform interest rates are established I have wondered why the Corporation Commissioner, whose duty it is to administer the Personal Property Brokers Act, has not considered the doubtful constitutionality of the accepted discrimination exempting one class of money lenders from any usurious limitation, and limiting another class of money lenders to a 10% legal interest rate This would seem to be contrary to the Fourteenth Amendment of the U S Constitution.

APPLICATION IN GRANTING LICENSES AND PRACTICAL ADMINISTRATION

The Personal Property Brokers Act provides that the Commissioner of Corporations shall grant licenses to the Brokers, supervise and examine the business of the Brokers, enforce their compliance with the provisions of the Act, renew licenses each

year, and it delegates to the Corporation Commissioner the general administrative and quasi-judicial powers to regulate the personal property brokers, vesting in him in the exercise thereof, a high degree of discretion in determining that these licensees have good character, and are worthy of public confidence

In the money lending business in our State there are annual loans exceeding $166,000,000, to more than 425,000 of our fellow citizens from approximately 430 business sites throughout the State. The Commissioner of Corporations is supposed to examine all the accounts, check the due compliance of each operator with the law, check applications for licenses and renewals each year. In addition the Commissioner has many other acts to enforce, excluding his primary duty to enforce the Corporate Security Laws of our State. His personnel for all these multifarious duties, examinations, investigations and decisions is entirely inadequate This may explain why the Personal Property Brokers Act has not been efficiently enforced and why violations are readily observed, even upon a cursory investigation of some of the licensees' account books.

With all the duties imposed upon the Commissioner of Corporations by the Legislature, and with no additional employees provided, he does not, and possibly cannot, adequately administer the Personal Property Brokers Act

For example, the annual report of each licensed place of business concerning its loan accounts and operations under the law, must be filed with the Corporation Commissioner by March 15th of each year, and the Commissioner in turn files his report to the Governor. If the licensees do not report by March 15th the commissioner is empowered to examine their books within ten days and make the report for them. In 1947 such annual report to the Governor was not made until October 1, 1948—7½ months late.

In examining the files of the Corporation Commissioner, I found felons and ex-convicts to be licensees and operating their money lending businesses under successive annual permits.

TRANSACTING OF BUSINESS A most limited examination of some of the licensees' places of business has disclosed numerous violations of the law. For instance, additional charges on loans of $300 and less, exclusive of the 2½% per month on the first $100, and 2% per month on the next $200; a "kick-back" to the lender of a percentage on the premium collected for insurance on the personal property offered by the borrower to secure the loan; errors in the interest calculating charts used by some lenders, allowing more than the maximum interest chargeable on loans of $300 and less. These are misdemeanors under the Personal Property Brokers Act

I perceive from my examinations and inspections to this date a probable unity of action in these violations by some of the licensees, which constrains the inference of a possible concerted action on these violations that could sustain conspiracy complaints. Further time to gather more evidence will confirm this statement. Nothing has been done by the Corporation Commissioner to stop the above violations As has been suggested, he may not have the manpower to ascertain the existence of violations The least that should be done is to institute actions to rescind the licenses of violating brokers.

RECOMMENDATIONS FOR LEGISLATION I shall not burden this report with the situations which cause my recommendations for amendments to the Act, for the reason that the Legislature will be petitioned to appoint an Interim Committee to investigate, and I trust they will pave the way for your office to present the evidence, and appropriate adequate funds to bring before the public the true condition which now prevails in this business among some licensed brokers.

1. I think, from past failures, in efficiently enforcing the law, possibly because of insufficient personnel, the Commissioner of Corporations has sufficient to do without his attempting to administer the Personal Property Brokers Act, and allied loan acts Consequently, there should be created an Industrial and Personal Property Loan Commissioner. The expense of his office can easily be supported from the license fees now paid by the licensees. Each applicant pays a $100 application fee and $200 each year for license fees. One Commissioner, two assistants, five investigators and 10 accountants could efficiently administer and enforce the law, if they had no other duties to perform. The Commissioner should be appointed by the Governor, and confirmed by both Houses of the Legislature. He should serve for a term of two years.

2 There should be a maximum interest charge on all loans, whether they be for $300 or less, or $300 or more, in this classification of money lenders. (Personal Property Brokers) I think the amount for delineation of interest rate differences should be at least $750 rather than $300. At present over 75% of all loans are over $300, and this fact is perceptibly erasing the $300 delimitation.

3. All other charges such as insurance fees, collections, investigations, registrations and incidental fees, should be included in the over-all interest rate permitted to be collected, and such charges should not be allowed to be unlimited, as is now the practice for loans over $300. The limitations should be plainly written into the law.

4 There should be a percent limitation placed on the amount of money a money lender can receive on a line of credit from a banking institution The Personal Property Broker borrows from the banks between 25% to 75% or more of his money, at from 1% to 3% per annum, and then lends to an unfortunate borrower for not less than 24% per annum, and many times for more. This practice subjects the borrower to a great disadvantage on the one hand, and tends to allow banks to indirectly control a line of business they are not chartered to engage in under the national banking laws. A Personal Property Broker should not be permitted to borrow over 49% of his lending money from a bank, if the Legislature concludes this system should be tolerated at all.

5. I suggest you use your good offices to endorse a legislative resolution to appoint a Committee to investigate what is known as the "small loan" division of financing in California, and I trust that the Legislature will act at this time.

It is upon the assumption that the Legislature will so act, that I recommend cooperation with the Legislature rather than the empanelling of a Grand Jury in the different large counties of the State to investigate the subject, ascertain any law violations, and make recommendations for remedial legislation.

Let me thank you for the complete and free hand you have given me in my work, and that no qualification was placed on my duties at the time of appointment No law enforcement officer could, or has been, more impartial than you in this matter

Respectfully submitted,

GEO. W. ROCHESTER

now, therefore, be it

Resolved, That the Assembly respectfully request the Rules Committee or any Interim Committee on Lending Transactions which may be formed at this 1949 Session to thoroughly and completely consider this report.

Resolution read, and adopted.

RESOLUTIONS

The following resolution was offered:

By Mr. Kilpatrick:

House Resolution No. 54

Relative to congratulating Senator George Burke of Wyoming

WHEREAS, Assemblyman Montivel A. Burke has long been an esteemed member of this Assembly; and

WHEREAS, His brother, George Burke, is now in his third term as a State Senator in Wyoming, having been elected in 1940 and reelected in 1944 and 1948; and

WHEREAS, The Members of this Assembly are pleased to learn that Senator George Burke of Wyoming has been elected President of the Senate of the State of Wyoming; now, therefore, be it

Resolved by the Assembly of the State of California, That Senator George Burke is hereby congratulated upon being elected President of the Senate of the State of Wyoming and the best wishes of this Assembly are extended to him; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to our esteemed colleague, Assemblyman Montivel A Burke, and to Senator George Burke of Wyoming.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 295

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 31—Relative to approving a certain amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Resolution read.

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

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—59

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 33—Relative to the continuance of the Legislative Constitutional Revision Committee.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—59

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SPECIAL MEETING OF THE COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT BE PERMITTED

Mr. Stanley asked for, and was granted, unanimous consent that the Committee on Municipal and County Government be permitted to hold a special meeting, upon adjournment, today.

RECESS

At 11 40 a.m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m , the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Collins:

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

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., January 12, 1949

Hon Thomas A. Maloney
Member of California Assembly
Capitol, Sacramento, California

DEAR TOM. I have received your telegram of January 10th, with reference to the conference of the three Pacific Coast Delegations in the matter of shipbuilding on the West Coast.

The enclosed material will explain all that has been done up to the present time. With kindest personal regards and best wishes, I am

Very sincerely yours,

RICHARD J. WELCH, M. C.

Encls. 3

January 7, 1949

The letter inviting you to this conference, which I as senior member of the Pacific Coast Delegations took the liberty of sending to you, gives a fairly good outline of the purpose of this meeting We have been through this fight before and, with the united effort of the three Pacific Coast Delegations, we were successful in restoring shipbuilding on the Pacific Coast prior to the outbreak of the Second World War in Europe We did not ask or receive the support of West Coast shipbuilders which would have drawn the fire of the selfish group of Eastern shipbuilders who are still 150 years behind Balboa. We based our fight on national defense and won

At one time, when it looked as if we might be stymied, I went to the White House and presented our problem to President Roosevelt. He had a good knowledge of Pacific Coast conditions, having served as First Assistant Secretary of the Navy during the First World War and had spent considerable time on the West Coast. He was astounded to learn that not one merchant ship had been built on the Pacific Coast in 20 years and gave us the help we needed. I am sure if it becomes necessary for the three Pacific Coast Delegations to present the facts to President Truman, he too will give us the necessary assistance.

Today there is only one tug boat of 100 tons under construction on the Pacific Coast from San Diego to Puget Sound. As a result our shipyards are again going to wrack and ruin

Now, let us see what has happened.

The Marin Shipyards, in Sausalito across the Golden Gate from San Francisco, where tankers of the type of this model were built, has been dismantled Two out of three of the so-called Kaiser Yards on the east side of San Francisco Bay have been dismantled. Yard III was built for permanency and is intact Mr. Kaiser has no financial investment in either of these yards, but I understand he is receiving something like $20,000 or more a year to keep a number of men there as a maintenance crew to look after the machinery. The Western Pipe and Steel Company's plant, located in South San Francisco in San Mateo County, likewise has been dismantled. The California Shipyard built on Terminal Island, near the City of Los Angeles, and which ran up one of the finest records for shipbuilding in the United States, has been completely dismantled

Congressman Angell, of Portland, Oregon, is here and will tell you of existing conditions in the government-built yards on the Columbia River.

Congressman Jackson, from the Seattle District, with whom I served for years on the Committee on Merchant Marine, is here and will tell you of the condition of the yards in the Seattle-Puget Sound area.

There is no way in which we can force construction of ships on the Pacific Coast by private interests, but we should and can secure the assignment of a reasonable number of merchant ships to be built in the interest of national defense through a building subsidy from the government.

Available figures indicate that the only new ship construction on the West Coast is that of a harbor tug of about 100 gross tons However, current records show that approximately 100 merchant ships have been contracted for on the East Coast of the United States, as well as 11 naval ships to be built in private yards.

It should be remembered that Pacific Coast shipyards constructed 42 percent of the ships built by our Nation during the Second World War

The Maritime Commission has awarded contracts for five passenger vessels, two 972 passenger liners for the American Export Lines, costing $25,000,000 each, and three 230 passenger vessels for the American President Lines, costing $10,000,000 each. It is unnecessary to state that San Francisco and Los Angeles are the home ports for this government-owned steamship line.

From information I have received, the Maritime Commission also is contemplating the construction of a 2,000 passenger super liner estimated to cost $65,000,000, and is discussing also the construction of 12 passenger-cargo ships with no specific cost attached to them at this time. But we find the Bethlehem Shipbuilding Company at Quincy, Massachusetts, being awarded the $25,000,000 passenger ships and the New York Shipbuilding Corporation at Camden, New Jersey, the three $10,000,000 ships, and all of this to the entire exclusion of the Pacific Coast. Who will construct the others is unknown However, based upon past performance, it is to be expected that these additional vessels to be awarded by the Maritime Commission will be confined to the small area of the North East Atlantic which yards already are the recipients of huge contracts from private sources The most distant any of these so-called standard yards is the Bethlehem Steel yard at Quincy, Massachusetts All the others are within a few hours ride of this Capitol

It will be interesting for you to know that the following contracts receiving construction subsidy have been let

Bethlehem Steel, Sparrows Point, Maryland
22 tankers 1 bulk ore carrier
Bethlehem Steel, Quincy, Massachusetts
10 tankers 2 $25,000,000 passenger liners
Sun Shipbuilding and Dry Dock Co., Chester, Pennsylvania:
15 tankers
New York Shipbuilding Corporation, Camden, New Jersey
3 Round-the-World Passenger Ships
Ingalls Shipbuilding Corporation, Pascagoula, Mississippi
2 dry cargo ships 1 tanker
Newport News, Virginia Shipbuilding Corporation.
11 tankers
American Shipbuilding Company, Lorain, Ohio:
1 bulk ore carrier
Welding Shipyards, Incorporated, Norfolk, Virginia
2 tankers

May I again call your attention to the fact that the West Coast has been completely ignored, shipyards of California, Oregon, and Washington are nowhere to be found on the foregoing list

ANNOUNCEMENT OF COMMITTEE APPOINTMENT

Speaker Sam L Collins announced the appointment of Mr. Dolwig to membership on the Assembly Committee on Water Pollution, vice Mr. Hinton.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN THE JOURNAL

Mr. Erwin asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, relative to the carry-over and carry-back of agricultural loss due to weather conditions in connection with federal income tax, be ordered printed in the Journal

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 19, 1949

Hon. Thomas M. Erwin
Assembly Chamber

Carry-over and carry-back of agricultural loss due to weather conditions in connection with federal income tax—No. 3113

DEAR MR ERWIN:

Question

You have asked whether or not losses accruing to farmers on account of recent cold weather conditions may be carried over and carried back as a net operating deduction for purposes of the federal income tax.

Opinion

In our opinion, they may

Analysis

In computing net income for the purpose of the federal income tax, subdivisions (e) and (f) of Section 23 of the Internal Revenue Code permit as a deduction

"In the case of an individual, losses sustained during the taxable year and not compensated for by insurance or otherwise—

(1) if incurred in trade or business, or

(2) if incurred in any transaction entered into for profit, though not connected with the trade or business; or

(3) if property not connected with the trade or business, if the loss arises from fires, storms, shipwreck, or other casualty, or from theft. No loss shall be allowed as a deduction under this paragraph if at the time of the filing of the return such loss has been claimed as a deduction for estate tax purposes in the estate return."

"In the case of a corporation, losses sustained during the taxable year and not compensated for by insurance or otherwise"

Depending on the particular circumstances, the loss occurring to farmers on account of weather conditions might be allowed under one or more of the specified conditions permitted under subdivisions (e) or (f).

If the loss produces an excess of all of the deductions allowed the taxpayer under the Internal Revenue Code over gross income with certain exceptions, additions, and limitations, the taxpayer has a net operating loss, which is required to be used as a net operating loss carry-back for each of the two preceding taxable years and as a carry-over for the succeeding two taxable years (I R C 122)

A net operating loss in any taxable year must first be applied against the second preceding year, then if there is a remainder against the first preceding year, then if there is a remainder against the first succeeding year, and if there is still a remainder against the second succeeding year (I R C. 122)

Extensive provision is made in the Internal Revenue Code for computing the amount of net operating loss which is applicable to each of the years in which it may be taken (I.R.C 122)

To the extent that a net operating loss may be carried over, it may be taken as a deduction from net income in future returns (I R C 23 (s)). To the extent that a net operating loss is carried back, the over-payment resulting therefrom must be credited against any income, war profits or excess profits tax or installment thereof then due from the taxpayer, and any balance must be refunded immediately to the taxpayer (I R C. 322). However unless a claim for credit or refund is made by the taxpayer within the period ending with the expiration of the fifteenth day of the thirty-ninth month following the end of the taxable year of the net operating loss no credit or refund may be allowed (I R C 322).

In addition provision is also made for the extension of time for the payment of subsequent taxes to the extent of anticipated refund if appropriate application is filed (I R C 3779)

Within the year following the taxable year out of which a carry-back arises, the taxpayer may file an application for a tentative carry-back adjustment of the taxes for prior taxable years which application is required to be used as a basis for tentative refund subject to later adjustment (I R C 3780)

Very truly yours,

FRED B. WOOD, Legislative Counsel
By J. D. STRAUSS, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 425

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bill ordered to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 19, 1949

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

Senate Bill No. 205

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 205—An act to add Section 974 to the Municipal Utility District Act relating to municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

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

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

Assembly Bill No. 838: By Mr. Brown—An act to amend Section 239 of the Vehicle Code, relating to offenses against the registration laws.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 839: By Mr Brown—An act to amend Section 117p of the Code of Civil Procedure, relating to fees charged by public officers in connection with small claims actions.

Referred to Committee on Judiciary.

Assembly Bill No. 840: By Mr Conrad—An act to amend Section 671.1 of the Welfare and Institutions Code, relating to the establishment and maintenance of schools in juvenile halls.

Referred to Committee on Education.

Assembly Bill No. 841: By Mr Hollibaugh—An act to amend Section 2 of an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provision," approved April 11, 1935, relating to civil service systems.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 842: By Mr. Silliman—An act to amend Section 500 of the Agricultural Code, relating to milk and milk products inspection.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 843: By Mr Silliman—An act to amend Sections 470 and 474 of the Agricultural Code, relating to milk and cream.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 844: By Mr. Silliman—An act to amend Sections 260 and 261.4 of the Agricultural Code, relating to bovine Brucellosis.

Referred to Committee on Livestock and Dairies

Assembly Bill No. 845: By Mr Silliman—An act to amend Section 617 of the Agricultural Code, relating to cheese and cheese products

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 846: By Mr. Silliman—An act to amend Section 681 of the Agricultural Code, relating to license for testers and pasteurizers

Referred to Committee on Livestock and Dairies

Assembly Bill No. 847: By Messrs Gaffney and George D. Collins—An act to amend Section 4753 of the Labor Code, relating to subsequent injuries payments under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 848: By Messrs Gaffney and McCarthy—An act to add Section 13841.3 to the Education Code, relating to leaves of absence for employees of school districts.

Referred to Committee on Education

Assembly Bill No. 849: By Mr. Thomas—An act to add Section 139.62 to the Vehicle Code, relating to the Department of California Highway Patrol, including employees of the California Highway Patrol and of the Division of Drivers License Examiners

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 850: By Mr. Thomas—An act to amend Sections 108 and 139.12 of and to add Sections 139 17 and 139 18 to, the Vehicle Code, relating to the Division of Drivers' Licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 851: By Messrs. Evans and Rosenthal—An act to amend Sections 19485, 19597, 19620, and 19627 of the Business and Professions Code, relating to revenue derived by the State from horse racing, increasing the license fees of licensees conducting horse racing meetings, creating a special fund and appropriating the money therein for the purpose of carrying out the provisions of Article XXV of the State Constitution relating to aid to aged and blind persons.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 852: By Mr Cramer—An act directing the Division of Highways to survey Buena Vista Lagoon, San Diego County, to determine the feasibility and desirability of establishing a harbor in that area, and making an appropriation therefor.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 853: By Messrs. Thompson and Lowrey—An act to add Section 4919.05 to the Education Code, relating to the unification or other reorganization of school districts.

Referred to Committee on Education.

Assembly Bill No. 854: By Messrs Brown, Rosenthal, Beck, and Caldecott—An act to repeal Sections 291, 292, 296, 297, 298, 303 1, 304, 305, 305.1, 307, 308, 309, 311, and 313 of, to amend Section 306 of, and to add new Sections 291, 296, 298, 299, 300, 301, and 304 to, the Vehicle Code, relating to operator's and chauffeur's licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 855: By Messrs. Geddes, Doyle, Burke, and Morris—An act adding Section 19530.2 to the Business and Professions Code, relating to racing days.

Referred to Committee on Public Morals.

Assembly Bill No. 856: By Mr Dolwig—An act to amend Sections 18533, 18537, and 19054 of the Government Code, relating to eligible lists and certification of employees in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 857: By Mr. Dolwig—An act to amend Section 20332 of the Health and Safety Code, relating to revenues and expenditures of police protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 858: By Mr Dolwig—An act to amend Section 4861 of the Education Code, relating to the membership of public schools and county boards of education in societies, associations, and organizations.

Referred to Committee on Education.

Assembly Bill No. 859: By Mr. Dolwig—An act to amend Sections 2600, 2609, 2621, 2897, 2898, 3043, 3044, and 3084 of the Elections Code, relating to elections.

Referred to Committee on Education.

Assembly Bill No. 860: By Mr. Dolwig—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 861: By Mr. Dolwig—An act to add Section 5711 to the Labor Code, relating to proof of pneumonoconiosis.

Referred to Committee on Industrial Relations.

Assembly Bill No. 862: By Messrs. George D Collins, Brady, Meyers, Connolly, Berry, Gaffney, and McCarthy—An act to amend Section 2 of an act entitled "An act limiting the liability of supervisors, city trustees, city councils, boards of education and school trustees, and making counties, municipalities and school districts liable for the negligence of their respective officers in certain instances and providing for the payment of costs of actions in certain instances," (Statutes of 1923, approved June 13, 1923) to exclude liability in cases of defective sidewalk areas.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 863: By Messrs. George D. Collins, Rosenthal, and Thomas—An act to create and provide for a Prepaid Health Service System for the people of the State of California, and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 864: By Messrs. George D. Collins, Brown, Caldecott, Rosenthal, and Beck—An act to amend Section 1026 of the Penal Code, relating to the trial and release of the criminally insane.

Referred to Committee on Judiciary.

Assembly Bill No. 865: By Messrs Gaffney, Hahn, George D. Collins, Connolly, Beck, Bennett, Berry, Brady, Brown, Caldecott, Cooke, Crowley, Davis, Dunn, Geddes, Hawkins, Hollibaugh, Huyck, Lincoln, Luckel, Maloney, McMillan, Mrs. Niehouse, Messrs. Rosenthal, Rumford, Smith, and Weber—An act to add Sections 730.1, 736.5, and 736.6 to the Agricultural Code, relating to the sale of milk.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 866: By Mr. Thomas—An act to amend Section 1 of "An act providing that the State of California enter into a compact with the States of Oregon and Washington, one or both, to promote the better utilization of the fisheries, marine, shell and anadromous of the Pacific Seaboard, and to create the Pacific Marine Fisheries Commission; providing for the members of such commission from the State of California; providing for the administration of the provisions of said compact and making an appropriation," Chapter 1447, Statutes of 1947, relating to the Pacific Marine Fisheries Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 867: By Mr. Thomas—An act to amend Section 786 of the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

Assembly Bill No. 868: By Mr. McCollister—An act to amend Sections 1261 and 1262 of the Military and Veterans Code, relating to veterans' affairs.

Referred to Committee on Military Affairs.

Assembly Bill No. 869: By Messrs Davis, Lowrey, and Lindsay—An act to amend Section 330 of the Fish and Game Code, relating to public shooting grounds.

Referred to Committee on Fish and Game.

Assembly Bill No. 870: By Mr. Morris—An act to add Section 1816 to the Insurance Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 871: By Mr. Thomas—An act to amend Section 1011 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 872: By Mr. Thomas—An act to add Section 492.5 to the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 873: By Mr. Thomas—An act to amend Sections 651, 659, 660, 663, 666.5, and 667 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 874: By Mr. Thomas—An act to amend Section 783 of the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

Assembly Bill No. 875: By Mr. Thomas—An act to amend Section 782 of the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

Assembly Bill No. 876: By Mr. Thomas—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks.

Referred to Committee on Fish and Game.

Assembly Bill No. 877: By Mr. Thomas—An act to amend Section 87 of the Fish and Game Code, relating to districts.

Referred to Committee on Fish and Game.

Assembly Bill No. 878: By Mr. Thomas—An act to amend Section 1012 of the Fish and Game Code, relating to packing and reduction licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 879: By Mr. Thomas—An act to repeal Section 1071 of the Fish and Game Code, relating to mixed fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 880: By Mr. Thomas—An act to amend Section 745 of the Fish and Game Code, relating to the taking of soupfin sharks.

Referred to Committee on Fish and Game.

Assembly Bill No. 881: By Mr. Thomas—An act to amend Section 1010 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 882: By Mr. Thomas—An act to amend Sections 990 and 990.1 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 883: By Mr. Thomas—An act to add Section 977 to the Fish and Game Code, relating to sharks.

Referred to Committee on Fish and Game.

Assembly Bill No. 884: By Mr. Thomas—An act to amend Section 974 of the Fish and Game Code, relating to sand crabs and shrimps.

Referred to Committee on Fish and Game.

Assembly Bill No. 885: By Mr. Thomas—An act to add Section 869 to the Fish and Game Code, relating to bait nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 886: By Mr. Thomas—An act to amend Section 795 of the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 887: By Messrs Gaffney, Meyers, and Berry—An act to amend Section 730.2 of the Agricultural Code, referring to unfair and unlawful trade practices in the marketing of market milk, cream and dairy products, particularly the use of refrigeration facilities.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 888: By Mr. Stanley—An act to add Section 2.2 to the Orange County Flood Control Act, relating to the powers of the Orange County Flood Control District.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 889: By Mr. Luckel—An act to add Section 429.2 to the Fish and Game Code, relating to sporting fishing and hunting licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 890: By Messrs. Babbage, Butters, Cooke, Cramer, Crichton, Lindsay, and Stanley—An act to amend Section 8161 of the Education Code, relating to the maintenance of school classes.

Referred to Committee on Education.

Assembly Bill No. 891: By Messrs. Crowley and Kilpatrick—An act to add Section 20975 to the Education Code, relating to the education of blind children and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 892: By Messrs. Crowley and Kilpatrick—An act to amend Section 3447 of the Welfare and Institutions Code, relating to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 893: By Messrs Crowley and Kilpatrick—An act to add Section 3451 to the Welfare and Institutions Code, relating to the blind.

Referred to Committee on Social Welfare.

Assembly Joint Resolution No. 11: By Messrs Gaffney and McCarthy—Relative to amending the United States Housing Act.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 383—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, as amended, relating to capital outlays by cities, counties, cities and counties, or districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Cramer moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on January 18, 1949, strike out line 19, and insert "tions to utilities,".

Amendment No. 2

On page 2, line 20, of said bill, after the period, insert "The term 'utilities' shall not include sewage or sanitation facilities or airports."

Amendment No. 3

On page 2, line 24, of said bill, strike out ", public".

Amendment No. 4

On page 2, line 25, of said bill, strike out "as defined in the Public Utilities Act".

Amendment No. 5

On page 2, line 26, of said bill, after the period, insert "The term 'utilities' shall not include sewage or sanitation facilities or airports."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

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

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

Assembly Bill No. 894: By Messrs. Butters, Brown, Clarke, and Erwin—An act to amend Section 21100 of the Water Code, relating to irrigation district offices.

Referred to Committee on Agriculture.

Assembly Bill No. 895: By Mr. Brady—An act to repeal Section 208 of the Unemployment Insurance Act, dealing with disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 896: By Mr. Brady—An act to repeal Section 90 of the Unemployment Insurance Act and to add Section 90 to the Unemployment Insurance Act, dealing with unemployment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 897: By Mr. Brady—An act to repeal Sections 419, 420, 420.1, 420.2, 420.3, 420.4, 420.5, 420.6, 420.7, 420.8, and 420.9 of the Vehicle Code, dealing with motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 898: By Mr. Brady—An act to amend Section 204 of the Unemployment Insurance Act, dealing with disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 899: By Mr. Brady—An act to amend Sections 111, 118, and 123 of the Labor Code, relating to powers of the Chairman of the Industrial Accident Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 900: By Mr. Brady—An act to create a Fair Trade Commission, to define its powers and duties for the enforcement of the Unfair Practices Act, and making an appropriation for the purpose hereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 901: By Mr. Beck—An act to amend Sections 3854, 3856, and 3861 of, and to add Section 3863 to, the Labor Code, relating to attorney's fees.

Referred to Committee on Judiciary.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 477

Assembly Bill No. 477—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller to take effect immediately.

Bill read third time.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—72.

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 527:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 527, "An act making an appropriation for the purpose of increasing the salaries of state employees, to be expended during the 1948-49 Fiscal Year, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation as recommended by the State Personnel Board to grant the third round of salary increases to those employees who were not included in the increase granted other employees effective September 1, 1948.

I therefore recommend consideration of Assembly Bill No. 527 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

CONSIDERATION OF ASSEMBLY BILL NO. 527

Assembly Bill No. 527—An act making an appropriation for the purpose of increasing the salaries of state employees, to take effect immediately.

Bill read third time.

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

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—68.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Recorded on Roll Call on Assembly Bill No. 527

Mr. Coats asked for, and was granted, unanimous consent that his name be added to the roll call on Assembly Bill No. 527, and that he be recorded as voting "aye."

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 27:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 27, "An act making an appropriation for support of the Department of the California Highway Patrol for the 1948-49 Fiscal Year, providing for the transfer of such appropriation, to take effect immediately," in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill is in lieu of the appropriation made by Item 188 of the Budget Act of 1948 which omitted reference to the Motor Vehicle Fund, thus inadvertently making the item payable from the General Fund. Under existing provisions of law money was transferred temporarily from the Department of Motor Vehicles to the Department of the California Highway Patrol. This bill does not appropriate additional or new money, but makes possible a return of the money transferred from the Department of Motor Vehicles to reflect the true intention of the Budget Act of 1948.

I therefore recommend consideration of Assembly Bill No. 27 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

CONSIDERATION OF ASSEMBLY BILL NO. 27

Assembly Bill No. 27—An act making an appropriation for support of the Department of the California Highway Patrol for the 1948-49 Fiscal Year, providing for the transfer of such appropriation, to take effect immediately.

Bill read third time.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy.

McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate

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

The following resolution was offered:

Assembly Concurrent Resolution No. 36: By Mr. Anderson—Approving the charter of the City of Redondo Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of January, 1949.

Referred to Committee on Rules

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 476:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 18, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 476, "An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation to augment the appropriation for the support of the Department of Social Welfare for the current fiscal year to take care of the cost of administering Article XXV of the Constitution.

I therefore recommend consideration of Assembly Bill No. 476 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

CONSIDERATION OF ASSEMBLY BILL NO. 476

Assembly Bill No. 476—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, amending Section 124 of the Welfare and Institutions Code, to take effect immediately.

Bill read third time.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—70.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Collins:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH
LOS ANGELES, CALIFORNIA, January 17, 1949

Hon. Earl Warren, Governor
Hon. Goodwin Knight, Lieutenant Governor
Hon. Sam Collins, Speaker of Assembly
State Capitol, Sacramento, California

Pursuant to Assembly Concurrent Resolution No. 36 of the Fifty-seventh Session of the California Legislature, the State Department of Public Health and the State Department of Education are herewith transmitting a review of the existing services for physically handicapped individuals with particular reference to the care, treatment and education of those who are severely physically handicapped but mentally normal. A suggested program for services not now provided is outlined together with an estimate of the costs thereof.

ROY E. SIMPSON
Superintendent of Public Instruction
WILTON L. HALVERSON, M.D.
Director, State Department of Public Health

Above mentioned report ordered referred to the Committee on Education.

ANNOUNCEMENT

Mr. Dunn announced that he will hold at his desk, temporarily, bills on unification of school districts continuation, so that all members desiring to be co-authors may have this opportunity, as the bills are ready for introduction.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT OF THE INTERIM FACT-FINDING COMMITTEE ON WATER POLLUTION BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the Preliminary Report of the Interim Fact-Finding Committee on Water Pollution be ordered printed in the Journal, in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above resolution ordered engrossed

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 36

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 36, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 36

Assembly Concurrent Resolution No. 36—Approving the charter of the City of Redondo Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of January, 1949.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—70

NOES—None.

Resolution ordered transmitted to the Senate.

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

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

Assembly Bill No. 902: By Messrs. Burkhalter and Fletcher—An act to amend Section 4453 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 903: By Messrs Cooke, Thompson, and Burkhalter—An act to amend Section 123 55 of the Agricultural Code, relating to intercounty nursery stock certificates

Referred to Committee on Agriculture

Assembly Bill No. 904: By Messrs Cooke, Thompson, Burkhalter, and Clarke—An act to add Section 1045 to the Agricultural Code, relating to fertilizing materials.

Referred to Committee on Agriculture.

Assembly Bill No. 905: By Messrs. Cooke, Thompson, Burkhalter, and Clarke—An act to amend Sections 1010 and 1011 of the Agricultural Code, relating to spray residue.

Referred to Committee on Agriculture.

Assembly Bill No. 906: By Messrs. Cooke, Thompson, Burkhalter, and Clarke—An act to amend Sections 914, 914.5, 915 1, 915.5, 916.1, 917.5 of, to repeal Section 917.6 of, and to add Sections 913.1 and 918.1 to the Agricultural Code, relating to agricultural and vegetable seeds.

Referred to Committee on Agriculture.

Assembly Bill No. 907: By Messrs. Gaffney and Berry—An act to amend Section 419 of the Vehicle Code, relating to financial responsibility.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 908: By Mr Silliman—An act to repeal Sections 215.8, 215.9, 215.10, 215.11, 215.12, and 215.17 of the Agricultural Code, relating to the licensing of swine salesyards.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 909: By Messrs McMillan, Geddes, and Lipscomb—An act to amend Section 227aaa of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 910: By Messrs. McMillan, Geddes, and Lipscomb—An act to amend Section 224 of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 911: By Messrs. McMillan, Geddes, and Lipscomb—An act to amend Section 226m of the Civil Code, relating to adoption proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 912: By Messrs. McMillan, Geddes, and Lipscomb—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 913: By Messrs. McMillan, Geddes, and Lipscomb—An act to amend Section 224m of the Civil Code, relating to the adoption of children.

Referred to Committee on Judiciary.

Assembly Bill No. 914: By Messrs. Price, Babbage, and Cooke—An act to amend Section 5076 of the Penal Code, relating to the salaries of members of the Adult Authority.

Referred to Committee on Judiciary.

Assembly Bill No. 915: By Mr. McCollister—An act to define the powers and duties of the California Toll Bridge Authority in respect to the Golden Gate Bridge and Highway District, providing for the redemption of bonds and the payment of interest, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 916: By Mr. Lipscomb—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for medical and hospital services.

Referred to Committee on Public Health.

Assembly Bill No. 917: By Mr. Lipscomb—An act to amend Section 6420 of the Streets and Highways Code, relating to improvement assessments and bonds.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 918: By Messrs. Hoffman, Clarke, Thompson, Erwin, Babbage, Butters, Cooke, Heisinger, and Stanley—An act to amend Section 829.5 of the Agricultural Code, relating to experimental containers for fruits, nuts and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 919: By Messrs. Hoffman, Clarke, Thompson, Erwin, Babbage, Butters, Cooke, Heisinger, and Stanley—An act to amend Sections 1064 and 1071.2 of the Agricultural Code, relating to economic poisons.

Referred to Committee on Agriculture.

Assembly Bill No. 920: By Messrs. Hoffman, Clarke, Thompson, Erwin, Babbage, Butters, Cooke, Heisinger, and Stanley—An act to amend Section 108 of the Agricultural Code, relating to the control or eradication of pests.

Referred to Committee on Agriculture.

Assembly Bill No. 921: By Messrs. Hoffman, Clarke, Butters, Crichton, Heisinger, and Weber—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Referred to Committee on Agriculture.

Assembly Bill No. 922: By Messrs Gaffney and Berry—An act to add Section 15000 to the Business and Professions Code, relating to the regulation of the heating and piping industry.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 923: By Messrs. Clarke, Cooke, and Hoffman—An act to amend Section 18.1 of the Agricultural Producers Marketing Act, relating to amendments to marketing programs and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 924: By Messrs. Clarke, Cooke, and Hoffman—An act to add Section 1276 to the Agricultural Code, relating to the disposition and use of moneys derived from provisions of said code pertaining to produce dealers and processors.

Referred to Committee on Agriculture.

Assembly Bill No. 925: By Messrs Clarke, Cooke, and Hoffman—An act to amend Sections 1300.1, 1300.1a, 1300.4a, and 1300.6 of the Agricultural Code, relating to processors of farm products.

Referred to Committee on Agriculture.

Assembly Bill No. 926: By Messrs. Clarke and Lowrey—An act to provide for the transfer of the Napa State Farm to the Department of Mental Hygiene and the vesting of control and disposition of the water rights of the Napa State Farm in the Department of Finance, amending Section 154 of, and adding Division 8 to, the Welfare and Institutions Code and repealing Article 5 of Chapter 2, Part 3, Division 3, Title 2 of the Government Code, all relating to the Napa State Farm.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 927: By Messrs. Clarke, Lowrey, Hoffman, and Heisinger—An act to amend the chapter heading of Chapter 7 of Division 6 and Section 1280 of the Agricultural Code, relating to contracts for the sale of agricultural products.

Referred to Committee on Agriculture.

Assembly Bill No. 928: By Mr. Clarke—An act to amend Section 737x of the Political Code, relating to salaries of Superior Court Judges in the County of Merced.

Referred to Committee on Judiciary.

Assembly Bill No. 929: By Mr. Clarke—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 930: By Messrs. Clarke, Lowrey, Hoffman, and Heisinger—An act to add Section 16275.5 to the Education Code, relating to the use of school busses.

Referred to Committee on Education.

ANNOUNCEMENTS

Mr. Beck announced a Democratic caucus meeting at the Hotel Senator at 7.30 p.m., tonight.

Mr. Fleury announced that the Sacramento Chamber of Commerce is cordially inviting all gentlemen Members of the Assembly to be guests at a stag reception, tonight, from 6 p.m. until 7 p.m., at the Hotel Senator.

Mr. Hahn announced the new location of the Telephone Exchange, which was formerly located in the Rotunda on the second floor of the Capitol.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF ASSEMBLY INTERIM COMMITTEE ON SOIL CONSERVATION BE PRINTED IN THE JOURNAL

Mr. Cramer asked for, and was granted, unanimous consent that the Report of the Assembly Interim Committee on Soil Conservation be ordered printed in the Journal, in 10-point type.

REPORT OF ASSEMBLY INTERIM COMMITTEE ON SOIL CONSERVATION

Pursuant to House Resolution No. 224, California Legislature
Fifty-seventh Session

MEMBERS OF COMMITTEE

HON. HOWARD K. CRAMER, Chairman
HON. JOHN F. THOMPSON
HON. BERT W. LOOMIS

State Soil Conservation Commission

D. L. STRATHEARN, Chairman—Farmer Member
DR. C. B. HUTCHISON, Dean of the College of Agriculture, University of California
C. W. RUBEL, University of California Extension Service
EDWARD HYATT, State Engineer
H. H. HALE, Farmer Member

Letter of Transmittal

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA

Mr. Speaker and Members of the Assembly:

Pursuant to House Resolution No. 224, adopted by the California State Legislature on June 20, 1947, your Interim Committee on Soil Conservation submits herewith its report.

Respectfully submitted,

HOWARD K. CRAMER, Chairman
BERT W. LOOMIS
JOHN F. THOMPSON

INTRODUCTION

Since all of us, city and country people alike, ultimately make our living from the soil, it is therefore our Nation's most important resource. Industry and labor and professional people, as well as farmers, have a large stake in the Country's land. Today they are all rightly concerned about America's productive soil and water resources; they realize as never before that these basic resources are linked directly to the future prosperity of the United States. These same resources also have a real bearing on the future of civilization. Food, which comes from the soil, was an important weapon in the winning of the war, and it is becoming increasingly apparent that it is important to winning the peace.

Land, therefore, is our base for everything we do, all we share; in fact, whatever we amount to as a great people begins with and rests on the sustained productivity of our agricultural lands. It goes without saying that what concerns the United States also concerns the great State of California, for, while our land resources have not been damaged to the extent the lands of some other states have, we are not the exception—there is no exception. Our lands have been, and are continuing to be, damaged by erosion and mismanagement. The conservation farming approach to the management of our rich lands is the open door to long sustained production from our basic resource, the land.

On the basis of latest and official United States Department of Agriculture figures the United States suffered the loss, or badly damaged, about two hundred eighty-two million acres of land. California is represented in this figure to the extent of three million acres of land. In the United States another seven hundred seventy-five million acres of our crop, grazing, forest, and other kinds of land have experienced erosion to some extent. California is registered in this figure to the extent of thirty-eight million acres.

In the United States today it is estimated that we are losing by erosion, from both wind and water, for future immediate practical cultivation, about 500,000 acres annually. This is equivalent to about 2,500 farms of 195 acres each.

(The average size farm, according to the United States Farm Census for 1945, is 194.8 acres.) It is also the equivalent to one acre lost from each 12 farms in the United States, or one acre to each 900 acres of cropland.

Since the California State Soil Conservation District Law was passed in February of 1940, 55 districts have been organized. These organized districts embrace over seven million acres of California farm lands, including range, forest, and cropland, or about 25 percent of the State's thirty million acres in farms This represents about thirty-five thousand of the State's 130,000 farms

The following House resolution was passed by the Legislature on June 20, 1947:

HOUSE RESOLUTION NO. 224

Relative to the creation of the Assembly Interim Committee on Soil Conservation

WHEREAS, It is the declared policy of the Legislature that the conservation of soil is of great importance to the prosperity and welfare of the people of this State; and

WHEREAS, Many of the provisions of the Public Resources Code relating to soil conservation are conflicting and other provisions although not conflicting are in need of clarification; and

WHEREAS, Many problems have arisen relative to formation of soil conservation districts and election of officers thereof, consolidation of such districts which require legislative action; and

WHEREAS, The people of the State look to the Legislature for leadership in the matter and the Legislature requires information based upon an impartial study and investigation of all of the factors involved in order that it may proceed intelligently toward a solution of these problems; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Soil Conservation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to soil and water conservation throughout the State, and the formation and government of soil conservation districts, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1949 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of two thousand dollars ($2,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

APPOINTMENT OF THE COMMITTEE

The Speaker announced the appointment of:

Howard K. Cramer, Chairman, Chula Vista
Bert W. Loomis, Chico
John F. Thompson, San Jose

as members of the Assembly Interim Committee on Soil Conservation.

COMMITTEE MEETINGS

The committee held the following meetings:

September 4, 1947, at Sacramento
October 1 to 3, 1947, at Chico
October 27, 1947, at Sacramento
October 30, 1947, at Julian
October 31, 1947, at San Diego
November 1, 1947, at La Mesa
November 6, 1947, at Escondido
January 19 and 20, 1948, at Calistoga
December 13, 14, and 15, 1948, in Sacramento

(In addition, the committee met with the Soil Conservation Commission at each of its meetings.)

FEDERAL AID

The committee is grateful for the cooperation of Mr. John S. Barnes, Chief Conservationist for the State of California, under the Soil Conservation Service of the United States Department of Agriculture. The committee has been impressed with the splendid work which has been accomplished by this organization in the conservation of our soils and water; and feels that every effort should be expended by the State of California to continue this service, and obtain assistance in many parts of the State which at the present time do not have organized soil conservation districts.

The interest which the farmers themselves are taking in their soil conservation districts indicates the tremendous need of great expansion. The committee has been impressed with the personnel in the Federal Soil Conservation Service. The training which the engineers and conservationists in this service have acquired has made them indispensable in the carrying out of this most important work, which will become more and more apparent as the years go on.

The following statement by Mr Barnes was presented to the Interim Committee on Soil Conservation at its hearing on December 13, 1948, in Berkeley:

"I welcome the opportunity to appear before your committee today and present the viewpoint of the Soil Conservation Service regarding proposed changes in the laws relating to soil conservation and soil conservation districts in California.

"I would like to call the committee's attention to this map of the United States, showing the extent of soil conservation district development up to July 1948. As of that date, there were over 2,000 soil conservation districts in the continental United States, along with 23 grass conservation districts, with similar objectives. These districts contain 748,602,000 acres of land in farms and ranches and over 4,400,000 farms. As of the same date, California had 55 soil conservation districts, including about eight million two hundred fifty thousand acres and 37,000 farms (about six million acres of farm and ranch land are included in these 55 districts). There are large areas of the State, outside of soil conservation districts, which have important soil and water conservation problems. In these areas, little organized effort has been made to bring about soil and water conservation

"The Soil Conservation Service is actively cooperating with 54 soil conservation districts in California We believe the districts are making excellent progress and have demonstrated the effectiveness of this approach in protecting soil resources.

"The service receives many inquiries from farmers outside of soil conservation districts as to what action is necessary to organize districts. When the procedure is explained to them, many have felt that they could not ask their neighbors to spend the time and effort required by the present procedure. Others have started petitions, but became discouraged. Some local groups have gotten into arguments over proposed boundaries and dropped the idea of a district, or the boards of supervisors have denied the requests because of local differences of opinion.

"The increasingly serious water shortage in California is a factor which should be recognized in connection with soil conservation district development. Every district in California, as far as I know, has water problems which include water development, more efficient use of existing water supplies, drainage and flood control. In order that the districts may plan and carry out their programs most effectively, entire watersheds should be included in these districts. It does not appear to be of major importance whether or not an entire watershed is in one district or in several, since a number of districts can work together on the problems of one watershed It is very difficult, however, to carry out an effective watershed program when only part of a watershed is in soil conservation districts.

"The Soil Conservation Service feels that the California Soil Conservation Law should be amended to provide the following:

1. Development of a statewide plan of soil conservation districts so that the boundaries will be determined on a planned basis, considering all pertinent factors.
2. Simplification of the organization procedure which will make it possible to bring the remaining lands of the State into districts at an early date.
3. Removal of certain features of the present law which have proved to be objectionable and have been used but little or not at all.

"We believe the changes which are being proposed at this time by the officers of the State Association of Soil Conservation Districts will accomplish the objectives which appear desirable to the Soil Conservation Service.

"I would like to call the committee's attention to the soil conservation laws of certain other states:

Wisconsin

" 'Section 92 05. Creation of soil conservation districts. When the board of supervisors of any county determines that conservation of soil resources and control and prevention of soil erosion are problems of public concern in the county, and further determines that a substantial proportion of the rural land occupiers of the county favors such a resolution, the said board of supervisors, by a resolution adopted at any regular or special meeting of the board, may declare the county to be a soil conservation district for the purpose of effectuating the legislative policy announced in Section 92.02. These determinations may be made through hearings, petitions, referenda or any other means which the county board

deems appropriate. (1937 c. 341; 1939 c. 323)' I understand that in carrying out the provisions of this section of the act, no petitions or referenda have been used.

New Hampshire

"New Hampshire was one of the last states to pass a soil conservation districts law—November 1945. Having studied the acts of the other states, it passed an act creating a district comprising the entire state. Subdistricts are set up for carrying out the work when twenty-five or more owners or operators of land petition the State Committee.

Rhode Island

"This law was passed in 1943 and established three soil conservation districts which include the entire state. The districts became active when the State Committee had determined that a 'substantial number' of the land occupiers of the district were in favor of its becoming active.

New York

"Section No. 5, provides that when the board of supervisors of any county determines that conservation of soil resources and prevention of erosion are problems of public concern to the county, and further determines that a substantial proportion of the rural land occupiers of the county favors such a resolution, the board of supervisors, by a resolution adopted at any regular or special meeting, may declare the county to be a soil conservation district. * * *

"I have copies of these and other state acts in case the committee is interested in further details.

"I have mentioned features of these particular laws because of their similarity to some of the features being proposed by the State Association. It appears that other states have recognized the same problems with which we are faced in California and have adapted their laws to meet the situation.

"Thank you for the opportunity to appear before you today."

RECOMMENDATIONS

A good start has been made on the soil conservation problems of the State, but it is felt by the committee that additional steps should be taken to speed up the work These could well include the following:

Education

Soil and water conservation should be taught in all the elementary and high schools of the State and in all the tax supported colleges. The soil and water resources of this State are of fundamental importance to the future welfare of every boy and girl and this importance should be taught in our Public School System Legislation to bring this about is recommended.

Coordination of Activities of Public Agencies

Close coordination of effort between representatives of public agencies working in soil conservation and allied subjects is essential if farmers are to secure maximum assistance with their soil conservation problems and the public is to receive full value for the tax money expended. That there has not always been full cooperation and coordination of effort has been apparent at certain state commission meetings

attended by this committee. Also, statements by representatives of public agencies, which were detrimental to soil conservation districts have appeared in the press and have confused the public. It is recommended that the State Soil Conservation Commission take the leadership in coordinating the efforts of the various agencies to bring about full support and active participation on the part of such agencies in furthering the State's soil conservation program and to assure full support of soil conservation districts. In order to accomplish such coordination it appears desirable for the commission to have sufficient funds to reimburse its members for time spent on necessary commission affairs

Required Changes in State Soil Conservation Act (Division 9, Public Resources Code)

The 55 soil conservation districts in California were organized around local problems and, in many cases, without adequate consideration of broader aspects such as watershed protection and flood control problems. As a result, numerous additions to districts have been made and many boundaries changed time and again.

The present procedure for district organization is very time-consuming and requires an undue amount of work on the part of organizing committees and public officials. It has taken from one to four years to organize individual districts and the organization of many which were begun has failed to materialize because of the cumbersome procedures required.

This committee recommends that the act be amended to provide for a planned system of soil conservation districts throughout the State. This plan should be worked out cooperatively by the State Soil Conservation Commission and local groups, under the supervision of the county boards of supervisors. Also, the procedure for district organization should be simplified so that districts can be created in a shorter time than is now possible. Features of the present act involving land use regulations, taxation and condemnation should be eliminated as little use is made of these features and they tend to cause undue concern regarding the authorities of districts.

State Financial Assistance to Districts

It is felt that the State is not contributing to the soil conservation districts' program to the extent which the importance of the problem justifies. The Federal Government has recognized the importance of California's soils to the Nation by spending some three-quarters of a million dollars annually giving direct assistance to soil conservation districts. The federal funds are inadequate to give all the technical assistance required by farmers in districts in order to put soil conservation plans into effect. State funds are necessary and justified to supplement the federal funds in helping farmers get the practices established and structures built. An appropriation to accomplish this is recommended.

Soil Conservation Pays

Farmers have demonstrated that soil conservation pays directly as well as indirectly. By using their lands for best adapted crops and following soil conserving farming methods individual farm incomes have been increased and more and better quality crops grown. As a consequence they have paid more taxes and brought additional income to many other groups dependent upon farmer prosperity. It is estimated that

every public dollar spent for soil conservation is repaid several times over through increased tax returns. However, the most important feature is the saving of our soils for continuous productive use. The State should recognize this through adequate financial support in the same manner as does the Federal Government.

WATER CONSERVATION

In California, soil conservation and water conservation are inseparable. Therefore, while this is a soil conservation committee it is felt that the committee would be remiss in its responsibilities if it did not also point out the importance of water conservation.

Every soil conservation district plans and puts into effect a joint program of soil and water conservation. This program provides for getting as much rainfall into the ground as can be absorbed and the impounding of the remainder behind small dams. As a result, not only is erosion controlled, but water is put to beneficial use. This is particularly important due to the heavy demands upon our water supplies which are already inadequate in many localities.

The water conservation program also includes better use of water through improved irrigation practices. Redesigning of irrigation systems to prevent loss of water by seepage and better field distribution brings about material savings. Land leveling is carried on extensively by soil conservation districts to make more efficient use of water, save labor in irrigation, and secure better yields. Sprinkler irrigation systems are being installed on many farms and are materially reducing the amount of water required and giving better production.

Soil conservation districts have sponsored surface and underground water surveys in cooperation with the State Division of Water Resources to get information essential for planning the best use of available water resources. Districts are carrying on flood control programs designed to reduce flood peaks by holding as much rainfall as possible on the watersheds Other districts are draining wet lands and using the drainage water for irrigation on adjoining dry areas.

In carrying on the water conservation features of the soil conservation districts program it is necessary to use heavy equipment such as bulldozers, draglines, carryalls, etc. Encouragement is given to local contractors to do all of this work which they will undertake. Much of the work is scattered in small jobs on numerous farms and contractors have not been interested. The Federal Government has furnished some heavy equipment to districts for such construction but it has been inadequate to meet the needs. Some districts have been able to get county equipment or funds while others have raised funds for its purchase in one way or another. The committee recommends legislation providing for a State Revolving Fund to finance the purchase of heavy equipment for district use and the cost of which would be repaid from charges collected for its use, where contract equipment is not available to do all required work.

STATE SOIL CONSERVATION UNIT OF GOVERNMENT

This committee feels that the responsibility of the State for maintaining the productivity of its soils justifies the setting up of a unit of State Government specifically designed to carry out a state-wide soil conservation program.

Soil conservation is essentially an action program in which the State gives leadership and guidance to farmers who have organized themselves into soil conservation districts for most effective action. In carrying out this state leadership the program must be fully coordinated with other closely related programs, such as those of the State Division of Water Resources, State Forestry, and various programs of the State Department of Agriculture It therefore appears appropriate to establish a unit of State Government to carry on this activity. It is the recommendation of this committee that the next Interim Committee on Soil Conservation be specifically instructed to make a study of this matter and determine where such a soil conservation unit of State Government should be set up, and to recommend specific legislation to bring about such a unit of government.

The committee believes that consideration should be given to the placing of soil conservation under the State Department of Agriculture; and suggests that during the 1949 Session the members of the interim committee make a complete survey of the possibilities of improving the state soil conservation service under the supervision of this department.

PERSONS PRESENT AND TESTIFYING BEFORE COMMITTEE MEETINGS

Anderson, Sven G., Field Representative, State Soil Conservation Committee
Barnes, Franklin L, Director, Julian Soil Conservation District
Barnes, John S., State Conservationist, U. S. Soil Conservation Service
Brodeur, James, Representing Dean Palmer, County Agricultural Commission
Cauzza, Victor, Director, Julian Soil Conservation District
Chamness, Albert, President San Marcos-Twin Oaks Soil Conservation District and San Diego County Association of Districts
Davis, Stanley R, Director, Julian Soil Conservation District
de Vries, Alfred H., Secretary, San Felipe Soil Conservation District
Dillinger, Hon. H. E., State Senator
Dorman, Fred, Assistant Farm Advisor, Agricultural Extension Service
Ellsworth, Dr. Von T., California Farm Bureau Federation
Farmer, Fred H, President, Julian Soil Conservation District
Garrod, Vince S, President, State Association of Soil Conservation Districts; and President of Black Mountain Soil Conservation District
Gelwick, Calvin, Agriculture Inspector, Julian Union High School (San Diego)
Givens, Vincent, Inspector, San Diego County Department of Agriculture
Hadley, L. E, President, San Fernando Valley Soil Conservation District
Hale, H. H, Member State Commission, and Director Contra Costa Soil Conservation District
Hansen, Harvey, Sec. Mngr., Santa Clara County Milk Producers Ass'n.
Hastings, John, Assistant Forester, State Division of Forestry
Haughton, Fred, Federal Soil Conservation Service, Red Bluff
Holland, Harry H., President, Quail Lake Soil Conservation District
Hunt, Lee O., Soil Conservationist, U. S. Soil Conservation Service
Jans, Raymond, Educator and Farmer, Durham, California
Kent, J. Howard, President, Antelope Valley Soil Conservation District
Lindsay, Francis, President, Placer County Soil Conservation District
Manley, Thomas, Contra Costa County Soil Conservation District
Merrill, J Lowell, President, Cucamonga-Mountain View Soil Conservation District
Patty, Frank, Butte County Supervisor
Peaslee, J H, representing State Division of Water Resources
Polk, Martin C, Butte County Assessor
Pyles, Hamilton K., Forest Supervisor, Cleveland National Forest, U.S Forest Service
Raymond, Lynn, Corning Soil Conservation District
Redding, Ray G., Secretary, Julian Soil Conservation District (and District School Superintendent, Julian Union High School)
Sawday, George, Director Campo-Moreno-Potrero Soil Conservation District
Sindel, Glen, District Ranger, Cleveland National Forest, U. S Forest Service
Ware, Allison, Attorney, representing property owners in Butte County
Weir, Walter W., Secretary, California State Soil Conservation Commission
Williams, D E., Soils Department, University of California

Recommendations by State Soil Conservation Commission for Changes in the Present Act

The committee heartily endorses the fine efforts of Mr. Vince Garrod of Saratoga, California, President of the State Association of Soil Conservation Districts, for his splended cooperation and his untiring efforts in the cause of soil conservation in California. A statement by Mr. Garrod and proposed changes in the act follow:

"In order to form a basis for recommendations to the interim committee by the California Association of Soil Conservation Districts, it is necessary that we review the operation of soil conservation districts and the many suggestions made for furthering the work of soil and water conservation and that of soil conservation districts in California

"At present the soil conservation districts of California are operating under Division 9, Public Resources Code, 1948, of the State of California. These districts are operated by an elected board of directors of farmer-landowners who reside within the district boundaries. The work of the districts is done by agreement with the U. S. Department of Agriculture and the Soil Conservation Service, state and local county organizations.

"Funds for the districts are obtained in four ways: (1) by direct taxation of the land within the district for an amount limited by law to 2 percent per $100 assessed agricultural land valuation before improvement; (2) by a direct grant to the districts by boards of supervisors of the major counties they operate in from the general fund of that county; (3) by the rental of equipment to cooperating farmers; and (4) by direct subscription and donations to the district from interested parties.

"Equipment for district operation is obtained by purchase by the district of needed equipment for district operation and by loan to the district from the Soil Conservation Service of certain types of unusual equipment for district use.

"Personnel for the districts are in two categories, one the technical personnel is furnished free to the district through a Memorandum of Understanding by the Soil Conservation Service and clerical and other assistance furnished by the district itself.

"Work that a district may undertake is determined by the district board of directors and carried out under their supervision. They may, when they deem necessary, call on any group or agency to assist them in carrying out their schedule of work.

"If we recognize as one of the basic means for combating soil loss the acre-by-acre treatment afforded the land by soil conservation districts, it becomes evident that if California lands are going to continue to prosper under a bountiful agriculture a program must be initiated that will enable the majority of California's agricultural land to be under a district program (under the present organization procedure this is a very intricate and cumbersome process—slowing down the organization of new districts, allowing valuable time to be lost and also hindering our assisting agencies by limiting their activity in that they cannot secure enough personnel to operate at an efficient rate both for themselves and for the cooperating districts). We have prepared a proposal which is attached for the committee to study and which will, if

adopted, we believe simplify our state laws regarding district formation and operation, remove some of the controversial items that have hindered district formation in the past and place soil conservation district structure in every agriculture county of the State. This program is to be activated when the need and interest is shown that will make a district effective.

"The districts of the State feel the very great need for additional technical assistance and at present this assistance is limited due to several reasons. One of them being that the Soil Conservation Service, the cooperating agency furnishing most of the personnel, is limited in funds to the districts organized in the State, no great recognition by the Federal Government being taken as to additions to district, the main criteria being the number of districts in the allocating of federal funds. So in order to have more personnel one of the main changes necessary is to have additional districts formed.

"In this proposal for a change in the law there have been two main deletions from the main law: (1) the provision for 'land use regulations' has been removed. This provision was put in the original law before any districts were formed. The districts can see no use for it other than to raise controversial questions when a district is organized. Technically it is almost impossible to initiate, once it is initiated it will cause so much ill feeling within a district that it is possible to make a district absolutely useless as far as conservation work is concerned. We do not know of a board of directors of farmers that would ever try to initiate it due to the natural distrust of the rural mind for regulations on property which they own, by merely being on the statutes it can do more harm than good. (2) The taxing privilege of districts has also been removed. This was done because it is felt that while there are a few districts exercising this privilege the amount of funds that can be raised is very small. Without a doubt it is much more expensive for the county to collect than the value received by the district. As conservation work has been ruled in the general welfare of the people of a county it is only reasonable to assume that the general fund of the county would be the correct source for funds for district operation if funds are necessary. The funds could be granted outright, and the counties, having no recourse to direct taxes would be saved the expense of calculating and collecting taxes, good will would be obtained within the district, and the urban areas would bear a fair share of the cost of maintaining our land for future use.

"You may wonder how we arrived at such a complete change in the law rather than just minor additions. We appreciate the good work that the interim committee has done for the districts but as you know every session minor and major changes have been requested. We do not wish to appear dissatisfied but after considering the many changes suggested we felt that if this major change in the law could be obtained a great many of the minor difficulties would be removed. As you know some of the suggestions made for current changes in the law have been: A complete change in the State Soil Conservation Commission, making it a board composed of farmer directors entirely; the establishment in the State Government of a Division of Conservation; the setting up of a sum of money to act as a rotating pool from which to finance newly organized districts and to loan money to districts to buy needed equipment and

material—this pool to be refunding, not direct grants to the districts; it has been suggested to appropriate a greater sum of money for the state commission to operate with in order that the State can take a greater part in furthering the activities of soil conservation; the methods of organizing new districts under the law are still difficult to follow out, more educational work needs to be done, and once established the districts must have a very pressing problem to attack or there is the possibility that several years will pass before real active work will be undertaken by the board of directors; there is at present no plan or program for the need and organization of districts on the part of the State —no work has been done to determine the relative need for districts in any areas until the farmers become completely aware of their need; there is considerable lack of uniformity between counties as to the administration of district funds, taxation, allocating and use of funds, use of county owned equipment, elections and qualifications for directors; it is not mandatory for the State Soil Conservation Commission to promote soil conservation districts or to investigate any proposed soil conservation districts at present until after it has been passed on by the local county board of supervisors—(the present established soil conservation districts feel that the State has a direct concern in conservation work and as such should take a very direct interest in it, additional funds for the commission are of no importance if the commission is not obliged to assist in the groundwork of the formation of districts).

"We have investigated the laws of several different states regarding the establishment and operation of soil conservation districts and after considering these other laws and the numerous suggestions made for changes in our own laws we arrived at the conclusion that before any great expansion in soil conservation districts in California and before any great participation on the part of the State can be asked, some basic changes in the state law must be requested. We must have a district set-up in the State of California that justifies our agricultural nature before we can rightly expect state and federal aid of the proportion that the conservation work necessary in California requires. Hence, we respectfully submit this suggested revision of our state laws regarding soil conservation districts. We ask that you consider it carefully, weigh its merits, criticize it carefully, make any additions or deletions that you feel necessary, and if you feel it is sufficient, request that the Legislature pass on it.

"It must be noted that this recommendation is not the recommendation of the whole State Association, rather it is one of a committee of the State Association. The State Association will not be in regular session to pass on it until January 29, 1949. The committee has taken the liberty of presenting it to you before ratification because of the fact that the Legislature will convene before the association has time to act officially and also the report of your committee will be necessarily finished before that time It is felt, however, that little question exists as to the conclusion the State Association will reach on this matter—we have incorporated the suggestions made by the districts in what we feel is the best possible manner. The association will support the interim committee in whatever decision it makes and will also assist in the passage of any legislation that is derived from the final recommendation of the interim committee."

A bill to accomplish these changes should be introduced as follows:

ASSEMBLY BILL NO. ------

CHAPTER NO. ------

An act to repeal Section 9000(b) (3) of Article 1, Chapter 1, and Sections 9022, 9024, 9025, and 9026 of Article 2, Chapter 1; Section 9061 of Article 1, Chapter 3; Sections 9070 through 9152 of Articles 2, 3, 4, 5, and 6, Chapter 3; Sections 9255 of Article 9 and 9280 of Article 10, Chapter 3; Sections 9290 through 9325, Articles 11 and 12, Chapter 3; Sections 9350 through 9361 of Article 1, Chapter 4; and Sections 9425 through 9492 of Articles 1, 2, and 3, Chapter 5; of Division 9 of the Public Resources Code; to amend Sections 9000, 9016, 9041, 9042, 9060, 9062, 9160, 9164, 9252, and 9261 of said code; and to add Sections 9027, 9041.5, a new Article 2, Chapter 3, consisting of Sections 9070, 9071, 9072, a new Article 3, Chapter 3, consisting of Sections 9101, 9102, 9103, and 9104, a new Article 4, Chapter 3, consisting of Sections 9110 and 9111, a new Article 5, Chapter 3, consisting of Sections 9115, 9116, 9117, 9118, 9119, 9120, and 9121, a new Article 12, Chapter 3, consisting of Sections 9310, 9311, 9312, 9313, 9314, 9315, 9316, 9317, 9318, and 9319, a new Article 1, Chapter 4, consisting of Sections 9350, and a Chapter 8, consisting of Sections 9700, 9701, 9702, 9703, 9704, 9705, and 9706, to said code, relating to soil conservation and soil conservation districts.

The people of the State of California do enact as follows:

SECTION 1. Section 9000 of the Public Resources Code is amended to read:

9000. The Legislature hereby declares that the conservation of the soil is of fundamental importance to the prosperity and welfare of the people of this State. Severe pressure has been placed upon the State's soil resources in order to supply the basic food requirements of a greatly expanded population, and the productivity of agricultural, range and forest lands must be preserved and increased if the present standard of living is to be maintained under continuing population increases. Special effort must be made to speed up the present program of soil and water conservation in order to provide for permanent productive use of all remaining resources. To promote such effort, the Legislature believes that the State must assume leadership in formulating and putting into effect a state-wide program of soil and water conservation and hereby declares that the provisions of this division of this code are enacted to accomplish the following purposes:

(a) To provide a means by which the State may cooperate with the United States and with soil conservation districts organized pursuant to this division in securing the adoption in this State of farm, range, and woodland practices and land use best adapted to save the soil resources of the State from unreasonable and economically preventable waste.

(b) To provide for the organization and operation of soil conservation districts comprising all nonurban lands of the State, and such urban areas deemed necessary as hereinafter provided, for the purposes of soil and water conservation, including the improvement of farm irrigation

and land drainage, and to provide means for conserving and supplying water for district lands. Such districts, in addition to their other powers, shall have legal authority:

(1) To cooperate with the United States, this State, counties, public districts, other soil conservation districts, persons, associations, and corporations in matters relating to the control of run-off and to soil conservation through the prevention and control of soil erosion.

(2) With the consent of the owner, to construct on privately or publicly owned lands necessary works for the control of run-off and the prevention and control of soil erosion.

SEC. 2. Section 9016 of said code is amended to read:

9016. "Principal county" means the county of which the board of supervisors has jurisdiction over the proceedings on organization of a district, and is the county in which the land described in the petition for organization of a district is situated, or, if the land is in more than one county, the county in which the greatest portion of the area of the land described in the petition is situated. The principal county remains the same regardless of any change in boundaries.

SEC. 3. Sections 9022, 9024, 9025, and 9026 of said code are hereby repealed.

SEC. 4. Section 9027 is added to said code, to read:

9027. "Committee" means the County Soil Conservation Districts Boundary Committee.

SEC. 5. Section 9041 of said code is amended to read:

9041. The commission shall take state-wide leadership in promoting the organization and operation of soil conservation districts.

SEC. 6. Section 9041.5 is added to said code, to read:

9041.5. The commission shall establish and submit to county boards of supervisors standards and criteria for determining soil conservation district boundaries, and shall make suggestions for representation on county soil conservation districts boundary committees.

SEC. 7. Section 9042 of said code is amended to read:

9042. The commission shall receive county soil conservation districts boundary plans submitted by county boards of supervisors as provided in Section 9071 and shall return such plans to such boards of supervisors with its recommendations or suggested modifications.

SEC. 8. Section 9060 of said code is amended to read:

9060. All nonurban lands of each county and such portions of urban areas as are determined advisable, as provided in Section 9072, shall be included in a soil conservation districts boundary plan to be developed in each county.

SEC. 9. Section 9061 of said code is hereby repealed

SEC. 10. Section 9062 of said code is amended to read:

9062 No lands may be included in more than one district.

SEC. 11. Articles 2, 3, 4, 5, and 6 of Chapter 3 of Division 9 of said code, comprising Sections 9070 through 9152 are hereby repealed.

SEC. 12. Article 2 is added to Chapter 3 of Division 9 of said code, to read:

Article 2. County Soil Conservation Districts Boundary Committee

9070. Within sixty days from the effective date of this act, each county board of supervisors, hereinafter called the "Board", shall

appoint a county soil conservation districts boundary committee, hereinafter called the "Committee", for the purpose of developing a soil conservation districts boundary plan.

9071. The committee shall include one representative of each existing soil conservation district situated wholly or partially within the county, the county assessor or one representative of the county planning commission, if such exists, and one representative of the county district boundary commission, if such exists, and such other local representation exclusive of state and federal agency representatives, but not less than three persons, as determined by the board of supervisors. In addition to such members, the board of supervisors shall elect one of its members to be a member of the committee and he shall serve as its chairman. The board may appropriate funds and establish rates of pay for necessary expenses of the committee.

9072. The committee shall develop a soil conservation districts boundary plan defining the boundaries for districts throughout the county, such districts to include all nonurban lands of the county and such urban areas as the committee, in consultation with city governing bodies, determines should be included. In defining such boundaries, the committee may make whatever changes it deems appropriate in the boundaries of existing districts. The committee may call upon representatives of any local, county, state or federal agency to assist in its work, and it shall consult with like committees of adjoining counties where existing or proposed districts overlap county boundaries, and reach agreements regarding common district boundary recommendations. Within ninety days after its appointment, the committee shall submit its soil conservation districts boundary plan, together with suggested district names, to the county board. In case additional time is required, the committee may request the board for a 30-day extension of time. The committee may be continued as long as the board feels its services are needed, and its members may be replaced by the board when necessary.

SEC. 13. Article 3 is added to Chapter 3 of Division 9 of said code, to read:

Article 3. Approval of Districts Boundary Plan

9101 Upon receipt of the soil conservation districts boundary plan, the board shall determine from such plan whether any of the proposed district boundaries will extend into adjoining counties and, if so, shall furnish the board or boards of any such other county or counties with a copy of the plan. After it has reviewed the plan, the board of the principal county shall submit such plan to the commission.

9102. The commission shall review the proposed districts boundary plan and return it to the board with the commission's recommendations or modifications. Upon receipt of the report of the commission, the board shall, within sixty days, fix a time and place, and give notice thereof, of a public hearing to afford landowners, and other interested persons, an opportunity to make recommendations for final boundary adjustments and changes in district names. It shall notify the board of any other county in which lands of a proposed district may be located in order that such other board, or its representatives, may be present at the hearing.

9103. The notice of the hearing shall be published at least once a week for two successive weeks in a newspaper of general circulation in the principal county and also in some newspaper of general circulation in each county in which a part of the proposed district lies

9104. Following this hearing the board will make such final adjustments between district boundaries and changes in district names as are considered to be in the public's interest. As to those districts which include areas in adjoining counties, the final determination of boundaries shall be made by the board of the principal county upon agreement with the board of any such other county.

SEC. 14. Article 4 is added to Chapter 3 of Division 9 of said code, to read:

Article 4. Establishment of Districts

9110. Within thirty days after the hearing, the board shall, by an order entered in its minutes, declare the establishment of soil conservation districts throughout the county under the names designated. The establishment of the county into soil conservation districts is complete when such order has been entered. The board of any other county into which a part of any such district may extend shall also, within thirty days after the hearing, enter in its minutes an order showing the inclusion of lands of that county within such district or districts. Each board entering such an order shall forward a certified copy thereof to the Secretary of State and to the State Soil Conservation Commission, which shall keep a list showing the boundaries and names of all districts.

9111 The board of the principal county shall, within ten days after the entry of an order declaring a district organized, cause a certified copy of the order to be filed for record in the office of the county recorder of each county in which any portion of the district is located.

SEC. 15. Article 5 is added to Chapter 3 of Division 9 of said code, to read:

Article 5. Proceedings Supplemental to Establishment

9115. Within thirty days of the date on which the establishment of soil conservation districts in the county is complete, the board shall publish a notice to that effect in a newspaper of general circulation throughout the county and also in a newspaper of general circulation in each other county in which a part of a district may lie. These notices shall state that in order for any newly established district to function and to receive assistance from local, county, state and federal agencies, a petition must be presented to the board of the principal county to hold a public meeting for the purpose of organizing the district and selecting an interim governing body consisting of five directors, three to be elected at the public meeting and two to be appointed by the board.

9116. Any twenty-five or more owners of land within a newly established district may petition the supervisors of the principal county in which the district is situated to hold a meeting for the purpose of organizing the district and selecting an interim governing body. Any existing district, the boundaries of which have been changed by the deletion of more than 50 percent of its acreage, will, for the purposes of this section, be considered a newly established district; provided, that such district

shall continue to function under its present board of directors until an interim board is selected in accordance with the provisions of this act.

9117. Within thirty days after the receipt of such petition the board shall fix a time and place, and give notice thereof, for the holding of a public meeting. If the district is situated in more than one county, the board of the principal county shall invite the board of such other county or counties, to participate in the meeting.

9118. The notice shall be published at least once a week for two successive weeks in a newspaper of general circulation in the principal county and also in some newspaper of general circulation in each county in which a part of the district lies.

9119. If at the hearing the board determines that there is not sufficient information on the part of landowners to justify organizing the district, the board shall adjourn the meeting and shall, at the next meeting of the board, request the commission to conduct a series of meetings in the district to inform the public of the purposes of the district. In conducting such meetings, the commission may utilize the services of the Agricultural Extension Service, the Soil Conservation Service and other public agencies and may solicit the help of farmers organizations, such as the California Farm Bureau, Grange, livestock associations, and farm cooperatives, in a position to help, and shall utilize any other means, such as press and radio, which it deems appropriate.

9120 If, at the hearing mentioned in Section 9119 above, the board determines that there is sufficient interest on the part of landowners and operators of the district to justify organization of the district, it will ask for a motion for the election of three members of an interim board of directors. After passage of such a motion, nominations for the positions of district directors will be made from the floor. To qualify for such positions, candidates must own lands within the district. At least three candidates must be nominated. If only three are nominated, the chairman will declare the candidates elected, subject to confirmation of their qualifying as owners of land within the district. If more than three candidates are nominated, the chairman will take a vote and the three candidates receiving the largest number of votes will be declared elected. Any qualified elector residing in the district may vote in this election. Within ten days following the election, the board shall appoint two directors, who must also be owners of land within the district. This interim board of directors will function as provided under Article 7 of this chapter and all subsequent elections of directors will be in accordance with Article 8 of this chapter.

9121. All existing districts, the boundaries of which remain unchanged, shall continue to function under the present board of directors; provided, that for those districts the boundaries of which remain unchanged but which have only three directors, the board of the principal county shall appoint two additional directors, one to serve until the next general election and one to serve until the second next general district election, their successors to be elected in accordance with Article 8 of this chapter.

SEC. 16. Section 9160 of said code is amended to read:

9160. The directors first elected or appointed shall take office immediately upon qualifying.

SEC. 17. Section 9164 of said code is amended to read:

9164. After all have qualified, the directors first elected or appointed shall meet and classify themselves by lot into two classes as nearly equal in number as possible. The term of office of those in the class having the least number shall expire at noon on the first Tuesday in March of the next odd-numbered year after the year in which the meeting is held. The term of office of those in the other class shall expire at noon on the first Tuesday in March of the second odd-numbered year after the year in which the meeting is held.

SEC. 18. Section 9252 of said code is amended to read:

9252. The directors may acquire by purchase, lease, contract or other legal means all lands and property necessary to carry out the plans and works of the district.

SEC. 19. Section 9255 of said code is hereby repealed.

SEC. 20. Section 9261 of said code is amended to read:

9261. The directors shall develop district-wide comprehensive plans for soil and water conservation, including the improvement of farm irrigation and land drainage within the district.

SEC. 21. Section 9280 of said code is hereby repealed.

SEC. 22. Articles 11 and 12 of Chapter 3 of Division 9 of said code, comprising Sections 9290 through 9325, are hereby repealed.

SEC. 23. Article 12 is added to Chapter 3 of Division 9 of said code, to read:

Article 12. Discontinuance of Organization of Districts

9310. At any time after the organization of a district, the board of the principal county may determine in the manner hereinafter provided that continuance of the functioning of the district is not in the best interest of the people of the district.

9311. A petition requesting that organization of a district be discontinued and signed by not less than one hundred landowners of a district may be presented to the board of the principal county. If any part of the district lies in any other county, the board of the principal county shall notify the board of such other county, or counties, that the petition has been received.

9312. If, upon receipt of this petition, the board of the principal county determines that such petition is sufficient, it shall fix a time and place, and give notice thereof, for public hearing upon such petition. All owners of lands lying within the district, and all other interested persons, shall have a right to attend such hearing and be heard. The board shall also notify the board of any other county in which lands of the district may be located.

9313. The notice shall be published at least once a week for two successive weeks in a newspaper of general circulation in the principal county and also in some newspaper of general circulation in each other county in which a part of the district lies.

9314. The board of the principal county shall transmit to the commission a notice of the receipt of the petition and a copy of the notice on the petition. The commission shall advise the board as to the judgment of the commission regarding the proposed discontinuance.

9315. At the hearing the board shall hear and consider all evidence and testimony in favor of or in opposition to discontinuance, and shall consider the advice of the commission, as well as that of the board of any other county in which any part of the district lies.

9316. If the board denies the petition its action is final.

9317. If the board determines that the operation of the district is no longer in the best interests of the people of the district, it shall enter an order declaring the organization of the district discontinued and thereupon the operation of the district is discontinued.

9318. The board of the principal county shall wind up the affairs of a district the organization of which has been discontinued and may do anything necessary to accomplish that purpose.

9319. Upon the completion of the winding up of the affairs of a district the real property of a district shall become the property of the county in which it is situated. The personal property belonging to the district shall be sold by the board of the principal county and the proceeds of such sale and any other money of the district remaining after the payment of all the obligations of the district shall be paid to the general funds of each of the counties in which any part of the district lies in the proportion which the assessed value of the land in the county bears to the total assessed value of the land within the district as determined by the assessment rolls.

SEC. 24. Article 1 of Chapter 4 of Division 9 of said code, comprising Sections 9350 through 9361, is hereby repealed.

SEC. 25. Articles 1, 2, and 3 of Chapter 5 of Division 9 of said code, comprising Sections 9425 and 9492, are hereby repealed.

SEC. 26. Article 1 is added to Chapter 4 of Division 9 of said code, to read:

Article 1. Regular Funds

9350. The board in each county in which a soil conservation district, or a portion thereof is located may, upon a showing by the directors that funds are needed for the purposes of the district for the current year, appropriate money from the general fund of the county for the use of said district. In appropriating such funds, the needs of all soil conservation districts in the county shall be considered prior to allocating funds to any specific soil conservation district.

SEC. 27. Chapter 8 is added to Division 9 of said code, to read:

CHAPTER 8. CHANGE OF DISTRICT BOUNDARY

9700. Petitions signed by a majority of the members of each of the governing bodies of adjoining soil conservation districts may be filed with the board of the principal county in which the districts lie, asking that the boundary line between such districts be changed. The board shall prescribe the form of such petitions, which shall set out the existing boundary line between such districts and the proposed new boundary.

9701. Within thirty days after such a petition has been filed with the board, it shall fix a time and place, and give notice thereof, of a public hearing upon the question of the proposed change of boundary. All owners and occupants of lands lying within the said districts, and all other interested persons, shall have the right to attend such hearing and

be heard. The board shall also notify the board of any other county in which lands of the districts may be located.

9702. The notice shall be published at least once a week for two successive weeks in a newspaper of general circulation in the principal county and also in some newspaper of general circulation in each other county in which a part of the districts may be located.

9703. The board of the principal county shall transmit to the commission a notice of the receipt of the petition and a copy of the notice of hearing on the petition. The commission shall advise the board as to its judgment regarding the proposed change of boundary.

9704. At the hearing the board shall hear and consider all evidence and testimony in favor of or in opposition to the proposed change of boundary, and shall consider the advice of the commission, as well as that of the board of supervisors of any other county in which any part of the districts may be located.

9705. If the board denies the petition its action is final.

9706. If the board determines that the districts within the proposed new boundaries will be administratively practicable and feasible, the board shall enter an order declaring the boundaries changed and setting out the new boundaries, and shall notify the commission and the governing bodies of the districts of its action.

CALIFORNIA SOIL CONSERVATION DISTRICT DIRECTORS AND MEETINGS

Antelope Valley Soil Conservation District

J. Howard Kent, President; Keith M. Bishop, John P. Eliopulos, Joe Godde, Emil Ritter

Meets first Wednesday, basement P. O Building, Lancaster

Big Valley Soil Conservation District

L. Homer Henderson, President; C. M. Davidson, Rex W Gatton, R. K. Sanderson, Sydney J. Stokes.

Meets third Wednesday, 8 p m , Justice Court, Kelseyville

Bitterwater Soil Conservation District

Nessen C Schmidt, President; John Maggini, P. H. O'Connor, Rex P. Smith, A. L. Tully.

Meets first Monday, March, June, September, December, 8 p m , Bitterwater School, Bitterwater.

Black Mountain Soil Conservation District

Vince S. Garrod, President; M. Robert Felton, George J Fisher, Robert F. Pitman (vacancy).

Meets fourth Tuesday, 8 p m , Federated Church, Saratoga

Butte Valley Soil Conservation District

Walter Robison, President; Raymond L Garey, Virgil G Holbrook, Elmer Kappen, L. D. Parsons.

Meets second Monday, 7 30 p m., Soil Conservation Service Office, Macdoel.

Calleguas Soil Conservation District

Wm. Worthington, President; Relph Blanchard, John De Boni, Peter M Dufau, John S. Broome.

Meets second Tuesday, 7 p m , Ventura Ave. and Palm Drive, Camarillo

Central El Dorado Soil Conservation District

Roy M. Marks, President; Leo N. Euch, Lee W. Veerkamp, George H. Volz, R C Wallace

Meets fourth Wednesday, 8 p m , Placerville.

Central Sonoma Soil Conservation District

Daniel A. Whitehead, President; E. R. Brunt, C. E Carli, John Freitas, Helmer O. Johnson.

Meets first Tuesday, 8 p.m , 533 Fifth St., Santa Rosa.

Coastal Soil Conservation District

Ed Fluersch, President; Willard G Barnes, Walter Conley, Ernest Dietrich, Frank A. Knechtel, Jr.

Meets fourth Tuesday, 8 p m , Soledad School, Del Mar

Contra Costa Soil Conservation District

H. H Hale, President; Vernon R. Cakebread, Thomas S. Vanasek, Frank T. Swett, Fred C. Wiedemann.

Meets second Tuesday, 8 p m., 1726 Bonanza St , Walnut Creek.

Corning Soil Conservation District

Lester Z. Mitchell, President; Cecil Church, Byron Jobe, J. Lester Jobe, Lynn Raymond.

Meets first Tuesday, 8 p m , 1120½ Solano St , Corning

Cucamonga-Mountain View Soil Conservation District

J. Lowell Merrill, President; Thomas Carnesi, Paul B. Hofer, John D. Kropp, Alfred F. Signorio.

Meets first Tuesday, 7 p.m., Carnesi Ranch, S. Archibald Ave , Ontario.

Eastern Alameda County Soil Conservation District

Ernest A. Wente, President, Graham Nissen, William Ralph, Dr. R. R. Root, W. G. Wagoner.

Meets third Tuesday, 8 p m , City Council Chamber, Livermore

El Cajon-Lakeside Soil Conservation District

William McClain, President, Allen G. Mitchell, John P. Scripps, Charles J. Shumaker, John Wilkinson.

Meets second Tuesday, 8 p.m., 221 North Magnolia, El Cajon.

Elkhorn Soil Conservation District

Robert Blohm, President; John P. Dolan, Jr , Peter Fanucchi, Nelson F. Giberson, Wilbur C. Sandholdt.

Meets second Tuesday, 8 p m , P. O. Building, Watsonville

Evergreen Soil Conservation District

Hon. John F. Thompson, President; Herman B. Baum, E A. Mirassou, Roy Saltalamachia, E. H. Weld

Meets first Wednesday, 8 p.m., Evergreen Schoolhouse, San Jose.

Escondido Soil Conservation District

John J. Gain, President; William Bevan, G. E Saterlee, Albert Von Seggern, Kenneth Westover.

Meets first Tuesday, 7.30 p.m., 440 North Broadway, Escondido.

Gloria Soil Conservation District

F. Earl Widemann, President; Andy Sorenson, Tom Humbey, George B. Hansen, George W. Hook

Meets second Friday, 8 p m , 5 Main St , Soledad.

Gold Ridge Soil Conservation District

Ezra Briggs, President; Charles Goodale, W. K. Heathorne, Earl W. Schock (Vacancy).

Meets third Thursday, 8 p.m., 218 South Main, Sebastopol.

Julian Soil Conservation District

Fred H. Farmer, President; Franklin L. Barns, Victor Cauzza, Orville A. Cumming, Stanley R. Davis.

Meets first Friday, 8 p.m., Chamber of Commerce, Julian.

Loma Prieta Soil Conservation District

J. R. Parrish, President; Albert A. Allemand, Charles W. Harrison, John H. Stelling (Vacancy).

Meets first Tuesday, 8 p.m., Soil Conservation Service Office, Morgan Hill.

Lompoc Soil Conservation District

J. M. Wilson, President; Percey Beattie, Robert C. Lilley, Harold Mercer, Dibblee Peett.

Meets last Monday, 7.30 p.m., Room 3, Security 1st National Bank Building, Lompoc.

Los Banos Soil Conservation District

Anthony Machado, President; Sylvester Cardoza, Chas. B. Machado, Antone Pugliese, John Roselli.

Meets first Wednesday, 8 p.m., Room 101, Miller & Lux, Los Banos.

Lower Lake Soil Conservation District

Leslie McIntire, President; Verne Harrison, Gene Noble, Walter F. Reichert, Arno Timothy.

Meets first Tuesday, 8 p.m., Soil Conservation Service Office, Lower Lake.

Middle San Luis Rey Soil Conservation District

F. G. Barnard, Jr., President; A. H. Anthony, L. A. Reineman, Robert H. Pankey, Chas. F. Stubblefield.

Meets second Thursday, 2 p.m., Reineman Building, Fallbrook.

Middletown Soil Conservation District

Vernon C. Williams, President; John P. Armstrong, Jesse Baldwin, E. Nevins, James R. Silva.

Meets last Thursday, 8 p.m., Justice Courtroom, Middletown.

Mira Loma Soil Conservation District

Charles N. Marietta, President; George Buccola, Bernard D. Balleano, Walter T. Garner, H. H. Kuhlman.

Meets first Tuesday, 8 p.m., Union Joint School, Mira Loma.

Mission Soledad Soil Conservation District

A. L. Roddick, President; Alfred Binsacca, Victor Lanini, Ray Rianda, Manley Sullivan.

Meets first Friday, 8 p.m., 5 Main St., Soledad.

Mono County Soil Conservation District

George Koenig, President; William Blackwell, J. O. Hintze, Brooks Parks, Eugo Sciarani.

Meets second Thursday, 8 p.m., Library, Grammar School, Coleville.

Mountain Empire Soil Conservation District

D. H. Foster, President; Ronald C. Kemp, J. Ray McClelland, George Sawday, Jack Whitehead.

Meets first Thursday, 7.30 p.m., Old Rock Store, Campo.

Napa County Soil Conservation District

August Brucker, President; Norris K. Davis, Mervin Eaton, Andrew Fagiani, Stanley Jones.

Meets first Tuesday, 2 p.m., 742 Randolph St., Napa.

Nevada County Soil Conservation District

Clarence E. Gassaway, President; Clarence R. Cunningham, Clarence G Green, Herbert Pingree, K. J. Rolph.

Meets first Thursday, 8.30 p.m., Veterans Memorial Bldg., Grass Valley.

North Orange County Soil Conservation District

T K. Gowen, President; Hubert C. Ferry, Kenneth Kessler, William H. Montague, W. Guy Steele.

Meets second Wednesday, 8.30 a.m., 240 Berry St., Brea.

Pajaro Soil Conservation District

Stanley J. Phillips, President; Joseph P. Chamberlain, Lester T. Ford, Foster Hutchings, George V. Peterson.

Meets fourth Tuesday, 8 p.m , 318 Unions St., Watsonville.

Pit Soil Conservation District

Ernest G. Babcock, President; Asa Brown, Frank Iverson, Melvin D. Myers, George Parker.

Meets second Thursday, 7.30 p.m., Old Bank of America Bldg., Bieber.

Placer County Soil Conservation District

Francis G. Lindsay, President; Henry M. Cullers, P. L. Taylor, Robert W. Towers, E. O. Williams.

Meets fourth Tuesday, 2 p.m., American Fruit Growers Office, Newcastle.

Pomerado Soil Conservation District

Ralph D. Powers, President; Florence C. Fleisher, Harry W. Frame, Reuben Tannenbaum, Ed Van Dam.

Meets second Friday, 8 p m., Pomerado Union School, Poway.

Quail Lake Soil Conservation District

Harry H. Holland, President; August Anderson, Roy Bakman, John E. Blood, James L. Ralphs.

Meets first Thursday, 7.30, p.m., Gorman School, Gorman.

Ramona Soil Conservation District

Ralph E. Foster, President; James Dukes, Chas. C. Sawday, Stanley Trussel, Will S. Kunkler.

Meets first Wednesday, 1 p.m., 675 Main St., Ramona.

San Felipe Soil Conservation District

Thomas Medeiros, President; Cecil L. Carlyle, John Costa.

Meets third Friday, 7.30 p.m , Farm Advisor's Office, Hollister.

San Fernando Valley Soil Conservation District

L. E. Hadley, President; Perry Mulholland, John E. Pickering, A. M. Powers, Fred J. Whittaker.

Meets first Monday, 1 30 p.m., 2033 Fourth St , San Fernando

San Gorgonio Soil Conservation District

Lewis W. Haskell, President; Sid Bridges, John C Brinton, C. O. Barker, Jr., Ralph D. Capps

Meets first Wednesday, 8 p.m., 304 W. Fifth St., Beaumont.

San Marcos-Richland-Twin Oaks Soil Conservation District

A. N. Chamness, President, D A McAleese, Graham Nash, Dan H. Wilson, Tipton L. Wood.

Meets second Wednesday, 8 p.m., Community Hall, San Marcos.

San Mateo County Soil Conservation District

Roderick I. McLellan, President; Manuel F. Cunha, J. A Kellam, Victor Magrin, Emilio J Montevaldo

Meets last Thursday, 1 30 p m, Soil Conservation Service Office, Main St, Half Moon Bay.

San Vicente Soil Conservation District

(Not organized)

Scotts Valley-Upper Lake Soil Conservation District

Gene Burger, President; Sheldon T Deacon, Donald M. Griner, Paul Keil, T. H Mitchell.

Meets fourth Wednesday, 8 p.m., Soil Conservation Service Office, Lakeport

Sierra Valley Soil Conservation District

Edgar N. Palen, President; A. B Church, D. F Evans, Bruce Miles, Arthur E Strang.

Meets second Monday, 8 p m. Soil Conservation Service Office, Loyalton

Simi Valley Soil Conservation District

D L. Strathearn, President; J Arnold Appleton, James H. Hitch, Joseph E Smith, J. Andy Waters

Meets Thursday, 8 p.m., Old Grammar School Bldg., Santa Susana.

Southern Coastal Santa Barbara County Soil Conservation District

Egisto Giorgi, President; Gordon A. Ballard, John J. Hollister, Jr, Harry Russell, George W. Smith

Meets first Tuesday, 1.30 p m, 312 Chapala St, Santa Barbara

Tehachapi Soil Conservation District

J C. Jacobsen, Jr, President; Al Bailey, Walter Eisenman, Ewald Handel, Sam Iriart.

Meets third Tuesday, 7 p.m, Legion Hall, Tahachapi

Upper San Luis Rey Soil Conservation District

George Walker, President; Jack C. Adams, W. E Coleman, Harvey Long, W. A. Wilkinson

Meets last Friday, 7 30 p m, Soil Conservation Service Office, Pauma Valley, Pala

Upper Santa Clara Soil Conservation District

William G. Bonelli, Jr., President; Carl I. Baker, George Bushell, Charles H Kellogg, Leonard M. Luglan.

Meets third Thursday, 8 p.m., Courtroom, Justice Hall, Newhall.

Valley Center Soil Conservation District

Delno A. Green, President; Roscoe G. Ewers, G. A. Henry, Walter M. James, L. J. McFeeters.

Meets second Monday, 7 30 p m, Valley Center School, Valley Center

Willits Soil Conservation District

John E. Munson, President; Robert H. Corbett, Jr., William E Rucker, J. Harvey Sawyers, Thomas E Simonsen.

Meets last Friday, 8 p m, 1363 Main St, Willits

Yucaipa Valley Soil Conservation District

A. L Peters, President; John P. Greven, Alan T Johnson, N A McAnally, Maurice Shumaker.

Meets second Tuesday, 8 p m, 128 W Yucaipa Blvd, Yucaipa.

PRELIMINARY REPORT
INTERIM FACT-FINDING COMMITTEE ON WATER POLLUTION

January 19, 1949

MR SPEAKER: There is presented herewith, in preliminary form, a brief summary of the major findings and recommendations of your Fact-Finding Committee on Water Pollution, as authorized and directed under House Resolution No. 27 of the 1947 Regular Session. This preliminary report is presented as a statement of the *intent* of four bills which will be introduced to implement the committee's recommendations.

The findings and recommendations which are stated represent a nearly unanimous consensus of opinion of all those who have taken part in the extensive hearings and investigations of your committee during the past 18 months As presented in bill form the recommendations will necessarily be brief and incomplete, but as such they are an initial common ground of agreement from which your committee, in a few further hearings, may proceed to build up the complete detail of its recommended legislation The urgency of obtaining action on this complex and critical problem at the 1949 Regular Session of the Legislature is acknowledged by all The possibility of reaching a sound and practical solution of lasting value is increased by approaching the matter in this way, rather than by presenting a completed structure of legislation which has not been fully developed in public hearings.

The purpose, therefore, of this preliminary report is to provide a starting point from which your committee may advance to the complete detail of acceptable legislation for *effective* and *equitable* control of water-pollution in California At the time that the bills are amended to their final form, the full report of the committee, including a record of future hearings, and possibly including the formal statements of representatives of the many interested groups, will be presented.

The task of investigation and analysis of the facts surrounding literally thousands of instant cases of pollution or threatened pollution has been difficult and time-consuming. This study of factual details of existing conditions, however, has not only provided the committee with a sound basis for its conclusions, but it has also resulted in actual physical progress toward solution of many critical pollution conditions throughout the State. Your committee wishes to express its grateful thanks to the hundreds of persons, representing the many governmental, agricultural, industrial, and recreational interests involved, for their generous and invaluable assistance which has demonstrated the practicability of a cooperative approach to this problem

Summary of Preliminary Proposals

Existing laws and administrative procedures do not provide for *effective* and *equitable* control of water-pollution under present conditions of rapid growth of population in California.

The public health is not protected with sufficient *certainty* from the effects of sewage-polluted waters.

There is unquestioned and unanimous agreement between everyone concerned in this problem that whatever changes are made in our laws must strengthen the power of the State to insure complete protection of the people from the spread of communicable disease or poisoning by polluted water.

Maximum usefulness of the water resources of the State is impaired by the effects of *unreasonable* practices in the disposal of sewage and industrial waste; at the same time economic development of the State is being jeopardized by undue restriction on the *reasonable* use of land and water for *necessary* waste disposal purposes.

The tremendous growth of population in California demands planning for a supporting balance of industry and recreational facilities, without damage to existing agricultural development. Protection of our water resources, and provision for maximum use and reuse of water, is the most important factor in that planning.

Therefore, to insure effective abatement of water-pollution and equitable control of waste-disposal practices, existing laws should be amended to accomplish the following purposes:

1. **To strengthen existing laws for protection of the public health from effects of water-pollution** by providing clear distinction between conditions which justify emergency action, and those which are subject to orderly and planned corrective procedures, by amendment of the Public Health and Safety Laws.

a. To provide for emergency and peremptory action to abate pollution which constitutes an *imminent threat* to the public health through spread of communicable disease or poisoning; such action to be the peremptory order of the State Department of Health or the local health authority for specific emergency measures;

b. To provide for emergency action to correct pollution conditions which are causing *permanent* and *irreparable* damage to surface or underground waters; such action to be injunctive relief, with court order for emergency measures pending adjudication;

c. To provide that in all other matters, which do not constitute imminent hazards as stated above, action for correction, prevention or control of water pollution shall be taken in full cooperation with all local governmental agencies or other parties at interest; to provide that such action shall be based upon separate consideration of the local conditions of land and water use, and shall include consideration of *all* economic factors involved;

d. To provide statutory authority to enable the State Health Department to recognize the jurisdiction of a local agency, and accept its actions as sufficient under this law in any particular pollution problem;

e. To alter present practices concerning "permits" for sewage and waste disposal by provision that the agency having jurisdiction shall state its requirements in terms of *specific conditions to be maintained,* and to provide that the agency may make a report to any community or industry as to the types of alternative treatment procedures which may accomplish this, and shall make such report when requested, and may obtain from the community or industry any information relative flows, processes or other facts only so far as necessary to evaluate the potential hazards involved;

f. To provide in the law that prime responsibility for proper disposal of waste rests with any agency operating a community or cooperative waste collection system; and to provide that action against contributors to such system may be taken only after failure of action against the responsible agent, and only in matters of imminent hazard to the public health, or permanent damage to a natural resource;

g. To provide for extension of processes of eminent domain so that necessary lands and rights of way for sewerage works may be taken and entered upon while condemnation proceedings are in progress;

h. To perfect the laws relating to certain public domestic water supplies, particularly the so-called "small" water systems and the water supplies of resorts, camps, etc., to make possible practical action by state or local health authorities to insure complete protection of those water supplies from pollution by sewage.

2. **To coordinate the action of the many governmental agencies and private interests concerned in pollution control** by creation of a State Pollution Control Board, and seven regional pollution control boards for the seven major drainage areas of the State; the regional boards to be composed of five persons representative of city government, county government, industry, agriculture, and the public at large; the elected chairmen of each of the regional boards to hold membership on the State Pollution Control Board, along with the directors of the State Departments of Natural Resources, Public Health, Public Works, and Agriculture.

The regional boards to have the duty to obtain coordinated action, through formal or informal meetings of all interested parties, with respect to all matters concerning water-pollution, its abatement, prevention and control; to have the duty to encourage and assist in effecting self-policing waste disposal programs for industry; to have the power to call upon any state or local agency for inspection, for determination of technical factors involved, or for other report; to have the power to request enforcement action from any state or local agency; to have the power to hold hearings and make rulings relative to any of the points at issue in problems of pollution control, except matters related to imminent hazard to the public health; to have the duty and authority to formulate and adopt long-range plans and policies with respect to all matters of water-pollution control within the watersheds of the region; to have the duty to recommend to the State Pollution Control Board projects

which are considered eligible for any financial assistance which may be made available through the state board; to provide for review by the courts of rulings of the regional boards.

The State Pollution Control Board to act in an advisory capacity to the regional boards; to have the duty to formulate over-all state policy for water-pollution control with due regard to programs adopted by the regional boards, and to make recommendations to appropriate state agencies to effect such policies; to have the duty to administer any program of state financial assistance for pollution control which may be assigned to it by law, and to have the power to accept funds from the Federal Government or from any other source for disbursement as loans or grants for assistance in pollution control; to have the power to administer any state program of research in technical problems of water-pollution control which may be assigned to it by law, and to have the power to accept funds from the Federal Government, or from any other source, for disbursement to state or local governmental agencies, or to any other agency, for this purpose.

3. **To assist communities in the solution of fiscal problems which presently impede sewerage improvements,** by provisions to liberalize laws relating to limitations on taxation for public sewerage improvements, and/or to provide a source of state funds to be used to assist in construction of required sewage treatment plants by communities; such state funds to be administered by the State Pollution Control Board, with due consideration given to the recommendations of the regional boards, and on the basis of the urgency of each particular pollution control problem; the administration of such funds to allow for deferred repayment agreements, or other means for equalization to be applied in those cases where, because of unusual conditions, a high degree of treatment is required and the cost of the necessary works is greater than can be currently supported by the local development; to provide for appeals from orders establishing sewer rentals or sewer service charges before the regional boards and the state board, the state board to have access to services of the State Public Utilities Commission in such an appeal and determination; to provide that any industry, located in any city or district of any type may proceed with its own resources to dispose of its wastes separately from the community, and in such event shall not be subject to assessment of either taxes or rentals or service charges for support of the community sewerage facilities.

4. **To provide for a continuing survey of the quality of the water resources of the State,** including all surface and underground waters; such survey to be conducted by the Division of Water Resources, Department of Public Works, with the duty to report to the State Pollution Control Board upon the conditions found, and upon the sources of pollution of whatever nature; to provide that the division shall prepare and submit recommendations to the state board as to any possible steps which may be taken to correct or prevent a condition of pollution from natural causes, and upon request of any of the regional pollution control boards shall make special studies of water quality in specified localities, which studies may include matters relating to a specific disposal problem, or

to the use of reclaimed water for recharge of underground basins, or to good practice for construction of wells in any locality, or to methods for sealing of abandoned wells, or to any matters relating to water-quality control; to provide that the division shall at all times immediately recommend to the State Pollution Control Board, and to the appropriate regional board, minimum standards for well-construction practices in any particular locality, whenever in its opinion the quality of the underground water in that area may be adversely affected by failure to use such methods; to provide that the state board, after due hearing before the appropriate regional boards, and upon recommendation of the regional board, may by issuance of an order establish minimum standards for well construction in a particular locality; to provide for registration of existing wells, and the registration and filing of the logs of newly constructed wells with the division.

It is recognized by your committee that there are many specific details of existing laws and administrative procedures which are debatable as to their effect upon the progress of pollution abatement and control. To appraise such minor matters now would be unwise, in the opinion of your committee, since it is felt that a solution to most of those problems will be found in due course of events when the major steps which have been outlined are placed into operation.

Respectfully submitted,

RANDAL F. DICKEY, Chairman
J. G. CRICHTON
JONATHAN J. HOLLIBAUGH
T. J. DOYLE
ERNEST C. CROWLEY
JAMES W. SILLIMAN
RICHARD J. DOLWIG
R. H. MCCOLLISTER
GLENN M. ANDERSON

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, upon adjournment—

Interim Committee on Highways, Streets, and Bridges in the room of the Sergeant-at-Arms.

Manufacturing, Oil, and Mining Industry.

Rules, in Room 432.

Municipal and County Government.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Walter Mellott of Newport Harbor.

On request of Mr. Way, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruby Hyman of Fort Bragg

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Oliver McCommon of Hawthorne.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Charles H Wortham of Redondo Beach.

On request of Messrs. Lipscomb and Waters, the usual courtesies of the Assembly for this day were unanimously extended to Jim Bishop of Los Angeles.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Jim Allen of North Sacramento.

On request of Mr. Cramer, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. Clifford E Brodie of Oceanside.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to O. K. Beeson of Venice, M. L. Fenwick of Torrance, and Al Keifer of Oakland.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. J. F Thompson and Mrs. Jack Hughes of Bijou.

On the request of Messrs. Morris and Hawkins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John W. Perry and Mr. and Mrs. Robert Kipper of Los Angeles.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Verne Wilcox, teacher, and the following pupils of the Gridley Union High School: Nadene Clegg, Virginia Hill, Thelma Halkas, Sylvia Cooper, Ruth Claypool, Delores Zeller, Lester Ramsey, Edgar Brubaker, Howard Barnes, Ronald Anstead, Lee Mathis, Bobby Freeman, Alan Stickler, Don Prather, Don Tipton, Ralph Rowley, Lyda Horn, John Anglen, Edith Little, Karmen Newell, Shirley Medici, John Ingram, Ian McVarish, Lee Watkins, John Hills, Worth Handley, Jim Tibbs, Milton Stewart, G. R. Loughmiller, Carl Waters, Glen Lockhart, Don Shirley, J. H. Hardy, Ivan Pike, Orval Gordon, Lloyd Dolan, Betty Muncy, Floyd Keen, Lawrence Butcher, Imogene Wilson, Verda Walton, Effie Cameron, Juanita Coe, Geraldine Ritter, Helen Wheeler, Yvonne Billingsley, Eleanor Panecaldo, Barbara King, Evelyn Jones, Irene Hughes, Frances Whiteside, Dorothy DeHoff, Wanda Barnes, Bonnie Barnes, Maurice Marr, Betty Dillard, Virginia Triplett, NeDean Davis, Shirley Wedin, Genevieve Cardoza, Margaret Fullwood, Dan Hendrix, James Fife, Donald Fife, Gene Williams, Linda Hepworth, Idonna Hepworth, Brice Gibbs, and James Wheeler.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Newell Perry and Mrs. Emma Burnham of Berkeley, Mrs. James Fisher of Vallejo, and Mr. and Mrs. Freeman Parkenson, of Kansas.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Walter Packer of Alhambra.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Evelyn Russell, Mrs. Gabrielle FitzGerald, Michael FitzGerald, and Hartley Russell of Benicia.

ADJOURNMENT

At 3.11 p.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, January 20, 1949.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWELFTH LEGISLATIVE DAY

EIGHTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, January 20, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr Torrance Phelps:

God of Rectitude May we strengthen in this moment our love of right and adoration of the ideal, so we shall be able to resist the allurements of evil.

Let us see how the sins of selfishment and passion, to which multitudes surrender, cause many problems with which we wrestle here, and the crime that burdens society

May we see how temptations spring like beasts of prey upon the unwary, and mortally wound or degrade them in body and soul

When temptations suddenly assail us, clothed in enticing colors, may we think of the sorrowful consequences to ourselves, to the family that loves us, and to the community that needs our integrity

Day by day, may we exercise the habit of overcoming every temptation, so that we shall do right without hesitation or reservation, and acquire the blameless and unselfish character which is the basis of domestic and social stability —AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Thompson, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER SACRAMENTO, January 20, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 383

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 62

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 62—An act providing for a declaration of a water shortage emergency by the governing body of a distributor of a public water supply, authorizing the regulation and restriction of water deliveries and consumption during a water shortage emergency, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 931: By Messrs. Burkhalter and Brady—An act to amend Section 13676 of the Education Code, relating to employees' leaves of absence.

Referred to Committee on Education.

Assembly Bill No. 932: By Messrs Silliman and Price—An act to amend Section 4573.5 of the Penal Code, relating to the introduction of drugs into prisons, institutions, camps, farms, and other places under the jurisdiction of the Department of Corrections, and the possession of drugs therein.

Referred to Committee on Crime and Correction.

Assembly Bill No. 933: By Messrs. Anderson, George D Collins, Hawkins, Beck, Bennett, Brown, Condon, Elliott, Kilpatrick, Lewis, McCarthy, Rosenthal, and Rumford—An act to add Section 2751 to the Labor Code, relating to minimum wages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 934: By Mr. Erwin—An act to amend Section 427 of the Fish and Game Code, relating to hunting licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 935: By Mr. Erwin—An act to amend Section 407 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 936: By Mr. Erwin—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Referred to Committee on Fish and Game.

Assembly Bill No. 937: By Mr. Erwin—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 938: By Mr. Erwin—An act to amend Section 430 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 939: By Mr. Erwin—An act to amend Section 497 of the Fish and Game Code, relating to closures to fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 940: By Mr. Erwin—An act to repeal Sections 535, 536, 536.5, 536.6, 536.7, 536.8, 536.9, 537, 538, 539, 540, and 541 of, and to add Sections 535, 536, 537, 538, 539, and 540 to the Fish and Game Code, relating to fish screens.

Referred to Committee on Fish and Game.

Assembly Bill No. 941: By Mr Erwin—An act to amend Section 1158 of the Fish and Game Code, relating to hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 942: By Mr. Cooke—An act to amend Section 13 of the County Waterworks District Act, relating to property and obligations of county waterworks districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 943: By Mr. Erwin—An act to repeal Sections 1040, 1041, and 1042 and to amend Section 1043, of the Fish and Game Code, relating to fish breeding.

Referred to Committee on Fish and Game.

Assembly Bill No. 944: By Mr. Morris—An act to add Section 18939 to the Government Code, relating to civil service medical examinations

Referred to Committee on Public Health.

Assembly Bill No. 945: By Messrs Connolly, Grant, and Thompson—An act to amend Sections 1670 and 1679 of the Business and Professions Code, relating to disciplinary action against licensed dentists

Referred to Committee on Public Health.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 6 FROM COMMITTEE CONTINUED

Mr. Heisinger asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Joint Resolution No 6 from committee be continued until the next legislative day.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 383—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, as amended, and to amend Section 53737 of the Government Code, relating to capital outlays by cities, counties, cities and counties, or districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote.

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Mr Speaker—63

NOES—None

Request for Unanimous Consent That Name Be Recorded on Roll Call

Mr. Lowrey asked for, and was granted, unanimous consent that his name be added to the roll call on the urgency clause on Assembly Bill No. 383, and that he be recorded as voting "Aye"

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

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 295—An act to add a new division to the Vehicle Code, to be numbered 9b, relating to the regulation, control and policing of vehicles and vehicular traffic on privately owned toll bridges and the approaches thereto, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Nicholson, Price, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—63

NOES—None

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Nicholson, Price, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 425—An act to amend Section 781 of the Vehicle Code, relating to disposition and transfer of moneys from the Motor Vehicle Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 425 passed on file temporarily.

ANNOUNCEMENT

Mr. Ralph C. Dills announced that he is holding, at his desk temporarily, a resolution memorializing Congress to confirm ownership of tide and submerged lands in California, and that anyone desiring to be a co-author may sign said resolution.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 5

Assembly Joint Resolution No. 9

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 21

Senate Concurrent Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, January 19, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 479

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 479—An act to amend Section 3423 of the Public Resources Code, relating to delinquent assessment and charges for the Petroleum and Gas Fund, Division of Oil and Gas, Department of Natural Resources.

Bill read second time, and ordered engrossed.

ANNOUNCEMENT

Mr. Stanley announced that he is holding some bills, which are urgency measures, in the Committee on Municipal and County Government; and that he will not set the bills for hearing until the authors confer with him and properly request him to do so.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER. Your Committee on Rules, to which was referred

A communication from Legislative Counsel dated January 17, 1949, addressed to the Honorable Ralph C. Dills, subject: "Immunity in Legislative Proceedings" (No. 2957). Has had the same under consideration, and reports the same back with the recommendation: Be printed in Journal.

DICKEY, Chairman

COMMUNICATION ORDERED PRINTED IN JOURNAL

Pursuant to recommendation of the Committee on Rules, the following communication from the Legislative Counsel was ordered printed in the Journal.

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 17, 1949

Hon. Ralph C. Dills
Assembly Chamber

Immunity in Legislative Proceedings—No. 2957

DEAR MR. DILLS: You have asked us to inform you as to when and under what circumstances a witness before a legislative committee obtains immunity in connection with his testimony, and what a committee can do to prevent such immunity from attaching.

It is our opinion that.

(1) The immunity extends to every person "sworn and examined before a legislative committee";

(2) The immunity extends only to "any fact or act touching which he is required to testify";

(3) The immunity does not extend to volunteered testimony; and

(4) The immunity is a personal privilege and may be waived by the witness

Section 9410 of the Government Code which provides for immunity to a witness before a legislative committee reads.

> 'A person sworn and examined before the Senate or Assembly, or any committee, can not be held to answer criminally or be subject to any penalty or forfeiture for any fact or act touching which he is required to testify. Any statement made or paper produced by such witness is not competent evidence in any criminal proceeding against the witness. The witness can not refuse to testify to any fact or to produce any paper touching which he is examined for the reason that his testimony or the production of the paper may tend to disgrace him or render him infamous. Nothing in this section exempts any witness from prosecution and punishment for perjury committed by him on examination."

It will be noted that the witness, under this section, is not entitled to immunity until (1) he is sworn and examined, and (2) is "required" to testify. The latter provision implies some degree of compulsion, and there is some uncertainty in the decisions as to just when a witness is "required" to testify. It has been held that a witness must expressly claim the immunity and that if he fails to do so the testimony is not regarded as being under compulsion (*United States* vs. *Skinner*, 218 Fed 870; see also *People* vs. *Eiseman*, 78 Cal. App 223), but other cases imply that any witness who is sworn is required to testify and acts under compulsion (See *People* vs *Schwarz*, 78 Cal App. 561.).

The safe procedure for any committee to adopt to avoid granting immunity to a witness is to make it plain, on the record, that his testimony is voluntary. If the testimony is voluntary, the witness does not come within the statute, and the immunity does not attach (In *re Connolly*, 16 Cal. App 2d 709). The immunity granted is personal to the witness, and can be expressly waived by him

Very truly yours.

FRED B. WOOD, Legislative Counsel
By A. C. MORRISON, Deputy

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER. Your Committee on Rules, to which were referred:

House Resolution No. 46
House Resolution No. 52
House Resolution No. 51

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

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

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

Assembly Bill No. 946: By Messrs Connolly, Grant, and Thompson—An act to repeal Article 4 of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code consisting of Sections 350 to 354, inclusive, and to add Article 4 to Chapter 2 of Part 1 of Division 1 consisting of Sections 350 to 356, inclusive, relating to a Division of Dental Health.

Referred to Committee on Public Health.

Assembly Bill No. 947: By Messrs. Connolly, Grant, and Thompson—An act to amend Section 1615 of the Business and Professions Code, relating to the per diem of the members of the Board of Dental Examiners.

Referred to Committee on Public Health.

Assembly Bill No. 948: By Messrs Hawkins, Rumford, Clayton A. Dills, Condon, Anderson, Burkhalter, Coats, George D. Collins, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Kilpatrick, Lewis, Morris, Moss, Mrs. Niehouse, and Mr. Rosenthal—An act to add Article 5, comprising Sections 11628 and 11629 to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704 of said code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 949: By Messrs. Hawkins and Anderson—An act to add Section 227 to the Labor Code, relating to wages.

Referred to Committee on Industrial Relations

Assembly Bill No. 950: By Mr. Hawkins—An act to add Section 1631.5 to the Labor Code, relating to fees charged by employment agencies.

Referred to Committee on Industrial Relations.

Assembly Bill No. 951: By Mr. Hawkins—An act to repeal Chapter 113 of the Statutes of 1913, and to repeal an initiative act entitled "An act relating to the rights, powers and disabilities of aliens and of certain companies, associations, and corporations with respect to property in this State, providing for escheats in certain cases, prescribing the procedure therein, requiring reports of certain property holdings to facilitate the enforcement of this act, prescribing penalties for violation of the provisions hereof, and repealing all acts or parts of acts inconsistent or in conflict herewith," submitted by the initiative and adopted and approved by the electors of the State of California, November 2, 1920, and all acts amendatory thereof, and supplementary thereto, relating to the rights, powers and disabilities of aliens and of certain companies, associations, and corporations with respect to property.

Referred to Committee on Judiciary.

Assembly Bill No. 952: By Messrs. Geddes, Doyle, Hollibaugh, and Lowrey—An act relating to the agricultural pest known as the Oriental fruit fly and making an appropriation to be expended for preventing the entry into this State of such pest and controlling or eradicating such pest within this State, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 953: By Messrs George D Collins and McCarthy—An act adding Chapter 4, comprising Sections 10500 to 10507, Part 2, Division 2, Title 2 of the Government Code, creating for the Legislative Department an agency in aid of its functioning, to facilitate the formulation of legislative policies and the coordination of legislative activities, and defining the agency's powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 954: By Messrs George D. Collins and McCarthy—An act making an appropriation for the support of the Legislative Counsel.

Referred to Committee on Ways and Means.

Assembly Bill No. 955: By Mr Hollibaugh—An act to add Chapter 10, comprising Sections 21700 to 21722, inclusive, to Division 8 of the Business and Professions Code, relating to solicitation of funds for scientific medical research

Referred to Committee on Public Health

Assembly Bill No. 956: By Messrs. Ralph C. Dills, Cramer, Dunn, Waters, Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, George D Collins, Condon, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger Hollibaugh, Huyck, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Mrs. Niehouse, Messrs. Rumford, Stanley, Thomas, Thompson, and Way—An act to amend Sections 14479, 14521, 14601, 14631, 14635, 14636, and 14640 of, and to add Article 10.1 to, Chapter 14 of Division 7 of, the Education Code, relating to the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Constitutional Amendment No. 35: By Mr. Sam L. Collins—A resolution to propose to the people of the State of California an amendment to Section 25a of Article IV of the Constitution of the State, relating to horse racing, and wagering on the results thereof.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 957: By Mr. Thompson—An act to add Chapter 10, consisting of Sections 4500 to 4562, inclusive, to Division 2 of the

Business and Professions Code, relating to the licensing, course of study, training and practice of practical nurses.

Referred to Committee on Public Health

Assembly Bill No. 958: By Mr Grunsky—An act to add Section 14438 to the Business and Professions Code, relating to containers and container brands.

Referred to Committee on Judiciary

Assembly Bill No. 959: By Mr Erwin—An act to amend Section 1016 of; and to add Sections 1016.1 and 1016.2 to the Fish and Game Code, relating to fish packing and reduction privilege taxes.

Referred to Committee on Fish and Game.

Assembly Bill No. 960: By Messrs. Kilpatrick, Burke, Bennett, and Hahn—An act to add Section 1203.02 to the Penal Code, relating to probationers.

Referred to Committee on Judiciary.

Assembly Bill No. 961: By Messrs Kilpatrick, Burke, Bennett, and Hahn—An act to add Section 6029.1 to the Penal Code, relating to places of detention of persons in custody of the law, and making an appropriation.

Referred to Committee on Judiciary.

Assembly Bill No. 962: By Messrs. Kilpatrick, Burke, Bennett, and Hahn—An act to amend Section 3060 of the Penal Code, relating to parole.

Referred to Committee on Judiciary.

Assembly Bill No. 963: By Messrs Burke, Hahn, and Kilpatrick—An act to add Section 25252.5 to the Government Code, relating to probationer's loan funds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 964: By Messrs Lewis and Heisinger—An act to amend Sections 3, 9, 24, 36, 36a, 41, 46, 51, and 640 of the California Water Storage District Act, relating to organization and elections of, and inclusion of land in, water storage districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 965: By Messrs. Lewis, Gaffney, Rosenthal, George D. Collins, Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Condon, Cooke, Crichton, Crowley, Doyle, Dunn, Elliott, Hagen, Hawkins, Heisinger, Kilpatrick, McCarthy, McMillan, Moss, and Rumford—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4224, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 966: By Mr. Ralph C Dills—An act to amend Section 14122 of the Education Code, relating to school district merit systems for noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 967: By Mr. Ralph C Dills—An act to amend Sections 14112, 14127, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees.

Referred to Committee on Education.

Assembly Bill No. 968: By Mr. Sherwin—An act amending Section 124 of the Welfare and Institutions Code, relating to availability of appropriations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 969: By Mr Burkhalter—An act to amend Section 1015.5 of the Fish and Game Code, relating to the privilege tax on sardines.

Referred to Committee on Fish and Game.

Assembly Joint Resolution No. 12: By Messrs Condon, Moss, George D Collins, Anderson, Bennett, Brown, Coats, Crichton, Elliott, Gaffney, Kilpatrick, Lewis, McCarthy, Rosenthal, and Rumford—Relative to memorializing Congress concerning minimum wage legislation.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT

Mr. Price asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 20, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 20

Senate Concurrent Resolution No. 20—Relative to felicitating the San Bernardino Daily Sun and its editor, James A. Guthrie, on the occasion of the opening of its new publishing establishment.

Resolution read.

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

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Added to the Roll Call

Mr. Weber asked for, and was granted, unanimous consent that his name be added to the roll call on Senate Concurrent Resolution No 20, and that he be recorded as voting "Aye."

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred,

Assembly Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ANNOUNCEMENT

Mr. Silliman announced that an Assembly concurrent resolution he is going to introduce, relative to the creation of a Joint Committee on Governmental Reorganization, is being held at the desk, temporarily, so that members who desire to become co-authors may so do.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 83—An act to amend Section 9357.2 of the Government Code, relating to retirement of Members of the Legislature, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Senate Bill No. 83 passed on file temporarily

Senate Joint Resolution No. 3—Relative to memorializing the President and the Congress of the United States in relation to the effect of the recent freezing weather conditions on the agricultural industry of California.

Resolution read.

Roll Call Demanded

Messrs Burke, Silliman, and Lewis demanded a roll call.

The roll was called, and Senate Joint Resolution No. 3 adopted by the following vote.

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Morris, Moss, Price, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Weber—58

NOES—Conrad and Sherwin—2

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT USE OF ASSEMBLY CHAMBER BE PERMITTED

Mr. Caldecott asked for, and was granted, unanimous consent that use of the Assembly Chamber be permitted on Tuesday, January 25th, at 4 p.m., for the purpose of showing a motion picture of the Pasadena Rose Bowl New Year's Day game.

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

The following bills were introduced, and read the first time

Assembly Bill No. 970: By Messrs Dunn, Caldecott, Erwin, Mrs. Niehouse, Messrs. Beck, Berry, Burkhalter, Condon, Davis, Dolwig, Doyle, Geddes, Heisinger, Huyck, Kirkwood, Lewis, Lipscomb, Meyers, Morris, Price, Reagan, Rumford, and Thompson—An act to add Sections 4874, 4901.1, 4901.2, 4901.25, 4901.26, 4901.3, 4901.4, 4902.05, 4902.06, 4902.2, 4905, 4905.1, 4906, 4907, 4908, 4909, 4910, 4912.05, 4915 05, 4917 05, 4931.1, 4954, 4955, 4965 1, and 4985 to, to amend Sections 4873, 4885, 4886, 4887, 4901, 4902, 4902.1, 4903, 4904, 4911, 4912, 4912.1, 4914, 4915, 4915 1, 4917, 4917 1, 4918, 4919, 4919 1, 4920, 4941, 4942, 4943, 4946, 4962, 4963, and 4964 and the heading of Article 4 of Chapter 16, Division 2 of, and to repeal Sections 4883 and 4884 and Article 3 of Chapter 16, Division 2 of the Education Code, relating to the reorganization and unification of school districts.

Referred to Committee on Education.

Assembly Bill No. 971: By Messrs Dunn, Kirkwood, Ralph C. Dills, Huyck, Geddes, and Mrs Niehouse—An act to amend Section 8728 of the Education Code, relating to the payment of tuition of high school pupils residing in elementary school districts not in high school districts

Referred to Committee on Education.

Assembly Bill No. 972: By Messrs. Dunn, Kirkwood, Huyck, Mrs. Niehouse, and Mr Geddes—An act to add Section 3822.1 to the Education Code, relating to the inclusion of certain elementary school districts in high school districts or in unified districts.

Referred to Committee on Education.

Assembly Bill No. 973: By Mr. Silliman—An act to amend Sections 28111, 28133, 28142, and to repeal Section 28134 of the Health and Safety Code, relating to the preservation of the public health, including the sanitation and regulation of establishments where food used for human consumption is stored, prepared, kept, manufactured or distributed.

Referred to Committee on Public Health.

Assembly Bill No. 974: By Mr. Silliman—An act to amend Section 763 of the Agricultural Code, relating to tomato standards.

Referred to Committee on Agriculture.

Assembly Bill No. 975: By Mr. Silliman—An act to amend Section 764 of the Agricultural Code, relating to tomato standards

Referred to Committee on Agriculture.

Assembly Bill No. 976: By Messrs. Sherwin, Dickey, Caldecott, and Rumford—An act to amend Section 103g of the Code of Civil Procedure, relating to justices of the peace in cities of the second class.

Referred to Committee on Judiciary.

Assembly Bill No. 977: By Mr. Lipscomb—An act to amend Sections 1631, 2311, and 5709 of the Welfare and Institutions Code, relating to the local control and regulation of certain institutions, boarding homes and other places caring for children, the aged and the insane.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 978: By Mr. Burke—An act to amend Section 34080 of the Government Code, relating to proceedings altering city organization.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 979: By Mr. Burke—An act to repeal an act entitled "An act to provide for the incorporation of towns," approved April 19, 1856 (Chapter 133 of the Statutes of 1856), relating to the incorporation of towns.

Referred to Committee on Municipal and County Government

Assembly Bill No. 980: By Mr Burke—An act to repeal Section 34610 of the Government Code, relating to the reorganization of cities of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 981: By Mr. Burke—An act to repeal Article 3, comprising Sections 35900 to 35914, inclusive, of Chapter 3, Part 2, Division 2, Title 4, of the Government Code, relating to consolidation of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 982: By Mr. Erwin—An act to amend Section 493 of the Fish and Game Code, relating to fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 983: By Mr. Ralph C. Dills—An act authorizing the Director of Finance, with the approval of the Director of the Department of Mental Hygiene, successor in interest of Norwalk State Hospital, to exchange certain lands with the Atchison, Topeka and Santa Fe Railway Company, a corporation, in the County of Los Angeles, State of California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 984: By Mr. Luckel—An act to add Section 18 to the Flood Control Fund Act of 1946, relating to flood control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 985: By Messrs Maloney, Berry, Gaffney, and McCarthy—An act to amend Section 737*ll* of the Political Code, relating to salaries of Superior Judges in the City and County of San Francisco.

Referred to Committee on Judiciary.

Assembly Bill No. 986: By Messrs Maloney, Berry, Gaffney, George D. Collins, Brady, and McCarthy—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Judiciary.

Assembly Bill No. 987: By Messrs. Maloney, Berry, Gaffney, Brady, and McCarthy—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Referred to Committee on Judiciary.

Assembly Bill No. 988: By Mr. Brown—An act to amend Section 3440 of the Civil Code, relating to fraudulent conveyances.

Referred to Committee on Judiciary.

Assembly Bill No. 989: By Mr Brown—An act to amend Section 3440 of the Civil Code, relating to transfers of personal property.

Referred to Committee on Judiciary.

Assembly Bill No. 990: By Mr. Beck—An act to amend Section 141 of the Education Code, relating to the salary of the Superintendent of Public Instruction.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 37: By Mr. Davis—Relative to the preservation of the interest of the State and its people in state waters.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT REASON FOR ABSENCE OF MEMBERS BE NOTED

At 11.20 a.m., Mr. Ralph C. Dills asked for, and was granted, unanimous consent that the absence on roll calls this morning, of Mrs. Niehouse and Messrs. Waters and Thompson, be explained in the Journal, as they are absent attending to legislative social welfare business.

FURTHER CONSIDERATION OF SENATE BILL NO. 83

Senate Bill No. 83—An act to amend Section 9357.2 of the Government Code, relating to retirement of Members of the Legislature, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—72

NOES—None

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr Speaker—72

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 100—An act to amend Section 12410 of the Government Code, relating to the duties of the Controller, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, Weber, and Mr Speaker—69

NOES—None.

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

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

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

The following resolution was offered:

Assembly Concurrent Resolution No. 38: By Messrs. Silliman, Huyck, Butters, Erwin, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Mrs. Niehouse, Messrs. Prices, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—Relative to the creation of the Joint Committee on Governmental Reorganization.

Referred to Committee on Rules.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO BUY BRIEF CASES

Mr. Dickey moved that the Chief Clerk be instructed to buy brief cases for the new members.

Mr. Ralph C. Dills seconded the motion

Motion carried.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO OBTAIN SIX TABLE TOPPED CASES FOR BILLS

Mr. Dickey moved that the Chief Clerk be instructed to contact the Chief of the Division of Buildings and Grounds and request him to provide six suitable table topped racks, or cases, to be used in the Assembly Chamber to hold six complete sets of Assembly and Senate bills, Histories, and Files, and that the State Printer be directed to furnish six complete sets of bills, Files and Histories to the Assembly during this session of the Legislature

Mr. Ralph C. Dills seconded the motion.

Motion carried.

RECESS

At 11.46 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 62
Assembly Bill No. 479

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No 5
Assembly Joint Resolution No. 9
Assembly Concurrent Resolution No. 16
Assembly Concurrent Resolution No. 32

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 20, 1949

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

Senate Concurrent Resolution No. 22
Senate Concurrent Resolution No. 23
Senate Concurrent Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 22—Relative to the continuance of the Legislative Centennial Committee.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 23—Relative to the sale of the Fresno State College campus.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 24—Relative to the Y. M. C. A. Model Legislature.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 20, 1949

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

Assembly Bill No. 8
Assembly Bill No. 23
Assembly Bill No 150

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 20, 1949

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

Assembly Concurrent Resolution No. 36

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

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

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

Assembly Bill No. 991: By Messrs. Babbage, Huyck, Price, Reagan, and Smith—An act to amend Section 2943 of the Penal Code, relating to discharge of prisoners.

Referred to Committee on Judiciary.

Assembly Bill No. 992: By Mr. Waters—An act to amend Section 1558 of the Probate Code, relating to distribution of surplus income of insane or incompetent persons.

Referred to Committee on Judiciary.

Assembly Bill No. 993: By Mr. Waters—An act to amend Section 423 of the Probate Code, relating to the administration of estates of decedents.

Referred to Committee on Judiciary.

Assembly Bill No. 994: By Mr. Waters—An act to establish a Banking Code and to revise, rearrange and consolidate the law relating to banks and banking, including that relating to the State Banking Department, the organization and establishment of banks and trust companies and branch offices, deposits and withdrawals, the deposit of funds by fiduciaries, collections, the assertion of adverse and investments, maintenance of reserves, safe deposit business and enforcement of remedies, the trust business, foreign banking corporations, the receiving of money for transmission to foreign countries, the sale, merger, consolidation and conversion of banks and trust companies, and the liquidation, conservatorship, reorganization and dissolution of banks and trust companies, and providing for certain repeals.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 995: By Mr. Morris—An act to add Section 1631.5 to the Labor Code, relating to regulation of employment agencies and the fees charged applicants for employment.

Referred to Committee on Industrial Relations

Assembly Bill No. 996: By Mrs. Niehouse—An act to amend Section 72 of the Labor Code, relating to the Industrial Welfare Commission.

Referred to Committee on Industrial Relations.

Assembly Bill No. 997: By Mrs. Niehouse—An act to add Section 7325 to the Business and Professions Code, relating to cosmetology.

Referred to Committee on Public Health.

Assembly Joint Resolution No. 13: By Messrs. Lowrey, Thompson, Beck, Clarke, Babbage, Bennett, Brady, Brown, Burkhalter, Butters, Coats, Cooke, Cramer, Crichton, Davis, Ralph C. Dills, Erwin, Geddes, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lewis, Lindsay, McCollister, Moss, Price, and Silliman—Relative to memorializing the President and the Congress of the United States in relation to establishing parity prices for California products.

Referred to Committee on Rules.

Assembly Joint Resolution No. 14: By Messrs. Gaffney and George D. Collins—Relative to memorializing the Congress of the United States to support the amendment to the Constitution of the United States proposed by Senator Henry Cabot Lodge of Massachusetts which would change the method of electing the President of the United States.

Referred to Committee on Rules.

Assembly Bill No. 998: By Mrs. Niehouse—An act to add Section 20343.3 to the Education Code, relating to state college fees.

Referred to Committee on Education.

Assembly Bill No. 999: By Mrs. Niehouse—An act to add Section 370 to the Education Code, relating to public school exhibits at fairs and expositions.

Referred to Committee on Education.

Assembly Bill No. 1000: By Mr. Grant—An act to cure defects in maps or plats filed for record prior to April 1, 1949, and in deeds or conveyances referring to such maps.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1001: By Messrs. Hollibaugh and Doyle—An act to amend Section 971 of, and to add Section 785.5 to the Fish and Game Code, relating to lobsters.

Referred to Committee on Fish and Game.

Assembly Bill No. 1002: By Messrs. Hollibaugh and Doyle—An act to amend Section 745 of the Fish and Game Code, relating to sharks.

Referred to Committee on Fish and Game.

Assembly Bill No. 1003: By Messrs. Moss, Coats, Ralph C. Dills, Cooke, Anderson, Beck, Bennett, Brown, George D. Collins, Condon, Conrad, Crichton, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Kilpatrick, Lewis, Lowrey, McCarthy, Rosenthal, and Rumford—An act to amend Section 3929 of the Elections Code, relating to primary election ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1004: By Mr. Clayton A. Dills—An act to add Section 303 5 to the Agricultural Code, relating to meat.

Referred to Committee on Agriculture.

Assembly Joint Resolution No. 15: By Messrs. Ralph C. Dills, Evans, Doyle, Dunn, Beck, Brady, Brown, Burke, Burkhalter, Cooke, Cramer, Crichton, Dickey, Clayton A. Dills, Dolwig, Erwin, Fletcher, Geddes, Grant, Hahn, Huyck, Levering, Lipscomb, Luckel, Maloney, McCollister, Mrs. Niehouse, Messrs Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, and Waters—Relative to the tidelands and submerged lands adjacent to the Coast of California.

Referred to Committee on Rules.

Assembly Bill No. 1005: By Messrs. McCollister and Dickey—An act to provide for the regulation and licensing of tournaments, competitions and exhibitions of the Spanish-Basque game known variously as Jai Alai, Hi Li, or Pelota, played in conjunction with parimutuel wagering; appointing and prescribing the powers and duties of a California Jai Alai Board for the regulation, licensing and supervision of such tournaments, competitions and exhibitions; providing penalties for violation of the provisions hereof; and making an appropriation for the support of the California Jai Alai Board for administration of the terms hereof and appropriating the balance of moneys derived hereunder, after appropriation for the support of the California Jai Alai Board, to provide a source of income to be applied to the rehabilitation of the veterans of all wars.

Referred to Committee on Public Morals.

Assembly Bill No. 1006: By Mr. Brown—An act to add Sections 22100, 22101, 22102, 22103, and 25657 to the Water Code, relating to irrigation districts and to establishment of drainage units in irrigation districts and levying assessments for maintenance and operation of drains.

Referred to Committee on Agriculture.

Assembly Bill No. 1007: By Mr Conrad—An act to amend Sections 8404 and 8503 of the Education Code, relating to admission to the public schools.

Referred to Committee on Education.

ANNOUNCEMENTS

Mr. Lowrey announced that he is holding a bill at his desk, temporarily, relative to aid to distressed school districts, so that all members wishing to sign the bill as co-authors may do so.

Speaker Sam L. Collins announced that at the close of yesterday, the eleventh legislative day of this session, 930 bills had been introduced in the Assembly; that at the close of the eleventh legislative day, in the Regular Session in 1947, a total of 556 bills had been introduced in the Assembly. To date, 374 more bills have been introduced this session than in a comparable time in 1947.

The Speaker urged all members to put their bills across the desk during January, if at all possible.

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

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

Assembly Bill No. 1008: By Mr. Thomas—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations and hall or building associations, and providing for the issuance of on-sale general licenses to such organizations.

Referred to Committee on Public Morals.

Assembly Bill No. 1009: By Messrs Reagan, Cooke, Babbage, Fleury, Hagen, Levering, and Price—An act to add Section 1626.1 to the Business and Professions Code, relating to persons authorized to practice dentistry under the Department of Corrections

Referred to Committee on Public Health.

Assembly Bill No. 1010: By Messrs. Reagan, Cooke, Babbage, Fleury, Hagen, Levering, and Price—An act to add Section 2175.1 to the Business and Professions Code, relating to persons authorized to practice medicine and surgery under the Department of Corrections.

Referred to Committee on Public Health.

Assembly Bill No. 1011: By Mr Bennett—An act to amend Section 5425 of the Public Resources Code, relating to recreation, park and parkway districts.

Referred to Committee on Conservation, Planning, and Public Works.

RESOLUTIONS

The following resolution was offered:

By Messrs. Burkhalter, Babbage, Lowrey, Cooke, Gaffney, Maloney, Berry, Ralph C. Dills, Hawkins, Dunn, Moss, Heisinger, Thomas, Clayton A. Dills, George D. Collins, Beck, Connolly, Brown, Crichton, Coats, Lincoln, Davis, McCarthy, Rumford, Stanley, Stewart, Erwin, Waters, Burke, Doyle, Hagen, Anderson, Fletcher, Grant, Condon, Bennett, Brady, Meyers, Elliott, and McMillan:

House Resolution No. 55

Relative to the inauguration of President Truman and Vice President Barkley

WHEREAS, On this day the Honorable Harry S Truman and the Honorable Alben W. Barkley will receive the highest honors of this great Nation on the occasion of their inauguration; and

WHEREAS, In the democratic traditions of this Nation these men have merited such high honors by the choice and will of their fellow citizens, now, therefore, be it

Resolved by the Assembly of the State of California, That the heartiest congratulations be extended to the Honorable Harry S Truman and Alben W Barkley upon this occasion of their inauguration as President of the United States, and Vice President of the United States, respectively, and that it is the sincere wish of this Assembly that success will crown their every effort in the arduous tasks of their offices; and be it further

Resolved, That the Chief Clerk of this Assembly be directed to transmit by wire, the contents of this resolution to the Honorable Harry S Truman and Alben W. Barkley

Request for Unanimous Consent

Mr. Burkhalter asked for, and was granted, unanimous consent to take up House Resolution No. 55, at this time, without reference to committee or file.

Resolution read, and adopted.

ANNOUNCEMENT

Mr. Ralph C. Dills announced that he is holding a bill at his desk, temporarily, relative to having a regular session of the Legislature annually, and invited members to be co-authors.

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

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

Assembly Bill No. 1012: By Mr. Bennett—An act to amend Section 25365 of the Government Code, relating to the powers and duties of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1013: By Mr Davis—An act to provide for leasing additional facilities and service for the extension, maintenance and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 1014: By Mr. Ralph C Dills—An act to suspend civil actions to foreclose or to enforce the lien on any security for a loan made by a licensee under the Personal Property Brokers Act, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1015: By Messrs. Butters and Erwin—An act to amend Section 92 of the Fish and Game Code, relating to District 22.

Referred to Committee on Fish and Game.

Assembly Bill No. 1016: By Messrs. Levering and Reagan—An act to provide for the expansion of publicly supported higher education by the establishment of a state college in, or adjacent to, the City of Los Angeles; and to repeal Chapters 1082 and 1089 of the Statutes of 1947, all relating to the system of publicly supported higher education, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1017: By Messrs. Thompson, Clarke, and Crichton—An act making an appropriation to the Department of Agriculture in augmentation of the appropriation made by the Budget Act of 1949 for marketing news service.

Referred to Committee on Agriculture.

Assembly Bill No. 1018: By Messrs. Hoffman and Clarke—An act to amend Section 762.5 of, and to add Section 768 to, the Agricultural Code, relating to the inspection of tomatoes delivered for canning and tomato inspection certificates.

Referred to Committee on Agriculture.

Assembly Constitutional Amendment No. 36: By Messrs. Ralph C. Dills, Brady, Fletcher, Moss, Elliott, Heisinger, and Morris—A resolution to propose to the people of the State of California to amend Sections 2 and 34 of Article IV of the Constitution of said State, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

REMARKS ON CONDITION OF THE FILE

Mr. Kilpatrick remarked on the condition of the file.

ANNOUNCEMENT

Pursuant to the remarks by Mr. Kilpatrick, Speaker Sam L. Collins urged that all members read the Report of the Assembly Interim Committee on Detention Homes and County and City Jails (Crime and Corrections) on pages 281 to 289 in the Assembly Journal of January 13th;

and announced that every member should be responsible to the taxpayers to read the worthwhile and comprehensive interim committee and other reports that have been compiled in the interest of good government, and at great cost.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL COMMITTEE MEETING

Mr. Thompson asked for, and was granted, unanimous consent that the Committee on Public Health be permitted to hold a special meeting, today, upon adjournment.

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

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

Assembly Bill No. 1019: By Mr. Dickey—An act to amend Section 32355 of the Government Code, relating to benefits under county fire service retirement systems.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1020: By Mr. Dickey—An act to limit the hours of employment of firemen employed by any county, city and county, city, town, district, township, or other political subdivision of the State of California.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1021: By Mr. Dickey—An act to add Sections 6051.5 and 6201.5 to the Revenue and Taxation Code, relating to the imposition of additional sales and use taxes, providing for the allocation of the proceeds therefrom, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1022: By Messrs. Waters and Maloney—An act to amend Sections 17319.3, 17325, and 18402, and to add Section 17053.7, to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1023: By Messrs. Waters and Maloney—An act to amend Section 17127, and to repeal Section 17136.1 of the Revenue and Taxation Code, relating to personal income taxes, and providing that the act shall take effect immediately

Referred to Committee on Revenue and Taxation

Assembly Bill No. 1024: By Messrs. Waters and Maloney—An act to amend Section 18472 of the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 1025: By Messrs Rosenthal and Bennett—An act to add Section 7f to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of traffic commissioner in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 1026: By Messrs Gaffney and George D. Collins—An act to amend Section 420 1 of the Vehicle Code, relating to security following an accident.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1027: By Messrs Lowrey, Beck, Anderson, Dolwig, Babbage, Brown, Butters, Coats, Condon, Cooke, Davis, Ralph C. Dills, Doyle, Dunn, Fleury, Gaffney, Hagen, Lewis, Lincoln, Morris, Moss, Mrs. Niehouse, Messrs Rumford, Stanley, Thompson, and Way—An act to amend Section 5033 of the Education Code, relating to distressed school districts, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 1028: By Messrs. Kilpatrick, Bennett, Burke, Hahn, and Morris—An act to add Section 4025 to the Penal Code, relating to the management of county and city detention facilities

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1029: By Mrs Niehouse—An act to amend Section 204f of the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries

Referred to Committee on Judiciary.

Assembly Bill No. 1030: By Mr. Dickey—An act to amend Sections 507, 2203, and 2207 of, and to add Section 507 1 to, the Public Resources Code, relating to the administration and functions of the Division of Mines.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 37

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Davis asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 37, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 37

Assembly Concurrent Resolution No. 37—Relative to the preservation of the interest of the State and its people in state waters.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, upon adjournment—

Public Health, in Room 426.

Transportation and Commerce, on the fourth floor, in the room of the Sergeant-at-Arms.

Ways and Means, in Room 435. Subject: Fixed charges and their position in the budget.

Rules, in Room 432.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Lowrey and Davis, the usual courtesies of the Assembly for this day were unanimously extended to E. B. Noble of Red Bluff.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to John Vizzari, Antonio Cellino, and Johnny Pecce of Los Angeles.

On request of Messrs. Burkhalter and Beck, the usual courtesies of the Assembly for this day were unanimously extended to Ralph A. Hunt of Studio City.

On request of Messrs. Kirkwood, Heisinger, and Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Sanborn Young, former State Senator, of Los Gatos.

On request of Messrs. Price and Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Laura Klyce of Oakland.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Roy Winslow of Vancouver, B. C.

On request of Mr. Price, the usual courtesies of the Assembly for this day were unanimously extended to Paul Allen and Mrs. Helena Allen of Ontario.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to R. W. Grummett of Sacramento

On request of Mr. Evans and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Maurice Mitchell of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to John S. Barnes of Berkeley.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Dr. George Mehren of Berkeley.

On request of Mr. Cooke and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to John A. Lagomassino, Ward Daniels, and Larry Ver Dueson of Ventura, and Edward C. Maxwell of Oxnard.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, January 21, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTEENTH LEGISLATIVE DAY

NINETEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, January 21, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God· May we see that we stand on the threshold of a possible Paradise, that awaits our initiative and foresight, and depends upon our courage.

About us lie all the material means, the wealth of earth and air, the abundance of factories and farms, to satisfy all the physical and moral needs of the human family.

Thou hast richly endowed this land with men of organizing and inventive genius sufficient to abolish poverty and provide food, shelter and culture for all.

Now may we have the insight, the patriotism and the solicitude for family welfare that can use these fabulous resources to fulfill mankind's undying dream of a Kingdom of Abundance.

May it be our glory to stand, like the discoverers on the rim of a new world, and to have an epochal part in the hastening of the Golden Age.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Kirkwood, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr Erwin.

REQUEST FOR UNANIMOUS CONSENT THAT TEMPORARY ABSENCE OF MEMBER BE NOTED

At 10.05 a.m., Mr. Davis announced that the attendance of Mr. Lowrey will be delayed, this morning, due to a slight motor accident, and asked for, and was granted, unanimous consent that Mr. Lowrey be temporarily excused.

COMMUNICATIONS

By Speaker Collins:

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

METROPOLITAN TRAFFIC AND TRANSIT COMMITTEE
LOS ANGELES CHAMBER OF COMMERCE, January 17, 1949

The Honorable Sam Collins, Speaker
California State Assembly
State Building, Los Angeles 12, California

DEAR SPEAKER COLLINS: We are enclosing the Summary of the Twentieth Meeting held December 15, 1948, of the Metropolitan Traffic and Transit Committee.

On this occasion the salient provisions and the principles of the proposed enabling legislation were presented

One of the broad objectives of our committee is to secure mass transportation in the form of rail rapid transit for the Los Angeles metropolitan area. The proposed enabling legislation is drafted to meet the problem which confronts our entire community, and the principles embodied in the legislation are considered to be sound

Mr. Neil Petree wishes to convey the appreciation of the committee for the interest and consideration given to this matter

Sincerely yours,

HOWARD P. MASON, Secretary

Enclosure

Above mentioned report ordered referred to the Committee on Highways, Streets and Bridges.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, January 20, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred Senate Bill No. 72

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THOMPSON, Chairman

Above reported bill ordered to second reading

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 72—An act to amend Section 2191.5 of the Business and Professions Code, relating to applications to the Board of Osteopathic Examiners of the State of California for physicians' and surgeons' certificates, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1031: By Messrs. Waters and Maloney—An act to amend Section 17951, and to repeal Section 17320.9 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1032: By Messrs. Waters and Maloney—An act to add Section 19053.9 to the Revenue and Taxation Code, relating to personal income taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1033: By Messrs. Waters and Maloney—An act to amend Sections 18171, 18586, 18691.1, 18692, 19053 5, and 19061.1, and to add Section 18586 1 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1034: By Messrs Hoffman, McCollister, Dolwig, Cooke, Cramer, Clayton A. Dills, Elliott, Mrs. Niehouse, Messrs. Price, Smith, and Stewart—An act to amend Sections 101 and 18620 and to repeal Section 18629 of the Business and Professions Code, relating to the State Athletic Commission.

Referred to Committee on Public Morals.

Assembly Bill No. 1035: By Messrs Sherwin, Brown, Crichton, Beck, and Grunsky—An act to add Title 2, comprising Sections 15001 to 15700, inclusive, and Section 100002 to the Corporations Code, relating to partnerships and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain acts and parts of acts specified therein.

Referred to Committee on Judiciary.

Assembly Bill No. 1036: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to add Title 4, comprising Sections 25000 to 26104, and Section 100005 to the Corporations Code, thereby codifying and repealing the Corporate Securities Act, and consolidating and revising the law relating to securities as defined therein, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1037: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to add Division 2, comprising Sections 27000 to 27203, inclusive, to Title 4 of, and Section 100006 to, the Corporations Code, thereby codifying, consolidating, and revising the law relating to solicitation and collection of funds from security owners and holders for the protection, enforcement, or representation of their rights, providing

for regulation and supervision by the Commissioner of Corporations of the solicitation, collection, and application of such funds, and requiring persons and organizations to obtain certificates from him prior to engaging in such solicitation and collection, and repealing the act codified therein.

Referred to Committee on Judiciary.

Assembly Bill No. 1038: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to add Division 3, comprising Sections 28000 to 28501, inclusive, to Title 4 of and Section 100007 to the Corporations Code, thereby codifying and repealing the Retirement Systems Act, and consolidating and revising the law relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1039: By Messrs Sherwin, Brown, Crichton, Beck, and Grunsky—An act to add Division 4, comprising Sections 29000 to 29201, inclusive, to Title 4 of and Section 100008 to the Corporations Code, thereby codifying and revising the law relating to certain transactions in respect to securities and commodities defined therein as bucketing and bucket shopping, prohibiting the keeping of bucket shops, making or offering to make contracts or sales constituting bucketing, and other acts preliminary or incidental thereto, requiring the keeping of records or books of account and the furnishing of statements of facts by persons making purchases or sales of securities or commodities, and fixing penalties for violations thereof, and repealing the act so codified.

Referred to Committee on Judiciary.

Assembly Bill No. 1040: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 25154 of the Corporations Code, relating to acts permitted to be performed by or in behalf of corporations prior to the issue of any shares.

Referred to Committee on Judiciary.

Assembly Bill No. 1041: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 15024 of the Corporations Code, relating to partnerships.

Referred to Committee on Judiciary.

Assembly Bill No. 1042: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 15030 of the Corporations Code, relating to partnerships.

Referred to Committee on Judiciary.

Assembly Bill No. 1043: By Messrs Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 15504 of the Corporations Code, relating to limited partnerships.

Referred to Committee on Judiciary.

Assembly Bill No. 1044: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 25319 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1045: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 25500 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1046: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 26101 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1047: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 27003 of the Corporations Code, relating to solicitation and collection of funds from security owners and holders for the protection, enforcement, or representation of their rights, providing for regulation and supervision by the Commissioner of Corporations of the solicitation, collection, and application of such funds, and requiring persons and organizations to obtain certificates from him prior to engaging in such solicitation and collection.

Referred to Committee on Judiciary.

Assembly Bill No. 1048: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 27006 of the Corporations Code, relating to solicitation and collection of funds from security owners and holders for the protection, enforcement, or representation of their rights, providing for regulation and supervision by the Commissioner of Corporations of the solicitation, collection, and application of such funds, and requiring persons and organizations to obtain certificates from him prior to engaging in such solicitation and collection.

Referred to Committee on Judiciary.

Assembly Bill No. 1049: By Messrs Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 28200 of the Corporations Code, relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1050: By Messrs Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 28412 of the Corporations Code, relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1051: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 29102 of the Corporations Code, relating to transactions in respect to securities and commodities defined as bucketing and bucket shopping, and prohibiting the keeping of bucket shops, making or offering to make contracts or sales constituting bucketing, and other acts preliminary or incidental thereto, and fixing penalties for violations thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1052: By Messrs. Sherwin, Brown, Crichton, Beck, and Grunsky—An act to amend Section 29201 of the Corporations Code, relating to statements required to be made by persons making purchases or sales of securities or commodities for or in behalf of others.

Referred to Committee on Judiciary.

Assembly Bill No. 1053: By Mr Silliman—An act to provide for leasing additional facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1054: By Messrs Price, Burkhalter, Conrad, Fleury, Levering, Maloney, and Sherwin—An act to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of institutions for inebriates, providing for the commitment, transfer, and admission of persons thereto and the release of persons therefrom, and providing for the powers and duties of the Department of Mental Hygiene in respect thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1055: By Messrs. Price, Burkhalter, Conrad, Fleury, Levering, Maloney, and Sherwin—An act making an appropriation to the Department of Mental Hygiene for the establishment and maintenance of state inebriate hospitals.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1056: By Messrs. Price, Burkhalter, Conrad, Fleury, Levering, and Maloney—An act to repeal Sections 6, 7, 8, 14, 15, and 16, and to amend Sections 2, 5, 10, and 12, of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of

public offenses", approved June 3, 1921, as amended, and to add Sections 6, 7, and 8 thereto, relating to county facilities for the detention of persons charged with or convicted of crime, the commitment of persons for placement therein, the transfer of persons thereto and therefrom, and the release of persons therefrom, and providing for the establishment of county classification committees to authorize such placements and transfers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1057: By Mr. Connolly—An act to add Sections 14307 and 14308 to the Revenue and Taxation Code, relating to the lien of inheritance tax

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1058: By Mr. Condon—An act to add Section 21104 to the Corporations Code, relating to nonprofit associations.

Referred to Committee on Judiciary

Assembly Bill No. 1059: By Mr Condon—An act to add Section 4606 to the Labor Code, relating to workmen's compensation including medical treatment.

Referred to Committee on Public Health.

Assembly Bill No. 1060: By Mr Condon—An act to add Section 4661.5 to the Labor Code, relating to disability payments to injured workmen.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1061: By Mr. Condon—An act to add Section 4702.5 to, and to amend Section 4452 of, the Labor Code, relating to workmen's compensation including death benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1062: By Mr. Condon—An act to add Section 5800 5 to the Labor Code, relating to workmen's compensation

Referred to Committee on Industrial Relations.

Assembly Bill No. 1063: By Mr. Condon—An act to amend Section 3352 and to repeal Chapter 9 of Part 1 of Division 4 of the Labor Code, relating to exclusion of agricultural workers from the Workmen's Compensation Act.

Referred to Committee on Agriculture.

Assembly Bill No. 1064: By Mr McCarthy—An act to amend Section 27163 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1065: By Mr. McCarthy—An act amending Section 27020 of the Streets and Highways Code, relating to bridge and highway districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1066: By Mr. Elliott—An act to establish in the Division of Real Estate of the Department of Investment a Rent Administrator and prescribing his powers and duties; to provide for appointment of rental arbitration boards and prescribing their powers and duties; to provide for the regulation, control and stabilization of rents and rental agreements upon their release from control by the Federal Government, and for the regulation of proceedings for the recovery of possessions of rental properties, and certain other incidents of the landlord-tenant relationship within defense-rental areas, and to provide a method for the orderly readjustment of rents during the period of transition from present controls by the Federal Government until a normal relationship between supply of various classes of rental properties and demand therefor make unnecessary the administration of further control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1067: By Messrs Fleury and Moss—An act to add Chapter 3.5, comprising Sections 26880 to 26884, inclusive, to Part 3, Division 2, Title 3, of the Government Code, relating to the county controller.

Referred to Committee on Municipal and County Government.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 6 FROM COMMITTEE CONTINUED

Mr. Heisinger asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Joint Resolution No. 6 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED IN THE JOURNAL

Mr Stewart asked for, and was granted, unanimous consent that a letter of transmittal and a Partial Report on the San Francisco Office of the Franchise Tax Commission by the Assembly Interim Committee on Governmental Efficiency and Economy be ordered printed in the Journal in 10-point type.

Above mentioned report will appear prior to the motion to adjourn.

LETTER OF TRANSMITTAL

ASSEMBLY INTERIM COMMITTEE
ON
GOVERNMENTAL EFFICIENCY AND ECONOMY
CALIFORNIA LEGISLATURE
ALBERT I. STEWART, Chairman

Pursuant to a recommendation by the Assembly Committee on Ways and Means, your Interim Committee on Governmental Efficiency and

Economy conducted an extensive investigation of the San Francisco Office of the Franchise Tax Commissioner.

Having concluded its public hearings and having carefully studied and analyzed the evidence and the record before it, the committee hereby submits its report and recommendations to the Assembly.

JAMES W. SILLIMAN
AUGUSTUS F. HAWKINS
LESTER A. MCMILLAN
JOHN W. EVANS
A. I. STEWART
LAUGHLIN E. WATERS
RALPH M. BROWN
WILLARD M. HUYCK

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 425:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 24, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 425, "An act to amend Section 781 of the Vehicle Code, relating to disposition and transfer of moneys from the Motor Vehicle Fund, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

While this bill does not in itself make an appropriation, the Legislative Counsel has suggested that as a matter of safety there should be a letter from the Governor authorizing the Legislature to consider the bill prior to enactment of the Budget Bill The bill does not change the amount of money which the Division of Highways will receive. It merely provides that the apportionment from the Motor Vehicle Fund to the Highway Users Tax Fund may be quarterly instead of annually.

I therefore recommend consideration of Assembly Bill No. 425 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

CONSIDERATION OF ASSEMBLY BILL NO. 425

Assembly Bill No. 425—An act to amend Section 781 of the Vehicle Code, relating to disposition and transfer of moneys from the Motor Vehicle Fund, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen,

Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 5—Relative to memorializing the President and the Congress of the United States in relation to agricultural compositions and extensions under the Federal Bankruptcy Law.

Resolution read.

Demand for Previous Question

Messrs. Silliman, Heisinger, Weber, Lindsay, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 5.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Way, and Weber—66.

NOES—Conrad—1

Resolution ordered transmitted to the Senate.

Assembly Bill No. 479—An act to amend Section 3423 of the Public Resources Code, relating to delinquent assessment and charges for the Petroleum and Gas Fund, Division of Oil and Gas, Department of Natural Resources.

Bill read third time.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, Weber, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 46

By Messrs. Brown, Weber, and Stanley:

House Resolution No. 46

Relative to memorializing the President and the Congress of the United States to effect legislation which will enable the Civil Aeronautics Administration to prohibit the taking off of aircraft from airports during periods of poor visibility.

WHEREAS, There have recently occurred several serious aircraft accidents in Seattle, Washington, Portland and other areas during periods of poor visibility; and

WHEREAS, These accidents have resulted in the deaths and injuries of many persons, thereby causing tremendous losses to the air transportation industry due to lack of public confidence in air transportation because of such accidents; and

WHEREAS, It is believed these accidents were caused by take-offs from airports during weather conditions of poor visibility; and

WHEREAS, The Civil Aeronautics Administration does not have authority under the presently existing laws to prevent aircraft from taking off during periods when visibility is below the legal minimum; and

WHEREAS, If granted such authority it is believed that many of the recent tragic aircraft accidents could have been prevented; therefore, be it

Resolved, by the Assembly of the State of California, That the President and the Congress of the United States be memorialized to effect and enact legislation authorizing the Civil Aeronautics Administration to prohibit the taking-off of aircraft from airports during periods when visibility is less than the legal minimum; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives of the United States, and to each Senator and Representative from the State of California.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 52

By Mr. Lindsay:

House Resolution No. 52

Relative to commending the Auburn Sierra Rangers for their study and Report on the Overland Emigrant Road through Donner Pass

WHEREAS, The Overland Emigrant Road through Donner Pass was the principal route used by wagon trains during the early period of the Gold Rush and is for that reason an extremely important part of the early history of California; and

WHEREAS, The Auburn Sierra Rangers have undertaken the task of locating and marking this historic road, which the passage of time has largely obscured; and

WHEREAS, The Report of the Auburn Sierra Rangers on the performance of this task is so rich in details of historical interest that it is incorporated in full as a part of this resolution.

Report on Overland Emigrant Road

The Overland Emigrant Road over the Sierra Nevada at Donner Pass carried more wagons and more people to California in the Gold Rush of 100 years ago, than any other wagon trail then in use by California Pioneers.

It was first traveled when a wagon train guided by the Indian Truckee, and Captained by Elisha Stevens proved the route with 10 wagons and many horsemen in December, 1844. The wagon tracks of the Stevens Party were followed by others in following years.

Then came the tragedy which indelibly wrote the name Donner on this mountain pass through the Sierra. The Donner Party were following the tracks of other parties who preceded them in 1846. At this time, and later during 1849 and the early 'fifties, the pass was known as Truckee Pass and the lake as Truckee Lake.

The early winter of 1846, which brought deep smothering snows to the Sierra Nevada beginning on the last day of October, caught the careless, slow traveling Donner Party as the victim of a tragedy of cold and starvation. It has impressed the Donner name ever deeper into the fabric of names and places in this portion of the mountains as time rolls by. The location of their most forward camp has been thoughtfully preserved by the Donner Memorial Monument and the Donner Lake California State Park.

During the period of our western emigration, it was the common custom of travelers to keep written diaries of the daily incidents of their trip. Therefore, our libraries and historical collections today have many of the original manuscript diaries, or published copies of them, which are accurately descriptive of the road traveled and its location with relation to the present geographical features we are familiar with By study of a number of these personal records, members of our organization in this region have been able to accurately mark the route of the Overland Emigrant Road from Donner Lake to the old Johnson Rancho, in the Sacramento Valley. This Overland Road was the principal route used by Gold Rush wagon trains to California, and carried the great load of the over-the-plains travel to California from 1848 to 1852. In 1852, toll road improvements on the Donner Summit took the wagon wheels from the old tracks to better grades.

Marking the route is admirable and important, but today the old Overland Road can again render new service to the rapidly expanding population of California. There is great need of an open recreational riding and hiking trail to cross the Sierra, that is removed from congested and dangerous traffic on over-crowded highways. The route of the old Emigrant Road is best located to serve this requirement, and adds to the

advantages of location, the absorbing historical interest of all Californians, which attaches to the greatest of all roads to the Gold Rush of '49. The Overland Emigrant Road should be opened for such use as a project of the State, and developed under the Riding and Hiking Trails Program of the State Park Commission.

The beneficial character of this proposal has been recognized by the member clubs belonging to the Sacramento Region of the California Horsemen Association, and endorsed by them for state approval during this Centennial Year of 1949.

It is believed the actual work of opening this trail on the old Emigrant Road would be assisted in a considerable measure by the Tahoe National Forest on the portion from Mule Springs to Donner Lake, as most of it lies on national forest land.

In the work which has been done to locate and sign this road of the pioneers, our people have accumulated many old records and notes of the past. A few of these may be interesting, and are quoted here for your information.

The Donner Camp by an Eye Witness

From the John Markle Diary of 1849, the original of which is in Auburn, comes the following, dated August 20, 1849 "Tonight we camped in a valley at the base of the mountain, about 3/4 of a mile east of Truckee Lake. Today we passed the valley where Donner encamped, and where his cabins were. There are a number of fragments left, but more human bones than anything else It was 6 miles before we came to where the Graves family wintered, and to the Foster and Breen's cabins just beyond They present a gloomy appearance, and with old clothes, which were worn by females, and also long female hair, which appeared as if it had fallen from the head, and any quantity of bones in and around the cabin"

Crossing the Summit

E Douglas Perkins wrote in his diary of 1849, which is now in the Huntington Library, "the ascent to the pass from the Donner cabins is about 5 miles, as the road was very winding in finding a passage thru the trees and rocks. At 3 o'clock we arrived at the foot of the terrible passage over the backbone The pass is thru a slight depression in the mountains, about 1500 feet lower than the tops of the mountains in its immediate vicinity. As we came up to it, the appearance was like marching up to an immense wall, and the road goes up to its very base, before turning short to the right, and then ascends by a track in the side of the mountain, when about ¼ of the distance from the top, it turns left again, and goes directly over the summit In a distance of about ½ mile, I judge this steep climb covers an elevation somewhere near 2000 feet. We rested ½ hour at the top, and went down into the valley to camp."

Mountain Lakes

Both the Markle and Perkins Party camped in Summit Valley. The next day both of them mentioned a group of lakes on the road Markle says, "They are six in number. The water in them is cool and perfectly clear They average a mile or two in length, and from 400 to 500 yards in width." Perkins speaks in addition of a lofty and solitary rocky peak This is today called Devil's Peak Beyond the lakes, the road turned sharp down the side of the mountain to the valley of the South Yuba. Markle said it is the "infernalest roughest road that ever was traveled. The last mile was so steep we had to check down with ropes." Perkins says "Camp was down an almost perpendicular descent, where the wagons are let down with ropes, and trees at the top are cut and marked deeply by the friction."

Along the Yuba

All speak of a location in the granite rock along the Yuba, where again they had to rope down a short distance The tree used to check the wagons down this granite slope, was located by our sign party, and the marks of the rope observed This is only 200 yards from Rainbow Tavern on the north bank of the Yuba River. Below it, on the trail to Big Bend Ranger Station, are trees notched deeply where bumped by the hubs of emigrant wagons, and old rusty marks in the granite where marked by the iron tires and hub caps of emigrant wagons. A number of oxen shoes were found by the Sign Party along the route of the old road from Big Bend Ranger Station, where the old road crossed the Yuba and took to the south bank, and southwesterly around a steep hill to the flat valley of the present Auburn Ski Club location. Below the Cisco Road, the old road turns sharp up a rocky shelf, where all the wagons were compelled to travel in the same tracks, and where the rock is deeply scored with parallel wagon tracks It again drops in to the flat along the river at Indian Springs, and then climbs directly up the ridge to Crystal Lake Half way up this climb is the place where young Stanton of the Donner Party died from exhaustion, after so bravely guiding help and assistance to the snow bound camp from Sutters Fort.

Emigrant Gap to Bear Valley

All along this portion, the road is again clearly defined, by red rust from the wagon tracks, among the granite ledges and boulders. Beyond Crystal Lake at the pass into Six Mile Valley is a place where many emigrants were forced to abandon their wagons. M. A. Kelly of Newcastle stated he saw them there in 1858. A short distance

below is a cottonwood tree blazed 1847. On the road beyond Carpenter Flat the Emigrant Road passed thru the famous Emigrant Gap, to Bear Valley. The old Emigrant Gap is now covered by a 90 foot railroad fill. Markle states "in descending to the valley, there is a very steep hill where we let down with ropes for ¾ of a mile. The trees are much worn by the friction of the ropes. We camped at the lower end of the valley, and mowed grass for our stock."

Fremont's Camp

Near the top of the ridge beyond Bear Valley is a limb stripped cedar tree which John C. Fremont used as a flag pole for one of his camps. It is probably the first place in the mountain region to fly the Stars and Stripes. Nearby are two massive cedars, one of which marks the grave of a '49er Not far beyond Fremont's Flag Pole is the location of Mammoth Springs, where a 16 year old emigrant girl, Eliza Ann McAulay wrote in her diary of 1851, "This is most delicious water."

The Mother Pine and Mule Springs

Beyond Springfield Flat, which was reached by some of the survivors of the Donner Party, is the famous Mother Pine, which was recorded by many members of emigrant trains as the largest pine tree ever seen by them in California. This was a gigantic sugar pine 13 feet in diameter and with a circumference then of 48 feet. Many years later, two men of Lowell Hill sought shelter under the Mother Pine during a winter storm, and to warm their chilled bodies, they built a fire in the hollow of the tree. Their fire spread up the trunk, and in a few hours the Mother Pine became a dead tree, and now is only a tall blackened stump. From the Mother Pine, the Emigrant Road leads over the shoulder of a hill to Mule Springs in a beautiful meadow, which was used in 1846 as the base of operations by the rescuers of the Donner Party. The name of a party of Mormons is retained at Mormon Springs, where two of them were buried at the base of a large black oak.

Steep Hollow and Storm's Ranch (Now Chicago Park)

West of Liberty Hill the road passes over the Camel Humps, and into Steep Hollow, which was named from the diary record of Edwin Bryant when he stated in 1846, that "We entered a *Steep Hollow* by a descent so steep for a mile and a half, that our animals slid rather than walked down it." Beyond the Greenhorn, were the famous ranches of Ben Taylor, who brought the first horse herd of good blood to California, and the well known Storm's Ranch, which came into prominence when United States Troops and State Volunteers rounded up the Indian followers of Chief Wemah at this ranch, and deported them to Mendocino County, with Storm as the first Indian Agent in California.

On part of the old Storm Ranch is now located the town of Chicago Park, Nevada County. It is at this place that the old Overland Emigrant Road, leading eastward over the Sierra, intersects with the present route of the State Riding and Hiking Trail.

In the present State System of Riding and Hiking Trails, there are trails through passes of the Coast Range Mountains, which provide for travel between the counties of the Coast and of the Central Valley.

No riding or hiking trail in the state system now supplies the need in the system for a trail to reach the mountain and recreational regions in the counties eastward of the Sierra. We desire to point out that the addition of the route of the old Overland Emigrant Road will answer this requirement in the most central portion of the State, in that it leads directly to the Lake Tahoe country, and the recreational regions north and south along the eastern border of California. It is especially desirable for riding and hiking purposes, in that this route is truly a trail in scenic and historical surroundings, and is not a part of present motor roads or highways. Riding and hiking parties on a state trail, to follow the Overland Emigrant Road would have protection from traffic hazards Only three highway crossings would exist, and they are direct crossings, without requiring travel on shoulders or the adjoining right of way

Since it is reasonable for the use of our people to provide this route in the State Trail System, and desirable to preserve to all future generations of state citizens the opportunity to see and know intimately the road traveled by the pioneers over the California mountains, we ask your support to this legislation. Here 100 years after the wagons rolled over mountains, you can see the marks of the wagon tracks over the rocks If the route is marked and preserved in right of way now, then in future generations these marks of wagon travel will remain for other hundreds of years The signs in iron stains and rock wear where the wagon wheels rolled, are imperishable, if retained for use as an over mountain trail. The memory and record can be lost, if other kinds of development should block access, and knowledge of the original road location forgotten Inclusion in the State Trail System now, will preserve it forever

AUBURN SIERRA RANGERS

Postscript

If you desire some information in a short description of the Overland Emigrant Road as traveled from Storm's Ranch to the Sacramento Valley at Johnson's Rancho, then you may be interested in this Addenda for that purpose.

To Camp Far West and Johnson's Rancho

Beyond Windy Hill, to the west of Chicago Park, and down the old Emigrant Road, is the location where Edwin Bryant wrote, on August 30, 1846, "After rising and descending a number of hills from the summit of one more elevated than the others surrounding it, the spacious Valley of the Sacramento burst upon our view."

After descending to the valley along the watersheds of South Wolf Creek and the north bank of Bear River, the Emigrant Road approaches the side of old Camp Far West, a small Army post maintained in 1849 and 1850. It is located on a slight, rocky bluff overlooking Bear River about two miles east of the site of Johnson's Rancho.

Saved from destruction is a small cemetery, used jointly by the people of Johnson's Rancho and the military post, in the period from 1844 to 1856. It is occupied by 18 graves, mostly Soldier victims of Indian raids and disease, generally malaria. One little girl, Betsey Parker, occupied a brick lined grave in the corner of the plot. All are unmarked and lost to memory, except for a common monument erected there in 1911 by the Native Sons of the Golden West.

Two miles beyond the mountain section of the Overland Emigrant Road terminates in the Valley of the Sacramento, at Johnson's Rancho, 34 miles east of the present Town of Wheatland. The small adobe buildings are gone without a trace. Today, only a mammoth oak remains to mark the resting round of the emigrant trains, and the grassy site of a once huge spring. Nearby is the worn track where the wagons pulled down the bank for the crossing of Bear River and the valley road to Sutters Fort.

AUBURN SIERRA RANGERS

Now, therefore, be it

Resolved by the Assembly of the State of California, That the Auburn Sierra Rangers are commended on their fine work in locating and marking the Overland Emigrant Road and on the excellence of their report; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to send a copy of this resolution to the President of the Auburn Sierra Rangers.

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 62—An act providing for a declaration of a water shortage emergency by the governing body of a distributor of a public water supply, authorizing the regulation and restriction of water deliveries and consumption during a water shortage emergency, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 62 ordered held temporarily.

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

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

Assembly Bill No. 1068: By Mr. McCarthy—An act to add Section 212 to the Health and Safety Code, and to amend Section 269 of the Vehicle Code, relating to refusal or revocation of operator's or chauffeur's licenses and to the reporting of cases of neuro-syphilis to the State Department of Motor Vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1069: By Messrs. Burkhalter, Erwin, and Price—An act to authorize and provide for the allocation and reallocation of money in the Flood Control Fund of 1946, and defining the terms and conditions upon which such allocations and reallocations shall be made.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1070: By Mr. Morris—An act to repeal Section 5082.1 and to amend Sections 5060, 5061, 5082, and 5097 of the Business and Professions Code, relating to the powers and duties of the State Board of Accountancy, the regulation of the practice of public accountancy, and the issuance of certificates of certified public accountant and of permits to practice public accountancy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1071: By Mr. Brown—An act to amend Section 7401 of the Revenue and Taxation Code, relating to taxes on motor vehicle fuel

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1072: By Messrs. Connolly and Gaffney—An act to add Article 3, comprising Sections 5450 to 5456, inclusive, to Chapter 3 of Part 1 of Division 6 of the Welfare and Institutions Code, relating to authorizing the creation of a State Rehabilitation Bureau for Alcoholics, providing for its management, personnel, powers and duties with respect to the rehabilitation of alcoholics through medical and scientific treatment, and the promotion of temperance

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1073: By Mr. Lindsay—An act to add Section 1304.1 to the Education Code, relating to superintendents of schools of unified school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1074: By Mr. Davis—An act to add Section 79.10 to the Civil Code, relating to premarital tests

Referred to Committee on Judiciary.

Assembly Bill No. 1075: By Mr Grunsky—An act to add Section 47a to the California Water District Act, relating to inclusion of land

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1076: By Mr. Reagan—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

Referred to Committee on Public Morals.

Assembly Bill No. 1077: By Messrs. Huyck, Beck, Kirkwood, Tomlinson, Caldecott, Dunn, Rosenthal, and Thompson—An act to amend Section 19303 of the Education Code, relating to school cafeterias

Referred to Committee on Education.

Assembly Bill No. 1078: By Mr. Dickey—An act providing for the compilation, publication, and distribution of a State Blue Book.

Referred to Committee on Rules.

Assembly Bill No. 1079: By Mr. Elliott—An act to add Section 5050a to the Welfare and Institutions Code, relating to the examination and safekeeping of persons alleged to be mentally ill.

Referred to Committee on Judiciary

Assembly Bill No. 1080: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Berry, Maloney, and McCarthy—An act relating to the establishment, operation and regulation of motor vehicle parking facilities for the purpose of motor vehicle parking and uses incidental thereto, for the purpose of traffic regulation in cities of this State, providing ways and means therefor and declaring the necessity thereof; and to declare an emergency.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1081: By Messrs Brown, Clarke, Hoffman, Heisinger, Butters, Crichton, Crowley, Erwin, Lindsay, Lowrey, McCollister, Stewart, and Weber—An act making an appropriation to the University of California for the construction and equipment of a viticultural building.

Referred to Committee on Education.

Assembly Bill No. 1082: By Mr. Waters—An act to amend Section 6060 of the Business and Professions Code, relating to the practice of law.

Referred to Committee on Judiciary.

Assembly Bill No. 1083: By Messrs. Hahn, Morris, Collier, and Burke—An act to repeal Section 38f of, and to add Section 38f to, the Alcoholic Beverage Control Act, relating to alcoholic beverage license limitations.

Referred to Committee on Public Morals.

Assembly Bill No. 1084: By Mr. Maloney—An act to amend Sections 19006, 19007, 19008, 19014, 19016, 19033, 19034, 19049, 19060, 19061.5, 19070, 19072, 19080, 19121, 19122, 19123.4, 19123.5, 19123.6, 19124, 19127, 19129, 19158, 19170, 19171, 19172, 19173, 19174, 19200, 19201, 19202, 19208, and 19221 of, and repeal Sections 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19013, 19015, 19018, 19050, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19080.5, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19089.5, 19090, 19091, 19092, 19093, 19094, 19095, 19096, 19097, 19098, 19099, 19100, 19101, 19102, 19103, 19104, 19105, 19125, 19126, 19128, 19151, 19153, 19154, 19157, 19159, and 30030 of, and add Sections 19008.5, 19008.6, 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19015, 19016.5, 19034.5, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19059.5, 19060.5, 19060.6, 19062, 19072.5, 19072 6, 19073, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19092, 19093, 19122 5, 19124.5, 19127.5, 19127.6, 19171.5, 19171.6, 19173.5, 19200.5, 19209, and 19210 of the Business and Professions Code, relating to the licensing and regulation of the upholstered furniture and bedding industries.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1085: By Mr. George D Collins—An act to amend Section 1403 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 1086: By Mr. George D Collins—An act to amend Section 1454 of the Elections Code, relating to measures submitted to voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1087: By Mr. George D Collins—An act to amend Section 700 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1088: By Mr. Stewart—An act to amend Section 1620 of the Welfare and Institutions Code, relating to the inspection and licensing of boarding homes, day nurseries, and schools.

Referred to Committee on Social Welfare.

Assembly Bill No. 1089: By Mr. Levering—An act making an appropriation for the Los Angeles State College.

Referred to Committee on Education.

Assembly Bill No. 1090: By Mr. Levering—An act making an appropriation for the Los Angeles State College.

Referred to Committee on Education.

Assembly Bill No. 1091: By Messrs Huyck, Smith, Geddes, Rosenthal, and Stanley—An act to amend Section 159 of, and to add Section 160.1 to, the Vehicle Code, relating to registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1092: By Mr. Fletcher—An act to add Section 17486 and Section 17513 to the Health and Safety Code, relating to water closets.

Referred to Committee on Public Health

Assembly Bill No. 1093: By Mr Tomlinson—An act to amend Section 45.11 of the Unemployment Insurance Act, relating to claims for refund and authorizing civil action against the commission for recovery.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1094: By Mrs Niehouse, Messrs. Rosenthal, Luckel, Cramer, and Dunn—An act making an appropriation for services for physically handicapped children suffering from rheumatic fever and rheumatic heart disease

Referred to Committee on Public Health.

Assembly Bill No. 1095: By Mrs. Niehouse—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Referred to Committee on Education.

Assembly Bill No. 1096: By Mr. Caldecott—An act to add Section 20800 to the Education Code, relating to the payment of expenses of graduates of the California School for the Deaf attending Gallaudet College.

Referred to Committee on Education.

Assembly Bill No. 1097: By Mr. Caldecott—An act to add Section 19709.5 to the Government Code, relating to reemployment rights of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1098: By Mr. Caldecott—An act to amend Section 689c of the Code of Civil Procedure, relating to application of proceeds of sale or execution

Referred to Committee on Judiciary.

Assembly Bill No. 1099: By Messrs. Caldecott, Brown, Tomlinson, Beck, George D. Collins, and Rosenthal—An act to amend Section 581a of the Code of Civil Procedure, relating to dismissal on lack of prosecution.

Referred to Committee on Judiciary.

MESSAGES FROM THE GOVERNOR

The Budget Message of the Governor was received and read

Request for Unanimous Consent That Budget Message Be Printed in Full in the Journal

Mr. McCollister asked for, and was granted, unanimous consent that the Budget Message of the Honorable Earl Warren, Governor of the State of California, be ordered printed in the Journal, in full, in 10-point type.

BUDGET MESSAGE BY GOVERNOR EARL WARREN
1949-1950 BUDGET

To the Senate and Assembly of the State Legislature of California:

In compliance with the provisions of the State Constitution and the needs of the State, I present herewith for your consideration the budget representing my estimate of expenditures to be made, and revenues required, by the State of California during the next fiscal year.

The total of this budget is $1,060,187,939—an increase of $140,244,652 over the budget which I submitted for the current fiscal year.

The total in the normal sense is actually $912,278,995. The sum of $147,908,944 budgeted for capital outlay will be paid out of moneys saved since 1943 for building purposes It is not necessary, therefore, to consider this amount in connection with tax needs.

Tremendous as the budget total may be it will become evident that, exclusive of items for critically needed buildings under the program just mentioned, only $233,638,000 in General Fund appropriations affecting taxes were in any sense subject to my control.

Analysis of the budget will reveal that it includes $153,262,000 of increased expenditures for school and social welfare traceable to initiative measures approved by the voters during the past two years. As a

matter of fact, one-third of this budget, or $350,589,000, represents school apportionment and welfare programs required by constitutional provisions approved by the voters at the general elections in 1946 and 1948.

This budget reflects for the first time the action of the voters in approving Proposition No. 4 at the November 2, 1948, election. Proposition No. 4, in budget terms, means that $88,767,000 has been added to our expenditures for old age and blind assistance next year In addition the sum of $29,468,000 is required to operate the program between January 1 and June 30 of this year. This means that, to the extent of $29,468,000, balances that might have been used to finance requests in this budget will not be available. In total, the additional cost to the State of Proposition No. 4 will be $118,235,000 up to July 1, 1950.

This is the budget of a State striving to service the needs of 10,350,000 people—a budget which must of necessity serve more people than heretofore and also reflect the increase in housekeeping cost now affecting every growing institution, both public and private.

Population increase has been a dominant influence behind the increased cost of government in California in the past six years. Growth continues as the principal factor in determining state expenditures. It is found in this budget translated into requests for more funds for education, state hospitals, prisons, public health, highways, the regulation of motor vehicles, and the construction of long needed buildings to house these important functions of State Government.

In terms of the total budget dollar, 30 2 cents will be expended for education, 20.0 cents will go for social welfare and public health; 19.4 cents for roads, streets, highways, and the regulation of motor vehicles; 8 9 cents for hospitals, correctional schools, and prisons; 5 1 cents for conservation and development of agriculture, water, and other natural resources; and 16 4 cents for all other state activities.

For some time we have believed that the State Budget might be more easily understood if it were presented in the three important units in which it naturally divides itself. Therefore, this year we are showing separately the totals for State Operations, Capital Outlay and Local Assistance. It so happens this year that there has been a major transfer of obligations from Local Assistance to State Operations which is brought clearly into focus by this new method of budget presentation The State Operations Budget has been sharply increased and the Local Assistance Budget has been decreased as a result of Proposition No. 4 which transferred all old age assistance and needy blind costs to the State

The sections divide themselves as follows:

		Amount
I	State Operations Budget	$428,672,779
II.	Capital Outlay Budget	241,122,553
III.	Local Assistance Budget	390,392,607
	Total	$1,060,187,939

State Operations Budget

The Budget for State Operations amounts to $428,672,779. Excluding the amounts which must be provided as a result of voter liberalization of the social welfare program, the Operations Budget total amounts to

$262,367,000 as compared with $234,821,000 for the current year—an increase of $27,546,000. This increase is occasioned in the main by salary adjustments and the still increasing volume of service made necessary by our mounting population. We have made many improvements in the quality of state service during recent years, but I am making only moderate recommendations for such improvements this year in order to present as economical a budget as possible under the circumstances.

The increase in administration cost for the Social Welfare Department is not included in the $27,546,000 but will be found included in the cost of Proposition No. 4, as mentioned above. A deficiency appropriation of $3,075,323 is required to cover administrative cost of the State Department of Social Welfare until June 30 1949, the end of the current fiscal year.

Salary Adjustments

Pursuant to House Resolution No 80 of the 1948 Legislature the State Personnel Board has made a detailed comparison of state salaries with those paid by private industries and other governmental agencies. It recommended a 5 percent adjustment, effective September 1, 1948, and has used available funds to provide such an increase for 18,000 employees in the lower salary brackets.

In order to extend the 5 percent increase to other classes where adjustments are due, the sum of $1,800,000 should be made available immediately from the State General Fund to be paid on a retroactive basis to September 1st. I recommend a deficiency appropriation in this amount. There is included in the budget $5,300,000 necessary to continue these increased salaries through 1949-1950

You also have before you a report of the State Personnel Board and its recommendation for a special salary increase fund to be available in the event of a further general increase in salaries and wages in private business I concur in this recommendation and have included a General Fund appropriation of $5,600,000 for this purpose on condition that the fund shall be used only if and when studies of the Personnel Board show the necessity of further salary increases to maintain state salaries on a parallel with those in private industry. No legislative appropriation will be necessary for special fund agencies, since amounts can be made available by executive order, if salary increases are approved.

Other major increases which I am recommending in the State Operations Budget, and the reasons therefor, follow·

1. *Education:* Provision is made for the expenditure of $48,171,321 for operation of state educational institutions, the Department of Education and other educational activities. (Apportionments to the Public School System which amount to $196,250,900 are not included in this item.) This total contains an increase of $7,561,422 over current operating expenses Of this increase, $5,519,296 is for the University of California. Explanation of the increase is found in items dealing with the amount and quality of education offered by the State. Some provision is made for larger teaching staffs in relation to enrollments and for an increase of courses available at both the University of California and the state colleges. A new law school and college of engineering at Los Angeles, extension of agricultural courses at Davis and the Fresno State College, and expansion of the agricultural research program contribute to the

total. The largest single item of increase is $1,000,000 required to offset student fees formerly paid by the Federal Veterans' Administration under the GI Bill of Rights

2 Mental Hygiene: Provision is made for the expenditure of $34,223,959 which represents an increase of $1,366,390 over current expenditures The increase is recommended in accordance with the needs of an additional 2,200 patients and to carry on a program to improve the standards of care provided for all persons in our mental institutions The department is now in the third phase of a carefully worked out program designed to improve the ratio of medical and nursing personnel to patients. Until adequate facilities can be provided to house all of the 37,500 persons in our mental institutions and the 2,200 net increase anticipated each year, we must give extra supervisory attention to the conditions provoked by overcrowding If we are to fulfill our responsibility to operate our institutions under an enlightened program, the improvement program now under way must be completed

3. Corrections: Provision is made for the expenditure of $15,207,460—an increase of $638,669 over current expenditures. Factors to be considered in connection with the increase are the operation of additional facilities and an estimated 884 increase in the number of inmates. During the last two years we have followed a policy of replacing convict workers in our institutions with free personnel where confidential records or prison safety are involved. This program is carried to completion in this budget. It is recognized that a delicate balance exists between the direct economy of a liberal parole policy and the potential cost of releasing convicts not ready for, or incapable of, leading a normal free life. Additional emphasis is therefore being placed upon classification, education, and parole work with a view to returning as many prisoners as possible to self-supporting activities.

A sum of $102,734 is included herein for the continuation of the work of the Crime Commissions and particularly the work of the Commission on Organized Crime. This is a substantial reduction from the $214,341 in the current budget because most of the commissions will have completed their work and been discharged before the end of this fiscal year. The work already accomplished by the commissions, however, demonstrates that there is an active underworld in our State and that it is reaching out to organize and commercialize vice and crime.

The public, the Legislature, and the Governor are entitled to have the facts from a viewpoint of a citizens' survey made by people who represent a cross-section of our best citizenship. This is a difficult task for any group of citizens. Their efforts are bound to be impeded by the ramified influences of the underworld, but, as I said to you in my recent message to the Legislature, a failure to continue this work on the modest basis herein recommended would be a complete surrender to the underworld and an invitation to criminals everywhere to close ranks and prey upon our people in an organized manner. This is not law enforcement work. It is not duplication. It is merely keeping ourselves properly advised before conditions become intolerable. The work has had the cooperation of the peace officers of the State and carries the endorsement of their association.

4. Public Health: Provision is made for the expenditure of $4,826,858, an increase of $1,025,585 over current expenditures.

State expenditures for health supervision have shown the largest increase of any governmental function during recent years—and properly so. This department was being allocated approximately $750,000 a year when I took office as Governor six years ago. Believing that constant vigilance in matters of public health is of vital importance at all times, and particularly at a time when millions of new residents were crowding into our State, I first called for a reorganization of the department. Since that time I have consistently advocated a fuller recognition of state responsibility in this field.

One of the major increases in this budget is for health supervision in connection with problems of water supply and sanitation. State Government is charged with the responsibility of investigating and approving the domestic water systems, and facilities for the disposal of sewage, industrial waste, and other refuse. This budget will permit the State to discharge this responsibility in a more thorough manner than ever before. Other items involving increases are programs through which the State is extending additional assistance to the smaller counties in aiding crippled children and additional expenditures for the cerebral palsy program. Greater emphasis is placed upon the control of communicable diseases, especially research in connection with Q Fever, which constitutes a latent threat to health unless adequate control measures can be developed.

5. Veterans Affairs: Provision is made for the expenditure of $4,769,101— an increase of $383,655 over current expenditures.

Three-fourths of the increase recommended for this department relates to the program of educational assistance to veterans and veterans' dependents under legislation adopted in 1921. The act provides that veterans who desire to continue their education may receive an assistance grant, not to exceed $1,000. This provision also applies to veterans of the Second World War As eligible students exhaust their rights under the federal education program an increasing number are turning to the State for assistance. The estimated cost of this program, including educational assistance to veterans' dependents, in 1949-50 is $2,516,800. Other increases reflected in the department's budget are in connection with the operation of the Veterans' Home at expanded capacity and a moderate increase in state payments to service organizations for their work in connection with veterans' claims for care, preference or compensation.

6. Motor Vehicles: Provision is made for the expenditure of $10,039,944 for normal operations—an increase of $834,872 The budget also provides $1,275,000 for purchase of materials and manufacture of license plates to be issued in 1951. This will occur but once in five years, in accordance with your approved five-year plan. This is the budget of a state department that, while working under the handicap of inadequate quarters, has been faced with a rising work load, the reorganization of its system to machine operation and the assumption of the entirely new financial responsibility program Recognizing that this department leads all others in service contacts with the public, I am recommending expansions which will not only save time and expense for thousands of individual motorists, but which will compensate—through improved service—for

the increased taxes now being paid by all motor vehicle owners. Included in this budget is a provision for the establishment of new branch offices of the department in a number of communities.

7. Highway Patrol: Provision is made for the expenditure of $10,774,137—an increase of $1,783,704. Explanation of the increase will be found in provisions made for 200 more highway patrolmen. This recommendation for the expansion of the Highway Patrol is in keeping with the program inaugurated two years ago. It is the second major increase which I have requested to bring our traffic regulation and safety activities more in line with the increases that have occurred in motor-vehicle traffic. By the end of next year it is expected that 4,500,000 vehicles will be traveling our streets and highways. In the last 12 months at least 3,000 deaths have occurred as a result of traffic accidents. This fact alone is convincing argument in support of expansion of the Patrol.

8. Natural Resources: Provision is made for the expenditure of $18,010,634—an increase of $1,105,386 over current expenditures. Conservation of natural resources has received increased recognition in recent state budgets. This budget provides for additional modern equipment to protect our foothill and brush areas from fire, for the further development of recreational areas, and for the expansion of the fish and game conservation program, pursuant to legislation adopted in 1947.

9. Agriculture: Provision is made for the expenditure of $8,193,302—an increase of $599,997. In the main the increase recommended for the Department of Agriculture is for the control and suppression of agricultural diseases and pests, and for the better dissemination of crop and market information.

10. Industrial Relations: Provision is made for the expenditure of $4,030,470—an increase of $213,157. The recommendations made in this budget provide for expansion of the Conciliation Service inaugurated as an experiment two years ago. Our experiences with this work have fully justified its continuation and enlargement. Funds for the Division of Industrial Safety are being increased to meet the added work load developing through industrial expansion.

Capital Outlay Budget

Since 1943 it has been my responsibility to report at each legislative session on the condition of the physical plant of our State Government. I have endeavored to keep you currently and frankly informed on the problems and the needs of our educational institutions, prisons, hospitals and office buildings—neither minimizing nor exaggerating the extent of the accumulated obsolescence and depreciation of the last 20 years and the impact of population growth upon admittedly inadequate facilities.

This is the section of the budget in which we deal with the problem of the physical plant needs of State Government—needs which all of us realize are not static but are increasing day by day, both in urgency and in volume.

Because of war produced restrictions upon construction, this is the first time since I have been Governor that I have been able to report actual

progress in the building of new facilities for state use. It is therefore time for a review of the steps we have taken in what I consider to be one of the most sound and humanitarian programs of expenditure ever undertaken by our State Government.

Working together during the past six years, we have fostered a program through which much of the long deferred construction and replacement needs of our State can be financed. We have called it our postwar building program. It is the program through which we have shown our concern over the manner in which 37,500 mental casualties are housed. It is the program through which we have shown our recognition that 30,000 more students are seeking the educational benefits of our university and state colleges than before the war. It is the program that reflects our concern over a prison situation created by 10,000 prisoners when permanent accommodations are adequate for only 5,300, and a trend that will necessitate the housing of 13,000 by 1955. It is the program to which we must look if hundreds of young boys and girls are to be kept out of jails or detention homes and afforded the retraining for good and useful citizenship offered by our Youth Authority.

In brief, it is to this program to which all of us have come to link our natural desire for enlightened and humane treatment for every person for whom the State must provide housing and direction. Likewise, we look to this program for relief from the drain upon tax moneys caused by the rental of buildings needed by State Government—an item which has grown to $2,500,000 a year. It is a program designed to fill the void created by financial inability to build during a depression and necessary wartime restrictions against construction. It is a program for bringing the inadequate facilities of a State of 7,000,000 people into line with the needs of a State of 10,350,000 people

It was in the year 1943, my first year as Governor, that we faced this tremendous problem of housing with resolution, and evolved the program which we are now carrying forward It was a year of abnormal wartime revenue—a year in which we recognized that it would be possible to both reduce state taxes and develop a surplus for postwar construction use. We came to agreement on such a program. Taxes were reduced and the Building Fund was started. Our first step, under the building program, was to start the acquisition of sites for the new and expanded schools, office buildings, mental hospitals and correctional institutions which the program permitted us to envision.

The conclusion of the war made it possible to begin assigning accumulated funds to specific projects. In 1946 we developed, at an estimated cost of $154,000,000, what has become known as the Unified Construction Program. We created a State Public Works Board, as a joint legislative-administrative body, to administer the program It was our belief at that time that the Unified Construction Program then approved, plus appropriations already made, would permit the replacement of obsolete structures and provide the State with new facilities capable of meeting all normal requirements by 1951.

In 1947 I reported to you that steadily rising costs of construction and our continuing population growth had made the attainment of this 1951 goal impossible with the funds available. As a result of this report, you took action in your 1947 and 1948 Sessions and earmarked first

$90,150,000 and then $26,800,000 for use when the funds available for the Unified Construction Program had been exhausted.

Through this same period since 1943, you also made appropriations for specific construction projects not included in the original Unified Building Program. Among these projects were the medical and law schools on the Los Angeles campus of the University of California ($8,000,000), a teaching hospital at the San Francisco Medical Center ($6,000,000), the two new state colleges in Southern California and one in Sacramento ($4,500,000), new wards at Napa State Hospital ($1,326,000), a new building at Hastings College of Law ($1,450,000), student housing at the state colleges and university ($9,570,000), and the vocational and agricultural institution for young offenders at Tracy ($3,165,000).

These specific appropriations—and there were more than fifty of them—were also supplemented to provide for increased construction costs. In the aggregate, with the supplementation, they now amount to $141,259,000. In order to maintain one consolidated construction program for the State, these projects were incorporated into the Unified Building Program in 1947 under the direction of the Public Works Board. This action gave us in fact, as well as in name, a Unified Building Program.

Thus, in total, during these years you have made available for construction use the sum of $295,259,000 and earmarked $116,950,000 as a reserve. These totals were not developed by guess or estimate, but through step-by-step approval of individual projects under a well-studied, long-term building program. Each dollar purpose, including use of the $116,950,000 held in reserve has been given legislative screening and approval.

For the purpose of undertaking an analysis of this entire building program, it is helpful to break the program down into three broad classifications. The sum of $102,963,000 has been appropriated under the general category of fixed available appropriations The sum of $192,296,000 has been appropriated under the general category of interchangeable available appropriations. The sum of $116,950,000 is in the category known as "funds frozen in reserve." The current condition and availability of each of these funds is as follows:

Fixed Available Appropriations

Appropriated	$102,963,000
Allocated	35,754,000
Balance	$67,209,000

History—The total appropriation in this category is for specific purposes and the funds are limited in their use to such purposes. Uses included are site purchase appropriations and the building projects to which I have just referred. Out of these funds commitments totaling $35,754,000 have been made for projects now under construction, such as: the School of Veterinary Science and the Plant Science Building on the Davis campus of the University of California, three dormitories and other buildings at the Institution for Men at Chino, the library and other

improvements at the California Polytechnical College, new ward building at Agnew, Camarillo, Napa, Norwalk, and Pacific Colony State Hospitals, and the new Business and Professions Building Annex in Sacramento. In addition, sites have been purchased for a new state prison at Soledad and at Tracy, and a prison medical center at Vacaville; and for new buildings at San Jose, Humboldt, San Francisco and Fresno State Colleges.

We have in the active planning stage projects which will soon utilize a large portion of the $67,209,000 balance now remaining in this special purpose fund.

Interchangeable Available Funds

Appropriated	$192,296,000
Allocated	107,396,000
Balance	$84,900,000

History—In this category are the matters over which the Public Works Board has the greatest discretionary authority. It is made up of the original $154,000,000 appropriation of 1946 and the 1947 and 1948 supplementations for increased buildings costs and additions.

The bulk of the projects making up this total were contained in the proposed capital outlay statements submitted to the Legislature in 1946 by the Director of Finance and approved at that time. This program includes projects in connection with every institution in our State Government. The Public Works Board has since approved construction expenditures amounting to $107,396,000, leaving an available balance of $84,900,000, which, at the rate plans are now being prepared, will be substantially committed before July of this year.

Funds Frozen in Reserve

History—This fund of $116,950,000 is made up of the money set aside by the Legislature in 1947 and 1948. The enabling act under which it was set aside characterizes the fund in this manner: "To be expended for construction improvements and equipment for state agencies as may hereafter be authorized by the Legislature."

It is my recommendation that at this session you make this $116,950,000 available for use during the coming fiscal year. Such action is required if the construction program contemplated at the time of its creation is to push forward without interruption. Unless such action is taken a slowdown in construction activities under our Unified Building Program will occur during the coming year. All necessary planning in connection with projects to be constructed out of the Fixed Available Appropriations and Interchangeable Available Funds will have been completed during this calendar year.

Looking at our construction program in its entirety we find that Public Works Board commitments to date total approximately $143,000,000 out of the $295,259,000 that it has had available for immediate use. In my opinion this is evidence of real progress. The board has only been able to undertake large scale construction during the last 18 months. Prior to that time the program was circumscribed by controls,

shortages of materials and supplies, and by the inability to get satisfactory construction bids. Moreover, we were reluctant to compete with private contractors and home builders for material and manpower.

I have mentioned previously the manner in which steadily rising prices have brought about changes in our original concept of the cost of the Unified Building Program. I consider it unfortunate that most of the construction must be undertaken during a period of high costs. We are dealing with a problem of urgent need, however, and cannot afford to let other factors interfere. Increasing rental costs, outlays for temporary construction forced by crowded conditions, confusion and inefficiency caused by congestion, and widely scattered divisions in our major departments, all add to the expense of delay, and offset any savings that might accrue from waiting for construction costs to decline.

With the completion of the Unified Building Program, we will have eliminated the most glaring state building deficiencies. Since this phase of our construction program is now clearly defined, with the exception of making the funds frozen in reserve available. I wish to point out that we are still a growing state. Unless the needs of each year's growth are contained in each annual budget we will again find ourselves slipping behind even while we are correcting errors and omissions of the past. No budget is honest that does not contain the amount needed for normal replacement and expansion.

With this thought in mind, I am submitting for your consideration the new construction needs of seven divisions of State Government. In no case are these items included in the Unified Building Program. Each item has been carefully analyzed by the Department of Finance and represents a matter of urgency. The total request has been held to a minimum. The construction items recommended are as follows:

Department of Education $6,610,000

To permit construction during the coming fiscal year of the partially financed priority building program of the state colleges; to expand the size of the basic campus facilities of San Francisco State College; to improve utilities at San Jose State College; to permit initial construction of the new four year college at Sacramento; and to purchase additional needed land at the Humboldt, San Diego and Chico State Colleges.

National Guard $6,050,000

To complete the state-wide permanent armory building program.

Department of Mental Hygiene $402,000

To raise the height of Suttenfield Dam at the Sonoma State Home and to provide additions to the laundry building at the Norwalk State Hospital.

Department of Public Health $160,000

To permit acquisition of the remaining parcels of land at the site of the departmental headquarters office building and laboratory in Berkeley.

Department of Natural Resources (Forestry)_____ $2,207,139

To construct six new forestry work camps to be operated jointly by the Department of Corrections and the Division of Forestry. These camps will afford additional protection against fire for our forests, and, at the same time, help relieve overcrowding at our prisons, and provide useful working opportunities for the prisoners

Department of Corrections_____ $1,570,400

To provide a new administration building, sewage disposal plant, maintenance and shop building at San Quentin; maintenance shops, combination gymnasium-auditorium, and residences at Chino, additional improvements to the cell blocks and industrial buildings at Folsom.

Department of Finance_____ $6,645,000

To construct a new two-square-block state office building on the Capitol Mall; to provide additional office space in the Public Works Building Annex; to remodel completely State Office Building No 1; and to acquire additional warehouse space, all in Sacramento; and to augment the appropriation for purchase of the state building site in San Diego.

Local Assistance Budget

This is the section of the budget which lists all payments made by the State to local government agencies including cities, counties and school districts The total is $390,392,607, or almost 40 percent of the entire State Budget

All costs in connection with old age and needy blind assistance programs formerly listed in this section as subventions to counties, have been transferred to the State Operations section of this budget as a result of voter approval of Proposition No. 4. This transfer coupled with the ending of certain emergency school subventions accounts for a decrease in subventions Aid to partially self-supporting blind will continue under county administration I recommend that payments to these blind people be increased immediately to $85 per month, in accordance with the increase in the other assistance programs.

The major subventions accounted for in this budget are school support, $208,615,000; payments in connection with social welfare and public health programs, $30,161,000, state subventions for flood control and local public works, $35,280,000; and tax collections by the State for return to local governments, $112,417,000.

Two items which have appeared in this section of the State Budget for the past two years will, I am sure, be discussed by you during the weeks to come. They are:

Child Care Centers—State Government during the fiscal year has been supervising and providing financial assistance for 298 child care centers located largely in metropolitan areas. The enrollment has been almost 14,000 children and it is increasing. The cost to the State in the current year is estimated to be $5,296,000.

In discussing this subject in my message to you one year ago, I said

> "I also believe the Legislature should determine the future of child care centers, which automatically expire on May 30th of this

year. No new centers could be established since February 20th. These child care centers were established first by the Federal Government in wartime, but federal aid has long since been discontinued and they have since been maintained on a year-to-year basis. If they are not to be maintained beyond May 30, 1948, provision must be made for the care of many of these children in another manner."

I am now repeating my comment of last year because there has been no change in the situation except that the life of child care centers has been extended one year We still have no long-term policy in this matter. The current law provides that child care centers shall be closed on or before June 30, 1949. It is my belief that a better solution than this year-to-year consideration should be found. You have before you the findings of a recent interim committee on this subject.

School Building Aid—During the last two years the State has appropriated $55,000,000 to aid financially distressed school districts in meeting their school building needs. These appropriations represented a distinct departure from the precedent that public school facilities should be provided by local districts. We went into this type of 100 percent grants-in-aid to help in an emergency and to give distressed local districts time to develop major long-range building programs I advocated these emergency appropriations because I believed the grants to be a proper use for excess funds which we then had in our State Treasury. The days of surplus are ending. There is no surplus existent to recommend for such use at this session, and for this reason I suggest that the Legislature attack the problem in its entirety, recognizing that the principal responsibility for constructing school buildings is that of local government. The problem is one of such magnitude, however, that its solution is of fundamental importance to the welfare of all our people and calls for the cooperation of both State and local government.

Revenue and Taxation

To finance this budget, adjustments in taxes are necessary. More revenue will be required than can be developed by present tax rates. Revenue receipts under current tax rates will produce only $507,268,782 for the State General Fund during 1949-50. The General Fund expenditure requirements set forth in this budget total $619,575,098.

The gap between proposed General Fund expenditures and revenues amounts to $112,306,316. An anticipated June 30, 1949, surplus of $27,335,857 will close this gap to $84,970,459. This, then, is the amount which must be considered in relation to new tax revenues if we are to operate State Government with this budget in balance.

I have repeatedly expressed my objection to using any of our present state reserves to balance this budget. Such funds as we have available in this category are earmarked for specific purposes under a long-agreed-upon program. I have expressed the belief elsewhere in this message that the urgency of our building program is such that it will actually be cheaper to carry on this program in a period of high prices than to delay the program in anticipation of a distant day when prices may be lower. Once spent, these reserve funds will never again be available. Unless

they are spent for the purposes for which they were earmarked and saved we will find ourselves struggling through another generation with inadequate facilities and will lack the finances with which to improve what is already a costly and deplorable situation.

I have likewise expressed my opposition many times to the diversion of funds now held in what we have come to call our "Rainy Day" fund. This fund was created for a specific and easily understood purpose during a period when surpluses were accumulating in our State Treasury. It was advocated as an emergency fund for use if and when state revenues suddenly declined. I am sure the purpose is understandable in every home in our State. It is the kind of a fund the head of every family strives to create—a fund that can be drawn upon when emergencies arise which cannot be met from normal income. It takes no argument to convince the average household that its modest "Rainy Day" fund cannot be looted to increase the standard of living without quickly being dissipated and the household being left without any cushion for emergencies. The same situation exists in State Government. We have managed to build up a "Rainy Day" fund amounting to $75,000,000. It is a large amount of money, but it is not a great fund when we bear in mind that if our General Fund revenues were to shrink 15 percent, this fund would be eliminated in a single year.

I take the position that this fund should be held intact for a day of real emergency. It should not be used for day to day expenditures. When either the Legislature or the people increase the costs of government, revenues should be increased to pay for each new activity. To apply the "Rainy Day" fund to the increased costs of government this year would only delay for another year the balance which sound government requires between taxes and expenditures.

My first recommendation toward closing the gap between General Fund revenues and expenditures is that we terminate the temporary tax reductions and return to the 1943 tax levels in the sales, corporation and personal income tax fields, as provided under existing law. This would normally produce $86,000,000 next year in additional General Fund revenue. However, only $64,725,000 of this amount will be available for the financing of this budget, due to the lag between sales tax collections by our retailers and the actual receipt of the money into the State Treasury, and due to the fact that the corporation and personal income tax rates do not become collectible until January 1, 1950.

In 1943 we found we could maintain a balanced budget with lower sales, corporation and personal income tax rates A reduction was made on a temporary basis and at each subsequent legislative session we have taken action to continue this reduction in force In total, more than $535,000,000 have been saved to the taxpayers of California by this program since 1943. Without legislative action this session the rates will return to their higher and permanent level. This will involve a return to the 3 percent retail sales and use tax, elimination of the 15 percent credit allowed under the bank and corporation franchise tax and corporate income tax, and a moderate increase in the personal income tax. The $64,725,000 thus obtainable for General Fund use will reduce the gap between General Fund resources and proposed expenditures to $20,245,459. This

figure is basic in the consideration of new tax sources with which to balance this budget. There are other considerations which require attention, however, if the budget is to be balanced in a sound and workable manner.

1. Included in the estimated General Fund resource total is $27,335,-857 of surplus which is not recurring and has no place in a long-range tax program.
2. The $88,767,000 cost of Proposition No 4, falling in the budget year, is not representative of the annual cost of the liberalized program when in full effect. The cost in 1950-51, the first full year of operation, is estimated at $110,000,000 and an increased drain of $21,233,000 on state revenues available for financing the next budget.
3. No provision is made for special appropriations which the Legislature may authorize in addition to the expenditures proposed in the budget.
4. Sound fiscal procedure requires a small margin of safety between tax income and expenditure requirements.

A survey of new or additional tax possibilities which could be used for sound and adequate budget financing points to three sources from which this amount could be obtained without hardship to any taxpayer group. They are:

1 An increase in the distilled spirits excise tax.
2. The imposition of a cigarette tax.
3. An increase in the license fees levied upon pari-mutuel betting at horse-racing meet.

All of these taxes rest upon luxury items which enjoy a comparative advantage under California tax laws The present liquor excise tax of 80¢ per gallon is well below the $1 42 national average. It can be raised to $1.50 per gallon with complete equity. This adjustment would yield an additional $11,600,000 to General Fund on an annual basis. But here again there will be a lag in collections which will make only $9,150,000 available for financing this budget.

California is one of only 12 states which does not currently employ a cigarette or tobacco tax A cigarette tax of 2¢ per package would produce at a normal rate of $23,300,000 in a 12-month period, but collection methods permit us to count upon only $18,000,000 during the period covered by this budget. With 36 states now levying either a cigarette or tobacco tax, California could well turn to this source for needed revenue.

The State is now granting monopoly preference in horse racing. Some of these enterprises, particularly the larger ones, are yielding fabulous returns for stockholders. A larger part of the excess profits could well be taken by the State in payment for the special privilege which it is granting. It is not unreasonable to look to this source for at least $4,000,000 of additional revenue during the next fiscal year.

These three proposed adjustments would produce $31,150,000 available for financing the budget I am herewith submitting.

Because $29,468,000 of our surplus has been required to finance Proposition No. 4 for the remainder of this fiscal year, it would seem appropriate to finance that portion of the program out of this year's

revenue. This could be largely accomplished by restoration of the 3 percent sales tax and by making provision for the liquor and cigarette taxes herein mentioned to start as of April 1, 1949, rather than July 1st. The sales tax would thus produce $14,400,000 additional and the latter an aggregate of $8,000,000 Under existing law, the tax restoration on corporate earnings and personal incomes becomes effective for the entire year 1949, payable in 1950.

I am opposed to the use of the ad valorem tax to make up either the amount needed to balance this budget or to develop revenues to finance any special appropriations which may be enacted during this session.

Large as this budget is in total, it is a budget of necessities determined by acts of the Legislature and by measures initiated by the people. It contains no frills, innovations, or extravagances. It is within both the spirit and the letter of the law. The revenues recommended should keep us in balance with a few million dollars for a cushion. But these revenues will not permit of any great amount of special appropriations. It will take a maximum of self-restraint to keep within our financial means, particularly in view of the fact that the Legislature has already taken preliminary steps to establish new state colleges in Los Angeles and new campuses of the University at Santa Barbara and Riverside. If new provisions are made for these institutions, there will be little or no money left for any other special appropriations, if the budget is to remain in balance.

The only other sound alternative, if there are to be additional appropriations, would be to increase the revenues by additional taxation

It is not possible to deal with all matters in detail in this message, but I am confident that as your committees engage in the study of the detail of the entire budget you will find an honest and fair presentation of facts The Department of Finance and the representatives of all state departments stand ready to discuss the detail herein contained and to cooperate in the development of additional facts

The State Government is a large institution. It serves the people in many ways. It has grown in response to the demands of the people for more and better services and in keeping with the needs of our greatly increased population. Often the people themselves initiate the legislation for these new or expanded services. We have tried to keep the scope of its activities within the bounds of sound organization. But we must recognize that the growth has been rapid and that some of the activities, have of necessity, been established through the years in accordance with the principles of trial and error. In such circumstances, a complete inventory of our situation might be in order. It would not be beyond the realm of probability that both our tables of organization and some of the methods used might be subject to considerable improvement that would save money for our taxpayers, and that a study of the entire governmental structure and our relations with all levels of government might accomplish such a result. If the Legislature is of the opinion that a commission of governmental experts and private citizens could do such a job for the benefit of our State, I would be happy to cooperate in such a program.

EARL WARREN, Governor

JANUARY 21, 1949

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

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

Assembly Bill No. 1100: By Mr Sherwin—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 36—Approving the charter of the City of Redondo Beach, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the fourth day of January, 1949;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of January, 1949, at 11 a.m.

HUYCK, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 9—Relative to memorializing the President and the Congress of the United States in relation to the retention of the National Guard under state control.

Resolution read.

Motion to Amend

Messrs Hawkins and Rumford moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed measure, after line 20, insert

"*Resolved*, That it shall be within the power of a state to eliminate segregation in the Militia on the basis of race, color or creed; and to prohibit discrimination in enlistments, promotions, or commissions on the same basis; and be it further"

Amendment read.

Roll Call Demanded

Messrs Rumford, Hawkins, and McCollister demanded a roll call.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Coats, George D. Collins, Condon, Cooke, Crowley, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Thomas, Way, and Weber—46.

NOES—Brady, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Crichton, Dickey, Dolwig, Erwin, Grunsky, Heisinger, Hoffman, Huyck, Kirkwood, Lipscomb, McCollister, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, and Mr Speaker—27

Assembly Joint Resolution No. 9 ordered reprinted, and re-engrossed.

Speaker Pro Tempore Presiding

At 11 30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 51

By Mr. Sam L Collins:

House Resolution No. 51

Welcoming Mr and Mrs. A. A. Bennett upon the occasion of their visit to the Assembly of California

WHEREAS, The State of Idaho has long been famous for its superior spuds, and has recently become even more famous for its splendid winter resorts; and

WHEREAS, Magnificent as these contributions are, still, to those initiate, the great State of Idaho has two assets even more engaging and only slightly less well known, her delightful fishing streams, and her citizen extraordinary, A. A. Bennett, and

WHEREAS, The arrival of the latter in California, accompanied by his charming wife, is the subject of this resolution; and

WHEREAS, The said A. A. Bennett is a well known figure in aviation circles, having been Director of Aeronautics in Alaska, and more recently Director of Aeronautics in the State of Idaho; and

WHEREAS, It has long been a particular pleasure and hobby of A. A. Bennett to exhibit his special skill in canyon flying to any of the curious, flying on edge with as much calm and fortitude as when on an even keel, and

WHEREAS, Many Members of the Legislature have enjoyed the unsurpassed pleasure of visiting the delightful hunting and fishing camp maintained by A A. Bennett on the Middle Fork of the Salmon River in Idaho, and have developed a deep and enduring admiration and friendship for their famous host, and

WHEREAS, A A. Bennett has at last yielded to the importuning of his many friends, and, relying upon his skill in flying to prevent him from being blown off his course by the blasts of hot air which are sometimes known to sweep this Chamber, the said A A Bennett and Mrs Bennett have accepted the numerous invitations extended to them to visit this Legislature, and to our pleasure are here with us today; now, therefore, be it

Resolved by the Assembly of the State of California, That A A Bennett and Mrs. Bennett are cordially welcomed to the State of California and to this Assembly Chamber with the same warmth and hospitality with which so many Members of this Legislature have been made welcome when visiting the Bennett Camp in Idaho, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Mr and Mrs. A A. Bennett as a token of esteem of their many friends in the Legislature of California and as an expression of good wishes for their enjoyment of their visit to this Capitol and to the State of California

Resolution read, and adopted unanimously.

Speaker Presiding

At 11.32 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Thomas, Ralph C. Dills, Crichton, McCollister, and Thompson:

House Resolution No. 56

Relating to memorializing the Foreign Trade Zone Board to grant to the Board of Harbor Commissioners for the City of Los Angeles the privilege of establishing a foreign trade zone at Los Angeles

WHEREAS, The Los Angeles Port area is one of the principal ports of entry for the importation of foreign merchandise into the Pacific Coast area; and

WHEREAS, Such commerce would be expedited and encouraged by the establishment of a foreign trade zone in the Los Angeles Port area; and

WHEREAS, The Foreign Trade Zones Act authorizes the Foreign Trade Zone Board to permit the creation and operation of foreign trade zones in ports of entry of the United States; and

WHEREAS, The application of the Board of Harbor Commissioners for the City of Los Angeles to establish a foreign trade zone at Los Angeles is now pending before the Foreign Trade Zone Board in Washington, D C.; and

WHEREAS, The facilities proposed in such application as the area in which to establish the foreign trade zone are suitable for such purposes; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California respectfully memorializes the Foreign Trade Zone Board to grant the Board of Harbor Commissioners for the City of Los Angeles the privilege of establishing and operating a foreign trade zone at Los Angeles in the area specified in the application now pending before the Foreign Trade Zone Board; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Foreign Trade Zone Board in Washington, District of Columbia

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 57

Relative to printing copies of the Preliminary Report of the Interim Fact-Finding Committee on Water Pollution

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to have printed as a separate document for the use of the Members of the Assembly 2,000 copies of the Preliminary Report of the Interim Fact-Finding Committee on Water Pollution, as it appears in the Assembly Journal for January 19, 1949.

Resolution read, and ordered referred to the Committee on Rules.

MOTION THAT MEMBERS BE PROVIDED WITH COPIES OF THE BUDGET

Mr. Dickey moved that all members be provided with not to exceed five copies of the budget.

Mr. Kirkwood seconded the motion.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1949

MR SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 56
House Resolution No. 57

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 56 (BY UNANIMOUS CONSENT)

By Messrs. Thomas, Ralph C. Dills, Crichton, McCollister, and Thompson:

House Resolution No. 56

Relating to memorializing the Foreign Trade Zone Board to grant to the Board of Harbor Commissioners for the City of Los Angeles the privilege of establishing a foreign trade zone at Los Angeles

WHEREAS, The Los Angeles Port area is one of the principal ports of entry for the importation of foreign merchandise into the Pacific Coast area; and

WHEREAS, Such commerce would be expedited and encouraged by the establishment of a foreign trade zone in the Los Angeles Port area; and

WHEREAS, The Foreign Trade Zone Act authorizes the Foreign Trade Zone Board to permit the creation and operation of foreign trade zones in ports of entry of the United States; and

WHEREAS, The application of the Board of Harbor Commissioners for the City of Los Angeles to establish a foreign trade zone at Los Angeles is now pending before the Foreign Trade Zone Board in Washington, D. C.; and

WHEREAS, The facilities proposed in such application as the area in which to establish the foreign trade zone are suitable for such purpose; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California respectfully memorializes the Foreign Trade Zone Board to grant the Board of Harbor Commissioners for the City of Los Angeles the privilege of establishing and operating a foreign trade zone at Los Angeles in the area specified in the application now pending before the Foreign Trade Zone Board; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the Foreign Trade Zone Board in Washington, District of Columbia.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 57 (BY UNANIMOUS CONSENT)

By Mr. Dickey:

House Resolution No. 57

Relative to printing of copies of the Preliminary Report of the Interim Fact-Finding Committee on Water Pollution

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to have printed as a separate document for the use of the Members of the Assembly, 2,000 copies of the Preliminary Report of the Interim Fact-Finding Committee on Water Pollution, as it appears in the Assembly Journal for January 19, 1949.

Resolution read, and adopted.

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

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

Assembly Bill No. 1101: By Mr. Caldecott—An act to amend Section 690.26 of the Code of Civil Procedure, relating to exemptions from executions.

Referred to Committee on Judiciary.

Assembly Bill No. 1102: By Mr. Caldecott—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Referred to Committee on Judiciary.

Assembly Bill No. 1103: By Mr. Caldecott—An act to amend Section 683 of the Code of Civil Procedure, relating to the return of execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1104: By Mr. Caldecott—An act to amend Section 1166a of the Code of Civil Procedure, relating to unlawful detainer.

Referred to Committee on Judiciary.

Assembly Bill No. 1105: By Messrs. McMillan, Weber, Luckel, Hagen, Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Maloney, McCarthy,

McCollister, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Price, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, and Way—An act relating to the acquisition of property in connection with the California War Memorial Park in Calaveras and Tuolumne Counties, making an appropriation therefor, and declaring the urgency thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1106: By Mr. Butters—An act to amend Sections 493.5 and 927 of, and to add Section 493.6 to the Fish and Game Code, relating to taking of fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1107: By Mr Luckel—An act to amend Section 886 of the Fish and Game Code, relating to fish for bait.

Referred to Committee on Fish and Game.

Assembly Bill No. 1108: By Mr. Luckel—An act to add Section 978 to the Fish and Game Code, relating to mollusks and crustaceans.

Referred to Committee on Fish and Game.

Assembly Bill No. 1109: By Mr Luckel—An act to amend Sections 715, 716, 717, 717.5, and 731, and to repeal Sections 732 and 733.5 of the Fish and Game Code, relating to marine fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1110: By Mr. Maloney—An act to amend Sections 7646 and 7666 of the Business and Professions Code, relating to embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 1111: By Mr Caldecott—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 1112: By Messrs. McCollister, George D. Collins, Meyers, Gaffney, Berry, Brady, Connolly, Crowley, Maloney, McCarthy, and Way—An act to provide for the transfer of title and easement to the highway known as Sausalito Lateral by the State Highway Commission from Golden Gate Bridge and Highway District, and to provide for the incorporation of such highway in the State Highway System of the State of California.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1113: By Messrs McCarthy, George D. Collins, Meyers, Gaffney, Brady, Berry, Connolly, Crowley, McCollister, and Way—An act to add Sections 27174, 27175, 27176, and 27177 to the Streets and Highways Code, relating to bridge and highway districts, and the adoption of traffic regulations by such districts, and the enforcement of such regulations by the California Highway Patrol, and providing penalties.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1114: By Messrs Maloney, George D. Collins, Gaffney, Meyers, Berry, Brady, Connolly, Crowley, McCarthy, McCollister, and Way—An act to amend Sections 27281 and 27300 of the Streets and Highways Code and to add Sections 27174, 27281a, and 27300a thereto, relating to bridge and highway districts.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1115: By Messrs. Connolly, McCarthy, George D. Collins, Meyers, Berry, Brady, Crowley, Gaffney, Maloney, McCollister, and Way—An act to amend Section 302 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1116: By Messrs. Ralph C. Dills, Stanley, Grant, Fletcher, Anderson, Clayton A. Dills, Erwin, Geddes, Hollibaugh, and Thomas—An act making an appropriation for the state college established in the area of Orange County and the southeastern part of Los Angeles County.

Referred to Committee on Education.

Assembly Bill No. 1117: By Messrs. Ralph C. Dills, Stanley, Grant, Fletcher, Anderson, Clayton A. Dills, Erwin, Geddes, Hollibaugh, and Thomas—An act making an appropriation for the state college established in the area of Orange County and the southeastern part of Los Angeles County.

Referred to Committee on Education.

Assembly Bill No. 1118: By Messrs. Maloney, George D. Collins, Gaffney, Berry, Brady, Connolly, Crowley, McCarthy, McCollister, Meyers, and Way—An act to amend the title of, and to add Sections 1.5 and 3 to "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, and to validate contracts executed by the State of California and the Golden Gate Bridge and Highway District in pursuance of said act, relating to public bridges and highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1119: By Messrs. Maloney, George D. Collins, Gaffney, Berry, Brady, Connolly, Crowley, McCarthy, McCollister, Meyers, and Way—An act to amend the title of, and to add Section 1.5 to, an act entitled "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, relating to the purposes of expenditure of said appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1120: By Mr. Brown—An act to amend Section 29610 of the Government Code, relating to convention expenses of county officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1121: By Mr. Brown—An act to amend Section 901 of the Probate Code, relating to commissions of executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 1122: By Messrs Brown, Caldecott, Beck, Rosenthal, George D. Collins, Connolly, and Grunsky—An act to add Section 812 to the Civil Code, relating to estates in real property.

Referred to Committee on Judiciary.

Assembly Bill No. 1123: By Messrs. Brown, Beck, Rosenthal, Caldecott, George D. Collins, Connolly, and Grunsky—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 21, 1949

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

Assembly Concurrent Resolution No. 21
Assembly Concurrent Resolution No. 22
Assembly Concurrent Resolution No. 23
Assembly Concurrent Resolution No 24
Assembly Concurrent Resolution No. 25
Assembly Concurrent Resolution No. 26
Assembly Concurrent Resolution No. 27
Assembly Concurrent Resolution No. 28
Assembly Concurrent Resolution No. 31
Assembly Concurrent Resolution No 37

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1949

MR. SPEAKER. Your Committee on Rules, to which was referred.

House Resolution No. 54

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

CONSIDERATION OF HOUSE RESOLUTION NO. 54

By Mr. Kilpatrick:

House Resolution No. 54

Relative to congratulating Senator George Burke of Wyoming

WHEREAS, Assemblyman Montivel A. Burke has long been an esteemed Member of this Assembly; and

WHEREAS, His brother, George Burke, is now in his third term as a State Senator in Wyoming, having been elected in 1940 and re-elected in 1944 and 1948, and

WHEREAS, The Members of this Assembly are pleased to learn that Senator George Burke of Wyoming has been elected President of the Senate of the State of Wyoming; now, therefore, be it

Resolved by the Assembly of the State of California, That Senator George Burke is hereby congratulated upon being elected President of the Senate of the State of Wyoming and the best wishes of this Assembly are extended to him; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to our esteemed colleague, Assemblyman Montivel A. Burke, and to Senator George Burke of Wyoming.

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 32—Relative to moving the Legislative Halls to Monterey, and creating a committee to investigate the feasibility thereof.

Resolution read.

Motion to Amend

Messrs. Moss and Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed measure, strike out "Legislative Halls of the Legislature", and insert "City of Monterey".

Amendment No. 2

On page 1, line 23, of said measure, strike out "Monterey on the Monterey Peninsula", and insert "Sacramento at the confluence of the Great Sacramento and American Rivers".

Amendment No. 3

On page 2, line 2 of said measure, strike out "Legislative Halls to Monterey", and insert "City of Monterey to the City of Sacramento".

Amendment No. 4

On page 2, line 27, of said measure, strike out "two thousand five hundred dollars ($2,500)", and insert "twenty-five dollars ($25)"

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Bennett, Clarke, Coats, George D. Collins, Davis, Ralph C. Dills, Fleury, Gaffney, Hagen, Heisinger, Lindsay, Lowrey, McMillan, Moss, and Rumford—15.

NOES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Geddes, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Reagan, Sillman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—53.

The question being on the adoption of Assembly Concurrent Resolution No. 32.

~~Resolution adopted.~~

Notice of Motion to Reconsider Assembly Concurrent Resolution No. 32

Mr. Moss gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 32 was this day adopted.

Motion to Take Up Notice of Motion to Reconsider Assembly Concurrent Resolution No. 32, at This Time

Mr. Brady moved that Mr. Moss' notice of motion to reconsider the vote whereby Assembly Concurrent Resolution No. 32 was this day adopted be taken up, at this time.

Mr. Collier seconded the motion.

Roll Call Demanded

Messrs. Dunn, Lindsay, and Rosenthal demanded a roll call.

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

AYES—Bennett, Coats, Crowley, Clayton A. Dills, Dolwig, Fleury, Gaffney, Hagen, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, and Moss—14

NOES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C. Dills, Doyle, Dunn, Erwin, Fletcher, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Price, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—55

Motion That Speaker Be Requested to Appoint Committee Members

Mr. Ralph C. Dills moved that the Speaker be requested to appoint Messrs. Moss and Fleury to any such committee as is established under the provisions of Assembly Concurrent Resolution No. 32.

Motion died for lack of a second.

Motion to Expunge Record and Rescind Action on Assembly Concurrent Resolution No. 32

Mr. Ralph C. Dills moved that the record be expunged and the action rescinded whereby the Assembly, on this day, adopted Assembly Concurrent Resolution No. 32.

Mr. Dickey seconded the motion.

Motion carried.

Assembly Concurrent Resolution No. 32 ordered on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Mr. Thompson:

House Resolution No. 58

Relative to the printing of "A Chronic Disease Program for California"

WHEREAS, The Legislature, in Assembly Concurrent Resolution No. 42 of the 1947 Regular Session, requested the State Department of Public Health to report to the Legislature the result of its investigation of problems relating to death and disability from cancer and other chronic diseases; and

WHEREAS, That report has now been completed and should be printed as a public record; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to cause to be printed, as a public document, three thousand (3,000) copies of the report prepared pursuant to Assembly Concurrent Resolution No. 42, 1947 Regular Session and entitled "A Chronic Disease Program for California," the cost of not to exceed $2,500 to be paid from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Condon:

House Resolution No. 59

Congratulating Joseph Verducci, football coach for St. Mary's College

WHEREAS, Joe Verducci has been named Coach of the Year by the Northern California Football Writers Association; and

WHEREAS, Joe Verducci has completed his first season as football coach for St. Mary's College in beautiful Moraga Valley, Contra Costa County; and

WHEREAS, Joe Verducci has been singularly respected and admired by all who know him, at Polytechnic High School, San Francisco, the University of California, and at St. Mary's College as typifying the highest traditions of sportsmanship and clean living; and

WHEREAS, Joe Verducci has brought credit not only to his profession and college, but also to his State; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby record itself in agreement with the judgment that Joe Verducci is the Coach of the Year for Northern California; and be it further

Resolved, That the congratulations and best wishes of this Assembly be extended to Joe Verducci and the College he represents for the next season and those to follow; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Joseph Verducci.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Stewart:

House Resolution No. 60

Relative to printing extra copies of the Preliminary Report of the Assembly Interim Committee on Governmental Efficiency and Economy

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be directed to have printed 1,500 copies of the Preliminary Report of the Assembly Interim Committee on Governmental Efficiency and Economy on Its Investigation of the Office of Franchise Tax Commissioner, as printed in the Assembly Journal of January 21, 1949, for the use of Members of the Assembly

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 1124: By Mr. Luckel, Mrs. Niehouse, Messrs. Fletcher, Grant, Erwin, and Stanley—An act to add Division 9 to the Harbors and Navigation Code, and to repeal Article 1 of Chapter 6 of Part 5 of Division 1, comprising Sections 3101 to 3112, inclusive, of the Revenue and Taxation Code, relating to registration of vessels and recordation of chattel mortgages and maritime liens on vessels.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 1125: By Mr. Luckel, Mrs. Niehouse, Messrs Fletcher, Grant, Erwin, and Stanley—An act to add Sections 9305 and 9306 to the Harbors and Navigation Code and to amend Section 5015 of, and to add Section 6221 to the Public Resources Code, relating to the development and maintenance of small boat harbors and refuges.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1126: By Mr. Luckel, Mrs Niehouse, Messrs. Fletcher, Grant, Erwin, and Stanley—An act to add Section 1142 to the Revenue and Taxation Code, relating to the assessment of vessels.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1127: By Mr. Luckel, Mrs Niehouse, Messrs. Fletcher, Grant, Erwin, and Stanley—An act to add Chapter 8 to Part 2 of Division 1 of the Revenue and Taxation Code, relating to the assessment and rate of taxation of vessels and for that purpose providing for the appraisal thereof and the review of such appraisals.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1128: By Mr. McMillan—An act regulating the licensing and supervision of motor vehicle dealers and salesmen, providing for licenses, fees, and regulations; and providing for penalties for violation of the provisions of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1129: By Mr. McMillan—An act to add Section 682 to the Vehicle Code, relating to television in motor vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1130: By Messrs. Babbage, Huyck, Connolly, Gaffney, Anderson, Berry, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs Price, Reagan, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, Way, and Weber—An act making an additional appropriation to the Regents of the University of California for all or any of the following purposes: The acquisition of lands, construction, improvements and equipment for and at the University of California.

Referred to Committee on Education.

Assembly Bill No. 1131: By Messrs. Clayton A. Dills, Dickey, Ralph C. Dills, Fletcher, Dolwig, Dunn, Evans, Fleury, Lindsay, McCollister, McMillan, Morris, Moss, Rosenthal, and Thomas—An act to amend Sections 70, 71, 73, 75 of, to add Sections 73.5 and 87.7 to, and to repeal Section 72 of, the Agricultural Code, relating to agricultural fairs.

Referred to Committee on Agriculture

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 21—Relative to respecting the discovery of gold at Coloma.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate

ANNOUNCEMENT

Mr. Babbage announced that all members planning to visit Folsom Prison tomorrow, Saturday, January 22d, under the auspices of the Committee on Crime and Correction, should be at the front entrance of the Capitol at 9 a.m., where transportation will be waiting.

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

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

Assembly Bill No. 1132: By Mr Burkhalter—An act to add Sections 1201.1, 1201.2, 1201.3, 1201.4, 1201.5, 1201.6, 1201.7, 1201.8, 1201.9, 1201.10, and 1201.11, to the Fish and Game Code, relating to pheasants.

Referred to Committee on Fish and Game.

Assembly Bill No. 1133: By Mr Burkhalter—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Referred to Committee on Fish and Game.

Assembly Bill No. 1134: By Mr. Burkhalter—An act to amend Section 427 of the Fish and Game Code, relating to hunting licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1135: By Mr. Burkhalter—An act to amend Section 407 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1136: By Mr. Burkhalter—An act to repeal Sections 535, 536, 536.5, 536.6, 536.7, 536.8, 536.9, 537, 538, 539, 540, and 541 of, and to add Sections 535, 536, 537, 538, 539, and 540 to the Fish and Game Code, relating to fish screens.

Referred to Committee on Fish and Game.

Assembly Bill No. 1137: By Mr Burkhalter—An act to repeal Sections 1040, 1041, and 1042, and to amend Section 1043, of the Fish and Game Code, relating to fish breeding.

Referred to Committee on Fish and Game.

PARTIAL REPORT ON THE SAN FRANCISCO OFFICE OF THE FRANCHISE TAX COMMISSIONER

BY

ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

House Resolution No. 216, 1947

A. I. STEWART, Chairman

Partial Report of Assembly Interim Committee on Governmental Efficiency and Economy

To the Honorable Sam L. Collins, Speaker, and to the Members of the Assembly:

Your committee desires to make the following Report of Its Investigation of the Office of the Franchise Tax Commissioner:

OCCASION FOR THE INVESTIGATION

In its report printed in the Assembly Journal of March 10, 1948, the Assembly Interim Committee on Ways and Means stated:

> "It was brought to the attention of the committee that for a period of years considerable criticism had been presented to the Ways and Means Committee concerning the lack of efficiency in the Office of the Franchise Tax Commissioner in San Francisco. The Legislative Auditor's investigation showed that the State was not receiving a 40-hour week of work from many of the employees in that office Neither the director nor anyone in charge of the office appeared before the committee. The committee recommends that

approval be given to a resolution requesting the Assembly Interim Committee on Governmental Efficiency and Economy to investigate the conduct of this office." (Assembly Journal, March 10, 1948, p. 21.)

In view of this statement, and the fact that the desired investigation clearly fell within the powers and duties of your Interim Committee on Governmental Efficiency and Economy, it was decided that the committee should conduct an investigation to determine the facts in the matter and to ascertain what, if any, legislative action should be taken.

HISTORICAL BACKGROUND OF OFFICE OF FRANCHISE TAX COMMISSIONER

The Office of Franchise Tax Commissioner was created in 1929 by Section 22 of the Bank and Corporation Franchise Tax Act (Statutes 1929, Chapter 13). The commissioner was given the power and charged with the duty of administering that act and the authority to prescribe "all such rules and regulations as are necessary and reasonable to carry out its provisions."

In addition to the Bank and Corporation Franchise Tax Act the commissioner is now charged with the duty of administering the Corporation Income Tax Act (Statutes 1937, Chapter 765) and the Personal Income Tax Act (Statutes 1935, Chapter 329). The vital interest of the State in the efficiency of the Franchise Tax Commissioner's Office is amply demonstrated by the fact that the revenues from the acts administered by that office amounted to $118,659,592 for the Ninety-ninth Fiscal Year ending in 1948.

The manner of appointment to that office, provided for by the same section, has no parallel in any other civil executive office in the state service. Section 22 of the Bank and Corporation Franchise Tax Act, which has remained unchanged since 1929, provides that "the Franchise Tax Commissioner shall be appointed by the Director of the Department of Finance, the Controller of the State and the Chairman of the State Board of Equalization who are authorized to provide him with such assistants as they may deem necessary, and he shall serve for such compensation, and under such conditions, as they may prescribe"

This provision was enacted prior to the adoption of the Civil Service Amendment to the Constitution. (Constitution, Article XXIV.) Upon the adoption of that amendment in 1934, with certain other exceptions not material to this report, every officer and employee of the State was included in the Civil Service System except elective officers and officers appointed by the Governor.

Since the Franchise Tax Commissioner was neither an elective officer nor an officer appointed by the Governor, he was, after the adoption of the amendment, and now is, included within the Civil Service System.

PRELIMINARY STUDY

Your committee believed at the start that any investigation of the office would be ineffective and not in the public interest unless each step was carefully planned. Accordingly, in March of 1948 the Legislative Auditor was requested to conduct a preliminary investigation and to

prepare a report to the committee, on which further action could be based.

The report of the Legislative Auditor on this preliminary investigation was received by your committee at a meeting called in Sacramento on July 9, 1948. That report indicated that numerous employees in the Office of the Franchise Tax Commissioner in San Francisco had engaged in the practice of accounting, including the preparation of state and federal income tax returns, for a fee, in addition to their state employment. It also contained certain evidence which, if substantiated, would justify a conclusion that the management of the office was inefficient, and that an efficient administrator would have been aware of that condition

In view of the latter fact, the committee felt that the Franchise Tax Commissioner should be afforded an opportunity to place any facts he might consider relevant before the committee. The committee further decided that hearings should be scheduled at which the matters brought out by the preliminary investigation could be substantiated by testimony given under oath, and additional facts developed.

Hearings were held in Sacramento on August 5, 1948, to take the testimony of the Franchise Tax Commissioner, and in San Francisco on September 29 and 30, 1948, to secure testimony on outside employment of employees of the Office of the Franchise Tax Commissioner and other related matters.

The testimony and documentary evidence before the committee deal with various matters which, though closely related, are, for convenience, separately treated in this report.

INCOMPATIBLE EMPLOYMENT

Section 19251 of the Government Code provides:

> "A state officer or employee shall not engage in any other activity or enterprise inconsistent, incompatible, or in conflict with his duties as a state officer or employee."

Although your committee felt that private employment involving preparation of state and federal income tax returns was obviously inconsistent or incompatible with the duties of state employees whose function it is to review and audit state income tax returns, the report of the Legislative Auditor revealed that the employees of the Franchise Tax Office had some doubt on that point, and that the commissioner and his division chiefs had never taken the time to secure a ruling from the Attorney General on the issue.

Before commencing the investigation therefore, your committee requested opinions of the Legislative Counsel and the Attorney General as to whether such work violated the provisions of Section 19251 of the Government Code. Both opinions, which were subsequently received by your committee, held that an income tax examiner who engages in outside accounting work or who prepares state income tax returns for a fee thereby engages in incompatible employment within the meaning of Section 19251 of the Government Code. Copies of these opinions are appended hereto as Exhibits "A" and "B," respectively.

Evidence before the committee establishes beyond any possibility of doubt that the majority of the personnel of the Franchise Tax Commissioner's San Francisco Office whose official duties include auditing

and reviewing of tax returns and making field investigations, engaged in outside employment which entailed keeping and auditing books upon which tax returns are based, and preparing state and federal tax returns.

The extent of this practice is best summarized in the testimony of one such employee who gave the following testimony:

> "Q. Do you know of any employees in the Franchise Tax Office that are doing [accounting and tax] work for merchants or private individuals and collecting a fee?
>
> A. I can't say definitely, but by hearsay, yes. I have never seen one of them paid, if that is what you mean. My opinion is that the biggest majority of the income tax examiners do outside work at home nights and over week ends the same way I do. I do it myself."

While this particular witness was probably truthful in his statement that all his outside work was done on his own time and away from the state office, evidence before the committee clearly shows that other employees were not so meticulous about the use of state time, equipment and clerical personnel. That will be brought out under another heading. The point which your committee desires to bring out here is the fact that a large number of employees of the Franchise Tax Office were engaged in outside activities, and that this practice could result in a loss of revenue to the State.

This is best illustrated by the following excerpt from the testimony of one such employee:

> "Q. Now, you told Mr. Brown that there was a possibility of a man having outside work, preparing a return and subsequently being assigned to review it. Is that correct?
>
> A. Yes."

While such a return may subsequently be reviewed in the Sacramento Office, if it was questioned there it would be returned to the San Francisco Office for "field investigation" and that investigation might be made by the same man who made out the return.

The committee believes it only fair to state that it has no evidence of any particular case wherein a tax return was reviewed and investigated by an employee who had prepared that return while employed by a taxpayer On the other hand, it is obvious that sound administrative policy would insist that the conditions which give rise to such a possibility be eliminated.

If the "outside activities" of the state employees involved were completely unrelated, the possibility that the interests of the State might suffer would not, perhaps, be great. However, evidence before the committee clearly shows that there was a considerable amount of collaboration among the employees of the Franchise Tax Commissioner on such outside employment.

For example, several of the income tax examiners were employed in an office known as the "Mission Tax Office" and there is reasonable ground for concluding that such office was maintained by one or more of the examiners mentioned.

An investigator employed by the committee visited this office, and testified as follows:

"On the same date, May 18, 1948, at or about 11.15 a.m., we visited the office of Mrs. Bob Burns, an insurance office located at 3250 Mission Street, San Francisco The reason for this visit was because we had been informed that Mr. Thomas Mitchell, Mr. Jacot, and Mr. Maloney (income tax examiners employed in the Franchise Tax Commissioner's Office) did quite a bit of income tax work and return preparation there during each of the filing periods.

Mrs. Bob Burns was away from the office at the time and a Mrs. Kennedy was acting in charge of the office. * * * We questioned her as to who did the actual tax work in the office and she said, 'Mr. Tom Mitchell does,' and incidentally she stated Mr. Mitchell had just telephoned a moment before we came in, asking if there was any business. She further added that during the filing period Mr. Mitchell, Mr Jacot, and Mr. Maloney are there during the day and take turns in coming out evenings in the matter of preparing tax returns, both state and federal."

Another example of close collaboration of such employees on private tax work is found in the testimony of a certified public accountant who appeared before the committee. In evaluating this testimony it should be borne in mind that the Mr. Ragan mentioned in the testimony was Ney's immediate supervisor, and is now the acting area income tax supervisor, and that Ney himself held a supervisorial position in the Franchise Tax Office. After testifying that he had secured a profitable contract to audit the books of a political subdivision of the State through the cooperation of Ragan, and in spite of the fact that he was high bidder on the job, the public accountant testified:

"Q. How and when did you get in touch with Mr. Ragan on this matter? You know nothing about this Butte County audit according to your testimony. How did you get in touch with him to discuss this business?

A. There again, Mr. Ney was instrumental in acting as a go-between. He approached me and said he believed he knew a way in which I could secure the audit for Butte County. At first, I wasn't interested because municipal county audits are generally not profitable and I wasn't enthusiastic about it, but he insisted that I go up there to the Franchise Tax Office and meet Mr. Ragan and discuss it, and as a result of that—

Q. Where did you have that discussion?

A. In Mr Ragan's office.

Q. His office in the Income and Franchise Tax Collector's Office?

A. Yes.

Q. Did Mr. Ney suggest it would be a profitable thing for you to see and talk with Mr. Ragan?

A. Yes, sir, he did. He said it would be a good connection to cultivate.

Q. Did he indicate to you any kind of financial consideration that would be forthcoming from you to Ragan in the event your talks with him were successful?

A. Yes, sir, I don't remember his exact words but he intimated that.

Q. Was Mr. Ney present with you on any of the conversations with Mr. Ragan?

A. Yes, sir, he was present in all of them.

Q. He introduced you to Mr. Ragan and was present with you in the conversation that resulted in your bidding on the Butte County contract?

A. Yes, sir.

Q. In other words, it originated in the Office of the Income and Franchise Tax Collector?

A. Yes, sir."

The witness also testified that it was understood that Ney should assist in making the audit; that Ney accompanied him to Oroville for that purpose and was there from Monday, September 30th, to Thursday or Friday of the same week; that Ney then left, but "sent a Mr. Spaulding up" a few days later to take his place; and that Spaulding was also an employee in the Franchise Tax Commissioner's Office. The job might be termed a "project" of the Franchise Tax Office, and we believe the citizens of this State might so regard it.

The possibility that the state employees who cooperated so closely in securing and performing "outside" work might demonstrate a similar spirit of cooperation in avoiding any difficulties which might arise as a result of such outside work is obvious. It is equally obvious that the interests of the State might be jeopardized, and that an able and conscientious administrator would not have permitted this condition to exist.

It is interesting to note that after this committee's investigation was well under way the Mr. Ragan mentioned in this testimony was promoted to "acting area supervisor" in charge of the San Francisco Office.

MISUSE OF STATE TIME AND FACILITIES ON PRIVATE ACCOUNTING AND TAX WORK

Testimony given under oath and documentary evidence in the possession of your committee establish, beyond all possibility of doubt, that the Office of the Franchise Tax Commissioner was used by state civil service employees engaging in outside activities as their base of operations for such outside activities. Office space and telephone facilities were used to carry out and build up the outside business activities of these employees, and the evidence will clearly justify the conclusion that state equipment and the services of state clerical employees were used in connection with such outside activities.

A taxpayer for whom an income tax examiner was performing accounting services for a fee testified:

"Q. Did he ever call on you in regard to the bookkeeping work he was doing, to discuss it after he had taken the books?

A. No, I call him sometimes.

Q. When would you call him?

A. Oh, I called him Underhill 1-7234.

Q. You called him at the Franchise Tax Office?

A. Yes."

Similar testimony was given by a considerable number of the witnesses subpenaed by the committee

Other taxpayers testified that they delivered their books and records to the state employees involved, at the State Franchise Tax Office. One income tax examiner's outside work developed to such a point that he had to employ help. His employee testified that he consulted his "boss" at the state office, during normal working hours, and further testified:

"Q. What I want to know specifically, Mr. Tandy, is whether Mr. Ney [the income tax examiner concerned] has gone with you to visit these various clients during the regular working hours when he should be employed?

A. He has.

Evidence before the committee compels the conclusion that the "outside" work of some state employees involved was too extensive to have been carried on during lunch hours and at nights and week ends.

For example, George Ney's net income for the year 1947 was $10,371.64. Of this amount he received $4,939 as compensation for his services as a permanent full-time state employee, $815 as compensation for teaching school at night, and $4,617 as fees and salaries for accounting and income tax work, including preparation of state income tax returns.

Ralph Ebner, another income tax examiner, conducted a real estate business and a tax accounting service in addition to his full-time state employment. During 1945 his gross receipts from his real estate enterprise were $6.747.50 and from his private tax accounting work, $3,038.73. During 1946 his receipts were $7,914 from his real estate business and $1,266.67 from private tax accounting work.

It is highly improbable that enterprises yielding such remuneration could be confined to lunch hours, week ends, and evenings.

As stated above, the evidence clearly establishes the fact that clerical employees in the Franchise Tax Commissioner's Office performed services in connection with this outside work. Some of this work was performed after working hours. Some was performed in the Franchise Tax Office during recess and lunch periods, using state materials and equipment. However, the evidence before the committee justifies the conclusion that some of this work was performed on state time, in the ordinary course of business.

One such clerical employee testified that her duties included doing typing, during slack periods, and that such work was brought to her by a senior legal stenographer. She testified that, under this arrangement, she had typed *federal* income tax returns (which obviously is not part of the duties of a state office), upon request. She gave the following testimony concerning such work:

"Q. At the time you did that [typed *federal* returns on request] did you feel that was part of your duties?

A. No, I really didn't think anything about it.

Q. You felt you were employed by them and the work was coming from them and you should therefore do it, is that correct?

"A. That is right.

"Q. Do you know if other people in the office feel or felt the same way about it?

"A. I imagine lots of them did. Lots of the girls that I didn't know, I imagine.

"Q. Lots of the other girls operated in the same manner?

"A. I would say they did.

"Q. In other words, when a superior sent work to you, you did it. You didn't ask questions.

"A. That was our job, yes."

Testimony of this sort, when considered together with the fact that there was considerable cooperation between the income tax examiners and supervisors on "outside" work, compels the conclusion that the clerical staff of the Franchise Tax Office aided those examiners on such work on state time, using state equipment under the assumption that it was part of their state duties to do so.

IMPROPER CONDUCT

While your committee feels that its primary function is to ascertain whether the Office of the Franchise Tax Commissioner is functioning properly, it feels it would be remiss in its duty if it failed to note that during the course of investigation testimony indicated that one of the employees of this office has come very close to committing subornation of perjury.

The employee concerned is Mr. George Ney. In the course of his outside tax and accounting work, Mr. Ney employed a Mr. Tandy to assist him in such work. Mr. Tandy was subpenaed and appeared before your committee. After testifying to the effect that he had not discussed the matter with Mr. Ney, Mr. Tandy was confronted with a statement which he had previously signed which reads in part as follows:

"* * * Mr. Ney at that time told me that if I was approached by anyone in connection with an investigation of the Franchise Tax Office or Mr. Ney's activities that I was to confirm what Mr. Joel Nelson of the Druggist Specialty Company of San Francisco would testify to. This was that I, Will Tandy, did most of the work and that Mr. Ney only came down to the Druggist Specialty Company at noon time on his lunch hour to supervise my work, negativing other facts by another employee of the Druggist Specialty Company to the effect Mr. Ney did call at that place of business during regular business hours * * *."

Thereupon Mr. Tandy gave the following testimony:

"Q. Your conversation between you and Mr. Ney regarding this hearing—it was regarding this hearing wasn't it? In other words, by your own statement, he attempted to influence your testimony before this committee?

"A. Well, * * *.

Q. Now, you have got to discredit one or the other.

A. Well at the time I didn't want to get a client in bad and so I decided to corroborate his statement, but at this time, I change that, so you can get it straight now."

THE FRANCHISE TAX COMMISSIONER

The conditions previously mentioned in this report constitute only a segment of the entire picture of inefficiency and maladministration in the San Francisco Office of the Franchise Tax Commissioner. The testimony given before your committee, and the documentary evidence in its possession justify only the conclusion that the inefficiency or inexcusable neglect of duty on the part of the Franchise Tax Commissioner, Mr. Charles J. McColgan, is the direct cause of these conditions.

In his voluntary testimony before the committee Mr. McColgan demonstrated his familiarity with the vital affairs of his office as follows:

> "Q. I see. I would just like to ask at this time, Mr. McColgan, do you consider it a part of the duties of the executive officer of this agency to familiarize yourself with the budget provided by the Legislature—do you consider that a part of your responsibility or not?
>
> A. I do.
>
> Q. Mr. McColgan, do you know what is the size of your budget in dollars and cents for the year '48 and '49?
>
> A. I couldn't say exactly for '48 and '49.
>
> Q. Have you any idea?
>
> A. I would say the cost of administration would be a good barometer. That is about one point two to collections. You can figure around about one million four hundred thousand, I suppose—somewhere around that. I haven't got the figures right here. I didn't bring any figures with me."

Actually the budget appropriation for the Franchise Tax Commissioner was $2,088,896 for the 1948-49 Fiscal Year—or some $680,000 in excess of the amount named by the commissioner. In other words, the budget appropriation was approximately 40 percent above the amount named by the commissioner, and an equal amount above the fractional figure set by the commissioner as a "barometer" of efficient operation. Such an error could not be expected even from a public opinion poll taker —and should not be expected from a responsible public official who believes it part of his duties to familiarize himself with the budget of his department.

The commissioner further testified that he has not since 1931 appeared before the Ways and Means Committee when the budget of his office was being considered, and that he "was satisfied with whatever they did." While such satisfaction might normally be gratifying to the Legislature, when it is coupled with ignorance of the amount appropriated, it presents the possibility of allowing vital governmental functions to be curtailed because of failure of an administrative official to properly inform the Legislature of the needs of his department.

The Main Office of the Franchise Tax Commissioner is in Sacramento, and, according to the commissioner's testimony, is in charge of a Mr. Young. Area offices are located in San Francisco and Los Angeles, in charge of Mr. Ragan and Mr. McReynolds, respectively. The heads of these three offices report to Mr. Walsh, the Assistant Commissioner in

Sacramento, and the latter is apparently the sole contact the commissioner has with the workings of his office.

By way of illustration, Mr. McColgan testified that his only contact with the Los Angeles Office within the past two years consisted of correspondence and telephone calls. Similarly, although the commissioner was able to name the seven branch offices maintained by his office, he testified he had never visited those offices.

The commissioner himself uses the San Francisco Office as his headquarters when he works, although as mentioned above, the main office is in Sacramento. The reason advanced by the commissioner for this is revealed in the following testimony:

"Q. How many times in the last year have you appeared in this office, the chief Office of the Franchise Tax Commissioner and discussed the problems with your chiefs here in Sacramento?

A. I think once. I generally discuss it in San Francisco. As I say, I was compelled to keep a close watch on San Francisco because that is where all my trouble was. The entire departmental trouble at that time was in San Francisco."

The method used by the commissioner to "keep a close watch" on the troubles which made his presence in San Francisco necessary, was to read or listen to the reports made by Mr. Young or Mr. Walsh in Sacramento. This is illustrated by the following testimony given by Mr. McColgan relating to the practice of employees in the San Francisco Office accepting incompatible work and using state time and equipment thereon:

"Q. Is your office in San Francisco or Sacramento or Los Angeles so set up in its administration that if there were a flagrant violation of that rule that anybody would report it?

A. They should yes. They should report it immediately.

Q. Have you ever had any impression made on you recently that this work was being done? I believe you stated that Mr. Feeney's suspension was because of that fact—that he was doing outside work.

A. Oh, no. I didn't personally file the charges against Mr. Feeney. The complaint was filed with me by Mr. Young under oath and a request to me to permit him to file the charges against him, and I consented to it.

Q. But, you have had nobody tell you at any time in your office that any of your employees were going to Oroville and doing auditing and at the same time drawing money from the State?

A. They never told me.

Q. Isn't there somebody in your office that should have reported it?

A. The area supervisors should report it in writing. You may occasionally hear someone make a rumor of some kind, but no official report has ever been given to me, nothing in writing.

Q. And you have never had anything up to this day that was concrete and impressed upon your mind the necessity of making an investigation along that line?

A. Not until it was called to my attention through the newspapers."

The pathetic statement "They never told me" and the denial of "official report" as distinguished from "rumor" are irreconcilable with the previous statement of the reason for establishing headquarters in San Francisco.

Further illustration of the methods by which Mr. McColgan watched the troubles of the San Francisco Office is contained in the following testimony. After stating there were "internal troubles" and continuous bickering and complaining among the employees, Mr. McColgan testified:

"Q. How did that come to you attention?

A. In the newspapers.

Q. You weren't aware of it yourself?

A. It was called to my attention as a matter of fact before it came out in the press. In other words, I came to the office one morning and I was advised that one of the heads of the department had his office removed from one floor to another and he was told to take a vacation for a period of two weeks by reason of the fact he insulted one of the girls in the office, causing her to collapse and necessitated the calling of a physician to the department.

Q. You came to the office one morning and somebody told you that one of your supervisors' office had been moved?

A. That is right.

Q. And it gave you the reason—

A. As a matter of fact, Mr. Walsh, is the one that moved it.

Q. I was going to ask you who ordered the moving of that office.

A. Mr. Walsh. He happened to be there at that time.

Q. Your idea is that was the proper solution to the problem at the moment?

A. It was the proper thing to do at the moment Maybe a more drastic action should have been taken.

Q. What did you do when you heard that information?

A. I approved it.

Q. What more did you do?

A. I did nothing further.

Q. You didn't inquire into the background of it? If it was a specific case and you felt it had been solved at the moment?

A. That is entirely up to my immediate assistant. I depend upon them entirely until they prove they are not fit to hold the position."

It seems incredible that the bickering and dissension between employees which culminated in this incident could remain unknown to a responsible official who had made that office his headquarters because all his troubles originated there. Further, the fact that after this incident occurred the commissioner not only "did nothing further" but did not even bother to inquire into the cause of the outbreak, amply demonstrates his unfitness for the office he holds and provides the reason why the conditions mentioned in this report exist and will continue to exist.

The Report of the Ways and Means Committee quoted at the beginning of this report is a public record, published in the Assembly Journal. That report, it will be remembered, contained a flat statement to the effect

that the State was not receiving a 40-hour week of work from employees in the San Francisco Office of the Franchise Tax Commissioner. With regard to this, the commissioner gave the following testimony:

"Q. Didn't any one of your officers or any one of your executives report to you or discuss with you the discussion of the Ways and Means Committee in regard to your budget?

A. They did, yes. They discussed that with me, and I told them it didn't make any difference to me whether they denied the $4,000 or whatever it may be.

Q. Didn't Mr. Walsh or anybody point out to you that at the time he appeared before the Subcommittee of the Ways and Means Committee that the Legislative Auditor of this State had reported to the committee that men were not putting in their full time?

A. Oh, yes, they reported that. I got that information, yes, but I had nothing official."

The facts reported by your committee clearly show that the situation complained of in the Ways and Means Committee's Report continued to exist, and that no effective action was taken by the commissioner to correct the situation. From the testimony last quoted it would appear that the commissioner did not feel compelled to take any action or make any investigation until he had something "official" to go on, rather than a mere finding of a legislative committee charged with the duty of analyzing the budget. If the head of a state agency is not concerned when his agency's budget is slashed, who should be concerned? Similarly, if a budget cut made because of waste and inefficiency in a department does not constitute "official notice" of the need for investigation and other action by the head of such agency, is there anything which would constitute "official notice"? It is difficult to imagine a more damning confession of incompetence than that contained in the testimony last quoted.

The record keeping of the Office of Franchise Tax Commissioner was criticized by the Department of Finance in its audit report for 1944-1946 and again in its audit report for 1946-1947. Sick leave and overtime records were specifically singled out for criticism. While the Franchise Tax Commissioner asserts these matters have been rectified, the facts do not bear him out.

Testimony of several witnesses sworn and examined before your committee clearly establishes the fact that George Ney was in Oroville, on private business, on September 30, and October 1, 2, and 3, 1946. The attendance report, filed in Sacramento by the San Francisco Office of the Franchise Tax Commissioner showed Ney as present and working on September 30, and reported him "sick" on October 1st, 2d, and 3d. The facts are that when Ney left for Oroville the attendance clerk was informed he was taking October 1st, 2d, and 3d off on vacation. The original daily report showed him on vacation on those days. The rough draft monthly report also showed Ney on vacation on the days mentioned. However, before the monthly report (on the basis of which salaries are paid) was typed in final form, it was discovered Ney had used all his vacation prior to October 1st. The records were then changed to show Ney on "sick-leave," although he was well enough to work in Oroville. It now appears

that this record was again changed, within the past year, on the grounds that the attendance clerk had been mistaken.

The fact that these records do not, even now, accurately reflect the days or hours worked by employees is demonstrated by the personnel records and the following testimony given by Mr. McColgan:

"Q. Well, approximately how many hours a week do you spend in the office?

A. I couldn't say.

Q. Could you tell me, say for last Tuesday?

A. I wasn't in the office last Tuesday.

Q. Wednesday?

A. I was laid up with a cold this week. As a matter of fact, I got out of bed sick to come up here. I didn't want anybody to accuse me that I was trying to avoid this committee.

Q. Last week on Friday, could you give us any idea?

A. I couldn't say, no. I wouldn't say offhand. I would rather have the records to answer that."

The plain meaning of this testimony is that Mr. McColgan could not remember whether he had worked on Friday, September 3d (the date of the hearing was Friday, September 10th), but that he had not been in his office from September 6th to 10th because he was "laid up with a cold" and "got out of a sick bed" to appear before the committee. The attendance report filed by his office shows Mr. McColgan present on every day mentioned, except the 7th and 8th, when he was credited with vacation—not sick leave. It may be that Mr. McColgan has received "nothing official" to notify him that he was not present on September 9th, but is credited with working on that day. The fact remains, the records of his office are still inaccurate.

The record before your committee is replete with similar examples of inept inefficiency or wilful neglect of duty on the part of the Franchise Tax Commissioner. The evidence shows, among other things, that his attendance at his office was spotty and sporadic; that he had almost no personal contact with the key officials who, according to his own testimony, were directly responsible to him; that he was not familiar with the functions of the various branch offices maintained by his department, had no personal knowledge as to whether such offices were needed, and had made no study or survey to determine whether they could be eliminated; and that he not only used a state car for private purposes, but also had state employees "take him for rides" not connected with state business.

ANALYSIS

In order to prescribe the best method of eliminating the conditions mentioned in this report it is necessary to determine what factors led to these conditions and permitted them to continue.

The historical background of this office has been set forth earlier in this report. It will be remembered that under Section 22 of the Bank and Corporation Franchise Tax Act, "the Franchise Tax Commissioner shall be appointed by the Director of the Department of Finance, the Controller of the State, and the Chairman of the State Board of Equalization who are authorized to provide him with such assistants as they may deem

necessary, and he shall serve for such compensation, and under such conditions, as they may prescribe."

The incumbent Franchise Tax Commissioner, Charles J. McColgan, was appointed in 1931, pursuant to this section, by Mr. Vandegrift, then Director of the Department of Finance, Mr. Riley, then State Controller, and Mr. Corbitt, at that time Chairman of the State Board of Equalization. He has remained in office since that date, with no admitted responsibility to any state officer.

When the Civil Service Amendment (Article XXIV) was added to the Constitution in 1934, there was some doubt as to the status of Mr. McColgan. The Attorney General ruled that the effect of that amendment was to include the Franchise Tax Commissioner with the Civil Service System. (Opinion NS 1781, dated June 19, 1939.) A copy of that opinion is annexed to this report as Exhibit C, but your committee respectfully directs attention to the following language taken from that opinion:

> "Neither the Controller nor the Chairman of the State Board of Equalization is given any power or authority over the commissioner other than is specified in Section 22 of the act. Such control as may be provided for in that section vests in the three persons occupying the three offices therein mentioned *and not in any one of them* * * *. The responsibilities of the commissioner have no connection with or relation to the duties and responsibilities of such other officers." (Italics added.)

It will be observed that, while the opinion flatly held the Franchise Tax Commissioner was a civil service employee, it did not attempt to say what action the appointing authorities could take with respect to him.

In a subsequent opinion (NS 4188, dated April 6, 1942) the Attorney General held that the three officers named in Section 22 of the Bank and Corporation Franchise Tax Act *constituted the "appointing power" as that term is used in the Civil Service Act, and that they were required to act on or approve his performance reports.* It is obvious that a group charged with the duty of approving the performance report of a civil servant has the right and the duty to see that it is *properly* marked—*which would necessarily include the right and duty to ascertain whether he was efficiently performing his duties.*

In the same opinion, a copy of which is attached hereto as Exhibit D, the following appraisal of the duties of the three-man group was given:

> "The wording of this section seems clearly to indicate that the appointing power is authorized to set up the machinery by which the commissioner shall operate, to fix his compensation within a range now regulated by the Personnel Board under civil service, *and to prescribe the 'conditions' under which the commissioner and his office shall function.* These 'conditions' have reference to the administration of the office itself and not the administration of the act." (Italics added.)

The plain meaning of this language is that the commission is answerable to the *three-man appointing authority for the efficient operation of the office.*

The question immediately arises as to why the appointing authority has taken no action to correct the situation. Early in the course of the

investigation contact was made with members of the appointing group. While admitting they were aware that the Franchise Tax Office was not being efficiently operated and that the commissioner was either unwilling or unable to correct the situation, they implied that they had no authority to take any corrective or disciplinary action.

Your committee is convinced that this three-man appointing authority has the authority to correct the situation, and should have taken action for that purpose long ago.

As pointed out by the Attorney General in the language quoted above, the three-man appointing group has authority to prescribe the conditions under which the commissioner and his office shall function with respect to administration of the office.

Misuse of state equipment, abuse of sick leave, faulty and inefficient record keeping, widespread acceptance of incompatible employment by employees, bickering and dissension between employees, and incompetence or wilful neglect on the part of the highest official, the Franchise Tax Commissioner, are all matters relating directly to the administration of the office rather than the administration of the taxing statute. As such, under the Attorney General's opinion, *they are matters for which the three-man appointing authority is responsible.*

Section 19574 of the Government Code provides:

> "The appointing power, the (Personnel) board, or any person with the consent of the board, the appointing power or the Attorney General, may file charges against any employee or any person on any employment list for punitive action for one or more causes for discipline defined in this article."

Under this section it is clear that the three-man group which, under the Attorney General's opinion, is the "appointing power" has the authority to file charges against the Franchise Tax Commissioner. Among the grounds for such charges listed in Section 19572 of the same code are (b) incompetency, (c) inefficiency, (d) inexcusable neglect of duty, and (r) any other acts which are incompatible with or inimical to the public service.

The record before your committee shows that the Franchise Tax Commissioner, Charles J. McColgan is not, has not, and probably will not efficiently perform the administrative duties for which he is responsible. Your committee has not attempted to build a complete case against Mr. McColgan which will, in itself, be sufficient to meet all the legal and technical requirements connected with administrative and judicial proceedings. Your committee believes that the function of a legislative committee is to obtain facts and make recommendations, and not to prosecute any individual.

However, the facts heretofore related in this report are substantiated by sworn testimony and documentary evidence. If for any reason more evidence is needed, that evidence could and should be secured by the appointing authority. *The overall fact remains that the public welfare requires the removal of the incumbent Franchise Tax Commissioner, and the responsibility for accomplishing that now rests, has rested, and will*

continue to rest in the State Controller, the Director of the Department of Finance, and the Chairman of the State Board of Equalization.

Your committee feels it only fair to mention that the present members of the three-man appointing authority inherited a bad situation which was already out of control. Some of the present members of the three-man appointing authority supported a bill at the 1947 Regular Session which would have made the Office of Franchise Tax Commissioner appointive by the Governor. In addition, the present group commenced an investigation of the commissioner which was subsequently dropped, presumably because of lack of funds, before facts had been uncovered which would be sufficient to support disciplinary charges before the State Personnel Board.

While the removal of the incumbent Franchise Tax Commissioner and the appointment of an efficient administrator to that office would be beneficial, it is not the complete answer to the problem. In addition to that action legislation should be enacted which will make the Franchise Tax Commissioner answerable to some higher authority on *all* matters relating to his office and the statutes he administers. The incumbent commissioner testified that he was responsible only to the Legislature—and then stated he had made no report to or appearance before that body in the last 15 years.

It is obvious that legislation is needed which will either:

(1) Clarify the rights, duties and responsibilities of the three-man "appointing power," authorize it to act by majority vote, and require the Franchise Tax Commissioner to report periodically to that group; or

(2) Provide that the Franchise Tax Commissioner be appointed by, and responsible to, the Governor.

CONCLUSION AND RECOMMENDATIONS

Based on its investigations, your committee concludes that now, and for some years past, the interests of the State have been jeopardized by inefficiency and mismanagement in the Office of the Franchise Tax Commissioner, and by the widespread practice of employees in that office soliciting and performing outside employment which is incompatible with their duties as state employees.

Your committee also concludes that this condition has resulted from lack of proper supervision at top levels in the commissioner's office and that this condition can be remedied by an efficient commissioner and proper organization and control within the department. Your committee recommends:

(1) That legislation be adopted which will clearly prohibit income and franchise tax auditors and examiners from preparing state or federal income tax returns or accepting outside accounting work;

(2) That legislation be adopted clarifying the rights, duties, and responsibilities of the board which now constitutes the "appointing power" for the commissioner, or providing that the Office of

Franchise Tax Commissioner be filled by appointment of the Governor by and with the consent of the Senate, and that the commissioner be directly responsible to the Governor;

(3) That the commissioner and the board file charges against George Ney, Income Tax Examiner, and review the evidence brought out in the proceedings of this committee and the investigation conducted by the commissioner to determine whether charges also should be filed against other employees. No specific recommendation is made as to Ralph Ebner, Income Tax Examiner, solely because that individual has resigned from state service;

(4) That the appointing authority, consisting of the Director of Finance, the Chairman of the State Board of Equalization, and the Controller, be requested to perform their duties under Section 22 of the Bank and Corporation Franchise Tax Act, and to file charges against the incumbent Franchise Tax Commissioner pursuant to Section 19574 of the Government Code.

(5) That the heads of all state departments review the procedures within their departments and take such action as may be necessary to eliminate the acceptance of incompatible employment by employees thereof. It is specifically recommended that, in all cases of doubt, an opinion be secured from the Attorney General without delay.

Your committee wishes to emphasize the fact that although its investigation was limited to the Office of the Franchise Tax Commissioner, the conditions uncovered as an incident to that investigation justify the conclusion that similar investigations of other state departments and agencies would be worthwhile and in the public interest.

DATED: Sacramento, California, January, 1949.

Respectfully submitted,

A. I. STEWART, Chairman
RALPH M. BROWN
LAUGHLIN E. WATERS
JOHN W. EVANS
WILLARD M. HUYCK
JAMES W. SILLIMAN
LESTER A. McMILLAN
AUGUSTUS F. HAWKINS

EXHIBITS

Exhibit "A"

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, August 5, 1948

State Employees—Outside Employment—No. 1038

We have been asked for our opinion on the following questions:

Question

1. If an income tax examiner employed by the Franchise Tax Commissioner engages in the business of accounting for a fee (after the close of his normal state working day and on his own time) including the preparation of state and federal income tax returns, would such conduct constitute a violation of Section 70 of the Penal Code?

2. Would such conduct constitute a violation of Section 19251 of the Government Code?

Opinion

In our opinion the answer to the first question is in the negative, and the answer to the second question is in the affirmative.

Analysis

Section 70 of the Penal Code provides:

> "Every executive or ministerial officer, employee or appointee of the State of California, county or city therein or political subdivision thereof, who knowingly asks, receives or agrees to receive any emolument, gratuity or reward, or any promise thereof, excepting such as may be authorized by law for doing an official act, is guilty of a misdemeanor."

Reference to this section is made in only four decisions of the California Courts, and in only one of those cases was a prosecution under the section involved. In that case, *People* vs. *Kalloch*, 145 Cal. 116, the court said:

> "* * * the obvious intent of the statute was to prevent any improper influences being brought to bear upon official action. But the indictment in this case does not charge the defendant with having received any reward or promise thereof *as an inducement* to his official action." (Italics are the court's.)

The court affirmed a judgment sustaining a demurrer to the indictment for the above reason, although the indictment charged the defendant, Mayor of San Francisco, with using his official position to secure a raise in salary for one Hughey, and then demanding that Hughey turn over the increase to him, and further charged that he received said increase from Hughey.

It is apparent that, as interpreted by the court, the section is meant to apply only to a corrupt act done with evil intent. This is further borne out by the Code Commissioner's notes at the time the section was codified in 1872. Resort may properly be had to such notes to determine the meaning of the section. *Estate of Toule*, 14 Cal. 2d 261. The note to Section 70 states "The offense implies the existence of a corrupt mind, and it is not committed when the fee came voluntarily in return for real benefits conferred by extra exertions put forth."

In our opinion an employee of the Franchise Tax Commissioner who accepts a fee for preparing, on his own time and pursuant to other employment, a state income tax return, would not be guilty of a misdemeanor under Section 70 of the Penal Code.

A different situation obtains with respect to Section 19251 of the Government Code. That section provides:

> "A state officer or employee shall not engage in any other activity or enterprise inconsistent, incompatible, or in conflict with his duties as a state officer or employee."

This section has never been considered by the Supreme Court or appellate courts of this State. In construing the section the Attorney General has said:

> "Generally speaking, any outside employment would be 'inconsistent or incompatible or in conflict' with state duties whenever the nature or duties of the respective offices or positions were such

that if both were held by one person, the public interest would be likely to suffer" (Ops. A.G. 202, 204).

We believe that is a proper construction of the section.

An accountant who completes income tax returns is frequently called upon to determine various problems, such as whether certain items are allowable business expenses, or which method should be used to show depreciation or depletion, and many which might have a considerable effect upon the amount reflected by the books as profit or income. The duties of income tax examiners, as compiled by the State Personnel Board, include making investigations and audits to determine whether the books reflect the true profit or income, and reviewing income tax returns.

It is obvious that an income tax examiner who was called upon to investigate or audit the books of a person who employed him to keep such books in order would, for obvious reasons, be less likely to discover irregularities in such books than would a person who had not been so employed. Similarly an income tax examiner who had been paid to fill out a return would be less likely to discover any error in that return than an examiner who had no previous connection with the return. The possibility that the interests of the State would suffer is obvious.

It is therefore our opinion that an income tax examiner who engages in outside accounting work for a fee or who prepares state income tax returns for a fee, violates the provisions of Section 19251 of the Government Code.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By A. C MORRISON, Deputy

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, November 23, 1948

Hon. A. I. Stewart, Chairman
Assembly Committee on Governmental Efficiency and Economy
856 So. El Molino Avenue, Pasadena, California

Incompatible Employment—#1090

DEAR MR. STEWART: You have asked our opinion as to whether legislation prohibiting state employees whose duties include reviewing tax returns, making audits and investigations, and considering claims for tax refund, from accepting outside employment as bookkeeper, accountant or attorney at law, would be valid.

In our opinion such legislation would be valid.

The Legislature is vested with the whole of the legislative power of the State, and may deal with any subject within the scope of civil government, except so far as it is restrained by the provisions of the Constitution. *In re Madera Irr. District*, 92 Cal. 296. The Constitution restrains that power only insofar as the restriction appears by express constitutional provision, or by necessary implication. *Bourland* vs. *Hildreth*, 26 Cal. 161.

We are aware of no provision of the Constitution, including the civil service amendment (Art. XXIV), which expressly or by necessary

implication, restricts the power of the Legislature to prescribe, by general law, the standard of conduct which the State may, to protect the public interest, demand from its employees as a condition of employment.

It is well settled that the right to an office or employment with the government is not a vested property right and removal therefrom will not support the question of due process. *Ludolph* vs. *Board of Police Commissioners*, 30 Cal. App. 2d 211. It follows that a state employee has no vested right in the terms or conditions of his employment.

The only other constitutional question which could seriously be raised is whether the proposed bill, inasmuch as it applies to only certain designated employees, is 'special legislation' within the meaning of Article IV, Section 25 (33) of the Constitution which prohibits special laws where a general law can be made applicable. That provision does not prevent legislation imposing burdensome conditions upon a designated class of persons, unless the classification is arbitrary and not founded on a natural, intrinsic or constitutional distinction *People* vs. *Schomig*, 74 Cal. App. 109.

The purpose of the proposed legislation obviously is to protect the interests of the State by preventing a situation whereby an employee of the State might be tempted to overlook errors in tax returns which were prepared by him, or which were based on work performed by him for a private citizen. Since the situation to be remedied arises because of circumstances connected with employees performing certain duties, legislation which operates only on employees with those duties is, in our opinion, based on a natural and intrinsic distinction, and therefore is valid.

From a practical standpoint, legislation of the type mentioned is no more than a legislative determination that certain types of outside employment are incompatible with certain types of state employment, within the meaning of Section 19251 of the Government Code. We believe legislation of the type mentioned is valid.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By A. C. MORRISON, Deputy

SAMPLE BILLS

An act to add Section 19258 to the Government Code, relating to State employment.

The people of the State of California do enact as follows:

SECTION 1. Section 19258 is added to the Government Code, to read:

19258. No state officer or employee whose official duties include reviewing tax returns, or making audits or investigations of the books and records of taxpayers, or hearing or considering claims for tax refunds or petitions for reassessment, shall accept or hold additional employment as a bookkeeper, accountant or attorney-at-law outside the state

service. Acceptance of such additional employment by such state officer or employee shall constitute an automatic resignation from state service.

An act to amend Section 19251 of the Government Code, relating to state employment.

The people of the State of California do enact as follows:

SECTION 1. Section 19251 of the Government Code is amended to read:

19251. A state officer or employee shall not engage in any other activity or enterprise inconsistent, incompatible, or in conflict with his duties as a state officer or employee. *Employment outside the state service is incompatible with state duties whenever the nature or duties of the respective employments is such that if both were held by the same person the interests of the state might be adversely affected.*

Exhibit "B"

OPINION OF ATTORNEY GENERAL

STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
LOS ANGELES, CALIFORNIA, October 8, 1948

Hon. A. I. Stewart, Chairman
Assembly Interim Committee on Governmental Efficiency and Economy
600 State Building, Los Angeles, California

DEAR SIR: You have requested the advice of this office relative to outside employment by civil service employees of the Franchise Tax Commissioner's Office. You desire this for immediate use of the committee but there is not sufficient time to have an opinion go through the regular channels. If you desire an official opinion on the problem, we will be glad to render it to you upon your so stating.

It appears that certain civil service employees of the Franchise Tax Commissioner's Office are engaged in making out state and federal income tax returns and doing accounting and bookkeeping for private clients. You state that some of this work is done during regular office hours with state equipment, and that some of it is done outside of office hours. You desire advice as to whether or not such outside employment is in conflict with Government Code Section 19251, which provides:

> "A state officer or employee shall not engage in any other activity or enterprise inconsistent, incompatible, or in conflict with his duties as a state officer or employee."

Aside from all other considerations, if private employment is carried on during regular office hours or during the time when the employee is assigned to official duties, obviously such private employment is inconsistent, incompatible, and in conflict with his duties as a state officer or employee. The Civil Service Act does not prevent nor preclude the acceptance of employment by a state officer or employee outside the office, and at such times as the person is not assigned to duties, providing, of course, that there is nothing inconsistent or incompatible or in conflict with his

duties as a state officer or employee. (See A. G. Ops. NS 4040.) Even accepting permissible employment during leisure time cannot be carried to such an extent that by reason of the loss of sleep, or some other cause, the employee is less efficient in performing his duties for the State.

This provision in the Civil Service Act (Government Code, Section 19251), however, does not prevent the Personnel Board or an appointing authority from further restricting the outside activities of employees by proper rules and regulations.

Aside from the question of time of performance of duties involved, your question fundamentally is concerned with incompatibility of such employment and the duty to the State. For an answer to this problem we refer to the question of incompatability with respect to different public offices. The same fundamental rule of law applies with reference to a civil service employee and private employment. It is somewhat difficult to formulate a general definition of what constitutes incompatibility, but the courts have laid down certain rules and tests for determining the matter. No one rule or statement is sufficiently clear and comprehensive to be decisive in every case. We are not concerned here with the mere physical inability to perform the duties of both employments. The test, however, is to be found in the character of the employments and their relation to each other, and in the nature of the duties and functions which will attach to each. Incompatibility exists where there is a conflict in the duties of the office, so that the performance of the duties of the one interferes with the performance of the duties of the other. This is something more than a physical impossibility to discharge the duties of both employments at the same time. They are generally considered incompatible where such duties and functions are inherently inconsistent and repugnant, so that, because of the contrariety and antagonism which would result from the attempt of one person to discharge faithfully, impartially, and efficiently the duties of both employments, considerations of public policy render it improper for an incumbent to retain both. It is not an essential element of incompatibility of offices at common law that the clash of duties should exist in all or in the greater part of the official function. It is immaterial on the question of incompatibility that the party need not and probably will not undertake to act in both offices or employment at the same time. 42 Am Jur. 935.

In *People* vs. *Garrett,* 72 Cal. App. 452 (1925), it was pointed out that incompatibility between two offices is an inconsistency in the functions of the two, "as judge and clerk of the same court—officer who presents his personal account subject to audit, and officer whose duty it is to audit it." It was also pointed out in that case that in order to render two offices incompatible there must be some such relation between them as that of master and servant—that the one must have controlment of the other, or *that the one must be charged with the duty of auditing or supervising the accounts of the other, etc.* (Emphasis added.)

With these general principles in mind let us examine the functions and duties of the staff of the Franchise Tax Commissioner who review or audit in any way whatever or have any determination to make regarding franchise or income tax returns. It is their duty to assess and collect

the proper and legal amount of taxes which may be due the State of California. This does not necessarily mean that the greatest amount of tax be assessed and collected, but only that the legal amount be assessed and collected. The duty, then, which these employees owe to the State of California is to see that all amounts legally due the State of California are reported and the taxes paid. Obviously in examining income tax returns and dealing with the public this function involves a certain amount of discretion by the examining employee. On the other hand, if an employee keeps books or prepares accounts for the purpose of preparing income or franchise tax returns, or prepares federal or state income or franchise tax returns, it is his duty to his employer to keep the taxes as low as legally possible. This obviously, in many instances, involves considerable discretion, not only as to whether certain items should be reported but also as to the manner of reporting such items. Basically then these duties, that is, the private employment of keeping books, preparing accounts, preparing federal and state returns, is in conflict and is incompatible with the public employment of those employees of such taxing offices, which employees are auditors, accountants or other persons who have accounting or supervising functions of any type over the returns filed. Books of account are kept for, and their condition is necessarily reflected in, the tax returns filed.

The inclusion of the preparation of federal forms in this opinion is made upon the basis of the fact that there is cooperation between the Federal Government and the State Government on income taxes, with respect to audit and review. Furthermore it is required that the amount reported on the federal and state tax returns be reconciled.

Therefore, in reply to your question my advice may be summarized as follows:

1. Aside from any incompatibility or conflict in employment, a civil service employee may not engage in private business on time when he is assigned to duty for the State.

2. If there is no conflict or incompatibility between his duty to the State and private employment, a civil service employee may, within reasonable limits, and subject to further restrictions by rules of the Personnel Board or the appointing authority, engage in private business during such times he is not assigned to duty by the State.

3. That the accepting of private employment at any time in preparing state or federal income tax returns or doing bookkeeping and accounting by a state officer or employee who is employed as an auditor or accountant or in some other supervisory position whereby his discretion is involved in reviewing tax returns is incompatible with his duties as a state officer or employee; and therefore is in violation of Government Code Section 19251.

Very truly yours,

FRED N. HOWSER, Attorney General
By BAYARD RHONE, Deputy Attorney General

Exhibit "C"

OPINION OF ATTORNEY GENERAL

SAN FRANCISCO, June 19, 1939

Hon. Chas. J. McColgan
Franchise Tax Commissioner
Sacramento, California

DEAR SIR: I have your letter of June 10th in which you ask for my opinion on the question of the civil service status of the Franchise Tax Commissioner.

Section 22 of the Bank and Corporation Franchise Tax Act (Statutes 1929, page 19, as amended) provides and has at all times provided as follows:

> "The Franchise Tax Commissioner, herein referred to, shall be appointed by the Director of Finance, the Controller of the State and the Chairman of the State Board of Equalization, who are authorized to provide him with such assistants as they may deem necessary, and he shall serve for such period, and for such compensation, and under such conditions, as they may prescribe.
>
> He shall have power and it shall be his duty to administer this act, and to prescribe all such rules and regulations as are necessary and reasonable to carry out its provisions; and said commissioner and the State Board of Equalization, for the purpose of administering their duties under this act, each shall have the powers conferred upon said board by Section 3669e of the Political Code."

The state civil service amendment was adopted November 6, 1934, as an initiative measure and became Article XXIV of the Constitution.

Section 4a of Article XXIV reads as follows:

> "(a) The provisions hereof shall apply to, and the term 'State civil service' shall include, every officer and employee of this State except:
>
> (1) State officers elected by the people.
>
> (2) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's Office.
>
> (3) State officers and employees directly appointed or employed by the Attorney General or the Judicial Council; or by any court of record in this State or any justice, judge or clerk thereof.
>
> (4) State officers and employees directly appointed or employed by the Legislature or either house thereof.
>
> (5) One person holding a confidential position to any officer mentioned in paragraphs (1), (2) or (4) hereof except that there shall be but one such position to any board or commission composed in whole or in part of officers mentioned in said paragraphs, each such person to be selected by the officer, board or commission to be served.
>
> (6) One deputy for the Legislative Counsel and for each state officer elected by the people, each such deputy to be selected by the officer to be served.

(7) Persons employed by the University of California.

(8) Persons employed by any state normal school or teachers college.

(9) The teaching staff of all schools under the direction or jurisdiction of the Superintendent of Public Instruction, the Department of Education or the director thereof or the State Board of Education who otherwise would be members of the state civil service.

(10) Employees of the Federal Government, or persons whose selection is subject to rules or requirements of the Federal Government, engaged in work done by cooperation between the State and Federal Government or engaged in work financed in whole or in part with federal funds.

(11) Persons appointed or employed by or under the State Board of Prison Directors or any warden of a state prison.

(12) The officers and employees of the Railroad Commission.

(13) Member help in the Veterans' Home of California and inmate help in all state charitable or correctional institutions.

(14) The members of the Militia of the State while engaged in military service."

It is obvious that the Franchise Tax Commissioner is either an officer or employee of the State and that he is included in the State Civil Service System unless he is excluded therefrom by one of the 14 exceptions.

Clearly he does not come within exceptions 1 to 4, inclusive; or exceptions 6 to 14, inclusive. Therefore, if he is excepted from civil service status it must be because of the provisions of exception (5).

Can it be said that the commissioner is a person "holding a confidential position to any officer mentioned in paragraphs (1), (2) or (4)?" If so, who is the officer under whom he served in such confidential capacity?

Of the three persons mentioned in Section 22 of the act two are elected by the people, namely, the Controller and the Chairman of the State Board of Equalization, the Director of Finance being appointed by the Governor.

Neither the Controller nor the Chairman of the State Board of Equalization is given any power or authority over the commissioner other than is specified in Section 22 of the act. Such control as may be provided for in that section vests in the three persons occupying the three offices therein mentioned and not in any one of them. It is clear that the commissioner does not serve in a confidential position to the Controller since the duties of that office are entirely separate and distinct from the duties imposed upon the commissioner under the act and the Personal Income Tax Act.

Nor does the commissioner serve in a confidential position to the Chairman of the State Board of Equalization or to the Director of Finance. The responsibilities of the commissioner have no connection with or relation to the duties and responsibilities of such other officers.

It is my opinion, therefore, that the Franchise Tax Commissioner does not fall within any of the exceptions mentioned in Section 4(a) of Article XXIV and that he now has civil service status. As such civil

service officer or employee the statutes and the lawful rules and regulations of the State Personnel Board are applicable to him as in the case of other officers and employees having civil service status.

Very truly yours,

EARL WARREN, Attorney General
By H. H. LINNEY, Deputy

HHL:VR
Oked E.B.P.
2945

Exhibit "D"

OPINION OF ATTORNEY GENERAL

April 6, 1942

Hon. George Killion
Director of Finance
Sacramento, California

DEAR SIR: In your letter of March 23, 1942, you state:

"Section 22 of the Bank and Corporation Franchise Tax Act, Deering's Act 8488, provides as follows:

"Section 22. Franchise Tax Commissioner and assistants: Appointment: Powers and duties. The Franchise Tax Commissioner, herein referred to, shall be appointed by the Director of the Department of Finance, the Controller of the State and Chairman of the State Board of Equalization, who are authorized to provide him with such assistants as they may deem necessary, and he shall serve for such period, and for such compensation, and under such conditions, as they may prescribe.

He shall have power, and it shall be his duty, to administer this act, and to prescribe all such rules and regulations as are necessary and reasonable to carry out its provisions; and said commissioner and the State Board of Equalization, for the purpose of administering their duties under this act, each shall have the powers conferred upon said board by Section 3669e of the Political Code of this State.

Section 6 of the State Civil Service Act provides as follows:

'Sec. 6. "Appointing power" means the person or group of persons having the authority to make appointments to positions in the state civil service.'

In your Opinion NS1781 it was held that the Franchise Tax Commissioner has civil service status and that

'As such civil service officer or employee the statutes and the lawful rules and regulations of the State Personnel Board are applicable to him as in the case of other officers and employees having civil service status.'

Clarification is desired of the powers, duties and responsibilities of the above group of state officers in directing the Franchise Tax Commissioner with respect to the administration of the Bank and Corporation Franchise Tax Act and other laws.

Your opinion is accordingly desired on the following questions:

1. Does the group of state officers mentioned in Section 22 of the Bank and Corporation Franchise Tax Act constitute the appointing

power of the Franchise Tax Commissioner within the meaning of Section 6 of the State Civil Service Act?

2. If your answer to the above question is in the affirmative, is action or approval by said group necessary in connection with the following:

(a) The filing of performance reports for the Franchise Tax Commissioner under Section 142 of the State Civil Service Act.

(b) The granting of a leave of absence without pay for said official under the provisions of Section 149 of the State Civil Service Act.

(c) In the event the Franchise Tax Commissioner should become eligible for retirement for disability, would said group of officers constitute 'the head of the office or department' within the meaning of Section 85a of the State Employees' Retirement Act?

3. If your answer to question 1 is in the negative, who would be the commissioner's appointing power under Section 6 of the State Civil Service Act?

4. Is the Franchise Tax Commissioner subject to direction or supervision by said group of officers in determining allocations of income under Section 10 of the Bank and Corporation Franchise Tax Act?''

I will answer your specific questions as follows:

1. It is my opinion that the group of state officers mentioned in Section 22 of the Bank and Corporation Franchise Tax Act, to wit, the Director of Finance, the State Controller and the Chairman of the State Board of Equalization, constitute a continuing appointing power of the Franchise Tax Commissioner within the meaning of Section 6 of the State Civil Service Act.

In Attorney General's Opinion NS1781, as you have pointed out, it was held that the Franchise Tax Commissioner has civil service status. His original appointment having antedated Article XXIV of the Constitution, he was thereby blanketed in as such commissioner when the State Civil Service Amendment became the law. He thus holds that position for an indeterminate period and the three officers who appointed him continue ex officio to remain his appointing power. Our former opinion held that he was not appointed by any of these three officers individually, but was an appointee of all of them as a group.

2. Action or approval by said group is necessary in connection with (a) the filing of performance reports for the Franchise Tax Commissioner under Section 142 of the Civil Service Act. That section provides in part—''Performance reports shall be filed by appointing powers at such intervals as the board may by rules provide * * *.''

(b) Action or approval by said group is necessary in connection with the granting of a leave of absence without pay for the Franchise Tax Commissioner under the provisions of Section 149 of the State Civil Service Act. That section provides in part that ''* * * an appointing authority may grant a leave of absence without pay to any employee under his jurisdiction for a period not exceeding one year * * *.''

(c) In the event the Franchise Tax Commissioner should become eligible for retirement for disability, this group of three state officers would constitute the ''head of the office or department'' within the meaning of Section 85(a) of the State Employees' Retirement Act, and these three state officers would be required to take appropriate action as a

group constituting the "head of the office or department" within the meaning of Section 85a of the State Employees' Retirement Act.

3. Since my answer to Question 1 is in the affirmative, this question need not be answered.

4. It will be noted that Section 22 of the Bank and Corporation Franchise Tax Act, quoted above, provides that the appointing power is "authorized to provide him (the commissioner) with such assistants as they may deem necessary, and he shall serve for such period and for such compensation, and under such conditions, as they may prescribe."

In this same section the Franchise Tax Commissioner "shall have power and it shall be his duty to administer this act and to prescribe all such rules and regulations as are necessary and reasonable to carry out its provisions;" said paragraph further granting to the commissioner for the purpose of administering his duties under this act the same powers as are conferred upon the Board of Equalization by Section 3669e of the Political Code. The wording of this section seems clearly to indicate that the appointing power is authorized to set up the machinery by which the commissioner shall operate, to fix his compensation within a range now regulated by the Personnel Board under civil service, and to prescribe the "conditions" under which the commissioner and his office shall function. These "conditions" have reference to the administration of the office itself and not the administration of the act.

The commissioner is given the specific power to administer the act. Since Section 10 of the Bank and Corporation Franchise Tax Act deals with the matter of computation of tax on intra-state businesses and the allocations of the incomes of banks and corporations within the State, this is clearly a matter of administration of the act itself, which is within the powers and duties of the Franchise Tax Commissioner and not subject to direction or supervision by the appointing power.

Yours very truly,

EARL WARREN, Attorney General
By JOHN QUINCY BROWN, Deputy Attorney General

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Andrew T. Peterson of Buellton.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Miss Dona Stephens of Colusa.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Frank Oehm of San Mateo.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Eleanor Condon and Melissa Condon of Walnut Creek.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to John W. Firth of Stockton.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marie L. Bonnett of Riverside.

On request of Mr. Rosenthal and the Los Angeles County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Vernon W. Janney of Los Angeles.

On request of Mr. Brady and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to James Prisinzano of San Francisco.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Albert Ruffo of San Jose.

ADJOURNMENT

At 12.20 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned, until 10 a.m., Monday, January 24, 1949, out of respect to the memory of James Wilson Marshall and the pioneers who discovered gold at Coloma.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FOURTEENTH LEGISLATIVE DAY

TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, January 24, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Almighty God· May we perceive today that there is a Power that is making for Righteousness, and that the Good has the Nature of Things on Its Side.

May our hopes brighten as we see that the efforts of the unjust to divert the course of history from the right have eventually failed.

Let the past struggle show us that all the moral forces of decency and honor ultimately marshal themselves to destroy the legions of crime and tyranny.

Let all history teach that the future devices of iniquity shall likewise perish, because the principles of Justice and Truth are as truly in the Cosmic Scheme as the law of gravity.

"Fierce 'tho fiends may fight, and long the Angels hide,
We know that truth and right, have the universe on their side."

So may we follow the path of righteousness knowing that it brings ultimate triumph, and harmony with the Everlasting —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hahn, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Collier, on motion of Mr. Erwin.

PLEDGE OF ALLEGIANCE TO THE FLAG

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

COMMUNICATIONS

By Speaker Collins:

A communication from Florence M. Garrison of Pasadena, relative to a request for repeal by the Legislature of Proposition No. 4, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 150—An act to amend Sections 122, 230, 2571, 5620, and 5623 of the Elections Code, Sections 1810, 1812, 1824, 22376, 22378, and 22692 of the Education Code, and Sections 34324 and 34051 of the Government Code, relating to registration and residence of electors, and declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fourth day of January, 1949, at 9 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 8—An act to provide for the establishment of a state college in the area of Orange County and the southeastern part of Los Angeles County, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 23—An act to amend Sections 10200, 10201, 10202, 10203, 10204 and to repeal Section 10205 of the Education Code, relating to automobile driver education and automobile driver training, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of January, 1949, at 12 30 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No 9

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1138: By Mr. Conrad—An act making an appropriation for the support of child care centers, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1139: By Mr. Grant—An act to amend Sections 142 and 251 of the Vehicle Code, relating to vehicles exempted from registration and operators' and chauffeurs' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1140: By Mr. Erwin—An act to repeal Sections 1270 and 1272 of, and to add Sections 1270, 1271, and 1272 to, the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 1141: By Mr. Erwin—An act to add Section 1159 to the Fish and Game Code, relating to hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 1142: By Mr. Erwin—An act to add Section 493.6 to the Fish and Game Code, relating to chumming.

Referred to Committee on Fish and Game.

Assembly Bill No. 1143: By Mr. Erwin—An act to amend Sections 654 and 656 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1144: By Mr. Erwin—An act to amend Section 740 of the Fish and Game Code, relating to grunion.

Referred to Committee on Fish and Game.

Assembly Bill No. 1145: By Mr. Erwin—An act to add Section 1160 to the Fish and Game Code, relating to hunting of game birds and mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 1146: By Mr. Erwin—An act to amend Section 1352.5 of the Fish and Game Code, relating to frogs.

Referred to Committee on Fish and Game.

Assembly Bill No. 1147: By Mr. Erwin—An act to amend Section 1201 of the Fish and Game Code, relating to birds.

Referred to Committee on Fish and Game.

Assembly Bill No. 1148: By Mr. Erwin—An act to amend Section 1200 of the Fish and Game Code, relating to birds.

Referred to Committee on Fish and Game.

Assembly Bill No. 1149: By Mr. Erwin—An act to amend Section 610 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1150: By Mr. Erwin—An act to amend Section 695 of the Fish and Game Code, relating to striped bass.

Referred to Committee on Fish and Game.

Assembly Bill No. 1151: By Mr. Erwin—An act to amend Section 806 of the Fish and Game Code, relating to pismo clams.

Referred to Committee on Fish and Game.

Assembly Bill No. 1152: By Mr. Erwin—An act to amend Section 722 and to repeal Section 724.5 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1153: By Mr. Erwin—An act to amend Section 1340.6 and to repeal Section 1313 of the Fish and Game Code, relating to bears.

Referred to Committee on Fish and Game.

Assembly Bill No. 1154: By Mr. Erwin—An act to amend Section 1341 of the Fish and Game Code, relating to mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 1155: By Mr. Erwin—An act to amend Section 1250 of, and to add Section 1342.5 to, the Fish and Game Code, relating to mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 1156: By Mr. Erwin—An act to amend Section 1311 of the Fish and Game Code, relating to fur-bearing mammals.

Referred to Committee on Fish and Game.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 6 FROM COMMITTEE CONTINUED

Mr. Heisinger asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Joint Resolution No. 6 from committee be continued until the next legislative day.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 9—Relative to memorializing the President and the Congress of the United States in relation to the retention of the National Guard under state control.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 16—Relative to naming the freeway between San Diego and Tia Juana the John J. Montgomery Freeway.

Resolution read.

Motion to Amend

Mr. Cramer moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed resolution, strike out lines 1 to 4, inclusive.

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

MOTION THAT REPORT BE ORDERED FILED WITH THE SECRETARY OF STATE

Mr. Dolwig moved that the Chief Clerk be instructed to file the Report of the Interim Committee on Constitutional Revision in the archives of the Secretary of State.

Mr. Connolly seconded the motion.

Motion carried.

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

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

Assembly Bill No. 1157: By Mr. Hagen—An act to amend Section 28128 of the Government Code, relating to compensation for public services.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1158: By Mr. Hagen—An act to amend Section 737p of the Political Code, relating to the salary of Superior Judges in and for the County of Kings.

Referred to Committee on Judiciary.

Assembly Bill No. 1159: By Messrs. Dolwig, Dunn, Meyers, Brady, Berry, George D. Collins, Connolly, Gaffney, Kirkwood, Maloney, McCarthy, and Thompson—An act relating to the acquisition of a bridge or bridges across the Bay of San Francisco connecting the Counties of San Mateo and Alameda, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, providing for the inclusion thereof in the State Highway System upon the acquisition thereof, and amending Sections 405 and 407 of the Streets and Highways Code in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1160: By Mr. Dolwig—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act increasing the number of Judges of the Superior Court of the State of California, in and for the County of San Mateo, and providing for the appointment of an additional judge and for his compensation," approved May 28, 1931, relating to Superior Court Judges in the County of San Mateo.

Referred to Committee on Judiciary.

Assembly Bill No. 1161: By Messrs. Dolwig and Waters—An act to amend Section 331 of the Elections Code, relating to affidavits of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1162: By Mr. Bennett—An act to amend Section 1454 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1163: By Mr. Bennett—An act to amend Section 700 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1164: By Mr. Bennett—An act to amend Section 1403 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1165: By Mr. Cramer—An act to amend Section 576 of the Vehicle Code, relating to the operation of vehicles at or near grade crossings.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1166: By Mr. Cramer—An act to amend Section 499 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1167: By Mr Cramer—An act to amend Section 497 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1168: By Mr. Cramer—An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1169: By Mr. Elliott—An act to further democracy in the State by requiring cities, counties, and cities and counties to provide for free public legal services to persons financially unable to pay for such services

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1170: By Mr. Elliott—An act to add Section 3052 to the Welfare and Institutions Code, relating to persons eligible to receive aid to the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1171: By Mr. Lindsay—An act to amend Section 806 of the Agricultural Code, relating to plum standards.

Referred to Committee on Agriculture.

Assembly Bill No. 1172: By Mr Conrad—An act to amend Section 72 of, and to add Section 74 to, the Labor Code, relating to administration of the Division of Industrial Welfare

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1173: By Mr Conrad—An act to repeal Section 1176 of the Labor Code, to renumber Section 1177 to be Section 1176 thereof, to renumber Section 1178 to be Section 1177 thereof, to amend and renumber Section 1179 to be Section 1178 thereof, to amend and renumber Section 1180 to be Section 1179 thereof, to amend and renumber Section 1181 to be Section 1180 thereof, to repeal Section 1182 of said code, to amend and renumber Section 1183 to be Section 1181 thereof, to amend and renumber Section 1184 to be Section 1182 thereof, to amend and renumber Section 1185 to be Section 1183 thereof, to amend and renumber Section 1186 to be Section 1184 thereof, and to add Section 1185 to said code, relating to women and minors

Referred to Committee on Industrial Relations

Assembly Bill No. 1174: By Messrs. Lindsay, Fleury, and Moss—An act to add Section 6962 to the Education Code, relating to the education of adults.

Referred to Committee on Education.

Assembly Bill No. 1175: By Mr Hinckley, Mrs. Niehouse, and Mr. Grant—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4225, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons

Referred to Committee on Social Welfare.

Assembly Bill No. 1176: By Mr. George D Collins—An act to amend Sections 3935 and 3993 of the Elections Code, relating to ballots

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1177: By Mr George D. Collins—An act to amend Sections 131 and 139 of the Elections Code, relating to the registration and qualification of electors and voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1178: By Mr. Way—An act to amend Section 28125 of the Government Code, relating to compensation for public services in counties of the twenty-fifth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1179: By Messrs. Hoffman and Erwin—An act to add Section 844 to the Fish and Game Code, relating to illegal nets

Referred to Committee on Fish and Game.

Assembly Bill No. 1180: By Messrs. Hoffman and Erwin—An act to add Section 975 to the Fish and Game Code, relating to carp traps.

Referred to Committee on Fish and Game.

Assembly Bill No. 1181: By Mr. Connolly—An act to amend Section 115 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1182: By Mr. Clayton A Dills—An act to add Section 330.1 to the Penal Code, relating to gaming, and to gambling places.

Referred to Committee on Public Morals.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 72—An act to amend Section 2191 5 of the Business and Professions Code, relating to applications to the Board of Osteopathic Examiners of the State of California for physicians' and surgeons' certificates, declaring the urgency thereof, to take effect immediately.

Bill read third time, and ordered passed on file temporarily.

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

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

Assembly Bill No. 1183: By Mr Clayton A. Dills—An act relating to taxation, providing for the licensing of music vending machines, providing for the enforcement of this act, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1184: By Messrs. Huyck, Rosenthal, Waters, and Tomlinson—An act to amend Section 1011 of the Code of Civil Procedure, relating to service of notices or papers.

Referred to Committee on Judiciary.

Assembly Bill No. 1185: By Messrs. Huyck, Rosenthal, Waters, and Tomlinson—An act to amend Section 413 of the Code of Civil Procedure, relating to service by publication.

Referred to Committee on Judiciary.

Assembly Bill No. 1186: By Messrs Huyck, Rosenthal, Waters, and Tomlinson—An act to amend Section 1013 of the Code of Civil Procedure, relating to service by mail.

Referred to Committee on Judiciary.

Assembly Bill No. 1187: By Messrs. Moss and Fleury—An act to amend Section 18712 of the Government Code, relating to the powers and duties of the State Personnel Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1188: By Messrs. Gaffney and George D. Collins—An act to add Section 6616 to the Labor Code, relating to requiring supervisors to be furnished with applicable orders of the Division of Industrial Safety.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1189: By Messrs Gaffney and George D. Collins—An act to add Sections 6510.5 and 6510.6 to the Labor Code and to amend Section 6511 of the Labor Code, relating to the powers and duties of the Division of Industrial Relations.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1190: By Messrs Gaffney and George D. Collins—An act to add Section 6604 to the Labor Code, relating to effect of refusal to work where order of Division of Industrial Safety is violated.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1191: By Messrs. Gaffney and George D. Collins—An act to amend Section 6312 of the Labor Code, relating to the powers and duties of the Division of Industrial Safety.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1192: By Messrs. Ralph C. Dills, Morris, and Clayton A. Dills—An act to amend Section 14606 of the Education Code, relating to application for retirement in the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 1193: By Messrs. Dickey, Doyle, Hollibaugh, Crichton, Dolwig, and McCollister—An act to provide for the establishment of a branch Office of the Department of Motor Vehicles in the City of Alameda, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1194: By Mr. Grunsky—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 1195: By Messrs. Hollibaugh and Doyle—An act adding Sections 5446, 5447, 5448, and 5449 to the Health and Safety Code, relating to the control of the disposal of sewage and other industrial waste.

Referred to Committee on Public Health.

Assembly Bill No. 1196: By Mr. Waters—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1197: By Mr. Waters—An act to add Section 2512 to the Revenue and Taxation Code, relating to the time of payments due taxing agencies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1198: By Mr. Waters—An act to amend Sections 2605, 2701, and 2917 of the Revenue and Taxation Code, relating to due dates of installment payments on the secured tax roll and to collection on unsecured roll.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1199: By Mr. Waters—An act to amend Sections 534 and 2922 of the Revenue and Taxation Code, relating to penalty on delinquent taxes on unsecured tax roll.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1200: By Mr. Waters—An act to amend Section 17053.5 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1201: By Mr. McCollister—An act to amend Section 987 of the Military and Veterans Code, relating to farm and home purchase.

Referred to Committee on Military Affairs.

Assembly Bill No. 1202: By Mr. McCollister—An act to amend Section 18973 of the Government Code, relating to veterans' preference in state civil service.

Referred to Committee on Military Affairs.

Assembly Bill No. 1203: By Mr. McCollister—An act to amend Sections 163, 164, 167, 168, 175, 180, 187, 223, 224, 252, and 253 of, and to add Section 212 to, the Military and Veterans Code, relating to the military forces of the State.

Referred to Committee on Military Affairs.

Assembly Bill No. 1204: By Mr. McCollister—An act to add Section 650 to the Military and Veterans Code, relating to the acquisition, design, award, and distribution of an appropriate certificate or suitable acknowledgment of the sacrifice made by the family of deceased members of the California National Guard who died while in active federal service during World War II and making an appropriation therefor.

Referred to Committee on Military Affairs.

Assembly Bill No. 1205: By Mr. McCollister—An act to amend Sections 502.1, 511.5, and 516.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Referred to Committee on Military Affairs.

Assembly Bill No. 1206: By Mr. McCollister—An act to amend Sections 890 and 980 of the Military and Veterans Code, and Section 18540 of the Government Code and Section 16102 of the Business and Professions Code, relating to the definition of "Veteran."

Referred to Committee on Military Affairs.

Assembly Bill No. 1207: By Mr. McCollister—An act to amend Section 20894.5 of the Government Code and Section 14702 of the Education Code, relating to contributions of members of retirement system absent in military service.

Referred to Committee on Military Affairs.

Assembly Bill No. 1208: By Mr. McCollister—An act to amend Sections 125, 127, 324, 325, 369, 397, 398, 439, 612, and 615 of the Military

and Veterans Code, and to amend Section 718c of the Civil Code, relating to the military forces of the State, including the exemption from military service, the detail of federal officers for service with the National Guard or Naval Militia, the detail of officers for special duty and waiver of part of compensation, performance of emergency service, the performance of military duty on election day, the passage of the National Guard through toll bridges and on ferries, the declaration of places as "off limits," the leasing of property owned by a municipality for a term not to exceed fifty years for military or armory purposes, the colors and standards of organizations of the National Guard, the delivery of the Colors to members of the family of a deceased member of the National Guard, the use of the National Flag, and assignment of command.

Referred to Committee on Military Affairs.

Assembly Bill No. 1209: By Mr McCollister—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the federal system of discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry, and bad-conduct discharges.

Referred to Committee on Military Affairs.

Assembly Bill No. 1210: By Mr. McCollister—An act to amend Sections 210, 224, 225, 250, 254, 261, 262, 269, and to repeal Section 322 of the Military and Veterans Code, relating to the organization of the National Guard, precedence in rank, separation of personnel from service, the qualification for enlistment, the transfer and reduction of members of the National Guard, discharge certificates, the dishonorable discharge of members of the military or naval service of the State and the effect thereof and the pay of members of the National Guard while attending camps of instruction, drills or parades.

Referred to Committee on Military Affairs.

Assembly Bill No. 1211: By Mr. McCollister—An act to amend Section 1269a of Title 8 of Part 3 of the Code of Civil Procedure, relating to escheated estates.

Referred to Committee on Judiciary.

Assembly Bill No. 1212: By Mr Rosenthal—An act to amend Section 10475 of the Health and Safety Code, relating to burial and removal permits

Referred to Committee on Public Health.

Assembly Bill No. 1213: By Mr. Rosenthal—An act to add Chapter 5.6, comprising Sections 2600 to 2639, inclusive, to Division 2 of the Business and Professions Code, and to amend Section 11501 of the Government Code, relating to physiotherapy and therapeutic massage, including the practice of physiotherapy, schools of physiotherapy and massage, and the registration thereof, and creating the Board of Physiotherapy Examiners of the State of California, and the Advisory Council

to the board, and declaring the powers and duties of such board and council, and prescribing penalties for violations hereof, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 1214: By Mr. Huyck—An act to amend Section 699 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 1215: By Mr. Clayton A. Dills—An act to add Section 2149 to the Business and Professions Code, relating to prescriptions.

Referred to Committee on Public Health.

Assembly Bill No. 1216: By Mr. Clayton A. Dills—An act to add Section 52.5 to the Civil Code of the State of California, relating to admission to hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 1217: By Mr. Clayton A. Dills—An act to add Section 11493.6 to the Insurance Code of the State of California, relating to prepaid health services.

Referred to Committee on Public Health.

Assembly Bill No. 1218: By Mr. Clayton A. Dills—An act to add Section 2141.1 to the Business and Professions Code, relating to the practice of physical therapy, or physical medicine.

Referred to Committee on Public Health.

Assembly Bill No. 1219: By Mr. Clayton A. Dills—An act to add Section 2498 to the Business and Professions Code, relating to violations of the chapter on medicine.

Referred to Committee on Public Health.

Assembly Bill No. 1220: By Mr. Burkhalter—An act to add Section 5815 to the Labor Code, relating to the Industrial Accident Commission.

Referred to Committee on Judiciary.

Assembly Bill No. 1221: By Mr. Burkhalter—An act to add Section 535 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1222: By Mr. Burkhalter—An act to repeal Article 9, of Chapter 1, of Division 2, of the Fish and Game Code, and to add Sections 1260, 1261, 1262, and 1263, to Article 3, Chapter 3, Part 3, Division 4 of said code, relating to taking of deer with bow and arrow.

Referred to Committee on Fish and Game

Assembly Bill No. 1223: By Mr. Burkhalter—An act to amend Section 497 of the Fish and Game Code, relating to closures to fishing.

Referred to Committee on Fish and Game

Assembly Bill No. 1224: By Mr. Burkhalter—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1225: By Mr. Burkhalter—An act to amend Section 430 of the Fish and Game Code, relating to fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1226: By Mr. Burkhalter—An act to amend Section 1158 of the Fish and Game Code, relating to hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 1227: By Mr. Fletcher—An act to amend Section 64 of the Alcoholic Beverage Control Act, relating to the possession, consumption, sale, giving and delivery of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 1228: By Mr Fletcher—An act to amend Section 690 11 of the Code of Civil Procedure, relating to exemptions from execution.

Referred to Committee on Judiciary.

Assembly Bill No. 1229: By Messrs Davis, Thomas, Lowrey, Brown, Bennett, Berry, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Doyle, Gaffney, Hollibaugh, Kilpatrick, Lewis, Lindsay, Rosenthal, and Way—An act to amend Section 486 of the Civil Code, relating to regulation of trains, and penalties.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 1230: By Messrs. Davis, Lindsay, Gaffney, Hollibaugh, Berry, Brady, George D. Collins, Condon, Maloney, and Rosenthal—An act to add Section 6957 to the Labor Code, relating to railroad safety devices.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 1231: By Messrs Davis, Thomas, Lowrey, Brown, Bennett, Berry, Burkhalter, George D Collins, Condon, Cooke, Crowley, Doyle, Gaffney, Hollibaugh, Kilpatrick, Lewis, Lindsay, Rosenthal, and Way—An act to add Section 7001 to the Labor Code, prohibiting the use of certain types of cabooses, and providing penalties therefor.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1232: By Messrs. Davis, Coats, Lowrey, Lewis, Bennett, Berry, Burkhalter, George D. Collins, Condon, Cooke, Crowley, Doyle, Gaffney, Hollibaugh, Kilpatrick, Lindsay, Maloney, Rosenthal, and Way—An act to add Section 6907 5 to the Labor Code, relating to the operation of single locomotives.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1233: By Messrs. Davis, Condon, Thomas, Moss, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Cooke, Crowley, Doyle, Gaffney, Hollibaugh, Kilpatrick, Lewis, Maloney, and Rosenthal—An act to add Article 1.5 to Chapter 1 of Part 1 of Division 2, comprising Sections 230 to 235, inclusive, of the Labor Code, relating to the payment of wages.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1234: By Mr. Rumford—An act to amend Sections 4602, 4603, 4604, 4605, and 4606 of the Elections Code, relating to campaign expenditures.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1235: By Mr. Rumford—An act to amend Section 5 of, to repeal Sections 6 and 8 of, and to add Sections 8, 8.1, 8.2, 8.3, 8.4, 8.5, 8.6, 8.7, 8.8, 8.9, 8.10, 8.11, 8.12, 8.13, and 8.14 to, an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject," approved June 13, 1923, relating to dangerous weapons.

Referred to Committee on Judiciary.

Assembly Bill No. 1236: By Messrs. Tomlinson and Thomas—An act to amend Section 905 of the Fish and Game Code, relating to trammel nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 1237: By Messrs. George D. Collins and Berry—An act to add Section 25208 to the Government Code, relating to powers of the board of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1238: By Messrs. Moss, Fleury, Gaffney, Cooke, Burkhalter, and Thompson—An act to add Section 7.6 to the California Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1239: By Messrs. Moss and Fleury—An act to amend Sections 5501 and 5512 of the Welfare and Institutions Code, and

to amend and renumber Section 5502.5 thereof to be Section 5517, relating to sexual psychopaths, and revising the provisions for their commitment to and release from state hospitals.

Referred to Committee on Judiciary.

Assembly Bill No. 1240: By Messrs. McCarthy, Gaffney, George D. Collins, Meyers, Berry, Connolly, Crowley, Maloney, McCollister, and Way—An act to amend Section 27122 of the Streets and Highways Code, relating to bridge and highway districts, and the number of directors thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1241: By Messrs. Maloney, Dunn, Fletcher, Mrs. Niehouse, Messrs Berry, Brady, Cramer, Evans, Lincoln, Meyers, and Sherwin—An act to add Section 3½ to an act entitled "An act regulating the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing all acts inconsistent with the provisions of this act," approved June 11, 1935, relating to city carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1242: By Mr. Hawkins—An act to amend Section 24200 of the Health and Safety Code, relating to air pollution control districts.

Referred to Committee on Public Health.

Assembly Bill No. 1243: By Mr. Hawkins—An act to amend Section 24220 of the Health and Safety Code, relating to air pollution control districts and the officers thereof.

Referred to Committee on Public Health.

Assembly Bill No. 1244: By Mr Hawkins—An act to amend Section 24248 of the Health and Safety Code, relating to air pollution control districts, including the prohibition and regulation of air pollution.

Referred to Committee on Public Health.

Assembly Bill No. 1245: By Mr. Hawkins—An act to amend Section 24273 of the Health and Safety Code, relating to air pollution control districts and the rules and regulations thereof.

Referred to Committee on Public Health.

Assembly Bill No. 1246: By Mr Hawkins—An act to amend Section 24294 of the Health and Safety Code, relating to air pollution control districts, including variances from the laws, ordinances and regulations administered by such districts.

Referred to Committee on Public Health.

Assembly Bill No. 1247: By Mr. Hawkins—An act to amend Section 24311 of the Health and Safety Code, relating to air pollution control districts and the hearing boards thereof.

Referred to Committee on Public Health.

Assembly Bill No. 1248: By Mr. Evans—An act to amend Section 1 of the Vehicle Parking District Act of 1943, relating to parking districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1249: By Mr. Evans—An act to amend Sections 7531 and 8651 of the Revenue and Taxation Code, relating to the motor fuel tax and the use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1250: By Mr. Evans—An act to amend Sections 690.11, 690.22, and 690.24 of the Code of Civil Procedure, relating to exemptions from execution and attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 1251: By Mr Evans—An act to add Section 7032 to the Business and Professions Code, relating to the power of cities to regulate contractors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1252: By Mr. Evans—An act to amend Sections 1425 and 1462 of the Penal Code, relating to criminal jurisdiction of justices' and municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1253: By Mr. Evans—An act to amend Section 5 of the Public Utility District Act of 1921, relating to public utility districts.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 1254: By Mr. Evans—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 1255: By Mr. Evans—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1256: By Mr. Evans—An act to amend Section 104 of the Health and Safety Code, relating to members of the State Board of Public Health.

Referred to Committee on Public Health.

Assembly Bill No. 1257: By Mr. Evans—An act to add Section 1322 to the Government Code, relating to eligibility of state administrative office

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1258: By Mr. Evans—An act to add Section 18939 to the Government Code, relating to civil service examinations.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1259: By Mr. Evans—An act to amend the Penal Code by adding Section 421, relating to crimes against public peace.

Referred to Committee on Judiciary.

Assembly Bill No. 1260: By Mr Evans—An act to create a State Football Commission, declaring its powers and duties.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1261: By Mr. Evans—An act to add Section 289 to the Penal Code, relating to the registration of persons heretofore or hereafter convicted of certain offenses

Referred to Committee on Judiciary.

Assembly Bill No. 1262: By Mr. Evans—An act to amend Sections 701, 703, 705, and 706 of, and to add Section 701.1 to the Penal Code, relating to threatened violations of law and security to keep the peace.

Referred to Committee on Judiciary.

Assembly Bill No. 1263: By Mr. Evans—An act to repeal "An act relating to the Sixth District Agricultural Association, making an appropriation for the acquisition of land and the construction of facilities for the purposes of said association, and regulating the use of housing facilities under the control of said association," approved July 17, 1947, relating to the Sixth District Agricultural Association.

Referred to Committee on Agriculture.

Assembly Bill No. 1264: By Mr. Evans—An act to add Sections 2.5 and 50.5 to the Public Utilities Act, relating to public garages, parking places, and parking place operators.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1265: By Mr. Evans—An act to add Section 19568 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 1266: By Mr. Evans—An act to add Section 31676.1 to the Government Code, relating to service retirement of county employees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1267: By Mr. Grant—An act to add Section 1109.1 to the Fish and Game Code, relating to commercial fishing reports.

Referred to Committee on Fish and Game.

Assembly Bill No. 1268: By Mr. Grant—An act to amend Section 1106 of the Fish and Game Code, relating to registration of boats.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1269: By Mr. Grant—An act to add Section 58.1 to the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1270: By Mr Crowley—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by adding Section 8.1 thereto, relating to the rights of blind person in respect to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Social Welfare.

Assembly Bill No. 1271: By Mr. Crowley—An act to validate certain acts, proceedings, contracts, and expenditures in relation to the improvement of county-owned property for fair purposes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1272: By Messrs. McMillan, Brown, and Grant—An act to amend Section 108 of the Revenue and Taxation Code, and to add Article 6 to Chapter 5 of Part 2 of Division 1 thereof, comprised of Section 1151, relating to state assessed property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1273: By Messrs. McMillan, Brown, and Grant—An act to add a new article, numbered 7, consisting of Section 1200, to Chapter 5 of Part 2 of Division 1 of the Revenue and Taxation Code, relating to the assessment of aircraft

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1274: By Messrs McMillan and Grant—An act relating to the acquisition and construction of property for public airports.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1275: By Messrs. McMillan and Grant—An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, and to add Section 28 to the California Aeronautics Commission Act, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1276: By Mr. McMillan—An act to amend Section 432.5 of the Fish and Game Code, relating to permits.

Referred to Committee on Fish and Game.

Assembly Bill No. 1277: By Mr. McMillan—An act to add Section 480.1 to the Fish and Game Code, relating to fishing

Referred to Committee on Fish and Game

Assembly Bill No. 1278: By Mr. McMillan—An act to amend Sections 16601, 16602, 16651, 16674, 16675, 16676, 16677, 16678, 16680, 16682, 16685, 16686, 16687, 16713, 16731, 16732, 16751, 16752, 16831, 16832, 16833, 16834, 16835, 16836, 16837, 16838, 16839, 16863, 17001, 17003, 17061, 17064, 17082, 17086, 17113, 17115, 17116, and 17117, and the heading of Article 8 of Chapter 4 of Division 8 of, and to add Sections 16628, 16690, 16691, 16692, 17119 to, and to repeal Section 17083 of, the Education Code, relating to compulsory education.

Referred to Committee on Education.

Assembly Bill No. 1279: By Messrs. Sherwin, Rumford, Dunn, Dickey, Caldecott, and Lincoln—An act to amend Section 12 of "An act to establish police courts in cities of the second class, to fix their jurisdiction, and provide for officers of said courts, and fix the compensation of certain officers thereof," approved March 23, 1901, relating to places of imprisonment of persons convicted in the courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1280: By Messrs. Sherwin, Rumford, Dickey, Dunn, Caldecott, and Lincoln—An act to amend the title and Sections 1 and 3 of the Judges' Retirement Act and to amend Sections 2, 4, and 4.5 of the Judges' Retirement Fund Act, relating to the State System for the Retirement of the Judges and Justices, and providing for the inclusion of city justices of police courts in cities of the second class within that system.

Referred to Committee on Judiciary.

Assembly Bill No. 1281: By Mr. Thomas—An act to amend Sections 1063, 1065, 1066, and 1091 of, and to add Section 1065.1, 1078, and 1079 to the Fish and Game Code, relating to sardines and mackerel, providing for the establishment of size limits, bag limits and seasons for the taking thereof, establishing a Sardine and Mackerel Advisory Committee, prescribing its powers and duties, providing for special employees to enforce the provisions of law relating to such fish, and providing for the employment of weighmasters.

Referred to Committee on Fish and Game.

Assembly Bill No. 1282: By Mr Condon—An act to add Section 2500.5 to the Welfare and Institutions Code, relating to county aid and relief to indigents.

Referred to Committee on Social Welfare.

Assembly Bill No. 1283: By Messrs. Condon, Anderson, and George D. Collins—An act to add Section 1632.5 to the Labor Code, relating to the fees of employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1284: By Messrs. Condon and Crowley—An act to add Section 603 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1285: By Mr. Condon—An act to add Section 605 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1286: By Messrs. Condon and George D. Collins—An act to repeal Chapter 1 of Part 6 of Division 2 of the Labor Code, relating to the abolition of private employment agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1287: By Messrs. Dolwig and Connolly—An act to amend Sections 2135 and 2287 and to repeal Sections 2230 and 2231 of, and to add Sections 2191 6 and 2232 to, the Business and Professions Code, relating to drugless practitioners and relating to applications to the Board of Medical Examiners of the State of California for physicians and surgeons certificate.

Referred to Committee on Public Health.

Assembly Bill No. 1288: By Messrs. Dolwig and Conrad—An act to amend Section 699.5 of the Military and Veterans Code, relating to the powers and duties of the Veterans' Welfare Board.

Referred to Committee on Military Affairs.

Assembly Bill No. 1289: By Mr. Dolwig—An act to add Section 87.7 to the Agricultural Code, relating to buildings and grounds of district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 1290: By Messrs Dolwig, Conrad, and Waters—An act to amend Sections 5901, 5911, 5930, and 5931 of the Elections Code, relating to absent voting.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1291: By Mr. Dolwig—An act to amend Sections 32002, and 32100 of, to repeal Section 32004 of, and to add Sections 32002.1, 32002.2, 32004, 32004.1, 32004.2, 32004.3, 32004.4, 32004.5, 32004.6, 32100.5, 32100.6, 32100.7, 32100.8, and 32128 to, the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 1292: By Mr. Dolwig—An act to amend Sections 1801, 1802, and 1834 of the Education Code, relating to time of election of trustees.

Referred to Committee on Education.

Assembly Bill No. 1293: By Mr. Dolwig—An act to amend Sections 668, 668.5, 669, 670, 671, 672, 672.5, 673, and 674 of the Elections Code, relating to the publication of lists of election officers and polling places.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1294: By Mr. Dolwig—An act to amend Sections 1614, 1714, 2459, 3805, 3816, 3820, 3823, 3827, 3828, 3829, 3830,

3873, 3878, 3880, 3922, 3944, 3946, 5707, 5710, 5711, 5712, 5713, 5807, 5809, and 7050 of the Elections Code, relating to the form and manner of marking ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1295: By Mr. Erwin—An act to amend Section 2 of Chapter 1276, Statutes of 1947 and Section 1015.5 of the Fish and Game Code, relating to fish, providing for a privilege tax in relation thereto, establishing a Marine Research Committee and making an appropriation.

Referred to Committee on Fish and Game.

Assembly Bill No. 1296: By Mr. Erwin—An act to add Section 622.5 to the Fish and Game Code, relating to taking fish for use as bait.

Referred to Committee on Fish and Game.

Assembly Bill No. 1297: By Mr. Erwin—An act to amend Section 1184 of the Fish and Game Code, relating to field trials.

Referred to Committee on Fish and Game.

Assembly Bill No. 1298: By Mr. Erwin—An act to amend Section 1153 of the Fish and Game Code, relating to guns.

Referred to Committee on Fish and Game.

Assembly Bill No. 1299: By Mr Davis—An act to amend Sections 1251 and 1252 of the Fish and Game Code, relating to protected mammals.

Referred to Committee on Fish and Game.

Assembly Bill No. 1300: By Mr. Davis—An act to repeal Sections 1270 and 1272 of, and to add Sections 1270, 1271, 1272, 1273, and 1274, to the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 1301: By Messrs. Hahn, Kilpatrick, Cooke, Burke, Anderson, Brown, Butters, Evans, Geddes, Grant, Hollibaugh, Huyck, Lipscomb, Rosenthal, Stanley, Thomas, and Waters—An act to add Chapter 10, comprising Sections 4500 to 4581, to Division 2 of the Business and Professions Code, providing for the regulation of psychology, for the issuance of licenses to psychologists, creating a board, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1302: By Mr. Grunsky—An act to add Section 420.1 to the Fish and Game Code, relating to fishing and hunting licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1303: By Messrs. Caldecott, Rumford, Lincoln, Dickey, and Sherwin—An act to amend Sections 31469, 31472, 31581, 31582, 31583, 31591, 31620, 31622, 31623, 31624, 31672, and 31700 of, to add Section 31532 to, and to repeal Sections 31202 and 31559 and

Article 7.5 consisting of Sections 31660 and 31661 of, the Government Code, relating to county employee retirement systems.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1304: By Mr. Hahn—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1305: By Mr. Hagen—An act to amend Section 8202 of the Government Code, relating to eligibility to and performing the duties of the office of notary public.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 39: By Messrs. Hawkins and Anderson—Relative to economy in State Government.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 37: By Mr. Evans—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XXIV thereof a new section to be numbered 2.5, relating to membership on the State Personnel Board.

Referred to Committee on Constitutional Amendments.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 72—An act to amend Section 2191.5 of the Business and Professions Code, relating to applications to the Board of Osteopathic Examiners of the State of California for physicians' and surgeons' certificates, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—Hagen—1

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

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

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

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

Assembly Bill No. 1306: By Messrs. Rosenthal, Waters, Huyck, Beck, Hollibaugh, and Smith—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1307: By Messrs. Rosenthal, Waters, Huyck, Beck, Hollibaugh, and Smith—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1308: By Messrs. Rosenthal, Waters, Huyck, Beck, Hollibaugh, and Smith—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 1309: By Messrs. Rosenthal, Waters, Huyck, Beck, Hollibaugh, and Smith—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks.

Referred to Committee on Judiciary.

Assembly Bill No. 1310: By Messrs Rosenthal and Hollibaugh—An act to amend Section 737s of the Political Code, relating to the salary of judges of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 1311: By Messrs. Rosenthal, Waters, Huyck, Hollibaugh, and Smith—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Referred to Committee on Judiciary.

Assembly Bill No. 1312: By Messrs. Rosenthal, Waters, Huyck, Beck, Hollibaugh, and Smith—An act to amend Section 204e of the Code of Civil Procedure, relating to jury commissioners and secretaries of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 1313: By Mr. Rosenthal—An act to amend Section 40 of, and to add Section 59 1 to, the Alcoholic Beverage Control Act, relating to discrimination.

Referred to Committee on Public Morals.

Assembly Bill No. 1314: By Mr Heisinger—An act to amend Section 802 of the Agricultural Code, relating to standards for grapes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1315: By Mr. Dunn—An act to amend Section 32121 of the Health and Safety Code, relating to the powers of local hospital districts, and authorizing the employment of legal counsel and other assistance by such districts.

Referred to Committee on Public Health.

Assembly Bill No. 1316: By Mr. Dunn—An act to validate the organization, boundaries, governing bodies, acts, proceedings, and bonds of local hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 1317: By Mr. Silliman—An act to amend Section 28129 of the Government Code, relating to compensation for public services in counties of the twenty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1318: By Mr. Smith—An act to amend Section 4162 of the Business and Professions Code, relating to hypodermic syringes and needles.

Referred to Committee on Public Health.

Assembly Bill No. 1319: By Mr. Geddes—An act to amend Sections 3.06 and 5 02 of the Building and Loan Association Act, relating to shares and investment certificates as legal investments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1320: By Mr. Geddes—An act to amend the Building and Loan Association Act by amending Section 2.07 thereof, relating to branches, adding Section 2.10 thereto, relating to net worth, and repealing Section 5.03 thereof, relating to investment certificate reserve.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1321: By Mr. Geddes—An act to amend the Building and Loan Association Act by amending Section 9.07 thereof and by adding thereto a new section to be numbered Section 9.12a, relating to loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1322: By Mr. Geddes—An act to amend the Building and Loan Association Act by adding thereto a new section to be numbered Section 9 20, relating to loans.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1323: By Mr. Geddes—An act to amend the Building and Loan Association Act by amending Section 9.01 thereof, relating to investments and loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1324: By Mr. Geddes—An act to amend Section 1706.9 of the Insurance Code, relating to life insurance agents.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1325: By Mr. Way—An act to amend Section 737*l* of the Political Code, relating to the salary of Superior Court Judges in Humboldt County.

Referred to Committee on Judiciary.

Assembly Bill No. 1326: By Mr. Morris—An act to add Article 5 to Chapter 1 of Part 7 of Division 2 of the Labor Code, relating to streets and highways within cities and towns.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1327: By Mr. Condon—An act to add Section 860 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1328: By Mr. Condon—An act to add Section 4 to the General Provisions of the Fish and Game Code, relating to the state policy on restrictions on fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1329: By Mr. Condon—An act to add Sections 860.1, 880.1, and 903.1 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1330: By Mr. Condon—An act to add Sections 866, 880.5, and 903.5 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1331: By Mr. Condon—An act to add Sections 860.2, 880.2, and 903.2 to the Fish and Game Code, relating to commercial fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1332: By Mr. Condon—An act to amend Section 725 of the Fish and Game Code, relating to sturgeon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1333: By Messrs. Beck, Rosenthal, Waters, and Huyck—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Referred to Committee on Judiciary.

Assembly Bill No. 1334: By Messrs. McCarthy, Brady, Gaffney, Meyers, Berry, George D. Collins, Connolly, Crowley, Maloney, and Way—An act to add Chapter 9.5, comprising Sections 27175 to 27175.4, inclusive, to Part 3, Division 16, of the Streets and Highways Code, relating to the acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds for such purposes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1335: By Messrs. Condon, Weber, and Hoffman—An act to add Section 604 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1336: By Messrs. Lewis and Lowrey—An act relating to the voluntary adjustment of farm obligations; and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Joint Resolution No. 16: By Mr. Condon—Relative to memoralizing the President and the Congress of the United States in relation to the mooring of surplus vessels in the northern waters of San Francisco Bay and the waters connected therewith.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 38: By Messrs. Hahn and Burke—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 22 of Article XX thereof, relating to alcoholic beverages, and establishing an Alcoholic Beverage Commission, and defining its powers and duties.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolutions were offered:

By Mr. McCollister:

House Resolution No. 61

Relative to augmenting the funds of the Assembly Interim Committee on Military and Veterans Affairs

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Military and Veterans Affairs created by House Resolution No. 205, 1947 Regular Session, and continued by House Resolution No. 16 of this session, and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Sherwin:

House Resolution No. 62

Relative to the Assembly Interim Committee on Ways and Means

Resolved by the Assembly of the State of California, That irrespective of any provision of House Resolution No. 16 of the 1949 Regular Session, the membership of the Assembly Interim Committee on Ways and Means (created by House Resolution 62, 1947 Session and continued by said House Resolution 16) shall be the same as the membership of the Standing Committee on Ways and Means of the 1949 Session; and be it further

Resolved, That said Assembly Interim Committee on Ways and Means be, and it hereby is, authorized to act during this session of the Legislature, including any recess, until April 1, 1949, and to file a final report not later than that date

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Rosenthal:

House Resolution No. 63

Relative to Judge Harold Brooks Landreth

WHEREAS, On December 26, 1948, death closed the long and distinguished career of Harold Brooks Landreth, Judge of the Superior Court of Los Angeles County; and

WHEREAS, A native of Manitowoc, Wisconsin, Harold Brooks Landreth came to Pasadena, California, as a child, received his education in California schools and received his degree in law from Stanford University in 1915; and

WHEREAS, Shortly thereafter he began the practice of law in Pasadena and the career which, interrupted by his service as a Captain in the 13th Infantry in World War I, was resumed to carry him through many years of outstanding public service in varied fields, during which he served as Secretary to Governor C. C. Young, as a Judge and Presiding Judge of the Los Angeles Municipal Court, and since 1943 as Judge of the Superior Court; and

WHEREAS, Harold Brooks Landreth was ever known for his devotion to his profession and his community, his kindliness and understanding as well as his ability as a lawyer and jurist; and

WHEREAS, In addition to his public offices, Judge Landreth held many civic posts, having been President of the Pasadena Chamber of Commerce, President of the Pasadena Rotary Club, Past Marshal of the Tournament of Roses parade, Past Commander of the American Legion Post, a Trustee of Occidental College, and a member of many distinguished clubs and fraternities; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly take this means of according recognition to the long and outstanding public service of Judge Harold Brooks Landreth, and extend to his surviving family profound sympathy in the loss of a beloved husband and father; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Mrs. Gertrude Griffith Landreth, widow of Harold Brooks Landreth; to his son, James Brooks Landreth, and to his daughter, Katherine Landreth Munger; and be it further

Resolved, That when this Assembly adjourns this _____ day of January, 1949, it do so out of respect to the memory of Judge Harold Brooks Landreth.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Clayton A. Dills:

House Resolution No. 64

Relating to, and further defining the powers and duties of, the Assembly Interim Committee on State and Local Taxation

WHEREAS, Wage earners stand alone among persons subject to the income tax, in that they are the only group as to whom completely accurate figures on income are available; and

WHEREAS, Under the existing laws it is an administrative impossibility to audit any substantial number of income tax returns; and

WHEREAS, It has become apparent that evasion of taxes, particularly the state income tax, is increasing; and

WHEREAS, A need exists for a legislative study to determine the extent, if any, of such evasion and the means and devices used to accomplish it, in order that effective legislation to prevent such practices may be enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to the powers and duties heretofore conferred upon it, the Assembly Interim Committee on State and Local Taxation (created by House Resolution No. 37, 1947 Regular Session and continued by House Resolution No. 16, 1949 Regular Session) is authorized and directed to ascertain, study and analyze all facts relating to, or in any way bearing upon any of the subjects mentioned in the recitals of this resolution, and to report thereon to the Assembly.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Brady and Babbage:

House Resolution No. 65

Resolved, by the Assembly of the State of California, That the Chief Clerk of the Assembly be and he is hereby authorized and directed to purchase 81 sets of the latest edition of the Larmac Index to California Laws, at_____ plus sales tax per set; and, be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to deliver one (1) copy of the Larmac Index to each Member of the Assembly, and one (1) copy to the Chief Clerk; and, be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant in favor of the Recorder in a sum not to exceed_____dollars in payment of 81 sets of the latest edition of the Larmac Index.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Morris:

House Resolution No. 66

Condemning piracy on the high seas and in Sacramento hotels and dining rooms

WHEREAS, The demands of the State Government of California annually require Members of the Legislature and many hundreds of other people to spend a considerable amount of time at the State Capitol in the City of Sacramento; and

WHEREAS, These people are required to find such living accommodations and services as may be available and to pay for them at whatever prices are demanded; and

WHEREAS, A majority of those in Sacramento furnishing living accommodations and meals take advantage of such enforced patronage of their places of business to increase prices far beyond a reasonable range and above prices for comparable services in other cities of California; and

WHEREAS, Such practices are inimical to the best interests of the State of California, and are not in accord with the spirit of gracious and generous hospitality for which the people of the City of Sacramento formerly were famous, and bring upon the capital city of California a reputation for greed and unfair dealing which is an undesirable reflection upon the good people of this lovely city; now, therefore, be it

Resolved by the Assembly of the State of California, That measures should at once be taken to curb these practices, and to remind all that in these years of California's Centennial Celebrations we are reviving merely the romantic spirit of the days of Black Bart, Murietta, and other banditti, and that the practices of these long-gone highwaymen are quite as undesirable when employed behind a price list as behind a gun; and be it further

Resolved, That the City Council of the City of Sacramento is memorialized and urged to enact at once an ordinance providing controls upon living accommodation and food prices in the City of Sacramento at such levels as prices in effect in other large cities of California, at ranges within the amounts which can be paid by Members of the Legislature and employees of the Legislature and the State of California whose services are required for the functioning of the State Government and whose presence in Sacramento is required for that purpose; and be it further

Resolved, That the Chief Clerk of the Assembly send copies of this resolution to each member of the City Council of Sacramento, to the Better Business Bureau of Sacramento, and to the Sacramento Chamber of Commerce.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Condon:

House Resolution No. 67

Relative to requesting the Fish and Game Commission to investigate the possibility of a commercial sturgeon fishery

WHEREAS, Section 725 of the Fish and Game Code prohibits the taking or possession of sturgeon at any time; and

WHEREAS, It has been reported by certain commercial fishermen that increasing numbers of sturgeon are being taken incidentally with nets used for the taking of other species of fish; and

WHEREAS, The sturgeon is a valuable food fish and if this species exists in sufficient numbers in California waters to warrant the taking thereof consistently with sound conservation principles, this natural resource should be utilized for the benefit of the people; now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Game Commission is hereby requested to make such investigation of the data already in its possession and also that which it can obtain within the time limits imposed by this resolution relating to the possibilities of the establishment of a commercial sturgeon fishery in California and to report the results of such investigation to this Assembly on or before the fifteenth of April, 1949; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Fish and Game Commission and to its executive officer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON AVIATION BE PRINTED IN THE JOURNAL

Mr. McMillan asked for, and was granted, unanimous consent that the Preliminary Report of the Assembly Interim Committee on Aviation be ordered printed in the Journal, in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn)

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

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

Assembly Bill No. 1337: By Mr. Kilpatrick (By request)—An act to repeal the Mt. San Jacinto Winter Park Authority Act, Chapter 1040 of the Statutes of 1945, relating to the creation, powers, and duties of the Mt. San Jacinto Winter Park Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1338: By Mr. Maloney—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

Referred to Committee on Judiciary.

Assembly Bill No. 1339: By Mr. Anderson—An act to provide for the consolidation of cities, and to add Article 3.5, comprising Sections 35930 to 35949, inclusive, to Chapter 3 of Part 2 of Division 2 of Title 4 of the Government Code, relating to the consolidation of cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1340: By Messrs. Brady, Meyers, Gaffney, Berry, George D. Collins, Connolly, Maloney, and McCarthy—An act to amend Section 8201 of the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

ANNOUNCEMENT

Mr. Stanley announced a breakfast meeting and caucus of the Republican Delegation at 8 a.m., tomorrow morning, in the Jubilee Room of the Hotel Senator.

RESOLUTIONS

The following resolution was offered:

By Mr. Anderson:

House Resolution No. 68

Relating to the death of City Councilman Stanley A. Tryce of Inglewood

WHEREAS, The City of Inglewood, California, was plunged into mourning on January 9, 1949, by the sudden death of Stanley A. Tryce, for 15 years a resident of that city and since 1945 a member of the City Council; and

WHEREAS, A native of Santa Barbara, California, Stanley A. Tryce, since coming to Inglewood had given freely of his time to community affairs, was a member of such fraternal organizations as the Elk's Lodge and Lions Club, and as a member of the City Council unfailingly attended public meetings and did all possible to promote the welfare of all in his city; and

WHEREAS, He is sincerely mourned as a neighbor and friend, and his death at the early age of 44 is a genuine loss to the City of Inglewood; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly profoundly regret the passing of this young and able civic leader and extend their deepest sympathy to his surviving family: Mrs Dorothy D Tryce, his widow; Richard Stanley Tryce, his son; his mother, Mrs Stella Tryce, of Beverly Hills; his brother, Lester W Tryce, of Bakersfield; and his sisters, Mrs Baker Lee of Beverly Hills, and Mrs. Helen Grimes, Santa Monica; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the family of Stanley A Tryce; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Stanley A. Tryce

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 21—Relative to reports of the annual conventions of the Jewish War Veterans;

Assembly Concurrent Resolution No. 22—Relative to reports of the annual conventions of the Military Order of the Purple Heart;

Assembly Concurrent Resolution No. 23—Relative to reports of the annual conventions of the American Veterans of World War II (AMVETS);

Assembly Concurrent Resolution No. 24—Relative to reports of the department encampments and the annual encampments or conventions of the United Spanish-American War Veterans;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 25—Relative to reports of the annual conventions of the American Legion;

Assembly Concurrent Resolution No. 26—Relative to the reports of the sessions of the department encampment of the Grand Army of the Republic;

Assembly Concurrent Resolution No. 27—Relative to reports of the annual conventions or encampments of the Veterans of Foreign Wars of the Department of California;

Assembly Concurrent Resolution No. 28—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 31—Relative to approving a certain amendment to the charter of the City of San Jose, a municipal corporation in the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948;

Assembly Concurrent Resolution No. 37—Relative to the preservation of the interest of the State and its people in state waters;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of January, 1949, at 11 a.m

HUYCK, Chairman

RECESS

At 11.30 a.m, on motion of Mr Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS BE EXCUSED

At 2.01 p.m., Mr. Erwin asked for, and was granted, unanimous consent that he and Messrs. Lowrey and Heisinger be excused for the purpose of holding a meeting of the Committee on Wildlife Conservation, at this time.

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

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

Assembly Bill No. 1341: By Mr. Burkhalter—An act to amend Sections 642, 643, 644, 645, 646, 647, 648, and 666 of the Agricultural Code, relating to products which are imitations of or substitutes for dairy products.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1342: By Mr. Burkhalter—An act to repeal Sections 453 5 and 453.7 of the Fish and Game Code and to amend Sections 453.6 and 453.8 thereof, relating to the storage of game beyond the regular open season therefor.

Referred to Committee on Fish and Game.

Assembly Bill No. 1343: By Mr. Burkhalter—An act to add Chapter 4 to Part 3 of Division 5 of the Labor Code, to require stairways on stages on which motion pictures are made.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1344: By Mr Sherwin—An act to amend Section 44 of the Public Utilities Act, approved April 23, 1915, relating to public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1345: By Mr. Morris—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1346: By Mr. Morris—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Referred to Committee on Social Welfare.

Assembly Bill No. 1347: By Mr Davis—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1348: By Messrs. Lowrey, Thompson, and Lindsay—An act to amend Sections 4901, 4920, and 4965 of the Education Code, relating to the unification or other reorganization of school districts, and making an appropriation therefor.

Referred to Committee on Education.

COMMUNICATIONS

By Speaker Collins:

A resolution from the Loyalty League of San Francisco, organized for combatting Communism, relative to perpetuating all legislative fact-finding committees on un-American activities, was received, and ordered filed with the Secretary of State.

RESOLUTIONS

The following resolution was offered:

By Mr. McMillan:

House Resolution No. 69

Relative to printing copies of the Preliminary Report of the Assembly Interim Committee on Aviation

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to have printed as a separate document for the use of the Members of the Assembly 1,000 copies of the Preliminary Report of the Assembly Interim Committee on Aviation, as it appears in the Assembly Journal for January 24, 1949.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT 500 COPIES OF ASSEMBLY BILL NO. 90 BE PRINTED

Mr. Clayton A. Dills asked for, and was granted, unanimous consent, that 500 additional copies of Assembly Bill No. 90 be ordered printed.

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

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

Assembly Bill No. 1349: By Mr. Waters—An act to add Section 7964.5 to the Elections Code, relating to precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1350: By Messrs. Price, Hinckley, Erwin, Butters, Babbage, Cooke, Gaffney, Geddes, Reagan, and Stanley—An act to extend the time for the payment of taxes on agricultural-producing property, and making an appropriation and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1351: By Mr Smith—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in the small claims court.

Referred to Committee on Judiciary.

Assembly Bill No. 1352: By Mr. Cooke—An act to add Section 1752.8 to the Welfare and Institutions Code, relating to the custody, deposit, and investment of funds in the possession of the Director of the Youth Authority and belonging to persons committed to the Youth Authority and to the disposition of the increment thereof.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1353: By Mr. Cooke—An act to add Section 308a to the Penal Code, authorizing the Director of Corrections and the Youth Authority to provide tobacco and tobacco products to persons confined in institutions under their respective jurisdictions, and to permit the use thereof by such persons.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1354: By Mr. Cooke—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1355: By Mr. Cooke—An act to amend Section 604 of the Welfare and Institutions Code, relating to probation committees.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1356: By Mr. Cooke—An act to add Section 1767.7 to the Welfare and Institutions Code, relating to the care of paroled persons under the jurisdiction of the Youth Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1357: By Mr. Cooke—An act to amend Section 1767.5 of the Welfare and Institutions Code, relating to the care of paroled persons.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1358: By Mr. Cooke—An act to amend Section 1772 of the Welfare and Institutions Code, relating to the discharge of parolees.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1359: By Messrs. Levering, Reagan, Babbage, Burke, Butters, Clarke, Connolly, Cramer, Erwin, Grunsky, Hoffman, Sherwin, Smith, and Stewart—An act to add Chapter 9 to Part 3, Division 2, of the Labor Code, relating to coercive labor practices.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1360: By Mr. Burke—An act to amend Section 25461 of the Government Code, relating to the powers and duties of boards of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1361: By Mr. Burke—An act to amend the Labor Code, relating to the regulation and inspection of tanks and boilers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1362: By Mr. Hollibaugh—An act to amend Section 6092 of the Revenue and Taxation Code, relating to sales tax resale certificates.

Referred to Committee on Revenue and Taxation.

Assembly Concurrent Resolution No. 40: By Messrs. Hollibaugh, Davis, Rosenthal, Anderson, Doyle, Dunn, Fletcher, Hahn, and Rumford —Relative to an investigation and determination by the Public Utilities Commission of the number of brakemen to be assigned to freight trains to promote safety.

Referred to Committee on Rules.

Assembly Bill No. 1363: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 244 of the Budget Act of 1948, for support of the Department of Motor Vehicles, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1364: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 341 of the Budget Act of 1948, for educational assistance to veterans, Department of Veterans' Affairs, to take effect immediately.

Referred to Committee on Ways and Means.

Assembly Bill No. 1365: By Mr. Sherwin—An act making an appropriation in augmentation of the appropriation in Item 162 of the Budget Act of 1948, for support of the Department of Finance, to take effect immediately.

Referred to Committee on Ways and Means.

RESOLUTIONS

The following resolution was offered:

By Mr. Stewart:

House Resolution No. 70

WHEREAS, While weather conditions retarded the progress of transportation in the delivery of mail, individuals, freight, and precious gifts from Heaven; and

WHEREAS, Said weather conditions, up to a freezing point, had the same effect upon that bird of all birds, the stork, who, try as he might, failed to break through the clouds, blizzards and rain storms to locate the residence of Sam E. Collins; and

WHEREAS, While it had been reported to the Members of the Assembly just a week ago of the tardiness of this migratory bird, his presence, expected momentarily, was noticed at the Fullerton General Hospital at 10:30 a.m. on January 22, 1949, when he left lying in the arms of Mrs. Sam E. Collins a bright-eyed, rosy-cheeked, bouncing eight pound eleven ounce baby boy; and

WHEREAS, By coincidence the same nurse, Miss Keithling, who participated in the delivery of this bouncing baby boy, participated in the delivery of his father, Sam E. Collins 27 years ago; now, therefore, be it

Resolved, That we, the Members of the Assembly, do extend to Sam E. Collins and Mrs. Collins our heartiest congratulations on the arrival of their life's dream in the person of "Mark Fort Collins," which name he will proudly carry during his lifetime; and be it further

Resolved, That a suitable engrossed copy of this resolution be sent to Mr. Sam E. Collins and Mrs. Collins and to Speaker Sam L. Collins and Mrs. Jo D. Collins.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Joint Resolution No. 17: By Messrs. Condon, Maloney, Hollibaugh, Beck, Brown, Dickey, Ralph C. Dills, Fletcher, Gaffney, McCollister, Moss, Stewart, and Waters—Relative to memorializing Congress concerning minimum wage legislation.

Referred to Committee on Rules

Assembly Bill No. 1366: By Mr. McMillan—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Referred to Committee on Education.

Assembly Bill No. 1367: By Mr. McMillan—An act to add Section 227d to the Civil Code, relating to recognition by this State of the status created by adoption proceedings in another state.

Referred to Committee on Judiciary.

Assembly Bill No. 1368: By Mr. Ralph C. Dills (By request)—An act to amend Section 69 of the Civil Code, relating to marriage.

Referred to Committee on Judiciary.

Speaker Pro Tempore Presiding

At 2.30 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 70

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT ALL MEMBERS PRESENT BE CO-AUTHORS OF HOUSE RESOLUTION NO. 70

Mr. Stewart asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 70 as co-authors.

CONSIDERATION OF HOUSE RESOLUTION NO. 70

By Messrs. Stewart, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan,

Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber:

House Resolution No. 70

WHEREAS, While weather conditions retarded the progress of transportation in the delivery of mail, individuals, freight, and precious gifts from Heaven; and

WHEREAS, Said weather conditions, up to a freezing point, had the same effect upon that bird of all birds, the stork, who, try as he might, failed to break through the clouds, blizzards and rainstorms to locate the residence of Sam E. Collins; and

WHEREAS, While it had been reported to the Members of the Assembly just a week ago of the tardiness of this migratory bird, his presence, expected momentarily, was noticed at the Fullerton General Hospital at 10:30 a.m. on January 22, 1949, when he left lying in the arms of Mrs. Sam E. Collins a bright-eyed, rosy-cheeked, bouncing eight-pound eleven-ounce baby boy; and

WHEREAS, By coincidence the same nurse, Miss Keithling, who participated in the delivery of this bouncing baby boy, participated in the delivery of his father, Sam E. Collins, 27 years ago; now, therefore, be it

Resolved, That we, the Members of the Assembly, do extend to Sam E. Collins and Mrs. Collins our heartiest congratulations on the arrival of their life's dream in the person of "Mark Fort Collins," which name he will proudly carry during his lifetime; and be it further

Resolved, That a suitably engrossed copy of this resolution be sent to Mr. Sam E. Collins and Mrs. Collins and to Speaker Sam L. Collins and Mrs. Jo D. Collins.

Resolution read, and adopted unanimously.

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

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

Assembly Bill No. 1369: By Mr. George D. Collins—An act to provide for agreements between cities, counties and cities and counties and the State Board of Equalization for the collection of sales and use taxes imposed by such cities, counties and cities and counties.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1370: By Mr. George D. Collins—An act to amend Sections 1308 and 1309 of the Labor Code, relating to the employment of minors.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1371: By Mr. George D. Collins—An act to repeal Sections 3352, 3358.5, 4250, 4251, 4252, 4253, 4255, and 4256 of the Labor Code, dealing with workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1372: By Mr. George D. Collins—An act to amend Section 57 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Speaker Presiding

At 2:38 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1373: By Mr. Rosenthal—An act to repeal Section 4 of an act entitled "An act to control and regulate the possession, sale and use of pistols, revolvers and other firearms capable of being concealed upon the person; to prohibit the manufacture, sale, possession or

carrying of certain other dangerous weapons within this State; to provide for registering all sales of pistols, revolvers or other firearms capable of being concealed upon the person; to prohibit the carrying of concealed firearms except by lawfully authorized persons; to provide for the confiscation and destruction of such weapons in certain cases; to prohibit the ownership, use, or possession of any of such weapons by certain classes of persons; to prescribe penalties for violation of this act and increased penalties for repeated violations hereof; to authorize, in proper cases, the granting of licenses or permits to carry firearms concealed upon the person; to provide for licensing retail dealers in such firearms and regulating sales thereunder; and to repeal Chapter 145 of California Statutes of 1917, relating to the same subject,'' approved June 13, 1923, relating to dangerous weapons, and probation or suspension of sentence for any person convicted of violation of certain provisions of the act cited herein.

Referred to Committee on Judiciary

Assembly Bill No. 1374: By Mr. Rosenthal—An act to repeal Section 11715.6 of the Health and Safety Code, relating to persons convicted of violating certain narcotics laws, and probation or suspension of sentence for same.

Referred to Committee on Public Health.

Assembly Bill No. 1375: By Mr. Rosenthal—An act to amend Section 1203 of the Penal Code, relating to the granting of probation.

Referred to Committee on Judiciary.

Assembly Bill No. 1376: By Messrs. McCarthy, George D. Collins, Brady, Meyers, Berry, Connolly, Gaffney, Maloney, and Way—An act to amend Section 27164 of the Streets and Highways Code, relating to bridge and highway districts, and to the acquisition and construction of property thereby.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1377: By Messrs Morris and Hollibaugh—An act to add Section 13147 to the Health and Safety Code, relating to the powers and duties of the State Fire Marshal.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1378: By Mr. Dunn—An act to amend Section 144 and 144.2 of the Education Code, relating to the salaries of deputy and associate superintendents of public instruction.

Referred to Committee on Education.

Assembly Bill No. 1379: By Mr. Dunn—An act to amend Sections 317 and 319 of the Education Code, relating to the compensation of members of county boards of education.

Referred to Committee on Education.

Assembly Bill No. 1380: By Mr. Dunn—An act to add Section 13405.1 to the Education Code, relating to teachers institutes.

Referred to Committee on Education.

Assembly Bill No. 1381: By Mr. Dunn—An act to amend Sections 16461, 16462, and 16463 of the Education Code, relating to the supervision of the health of public school pupils by county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 1382: By Mr. Dunn—An act to repeal Section 362 of the Education Code, relating to the traveling expenses of county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 1383: By Mr Dunn—An act to add Sections 4861.1 and 4862.1 to the Education Code, relating to the membership of county superintendents of schools in societies, associations, and organizations.

Referred to Committee on Education.

Assembly Bill No. 1384: By Mr. Dunn—An act to add Article 6 to Chapter 9 of Division 3 of the Education Code, relating to the auditing of school district funds, financial transactions, and property.

Referred to Committee on Education.

Assembly Bill No. 1385: By Mr Dunn—An act to amend Section 16252 of the Education Code, relating to contracts for the transportation of pupils.

Referred to Committee on Education.

Assembly Bill No. 1386: By Mr. Dunn—An act to repeal Sections 2205 and 4629 of the Education Code, relating to the government of school districts.

Referred to Committee on Education

Assembly Bill No. 1387: By Messrs. Kilpatrick, Hahn, and Burke —An act to amend Sections 817, 2400, 2401, 2403, 2404, 3325, and 6053 of the Penal Code, to repeal Sections 2399 and 2402 thereof, to add Sections 3063.1, 3063.2, 5082, 5083, and 5084 thereto and Chapter 6, comprising Section 4725 to Title 5 of Part 3 thereof, and to amend Section 20016 of the Government Code, all relating to prisoners, the determination of their sentences, and their parole, specifying the rights of prisoners in respect to proceedings concerning them, providing for the administration of the laws relating thereto, and transferring the Bureau of Paroles from the jurisdiction of the Adult Authority to that of the Director of Corrections.

Referred to Committee on Judiciary.

Assembly Bill No. 1388: By Messrs. Kilpatrick, Babbage, Hahn, Burke, and Bennett—An act to add Sections 3041, 3053.1 and 3053.2 to the Penal Code, relating to paroles.

Referred to Committee on Judiciary.

Assembly Bill No. 1389: By Messrs. Kilpatrick, Hahn, Burke, and Bennett—An act to amend Section 1 of, and to add Sections 1a and 1b to, "An act to provide for the creation of a board of parole commissioners

for each county in this State, for the paroling of prisoners confined in any jail within the county, for the unconditional release and return to their native land of alien prisoners so confined, and authorizing and empowering such boards to make rules and regulations in relation to such paroles and releases," approved March 25, 1909, relating to county boards of parole commissioners.

Referred to Committee on Judiciary.

Assembly Bill No. 1390: By Messrs. Kilpatrick, Hahn, Burke, and Bennett—An act to add Section 1208 to the Penal Code, relating to industrial farms, industrial farms and houses of correction, and industrial road camps.

Referred to Committee on Judiciary.

Assembly Bill No. 1391: By Mr. Brown—An act to add Section 66t to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the State of California, in and for the County of Stanislaus, to provide for the appointment of an additional judge and for his compensation," approved May 21, 1915, relating to the number of superior court judges and providing for the appointment and compensation of an additional Superior Court Judge in and for the County of Stanislaus.

Referred to Committee on Judiciary.

Assembly Bill No. 1392: By Mr. Brown—An act to provide for the establishment of a state college in Stanislaus County, and making an appropriation therefor.

Referred to Committee on Education.

ACTION ORDERED DELETED BY UNANIMOUS CONSENT

By unanimous consent, the matter heretofore ordered expunged, relative to Assembly Concurrent Resolution No. 35 (noted on page 383 of the Assembly Journal for Wednesday, January 19, 1949), was ordered deleted.

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

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

Assembly Bill No. 1393: By Messrs. Brown, Beck, Rosenthal, Grunsky, George D. Collins, and Connolly—An act to add Section 373.5 to the Code of Civil Procedure, relating to the appointment and compensation of guardian ad litem for unborn and unascertained persons

Referred to Committee on Judiciary.

Assembly Bill No. 1394: By Messrs Brown, Beck, Caldecott, Grunsky, George D. Collins, and Connolly—An act to amend Sections 27320 and 27321 of the Government Code, relating to the recordation of instruments.

Referred to Committee on Judiciary.

Assembly Bill No. 1395: By Messrs. Brown, Beck, Rosenthal, Caldecott, George D. Collins, Connolly, and Grunsky—An act to amend

Sections 1471 and 1472 of the Probate Code, relating to restoration to capacity of an insane or incompetent person.

Referred to Committee on Judiciary.

Assembly Bill No. 1396: By Mr. Brown—An act to amend Sections 6877, 6878, and 6915 of the Business and Professions Code, relating to collection agency licenses.

Referred to Committee on Judiciary.

Assembly Bill No. 1397: By Messrs. Dickey, Doyle, Hollibaugh, Anderson, Crichton, Crowley, Dolwig, McCollister, and Silliman—An act to add Chapter 13 to Division 3 of the Business and Professions Code, relating to the regulation and licensing of water well drillers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1398: By Messrs. Lewis and Hawkins—An act to amend Sections 3 and 16 and to repeal Sections 26, 27, and 28 of the Relief Act of 1945, relating to relief of hardship and destitution.

Referred to Committee on Social Welfare.

Assembly Bill No. 1399: By Mr. Clarke—An act to add Section 373.1 to the Vehicle Code, relating to registration and license fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1400: By Mr Clarke—An act to amend Section 142 of the Vehicle Code, relating to registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1401: By Mr. Clarke—An act to add Section 372.1 to the Vehicle Code, relating to registration and license fees.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1402: By Messrs Clarke and Lowrey—An act relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and preventing the spread of the same and making an appropriation therefor.

Referred to Committee on Agriculture.

Assembly Bill No. 1403: By Messrs. Clarke and Lowrey—An act making an appropriation to the Regents of the University of California for the purpose of conducting research work on fruit flies, declaring the urgency thereof to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1404: By Mr. Clarke—An act to amend Section 28124 of the Government Code, relating to compensation for public services in counties of the twenty-fourth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1405: By Messrs. Coats, Moss, Davis, George D. Collins, Anderson, Beck, Condon, Elliott, Heisinger, Lewis, McCarthy, Rosenthal, Rumford, and Thomas—An act to add Chapter 8 to Part 1

Division 2, Title 2 of the Government Code, relating to expenditures to influence legislation.

Referred to Committee on Rules.

Assembly Bill No. 1406: By Messrs. Coats, Moss, Davis, George D. Collins, Anderson, Beck, Condon, Elliott, Heisinger, Lewis, McCarthy, Rosenthal, Rumford, and Thomas—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to expenditures to influence legislation.

Referred to Committee on Rules.

Assembly Bill No. 1407: By Messrs. Butters, Clarke, Hoffman, and Brown—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture

Assembly Bill No. 1408: By Mr. Butters—An act to repeal Section 692 of the Fish and Game Code, relating to District 22.

Referred to Committee on Fish and Game.

Assembly Bill No. 1409. By Mr. Butters—An act to amend Sections 1341 and 1342 of, and to add Sections 1341.1, 1341.2, and 1341.3 to the Fish and Game Code, relating to rabbits.

Referred to Committee on Fish and Game.

Assembly Bill No. 1410: By Mr. Butters—An act to add Section 842.5 to the Fish and Game Code, relating to fishing gear

Referred to Committee on Fish and Game.

Assembly Bill No. 1411: By Mr. Butters—An act to add Section 976 to the Fish and Game Code, relating to mudsuckers.

Referred to Committee on Fish and Game.

Assembly Bill No. 1412: By Mr. Butters—An act to amend Section 992 of the Fish and Game Code, relating to commercial fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 1413: By Mr. Butters—An act to repeal Section 995 3 of the Fish and Game Code, relating to taking sheepshead and eel.

Referred to Committee on Fish and Game.

Assembly Bill No. 1414: By Messrs. Coats and Davis—An act to add Section 532 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1415: By Mr. Coats—An act to add Section 534 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1416: By Mr. Coats—An act to add Section 536 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1417: By Mr. Coats—An act to add Section 535 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1418: By Mr. Coats—An act to add Section 537 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1419: By Mr Coats—An act to add Section 533 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1420: By Mr Coats—An act to add Section 531 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1421: By Messrs. Coats, Lowrey, Lewis, Heisinger, Burkhalter, Clarke, Cooke, Davis, and Hagen—An act to add Section 9095 to the Insurance Code, relating to fraternal fire insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1422: By Mr. Hahn—An act to amend Sections 5, 23, and 24 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals

Assembly Bill No. 1423: By Mr. Hahn—An act to impose a state tax on all tobacco products except cigarettes and to provide for the licensing of distributors of and dealers in such products.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1424: By Mr. Hahn—An act to add Part 13, comprising Sections 25751 to 26155, inclusive, to Division 2 of the Revenue and Taxation Code, imposing a state tax on cigarettes, prescribing the method and manner of levying and collecting the tax, conferring powers and imposing duties on the State Board of Equalization, providing penalties for violations of this act, and allocating the revenue derived therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1425: By Mr. Burkhalter—An act to amend Sections 4102, 4103, 4104, and 4105 of the Government Code, relating to bidding on public work.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1426: By Mr. Maloney—An act to add Sections 3166 and 3167 to the Harbors and Navigations Code, relating to hospital benefits for persons employed by the State Belt Railroad.

Referred to Committee on Public Health.

Assembly Bill No. 1427: By Mr. Evans—An act to add Section 25208 to the Government Code, relating to the powers of the board of supervisors.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1428: By Mr. Evans—An act to add Section 31009 to the Government Code, relating to the performance of county functions.

Referred to Committee on Municipal and County Government.

Assembly Constitutional Amendment No. 39: By Mr. Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 24d, relating to alcoholic beverages.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 40: By Mr. Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 24c, relating to horse racing.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 41: By Mr. Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 24b, relating to a tax on the drawing of checks.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 42: By Mr. Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 24f, relating to a state tax on tobacco products excluding cigarettes.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 43: By Mr. Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 24e, relating to a cigarette tax.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 41: By Messrs. Coats, Moss, Davis, George D. Collins, Anderson, Beck, Condon, Elliott, Hawkins, Heisinger, Lewis, McCarthy, Rosenthal, Rumford, and Thomas—Relative to the creation of a Joint Legislative Committee on Corrupt Practices Legislation.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 10
Assembly Joint Resolution No. 13
Assembly Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No 22
Senate Concurrent Resolution No 23
Senate Concurrent Resolution No. 24

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 59
House Resolution No. 63
House Resolution No 68

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

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER. Your Committee on Rules, to which were referred:

House Resolution No 60
House Resolution No. 62
House Resolution No 64
House Resolution No 67

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 24, 1949

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

Assembly Joint Resolution No. 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 24, 1949

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

Senate Joint Resolution No 5

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 5—Relative to memorializing the President and the Congress of the United States in relation to changing present federal laws pertaining to the employment security programs of the states, and to providing sufficient funds to permit proper administration of the Public Employment Service and the Unemployment Insurance Programs of the State of California.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 24, 1949

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

Senate Bill No. 269

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 269—An act to amend Section 1 of, and to add Section 1.5 to, an act entitled "An act providing that the State of California enter into a compact with the States of Oregon and Washington, one or both, to promote the better utilization of the fisheries, marine, shell, and anadromous of the Pacific Seaboard, and to create the Pacific Marine Fisheries Commission; providing for the members of such commission from the State of California; providing for the administration of the provisions of said compact; and making an appropriation," approved July 17,1947, relating to the termination of a Pacific Marine Fisheries Compact, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy

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

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

Assembly Bill No. 1429: By Messrs. Morris and Geddes—An act to add Chapter 8 comprising Sections 9800 to 9807, inclusive, to Part 1, Division 2, Title 2 of the Government Code, relating to the quasi-legislative functions of state administrative agencies, creating the Legislative Committee on Administrative Regulations and defining its powers and duties, prescribing duties of the Division of Administrative Procedure and the Legislative Counsel incident thereto, and making an appropriation for the support of the committee.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1430: By Messrs. Grant, Fletcher, Doyle, Hahn, Burke, Burkhalter, Butters, Elliott, Huyck, Lincoln, Lipscomb, Rosenthal, Smith, and Stewart—An act creating the Los Angeles River Freeway Commission, defining its powers and duties and making an appropriation for its support.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 71

WHEREAS, The use of private automobiles for traveling between the widespread areas of the City of Los Angeles is a vital necessity; and

WHEREAS, The vast number of private automobiles being used for such travel has created a necessity for the establishment of many privately owned and operated parking lots in the various business sections of Los Angeles; and

WHEREAS, The owners and operators of such parking lots are at the present time completely unregulated by the City of Los Angeles or any other public authority as to their rates, or their responsibility for damage inflicted by their employees on such

private automobiles due to careless driving of the same by such employees, or their responsibility for theft of such automobiles or valuables contained therein; now, therefore, be it

Resolved, That the Members of the Assembly of the State of California urge and request the City Council of the City of Los Angeles to enact ordinances regulating privately owned parking lots which are open to the public, in the following respects. (1) Rates, (2) Responsibility for damage to automobiles while parked therein, and (3) Requiring the presence thereon of a supervising employee at all hours of the day; and, be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit a copy of this resolution to the Mayor and City Council of the City of Los Angeles.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 62—An act providing for a declaration of a water shortage emergency by the governing body of a distributor of a public water supply, authorizing the regulation and restriction of water deliveries and consumption during a water shortage emergency, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—70.

NOES—None

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 261 BE WITHDRAWN FROM COMMITTEE FOR PURPOSE OF AMENDMENT

Mr. Lindsay asked for, and was granted, unanimous consent that Assembly Bill No. 261 be withdrawn from the Committee on Conservation, Planning, and Public Works, for purpose of amendment, at this time.

SECOND READING OF ASSEMBLY BILL NO. 261 (BY UNANIMOUS CONSENT)

Assembly Bill No. 261—An act to add Article 4 to Chapter 2 of Division 9 of the Public Resources Code, relating to soil conservation,

providing for a Special Fund for the Acquisition of Soil Conservation Machinery and Equipment and the rental thereof to soil conservation districts, and making an appropriation.

Bill read second time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "and making an appropriation", and insert "making an appropriation, declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 2, line 22, of the printed bill, strike out "from the General Fund".

Amendment No. 3

On page 2, line 23, of said bill, after the period, insert "Seven hundred thousands dollars ($700,000 of the sum herein appropriated shall, on the effective date of this act, be transferred by the State Controller from the appropriation made by Chapter 27, Statutes of 1947, and three hundred thousand dollars ($300,000) on the effective date of this act shall be transferred by the State Controller from the appropriation made in Chapter 1352, Statutes of 1947.

SEC. 3 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are

Serious soil conditions involving loss of top soil through both wind and water erosion exist in many parts of this State It is essential to the public peace, health or safety that these conditions be remedied during the current growing season"

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, to be re-referred to the Committee on Conservation, Planning, and Public Works.

Rush Order Placed on Printing of Assembly Bill No. 261

Mr Weber moved that a rush order be placed upon the printing of Assembly Bill No. 261.

Motion carried

REQUEST FOR UNANIMOUS CONSENT THAT RESOLUTION BE PRINTED IN THE JOURNAL

Mr. Thomas asked for, and was granted, unanimous consent that the following resolution be ordered printed in the Journal:

RESOLUTION NO 1946

Resolution of the City Council of the City of Torrance opposing the proposed "Rail Rapid Transit Act" as inimical to the best interest of the City of Torrance

The City Council of the City of Torrance does resolve as follows:

WHEREAS, In the judgment of the City Council of the City of Torrance the "Rail Rapid Transit Act," as proposed, contains many features deemed inimical to the interests of the City of Torrance; now, therefore, be it

Resolved, That the City Council of the City of Torrance hereby opposes the plan of the proposed rapid transit system as at present being urged by interests motivating for a selfish design that would work hardships upon smaller municipalities within the district said "Rail Rapid Transit Act" would cover

Adopted this fourteenth day of December, 1948.

J. HUGH SHERFEY, JR
Mayor of the City of Torrance

ATTEST: A. H BARTLETT, City Clerk of the City of Torrance

STATE OF CALIFORNIA
COUNTY OF LOS ANGELES } ss
CITY OF TORRANCE

I, A. H. Bartlett, City Clerk of the City of Torrance, California, do hereby certify that the foregoing resolution was adopted and approved on the fourteenth day

of December, 1948, at a regular meeting of the city council by the following roll call vote.

AYES: COUNCILMEN. Drale, Haggard, Jackson, Powell, and Sherfey.
NOES: COUNCILMEN: None.
ABSENT. COUNCILMEN: None.

A. H BARTLETT
City Clerk of the City of Torrance

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 225 BE WITHDRAWN FROM COMMITTEE ON MUNICIPAL AND COUNTY GOVERNMENT, FOR PURPOSE OF AMENDMENT

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Bill No. 225 be ordered withdrawn from the Committee on Municipal and County Government, for purpose of amendment, at this time.

SECOND READING OF ASSEMBLY BILL NO. 225 (BY UNANIMOUS CONSENT)

Assembly Bill No. 225—An act to amend Section 28145 of the Government Code, relating to compensation for public service in counties of the forty-fifth class.

Bill read second time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "eight hundred dollars ($800)", and insert: "fourteen hundred dollars ($1,400)".

Amendment No. 2

On page 1, lines 7 and 8, of the printed bill, strike out "two thousand four hundred dollars ($2,400)", and insert "three thousand dollars ($3,000)".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, to be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN THE JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the following communication be ordered printed in the Journal:

LEGISLATIVE BUDGET COMMITTEE, CALIFORNIA LEGISLATURE
LEGISLATIVE AUDITOR, SACRAMENTO, CALIFORNIA, January 21, 1949

Hon. Thomas J. Doyle
Assemblyman, Forty-fifth District
State Capitol, Sacramento, California

DEAR TOM: You made a request in two parts in relation to aid to the aged:

1. What would be the approximate savings under Proposition 4 if the residence requirements were raised to 15 years, effective January 1, 1949?

2. What effect would this have on the federal program and federal support?

We have checked with the Bureau of Research and Statistics, Department of Social Welfare, and have secured the following information:

1. A resident sample study was made covering recipients who were qualified for benefits prior to effective date of Number 4. This study shows that 82 percent of all recipients drawing benefits have 15 years or more of residence in California. The remainder, or 18 percent, would not qualify with 15 years residence.

In other words, you would eliminate 18 percent of the claimants by increasing the residence requirements to 15 years. But more important, you would delay the potential claimants from 5 to 15 years, and you would discourage persons coming from other states into California to take advantage of our liberal

law. Such a residence requirement (15 years) would also have the effect of stabilizing the demands, and would guarantee that these persons were at least potential taxpayers in California for 15 years before becoming charges of the State.

2. Federal participation is at the rate of $30 per month out of a total of $75 per month, prior to January, 1949, for the needy aged. In other words, the Federal Government is paying two-fifths of the cost, and also certain administration costs. The federal law requires only five years residence in a state at the age of 65, such five years to be in the last nine years The law further provides that if the federal assistance is given, the state residence requirement cannot exceed the federal requirement; so, if the residence requirement was increased to 15 years, federal participation would be withdrawn and the State would then be required to make up the $30 for each recipient.

The net result would be that we would take 18 percent of the caseload off by requiring a 15-year residence, and we would lose the federal support of two-fifths, or 40 percent, on the other 82 percent.

For quick figuring, let us say there are 200,000 recipients on the aged benefit roll at $75 a month This is $15,000,000. If we eliminate 18 percent, there would be a savings of $2,700,000 But, on the remaining 164,000, we would make up the federal loss of $30 per month each, or $4,920,000, so the net additional cost to the State per month would be $2,220,000.

Trusting that this supplies the information you desire, I am

Very sincerely yours,

ROLLAND A VANDEGRIFT, Legislative Auditor

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

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

Assembly Bill No. 1431: By Messrs. Dickey, Caldecott, Lincoln, Rumford, and Sherwin—An act to create a flood control district to be called Alameda County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1432: By Mr. Evans—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Referred to Committee on Finance and Insurance.

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON AVIATION

California Legislature—1949 Regular Session

MEMBERS OF THE COMMITTEE

LESTER A. MCMILLAN—Chairman.....Los Angeles
CARL FLETCHER—Vice Chairman.....Long Beach
KATHRYN T. NIEHOUSE.....San Diego
LAUGHLIN E. WATERS.....Los Angeles
W. S. GRANT.....Long Beach

Technical Adviser
FRANK C. BISHOP

LETTER OF TRANSMITTAL

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, January 24, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

The Assembly Interim Committee on Aviation submits herewith its preliminary report.

This committee was created by House Resolution No. 247 of the 1947 Session. Therein the committee was directed to "ascertain, study and analyze all facts relating to the aviation industry, including the regulation and taxation of air carriers, the location, establishment, construction, improvement and financing of landing facilities, and the administration or needed revision of any and all laws bearing upon or relating to the subject of this resolution and to report thereon to the Legislature."

Pursuant to the directions contained in the resolution, the Speaker appointed the following Members of the Assembly to serve on the committee: Lester A. McMillan, Los Angeles, Chairman; Carl Fletcher, Long Beach, Vice Chairman; Mrs. Kathryn T. Niehouse, San Diego; William S. Grant, Long Beach; Laughlin E. Waters, Los Angeles.

In the time and to the extent permitted by available resources, the committee held many informal meetings, attended meetings of various aviation groups and visited many communities to study their aviation and airport problems and to discuss their future plans. In order to study at first hand the problems confronting the user of personal type aircraft and in order to appraise in their own minds the value of personal aircraft as a means of extending one's radius of movement and to view at close range what, a part of our State at least, had to offer to the personal aircraft user, the committee participated in the annual three-day "Redwood Empire Air Tour." In addition the committee held a series of public hearings in San Diego and Sacramento to identify the problems of the industry, to discuss possible solutions of them and to obtain technical advice and information from all interested persons including private flyers, aviation trade groups, representatives of scheduled air carriers, representatives of public and privately operated airports, and city, county and state officials and employees.

The committee wishes to express its appreciation to all the persons who appeared before it for their helpful assistance and cooperation.

Respectfully submitted.

LESTER A. MCMILLAN, Chairman
CARL FLETCHER, Vice Chairman
(MRS.) KATHRYN T. NIEHOUSE
WILLIAM S. GRANT
LAUGHLIN E. WATERS

INTRODUCTION

Because California is ideally suited climatically and topographically for aviation, the growth of private flying is tremendous and constant. With only 7 percent of the total population of the United States in California, this State has 11 percent of all airplanes registered in the Nation, and has 13 percent of all pilots licensed by the Civil Aeronautics Administration. On July 1, 1948, that agency reported 10,639 personal aircraft registered in California.

It will be recalled that on October 15, 1946, this agency reported 7,200 private aircraft in the State. Thus, in 20 months there has been an increase of 3,439 personal aircraft—an increase of 47.7 percent. It is estimated that by 1950, personal aircraft in the State will approach 15,000.

Of the 10,639 private aircraft registered in this State on July 1, 6,265 were located in the 10 counties in Southern California, 4,374 were located in the remaining 48 counties.

Within the 10 southern counties Los Angeles County had 3,720, San Diego County had 724. In the northern part of the State, the Bay area counties accounted for 1,983, of which San Francisco County (which has no airport within its boundaries) had 301. Alameda County had 413; Fresno County had 311; Santa Clara County had 297.

Appendix A shows in tabulation form, by counties, the status of registration in 1946 and in 1948, and, percentage wise, the relation of county registration to the state total.

It is estimated that there are five miles of non-air carrier flying to each mile of commercial airline flight, and that the personal aircraft mileage flown in California in 1948 will total 262,500,000 miles. This approximates the amount of personal flying estimated for the entire Country in 1940. Such figures indicate the need for a bold approach to the problem of additional landing fields and landing strips. It should be borne in mind that an aircraft always demands two airport facilities—a home base and a destination. It follows then that the utility of aircraft is keyed in to these two factors, a base convenient to the user's home and/or office and a terminal facility convenient to his objective. Since 80 percent of personal flying is "contact" flight, the need for air navigation markings and airway markings is evident. A particularly important aspect of this problem is involved in the general acceptance of aircraft by large numbers of people as a means of speedy and comfortable conveyance. The modern aircraft does not require a superman to operate it safely but the navigational aids presently available are designed primarily for the use of highly skilled pilots. Thus the need for additional air navigation aids for personal flying forms one of the most important current problems.

A similar situation exists with respect to airports devoted to air carrier or airline operations. Millions of dollars have been spent and more millions are now being expended to increase these facilities Many municipalities are extended to the financial limit in providing their share of such costs and in providing additional facilities.

The problems of aviation are not solely those relating to the expansion of physical plants; there are those of taxation, of registration, of the proper use of funds derived from various aviation sources, of zoning, of the codification of aviation law, of the operation of the California Aeronautics Commission and of changes in and additions to existing laws relating to aviation.

After giving thoughtful consideration to these problems, the committee set up the following partial agenda to be used as a guide in its deliberations touching non-air carrier operations:

Subjects for study with special reference to publicly owned airports, airports owned by private interests but available for the public use, and the extended utility of personal aircraft.

I. Investigation to determine the feasibility of recovering that portion of the state motor vehicle fuel tax which is paid by the operators of aircraft but remains unclaimed by them with a view to returning these unclaimed moneys to aviation for its development.

1) Assuming that the recovery of the unclaimed fuel tax is found to be feasible, a study should be made to determine the proper legislative mechanics to be utilized in the efficient administration of the foregoing.

2) Assuming the preceding steps, a study to be conducted leading to recommendations touching the final distribution of such moneys in the manner which will most benefit California's aeronautical development.

II. Investigation to determine the present status of the assessment and collection of personal property taxes on aircraft. A survey of status of taxation in this category to be conducted in the office of each county assessor within the State by means of a suitable questionaire.

1) On the basis of the above investigation a study undertaken leading to a definite opinion on the adequacy or inadequacy of the present system.

2) Should the above study indicate that the present system results in any or all of the following:

a) Penalizing of a group or groups of aircraft owners.

b) That there exists a substantial amount of tax evasion within this category.

c) That the county assessors are unable for technical reasons to assess fairly this type of moveable property.

d) That the rates of taxation are sufficiently excessive as to materially discourage the ownership and use of aircraft.

Then a study should be conducted which will lead to recommendations for legislation to correct the errors and abuses as determined.

3) In connection with the foregoing, it is deemed wise to consider the legality, feasibility, and wisdom, of subventing tax

moneys from this source to aviation purposes from the state level via an "in lieu" tax to the counties.

III. Should either of the foregoing or any of the succeeding investigations indicate that funds might be available to cities and counties for aviation purposes, it is deemed advisable to study the practicability of establishing appropriate depositories within accounting systems of the cities and/or counties. Some of the factors touching upon the establishment of such depositories are as follows:

1) Legality and precedence.

2) Uses to which funds placed in depository may be put.

a) Matching of federal funds under the Federal Airport Aid Act.

b) Expenditures for airport and aviation purposes which would fall within the general class of capital outlays.

c) Maintenance and operation of publically owned airports.

d) Purchase of easements and air rights for public use.

e) Air marking and navigational aids.

f) Planning and engineering costs for aeronautical development.

3) The extent to which the State should control funds in such depository.

4) Formulae for determining the just apportionment of funds collected at the state level among the several cities and/or counties.

IV. Investigation to determine the extent, complexity, bibliographic difficulty presented by the existing California laws relating to aviation. Should this investigation indicate that substantial difficulty exists in reference, and that the likelihood exists that the subject may become increasingly complex, then a study to be conducted which would lead to a recommendation on the necessity and feasibility of instituting proper codification to the end that an adequate aviation code may develop in an orderly manner.

V. Investigation and study of the Joint Interim Committee on Aviation Report to the Fifty-seventh Session and the California Aeronautics Commission Act enacted by the Fifty-seventh Session to determine the intent of the Legislature in this matter. The foregoing study to be applied to the Aeronautics Commission on its record to date to determine whether the intent of the Fifty-seventh Session of the Legislature is being prosecuted with diligence.

1) On the basis of the foregoing and subsequent investigation a study should be made touching on the advisability of maintaining the control of the size and scope of the Aeronautics Commission by means of supporting it out of the General Fund subject to legislative budgetary action as opposed to automatic support by fees, taxes, and charges levied against the aviation industry.

2) This study revolves around the question of whether it was the intent of the Legislature to create a planning and coordinating body or a regulatory agency.

With this general introduction to the problems faced by it, the committee presents the specific subjects submitted for its consideration.

While the committee has attempted to resolve all of the questions brought before it, some will require further study before definite recommendations may be made. One of these relates to the matter of the taxation of air carriers engaged in interstate commerce, another relates to the matter of the zoning of land for airport purposes.

USE OF UNCLAIMED AVIATION GASOLINE TAX REFUNDS

It is the present thought of the committee that it is not advisable at this time to give consideration to an outright tax upon sales of aviation gasoline. However, the committee believes that thought should be given to the appropriate use of the unclaimed refunds of the tax on sales of aviation gasoline.

At present 4½ cents per gallon is collected on all gasoline sales which, if not refunded, goes directly to the Highway Fund. Recognizing that nonhighway users should not be taxed for highway purposes, the Legislature has authorized refunds to nonhighway users, which refund when made is at the full rate of tax less sales tax.

It was estimated by a representative of the State Controller that the sales tax revenue derived from the sale of aviation gasoline in the Fiscal Year 1947-1948 amounted to $183,651.52. It is worthy of note that this amount of money paid into the General Fund by the aviation industry closely approximates the Aeronautics Commission appropriation for the Fiscal Year 1948-1949 of $188,846.

In the case of aviation gasoline the net amount refunded is about 4 cents per gallon. Distributors at present do not report the sales of aviation type gasoline separately from other types of this fuel, e.g., from auto use gasoline, hence there is no opportunity at this time to determine accurately the aviation gasoline gallonage sold. That it is large is evidenced by the refunds paid in the period January, 1946–July, 1948 as shown in the following table:

Aviation Fuel Tax Refunds Approved
(By Month Processed by State Controller's Office) *

	1946 *No of Gallons*	*1947* *No. of Gallons*	*1948* *No. of Gallons*
January	1,376,675	4,533,581	7,163,322
February	676,939	3,911,322	5,676,104
March	1,518,325	3,174,977	4,139,265
	3,571,939	11,619,880	16,978,691
April	2,937,956	2,713,968	1,036,694
May	1,398,836	5,542,157	5,134,149
June	2,195,763	4,803,658	4,585,770
Calendar Qt.	6,532,555	13,059,783	10,756,613
July	4,237,211	3,462,272	5,603,271
August	2,359,384	4,026,006	
September	1,474,086	1,694,413	
Calendar Qt.	8,070,681	9,182,691	
October	3,532,299	6,291,103	
November	2,308,684	2,006,273	
December	1,509,100	8,400,817	
Calendar Qt.	7,350,083	16,698,193	
Total, Year	25,525,258	50,560,547	

* The bulk of claims processed cover purchases during the half-year period preceding month in which claims approved

These refunds are usually claimed within three months of sale—90 percent are so claimed—less than 1 percent carry over beyond six months.

These figures reflect refunds to scheduled air lines, nonscheduled operators and private flyers. The great bulk of the refunds goes to the first two categories, who claim the refunds as a matter of good business. Testimony taken by the committee indicates that not more than 50 percent, if that many, of the private flyers claim the refund. The failure so to do is ascribed to difficulty in retaining sales slips, to difficulty in allocating the sales to the owner of the aircraft, to the procedures incident to making a claim, and general lassitude.

It is estimated, with what the committee regards as reasonable accuracy, that aviation fuel tax collected by the State but not refunded amounted to $400,000 in 1946 and to $500,000 in 1947. (The State Board of Equalization has been requested to obtain accurate figures reflecting the sales of aviation gasoline in the State; however, at the time of the writing of this report, they are not yet available.) This money has gone to the Highway Fund, a disposition evidently not the legislative intent, since all nonhighway users are afforded an opportunity to recapture their payments for gasoline.

In hearings conducted by the committee opinion was unanimous that unclaimed aviation gasoline tax moneys should be made available for use in developing aeronautical facilities. Such use would include the matching of federal funds under the Federal Airport Act, maintenance and operation of publicly-owned airports, purchase of easements and air rights for public use, planning and engineering costs, the augmenting of air navigation aids and the development of air fields and air strips in areas where the private development of such facilities is not economically feasible.

Such problems are not those of any individual community. They are state-wide in nature because of the inherent qualities of and the consequent use of aircraft. There is need for facilities to afford more opportunities for the use of privately owned aircraft, such as landing strips adjacent to beaches, forest areas, state and national parks, and fishing and hunting areas. In many instances their development would not be commercially feasible because of the lack of return on invested capital, yet they would greatly aid in the use of resort areas. So far no state funds have been made available for such purposes. The committee strongly urges the use of unclaimed aviation gasoline taxes for this purpose.

The committee has been advised by the Legislative Counsel that such use is legal and that there is no constitutional bar to such proceeding, as stated in the following opinion:

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, October 15, 1948

Hon. Lester A. McMillan
639 S. Spring Street
Los Angeles 14, California

Gasoline Tax, Aviation—No. 1233

DEAR MR. MCMILLAN:

Question

You have asked our opinion as to the constitutionality of proposed legislation which would set up a special fund to be used for aviation and airport purposes. The special fund would consist of that portion of the money collected under the motor vehicle fuel tax which is derived from distribution of aviation fuel used in aviation The aviation fuel would be appropriately defined.

Opinion

It is our opinion that such legislation would be constitutional.

Analysis

Article XXVI of the State Constitution provides in part as follows:

"Section 1. (a) From and after the effective date of this article, all moneys collected from any tax now or hereafter imposed by the State upon the manufacture, sale, distribution, or use of motor vehicle fuel, *for use in motor vehicles upon the public streets and highways* over and above the costs of collection, and any refunds authorized by law shall be used exclusively and directly for highway purposes, as follows:" (Italics ours)

It is our opinion that this article only restricts the use of money "collected from taxes imposed upon the manufacture, sale, distribution or use of motor vehicle fuel, *for use in motor vehicles upon the public streets and highways.*" It in no way restricts the use that may be made of money collected from any tax imposed upon the manufacture, sale, distribution, or use of motor vehicle fuel for *non-highway* use.

The words "refunds authorized by law" in subdivision (a) of Section 1 is a part of the single clause "over and above the costs of collection, and any refunds authorized by law." Its effect is to exclude costs and refunds authorized by law from the "moneys collected" that must be used exclusively for highway purposes.

Thus the only money collected under the motor vehicle fuel tax which under the Constitution must be exclusively used for highway purposes is that portion which is derived from the distribution of motor vehicle fuel for use in motor vehicles upon the public streets and highways, excluding therefrom the costs of collection and any refund authorized by law.

Hence legislation providing for a special fund to be used for aviation purposes consisting of that portion of money collected under the motor vehicle fuel tax which is derived from distribution of motor vehicle fuel for non-highway use is constitutional, providing of course, such portion of the money collected is identified or segregated from the portion derived from distribution of motor vehicle fuel for highway use.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By BERNARD CZESLA, Deputy

It is the opinion of the committee, it having been held that unclaimed refunds on sales of aviation gasoline may be legally so used, that the Board of Equalization should be directed to obtain from oil companies information as to the total gallonage of aviation gasoline sold which is subject to tax; that the Controller should be directed to establish a fund into which shall be paid the amount of tax collected on the sales of aviation gasoline, less refunds thereon; that the proceeds of such fund should be distributed, 75 percent to the counties and 25 percent to the California Aeronautics Commission. The amount allotted to the Aeronautics Commission should be a discretionary fund to be allotted to counties on a basis of need; the 75 percent allotted to the counties should be apportioned in the same manner as federal funds are now apportioned among the states; i e., one-half on a basis of area and one-half on a basis of population. The counties should be authorized to allot the moneys received from this source to cities but the use of any such money should be limited to capital outlays; its use for administrative purposes should be prohibited.

TAXATION OF AIRCRAFT AS PERSONAL PROPERTY

One of the first questions to which the committee devoted its attention was that of the taxation of aircraft as personal property. This divides into two parts—the taxation of certificated carriers engaged in interstate commerce; and the taxation of aircraft not so used, i.e., non-scheduled flight operators, commercial users such as crop dusters, and personal aircraft used for business or pleasure purposes or a combination thereof. This division is quite logical when considered as a problem in jurisdiction. The State of California and its political subdivisions do not

have, in the opinion of your committee, complete taxable jurisdiction over an interstate carrier whose operations are spread over many states in accordance with the route patterns granted it by the Civil Aeronautics Board. On the other hand it is felt that aircraft not in interstate commerce and owned and based in California are clearly within the jurisdiction of this State and its political subdivisions.

It is the considered opinion of the committee at this stage of its deliberations that the matter of equitable taxation of the moveable property (flight equipment) of interstate air carriers is one which must be solved in part at least at the federal level. The basic problem is that of allocation, the assignment of portions of a carriers total fleet to the states having a taxable jurisdiction over the carrier in question. To achieve equity in this category and to avoid multiple taxation is, in the opinion of the committee, within the sphere of endeavors that the Federal Government can best undertake.

Your committee is not prepared at this time to recommend that the Federal Government should collect the tax but merely that the allocation of taxable interest be equalized federally.

To illustrate the variation that exists among the several states there follows a series of examples of state practices with reference to taxation of commercial air lines. It is to be noted in the following that similarity does not exist either in the method of allocation or in the method of evaluation.

Arkansas. If the home port of the aircraft is within the state, it is assessed locally.

Colorado. Assessed by State Tax Commission, using the full cash value less depreciation. Real and personal property is assessed on an equitable basis with other property in the county where it is situated and the value allocated to the county.

Connecticut. Locally assessed and levied, with no uniform practices.

Delaware. All personal property is exempt from taxation.

Florida. All aircraft are classed as "motor vehicles" for purposes of taxation, and are charged a registration fee in lieu of state and local taxation. Additionally, a charge is made whenever any aircraft is used for hire over the airspace of the state.

Idaho. Aircraft engaged principally in commercial flying constituting an act of interstate commerce are exempt from the in lieu tax imposed upon private aircraft and from all other personal property taxes.

Illinois. Commercial airlines are assessed and taxed locally. Although all personal property is, by law, to be assessed on a uniform basis, practices vary to an unknown extent.

Iowa. A registration fee is imposed in lieu of all other taxes. The provision does not apply to aircraft principally engaged in commercial flying in interstate commerce unless operated in scheduled interstate airline operation, owned by an Iowa person and operated part time within that state.

Indiana. No personal property taxes are levied on flight equipment.

Kentucky. Commercial airlines are assessed and taxed, as a public utility, by the State Department of Revenue. The basis for taxation is a composite of miles of route, property, ton and passenger miles and gross receipts, equalized at 80 percent. Aircraft are assessed with the remaining value as a "franchise."

Michigan. Aircraft in interstate commerce are exempt from the registration fee, imposed upon all other aircraft, which is in lieu of all property taxes. The registration fee is at the rate of one-half cent per pound of net empty weight, with a maximum of $50.

Minnesota. Commercial airlines are assessed by the State Commission of Taxation on the full value of all flight property operated or used in air commerce in the state The valuation apportioned to Minnesota is the proportion of the total valuation based on three percentages, viz. 33⅓ percent is the proportion of total tonnage of passengers, express and freight first received in the state plus total tonnage of similar categories finally discharged in the state to the total tonnage of passengers, express and freight first received or finally discharged by the carrier. The calendar year is the unit for comparison; 33⅓ percent of the percentage of equated plane hours in Minnesota when measured against the total time of all of the carriers' aircraft; 33⅓ percent of the percentage which the revenue ton miles of passengers, express and freight flown by the carrier in Minnesota bears to the total of such miles flown by the carrier. The flight property is assessed at 40 percent of the full and true value.

Nebraska. Airlines are assessed and taxed by the State Tax Commission. The proportion of flight equipment allocated to the state for taxation purposes is the arithmetical average of three ratios; viz. (1) the ratio of aircraft arrivals and departures in the state to the total arrivals and departures of the carrier during a calendar year; (2) the ratio of revenue tons first received or finally discharged in the state to the total revenue tons of the carrier; (3) the ratio of originating revenue within the state to the total originating revenue of the carrier.

Nevada. Valuation is established by the Nevada Tax Commission using the following formula · the commission fixes the valuation of the franchise and all physical property used directly in the operation as a collective unit. If operating in more than one county the commission determines the aggregate mileage operated within the state and within the several counties and apportions the same upon a mile-unit basis The number of miles apportioned to a county is subject to assessment in the county according to the mile-unit valuation established by the Tax Commission.

New York. All personal property is exempted from taxation.

Oklahoma. Assessment and taxation by the State Tax Commission, using the "Official Aircraft Price Guide" and assessing at about 50 percent of fair cash value. Allowances for depreciation are based on use and age of aircraft. Formula for interstate carriers is on the basis of the total number of miles flown in the state as a percentage of the total number of miles in the airline system.

Pennsylvania. No personal property taxes are levied on any aircraft.

Utah. Assessment by the State Tax Commission is on a basis of 40 percent of fair cash value of system flying equipment apportioned in Utah. Book value of "Aircraft Account" less depreciation divided by number of planes equals net flying equipment to be apportioned to the state. Company depreciation is allowed, if reasonable. Allowances for the time the aircraft are not within the state are based on revenue ton miles, hours in the air and on the ground, air miles flown, and the book value of tangible property.

Washington. Assessed and taxed by the State Tax Commission at 50 percent of market value, based on aircraft blue book values The unit system of valuation is used and transient flight equipment is apportioned to the state on a relative mileage basis, without regard to time.

West Virginia. Assessed and taxed by the State Tax Commission, on the basis of "enterprise value," as declared by the owner. About 20 percent depreciation per year is allowed. Method of valuation not given

Wisconsin. Assessed annually by the State Department of Taxation, on the basis of full market value.

Wyoming. The State Board of Equalization fixes an arbitrary value of approximately 50 percent of fair value. The Wyoming portion of the value is the ratio of the miles flown in the state to the total miles flown on the entire system There is no set allowance for depreciation because of the present practice of accepting figures submitted by the various companies.

Federal legislation to prevent multiple taxation has been introduced in two sessions of Congress, but in each instance has failed of passage. Studies have been made of multiple taxation of air commerce by an Advisory Committee to the Civil Aeronautics Board and a staff study on air carrier taxation has been submitted to the Joint Legislative Committee on Interstate Cooperation of the State of New York. The Committee on Taxation of Airlines of the National Association of Tax Administrators has been studying the subject for more than three years and is now making recommendations with reference thereto. Their recommendations were embodied in a suggested uniform law for the taxation of flight property. Their actions were based upon the possibility that federal legislation relating to multiple taxation of air carriers, if passed, may lead to further legislation regulating the state taxation of interstate commerce in general.

It may well be said that the subject deserves much study before a solution can be found.

However, the second part of the problem—that of the taxation of personal aircraft—*is* capable of solution at this time. When it is recalled that there are more than 10,500 such aircraft registered in California their aggregate value of $31,500,000 becomes important when considering taxation. It is interesting to note that this value exceeds that of the portion of the air carrier fleet which would be allocated to California under the suggested allocation formulas. The scheduled air lines of the United States are currently operating a total of 1,054 aircraft throughout the world. The Massachusetts formula, for example, would allocate 9 percent of the United States fleet of aircraft to California for tax purposes.

It became immediately apparent to the committee that this matter would require a considerable amount of investigation and testimony the general tenor of which we will attempt to set forth. There were three basic factors in the testimony presented. (1) Evasion of tax (2) Equity of tax in respect to evaluation and the application of rate (3) Necessity of state registration of aircraft to effectuate an "in lieu" tax.

The Assessors' Association at a recent meeting in Yosemite Valley appointed a committee to study the question of aircraft taxation. The membership of this committee comprises Mr. Crowell D. Eddy, Assessor of San Diego County as chairman, and O. J. Hempstead of San Mateo County, Jack Hartman, Assistant Assessor of Los Angeles County, Louis Kennedy of Alameda County, and Russell L. Wolden of San Francisco County. It might be of interest to note that these counties rank in the matter of aircraft registration as follows: Los Angeles (3,730) first, San Diego (724) second, Alameda (413) third, and San Francisco (301) sixth, and San Mateo (234) twelfth.

In the testimony presented, a portion of which we quote, Mr. Crowell D. Eddy of San Diego County, was the principal spokesman on behalf of the aircraft tax investigation committee appointed by the Assessors' Association.

CHAIRMAN MCMILLAN: At your meeting in Yosemite did you discuss this problem?

MR. EDDY: It was only discussed very briefly as far as that is concerned. The committee was appointed to give it further study and appear before any of your bodies Certain matters were agreed upon, however, at that meeting.

CHAIRMAN MCMILLAN: What do you propose to do? Does your committee propose to make a study of this?

MR. EDDY: It hasn't been the custom of the Assessors' Convention to in any way attempt to devise an assessment or to in any way influence the method of taxation in the State. It has rather been the policy of the convention during the 23 years that I have been a member of that convention to only try to influence such legislation as would better conserve and facilitate the methods of taxation. There are two principles which I think I could state, if you prefer to have me state them before Mr. West's written statement is given.

CHAIRMAN MCMILLAN: If you will.

MR. EDDY: First, we are opposed to the in lieu tax of airplanes.

CHAIRMAN MCMILLAN: You mean your association is opposed to it?

MR. EDDY: Yes.

CHAIRMAN MCMILLAN: Have you discussed the problem with your association and taken a vote on it?

MR. EDDY: Yes. We have not taken a vote of the association. It was taken as a vote of the committee. The committee met at the close of the session. There was no committee existing during the session of the convention.

CHAIRMAN MCMILLAN: Did your committee believe that the present system of taxation is adequate and practical?

MR. EDDY: So far as privately owned planes are concerned, yes.

CHAIRMAN MCMILLAN: Did you offer any recommendations or any change in the present procedures?

MR. EDDY: We did not. We think that the present method is adequate, that the revenues from these planes should go directly to the county the same as the revenues from the taxation of other properties, that it can be more economically administered on the county level, and that there is no need at the present time at least for establishing another state function which must of necessity take out a certain part of the revenues for the purposes of the maintenance of that function. And, I would like to state one thing more, that when an in lieu tax is levied it inevitably has to be at a lesser value or a lower level than it does on a straight ad valorem basis where we can assess each piece of property on its value.

CHAIRMAN MCMILLAN: Do you feel that there is very much evasion?

MR. EDDY: Not any more evasion on airplanes than there might be on any other migratory property such as cattle.

CHAIRMAN MCMILLAN: Did your committee make any survey of all the counties? I mean, did you determine that from actual facts whether there is evasion?

MR. EDDY: As a committee we have not.

CHAIRMAN MCMILLAN: You haven't made any survey to determine the rate of taxation to find out any inequity or discrepancy?

MR. EDDY: As a committee we have had no opportunity to do that. The committee was just recently appointed, but there have been from time to time conferences between those counties that have a large number of privately owned airplanes.

CHAIRMAN MCMILLAN: What I was trying to get at is, in your meeting in Yosemite when you went on record as being opposed to an in lieu tax, was that decision based upon any facts that you had gathered throughout the State, or was it merely the opinion—the personal opinion —of the members of the committee?

MR. EDDY: Undoubtedly it was the personal opinion of the members of the committee. Bear in mind, the next to youngest member has been assessing airplanes for 13 years, another member for much longer than 13 years, and most of the privately owned airplanes in the State are in the counties that are represented by the assessors on the committee. It would be rather a presumption to say they were not familiar with the method of the assessment of airplanes.

MR. WATERS: I have a couple of questions, Mr. Chairman. This committee, of which you are the chairman, Mr. Eddy, was that committee authorized to speak for the convention of assessors as a whole, or are you in a position where you are to make studies and make recommendations back to the convention?

MR. EDDY: That is true, however, we were authorized by the convention at the time of the appointment of the committee to make such reports as we deemed advisable to committees such as this.

MR. WATERS: I have in mind particularly from the make-up of your committee, you represent primarily the large counties in California.

MR. EDDY: May I correct you in this respect. San Mateo is not a large county. It was represented because there are many planes.

MR. WATERS: It is your large airplane (ownership) counties?

MR. EDDY: Yes.

MR. WATERS: Those counties that have very few planes are not represented on your committee actually?

MR. EDDY: No, they are not.

MR. WATERS: When you say that the committee has recommended against an in lieu tax, are you also speaking for the smaller counties in the State?

MR. EDDY: I think I made that clear in previous testimony that I cannot make testimony for the unanimity of the convention at the present time because the committee was not appointed until the very closing session of the convention.

MR. WATERS: I want to clarify my question on it. When you say you are opposed to the in lieu tax, you are speaking only for the counties represented on the committee?

MR. EDDY: Yes. so far as official action taken, but this is again a projection of a personal opinion. My opinion is that the counties generally would take that position, and that the convention as a whole will support that. That is my personal opinion on it.

CHAIRMAN MCMILLAN: Do you feel you are catching all of the planes located in San Diego?

MR. EDDY: Yes, I think definitely we are.

CHAIRMAN MCMILLAN: You feel there is no evasion?

MR. KENNEDY: (Louis Kennedy, Assessor, Alameda County) Absolutely. I think it is nearly perfect. I really do. Mr. Rathie will tell you how the evaluation is arrived at It is practically the same as Mr. Eddy's It will only be a repetition.

CHAIRMAN MCMILLAN: How about the privately owned aircraft?

MR. RATHIE: (William Rathie, Assistant Assessor of Alameda County assigned to private aircraft taxation) We have approximately 186 privately owned aircraft at the Hayward and Oakland Airport. Our method of determining ownership is through the cooperation of the Airport Manager at Hayward Airport, and through Guy Turner, Superintendent of the Oakland Airport. They have both been very cooperative in giving us all the information that we have ever required regarding the owners of the various aircraft on their fields. We have had no trouble at all.

CHAIRMAN MCMILLAN: In your opinion, are there a lot of planes in the State today that are not taxed?

MR. NEWSOM: (Noble Newson Jr, Manager Contra Costa County Airport) Very definitely.

CHAIRMAN MCMILLAN: You think there is a definite attempt on the part of owners to evade taxation by moving their planes on the lien day?

MR. NEWSOM: I would say that was a small percentage—the attempt to evade—but I think a lot of airplanes are scattered throughout the

State that aren't being taxed. In Contra Costa County they are all being taxed though.

The opposing testimony was presented in the main by members of the staff of the California Aeronautics Commission portions which the committee feels is relevent to the question of evasion follows. There is possibly some value in drawing a distinction at this time between the number of aircraft registered in a given county and the number of aircraft having taxable situs in a given county. The County of San Francisco serves as an excellent example there being 301 aircraft whose registered owners have given an address within the County of San Francisco; however there is no facility for the use of nonmilitary aircraft in the county hence there are no aircraft which have situs or are within the personal property tax jurisdiction of that county.

COLONEL WARREN E. CAREY, Director of Aeronautics: "If I may, I would like to call before your committee, Mr. Derham, who has prepared a paper, the results of his study, which indicates quite clearly a certain amount of disparity in the various tax jurisdictions. He will have comments to make on this paper.

CHAIRMAN MCMILLAN: Will his comments have to do with the taxation on the county level?

COLONEL CAREY: Yes.

CHAIRMAN MCMILLAN: You want to read a report?

MR. JOSEPH E. DERHAM: Not necessarily; the report will enlarge on what I will tell you. At the direction of Colonel Carey I made a survey of the assessor's offices in 33 counties in an effort to learn how they assessed aircraft, on what basis, and also to determine whether there was a uniformity of assessment. I found the records in 21 counties were only sufficient for my purposes. Some counties didn't know how many aircraft were in the county. Others I knew had a very inaccurate record. I took the 21 counties that I considered their records sufficient to base some figures on, and I find by projecting their averages, the shortage of airplanes in this State accounted for by assessors of 3,207 aircraft out of 10,547 aircraft as shown by the C. A. A. being in this State on June 1, 1948.

CHAIRMAN MCMILLAN: There are over 3,000 airplanes not being taxed by the counties. Did you break that down into counties?

MR. DERHAM: Yes, sir, into 21 counties.

MR. FLETCHER: And in the 21 counties there are over 3,000?

MR. DERHAM: In the 58 counties. I took the records of 21 counties because they were accurates. The shortages in those counties were projected against the total of 10,547 and I arrived at a figure of 3,207.

MR. FLETCHER: Nearly a third?

MR. DERHAM: Yes, approximately a third are escaping taxation Some of the counties hadn't taxed up until this year.

CHAIRMAN MCMILLAN: Have you any record among the 21 counties of any large counties? Was Los Angeles or San Diego included?

MR. DERHAM: Yes, sir.

CHAIRMAN MCMILLAN: Have you a break-down on San Diego County?

MR. DERHAM: Yes, sir. San Diego County is charged by the Civil Aeronautics Administration with having 719 privately owned aircraft

The records in the county as given by the county assessor showed 628 assessed with a total assessed value of $434,880.

MR. EDDY: May I ask a question for clarification of the record? If it is irregular, I don't wish to do so, but that was for a June date, wasn't it?

MR. DERHAM: That was June 1st. The C. A. A census was June 1, 1948, and your figures were as of March 1, 1948.

MR EDDY: Did you try to determine whether the differences there were in the county on the first of March?

MR. DERHAM: No.

MR. EDDY: You can't say they escaped taxation. They may have come in the county after that date. Those figures are entirely misleading

MR. DERHAM: They could be. I found in every county there was such a disparity between the planes accounted for by the assessor and those accounted for by the C. A. A. I don't think that is the situation.

MR. DERHAM: In Los Angeles County the C. A. A. census charges them with 3,734 privately owned aircraft. The county assessor's records showed 2,662 aircraft with a total assessed value of $3,379,040.

CHAIRMAN MCMILLAN: Did you take Alameda County?

MR. DERHAM: I took Alameda County. The C. A. A. charges them with 399 planes. The records of the assessor's office showed 200 aircraft assessed. Only two counties in the State accounted for as many or more planes than the C. A. A. census showed. One was Napa County, and the other was Contra Costa County.

CHAIRMAN MCMILLAN: When were these registered with the C. A. A.? They are not planes that were registered and perhaps wrecked or destroyed in the meantime.

MR. DERHAM: When a plane is destroyed, a report of the accident is sent to the C. A. A. and that plane is removed from their records.

CHAIRMAN MCMILLAN: There is quite a difference in a county like Alameda where 399 are reported and the taxes are based on 200. There is a difference of 199.

MR. GRANT: Am I right in assuming that Los Angeles County missed one-third of the planes registered there? That is 1.072.

MR. DERHAM: Those are the figures given to me by the assessor's office in Los Angeles County.

CHAIRMAN MCMILLAN: That is the difference between the number registered and the number the taxes are collected on.

CHAIRMAN MCMILLAN: The figures are available to the counties, and any county wanting to do it could request of the C. A. A. the number of aircraft registered in that county, could they not?

COLONEL CAREY: We would be glad to furnish them with that information now. They have had that information available to them in the past.

CHAIRMAN MCMILLAN: We are getting misinformation, when the assessors get up and say there is no evasion, every aircraft in the county is accounted for, and here you have the records where they are registered at the C. A. A., and they should know that there are 1,000 more registered there than they are collecting taxes for. Maybe they can clear it up and explain it to us why they can say that there are no evasions.

COLONEL CAREY: I don't think any of the assessors would say that.

CHAIRMAN MCMILLAN: You are not saying it. I am drawing that conclusion from the testimony offered before this committee this morning.

COLONEL CAREY: This was an attempt, Mr McMillan and members of the committee, to provide you with at least some factual information Now, it may not be factual in detail, but at least it is an indication of the trends. And, as to the 2,000 or 1,000 discrepancy, the fact that in each and every county of the State there is some omission at least in the present system of taxation."

In order to obtain directly from county assessors a report as to taxing methods, evasion and problems of similar nature, a questionnaire was mailed by the committee to each county assessor. Replies have not been received from all of them but there follows immediately a tabulation of the answers from 55 counties. It is to be noted that basis for the number of aircraft registered is taken as of January 1, 1948, as distinguished from those registered on tax lien day and from the number registered on July 1st, the date used in the California Aeronautics Commission Survey.

I

Number of aircraft assessed

Assessors answering question	48
Aircraft registered in these 48 counties on 1/1/48	9,238
Aircraft assessed in these 48 counties tax day 1948	6,523
Difference	2,715

Seventy percent of aircraft registered in these counties were assessed. It does not necessarily follow that 30 percent escaped taxation; some of those registered may have been wrecked or dismantled. Those aircraft registered in San Francisco County, which has no airfield within its boundaries, should have been taxed in the counties in which those airplanes are based.

II

Veterans exemptions—48 counties reporting

a. In these counties 339 veterans exemptions were applied against aircraft.
b This represents 3.3 percent of aircraft registered.

III

Number of aircraft on which tax is still unpaid

a. In the 37 counties answering the question 354 are unpaid.
b. This represents 4.7 percent of assessments in these counties.

IV

Various methods are employed to arrive at the "Full cash value" The following methods were used as shown by 43 counties answering.

1. Owners' estimate	15 counties
2. Table of aircraft values	14 counties
3. Physical appraisal	6 counties
4. Book value	1 county
5. First cost less depreciation	1 county
6. Average value ($1,500)	1 county
7. Market value	5 counties

V

Twenty-one counties supplied answers to the question on tax rates. The average rate for the 21 counties was $4.28 per 100 of assessed valuation.

VI

Thirty counties answered the question on amount collected. These counties collected $78,760.37 on 2,246 aircraft for an average of $35.07.

VII

Forty-five counties answered the question on evasion as follows: 29 felt there was *not* a substantial amount of evasion by private aircraft owners; 16 felt there was a substantial amount of evasion by private aircraft owners.

VIII

Fifty-one assessors answered the question: "Would you favor an 'in lieu' tax collected at state level and subvented to the counties as follows":

Yes	32
No	19

IX

Forty-three counties answered the question on the relative difficulty of taxing the category as follows: Much difficulty, 8; little difficulty, 22; no difficulty, 13.

These figures are substantiated by the information obtained by the Bureau of Public Administration of the University of California from a questionnaire survey. Fifty-eight county assessors were queried; 50 responded. The findings of the bureau may be summarized as follows:

On what basis of valuation are the aircraft assessed?

Private Flight Equipment

There is no uniformity of practice among counties. For example, the following basis of assessment are now used:

(1)	Full cash value	Fresno, Yolo
(2)	50 percent purchase price	Lassen
(3)	50 percent actual value	Butte, Calaveras, Colusa, El Dorado, Glenn Inyo, Los Angeles, Madera, Mendocino, Merced, Modoc, Nevada, Plumas, Riverside, San Bernardino, San Joaquin, Santa Clara, Shasta, Solano, Sonoma, Stanislaus, Tulare, Tuolumne, Yuba
(4)	40 percent cost value	Placer
(5)	40 percent market value	Napa, Orange, San Diego, San Luis Obispo
(6)	33⅓ percent present market value	Alameda, Contra Costa, Santa Cruz
(7)	30 percent cost	San Benito
(8)	25 percent original cost	San Mateo

(9) 25 percent market value ---------- Mariposa
(10) Unknown or uncertain---------- Del Norte, Humboldt, Kern, Kings, Lake, Marin, Mono, Monterey, Sacramento, Santa Barbara, Siskiyou, Sutter, Tehama, Trinity, Ventura

In determining the actual value ("market value," or "cash value") a variety of sources is used:

(1) Declaration of value by owner of aircraft.

(2) Personal inspection of each aircraft by assessor or representative.

(3) Valuation shown by such publications as *Aircraft Values Guide, Sell-Plane News,* and the *Official Aircraft Price Guide.*

(4) Newspaper want-ads, interviews with prospective purchasers and airport operators, and other miscellaneous methods.

In many instances a combination of these techniques is used. There is no uniformity in placing depreciation value upon flight equipment.

In California, all aircraft are assessed annually as of the first Monday in March. The situs of taxation is generally the permanent location of the plane on that date. However, practices are not uniform. For example, Colusa, Imperial and Santa Barbara Counties use the residence of the owner as test of taxable situs.

What are the total number of registered aircraft within California counties?

It should be noted that there is no definite data on the number of registered aircraft maintained in many counties. Thus, the number of aircraft as shown by the Federal Civil Aeronautics Authority is in most cases different from the number reported by the county assessor. It is apparent that few, if any, counties maintain any current system to determine the number of registered aircraft domiciled within their area at any particular date, other than the first Monday in March of each year. There is also evidence from the questionnaire responses that some planes escape taxation because of their transient nature and the lack of adequate controls by assessors. Because of these conditions, no definite answer can be given to the question.

What total market value do these airplanes represent by counties?

As in the case of the number of airplanes within each county, the market value cannot be ascertained. In all responses, the assessor indicated that the figure given was "only approximate." Again it seems clear that there is no definite system now used by counties to determine the market value of aircraft domiciled within their boundaries. In several instances, assessed value was not obtainable because aircraft are not separated from other personality.

The preceding surveys point up the significant discrepancy that exists state-wide between the number of aircraft registered and the number of aircraft assessed. This committee selected the number of aircraft registered as of January 1st as the basis for its independent survey for the express purpose of determining the magnitude of error in the use of July 1st registration as was done in the Aeronautics Commission's sur-

vey. Considering the over-all increase in the number of aircraft registered in California between January 1st and July 1st, it appears that the discrepancy shown by the Aeronautics Commission's survey is not accounted for by the March to July increase in registration.

It is the opinion of this committee that a very substantial portion (in the neighborhood of 30 percent) of the personal aircraft in the State of California are not being taxed. Your committee feels further that it is rather clearly demonstrated that under the present system there is lack of uniformity as to method and that there is material variation between counties in arriving at the value for tax purposes.

Considering, for the moment, the taxation of this category of property as a state-wide problem your committee takes the view that the treasuries of this State are being deprived of more than $100,000 annually or approximately one-third of the revenue from this source which is due them.

It is obvious in light of the above and that in justice to all owners that assessment should be universally and uniformly applied. It appears that this is only possible by the adoption of a method very similar to the "*in lieu*" tax prescribed for automobiles.

In the hearings there was unanimity of opinion, except by a group of county assessors, that this would provide uniformity in fixing values, remove the problem of determining the taxing area in which the airplane is located on the lien date, remove the problem of locating this migratory property for taxing purposes and reduce evasion to a minimum.

The assessor's committee raised two principal points of objection to an "in lieu" tax for aircraft: (1) that aircraft would of necessity be given a preferential assessment under an "in lieu" tax resulting in a decrease in net tax collected and (2) that another set of tax collection machinery must be set up at the state level with its consequent increase in cost of State Government further reducing the net tax yield.

The average rate in tax districts having airports approximates 2 percent of full cash value. Your committee is of the opinion that an "in lieu" tax based on 2 percent would increase the over-all net tax yield from this category by approximately 30 percent merely by its completeness of coverage.

The committee recognizes that funds obtained from an "in lieu" tax should not remain with the State but that they should be returned to the counties. The committee feels further that when so returned such funds should be earmarked for the purpose of improving and augmenting aviation facilities.

To best accomplish this purpose, it is the belief of this committee that an aircraft fee, in lieu of a county ad valorem tax, should be imposed; that the administration of the fee should be made a responsibility of the State Board of Equalization; that the moneys received, less administrative expense, be distributed between the counties on the basis of C. A. A registration. It is estimated that based upon a 2 percent collection this proposal will immediately produce a revenue of not less than $300,000 per year.

STATE REGISTRATION OF AIRCRAFT

Witnesses testifying before the committee on the subject of personal aircraft taxation demonstrated that the idea is widespread that an "in

lieu'' tax goes hand in hand with the registration of aircraft at the state level. Certain witnesses were of the opinion that the benefits of an ''in lieu'' tax would vanish when considered in the light of duplication of federal registration of aircraft. It is to be noted that registration at the state level would in no way excuse an owner from federal registration.

Representatives of the California Aeronautics Commission presented in evidence a study prepared by them entitled ''Staff Study of Necessity for State Registration of Aircraft.'' This paper includes a statement of the discrepancy existing between the assessment and registration which has been previously discussed and concludes * * * ''a proper remedy can only be effected through legislation requiring registration of aircraft at the state level and the imposition of a state operation or license fee in lieu of taxes.'' Together with the above there was presented a suggested addition to the Aeronautics Commission Act to be known as Section 15 which would require the registration of aircraft at the state level.

The Director of Aeronautics, in his testimony made the point that the principal advantages of state registration were two: (1) administration of an ''in lieu'' tax and (2) identification of aircraft in violation for law enforcement purposes.

Your committee, however, is of the opinion, based on further testimony of the Director of Aeronautics that sufficient information for these purposes is currently being supplied to the State by the Federal Government. A portion of this testimony follows:

COLONEL CAREY: In other words, title is investigated in the Civil Aeronautics Administration in Washington as differentiated from our pink slips in automobiles on the state level. The C. A. A. maintains an I. B. M. card system of ownership corrected monthly. Our office receives duplicate cards on the ownership records in Washington. On that basis, the registered ownership in California as of last June 1st, I believe, was 10,500 odd airplanes, most of which are in the category that we hear described as private or personal aircraft. That includes, of course, the flying school aircraft and everything other than certificated carrier aircraft.

COLONEL CAREY: We are supplying the sheriffs of each county with a list, current as of the latest revision of the federal I. B. M. cards, and we are keeping them as current as possible. We get corrections each month. We are furnishing each sheriff with the registered owners in his county. With that aid it should not be difficult for them to track down a local offender.

We are also providing a central source in the California Highway Patrol Headquarters, and we are telling each one of these people that he can check on numbers outside of his county—those that don't appear on his list—by reference to the state teletype system.

MR. WATERS: What information does the C. A. A. have on individually registered planes?

MR. DERHAM: Every aircraft must be registered with the C. A. A. before it can be flown.

MR. WATERS: What constitutes registration? What information do they require?

MR. DERHAM: Mr. Carey, would you answer that question?

COLONEL CAREY: With the permission of the chairman. The registration at the federal level consists of a recording of the title to the aircraft as it does in the case of the automobile at the state level in the recording of the bill of sale, which results in a certificate of title known as the pink slip. The Federal Government issues a somewhat similar issue of title, and assigns an identification number to the airplane which is painted on the under side of one wing and the upper side of another, and both sides of the vertical fin. That identification number stays with the airplane.

MR. WATERS: What information goes on this bill of sale? Do they want the type of airplane, the name, etc?

COLONEL CAREY: A complete description.

MR. WATERS: What is the complete description they have, and what subsequently comes down to your office through this I. B. M. card?

COLONEL CAREY: I can't give you off-hand all of the information that may be derived from the I. B. M. cards, but we have two sets of cards. One gives the owner's name and address. It starts with that information. It describes the aircraft, make, year and model, the engine make, year and model, and other information of that nature. Then there is another set of cards that comes through that relates to the aircraft alone. On one of those sets the address is brought down to the county and city, and they may be sorted for a total by cities and counties.

It is to be borne in mind that at the time of passage of the California Aeronautics Commission Act authorization to register and license aircraft and airmen was specifically omitted from the act. The thought being that these functions were performed adequately by the C. A. A. and that entrance into this field was unnecessary and functionally unsound.

At the hearings held by the committee the proposal that the Aeronautics Commission should duplicate the federal function of aircraft registry was attacked as being unnecessary. We quote a portion of the testimony of Mr. Richard B. Thurber, Executive Secretary of the California Aviation Trades Association.

MR. THURBER: I have also heard the statement that the Federal C. A. A. recordation of aircraft and registration of aircraft lags and is behind schedule and is behind time I have some of our people here in the room this afternoon, and I just asked some of them what kind of service they were actually getting out of the Federal Government in the way of title search, ownership, lien recordation, and things of that kind, and I was interested to learn, and you will be interested to know that title searches may be had from Washington, D. C. in eight hours time out here in California. And, if we can get a title search in eight hours, then we as an industry feel that the way the Washington Office of C. A. A. is recording these is entirely adequate.

MR. THURBER: Now, the California Aviation Trades Association favors an "in lieu" tax if that "in lieu" tax will result in an overall reduction in tax from the many counties where we feel the tax is unusually high. We take a somewhat unusual position, however, in that we also feel that contrary to common thinking, an "in lieu" tax on aircraft does not necessarily require state registration of aircraft.

In the light of the foregoing facts the committee is of the firm conviction that the registration and the administration of an "in lieu" tax of aircraft by the California Aeronautics Commission would impose

a function on that body that it was not intended that they perform, that information currently available to the State is sufficient to serve the public need adequately if properly disseminated and that the Board of Equalization should administer an "in lieu" tax if adopted on the basis of C. A. A. registration information supplied to that agency by the Aeronautics Commission as required.

CODIFICATION OF AVIATION LAW

The committee was advised that the original objective of the California Code Commission was the development of some 33 codes of which aviation was to be one. Later the figure was reduced to 24 codes, at which time it was planned to include material relating to aviation in the Vehicle Code and in the Streets and Highways Code. This was based on the theory that an airplane is a vehicle and an airport is similar to a street or highway. This thinking has changed. Both codes are virtually complete but aviation is not included in either.

Aviation has developed tremendously since the second decision was made. Much aviation law has been enacted and more will probably be enacted in the near future. There follows a list of existing laws prepared for the California Aeronautics Commission:

State Legislation, in Addition to Chapters 1379 and 1378, Statutes of 1947, Concerning Aviation, Air Navigation and Airports

I. California Airport District Act.
   Deering Act 150—1929 Statutes, page 1857; amended by 1945 Statutes, Chapters 1263 and 1272.

II. A Municipal and County Airport Law.
   Deering Act 149, Statutes 1927, page 485; amended by Statutes 1939, Chapter 461.

III. Monterey Peninsula Airport District Act.
   Deering Act 153—Statutes 1941, page 684; amended by Statutes 1943, Chapter 343.

IV. Aviation Education Program Act.
   Deering Act 153b—Statutes 1945, Chapter 1440.

V. Other legislation relating to aviation:
   1. Cession of state lands to Federal Government.
      Deering Act 152, Statutes 1933, page 2215.
   2. Rendition of county aid to cities improving their airports.
      Deering Act 153a—Statutes 1941, page 1375.
   3. County may provide for airports.
      Political Code 4056 (c).
   4. Eminent domain.
      Code of Civil Procedure 1238 (20).
   5. Procedure for acquiring and protecting air space above airport district.
      Code of Civil Procedure 1239.2 and 1239.4.
   6. Lease of land by airport district for mining.
      Public Resources 7051 and 7056.
   7. Municipalities may lease land for airports.
      Civil Code 718c.
   8. Power of irrigation districts to acquire, conduct, foster, etc. airports.
      Water Code 22140-22146, inclusive.

9. Land granted by the State to Oakland for harbor purposes may be used for airport.
   Statutes 1943, Chapter 607.
10. Local authorities may regulate traffic on privately owned roads bordering airports.
    Vehicle Code 459.3.
11. County aid to the United States for airports.
    Statutes 1947, page 1586.
12. County aid for municipal airports.
    Statutes 1947, page 42.
13. County airports.
    Statutes 1947, page 1136.
14. Granting of tidelands in San Mateo to San Francisco.
    Statutes 1947, page 2048.
15. Trespass on airports devoted to military duty.
    Statutes 1947, page 962.
16. Establishment of Institute of Transportation and Traffic Engineering at the University of California.
    Statutes 1947, page 3231.
17. Establishment of wind tunnel at San Diego State College.
    Education Code 20503.
18. Courses for study of aeronautics.
    Education Code 10605.
19. Herding game birds with aircraft (unlawful).
    Fish and Game Code 1170.
20. Shooting from aircraft (unlawful).
    Fish and Game Code 1152.
21. Releasing balloon with burning material attached (misdemeanor).
    Penal Code 384b.
22. Taking aircraft without authority.
    Penal Code 499b.
23. Prohibition of landing planes in wilderness or wild area.
    Statutes 1947, page 2303.
24. Professions for operators of airplanes pest control.
    Agricultural Code 150.
25. Aircraft defined.
    Agricultural Code 286.
26. Trust receipt transactions on aircraft.
    Statutes 1947, page 168.
27. Aircraft insurance.
    Insurance Code, Sections 118, 3011, 3013, 17, 605(e), 11,603, 12,053, 12,110, and 12,111.
28. Sales tax exemptions.
    Revenue and Taxation Code 6382 and 6382.1.

It is the opinion of the committee that aviation law of the State should be codified at the earliest possible date. A request has been addressed to the Code Commission to that effect.

OPERATION OF THE CALIFORNIA AERONAUTICS COMMISSION

Section 2 of the act which established this agency declares "that the purpose of this act is to further and protect the public interest in aero-

nautics and aeronautical progress: by encouraging the development of private flying and the general use of air transportation; by fostering and promoting safety in aeronautics; by effecting uniformity of the laws and regulations relating to aeronautics consistent with federal aeronautical laws and regulations; by granting to a state agency such powers and imposing upon it such duties that the State may properly perform its functions relative to aeronautics and effectively exercise its jurisdiction over persons and property within such jurisdiction, assist in the development of a State-wide System of Airports, encourage the flow of private capital into aviation facilities, and cooperate with and assist the political subdivisions of this State and others engaged in aeronautics in the development and encouragement of aeronautics; by establishing only such regulations as are essential and clearly within the scope of the authority granted by the Legislature, in order that persons engaged in every phase of aeronautics may so engage with the least possible restriction consistent with the safety and the rights of others; by providing for cooperation with the federal authorities in the development of a National System of Civil Aviation and for coordination of the aeronautical activities of those authorities and the authorities of this State."

The commission has then, in general, four functions—Planning Coordination, the Promotion of Aviation, Advisory Assistance and, only to the extent necessary to carry out these three functions, Regulation. Their approach must be state-wide, not local, in considering how best they can assist in effectuating legislative policy; they must assist in the orderly development of aviation in the State; the things they are called upon to do constitute a necessary function of State Government, yet they must remain clearly within the scope of the authority granted by the Legislature.

To determine the commission's own appraisal of its activities, the committee requested a report of the work accomplished in its first year of operation. In response the committee received the following statement from the Director of Aeronautics:

1. Chronology

1947

June 21—State Aeronautics Commission Act approved by Legislature.

July 11—State Aeronautics Commission Act approved by Governor. (California became the forty-third state to establish a state aviation agency.)

Oct. 30—California Aeronautics Commission members named by Governor.

Nov. 13—First meeting of California Aeronautics Commission at Sacramento for organizational purposes.

Dec. 8—Commission met at Fresno to select the first member of its staff—the Director of Aeronautics.

Dec. 15—Director W. E. Carey reported at Sacramento.

Dec. 15-28—Tentative organizational chart and 48-49 budget prepared and submitted.

Dec. 29—Tentative organization and 48-49 budget approved by commission and first attention given to commission's program.

1948

Jan. 2-16—Position specifications prepared. (Six new specifications.)

Jan. 5—*First temporary employee* selected. (Chief, Aeronautical Development.)

Jan. 24—Five position specifications approved by Personnel Board.

Jan. 15-30—Temporary Sacramento Office established and equipment orders processed.

Feb. 27—Air Cargo Project Committee approved by commission as its first major undertaking.

Feb. 28—Sixth Personnel Specification and two revised specifications approved by Personnel Board.

Mar. 12—Air Cargo Project Committee organized—60 industry representatives as members.

Mar. 3—*Second temporary employee added*—Field Representative—Derham.

Mar. 8-16—Civil service examinations advertised.

Mar. 25—*Third temporary employee added*—Air Safety and Enforcement Representative—Elliott.

Apr. 1—Air Marking and Enforcement Program Inaugurated.

Apr. 15—*Fourth temporary employee added*—Field Representative—Harding.

Apr. 19—Burbank Branch Office opened.

May 20—Civil service examination for Chief, Aeronautical Development.

June 8—Civil service examination for Field Representative and Air Safety and Enforcement Representative.

June 19—Moved into permanent quarters in Sacramento.

June 22—Civil service examinations for three engineering positions.

June 28—Commission held first informal hearing on proposed regulations to govern selection of airport sites.

July 1—Air Cargo Institute of California, Incorporated.

July 1—Compendium of California Aviation Law published.

July 6—*First probationary appointment* made—Lantz.

Aug. 25—Second probationary appointment made—Elliott.

Sept. 1—Third probationary appointment made—Derham.

Sept. 20—Fourth probationary appointment made—Black.

Sept. 27—Fifth probationary appointment made—Supervising Airport Engineer, R. L. Webb.

Oct. 1—Airport Development Program launched with first projects relating to Bay Area Master Plan and San Mateo County Airport Project. Airport Directory Project also initiated.

Oct. 3-10—Director attended annual meeting of National Association of State Aviation Officials, first opportunity for exchange of ideas and programs.

Oct. 22—Airport Advisory Committee organized to aid in developing State Airport Program.

Oct. 25—Commission moved to adopt first regulations relating to the establishment of new airports in the State under Section 17 of the act.

Nov. 1—Air Marking and Enforcement Program launched in Southern California with the appointment of a second Air Safety and Enforcement Representative.

Nov. 15—Initiated program to coordinate agricultural uses of aircraft in the State.

2. Functional Analysis of the Act (Chap. 1379, Stats. 1947)

The operational functions assigned to this agency by the State Aeronautics Commission Act fall generally into three divisions, as shown below, which suggest the form of Staff Organization required to carry out those functions.

(a) Development

Encourage the *development* of private flying and the general use of air transportation. (Sec. 2.)

Cooperate with and assist political subdivisions and others engaged in aeronautics in the *development* and encouragement of aeronautics. (Sec. 2.)

Cooperate with federal authorities in the *development* of a National System of Civil Aviation and coordinate state and federal activities. (Sec. 2.)

Represent the State in aeronautical matters before federal and other agencies. (Sec. 5c.)

(b) *Air Safety and Enforcement*

Foster and promote safety in aeronautics (Sec. 2).

Effect uniformity of laws and regulations relating to aeronautics consistent with federal laws and regulations (Sec. 2).

May make, promulgate and amend general or special rules, regulations and procedures and establish minimum standards (relating to aeronautics) (Sec. 12a).

Shall provide for the publication and general distribution of all its orders, rules, regulations and procedures having general effect. (Sec. 12d).

"Shall be the duty of the commission, its members, the director, officers and employees of the commission, and every state and peace officer charged with the enforcement of state and subordinate laws or ordinances, to enforce and assist in the enforcement of this act and all rules, regulations and orders issued pursuant thereto and of all other laws of this State relating to aeronautics." (Sec. 21a).

May assist the political subdivisions of the State and their law enforcement agencies in becoming acquainted with and enforcing the Civil Air Regulations and any current revisions thereof. (Sec. 5d).

Shall have the power to hold investigations, inquiries and hearings concerning all matters covered by this act or rules and regulations issued thereunder—and concerning accidents in aeronautics in this State. (Sec. 18a).

(c) *Airport Engineering*

Empowered and directed to encourage the establishment of airports and air navigation facilities (Sec. 4).

Encourage the flow of private capital into aviation facilities (Sec. 2).

Assist in the development of a State-wide System of Airports (Sec. 2).

May make available its engineering and technical services to any political subdivision or person in connection with planning, acquisition, construction, improvement, maintenance or operation of airports or air navigation facilities. (Sec. 6a).

Authorized to provide for the approval of airport sites and the issuance of airport permits and to promulgate rules and regulations covering such approvals and permits (Sec. 17a).

Authorized * * *, out of appropriations and other moneys made available for such purpose, to plan, establish, construct, enlarge, improve, maintain, equip, operate, regulate and protect airports and other air navigation facilities (Sec. 7a).

The foregoing functions and many other similar provisions of the law form the basis for the following staff organization.

3. Staff Organization

Director with three operating and one administrative staff divisions as follows:

Director and Secretary	2 Positions
Aeronautical Development Staff	5 Positions
Chief of Aeronautical Development Staff and Secretary	
Field Representative—Sacramento	
Field Representative—Burbank	
(Field Representative—Bay Area—Future)	†
Air Safety and Enforcement Staff	2 Positions
Air Safety and Enforcement Representative—Sacramento	
Air Safety and Enforcement Representative—Burbank	
Airport Engineering Staff	8 Positions
Supervising Airport Engineer and Secretary	
Airport Design Engineer—Sacramento	*
Airport Planning Engineer—Sacramento	*
Delineator—Sacramento	
Airport Design Engineer—Burbank	*
Airport Planning Engineer—Burbank	*
Delineator—Burbank	*
Administrative Services Staff	7 Positions
Administrative Assistant—Sacramento	
Associate Statistician—Sacramento	
Secretary for above two—Sacramento	
Intermediate Account Clerk—Sacramento	
Intermediate Stenographer-Clerk—Sacramento	
Intermediate Stenographer-Clerk—Burbank	
Intermediate Stenographer-Clerk—Bay Area Office—Future	†
Total	24 Positions

† Positions (2) not filled until Bay area office is considered justifiable.
* Engineering positions (5) not filled account lack of qualified applicants. Total seven positions not filled.

4. Staff Recruitment

(a) *Special Technical Positions*

The act required that all positions on the staff, other than the director, shall be selected under the Civil Service Laws of the State.

The twenty-three (23) positions thus created consist of twelve (12) clerical positions for which position classifications were established from the outset and eleven (11) special technical positions for which no suitable position classifications existed at the inauguration of the staff. This may be explained by the fact that no state agency had existed previously which required position classifications relating to similar phases of aeronautics.

The 11 technical positions and six new classifications involved were:

Chief of Aeronautical Development	1
Field Representative	3
Air Safety and Enforcement Representative	2
Supervising Airport Engineer	1
Airport Design Engineer	2
Airport Planning Engineer	2
Total	11

For these 11 technical positions it was necessary, therefore, to write six new sets of position specifications, and secure Personnel Board approval thereto before even temporary employees could be appointed. Following this it was necessary to announce examinations, review applications, hold written examinations, grade the results, arrange and hold qualification appraisal board hearings and finally develop eligible lists from which probationary appointments could be made. This process required six months and until it was completed no reasonably permanent staff could be recruited.

It was considered inadvisable to initiate the field work of the commission with a full staff of temporary employees due to the probability that employees thus selected and indoctrinated would be displaced in subsequent examinations. Moreover, the confusion which would be created in the industry by the introduction and subsequent replacement of any appreciable number of temporary employees would prove highly detrimental to the program and extremely wasteful of state funds.

For these reasons, only the most urgently needed technical employees were appointed on a temporary basis and these were carefully selected from among available applicants for examination in order to assure continuity of service insofar as possible. A maximum of four (4) such temporary technical employees were appointed. (Other temporary appointments were also made in clerical classifications where eligible lists were depleted temporarily.) It was not until August and September that eligible lists for technical positions became available to permit the selection of a reasonably permanent staff. Only one temporary employee was displaced by these lists.

However, the first series of examinations failed to produce eligible lists in the classifications of Airport Design and Airport Planning Engineers and to date it has been impossible to recruit temporary

employees in these categories. A second series of examinations is scheduled for early December and a nominal number of applications have been received.

The problems attendant to staff recruitment are illustrated by the following tabulation.

(b) *Progress in Assembling Staff*

1948 Date	Staff Positions Authorized	Temporary Appointees	Probationary Appointees	Permanent Appointees	Positions Filled	Positions Vacant
Jan. 1st	21	--	--	1	1	20
Feb. 1st	21	1	1	1	3	18
Mar. 1st	21	2	1	3	6	15
Apr. 1st	21	4	1	3	8	13
May 1st	21	7	1	3	10	11
June 1st	21	8	1	3	12	9
July 1st	24	6	3	5	14	10
Aug. 1st	24	5	4	6	15	9
Sept 1st	24	3	7	6	16	8
Oct. 1st	24	--	10	6	16	8
Nov. 1st	24	--	11	6	17	7

Seven (7) positions shown above as vacant November 1st are vacant for reasons shown at close of Paragraph 3.

5. Projects Undertaken

(a) *Aeronautical Development*

(1) Air Cargo Project—An industry-wide committee intended to attack the obstacles to more rapid development of California's Air Cargo potential. Has led to the formation of the Air Cargo Institute of California, Inc., a nonprofit cooperative organization of aviation and agricultural interests with same objectives.

(2) Highway Sign Posting—Securing cooperation of Division of Highways to provide suitable directional signs to all public airports in State. Program nearing completion.

(3) G. I. Flight Training—Commission has given support to industry efforts for more effective administration of aviation phases of G. I. Training Program and is now undertaking to aid State Department of Education in broadening the field of aviation training available to veterans.

(4) Agricultural Aircraft Operation—Commission has interested itself in the many problems—operational and legislative—relating to the aerial application of insecticides, fungicides and weed control media and is undertaking to provide clearing house service on such matters and act as a coordinating agency.

(5) Air Age Education—Broadening of Air Age Education to include adults is being discussed and planned in cooperation with the State Department of Education and Civil Aeronautics Administration.

(b) *Air Safety and Enforcement*

(1) Compendium of Aviation Law—A first project was the preparation and publication of a brochure containing all laws relating to aeronautics now on California statute books. This was considered basic to the commission's program. Over two thousand copies printed and distributed to prosecutors, chiefs of police, sheriffs and other law enforcement organizations.

(2) Enforcement Program—An active program has been underway for six months to assist and educate law enforcement officers on the California and federal laws and regulations relating to aeronautics and their duties thereunder.

(3) Enforcement Manual—As an aid to the enforcement program this manual has been prepared to provide each peace officer in the State with accurate data on Civil Air Regulations, crimes thereunder, methods of filing complaints, securing evidence and prosecuting offenders. Manual now in galley proof stage.

(4) Air Marking Program—As an aid to air safety, the commission is attempting to secure the cooperation of local interests in gridding the State with standard air markers and/or roof signs to facilitate safe navigation of California skyways. Signs have been pledged by 100 committees through staff activities—the expense thereof to be borne locally.

(5) Aircraft Ownership Records—These records secured from C. A. A. in Washington are being disseminated to interested agencies throughout the State, particularly law-enforcement agencies.

(c) *Airport Engineering*

(1) Reprint of "California Airports"—To aid in an appreciation of California's Airport Problem this 1947 Master Plan was revised and reprinted by the commission for wider distribution.

(2) San Francisco Bay Area Airport Plan—This document was prepared by the commission and printed at the request and expense of the Bay Area Council to invite attention to the need for active consideration of airport problems in the Bay area. Subsequently the staff has cooperated with local planning agencies in a further study of Bay area requirements.

(3) Airport Directory and/or Map—The commission has authorized the preparation of an accurate Directory of California Airports to encourage air travel in the State. Compilation of necessary information has been underway for three months and is nearing completion.

(4) Cooperation With Local Agencies—Although the Airport Engineering Staff is still incomplete it has furnished information to several political subdivisions on airport problems, aided in engineering estimates, site selection and preparation of applications for federal aid. Requests for such aid exceed available personnel.

(5) State Airport Master Plan—Notwithstanding incomplete staff, attention is being given to a revision of the two-year-old Master Plan of Airports for California. Local planning agencies are being encouraged to prepare and adopt master plans.

(d) *Administrative Staff*

(1) Airport Regulations—Pursuant to Section 17 of the act, the commission has prepared and coordinated in the industry, regulations designed to cover the approval of airport sites and the issuance of airport permits. Public hearings have been held thereon and the regulations are now nearing completion.

(2) Legislative Program—An attempt has been made to provide a clearing house for the collection and dissemination of information on proposed legislative issues. This is intended to be an educational and coordinating service designed to provide the Legislature with industry viewpoints on proposed measures.

(3) Tax Study—A complete study has been made of the methods of assessment of aircraft as personal property in the several counties of the State with report to the Legislature.

(4) Fuel Tax Refunds—A study to determine the annual volume of aviation fuel sales taxed in California, the annual refunds made (by counties and airports) and the annual amount of unrefunded aviation fuel tax now remaining in the Highway Fund has been undertaken and a report thereon made to the Legislature. This study is continuing to secure more authentic information.

(5) Evaluation of the Aviation Industry—A study has been initiated to determine the over-all value of the aviation industry to California measured in terms of capital investment, employment, wages, and taxes paid and value of associated industries. Conservatively, aviation is a billion dollar industry in California.

(6) News Letter—To acquaint the industry with the program of the commission and provide a medium of contact with all aviation interests, a periodic "News Letter" has been inaugurated which has met with wide acclaim.

(7) Correspondence—Currently the commission's offices receive over five hundred letters per month and dispatch over one thousand letters and releases in the same period

The foregoing items constitute only a partial list of the projects and activities undertaken by the commission under the broad powers of the act which created it, as enumerated in Paragraph 2 hereof. In less than nine months the program has progressed from absolute zero to a vital force designed to serve this major California industry which has such a promising future. Each passing week provides new evidence of the opportunities for such service and the need for a state agency devoted to aviation.

6. Budgetary Data

(a) *Appropriations and Expenditures*

	1947-48		*1949-50*	
	Budgeted	*Expended*	*Budgeted*	*Extended to Oct. 1 (4 Months)*
Salaries and Wages	$26,400		$105,837	
Less Estimated Savings	6,000		3,900	
Net—Salary and Wages	20,400	$20,789	101,937	$20,800
Operating Expenses	11,784	15,019	63,696	11,407
Equipment (Capital)	48,597	44,721	3,213 *	645
Total Allotment or Expense	80,781	80,529	168,846 *	32,652
Unallotted Balance	27,969		20,000	
Savings		28,221		unknown
Total Appropriation	$108,750	$108,750	$188,846	

* Aircraft purchased under 1947-48 Budget reduced these items $20 000 by transfer of that amount to unallotted balance

(b) *Expenditures and Capital Investment to Oct. 31, 1948*

Item	*F.Y. 1947-48 Jan.-June 1948*	*F.Y. 1948-49 July-Oct. 1948*	*Total First 10 Months*
Salaries	$20,789	$20,600	$41,389
Operating Expense	15,019	11,407	26,426
Office	2,881	990	3,871
Printing	3,380	422	3,802
Travel—Staff	2,132	2,239	4,371
Travel—Commission	2,616	997	3,613
Telephone and Telegraph	237	390	627
Postage	765	405	1,170
Auto Operation	754	249	1,003
Airplane Operation	-	1,805	1,805
Rent	670	2,860	3,530
Accounting Service	1,334	1,029	2,363
Subscriptions	250	21	271
Equipment	44,721 †	645 †	45,366 †
Office	13,604	551	14,155
Engineering	850	60	910
Automobiles	6,910	-	6,910
Airplanes	21,507	34	21,541
Parachutes	1,850	-	1,850
Total Expenditures	$80,529	$32,652	$113,181

† These items totaling $45,366 or 40 percent of total expenditures to date represent nonrecurring capital investments

It will be noted that one part of the Director of Aeronautics' report stresses delays in staffing the agency and the inability to obtain the services of qualified engineering personnel. From this, it may be expected that the work of the Aeronautics Commission has lagged, or at least not moved forward as rapidly as might be hoped.

As a practical matter the Aeronautics Commission has not yet become the potent factor in the development of aviation in California that it was intended that they should Your committee feels that it is incumbent upon them to report to the Legislature not only the aims and plans of the Aeronautics Commission but the observable results and factual accomplishments of that body to date.

It is not the intention of your committee to minimize the value of the various reprints of previous work by other state agencies, the publication of three issues of a news letter, "lending support" to various aeronautical programs, but the committee does feel that their significance has been somewhat overemphasized in the Director of Aeronautics' report if we are to consider at this time the observable over-all benefit to the State of California aviation-wise.

In the matter of over-all planning and advisory assistance with local aeronautical problems it must be observed that constructive results in these fields are not yet apparent on a state-wide basis

The formation of the Air Cargo Project Committee on the other hand, it is felt, was a very well conceived and potentially beneficial undertaking. The Air Cargo Project Committee which was sponsored by the Aeronautics Commission was the precursor of the present Air Cargo Institute of California, a private nonprofit corporation. The Chairman of the Aeronautics Commission has advised this committee that in their opinion they have carried the project as far as is proper for them.

Now that the institute has become a corporate entity it is the feeling of the Aeronautics Commission that the organization should move forward of its own motivation Naturally the commission's interest in the basic objectives of the institute have not waned but they have elected to assume a role of participation in the work of the institute rather than a role of direction.

At the direction of the commission the administrative staff prepared a set of proposed regulations governing the issuance of airport permits and airport site approvals the first draft of which was presented at a public hearing on June 28th of this year. Unfortunately this proposal was not well received by the aviation industry or the political subdivisions of the State as represented by the League of California Cities and the County Supervisors Association of California.

It appears that the basic objections are:

(1) The regulations as proposed would have an inhibiting effect on airport development.

(2) The regulations are an encroachment on the sphere government enjoyed by the cities and counties in local planning and zoning.

(3) That the entrance into this field is not mandatory upon the Aeronautics Commission under the Aeronautics Commission Act and that their entrance into the field at this time is ill advised.

(4) That the move represents an inclination to regulate and control in contradistinction to coordination, planning and assistance.

In order to resolve these differences of opinion existing between the Aeronautics Commission on the one hand and the industry and local government on the other, the commission acted on a suggestion offered by certain industry representatives that an advisory committee be formed representing the various interested groups to work out an amicable compromise.

This principle has been very effectively applied. As of this writing a compromise set of regulations has been devised which is acceptable to the members of the advisory committee in the event that entrance into this field of regulation is incumbent upon the commission.

An opinion from the Attorney General has been requested to resolve that question. In this connection the Chairman of the Aeronautics Commission in a joint meeting with your committee expressed a desire that the situation be clarified by legislative action. The chairman stated very strongly that the commission had no desire whatsoever to become a regulatory body other than as required of them under the act.

It is the opinion of your committee that members of the Aeronautics Commission have a very excellent viewpoint and appreciation of their function which is probably best stated by Dr. Fred D. Fagg, Chairman of the Commission:

"So far as policy is concerned, I would like to say that we have interpreted the act under which we operate as being primarily promotional in nature. In other words, we have been given a duty, we believe, to help encourage aviation in the State of California. Wherever there has been a regulatory function imposed on the commission, we have assumed that if we exercised that power properly it would be an aid of aviation development, and that we were not a regulatory body for regulation sake.

Basically we felt the duty cast on this commission has been one of promoting and encouraging aviation development in the State in all

phases. One of the ways in which that will work out and manifest itself will be by the provision of a technical staff on behalf of the State to help either individuals, municipalities or other political subdivisons of the State in their aviation activities, and there is a nice question as to just where we are welcome and where we are not welcome in that set of promotional activities. But it is quite clear if you look at the number of requests that have come to this commission that in the minds of a large number of people there is a function to be performed by an agency at the state level that is not performed by any other single agency in the State.

Now, if that be the basic philosophy behind the policy of the legislation set-up, let's come now to some specifics that we have tried to operate under. The first attempt to get into the regulatory field on the part of the commission has concerned that of airport regulation, the giving of a temporary field approval and later a permanent approval to airports in the State. We have found clear differences of opinion as to what the legislation actually says, and what it means, and to that extent I wish that you people, with what help we can give you, and with what help you can get from any other area, would help us interpret the basic act that we operate under.

It developed right at the outset when we began to have hearings that the county groups felt that in the first place this act was written in the permissive form only, and that no duty was cast upon the commission to do anything in the way of either issuing site approvals or permits, and that particularly if we construed this as being mandatory we were without jurisdiction whenever it came to a matter of county airport authorities as a political subdivision, and I think that is a difference of opinion in good faith.

In the opinion I gather of the Attorney General's Office, at least in an informal way, the State not only has the authority but should act with the broad basic purpose of safety aviation in mind. We have been so slow in trying to promote any regulations in order to be sure that we didn't make a fundamental mistake or diplomacy or legislation that to date we have not yet issued any formal regulations. That can be construed as a defect in the commission's willingness to act. It has been our opinion that we should in the first months go sufficiently slowly, that we were pretty sure of our position before we stumbled into difficulty with any agency, because we know perfectly well that we need the support of these agencies, as well as they need our help. And so I will say we are risking a criticism of not doing anything by being doubly sure that anything we do in the field is not only bottomed on a correct interpretation of the law, but what was really in the minds of the people when they wrote this legislation, and that is one place where we would welcome the help either of the legislative group or an interpretive group through the Attorney General's Office."

That the State of California is destined to prosper immeasureably by virtue of the development of its aeronautical potential is without question. That the direction of this development must be applied to the entire State as a unit is equally apparent, and it is the firm belief of your committee that a suitable statutory framework was provided for the purpose at the last session in the California Aeronautics Commission Act. The Legislature recognized that an undertaking of this nature to be effective must be adequately provided for financially. Your committee has given

a great deal of thought and consideration to the proper source of funds for the support of the commission. On the basis of this study this committee is firm in the conviction that the expense is a proper one for appropriation out of the General Fund.

The benefits to be derived from the existence of an aviation agency are of such nature as to affect the cultural and economic well-being of the entire State as a unit and is not for the benefit of any individual group

Further, in the interest of governmental efficiency it is felt that it is desirable for an agency of this type to come before the Legislature and justify by means of properly presented facts the appropriation requested It has been adequately demonstrated in the past that governmental agencies not subject to such budgetary control have a tendency to grow and perpetuate themselves in a manner which was not intended at the outset. In this connection we have the statement of the Chairman of the Aeronautics Commission that the agency anticipates no expansion in personnel for the next five years

It is with these thoughts in mind that your committee recommends to the Legislature that they recognize and continue to support the important functions which the Aeronautics Commission can perform as a planning, coordinating, advisory and regulatory body as presently constituted.

The legislative bodies of the State of California and many other states have been cognizant of these needs in the past and have been generous in their appropriations shown by the following tabulation:

State	*Year*	*Amount of appropriation*	*Source*
California	1948-49	$188,846	General Fund
	1947-48	80,781	
Colorado	1947-49	75,000	General Fund
Connecticut	1948-49	$23,185 (Mostly matching funds under Federal Airport Act)	General Fund
Delaware		No appropriation	
Florida	April 1, 1946 to July 1, 1948	25,000	General Fund
Indiana	1948-49	45,000	General Fund
Kansas	1948-49	20,000	General Fund
Kentucky	1948-49	50,000	General Fund
Louisiana		Funds for administrative expense included in appropriation for Department of Public Works	General Fund
Maine	1947-48	50,000	Fuel tax revenue
Maryland	1948-49	12,748 (Plus $125,000 matching funds under airport development program)	General Fund
Massachusetts		No amount indicated	General Fund
Minnesota		Unknown	Appropriation for administration of the Department of Aeronautics from General Fund
Mississippi	1948-49	40,000	One cent fuel tax
Missouri	1947	35,000	General Fund
Montana		No appropriation	
New Hampshire	1947-48	20,000	General Fund
New Jersey		No budget has yet exceeded $50,000 per annum	General Fund
New Mexico	1948-49	800	Aviation fees from aircraft licensing

State	*Year*	*Amount of appropriation*	*Source*
New York	1948	95,000	General Fund
North Carolina		1,500	General Fund
North Dakota	1947	18,000	General Fund
Ohio	1946	51,200	Unavailable
Oklahoma	1948	30,700	General Fund
Oregon		No annual appropriation	
South Dakota	1947-48	125,550	General Fund
Texas	1947	30,392	General Fund
Utah (fiscal years)	1947-48	250,000 (Earmarked for matching of local and Federal Airport Funds and General Funds)	
Vermont	1948	19,000	Fuel tax
Washington	1947-48	50,000 ($200,000 for matching funds)	General Fund
Wisconsin	1947-48	100,000	General Fund

In addition, the following states rely exclusively on General Fund appropriations, but no funds available:

Arizona	Illinois	Rhode Island
Arkansas	Iowa	West Virginia
	Nevada	

The committee is of the opinion that the work of the commission has been confined to the fields in which it is authorized to operate, that the commission has not exceeded its authority; and that the commission has partially carried out the legislative intent. The committee recognizes and asks that the Legislature recognize that the work of the commission has been handicapped by delays, inherent in setting up any new organization, and by difficulties in securing the services of qualified personnel. However, the first handicap has now been overcome; the second should be in the near future. The Legislature should therefore look for, and expect, greater accomplishment in 1949.

AIRPORT ZONING PROBLEMS

As has been previously remarked, the intrinsic and inherent long distance nature of aviation results in an interest in aviation facilities which extends far beyond local boundaries. This results in a demand for facilities which, to survive, must meet requirements in excess of local needs. It also results in a demand for facilities reasonably adjacent to the other economic and cultural activities of a local community. Further, it results in a demand for continuity in the operation of airports. Hence there is much more than local interest affected when adverse action, at the local level, results in the discontinuation of a local airport.

The fundamental question, from an aviation standpoint, is (1) the establishment of an airport where it will serve a useful purpose and (2) keeping it there. In this connection, it should be noted that there is no fundamental difference between the private operation of an airport and the public operation of such a facility save one very important factor—the publicly operated airport usually enjoys stability of location.

The privately owned airport is, as a rule, located on land which is leased for a relatively short term to protect the land owner from loss due to the enhancement of land values. Failure to negotiate a satisfactory renewal of the lease results in one of two actions, viz., the removal of the airport and its corollary activities to a location where the rental terms can be met, or the abandonment of the airport. If the operator owns the land in fee, this problem does not arise; he can further consolidate his

position by dedicating his runways and other landing and take off facilities to public use. In either instance the private airport operator faces other hazards to continue operation.

One of these is abatement proceedings. They usually develop and intensify as the surrounding territory becomes built up and as adjacent property owners, whose interests were acquired subsequent to the development of the airport, move into the area. This has happened frequently, as residential subdivisions approached the airport boundaries. It is due partly to the fact that the zoning ordinance, or land use map of the local planning agency did not allocate that part of the territory to airport use as is done in the case of land set apart for industrial use, for residential occupancy and for recreational purposes.

If a prospective home builder elects to locate his residence in an area set aside under the zoning ordinance or land use map for industrial purposes, he does so knowing full well the discomforts to living brought about by adjacent industrial establishments. He cannot, then, base an abatement proceeding on the grounds that he had no knowledge of the nuisance that might be caused him by additional industrial development. But because airport sites are not specifically so set out, the new owner does have recourse to abatement proceedings.

There is another hazard found by the airport operator which might be prevented by appropriate zoning or land use allocation. Under present practice the airport is usually located in an area zoned for "other uses," this being a catch-all phrase to cover many uses of the land, any of which would be "conforming uses." Thus the airport operator faces the possibility of encroachment by various types of activity, some of which, by the construction of buildings, erection of pole lines and similar development, bring about a hitherto inexistent hazard to flight or to safe take-off and landing. Because it is a "conforming use" the airport operator is powerless to act, whereas, had the land been zoned for airport use, the new developer would have been on notice that his proposed construction and its appurtenances might be enjoined as a "non-conforming use."

The basis for these disturbances is the fact that the land is not zoned for airport use, hence other persons may develop housing projects or industrial activities secure in the knowledge that the "land use" map authorizes such use of the land, while its use as a landing and take-off facility is, at best, a variance.

If the situation were reversed, i.e., if the land is zoned for airport use and a variance permit required before housing or industry could be located upon land zoned for airport purposes, reasonable stability might be obtained. Such action would serve notice on the prospective developer, housing or industrial, that his plans would have to take into consideration the continued existence of an already established airport or the possibility of the later establishment of such facility.

The actual working out of the problem, with all of its implications is, under existing law, a responsibility of local government. Yet, as has been stated, there is a demand for local airport facilities which extend far beyond county lines—hence a reason for state intervention. The committee believes that there should be legislation enacted requiring that zoning ordinances, to be valid, must contain the provision of suitable areas in which airports may be located as conforming uses or a finding that there is no area within the jurisdiction suitable for airport use. It

further believes that legislation should be enacted providing that after an airport has functioned as such for three years such operation is, prima facie, not a nuisance. It also believes that the Legislature should act to require that an airport operator be given notice before the filing of a suit to abate an airport as a nuisance and that the operator be given a reasonable time to correct the condition upon which the complaint is based.

Your committee offers these suggestions in the sincere belief that they will serve to meet an immediate and pressing need, that they will aid in preventing the further discontinuance of privately operated airports; and that they will aid aviation by maintaining existing facilities.

However, your committee believes that the question of the protection and preservation of airports, so vital to aviation yet involving other interests of any community as well, deserves much further study before the questions of air space, air easements, zoning, the exercise of the right of eminent domain, and similar problems may be completely resolved for the good of all the people and in the best interests of the public welfare.

AMENDMENTS AND ADDITION TO EXISTING LAW RELATING TO AVIATION

The committee has also considered various changes in, and additions to, existing law.

One relates to a suggested amendment to Section 14, Article I of the Constitution. This section of Article I as it now stands gives to any of the political subdivisions therein mentioned, the right in an eminent domain proceeding to take immediate possession and use of any right of way or lands to be used for reservoir purposes required for public use

Experience, both in this State and others, has demonstrated the necessity of amending this law so as to include, not only rights of way and lands to be used for reservoir purposes, but lands and easements sought to be acquired for airports required for public use.

Commenting on this subject the District Court of Appeal, Third District, in the case of *Alameda* vs *Superior Court of Napa County*, in its decision rendered May 26, 1944, remarked in substance: "Experience has shown that cities, in acquiring long stretches of rights of way for public purposes, were often held up by unreasonable and arbitrary owners who attempted to take advantage of a rule which required that cities could not go into possession prior to a jury actually fixing the compensation to be paid. As a result, in 1918, said Section 14 of Article I was amended to give the political subdivisions therein mentioned the right in an eminent domain proceeding to take immediate possession and use of any right of way, required for public use."

The court in closing stated "Since the immediate possession amendment as to right of way was added to the Constitution in 1918, said immediate possession clause has been further amended to include lands to be used for reservoir purposes, and it may well be that a still further amendment adding state, county and municipal airports would be highly desirable."

An addition to the Penal Code relating to injuring or tampering with aircraft has been proposed.

Section 504 of the Vehicle Code extends to the owners of vehicles protection from injuries to or tampering with such vehicles by making

such acts misdemeanors It is obvious that similar statutory protection is even of more importance to the owners of aircraft.

An addition to the Penal Code relative to the theft or unlawful operation or taking of aircraft has also been proposed.

Section 499b of the Penal Code declares the unauthorized taking of an aircraft for the purpose of temporarily using or operating the same to be a misdemeanor punishable by a fine not exceeding two hundred dollars, or by imprisonment not exceeding three months, or by both. Section 503 of the Vehicle Code, however, makes the taking of a vehicle, without the consent of the owner, and with intent to either permanently or temporarily deprive the owner of his possession of such vehicle, whether with or without intent to steal the same, a felony.

The Legislature, in determining whether an offense is to be regarded as a felony or misdemeanor, must take several factors into consideration, and in the case of theft the value of the property involved is normally one of the principal measures of the seriousness of the crime.

Apparently, however, the factor of value was disregarded when the Legislature classified as a misdemeanor the unauthorized taking of aircraft and it is believed that the permissible punishment is inadequate in view of the seriousness of the offense.

A further element to be considered in deciding the seriousness of the offense of "unlawful taking" is the fact that such takings are usually accomplished by a flyaway process and the offender, due to his inability to properly navigate the appropriated aircraft, becomes a menace to life and property.

Two recent instances of "unauthorized taking" of aircraft occurred in Los Angeles County, both of which demonstrate the inadequacy of Section 499b of the Penal Code In each case the culprits wrecked the airplanes involved and fled the jurisdiction. Since extradition does not lie for offenses classed as misdemeanors, law enforcement officers were powerless to do anything in the matter.

There has also been proposed an addition to the Civil Code relating to liability for injury or death of a nonpaying guest.

Section 403 of the Vehicle Code, in the absence of intoxication or wilful misconduct on the part of the driver, denies to guests accepting a ride in any vehicle upon a highway without giving compensation for such ride, a right of action for civil damages on account of injury to or death of such guest

A similar exemption was extended to the owners and operators of aircraft by the provisions of Section 11½, as added to the California Air Navigation Act by Statutes of 1933. The California Air Navigation Act, however, was repealed in its entirety by Chapter 1379, Statutes of 1947, so that the owners and operators of aircraft are presently without the protection extended by law to owners and operators of vehicles despite the fact that they are equally entitled to the same security.

While the enactment of a special code section possibly could be avoided by amending Section 403 of the Vehicle Code so as to include aircraft, it is felt that, in the interest of proper codification and further in view of court decisions to the effect aircraft are not vehicles, the proposed legislation should be set up as an addition to the Civil Code.

There has also been proposed an addition to the general laws to provide for labor and material liens on aircraft as a protection to vendors and mechanics engaged in work on aircraft.

Subdivision (b) of Section 23 of the State Aeronautics Commission Act requires the commission to maintain a record of convictions under Section 13 of the act, yet the commission, at present, has no means of obtaining the information needed to maintain the record. It is proposed to require municipal court judges or justices of the peace in whose court an offender is found guilty to cause a report of the conviction and sentence to be sent forthwith to the commission.

The foregoing proposals are simply extensions of existing law or the restoration of law inadvertently repealed. The committee believes that the changes herein outlined are justified and meritorious and recommends their enactment.

SUMMARY

In summation the results of the committee's studies and investigation are perhaps best set forth in a discussion of the program of legislation to be proposed by this body. The committee asks that this program be considered as an entity as each individual piece of legislation is keyed in with the others in such manner as to render consideration of the program as a unit essential.

The investigative work of this committee has compelled it to the conclusion that there are three distinct phases to the problem of widespread and economic development of aeronautical facilities in California. The committee is further convinced that these three phases must be approached concurrently.

With this thought in mind then the committee has founded its legislative program on three basic endeavors.

I. To identify and isolate those moneys currently being placed in the public treasuries of the State by the owners and users of personal aircraft by virtue of their ownership and use.

II. To apply these funds to aeronautical purposes in such a manner as to benefit those who have provided these moneys and in the general sense to invest, if you will, those moneys in the development of California's aeronautical potential with the specific expectation that moneys so invested will be returned many fold to the general good of the State through the more general use of aircraft as a mode of personal transportation. The overall benefit from both cultural and economic standpoints of an increased radius of movement of persons and property within the State has been so magnificently demonstrated by the highway system and the use of the private automobile that it hardly requires comment as a statement of principle at this time.

III. To facilitate the location of airports in such a manner as to provide the utmost utility for their users and the maximum service to the community consistent with good planning. To insure, to the extent reasonable, the continued existence of established airports insofar as abatement actions and approach protection are concerned. This based on the principle that airports which are open for the unlimited use of the public serve a public need and are therefore public facilities.

It would perhaps be of interest to examine the reasoning exercised by the committee in arriving at the particular provisions of their legislative program.

I

In the first category, the diversion of moneys paid by aircraft users to aeronautical purposes, this committee proposes the use of the unclaimed fuel tax refunds and an aircraft use fee in lieu of the county ad valorem tax. Your committee feels that a tax on aviation fuel is not a proper method of providing funds as the amount of fuel delivered into aircraft in this State has no direct relation to the use by these aircraft of aeronautical facilities but does believe that unclaimed refunds due aviation users should go to aeronautical rather than highway purposes.

So far as the non-air carrier aircraft of this State are concerned your committee feels that an aircraft use fee in lieu of the personal property tax on aircraft is a proper source of funds for aeronautical development. It is our opinion that moneys so obtained should be subvented in their entirety to the counties in proportion to C. A. A. aircraft registration within the counties.

By the application of such a fee in lieu of the ad valorem tax it is obvious that the counties suffer a reduction in total assessed valuation. In the main, however, your committee is convinced that the overall net tax yield to the individual county will be increased due to the inclusion, under this system, of the many aircraft throughout the State presently escaping taxation.

The several counties of the State recognize that they have a responsibility in the matter of aeronautical development. By the subvention of funds positively identified with aviation activity the county is automatically afforded a measure of this responsibility and is provided with the means to accept it.

II

On the subject of the application of these funds to aeronautical purposes your committee proposes the incorporation of an aviation fund in the accounting system of the counties and a discretionary fund for use by the Aeronautics Commission.

It is anticipated that the counties will have aeronautical programs embracing city, county and district developments and that a depository should be available at the county level for the receipt of funds from state, federal, and other sources.

In many instances a period of time will be required to build the fund to usable proportions hence the depository should be cumulative in nature.

It is recognized that in many instances the aeronautical needs of a given location will far surpass that locality's ability to provide for them.

By making accessible to aircraft the wilderness areas, parks, and beaches of this State marked social, cultural, and economic benefits accrue to the State of California as a whole.

Programs designed to serve the general good such as the provision of air navigation facilities are properly functions to be undertaken at the state level.

Your committee is firm in its conviction that in the light of the foregoing that the Aeronautics Commission should be provided with a discretionary fund to be used in accomplishing such endeavors of state-wide import. Such a discretionary fund should, however, be used only for developmental purposes and not administrative expenses.

III

The utility of aircraft is linked inextricably to the number of destinations available. It follows, therefore, that the key to the extended use of aircraft involves first the building of airports and, second, the maintenance of airports in being.

From the standpoint of the aircraft utility it matters little whether the airport at a selected destination is owned by a body politic or a private interest so long as it is available for the public use. As a practical matter the classification of airports as public or private is a matter of their availability for use and not one of ownership.

Your committee does not feel that it is economically feasible for the State and its political subdivisions to undertake to provide for all the airport needs of the State. It is evident, however, that many private interests are willing to invest in airports which would serve the general public. It is the opinion of this committee that a large segment of the airport requirements of the State would be provided by private capital if they were afforded some measure of statutory protection.

The legislative proposals of this committee will attempt in part to take cognizance of these facts by recognizing that an airport whose landing area is open to the unlimited use of the public is in fact a public facility. By virtue of an airport's existence for the use of the public and its contribution to the public weal as a part of the communities transportation facility, it is felt by this committee that its truly public aspects i. e., landing area and approach zones should be accorded appropriate standing in law as befits its public function.

RECOMMENDATIONS

The committee recommends:

(a) That the Legislature substitute an "in lieu" tax for the present ad valorem tax so far as it relates to aircraft, other than aircraft regularly flying in interstate or foreign commerce or by scheduled airlines; that the Board of Equalization be made responsible for fixing the value of aircraft for taxation purposes, for the collection of the tax and for the issuance of receipts of payment thereof; that the Controller be directed to disburse such funds in accordance with an agreed upon formula, and the counties be directed that when such funds are received they are to be expended solely for maintaining, improving or augmenting aviation facilities for nonair carrier aircraft within the county.

(b) That the Legislature take no action with reference to the state registration of aircraft which would duplicate federal occupation of this field.

(c) That the Legislature amend the motor vehicle fuel tax to require the Board of Equalization to obtain from oil companies information as to what proportion of gasoline on which tax is collected is sold for aviation purposes; require the Controller to establish a special fund into which

shall be deposited the amount of motor fuel tax collected on aviation gasoline, less refunds thereon, require the Controller to disburse such fund in accordance with a formula which would distribute 25 percent of such moneys to an Aeronautics Commission Discretionary Fund and 75 percent to the counties; require the counties to establish an "Aviation Fund" into which such moneys shall be deposited; limit the expenditure of such moneys to capital outlays for aviation purposes, prohibit its use for administrative expense, and authorize counties to pass on such moneys to cities to be expended by them for capital outlays.

(d) That the Legislature enact legislation directing each county to establish therein an "Aviation Fund" as a depository and that the Legislature specify the purposes for which moneys coming from the State and deposited in such fund may be expended. It is suggested that such purposes might include: Matching of funds under the Federal Airport Aid Act; purchase of easements and air rights for public use; air marking and navigational aids;

(e) That the Legislature define a public airport as an airport, publicly or privately owned, open to the use of all aircraft for landing and take-off purposes at a reasonable charge; require a contract that, for the period specified therein, non-commercial aircraft are to be permitted free use of the landing area; give public airports (as herein defined) the right to condemn the use of airspace for public airports; authorize cities and counties to acquire airspace, for public airports as defined herein.

(f) That the Legislature declare that in order for any ordinance providing for land use (zoning) to be valid, either (1) a provision must be made therein for suitable areas in which airports may be located as conforming uses or (2) a finding must be made that there is no area within the jurisdiction suitable for an airport site.

(g) That the Legislature provide that the existence and operation of an airport are prima facie not a nuisance after an airport has functioned as such for three years; provide for notice of filing suit for abatement of an airport be given the airport operator at least ninety days before such filing, provide for a stay of not less than ninety days, after a court finding that a nuisance exists, to permit the airport operator to correct the condition, if such correction can be accomplished.

(h) That the Legislature by resolution direct the California Code Commission to present to the 1951 Session of the Legislature a codification of aviation law.

(i) That the Legislature enact the changes in and additions to existing law relating to theft, unlawful use and similar subjects contained in the chapter relating to other changes and additions to existing law.

(j) That the Legislature memorialize Congress to defer the enactment of legislation with reference to the taxation of interstate carriers until after the subject has been further studied by the Committee on Airline Taxation of the National Association of Tax Administrators and until the states have had an opportunity to consider the enactment, by the individual states, of substantially uniform laws.

(k) That there be included in the duties of a future Interim Committee on Aviation, responsibility for surveying the responsibilities and activities of the California Aeronautics Commission to the end that, where necessary, appropriate changes in legislation be recommended to effectuate the purposes of that agency.

(*l*) That there be included in the duties of a future Aviation Interim Committee a directive to continue its study of zoning in relation to airports to determine whether additional legislation is necessary to bring about an equitable solution.

(m) That, in view of the continued rapid growth of aviation with its resulting problems and impact upon other phases of the economy of the State, there be established an Interim Committee on Aviation to report its findings and recommendations to the 1951 Legislature.

LESTER A. McMILLAN
CARL FLETCHER
W. S. GRANT
KATHRYN T. NIEHOUSE
LAUGHLIN E. WATERS

APPENDIX "A"

Registrations in California, by Counties

County	*Number of aircraft 1946*	*Percent relation to state total 1946*	*Number of aircraft July 1 1948*	*Percent relation to state total July 1 1948*	*Percentage increase over 1946*	*Percentage decrease under 1946*
Alameda	280	3.3%	413	3 88%	47 50%	
Alpine	--	--	--	--	--	
Amador	3	.03	2	.02	--	33 33%
Butte	44	.52	92	86	109.09	
Calaveras	3	.03	5	05	66 66	
Colusa	37	44	69	65	86 49	
Contra Costa	110	1.3	137	1 29	24.54	
Del Norte	1	.01	9	.08	800.00	
El Dorado	5	.06	13	12	160.00	
Fresno	235	2 80	311	2 92	32.34	
Glenn	33	.40	59	.55	78 79	
Humboldt	22	.26	59	55	168.18	
Imperial	95	1.10	138	1.30	45.26	
Inyo	42	.50	40	.37	--	4 76
Kern	205	2.44	393	3 69	42 93	
Kings	46	.54	78	.73	69.56	
Lake	9	10	24	.22	166.66	
Lassen	21	.25	24	.22	14 28	
Los Angeles	3,534	42.12	3,730	35 06	5.55	
Madera	22	.26	36	.34	63.64	
Marin	24	3	47	.44	95.83	
Mariposa	3	.05	3	.03	--	
Mendocino	11	13	8	36	245.45	
Merced	67	.80	132	1 24	97.01	
Modoc	17	.20	19	.18	11.76	
Mono	1	01	1	.01	--	
Monterey	--	--	140	1 31	--	
Napa	30	.36	55	.51	41.82	
Nevada	13	.15	21	.20	61.54	
Orange	218	2.60	287	2 70	31 65	
Placer	36	.42	45	.42	25 00	
Plumas	27	.32	38	.36	40.74	
Riverside	223	2.66	262	2.46	17.49	
Sacramento	242	2 82	272	2 56	12.40	
San Benito	13	.15	26	.24	100.00	
San Bernardino	212	2 52	299	2.81	41.04	
San Diego	593	7.10	724	6.80	22.09	
San Francisco	216	2.6	301	2 83	39.35	
San Joaquin	148	1.7	239	2 25	61.49	
San Luis Obispo	69	.82	76	.71	10.14	
San Mateo	193	2.3	234	2.20	21 24	
Santa Barbara	135	1 61	191	1.79	41.48	

County	Number of aircraft 1946	Percent relation to state total 1946	Number of aircraft July 1 1948	Percent relation to state total July 1 1948	Percentage increase over 1946	Percentage decrease under 1946
Santa Clara	238	2 8	297	2 79	24.79	
Santa Cruz	42	.50	73	.69	73 81	
Shasta	26	.31	47	.44	80.77	
Sierra	--	--	--	--	--	
Siskiyou	24	.29	38	.36	58.33	
Solano	80	.95	142	1.33	77.50	
Sonoma	48	.57	118	1.11	145.83	
Stanislaus	123	1.50	191	1.79	55.28	
Sutter	41	48	62	58	51.22	
Tehama	30	36	31	.29	3.33	
Trinity	2	.02	7	.06	250.00	
Tulare	158	1.90	204	1.92	29.11	
Tuolumne	5	.06	10	.09	100.00	
Ventura	130	1.55	201	1.89	54.61	
Yolo	73	.87	98	.92	34.25	
Yuba	34	.40	37	.35	8.82	

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, upon recess, 11.30 a.m. to 12 m.—

Rules.

Today, at 2 p.m.—

Wildlife Conservation, in Room 306

Today, at 3 p.m., or upon adjournment—

Public Utilities and Corporations.

Subcommittee on Governmental Efficiency and Economy, in Room 432. Subject: Investigation of state driven cars.

Meeting postponed today—

Judiciary—until next Wednesday, January 26th, upon adjournment.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Carroll Parcher of Glendale.

On request of Mr. Reagan, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Daniel Gage of Sacramento.

On request of Mr. Butters, the usual courtesies of the Assembly for this day were unanimously extended to M. Philip Davis, former Assemblyman of Los Angeles.

On request of Messrs. Lipscomb and Waters, the usual courtesies of the Assembly for this day were unanimously extended to Joe Holt of Los Angeles.

On request of Mr. Butters, the usual courtesies of the Assembly for this day were unanimously extended to N. L. Fielfield of Brawley, Hugh Osborne of El Centro, and James Welsh of Niland.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to J. Don Wise and Paul A. Weilein of Los Angeles.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Sam Yorty of Los Angeles.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Edward Mancuso of San Francisco.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to H. S. Copple of Compton.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. C. W. W. Abbott, Mrs. Albion, Counsellors, and the following members of the Camp Fire Girls of Fruitridge School: Virginia Abbott, Vivian Bennett, Naomi Jones, Joanne Wulf, Karen Johnson, Carol Loveridge, Janis Rossi, Janet Stitt, Joyce Davis, and Marilyn Barnes.

On request of the Alameda County Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Margaret Sheehan Hoffman of Alameda.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to David Bird of San Diego.

On request of Messrs. Morris and Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Frank W. Troost of Los Angeles.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Harry Bartell of Alameda.

On request of Mr. Hawkins, the usual courtesies of the Assembly for this day were unanimously extended to H. T. Hickerson and Horace Hampton of Los Angeles.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ralph Davis and Mr. and Mrs. Joseph Dunn of Los Angeles.

ADJOURNMENT

At 3.16 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, January 25, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTEENTH LEGISLATIVE DAY

TWENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, January 25, 1949

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Goodwill: May we realize today that the source of public influence and of the drawing power that all men covet is spiritual and springs from grace and nobility of spirit.

May we have the cheerful temper and genial countenance at all times, that dispels gloom, and makes people glad to see us.

Let us see that the simplicity of the great wears no airs of self importance, and by its humanness and friendliness makes all people feel at home.

May we covet the magnanimous spirit that sees the latent greatness in the lowliest, which is above resentment, and which seeks to evoke the dormant nobleness in all men.

Let us manifest the royal spirit of kindness, and sympathy so that men may feel through us the touch of the Infinite Heart.

Above all, may our speech be charitable, and free from harsh judgments, so that our words may reflect the silver tongue that all men honor.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Coats, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Condon, on motion of Mr. Hagen.

Mr. Maloney, on motion of Mr. Connolly.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Collier, on motion of Mr. Erwin.

COMMUNICATIONS

By Speaker Collins:

A communication from the Hodson Photographic Company of Sacramento, signed by Harley W. Frederick, cameraman, relative to the annual invitation of said company that Members of the Legislature meet with the Governor and his staff for the purpose of having a group picture taken, was received; and Speaker Collins requested Mr. Dickey to confer with Senator Harold J. Powers to make suitable arrangements for such picture.

By Speaker Collins:

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

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC HEALTH
SAN FRANCISCO, CALIFORNIA, January 5, 1949

The Honorable Earl Warren, Governor
The Honorable Goodwin J. Knight, Lieutenant Governor
The Honorable Sam L. Collins, Speaker of the Assembly

GENTLEMEN: In accordance with Senate Concurrent Resolution No. 31 of the 1947 Session of the Legislature, the State Department of Public Health has conducted a survey of the problem of rheumatic fever in California, and I have the honor to transmit to you this Report on the Rheumatic Fever Survey.

Very sincerely yours,

WILTON L. HALVERSON, M.D.
Director of Public Health

Above mentioned report ordered referred to the Committee on Public Health.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 10
Assembly Joint Resolution No. 13
Assembly Joint Resolution No. 15

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No 16

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 225
Assembly Bill No. 261

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 261 re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 225 re-referred to Committee on Municipal and County Government.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, January 24, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 205

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 205—An act to add Section 974 to the Municipal Utility District Act, relating to municipal utility districts.

Bill read second time, and ordered to third reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1433: By Messrs. Grant and Fletcher—An act to add Section 10.2 to the Political Code, relating to Saturday closing of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1434: By Mr. Conrad—An act to add Section 274e to the Code of Civil Procedure, relating to the reporting and transcription of judicial actions and proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 1435: By Mr. Waters—An act to amend Section 85 of the Bank Act, relating to deposits of funds.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1436: By Mr. Waters—An act to amend Section 94 of the Bank Act, relating to funds deposited with trust company under order of court.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1437: By Mr. Waters—An act to amend Section 46 of the Bank Act, relating to investments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1438: By Mr. Waters—An act to amend Section 35 of the Bank Act, relating to purchase of contracts.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1439: By Mr. Waters—An act to amend Section 30 of the Bank Act, relating to safe deposit business.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1440: By Mr. Waters—An act to amend Section 22 of the Bank Act, relating to corporations engaged in savings banking, commercial banking and trust business.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1441: By Mr. Waters—An act to amend Section 16a of the Bank Act, relating to drawing of checks.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1442: By Mr. Waters—An act to amend Section 10 of the Bank Act, relating to bank directors.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1443: By Mr. Waters—An act to amend Section 4 of the Bank Act, relating to definition of the term "Savings Bank."

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1444: By Mr. Sherwin—An act to add Section 7393.5 to the Business and Professions Code, relating to instruction of cosmetology in public schools.

Referred to Committee on Education.

Assembly Bill No. 1445: By Mr. Brown—An act to amend Sections 113, 304, 307, 310, 1101, 1102, 1713, 1908, 2402, 3602, 3632, 3671, 3672, 3700, 4102, 4105, 4106, 4107, 4110, 4114, 4118, 4119, 4120, 4600, 4603, 4606, 5200, and 6404 of the Corporations Code, and to add thereto Section 4124, all relating to the General Corporation Law.

Referred to Committee on Judiciary.

Assembly Bill No. 1446: By Mr. Brown—An act to add Section 834 to the Corporations Code, relating to derivative actions by shareholders.

Referred to Committee on Judiciary.

Assembly Bill No. 1447: By Mr. Brown—An act to amend Section 3301 of the Corporations Code, relating to the service of process on corporations and the designation of officers, agent and address of principal office of corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1448: By Mr. Brown—An act to amend Sections 3302, 3303, 3305, 3306, 6501, 6502, 6503, and 6504 of the Corporations Code, and to repeal Section 3304 of the Corporations Code, relating to the service of process on corporations

Referred to Committee on Judiciary.

Assembly Bill No. 1449: By Mr. Brown—An act to add Section 9003 to the Corporations Code, relating to nonprofit corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1450: By Mr. Brown—An act to amend Sections 9301, 9303, 9304, 9305, 9400, 9402, 9600, and 9602 of the Corporations Code, relating to nonprofit corporations.

Referred to Committee on Judiciary.

Assembly Bill No. 1451: By Mr. Brown—An act to amend Sections 12184, 12185, and 12186 of the Government Code, relating to fees of the Secretary of State.

Referred to Committee on Judiciary.

Assembly Bill No. 1452: By Mr Brown—An act to amend Sections 24201, 24205, and 24211 of the Education Code, relating to the incorporation and powers of colleges and seminaries of learning.

Referred to Committee on Judiciary.

Assembly Bill No. 1453: By Messrs. Sam L. Collins and Beck—An act to add Sections 170, 171, and 172 to the Government Code, relating to the boundary of the State of California along the Pacific Coast and to the inland waters of California in coastal areas, giving greater precision thereto by declaring the lines thereof.

Referred to Committee on Governmental Efficiency and Economy.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY JOINT RESOLUTION NO. 6 FROM COMMITTEE WAIVED

Mr. Heisinger waived his notice of motion to withdraw Assembly Joint Resolution No. 6 from committee.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 16—Relative to naming the freeway between San Diego and Tia Juana the John J. Montgomery Freeway.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 13—Relative to memorializing the President and the Congress of the United States in relation to establishing parity prices for California products.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Tomlinson, and Weber—64.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 10—Relative to memorializing the Congress of the United States in relation to the waters of the Colorado River.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 15—Relative to the tidelands and submerged lands adjacent to the Coast of California

Resolution read.

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

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—George D. Collins, Condon, and Lewis—3.

Resolution ordered transmitted to the Senate

CONSIDERATION OF HOUSE RESOLUTION NO. 59

House Resolution No. 59—Congratulating Joseph Verducci, football coach for St. Mary's College.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, paragraph 2, line 2, after "a", strike out "suitably prepared".

Amendment read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 59, AS AMENDED

By Mr. Condon:

House Resolution No. 59

Congratulating Joseph Verducci, football coach for St. Mary's College

WHEREAS, Joe Verducci has been named Coach of the Year by the Northern California Football Writers Association; and

WHEREAS, Joe Verducci has completed his first season as football coach for St. Mary's College in beautiful Moraga Valley, Contra Costa County; and

WHEREAS, Joe Verducci has been singularly respected and admired by all who know him, at Polytechnic High School, San Francisco, the University of California, and at St. Mary's College as typifying the highest traditions of sportsmanship and clean living; and

WHEREAS, Joe Verducci has brought credit not only to his profession and college, but also to his State; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly does hereby record itself in agreement with the judgment that Joe Verducci is the Coach of the Year for Northern California; and be it further

Resolved, That the congratulations and best wishes of this Assembly be extended to Joe Verducci and the college he represents for the next season and those to follow; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Joseph Verducci.

Resolution read, as amended, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 63

House Resolution No. 63—Relative to Judge Harold Brooks Landreth.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 2, paragraph 3, line 2, after "transmit", strike out "suitably prepared".

Amendment No. 2

On page 2, paragraph 4, line 2, just before "day", insert "25th"

Amendments read, and adopted.

Request for Unanimous Consent That Members of Los Angeles County Delegation, et al., Be Made Co-authors of House Resolution No. 63

Mr. Rosenthal asked for, and was granted, unanimous consent that the names of all members present of the Los Angeles County Delegation, and Messrs. Sam L. Collins and Stanley be placed upon House Resolution No. 63 as co-authors.

Consideration of House Resolution No. 63, as Amended

By Messrs. Rosenthal, Anderson, Beck, Bennett, Burke, Burkhalter, Sam L. Collins, Conrad, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Geddes, Grant, Hahn, Hawkins, Hollibaugh,

Huyck, Kilpatrick, Levering, Lipscomb, McMillan, Morris, Reagan, Smith, Stanley, Stewart, Thomas, and Waters:

House Resolution No. 63

Relative to Judge Harold Brooks Landreth

WHEREAS, On December 26, 1948, death closed the long and distinguished career of Harold Brooks Landreth, Judge of the Superior Court of Los Angeles County; and

WHEREAS, A native of Manitowoc, Wisconsin, Harold Brooks Landreth came to Pasadena, California as a child, received his education in California schools and received his degree in law from Stanford University in 1915; and

WHEREAS, Shortly thereafter he began the practice of law in Pasadena and the career which, interrupted by his service as a Captain in the 13th Infantry in World War I, was resumed to carry him through many years of outstanding public service in varied fields, during which he served as Secretary to Governor C. C. Young, as a Judge and Presiding Judge of the Los Angeles Municipal Court, and since 1943 as Judge of the Superior Court; and

WHEREAS, Harold Brooks Landreth was ever known for his devotion to his profession and his community, his kindliness and understanding as well as his ability as a lawyer and jurist; and

WHEREAS, In addition to his public offices, Judge Landreth held many civic posts, having been President of the Pasadena Chamber of Commerce, President of the Pasadena Rotary Club, Past Marshal of the Tournament of Roses parade, Past Commander of the American Legion Post, a Trustee of Occidental College, and a member of many distinguished clubs and fraternities, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly take this means of according recognition to the long and outstanding public service of Judge Harold Brooks Landreth, and extend to his surviving family profound sympathy in the loss of a beloved husband and father; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Mrs. Gertrude Griffith Landreth, widow of Harold Brooks Landreth, to his son, James Brooks Landreth, and to his daughter Katherine Landreth Munger; and be it further

Resolved, That when this Assembly adjourns this twenty-fifth day of January, 1949, it do so out of respect to the memory of Judge Harold Brooks Landreth.

Resolution read, as amended, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 68

House Resolution No. 68—Relating to the death of City Councilman Stanley A. Tryce of Inglewood.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2, paragraph 1, line 2, after "transmit", strike out "suitably prepared".

Amendment read, and adopted.

Consideration of House Resolution No. 68, as Amended

By Mr. Anderson:

House Resolution No. 68

Relating to the death of City Councilman Stanley A. Tryce of Inglewood

WHEREAS, The City of Inglewood, California, was plunged into mourning on January 9, 1949, by the sudden death of Stanley A. Tryce, for 15 years a resident of that city and since 1945 a member of the City Council, and

WHEREAS, A native of Santa Barbara, California, Stanley A. Tryce, since coming to Inglewood had given freely of his time to community affairs, was a member of such fraternal organizations as the Elks Lodge and Lions Club, and as a member of the City Council unfailingly attended public meetings and did all possible to promote the welfare of all in his city; and

WHEREAS, He is sincerely mourned as a neighbor and friend, and his death at the early age of 44 is a genuine loss to the City of Inglewood; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly profoundly regret the passing of this young and able civic leader and extend

their deepest sympathy to his surviving family: Mrs. Dorothy D. Tryce, his widow; Richard Stanley Tryce, his son; his mother, Mrs. Stella Tryce, of Beverly Hills; his brother, Lester W. Tryce, of Bakersfield; and his sisters, Mrs. Baker Lee of Beverly Hills and Mrs. Helen Grimes, Santa Monica; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the family of Stanley A. Tryce; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Stanley A. Tryce.

Resolution read, as amended, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 60

By Mr. Stewart:

House Resolution No. 60

Relative to printing extra copies of the Preliminary Report of the Assembly Interim Committee on Governmental Efficiency and Economy

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be directed to have printed 1,500 copies of the Preliminary Report of the Assembly Interim Committee on Governmental Efficiency and Economy on Its Investigation of the Office of Franchise Tax Commissioner, as printed in the Assembly Journal of January 21, 1949, for the use of Members of the Assembly.

Resolution read, and adopted unanimously, there being more than a quorum present.

CONSIDERATION OF HOUSE RESOLUTION NO. 62

By Mr. Sherwin:

House Resolution No. 62

Relative to the Assembly Interim Committee on Ways and Means

Resolved by the Assembly of the State of California, That irrespective of any provision of House Resolution No. 16 of the 1949 Regular Session, the membership of the Assembly Interim Committee on Ways and Means (created by House Resolution 62, 1947 Session and continued by said House Resolution 16) shall be the same as the membership of the Standing Committee on Ways and Means of the 1949 Session; and be it further

Resolved, That said Assembly Interim Committee on Ways and Means be, and it hereby is, authorized to act during this session of the Legislature, including any recess, until April 1, 1949, and to file a final report not later than that date.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 67

By Mr. Condon:

House Resolution No. 67

Relative to requesting the Fish and Game Commission to investigate the possibility of a commercial sturgeon fishery

WHEREAS, Section 725 of the Fish and Game Code prohibits the taking or possession of sturgeon at any time; and

WHEREAS, It has been reported by certain commercial fishermen that increasing numbers of sturgeon are being taken incidentally with nets used for the taking of other species of fish; and

WHEREAS, The sturgeon is a valuable food fish and if this species exists in sufficient numbers in California waters to warrant the taking thereof consistently with sound conservation principles, this natural resource should be utilized for the benefit of the people; now, therefore, be it

Resolved by the Assembly of the State of California, That the Fish and Game Commission is hereby requested to make such investigation of the data already in its possession and also that which it can obtain within the time limits imposed by this resolution relating to the possibilities of the establishment of a commercial sturgeon fishery in California and to report the results of such investigation to this Assembly on or before the fifteenth of April, 1949; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Fish and Game Commission and to its executive officer.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 38

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT

Mr. Silliman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 38, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 38

Assembly Concurrent Resolution No. 38—Relative to the creation of the Joint Committee on Governmental Reorganization.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 64

By Mr. Clayton A. Dills:

House Resolution No. 64

Relating to, and further defining the powers and duties of, the Assembly Interim Committee on State and Local Taxation

WHEREAS, Wage earners stand alone among persons subject to the income tax, in that they are the only group as to whom completely accurate figures on income are available; and

WHEREAS, Under the existing laws it is an administrative impossibility to audit any substantial number of income tax returns; and

WHEREAS, It has become apparent that evasion of taxes, particularly the state income tax, is increasing; and

WHEREAS, A need exists for a legislative study to determine the extent, if any, of such evasion and the means and devices used to accomplish it, in order that effective legislation to prevent such practices may be enacted; now, therefore, be it

Resolved by the Assembly of the State of California, That in addition to the powers and duties heretofore conferred upon it, the Assembly Interim Committee on State and Local Taxation (created by House Resolution No 37, 1947 Regular Session and continued by House Resolution No. 16, 1949 Regular Session) is authorized and directed to ascertain, study, and analyze all facts relating to, or in any way bearing upon any of the subjects mentioned in the recitals of this resolution, and to report thereon to the Assembly.

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 22—Relative to the continuance of the Legislative Centennial Committee.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 23—Relative to the sale of the Fresno State College campus.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 24—Relative to the Y. M. C. A. Model Legislature.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

MOTION TO PLACE RUSH ORDER ON PRINTING OF ASSEMBLY BILL NO. 1271

Mr. Crowley moved that a rush order be placed upon the printing of Assembly Bill No. 1271.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 7—Relative to memorializing and petitioning the House of Representatives of the Congress of the United States to appoint a Committee to Investigate the Mango Fruit Fly;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fifth day of January, 1949, at 11 a.m.

HUYCK, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 6

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

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 6 (BY UNANIMOUS CONSENT)

Assembly Joint Resolution No. 6—Relative to California water projects.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1 of the printed measure, strike out lines 17 to 23, inclusive, and insert

"WHEREAS, The President of the United States has recommended to the Congress that one hundred thirteen million dollars ($113,000,000) be appropriated for the Central Valley and other water projects as authorized or to be authorized in California to be expended during the next fiscal year by the Bureau of Reclamation and the Corps of Army Engineers, and".

Amendment read, and adopted.

Request for Unanimous Consent

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

Consideration of Assembly Joint Resolution No. 6, as Amended

Assembly Joint Resolution No. 6—Relative to California water projects.

Resolution read, as amended

Roll Call Demanded

Messrs. Heisinger, Coats, and Brown demanded a roll call.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

Explanations of Vote

Being absent on legislative duty elsewhere in the building when roll call was taken on Assembly Joint Resolution No. 6, of which I am a co-author, I desire it being on record that had I been present I would have voted "Aye."

FRANCIS C. LINDSAY

January 25, 1949

Mr. Speaker and Members of the Assembly:

Inasmuch as I was absent from the Assembly Chamber when the roll call vote was taken on Assembly Joint Resolution No 6 owing to the fact that I was attending to legislative matters, I wish to have my vote on said measure recorded as "Aye."

Respectfully,

A. W. WAY

RESOLUTIONS

The following resolutions were offered:

By Mr. Lewis:

House Resolution No. 72

Relative to the creation of the Assembly Committee on Fruit and Vegetable Markets

WHEREAS, The State of California is the largest producer of fruits and vegetables of all the states; and

WHEREAS, Surveys instituted by the San Francisco Chamber of Commerce have indicated great dissatisfaction on the part of producers with existing wholesale marketing facilities and the operation thereof and it would appear in many instances that the extremely valuable fruit and vegetable crops of this State are marketed in antiquated surroundings and by archaic methods; and

WHEREAS, It appears that in other states progressive cities, notably Denver, Colorado, and Dallas, Texas, have established modernized wholesale markets and marketing facilities which annually save for the producers and also the consumers many millions of dollars; now, therefore be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Fruit and Vegetable Markets is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the marketing of fruits and vegetables, including wholesale marketing facilities and the operation thereof and marketing methods and facilities used or available in this and other states, and the manner in which wholesale marketing facilities for fruits and vegetables and the operation thereof can be improved, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies, and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act at any place within this State or within the United States in furtherance of the investigation committed to it by this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. McMillan and Dickey:

House Resolution No. 73

Memorializing the Federal Government to preserve the forests of sugar pine growing in Tuolumne County, California

WHEREAS, Hundreds of giant sugar pine trees of Tuolumne County have grown to great height and size, in the 500 or more years of their lives, and exist today only in the State of California and Southern Oregon; and

WHEREAS, These beautiful and majestic monarchs of the forest that can never be replaced, are threatened with complete destruction within the next few months at the hands of a mid-West lumber company, notwithstanding that there is no valid commercial requirement for their cutting; and

WHEREAS, It is represented that the present financial condition of the Government of the State of California may be used to delay fatally the immediate acquisition of this sublime forest as part of a great state park now proposed to be created as a permanent memorial to those who gave their lives for us in the world wars; now, therefore, be it

Resolved, by the Assembly of the State of California, That these sugar pine forest areas ought, in spite of all obstacles, to be preserved for the enjoyment, pleasure, and cultural enrichment of the present generation and all posterity; and be it further

Resolved, That this Assembly, on behalf of the people of the State of California, hereby memorializes and urges the United States Government to take immediate action pursuant to Title 16, Section 494, United States Code, which Statute grants to the United States Secretary of Agriculture full authority, at his discretion, to take possession of these forest lands by allowing the present private owners the right to select, in lieu thereof, within 60 days, other forest lands belonging to the United States Government; and be it further

Resolved, That when this immediate and most feasible emergency action has been taken to preserve the forests from destruction by logging operations, that Chapter 368, United States Statutes at Large, be amended to permit the State of California to acquire title to the sugar pine forest areas in Tuolumne County in addition to the 1,200 acres of land in this immediate vicinity already offered to the State of California for state park purposes; and be it further

Resolved, That the Chief Clerk of the Assembly at once send copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the United States Secretary of Agriculture

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 34 FROM COMMITTEE

Mr. Condon gave notice that on the second legislative day he would move to withdraw House Resolution No. 34 from the Committee on Rules, and have it placed upon the file.

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

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

Assembly Bill No. 1454: By Mr. Fletcher—An act providing for the licensing and regulation of individuals, firms, partnerships, associations and corporations engaged in the business of selling personal property on time by means of conditional sales contracts.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1455: By Mr. Anderson—An act to amend Sections 164.5, 373, and 776 of the Vehicle Code and to add Section 373.1 thereto, relating to registration and registration and license fees for trailer coaches and disposition of the funds received therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1456: By Messrs. Dunn, Beck, Rumford, Rosenthal, Anderson, Brady, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Crichton, Ralph C. Dills, Doyle, Evans, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Moss, and Waters—An act to add Section 1513.2 to, and to amend Section 3812 of, the Elections Code, relating to measures submitted to the voters of the State.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1457: By Mr. George D. Collins—An act to add Part 4.5 (comprising Sections 13960 to 13969, inclusive) to Division 3 of Title 2 of the Government Code, and to repeal Sections 13293, 13294, 13295, 13296, 13297, 13298, and 13299 of said code, creating the Office of

Auditor General, prescribing his powers and duties, providing for the auditing and management of the fiscal and business affairs of the State, and providing for the transfer of funds

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1458: By Mr. George D. Collins—An act to amend Section 16902 of the Business and Professions Code, relating to certain sale contracts declared unlawful.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1459: By Messrs. Coats and Moss—An act to repeal Section 16723 of the Business and Professions Code, relating to restraints of trade.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1460: By Mr Heisinger—An act to amend Section 252.1 of the Fish and Game Code, relating to and defining the boundaries of the Mendota Pool Game Refuge and Public Shooting Ground.

Referred to Committee on Fish and Game.

Assembly Bill No. 1461: By Mr. Heisinger—An act to amend Section 169 of the Fish and Game Code, relating to the Mendota Pool Game Refuge and defining the boundaries of Mendota Pool.

Referred to Committee on Fish and Game.

Assembly Bill No. 1462: By Messrs Waters, Caldecott, Kirkwood, Tomlinson, Beck, Brown, Cooke, Dolwig, Evans, Huyck, Lipscomb, Rosenthal, Smith, and Stanley—An act to amend Sections 631 and 631.5 of the Code of Civil Procedure, to amend Sections 28111, 28134, and 28149 of the Government Code and to add Sections 28100 and 29619 to the Government Code, relating to juries.

Referred to Committee on Judiciary.

Assembly Bill No. 1463: By Messrs Fleury and Moss—An act to amend Section 19361 of the Government Code, relating to transfers of employees in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1464: By Mr. Grunsky—An act to amend Section 5082.1 of the Business and Professions Code, relating to registration as a public accountant, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1465: By Mr. Grunsky—An act to amend Section 1299.18a of the Agricultural Code, relating to the enforcement of contracts between processors and producers.

Referred to Committee on Agriculture.

Assembly Bill No. 1466: By Messrs. Grunsky and Smith—An act to amend Section 17 of the Personal Property Brokers Act, as revised by

Chapters 952 and 1044 of the Statutes of 1939, relating to rates of charge when property is insured against loss.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1467: By Messrs. Grunsky and Smith—An act to amend Section 22 of the Personal Property Brokers Act, as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to rules and regulations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1468: By Messrs. Grunsky and Smith—An act to amend Section 4 of the Industrial Loan Act, relating to the sale of thrift certificates by industrial loan companies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1469: By Messrs. Grunsky and Smith—An act to amend Section 16 of the California Small Loan Act, Chapters 953 and 1045 of the Statutes of 1939, relating to charges on loans when property securing a loan is insured against loss.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1470: By Messrs. Grunsky and Huyck—An act to amend Sections 1672 and 1673 of the Insurance Code, relating to the licensing of nonresident brokers or agents.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1471: By Mr Sherwin—An act to add Section 2.5 to the Judges' Retirement Fund Act, relating to the state contributions to the Judges' Retirement Fund.

Referred to Committee on Judiciary.

Assembly Bill No. 1472: By Messrs. Stewart, Beck, Brown, Maloney, and Silliman—An act to amend Section 22 of the Bank and Corporation Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1473: By Mr Luckel—An act to add Section 291.5 to the Vehicle Code, relating to suspension and revocation of drivers licenses.

Referred to Committee on Judiciary.

Assembly Bill No. 1474: By Mr. Luckel—An act to amend Section 670 of the Vehicle Code, relating to brake testing.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1475: By Mr. Bennett—An act to add Section 636.1 to the Vehicle Code, and to amend Section 640 thereof, relating to additional or alternate permissible lighting equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1476: By Mr. Bennett—An act to add Section 454.4 to, and to amend Sections 459, 475, and 476 of, the Vehicle Code, relating to funeral processions' exemption from traffic laws.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1477: By Mr. McCollister—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1478: By Mr. McCollister—An act to add Section 10152.5 to the Business and Professions Code, relating to applicants for license to act as a real estate broker.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1479: By Mr. Ralph C. Dills—An act to amend Section 735.4 of the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1480: By Mr. Ralph C. Dills—An act to amend Section 736 of the Agricultural Code, relating to milk and milk products.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1481: By Messrs. Gaffney, George D. Collins, Crowley, and Mrs. Niehouse—An act to add Section 6368 to the Revenue and Taxation Code, relating to the sales tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1482: By Mr. Smith—An act to add Section 20608.5 to the Government Code, relating to the State Employees' Retirement System, and providing for adjustment in rates of contribution by and in respect to local safety members.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1483: By Mr. Lindsay—An act to add Section 788.5 to the Agricultural Code, relating to the marketing of fruits, nuts, and vegetables.

Referred to Committee on Agriculture.

Assembly Bill No. 1484: By Mr Dunn—An act to add Section 4964.1 to the Education Code, relating to the reorganization and unification of school districts.

Referred to Committee on Education.

Assembly Bill No. 1485: By Mr. Dunn—An act to amend Section 4871 of the Education Code, relating to the unification and reorganization of school districts.

Referred to Committee on Education.

Assembly Bill No. 1486: By Mr. Dunn—An act to amend Section 4913 of the Education Code, relating to the unification and reorganization of school districts.

Referred to Committee on Education.

Assembly Bill No. 1487: By Mr Dunn—An act to amend Section 4953 of the Education Code, relating to the unification and reorganization of school districts.

Referred to Committee on Education.

Assembly Bill No. 1488: By Messrs. Clarke and Erwin—An act to add Section 5a to, and to amend Section 10 of, an act entitled, "An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof," approved April 13, 1933, as amended, relating to permits for and inspections of wild birds and animals in confinement.

Referred to Committee on Fish and Game.

Assembly Bill No. 1489: By Mr Erwin—An act to add Section 491.5 to the Fish and Game Code, relating to general regulations.

Referred to Committee on Fish and Game.

Assembly Bill No. 1490: By Mr. Burkhalter—An act providing for additional excise taxes upon alcoholic beverages and for the disposition thereof, and making an appropriation.

Referred to Committee on Public Morals.

Assembly Bill No. 1491: By Mr. Burkhalter—An act to amend Sections 177 and 181 of the Vehicle Code, relating to transfers of title or interest.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1492: By Messrs. Dickey, Crichton, McCollister, Dolwig, Anderson, Crowley, Doyle, Hollibaugh, and Silliman—An act providing for loans to municipalities and districts for sewerage facilities, prescribing the conditions under which such loans shall be made, creating the State Pollution Control Fund, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1493: By Mr Lewis—An act making an appropriation for the hot lunch program for school children.

Referred to Committee on Education.

Assembly Bill No. 1494: By Mr. Lewis—An act to add Chapter 3 1 to Division 8 of the Education Code, relating to the hot lunch program for pupils.

Referred to Committee on Education

Assembly Bill No. 1495: By Mr. Lewis—An act making an appropriation for the hot lunch program for school children

Referred to Committee on Education.

Assembly Bill No. 1496: By Mr Lewis—An act to add Part 11 to Division 2 of the Labor Code, relating to the hot lunch program for factory workers

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1497: By Mr. Erwin—An act to add Section 171 to the Fish and Game Code, relating to game refuges.

Referred to Committee on Fish and Game

Assembly Bill No. 1498: By Messrs. Geddes and Dunn—An act to amend Section 100.2 of the Streets and Highways Code, relating to city and county streets and highways intersecting freeways.

Referred to Committee on Municipal and County Government

Assembly Bill No. 1499: By Messrs. Thompson, Connolly, Mrs. Niehouse, Messrs. Huyck, Geddes, and Rumford—An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a Chronic Disease Program and establishing the Advisory Chronic Disease Council.

Referred to Committee on Public Health

Assembly Bill No. 1500: By Messrs. Thompson, Connolly, Mrs. Niehouse, Messrs. Huyck, Geddes, and Rumford—An act to provide an appropriation for the Chronic Disease Program of the State Department of Public Health.

Referred to Committee on Public Health

Assembly Bill No. 1501: By Mr. Thompson—An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code.

Referred to Committee on Public Health.

Assembly Bill No. 1502: By Messrs. Thompson and Gaffney—An act to amend Section 18020 of the Government Code, relating to hours of work for state employees

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1503: By Messrs. Thompson and Gaffney—An act to amend Section 18705 of the Government Code, relating to days, hours and conditions of work for state employees

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1504: By Messrs. Thompson and Gaffney—An act to amend Section 18024 of the Government Code, relating to hours and conditions of work of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1505: By Messrs. Thompson and Gaffney—An act to amend Section 18021 of the Government Code, relating to hours of work for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1506: By Messrs. Thompson and Gaffney—An act to amend Sections 18020, 18021, 18024, and 18852 of the Government Code, relating to state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1507: By Mr. Erwin—An act to amend Section 6730 of the Business and Professions Code and add Sections 18938.1, 18938.2, and 18938 3 to the Government Code, relating to the registration and examination of civil engineers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1508: By Mr. Beck—An act to add Section 9176.1 to the Education Code, relating to the administration of Federal Programs of Education.

Referred to Committee on Education.

Assembly Bill No. 1509: By Mr. Beck—An act to amend Section 14702 of the Education Code, relating to school district retirement plans, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1510: By Mr. Beck—An act to amend Section 16255 of the Education Code, relating to the transportation of pupils.

Referred to Committee on Education.

Assembly Bill No. 1511: By Mr. Beck—An act to amend Section 16252 of the Education Code, relating to the letting of contracts.

Referred to Committee on Education.

Assembly Bill No. 1512: By Mr. Beck—An act to amend Section 18057 of the Education Code, relating to the letting of contracts.

Referred to Committee on Education.

Assembly Bill No. 1513: By Mr. Fletcher—An act to add Section 10.2 to the Political Code, relating to Saturday closing of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1514: By Messrs. Lindsay, Thompson, and Clarke—An act to amend Sections 5, 6, 8, 9, and 16 of the California Agricultural Products Marketing Act of 1943, relating to the marketing of agricultural products, declaring the urgency of this act to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1515: By Mr. Rosenthal—An act to add Section 2469a to, and to amend Section 2470 of, the Civil Code, relating to fictitious names.

Referred to Committee on Judiciary.

Assembly Bill No. 1516: By Mr. Rosenthal—An act to amend Section 681 and to repeal Section 685 of the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 1517: By Mr. Rosenthal—An act to amend Section 314.5 of the Vehicle Code, relating to probationary licenses and probation.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1518: By Mr. Rosenthal—An act to amend Section 311 of the Penal Code, relating to lewd conduct or acts and providing penalties therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 1519: By Mr. Hahn—An act to add Section 502.5 to the Vehicle Code, relating to driving a vehicle while under the influence of liquor.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1520: By Mr. Hahn—An act to provide for the levy and collection of a tax on the drawing of checks, drafts, or orders for the payment of money, drawn upon banks.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1521: By Mr. Sherwin—An act to amend Section 19627 and to repeal Sections 19620, 19620.1, 19621, 19622, 19622.5, 19623, 19624, 19624.5, 19625, 19626, 19626.5, and 19627.1 of the Business and Professions Code, relating to revenue received under provisions of law relating to horse racing.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1522: By Mr. Burke—An act to amend Section 18054 of the Education Code, relating to the making of contracts by school districts.

Referred to Committee on Education.

Assembly Bill No. 1523: By Messrs. Rumford and Evans—An act to repeal Article 4, comprising Sections 4600 to 4611 inclusive, of Chapter 1, Division 7 of the Elections Code, relating to campaign expenditures.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1524: By Mr. Crowley—An act to amend Section 5047 of, and to add Section 5053.1 to, the Welfare and Institutions Code, relating to petition for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons.

Referred to Committee on Judiciary.

Assembly Bill No. 1525: By Mr. Morris—An act creating the Tri-State Water Commission, prescribing its powers and duties and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1526: By Mr. Morris—An act to amend Section 4132 of the Business and Professions Code, relating to pharmacists

Referred to Committee on Public Health.

Assembly Bill No. 1527: By Mrs. Niehouse—An act to add Section 13002.1 to the Education Code, relating to employment of persons requiring certification.

Referred to Committee on Education.

Assembly Bill No. 1528: By Mrs. Niehouse, Messrs Dunn, Cramer, Luckel, Ralph C. Dills, and Smith—An act providing for a rehabilitation center for severely handicapped, cerebral palsied, and crippled children and adults, amending Section 5153 of the Education Code, and making an appropriation

Referred to Committee on Education.

Assembly Bill No. 1529: By Mrs Niehouse, Messrs. Dunn and Smith—An act to assist school districts in providing necessary educational facilities for handicapped pupils, and making an appropriation, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1530: By Messrs. Lowrey, Moss, and Fleury—An act making an appropriation for turnout spaces, lights and safety equipment for the Yolo Causeway on State Highway Route 6.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1531: By Mr Hagen—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, and bonds of public bodies, to take effect immediately

Referred to Committee on Municipal and County Government

Assembly Bill No. 1532: By Mr Hagen—An act to amend Section 1021 of the Code of Civil Procedure, relating to attorney fees as costs

Referred to Committee on Judiciary.

Assembly Bill No. 1533: By Mr. Hagen—An act to add Section 1226 to the Government Code, relating to public officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1534: By Messrs. Geddes and Beck—An act to amend Section 18003 of the Education Code, relating to insurance of school districts.

Referred to Committee on Education.

Assembly Bill No. 1535: By Messrs Thomas, Rosenthal, Cooke, Doyle, Beck, Berry, Brady, Brown, Burkhalter, Butters, Coats, George D. Collins, Crichton, Davis, Clayton A. Dills, Elliott, Erwin, Evans, Gaffney, Geddes, Hahn, Hawkins, Hollibaugh, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Tomlinson, and Waters—An act to add Division 9, comprising Sections 7000 to 7904, inclusive, to the Harbors and Navigation Code, relating to the Harbors of Long Beach and Los Angeles, and the Southern California Port Authority

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 1536: By Messrs. Huyck, Tomlinson, Collier, Levering, Grant, and Lipscomb—An act to add Section 299 to the Penal Code, making it a crime to sell, give away or furnish to persons under the age of 18 years any book, magazine or other publication in which there is prominently featured an account of crime, and which depicts by the use of drawings or photographs the commission or attempted commission of certain crimes of force, violence or bloodshed.

Referred to Committee on Judiciary.

Assembly Bill No. 1537: By Mr. Condon—An act to amend Section 6025 of the Business and Professions Code, relating to the State Bar.

Referred to Committee on Judiciary.

Assembly Bill No. 1538: By Messrs. Waters, Huyck, Smith, Babbage, and Stanley—An act to add Section 132.5 to the Elections Code, relating to registration of members of the armed forces

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1539: By Messrs. Waters, Huyck, Smith, Babbage, and Stanley—An act to add Section 120.5 to the Elections Code, relating to registration of electors.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1540: By Mr. Waters—An act to amend Section 22 of the Bank and Corporation Franchise Tax Act, relative to the duties of the Franchise Tax Commissioner and the appointing authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1541: By Messrs Waters and Rosenthal—An act to amend Section 259a of the Code of Civil Procedure, relating to duties of court commissioners, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 1542: By Mr. Evans—An act to add Chapter 2.5 to Division 21 of the Health and Safety Code, relating to substances and devices used in the permanent waving of hair on the human head.

Referred to Committee on Public Health.

Assembly Bill No. 1543: By Mr. Evans—An act requiring the installation and maintenance of windshield wipers and heating and defrosting equipment on all streetcars and motor coaches; and providing penalties for its violation.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1544: By Mr. Evans—An act to amend Section 13050 of the Health and Safety Code, relating to use of fire fighting equipment and force.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1545: By Mr. Evans—An act to amend Section 1 of "An act to provide for the organization, incorporation, and government of municipal corporations" approved March 13, 1883, and Section

34302 of the Government Code, relating to the number of inhabitants necessary to incorporate.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1546: By Mr. Evans—An act to amend Section 408 of the Revenue and Taxation Code, relating to records in the assessor's office.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1547: By Messrs. Brown and Hoffman—An act to amend Sections 136 and 137 of the Agricultural Code to provide more effective and expeditious abatement of pests in abandoned orchards.

Referred to Committee on Agriculture

Assembly Bill No. 1548: By Mr Connolly—An act to add Section 2829 5 to the Elections Code, relating to political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1549: By Mr Connolly—An act to amend Section 2791 of the Elections Code, relating to state conventions of political parties.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1550: By Mr Connolly—An act to amend Sections 2798, 2799, 2821, 2822, and 2825 of, to repeal Sections 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, and 2820 of, and to add Sections 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, and 2820 to, the Elections Code, relating to state central committees of political parties

Referred to Committee on Elections and Reapportionment.

Assembly Concurrent Resolution No. 42: By Mr. Rosenthal—Relative to a World Federal Government.

Referred to Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced a recommendation to the Committee on Rules that Standing House Rule No. 81 be amended because of a deficiency in the rule, and abuse; and that the amendment make mandatory a request for a committee hearing on bills and resolutions prior to a notice of motion to withdraw from committee.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1014 FROM COMMITTEE

Mr. Ralph C. Dills gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1014 from the Committee on Judiciary, and have it placed upon the file.

MEMBERS EXCUSED FOR SPECIAL MEETINGS OF COMMITTEES

At 11.30 a.m., Mr. Weber asked for, and was granted, unanimous consent that the members of the Committee on Conservation, Planning,

and Public Works be excused for the purpose of holding a special meeting, on the fourth floor, at this time. Subject: An urgency measure being authored by Mr. Lindsay.

At 11.31 a.m., Mr. Dickey asked for, and was granted, unanimous consent that the members of the Committee on Rules be excused for the purpose of holding a meeting, in Room 320, at this time.

At 11.32 a.m., Mrs. Niehouse asked for, and was granted, unanimous consent that the members of the Committee on Social Welfare be excused for the purpose of holding a meeting, on the fourth floor, at this time. Subject: A bill by Mr. Gaffney relative to partial aid to the blind.

SPECIAL REQUEST

Mr. Beck, by unanimous consent, renewed his request that committee chairmen announce the numbers of the bills to be heard in meetings so that all members will be informed on matters being considered.

ANNOUNCEMENT

Mr. Caldecott announced that, today, at 4 p.m., in the Assembly Chamber, a motion picture will be shown of the Pasadena Rose Bowl game, held on New Year's Day.

RESOLUTIONS

The following resolution was offered:

By Mr Evans:

House Resolution No. 74

Urging retention of the Pension System provided by Article XXV of the Constitution as enacted by Proposition 4 of the General Election Ballot of 1948

WHEREAS, In November of 1948, Proposition No. 4 appearing on the General Election Ballot was duly adopted by vote of the people of the State of California, adding to the California Constitution a new article numbered XXV, providing for a System of Aid to the Aged and Blind; and

WHEREAS, Immediately upon the adoption of Proposition No. 4, certain conservative political elements and sections of the press raised a hue and cry, filled with dire predictions as to the cost of the aid plan so adopted by the voters; and

WHEREAS, All these lengthy and doleful wailings are based upon estimate, conjecture, or fanciful imagining rather than upon any basis of experience in the administration of such a plan of aid to the aged and blind, and are intended to frighten and confuse the voters of this State and to make them believe that the plan is a threat to the financial stability of the State and that their property and investments are endangered unless the plan is repealed; now, therefore, be it

Resolved by the Assembly of the State of California, That the citizens of this State are hereby respectfully and sincerely urged not to sign any petitions to place on the ballot a measure to repeal Article XXV of the Constitution until after a sufficient time has elapsed in which to give the plan a fair trial under effective administration to the end that the aged and blind of this State may have the aid which the people of this State felt that they needed, and intended that they should have, when voting in favor of Proposition No 4, and to the further end that the motives of the reactionary elements opposed to the aid plan may be exposed and discussed in the public press and the people fully informed as to the merits and feasibility of the plan as it is actually working and providing needed aid to the aged and blind according to the mandate of the people.

Resolution read, and ordered referred to the Committee on Rules.

RECESS

At 11.45 a.m., on motion of Mr. Stewart, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m , the Assembly reconvened.
Hon. Sam L. Collins. Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 261

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

WEBER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

REPORT

Mr. McCollister reported that, at the request of Mr. Dickey, he had conferred with Senator Harold J. Powers. President pro Tempore of the Senate, relative to having a group picture of the members of both houses taken; and that it had been decided to postpone this matter until early in May.

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

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

Assembly Bill No. 1551: By Mr. Rosenthal—An act to repeal Section 208 of the Unemployment Insurance Act, relating to eligibility for disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1552: By Mr. Rosenthal—An act to amend Section 56 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1553: By Mr. Levering—An act to amend Sections 8302 and 8304 of, and to repeal Sections 8301 and 8303 of the Health and Safety Code of the State of California, relating to private cemeteries.

Referred to Committee on Public Health.

Assembly Bill No. 1554: By Mr Levering—An act to amend Sections 8300, 8308, and 8570 of, and to add Section 8573 to, the Health and Safety Code of the State of California, relating to private cemeteries.

Referred to Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONCURRENT RESOLUTION NO. 32 BE RE-REFERRED TO COMMITTEE

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Concurrent Resolution No. 32 be ordered re-referred to the Committee on Rules.

ANNOUNCEMENT

Speaker Sam L. Collins announced that it will be of assistance to both the Office of the Legislative Counsel and the business of the Assembly, if all members will get their requests for bills in today, if possible.

REMARKS ON THE CONDITION OF THE FILE

Mr. Brady spoke on the condition of the file.

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

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

Assembly Bill No. 1555: By Messrs. Lincoln and Rumford—An act to add Section 6 to an act entitled "An act providing for the joint exercise of powers by public agencies," approved May 20, 1921, relating to privileges and immunities of officers and employees while acting under the joint exercise of powers by public agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1556: By Mr. Rosenthal—An act to amend Section 2470 of the Civil Code and to add Section 2469.1 thereto, relating to use of fictitious names.

Referred to Committee on Judiciary.

Assembly Bill No. 1557: By Mr. McMillan—An act to amend Section 690.16 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Referred to Committee on Judiciary.

Assembly Bill No. 1558: By Mr. Lincoln—An act to amend Section 7110 of the Business and Professions Code, relating to violation of the Contractors Bidding Law.

Referred to Committee on Municipal and County Government.

MEMBER EXCUSED FOR BALANCE OF LEGISLATIVE DAY

At 2.09 p.m., Mr. Clarke asked for, and was granted, unanimous consent that Mr. Davis be excused for the balance of the legislative day, because he is attending to legislative business elsewhere.

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

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

Assembly Bill No. 1559: By Mr. Lipscomb—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to local public health administration.

Referred to Committee on Public Health

Assembly Bill No. 1560: By Mr. Lipscomb—An act to amend Sections 452 and 504 of the Health and Safety Code, relating to the duties of health officers.

Referred to Committee on Public Health.

Assembly Bill No. 1561: By Mr. Lowrey—An act to add Section 562 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1562: By Mr. Lowrey—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1563: By Mr. Lowrey—An act to repeal Chapter 5, Division 1, and Article 7, Chapter 3, Part 3, Division 4, of the Fish and Game Code and to enact Article 7, Chapter 3, Part 3, Division 4, of said code, relating to hunting clubs.

Referred to Committee on Fish and Game.

Assembly Bill No. 1564: By Mr. Lowrey—An act to amend Sections 359 and 359.5 of the Agricultural Code, relating to licensed slaughterers.

Referred to Committee on Public Health.

Assembly Bill No. 1565: By Mr. Lowrey—An act to amend Section 360.5 of the Agricultural Code, relating to penalties for delinquencies in obtaining slaughterer's license.

Referred to Committee on Public Health

Assembly Bill No. 1566: By Mr. Lowrey—An act to add Section 335 to the Agricultural Code to provide for an Advisory Board in connection with the hide and brand administration and enforcement work of the State Department of Agriculture

Referred to Committee on Agriculture.

Assembly Bill No. 1567: By Mr. Lowrey—An act to amend Sections 339 1, 339.3, and 339.4 of the Agricultural Code, relating to brand fees.

Referred to Committee on Agriculture.

Assembly Bill No. 1568: By Messrs Lowrey and Clarke—An act to amend Sections 1261, 1262, 1263, 1264, 1265, and 1266 of the Agricultural Code, relating to produce dealers.

Referred to Committee on Agriculture.

Assembly Bill No. 1569: By Messrs. Lowrey and Clarke—An act to amend Sections 1300.13, 1300.16, and 1300.28 of the Agricultural Code, relating to marketing agreements and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 1570: By Mr. Lowrey—An act to add Section 103.1 to the Streets and Highways Code, relating to condemnation of property dedicated to a public use.

Referred to Committee on Judiciary.

Assembly Bill No. 1571: By Mr Lowrey—An act to amend Section 21 of the Fish and Game Code, relating to powers and duties of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Assembly Bill No. 1572: By Mr. Lowrey—An act to renumber and amend Section 684 of the Vehicle Code, added by Chapter 1429 of the Statutes of 1947, to be Section 685 of the Vehicle Code, relating to motor vehicles carrying dangerous substances.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1573: By Mr. Lowrey—An act to add Section 334.6 to the Agricultural Code, relating to penalties for cattle theft and revenue derived therefrom.

Referred to Committee on Judiciary.

Assembly Bill No. 1574: By Mr. Lowrey—An act to add Sections 255 and 256 to the Agricultural Code, relating to bovine tuberculosis.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1575: By Messrs Lowrey, Beck, and Anderson—An act to amend Sections 7036 and 7037 of the Education Code, relating to state support of school districts.

Referred to Committee on Education.

Assembly Bill No. 1576: By Mr Clarke—An act relating to the application for, acceptance and use of, funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof

Referred to Committee on Agriculture

Assembly Bill No. 1577: By Mr. Clarke—An act to add Section 797.5 to the Agricultural Code, relating to citrus fruits subjected to freezing temperatures.

Referred to Committee on Agriculture.

Assembly Bill No. 1578: By Mr. Clarke—An act to amend Section 788 of, and to add Section 829.8 to, the Agricultural Code, relating to standard containers for fruits and vegetables

Referred to Committee on Agriculture.

Assembly Bill No. 1579: By Mr. Clarke—An act to amend Section 1231 of, and to add Section 1233.5 to, the Agricultural Code, relating to agricultural warehouses.

Referred to Committee on Agriculture

Assembly Bill No. 1580: By Messrs Hollibaugh, Stewart, Burke, Doyle, Anderson, Caldecott, Conrad, Cramer, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Kirkwood, Levering, Lipscomb, Morris, Moss, Mrs. Niehouse, Messrs. Rosenthal, Smith, Stanley, Thomas and Waters—An act to provide for research on, and development of, improved methods of disposing of garbage and refuse by the University of California and making an appropriation, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Public Health.

Assembly Bill No. 1581: By Mr. Hahn—An act to amend Sections 19485, 19597, and 19627, and to repeal Sections 19485.1, 19620.1, and 19627.1 of the Business and Professions Code, relating to horse racing license fees and commissions and providing for the application of the increased fees for carrying out provisions relating to needy aged and blind and alcoholics, and abolishing the State College Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1582: By Mr. Hahn—An act to add Section 19596.5 to the Business and Professions Code, relating to the collection of a tax or license fee on illegitimate wagers on horse races.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1583: By Mr Hahn—An act to amend Sections 19485 and 19597 of the Business and Professions Code, relating to horse racing and increasing the license fees and reducing the commissions of licensees to conduct horse racing meetings.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1584: By Mrs Niehouse and Mr. Waters—An act to amend Sections 1500, 1501, and 1511 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare

Assembly Bill No. 1585: By Mrs Niehouse and Mr. Waters—An act to amend Sections 1562, 2190, and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 1586: By Mr. Burkhalter—An act to amend Sections 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13377, 13390, 13392, 13397.1, and 13450 of the Health and Safety Code, to add Sections 13203.1 and 13204.1 thereto, to amend the titles of Articles 3 and 5 thereof, and to add a new Article 5, comprising Sections 13425 to 13436, inclusive, to, Chapter 2 of Part 2 of Division 12 of said code, all relating to the administration and operation of clothes cleaning establishments.

Referred to Committee on Public Health.

Assembly Bill No. 1587: By Mr Burkhalter—An act to provide for a bonus to California veterans of World War II, and making an appropriation.

Referred to Committee on Military Affairs.

Assembly Bill No. 1588: By Mr Reagan—An act to add Section 7114 to the Health and Safety Code, relating to duty of interment of dead human bodies.

Referred to Committee on Public Health.

RESOLUTIONS

The following resolution was offered:

By Mr. Lindsay:

House Resolution No. 75

Relative to the establishment of a state park on Banner Mountain in Nevada County

WHEREAS, Banner Mountain in Nevada County lies in the heart of the Mother Lode country and is the center of an area of great historical interest and the site of the first discovery of quartz gold in California; and

WHEREAS, One of the finest panoramic views in the State of California can be had from the summit of Banner Mountain from which all or portions of 21 different counties in the State can be seen; and

WHEREAS, The upper reaches of Banner Mountain could be made to provide recreational facilities of great benefit to the people of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Park Commission and the Chief of the Division of Beaches and Parks are hereby requested to study and investigate the possibility and the feasibility of establishing a state park on Banner Mountain in Nevada County and to report the result thereof to the Assembly at the convening thereof in the 1950 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to each member of the State Park Commission and to the Chief of the Division of Beaches and Parks in the Department of Natural Resources.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1949

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

Senate Joint Resolution No. 8
Senate Joint Resolution No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Joint Resolution No. 8—Relative to the proposed International Animal Quarantine Station on Swan Island

Referred to Committee on Rules.

Senate Joint Resolution No. 6—Relative to memorializing the President and the Congress of the United States in relation to two irrigation canals to supply water from the Sacramento River to areas in Northern California.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1949

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

Assembly Joint Resolution No. 15
Assembly Concurrent Resolution No. 33
Assembly Concurrent Resolution No. 35

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 25, 1949

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

Assembly Bill No. 27
Assembly Bill No. 87
Assembly Bill No. 143
Assembly Bill No. 383
Assembly Bill No. 476
Assembly Bill No. 477

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

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

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

Assembly Bill No. 1589: By Messrs. Dickey, Silliman, Dolwig, Crowley, Anderson, Crichton, Doyle, Hollibaugh, and McCollister—An act to amend Sections 3, 8, and 14 of "The Sanitation and Sewer Revenue Bond Act of 1941," relating to sanitation and sewer enterprises

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1590: By Mr. Babbage—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Referred to Committee on Judiciary.

Assembly Bill No. 1591: By Mr. Babbage—An act to amend Section 7437 of the Education Code, relating to the sale of school district bonds.

Referred to Committee on Education.

Assembly Bill No. 1592: By Mr. Condon—An act to amend Section 151 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1593: By Mr. Condon—An act to amend Section 151 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1594: By Mr. Condon—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1595: By Mr. Condon—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1596: By Mr Condon—An act to amend Section 204 of the Unemployment Insurance Act, relating to disability insurance payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1597: By Mr. Condon—An act to amend Section 205 of the Unemployment Insurance Act, relating to eligibility for unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1598: By Mr. Condon—An act to amend Section 205 of the Unemployment Insurance Act, relating to eligibility for disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1599: By Mr. Condon—An act to amend Sections 8.5 and 15 of the Unemployment Insurance Act to permit elective coverage of certain government employees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1600: By Mr. Condon—An act to amend Sections 309, 450, 451, and 460 of the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1601: By Mr. Condon—An act to repeal Section 4652 of the Labor Code, relating to waiting period.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1602: By Messrs. Brown, Caldecott, and Grunsky—An act to add Sections 3066, 3066a, 3066b, 3066c, 3066d, and 3066e to the Civil Code, to provide for liens in favor of hospitals in this State upon all causes of action for damages accruing to an injured person therein or to the legal representatives of such person for the reasonable charges for hospital care, treatment and maintenance necessitated by the injuries giving rise to such causes of action.

Referred to Committee on Judiciary.

Assembly Bill No. 1603: By Messrs. Caldecott and Dunn—An act to amend Section 12102 of, and to add Sections 12142.1 and 13009.1 to, the Education Code, relating to consulting teachers.

Referred to Committee on Education.

Assembly Bill No. 1604: By Mr. Caldecott—An act making an appropriation to the Youth Authority for payments under Section 957 of the Welfare and Institutions Code.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1605: By Mr. Caldecott—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 25, 1949

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

Senate Concurrent Resolution No. 26

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 26—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Referred to Committee on Rules.

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

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

Assembly Bill No. 1606: By Mr. Dunn—An act to add Section 13099.4 to the Education Code, relating to classification of certificated employees in summer schools.

Referred to Committee on Education.

Assembly Bill No. 1607: By Mr. Condon—An act to amend Section 6.5 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1608: By Mr. Condon—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1609: By Mr. Condon—An act to amend Section 12 of the Unemployment Insurance Act, relating to the definition of week contained therein.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1610: By Mr. Condon—An act to amend Section 13 of the Unemployment Insurance Act, relating to suitable employment.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1611: By Mr. Condon—An act to repeal Sections 39, 39.1, 39.5, 40, 41, 41.1, 41.2, 41.3, 41.5, and 42 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1612: By Mr. Condon—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1613: By Mr. Condon—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1614: By Mr. Condon—An act to add Section 54.1 to the Unemployment Insurance Act, relating to benefit payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1615: By Mr. Condon—An act to amend Section 55 of the Unemployment Insurance Act, relating to benefit payments.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1616: By Mr. Condon—An act to amend Section 56 of the Unemployment Insurance Act, relating to trade dispute disqualifications.

Referred to Committee on Industrial Relations.

Assembly Bill No. 1617: By Mr. Condon—An act to amend Section 57 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1618: By Mr. Condon—An act to amend Sections 1 and 57 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1619: By Mr Condon—An act to amend Section 58 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1620: By Mr. Condon—An act to amend Section 58 of the California Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1621: By Mr. Condon—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1622: By Mr. Condon—An act to amend Section 58 of the California Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1623: By Mr. Condon—An act to amend Section 58 of the California Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 2.46 p.m., Mr. Dickey asked for, and was granted, unanimous consent that the members of the Committee on Rules be excused for the purpose of holding a meeting, in Room 320, at this time.

REQUEST FOR UNANIMOUS CONSENT THAT RESOLUTION BE REFERRED TO THE COMMITTEE ON RULES

Mr. Thomas asked for, and was granted, unanimous consent that a resolution received by him from the Board of Directors of the Chamber of Commerce of Torrance be ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 1624: By Mr. Condon—An act to amend Section 68 of the Unemployment Insurance Act, relating to hearings and decisions by referees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1625: By Mr Condon—An act to amend Section 72 of the Unemployment Insurance Act, relating to proceedings by Appeals Board.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1626: By Mr. Ralph C. Dills—An act to amend Sections 18100, 18102, 18105, 18200, 18300, 18302, 18408, 18460, 18461, 18464, 18466, 18467, 18625, 18650, 18652, 18656, and Chapter 6 of; and to add Sections 18104.5, 18106.5, 18107.1, 18400 5, 18401, 18401 1, 18401.2, 18401.3, 18432.5, 18432.6, 18432.7, Article 2.5 of Chapter 4, Section 18440, Article 2.6 of Chapter 4, Sections 18450, 18451, Article 2.7 of Chapter 4, Sections 18455.5, 18460.4, 18466.5, 18466.6, 18466.7, 18466.8, 18467.5, 18470 5, 18600, 18600.5, 18625 5, 18625.6, 18625.7, 18650.2, 18656.71, 18710.5, Article 1 of Chapter 6, Sections 18715, 18715.1, Article 2 of Chapter 6, Sections 18717, 18717.5, 18717.6, 18717.7, 18718, Chapter 6 5, and Section 18720 7 to; and to repeal Sections 18302.5, 18600, and 18601 of, the Health and Safety Code, relating to auto courts, resorts, and motels and auto and trailer parks.

Referred to Committee on Public Health.

Assembly Bill No. 1627: By Messrs. Conrad and Price—An act to add Section 834 to the Welfare and Institutions Code, relating to procedure in the juvenile court concerning minors alleged to have committed violations of law.

Referred to Committee on Judiciary.

Assembly Bill No. 1628: By Messrs. Conrad and Price—An act to add Sections 578.2, 760, 761, 762, 763, and 764 to, and to amend Sections 826 and 827 of, and to repeal Section 826.5 of the Welfare and Institutions Code, relating to juvenile court procedures with respect to traffic misdemeanors committed by minors.

Referred to Committee on Judiciary.

Assembly Bill No. 1629: By Messrs. Grant, Hahn, Burkhalter, and Cramer—An act to amend Section 18109 of the Health and Safety Code, relating to auto and trailer camps.

Referred to Committee on Public Health

Assembly Bill No. 1630: By Messrs. Brown, Caldecott, Beck, Rosenthal, George D. Collins, Connolly, and Grunsky—An act to amend Section 1187 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Referred to Committee on Judiciary.

Assembly Bill No. 1631: By Messrs. Brown, Beck, Grunsky, Caldecott, George D. Collins, and Connolly—An act to amend Section 164 of the Civil Code, relating to property acquired after marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 1632: By Messrs. George D. Collins, Coats, Moss, and Lewis—An act relating to registration of persons retained or employed to promote or oppose legislation, and providing penalties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1633: By Messrs. Silliman and Price—An act to amend Section 1143 of the Penal Code, relating to juror's fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1634: By Messrs. Silliman and Price—An act to amend Section 26743 of the Government Code, relating to sheriffs' fees.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1635: By Messrs. Silliman and Price—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1636: By Mr. Lincoln—An act to add Article 1A, comprising Sections 14260 to 14264, inclusive, to Chapter 3, Part 5, Division 2, Title 2 of the Government Code, and to repeal Section 14270 of the Government Code, relating to public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1637: By Mr. McCollister and Mrs. Niehouse—An act to amend Sections 19485.1 and 19620.1 of the Business and Professions Code, relating to license fees of licensees conducting horse racing meetings, and providing for the use of a portion of such fees to carry out the provisions of the California Academies Act.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1638: By Messrs. Tomlinson, Lipscomb, McMillan, and Dolwig—An act to amend Sections 5001, 5004, 5030, and 5093, and to repeal Sections 5000.5 and 5031, of the Business and Professions Code, relating to accountants.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1639: By Messrs. Tomlinson and Thomas—An act to add Section 801.5 to the Fish and Game Code, relating to abalones.

Referred to Committee on Fish and Game.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 36
House Resolution No. 69
House Resolution No. 71

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 61

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

DICKEY, Chairman

Above reported resolution ordered on file.

ANNOUNCEMENT OF COMMITTEE APPOINTMENT

Speaker Sam L. Collins announced the appointment of Mr. Conrad to membership on the Interim Committee on Governmental Efficiency and Economy, vice Mr. Hinton.

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

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

Assembly Concurrent Resolution No. 43: By Mr. Sam L. Collins—Relative to approving amendments to the charter of the City of Huntington Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the thirteenth day of April, 1948.

Referred to Committee on Rules

Assembly Bill No. 1640: By Mr. Hoffman—An act to amend the title of Article 1 of Chapter 4, and Section 380.51 of the Agricultural Code, relating to swine.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1641: By Mr. Price—An act to amend Section 1425 of the Penal Code, relating to jurisdiction of justices' courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1642: By Mr. Price—An act to amend Section 31553 of the Government Code, relating to membership in county employees' retirement association.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1643: By Messrs. Hagen and Price—An act to amend Section 26524 of the Government Code, relating to duties of district attorney.

Referred to Committee on Judiciary.

Assembly Bill No. 1644: By Messrs. Hagen and Price—An act to amend Section 29610 of the Government Code, relating to convention expenses of county officers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1645: By Mr. Price—An act to repeal Section 1033.7 of the Code of Civil Procedure, relating to memorandum of costs after judgment.

Referred to Committee on Judiciary.

MEMBERS EXCUSED

At 3 p.m., Messrs. Lowrey and Sherwin asked for, and were granted, unanimous consent that they be excused for the purpose of attending a Joint Legislative Budget Committee meeting, at this time.

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

The following resolutions were offered:

Assembly Constitutional Amendment No. 44: By Messrs. Price and Hagen—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 5 of Article XI thereof, relating to compensation of officers.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 45: By Mr. Price—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article VI thereof a new section to be numbered 7.5, relating to designation of the judges of the juvenile court in counties having more than one judge of the superior court.

Referred to Committee on Constitutional Amendments.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred Assembly Concurrent Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 43, at this time, without reference to print or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 43

Assembly Concurrent Resolution No. 43—Relative to approving amendments to the charter of the City of Huntington Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the thirteenth day of April, 1948.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered printed, and transmitted to the Senate.

Rush Order Placed on Printing of Assembly Concurrent Resolution No. 43 By Unanimous Consent

By unanimous consent, Speaker Sam L. Collins placed a rush order on the printing of Assembly Concurrent Resolution No. 43.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 73

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT SPECIAL MEETINGS OF COMMITTEES BE PERMITTED

Mr. Stewart asked for, and was granted, unanimous consent that the Committee on Governmental Efficiency and Economy be permitted to hold a special meeting upon adjournment, for the purpose of considering Senate Bill No. 101, by Senator O'Gara.

Mr. Luckel asked for, and was granted, unanimous consent that the Committee on Transportation and Commerce be permitted to hold a special meeting, in Room 426, upon adjournment, for the purpose of considering Assembly Bills Nos. 801 and 802.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

At 11.30 a.m.—

Conservation, Planning, and Public Works.

At 11 31 a.m.—

Rules.

At 11.32 a.m.—

Social Welfare.

At 2.46 p.m.—

Rules.

Upon adjournment—

Governmental Efficiency and Economy.
Transportation and Commerce.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Arthur H. Connolly, Sr., of San Francisco.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Robert H. Vincent, teacher, Harry Oldham, bus driver, and the following pupils of the Clarksburg School: Carole Azeveda, Dorothy Wilson, Beverly Correa, Keith Culley, Doreen Perry, James Perry, Ruby Remien, Emilia Ayala, Delia Widener, Mary Breckenridge, Jean Ota, Marilyn Neves, Paulina Whitlow, James Dolan, Dale Bielefeld, Charles Yogi, Maurice Taylor, Candelario Martinez, Joy Oakden, Robert Tokunaga, Robert Pettis, Nancy Manica, Jo Ann Monice, Kiyoko Iwamoto, Fumiye Mishioko, John Armenta, and Aaron McHenry.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Judge Ray Baugh of Monterey and Judge James A. Jeffery of Salinas.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Robert Jones of Philadelphia, Pennsylvania.

On request of Messrs. Connolly and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Herbert Hanley of San Francisco.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Albert J. Stratton of Vallejo.

On request of Messrs. McCarthy and McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Dennis P. Keegan of Santa Rosa.

On request of Messrs. Thomas and Fletcher, the usual courtesies of the Assembly for this day were unanimously extended to J. H. Armington of Lomita.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Frank A. Maderes, Clarence Clark, C. T. Butler, C. H. Abelle, O. A. Jones, Hugh M. Young, and Miss Lois Scarsella of Pinole.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Kenneth I. Jones of Suisun.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Jeannette Jennings, advisor, and the following students of the Burlingame High School: Helen Pinkerton, Harry Hahn, David Cleaver, Pat Thomason, Bob Buckles, Bill Godfrey,

Donald Price, Robert Johnson, Walter Whitmann, Gretchen Umland, Betty Fleenor, Janet Cohn, Connie Gomperts, Marlene Haas, Marjorie Harrington, Beth Harrington, Nonette Close, Donald Webster, Peggy Wood, Wayne Kemmerle, Mona Wiley, Jim Connor, Jean Preston, Jeanne Frykland, Phil Forest, Dick Plunkett, Nancy Smith, Wayne Gerling, Nancy Williams, Calvin Benson, Jerry Fairley, Dwight Allen, Paul Carroll, and Nancy Camp.

On request of Messrs. Evans and Morris, the usual courtesies of the Assembly for this day were unanimously extended to D. D. McClurg of Los Angeles.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Frank E. Cane of Sherman Oaks.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Robert L. Henry of Compton.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to John Gould of Santa Barbara.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Rudolph Kuhn, Mr. Giganti, teachers, James Georgis, bus driver, and the following pupils of the Amador Union High School: Dale Babbitt, Richard Brown, Larry Toney, Jack Law, Don Christensen, William Frost, Donald Garcia, Robert Harness, Charles Miller, Donald Mortensen, Merton Murray, Frank Petersen, Homer Rush Shamblin, Jr., Dolores Alexander, Mary Allender, Jane Arendt, Jacklyn Brown, Charlene Dabbs, Phyliss Kaufman, Teresa Walsh, Sumi Matsumoto, Jo Ann Medeiros, Marguerite Rickenbach, Florence Schurch, Maryalda Shanks, Maxine Sturm, Jeannine Thiessen, Hideko Tomita, Marilyn Crowe, Inge Kirk, Tom Frudden, and Patricia Bartholomew.

ADJOURNMENT

At 3.12 p.m., on motion of Mr. Clarke, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, January 26, 1949, out of respect to the memory of the late Judge Harold Brooks Landreth of Los Angeles, and the late City Councilman Stanley A. Tryce of Inglewood.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTEENTH LEGISLATIVE DAY

TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, January 26, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal Spirit: May this be a moment when we expand our minds and widen our thoughts to the far reaches of Infinity.

In this moment, we lift up our thoughts above the material, and look away to the hills and the sky, and see that there is another and wider life beyond the problems of the day.

We look up to the stars and behold Thy invisible power that revolves the constellations, and directs the majestic forces of the universe, and causes them to flow in unbroken harmony.

May we expand our intelligence by looking beyond our boundaries to other climes, and cherish sympathetic concern for other races struggling for bread and happiness.

May we expand our minds and hearts by our broad sympathies for all classes of people and like the greatest soul of earth enjoy the widest possible circle of human contacts.

So may we see the purpose of life is to widen our horizons, and enlarge our outreach until our stature touches the stars.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McCollister, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness.

Mr. Fletcher, on motion of Mr McMillan.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr Lincoln, on motion of Mr. Rumford.

Mr. Collier, on motion of Mr. Erwin.

COMMUNICATIONS

By Speaker Collins:

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

HAYDEN'S ELECTRIC SERVICE
LOS ANGELES, CALIFORNIA, January 24, 1949

The Honorable Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR SIR: The court reporters transcript, private copy referred to in the petition enclosed, is available at your request.

I believe that all other documents, except those in the possession of Ralph M. Brown, Chairman of the Judiciary Committee, are available from the public records, of the County Clerk's Office of Los Angeles County.

If any further explanation is necessary I will appreciate hearing from you

Yours very truly,

HENRY H. HAYDEN

Copy to Ralph M. Brown.

Above mentioned petition, which requests the Legislature to exercise the right given in Article VI, Section 10, of the Constitution of the State of California, in order to correct a court, was ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 645

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 645—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount of the grant thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 4 of the title of the printed bill, after "appropriation", insert "and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2 of said bill, after line 16, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are.

The amount paid to the needy blind was increased by Article XXV of the Constitution, adopted by the people at the election of November 2, 1948, but no provision was made for an increase in aid to the partially self-supporting blind This has resulted in an undeserved and inequitable discrimination against those blind persons who are able to support themselves partially. Inasmuch as the Governor, in his budget message, has recommended that this discrimination against the partially self-supporting blind be remedied and eliminated at once, it is necessary that the amount of aid to the partially self-supporting blind be increased"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 645

Mr. Gaffney moved that a rush order be placed upon the printing of Assembly Bill No. 645.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 17

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 26

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

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 26 (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 26—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 9, of the printed measure, strike out "eighth" after "twenty-", and insert "ninth".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 801

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 801—An act to amend Section 420.5 of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 802

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 802—An act to amend Sections 419 and 420 of the Vehicle Code, relating to financial responsibility and declaring the urgency thereof.

Bill read second time, and ordered engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1646: By Mr. Silliman—An act to amend Section 1300.16 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture

Assembly Bill No. 1647: By Mr. Silliman—An act to amend Section 1300.15 of the Agricultural Code, relating to the marketing of

agricultural products, declaring the urgency thereof, to take effect immediately

Referred to Committee on Agriculture

Assembly Bill No. 1648: By Mr. Kilpatrick—An act to add Section 9511.1 to Chapter 18 of the Business and Professions Code, relating to cleaning and dyeing establishments

Referred to Committee on Public Health.

Assembly Bill No. 1649: By Mr Price—An act to add Section 1714.1 to the Civil Code, relating to liability of parents and guardians for torts of minors.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1650: By Mr. Price—An act to add Section 207a to the Civil Code, relating to liability of parents for torts of minors.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1651: By Mr Price—An act to repeal the act known as Chapter 807, Statutes of 1937, entitled "An act to regulate the distribution of moneys received from the United States Government under the provisions of the act of Congress of June 28, 1934, known as the Taylor Grazing Act and any act amendatory thereof".

Referred to Committee on Agriculture.

Assembly Bill No. 1652: By Messrs. Price and Levering—An act to amend Section 1760.7 of the Welfare and Institutions Code, relating to adult and juvenile probation, and providing for the establishment of minimum standards and qualifications for persons engaged in the administration thereof, and minimum standards of performance therein and making an appropriation therefor

Referred to Committee on Crime and Correction

Assembly Bill No. 1653: By Messrs. Price and Levering—An act to add Section 703 to the Welfare and Institutions Code, to amend Section 1504 of the Penal Code, and to amend Sections 166, 259, and 259a of the Code of Civil Procedure, relating to writs of habeas corpus by or on behalf of minors.

Referred to Committee on Judiciary.

Assembly Bill No. 1654: By Messrs. Price and Levering—An act to add Section 13625 to the Government Code, relating to the publication and distribution of a compilation, and bi-annual supplements thereto, of laws concerning minors and making an appropriation therefor.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1655: By Messrs Levering and Price—An act to add a Section 1752 1 to the Welfare and Institutions Code, relating to contracts for the extension of services by the Youth Authority to counties

Referred to Committee on Judiciary.

Assembly Bill No. 1656: By Messrs. Levering and Price—An act to amend Section 702 of the Welfare and Institutions Code, relating to

the jurisdiction of the juvenile court over persons charged with contributing to the delinquency of a minor.

Referred to Committee on Judiciary.

Assembly Bill No. 1657: By Messrs. Levering and Price—An act to add Article 7.5, comprising Section 770, to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to the protection of minors, authorizing peace officers to take minors into temporary custody under circumstances specified therein, providing for the detention of such minors, requiring notice thereof to be given to the parents or guardians of such minors, and prescribing the procedure to be followed in bringing minors before the juvenile court.

Referred to Committee on Judiciary.

Assembly Bill No. 1658: By Messrs Levering and Price—An act to repeal Section 828 of the Welfare and Institutions Code, and to add Section 828 to said code, relating to the custody of a minor prior to hearing in the juvenile court or pending appeal therefrom and prohibiting the use of bail at such times.

Referred to Committee on Judiciary.

Assembly Bill No. 1659: By Messrs. Levering and Price—An act to add Section 1752 15 to the Welfare and Institutions Code, relating to contracts for the extension of services by counties to the Youth Authority.

Referred to Committee on Judiciary

Assembly Bill No. 1660: By Messrs. Price and Erwin—An act to amend Section 1722 of, and to add Section 1723.1 to, the Welfare and Institutions Code, relating to salaries of the Youth Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1661: By Mr. Sillman—An act to amend Section 20344 and 20344.1 of the Education Code, relating to the support of the public schools.

Referred to Committee on Education.

Assembly Bill No. 1662: By Mr Maloney—An act to amend Sections 6852, 6855, 6857, 6862, 6864, 6865, 6866, 6876, 6877, 6878, 6880, 6885, 6889, 6890, 6895, 6897, 6898, 6902, 6906, 6907, 6908, 6909, 6910, 6911, 6912, 6913, 6914, 6915, 6916, 6922, 6923, 6925, 6926, 6930, 6950, and to add Sections 6858, 6931, 6947, 6948, and to renumber Sections 6939 and 6940 of the Business and Professions Code, relating to the regulation and licensing of collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1663: By Mr. Lindsay—An act to amend Section 621 of the Fish and Game Code, relating to fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1664: By Mr. Hollibaugh—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of cities, counties, and school districts from sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1665: By Mr. Hollibaugh—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public works.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1666: By Mr. Tomlinson—An act to amend Sections 46 and 48 of the Fish and Game Code, relating to the disposition of fish and game fines and forfeitures, and making an appropriation

Referred to Committee on Fish and Game.

Assembly Bill No. 1667: By Messrs. Hagen and Price—An act to amend Section 726 of the Welfare and Institutions Code, relating to the issuance of a citation to appear.

Referred to Committee on Social Welfare

Assembly Bill No. 1668: By Messrs. Hagen and Price—An act to amend Section 17 of the Penal Code, relating to the determination of the degree of offense upon commitment to the Youth Authority.

Referred to Committee on Judiciary.

Assembly Bill No. 1669: By Mr. Cooke (By request)—An act to amend Section 1171 and to repeal Section 1184 of the Military and Veterans Code, relating to memorial districts

Referred to Committee on Military Affairs

Assembly Bill No. 1670: By Messrs. Fleury and McCarthy—An act to add Article 4 comprising Sections 16390 to 16395, inclusive, to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to the payment of compensation to state officers and employees, creating the State Payroll Revolving Fund, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1671: By Mr. Lipscomb—An act to amend Section 13656 of the Education Code, relating to the retention of employment rights for certificated junior college school district employees teaching in four-year state institutions of higher education maintained on junior college campi.

Referred to Committee on Education.

Assembly Bill No. 1672: By Mr. Lipscomb—An act to amend Sections 2 and 3 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therefrom.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1673: By Messrs. Burkhalter and Price—An act to amend Section 1731.5 of the Welfare and Institutions Code, relating to referral of juvenile offenders to the Youth Authority.

Referred to Committee on Crime and Correction.

Assembly Bill No. 1674: By Messrs. Burkhalter and Beck—An act to amend Section 459 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1675: By Messrs. Burkhalter and Cooke—An act to add Section 10347 to the Insurance Code, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1676: By Messrs. Cramer and Luckel—An act to amend Section 5016 of the Public Resources Code, relating to the exchange of land within Anza Desert State Park Project.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1677: By Mr. Hollibaugh—An act to add Section 1873 to the Code of Civil Procedure, relating to expert witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 1678: By Mr. Brown—An act to amend Sections 11380, 11382, 11382.5, 11383, 11385, 11409, and 11422 of the Government Code, relating to rules and regulations of state agencies and providing for the transfer of certain records from the Secretary of State to the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1679: By Mr. Moss—An act to amend Sections 3, 4, and 5 of the act known as Chapter 48, Statutes of 1943, entitled "An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of Internal Revenue Laws of the United States, declaring the urgency of this act, to take effect immediately," approved February 10, 1943, relating to the deposit and disbursement of moneys withheld from salaries or wages paid to any person by the State or other public agencies pursuant to the Internal Revenue Law of the United States or any requirements of the Commissioner of Internal Revenue pursuant thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1680: By Mr. Burke—An act to amend Section 18102 of the Health and Safety Code, relating to trailer camps.

Referred to Committee on Public Health.

Assembly Bill No. 1681: By Mr. Burke—An act to amend Section 467 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1682: By Mr. Burke—An act to amend Section 1861 of the Civil Code, relating to liens.

Referred to Committee on Judiciary.

Assembly Bill No. 1683: By Mr Stanley—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Referred to Committee on Public Morals.

Assembly Bill No. 1684: By Mr. Stanley—An act to amend Section 1772 of the Elections Code, relating to municipal referendum.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1685: By Mr McMillan—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1686: By Mr. McMillan—An act to add Section 7432, and Article 8.5, comprising Sections 7402 to 7409, inclusive, to Chapter 10 of Division 3 of the Business and Professions Code, relating to minimum price schedules for services licensed under the chapter on cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 1687: By Mrs. Niehouse and Mr. Cramer—An act to amend Section 24400 of the Health and Safety Code, relating to abandoned excavations.

Referred to Committee on Public Health.

Assembly Bill No. 1688: By Mrs. Niehouse—An act to amend Section 19a of the Municipal Court Act of 1925, relating to employees in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1689: By Mrs. Niehouse—An act to amend Section 4661 of the Education Code, relating to changes in boundaries of unified school districts.

Referred to Committee on Education.

Assembly Bill No. 1690: By Mr. Price—An act to add Section 374d to the Penal Code, relating to hunting and the discharge of firearms.

Referred to Committee on Judiciary.

Assembly Bill No. 1691: By Messrs. Burkhalter and Price—An act to add Sections 145.1 and 842.1 to the Penal Code, requiring peace officers taking minors into custody to give notice thereof to the parents or guardians of the minors, and penalizing wilful delay in the giving of such notice.

Referred to Committee on Judiciary.

Assembly Bill No. 1692: By Mr. Crowley—An act making an appropriation for the maintenance of a band at the State Veterans' Home.

Referred to Committee on Military Affairs.

Assembly Bill No. 1693: By Messrs. Heisinger and Crichton—An act to add Section 53.7 to the Alcoholic Beverage Control Act, relating to quality standards of wine, to take effect immediately.

Referred to Committee on Public Morals.

Assembly Bill No. 1694: By Mr. Erwin—An act to amend Section 1352.5 of the Fish and Game Code, relating to frogs.

Referred to Committee on Fish and Game.

Assembly Bill No. 1695: By Mr. Erwin—An act to amend Section 1151 of the Fish and Game Code, relating to artificial light.

Referred to Committee on Fish and Game.

Assembly Bill No. 1696: By Mr. Morris—An act to amend Sections 642, 648, and 666 of, and to add Sections 642.5 and 648.5 to, the Agricultural Code, relating to oleomargarine and other substitution for butter.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1697: By Mr. Clayton A. Dills—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by adding Section 20 to that act, relating to chiropractic, including the regulation and practice thereof, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 1698: By Mr. Clayton A. Dills—An act to add Section 55.9 to the Alcoholic Beverage Control Act, relating to beer manufacturers and affiliated companies.

Referred to Committee on Public Morals

Assembly Bill No 1699: By Mr. Anderson—An act to add Chapter 1.5 to Part 2 of Division 5 of the Health and Safety Code, relating to the creation, government and maintenance of county garbage disposal districts, the issuance of bonds by such districts and the powers thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1700: By Messrs. Way and Condon—An act to amend Section 13 of the Construction and Employment Act, relating to the types of projects to be constructed by counties pursuant to said act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1701: By Messrs. Grant, Grunsky, and Beck—An act to add Section 768 of the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1702: By Mr. Evans—An act to amend Section 9 of the Civil Code, relating to the performance of certain business transactions on Saturday.

Referred to Committee on Judiciary

Assembly Bill No. 1703: By Mr. Evans—An act to add Section 18597 to the Government Code, relating to the Registrar of the California Structural Pest Control Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1704: By Mr Evans—An act to add Section 1112 to the Penal Code, relating to evidence in criminal cases.

Referred to Committee on Judiciary.

Assembly Bill No. 1705: By Mr. Fleury—An act making an appropriation to pay the claim of C. D. Plum against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 1706: By Mr. Stewart—An act to amend the chapter heading of Chapter 1 of Part 3 of Division 6 of the Welfare and Institutions Code, and to amend Sections 6000, 6001, 6002, 6003, and 6004 of, and to add Section 6005 to, said code, relating to county psychopathic hospitals, and providing for the temporary admission and treatment therein of mental patients and the powers of counties in respect thereto.

Referred to Committee on Public Health.

Assembly Bill No. 1707: By Mr. Stewart—An act to add Section 7409 to the Welfare and Institutions Code, relating to the qualifications of the superintendent of a psychiatric hospital clinic in the City of Los Angeles under the control of the Department of Mental Hygiene.

Referred to Committee on Public Health.

Assembly Bill No. 1708: By Mr. Davis—An act to add Section 412 to the Fish and Game Code, relating to the taking of big game.

Referred to Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION BE PRINTED IN THE JOURNAL

Mr. Doyle asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 25, 1949

Hon. Thomas J. Doyle
Assembly Chamber

Effect of Withholding of Federal Old-Age Assistance and Assistance for Aid to the Needy Blind Upon State Payments of Old Age Security and Blind Security Under Article XXV of the State Constitution—#3914.

DEAR MR. DOYLE: You have asked us what would be the effect of the withholding of federal old-age assistance and assistance for aid to the needy blind upon state payments of old-age security and blind security under Article XXV of the State Constitution, particularly with respect to residence qualifications for such security.

We are enclosing a copy of a memorandum we have prepared on this subject, in which we conclude that in the event of the withdrawal of federal assistance the state

obligation to continue payments of old-age security and blind security would be unchanged, that the residence qualifications for old-age security would not be affected, but that the State residence qualifications for aid to the needy blind would be increased, in respect to those persons who became blind while not residents of the State of California, from the present requirements of one year immediately preceding the date of application and five years within the nine years immediately preceding the date of application (under Section 3043 of the Welfare and Institutions Code) to 10 years immediately preceding the filing of the application

If the Legislature desires to prevent such an increase in residence qualifications for aid to the needy blind for such persons this could readily be accomplished by an amendment to Section 3041 of the Welfare and Institutions Code, and the repeal of Section 3043 thereof In case you may wish to introduce such a bill, we are enclosing a draft of a bill which would accomplish that purpose

Very truly yours,

FRED B. WOOD, Legislative Counsel
By HARRIETT R BUHLER, Deputy

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

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

Assembly Concurrent Resolution No. 44: By Messrs. Hagen and Price—Relative to building program priorities.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 45: By Messrs. Burkhalter, Price, Grant, Burke, and Kilpatrick—Relative to the creation of the Joint Legislative Committee on Chronic Alcoholism.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 46: By Mr. McCollister—Relative to the Valley of the Moon Scenic Route.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 46: By Mr. Morris—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article IV thereof, relating to initiative and referendum measures.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1709: By Mr. Davis—An act to amend Section 1278 of the Fish and Game Code, relating to deer tags.

Referred to Committee on Fish and Game.

Assembly Bill No. 1710: By Mr. Davis—An act to add Section 462 to the Fish and Game Code, relating to the regulation of nonresident hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 1711: By Mr. Thomas—An act to amend Section 10490.1 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1712: By Mr. Stanley—An act to amend Sections 11004 and 11005 of the Revenue and Taxation Code, relating to the disposition of motor vehicle license fees ("in-lieu" tax).

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1713: By Mr. Grunsky—An act to add Section 55.65 to the Alcoholic Beverage Control Act, relating to the sale of wine, requiring the making of fair trade contracts and the filing of selling and resale price lists in relation thereto, and governing the giving of discounts in connection with the sale of wine.

Referred to Committee on Public Morals.

Assembly Bill No. 1714: By Mr. Grunsky—An act to amend Section 574 of the Probate Code, relating to actions which may be maintained by or against administrators and executors

Referred to Committee on Judiciary.

Assembly Bill No. 1715: By Mr Grunsky—An act to add Section 574.5 to the Probate Code, providing for the survival of tort actions.

Referred to Committee on Judiciary.

Assembly Bill No. 1716: By Mr. Grunsky—An act making an appropriation for the support of the State Controller

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1717: By Mr. Grunsky—An act to add Sections 16346, 16347, 16348, and 16349 to Article 1 of Chapter 2 of Part 2 of Division 4 of Title 2, and to amend Section 16350, of the Government Code, relating to the abolition of special funds in the State Treasury.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1718: By Messrs. Thomas, Kilpatrick, Anderson, and Bennett—An act to add Section 454.3 to the Vehicle Code and to amend Sections 459, 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Referred to Committee on Transportation and Commerce.

Assembly Joint Resolution No. 18: By Messrs. Clarke, Crichton, and Heisinger—Relative to memorializing the President and Congress to have the Mammoth Pass Road in California constructed as a postwar construction project.

Referred to Committee on Rules.

Assembly Bill No. 1719: By Mr. Thomas—An act making an appropriation for the payment of security to the needy blind and needy aged pursuant to Article XXV of the Constitution, and appropriating for that purpose the unencumbered balance of the appropriation made by the Construction and Employment Act, to take effect immediately.

Referred to Committee on Social Welfare

Assembly Bill No. 1720: By Messrs. Ralph C. Dills, Dickey, Geddes, Crichton, Beck, Clayton A. Dills, Dunn, Hawkins, Hollibaugh, Maloney, Moss, Mrs. Niehouse, and Messrs Rosenthal, and Sherwin—An act to amend Section 17 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and

supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans

Referred to Committee on Finance and Insurance

Assembly Bill No. 1721: By Messrs. Ralph C. Dills, Dickey, Geddes, Crichton, Beck, Clayton A. Dills, Dunn, Hawkins, Hollibaugh, Maloney, Moss, Mrs. Niehouse, Messrs Rosenthal, and Sherwin—An act to amend Section 18 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1722: By Messrs. Ralph C. Dills, Dickey, Geddes, Crichton, Beck, Clayton A. Dills, Dunn, Hawkins, Hollibaugh, Maloney, Moss, Mrs. Niehouse, Messrs Rosenthal, and Sherwin—An act to amend Section 10 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1723: By Mr Lowrey—An act to add Section 16302.1 to the Government Code, relating to the disposition of amounts not exceeding one dollar ($1) paid to state agencies and determined to constitute overpayments of taxes, penalties, interest, license or other fees, or other revenues due the State of California

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1724: By Mr. Luckel—An act to repeal Section 1065, and to amend Sections 1066 and 1076 of the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 1725: By Mr. Luckel—An act to add Sections 1069 and 1069.5 to the Fish and Game Code, relating to sardines.

Referred to Committee on Fish and Game.

Assembly Bill No. 1726: By Mr. Rosenthal—An act to amend Section 1254 of the Code of Civil Procedure, relating to eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 1727: By Mr Rosenthal—An act to amend Sections 631 and 631 5 of the Code of Civil Procedure, relating to jury trials

Referred to Committee on Judiciary.

Assembly Bill No. 1728: By Mr. Rosenthal—An act to amend Section 631 of the Code of Civil Procedure, to add Section 29619 to the Government Code, and to add Section 4300f 5 to the Political Code, relating to jury fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1729: By Mr Erwin—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1730: By Mr. Erwin—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1731: By Mr Grant—An act to add Section 4903.2 to the Labor Code, relating to liens

Referred to Committee on Industrial Relations

Assembly Bill No. 1732: By Mr. Grant—An act to amend Section 254 of the Unemployment Insurance Act, relating to medical records

Referred to Committee on Public Health.

Assembly Constitutional Amendment No. 47: By Messrs. Rosenthal and Burke—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 22 of Article XX thereof, relating to intoxicating liquors and taxation thereof.

Referred to Committee on Constitutional Amendments

Assembly Bill No. 1733: By Mr Hollibaugh—An act to provide for the formation of districts within municipalities for the acquisition and construction of public parking places, including garages and other improvements, for the parking of motor vehicles, the acquisition and construction of public ways for ingress to and egress from such parking places; the issuance, sale and payment of bonds for the acquisition and construction of such parking places and public ways; the levy and collection of taxes, assessments, rentals, fees and charges for the payment of principal and interest of such bonds, the maintenance and operation of such parking places; the collection of rentals, fees and charges for the use of such parking places; contributions by cities of moneys, tax revenues, parking meter revenues or other funds for the payment of such bonds and interest or the acquisition and construction of parking places; relating to the powers and duties of cities and city officials; and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1734: By Mr Hollibaugh—An act to amend Sections 1, 2, 3, 5, 7, 9, 13, 14, 28, 44, 46, 47, 48, 49, 51, and 55 of, and to add Section 45 1 to, the Vehicle Parking District Act of 1943, relating to vehicle parking districts and the formation and financing thereof, the acquisition and improvement of parking places and of means of ingress thereto, contributions by cities and counties to pay portions of the cost thereof, the levy of taxes, and the management and operation of parking places.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1735: By Mrs Niehouse—An act to repeal Section 4629 of the Education Code, relating to powers and duties of a unified school district.

Referred to Committee on Education.

Assembly Bill No. 1736: By Mr. Ralph C. Dills (By request)—An act to amend Section 3592 of the Education Code, relating to the formation of high school districts.

Referred to Committee on Education.

Assembly Bill No. 1737: By Mr. Elliott—An act to amend Section 40 of the Alcoholic Beverage Control Act, and to add Section 59.1 thereto, relating to discrimination by licensees or their agents or employees.

Referred to Committee on Public Morals.

Assembly Bill No. 1738: By Mr. Elliott—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance benefits.

Referred to Committee on Finance and Insurance.

Assembly Concurrent Resolution No. 47: By Messrs. Reagan and Levering—Relative to commending the Board of Regents and the President of the University of Washington.

Referred to Committee on Rules.

Assembly Bill No. 1739: By Mr. Elliott—An act to add a new section to the Welfare and Institutions Code to be numbered 7511, providing for state cooperation in the development of boarding homes for mentally retarded adults.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 16

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 6
Senate Joint Resolution No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 27

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 27—An act to amend Section 3 of the Property Acquisition Act, relating to the acquisition of property by the State in connection with the postwar construction program, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, after "to", insert "(1)".

Amendment No. 2

On page 1, line 10, of said bill, after "nor", insert "(2)".

Amendment No. 3

On page 1, line 12, of said bill, after "nor", insert "(3)".

Amendment No. 4

On page 1, line 15, of said bill, after "requirement", insert "unless it is a part of an area made up of more than one parcel which in total would cost more than five thousand dollars ($5,000)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REMARKS ON CONDITION OF THE FILE

Mr. Erwin spoke on the condition of the file.

Mr. Cramer spoke on the condition of the file.

MOTION THAT CORRECTIONS BE MADE IN HOUSE RESOLUTIONS PREVIOUSLY PRINTED IN THE JOURNAL

Mr. Dickey moved that two House resolutions, printed in the Assembly Journal of January 19, 1949, be corrected, as follows, to conform with action taken by the Committee on Rules:

On page 373 of the Journal for January 19th, in House Resolution No. 51, strike out "suitably prepared", appearing in the first line of the last paragraph of the resolution; and

On page 379 of the Journal for January 19th, in House Resolution No. 52, strike out "suitably engrossed", appearing in the last two lines of the resolution.

Mr. Ralph C. Dills seconded the motion.

Motion carried.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, January 17, 1949; Tuesday, January 18, 1949; Wednesday, January 19, 1949; Thursday, January 20, 1949; and Friday, January 21, 1949, were approved as corrected by the Minute Clerk.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO PURCHASE 12 TYPEWRITERS

Mr. Dickey moved that the Chief Clerk be instructed to purchase 12 typewriters for the use of the stenographic force employed by this House.

Mr. Ralph C. Dills seconded the motion.

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

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—62.

NOES—None.

MOTION THAT STEEL CABINETS, CHAIRS, AND CUSHIONS BE PURCHASED

Mr. Dickey moved that the Committee on Rules be instructed to purchase 82 steel filing cabinets of which 80 are to be assigned to the members, individually, and two are to be used by the Chief Clerk for the filing of bills; new desk chairs for the desk force; and new cushions for the press chairs.

Mr. Rosenthal seconded the motion.

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

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—62

NOES—None

REMARKS ON CONDITION OF THE FILE

Mr. Lewis spoke on the condition of the file.

Ruling by Speaker

In the failure of any member to call a point of order, Speaker Collins ruled Mr. Lewis out of order.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 101

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 101—An act authorizing the conveyance of certain property belonging to the State of California at San Francisco State College in the City and County of San Francisco, State of California, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 75

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred,

A resolution from the Torrance Chamber of Commerce adopted on the nineteenth day of January, 1949

Has had the same under consideration, and reports the same back with the recommendation: Be printed in the Journal.

DICKEY, Chairman

RESOLUTION ORDERED PRINTED IN JOURNAL

Pursuant to the recommendation of the Committee on Rules, the following resolution was ordered printed in the Journal:

Resolution

TORRANCE CHAMBER OF COMMERCE

Resolution of the Board of Directors of the Torrance Chamber of Commerce opposing the proposed "Rail Rapid Transit Act" as inimical to the best interest of the City of Torrance

The Board of Directors of the Torrance Chamber of Commerce does resolve as follows:

WHEREAS, In the judgment of the Board of Directors of the Torrance Chamber of Commerce the "Rail Rapid Transit Act," as proposed, contains many features deemed inimical to the interests of the City of Torrance; now, therefore, be it

Resolved, That the Board of Directors of the Torrance Chamber of Commerce hereby opposes the plan of the proposed Rapid Transit System as at present being urged by interests motivating for a selfish design that would work hardships upon smaller municipalities within the district said "Rail Rapid Transit Act" would cover The Board of Directors of the Torrance Chamber of Commerce further opposes any similar legislation that deprives any community of its autonomous action

Adopted this nineteenth day of January, 1949.

BLAINE WALKER, Executive Secretary
Torrance Chamber of Commerce

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

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

Assembly Bill No. 1740: By Mr. Morris—An act defining boats and providing for the regulation thereof when navigating the waters within the jurisdiction of this State including the licensing of boats used for hire and providing penalties for violation of its provisions.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1741: By Mr. Morris—An act to add Section 61.5 to the Alcoholic Beverage Control Act, relating to minors upon the premises of on-sale licensees.

Referred to Committee on Public Morals.

Assembly Bill No. 1742: By Mr. Way—An act making an appropriation for major construction, improvements, repairs, and equipment at the Mendocino State Hospital.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1743: By Mr. Hinckley—An act to amend Sections 12460 and 12461 of the Government Code, relating to the duties of the Controller.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1744: By Mr. Dunn—An act to amend Sections 18023, 18024, 18025, and 18026, and to repeal Section 18027 of the Education Code, relating to the maintenance and repair of school district property.

Referred to Committee on Education.

Assembly Bill No. 1745: By Mr. Dunn—An act to amend Section 11510 of, and to add Section 11527.1 to, the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1746: By Mr. Dunn—An act to add Chapter 1.8 to Division 3 of the Education Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance of state bonds for the purpose of providing aid to school districts for public works.

Referred to Committee on Education.

Assembly Bill No. 1747: By Messrs. Kirkwood, Moss, Fleury, and Lindsay—An act to repeal Section 15563 of the Government Code, relating to extending indefinitely the period during which the part of said code relating to planning and research shall remain effective.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1748: By Mr. Kirkwood—An act to amend Section 1501 of the Welfare and Institutions Code, relating to definition of terms.

Referred to Committee on Social Welfare.

Assembly Bill No. 1749: By Mr. Kirkwood—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 1750: By Mr. Kirkwood—An act to amend Section 160 of the Welfare and Institutions Code, relating to the transfer of mental patients to the states of their residence.

Referred to Committee on Social Welfare.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Hollibaugh, Davis, Dunn, and Doyle:

House Resolution No. 76

Relative to an investigation and determination by the Public Utilities Commission of the number of brakemen to be assigned to freight trains to promote safety

WHEREAS, Voters were led to believe that as soon as the repeal of the Full Crew Train Law was accomplished, the Public Utilities Commission of the State of California would make an investigation and determine the number of brakemen to be assigned to freight trains to promote safety; and

WHEREAS, Ballot Proposition No. 3 provides that upon complaint or upon the commission's own motion such determination would be made; and

WHEREAS, A proper complaint was made to the commission and as a result, on December 15, 1948, said commission issued an order in Case No. 4988 in which the commission stated that it would make an investigation on its own motion; and

WHEREAS, To date only a one day hearing, termed "exploratory" by the commission, was held on January 10th in San Francisco, and to date no staff or field investigation has been made, as has always been done in the past when the commission has acted upon its own motion to protect the safety and interests of the people of the State; and

WHEREAS, It is the responsibility of the Public Utilities Commission to promote safety by taking all steps necessary to safeguard the people and railroad employees of the State of California who have placed in the hands of the commission the responsibility to promote the safe operation of freight trains by properly manning them with a sufficient number of brakemen to promote safe operations; and

WHEREAS, The Public Utilities Commission has failed to accept this responsibility; now, therefore, be it

Resolved by the Assembly of the State of California, That the Public Utilities Commission of California is requested and urged to make an immediate state-wide investigation of all railroad properties to determine the number of brakemen needed to promote safety in freight train operations throughout the State; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send a copy of this resolution to the Chairman of the Public Utilities Commission of California.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Butters and Erwin:

House Resolution No. 77

Relative to requesting the State Park Commission to investigate the recreational possibilities of the Colorado River above Imperial Dam

WHEREAS, The Construction of the Imperial Dam on the Colorado River has provided a body of water in an exceptionally scenic area within this State; and

WHEREAS, It appears that the possibilities of developing that area for recreational and park purposes have not been fully explored; and

WHEREAS, The State Park Commission has the authority to investigate the desirability and feasibility of including suitable portions of the area above said Imperial Dam within the State Park System and acquiring said areas for recreational purposes; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Park Commission be, and it hereby is, urged and requested to investigate fully the value of the area on the California side of the Colorado River, above the Imperial Dam, for recreational and park purposes, and to ascertain the cost of acquisition of suitable tracts of such land, and to report thereon to the Assembly at the 1950 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, directed to transmit copies of this resolution to the Governor, and to each member of the State Park Commission.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Butters and Erwin:

House Resolution No. 78

Relative to requesting the State Highway Commission to survey a highway route to the Colorado River

Resolved by the Assembly of the State of California, That the State Highway Commission be, and it hereby is, urged and requested to survey a highway route from United States Highway No. 80 between Sand Hills and Pilot Knob west of Winterhaven to the Colorado River near Picacho, and to report thereon to the Assembly at the 1950 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Governor and to each member of the State Highway Commission.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 1751: By Mr. Kirkwood—An act to amend the article headings of Article 1 and Article 2 of Chapter 3 of Part 1 of Division 6 of the Welfare and Institutions Code, and to amend Sections 5350, 5352, 5354, 5355, 5400, 5401, and 5404 of said code, relating to drug addicts, designating certain persons as narcotic drug addicts, and other persons as addicted to the intemperate use of habit forming drugs, and providing for their commitment.

Referred to Committee on Public Health.

Assembly Bill No. 1752: By Mr. Kirkwood—An act to amend Section 740.5 of the Welfare and Institutions Code, relating to minors believed to be mentally unsound and their temporary placement for observation in institutions under the jurisdiction of the Department of Mental Hygiene.

Referred to Committee on Public Health.

Assembly Bill No. 1753: By Mr. Kirkwood—An act to amend Section 6727 of the Welfare and Institutions Code, relating to the furnishing of needed clothing or money to patients discharged, paroled, or on leave of absence from state hospitals.

Referred to Committee on Social Welfare.

Assembly Bill No. 1754: By Mr. Kirkwood—An act to add Section 6660.1 and 6660.2 to the Welfare and Institutions Code, relating to the investment of funds held by the Department of Mental Hygiene as guardian or other fiduciary.

Referred to Committee on Social Welfare.

Assembly Bill No. 1755: By Mr Kirkwood—An act to amend Section 6500.3 of the Welfare and Institutions Code, relating to the state institution for epileptics, and for mentally defective physically handicapped persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 1756: By Mr. Kirkwood—An act to add Sections 3067, 3067a, 3067b, 3067c, 3067d, 3067e, and 3067f to the Civil Code, relating to liens in favor of hospitals and physicians upon causes of action accruing to the persons receiving the services of such hospitals and physicians.

Referred to Committee on Judiciary.

Assembly Bill No. 1757: By Mr Kirkwood—An act to amend Section 26 of the Corporate Securities Act and Sections 26015 and 26016 of the Corporations Code, relating to fees for copies and certified copies of official documents, orders and other papers filed in the Office of the Commissioner of Corporations.

Referred to Committee on Finance and Insurance

Assembly Bill No. 1758: By Mr. Kirkwood—An act to amend Sections 5, 7, and 13 of the Corporate Securities Act and Sections 25514, 25707, and 25712 of the Corporations Code, relating to the issuance of orders by the Commissioner of Corporations to a company, broker or agent to desist and to refrain from the sale of securities and to hearings on such orders.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1759: By Mr. Kirkwood—An act to amend Section 1 of Chapter 189 of the Statutes of 1933, relating to the deposit of public moneys with banks.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1760: By Mr. Kirkwood—An act to amend Sections 4714, 4965, and 7431 of the Education Code, relating to school district bonds.

Referred to Committee on Education.

Assembly Bill No. 1761: By Messrs. Kirkwood and Thompson—An act to repeal Sections 4845.20, 4545.21, 4845.22, 4845.23, 4845.24, 4845.25, 4845.26, 4845.27, and 4845.28 of and to add Sections 4845.30, 4845.31, 4845.32, 4845.33, 4845.34, 4845.35, and 4845.36 to the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Public Health.

Assembly Bill No. 1762: By Mr. Kirkwood—An act making an appropriation for the support of the State Controller.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1763: By Messrs. Geddes and Morris—An act to add Section 6359.6 to the Revenue and Taxation Code, relating to the sales and use taxes and exemptions therefrom, including the declaration of a continuing legislative intent to exempt farm equipment, spray materials, insecticides, and fungicides used or employed in the production, processing and marketing of farm crops and livestock.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1764: By Messrs. Geddes and Morris—An act to add Section 29075 to the Government Code, governing increases in expenditures and tax levies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1765: By Messrs. Geddes and Morris—An act to provide for the assessment of property for tax purposes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1766: By Messrs. Geddes, Burke, Doyle, Hawkins, and Hollibaugh—An act to amend Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1767: By Mr. Geddes—An act to repeal Sections 92, 92.1, and 92.4 of, and to add Sections 92, 92.1, 92.2, 92.3, and 92.4 to, the Agricultural Code, relating to county and district agricultural association fairs, providing for the classification of such fairs, creating an Agricultural Fairs Committee, prescribing its powers and duties and the powers and duties of the Department of Finance in relation to agricultural fairs.

Referred to Committee on Agriculture.

RESOLUTIONS

The following resolution was offered:

By Mr. Lewis:

House Resolution No. 79

Relative to creating the Migratory Labor Housing Inquiry Committee

WHEREAS, Agricultural labor and civic groups have repeatedly raised the question of the inadequate housing facilities for migratory agricultural workers in California; and

WHEREAS, These groups contend that the great majority of labor camps are antiquated, lacking all facilities necessary to house human beings in a civilized state like California, they further contend that the living and kitchen quarters are crowded and unhealthful, that electricity is often absent, that bathing and toilet facilities are medieval in character, and that there is often a lack of fresh drinking water; and

WHEREAS, These deplorable living conditions which migratory farm workers are forced to accept is considered to be the primary cause of unrest and discontent, demoralization, juvenile delinquency and crime among these workers; and

WHEREAS, The continued use of these inadequate housing facilities tends to undermine the health, morale and the lives of these migratory workers and constitutes a blot on the good name of the State of California; and

WHEREAS, It is the feeling of the Assembly of the State of California that a thorough inquiry into these conditions is desirable as a basis on which any needed changes in laws to alleviate these housing conditions may be made; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Migratory Labor Housing Inquiry Committee is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the housing of migrant or seasonal agricultural labor in the State of California, the compliance with present statutes relative to housing of farm labor, needed revision of any and all laws in any way bearing upon or related to the subject of the resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, with authority to file its final report not later than the last legislative day.

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members Until the adoption of the Joint Rules at this session, the Joint Rules of the Senate and Assembly adopted at the 1947 Regular Session shall be applicable to the committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of the resolution, and to direct the sheriff of any county to serve subpenas, orders and other processes issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties and accomplish the objects and purpose of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 1768: By Messrs. Huyck and Smith—An act to amend Section 9 of the Franchise Act of 1937, relating to franchises and the filing of bond.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1769: By Mr. Davis—An act to add Sections 6957 and 6958 to the Labor Code, relating to railway safety.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 1770: By Mr. Davis—An act to amend Sections 6901 and 6903 of the Labor Code, relating to train crews.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1771: By Mr. Ralph C. Dills (By request of California Federation of Women's Clubs)—An act to add Section 10302.5 to the Education Code, relating to courses of instruction in elementary schools.

Referred to Committee on Education.

Assembly Bill No. 1772: By Mr. Huyck—An act to add Section 218 to the Vehicle Code, relating to registration of vehicles, and making an appropriation

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1773: By Messrs. Thompson and Kirkwood—An act to amend Sections 14331 and 14357 of the Health and Safety Code, relating to metropolitan fire protection districts

Referred to Committee on Municipal and County Government

Assembly Bill No. 1774: By Mr. Thompson—An act to amend Sections 13081, 13086, 13087, 13089, 13092, 13093, and 13094 of, to repeal Sections 13082, 13083, 13084, and 13085 of, and to add Chapter 8.5 of Division 7, comprising Sections 13151 to 13197, inclusive, to the Education Code, relating to teachers' tenure and the creation of state and county teacher tenure commissions

Referred to Committee on Education.

Assembly Bill No. 1775: By Mr. Lindsay—An act to add Chapter 2.1, comprising Sections 4406 to 4411, inclusive, to Division 4 of the Public Resources Code, relating to the controlled use of fire and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1776: By Mr. Heisinger—An act to repeal Sections 695, 698, 698.5, 699, 700, 702, 703, 705, 706, 708, 709, 710, 711, 712, 721, 722, and 724.5 of, and to add Sections 698, 699, and 700 to the Fish and Game Code, relating to fishing.

Referred to Committee on Fish and Game.

Assembly Bill No. 1777: By Messrs Anderson and Burke—An act to amend the heading of Article 3 of Chapter 2 of Division 8 of, and to amend Section 16291 of, the Education Code, relating to the transportation of pupils.

Referred to Committee on Education.

Assembly Bill No. 1778: By Messrs. Heisinger, Lewis, and Crichton—An act relating to farm labor housing, creating a Farm Labor Housing Commission, providing for the acquisition of housing facilities for farm labor, creating a Farm Labor Housing Fund in the State Treasury, and making an appropriation.

Referred to Committee on Agriculture.

Assembly Bill No. 1779: By Mr. Lewis—An act to add Section 1300.15a to the Agricultural Code, relating to marketing of agricultural commodities.

Referred to Committee on Agriculture.

Assembly Bill No. 1780: By Mr. Lewis—An act to add Section 373 2 to the Vehicle Code and Section 10755.2 to the Revenue and Taxation Code, relating to registration and license fees for vehicles.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1781: By Mr. Lewis—An act to add Section 373.4 to the Vehicle Code and to add Section 10755.4 to the Revenue and Taxation Code, relating to the registration and license fees on vehicles.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1782: By Mr. Davis—An act to amend Section 493.5 of the Fish and Game Code, relating to chumming

Referred to Committee on Fish and Game.

Assembly Bill No. 1783: By Mr Caldecott—An act to add Section 119 1 to the Welfare and Institutions Code, and to add Sections 18598, 20302 1, 20302.2, and 20302.3 to the Government Code, relating to employees of the Department of Social Welfare and retirement rights of employees performing functions assumed by the State

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1784: By Mr. Caldecott—An act to amend Section 1269b of the Penal Code, relating to authority to accept bail in city courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1785: By Messrs. Caldecott and Huyck—An act to amend Sections 2110, 2111, 2112, and 2115 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund

Referred to Committee on Municipal and County Government

Assembly Bill No. 1786: By Mr. Caldecott—An act to add Sections 10177 and 10178 to the Insurance Code, relating to performance of life and disability insurance policies

Referred to Committee on Finance and Insurance.

Assembly Constitutional Amendment No. 48: By Messrs. Lewis, Rosenthal, Anderson, Condon, Cooke, Hagen, and Hawkins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article IV thereof a new section to be numbered 31e, relating to bonuses to members of the armed forces between December 7, 1941, and September 2, 1945, and authorizing the issuance of bonds therefor.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1787: By Mr Ralph C Dills (By request)—An act authorizing the Director of Finance, with the approval of the Director of the Department of Mental Hygiene, successor in interest of Norwalk State Hospital, to sell certain lands in the County of Los Angeles, State of California.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1788: By Mr. Coats—An act to amend Section 861 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1789: By Mr. Coats—An act to amend Section 3571 of the Education Code, relating to the formation of high school districts.

Referred to Committee on Education.

Assembly Bill No. 1790: By Mr. Smith—An act to amend Section 20024 of the Government Code, relating to final compensation of state employees preceding retirement.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1791: By Mr. Babbage—An act to add Section 142 to the Welfare and Institutions Code, relating to old age security and security for the needy blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 1792: By Mr. Grunsky—An act to extend the operation of the teletypewriter system of communication of the State Department of Justice and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1793: By Mr. Grunsky—An act to amend Sections 822, 823, 827, 839, 857, and 858 of the Insurance Code, relating to the issue of securities by insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1794: By Mr. Grunsky—An act to amend Section 12400 of the Insurance Code, relating to title insurers.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 143—An act to amend Section 252 of the Revenue and Taxation Code, relating to affidavits for exemption and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 477—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of January, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 15—Relative to the tidelands and submerged lands adjacent to the Coast of California;

Assembly Concurrent Resolution No. 33—Relative to the continuance of the Legislative Constitutional Revision Committee;

Assembly Concurrent Resolution No. 35—Relative to the seventy-fifth anniversary of Sacred Heart College High School;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of January, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 801
Assembly Bill No. 802

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

RECESS

At 11.22 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 16

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 26, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 271

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Bill No. 271—An act to amend Section 2 of an act entitled "An act to provide for the relocation of a portion of State Highway Route 5 in Santa Clara County, making an appropriation therefor, and declaring the urgency hereof, to take effect immediately," approved July 17, 1947, relating to relocation of a portion of State Highway Route 5, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 271?

Amendment No. 1

On page 1, line 7, of the printed bill, after "law", strike out the comma, and insert a period.

Amendment No. 2

On page 1, line 7, of said bill, after "law", insert "Nothing herein shall affect or limit the powers, duties, or jurisdiction of the Department of Public Works as set forth in Chapter 5 of Part 1 Division 3 of the Water Code"

Amendment No. 3

On page 2, line 11, of said bill, strike out "Sec. 3.", and insert "Sec. 2."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 271 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dolwig, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Price, Reagan, Rosenthal,

Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 271 ordered enrolled.

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 80

Relative to the preparation of a Subject List of bills, constitutional amendments and resolutions introduced prior to constitutional recess

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Subject List of all bills, constitutional amendments and resolutions introduced at the 1949 Regular Session prior to the constitutional recess; and be it further

Resolved, That copies of the Subject List be distributed to all Members of the Legislature as soon as possible after it is printed; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Subject List, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Joint Resolution No. 19: By Messrs. Burkhalter, Fleury, and Moss—Relative to memorializing and petitioning the Congress to appropriate sufficient funds for grants to states for administration of unemployment insurance and employment services.

Referred to Committee on Rules.

Assembly Bill No. 1795: By Messrs. Butters and Brown—An act to amend Section 736b of the Political Code, relating to salaries of judges.

Referred to Committee on Judiciary.

Assembly Bill No. 1796: By Messrs. Ralph C. Dills, Thomas, Thompson, Crichton, and McCollister—An act to amend Section 2902 of the Penal Code, relating to the admission to California state prisons persons convicted of crimes and sentenced to prison by the authority of the United States or of any state or territory of the United States, and providing for the terms under which such services are to be rendered.

Referred to Committee on Judiciary.

Assembly Bill No. 1797: By Messrs. Ralph C. Dills, Thomas, Thompson, Crichton, and McCollister—An act creating a Commission to Study the Problems of Small Business and to develop a program to strengthen small business, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1798: By Messrs. Ralph C. Dills, Thomas, Thompson, Crichton, and McCollister—An act to establish a Civil Defense Agency and other organizations for civil defense within this State; granting certain executive powers with respect thereto and for related purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1799: By Mr. Davis—An act to amend Section 29483 of the Government Code, relating to the payment to counties of United States Forest Reserve receipts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1800: By Mr. Burkhalter—An act to amend Section 1150 of the Fish and Game Code, relating to hunting.

Referred to Committee on Fish and Game.

Assembly Bill No. 1801: By Messrs. Maloney, Meyers, Berry, Brady, George D. Collins, Connolly, Gaffney, and McCarthy—An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1802: By Mr. Maloney—An act to add Section 12024.4 to Chapter 1 of Division 5 of the Business and Professions Code, relating to the sale of poultry and rabbits by weight.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1803: By Mr. Babbage—An act to repeal Section 762 of the Vehicle Code.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1804: By Mr. Reagan—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1805: By Messrs. Berry, Gaffney, George D. Collins, Meyers, Brady, Connolly, Maloney, and McCarthy—An act to amend Section 4702 of the Labor Code, relating to death benefits under the Workmen's Compensation Act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1806: By Messrs. Berry, Gaffney, and Meyers —An act to add Section 18596 to the Government Code, relating to the Executive Secretary of the California State Board of Pharmacy.

Referred to Committee on Public Health.

Assembly Constitutional Amendment No. 49: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 1 and 11 and repealing Sections 11a and 13 of Article VI thereof, relating to inferior courts.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1807: By Mr. Cramer—An act to add Section 104.65 to the Streets and Highways Code, relating to income from rental of properties acquired for highway purposes.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1808: By Mr. Evans—An act to add Chapter 4.5 consisting of Sections 1800 to 1880, inclusive, to Division 2 of the Business and Professions Code, relating to the regulation and licensing of dental technicians, and dental laboratories, creating a State Board of Dental Technician Examiners, prescribing their powers and duties, and making an appropriation therefor.

Referred to Committee on Public Health.

Assembly Bill No. 1809: By Mr. Connolly—An act to amend Section 56 of the Unemployment Insurance Act by adding subdivision (b), relating to trade disputes.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1810: By Mr. Lindsay—An act to amend Section 4300f of the Political Code, relating to jurors' fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1811: By Mr. Lindsay—An act to add Section 633 to the Code of Civil Procedure, relating to jury fees in civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 1812: By Mr. Lindsay—An act to repeal Sections 610, 611, 611.5, 611.6, 611.7, 612, 613, 614, 615, 615.1, 615.2, 615.3, 615.4, 615.5, 615.6, 615.7, 615.8, 616, 617, 618, and 619.5 of, and to add Sections 610, 611, 612, 613, 614, and 615 to the Fish and Game Code, relating to trout, salmon and Rocky Mountain whitefish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1813: By Messrs. McCarthy, Berry, Gaffney, Meyers, George D. Collins, Connolly, and Maloney—An act to add Section 19314 to the Education Code, relating to retirement contributions of cafeteria employees, and declaring the urgency thereof to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 1814: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to amend Section 1770 of the Government Code, relating to vacancies in office.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1815: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to repeal Sections 159 and 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace.

Referred to Committee on Judiciary.

Assembly Bill No. 1816: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to amend Section 144 of the Code of Civil Procedure, relating to courtrooms.

Referred to Committee on Judiciary.

Assembly Bill No. 1817: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to amend Section 26203 of the Government Code, relating to census.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1818: By Messrs Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to amend Section 77a of the Code of Civil Procedure and Section 1469 of the Penal Code, relating to appeals to superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1819: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to amend Sections 1457 and 1463 and to repeal Section 1570 of the Penal Code, and to amend Section 771 of the Vehicle Code, relating to fines and forfeitures

Referred to Committee on Judiciary.

ANNOUNCEMENT

Mr. Waters announced that he is temporarily holding, at his desk, several bills relative to revenue and taxation, so that members wishing to be co-authors may have the opportunity.

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

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

Assembly Bill No. 1820: By Messrs Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to amend Sections 1425 and 1462 of, and to add Sections 1462.1 and 1462.2 to, the Penal Code, relating to municipal and justice courts.

Referred to Committee on Judiciary.

Assembly Bill No. 1821: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act to amend Sections 89, 112, and 396a, and to repeal Section 81, of the Code of Civil Procedure, relating to municipal and justice courts

Referred to Committee on Judiciary.

Assembly Bill No. 1822: By Messrs Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act prescribing the regulation, government, procedure and jurisdiction of municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation.

Referred to Committee on Judiciary.

Assembly Bill No. 1823: By Messrs. Brown, Rosenthal, Caldecott, Grunsky, and Connolly—An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1824: By Messrs. Brown and Maloney—An act to add Section 751.1 to, and to amend Section 763 of, the Insurance Code, relating to rebates.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1825: By Messrs. Brown and Maloney—An act to amend Section 11738 of the Insurance Code, relating to participating workmen's compensation insurance policies and refunds thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1826: By Mr. McCollister—An act to amend Section 18954 of the Government Code, relating to promotional examinations for persons in the California Highway Patrol.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1827: By Mr. Thomas—An act to add Section 6103.5 to the Government Code, relating to filing fees.

Referred to Committee on Judiciary.

Assembly Bill No. 1828: By Mr. McMillan—An act to add Section 726.5 to the Fish and Game Code, relating to rockfish.

Referred to Committee on Fish and Game.

Assembly Bill No. 1829: By Mr. McMillan—An act to amend Section 746 of the Fish and Game Code, relating to possession of fish.

Referred to Committee on Fish and Game

Assembly Bill No. 1830: By Mr Anderson—An act to amend Section 395 of the Military and Veterans Code, relating to military leaves from state service.

Referred to Committee on Military Affairs.

Assembly Bill No. 1831: By Mr Connolly—An act to add Section 10405 to the Business and Professions Code, relating to cemetery licensees.

Referred to Committee on Public Health.

Assembly Bill No. 1832: By Messrs Waters, Kirkwood, Hahn, Huyck, Babbage, Burke, Grant, Hinckley, Lindsay, and Stewart—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes and the rates thereof and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

ANNOUNCEMENT OF APPOINTMENTS

Speaker Sam L. Collins announced the appointment of Mr. Geddes as Chairman, and Mr. Brady as Vice Chairman of the Assembly Interim Committee on Fairs and Expositions.

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

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

Assembly Bill No. 1833: By Messrs Waters, Stewart, Morris, Hahn, Burke, Caldecott, Fleury, Hinckley, Huyck, Kirkwood, Lincoln, and Lindsay—An act to amend Sections 19485 and 19597 of the Business and Professions Code, relating to horse racing license fees and commissions, increasing the state revenue derived from horse racing, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1834: By Messrs. Waters, Caldecott, Kirkwood, Huyck, Babbage, Burke, Grant, Hahn, Lindsay, Morris, and Stewart—An act to amend Section 24 of the Alcoholic Beverage Control Act, relating to alcoholic beverages and providing for an excise tax upon distilled spirits, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1835: By Messrs. Waters, Hinckley, Huyck, Babbage, Burke, and Kirkwood—An act to impose a state tax on cigarettes and to provide for the licensing of retailers, manufacturers, wholesalers, vending machine operators, unclassified acquirers and transportation companies in relation to cigarettes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1836: By Messrs. Cramer, Evans, Morris, Hawkins, Anderson, Bennett, Hahn, Kilpatrick, McMillan, and Rosenthal—An act to add Sections 119.1 to the Welfare and Institutions Code, and to add Sections 18598, 20302.1, 20302.2, and 20302.3 to the Government Code, relating to employees of the Department of Social Welfare, and retirement rights of employees performing functions assumed by the State, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1837: By Mr. Thompson—An act to amend Section 96 of the Agricultural Code, relating to the use of county owned real or personal property by state and county officers and agencies serving agriculture and by private nonprofit groups or associations of service to agriculture, and to amend Section 86 of the Agricultural Code, relating to the use of real estate or personal property belonging to any district agricultural association by state and county officers and agencies serving agriculture and by private nonprofit groups or associations of service to agriculture.

Referred to Committee on Agriculture.

Assembly Bill No. 1838: By Messrs Thompson, Lindsay, Weber, and Kirkwood—An act to add Part 6, comprising Sections 12600 to 12633, inclusive, to Division 6 of the Water Code, creating a board to be known as the San Francisco Bay Causeway and Fresh Water Lake Authority, providing for membership thereof, specifying its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1839: By Messrs. Maloney, Connolly, McCarthy, Brady, Berry, George D. Collins, Gaffney, and Meyers—An act to amend Sections 3.4, 10.4, and 10.5 of the World Trade Center Authorities Act, relating to world trade centers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1840: By Messrs. Dolwig, Cooke, Elliott, Crowley, Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger,

Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—An act to develop public recreation, and providing the procedure for allocation of funds to cities, counties, cities and counties, recreation districts and school districts, providing for the financing thereof and for that purpose amending Sections 19485, 19597, and 19627 of the Business and Professions Code, relating to licensing and regulating horse race meetings.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1841: By Messrs Dolwig, Cooke, Elliott, Crowley, Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Crichton, Dickey, Clayton A Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Way, and Weber—An act to amend Sections 19485, 19597, and 19627 of the Business and Professions Code, relating to licensing and regulating horse race meetings, creating the Recreation Fund and making an appropriation thereto

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1842: By Mr Dolwig—An act to add Chapter 13 to Division 3 of the Business and Professions Code, relating to dance instructors, including the regulating and licensing thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1843: By Mr. Dolwig—An act to add Section 17500 1 to the Business and Professions Code, relating to regulation of advertising.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1844: By Mr. Dolwig—An act making an appropriation for the acquisition of land in San Mateo County for a "California Veterans' Memorial Park."

Referred to Committee on Military Affairs.

Assembly Bill No. 1845: By Mr. Dolwig—An act to amend Sections 7140, 7142, and 7231 of, and to repeal Section 7143 of, Division 8 of the Streets and Highways Code, relating to street improvement proceedings.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1846: By Mr. Dolwig—An act to amend Section 4 of the Municipal Improvement Act of 1913, relating to improvement proceedings.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1847: By Mr Dolwig—An act to amend Section 8322 of the Streets and Highways Code, relating to notices of street vacation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1848: By Mr. Dolwig—An act to amend Section 3222 of the Streets and Highways Code, relating to street opening proceedings.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1849: By Mr. Dolwig—An act to amend Section 4141 of the Streets and Highways Code, relating to street opening proceedings.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1850: By Mr Dolwig—An act to amend Sections 5181, 5241, 5242, 5254, 5258, 5369, and 6420 of the Streets and Highways Code, relating to improvement proceedings.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1851: By Mr. Dolwig—An act to amend Section 18071 of the Streets and Highways Code, relating to street lighting proceedings

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1852: By Mr Dolwig—An act to amend Section 5871 of the Streets and Highways Code, relating to the construction of gutters.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1853: By Mr. Dolwig—An act to repeal Sections 750.1 and 750 2 of the Insurance Code and to amend Section 12400 thereof, relating to title insurance

Referred to Committee on Finance and Insurance

Assembly Bill No. 1854: By Mr Dolwig—An act to amend Section 14033 of the Government Code, relating to the Revolving Fund of the Division of Architecture.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1855: By Mr. Dolwig—An act to amend Section 185 of the Streets and Highways Code, relating to the Revolving Fund of the Division of Highways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1856: By Mr. Dolwig—An act to amend Section 4001 of the Government Code, relating to public work.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1857: By Mr. Dolwig—An act to amend Section 16475 of the Government Code, relating to the disposition of interest and other increment derived from the investment of surplus moneys in special funds in the State Treasury.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1858: By Messrs. Tomlinson and Fleury—An act to add Sections 51 and 58 to the Vehicle Code, defining an armored car and inflammable liquid.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1859: By Messrs. Tomlinson and Fleury—An act to amend Sections 621, 625, 627, 633, 640, and 646 of the Vehicle Code, respecting the mounting height, use of certain lamps and testing fees for lamps and devices.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1860: By Messrs. Tomlinson and Fleury—An act to amend Sections 484, 488, and 488.5 of the Vehicle Code, relating to accident reports and defining their use.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1861: By Messrs. Tomlinson and Fleury (By request)—An act to amend Section 6 of the Dangerous Weapons Control Law and Section 817 of the Penal Code, permitting retired highway patrolmen to carry arms and to include highway patrolmen as peace officers.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 26, 1949

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

Assembly Concurrent Resolution No. 43
Assembly Joint Resolution No. 10

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

REMARKS BY MR. MALONEY RELATIVE TO ASSEMBLY CONCURRENT RESOLUTION NO. 29

By unanimous consent previously granted, the following remarks by Mr. Maloney relative to Assembly Concurrent Resolution No. 29 were ordered printed in the Journal:

Remarks by Mr. Maloney

Mr. Speaker and Members of the Assembly: It is with sorrow in my heart that I arise to speak a few words in memory of Mrs. Marguerite McBride, wife of Senator James McBride of Ventura.

Functions of the Pals' Club in the next few years will not be the same until the shock of her passing has been lessened.

Members of the Legislature, both past and present, are grieved over the loss of this grand wife and mother. Her everlasting smile, her cheerful personality, and her love for humanity will be sadly missed. Her desire to be kind and charitable to everyone, and to every good cause, made her a splendid example of American womanhood for others to emulate.

We, in San Francisco, who had the good fortune to know Marguerite McBride will miss her. When she came to our fair city to visit Mrs. Hulda McGinn, she never failed to contact some member of the San Francisco Delegation to extend to us the greetings of the south.

Marguerite McBride was not only an outstanding citizen of California, but a religious woman who was not afraid to meet her Maker when that time arrived; and as it did arrive, she now sits in her heavenly home looking down at you and I, praying for our success and happiness in the hard task that lies before us as the lawmakers of this glorious State of California.

To the husband, Senator James McBride, their two children and grandchildren, we express our deepest sorrow in the hours of bereavement.

May God have mercy on her soul.

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

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

Assembly Bill No. 1862: By Messrs. Tomlinson and Fleury—An act to add Sections 737.5 and 738.1 to the Vehicle Code, permitting certain nonresident violators to be taken immediately before a magistrate and procedure when magistrate is not available.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1863: By Messrs. Tomlinson and Fleury—An act to amend Sections 750 and 752 of the Vehicle Code, permitting members of the California Highway Patrol to make certain arrests of Division 9 while not in full uniform.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1864: By Messrs Tomlinson and Fleury—An act to add Section 717 to the Vehicle Code, relative to closing highways by peace officers in emergencies.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1865: By Messrs. Tomlinson and Fleury—An act to amend Sections 675.5, 676, and 697 of the Vehicle Code, regarding safety glass, windshield wipers and height of loads on vehicles.

Referred to Committee on Transportation and Commerce.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal and Smith:

House Resolution No. 81

Relative to adjournment in respect to the memory of Judge Dudley S. Valentine

WHEREAS, The Members of this Assembly share the sorrow felt by the many hundreds of friends of Dudley S. Valentine, Judge of the Los Angeles Superior Court, upon learning of his death in that city on January 18, 1949; and

WHEREAS, Dudley S. Valentine had enjoyed that freedom and opportunity for individual development and success which has been the richest heritage of every American boy, for, born in Denver, Colorado, he began when only a young boy as a messenger in a railroad office in that city and in his early youth became a locomotive fireman, afterward working in Los Angeles as a telephone lineman and serving as a merchant seaman, later becoming Secretary to the Union Pacific's Chapter of the Brotherhood of Locomotive Firemen and Engineers and Legislative Chairman for the Union, which office lead him to the study of law and his admission to the California Bar in 1919; and

WHEREAS, Shortly thereafter he became Deputy City Prosecutor in Los Angeles, then Registrar of the United States Land Office there, resigning after three years to enter private practice of law until his election to the municipal bench in 1927; and

WHEREAS, Since his election as Judge of the Superior Court in Los Angeles County in 1930, he gave 18 years of continuous service in that office, gaining national reputation as an able jurist, and contributing outstanding public service to the people of Los Angeles County and of this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express profound regret upon the passing of Dudley S. Valentine and the great loss to the people of this State of this fine public servant and able jurist; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the family of Judge Dudley S. Valentine; his widow, Mrs. Frances Valentine; his sons, Walter and James Valentine, his brother, Walter Valentine, and his sister, Mrs. Mina Bezenah, as an expression of the sympathy of the Members of this Assembly; and be it further

Resolved, That when this Assembly adjourns this ____ day of January, 1949, it do so out of respect to the memory of Judge Dudley S. Valentine

Resolution read, and ordered referred to the Committee on Rules.

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

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

Assembly Bill No. 1866: By Messrs. Tomlinson and Fleury—An act to add Section 645.5 to the Vehicle Code, relating to specifications for lamps and devices requiring approval

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1867: By Messrs. Tomlinson and Fleury—An act to amend Section 139 31 of the Vehicle Code, relating to shooting practice, instruction and contests by members of the California Highway Patrol.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 1868: By Messrs. Tomlinson and Fleury—An act to amend Sections 139.51 and 139 52 of the Vehicle Code, creating the classification of Lieutenant in the California Highway Patrol

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1869: By Messrs Tomlinson and Fleury—An act to amend Sections 61, 134 5, 131, 379, 454.2, 681, and 750 5 and to add Sections 62.1, 449, and 617 to the Vehicle Code, relating to the powers and duties of the Departments of Motor Vehicles and the California Highway Patrol.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1870: By Messrs. Fleury and Lowrey—An act to amend Section 3480 of the Political Code, relating to reclamation districts.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1871: By Messrs Fleury and Lowrey—An act to add Section 3456a½ to the Political Code, relating to the raising of money for reclamation districts by means of taxation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1872: By Messrs Fleury and Lowrey—An act to amend Section 3456 of the Political Code, relating to reclamation districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1873: By Messrs. Fleury and Lowrey—An act to amend Section 8401 of the Water Code, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1874: By Messrs Fleury and Lowrey—An act to amend Sections 3454, 3457, 3476a, and 3479 of the Political Code, relating to reclamation districts.

Referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 1875: By Messrs. Hawkins, Anderson, Thomas, Rosenthal, George D. Collins, Clayton A Dills, Elliott, Lewis, and Rumford—An act to amend Sections 6051, 6201, and 6359 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1876: By Mr. Grunsky—An act to amend Section 454 of the California Unemployment Insurance Act, relating to the administration of voluntary plans

Referred to Committee on Finance and Insurance

Assembly Bill No. 1877: By Mr Grunsky—An act to add Sections 310 and 310 1 to the California Unemployment Insurance Act, relating to the payment of unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1878: By Messrs Stewart, Huyck, Cooke, Geddes, Caldecott, Ralph C. Dills, Lowrey, and Maloney—An act to add Article 5 comprising Sections 12475 to 12480, inclusive, to Chapter 5 of Part 2 of Division 3 of Title 2 of the Government Code, relating to the duties of the Controller in connection with the Control Accounting System of the State of California

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1879: By Mrs Niehouse and Mr Waters—An act to amend Section 2182 of the Welfare and Institutions Code, relating to aid to the aged.

Referred to Committee on Social Welfare.

Assembly Bill No. 1880: By Messrs. Lipscomb, Waters, and Huyck—An act to amend Section 4986 2 of the Revenue and Taxation Code, relating to official waiver by cities of right of participation in proceedings for cancellation of illegal and improper taxes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1881: By Messrs. Lipscomb, Waters, and Huyck—An act to add a new Article 3 to Chapter 5, page 9, Division 1, of the Revenue and Taxation Code, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1882: By Messrs. Lipscomb, Waters, and Huyck—An act to amend Section 110 of the Revenue and Taxation Code, relating to definition of terms used for taxation purposes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1883: By Messrs. Lipscomb, Waters, and Huyck—An act to amend Section 451 of the Revenue and Taxation Code, relating to inspection of taxpayers' statements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1884: By Messrs. Lipscomb, Waters, and Huyck—An act to add a new Section 5103.1 to the Revenue and Taxation Code, relating to official waiver.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1885: By Messrs. Lipscomb, Waters, and Huyck—An act to add a new Section 5138.1 to the Revenue and Taxation Code, relating to payment of taxes under protest.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1886: By Messrs. Lipscomb, Waters, and Huyck—An act to amend Section 408 of the Revenue and Taxation Code, relating to records in the assessor's office.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1887: By Messrs Lipscomb, Waters, and Huyck—An act to amend Section 5101 of the Revenue and Taxation Code, relating to refunds of taxes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1888: By Messrs Moss and Fleury—An act to amend Section 18712 of the Government Code, relating to reports of the Personnel Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1889: By Messrs Moss and Fleury—An act to add Section 19258 to the Government Code, relating to state employees completing 25 years or more of state service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1890: By Mr. Elliott—An act to amend Section 690 of the Elections Code, relating to compensation of precinct boards.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1891: By Mr Ralph C. Dills—An act to amend Sections 2011, 2160, and 2181, and to repeal Sections 2181.01 and 2224 of the Welfare and Institutions Code, and to amend Section 206 of the Civil Code and Section 270c of the Penal Code, relating to aged aid, and the liability of responsible relatives.

Referred to Committee on Social Welfare.

Assembly Bill No. 1892: By Mr. Erwin—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Referred to Committee on Fish and Game.

Assembly Bill No. 1893: By Mr. Stewart—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1894: By Mr Stewart—An act to amend Section 80 of, and to add Sections 80.5 and 92.9 to, the Agricultural Code, relating to agricultural districts, creating new agricultural districts and regulating the conduct of agricultural fairs therein.

Referred to Committee on Agriculture.

Assembly Bill No. 1895: By Messrs. Butters and Thomas—An act to add Section 850 to the Fish and Game Code, relating to fishing with nets in District 19A.

Referred to Committee on Fish and Game.

Assembly Bill No. 1896: By Mr. Evans—An act to amend Sections 101, 103, 104.5, 104.6, 105 5, 111, and 123 of the Welfare and Institutions Code, to repeal Sections 102, 104, 105, and 106 thereof, and to add Sections 102 and 102.5 thereto, relating to the State Department of Social Welfare, abolishing the Social Welfare Board and transferring its powers, duties, purposes, responsibilities, and jurisdiction to the Director of the Department of Social Welfare, designating the board or committee appointed by the Director as the State Social Welfare Board and redefining the powers and duties of the Director of the Department of Social Welfare.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1897: By Mr. Lowrey—An act to add Chapter 1.2 comprising Sections 5010 to 5018.2, inclusive, to Division 3 of the Education Code, relating to school buildings, and making an appropriation therefor.

Referred to Committee on Education.

Assembly Bill No. 1898: By Messrs. Doyle and Geddes—An act providing for the payment of employees of the Legislative Counsel Bureau for overtime worked subsequent to January 1, 1943, and prior to September 19, 1947, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1899: By Messrs. Doyle and Geddes—An act to add Section 18005.5 to the Government Code, relating to payment for overtime for state employees, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 58

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

DICKEY, Chairman

Above reported resolution ordered on file

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred

House Resolution No. 77

House Resolution No. 78

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred

Senate Joint Resolution No. 5

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption

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

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

Assembly Bill No. 1900: By Messrs. Fleury and Moss—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1901: By Messrs. Fleury and Moss—An act to amend Section 21253 of, to add Section 21253.01 to, and to repeal Section 21255 of, the Government Code, relating to the State Employees' Retirement System, revising the prior service pension payable therefrom with respect to certain classes of members, including those who have retired prior to the effective date hereof.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1902: By Messrs. Fleury and Moss—An act to amend Sections 20023 and 20024 of, and to add Section 20024.2 to, the Government Code, relating to the definition of "compensation earnable" and "final compensation," and revising the benefits payable with respect

to certain classes of members, including those who have retired prior to the effective date hereof, in connection with the State Employees' Retirement System

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1903: By Messrs. Fleury and Moss—An act to add Section 20334.1 to the Government Code, relating to exclusions from membership in the State Employees' Retirement System

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1904: By Messrs. Fleury and Moss—An act to add Section 21251.3 to the Government Code, revising the benefits payable with respect to certain classes of retired members, in connection with the State Employees' Retirement System

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1905: By Messrs. Fleury and Moss—An act to amend Section 21362 of the Government Code, relating to the manner of payment of the basic death benefit payable under the State Employees' Retirement System

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1906: By Messrs. Fleury and Moss—An act to amend Sections 20920, 20921, and 20922 of the Government Code, relating to crediting members with state service for time employed in federal service, under certain conditions, in connection with the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1907: By Messrs. Fleury and Moss—An act to repeal Section 20750 of, to amend Sections 20750.1, 20750.2, 20750.3, and 20750.4 of, and to add Section 20750.5 to, the Government Code, relating to the State's contribution to the Retirement Fund, in respect to certain classes of members, in connection with the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1908: By Messrs. Fleury and Moss—An act to amend Section 21361 of the Government Code, relating to death benefits payable to members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1909: By Messrs. Fleury and Moss—An act to add Sections 20654.6 to 20654.95, inclusive, to the Government Code, relating to the redeposit of contributions in connection with the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1910: By Messrs. Fleury and Moss—An act to amend Section 20981 of the Government Code, relating to the compulsory retirement age for state miscellaneous members, in connection with the State Employees' Retirement System

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1911: By Mr. Cramer, Mrs. Niehouse, and Mr. Luckel—An act relating to the control of floods on, and the development, conservation and making available for beneficial use of the waters of, San Dieguito River, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1912: By Mr. Cramer—An act relating to the control of floods on, and the development, conservation and making available for beneficial use of the waters of, San Luis Rey River, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1913: By Mr. Evans—An act to amend Section 2300 of the Welfare and Institutions Code, relating to institutions and boarding homes for aged persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 1914: By Mr. Evans—An act to amend Section 339 of the Code of Civil Procedure, relating to limitation upon the period during which actions may be brought.

Referred to Committee on Judiciary.

Assembly Bill No. 1915: By Mr. Evans—An act to amend Section 124 of the Welfare and Institutions Code, relating to availability of appropriations, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 1916: By Mr. Evans—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care and home-finding agencies.

Referred to Committee on Social Welfare.

Assembly Bill No. 1917: By Mr Evans—An act to add Section 225q to the Welfare and Institutions Code, relating to the adoption of children.

Referred to Committee on Social Welfare.

Assembly Bill No. 1918: By Mr. Doyle—An act to add Section 13205 to the Education Code, relating to the maintenance of discipline in public schools.

Referred to Committee on Education.

Assembly Bill No. 1919: By Messrs Meyers, George D. Collins, McCarthy, Berry, and Gaffney—An act to amend Sections 640, 642, 644, 645, 651, 656, and 666 of the Agricultural Code, relating to oleomargarine and substitutes for butter.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1920: By Messrs. Lipscomb, Fleury, and Huyck—An act to add a new section to be numbered 29 to the Revenue and Taxation Code, relating to computation of penalties.

Referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE

CONSIDERATION OF HOUSE RESOLUTION NO. 36

By Messrs. Kilpatrick, Burke, Bennett, and Hahn:

House Resolution No. 36

Relative to changing the name of the Assembly Interim Committee on Detention Homes and City and County Jails, and augmenting the funds of said committee

Resolved by the Assembly of the State of California,

1. The Assembly Interim Committee on Detention Homes and City and County Jails, created by House Resolution No. 164 of the 1947 Session and continued as an Assembly Committee by Resolution No. 16 of the 1949 General Session, is renamed and shall hereafter be designated as the "Assembly Interim Committee on Crime and Corrections."

2. The sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims incurred under the resolution mentioned in paragraph 1 hereof, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

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

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—63.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 69

By Mr. McMillan:

House Resolution No. 69

Relative to printing copies of the Preliminary Report of the Assembly Interim Committee on Aviation

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to have printed as a separate document for the use of the Members of the Assembly 1,000 copies of the Preliminary Report of the Assembly Interim Committee on Aviation, as it appears in the Assembly Journal for January 24, 1949.

Resolution read.

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

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—63.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 71

By Mr. Evans:

House Resolution No. 71

WHEREAS, The use of private automobiles for traveling between the widespread areas of the City of Los Angeles is a vital necessity; and

WHEREAS, The vast number of private automobiles being used for such travel has created a necessity for the establishment of many privately owned and operated parking lots in the various business sections of Los Angeles; and

WHEREAS, The owners and operators of such parking lots are at the present time completely unregulated by the City of Los Angeles or any other public authority as to their rates, or their responsibility for damage inflicted by their employees on such

private automobiles due to careless driving of the same by such employees, or their responsibility for theft of such automobiles or valuables contained therein; now, therefore, be it

Resolved, That the Members of the Assembly of the State of California urge and request the City Council of the City of Los Angeles to enact ordinances regulating privately owned parking lots which are open to the public, in the following respects (1) Rates, (2) Responsibility for damage to automobiles while parked therein, and (3) Requiring the presence thereon of a supervising employee at all hours of the day, and, be it further

Resolved, That the Chief Clerk of the Assembly is instructed to transmit a copy of this resolution to the Mayor and City Council of the City of Los Angeles

Resolution read, and adopted.

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 17—Relative to memorializing Congress concerning minimum wage legislation.

Resolution read.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Thompson, Waters, Way, and Weber—63

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Recorded on Roll Call on Assembly Joint Resolution No. 17

Mr. George D Collins explained that he had to be absent from the Assembly Chamber during the roll call on Assembly Joint Resolution No. 17, and asked for, and was granted, unanimous consent that his name be added to the roll call on Assembly Joint Resolution No 17 and that he be recorded as voting "Aye"

Mr. Waters explained that he had to be absent from the Assembly Chamber during the roll call on Assembly Joint Resolution No 17, and asked for, and was granted, unanimous consent that his name be added to the roll call on Assembly Joint Resolution No. 17 and that he be recorded as voting "Aye."

CONSIDERATION OF HOUSE RESOLUTION NO. 61

By Mr. McCollister:

House Resolution No. 61

Relative to augmenting the funds of the Assembly Interim Committee on Military and Veterans Affairs

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Military and Veterans Affairs created by House Resolution No 205, 1947 Regular Session, and continued by House Resolution No. 16 of this session, and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 3, after "of", strike out "$10,000", and insert "$7,500".

Amendment read, and adopted.

Consideration of House Resolution No. 61, as Amended

By Mr. McCollister:

House Resolution No. 61

Relative to augmenting the funds of the Assembly Interim Committee on Military and Veterans Affairs

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of seven thousand five hundred dollars ($7,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Military and Veterans Affairs created by House Resolution No. 205, 1947 Regular Session, and continued by House Resolution No. 16 of this session, and its members and for any charges, expenses, or claims it may incur under said resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Way, and Weber—67.

NOES—None

THIRD READING OF SENATE BILLS

Senate Bill No. 205—An act to add Section 974 to the Municipal Utility District Act, relating to municipal utility districts.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—67

NOES—None

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate

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

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

Assembly Bill No. 1921: By Messrs Crowley, Kilpatrick, Gaffney, and Mrs. Niehouse—An act to repeal Section 3474 of the Welfare and Institutions Code, relating to the responsibility of relatives of partially self-supporting blind persons who are receiving public assistance.

Referred to Committee on Social Welfare.

Assembly Bill No. 1922: By Mr. Dunn—An act to provide for the acquisition of a suitable plot of land for, and the erection thereupon of, a monument to the spirit of freedom and the pioneers of the United States and of the State of California by the Department of Public Works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1923: By Mr. Dunn—An act to add Section 10180 to the Insurance Code, relating to group life and disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1924: By Mr. Dunn—An act to amend Section 3700 of the Labor Code and to add Sections 3700.1 and 3700.2 to the Labor Code, relating to self-insurers.

Referred to Committee on Finance and Insurance.

ANNOUNCEMENT

Mr. Dickey announced that no meeting of the Committee on Rules will be held today.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 73

By Messrs. McMillan and Dickey:

House Resolution No. 73

Memorializing the Federal Government to preserve the forests of sugar pine growing in Tuolumne County, California

WHEREAS, Hundreds of giant sugar pine trees of Tuolumne County have grown to great height and size, in the 500 or more years of their lives, and exist today only in the State of California and Southern Oregon; and

WHEREAS, These beautiful and majestic monarchs of the forest that can never be replaced, are threatened with complete destruction within the next few months at the hands of a mid-West lumber company, notwithstanding that there is no valid commercial requirement for their cutting; and

WHEREAS, It is represented that the present financial condition of the Government of the State of California may be used to delay fatally the immediate acquisition of this sublime forest as part of a great state park now proposed to be created as a permanent memorial to those who gave their lives for us in the world wars; now, therefore, be it

Resolved, by the Assembly of the State of California, That these sugar pine forest areas ought, in spite of all obstacles, to be preserved for the enjoyment, pleasure, and cultural enrichment of the present generation and all posterity; and be it further

Resolved, That this Assembly, on behalf of the people of the State of California, hereby memorializes and urges the United States Government to take immediate action pursuant to Title 16, Section 494, United States Code, which statute grants to the United States Secretary of Agriculture full authority, at his discretion, to take possession of these forest lands by allowing the present private owners the right to select, in lieu thereof, within 60 days, other forest lands belonging to the United States Government; and be it further

Resolved, That when this immediate and most feasible emergency action has been taken to preserve the forests from destruction by logging operations, that Chapter 368, United States Statutes At Large, be amended to permit the State of California to acquire title to the sugar pine forest areas in Tuolumne County in addition to the 1,200 acres of land in this immediate vicinity already offered to the State of California for state park purposes; and be it further

Resolved, That the Chief Clerk of the Assembly at once send copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, to each Senator and Representative from California in the Congress of the United States, and to the United States Secretary of Agriculture.

Resolution read, and adopted.

MOTION THAT SEVERAL THOUSAND COPIES OF BILLS BE PRINTED

Mr. Brown moved that 1,000 extra copies of each of the following bills be ordered printed:

Assembly Constitutional Amendment No 49.

Assembly Bills Nos. 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, and 1823.

Mr. Caldecott seconded the motion.

Motion carried.

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

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

Assembly Bill No. 1925: By Mr. Dunn—An act to amend Section 14089 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Public Health.

Assembly Bill No. 1926: By Messrs. Thompson, Connolly, and Grant—An act to amend Section 16486 and to add Section 16486a to the Education Code, relating to absences of pupils for dental treatment.

Referred to Committee on Education.

Assembly Bill No. 1927: By Messrs. Gaffney, Berry, Meyers, and Thomas—An act to add Chapter 8, Part 3, Division 13, to the Health and Safety Code.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1928: By Mr. Maloney—An act to add Sections 241.1 and 242.1 to the Code of Civil Procedure, relating to an alternate method of choosing grand juries in counties or cities and counties of 300,000 inhabitants or over.

Referred to Committee on Judiciary.

Assembly Bill No. 1929: By Messrs Hollibaugh and McMillan—An act to add Chapter 19 to Division 3 of the Business and Professions Code, relating to the shoe repairing industry.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1930: By Mr. Beck—An act to amend Section 73b of the Code of Civil Procedure, and to amend Section 24254.5 of the Government Code, relating to holding sessions of the superior court in places other than the county seat.

Referred to Committee on Judiciary.

Assembly Bill No. 1931: By Mr Morris—An act to provide for the presentation of a token of recognition of service to persons honorably discharged from the California National Guard and making an appropriation therefor.

Referred to Committee on Military Affairs.

Assembly Bill No. 1932: By Mr. Morris—An act to amend Section 9357.2 of, and to add Section 9355 07 to, the Government Code, relating to retirement of Members of the Legislature, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 1933: By Messrs. Dickey, Doyle, McCollister, Hollibaugh, Anderson, Crowley, Dolwig, and Silliman—An act to add Sections 5056 and 5472 to the Health and Safety Code, relating to fees, rates, tolls, rentals and other charges for sewage and sanitation services

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1934: By Messrs. Dickey, Doyle, McCollister, Hollibaugh, Anderson, Crowley, Dolwig, and Silliman—An act to add Sections 229, 230, 231 to, and Chapter 7 to Division 4 of, the Water Code, relating to investigation of water quality and the reclamation and use of polluted water and to water wells

Referred to Committee on Municipal and County Government

Assembly Bill No. 1935: By Messrs. Dickey, Doyle, McCollister, Hollibaugh, Anderson, Crowley, Dolwig, and Silliman—An act to add Section 481.5 to the Fish and Game Code, relating to pollution

Referred to Committee on Municipal and County Government

Assembly Bill No. 1936: By Mr. Evans—An act to amend Sections 3406, 3420, 3430, 3431, 3444, 3450, 3460, 3462 1, 3470, 3471, 3472, 3473, and 3474 5 of the Welfare and Institutions Code, to repeal Sections 3421, 3432, 3461, 3463, 3473 2, 3474, 3474.1, 3480, 3481, and 3482 thereof, and to add Section 3480 thereto, relating to aid to partially self-supporting blind residents providing for full state administration thereof, eliminating county participation in the administration thereof, eliminating relatives' responsibility, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 1937: By Mr Evans—An act to amend Sections 1504, 1510, 1511, 1526, 1527, 1550, 1551, 1552, 1552 5, 1553, 1557, 1559, and 1560 of the Welfare and Institutions Code, to repeal Sections 1512, 1528, 1554, 1555, 1556, and 1556 5 thereof, and to add Section 1554 thereto, relating to aid to needy children, providing for full state administration thereof, eliminating county participation in the administration thereof, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Bill No. 1938: By Mr Evans—An act to amend Sections 2011, 2016, 2020, 2024, 2140, 2160, 2160 5, 2160 6, 2163, 2163.2, 2163.6, and 2180 of the Welfare and Institutions Code, to repeal Sections 2008.5, 2025, 2181, and 2224 thereof, and to add Section 2181 thereto, relating to old age security, and revising the code provisions

relative thereto in accordance with the provisions of Article XXV of the State Constitution.

Referred to Committee on Social Welfare.

Assembly Bill No. 1939: By Mr Evans—An act to add Article 3, comprising Sections 5150 to 5165, inclusive, to Chapter 5 of Part 9 of Division 1 of the Revenue and Taxation Code, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1940: By Messrs Connolly and Maloney—An act to amend Sections 3501, 3502, and 3503 of, and to add Sections 4703.1 to 4703 6, inclusive, to the Labor Code, relating to death benefits in workmen's compensation cases.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1941: By Mr Anderson—An act to amend Sections 4740, 4741, and 4742 of the Health and Safety Code, relating to refuse collection and disposal by county sanitation districts.

Referred to Committee on Municipal and County Government

Assembly Bill No. 1942: By Messrs Waters and Maloney—An act to amend Sections 18303 and 18406 of the Revenue and Taxation Code, relating to the filing of partnership and fiduciary returns

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1943: By Messrs Waters and Maloney—An act to amend Sections 1, 4, 5, 8, 9, 13, 24, 24 1, 25, and 34 1, and to repeal Section 8.2 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 50: By Messrs Rosenthal and Waters—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 1944: By Messrs Waters and Maloney—An act to amend Sections 7, 8, 16, 18.1, and 19 and to repeal Section 7.2 of the Corporation Income Tax Act, relating to the levy and collection of taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1945: By Mr Silliman—An act to amend Section 600 of the Agricultural Code, relating to scoring of butter

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1946: By Mr. Elliott—An act to provide that every county and every city furnish emergency hospital service for urgent cases of injury, poisoning, or disease.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1947: By Mr. Hoffman—An act to amend Section 132.5 of the Agricultural Code, relating to the control and eradication of pests.

Referred to Committee on Agriculture.

Assembly Bill No. 1948: By Mr. Burkhalter—An act to amend Sections 2210, 2211, 2213, and 2216 of the Business and Professions Code, relating to application for physician's and surgeon's certificate.

Referred to Committee on Public Health.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 27—An act making an appropriation for support of the Department of the California Highway Patrol for the 1948-49 Fiscal Year, providing for the transfer of such appropriation, to take effect immediately;

Assembly Bill No. 476—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, and amending Section 124 of the Welfare and Institutions Code, relating to availability of appropriations, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of January, 1949, at 3.30 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 645

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, upon recess—

Rules, in Room 320.

Interim Committee on Education, in office of Mr. Dunn.

Today, upon adjournment—

Governmental Efficiency and Economy.

Fish and Game.

Subcommittee on Ways and Means. Subject: Present allocations on horse racing funds.

Judiciary, in Room 435. Subject: Assembly Bill No. 1014.

Tonight, at 8 p.m.—

Municipal and County Government, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Richard A. Bristow, Mr. and Mrs. James Frayer, Maurice C. Dwight, Miss Rosemary Donnelly of Turlock, and Mrs. Aner Anderson of Modesto.

On request of Mr. Evans and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. P. Spratt of Pacific Grove, Mrs. A. E. Anderson of Modesto, Mrs. Ray Harlan of Visalia, and Mrs. T. R. Criswell of Bakersfield.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Paul Denny of Etna, former Assemblyman.

On request of Messrs. Connolly and Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Arthur Connolly, Sr., of San Francisco.

On request of Mr. Way, the usual courtesies of the Assembly for this day were unanimously extended to Richard Fleisher of Fortuna.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to R. E. Dohn, teacher of the Jefferson School, and the following pupils: Gary Westby, Dennis Dorsett, Richard Costa, Bill Costa, Joe Pereira, Ronald Costa, Alfred Taxara, Jr., Judy Davidson, Rosemary Gregorio, Doris Show, Richard Gregorio, Dorothy Machado, Diana Machado, Lois Clark, Johnny Davidson, Larry Taxara, Gale Westby, and Kenneth L. Wagner.

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to William O. Sullivan, Miss Elvira Wollitz, Markin Katz, and Robert K. Barber of San Francisco.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the Motor Hotel Association of California: M. M. Moody, Oakland; T. R. Criswell, Stockton; John Metzgar, Long Beach; F. P. Spratt, Pacific Grove; J. E. Parks, Vallejo; A. E. Anderson, Modesto; J. E. Arthur, San Diego; L. D. Barnes, Laguna Beach; M. Bland, Fresno; G. R. Bliss, Lake Arrowhead; F. H. Halloway, Fair Oaks; Ray Harlan, Visalia; Harold Rhoten, San Jose; Hugh Smith, Jr., Daly City; L. J. Stilwell, Los Angeles; Colonel Van Swarverud, Santa Barbara; and C. J. Weber, Los Angeles.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Charles Watters, teacher, and the following pupils of the Elder Creek School: Richard Alaskin, Carol Araki, Barbara Ball, Walter Caesar, Billy Evercult, Virginia Ellis, Frances Gomez, Wanda Hunter, Andrew Kress, Philip Langley, Howard Lindsey, Iva Dell Miller, Nina Pellini, Joyce Perry, Dolores Picon, Joyce Ramsey, Charles Von Behren, Marlene Wick, Betty Jean Williams, George Welsh, Cynthia Wallace, Joe Williams, William Witt, Mary Pater, Gary Jessen, Don Anderson, Emil Millers, Dan Estrada, and Kevin Nelson.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to C. Niel Ganey of Van Nuys and Guy W. Renshaw of Sherman Oaks.

On request of Mr Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to William Duncan and Jim Bosley, instructors, and members of the Institutional on Farm Training class of Esparto: William Duncan, Joe Martin, Terry Martin, Cliff Moliva, Roy Hirmatsu, Arthur Giraldi, John Ruiz, Frank Ramos, Andrew Dangero, Harold Long, Henry Long, Alfred Storz, Joe Grigsby, and John Callado.

ADJOURNMENT

At 3.47 p.m., on motion of Mr. Lipscomb, the Speaker declared the Assembly adjourned until 10 a m , Thursday, January 27, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTEENTH LEGISLATIVE DAY

TWENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, January 27, 1949

The Assembly met at 10 a m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

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

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—75

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: May we have a clear understanding of the principles upon which rests the American Way of Life, with its ideal form of government and economic abundance.

May we be grateful that it offers every individual the opportunity to develop his powers of body, mind, and spirit, and that it also restrains the ruthless from trespassing upon the equal rights of his fellowmen.

Let us see in other nations of the world the perils of excessive social control that lead to regimentation and develop political tyranny, as well as the dangers of unregulated individualism that allow economic piracy

May we realize how slowly and painfully our Democracy has evolved, and may we have the genius to maintain the necessary balance between individualism and social control.

Let us see that the ultimate success of the American system is the degree to which it creates free and resourceful citizenship, and also preserves our ample inheritance.

To America all the world looks and upon our stability the future of mankind depends.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Caldecott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Geddes, on motion of Mr. Erwin.

Mr. Way, on motion of Mr. Erwin.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Collier, on motion of Mr. Erwin.

Mr. Thompson, on motion of Mr. Cramer.

COMMUNICATIONS

By the Chief Clerk:

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

THE ATTORNEY GENERAL
WASHINGTON, D. C., January 18, 1949

Mr Arthur A Ohnimus, Chief Clerk
Assembly, California Legislature
State Capitol, Sacramento 14, California

DEAR MR OHNIMUS: Thank you for the copy of House Resolution No. 25, relative to small loan information adopted by the California Assembly on January 11, 1949.

I greatly appreciate your courtesy in sending me this material.

With kind regards,

Sincerely,

(SEAL) TOM C. CLARK, Attorney General

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1949

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

Senate Concurrent Resolution No. 30
Senate Concurrent Resolution No. 31

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 30—Relative to renaming the highway between Santa Rosa and Ignacio "Valley of the Moon Scenic Route."

Referred to Committee on Rules.

Senate Concurrent Resolution No. 31—Relative to the restoration of the San Antonio Mission.

Referred to Committee on Rules.

MEMBER EXCUSED

At 10 06 a.m., Mr. McCollister asked for, and was granted, unanimous consent that he be excused for the purpose of attending to legislative business elsewhere, at this time.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

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

Assembly Bill No. 1949: By Mr. Price—An act relating to parking districts including the issuance of revenue bonds for the financing thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1950: By Messrs. Beck and Maloney—An act relating to the State Allocation Board and providing for the allocation by said board of state funds appropriated for allocation to local agencies for capital outlay and incidental expenses.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1951: By Mr. Erwin—An act to amend Section 461 of the Fish and Game Code, relating to fishing and hunting contests.

Referred to Committee on Fish and Game.

Assembly Bill No. 1952: By Mr. Stewart—An act to repeal Section 17 of an act entitled "An act relating to aeronautics; providing for the development and regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing penalties; and to make uniform the law with reference to state development and regulation of aeronautics, and repealing acts inconsistent herewith," approved July 11, 1947, relating to aeronautics.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1953: By Mr. Morris—An act to amend Sections 2541, 2574, 2576, 2702, 2703, 2705, 2753, 2791, 3920, 3921, 3925, 3926, 3930, 3946, 7966, 8720, and 8722 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1954: By Mr. Connolly—An act to amend Section 1601 of the Health and Safety Code, relating to biologics.

Referred to Committee on Public Health.

Assembly Bill No. 1955: By Messrs. George D. Collins and McCarthy—An act to add Section 11792 to the Education Code of the State of California, relating to the furnishing of textbooks to students in evening high schools.

Referred to Committee on Education.

Assembly Bill No. 1956: By Mr. George D. Collins—An act to repeal the Judges' Retirement Act and the Judges' Retirement Fund Act, and to add Sections 20041, 20301.1, 20685, and 21210 to the Government Code, relating to the retirement of judicial officers, abolishing the Judges' Retirement System, making members thereof members of the State Employees' Retirement System with the status of state miscellaneous members, providing for the membership of judicial officers in

the State Employees' Retirement System, and for the payment of benefits to retired judges and justices by the State Employees' Retirement System, and transferring the moneys in the Judges' Retirement Fund to the State Employees' Retirement Fund.

Referred to Committee on Judiciary.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 645 re-referred to Committee on Ways and Means.

MEMBERS EXCUSED

At 10 12 a m., Mr. Sherwin asked for, and was granted, unanimous consent that the Committee on Ways and Means be permitted to hold a special meeting in the post office, at this time, for the purpose of considering Assembly Bill No. 645.

RESOLUTIONS

The following resolution was offered:

By Mr. Hollibaugh and the Los Angeles Delegation:

House Resolution No. 82

Commending the people of the City of Los Angeles for their *efforts in the March of Dimes Campaign*

WHEREAS, There is nothing more commendable and heart-warming than the efforts being made by the American people and the medical profession to hasten the prevention and cure of poliomyelitis; and

WHEREAS, The contribution of funds during the annual March of Dimes Campaign is essential to the progress of this great scientific endeavor and humanitarian movement; and

WHEREAS, at eight o'clock Friday evening, January 28, 1949, the people of the City of Los Angeles will marshal all the great resources of that famed and glamorous playland in a gigantic parade, in which, under skies brilliant with the play of searchlights, magnificent electrical floats, detachments of Army, Navy, and Marine troops, aided by Air Corps and National Guard units, accompanied by bands aggregating over one thousand musicians, will move along Wilshire Boulevard, with General Mark Clark as Grand Marshal and each division led by a famous movie star, in a display of dazzling brilliance and splendor, dedicated to promoting and inspiring contributions to the March of Dimes fund; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly heartily commends the people of the City of Los Angeles and the great artists who have given their time and talents to this splendid effort in behalf of the war against polio, the enemy and destroyer of little children; and be it further

Resolved, That the people of the State of California are urged to give with equal generosity to this great cause so dear to all our hearts for the sake of the children of America, that the wonderful parade on Wilshire Boulevard may be outdone only by the March of Dimes.

Request for Unanimous Consent

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up House Resolution No. 82, at this time, without reference to committee or file.

Resolution read, and adopted.

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

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

Assembly Bill No. 1957: By Mr Hahn—An act to amend Section 1026 of the Penal Code, relating to the fixing of punishment in cases where the particular punishment to be imposed is discretionary with the trier of fact.

Referred to Committee on Judiciary.

Assembly Bill No. 1958: By Mr Hahn—An act to amend Sections 1156 and 1157 of the Fish and Game Code, relating to closure of hunting areas.

Referred to Committee on Fish and Game.

Assembly Bill No. 1959: By Mr Hahn—An act to amend Sections 495 and 496 of the Fish and Game Code, relating to closure of fishing waters.

Referred to Committee on Fish and Game.

Assembly Bill No. 1960: By Mr Stanley—An act to add Section 597 to the Fish and Game Code, relating to kelp.

Referred to Committee on Fish and Game.

Assembly Bill No. 1961: By Mr. Stanley—An act to amend Section 915 of the Insurance Code, relating to statements by insurers

Referred to Committee on Finance and Insurance

Assembly Bill No. 1962: By Mr. Stanley—An act to amend Section 16374 of the Government Code, relating to the reversion of unclaimed trust money

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1963: By Messrs Stanley and Burke—An act to amend Section 10177 of the Business and Professions Code, relating to real estate licensees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1964: By Messrs. Stanley and Burke—An act to amend Section 10302 of the Business and Professions Code, relating to business opportunity licenses.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1965: By Messrs. Stanley and Burke—An act to amend Section 10402 of the Business and Professions Code, relating to cemetery licensees

Referred to Committee on Public Health.

Assembly Bill No. 1966: By Messrs. Stanley and Burke—An act to amend Section 10562 of the Business and Professions Code, relating to mineral, oil and gas licensees.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 1967: By Mr. Hollibaugh—An act to amend Section 6359 of, and to add Section 6359 6 to, the Revenue and Taxation Code, relating to food products exempt from sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1968: By Mr. Hollibaugh—An act to add Section 1360.5 to the Fish and Game Code, relating to hunting clubs.

Referred to Committee on Fish and Game.

Assembly Bill No. 1969: By Mr. Reagan—An act to amend Section 2 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to interest paid upon deposits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 1970: By Mr. Doyle—An act to amend Section 19563 of the Business and Professions Code, relating to general regulation of horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 1971: By Mr Doyle—An act authorizing and directing the State Water Resources Board to make a study and investigation and to submit recommendations for the control of storm and flood waters in Dorchester Creek in Los Angeles County.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1972: By Mr. Berry—An act to amend Section 951.5 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

MEMBERS EXCUSED

At 10.20 a.m., Mr. Price asked for, and was granted, unanimous consent that the Subcommittee on Ways and Means be permitted to hold a special meeting in the Post Office, at this time, for the purpose of discussing present allocations on horse racing funds in lieu of a meeting scheduled yesterday which was postponed.

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

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

Assembly Bill No. 1973: By Mr. Conrad—An act to amend Section 460 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1974: By Mr. Waters—An act to amend Section 29907 of the Government Code, relating to elections on county bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 1975: By Mr. Waters—An act to amend Sections 3819 and 3929 of the Elections Code, relating to forms of ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1976: By Mr. Waters—An act to amend Sections 2611, 3355, and 4992 of, and add Section 3731 to, and repeal Sections 3637 and 4101.5 of the Revenue and Taxation Code, relating to the collection of taxes generally.

Referred to Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1271

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1271—An act to validate certain acts, proceedings, contracts, and expenditures in relation to the improvement of county-owned property for fair purposes, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, January 26, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 730

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 730—An act to add Section 135 to the Welfare and Institutions Code, relating to the compensation of members of the board or committee appointed by the Director of the State Department of Social Welfare, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 250

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 250—An act to amend Section 31526 of the Government Code, relating to retirement of county employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out "1949", and insert "1950".

Amendment read, and adopted

Bill ordered reprinted, re-engrossed, to be re-referred to the Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred Assembly Bill No. 645

Has had the same under consideration, and reports the same back with the recommendation Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 645:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, January 26, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN

Assembly Bill No. 645, "An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to and to partially self-supporting blind residents, increasing the amount of the grant thereof, and making an appropriation,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

Consideration of this bill is necessary to place the partially self-supporting blind on a parity with the needy blind in accordance with the recent constitutional amendment

I therefore recommend consideration of Assembly Bill No. 645 as an emergency measure

Sincerely,

EARL WARREN, Governor

CONSIDERATION OF ASSEMBLY BILL NO. 645

Assembly Bill No. 645—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount of the grant thereof, and making an appropriation.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering,

Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None

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

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

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

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

Assembly Bill No. 1977: By Mr Cramer—An act to add Article 13, comprising Sections 10220 to 10222, inclusive, to Chapter 1 of Division 5 of the Education Code, relating to the establishment of pilot programs for outdoor and conservation education, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1978: By Mr. Cramer—An act to add Article 12, comprising Sections 10210 and 10211, to Chapter 1 of Division 5 of the Education Code, relating to outdoor and conservation education courses and programs.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1979: By Mr. Erwin—An act to amend Section 4828 of the Business and Professions Code, relating to license to practice veterinary medicine.

Referred to Committee on Public Health.

Assembly Bill No. 1980: By Mrs Niehouse—An act to amend Section 9 3 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Judiciary.

Assembly Bill No. 1981: By Mrs Niehouse—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court

Referred to Committee on Judiciary.

Assembly Bill No. 1982: By Mr Rumford—An act to amend Sections 25, 26, 221, 951, 2600, 2609, 2621, 2636, 2699, 2701, 2703, 2740, 2807, 2842, 2843, 3920, 3921, and 3946; to enact Sections 2634, 2635, 2740.1, 2791, 2792, 2793, 2811, 2812, 2813, 2849 to 2856, inclusive, 3922.5, and 3928.5; to repeal Sections 2634, 2635, 2702, 2705, 2742, 2791 to 2806, inclusive, 2811 to 2825, inclusive, and Chapter 3 of Division 5, comprising

Sections 3000 to 3150, inclusive; and to renumber Chapter 4 of Division 5 of the Elections Code; relating to the date of the primary election, the method by which candidates are nominated in the primary election, and the election, organization and functions of political party conventions and county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1983: By Mr Rumford—An act to repeal Section 4165 of the Business and Professions Code, relating to the sale and use of hypodermics.

Referred to Committee on Public Health.

Assembly Bill No. 1984: By Mr. Rumford—An act to add Section 4030.1 to the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1985: By Mr. Rumford—An act to amend Section 1205 of the Business and Professions Code, relating to clinical laboratory technology.

Referred to Committee on Public Health.

Assembly Bill No. 1986: By Mr. Rumford—An act to amend Section 4010 of the Business and Professions Code, relating to the powers of the Board of Pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1987: By Mr. Rumford—An act to amend Section 4090 of the Business and Professions Code, relating to the practice of pharmacy.

Referred to Committee on Public Health.

Assembly Bill No. 1988: By Mr. Rumford—An act to amend Sec tion 20751 of the Health and Safety Code, relating to the sale of poisons.

Referred to Committee on Public Health.

Assembly Bill No. 1989: By Mr. Rumford—An act to add Section 29020.1 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 1990: By Mr. Rumford—An act to amend Section 29001 of the Health and Public Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 1991: By Mr Dickey—An act to amend Section 526 of the Agricultural Code, relating to milk products plants.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 1992: By Mr Sherwin—An act to amend Section 18146 of the Revenue and Taxation Code, relating to armed services deduction for income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 1993: By Mr. Burkhalter—An act to add Section 6946 to the Business and Professions Code, relating to collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1994: By Mr. Heisinger—An act to amend Section 1313 of the Fish and Game Code, relating to trapping.

Referred to Committee on Fish and Game.

Assembly Bill No. 1995: By Messrs. Lewis and Beck—An act to amend Section 444 of, to add Section 513 to, and to repeal Section 530 of, the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 1996: By Mr. Lewis—An act making an additional appropriation to the State Department of Education for vocational education.

Referred to Committee on Education.

Assembly Bill No. 1997: By Mr. Fleury—An act to repeal Sections 652, 653, 654, 655, 656, 657, and 658 of, and to add Section 652 to, the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1998: By Mr. Fleury—An act to amend Section 650 of the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 1999: By Mr. Fleury—An act to add Section 850 to the Fish and Game Code, relating to the hours during which nets, trap lines or appliances may be used.

Referred to Committee on Fish and Game.

Assembly Bill No. 2000: By Mr. Fleury—An act to repeal Section 651 of, and to add Section 651 to, the Fish and Game Code, relating to salmon.

Referred to Committee on Fish and Game.

Assembly Bill No. 2001: By Mr. Doyle—An act to amend Sections 1018 and 1073 of the Fish and Game Code, relating to commercial fishing reports.

Referred to Committee on Fish and Game.

Assembly Bill No. 2002: By Mr. Waters—An act to amend Sections 3351 and 3439 of the Revenue and Taxation Code, relating to real property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2003: By Mr. Waters—An act to amend Sections 4371, 4372, 4373, and 4374 of the Revenue and Taxation Code, relating to real property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2004: By Mr. Tomlinson—An act to add Section 642 to the Vehicle Code, relating to the mounting height of lamps and reflectors on vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2005: By Mr. Brown—An act to amend Section 18 of the Personal Property Brokers Act, as revised by Chapters 952 and 1044 of the Statutes of 1939, as amended, relating to the duties of licensees.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2006: By Mr. Brown—An act to amend Section 16 of the Personal Property Brokers Act, as revised by Chapters 952 and 1044 of the Statutes of 1939, as amended, relating to restrictions on chattel mortgages.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2007: By Mr Brown—An act to amend Section 8201 of the Government Code, relating to notaries public.

Referred to Committee on Judiciary.

Assembly Bill No. 2008: By Mr Luckel—An act to add Section 291.5 to the Vehicle Code, relating to suspension of license.

Referred to Committee on Transportation and Commerce.

RESOLUTIONS

The following resolution was offered:

By Mr. Smith:

House Resolution No. 83

Commending Thomas Jefferson Elementary School of Glendale

WHEREAS, Thomas Jefferson Elementary School of Glendale was one of the schools participating in the recent Football Tournament, and was victor in the contests for the fifth and sixth grades; and

WHEREAS, The many citizens who attended the tournament were well rewarded by the fine football played and the splendid spirit of the participants and their schoolmates, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly takes great pleasure in commending Mr. Kenneth H. Johnson, Principal of Thomas Jefferson Elementary School, and Mr. Ian P. McLennan, Athletic Director for the school, for their good work in preparing for and participating in the tournament to make it such a success, and this Assembly commends especially the students and players of the Thomas Jefferson Elementary School upon the fine community spirit and splendid sportsmanship which they displayed throughout the tournament, meriting the victory which was won; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the Thomas Jefferson Elementary School of Glendale.

Resolution read, and ordered referred to the Committee on Rules

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

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

Assembly Bill No. 2009: By Mr. Crowley—An act to amend Section 28132 of the Government Code, relating to compensation for public service in counties of the thirty-second class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2010: By Mr. Crowley—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2011: By Mr. Crowley—An act to amend Section 28123 of the Government Code, relating to compensation for public service in counties of the twenty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2012: By Mr. Morris—An act to add Sections 445 and 446 to the Vehicle Code, relating to parking lots and garages.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2013: By Mr. Morris—An act to amend Section 177 of the Code of Civil Procedure, relating to the jurisdiction and venue of the small claims court.

Referred to Committee on Judiciary.

Assembly Bill No. 2014: By Mr. Hagen—An act to amend Section 395 of the Code of Civil Procedure, relating to the place of trial of civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 2015: By Messrs. Hoffman, Thompson, Hagen, Weber, Brown, Coats, Dolwig, Lincoln, and McCollister—An act to repeal Sections 860, 861, 865, 879, 880, 881, 882, 903, 949, 950.5, and 955 of, and to add Section 860 to, the Fish and Game Code, relating to the use and possession of nets, traps, and other appliances for taking fish in the waters of San Francisco Bay and waters connected therewith or tributary or contributary thereto.

Referred to Committee on Fish and Game.

Assembly Bill No. 2016: By Mr. Hoffman—An act to amend Section 87 of the Agricultural Code, relating to powers of directors of district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 2017: By Mr. Tomlinson—An act to amend Section 737pp of the Political Code, relating to the compensation of Superior Court Judges in and for the County of Santa Barbara.

Referred to Committee on Judiciary.

Assembly Bill No. 2018: By Mr. Conrad—An act to add Article 5, comprising Sections 16400 to 16405, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and to repeal Section 13923 of the Government Code, relating to revolving funds and advances.

Referred to Committee on Governmental Efficiency and Economy.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 34 FROM COMMITTEE CONTINUED

Mr. Condon asked for, and was granted, unanimous consent that his notice of motion to withdraw House Resolution No. 34 from committee be continued until the next legislative day.

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

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

Assembly Bill No. 2019: By Messrs. Fleury and Tomlinson—An act to amend Section 139 51, 139.52, and 139.53 of the Vehicle Code, relating to members of the California Highway Patrol.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2020: By Mr. Stewart—An act to repeal "An act to provide for the licensing, visitation and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto," approved May 31, 1943.

Referred to Committee on Education.

Assembly Bill No. 2021: By Mr. Thomas—An act to amend Section 1063 of the Fish and Game Code, relating to sizes of fish.

Referred to Committee on Fish and Game

Assembly Bill No. 2022: By Messrs Tomlinson and Thomas (By request)—An act to repeal Section 745 of the Fish and Game Code, and to add a new Section 745 to said code, relating to sharks.

Referred to Committee on Fish and Game

Assembly Bill No. 2023: By Messrs. Stewart, McMillan, Erwin, Burkhalter, Burke, Conrad, Doyle, Levering, Morris, and Reagan—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the performance of certain functions relating thereto by officers of counties; providing for contracts with cities, counties, and other public agencies; and relating to transportation in metropolitan areas.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2024: By Mr. Waters—An act to amend Sections 2618, 2619, 2705, 4219, 4221, 4224, 4336, and 4337 of the Revenue and Taxation Code, relating to the time of payment of the second installment of real estate taxes and relating to the time in which installment payments of redemption are to be made.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2025: By Mr. Waters—An act to amend Sections 3442 and 3807.5 of the Revenue and Taxation Code, relating to real property taxation and the termination of the right of redemption of tax-deeded property reconveyed to the State of California.

Referred to Committee on Revenue and Taxation.

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

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

Assembly Bill No. 2026: By Mr. Waters—An act to add Chapter 3.3, comprising Sections 2851 to 2862, inclusive, to Division 1, Part 5 of the Revenue and Taxation Code, relating to the collecting of taxes on real property.

Referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 51: By Mr. Elliott—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article VI thereof, relating to superior court judges.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2027: By Messrs. Kirkwood and Dunn—An act to add Chapter 1.7, comprising Sections 5040 to 5049, inclusive, to Division 3 of the Education Code, relating to the equalization of assessments in counties on which are based allocations of state funds to school districts, making an appropriation for the administration thereof, and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2028: By Mr. Kirkwood—An act to amend Section 108 of the Civil Code, relating to grounds for divorce.

Referred to Committee on Judiciary.

Assembly Bill No. 2029: By Mr. Kilpatrick—An act to add Sections 125, 126, 127, and 128 to the Welfare and Institutions Code, relating to the payment of allowances for old age security and security for the blind authorized by Article XXV of the State Constitution, creating the Social Welfare Disbursement Fund, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 2030: By Messrs. Sherwin, Fleury, and Maloney—An act to add Section _____ to the Government Code, relating to powers of the State Board of Control.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2031: By Mr. Berry—An act to amend Section 428.5 of the Vehicle Code, relating to sale of certain vehicles by lienholder.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2032: By Mr. Condon—An act to add Article 19, comprising Sections 700 to 704, inclusive, to Chapter 3 of Title 1 of Part 3 of the Political Code, relating to cooperative action between the

State and the Federal Government, local governments, industry, labor, and agriculture for the purpose of assuring continuing full employment in a free competitive economy.

Referred to Committee on Governmental Efficiency and Economy.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1014 FROM COMMITTEE CONTINUED

By unanimous consent, Speaker Sam L Collins ordered the notice of motion by Mr. Ralph C. Dills to withdraw Assembly Bill No. 1014 from committee continued until the next legislative day.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 16—Relative to memorializing the President and the Congress of the United States in relation to the mooring of surplus vessels in the northern waters of San Francisco Bay and the waters connected therewith.

Resolution read.

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

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stewart, Thomas, and Weber—47.

NOES—Conrad, Grant, Hoffman, Levering, Sillman, Stanley, Tomlinson, and Mr. Speaker—8.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO EXPLAIN BILL PRIOR TO INTRODUCTION

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to explain a bill for the support of public education in California, so that any members wishing to sign the bill as co-authors may have the opportunity, while he temporarily holds it at his desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 801—An act to amend Section 420.5 of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read.

Assembly Bill No. 801 ordered passed on file temporarily.

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

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

Assembly Bill No. 2033: By Messrs. Dickey, Crichton, Hollibaugh, Anderson, Crowley, Dolwig, Doyle, McCollister, and Silliman—An act making an appropriation for research in technical problems of disposal of sewage, garbage and industrial waste, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2034: By Messrs Dickey, Crichton, Hollibaugh, Anderson, Crowley, Dolwig, Doyle, McCollister, and Silliman—An act to add Division 7 to the Water Code, relating to the control of water pollution.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2035: By Mr. Hagen—An act to amend Section 737bbb of the Political Code, relating to the salary of Superior Judges in and for the County of Tulare.

Referred to Committee on Judiciary.

Assembly Bill No. 2036: By Mr. Stewart—An act to amend Section 18975 of the Government Code, relating to credit in state examinations for service in the armed forces.

Referred to Committee on Military Affairs.

Assembly Bill No. 2037: By Mr. Stewart—An act to add Section 18907 to the Government Code, relating to state civil service employment lists

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2038: By Mr. Stewart—An act to amend Sections 18935, 18936, and 18937, and to add Section 18939 to the Government Code, relating to state civil service examinations.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2039: By Mr. Stewart—An act to amend Sections 18853, 18856, and 18857 of the Government Code, relating to salaries of state employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2040: By Mr. Stewart—An act to amend Sections 18802 and 18804 of the Government Code, relating to the reclassification of state employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2041: By Mr. Stewart—An act to amend Section 18932 of the Government Code, relating to age requirements for civil service examinations.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2042: By Mr. Stewart—An act to amend Section 18938 of the Government Code, relating to state civil service examinations.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2043: By Mr. Stewart—An act to amend Section 18950 of the Government Code, relating to promotional eligible lists.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2044: By Mr. Stewart—An act to amend Section 19300 of the Government Code, relating to establishment of performance standards for state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2045: By Mr. Stewart—An act to amend Sections 19173 and 19175 of the Government Code, relating to the rejection during probationary period of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2046: By Mr. Stewart—An act to add Section tion 19143 to the Government Code, relating to counting of prior state service for layoff and sick leave purposes.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2047: By Mr. Stewart—An act to amend Section 19140 of the Government Code, relating to reinstatement of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2048: By Mr Stewart—An act to amend Section 19055 of the Government Code, relating to certification of state employment lists.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2049: By Mr. Stewart—An act to amend Section 19058 of the Government Code, relating to temporary appointments in state service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2050: By Mr. Stewart—An act to amend Section 18021 of the Government Code, relating to overtime work in state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2051: By Mr. Stewart—An act to add Section 19265 to the Government Code, relating to attendance and leaves of absence of state employees.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 2052: By Mr. Stewart—An act to add Section 19369 to the Government Code, relating to transfers of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2053: By Mr. Stewart—An act to amend Section 18101 of the Government Code, relating to sick leave.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2054: By Mr. Stewart—An act to add Section 19261 to the Government Code, relating to the powers and duties of the State Personnel Board.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2055: By Mr. Stewart—An act to add Section 19260 to the Government Code, relating to adjustment of state employee grievances.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2056: By Mr. Stewart—An act to amend Sections 18023, 18100, 18700, 18709, 18806, and 19140 of the Government Code, to add Section 18800 5 to, and repeal Sections 19200 and 19366 of said code, relating to state civil service

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 2057: By Mr. Stewart—An act to amend Section 19251 of the Government Code, relating to incompatible employment of state employees.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 2058: By Mr Stewart—An act to amend Section 19368 of the Government Code, relating to rights of state employees, replaced by machinery.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2059: By Mr. Stewart—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19577, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal Sections 19501 and 19577, and to add Section 19583.5 of the Government Code, relating to disciplining state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2060: By Mr. Stewart—An act to amend Sections 19533 and 19534 of the Government Code, relating to layoff of state civil service employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2061: By Mr. Stewart—An act to amend Section 19361 of the Government Code, relating to intra-department transfer of civil service employees.

Referred to Committee on Civil Service and State Personnel.

COMMUNICATIONS

By Speaker Collins:

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

REPORT OF LEGISLATIVE COUNSEL

Letter of Transmittal

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO, CALIFORNIA, January 25, 1949

Hon. Sam L. Collins
Speaker of the Assembly

MR. SPEAKER: I am pleased to submit my Report on Needed Revision of the Statutes, the Better to Express the Legislative Intent, prepared in response to the requirements of Section 10242 of the Government Code, together with legislative bills designed to make the suggested clarifying changes.

In submitting this report, I wish to acknowledge my indebtedness to state officials, attorneys, and others, including members of my staff, who severally brought various statutory defects to my attention, and with whom I conferred during the course of the study which resulted in this report.

Particular acknowledgment is due Mr Clarence H. Langstaff, Chief Deputy Legislative Counsel, who assembled and analyzed the data for the formulation of the recommendations, and supervised the drafting of the legislative bills.

Yours very sincerely,

FRED B. WOOD, Legislative Counsel

Report of Legislative Counsel on Needed Revision of the Statutes, the Better to Express the Legislative Intent

To the Senate and Assembly of the State of California:

In compliance with the requirement that the Legislative Counsel "advise the Legislature from time to time as to needed revision of the statutes" (Government Code, Section 10242), which I interpret as having reference to clarifying amendments the better to express the legislative intent, I suggest for your consideration the possible desirability of making the following changes in the statutory law:

Civil Code: Amend Section 1260, relating to homesteads, to delete an unnecessary comma toward the end of subdivision 1 and to insert "other" between "any" and "person" in subdivision 2.

Corporations Code: Amend Section 3641, relating to readoption or restoration of corporate instruments, to correct an erroneous cross-reference by substituting "3631" for "3632" as the section referred to.

Education Code: Amend Section 19611, relating to employees in child welfare centers, to correct a cross-reference at the end thereof, substituting "Division 7" for "Division 5".

Government Code: Amend Section 19390, relating to military service of state employees, to delete at the end of the section the parenthetical reference to a 1945 amendment of the section.

Government Code: Add Section 500017.5 to repeal Chapter 62 of the Statutes of 1853, page 84, relating to clerks in the Office of the Secretary of State; a statute intended for repeal by Section 500017 of said code, which erroneously cited the 1853 Statute as Chapter 62 of the Statutes of 1852, page 84. (Chapter 62 of the Statutes of 1852 was repealed by Chapter 73 of the Statutes of 1933; the Statute of 1852 which commences on page 84 of the statutes for that year was repealed by Chapter 44 of the Statutes of 1853.)

Health and Safety Code: Amend Section 8802, relating to cemetery corporations, to correct the designation of the last subdivision by substituting "(e)" for "(c)".

Political Code: Amend Section 4300f correctly to broaden the exception in respect to jurors' fees fixed by other provisions of law, by substituting in the first line of the section "by statute" for "in this title", in view of the fact jurors' fees are fixed by the provisions of a number of the county Government Code sections which are now in the Government Code and no longer in said title of the Political Code.

Streets and Highways Code: Amend Section 1331, relating to county road commissioner, to correct an obsolete cross-reference to Section 1029 of that code, substituting therefor a reference to Section 2006 of the code.

During the course of my study a number of other similar defects in the statutory law were discovered. I have refrained from mentioning such other defects in this report for the reason that the several state agencies affected and Members of the Legislature interested, with whom I had conferred, expressed a desire to present legislative measures to you designed to make the necessary corrections.

Dated: Sacramento, California, January 25, 1949.

FRED B. WOOD, Legislative Counsel

Above communication and report ordered referred to the Committee on Judiciary, after being printed in the Journal.

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

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

Assembly Bill No. 2062: By Mr. Stewart—An act to amend Section 226 of the Labor Code relating to wage deduction statements.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2063: By Mr. Stewart—An act to amend Section 18803 of the Government Code relating to the reclassification of state employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2064: By Mr. Stewart—An act to amend Sections 18850 and 18851 of the Government Code relating to the adjustment of salary ranges in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2065: By Mr. Stewart—An act to amend Section 18901 of the Government Code relating to duration of civil service eligible lists.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2066: By Mr. Stewart—An act to amend Section 18902 of the Government Code relating to civil service eligible lists.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2067: By Messrs. Moss and Fleury—An act to add Part 5A, comprising Sections 1300 to 1392, inclusive, to the Municipal Utility District Act, relating to municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2068: By Messrs. Moss and Fleury—An act to amend Section 8101 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2069: By Mr Moss—An act to add Section 2247 to the Business and Professions Code, relating to the creation of a Board of Chiropody Examiners.

Referred to Committee on Public Health.

Assembly Bill No. 2070: By Mr Moss—An act to amend Section 2148 to the Business and Professions Code, relating to recommendations of corrective shoes or appliances for the human feet.

Referred to Committee on Public Health.

Assembly Bill No. 2071: By Mr. Moss—An act to amend Section 2326 of the Business and Professions Code, relating to practice of chiropody.

Referred to Committee on Public Health

Assembly Bill No. 2072: By Mr. Moss—An act to amend Sections tions 2100 and 2101 of the Business and Professions Code, relating to the Board of Medical Examiners.

Referred to Committee on Public Health.

Assembly Bill No. 2073: By Mr. Moss—An act to amend Section 3209.3 of the Labor Code, relating to workmen's compensation and insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2074: By Mr. Moss—An act to amend Section 2410 of the Business and Professions Code, relating to the advertising of chiropodical services.

Referred to Committee on Public Health.

Assembly Bill No. 2075: By Mr. Davis—An act to amend Section 875.5 of the Fish and Game Code, relating to gill nets.

Referred to Committee on Fish and Game.

Assembly Bill No. 2076: By Mr. Davis—An act to add Section 2117.5 to the Streets and Highways Code, relating to the Highway Users Tax Fund.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2077: By Mr. Erwin—An act to amend Section 1231 of the Fish and Game Code, relating to dogs in fish and game refuges.

Referred to Committee on Fish and Game.

Assembly Bill No. 2078: By Messrs. Fletcher, Thomas, and Grant—An act to add Section 216 to the Revenue and Taxation Code, relating to taxation of privately owned property used by a school district.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2079: By Messrs. Maloney and Erwin—An act to amend Section 802 of the Fish and Game Code, relating to taking of abalones.

Referred to Committee on Fish and Game.

Assembly Bill No. 2080: By Mr. Dickey—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 2081: By Mr. Morris—An act amending Sections 32056, 32062, 32355, and 32361 of, and adding Section 32361.5 to, the Government Code, relating to county pension systems

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2082: By Mr. Price—An act to amend Section 2410 of the Labor Code, relating to labor camps.

Referred to Committee on Agriculture.

Assembly Bill No. 2083: By Mr. Babbage—An act to amend Section 257 of the Vehicle Code, relating to operators' licenses for minors.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2084: By Mr. Babbage—An act to amend Section 1048 of the Penal Code, relating to priority of trial of cases when a minor is detained as a material witness.

Referred to Committee on Judiciary.

Assembly Bill No. 2085: By Mr. Reagan—An act to add Chapter 3 comprising Sections 1450 to 1484, inclusive, to Division 2 of the Health and Safety Code, relating to health services.

Referred to Committee on Public Health.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 84

Your Committee on Rules respectfully submits the following resolution:

Resolved, That the following named person be and he is hereby stricken from the Assembly roll commencing Monday, January 24, 1949:

Randal F. Dickey, Jr., Assistant Clerk.....$12 00

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 84, at this time, without reference to committee or file.

Resolution read, and adopted.

By Messrs. Maloney, McCarthy, Berry, George D. Collins, Gaffney, Meyers, Connolly, Dolwig, and Weber:

House Resolution No. 85

WHEREAS, On January 25, 1949, in the Town of Redding, there was taken to her eternal reward, Mrs. Mary K. Behrens, devoted mother of Earl C. Behrens, political editor and correspondent of the San Francisco Chronicle; and

WHEREAS, Mrs. Mary K. Behrens, a native daughter of California, born in the Town of Shasta, Siskiyou County, of parents who arrived and settled in California during the Gold Rush Days, and up until two years ago was blessed with good health, when she was stricken and became ill, but with courage and determination fought grimly on until the hand of God gently took her to His eternal home at the age of 87 years; and

WHEREAS, Her passing not only leaves grieving hearts in the family household, but sorrow among the citizens of Shasta County, and the many other devoted friends she made and kept in California during her long span of life; now, therefore, be it

Resolved, That as we express our sorrow to Mr. Earl C. Behrens, we also extend to the other members of her family, Mrs. Edna B. Eaton and Ella G. Behrens, both daughters residing in Redding, and Mrs. Julia Glaszer, a sister living in Sebastopol, our heartfelt sympathy in their hours of bereavement, and that when we adjourn this day we do so out of respect to the memory of Mrs. Mary K Behrens; and be it further

Resolved, That a suitable engrossed copy of this resolution be forwarded to Earl C. Behrens, devoted son of Mrs. Mary K. Behrens.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENT

Mr. Sherwin announced a meeting of the Committee on Ways and Means, today, at 1 30 p m., for the purpose of considering Assembly Bill No. 261.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 125 AND 126 BE WITHDRAWN FROM COMMITTEE

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bills Nos. 125 and 126 be ordered withdrawn from the Committee on Finance and Insurance, for purpose of amendment.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 85

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 730
Assembly Bill No. 1271

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1949

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

Senate Bill No 595

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 595—An act to validate certain acts, proceedings, contracts, and expenditures in relation to the improvement of county-owned property for fair purposes, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

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

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

Assembly Constitutional Amendment No. 52: By Messrs. Dickey, Crichton, Hollibaugh, Anderson, Crowley, Dolwig, Doyle, McCollister, and Silliman—A resolution to propose to the people of the State of California an amendment to Section 14 of Article I of the Constitution of said State, relating to eminent domain.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2086: By Mr McCollister—An act to amend Sections 5, 7, 12, 18, and 21 of the Sewer District Revenue Bond Act of 1939, Chapter 532 of the Statutes of 1939, entitled "An act to provide for the formation of sewer districts within counties, cities and counties and municipalities for the acquisition or construction of sanitary sewerage works or improvements for the issuance, sale and payment of bonds of such districts, for the acquisition, construction, maintenance and operation of such improvements, and for the fixing, collecting and

application of revenues, rates and charges for the use of the sewerage works or improvements," so as to authorize the subordination of certain bonds, to extend the permissive maturities of bonds to 40 years, to authorize contracts with industrial establishments for the provision and operation by the sewer district of sewerage facilities to abate or reduce the pollution of water by industrial waste, and so as to authorize sewer districts to accept grants and loans from and to enter into contracts and cooperate with the United States of America in action preliminary to construction and in the construction, maintenance and operation of sewerage works or improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2087: By Mr Heisinger—An act to amend Sections 7351 and 8651 of the Revenue and Taxation Code, relating to motor vehicle fuel taxes, providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2088: By Mr. Silliman—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Referred to Committee on Education.

Assembly Bill No. 2089: By Mr. Silliman—An act making an appropriation for permanent improvements at the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 2090: By Mr. Silliman—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for and regulating the appropriation and expenditure of money in said fund.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 10—Relative to memorializing the Congress of the United States in relation to the waters of the Colorado River;

Assembly Concurrent Resolution No. 43—Relative to approving amendments to the charter of the City of Huntington Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the thirteenth day of April, 1948;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-seventh day of January, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 271—An act to amend Section 2 of an act entitled "An act to provide for the relocation of a portion of State Highway Route 5 in Santa Clara County, making an appropriation therefor, and declaring the urgency hereof, to take effect immediately," approved July 17, 1947, relating to relocation of a portion of State Highway Route 5, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-seventh day of January, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 87—An act to amend an act entitled "An act to create a district to be called 'The Santa Barbara County Water Agency' for the purpose of controlling and conserving storm, flood and other surface waters, for any beneficial use and for the protection of life and property in said district, for the purpose of cooperating and contracting with municipalities and certain districts for the storage and diversion, the transportation and delivery, and the sale or other disposition of such water; to provide for the powers of such district necessary to carry out its purposes including the right to contract, the right to acquire property and to acquire or construct or have constructed dams, conduits, and other works for the control, conservation, diversion and transportation of such water, certain rights to appropriate water, to acquire water rights, and to sell water and to collect charges for water used; to provide for the organization, government and management of said district and establishing the boundaries thereof; to provide for the appointment, powers, duties, liabilities and compensation of the officers and employees of said district; to provide certain officers and employees of the County of Santa Barbara shall be ex officio officers and employees of said district; to authorize the incurring of indebtedness, the voting and/or issuing and selling of bonds, the voting and/or levying and collection of special assessments, the levying and collection of taxes; to provide certain limitation on creation of indebtedness, levying of taxes and special assessments and issuance of bonds; to provide that the existence, property and powers of municipalities or public districts located within or partially within said district shall not be affected by this act; and to empower municipalities, county water districts, water conservation districts, flood control districts, and any other political subdivisions of the State empowered by law to appropriate water and to deliver it to users, to enter into contracts with the agency and to carry out the terms of such contracts, and providing for the dissolution of such agency," by amending the title of said act, by amending sections numbered 2, 5 1, 5.3, 5.4, 5 7, 6 1, 6.3, 9.1, 10 1, and 10.2 of said act, all relating to the power of said agency on behalf of itself or its member units to acquire water or a water supply, to purchase and sell water, to cooperate and contract in connection with such water, water supply, and purchase and sale of water with the United States, the State, municipalities and certain public districts, to assume certain indebtedness as principal, guarantor or underwriter, to make certain contributions in aid of purchasing or obtaining water or a water supply or works, to suspend delivery of water to member units, imposing certain limitations on indebtedness and taxes, defining member units of said agency and establishing certain powers, rights and liabilities of such member units and their power to contract with said agency in connection with such water or water supply, or purchase and sale of water, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 383—An act to amend Section 1 of an act entitled "An act to provide for the levy and collection of taxes and assessments for the purpose of creating a fund for capital outlays by cities, counties, cities and counties or districts," approved July 1, 1937, as amended, and to amend Section 53737 of the Government Code, relating to capital outlays by cities, counties, cities and counties, or districts, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of January, 1949, at 11 a.m.

HUYCK, Chairman

RECESS

At 11.43 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 595 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Stanley asked for, and was granted, unanimous consent that Senate Bill No. 595 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1949

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

Senate Joint Resolution No 12
Senate Joint Resolution No. 13
Senate Joint Resolution No. 14

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 12—Relative to memorializing the President and the Congress of the United States in relation to the retention of the National Guard under state control.

Referred to Committee on Rules.

Senate Joint Resolution No. 13—Relative to memorializing the President and the Congress of the United States in relation to the Forestry Service special use permit fees.

Referred to Committee on Rules.

Senate Joint Resolution No. 14—Relative to memorializing the Congress of the United States in relation to repealing the transportation tax.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1949

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

Assembly Joint Resolution No. 2
Assembly Joint Resolution No. 8

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 295

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 27, 1949

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

Assembly Bill No. 425

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

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

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

Assembly Constitutional Amendment No. 53: By Messrs. Thomas and Rosenthal (By request)—A resolution to propose to the people of the State of California an amendment to Section 22 of Article XX of the Constitution of said State, relating to alcoholic beverages and to the establishment of an Alcoholic Beverage Commission, and defining its powers and duties.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2091: By Messrs. Anderson, Hawkins, and Lewis—An act making an appropriation for the purpose of increasing salaries of state employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2092: By Mr. Erwin—An act making an appropriation to the Department of Agriculture for bovine turberculosis eradication.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2093: By Mr. Erwin—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2094: By Messrs. Crowley, McCollister, Meyers, George D. Collins, Berry, Connolly, Gaffney, Maloney, and McCarthy—An act to amend Sections 70, 1010, 1014, 1018, 1019, 1023, 1027, 1030, 1030.1, 1030.2, 1032, 1033, 1035, 1039.3, 1044, and 1046 of, and to add Sections 1015, 1016, 1017, 1020, 1021, 1022, 1024, 1028, and 1029 to, the Military and Veterans Code, relating to the Veterans Home of California, and providing for the transfer of records and property to, and for the expenditure of money by, a board of directors to be appointed by the Governor.

Referred to Committee on Military Affairs.

Assembly Bill No. 2095: By Mr. Burkhalter—An act to add Section 6873 to the Business and Professions Code, relating to the titles of collection agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2096: By Mr. Burkhalter—An act to add Section 304.5 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2097: By Mr. Price—An act making an appropriation to the Department of Mental Hygiene for the establishment and maintenance of mobile mental hygiene clinics to serve the communities of the State.

Referred to Committee on Public Health.

Assembly Bill No. 2098: By Mr. Price—An act to add Section 7500.6 to the Welfare and Institutions Code, relating to the powers of the Department of Mental Hygiene and providing for mental health services in communities in coordination with the Department of Public Health and the Department of Corrections.

Referred to Committee on Public Health.

Assembly Bill No. 2099: By Mr. Stewart—An act to amend Section 12¾ of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law February 25, 1901, under constitutional provision without the Governor's approval, relating to elections on city bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2100: By Mr. Doyle—An act to add Section 274f to the Code of Civil Procedure, relating to the reporting and transcription of judicial actions and proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2101: By Mr. Maloney—An act to amend Sections 1113, 1160, 1190, and 1191 of the Harbors and Navigation Code, and to repeal Sections 1160.5, 1160.6, and 1161 thereof, relating to the powers, duties and licensing of pilots.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2102: By Mr. Maloney—An act to amend Section 7 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to the period of operation of such housing projects.

Referred to Committee on Military Affairs.

Assembly Bill No. 2103: By Mr. Maloney—An act to add Section 13530.1 to the Government Code, relating to the State Printing Office.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2104: By Mr. Davis—An act to add Sections 1416, 1417, and 1418 to the Water Code, relating to permits to appropriate water.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2105: By Mr. Davis—An act to add Section 13080 to the Government Code, relating to powers and duties of the Director of Finance.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Constitutional Amendment No. 54: By Mr. Sam L. Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23 of Article IV thereof, relating to the compensation of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2106: By Mr. Hollibaugh—An act to amend Section 9173 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of use fuel tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2107: By Mr. Hollibaugh—An act to amend Section 8148 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2108: By Mr. Hollibaugh—An act to amend Section 10278 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2109: By Mr. Hollibaugh—An act to amend Section 11573 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of private car tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2110: By Messrs. Sherwin, Dunn, Rumford, Dickey, and Lincoln—An act to amend Sections 8, 13, and 19 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925 as amended, relating to the establishment of municipal courts in cities of the second class.

Referred to Committee on Judiciary.

Assembly Bill No. 2111: By Mr. Thomas—An act to add Section 1063.5 to the Fish and Game Code, relating to anchovies.

Referred to Committee on Fish and Game.

Assembly Bill No. 2112: By Mr. Tomlinson—An act to amend Section 185 of the Vehicle Code, relating to the transfer of ownership of vehicles.

Referred to Committee on Transportation and Commerce

REMARKS ON CONDITION OF THE FILE

Mr. Burke spoke on the condition of the file.

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

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

Assembly Bill No. 2113: By Mr. Morris—An act to add Section 19660.5 to the Business and Professions Code, relating to minors in or about race tracks.

Referred to Committee on Public Morals.

Assembly Bill No. 2114: By Mr. Rosenthal—An act to add Section 19c to the Penal Code, relating to criminal penalties.

Referred to Committee on Judiciary.

Assembly Bill No. 2115: By Mr. Rosenthal—An act to add Section 4.5 to the Civil Code, relating to the bill of rights

Referred to Committee on Judiciary.

CONSIDERATION OF ASSEMBLY BILL NO. 126 (BY UNANIMOUS CONSENT)

Assembly Bill No. 126—An act to repeal Section 4702 of the Labor Code and to add Section 4702 to the Labor Code, dealing with death benefits under the Workmen's Compensation Act.

Bill read second time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "death", and insert "dependency".

Amendment No. 2

On page 1 of the printed bill, strike out lines 17 and 18.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 125 (BY UNANIMOUS CONSENT)

Assembly Bill No. 125—An act to amend Sections 4452, 4453, and 4455 and to repeal Section 4656 of the Labor Code, dealing with workmen's compensation.

Bill read second time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out: "4455 and to repeal section".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 25, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 32, inclusive, and insert

"SECTION 1. Section 4452 of the Labor Code is amended to read.

4452. [Four] *Five* times the average annual earnings shall be taken at not less than [one thousand dollars ($1,000)] *six thousand and one dollars ($6,001)* nor more than [seven thousand two hundred dollars ($7,200)] *sixteen thousand and one dollars ($16,001)* in disability cases, and in death cases shall be taken at not less than the minimum nor more than the maximum limits as provided in Section 4702 of this code

SEC. 2. Section 4453 of the Labor Code is amended to read:

4453 In computing average annual earnings, the average weekly earnings shall be taken at not less than [fifteen dollars ($15)] *twenty-three dollars and eight cents ($23.08)* nor more than [forty-six dollars and sixteen cents ($46.16)] *sixty-one dollars and fifty-four cents ($61.54)*.

(a) Where the employment is for thirty or more hours a week and for five or more working days a week, the average weekly earnings shall be 95 percent of the number of working days a week times the daily earnings at the time of the injury.

(b) Where the employee is working for two or more employers at or about the time of the injury, the average weekly earnings shall be taken as 95 percent of the aggregate of such earnings from all employments computed in terms of one week; but the earnings from employments other than the employment in which the injury occurred shall not be taken at a higher rate than the hourly rate paid at the time of the injury.

(c) If the earnings are at an irregular rate, such as piecework, or on a commission basis, or are specified to be by the week, month, or other period, then the average weekly earnings mentioned in subdivision (a) above shall be taken as 95 percent of the actual weekly earnings averaged for such period of time, not exceeding one year, as may conveniently be taken to determine an average weekly rate of pay.

(d) Where the employment is for less than thirty hours per week, or where for any reason the foregoing methods of arriving at the average weekly earnings cannot reasonably and fairly be applied, the average weekly earnings shall be taken at 95 percent of the sum which reasonably represents the average weekly earning capacity of the injured employee at the time of his injury, due consideration being given to his actual earnings from all sources and employments.

SEC. 3. Section 4656 of the Labor Code is amended to read:

4656. Aggregate disability payments for a single injury causing temporary disability shall not exceed [four] *five* times the average annual earnings of the employee, nor shall the aggregate disability period for such temporary disability in any event extend beyond 240 weeks from the date of the injury

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

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

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

Assembly Bill No. 2116: By Mr. Rosenthal—An act to amend Section 1016 of the Penal Code, relating to pleas.

Referred to Committee on Judiciary

Assembly Bill No. 2117: By Mr. Rosenthal—An act to amend Section 1272 of the Penal Code, relating to admission to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2118: By Mr. Rosenthal—An act relating to fire protective associations.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2119: By Mr. Rosenthal—An act to add Section 1280c to the Penal Code, relating to bail.

Referred to Committee on Judiciary.

Assembly Bill No. 2120: By Messrs. Dunn, Kirkwood, Mrs. Niehouse, Messrs. Huyck, Babbage, Beck, Brown, Butters, Caldecott, Coats, Connolly, Cramer, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Erwin, Fletcher, Fleury, Geddes, Hagen, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Moss, Rosenthal, Rumford, Smith, Stanley, and Weber—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education

Assembly Bill No. 2121: By Mr. Dunn—An act to amend Sections 3432 and 3462 of, and to add Sections 3432.1, 3432.2, 3432 3, 3462 1, 3462.2, and 3462.3 to, the Education Code, all relating to the formation of high school districts.

Referred to Committee on Education.

Assembly Bill No. 2122: By Mr. Dunn—An act to amend Sections 3492, 3593, 3594, 3595, 3597, 3598, 3662, 3663, and 3665 of; to add Sections 3593.1, 3593.2, 3594.1, 3661 2, and 3661.3 to; and to repeal Sections 3599 and 3660 of, the Education Code, all relating to high school districts.

Referred to Committee on Education.

Assembly Bill No. 2123: By Mr. Dunn—An act to add Section 685 to the Vehicle Code, relating to equipment.

Referred to Committee on Education.

Assembly Bill No. 2124: By Mr. Fleury—An act to add Section 1243 to the Water Code, relating to beneficial use of water.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2125: By Mr. Rosenthal—An act to amend Section 1181 of the Penal Code, relating to new trials.

Referred to Committee on Judiciary.

Assembly Bill No. 2126: By Mr. Rosenthal—An act to add Section 19b to the Penal Code, relating to crimes.

Referred to Committee on Judiciary.

Assembly Bill No. 2127: By Mr. Rosenthal—An act to add Section 73f to the Code of Civil Procedure, relating to the holding of sessions of the superior court in places other than the county seat.

Referred to Committee on Judiciary.

Assembly Bill No. 2128: By Messrs. Fleury and Moss—An act to add Section 11154.5 to the Government Code, relating to leaves of absence for state employees.

Referred to Committee on Civil Service and State Personnel

Assembly Bill No. 2129: By Mr. Way—An act to add Sections 1128, 1129, 1130, 1131, 1132, and 1133 to the Streets and Highways Code, and to repeal Section 2692 of the Political Code, relating to the laying out of private or by-roads.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2130: By Mr. Price—An act to add Section 92.2 to the Agricultural Code and Section 19626.1 to the Business and Professions Code, relating to the Fair and Exposition Fund and appropriations for county and district agricultural association fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2131: By Mr. Cooke—An act to amend Sections 18021, 18023, and 18025 of the Government Code, relating to civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2132: By Mr. Cooke—An act to add Section 301 to the Labor Code, relating to deductions from wages.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2133: By Mr. Moss—An act to add Chapter 3, comprising Sections 500 to 507, inclusive, to Division 1 of the Education Code, relating to safety education.

Referred to Committee on Education.

Assembly Bill No. 2134: By Mr. Moss—An act to add Section 6712.5 to, and to add Article 9, comprising Sections 6820 to 6828, inclusive, to Chapter 7 of Division 3 of, the Business and Professions Code, relating to the State Board of Registration of Civil and Professional Engineers, its organization and powers to regulate the practice of professional engineering, and providing penalties for violations of the provisions of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2135: By Mr. Stewart—An act to amend Section 304 of the Vehicle Code, relating to revocation of drivers' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2136: By Mr. Stewart—An act to amend Section 307 of the Vehicle Code, relating to suspension of drivers' licenses.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2137: By Mr. Stewart—An act to provide for the transfer of certain county employees to the State Department of Social Welfare and to define the terms and conditions upon which they shall be included in the state civil service and to provide for the protection of their retirement rights, declaring the urgency thereof, and providing that this act shall take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2138: By Mr Silliman—An act to amend Section 13091 of the Education Code, relating to the classification of teachers.

Referred to Committee on Education.

Assembly Bill No. 2139: By Mrs. Niehouse and Mr. Luckel—An act to add Section 1.7 to the Judges' Retirement Act and to add Section 4.7 to the Judges' Retirement Fund Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency.

Referred to Committee on Judiciary.

Assembly Bill No. 2140: By Mrs. Niehouse—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Judiciary.

Assembly Bill No. 2141: By Mr. Waters—An act to amend Section 4533 of the Elections Code, relating to campaign statements.

Referred to Committee on Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.36 p.m., Mr. Stanley asked for, and was granted, unanimous consent that the Committee on Municipal and County Government be permitted to hold a special meeting, at this time, in the Cloakroom, for the purpose of considering Senate Bill No. 595.

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

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

Assembly Bill No. 2142: By Mr. Waters—An act to add Section 7964.5 to the Elections Code, relating to canvass of election returns.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2143: By Mr. Waters—An act to amend Section 8007 of the Elections Code, relating to recount of ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2144: By Mr. Waters—An act to amend Section 330.5 of the Elections Code, relating to affidavits of registration.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2145: By Mr. McCollister—An act to amend Section 718c of the Civil Code, relating to the lease of property owned by a municipality for a term not to exceed fifty years for military or armory purposes.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2146: By Mr. McCollister—An act to amend Section 395 of the Military and Veterans Code relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance at drills, camps, and exercises; performance of duty during insurrection or emergency; private employees and restoration to positions.

Referred to Committee on Military Affairs.

Assembly Bill No. 2147: By Mr McCollister—An act making an appropriation to the Department of Agriculture for support of the Bureau of Fruit and Vegetable Standardization.

Referred to Committee on Agriculture.

Assembly Bill No. 2148: By Mr. McCollister—An act to regulate the practice of arboriculture or tree care and to set up a board for the regulation thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2149: By Messrs. Levering and Reagan—An act to add Chapter 8.1 to Part 3 of Division 2 of the Labor Code, comprising Sections 1150 to 1155, inclusive, relating to featherbedding, work slowdowns and combinations and agreements to effect the same, declaring same unlawful and providing for recovery of damages.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2150: By Mr. Smith—An act to amend Section 7726 of the Business and Professions Code, relating to licenses of funeral directors and embalmers.

Referred to Committee on Public Health.

Assembly Bill No. 2151: By Mr. Smith—An act to add Sections 370 and 371 to the Education Code, relating to powers and duties of county superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 2152: By Messrs. Huyck, Luckel, Lipscomb, and Maloney—An act to add Sections 140.3 and 377.6 to the Vehicle Code, relating to permits for the operation of vehicles and the payment of fees therefor.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2153: By Mr. Cramer—An act to amend Section 680 of the Streets and Highways Code, relating to franchises in public highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2154: By Mr. Cramer—An act to amend Section 19154 of the Education Code, relating to apportionment to the Library Fund if the governing board fails to act

Referred to Committee on Education.

Assembly Bill No. 2155: By Mr. Cramer—An act to amend Section 19153 of the Education Code, relating to amount to be apportioned to the Library Fund.

Referred to Committee on Education.

Assembly Concurrent Resolution No. 48: By Mr. McCollister—Relative to accountants.

Referred to Committee on Rules.

Assembly Bill No. 2156: By Messrs. Dickey, Doyle, McCollister, Crowley, Crichton, Dolwig, Hollibaugh, and Silliman—An act to repeal Articles 2 and 3 of Chapter 6, Part 3, Division 5 of, to add Articles 2 and 3 to Chapter 6, Part 3, Division 5 of, and to amend Sections 4024, 4451, 4452, and 4475 of, to add Sections 4025, 4458, 4459, 4460, and 4461 to, the Health and Safety Code, relating to contamination and pollution of waters and the regulation, abatement, and correction of such conditions, the disposal of sewage and industrial wastes, and the supply of water for domestic and other purposes, all relating to public health.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2157: By Messrs. Dickey, Doyle, McCollister, Crowley, Crichton, Dolwig, Hollibaugh, and Silliman—An act making an appropriation to the State Pollution Control Board for administrative expenses and providing for the allocation of any portion thereof to the several regional pollution control boards.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2158: By Mr. Kilpatrick—An act to add Section 599g to the Penal Code, relating to dogs and cats used for experimental purposes.

Referred to Committee on Judiciary.

Assembly Bill No. 2159: By Mr. Caldecott—An act to amend Sections, 293 and 295 of the Elections Code, relating to the cancellation of registration of voters.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2160: By Messrs. Caldecott, Maloney, and Kirkwood—An act to create an Industrial Relations Commission, defining its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2161: By Mr. Caldecott—An act to amend Section 204a of the Code of Civil Procedure, relating to appointment of a jury commissioner and fixing his salary.

Referred to Committee on Judiciary.

REMARKS ON CONDITION OF THE FILE

Mr. Dunn spoke on the condition of the file.

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

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

Assembly Bill No. 2162: By Mr. Caldecott—An act to amend Sections 17221 and 17242 of the Government Code, relating to the registration of warrants drawn against the General Fund.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2163: By Mr. Caldecott—An act to add Sections 20302.1, 20302.2, and 20302.3 to the Government Code, relating to retirement rights of county employees performing county functions transferred to the State and becoming state employees upon the transfer of such functions, in connection with the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2164: By Mr. Caldecott—An act to add Section 119.1 to the Welfare and Institutions Code and to add Sections 18598 and 20302.1 to the Government Code, relating to employees of the Department of Social Welfare.

Referred to Committee on Social Welfare.

Assembly Bill No. 2165: By Mr. Caldecott—An act to add Section 31700.1 to the Government Code, relating to the retirement rights of members of retirement associations, upon their separation from county service, in connection with the County Employees' Retirement Law of 1937.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2166: By Mr. Cooke—An act creating the Salary Emergency Fund, and making an appropriation to said fund and providing salary and wage increases for state employees and providing that this act take effect immediately.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2167: By Messrs. Rosenthal, Beck, Bennett, and Kilpatrick—An act to amend Section 80 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2168: By Messrs. Rosenthal, Kilpatrick, and Bennett—An act to amend Section 1462 of the Penal Code, relating to criminal jurisdiction of infants.

Referred to Committee on Judiciary.

Assembly Bill No. 2169: By Messrs. Caldecott, Lowrey, Grunsky, Hoffman, Erwin, Fleury, Hollibaugh, Lincoln, Rumford, Stanley, and

Stewart—An act to provide for research on, and development of, improved methods of disposing of sewage by the University of California and making an appropriation, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2170: By Mr. Doyle—An act to add Section 13¼ to the Los Angeles County Flood Control Act, relating to storm waters, the expenditure of moneys for improvements, the control of same and the levy of taxes therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2171: By Mr. Burkhalter—An act to amend Section 454.2 of the Motor Vehicle Act, relating to vehicles owned by physicians.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2172: By Mr. Burkhalter—An act to add Section 4606 to the Labor Code, relating to fees of physicians

Referred to Committee on Public Health.

Assembly Bill No. 2173: By Mr Burkhalter—An act to add Section 1002 to the Business and Professions Code, relating to the use of the word "physician."

Referred to Committee on Public Health.

Assembly Bill No. 2174: By Mr. Geddes—An act to add Section 6a to the Metropolitan Water District Act, relating to water districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2175: By Mr. Thomas—An act to amend Sections 303 and 346 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2176: By Mr Thomas—An act to amend Section 303 of the Streets and Highways Code, relating to state highway routes. .

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2177: By Mr. Thomas—An act to amend Section 1184e of the Code of Civil Procedure, relating to claims of laborers or materialmen on public contracts.

Referred to Committee on Judiciary.

Assembly Bill No. 2178: By Mr. Maloney—An act to add to the Insurance Code, a new section to be numbered Section 10972.1, providing that any state, district or local branch or unit of any fraternal benefit society shall not be restricted from furnishing to its members and their beneficiaries and dependents, or to any group of such members, hospitalization or physician's services when the same are furnished by the state,

district or local branch or unit independently of its affiliation with the supreme or governing lodge and by means of its own funds and without regard to any funds in the possession or control of such supreme or governing lodge.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2179: By Mr. Brown—An act to amend Section 161 of the Civil Code, relating to property of husband and wife.

Referred to Committee on Judiciary.

Assembly Bill No. 2180: By Messrs Brown and Caldecott—An act to amend Section 241 of the Code of Civil Procedure, relating to the impaneling of grand juries.

Referred to Committee on Judiciary.

Assembly Bill No. 2181: By Messrs. Brown and Caldecott—An act to amend Section 906 of the Penal Code, relating to grand juries, providing for continuous establishment thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2182: By Mr. Brown—An act to provide for the compilation, publication and distribution of state laws relating to publishing and publications, and making an appropriation therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2183: By Mr Brown—An act to add Chapter 5.5 to Division 21 of the Health and Safety Code, relating to frozen food.

Referred to Committee on Judiciary

Assembly Bill No. 2184: By Messrs. Huyck, Conrad, Waters, Stewart, Connolly, Lipscomb, and Tomlinson—An act to add Section 11163 to the Government Code, relating to state-owned vehicles under the supervision of department directors.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2185: By Mr. Evans—An act to amend Sections 1, 2, and 3 of, and to add Section 3½ to, the Highway Carriers' Act, relating to petroleum carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2186: By Mr. Evans—An act to amend Sections 2¾ and 50¾ of the Public Utilities Act, relating to petroleum carriers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2187: By Mr. Evans—An act to add Chapter 1B to Part 3 of Division 12 of the Health and Safety Code, relating to fire fighting districts.

Referred to Committee on Municipal and County Government

Assembly Bill No. 2188: By Mr. Evans—An act to amend Section 110 of the Revenue and Taxation Code, relating to definition of terms used for taxation purposes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2189: By Messrs. Clarke, Erwin, Hoffman, Levering, Babbage, Butters, Reagan, and Stewart—An act to repeal Chapter 8, comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2 of the Labor Code and to add a new Chapter 8 to Part 3 of Division 2 of that code, comprising Sections 1131 to 1140, relating to hot cargo and secondary boycotts.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2190: By Mr. Huyck—An act to amend Section 4000 of the Government Code and to add Section 4000.1 thereto, relating to public works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2191: By Mr. Huyck—An act amending Section 50 of the Vehicle Code, relating to definitions of vehicles and equipment.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2192: By Mr. Huyck—An act to amend Sections 668.5, 669, 670, 671, 672, 672.5, 673, and 674 of, and to repeal Section 668 of, the Elections Code, relating to the publication of the list of precinct officers and polling places.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2193: By Mr. Lowrey—An act to repeal Section 6 of an act entitled "An act to authorize the Department of Finance to acquire surplus housing facilities for resale to farmers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately," approved July 10, 1947 (Chapter 1352, Statutes of 1947), relating to the expiration date thereof.

Referred to Committee on Agriculture.

Assembly Bill No. 2194: By Mr. Lowrey—An act to add Section 654 to the Penal Code, relating to fish and game.

Referred to Committee on Judiciary.

Assembly Bill No. 2195: By Mr. Lowrey—An act to add Sections 364.7 and 364.8 to the Agricultural Code, relating to public livestock sales yards.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2196: By Mr. Lowrey—An act to amend Section 18191 of the Educational Code, relating to the construction of school buildings.

Referred to Committee on Education.

Assembly Bill No. 2197: By Mr. Lowrey—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2198: By Mr. Lowrey—An act to amend Section 28135 of the Government Code, relating to compensation for public services in counties of the thirty-fifth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2199: By Mr. Lowrey—An act to amend Sections 10, 11, and 20 of, and to add Section 2.5 to, the Fish and Game Code, relating to the administration and enforcement of said code and prescribing the powers of the Director of Natural Resources and the Fish and Game Commission in relation thereto.

Referred to Committee on Fish and Game.

Assembly Bill No. 2200: By Mr. Lowrey—An act to add Section 5034.1 to the Education Code, relating to state aid to impoverished school districts.

Referred to Committee on Education.

Assembly Bill No. 2201: By Mr. McMillan—An act to amend Sections 39 and 41, and to repeal Sections 39.1 and 39 5 of the Unemployment Insurance Act, relating to experience or merit rating.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2202: By Mr. McMillan—An act to amend Section 57 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2203: By Mr McMillan—An act to amend Section 57 of the Unemployment Insurance Act, relating to eligibility for benefits.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred,

House Resolution No. 45

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 45

By Mr. Berry:

House Resolution No. 45

Relative to purchasing sets of Attorney General's Opinions for Members of the Assembly

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be and is hereby authorized and directed to purchase eighty-one (81) sets of the following California Attorney General's Opinions

24 Booklets of Advance Sheets and
2 Bound Volumes for 1949
24 Booklets of Advance Sheets and
2 Bound Volumes for 1950

and, be it further

Resolved, That the Chief Clerk is instructed to deliver one set of California Attorney General's Opinions to each Member of the Assembly, and one set to the Chief Clerk of the Assembly; and be it further

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of California Legal Publications for four thousand one hundred fifty-one and twenty-five one-hundredths dollars ($4,151.25) in payment for the above volumes and advance sheets, and the State Treasurer is directed to pay the same.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules.

Amendment No. 1

In line 1 of the resolution as printed in the Assembly Journal of January 17, 1949, at page 316, after the comma, strike out the remainder of the resolution, and insert

"That the Chief Clerk of the Assembly be, and he is hereby authorized and directed to purchase 24 booklets of advance sheets and 2 bound volumes for 1949; 24 booklets of advance sheets and 2 bound volumes for 1950 of Attorney General's Opinions for each Member of the Assembly who requests the same; and one set of the aforesaid booklets and bound volumes for the Chief Clerk of the Assembly;

That the Chief Clerk is instructed to supply the California Legal Publications with a list of the Members of the Assembly who have requested that the said advance sheets and volumes be sent to them; and the California Legal Publications is requested to ship, or mail, to the individual members the aforesaid sheets and bound volumes;

Resolved further, That the Chief Clerk of the Assembly is directed to transmit to the State Controller a list of the Members of the Assembly who have requested the purchase of the aforesaid advance sheets and bound volumes; and the Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of California Legal Publications for an amount not to exceed $4,151.25 in payment for the volumes and advance sheets ordered; and the State Treasurer is directed to pay the same.

Amendment read, and adopted.

Consideration of House Resolution No. 45, as Amended

By Mr. Berry:

House Resolution No. 45

Relative to purchasing sets of Attorney General's Opinions for Members of the Assembly

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly be, and he is hereby authorized and directed to purchase 24 booklets of advance sheets and two bound volumes for 1949; 24 booklets of advance sheets and two bound volumes for 1950 of Attorney General's Opinions for each Member of the Assembly who requests the same; and one set of the aforesaid booklets and bound volumes for the Chief Clerk of the Assembly;

That the Chief Clerk is instructed to supply the California Legal Publications with a list of the Members of the Assembly who have requested that the said advance sheets and volumes be sent to them; and the California Legal Publications is requested to ship, or mail, to the individual members the aforesaid sheets and bound volumes;

Resolved further, That the Chief Clerk of the Assembly is directed to transmit to the State Controller a list of the Members of the Assembly who have requested the purchase of the aforesaid advance sheets and bound volumes; and the Controller is

hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of California Legal Publications for an amount not to exceed $4,151.25 in payment for the volumes and advance sheets ordered, and the State Treasurer is directed to pay the same.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nicholson, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Weber, and Mr. Speaker—58

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2204: By Mr. McMillan—An act providing for license fees for the privilege of operating aircraft, providing for the exemption of such vehicles from all taxes according to value for state, county, or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Aircraft Fee Fund and making an appropriation of the moneys therein

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2205: By Mr. McMillan—An act to add Section 3051b to the Civil Code, creating a lien upon aircraft for services rendered for the benefit of such aircraft, and to add Section 537d to the Penal Code, making it a misdemeanor to take off or remove any aircraft from any airport while such aircraft is subject to a lien as provided under Section 3051b of the Civil Code

Referred to Committee on Judiciary

Assembly Bill No. 2206: By Mr. McMillan—An act to add Article 7.5, comprising Sections 5099.1 to 5099.4, inclusive, to Chapter 1 of Division 3 of the Business and Professions Code, relating to registration of public accountants

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2207: By Mr. McMillan—An act to amend Sections 18679 and 18679.5 of the Business and Professions Code, relating to boxing and wrestling licenses

Referred to Committee on Public Morals.

Assembly Bill No. 2208: By Mr. McMillan—An act to amend Section 685 of the Code of Civil Procedure, relating to execution of judgments

Referred to Committee on Judiciary.

Assembly Bill No. 2209: By Mr. Butters—An act relating to sanitary districts including the issuance of revenue bonds for the financing thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2210: By Messrs. Butters and Clarke—An act to amend Section 20527 of the Water Code, relating to irrigation district elections.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2211: By Mr. Butters—An act to amend Section 813 of the Fish and Game Code, relating to scallops.

Referred to Committee on Fish and Game.

Assembly Bill No. 2212: By Mr. Butters—An act to amend Section 402 of the Fish and Game Code, relating to licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2213: By Mr. Butters—An act to add Section 22431.1 to the Water Code, relating to irrigation districts and to district works.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2214: By Mr. Coats—An act making an appropriation to the Fish and Game Commission for the acquisition of property for public shooting grounds.

Referred to Committee on Fish and Game.

Assembly Bill No. 2215: By Mr. Coats—An act to amend Section 11005 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2216: By Messrs. Coats and Lewis—An act to add Section 22264 to the Water Code, relating to irrigation districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2217: By Mr. Cramer—An act creating the San Luis Rey Water Authority, providing for its organization and government, and defining its duties and powers relating to the preparation and adoption of plans for and the acquisition, construction, operation, and maintenance of a system of works, designated as the San Luis Rey Project, for the appropriation, diversion, storage, conservation, development, distribution, and utilization of water of San Luis Rey River for flood control, domestic use, irrigation of lands, and drainages and reclamation connected therewith, and for any beneficial use; providing that certain state agencies may contract or cooperate with said San Luis Rey Water Authority for the purposes of the act; providing that the San Luis Rey Water Authority may cooperate and contract with the United States and its agencies for any of the purposes of the act; defining the manner of providing funds and the issuance, sale, and redemption of bonds to carry out the purposes of the act; repealing the San Luis Rey Project Act,

which became a law June 6, 1939, without the Governor's approval, and declaring the urgency thereof to take effect immediately.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2218: By Mr. McCollister—An act to amend Sections 18541, 18543, 18974.5, 19390, 19392, 19393, 19394, 19395, 19397, 19398, 19399, 19401, 19402, 19403, and 19404 of, to repeal Sections 18540, 18970, 19391, and 19393.5 of, and to add Sections 18540, 18540 1, 18540.2, 18540.3, 18540.4, and 19401.1 to, the Government Code, relating to civil service rights of veterans and widows of veterans.

Referred to Committee on Military Affairs.

Assembly Bill No. 2219: By Messrs. Kilpatrick, Burke, Babbage, Hahn, Bennett, and Elliott—An act to repeal Chapter 4, comprising Sections 5500 to 5516, inclusive, of Part 1 of Division 6 of the Welfare and Institutions Code and adding a new Chapter 4 comprising Sections 5500 to 5515, inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the care, treatment, and rehabilitation of sexual psycopaths.

Referred to Committee on Social Welfare.

Assembly Bill No. 2220: By Messrs. Kilpatrick, Hahn, Babbage, Bennett, and Burke—An act to add Section 1027.5 to the Penal Code, relating to examination of defendant to determine sanity when defendant is charged with homicide.

Referred to Committee on Judiciary.

Assembly Bill No. 2221: By Mr. McCarthy—An act to amend Section 146.1 of the Vehicle Code, relating to the registration of vehicles

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2222: By Mr. Sherwin—An act to amend Section 5953 of the Labor Code, relating to proceedings before the Industrial Accident Commission.

Referred to Committee on Judiciary.

Assembly Bill No. 2223: By Mr. Sherwin—An act to amend Section 5800 of the Labor Code, relating to findings and awards.

Referred to Committee on Judiciary.

Assembly Bill No. 2224: By Mr. Sherwin—An act to amend Section 5708 of the Labor Code, relating to procedure before the commission.

Referred to Committee on Judiciary.

Assembly Bill No. 2225: By Mr. Lindsay—An act to amend Section 26881 of the Water Code, relating to inclusion petitions in irrigation districts.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2226: By Mr. Fleury (By request)—An act to add Section 160.1 to the Vehicle Code, relating to the renewal of the registration of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2227: By Messrs. Fleury and Moss (By request)—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

Referred to Committee on Public Health.

Assembly Bill No. 2228: By Messrs. Fleury and Moss (By request)—An act to add Sections 328.5 and 441.5 to the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

Referred to Committee on Public Health.

Assembly Bill No. 2229: By Messrs. Fleury and Moss (By request)—An act to amend Section 6652 of the Welfare and Institutions Code, relating to the collection of costs and charges for the maintenance of state hospital patients by the Department of Mental Hygiene.

Referred to Committee on Public Health.

Assembly Bill No. 2230: By Mr. Fleury (By request)—An act to amend Sections 1435.1 and 1435.9 of the Probate Code, relating to the sale of community personal property when either the husband or wife or both is incompetent.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 801

Assembly Bill No. 801—An act to amend Section 420.5 of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 802—An act to amend Sections 419 and 420 of the Vehicle Code, relating to financial responsibility and declaring the urgency thereof.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Lincoln, Lindsay, Lapscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholson, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Mr. Speaker—58

NOES—Elliott—1

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Lincoln, Lindsay, Lapscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholson, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Mr. Speaker—58.

NOES—Elliott—1

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.18 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 75

By Mr. Lindsay:

House Resolution No. 75

Relative to the establishment of a State Park on Banner Mountain in Nevada County

WHEREAS, Banner Mountain in Nevada County lies in the heart of the Mother Lode country and is the center of an area of great historical interest and the site of the first discovery of quartz gold in California; and

WHEREAS, One of the finest panoramic views in the State of California can be had from the summit of Banner Mountain from which all or portions of 21 different counties in the State can be seen; and

WHEREAS, The upper reaches of Banner Mountain could be made to provide recreational facilities of great benefit to the people of the State; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Park Commission and the Chief of the Division of Beaches and Parks are hereby requested to study and investigate the possibility and the feasibility of establishing a State Park on Banner Mountain in Nevada County and to report the results thereof to the Assembly at the convening thereof in the 1950 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to each member of the State Park Commission and to the Chief of the Division of Beaches and Parks in the Department of Natural Resources.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 77

By Messrs. Butters and Erwin:

House Resolution No. 77

Relative to requesting the State Park Commission to investigate the recreational possibilities of the Colorado River above Imperial Dam

WHEREAS, The construction of the Imperial Dam on the Colorado River has provided a body of water in an exceptionally scenic area within this State; and

WHEREAS, It appears that the possibilities of developing that area for recreational and park purposes have not been fully explored; and

WHEREAS, The State Park Commission has the authority to investigate the desirability and feasibility of including suitable portions of the area above said Imperial Dam within the State Park System and acquiring said areas for recreational purposes; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Park Commission be, and it hereby is, urged and requested to investigate fully the value of the area on the California side of the Colorado River, above the Imperial Dam, for recreational and park purposes, and to ascertain the cost of acquisition of suitable tracts of such land, and to report thereon to the Assembly at the 1950 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, directed to transmit copies of this resolution to the Governor, and to each member of the State Park Commission.

Resolution read, and adopted.

Speaker Presiding

At 3.28 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 78

By Messrs. Butters and Erwin:

House Resolution No. 78

Relative to requesting the State Highway Commission to survey a highway route to the Colorado River

Resolved by the Assembly of the State of California, That the State Highway Commission be, and it hereby is, urged and requested to survey a highway route from United States Highway No. 80 between Sand Hills and Pilot Knob west of Winterhaven to the Colorado River near Picacho, and to report thereon to the Assembly at the 1950 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Governor and to each member of the State Highway Commission

Resolutions read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 261

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 261—An act to add Article 4 to Chapter 2 of Division 9 of the Public Resources Code, relating to soil conservation, providing for a Special Fund for the acquisition of soil conservation

machinery and equipment and the rental thereof to soil conservation districts, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in the Assembly on January 24, 1949, strike the second "or", and insert ", a".

Amendment No. 2

On page 2, line 12, of said bill, after "tricts", insert ", a state agency, county or district of the State".

Amendment No. 3

On page 2, line 19, of said bill, after "equipment", insert ", which shall be approved by the Department of Finance,".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, to be referred to the Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 595

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 595—An act to validate certain acts, proceedings, contracts, and expenditures in relation to the improvement of county-owned property for fair purposes, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 5—Relative to memorializing the President and the Congress of the United States in relation to changing present federal laws pertaining to the employment security programs of the states, and to providing sufficient funds to permit proper administration of the Public Employment Service and the Unemployment Insurance Programs of the State of California.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, strike out "entirely", and insert "more"; and after "law", insert "many of".

Amendment No. 2

On page 2, line 38, of the printed measure, strike out "ten", and insert "eleven"; strike out "June 30, 1937", and insert "July 1, 1936"

Amendment No. 3

On page 3, line 11, of the printed measure, after "1", insert "Wherever practical", and after "to", insert "more".

Amendment No. 4

On page 3, line 21, of the printed measure, strike out "as first preference", and capitalize "Amend"

Amendment No. 5

On page 3, line 27, of the printed measure, strike out "As a less preferable alternative, enact the bill introduced"; and strike out lines 28, 29 and 30

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO January 25, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 27

J. A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 27—Relative to assistance to producers of livestock in the intermountain states

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Upon adjournment—

Rules, in Room 320.

Agriculture, on fourth floor

At 4 p.m.—

Joint Committee on Agriculture, in Room 404.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr McCollister, the usual courtesies of the Assembly for this day were unanimously extended to James Lyttle and David Jones of Sonoma.

On request of Mr Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Virgil Hollis, Miss Harriet McGrath, teachers of the Washington School of Alameda, and the following pupils: Barbara Bennett, Carol Bertrand, Ray Boyes, Lillie Brooks, Tracy Burgett, Aldo Cappa, Beverly Clem, Walter Dickinson, Diane Egholm, Harvey Goldman, Celia Rae Gunn, Gladys Hassna, Ward Indorf, Bob Keough, Betty Lofstrand, Barbara Medina, Marjorie Naval, Barbara Paul, Rose Sanchez, Marlene Sherry, Clifford Taylor, Fleada

Tolliver, Phil Trenholme, Genene Turner, Gerald Warren, Harry Ahlborn, Yvonne Duncan, Barbara Lewallen, Diane McNeely, Nida Noll, Ted Swisher, Yvonne Gilbertsen, Allen Cole, Rodney Barth, Deward Gresham, Chester Singley, Royce Gladden, Bob Steffen, James Flynn, Larry Hogan, Pat Wright, Nancy Massingill, Juanita Moyer, Barbara Jelavich, and Mamie Maddox

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Miss Grace Odell of Los Angeles

On request of Mr. George D Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Judge Clarence Morris and Judge Edward O'Day, former Assemblymen, and Ivan Slavich of San Francisco

On request of Mr Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs Henry P. Meehan of Oakland

On request of Mr. George D. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to John J Sullivan of San Francisco.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Cornelius P. Haggard, President of Pacific Bible College of Azusa, J. Arthur Rams, Director, and the following members of the Cappella Choir: Esther Miner, Lois Scott, Rubye Jensen, Grace French, June Colver, Daisy McClain, Ruth Smith, Lois Kaufman, Iola Rouselle, Orial Meeks, Ann Davidson, Ramona Mumme, Leuola Phillips, Anna Bledsoe, Pat Wilson, Mr and Mrs Robert Kellum, Sam Cox, James Shelton, Kenneth Seastead, George Harper, Gordon Johnson, David Owen, Kenneth Meeks, Nick Kaline, Charles Burt, Arthur Hall, Norman Turner, Carl Hess, Robert Williams, Wade Parker, Marvin Shumaker, Ronald Dawe, and Gene Hallett

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Kenneth G. Clarke of Susanville and Lowell M. Clarke of Sacramento.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Ray Johnson of Richmond.

On request of Speaker Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Albert King of Oroville.

On request of Messrs Connolly and Lewis, the usual courtesies of the Assembly for this day were unanimously extended to W. E. James of Bakersfield, former Assemblyman.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Edwin R. Nieland of Bangor.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Judge Tim Ballien of Willows

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth Rice of Glendale.

ADJOURNMENT

At 3.31 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, January 28, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTEENTH LEGISLATIVE DAY

TWENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, January 28, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Almighty God: We stand in awe before the august mystery, the infinite greatness and majesty of Thy Divine Being.

We are finite and earthbound, and Thou art great beyond our power to comprehend: Infinite in Thy intelligence, Eternal in Thy duration. Undergirding the laws and workings of nature, the stars of the sky and the vastness beyond, is Thy Everlasting Power.

Yet boundless as is Thy Being, by Faith we trust that Thou art our Friend.

In perplexity Thou art our hope; in the stress and strain of life, Thou are our Everlasting Peace. In temptation Thou dost uphold the Good.

When sorrow or disaster befalls us, and our hearts long for cosmic support, may we feel that underneath are Thy Everlasting Arms.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Crowley, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Davis, on motion of Mr Crowley.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Collier, on motion of Mr. Erwin.

Mr. Thompson, on motion of Mr. Kirkwood

Mr. Lindsay, on motion of Mr. Fleury.

SPEAKER REQUESTS UNANIMOUS CONSENT TO INSTRUCT CHIEF CLERK RELATIVE TO STATE DEPARTMENT BILLS

Speaker Sam L Collins asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Director of Finance to instruct all state department heads to present bills to be introduced early in March.

ANNOUNCEMENTS

Mr Dickey announced that the Legislative Bill Room will send to each Member of the Assembly, and to all accredited newspaper correspondents, a copy of the Semi-Final History and a copy of the Legislative Digest, during the recess.

He further announced that the Legislative Bill Room will also send to each member, and to all accredited newspaper correspondents, a complete set of bills, and that it will be unnecessary to bring these bills back as the bill sets now on the members' desks will be brought up to date.

Speaker Collins announced that all members should leave shipping instructions in their desks pertaining to whatever material they wish shipped to their offices for use during the constitutional recess

Speaker Collins announced that all bills will be printed promptly, and will be shipped to the members not later than 10 days after recess.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 250

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered re-referred to the Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 261

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER SACRAMENTO, January 28, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 125

Assembly Bill No. 126

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 125 ordered re-referred to the Committee on Finance and Insurance

Assembly Bill No 126 ordered re-referred to the Committee on Finance and Insurance.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 2231: By Mr. Evans (By request)—An act authorizing a State Band stamp tax for the purpose of raising funds for the support of the California State Music Project and the musical organization provided for in the State Music Project Act; directing how tax is paid and collected, charging the State Board of Equalization with the administration and enforcement of the act and the procurement, distribution, and sale of band stamps; incorporating chapters of the Revenue and Taxation Code as part of the act; directing that concerts be free to school children when financed by funds made available as a result of the act, creating the State Band Stamp Tax Fund and appropriating the money therein; specifying designs and denominations of band stamps; directing that band stamps be given in exchange for payment of tax, making band stamps transferable, and exchangeable for admissions to concerts, making fraudulent withholding or use of band stamps a misdemeanor; providing penalty for theft of band stamps, defining and providing penalty for forgery of band stamps, imposing tax in specific instances, providing exemptions; providing a tax prepayment plan, whereby tax is assessed and paid in advance in lieu of collecting tax in specific instances; authorizing payment of a voluntary band tax, and deeming such tax duly imposed by law, providing for the giving of band stamps upon the payment of a tax or fee imposed by any other law when proceeds therefrom go into the State Band Stamp Tax Fund; providing that, upon abandonment of the California State Music Project and the ceasing to function of the California State Band, by proclamation of the Governor operation of tax is suspended, State Band Tax Fund is abolished, money in said fund then transferred to State School Fund, and act becomes null and void, and declaring if any part of act is found to be unconstitutional other parts remain in full force and effect.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2232: By Mr Evans (By request)—An act establishing the California State Music Project and defining the purpose thereof, authorizing the formation of a musical organization to be known officially as the California State Band; providing for permanent band officers and defining their duties; providing for the presentation and use of the band in concerts and appearances throughout the State and elsewhere, permitting private engagements; permitting special use of the band in publicizing and lending color and attraction to the 1949, and 1950, Anniversary Celebrations and exercises held throughout the State; creating the California State Band Commission and defining its powers, duties and authority, and making an appropriation therefor

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2233: By Mr. George D Collins—An act to amend Section 15000 of, and to add Section 15150 to Chapter 2 of Part 1 of Division 13 of the Health and Safety Code, relating to housing

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2234: By Messrs. Cooke and Burkhalter—An act to add Article 8, comprising Sections 1000 to 1000 10, inclusive, to Chapter 6, Division 4 of the Military and Veterans Code, relating to veterans' cooperative and rental housing.

Referred to Committee on Military Affairs.

Assembly Bill No. 2235: By Mr. Price—An act to amend Section 257 of the Vehicle Code, relating to operators' licenses for minors.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2236: By Mr. Price—An act to add Section 5057 2 to the Penal Code, relating to leaves of absences for officers and employees in the Department of Corrections.

Referred to Committee on Judiciary.

Assembly Bill No. 2237: By Mr. Price—An act to amend Section 1048 of the Penal Code, relating to priority of trial of cases when a minor is detained as a material witness.

Referred to Committee on Judiciary.

Assembly Bill No. 2238: By Mr. Ralph C. Dills—An act to amend Section 14449 of the Education Code, relating to retirement credit for service during war or national emergency.

Referred to Committee on Education

Assembly Bill No. 2239: By Mr Ralph C. Dills—An act to amend Section 3902.3 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Public Health.

Assembly Bill No. 2240: By Messrs. Brown, George D. Collins, and Waters—An act relating to the acquisition, construction, establishment, operation, maintenance, and financing of off-street parking facilities and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue bonds and other obligations and defining the powers and duties of parking authorities, cities and cities and counties with respect to off-street parking facilities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2241: By Messrs. Thompson and Thomas—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2242: By Mr Thomas—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners or chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by amending Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 12, and 16 thereof, relating to the practice of chiropractic, said amendment to take effect upon the

approval thereof by the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Public Health.

Assembly Bill No. 2243: By Mr. Waters—An act to amend Sections 31967 and 32050 of the Government Code, relating to the county peace officers retirement system.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2244: By Mr. Waters—An act to amend Section 14797 of the Revenue and Taxation Code, relating to the commissions payable for inheritance tax collections.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2245: By Messrs. Waters and Maloney—An act to amend Section 34 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2246: By Mr. Cooke—An act to amend Section 717 5 of the Fish and Game Code, relating to fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2247: By Mr. Sherwin—An act to amend Section 2924c of the Civil Code, relating to reinstatement of deeds of trust and mortgages, and attorneys fees in connection therewith.

Referred to Committee on Judiciary.

Assembly Bill No. 2248: By Mr. Sherwin—An act to amend Section 925 of the Probate Code, relating to vouchers.

Referred to Committee on Judiciary.

Assembly Bill No. 2249: By Mr. Price—An act to amend Section 1272 of the Agricultural Code, relating to report of sale by commission merchant, remittances, retention of records, payment by dealer, claims or credits.

Referred to Committee on Agriculture.

Assembly Bill No. 2250: By Mr. Beck—An act to add Section 735.1 to the Welfare and Institutions Code, relating to detention of minors as material witnesses.

Referred to Committee on Social Welfare.

Assembly Bill No. 2251: By Mr. Geddes—An act to amend Section 326 of Article 3 of Chapter 2 of the Streets and Highways Code, relating to the Ramona Freeway (Route 26) of the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2252: By Mr. Geddes—An act to amend Section 70.2 of Article 1, Chapter 1, Division 1 of the Streets and Highways Code.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2253: By Mr Geddes—An act to amend Section 79 of Article 1, Chapter 1, Division 1 of the Streets and Highways Code, relating to powers of the commission.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2254: By Mr. Geddes—An act to amend Section 100.1 of Article 3 of the Streets and Highways Code, pertaining to freeways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2255: By Mr Geddes—An act providing an alternative method of financing parking districts.

Referred to Committee on Municipal and County Government

Assembly Bill No. 2256: By Mr. Geddes—An act making an appropriation for permanent improvements at the Voorhis Unit of the California State Polytechnic College.

Referred to Committee on Education.

Assembly Bill No. 2257: By Messrs Geddes and Dunn—An act to amend Sections 32125 and 32126 of the Health and Safety Code, relating to hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 2258: By Mr. Grant—An act to add Section 372.4 to the Vehicle Code, relating to exemptions to vehicle weight fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2259: By Messrs. Grant and Fletcher—An act to amend Section 7003 of the Business and Professions Code, relating to licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2260: By Messrs. Babbage, Kirkwood, Mrs. Niehouse, Messrs. Geddes, Dunn, and Huyck—An act to add Chapter 1.6 to Division 3 of the Education Code, providing for school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2261: By Messrs Babbage, Kirkwood, Mrs. Niehouse, and Mr. Huyck—An act making an appropriation for school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2262: By Messrs Babbage, Kirkwood, Mrs. Niehouse, and Mr. Huyck—An act making an appropriation for school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2263: By Messrs. Babbage, Kirkwood, Mrs. Niehouse, and Mr. Huyck—An act making an appropriation for school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2264: By Mr. Lipscomb—An act to amend Section 13502 of the Education Code, as amended by Statutes 1947, Chapter 1356, and to repeal the same section as amended by Statutes 1947, Chapter 271, relating to reemployment of certificated employees after resignation.

Referred to Committee on Education.

Assembly Bill No. 2265: By Mr. Lipscomb—An act to change the title of Article 6 of Chapter 11 of Division 7 of the Education Code and to add thereto Section 13653, relating to the rights of probationary employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Referred to Committee on Education.

Assembly Bill No. 2266: By Mr Lipscomb—An act to amend Section 13652 of the Education Code, relating to rights of permanent employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Referred to Committee on Education.

Assembly Bill No. 2267: By Messrs Smith and Huyck—An act to add Section 2160 8 to the Welfare and Institutions Code, relating to old age security.

Referred to Committee on Judiciary.

Assembly Bill No. 2268: By Mr. Waters—An act to amend Section 4a of the Bank and Corporation Franchise Tax Act, relating to the levy and collection of taxes upon banks, and providing that this act shall take effect immediately

Referred to Committee on Revenue and Taxation

RESOLUTIONS

The following resolution was offered:

By Messrs. Elliott, George D. Collins, Ralph C. Dills, and Maloney:

House Resolution No. 86

Extending best wishes to the Chinese American people of California upon their celebration of a New Year

WHEREAS, January 29, 1949, is the day which corresponds to that day of the Chinese calendar which marks the beginning of a New Year, the 4646th since the reign of Huang-Ti; and

WHEREAS, This is a day celebrated by the thousands of Chinese American people and other Chinese peoples throughout the world in the manner of their ancients in devotion and joyful expressions of friendship and good will; now, therefore, be it

Resolved by the Assembly of the State of California That this Assembly extends to the Chinese American people of California good wishes for long life, for health, happiness, and success in the coming year

Request for Unanimous Consent

Mr. Elliott asked for, and was granted, unanimous consent to take up House Resolution No. 86, at this time, without reference to committee or file.

Resolution read, and adopted.

MOTION THAT REMARKS BY MR. ELLIOTT, RELATIVE TO HOUSE RESOLUTION NO. 86, BE PRINTED IN THE JOURNAL

Mr. Dunn moved that the remarks by Mr. Elliott, relative to House Resolution No. 86, be reduced to writing, and ordered printed in the Journal.

Mr. Ralph C. Dills seconded the motion.

Motion carried.

Remarks by Mr. Elliott, Relative to House Resolution No. 86

Tomorrow will begin the year 4646 of the Chinese Calendar. On that day, thousands of Chinese Americans will celebrate, in the manner of their ancients, the first day of the New Year. There will be offerings of devotions, expressions of wishes for health and happiness in the New Year, and joyous festivity in exotic Chinese American communities throughout the State of California. The great Chinese settlement of San Francisco will engage in happy celebrations. Among the Chinese people of the City of Los Angeles, and in the picturesque and popular little Chinese cities of that metropolis, gay festivities will take place. Other Chinese American sections of the people will observe this day with pleasant celebrations.

On this felicitous occasion, exhilarating tea and delicious and delicate dishes will be served. There will be exhibitions of Chinese art objects, the burning of incense, the setting off of fireworks, dances, and colorful, and exuberant displays.

Members of the Assembly, this festive activity in celebration of the New Year of the Chinese calendar is a salutary manifestation in the crucible of our great American democracy. It well behooves this Assembly of the State of California to extend on this occasion to the good Chinese American people of California our greetings and best wishes for health, happiness, and success during the New Year. I respectfully request that you join me and the other authors of this resolution in this offering by giving it an "Aye" vote.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2269: By Mr. Cramer—An act to amend Sections 15002, 15003, 15004, 15007, 15015, 15016, 15020, 15029, 15154, 15250, 15251, 15253, 15254, 15255, 15351, 15353, 15354, 15355, 15380, 15381, 15382, 15383, 15384, 15387, 15388, 15687, 15689, 15730, 15735, 15736, 15737, 15747, 15750, 16000, 16001, 16054, 16056, 16058, 16062, 16100, 16105, 16201, 16223, 16225, 16227, 16231, 16266.5, 16400, 16401, 16402, 16403, 16403.5, 16405, 16406, 16408, 16409, 16410, 16411, 16413, 16414, 16415, 16417, 16418, 16423, 16432, 16433, 16434, 16437, 16441, the heading of Chapter 14, Part 1, Division 13, Sections: 16501, 16504, 16520, 16521, 16523, 16527, 16600, the heading of Article 8, Chapter 14, Part 1, Division 13, Sections: 16670, 16672, 16677, 16678, 16679, the heading of Article 9 of Chapter 14, Part 1, Division 13, Sections: 16690, 16692, 16693, 16694, 16711, 16711.2, 16742, 16771, 16772, 16800, 16820, 16827, 16833, the heading of Chapter 20, Part 1, Division 13, Sections: 16900, 16901, 16904, 16906, 16950, 16953, 16959, 17000, 17001, 17002, 17080, 17088, 17152, 17154, 17157, the heading of Chapter 24, Part 1, Division 13, the heading of Article 1 of Chapter 24, Part 1, Division 13, Sections: 17250, 17251, 17254, 17255, 17260, 17261, 17262, 17263, 17264, 17265, 17267, heading of Article 2, Chapter 24, Part 1, Division

13, Sections: 17280, 17281, 17282, 17283, 17284, heading of Article 3, Chapter 24, Part 1, Division 13, Sections 17300, 17301, 17303, 17304, heading of Article 4, Chapter 24, Part 1, Division 13, Sections: 17320, 17321, 17324, 17324.5, 17340, 17452, 17453, 17455, 17456, 17457, 17459, 17465, 17466, 17482, 17483, 17484, 17503, 17507, 17509, 17531, 17532, 17580, 17581, 17584, 17701, 17702, 17704, 17704.1, 17705, 17800, 17801, 17809, 17810, 17814, 17815, and 17901 of the Health and Safety Code; to add Sections 15004 2, 15015.7, 15015 8, 15016.3, 15016.7, 15017.8, 15019.5, 15023.2, 15023 4, 15024.5, 15027.3, 15027 5, 15029.5, 15030.5, 15031 3, 15031.5, 15031 7, 15152.5, 15159, 15160, 15251.5, 15253.5, 15254 5, 15256, 15290.5, 15320, 15363, 15364, 15365, 15366, 15367, 15384.1, 15384 2, 15384 3, 15384.4, 15384 5, 15389, 16227.5, 16500.5, 16528, Article 7.5 (comprising Section 16660) to Chapter 14, Part 1, Division 13, Sections 16679.5, 16711 3, Article 5 (comprising Section 16714, Chapter 14 5, Part 1, Division 13, Sections: 16777, 16778, 16801, Article 1, Chapter 20, Part 1, Division 13, Sections 16900 1, 16900.2, 16900.3, 16900.4, 16902.1, 16902 2, Article 2 (comprising Section 16910) to Chapter 20, Part 1, Division 13, Chapter 20.5 (comprising Sections 16930 and 16931), to Part 1, Division 13, Sections 16959.5, 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17085.5, 17258.5, 17260.1, 17260.2, 17260.5, 17260.7, 17260.8, 17260 9, 17267.3, 17267.5, 17270, 17270.3, 17270.5, Article 1 (B) (comprising Section 17276), to Chapter 24, Part 1, Division 13, Sections 17283.5, 17285, 17286, 17287, 17288, 17289, 17290, 17291, 17300.5, 17306, 17307, 17308, 17309, 17310, 17311, 17312, 17313, 17325, 17326, 17327, 17328, 17329, 17330, 17455 5, 17457 5, 17486, 17502.5, 17513, 17533.5, 17554, 17704.2, 17704.3, 17705.1, 17705.2, 17708, 17709, 17710, 17711, 17712, 17713, 17801 5, 17809 5, 17811.1, 17811 2, 17811.3, 17811.4, 17814 1, 17814 2, 17814.3, 17815.1, 17815.2, 17815.3, 17815 4, and 17831 to said code, and to repeal Sections 15021, 15252, 15315, 15316, 15317, 15318, 15319, 16057, 16224, 16412, 16412.5, 16419, Article 7 (comprising Sections: 16650 to 16655, inclusive) of Chapter 14, Part 1, Division 13, Chapter 15 (comprising Sections: 16720 and 16720.5) of Part 1, Division 13, Sections 16773, 16774, 16951, 16952, 16954, 16955, 16956, 16957, 16958, Article 2 (comprising Sections 17020 to 17023 inclusive) of Chapter 22, Part 1, Division 13, Article 3 (comprising Sections 17040 to 17045, inclusive) of Chapter 22, Part 1, Division 13, Article 4 (comprising Sections: 17060 to 17062, inclusive) of Chapter 22, Part 1, Division 13, Sections: 17081, 17082, 17083, 17084, 17086, 17087, 17266, 17322, 17454, 17460, 17464, and 17502 of said code, relating to the State Housing Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2270: By Mr. Burke—An act to amend Section 862.27 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2271: By Mr. Stewart—An act to add Sections 671.5, 671.7, and 671.9 to the Vehicle Code, relating to fenders, bumpers and projections.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2272: By Mr Stewart—An act to amend Sections 531 and 551 of the Vehicle Code, relating to following other vehicles and left turn right of way.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2273: By Mr. Silliman—An act to amend Section 1300.16 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 2274: By Mr. Silliman—An act to amend Section 1300 15 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Assembly Bill No. 2275: By Mr. Luckel, Mrs. Niehouse, and Mr. Cramer—An act relating to the development and improvement of the Mission Bay Park and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2276: By Mr. Brady—An act to amend Section 11000 of the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2277: By Messrs. Brady and Thomas—An act to authorize persons to whom assignments, powers of attorney and/or agreements are executed, providing for compensation for services rendered or to be rendered or information given or to be given to another person in connection with any property rights of such other person, to agree to institute and maintain suits, actions, or other proceedings for the recovery of such property, to employ counsel to render legal services in such suits, actions, or other proceedings, and to pay the compensation of such counsel and/or the costs and/or expenses of such suits, actions, or proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2278: By Mr. Brady—An act to amend Section 1020 1 of the Probate Code, relating to assignments or transfers of distributive interests in estates and authorizing inquiry into the consideration therefor, and to add Section 1020.2 to the Probate Code, relating to authority to a person having an assignment, power of attorney and/or agreement providing for his compensation for services or information in connection with the distributive share of another, in the estate of a decedent, to institute and maintain suits, actions, or proceedings for the recovery of such distributive share, to employ counsel to render legal services therein and to bear and pay the compensation of such counsel and/or the costs and/or expenses of such suits, actions, and proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2279: By Mr. Brady—An act to renumber Section 6403 of the Public Resources Code, as said section was added by Chapter 887, Statutes of 1947, and to add Sections 6403.2 and 6403.3 to said code, relating to the reservation of oil, gas, and mineral rights in state lands, and to the duties of the State Lands Commission with respect thereto.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 2280: By Mr. Brady—An act to amend Section 7011 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2281: By Mr. Brady—An act to amend Section 918 of the Insurance Code, relating to statements of life and disability insurers.

Referred to Committee on Finance and Insurance

Assembly Bill No. 2282: By Mr. Brady—An act to add Section 1400.1 to the Health and Safety Code, relating to hospitals.

Referred to Committee on Public Health

Assembly Bill No. 2283: By Messrs. Brady, Gaffney, Meyers, George D. Collins, Berry, Connolly, Maloney, and McCarthy—An act to amend the title and Section 1 of an act entitled "An act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations and hours on duty of members of fire departments.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2284: By Messrs Brady, George D Collins, Meyers, Gaffney, Berry, Connolly, Maloney, and McCarthy—An act to amend the title and Section 1 of an act entitled "An act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations and hours on duty of members of fire departments.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2285: By Mr. Waters—An act to amend Section 7015, 7016, and 7020 of the Elections Code, relating to canvass of ballots.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2286: By Mr. Fletcher—An act to amend Section 817 of the Penal Code, relating to peace officers.

Referred to Committee on Judiciary.

Assembly Bill No. 2287: By Mr. Doyle—An act repealing Chapter 4 of Division 20 of, and adding Chapter 4 to Division 20 of, and

amending Section 24800 of the Health and Safety Code, relating to excavations.

Referred to Committee on Public Health.

Assembly Bill No. 2288: By Mr. Crowley—An act to add Section 6962 to the Education Code, relating to the education of adults.

Referred to Committee on Education.

Assembly Bill No. 2289: By Mr Doyle—An act to amend Section 6537 of the Business and Professions Code, relating to the practice of barbering.

Referred to Committee on Public Health.

Assembly Bill No. 2290: By Mr. Doyle—An act to add Section 274f to the Code of Civil Procedure, relating to the reporting and transcription of judicial actions and proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2291: By Messrs. Fleury and Moss—An act to repeal Part 8 of Division 3 of Title 2 of the Government Code, and to add Part 8 to Division 3 of Title 2 of the Government Code, relating to the powers and duties of the Planning Bureau, and making an appropriation.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2292: By Mr. Fleury—An act to provide educational benefits to veterans now engaged in taking college courses

Referred to Committee on Military Affairs.

Assembly Bill No. 2293: By Messrs. Fleury and Moss—An act to amend Section 20361 of the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2294: By Mr. Fleury—An act to amend Section 10334 of the Insurance Code, relating to insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2295: By Messrs. Fleury and Moss—An act to add Section 19 to the Municipal Utility District Act, relating to municipal utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2296: By Mr. Lindsay—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2297: By Mrs. Niehouse and Mr. Luckel—An act to add Section 1502.1 to the Education Code, relating to services by a school district for the county superintendent of schools

Referred to Committee on Education.

Assembly Bill No. 2298: By Mrs. Niehouse, Messrs. Luckel, and Cramer—An act to add Section 5943 to the Education Code, relating to temporary transfers from county schools service fund

Referred to Committee on Education.

Assembly Bill No. 2299: By Mr Hollibaugh—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2300: By Mr. Hollibaugh—An act to establish in the Bureau of Food and Drug Inspection of the California State Department of Public Health an organization to be known as "California State Institute of Hygiene"; to vest in such California State Institute of Hygiene certain duties and responsibilities respecting the production, treatment, storage, packaging, shipment, transportation, sale, labeling and advertising of California wine; to levy excise taxes upon wine bottled for shipment outside the State of California or for consumption within the State of California; making appropriations.

Referred to Committee on Public Morals.

Assembly Bill No. 2301: By Mr. Hollibaugh—An act to establish in the Bureau of Food and Drug Inspection of the California State Department of Public Health an organization to be known as "California State Institute of Hygiene"; to vest in such California State Institute of Hygiene certain duties and responsibilities respecting the production, treatment, storage, packaging, shipment, transportation, sale, labeling and advertising of California wine; to levy excise taxes upon wine bottled for shipment outside the State of California or for consumption within the State of California; making appropriations.

Referred to Committee on Public Morals.

Assembly Bill No. 2302: By Mr. Hollibaugh—An act to amend Sections 6902, 6903, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2303: By Mr. Hollibaugh—An act to amend Section 6362 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2304: By Mr. Hollibaugh—An act to amend Section 11445 of the Government Code, relating to rules and regulations of state agencies.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2305: By Mr. Hollibaugh—An act to amend Sections 6901 and 6981 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2306: By Mr. Hollibaugh—An act to amend Sections 6481, 6511, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2307: By Mr. Hollibaugh—An act to amend Section 6702 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2308: By Mr Hollibaugh—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2309: By Messrs. Reagan and Crowley—An act to amend the title and Sections 17, 18, 19.5, 20, and 23 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, and to amend the title and Sections 17, 18, 19.5, 20, and 24 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of personal property brokers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2310: By Mr. Rumford—An act to amend Sections 14479, 14632, 14635, 14636, and 14640 of the Education Code, relating to the retirement of teachers and other persons connected with the Educational System of the State.

Referred to Committee on Education.

Assembly Bill No. 2311: By Mr. Maloney—An act to add Section 1912 5 to the Harbors and Navigation Code, relating to the disposition of fines and forfeitures collected for violation of the provisions of Section 1912 of said code.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2312: By Mr. Maloney—An act to add Section 1705 5 to the Harbors and Navigation Code, relating to the appointment of a member secretary.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2313: By Mr Maloney—An act to amend Section 1732 6 of the Harbors and Navigation Code, relating to the salary of the port manager.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2314: By Mr. Maloney—An act to amend Section 6b of the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2315: By Mr Maloney—An act to amend Section 1915 of the Harbors and Navigation Code, relating to the expenditure of funds for the promotion of the maritime and commercial interests of San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2316: By Mr. Maloney—An act to amend Sections 1990 and 2071 of the Harbors and Navigation Code, relating to powers and duties of the Board of State Harbor Commissioners for San Francisco Harbor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2317: By Mr. Stanley—An act to add Sections 1192.2 and 1192 3 to the Insurance Code, relating to investments of insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2318: By Messrs. Huyck and Dunn—An act to amend Section 8274 of the Education Code, relating to the pupils of the public schools.

Referred to Committee on Education.

Assembly Bill No. 2319: By Messrs. Huyck and Dunn—An act to amend Section 16271 of the Education Code, relating to the transportation of pupils of the public schools.

Referred to Committee on Education.

Assembly Bill No. 2320: By Mr. Huyck—An act to amend Section 14601 of the Education Code, relating to retirement.

Referred to Committee on Education.

Assembly Bill No. 2321: By Mr. Huyck—An act to add Section 14727.1 to the Education Code, relating to district retirement systems.

Referred to Committee on Education

Assembly Bill No. 2322: By Mr Coats—An act to amend Section 18710 of the Government Code, relating to civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2323: By Messrs. Clarke, Moss, Lowrey, and Fleury—An act making an appropriation to the Regents of the University of California to construct a horticultural building and low temperature laboratory at the campus of the College of Agriculture of the University of California at Davis, California.

Referred to Committee on Education.

Assembly Bill No. 2324: By Mr. Way—An act to amend Section 23 of the Highway Carriers' Act, relating to highway carriers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2325: By Mr. Waters—An act to amend Section 4152a of the Political Code, relating to the duties of the clerk of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 2326: By Mr. Waters—An act to amend Sections 776 and 777 of the Vehicle Code, relating to moneys of the Departments of Motor Vehicles and California Highway Patrol.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2327: By Mr. Rosenthal—An act to amend Section 72 of the Public Utilities Act, relating to enforcement of constitutional and statutory provisions affecting public utilities.

Referred to Public Utilities and Corporations.

Assembly Bill No. 2328: By Mr. Rosenthal—An act to amend Section 5304 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2329: By Mr. Rosenthal—An act to amend Section 13081 of, and to repeal Sections 13082, 13084, and 13085 of, the Education Code, relating to the classification of teachers.

Referred to Committee on Education.

Assembly Bill No. 2330: By Mr. Rosenthal—An act to amend Section 901 of the Probate Code, relating to compensation of executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 2331: By Mr. Rosenthal—An act to amend Section 12333 of the Probate Code, relating to rules of pleading and practice in judicial proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2332: By Mr. Ralph C. Dills—An act to amend Section 736.3 of the Agricultural Code, relating to stabilization and marketing plans for fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2333: By Mr. Ralph C. Dills—An act to amend Section 735.4 of the Agricultural Code, relating to stabilization and marketing of fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2334: By Mr. Ralph C. Dills—An act to amend Section 239 of the Agricultural Code, relating to payment for cattle affected with tuberculosis, and making an appropriation.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2335: By Mr. Ralph C. Dills—An act to add Chapter 8.5, comprising Sections 21400 to 21407, inclusive, to Division 10 of the Education Code, relating to the study of history and government, creating the California Academy of Government, prescribing its powers and duties and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2336: By Mr. Ralph C. Dills—An act to add Sections 84 and 85 to the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2337: By Mr. Ralph C. Dills—An act to add Chapter 10 to Division 2 of the Business and Professions Code, relating to psychologists, including the regulation thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2338: By Mr. Huyck—An act relating to the use of state automobiles and prescribing the reports required as to such use.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2339: By Messrs. Dolwig, McCollister, Dunn, Connolly, Berry, Conrad, Crowley, Fletcher, Grant, Maloney, McCarthy, McMillan, and Stanley—An act relating to the acquisition of property in connection with the Butano Forest State Park in San Mateo County, making an appropriation therefor, and declaring the urgency thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2340: By Mr. Dolwig—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sexual sterilization.

Referred to Committee on Social Welfare.

Assembly Bill No. 2341: By Mr. Dolwig—An act to amend Section 5808 of the Labor Code, relating to the issuance of certified copies of awards, and to executions.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2342: By Mr. Dolwig—An act to amend Section 11663 of the Insurance Code, relating to workmen's compensation liability of general and special employers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2343: By Mr Dolwig—An act to add Section 507 to the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2344: By Mr. Dolwig—An act to amend Sections 4850, 4851, 4852, and 4854 of, and to repeal Section 4853 of, the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2345: By Mr. Dolwig—An act to amend Sections 26821, 26822, 26823, 26824, 26826, 26827, 26828, 26829, 26830, 26831, 26832, 26833, 26837, 26838, 26839, 26840, 26841, 26842, 26843,

26844, 26845, 26846, 26847, 26848, 26849, 26850, 26851, and 26852 of the Government Code, relating to fees of county clerks.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2346: By Mr Dolwig—An act to amend Sections 2791, 2792, 2793, 2802, 2803, and 2804 of the Elections Code, relating to elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2347: By Mr Dolwig—An act to add Section 48 to the Elections Code empowering the Secretary of State or the President of the County Clerk's Association to call meetings of the county clerks and registrars of voters to discuss administration of the Election Laws and promote uniformity of procedure in such matters: limiting the number of such meetings: authorizing the same to be attended also by one designated deputy of each clerk or registrar; declaring expenses of such clerks, registrars and deputies in attending such meetings a county charge, and limiting amount thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2348: By Mr Dolwig—An act to amend Section 29610 of the Government Code, relating to county charges.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2349: By Mr. Dolwig—An act to amend Sections 1703.91, 1703 92, 1703.94, 1703 95, and 1703.96 of the Insurance Code, relating to joint firm life agents' licenses.

Referred to Committee on Finance and Insurance

Assembly Bill No. 2350: By Mr. Dolwig—An act to amend Sections 10953.3 and 10953 4 of the Insurance Code, relating to legal reserve capital stock insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2351: By Mr. Dolwig—An act to amend Sections 1649, 1679, 1706, 1709, 1808, and 1810.5 of the Insurance Code, relating to the licensing of insurance agents, brokers, solicitors and life agents, and to bail agents, permittees and solicitors

Referred to Committee on Finance and Insurance

Assembly Bill No. 2352: By Mr. Dolwig—An act to amend Sections 11521 and 11523 of the Insurance Code, relating to grants and annuity societies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2353: By Mr. Dolwig—An act to add Section 1153.5 to, and to amend Section 1154 of the Insurance Code, relating to assets required to be maintained by insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2354: By Mr. Dolwig—An act to repeal Section 1033.7 of the California Code of Civil Procedure, relating to memorandum of costs.

Referred to Committee on Judiciary.

Assembly Bill No. 2355: By Mr Dolwig—An act to add Section 17007 to the Government Code, relating to the designation of funds by code number, letter, or combination thereof, on all warrants issued by the Controller, and on all reports furnished by the Controller and Treasurer to each other.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2356: By Mr Dolwig—An act to add Section 129.5 to the Penal Code, relating to false swearing and prescribing the penalty therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2357: By Mr. Dolwig—An act to add Section 7 to an act entitled "An act authorizing the creation of a personnel system, merit system or civil service system in cities; the creation of the office of personnel director; the appointment of a civil service commission; the delegation of certain authority to said personnel officer or commission in municipalities within this State; and prohibiting certain political activities and providing penalties for the violation of said provision," approved April 11, 1935, relating to civil service systems.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2358: By Mr. Dolwig—An act to amend Sections 5400 and 5404 of the Public Resources Code, relating to recreation, park and parkway districts.

Referred to Committee on Municipal and County Government

Assembly Bill No. 2359: By Mr Geddes (By request)—An act to add Section 50.1 to the Public Utilities Act, relating to obtaining consent of municipal and other public corporations to the granting of certificates of public convenience and necessity or extensions thereof

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2360: By Mr. Lipscomb—An act to amend Section 14310 of the Government Code, relating to public works contracts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2361: By Mr Way—An act to amend Section 843 of the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game

Assembly Bill No. 2362: By Mr. McCollister—An act to amend Section 32125 of the Health and Safety Code, and to add Section 32128 to said code, both relating to standards of hospitals operated by local hospital districts.

Referred to Committee on Public Health.

Assembly Bill No. 2363: By Mr. McCollister—An act to add Section 151.4 to the Unemployment Insurance Act, relating to the definition of employment for purpose of unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2364: By Mr. McCollister—An act to add Sections 151 2 and 151.11 to the Unemployment Insurance Act, relating to the definition of employment for purpose of unemployment compensation disability benefits and providing for the approval of voluntary plans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2365: By Mr McCollister—An act to add Sections 151.1 and 151 10 to the Unemployment Insurance Act, relating to the definition of employment for purpose of unemployment compensation disability benefits and providing for the approval of voluntary plans.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2366: By Mr McCollister—An act to amend Sections 8937 and 8971 of the Business and Professions Code, relating to the licensing and regulation of yacht and ship brokers.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2367: By Messrs. Hoffman and Weber—An act to amend Section 7 of "An act entitled an act to provide for the protection of lands from overflow other than lands recognized as swamp lands," approved April 15, 1880, relating to protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2368: By Mr. Huyck—An act to add Section 13920.5 to the Government Code, relating to the auditing of claims.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2369: By Mr. Huyck—An act to add Article 3 5 to Chapter 1, Part 1 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2370: By Mrs Nichouse—An act to add Section 5½ to the County Water Authority Act, relating to powers of county water authorities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2371: By Mr Cramer—An act to amend Sections 70, 70.1, and 70.2 of, and to add Section 70.3 to the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2372: By Mr. Cramer—An act to amend Section 1101 of the Agricultural Code, relating to eggs.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2373: By Messrs George D Collins and Gaffney—An act to amend Sections 1475, 1476, 1477, 1478, 1479, 1480, and 1481 and to add Sections 1478.1, 1478.2, and 1478.3 of the Labor Code relating to the powers and duties of the Commission of Housing.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2374: By Messrs. George D. Collins, Gaffney, Berry, Brady, and McCarthy—An act to amend Section 13836 of the

Education Code, relating to the payment of salaries of certificated employees.

Referred to Committee on Education.

Assembly Bill No. 2375: By Messrs. Levering and Reagan—An act to add Section 923.5 to the Labor Code, relating to the status of professional employees.

Referred to Committee on Industrial Relations

Assembly Bill No. 2376: By Mr. Cooke—An act to amend Section 28119 of the Government Code, relating to compensation for public services in counties of the nineteenth class

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2377: By Mr. Cooke—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Referred to Committee on Judiciary.

Assembly Bill No. 2378: By Messrs Huyck and Anderson—An act to amend Section 5 of an act entitled "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, relating to ordinances.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2379: By Mr. Dickey—An act to amend Section 737a of the Political Code, relating to compensation of Judges of the Superior Court in and for the County of Alameda.

Referred to Committee on Judiciary.

Assembly Bill No. 2380: By Mr. Dickey—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Referred to Committee on Judiciary.

Assembly Bill No. 2381: By Messrs Hahn, Burke, Morris, Cramer, Evans, and Stewart—An act to amend Section 5 of the Alcoholic Beverage Control Act, relating to license fees and the disposition thereof.

Referred to Committee on Public Morals.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Speaker Sam L Collins announced the appointment of Mr. Babbage to membership on the Assembly Interim Committee on Crime and Corrections, vice Mr Carey; and the appointment of Mr Ralph C. Dills to membership on the Joint Budget Committee, vice Mr. Field.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2382: By Messrs. Connolly, Brown, and Grunsky—An act to amend Section 190 of the Penal Code, relating to punishment for murder.

Referred to Committee on Judiciary

Assembly Bill No. 2383: By Mr Stewart—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2384: By Mr. Hinckley—An act to add Section 7.1 and Section 18.1, and to amend Section 56 and the title heading of Article 5 of the Conservation and Planning Act, relating to suburban planning commissions.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2385: By Mr. Fleury—An act to pay the claim of Mabel M. Keyser against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2386: By Mr Evans—An act to add Section 638a to the Penal Code, relating to posting of rates for storage of automobiles, and prohibiting changes of rates on less than twenty-four hours notice, and providing penalties

Referred to Committee on Judiciary.

Assembly Bill No. 2387: By Mr. Evans—An act to amend Section 5 of the Public Utility District Act, relating to hearings on petitions for organization of public utilities districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2388: By Mr Grunsky—An act to amend Section 69 of the Civil Code, relating to marriage.

Referred to Committee on Judiciary.

Assembly Bill No. 2389: By Mr Grunsky—An act to amend Section 1057a of the Code of Civil Procedure and Section 12070 of the Insurance Code, relating to sureties on bonds or undertakings.

Referred to Committee on Judiciary.

Assembly Bill No. 2390: By Mr Grunsky—An act to amend Section 7056 of the Business and Professions Code, relating to licensing of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2391: By Mr. Evans—An act to add Section 55.9 to the Alcoholic Beverage Control Act, relating to credit terms on the sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2392: By Mr Morris—An act to add Section 402 to the Penal Code, relating to public health and safety.

Referred to Committee on Public Morals.

Assembly Bill No. 2393: By Mr. Morris—An act to amend Sections 19801 and 19802 of the Business and Professions Code, relating to standard bread loaves.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 2394: By Mr. Rosenthal—An act to amend Section 683 of the Probate Code, relating to attorneys' fees.

Referred to Committee on Judiciary.

Assembly Bill No. 2395: By Messrs. Rosenthal, Geddes, Lipscomb, and McMillan—An act to add Chapter 1, comprising Sections 400 to 548.1, inclusive, to Part 1 of Division 2 of the Welfare and Institutions Code, relating to the protection and care of children, establishing children's courts and providing for their constitution, government, procedure, and jurisdiction, and revising the laws governing the adoption, custody, care, and support of children.

Referred to Committee on Judiciary.

Assembly Bill No. 2396: By Mr. Evans—An act to add Section 2492 to the Business and Professions Code, relating to reciprocal agreements between the Board of Osteopathic Examiners and similar agencies in other states, and authorizing licenses to practice osteopathy to be issued pursuant thereto.

Referred to Committee on Public Health

Assembly Bill No. 2397: By Mr. Lindsay—An act to add Section 25450.1 to the Government Code, relating to county property, providing for construction and repairs thereof.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2398: By Mr. Lindsay—An act to amend Section 14606 of, and to add Section 14633.5 to, the Education Code, relating to retirement under the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 2399: By Mr. Lindsay—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2400: By Mr. Fleury—An act to amend Section 464.5 of the Agricultural Code, relating to the dispensing of market milk and derivatives therefrom.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 2401: By Messrs. Cramer, Evans, Huyck, Brown, Crichton, Clayton A. Dills, Lincoln, Lipscomb, Rumford, and Smith—An act to add Section 12171 to the Government Code, relating to the duties of the Secretary of State and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2402: By Mr. Grant—An act to amend Section 5708 of the Elections Code, relating to voting booths.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2403: By Mr. Hahn—An act to amend Section 610 of the Fish and Game Code, relating to trout and whitefish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2404: By Mr. McCollister—An act to amend Section 19433 of the Business and Professions Code, relating to the salary of the Secretary of the California Horse Racing Board, and making an appropriation.

Referred to Committee on Public Morals.

Assembly Bill No. 2405: By Mr. McCollister—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to privileges granted to licensees thereunder.

Referred to Committee on Public Morals.

Assembly Bill No. 2406: By Messrs. Connolly and Brown—An act to amend Section 190 of the Penal Code, relating to punishment for murder.

Referred to Committee on Judiciary.

Assembly Bill No. 2407: By Mr. Coats—An act to amend Section 28139 of the Government Code, relating to the compensation for public service in counties of the thirty-ninth class.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2408: By Mr. Coats—An act to amend Section 45 of the Unemployment Insurance Act, relating to unemployment insurance contributions.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2409: By Mr. Coats—An act to amend Section 986.3 of the Military and Veterans Code, relating to farm and home purchases.

Referred to Committee on Military Affairs.

Assembly Bill No. 2410: By Mr. Coats—An act to amend Section 981.2 of the Military and Veterans Code, relating to educational assistance.

Referred to Committee on Military Affairs.

EXPLANATION BY SPEAKER

Speaker Sam L. Collins announced that he is about to order a series of bills referred to the Committee on Judiciary which, on the surface, pertain to matters of Finance and Insurance, and Governmental Efficiency and Economy, and explained his reason for doing so is in the interest of time, because Mr. Brown, Chairman of the Committee on Judiciary, is introducing this series at the request of the Office of the Legislative Counsel.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2411: By Mr. Coats—An act to amend Section 986.9 of the Military and Veterans Code, relating to farm and home purchases.

Referred to Committee on Military Affairs.

Assembly Bill No. 2412: By Mr. Coats—An act to amend Section 10051 of the Education Code, relating to courses of instruction in schools.

Referred to Committee on Education.

Assembly Bill No. 2413: By Mr. Coats—An act to amend Section 44 of the Unemployment Insurance Act, relating to worker contributions required thereunder.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2414: By Messrs Ralph C Dills, McCollister, Thompson, Thomas, and Crichton—An act to add Section 8004.5 to the Government Code, relating to the Commission on Interstate Cooperation and members thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2415: By Mr. Ralph C Dills—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 2416: By Mr. Ralph C. Dills—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112 of, and to add Section 34112.5 to, the Government Code, creating a new class of cities to be known as cities of the four and seven-eighths class, and to provide for their organization, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 2417: By Mr. Ralph C. Dills—An act to amend Sections 102 and 104 of the Health and Safety Code, relating to the State Board of Public Health.

Referred to Committee on Public Health.

Assembly Bill No. 2418: By Mr Ralph C Dills—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 2419: By Mr. Ralph C. Dills—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112 of, and to add Section 34112.5 to, the Government

Code, creating a new class of cities to be known as cities of the four and seven-eighths class, and to provide for their organization, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 2420: By Mr. Ralph C. Dills—An act to add Section 4122 to the Business and Professions Code, relating to the hours and conditions of employment of registered pharmacists.

Referred to Committee on Public Health.

Assembly Bill No. 2421: By Mr. Brown—An act to amend Section 19390 of the Government Code, relating to the right of state employees entering the military service to be restored to their former position and civil service status upon termination of such military service.

Referred to Committee on Judiciary.

Assembly Bill No. 2422: By Mr. Brown—An act to amend Section 19611 of the Education Code, relating to child care centers.

Referred to Committee on Judiciary.

Assembly Bill No. 2423: By Mr. Brown—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary.

Assembly Bill No. 2424: By Mr. Brown—An act to amend Section 1331 of the Streets and Highways Code, relating to the county road commissioner.

Referred to Committee on Judiciary.

Assembly Bill No. 2425: By Mr. Brown—An act to amend Section 3641 of the Corporations Code, relating to the identification of provisions of the articles of incorporation.

Referred to Committee on Judiciary.

Assembly Bill No. 2426: By Mr Brown—An act to amend Section 4300 of the Political Code, relating to jurors' fees.

Referred to Committee on Judiciary.

Assembly Bill No. 2427: By Mr. Brown—An act to amend Section 8802 of the Health and Safety Code, relating to cemetery associations.

Referred to Committee on Judiciary.

Assembly Bill No. 2428: By Mr. Brown—An act to add Section 500017.5 to the Government Code, repealing an act entitled "An act in relation to clerks in the Office of the Secretary of State and to provide for their pay," approved April 14, 1853.

Referred to Committee on Judiciary.

Assembly Bill No. 2429: By Mr. Grunsky—An act to amend Section 395 of the Code of Civil Procedure, relating to the place of trial of civil actions.

Referred to Committee on Judiciary.

Assembly Bill No. 2430: By Mr. Condon—An act to repeal Section 1166a of the Code of Civil Procedure, relating to unlawful detainer.

Referred to Committee on Judiciary.

Assembly Bill No. 2431: By Mr. Condon—An act to amend Section 315 of the Municipal Utility District Act, relating to nomination papers.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2432: By Mr. Condon—An act to provide for an increase in the salaries of prison guards, making an appropriation, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2433: By Mr. Condon—An act declaring state policy in regard to labor disputes, and defining and limiting the jurisdiction of state courts in relation thereto.

Referred to Committee on Judiciary.

Assembly Bill No. 2434: By Mr. Condon—An act to amend Sections 4653, 4654, 4658, and 4659 of the Labor Code, relating to disability payments.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2435: By Mr. Condon—An act to amend Section 5814 of the Labor Code and to add Section 5815 to said code, relating to penalty for delayed payment of award.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2436: By Mr. Condon—An act to repeal Section 5804 of the Labor Code, relating to time limitation on amending awards.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2437: By Mr. Condon—An act making an appropriation for allocation to county sanitation districts for the prevention of the pollution of waters in and adjacent to the State.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2438: By Mr. Condon—An act to amend Section 6530 of the Health and Safety Code, relating to sewer maintenance in cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2439: By Mr. Condon—An act to add Section 4765 to the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2440: By Messrs. Condon, Cooke, Heisinger, Grunsky, Dolwig, and Hinckley—An act to add Section 34 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a Postwar Public Works Program

comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to Postwar Public Works Programs and making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2441: By Messrs. Condon, Cooke, Heisinger, Grunsky, Dolwig, and Hinckley—An act to add Sections 35 and 36 to the Construction and Employment Act, making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2442: By Mr. Condon—An act to amend Section 15 of the Public Utilities Act, relating to changes in rates.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2443: By Mr. Condon—An act amending Section 63 of the Public Utilities Act, relating to increases in rates, fares, tolls, rentals, and charges.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2444: By Mr. Condon—An act amending Section 52 of the Public Utilities Act, relating to issuance of evidences of interest or indebtedness by public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Concurrent Resolution No. 49: By Mr. Ralph C. Dills—Relative to the printing of the Chiropractic Act in the Business and Professions Code.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 50: By Messrs. Silliman and Maloney—Relative to the restoration and operation of Mission San Antonio de Padua.

Without reference to committee.

ANNOUNCEMENT

Speaker Sam L. Collins announced that, in the interest of economy, and because it will cost the taxpayers of California several thousand dollars to keep the Printing Plant in full operation over the weekend, that he has informed the State Printer that a day's delay will not matter, and that unnecessary rush orders on the printing of bills will not be ordered.

RESOLUTIONS

The following resolution was offered:

By Mr. Kilpatrick:

House Resolution No. 87

Congratulating Assemblyman and Mrs. Elwyn S. Bennett upon the birth of their daughter, Lorraine Elyn Bennett

WHEREAS, Esther Bennett, the wife of our colleague, Elwyn S. Bennett, has graced our Chambers during three prior sessions of the Assembly; and

WHEREAS, Our colleague and his wife decided that there was a need for a major third party to bring the pure, gay and refreshing vitality of youth to our halls, and

WHEREAS, As a result of this campaign for a third party, gratifying returns were received during the first hour of the morning of June 2, 1948, the day following election

day, that Lorraine Elyn Bennett had received this major third party nomination to be privileged to be in the Assembly Chambers in Sacramento this session, at the same time as her parents received returns that her father had captured the two minor party nominations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend to Assemblyman and Mrs. Elwyn S. Bennett heartiest congratulations upon the birth of their daughter, Lorraine Elyn Bennett, weight 6 pounds 10 ounces, at 12.57 a.m., June 2, 1948; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman and Mrs. Bennett and to little Miss Lorraine Elyn Bennett

Request for Unanimous Consent

Mr. Kilpatrick asked for, and was granted, unanimous consent to take up House Resolution No. 87, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 19

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 46

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 12
Senate Joint Resolution No. 13

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 27
Senate Concurrent Resolution No. 31

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 33

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 33—Relative to adjournment in respect to the memory of Mrs. Mary K. Behrens.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred.

Senate Concurrent Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 33—Relative to adjournment in respect to the memory of Mrs Mary K Behrens.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

On page 41 of the printed measure, strike out all of lines 1 to 21, and insert:

"WHEREAS, On January 25, 1949, in the Town of Redding there was taken to her eternal reward, Mrs Mary K Behrens, devoted mother of Earl C Behrens, political editor and correspondent of the San Francisco Chronicle; and

WHEREAS, Mrs Mary K. Behrens, a native daughter of California, born in the Town of Shasta, Siskiyou County, of parents who arrived and settled in California during the Gold Rush Days, and up until two years ago was blessed with good health, when she was stricken and became ill, but with courage and determination fought grimly on until the hand of God gently took her to His eternal home at the age of 87 years; and

WHEREAS, Her passing not only leaves grieving hearts in the family household, but sorrow among the citizens of Shasta County, and the many other devoted friends she made and kept in California during her long span of life; now, therefore, be it

Resolved, That as we express our sorrow to Mr Earl C Behrens, we also extend to the other members of her family, Mrs Edna B Eaton and Ella G. Behrens, both daughters residing in Redding, and Mrs Julia Glasser, a sister living in Sebastopol, our heartfelt sympathy in their hours of bereavement, and that when we adjourn this day we do so out of respect to the memory of Mrs Mary K. Behrens; and be it further

Resolved, That a suitable engrossed copy of this resolution be forwarded to Earl C Behrens, devoted son of Mary K. Behrens"

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

RESOLUTIONS

The following resolutions were offered:

By Messrs Geddes, Evans, Morris, and Brady:

House Resolution No. 88

WHEREAS, The Sixth Agricultural District of the State of California is a state entity operating within the fair and exposition group; and

WHEREAS, The Sixth District Agricultural Association is the owner of a large tract of land in the heart of the City of Los Angeles, said tract being known as Exposition Park; and

WHEREAS, The administration of this tract of land and its various facilities which include parks and lawns, museums, and sports and playground facilities have been divided by mutual agreements and contracts between State, county and city; and

WHEREAS, Many of said contracts were entered into more than a decade ago, the oldest being dated 1910; and

WHEREAS, The character, use, facilities, and cost of maintenance and operation of the park have changed during the life of these contracts; and

WHEREAS, The increased financial burden of maintenance has been called to the attention of the State of California by the City of Los Angeles, in a communication requesting that the State share this burden, which now falls entirely upon the city; and

WHEREAS, The City of Los Angeles fixes this cost at $115,315 for the current fiscal year, and also has asked the State to share in the cost of $104,000 in new facilities; and

WHEREAS, The Attorney General of California has ruled the State may not legally share such costs under existing contracts, and

WHEREAS, There have been recent discussions of new buildings in the park, including an addition to the Los Angeles County Museum; and

WHEREAS, Many state officials, including the Legislative Auditor, who were parties to these old contracts, agree that a reappraisal of conditions should be made, and in fact was originally intended to be made about once each 10 years; and

WHEREAS, The Sixth District Agricultural Association is in an anomalous position in certain other respects, since said Sixth District operates the only year-around exposition in the so-called fair and exposition group, and further, is the only member of the group not paying premiums to exhibitors; and

WHEREAS, The Sixth District and the exposition thus do not share equally with the county fairs in the funds available for premiums; now, therefore, be it

Resolved by the Assembly of the State of California, That the Interim Committee on Fairs and Expositions be requested to investigate, and include in its report, the contractual relationships existing between the Sixth District, the County of Los Angeles and the City of Los Angeles, with a view to simplifying these relationships and relieving financial burdens improperly placed upon any agency or subdivision of the Government; and be it further

Resolved, That said investigation shall also include the operations of the State Exposition with a view toward insuring the utmost possible benefit to the entire State from operations of the Sixth District and the California State Exposition.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Evans:

House Resolution No. 89

WHEREAS, California is the flower basket of the Nation, and its flower seeds, blooms, and decorative plants are prized and in demand throughout the world; and

WHEREAS, The annual product of California's floriculture is in excess of $60,000,000 in value; and

WHEREAS, Flowers are an essential to California living and a distinct attraction to its visitors; and

WHEREAS, Flowers are a universal language, and speak with the eloquence of their color and the quality of their texture the common love of beauty shared by all mankind; and

WHEREAS, It is timely and fitting that California invite its own flower growers, its garden clubs, its nurserymen, and those of other nations to exhibit at a California International Flower Show; and

WHEREAS, The Southern California Horticultural Association, in cooperation with the Southern California Floral Association, both nonprofit organizations dedicated to the advancement of floriculture and horticulture, and with the support of the entire California flower industry have planned and underwritten an Annual International Flower Show; and

WHEREAS, The first California International Flower Show is to be held indoors at Hollywood Park, Inglewood, on March 26 through April 3, 1949, and its exhibits will be of inspirational beauty to its visitors; now, therefore, be it

Resolved, That the Assembly compliment the sponsors and underwriters of this event destined for world fame, encourage the citizens of California to support and attend the show, and invite the nations of the world to exhibit their flowers in California to build world understanding through a language common to all people.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. George D. Collins, McCarthy, Connolly, Berry, Brady, Meyers, and Maloney:

House Resolution No. 90

Relating to a proclamation designating September 17, 1949, as Steuben Day

WHEREAS, It is sought to pay homage and respect to the memory and achievements of General Friedrich Wilhelm von Steuben, who came to our shores on December

1, 1777, to offer his heart and his hand, his skill, valor and intelligence to assist in our struggle for independence, and his heroic deeds are emblazoned in the history of our Country; and

WHEREAS, The hero, born at Magdeburg, Prussia, on September 17, 1730, whose birthday by coincidence falls on Constitution Day, did join with Washington at Valley Forge and devote himself as the first Inspector-General of the entire Army with great resolve and effect to the reorganization of our then sadly tried soldiers, and distinguished himself at Monmouth and Yorktown, where he received the first offer of capitulation from Lord Cornwallis; and

WHEREAS, The said Major General von Steuben was instrumental in promulgating the regulations for drill, for order and discipline of the Troops of the United States which were adopted by Congress on March 29, 1779, and in addition he is also credited with the establishment of the United States Military Academy at West Point; and

WHEREAS, Until his death on November 28, 1794, he chose to spend his last days in modest retirement in a log cabin near the present site of Utica in the State of New York; and

WHEREAS, His services were "Indispensable to the cause of American independence," according to the inscription on a tablet erected at the Steuben State Park in Remsen, New York; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Governor of the State of California be and hereby is respectfully requested to issue a proclamation designating the anniversary of his birth, Saturday, September 17, 1949, as "Steuben Day", and that the Governor call upon all citizens of the State of California to display the National Emblem, and that proper exercises be held to commemorate the memory of Friedrich Wilhelm von Steuben, and invite the people of the State of California to observe this day in schools, churches, and other places with appropriate ceremonies; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to forward copies of this resolution to the Honorable Earl Warren, Governor of the State of California.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Constitutional Amendment No. 55: By Messrs. Cramer and Geddes—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4 to Article V thereof, relating to the Office of Governor.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 56: By Mr. Cramer—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 57: By Mr. Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 23 of Article IV thereof, relating to compensation of legislators.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 58: By Mr. Condon—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 23 of Article XII thereof, relating to public utilities.

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 2445: By Mr. Fletcher—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to licenses, sales, storage and taxation of alcoholic beverages

Referred to Committee on Public Morals.

Assembly Bill No. 2446: By Mr. Fletcher—An act to amend Section 38f of the Alcoholic Beverage Control Act, relating to limitation of licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 2447: By Messrs. Lewis and Dunn—An act to add Chapter 9, comprising Sections 21700 to 21722, inclusive, to Division 10 of the Education Code, relating to state schools for physically handicapped adults, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 2448: By Mr. Lewis—An act to provide for funds out of which loans shall be made to farmers and farm laborers to erect and repair their housing facilities, authorizing local agencies to administer such lending activities and making an appropriation to carry out said policies.

Referred to Committee on Agriculture.

Assembly Bill No. 2449: By Messrs. Brown and Sherwin—An act to amend Section 5640 of the Streets and Highways Code, relating to liability for defective streets.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2450: By Mr. Luckel—An act to amend Section 592.1 of the Vehicle Code, relating to stopping, standing, or parking of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2451: By Messrs. Kilpatrick, Burke, Babbage, Hahn, and Bennett—An act to add Section 3059.5 to the Penal Code, relating to parole of prisoners wanted in another state.

Referred to Committee on Judiciary.

Assembly Bill No. 2452: By Messrs. Kilpatrick, Ralph C. Dills, Morris, Anderson, and Elliott—An act relating to rural housing, and making an appropriation therefor.

Referred to Committee on Agriculture.

Assembly Bill No. 2453: By Messrs Kilpatrick, Ralph C. Dills, Morris, Anderson, and Elliott—An act to provide for the replacement of temporary war housing with permanent housing, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2454: By Mr. Burkhalter—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the performance of certain functions relating thereto by public officers; providing for contracts with cities, counties and other public agencies; and relating to transportation in metropolitan areas.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE

THIRD READING OF SENATE BILLS

Senate Bill No. 595—An act to validate certain acts, proceedings, contracts, and expenditures in relation to the improvement of county-owned property for fair purposes, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, Way, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2455: By Mr. McMillan—An act to amend Section 6 and to add Section 59.6 to the Alcoholic Beverage Control Act, relating to license privileges and hours of sale

Referred to Committee on Public Morals.

Assembly Bill No. 2456: By Mr. Rosenthal—An act to amend Section 59.5 of the Alcoholic Beverage Control Act, relating to hours of sale.

Referred to Committee on Public Morals.

Assembly Bill No. 2457: By Mr. George D. Collins—An act to add Section 274e to the Code of Civil Procedure, relating to phonographic reporters for certain municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2458: By Mr. McMillan—An act to amend Section 54 of the Alcoholic Beverage Control Act, relating to the licensing of the manufacture, distribution and sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2459: By Mr McMillan—An act to amend Section 19433 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 2460: By Mr. McMillan—An act to amend Section 18601 of, to repeal Article 2, comprising Sections 18620 to 18636, inclusive, of, and to add a new Article 2, comprising Sections 18620 to 18639, inclusive, to Chapter 2, Division 8, of the Business and Professions Code, relating to the organization and powers of the State Division of Athletics and the State Athletic Commission, abolishing the Division of Athletics in the Department of Military and Veterans Affairs, and transferring its officers and employees to the State Division of Athletics.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2461: By Mr McMillan—An act to add Section 18626 5 to the Business and Professions Code, relating to the salary of the Secretary to the State Athletic Commission

Referred to Committee on Public Morals

Assembly Bill No. 2462: By Mr. George D Collins—An act to amend Section 6b of the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2463: By Messrs. Maloney, Gaffney, McCarthy, Berry, Brady, George D. Collins, Connolly, and Meyers—An act to amend Section 10971 and Section 10972 of the Insurance Code, relating to fraternal benefit societies, and to add to the Insurance Code a new section to be numbered Section 10972.1 providing that any state, district or local branch or unit of any fraternal benefit society shall not be restricted from furnishing to its members and their beneficiaries and dependents, or to any group of such members, hospitalization and/or physician's services when the same are furnished by the state, district or local branch or unit independently of its affiliation with the supreme or governing lodge and by means of its own funds and without regard

to any funds in the possession or control of such supreme or governing lodge.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2464: By Mr. Coats—An act to add Section 4.4 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisitions of parks in Yuba County.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2465: By Mr. Coats—An act to add Section 4.5 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945, relating to acquisition of parks in Butte County.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2466: By Mr. Coats—An act to add Section 4 3 to an act entitled "An act to provide additional public recreation facilities, authorizing the making of a supplemental survey to determine what lands are suitable for inclusion in the State System of Parks and Beaches pursuant to this act, and making an appropriation for the acquisition of public recreation facilities," approved July 17, 1945.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2467: By Mr. Lewis—An act relating to farm labor housing, creating an Itinerant Farm Labor Housing Commission, providing for the purchase, construction or other acquisition of such facilities, creating the Farm Labor Housing Fund in the State Treasury, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2468: By Mr. Lewis—An act to amend Section 689.6 of the Code of Civil Procedure, relating to executions.

Referred to Committee on Judiciary.

Assembly Bill No. 2469: By Mr Lewis—An act to amend Section 2271 of the Health and Safety Code, relating to breeding places of mosquitoes and prescribing the penalties for the maintenance thereof.

Referred to Committee on Public Health.

Assembly Bill No. 2470: By Mr Lewis—An act to add Chapter 11 to Division 6 of the Agricultural Code, relating to prices for farm products and providing for the stabilization of such prices.

Referred to Committee on Agriculture.

Assembly Bill No. 2471: By Mr. Lewis—An act to amend the Public Utilities Act by adding a new Section No. 13¾, relating to just and reasonable charges by electrical corporations subject to the jurisdiction of the California Public Utilities Commission, and by adding a new Section 41½, relating to the transmission, sale, exchange, or interchange of energy by such public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2472: By Mr. Lewis—An act to amend the Public Resources Code, concerning county recreation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2473: By Messrs. Lewis, Anderson, and Hawkins—An act to amend Sections 2160, 2020, and 3084 of, and to add Sections 2160.1 and 2021.1 to, the Welfare and Institutions Code, relating to aid to the aged and aid to the blind.

Referred to Committee on Social Welfare.

Assembly Bill No. 2474: By Mr. Lewis—An act to permit counties to share in expenses of Centennial Celebrations commemorating significant event in the history of the State.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2475: By Mr. Grant (By request)—An act to amend Section 15 of Alcohol Beverage Control Act, as amended, relating to issuance of licenses contrary to zoning ordinances.

Referred to Committee on Public Morals.

Assembly Bill No. 2476: By Mr. Grant (By request)—An act to repeal Section 7 2 of Alcohol Beverage Control Act as amended, relating to transfer of licenses, and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2477: By Mr. Grant (By request)—An act to amend Section 7.2 of Alcohol Beverage Control Act as amended, relating to transfer of licenses and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2478: By Mr. Grant (By request)—An act to amend Section 7 of Alcoholic Beverage Control Act as amended, relating to transfer of licenses and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2479: By Mr. Grant (By request)—An act to amend Section 7 of Alcohol Beverage Control Act, as amended, relating to transfer of licenses, and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2480: By Mr. Morris—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol.

Referred to Committee on Industrial Relations

Assembly Bill No. 2481: By Mr. Morris—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2482: By Mr Morris—An act to add Section 3475 to Title 3 of Part 2, Division 4, of the Civil Code, relating to assignment for the benefit of creditors.

Referred to Committee on Judiciary.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2483: By Mr Morris—An act to add Section 3474 to Title 3 of Part 2 of Division 4 of the Civil Code, relating to assignment for the benefit of creditors.

Referred to Committee on Judiciary.

Assembly Bill No. 2484: By Mr. Morris—An act to amend Section 3 of the Escrow Act, relating to escrows.

Referred to Committee on Judiciary.

Assembly Bill No. 2485: By Messrs Reagan and Levering—An act prohibiting mass picketing, as defined therein, prohibiting the use of force or violence at any place where a labor dispute exists, and providing violations thereof are misdemeanors.

Referred to Committee on Judiciary.

Assembly Bill No. 2486: By Mr Hagen—An act to amend Sections 17301, 17351, and 17382 of the Revenue and Taxation Code, relating to deduction of farm expenses in computing personal income tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2487: By Mr. Hagen—An act to amend Sections 8, 9, and 21 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2488: By Mr. Hagen—An act to amend Sections 7, 8, and 12 of the Corporation Income Tax Act, relating to taxes on the income of corporations, associations and Massachusetts or business trusts.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2489: By Mr. Fletcher—An act to repeal Section 67.5 of the Alcoholic Beverage Control Act, relating to sale of alcoholic beverages to common carriers.

Referred to Committee on Public Morals.

Assembly Bill No. 2490: By Mr. Lindsay—An act to amend Section 2842 of the Elections Code, relating to county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2491: By Messrs. Cramer and Grant—An act to amend Section 560 of the Vehicle Code, relating to pedestrians' rights and duties.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2492: By Messrs. Geddes, Burke, Luckel, and Lipscomb—An act to amend Section 19572 of the Government Code pertaining to political activity by state employees.

Referred to Committee on Civil Service and State Personnel.

REQUEST FOR UNANIMOUS CONSENT

Mr. Silliman asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 50, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 50

Assembly Concurrent Resolution No. 50—Relative to the restoration and operation of Mission San Antonio de Padua.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 13, OUT OF ORDER (BY UNANIMOUS CONSENT)

Senate Joint Resolution No. 13—Relative to memorializing the President and the Congress of the United States in relation to the Forestry Service special use permit fees.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Connolly, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hinckley, Hoffman, Kirkwood, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Price, Reagan, Sherwin, Tomlinson, Way, Weber, and Mr. Speaker—42.

NOES—Beck, Burkhalter, George D. Collins, Condon, Cooke, Clayton A. Dills, Dunn, Grant, Hagen, Hahn, Heisinger, Levering, Lewis, Lowrey, Moss, Rumford, Silliman, and Stanley—18.

Resolution ordered transmitted to the Senate.

RECESS

At 12:08 p.m. on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker Collins:

The following telegram was received, read, and ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, January 28, 1949

Hon. Sam L. Collins, Speaker
California State Assembly, Sacramento

May I respectfully request your reading to the Assembly and have placed in the Journal the contents of this wire concerning so-called and untruthfully designated black list published in the press concerning myself and Members of the Legislature. This designation as black list was made by former Senator Kenny, attorney representing discharged member of staff for taking state car on vacation; said list prepared last year by said member of staff indicating those in Legislature that responded favorably or unfavorably to Attorney General's legislative program. List strictly matter of information, carries no reference to friendship or animus, as upon reading readily designates many of my best friends. Respectfully request Members of Legislature wholly and totally disregard this apparent effort to embroil me with Legislature. Yours for continued cooperation.

FRED N HOWSER
Attorney General of California

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 62

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 6
Assembly Joint Resolution No. 13

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Joint Resolution No. 5

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 645

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Joint Resolution No. 14—Relative to memorializing the Congress of the United States in relation to repealing the transportation tax.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 3, of the printed measure, after "a", strike out "10", and insert "15".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Rush Order Placed on Printing of Senate Joint Resolution No. 14 by Unanimous Consent

Speaker Sam L. Collins, by unanimous consent, ordered a rush order on the printing of Senate Joint Resolution No. 14.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 81

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 81

By Messrs. Rosenthal and Smith:

House Resolution No. 81

Relative to adjournment in respect to the memory of Judge Dudley S. Valentine

WHEREAS, The Members of this Assembly share the sorrow felt by the many hundreds of friends of Dudley S. Valentine, Judge of the Los Angeles Superior Court, upon learning of his death in that city on January 18, 1949; and

WHEREAS, Dudley S. Valentine had enjoyed that freedom and opportunity for individual development and success which has been the richest heritage of every American boy, for, born in Denver, Colorado, he began when only a young boy as a messenger in a railroad office in that city and in his early youth became a locomotive fireman, afterward working in Los Angeles as a telephone lineman and serving as a merchant seaman, later becoming Secretary to the Union Pacific's Chapter of the Brotherhood of Locomotive Firemen and Engineers and Legislative Chairman for the Union, which office led him to the study of law and his admission to the California Bar in 1919; and

WHEREAS, Shortly thereafter he became Deputy City Prosecutor in Los Angeles, then Registrar of the United States Land Office there, resigning after three years to enter private practice of law until his election to the municipal bench in 1927; and

WHEREAS, Since his election as Judge of the Superior Court in Los Angeles County in 1930, he gave 18 years of continuous service in that office, gaining national reputation as an able jurist, and contributing outstanding public service to the people of Los Angeles County and of this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express profound regret upon the passing of Dudley S. Valentine and the great loss to the people of this State of this fine public servant and able jurist, and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the family of Judge Dudley S. Valentine; his widow, Mrs. Frances Valentine; his sons, Walter and James Valentine; his brother, Walter Valentine, and his sister, Mrs. Mina Bezenah, as an expression of the sympathy of the Members of this Assembly; and be it further

Resolved, That when this Assembly adjourns this ____ day of January, 1949, it do so out of respect to the memory of Judge Dudley S. Valentine

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules

Amendment No. 1

On page 2, paragraph 3, line 2, of the typewritten resolution, after "transmit", strike out "suitably prepared"; and in paragraph 4, line 1, strike out the leaders, and insert "twenty-eighth"

Amendment read, and adopted.

Request for Unanimous Consent That Members of the Los Angeles Delegation Present Be Named Co-authors on House Resolution No. 81

Mr. Smith asked for, and was granted, unanimous consent that the names of all members of the Los Angeles Delegation who are present be placed upon House Resolution No. 81 as co-authors.

Consideration of House Reoslution No. 81, as Amended

By Messrs. Rosenthal, Smith, Anderson, Beck, Bennett, Burke, Burkhalter, Conrad, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lipscomb, McMillan, Morris, Reagan, Stewart, and Waters:

House Resolution No. 81

Relative to adjournment in respect to the memory of Judge Dudley S. Valentine

WHEREAS, The Members of this Assembly share the sorrow felt by the many hundreds of friends of Dudley S. Valentine, Judge of the Los Angeles Superior Court, upon learning of his death in that city on January 18, 1949; and

WHEREAS, Dudley S. Valentine had enjoyed that freedom and opportunity for individual development and success which has been the richest heritage of every American boy, for, born in Denver, Colorado, he began when only a young boy as a messenger in a railroad office in that city and in his early youth became a locomotive fireman, afterward working in Los Angeles as a telephone lineman and serving as a merchant seaman, later becoming Secretary to the Union Pacific's Chapter of the Brotherhood of Locomotive Firemen and Engineers and Legislative Chairman for the Union, which office lead him to the study of law and his admission to the California Bar in 1919; and

WHEREAS, Shortly thereafter he became Deputy City Prosecutor in Los Angeles, then Registrar of the United States Land Office there, resigning after three years to enter private practice of law until his election to the municipal bench in 1927; and

WHEREAS, Since his election as Judge of the Superior Court in Los Angeles County in 1930, he gave 18 years of continuous service in that office, gaining national reputation as an able jurist, and contributing outstanding public service to the people of Los Angeles County and of this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express profound regret upon the passing of Dudley S. Valentine and the great loss to the people of this State of this fine public servant and able jurist; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the family of Judge Dudley S. Valentine: his widow, Mrs. Frances Valentine; his sons, Walter and James Valentine; his brother, Walter Valentine, and his sister, Mrs. Mina Bezenah, as an expression of the sympathy of the Members of this Assembly; and be it further

Resolved, That when this Assembly adjourns this twenty-eighth day of January, 1949, it do so out of respect to the memory of Judge Dudley S. Valentine.

Resolution read, as amended, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 46
Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 19

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 425—An act to amend Section 781 of the Vehicle Code, relating to disposition and transfer of moneys from the Motor Vehicle Fund, declaring the urgency thereof, to take effect immediately.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of January, 1949, at 10:30 a.m.

HUYCK, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 27, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred

House Resolution No. 80
House Resolution No. 83

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 80

By Mr. Maloney:

House Resolution No. 80

Relative to the preparation of a Subject List of bills, constitutional amendments and resolutions introduced prior to constitutional recess

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Subject List of all bills, constitutional amendments and resolutions introduced at the 1949 Regular Session prior to the constitutional recess; and be it further

Resolved, That copies of the Subject List be distributed to all Members of the Legislature as soon as possible after it is printed; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Subject List, the cost thereof to be paid from the legislative printing appropriation.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

In line 3 of the printed resolution, as appearing in the Assembly Journal of January 26, 1949, at page 706, strike out "prior to the constitutional recess", and place a semicolon after "session".

Amendment read.

Resolution and amendment ordered temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 83

By Mr. Smith:

House Resolution No. 83

Commending Thomas Jefferson Elementary School of Glendale

WHEREAS, Thomas Jefferson Elementary School of Glendale was one of the schools participating in the recent Football Tournament, and was victor in the contests for the fifth and sixth grades; and

WHEREAS, The many citizens who attended the tournament were well rewarded by the fine football played and the splendid spirit of the participants and their schoolmates; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly takes great pleasure in commending Mr. Kenneth H. Johnson, Principal of Thomas Jefferson Elementary School, and Mr. Ian P. McLennan, athletic director for the school, for their good work in preparing for and participating in the tournament to make it such a success, and this Assembly commends especially the students and players of the Thomas Jefferson Elementary School upon the fine community spirit and splendid sportsmanship which they displayed throughout the tournament, meriting the victory which was won; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the Thomas Jefferson Elementary School of Glendale.

Resolution read, and adopted.

NOTICE OF MOTION TO WITHDRAW HOUSE RESOLUTION NO. 34 FROM COMMITTEE WAIVED

Mr. Condon waived his notice of motion to withdraw House Resolution No. 34 from the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT HOUSE RESOLUTION NO. 34 BE WITHDRAWN FROM COMMITTEE FOR PURPOSE OF AMENDMENT

Mr. Condon asked for, and was granted, unanimous consent that House Resolution No. 34 be withdrawn from the Committee on Rules, for purpose of amendment, and be re-referred to the Committee on Rules.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1014 FROM COMMITTEE WAIVED

Mr. Ralph C. Dills waived his notice of motion to withdraw Assembly Bill No. 1014 from the Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 9
Senate Joint Resolution No 10
Senate Joint Resolution No 11
Senate Joint Resolution No 15
Senate Joint Resolution No 17

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Joint Resolution No. 9—Relative to funds for the Joint Commission for the Eradication of Foot and Mouth Disease in the Republic of Mexico.

Referred to Committee on Rules.

Senate Joint Resolution No. 10—Relative to the Federal Livestock Disease Research Laboratory.

Referred to Committee on Rules.

Senate Joint Resolution No. 11—Relative to memorializing the President and the Congress of the United States in relation to establishing a 10-Year Experimental Range Program.

Referred to Committee on Rules.

Senate Joint Resolution No. 15—Respecting memorializing Congress to enact legislation for the relief of gold mining.

Referred to Committee on Rules.

Senate Joint Resolution No. 17—Relative to memorializing Congress to consider flood control needs in California.

Referred to Committee on Rules.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 2—Relative to memorializing the President and the Congress of the United States in relation to two irrigation canals to supply water from the Sacramento River to areas in Northern California.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 2?

Amendment No. 1

On page 1, lines 22 and 23, of the printed measure, strike out "somewhat belatedly"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No 2 by the following vote

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Assembly Joint Resolution No. 2 ordered enrolled.

Request for Unanimous Consent That Names Be Recorded on Roll Call on Assembly Joint Resolution No. 2

Mr. Burkhalter asked for, and was granted, unanimous consent that, because of a defect in the voting device at the time he voted on concurrence in Senate amendments to Assembly Joint Resolution No 2, he was not properly recorded, and that he be recorded on the roll call on Assembly Joint Resolution No. 2 as voting "Aye"

Mr. Clayton A. Dills asked for, and was granted, unanimous consent that he be recorded on the roll call on concurrence in Senate amendments to Assembly Joint Resolution No. 2 as voting "Aye."

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 8—Relative to providing a veterans' hospital at San Diego.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 8?

Amendment No. 1

On page 1, line 22, of the printed measure, strike out "Director", and insert "Administrator".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No 8 by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Assembly Joint Resolution No. 8 ordered enrolled.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 295—An act to add a new division to the Vehicle Code, to be numbered 9b, relating to the regulation, control and policing of vehicles and vehicular traffic on privately owned toll bridges and the approaches thereto, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 295?

Amendment No. 1

On page 2 of the printed bill, following line 52, insert

"The cost of preparation and publication of such rules and regulations and of the erection of signs pursuant to Section 610.4, shall be borne by the owner of any such privately owned toll bridge."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 295 by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 295 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 730—An act to add Section 135 to the Welfare and Institutions Code, relating to the compensation of members of the board or committee appointed by the Director of the State Department of Social Welfare, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Stanley, Tomlinson, Way, Weber, and Mr. Speaker—56.

NOES—Butters, Heisinger, Hoffman, and Huyck—4.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Stanley, Tomlinson, Way, Weber, and Mr. Speaker—56.

NOES—Butters, Heisinger, Hoffman, and Huyck—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1271 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED TO COMMITTEE

Mr. Crowley asked for, and was granted, unanimous consent that Assembly Bill No. 1271 be withdrawn from the file, and be re-referred to the Committee on Municipal and County Government.

MEMBERS EXCUSED

At 2.33 p.m., Mr. Maloney asked for, and was granted, unanimous consent that Mr. Thomas be excused for the legislative day.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 80

By Mr. Maloney:

House Resolution No. 80

Relative to the preparation of a Subject List of bills, constitutional amendments and resolutions introduced prior to constitutional recess

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Subject List of all bills, constitutional amendments and resolutions introduced at the 1949 Regular Session prior to the constitutional recess; and be it further

Resolved, That copies of the Subject List be distributed to all Members of the Legislature as soon as possible after it is printed; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Subject List, the cost thereof to be paid from the legislative printing appropriation.

Resolution read.

Further Consideration of Amendment by Mr. Maloney

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

In line 3 of the printed resolution, as appearing in the Assembly Journal of January 26, 1949, at page 706, strike out "prior to the constitutional recess", and place a semicolon after "session".

Amendment read, and adopted.

Consideration of House Resolution No. 80, as Amended

By Mr. Maloney:

House Resolution No. 80

Relative to the preparation of a Subject List of Bills, Constitutional Amendments and Resolutions Introduced Prior to Constitutional Recess

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Subject List of all bills, constitutional amendments and resolutions introduced at the 1949 Regular Session; and be it further

Resolved, That copies of the Subject List be distributed to all members of the Legislature as soon as possible after it is printed; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Subject List, the cost thereof to be paid from the legislative printing appropriation.

Resolution read, as amended, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 34 (BY UNANIMOUS CONSENT)

House Resolution No. 34—Relative to creating the Assembly Telephone Rate Inquiry Committee.

Resolution, as printed in the Assembly Journal of January 11th, pages 232 and 233, read.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed measure, as printed on pages 232 and 233 of the Assembly Journal for January 11, 1949, strike out "telephone", and insert "public utilities".

Amendment No. 2

In the second "Whereas" clause, after "corporation", insert "and to other public utilities".

Amendment No. 3

In the third "Whereas" clause, after "increases", insert "for the Pacific Telephone and Telegraph Company and for other public utilities at this time".

Amendment No. 4

Strike out the fifth "Whereas" clause, and insert

"WHEREAS, The power and jurisdiction of the Public Utilities Commission over rate increases requested by the various public utilities appearing before the said commission may be in need of legislative clarification and definition; and

WHEREAS, It is the feeling of the Assembly of the State of California that a thorough reexamination of the powers and duties of the Public Utilities Commission, with particular reference to the pending application for a rate increase by the Pacific Telephone and Telegraph Company, is desirable as a basis on which any needed changes in laws governing the powers and duties of the Public Utilities Commission might be made; now, therefore, be it".

Amendment No. 5

Strike out lines 1 and 2 of the "Resolved" clause numbered "1", and insert

"1. The Assembly Public Utilities Rate Inquiry Committee is hereby created and authorized and directed to study and analyze all facts relating to the powers, duties and operations of the California State Public Utilities Commission, insofar as its operations, powers, and duties affect the rate schedule of the various public utilities appearing before it, to ascertain, study, and analyze all facts relating to the opera-"

Amendment No. 6

Strike out the "Resolved" clause numbered "3." and insert

"3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session"

Amendment No. 7

In the "Resolved" clause numbered "6" strike out "twenty-five thousand dollars ($25,000)", and insert "one hundred thousand dollars ($100,000)"

Amendments read, and adopted.

House Resolution No. 34 as Amended

By Messrs. Condon, Beck, George D Collins, Rumford, Kilpatrick, Lewis, Coats, Moss, Davis, Anderson, Burkhalter, Cooke, Dunn, Hawkins, McCarthy, Rosenthal, Heisinger, Brown, Hagen, Lowrey, Elliott, Clayton A. Dills, Cramer, Ralph C. Dills, and Doyle:

House Resolution No. 34

Relative to creating the Assembly Public Utilities Rate Inquiry Committee

WHEREAS, The Pacific Telephone and Telegraph Company has pending an application before the California State Public Utilities Commission for the granting of substantial increases in rates for telephone service; and

WHEREAS, In recent years a number of major rate increases have been granted said corporation and to other public utilities; and

WHEREAS, Serious doubts on the part of many municipalities and individuals exists as to the justification of any additional increases for the Pacific Telephone and Telegraph Company and for other public utilities at this time, and

WHEREAS, The Pacific Telephone and Telegraph Company has resisted orders of the Public Utilities Commission regarding contractual obligations between it and its parent company, the American Telephone and Telegraph Company, on the grounds that the Public Utilities Commission lacks power to regulate said agreements; and

WHEREAS, The power and jurisdiction of the Public Utilities Commission over rate increases requested by the various public utilities appearing before the said commission may be in need of legislative clarification and definition; and

WHEREAS, It is the feeling of the Assembly of the State of California that a thorough reexamination of the powers and duties of the Public Utilities Commission, with particular reference to the pending application for a rate increase by the Pacific Telephone and Telegraph Company, is desirable as a basis on which any needed changes in laws governing the powers and duties of the Public Utilities Commission might be made; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Public Utilities Rate Inquiry Committee is hereby created and authorized and directed to study and analyze all facts relating to the powers, duties and operations of the California State Public Utilities Commission, insofar as its operations, powers, and duties affect the rate schedule of the various public utilities

appearing before it; to ascertain, study, and analyze all facts relating to the operations, revenues, and financial condition of the Pacific Telephone and Telegraph Company, the American Telephone and Telegraph Company and its various subsidiaries and associated companies and the relations between them; the extent to which a non-competitive supply subsidiary, The Western Electric Co., affects the cost of telephone equipment; the extent to which telephone service meets the needs of the people of the State, and the extent to which regulation of the telephone industry by the Public Utilities Commission, pursuant to the provisions of the State Constitution and the Public Utilities Code, has been in the public interest; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution, and to direct the sheriff of any county to serve subpenas, orders and other processes issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

7. The Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Public Utilities Commission of the State of California.

Resolution ordered re-referred to the Committee on Rules.

STATEMENT BY MR. CONDON

I waived my motion to withdraw House Resolution No. 34, relating to telephone rates, and offer amendments to it for two major reasons:

First, if the resolution, as amended, passes, the committee can investigate after adjournment, thus meeting the objection that an adequate investigation before then is impossible

Secondly, the committee is specifically directed to investigate the Public Utilities Commission, something that, without amendment, is not explicit.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 26—Relative to adjournment of the Legislature for the constitutional recess, and to the reassembling of the Legislature after said recess, and fixing the date for said adjournment and said reassembling.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 8—Relative to the Proposed International Animal Quarantine Station on Swan Island.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Smith, Stanley, Stewart, Tomlinson, Weber, and Mr Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 27—An act to amend Section 3 of the Property Acquisition Act, relating to the acquisition of property by the State in connection with the Postwar Construction Program, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Stanley, Stewart, Tomlinson, Weber, and Mr. Speaker—57.

NOES—Beck and Cramer—2.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Stanley, Stewart, Tomlinson, Weber, and Mr Speaker—57

NOES—Beck and Cramer—2.

Notice of Motion to Reconsider Senate Bill No. 27

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 27 was this day passed.

Senate Bill No. 101—An act authorizing the conveyance of certain property belonging to the State of California at San Francisco State College in the City and County of San Francisco, State of California, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Mr. Speaker—63.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 5—Relative to memorializing the President and the Congress of the United States in relation to changing present federal laws pertaining to the employment security programs of the states, and to providing sufficient funds to permit proper administration of the Public Employment Service and the Unemployment Insurance Programs of the State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Stanley, Stewart, Tomlinson, Way, and Weber—57.
NOES—Berry, George D. Collins, and Gaffney—3.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 91

Resolved, That the Controller be and he is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is authorized and directed to pay the same:

Martyrs' (supplies)	$3 69
Department of Finance (supplies)	177 77
Bancroft-Whitney Company (codes)	10,751 74
Cascade Towel Supply (towel supply)	51 20

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 91, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey,

Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61.
NOES—None.

By Mr. Maloney:

House Resolution No. 92

Relating to the preparation of the Legislative Digest

Resolved by the Assembly of the State of California, That the Legislative Counsel is hereby directed to prepare a Legislative Digest of all bills, constitutional amendments, and resolutions introduced in the January portion of the 1949 Regular Session of the Legislature; and be it further

Resolved, That copies of said publication be mailed to the Members of the Legislature as soon as possible after the printing thereof; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to cause to be printed, not to exceed 2,500 copies of the Legislative Digest for the 1949 Regular Session, the cost thereof to be payable from the legislative printing appropriation.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 92, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr Speaker—61.
NOES—None.

By Mr. Dickey:

House Resolution No. 93

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the amount of one thousand nine hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five dollars ($1,975), in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 93, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61.
NOES—None.

By Mr. Dickey:

House Resolution No. 94

WHEREAS, Various Members of the Assembly will desire to have shipped to their various places of residence their bill files and other printed matter for use during the constitutional recess; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing, and other material as is necessary for the purpose of shipping same properly packed to said members, and the State Controller is hereby authorized to draw his warrant on the Contingent Fund of the Assembly in favor of Wilkie Ogg, Sergeant-at-Arms, in an amount not to exceed eight hundred fifty dollars ($850), and the State Treasurer is hereby authorized to pay the same. The Sergeant-at-Arms of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above, during the said constitutional recess.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 94, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61.

NOES—None.

By Mr. Dickey:

House Resolution No. 95

Resolved by the Assembly of the State of California, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 95, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr Speaker—61.

NOES—None.

By Mr. Dickey:

House Resolution No. 96

WHEREAS, During the constitutional recess, the services of the officers, attaches, and employees of the Assembly will not be required, with certain exceptions; and

WHEREAS, It will be necessary for the Chief Clerk of the Assembly to conduct the business of the Assembly and to perform the duties provided by law, the Standing Rules of the Assembly and resolutions adopted by the Assembly; and

WHEREAS, There is considerable exacting detail pertaining to this session of the Legislature to be given attention, and a great amount of correspondence to be answered, and it will be necessary to carefully check the History and the Journal in order that all references of bills may be accurately shown; now, therefore, be it

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly is hereby directed to take charge of arranging and preparing books, bills, and all other records of the Assembly and filing with the Secretary of State such papers as ought to be filed in that office as provided by law and the indexing of the Semi-Final Calendar, which the State Printer is hereby directed to index under the supervision of the Chief Clerk of the Assembly, and the said Chief Clerk is hereby directed to correct, compile, and otherwise prepare the Journal of the Assembly for the 1949 Session of the Legislature, and to correct and perfect the records of the Assembly so that they may be properly filed after the sine die adjournment of the Assembly, and to compile and prepare and cause to have printed a Semi-Final Calendar of Legislative Business for the 1949 Session of the Legislature, said Calendar to contain titles of all measures introduced and their authors, the number of bills that have become law, and the number of resolutions that have been filed with the Secretary of State, and those bills that have been read the second time, and any and such information as will provide a history of the session's business and a guide for the information of subsequent sessions of the Legislature.

When the Semi-Final History is printed, Arthur A Ohnimus, Chief Clerk of the Assembly, is directed to forward one copy of this book to each Member of the Assembly and to each public library of the State which may apply for same; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a comparable rate paid during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and such sums shall be payable from the unexpended balance of the fund provided for the pay of officers and attaches of the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 96, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr Speaker—61.

NOES—None.

By Mr. Dickey:

House Resolution No. 97

Resolved, That the Chief Clerk of the Assembly be and he is hereby ordered and directed to prepare, during the constitutional recess, for use of the Members of the Legislature, a complete and comprehensive Legislative Manual or Handbook of the size and style uniform with similar publications of previous sessions, same to contain list of state officers, members and officers of both houses of the Legislature, list of committees and Rules of both houses and Joint Rules, together with indexes to the same, sessions of the California Legislature, record of legislation, the last primary and general election vote, and such other information as he may deem useful, to be printed and distributed pursuant to the statutory requirements, and the Chief Clerk is hereby empowered to employ such expert assistants, indexers, etc., as he may find necessary, and the State Controller is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in the sum not to exceed one thousand dollars ($1,000) to pay for such services, and the State Controller is authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him by the Chief Clerk as being entitled to the same, and the State Treasurer is hereby ordered and directed to pay the same, and the Chief Clerk of the Assembly is further directed to furnish the Controller with vouchers for all expenditures made by him in pursuance of the work set forth above during the said constitutional recess, and to furnish vouchers to the State Controller for any other moneys expended by him pursuant to the terms of this resolution, and the State Controller is hereby directed to draw his warrant for the payment of such bills as may be incurred by the Chief Clerk in carrying out the purposes of this resolution.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 97, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61.

NOES—None.

By Mr. Rosenthal:

House Resolution No. 98

Relative to the creation of the Assembly Interim Committee on Traffic Violations

WHEREAS, Violations of traffic laws are now common and are increasing daily and are causing loss of life and damage to property; and

WHEREAS, It appears that there is a lack of uniformity as to the fines and other punishments imposed on those violators who are apprehended; and

WHEREAS, In order to ascertain what, if any, legislation is needed to remedy this situation, it is necessary that the Assembly have complete information on these matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Traffic Violations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 33 (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 33—Relative to adjournment in respect to the memory of Mrs. Mary K. Behrens.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 27 (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 27—Relative to assistance to producers of livestock in the intermountain states.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 18 (BY UNANIMOUS CONSENT)

Assembly Joint Resolution No. 18—Relative to memorializing the President and Congress to have the Mammoth Pass Road in California constructed as a postwar construction project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED) (BY UNANIMOUS CONSENT) CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 5—Relative to memorializing the President and the Congress of the United States in relation to agricultural compositions and extensions under the Federal Bankruptcy Law.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 5?

Amendment No. 1

On page 2, lines 13 and 14, of the printed measure, strike out "a permanent part of the law of the United States" and insert "to be extended and for such additional time as may be deemed reasonable by the Congress"

Amendment No. 2

On page 2, lines 15 and 16, of said measure, strike out "without the necessity of extending the operative effect thereof from time to time", and insert "during the period of such extension".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 5 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey,

Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Nicholson, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61.

NOES—None.

Assembly Joint Resolution No. 5 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER SENATE BILL NO. 27 WAIVED

Mr Beck waived his notice of motion to reconsider the vote whereby Senate Bill No. 27 was passed

Senate Bill No. 27 ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 62—An act providing for a declaration of a water shortage emergency by the governing body of a distributor of a public water supply, authorizing the regulation and restriction of water deliveries and consumption during a water shortage emergency, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 62?

Amendment No. 1

On page 1, line 2, of the printed bill, after "supply", insert ", whether publicly or privately owned and including a mutual water company,".

Amendment No. 2

On page 1, line 8, of said bill, following the period, insert "Excepting in event of a breakage or failure of a dam, pump, pipe line or conduit causing an immediate emergency, such declaration shall be made only after a public hearing at which consumers of such water supply shall have an opportunity to be heard to protest against such declaration and to present their respective needs to said governing board Notice of the time and place of such hearing shall be published once at least seven (7) days prior to the date of such hearing in a newspaper printed, published and circulated within the area in which such water supply is distributed if there be such newspaper, if not, then in any newspaper printed, published and circulated in the county in which such area is located "

Amendment No. 3

On page 1 of said bill, strike out line 16, and insert "regard to domestic use, sanitation and fire protection, after allocating and setting aside the amount of water which in the opinion of said governing board will be necessary to supply water needed for domestic use, sanitation and fire protection, such regulations may establish priorities in the use of water for other purposes and provide for the allocation, distribution and delivery of water for such other purposes, without discrimination between consumers using water for the same purpose or purposes;".

Amendment No. 4

On page 2, line 1, of said bill, following "consumers", insert "wilfully".

Amendment No. 5

On page 2, line 10, of said bill, strike out the period, and insert "; provided, however, that any distributor of water which is subject to regulation by the State Public Utilities Commission shall before making such regulations and restrictions effective secure the approval thereof by said Public Utilities Commission."

Amendment No. 6

On page 2 of said bill, between lines 10 and 11, insert

"SEC. 4. Nothing herein contained shall be construed to prohibit or prevent review by any court of competent jurisdiction of any finding or determination by a governing board of the existence of an emergency or of regulations or restrictions adopted by such board, pursuant to this act, on the ground that any such action is fraudulent, arbitrary or capricious."

Amendment No. 7

On page 2, line 11, of said bill, strike out "4", and insert "5".

Amendment No. 8

On page 2, line 21, of said bill, strike out "human consumption" and insert "domestic use".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 62 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61

NOES—None.

Assembly Bill No. 62 ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 9
Senate Joint Resolution No. 10

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 11
Senate Joint Resolution No. 17

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 9 (BY UNANIMOUS CONSENT)

Senate Joint Resolution No. 9—Relative to funds for the Joint Commission for the Eradication of Foot and Mouth Disease in the Republic of Mexico.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, and Mr. Speaker—61

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 10 (BY UNANIMOUS CONSENT)

Senate Joint Resolution No. 10—Relative to the Federal Livestock Disease Research Laboratory.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 17 (BY UNANIMOUS CONSENT)

Senate Joint Resolution No. 17—Relative to memorializing Congress to consider flood control needs in California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 11 (BY UNANIMOUS CONSENT)

Senate Joint Resolution No. 11—Relative to memorializing the President and the Congress of the United States in relation to establishing a 10-Year Experimental Range Program.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62

NOES—None.

Resolution ordered transmitted to the Senate.

RECESS

At 3.42 p.m., on motion of Mr. Dickey, the Assembly recessed until 4.45 p.m.

REASSEMBLED

At 4.45 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Joint Resolution No. 20: By Mr. Ralph C. Dills—Relative to the establishment of an Air Force Academy.

Referred to Committee on Rules.

Assembly Bill No. 2493: By Mr Ralph C. Dills—An act making an appropriation for school district public works.

Referred to Committee on Education.

Assembly Bill No. 2494: By Mr. Coats—An act to amend Section 1503 of the Welfare and Institutions Code, relating to aid to needy children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2495: By Messrs. Connolly, Brown, Caldecott, Grunsky, and McCarthy—An act to amend Section 129 of the Code of Civil Procedure, relating to rules of court.

Referred to Committee on Judiciary.

Assembly Bill No. 2496: By Mr. Grunsky—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2497: By Mr. Lowrey—An act to amend Section 6518.5 of the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Public Health.

Assembly Bill No. 2498: By Mr. Reagan—An act to add Section 18007 to the Government Code, relating to salaries of state officers and employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2499: By Mr. Lipscomb—An act to amend the titles of Articles 3 and 5 of, Chapter 2 of Part 2 of Division 12, and to amend Sections 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13390, and 13397.1 of, and to add Sections 13203.1, 13204.1, and Article 5 of Chapter 2 of Part 2 of Division 12, comprising Sections 13405 to 13417, inclusive, to, the Health and Safety Code, relating to dry cleaners.

Referred to Committee on Public Health.

Assembly Bill No. 2500: By Mr. Lipscomb—An act to amend Section 9545 of the Business and Professions Code, relating to the expiration of licenses.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2501: By Mr. Lipscomb—An act to amend Section 13368 of the Health and Safety Code, relating to construction of the roof of a hazardous building of a clothes cleaning establishment.

Referred to Committee on Public Health.

Assembly Bill No. 2502: By Messrs. Waters and Sam L. Collins—An act to amend Section 6050 of the Elections Code, relating to voting machines.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2503: By Mr. Coats—An act to amend Section 92 of the Unemployment Insurance Act, relating to veterans' and farm and placement services.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2504: By Mr Coats—An act to amend Section 4802 of the Elections Code, relating to statements of expenditures for or against measures.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2505: By Mr. Coats—An act to amend Section 4570 of the Elections Code, relating to campaign expenditures.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2506: By Mr. Coats—An act to amend Section 4530 of the Elections Code, relating to campaign statements.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2507: By Mr. Rosenthal—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2508: By Mr. Crichton—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to licenses.

Referred to Committee on Public Morals.

Assembly Bill No. 2509: By Mr Stewart—An act to provide for a survey of mountain watersheds as they affect California's water supply, to be made by the Division of Forestry, Department of Natural Resources, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2510: By Mr. Rosenthal—An act to amend Section 1194 of the Code of Civil Procedure, relating to enforcement of liens

Referred to Committee on Judiciary.

Assembly Bill No. 2511: By Mr Ralph C. Dills—An act to establish the Department of Small Loans, creating the Office of Industrial and Personal Property Loan Commissioner, and prescribing his powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2512: By Mr. Lewis—An act to amend Section 204 of the Code of Civil Procedure, relating to jury lists.

Referred to Committee on Judiciary.

Assembly Bill No. 2513: By Mr. Evans—An act to amend Section 1282 of the Business and Professions Code, relating to qualified laboratory operators.

Referred to Committee on Public Health.

Assembly Bill No. 2514: By Mr. Evans—An act to amend Section 2725 of the Business and Professions Code, relating to the practice of nursing.

Referred to Committee on Public Health.

Assembly Bill No. 2515: By Mr. Evans—An act to amend Section 4162 of the Business and Professions Code, relating to sale of hypodermic syringes and needles.

Referred to Committee on Public Health.

Assembly Bill No. 2516: By Mr. Evans—An act to add Section 1289 to the Business and Professions Code, relating to acceptance of specimens for laboratory tests.

Referred to Committee on Public Health.

Assembly Bill No. 2517: By Mr. Evans—An act to amend Section 18931 of the Government Code, relating to qualifications and fitness of employees.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2518: By Mr. Evans—An act to amend Section 1288 of the Business and Professions Code, relating to clinical laboratories.

Referred to Committee on Public Health.

Assembly Bill No. 2519: By Mr Dickey—An act to add a new section to be numbered 55.9 to the Alcoholic Beverage Control Act, relating to credit terms.

Referred to Committee on Public Morals.

Assembly Bill No. 2520: By Messrs. Elliott and Hawkins—An act to amend Sections 2, 3, and 4 and to add Section 4.5 to the Community Land Chest Act, relating to housing of persons of low income, veterans, and others to community redevelopment and to replacement of temporary war housing with permanent housing and providing for the administration of said act.

Referred to Committee on Military Affairs.

Assembly Bill No. 2521: By Messrs. Elliott and Hawkins—An act to provide for housing, prescribing the powers and duties of the State Redevelopment Agency in connection with the emergency housing shortage and community redevelopment, authorizing the issuance and sale of

revenue bonds payable from net revenues from housing projects under this act, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2522: By Messrs. Elliott and Hawkins—An act to provide for the assistance and cooperation of the State with local communities for the clearance of slum and blighted areas and the development of low rent housing units; and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2523: By Messrs. Connolly, Maloney, McCarthy, Meyers, Berry, Brady, George D. Collins, and Gaffney—An act to add Section 205.5 to the Welfare and Institutions Code, relating to the establishment and maintenance of alcoholic rehabilitation clinics and making an appropriation therefor.

Referred to Committee on Public Morals.

Assembly Bill No. 2524: By Mr. Hinckley—An act to amend Section 5424, and to repeal Sections 5425 and 5426 of the Public Resources Code, relating to recreation park and parkway districts, and annexations thereto and withdrawals therefrom.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2525: By Mr. McCollister—An act to amend Sections 3, 8, and 14 of Act 7506a of the General Laws, constituting the Sanitation and Sewer Revenue Bond Act of 1941, entitled "An act authorizing municipalities as herein defined to acquire, construct, improve and extend within and without their limits sanitation and sewer revenue-producing enterprises as herein defined, and providing an additional and alternative method of financing such enterprises through the issuance of revenue bonds payable solely from the revenues of such enterprises, and in no respect secured by the taxing power; limiting the issuance of revenue bonds to the enterprises defined herein and excluding therefrom systems for the generation, production or distribution of electricity, gas or water; authorizing such municipalities to maintain and operate such enterprises and to prescribe, revise and collect fees, tolls, rates, rentals and other charges for the services and facilities furnished thereby; regulating the issuance of such revenue bonds; providing for their payment and the rights and remedies of the holders thereof" so as to authorize municipalities as therein defined to make and perform contracts with industrial establishments for the provision and operation by the municipality of sewerage facilities to abate or reduce the pollution of water by industrial waste and for payments by the industrial establishment to compensate the municipality for providing such sewerage facilities, to authorize the subordination of certain bonds, and so as to authorize municipalities as therein defined to accept grants, contributions or loans from and to enter into contracts and cooperate with and accept cooperation from the United States of America in action preliminary to construction and in the construction, maintenance and operation of any enterprise as therein defined.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2526: By Mr. Way—An act to add Section 55.8 to the Alcoholic Beverage Control Act, relating to sales of distilled spirits at wholesale and at retail.

Referred to Committee on Public Morals.

Assembly Bill No. 2527: By Mr. Dunn—An act to amend Section 7031 of the Business and Professions Code, relating to the regulation of contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2528: By Mr. Dunn—An act providing for the study of the coypu, sometimes known as the nutria, and the uses of its pelt.

Referred to Committee on Fish and Game.

Assembly Bill No. 2529: By Messrs. Dunn, Rumford, and Lincoln —An act to amend Section 403 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the third class.

Referred to Committee on Education.

Assembly Bill No. 2530: By Mr. Dunn—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Referred to Committee on Education.

Assembly Bill No. 2531: By Mr. Dunn—An act to amend Section 13085 of the Education Code, relating to employment of certificated school employees.

Referred to Committee on Education.

Assembly Bill No. 2532: By Mr Dunn—An act relating to privately owned ambulances, including the regulation of the owners and operators thereof and prohibiting certain practices by such owners and operators and by hospitals in connection therewith.

Referred to Committee on Public Health.

Assembly Bill No. 2533: By Mr. Dunn—An act making an appropriation for the construction and operation of public and other nonprofit hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 2534: By Mr. Burkhalter—An act to amend Section 19485 of the Business and Professions Code, relating to track operators' license fees, and making disposition of funds.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2535: By Mr. Burkhalter—An act to amend Section 28003 of the Health and Safety Code, relating to horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 2536: By Mr. Burkhalter—An act making an appropriation for the construction of a highway in the City of Los

Angeles in cooperation with the City of Los Angeles or the County of Los Angeles, or both.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2537: By Mr. Burkhalter—An act to impose a special tax and regulate sales and distribution in this State of moving picture films sold or distributed by any person, firm, corporation or association in this State, and to provide methods and penalties for the enforcement of such tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2538: By Mr. Burkhalter—An act to impose a tax and to regulate sales and distribution in this State of moving picture films sold or distributed for commercial exhibition by any person, firm, corporation or association in this State and to provide methods and penalties for the enforcement of such tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2539: By Mr. Burkhalter—An act to provide for the regulation and licensing of greyhound racing and race meetings, and to permit wagering on the results thereof; to create the California Greyhound Racing Board for the regulation, licensing and supervision of greyhound racing and wagering thereon; to provide penalties for the violation of the provisions of this act, and to make an appropriation therefor.

Referred to Committee on Public Morals.

Assembly Bill No. 2540: By Messrs. Kilpatrick, Way, Hahn, Bennett, Babbage, Burke, and Price—An act to add Sections 4025, 4026, and 4027 to the Penal Code, relating to county jails.

Referred to Committee on Judiciary.

Assembly Bill No. 2541: By Mr. Smith—An act to amend Section 5 of "An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems," approved April 26, 1935, to remove the limitation on the amount of the principal of indebtedness.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2542: By Mr. Berry—An act to add Article 6.5, comprising Sections 26610 to 26613, inclusive, to Chapter 3 of Division 21 of the Health and Safety Code, relating to the Commission for Kosher Meat Inspection.

Referred to Committee on Public Health.

Assembly Bill No. 2543: By Messrs Berry and Gaffney—An act to amend Section 7026 and to add Section 7026a and to amend Section 7044 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2544: By Messrs. Berry and Gaffney—An act to add Section 7044(c) to the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2545: By Mr. Grunsky—An act to add Chapter 5 to Division 7, Title 1 of the Government Code, relating to the liability of the State.

Referred to Committee on Judiciary.

Assembly Bill No. 2546: By Mr. Grunsky—An act to amend Section 1676 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2547: By Mr. Grunsky—An act to amend Section 1401 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2548: By Mr. Price—An act to amend Sections 5024 and 5283 of the Streets and Highways Code, relating to street improvement.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2549: By Mr. Price—An act to amend Section 2804 of the Streets and Highways Code, relating to petition for improvements and waiver of investigation proceedings.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2550: By Messrs. Tomlinson and Geddes—An act to amend Section 897 and to repeal Section 898 of the Military and Veterans Code, relating to the Veterans Dependents' Education Fund.

Referred to Committee on Military Affairs

Assembly Bill No. 2551: By Messrs. Tomlinson and Geddes—An act to add Section 24.5 to the Unemployment Insurance Act, relating to the Department of Employment Contingent Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2552: By Mr. Hollibaugh—An act to amend Section 1620 of the Welfare and Institutions Code, relating to places for the reception, care, and education of children.

Referred to Committee on Social Welfare.

Assembly Bill No. 2553: By Mr. Hollibaugh—An act to amend Section 2300 of the Welfare and Institutions Code, relating to places for the care and reception and care of aged persons.

Referred to Committee on Social Welfare.

Assembly Bill No. 2554: By Messrs. Brown and Beck—An act to add Section 18.5 to the Code of Civil Procedure, relating to the signing of documents.

Referred to Committee on Judiciary.

Assembly Bill No. 2555: By Messrs. Brown, Beck, Caldecott, Grunsky, George D. Collins, and Connolly—An act to add Section 226a to the Civil Code, relating to consent of natural parents to adoption.

Referred to Committee on Judiciary.

Assembly Bill No. 2556: By Messrs Brown, Beck, Rosenthal, Caldecott, and George D. Collins—An act to prohibit the possession, use or operation of slot machines or like devices, prescribing the penalty for violations of this act, and providing for the confiscation of such machines.

Referred to Committee on Public Morals.

Assembly Bill No. 2557: By Mr. Brown—An act to amend Section 647 of the Penal Code, relating to vagrants.

Referred to Committee on Judiciary.

Assembly Bill No. 2558: By Mr. Brown—An act to amend Section 1338 of the Penal Code, relating to notice of conditional examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 2559: By Mr. Brown—An act to add Section 5002 to the Welfare and Institutions Code, relating to examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 2560: By Messrs. Brown, George D. Collins, Caldecott, and Beck—An act to repeal Sections 225, 226, 227, 228, 229, 230, 231, and 232 of the Penal Code, relating to duels.

Referred to Committee on Judiciary.

Assembly Bill No. 2561: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 283 of the Penal Code, relating to punishment for bigamy.

Referred to Committee on Judiciary.

Assembly Bill No. 2562: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 273d of, and to add Section 273 to, the Penal Code, relating to wilful corporal injury to wife or child.

Referred to Committee on Judiciary.

Assembly Bill No. 2563: By Messrs. Brown, Rosenthal, Caldecott, and Beck—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Referred to Committee on Judiciary.

Assembly Bill No. 2564: By Messrs. Brown, Rosenthal, George D. Collins, and Beck—An act to amend Section 3051 of the Penal Code, relating to persons sentenced for petty theft after felony conviction.

Referred to Committee on Judiciary.

Assembly Bill No. 2565: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Sections 1157 and 1192 of the Penal Code, relating to the degree of crime.

Referred to Committee on Judiciary.

Assembly Bill No. 2566: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 4550 of the Penal Code, relating to rescues.

Referred to Committee on Judiciary.

Assembly Bill No. 2567: By Messrs. Brown and Caldecott—An act to amend Section 3704 of the Penal Code, relating to insane persons sentenced to death.

Referred to Committee on Judiciary.

Assembly Bill No. 2568: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 1476 of the Penal Code, relating to writs of habeas corpus, and the manner of indicating presentation thereof and the action of the court thereon.

Referred to Committee on Judiciary.

Assembly Bill No. 2569: By Messrs Brown, George D. Collins, and Beck—An act to repeal Section 367e of the Penal Code, relating to operating a motor vehicle while intoxicated.

Referred to Committee on Judiciary.

Assembly Bill No. 2570: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 405 of the Penal Code, relating to punishment for riot.

Referred to Committee on Judiciary.

Assembly Bill No. 2571: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 489 of the Penal Code, relating to the punishment for the crime of grand theft.

Referred to Committee on Judiciary.

Assembly Bill No. 2572: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2573: By Messrs. Brown, George D. Collins, and Beck—An act to repeal Sections 220 and 221 of the Penal Code, relating to assaults.

Referred to Committee on Judiciary.

Assembly Bill No. 2574: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to repeal Section 681 of the Penal Code as added by Chapter 583 of the Statutes of 1913 and to add Section

2654a to the Penal Code, relating to the punishment and treatment of persons in state, county, and city institutions.

Referred to Committee on Judiciary.

Assembly Bill No. 2575: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 1260 of the Penal Code, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2576: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Sections 27700, 27703, 27705, 27706, 27708, 27709, and 27710, of the Government Code, to add Sections 27705.1 and 27711 thereto, and to repeal Sections 27702 and 27707 thereof, relating to public defenders.

Referred to Committee on Judiciary.

Assembly Bill No. 2577: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Sections 987a and 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Referred to Committee on Judiciary

Assembly Bill No. 2578: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 987a of the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Referred to Committee on Judiciary.

Assembly Bill No. 2579: By Messrs. Brown, Caldecott, George D. Collins, Rosenthal, and Beck—An act to amend Section 995 of the Penal Code, and to add Section 999a thereto, relating to proceedings after indictment.

Referred to Committee on Judiciary.

Assembly Bill No. 2580: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 69 of the Penal Code, relating to punishment for crime of resisting an executive officer.

Referred to Committee on Judiciary.

Assembly Bill No. 2581: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 148 of the Penal Code, relating to punishment for resisting a public officer.

Referred to Committee on Judiciary.

Assembly Bill No. 2582: By Messrs. Brown, Rosenthal, George D Collins, and Beck—An act to amend Section 147 of the Penal Code, relating to punishment for inhumanity toward prisoners.

Referred to Committee on Judiciary.

Assembly Bill No. 2583: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 149 of the Penal Code, relating to punishment of public officers for assaults.

Referred to Committee on Judiciary.

Assembly Bill No. 2584: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 653f of the Penal Code, relating to the soliciting of the commission of a crime and the evidence upon which conviction may be had.

Referred to Committee on Judiciary.

Assembly Bill No. 2585: By Messrs. Brown, Caldecott, George D. Collins, Rosenthal, and Beck—An act to amend Section 1026 of the Penal Code, relating to the trial and release of the criminally insane.

Referred to Committee on Judiciary.

Assembly Bill No. 2586: By Messrs. Brown, George D. Collins, and Beck—An act to add Section 686.5 to the Penal Code, relating to waiver by witnesses of the privilege against self-incrimination, and to the admission in evidence of testimony taken at preliminary hearings.

Referred to Committee on Judiciary.

Assembly Bill No. 2587: By Messrs. Brown, Caldecott, George D. Collins, Rosenthal, and Beck—An act to amend Sections 1089 and 1098 and to add Section 1070.5 to the Penal Code, relating to the number of challenges in criminal cases.

Referred to Committee on Judiciary.

Assembly Bill No. 2588: By Messrs. Brown, Caldecott, George D. Collins, Rosenthal, and Beck—An act to amend Sections 1123 and 1140 and to repeal Section 1139 of the Penal Code, relating to discharge of jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 2589: By Messrs. Brown, George D. Collins, and Beck—An act to amend Section 1203 of the Penal Code and Section 11715.6 of the Health and Safety Code, relating to the granting of probation.

Referred to Committee on Judiciary.

Assembly Bill No. 2590: By Messrs. Brown, Rosenthal, George D. Collins, and Beck—An act to amend Section 1203 of the Penal Code, to repeal Sections 11715.6 and 11722 of the Health and Safety Code, and to repeal Section 4 of the Dangerous Weapons' Control Law, relating to the granting of probation.

Referred to Committee on Judiciary.

Assembly Bill No. 2591: By Messrs. Brown, Caldecott, George D. Collins, Rosenthal, and Beck—An act to amend Section 1041 of the Penal Code, defining issue of fact.

Referred to Committee on Judiciary.

Assembly Bill No. 2592: By Messrs Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Sections 858 and 987 of the Penal Code, relating to the duty of magistrates and courts to inform defendants of their right to counsel, and to the assignment of counsel.

Referred to Committee on Judiciary.

Assembly Bill No. 2593: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Sections 337c, 337d, 337e, 337f, 337.3, and 337.7 of the Penal Code, relating to crimes in connection with sporting events, contests and exhibitions, including horse racing, baseball, football, boxing and wrestling.

Referred to Committee on Public Morals.

Assembly Bill No. 2594: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Section 1181 of the Penal Code, relating to new trials.

Referred to Committee on Judiciary.

Assembly Bill No. 2595: By Messrs Brown, George D. Collins, Caldecott, and Beck—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Referred to Committee on Judiciary.

Assembly Bill No. 2596: By Messrs. Brown, Rosenthal, and Caldecott—An act to amend Section 403 of the Penal Code, relating to disturbing public meetings.

Referred to Committee on Judiciary.

Assembly Bill No. 2597: By Messrs. Brown and Caldecott—An act to repeal Section 645 of the Penal Code, relating to the prevention of procreation of persons convicted of carnal abuse of females under the age of 10 years.

Referred to Committee on Judiciary.

Assembly Bill No. 2598: By Messrs. Brown, Rosenthal, Caldecott, and Beck—An act to amend Section 1238 of the Penal Code, relating to the taking of appeals by the people.

Referred to Committee on Judiciary.

Assembly Bill No. 2599: By Messrs. Brown, Rosenthal, George D. Collins, Caldecott, and Beck—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 995, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1204, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468, and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code, and to repeal the heading of Title 2, Part 2, and Sections 779, 780, 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144,

1247e, 1426, 1426.1, 1428.1. 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 975, and 1167 to said code, relating to proceedings in criminal cases.

Referred to Committee on Judiciary.

Assembly Bill No. 2600: By Messrs. Reagan and Levering—An act to add Section 58.1 to the Unemployment Insurance Act, relating to fraudulent securing of benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2601: By Mr. Fletcher—An act to amend Sections 5, 6, and 20½ of the Alcoholic Beverage Control Act, relating to the licensing of the manufacture, distribution and sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2602: By Mr. Waters—An act to amend Section 3513 of the Revenue and Taxation Code, relating to the contents of deed.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2603: By Mr. Waters—An act to amend Sections 3353, 3354, 3355, 3358, 3359, 3511, 4653, and to repeal Chapter 3 of Part 6, consisting of Sections 3476, 3477, 3478, 3479, 3480, and 3481, and Sections 3490, 3491, 3492, 3493, 4654, of the Revenue and Taxation Code, relating to the sale and deeding of tax-sold property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2604: By Mr. Waters—An act to amend Sections 4916 and 4925 of; and add Section 5097.1 to the Revenue and Taxation Code, relating to the refund of duplicate and excess tax payments

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2605: By Mr. Waters—An act to amend Sections 4653, 4653.1, to repeal Section 4655 and to add Chapter 1.3 to Part 8 Division 1, consisting of Sections 4670, 4671, 4672, and 4673 to the Revenue and Taxation Code, relating to distribution of proceeds from sale of tax-deeded property.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2606: By Mr. Caldecott—An act to amend Section 6729 of the Welfare and Institutions Code, relating to persons discharged from a state hospital.

Referred to Committee on Judiciary.

Assembly Bill No. 2607: By Mr. Caldecott—An act to amend Section 1664 of the Probate Code, relating to the discharge of a person from a facility of the Veterans Administration.

Referred to Committee on Judiciary.

Assembly Bill No. 2608: By Mr. Caldecott—An act to add Article 6.5 to Chapter 3 of Part 2 of Division 3 of Title 2 of the Government Code, relating to public records

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2609: By Mr. Caldecott—An act to amend Section 18590 of the Government Code, relating to state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2610: By Mr. Caldecott—An act to add Article 7.5, comprising Sections 1200 to 1206, inclusive, to Chapter 1, Division 4, Title 1, of the Government Code, and to repeal Sections 31202, 31203, 31204, 31205, 31206, 31207, and 31208 of said code, relating to retirement rights of employees transferred from one public agency to another public agency.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2611: By Messrs. Rosenthal and Gaffney—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability benefits.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2612: By Messrs. Kilpatrick and Hawkins—An act to amend Division 9, Chapter 3 of the Vehicle Code by adding Section 459.6 thereto, regarding the regulation of traffic on private roads in housing projects or within the site of housing owned or operated by housing authorities, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2613: By Mr. Meyers—An act to amend California Vehicle Code, by adding a new section defining a new motor vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2614: By Mr. Meyers—An act to amend Section 469 of the California Vehicle Code, as follows:

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2615: By Mr. Dolwig—An act to amend the Streets and Highways Code by adding Section 5829.1, relating to joint sanitary disposal sewers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2616: By Mr. Dolwig—An act to amend the Health and Safety Code by adding Sections 4636.8, 4667, 4843, 4888, and 6823, relating to joint sanitary disposal sewers.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2617: By Mr. Dolwig—An act to amend the Sanitation and Sewer Revenue Bond Act of 1941, in relation to the collection of revenue.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2618: By Mr. Dolwig—An act to amend the Sewer Revenue Bond Act of 1939 in relation to public corporations and the collection of revenues.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2619: By Mr. Dolwig—An act to amend Chapters 5 and 6, Part 3 of Division 5 of the Health and Safety Code, relating to the collection of sewer revenue charges.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2620: By Mr. Dolwig—An act to amend Sections 4781, 4782, and 4788, and to add Sections 4800 and 4801 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2621: By Mr. Dolwig—An act to amend Sections 8560, 8651, Business and Professions Code, relating to Structural Pest Control Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2622: By Mr. Dolwig—An act to amend Sections 2820, 5500, and 8702, and to add Sections 5906, 2932, and 6464 to the Streets and Highways Code, relating to special assessment and bond proceedings for financing the cost of sanitary sewers and other local improvements

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2623: By Mr. Dolwig—An act to amend Section 5805 of the Labor Code, relating to the issuance of certified copies of awards, and to executions.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2624: By Mr. Dolwig—An act to amend the title and Sections 1a, 1b, 5, 15, and 19, the repeal of Sections 1c and 3a, and to add Sections 2a, 2b, 4a, 5a, 8a, 18a, 18b, 18c, and 18d, to the Municipal Improvement Act of 1913, relating to the acquisition or construction of sanitary sewers and other local improvements.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2625: By Mr. Dolwig—An act to amend Sections 8505, 8506, 8521, 8522, 8525, 8531, 8533, 8554, 8560, 8561, 8562, 8564, 8565, 8567, 8568, 8569, 8570, 8571, 8572, 8592, 8610, 8620, 8632, 8637, 8638, 8639, 8640, 8641, 8644, 8648, 8651, Business and Professions Code, relating to Structural Pest Control Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2626: By Mr. Dolwig—An act to amend Sections 6484, 6485, 6611, and 6647, and to add Sections 6497, 6531, 6629, and 6654 to the Health and Safety Code, relating to sanitary districts

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2627: By Mr. Dolwig—An act to amend Section 11663 of the Insurance Code, relating to workmen's compensation liability of general and special employers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2628: By Mr. Dolwig—An act to amend Sections 41 and 42 and to add Section 39.2 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2629: By Mr. Dolwig—An act to amend Section 9801 of the Elections Code, relating to ballots in municipal elections.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2630: By Messrs. Butters, Burke, Clarke, Erwin, and Hoffman—An act to protect the right to work and to declare the public policy of California with respect to membership or nonmembership in labor organizations as affecting the rights to work; to make unlawful and to prohibit contracts or combinations which require membership in labor unions, organizations or associations as a condition of employment; to provide that membership in or payment of money to any labor organization or association shall not be necessary for employment or for continuation of employment and to authorize suits for damages.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2631: By Mr. Butters—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2632: By Mr. Evans—An act to add Section 141 to the Welfare and Institutions Code, relating to security payments to the aged and needy blind under Article XXV of the Constitution, and providing a procedure for the issuance of duplicate warrants therefor, in case of loss of destruction of original warrants issued by the State Controller, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Social Welfare.

Assembly Bill No. 2633: By Mr. Anderson—An act to amend Section 59.5 of the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2634: By Messrs. Hawkins and Anderson—An act to add Chapter 7 to Part 2 of Division 3 of Title 2 of the Government Code, comprising Sections 12576 to 12580, inclusive, relating to cooperative action between the State and the Federal Government, local governments, industry, labor, and agriculture for the purpose of assuring continuing high production and full employment in a free competitive economy.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2635: By Mr. Hawkins—An act to create a public agency of the State to be known as the California Housing Authority to undertake slum clearance and projects to provide dwelling accommodations for persons of low income in the State; to define the powers and duties of the California Housing Authority and to provide for the exercise of such powers, including borrowing money; issuing bonds and giving security therefor; making contributions; acquiring property; to exempt the property of the California Housing Authority from taxation and assessments; and to authorize certain payments in lieu of such taxation and assessments.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2636: By Mr. Hawkins—An act to prohibit the inclusion of questions relative to race or religion in application blanks or forms.

Referred to Committee on Judiciary.

Assembly Bill No. 2637: By Mr. Hawkins—An act to repeal Sections 2071 and 2072 of, and to add Section 2071 to, the Insurance Code, relating to fire insurance policies.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2638: By Mr. Caldecott—An act to add Section 20586 to the Government Code, relating to the inclusion of county peace officers in the State Retirement System.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2639: By Mr. Dunn—An act amending Section 1031 of the Education Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2640: By Mr. Morris—An act to add Chapter 1.5 to Division 8 of the Business and Professions Code, comprised of Sections 18500 to 18571, inclusive, relating to regulation of automobile and motorcycle racing and making an appropriation.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2641: By Mr. Anderson—An act to amend Section 464 of the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2642: By Mr. Condon—An act to add Article 6 to Chapter 5 of Part 2 of Division 4 of the Fish and Game Code, relating to the taking of crabs for commercial purposes.

Referred to Committee on Fish and Game.

Assembly Bill No. 2643: By Mr Condon—An act to amend Section 397 of the Penal Code, relating to the sale of intoxicating liquors to common drunkards, Indians, insane or incompetent persons.

Referred to Committee on Public Morals

Assembly Bill No. 2644: By Mr. Condon—An act to add Section 16439 to the Education Code, relating to safety guards in the public schools.

Referred to Committee on Education.

Assembly Bill No. 2645: By Mr. Condon—An act to amend Section 6506 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2646: By Mr. Condon—An act to amend Section 4650 and to repeal Section 4652 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2647: By Mr. Condon—An act to amend Section 4751 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2648: By Mr. Condon—An act to amend Section 4453 of the Labor Code, relating to workmen's compensation rate of payments.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2649: By Mr. McCollister—An act to amend Section 11000 of the Business and Professions Code, relating to subdivided lands.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2650: By Mr. McCollister—An act to amend Section 20013 of the Government Code, and to add Sections 20014.6, 20017.8, and 20017.9 thereto, relating to the State Employees' Retirement System, establishing the classification of alcoholic beverage control enforcement members, and making the provisions applicable to patrol members of the system applicable thereto.

Referred to Committee on Public Morals.

Assembly Bill No. 2651: By Mr. Stewart—An act to amend Sections 18523 and 18801 of the Government Code and to add Sections 18523.5, 18802.5, and 18955 to said code, relating to classes and grades in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2652: By Mr. Clayton A. Dills—An act to add a new part to be numbered 12 to Division 2 of the Revenue and Taxation Code, comprising Sections 30000 to 30105, inclusive, to license, regulate and control the manufacture, transportation, sale, purchase, possession and disposition of cigarettes and other tobacco products; to levy an excise tax on the sale of cigarettes; to provide for the licensing of the manufacture, distribution and sale of cigarettes; to adopt and enforce fair trade practice regulations regulating the sale of cigarettes; to prescribe penalties for the violation of this act; to make an appropriation for the enforcement of this act; to take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2653: By Messrs. Connolly and Brown—An act to amend Section 963 of the Code of Civil Procedure, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2654: By Messrs. Connolly and Brown—An act to amend Section 1630 of the Probate Code, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2655: By Messrs. Connolly and Brown—An act to amend Section 1240 of the Probate Code, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2656: By Messrs. Connolly and Brown—An act to amend Section 974 of the Code of Civil Procedure, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2657: By Messrs. Connolly and Brown—An act to amend Section 983 of the Code of Civil Procedure, relating to appeals.

Referred to Committee on Judiciary.

Assembly Bill No. 2658: By Mr. Maloney—An act to add Section 30009 to the Streets and Highways Code, relating to toll bridges and other highway crossings.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2659: By Mr. Dickey—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2660: By Mr. Sherwin—An act to amend Sections 30601 and 30602 of the Streets and Highways Code, relating to the San Francisco-Oakland Bay Bridge.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2661: By Mr. Evans—An act to amend Section 337a of the Penal Code, relating to pool-selling and book-making.

Referred to Committee on Public Morals.

Assembly Bill No. 2662: By Messrs. Meyers, Beck, Berry, Brown, George D. Collins, Gaffney, Maloney, McCarthy, and Moss—An act to add Division 13 to the Streets and Highways Code, relating to streets and providing for and requiring uniform systems of street name signs and numbers.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2663: By Messrs. Meyers, Beck, Berry, Brown, George D. Collins, Gaffney, Maloney, McCarthy, and Moss—An act to amend Section 195 of the Streets and Highways Code, relating to expenditures by cities for street name signs.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2664: By Mr. Maloney—An act to amend Section 1156 of the Harbors and Navigation Code, relating to the Board of

Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2665: By Messrs. Caldecott and Brown—An act to amend Sections 25000, 25002, 25003, 25004, 25005, 25006, 25007, 25008, 25009, 25013, 25014, 25100, 25150, 25151, 25152, 25153, 25180, 25300, 25301, 25303, 25305, 25307, 25310, 25311, 25312, 25314, 25315, 25318, 25350, 25351, 25355, 25500, 25502, 25514, 25515, 25601, 25602, 25603, 25604, 25700, 25703, 25706, 25712, 25800, 25805, 25900, 26003, 26100, 26101, 26103, and 26104 of the Corporations Code, to amend the heading of Division 1 of Title 4 thereof and the heading of Article 3 of Chapter 2 of Division 1 of Title 4 thereof, to repeal Sections 25101 and 25154 thereof, and to amend and renumber Section 25102 to be Section 25101, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2666: By Mr. Lowrey—An act to add Sections 318.1, 318.2, and 318.3 to the Agricultural Code, relating to meat inspection.

Referred to Committee on Public Health.

Assembly Bill No. 2667: By Mr. Butters—An act to provide means to prevent or eliminate pollution of surface or underground waters, creating the Sanitation Fund in the State Treasury, and a State Sanitation Projects Boards, and making an appropriation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2668: By Messrs. Babbage, Fleury, Moss, Connolly, Brown, Butters, Cramer, and McCollister—An act to add Sections 24002a, 26510, and 26511 to the Government Code, and to repeal any statute or part thereof in conflict with these sections, relating to qualifications and salaries of district attorneys, and providing for payment thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2669: By Messrs. Levering and Reagan—An act to add Section 13322.5 to the Government Code, relating to the inclusion of a salary schedule in the budget.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2670: By Messrs. Levering and Reagan—An act to amend Sections 18852, 18853, and 18854 of the Government Code, relating to compensation of state employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2671: By Mr. Levering—An act to add Sections 12268 and 12628 to the Revenue and Taxation Code, relating to taxation of certain insurers.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2672: By Messrs. Evans and Clayton A. Dills—An act to amend Sections 4162 and 4165 of the Business and Professions Code, relating to hypodermic syringes and needles.

Referred to Committee on Public Health.

Assembly Bill No. 2673: By Messrs. Fleury and Moss—An act to amend Section 4751 of the Labor Code, relating to permanent disability of injured workmen.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2674: By Messrs. Meyers, Geddes, Beck, Brady, Dolwig, Doyle, Dunn, Grunsky, Lipscomb, Maloney, Morris, Rosenthal, and Stanley—An act to amend Section 1850.4 of the Insurance Code, relating to the definition of "casualty insurance" under Chapter 9, relating to rates and rating and other organizations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2675: By Mr. McCollister—An act to amend Section 2541 of, and to add Section 2542 to, the Elections Code, relating to the Office of Director of the Department of Social Welfare.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2676: By Mr. Lowrey—An act to amend Section 737eee of the Political Code, relating to compensation of the Judge of the Superior Court in and for Yolo County.

Referred to Committee on Judiciary.

Assembly Bill No. 2677: By Mr. Kirkwood—An act to add Chapter 8, comprising Sections 9700 to 9706, inclusive, to Division 9 of the Public Resources Code, relating to soil conservation

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2678: By Mr Kirkwood—An act to amend Section 13530 of the Government Code, relating to state printing and authorizing such printing to be done elsewhere than in the State Printing Office.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2679: By Mr. Kirkwood—An act to amend Section 374 of the Vehicle Code, and to add Section 10783 to, and amend Section 8101 of, the Revenue and Taxation Code, relating to exemptions of vehicles from certain taxes and fees.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2680: By Mr. Kirkwood—An act to amend Section 4845.05, 4845.06, 4845.07, 4845.08, 4845.09, 4845.11, 4845 12, and 4845.13 of, and to repeal Article 8b of Chapter 3, Part 3 of Division 5 of, the Health and Safety Code, relating to withdrawal of territory from county sanitation districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2681: By Mr. Kirkwood—An act to amend Section 6914 of the Health and Safety Code, relating to exclusion of territory from sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2682: By Mr. Kirkwood—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Referred to Committee on Education.

Assembly Bill No. 2683: By Mr. Kirkwood—An act to repeal Article 3 of Chapter 15 of Division 3 of the Education Code, to add Section 5153 6 to said code, and to add Article 3 to said chapter of said code, all relating to financial aid to school districts for emergencies.

Referred to Committee on Education.

Assembly Bill No. 2684: By Mr. Kirkwood—An act to add Section 5153.8 to the Education Code, and to add Article 13.5 to Chapter 15 of Division 3 of said code, relating to financial aid to school districts for growth.

Referred to Committee on Education.

Assembly Bill No. 2685: By Mr. Kirkwood—An act to repeal Article 2 of Chapter 15 of Division 3 of the Education Code; to add Section 5153.7 to said code, and to add Article 2 to Chapter 15 of Division 3 of said code, all relating to financial aid to school districts for the transportation of pupils.

Referred to Committee on Education.

Assembly Bill No. 2686: By Mr. Kirkwood—An act to amend Sections 1504, 1510, 1511, 1526, 1527, 1550, 1551, 1552, 1552.5, 1553, 1557, 1559, and 1560 of the Welfare and Institutions Code, to repeal Sections 1512, 1528, 1554, 1555, 1556, and 1556.5 thereof, and to add Section 1554 thereto, relating to aid to needy children, eliminating county participation in the administration thereof, providing for full state administration thereof, and making an appropriation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2687: By Mr. Kirkwood—An act to amend Sections 3406, 3420, 3430, 3431, 3444, 3450, 3460, 3462.1, 3470, 3471, 3472, 3473, 3474, and 3474.5 of the Welfare and Institutions Code, to repeal Sections 3421, 3432, 3461, 3463, 3473.2, 3480, 3481, and 3482 thereof, and to add Section 3480 thereto, relating to aid to partially self-supporting blind residents, providing for eliminating county participation in the administration thereof, full state administration thereof, and making an appropriation.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2688: By Mr. Kirkwood—An act to amend Sections 101, 103, 104.5, 104.6, 105.5, 111, and 123 of the Welfare and Institutions Code, to repeal Sections 102, 104, 105, and 106 thereof, and to add Sections 102 and 102.5 thereto, relating to the State Department of Social Welfare, abolishing the Social Welfare Board and transferring

its powers, duties, purposes, responsibilities, and jurisdiction to the Director of the Department of Social Welfare, designating the board or committee appointed by the Director as the Security Board and redefining the powers and duties of the Director of the Department of Social Welfare.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2689: By Messrs. Thompson and Kirkwood—An act to add Section 37a to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to inclusion of land.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2690: By Messrs Brown, Cooke, Clarke, Fleury, Babbage, Burkhalter, Dolwig, Erwin, Grunsky, Lowrey, and Moss—An act to add Chapter 10, consisting of Sections 4500 to 4628, inclusive, to Division 2 of the Business and Professions Code, to amend Section 101 of the Business and Professions Code and Section 11501 of the Government Code, relating to the care of the sick or afflicted by short course nurses, to schools for instructing or training short course nurses, to students in schools for instructing or training such nurses, the administration thereof, and making an appropriation.

Referred to Committee on Public Health.

Assembly Bill No. 2691: By Mr. Brown—An act to add Section 736c to the Political Code, relating to salaries of judges of the superior courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2692: By Mr. Brown—An act to amend Section 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2693: By Mr. Brown—An act to amend Section 737xx of the Political Code, relating to salaries of Superior Court Judges in the County of Stanislaus.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE JOINT RESOLUTION NO. 14 BE TAKEN UP, OUT OF ORDER

Mr. McCollister asked for, and was granted, unanimous consent that Senate Joint Resolution No. 14 be taken up, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 14

Senate Joint Resolution No. 14—Relative to memorializing the Congress of the United States in relation to repealing the transportation tax.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Sherwin, Smith, Stanley, Waters, Weber, and Mr. Speaker—55.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Added to Roll Call on Senate Joint Resolution No. 14

Messrs. Beck and Ralph C. Dills, asked for, and were granted, unanimous consent that they be recorded on the roll call on Senate Joint Resolution No. 14 as voting "Aye."

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2694: By Mr. Brown—An act to add Section 261d to the Code of Civil Procedure, relating to salaries of phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2695: By Mr. Brown—An act to add Section 261d to the Code of Civil Procedure, relating to fees for phonographic reporters.

Referred to Committee on Judiciary.

Assembly Bill No. 2696: By Mr. Brown—An act to amend Sections 31672 and 31677 of the Government Code, relating to county retirement systems.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2697: By Mr. Brown—An act to add Section 261 to the Revenue and Taxation Code, relating to veterans' and welfare property tax exemptions.

Referred to Committee on Military Affairs.

Assembly Bill No. 2698: By Mr. Brown—An act to amend Section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2699: By Mr. Brown—An act to add Section 1256 to the Revenue and Taxation Code, relating to assessors' maps and block-books.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2700: By Mr. Brown—An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2701: By Messrs. Weber, Geddes, Brown, Gaffney, George D. Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act to amend the headings of Articles 2, 4, 5, and 7, and to amend Sections 7, 10, 14, 15, 18, 24, 30, 31, 35, 38, 39, 40, 43, 44 to 49, inclusive, 55 to 61, inclusive, 63 to 65, inclusive, and 70 to 74, inclusive, and to renumber Sections 50, 59, and 72 of, and to add Sections 46.1, 46.2, 50, and 59 to, the Conservation and Planning Act, relating to conservation and planning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2702: By Messrs. Weber, Geddes, Brown, Gaffney, George D. Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act to amend Sections 20 and 22 of the Conservation and Planning Act, relating to the State Planning and Conservation Board.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2703: By Messrs. Weber, Geddes, Brown, Gaffney, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act making an appropriation for the support of the State Conservation and Planning Board during the 1949-1950 Fiscal Year.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2704: By Messrs. Weber, Gaffney, Brown, Fletcher, and Stanley—An act to amend Section 15530 of the Government Code, relating to physical planning councils and economic advisory councils, and to add Article 3.5 to the Conservation and Planning Act, relating to an Economic Advisory Council.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2705: By Messrs. Weber, Geddes, Brown, Gaffney, George D. Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act to add Sections 23.5, 25, and 26 to the Conservation and Planning Act, relating to planning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2706: By Messrs. Weber, Geddes, Brown, Gaffney, George D. Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act relating to regional development districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2707: By Messrs. Weber, Geddes, Brown, Gaffney, George D Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act adding Section 68 to the Conservation and Planning Act, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2708: By Messrs. Weber, Geddes, Brown, Gaffney, George D. Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act to add Sections 7 and 8 to "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and requisite open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2709: By Messrs. Weber, Geddes, Brown, Gaffney, George D Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act relating to the use and occupation of real property lying within the lines of public improvements adopted as precised plans under the Conservation and Planning Act, restricting the use or property within such lines, and prescribing the powers and duties of certain public officers in connection therewith.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2710: By Messrs. Weber, Geddes, Brown, Gaffney, George D. Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act to add Section 1239.5 to the Code of Civil Procedure, relating to eminent domain and the use of property acquired pursuant to eminent domain proceedings by the State and public agencies.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2711: By Messrs. Weber, Geddes, Brown, Gaffney, George D. Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act to add Article 10, comprising Sections 8001 to 8021, inclusive, to Chapter 4 of Part 3 of Division 6 of the Public Resources Code, relating to surveys and maps, creating the Office of State Supervisor of Maps and Surveys, and prescribing his powers and duties, making an appropriation therefor, and repealing "An act to provide for basic topographic mapping of the State of California and making an appropriation therefor," approved July 17, 1945.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2712: By Messrs. Weber, Geddes, Brown, Gaffney, George D Collins, Cramer, Dunn, Fletcher, Hahn, and Stanley—An act to amend Section 75 of the Streets and Highways Code, relating to highway planning.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2713: By Messrs. Weber, Geddes, Brown, George D Collins, Dunn, and Fletcher—An act to amend Section 70 of the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2714: By Messrs. Weber, Geddes, Brown, George D. Collins, Dunn, and Fletcher—An act to amend Section 100.1 of the Streets and Highways Code, relating to freeways.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2715: By Mr Weber—An act making an appropriation for a state office building in the City of Stockton.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2716: By Mr. Weber—An act to add Section 9105 of the Government Code, relating to the State Capitol Building, the management thereof, and the assignment and reassignment of space therein, declaring the urgency hereof, to take effect immediately.

Referred to Committee on Rules.

Assembly Bill No. 2717: By Mr. Weber—An act to add Section 9105 to the Government Code, relating to the State Capitol Building.

Referred to Committee on Rules.

Assembly Bill No. 2718: By Mr. Weber—An act to provide for the organization, government and management of oil and gas drilling districts, public bodies corporate and politic, to prescribe and define their powers, duties, purposes and responsibilities, to provide for the acquisition, construction, maintenance and operation of works and other property for the purposes of such districts, and for the dissolution of such districts.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 2719: By Mr. Weber—An act to add Chapter 4 to Part 2, Division 2, Title 2 of the Government Code, relating to the Commission on Constitutional Revision.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2720: By Mr. Weber—An act to add Section 1100.5 to the Government Code, relating to acquisition of real property by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2721: By Mr. Weber—An act to amend Section 6752 of the Business and Professions Code, relating to qualifications of a civil engineer.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2722: By Messrs. Grant and Weber—An act to provide for the development and improvement of state parks now or hereafter incorporated in the State Park System, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2723: By Messrs. Geddes, Weber, Brown, Gaffney, Fletcher, and Stanley—An act to provide for the establishment of master and official plans in cities, cities and counties, and counties, and for adoption of ordinances pursuant thereto; to prescribe the manner of adoption of such plans, portions thereof and amendments thereto, and the composition and effects thereof; to provide for the establishment of planning departments by cities, cities and counties, and counties, for the creation of regional and community planning districts and the appointment of planning commissions; to define the powers and duties of such departments, and to provide for appropriations and for the levy of special taxes for the support of planning departments, and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; and to repeal the Conservation and Planning Act, and an act entitled "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, Chapter 734, page 1419, Statutes of 1917, relating to conservation and planning, and any other acts inconsistent or in conflict therewith.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2724: By Mr. Rosenthal—An act to amend Section 739 of the Vehicle Code, relating to procedure upon arrest.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2725: By Mr. Rosenthal—An act to add Section 3051a to the Civil Code, relating to liens on personalty.

Referred to Committee on Judiciary.

Assembly Bill No. 2726: By Mr. Rosenthal—An act declaring the policy of the State of California relative to housing of legislators and legislative attaches, and creating a board to be known as the Legislative Housing Authority, and providing for membership thereof, and specifying its powers and duties; and authorizing the Legislative Housing Authority to build, purchase, condemn or otherwise acquire for and in the name of the State of California a site for the construction of housing accommodations for legislators and attaches; and authorizing the Legislative Housing Authority to construct, furnish and lease such accommodations under certain conditions; and appropriating $1,250,000 for the

purpose of establishing a Revolving Fund, and providing for the use thereof and the manner of reimbursement thereto.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2727: By Mr. Rosenthal—An act to add Section 1179b to the Code of Civil Procedure, relating to forcible entry and detainer.

Referred to Committee on Judiciary.

Assembly Bill No. 2728: By Mr. Cooke—An act making an appropriation to pay the claim of Jack Rose against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2729: By Messrs. Levering and Reagan—An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 2730: By Mr. Sherwin—An act to amend Section 37 of the Alcoholic Beverage Control Act, relating to the disposition of funds collected as license fees.

Referred to Committee on Public Morals.

Assembly Bill No. 2731: By Mr. McCollister—An act making an appropriation to the Department of Mental Hygiene to provide sanitation and sewer facilities for the Sonoma State Home.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2732: By Mr. McCollister—An act to amend Sections 985, 986.2, 986 3, 986.4, 986.5, 986.6, 986.9, and 987 of the Military and Veterans Code, relating to farm and home purchase.

Referred to Committee on Military Affairs.

Assembly Bill No. 2733: By Mr. Morris—An act to amend Section 6 of the Alcoholic Beverage Control Act, relating to licensees.

Referred to Committee on Public Morals.

Assembly Bill No. 2734: By Mr. Ralph C. Dills—An act to add Chapter 5 3, comprising Sections 2500 to 2544, inclusive, to Division 2 of the Business and Professions Code, relating to general practitioners.

Referred to Committee on Public Health.

Assembly Bill No. 2735: By Mr. Ralph C. Dills—An act to add Chapter 10, comprising Sections 4500 to 4584 to Division 2 of the Business and Professions Code, providing for the certification and examination of psychologists, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2736: By Mr. Clayton A. Dills—An act to add Part 12, comprising Section 30000 to 30150, inclusive, to Division 2 of the Revenue and Taxation Code, relating to the imposition of a tax on admissions to sporting events and contests and providing for the levying,

assessing, collecting, paying and disposing of such tax, and prescribing penalties for its violation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2737: By Mr. Price—An act to amend Section 1194.8 of the Insurance Code, relating to investments by life insurers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2738: By Mr. Caldecott—An act to amend Section 1239 of the Code of Civil Procedure, relating to the taking of property for public use.

Referred to Committee on Judiciary.

Assembly Bill No. 2739: By Messrs Fleury and Moss—An act to add Chapter 10, comprising Sections 21900 to 21916, inclusive, to Division 10 of the Education Code, relating to the regulation of private business schools, and making an appropriation

Referred to Committee on Education.

Assembly Bill No. 2740: By Mr. Lindsay—An act to amend Section 25690 of the Government Code, relating to use of water for power development

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2741: By Mr. Lindsay—An act to amend Section 736 of the Vehicle Code, and to add Section 736.2 thereto, relating to procedure upon arrest.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2742: By Messrs. Coats and Hoffman—An act to add Section 1185 to the Fish and Game Code, relating to birds.

Referred to Committee on Fish and Game.

Assembly Bill No. 2743: By Mr Thompson—An act to amend Sections 14151 and 14486 of the Health and Safety Code, relating to fire protection districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2744: By Mr. Thompson—An act to amend Section 6627 of the Business and Professions Code, relating to barbers.

Referred to Committee on Public Health.

Assembly Constitutional Amendment No. 59: By Mr. Sherwin—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 34 of Article IV thereof, relating to fiscal year budgets.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 60: By Messrs. Kilpatrick and Bennett—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by proposing to the people of the State of California an amendment to the Constitution of the State, by adding Section 14 to Article XVI thereof, relating to

the use of the proceeds of bonds issued under the Veterans Bond Act of 1946.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 61: By Mr. Ralph C. Dills—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding thereto a new article to be numbered XXVII embracing Sections 1 to 32, inclusive, relating to general practitioners

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 21: By Mr. Condon—Relative to memorializing the Congress of the United States to extend the benefits of the Social Security Laws to persons employed by proprietory governmental agencies.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 51: By Mr. Morris—Relative to motor vehicle parking facilities in Los Angeles

Referred to Committee on Rules

Assembly Bill No. 2745: By Messrs. George D. Collins, Brady, Gaffney, Meyers, Beck, Berry, Connolly, Cooke, Maloney, McCarthy, and Thomas—An act to add Section 16905 to the Harbors and Navigation Code, relating to the San Francisco Bay Port Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2746: By Messrs Berry, Gaffney, and Meyers—An act to amend Section 697 of the Vehicle Code.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2747: By Messrs. Berry, Gaffney, and Meyers—An act to amend Section 694 of the Vehicle Code, relating to vehicles and highways, including size and width of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2748: By Mr. Coats—An act to amend Section 640 of the Probate Code, relating to estates.

Referred to Committee on Judiciary.

Assembly Bill No. 2749: By Mr Coats—An act to amend Section 1852 of the Insurance Code, relating to the making and using of rates.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2750: By Mr. Coats—An act to amend Section 60 of the Public Utilities Act, relating to complaints against public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2751: By Mr Coats—An act to amend Section 72 of the Public Utilities Act, relating to enforcement of provisions of the Constitution and statutes of the State affecting public utilities.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2752: By Mr. Beck—An act to add Sections 5.04, 12.13, and 12.14 to the Building and Loan Association Act, relating to the regulation of building and loan associations.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2753: By Mr. Beck—An act to add Section 19 to the Bank Act, relating to capital and deposit liabilities.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2754: By Messrs. Waters, Stewart, Lindsay, Kirkwood, Grant, Hinckley, Huyck, and Stanley—An act to amend Sections 6051 and 6201 of the Revenue and Taxation Code, relating to the sales and use taxes and the rates thereof and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2755: By Mr. Babbage—An act to amend Section 142 of the Code of Civil Procedure and Section 24254.5 of the Government Code, relating to sessions of the superior court.

Referred to Committee on Judiciary.

Assembly Bill No. 2756: By Mr. Doyle—An act to add Section 369b to the Penal Code, relating to maintenance by common carriers of unprotected pathways along rights of way, and providing penalties.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2757: By Mr. Doyle—An act to add Section 369c to the Penal Code, relating to train switching movements involving cabooses, and providing penalties.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2758: By Mr. Anderson—An act to amend Sections 7351 and 8651 of the Revenue and Taxation Code, relating to motor vehicle taxes, providing for a decrease in the rates thereof.

Referred to Committee on Revenue and Taxation.

Assembly Concurrent Resolution No. 52: By Mr. Sam L. Collins—Relative to adding Joint Rule No. 6.5 to the Joint Rules of the Senate and the Assembly regarding introduction of bills.

Speaker Pro Tempore Presiding

At 5.15 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 52, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 52

Assembly Concurrent Resolution No. 52—Relative to adding Joint Rule No. 6.5 to the Joint Rules of the Senate and the Assembly regarding introduction of bills.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered printed, and transmitted to the Senate.

Motion That Rush Order Be Placed on the Printing of Assembly Concurrent Resolution No. 52

Mr. Sam L. Collins moved that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 52.

Motion carried.

Speaker Presiding

At 5.27 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:
Assembly Concurrent Resolution No 47

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:
Senate Joint Resolution No. 15

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:
Senate Concurrent Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Amend, and be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT THAT PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON INDUSTRIAL SAFETY BE PRINTED IN THE JOURNAL

Mr. Gaffney asked for, and was granted, unanimous consent that the Preliminary Report of the Assembly Interim Committee on Industrial Safety be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

RESOLUTIONS

The following resolutions were offered:

By Mr. Meyers:

House Resolution No. 99

Relative to adjournment in respect to the memory of Frederick L Esola

WHEREAS, San Francisco has lost one of her favorite sons and most devoted of public servants in the death of Frederick L. Esola on January 26, 1949; and

WHEREAS, A native of Sutter Creek, Amador County, Frederick L. Esola grew up in San Francisco, attended her schools, and began in the San Francisco Police Department the career in which he became nationally famous as a law enforcement officer; and

WHEREAS, A member of the San Francisco Police Force during the days of the tong wars, he was active in bringing them under control, and was the youngest man ever to attain the rank of Captain in the department; and

WHEREAS, He again distinguished himself and won national fame as a law enforcement officer in combating the gangs and rum runners of the Prohibition Era, when he was appointed Assistant Chief of the Federal Bureau of Investigation, then Chief of the San Francisco Office of the Federal Bureau of Investigation, then United States Marshal for Northern California for the nine years following 1924, serving after that time in an advisory capacity in law enforcement for both the Federal and State Governments. He recommended Alcatraz as the site for a federal prison, and served on the State Board of Prison Terms and Paroles from 1937 to 1941; and

WHEREAS, His long life of service has closed in its eighty-fourth year, taking from San Francisco one of her most distinguished and devoted citizens, and from all who knew Frederick L. Esola, a dear and loyal friend; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly this day adjourns it do so out of respect to the memory of Frederick L. Esola; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Mrs Genevieve Esola, widow of Frederick L Esola, as an expression of the sympathy and esteem of the Members of the Assembly of California.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Dunn, Huyck, Maloney, Ralph C. Dills, Geddes, and Dickey:

House Resolution No. 100

Relative to distressed school districts

WHEREAS, The Fifty-seventh Session of the Legislature in 1947 and 1948 appropriated a total of $55,000,000 to aid in the provision of school buildings and other needed facilities for children in districts financially unable to provide such facilities from local tax sources; and

WHEREAS, Authorization was granted by the Legislature for the allocation of the above funds for purchase and improvement of school building sites, construction, reconstruction, repair, alteration of and additions to school buildings and the furnishing and equipment of school buildings; and

WHEREAS, Responsibility for the distribution of the funds appropriated has been vested with the State Allocation Board; and

WHEREAS, In the allocation of funds to distressed school districts the State Allocation Board has included an amount equal to 10 percent of the estimated cost of each project and has earmarked such amounts for contingencies; and

WHEREAS, No allocations have been made for the provision of furnishings and equipment necessary to the occupancy and use of classrooms and other facilities now under construction or authorized; and

WHEREAS, It appears that in many districts the anticipated increase in cost of construction and other contingencies for which the 10 percent was set aside will not materialize and that the contingency funds will not be needed for construction purposes; and

WHEREAS, Many authorized projects are now at or nearing completion but can not be put into use until funds are available for furnishings and equipment; and

WHEREAS, Many districts are still so financially impoverished that they will not be able to provide such furnishings and equipment without outside assistance; and

WHEREAS, Use of the contingency fund balances for purchase of necessary furnishings and equipment would further alleviate the school housing problem in those districts; now, therefore, be it

Resolved by the Assembly of the State of California, That Members of this Assembly express to the State Allocation Board their desire that the above-referred contingency funds be distributed in such manner as to give the greatest and most immediate relief to the distressed school districts, and that the following uses of the

contingency funds are recommended. To purchase furnishings and equipment; allocations to districts which may not have received a previous allocation; permission to districts having had an allocation to proceed with further needed construction to the extent of their balance in the contingency fund; and be it further

Resolved, That in making their decision, the Allocation Board take into consideration any increases in the assessed valuation in the district or any new sources of revenue which may have become available to the district.

Request for Unanimous Consent

Mr. Dunn asked for, and was granted, unanimous consent to take up House Resolution No. 100, at this time, without reference to committee or file.

Resolution read, and adopted

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, January 28, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 99	House Resolution No. 89
House Resolution No. 88	House Resolution No. 90

Has has the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 99

By Mr. Meyers:

House Resolution No. 99

Relative to adjournment in respect to the memory of Frederick L. Esola

WHEREAS, San Francisco has lost one of her favorite sons and most devoted of public servants in the death of Frederick L. Esola on January 26, 1949; and

WHEREAS, A native of Sutter Creek, Amador County, Frederick L. Esola, grew up in San Francisco, attended her schools, and began in the San Francisco Police Department the career in which he became nationally famous as a law enforcement officer; and

WHEREAS, A member of the San Francisco Police Force during the days of the tong wars, he was active in bringing them under control, and was the youngest man ever to attain the rank of Captain in the department; and

WHEREAS, He again distinguished himself and won national fame as a law enforcement officer in combating the gangs and rum runners of the Prohibition Era, when he was appointed Assistant Chief of the Federal Bureau of Investigation, then Chief of the San Francisco Office of the Federal Bureau of Investigation, then United States Marshal for Northern California for the nine years following 1924, serving after that time in an advisory capacity in law enforcement for both the Federal and State Governments. He recommended Alcatraz as the site for a federal prison, and served on the State Board of Prison Terms and Paroles from 1937 to 1941; and

WHEREAS, His long life of service has closed in its eighty-fourth year, taking from San Francisco one of her most distinguished and devoted citizens, and from all who knew Frederick L. Esola, a dear and loyal friend; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly this day adjourns it do so out of respect to the memory of Frederick L. Esola; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Mrs. Genevieve Esola, widow of Frederick L. Esola, as an expression of the sympathy and esteem of the Members of the Assembly of California.

Resolution read, and adopted unanimously.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7 (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 7—Relative to Joint Rules of the Senate and Assembly committees and committee meetings.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 15 of the printed measure, strike out lines 43 to 51, inclusive; and strike out lines 1 to 8, inclusive, on page 16, and insert

"Any matter of business of either house, the transaction of which would affect the interests of the other house, may be referred to the committee for action if the Legislature is in session, and shall be referred to the committee for action if the Legislature is not in session.

The committee has a continuing existence and may meet, act, and conduct its business at any place within the State, during sessions of the Legislature or any recess thereof, and in the interim period between sessions

The committee shall consist of five Members of the Senate and five Members of the Assembly. The Senate membership shall consist of the President pro Tempore of the Senate, the Chairman of the Committee on Rules and three members appointed by the Committee on Rules The Assembly members of the committee shall consist of the Speaker, the Chairman of the Assembly Committee on Rules and three other Members of the Assembly appointed by the Speaker."

Amendment No. 2

On page 14, line 32, of said measure, after "necessary", insert "The duties of the Legislative Auditor shall be as follows:

(1) To ascertain the facts and make recommendations to the Budget Committee and under their direction to the committees of the Legislature concerning:

(a) State Budget.

(b) Revenues and expenditures of the State

(c) The organization and functions of the State, its departments, subdivisions and agencies.

(2) To assist the Senate Finance Committee and the Assembly Ways and Means Committee in consideration of the budget and all bills carrying express or implied appropriations and all legislation affecting state departments and their efficiency; to appear before any other legislative committee, and to assist any other legislative committees upon instruction by the Legislative Budget Committee

(3) To provide all legislative committees and Members of the Legislature with information obtained under the direction of the Legislative Budget Committee.

(4) To maintain a record of all work performed by the Legislative Auditor under the direction of the Legislative Budget Committee and to keep and make available all documents, data, and reports submitted to him by any Senate, Assembly or joint committee."

Amendment No. 3

On page 15 of said measure, strike out lines 16 through 25, and insert

"The Legislative Auditor with the consent of the committee shall make available to such members or committees any records, documents or other data under his control or shall secure and provide any information falling within the scope of his employment or which concerns the administration of the Government of the State of California. But, except as hereinabove provided, neither the Legislative Auditor or any employee of the committee shall reveal to any person not a member of or employed by the committee the contents or nature of any matter or the author of any request, except with the permission of the committee or legislator making such request, or under the express direction of the Legislative Budget Committee

"The Legislative Auditor upon the receipt of a request from any committee or Member of the Legislature, shall at once secure the consent of the committee without disclosing the nature of the request or the name of the requestor to provide the requesting committee or legislator with the service or information requested, and thereupon shall notify the requestor or committee or legislator that he is authorized to provide the information, and shall inform the committee or legislator the approximate date when this information will be available Should there be any material delay he shall

subsequently communicate this fact to the requestor In the event the committee refuses such authorization, he shall inform such requestor forthwith."

Amendments read.

Motion

Mr. Evans moved that consideration of the amendments being offered by the Committee on Rules be postponed until the Assembly reconvenes in March.

Mr. Hawkins seconded the motion.

Motion Withdrawn

Mr. Hawkins withdrew his second.

Mr. Evans withdrew his motion.

Demand for Previous Question

Messrs. Waters, Grunsky, Silliman, Smith, and Hahn, demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by the Committee on Rules to Senate Concurrent Resolution No. 7.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.

NOES—Burkhalter and Evans—2.

The question being on the adoption of Senate Concurrent Resolution No. 7, as amended.

The roll was called, ~~and the resolution adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following rollcall, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith Stanley, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60

NOES—None.]

~~Resolution ordered transmitted to the Senate.~~

(On January 29, 1949, Assembly Journal, page 897, the record was expunged, and the action was rescinded whereby the Assembly, on this day, adopted Senate Concurrent Resolution No. 7.)

REMARKS ON CONDITION OF THE FILE

Mr. Doyle spoke on the condition of the file.

PRELIMINARY REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON INDUSTRIAL SAFETY

CALIFORNIA LEGISLATURE—1949 REGULAR SESSION

MEMBERS OF THE COMMITTEE

EDWARD M. GAFFNEY—*Chairman,* San Francisco

CHARLES J. CONRAD, Hollywood

MONTIVEL A. BURKE, Alhambra

Letter of Transmittal

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, January 28, 1949

Hon Sam L. Collins
Speaker of the Assembly

Pursuant to instructions to investigate and study problems and conditions of industrial safety by terms of House Resolution No. 239, as amended 1947 Session, we respectfully submit following preliminary report.

(SIGNED) EDWARD M. GAFFNEY, *Chairman*
CHARLES J. CONRAD
MONTIVEL A. BURKE

Preliminary Report of the Assembly Interim Committee on Industrial Safety

The Assembly Interim Committee on Industrial Safety held four public hearings—the first in San Francisco, February 25, 1948, the second in Los Angeles, February 27, 1948, the third in Eureka, October 15, 1948, and the fourth in Los Angeles on November 8, 1948.

The committee received the utmost cooperation from all of the state agencies involved, and particularly from Paul Scharrenberg, Director of Industrial Relations, and A. C Blackman, Chief of the Division of Industrial Safety.

The committee also received valuable assistance from the representatives of organized labor, from the representatives of organized employer groups, from the Safety Department of the United States Veterans Administration and large corporations, as well as privately financed Safety Councils both national and local and professional safety engineers.

Statistics furnished the committee by the Division of Labor Statistics and Research, Department of Industrial Relations, account for 744 deaths due to industrial injuries in 1947.

The statistics for January to October inclusive 1948, show a death toll of 550 Lumber and logging operations accounted for 69 deaths in 1947 and 59 deaths in the first 10 months of 1948.

During 1947, for all manufacturing industries, which include logging sawmills, furniture plants, wood products, as well as other types of manufacturing, the man hours estimated were 1,203,272,000. The total number of disabling injuries reported were 37,543. This means that for the first 10 months of 1947, injuries occurred at the rate of 31 2 disabling injuries per million man hours worked. During the same period of time logging, including sawmills, planing and plywood mills show an estimated man hours of 55,444,000, with 5450 disabling injuries, or a rate of 98 3 disabling injuries per million man hours worked. Furniture and wood products manufacturing for the same period of time show a total estimated man hours of 48,933,000, with 2545 disabling injuries, or a rate of 52 disabling injuries per million man hours worked.

If the logging, sawmill, planing and plywood mills are excluded, and also the furniture and wood products manufacturing are excluded from the over-all grouping of all manufacturing, the figures would be 1,098,895,000 man hours, with 29,548 disabling injuries, or a rate of 26.9 disabling injuries per million man hours worked.

For the same period of time in 1948, namely, the first 10 months, the comparable data is as follows:

	Estimated man hours	*Reported injuries*	*Frequency rate*
All manufacturing	1,220,001	33,640	27 6
Lumber, including logging, sawmills, planing and plywood mills	67,163	6,282	93 5
Furniture and wood products	48,524	2,058	42 4
Manufacturing, excluding lumber, furniture and wood products	1,104,314	25,300	22.9

Division Cooperating With Logging and Lumbering Industry—Engineers of the division conferred with members of the California Lumbermens Accident Prevention Association, the Humboldt County Industrial Safety Council, and representatives of sawmills and logging operations in the Sierra and Northwest areas to formulate plans for the reducing of the high accident frequency in the industry. It was generally conceded that this could be better accomplished by strict compliance with the State Safety Orders and by an educational campaign among all operators.

At first one might be inclined upon reading the transcript and reports to conclude that there was a wide diversity of opinion. A careful study and analysis, however, has convinced us that fundamentally those interested in industrial safety are in complete agreement upon the basic needs.

The apparent conflict disappears when we analyze the transcript and reports upon the basis of the general nature of the work.

(a) Manufacturing and construction.

(b) Well financed employers and poorly financed employers.

It is clear that in general it is easier and much less costly to prevent industrial accidents in manufacturing plants than in construction

The record shows that in manufacturing plants—

(A) From the Standpoint of Education—

1. Top Management

(a) For practical business considerations and excluding all humanitarian considerations a safe operation, an absence of industrial injuries, is a more profitable operation and therefore time and effort and money is spent to make all operations as safe as possible.

(1) Safety devices are installed and when necessary machinery and plant setups are redesigned.

(2) Educational programs for supervisors and employees are instituted and actively carried out.

2. The Supervisor (Foreman)

(a) His tenure of employment is in comparison with that of supervisors employed on construction relatively permanent.

(b) He is readily available for instruction.

(c) His opportunities for promotion depend in large measure on his efficiency and accidents are a mark of inefficiency.

(d) He is in a position to acquire a better knowledge of the employees working under him, their abilities and their limitations.

3. The Employee

(a) His tenure of employment is likewise more nearly permanent.

(b) He is readily available for instruction.

(c) His physical surroundings are for all practical purposes the same day after day while those on a construction job may change hour by hour.

(B) From the Standpoint of Enforcement—

(1) The manufacturing plant is a fixed and permanent installation.

(2) It is continuously being improved as experience in its operation and over-all technilogical advances are made.

(3) A dangerous machine or plant setup once found and corrected is normally permanently corrected.

(4) A dangerous practice once found and stopped is normally permanently ended.

(5) Warnings of dangerous equipment or practices requiring the interposition of an enforcement agency are normally given sufficiently far in advance so that there is seldom any necessity for immediate action.

When we consider well financed employers engaged in manufacturing, we normally find that top management

(a) Either has set up its own safety department, or

(b) Is a member of an organization providing safety engineering advice and assistance.

Where these circumstances exist, while conditions are not ideal, the record shows a continuous drop in disabling industrial injuries and death.

However, when we approach the problem of poorly financed employers engaged in manufacturing, the question of education and enforcement take on a different aspect.

(1) Top management either has no understanding of the necessity even from a purely business standpoint of taking the minimum safety precautions, or

(2) Top management refuses to spend the funds necessary to provide a safe place to work or safe machinery with which to work.

In these cases it is absolutely necessary that—

(a) The enforcement arm of the Division of Industrial Safety be strengthened, and

(b) That means be provided to attempt by education to prevail upon such recalcitrant employers to provide a safe place to work as well as safe machinery with which to work.

When we come to a consideration of building and construction, we find the factual situation to be entirely different.

The record shows that in construction—

1. Top Management.

That while it is equally true that a safe operation is a more profitable operation, it appears from the record that in the case of large contractors and contractor associations, Safety Department, Plans, and Organization have not advanced as far as they have in the case of large manufacturers and public utilities.

2. The Supervisor (foreman).

(a) His tenure of employment is of a comparatively short duration.

(b) He is not readily available for instruction.

(c) His opportunities for promotion depend more upon his technical training and ability to get the job done than on any other factor.

(d) Normally, the men working under him do so for such a short period of time that he has no real opportunity to acquire as thorough a knowledge of their abilities and limitations as the foreman in a manufacturing plant.

3. The Employee.

(a) His tenure of employment is of a comparatively short duration.

(b) He is not readily available for instruction.

(c) His physical surroundings are practically never the same and change from hour to hour, day to day, and job to job.

(B) From the Standpoint of Enforcement—

There is nothing fixed or permanent about a construction job. The employer moves from place to place. The individual job moves from nothing to completion. A dangerous situation created.

(a) by faulty supervision,

(b) by dangerous equipment or a lack of proper equipment,

(c) by faulty work practices may exist for a few minutes, a few hours or a few days and then the job moves on to another phase.

2. While there is continuous improvement in equipment, the benefits to be gained by experience are not so apparent. Unlike a manufacturer operating a fixed plant, a dangerous situation experienced by a contractor resulting from the nature of the work, the materials used or worked on, the equipment used may never be experienced by the same contractor again, the variables on a construction job being so numerous.

(3) A dangerous machine or job setup, once found and corrected, is normally only permanently corrected for the duration of the job upon which it is found and corrected and that job may last but a few days. It is not corrected permanently for all jobs or even all jobs by the same contractor.

(4) A dangerous practice once found and stopped is normally permanently ended only on the particular job. It is not stopped on all other jobs or jobs being done by other contractors.

(5) The refusal by a contractor or his supervisor to cease using dangerous equipment or stop an unsafe practice is normally such as to require the immediate interposition of an enforcement agency.

When we consider the well financed employer engaged in construction, we normally find him safety conscious but not to the extent that exists in the manufacturing industry or so it appears from the record.

Your committee noted the more or less complete absence of representatives and safety engineers of contractors and contractor associations engaged in building and construction at the hearing, although the representatives of the Building and Construction Union were present in substantial numbers.

When we consider the poorly financed contractor in the building and construction industry, the record establishes that he has no regard for

safety and safety laws and orders if they in any way interfere with the speedy completion of the job and collection of his contract price or fee.

In the case of well financed contractors, it appears to your committee that the Division of Industrial Safety should institute a campaign of education aimed at making such contractors and contractor associations more and more safety conscious.

In the case of the poorly financed and recalcitrant contractors, it appears to your committee that while education may over a long period of years be beneficial, to save lives and health today it is necessary that the enforcement arm of the Division of Industrial Safety in the field of building and construction be substantially strengthened so that it may act promptly and effectively.

The committee was particularly interested in—

(a) The Lumber Industry,

(b) Longshore work,

(c) The Motion Picture Industry.

The Lumber Industry

The record clearly establishes that the degree of safety in a given operation can be determined in large measure by the financial responsibility and the permanence of the employers operation.

The well financed companies permanently engaged in the lumber industry are safety conscious and apparently determined to do a job in reducing accidents.

The poorly financed companies, in most cases out to make a quick killing in money, have little or no use for safety and have succeeded in making some quick killings, not only of money, but of people.

The answer is obviously prompt and efficient enforcement of safety laws and orders.

Longshore Work

The problem here is complicated by an employer-employee dispute which is not within the province of this commission.

However, the testimony establishing that the State of Washington through its Division of Safety, Department of Labor and Industries, has solved some of the major problems by adopting "Safety Standards for Longshore, Stevedore, and Waterfront Warehouse Operations."

Your committee recommends that the Division of Industrial Safety give serious consideration to the adoption of safety orders covering such work

In doing so, your committee wants to make it clear that it is expressing no opinion as to the nature or contents of such orders.

The Motion Picture Industry

The record discloses that substantial and effective steps have been taken by the motion picture producers to provide a safe place to work in the studios.

The record discloses that the number of safety problems still unsolved have been substantially reduced and that the industry, both management and labor, are conscious of the problems which remain.

These problems are in most instances of a technical nature, peculiar to the motion picture industry, and should be capable of being solved through the cooperation of labor and management in that industry.

It appears to your committee that the solution of these problems is not one which presently requires legislative action.

Summary

It appears to your committee and your committee recommends

1. That the educational campaign for the purpose of teaching safety and the safety orders of the division, as well as safe practices in general, should be vigorously pushed and the necessary funds for that purpose be appropriated.

2. That the enforcement arm of the Division of Industrial Safety should be strengthened and that particularly in building and construction provision should be made for prompt and effective action. This will require a modification of some of the provisions of the Labor Code and the appropriation of sufficient funds to provide the necessary safety engineers.

3. A serious study should be made by the Division of Industrial Safety of the waterfront workers problems, as well as the studios and the necessary safety orders prepared and adopted for longshore operations.

4. In the case of the lumber industry, necessary additional funds should be provided so that safety engineers may be permanently assigned to the industry which is principally located in well defined areas of the State.

Respectfully submitted:

EDWARD M. GAFFNEY, Chairman
CHARLES J. CONRAD
MONTIVEL A. BURKE

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Cooke and Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to C. Warren Hayden, R. A. Blosser, Ruth Melendy, Edythe Klassen, and Virginia Klassen Schwird of San Carlos.

On request of Mr. Hawkins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Till B. Tony of Los Angeles.

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Jim McAdams of Bakersfield.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Annie M. Patterson, Leader, Mrs. Curtis Sands and Mrs. Henry Boltres, co-leaders, Mrs. Annette McLean, committee Chairman, of the Diablo Valley Area Council, and the following Girl Scout Troop 62, Ygnacio Valley: Bonnie Bertinoia, Loretta Boltres, Barbara Carvalho, Wanda Christman, Loretta De Laurenti, Beverly Ebert, Barbara Evans, Marjorie Evans, Delia Garcia, Mary Kanagaki, Marcelene Kiihni, Kay Kuroturi, Molly Kishi, Gretchen Lais, Sharon Lais, Clarisse Le Duc, Irene Lee, Margaret Lee, Frances Meyer, Lorna Michael, Billie Fay Newsom, Frances Sands, Mary Louise Sands, Peggy Sowell, Virginia Vaughn, and Patsy Yamomoto.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Louisa Rilea and Mrs. Elizabeth Smith of Oakland.

On request of Mr. Babbage and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Henry F. Adams and former Senator Leonard J. Difani of Riverside.

On request of the Speaker and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. John Maloney and Robert, Patrica, and Terrence Maloney of San Francisco.

On request of Messrs. Hawkins, Rumford, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Willie Toms of San Francisco.

ADJOURNMENT

At 6.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned, until 9 a.m., Saturday, January 29, 1949, out of respect to the memory of the late Mrs. Mary K. Behrens of Redding, the late Judge Dudley S. Valentine of Los Angeles, and the late Frederick L. Esola of San Francisco.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETEENTH LEGISLATIVE DAY

TWENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Saturday, January 29, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sillman, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Hope. May we behold mankind forever marching forward to unexplored frontiers and unknown experience with fearless courage and bright expectations.

May we remember our forefathers who sailed forth upon an uncharted sea with the ideal and hope of discovery of a new and better country.

May we recall the dauntless men and women who crossed a continent of prairie and mountains, and made the frontier and the desert blossom as the rose.

Now, as we approach a great dramatic moment in history, let us covet their faith, their audacity, and their creative imagination.

Let us see that our frontier is not that of the desert and the wilderness, but that of policy and ideal which shall make city and country teeming areas of healthy and intelligent citizens.

May we labor for our generation as did the pathfinders and trail blazers of the yesteryears, so that every social frontier of this Commonwealth shall become a garden of beauty and happiness.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hinckley, further reading of the Journal of the previous legislative day was dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 47

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 101

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to investigate the operation of parking lots in Los Angeles

WHEREAS, Many complaints have been registered by citizens of this State relative to damage and injury to person or property suffered in auto parking lots, particularly in Los Angeles; and

WHEREAS, In order to ascertain what, if any, legislation is necessary or desirable to remedy this condition it is necessary that the Legislature be fully informed on this subject; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy (created by House Resolution No 216, 1947 Regular Session and continued as an interim committee by House Resolution No. 16, 1949 Regular Session) is authorized and directed to study and ascertain all facts relating to or in any wise bearing upon the subjects mentioned in the recitals of this resolution, through the medium of a duly appointed subcommittee, with special attention to state and local laws, ordinances and regulations governing the operation of auto parking lots, and the administration thereof by state and local enforcement or other agencies, and to report thereon to the Assembly not later than March 15, 1949.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 46—Relative to the Valley of the Moon Scenic Route.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Price, Reagan, Rumford, Silliman, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Added to Roll Call

Messrs. Lowrey, Brady, and Coats asked for, and were granted, unanimous consent that their names be added to the roll call on Assembly Concurrent Resolution No. 46, and that they be recorded as voting, "Aye."

MOTION THAT 1,500 ADDITIONAL COPIES OF REPORT BE PRINTED AS SEPARATE DOCUMENTS

Mr. Dickey moved that a request by Mr. Stewart that 1,500 additional copies of the Partial Report on the San Francisco Office of the Franchise Tax Commissioner by the Assembly Interim Committee on Governmental Efficiency and Economy, as originally printed in the Assembly Journal for Friday, January 21, 1949, pages 510 to 537, inclusive, be ordered printed, as separate documents.

Mr. Hinkley seconded the motion.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 47—Relative to commending the Board of Regents and the President of the University of Washington.

Resolution read.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Lewis is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Silliman, Burke, Lipscomb, Grant and McMillan demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 47.

Roll Call Demanded

Messrs. Conrad, Hinckley, and Butters demanded a roll call.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Connolly, Conrad, Cooke, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lipscomb, Maloney, McCarthy, McCollister, Meyer, Morris, Moss, Price, Reagan, Rumford, Silliman, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—47.

NOES—George D. Collins, Condon, Elliott, and Lewis—4.

Resolution ordered transmitted to the Senate

Request for Unanimous Consent That Name Be Stricken From the Roll Call on Assembly Concurrent Resolution No. 47

Mr. McMillan asked for, and was granted, unanimous consent that his name be stricken from the roll call on Assembly Concurrent Resolution No. 47.

Request for Unanimous Consent That Names Be Added to Roll Call on Assembly Concurrent Resolution No. 47

Messrs. Meyers and Dunn asked for, and were granted, unanimous consent that their names be added to the roll call on Assembly Concurrent Resolution No. 47, and that they be recorded as voting, "Aye."

Explanations of Vote

I voted "no" on Assembly Concurrent Resolution No. 47 for the reason that I am unalterably opposed to persecution of anyone for his ideas or beliefs, even though I do not agree with those ideas or beliefs. I do not believe nor hold that those who follow the tenets of Communism use good sense or good judgment, but under American ideals of free speech and freedom of thought, to persecute men for the ideas they hold only makes martyrs of them and thereby helps to spread their ideas and beliefs.

Furthermore, when you drive ideas underground you also help their spread The best way to combat a false idea is to bring it out into the open and let its falsity be seen. You cannot defeat a false ideology such as Communism by running away from it.

GEORGE D. COLLINS

I voted against Assembly Concurrent Resolution No. 47 because I do not believe in a blacklist, particularly when those involved have filed an appeal Moreover, one of those discharged at Washington University apparently is not, and never has been, a Communist.

I question whether the Legislature should intrude into another state when few of us have any knowledge of the facts.

JOE C. LEWIS

CONSIDERATION OF HOUSE RESOLUTION NO. 88

By Messrs. Geddes, Evans, Morris, and Brady:

House Resolution No. 88

WHEREAS, The Sixth Agricultural District of the State of California is a state entity operating within the fair and exposition group; and

WHEREAS, The Sixth District Agricultural Association is the owner of a large tract of land in the heart of the City of Los Angeles, said tract being known as Exposition Park; and

WHEREAS, The administration of this tract of land and its various facilities which include parks and lawns, museums, and sports and playground facilities have been divided by mutual agreements and contracts between State, county and city; and

WHEREAS, Many of said contracts were entered into more than a decade ago, the oldest being dated 1910; and

WHEREAS, The character, use, facilities, and cost of maintenance and operation of the park have changed during the life of these contracts; and

WHEREAS, The increased financial burden of maintenance has been called to the attention of the State of California by the City of Los Angeles, in a communication requesting that the State share this burden, which now falls entirely upon the city; and

WHEREAS, The City of Los Angeles fixes this cost at $115,315 for the current fiscal year, and also has asked the State to share in the cost of $104,000 in new facilities; and

WHEREAS, The Attorney General of California has ruled the State may not legally share such costs under existing contracts; and

WHEREAS, There have been recent discussions of new buildings in the park, including an addition to the Los Angeles County Museum; and

WHEREAS, Many state officers, including the Legislative Auditor, who were parties to these old contracts, agree that a reappraisal of conditions should be made, and in fact was originally intended to be made about once each 10 years; and

WHEREAS, The Sixth District Agricultural Association is in an anomalous position in certain other respects, since said Sixth District operates the only year-around exposition in the so-called fair and exposition group, and further, is the only member of the group not paying premiums to exhibitors; and

WHEREAS, The Sixth District and the exposition thus do not share equally with the county fairs in the funds available for premiums; now, therefore, be it

Resolved by the Assembly of the State of California, That the Interim Committee on Fairs and Expositions be requested to investigate, and include in its report, the contractural relationships existing between the Sixth District, the County of Los Angeles and the City of Los Angeles, with a view to simplifying these relationships and relieving financial burdens improperly placed upon any agency or subdivision of the Government; and be it further

Resolved, That said investigation shall also include the operations of the State Exposition with a view toward insuring the utmost possible benefit to the entire State from operations of the Sixth District and the California State Exposition.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 89

By Mr. Evans:

House Resolution No. 89

WHEREAS, California is the flower basket of the Nation, and its flower seeds, blooms, and decorative plants are prized and in demand throughout the world; and

WHEREAS, The annual product of California's floriculture is in excess of $60,000,000 in value; and

WHEREAS, Flowers are an essential to California living and a distinct attraction to its visitors; and

WHEREAS, Flowers are a universal language, and speak with the eloquence of their color and the quality of their texture the common love of beauty shared by all mankind; and

WHEREAS, It is timely and fitting that California invite its own flower growers, its garden clubs, its nurserymen, and those of other nations to exhibit at a California International Flower Show; and

WHEREAS, The Southern California Horticultural Association, in cooperation with the Southern California Floral Association, both nonprofit organizations dedicated to the advancement of floriculture and horticulture, and with the support of the entire California flower industry have planned and underwritten an Annual International Flower Show; and

WHEREAS, The first California International Flower Show is to be held indoors at Hollywood Park, Inglewood, on March 26 through April 3, 1949, and its exhibits will be of inspirational beauty to its visitors; now, therefore, be it

Resolved, That the Assembly compliment the sponsors and underwriters of this event destined for world fame, encourage the citizens of California to support and attend the show, and invite the nations of the world to exhibit their flowers in California to build world understanding through a language common to all people.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 90

By Messrs. George D. Collins, McCarthy, Connolly, Berry, Meyers, Maloney, and Brady:

House Resolution No. 90

Relating to a proclamation designating September 17, 1949, as Steuben Day

WHEREAS, It is sought to pay homage and respect to the memory and achievements of Gen. Friedrich Wilhelm von Steuben, who came to our shores on December 1, 1777, to offer his heart and his hand, his skill, valor, and intelligence to assist in our struggle for independence, and his heroic deeds are emblazoned in the history of our Country; and

WHEREAS, The hero, born at Magdeburg, Prussia, on September 17, 1730, whose birthday by coincidence falls on Constitution Day, did join with Washington at Valley Forge and devote himself as the first Inspector-General of the entire Army with great resolve and effect to the reorganization of our then sadly tried soldiers, and distinguished himself at Monmouth and Yorktown, where he received the first offer of capitulation from Lord Cornwallis; and

WHEREAS, The said Major General von Steuben was instrumental in promulgating the regulations for drill, for order and discipline of the Troops of the United States which were adopted by Congress on March 29, 1779, and in addition he is also credited with the establishment of the United States Military Academy at West Point; and

WHEREAS, Until his death on November 28, 1794, he chose to spend his last days in modest retirement in a log cabin near the present site of Utica in the State of New York; and

WHEREAS, His services were "Indispensable to the cause of American independence," according to the inscription on a tablet erected at the Steuben State Park in Remsen, New York; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of the State of California be and hereby is respectfully requested to issue a proclamation designating the anniversary of his birth, Saturday, September 17, 1949, as "Steuben Day," and that the Governor call upon all citizens of the State of California to display

the National Emblem, and that proper exercises be held to commemorate the memory of Friedrich Wilhelm von Steuben, and invite the people of the State of California to observe this day in schools, churches, and other places with appropriate ceremonies; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to forward copies of this resolution to the Honorable Earl Warren, Governor of the State of California.

Resolution read, and adopted.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO PURCHASE 20 LARMAC INDEXES

Mr. Dickey moved that the Chief Clerk be instructed to purchase 20 new copies of the Larmac Consolidated Index to Constitution and Laws of California for 1947, for the use of new members.

Mr. McCollister seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Price, Reagan, Rumford, Silliman, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—None.

MOTION THAT RULES COMMITTEE BE INSTRUCTED TO PURCHASE SIX EDIPHONES

Mr. Dickey moved that the Rules Committee be instructed to purchase six Ediphones.

Mr. McCollister seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Price, Reagan, Rumford, Silliman, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—None.

REMARKS ON CONDITION OF THE FILE

Mr. McCollister spoke on the condition of the file.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Joint Resolution No. 12, on motion of Mr. McCollister.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE CONCURRENT RESOLUTION NO. 7 BE RECALLED FROM THE SENATE FOR PURPOSE OF AMENDMENT

Mr Dickey asked for, and was granted, unanimous consent that Senate Concurrent Resolution No. 7 be recalled from the Senate for purpose of amendment.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returned as per your request

Senate Concurrent Resolution No 7

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT THAT RECORD BE EXPUNGED AND ACTION RESCINDED ON SENATE CONCURRENT RESOLUTION NO. 7

Mr Dickey asked for, and was granted, unanimous consent that the record be expunged, and the action rescinded whereby the Assembly on Friday, January 28, 1949, adopted Senate Concurrent Resolution No 7, as amended.

FURTHER CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 7 (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 7—Relative to Joint Rules of the Senate and Assembly committees and committee meetings.

Resolution read.

Motion to Amend

Mr Dickey moved the adoption of the following amendment.

Mr Butters seconded the motion.

Amendment No. 1

On page 17, lines 16 and 17, of the printed resolution, as amended in the Assembly on January 28, 1949, strike out "the Chairman of the Committee on Rules and three", and insert "and four".

Amendment read.

The roll was called, and the amendment adopted by the following vote.

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Price, Reagan, Rumford, Sillman, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr Speaker—52

NOES—None

The question being on the adoption of Senate Concurrent Resolution No. 7, as amended.

The roll was called, and the resolution adopted, as amended, by the following vote

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke Coats, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Price, Reagan, Rumford, Sillman Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr Speaker—52

NOES—None.

Resolution ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 15—Relative to memorializing Congress to enact legislation for the relief of gold mining.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sillman, Stanley, Waters, Way, Weber, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 53: By Mr. Davis—Relative to the survey of a state highway from MacArthur in Shasta County to Susanville in Lassen County.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 54: By Messrs. Geddes, Dolwig, and Dickey—Relative to the introduction of bills at the request of state agencies during regular general sessions of the Legislature.

Request for Unanimous Consent

Mr. Geddes, asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 54, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 54

Assembly Concurrent Resolution No. 54—Relative to the introduction of bills at the request of state agencies during regular general sessions of the Legislature.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sillman, Stanley, Waters, Way, Weber, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 2759: By Messrs. Dunn and Gaffney—An act to amend Section 420.6 of the Vehicle Code, relating to security following accident.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2760: By Mr. Dunn—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to employee contributions to the Disability Fund.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2761: By Mr Dunn—An act to add Section 151.5 to the Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2762: By Mr. Evans—An act to amend Section 11105 of the Health and Safety Code, relating to narcotics.

Referred to Committee on Public Health.

Assembly Bill No. 2763: By Mr Evans—An act to amend Section 11100 of the Health of Safety Code, relating to narcotics.

Referred to Committee on Public Health.

Assembly Bill No. 2764: By Mr. Silliman—An act to amend Section 28380 and Section 28411, of the Health and Safety Code, and to add Section 28411 5 to the Health and Safety Code, relating to canneries.

Referred to Committee on Public Health.

Assembly Bill No. 2765: By Mr Lincoln—An act to amend Section 1659 of the Probate Code, relating to compensation of veterans' guardians.

Referred to Committee on Judiciary.

Assembly Bill No. 2766: By Messrs. Reagan and Levering—An act to add Section 5010 to the Education Code, relating to the appropriation of state funds for schools.

Referred to Committee on Education.

Assembly Bill No. 2767: By Mr. Reagan (By request)—An act to amend Section 2 of the Los Angeles County Flood Control Act, relating to objects and purposes of said act.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2768: By Mr. Davis—An act to add Section 369i to the Penal Code, relating to signs near railroad crossings.

Referred to Committee on Judiciary.

Assembly Bill No. 2769: By Mr. Davis—An act to add Section 514 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2770: By Mr Davis—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Referred to Committee on Municipal and County Government

Assembly Bill No. 2771: By Mr. Davis—An act to add Section 519 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2772: By Mr. Davis—An act to amend Section 11331.5 of the Health and Safety Code and add Section 11332 to said code, relating to dispensing of narcotics by hospitals.

Referred to Committee on Public Health.

Assembly Bill No. 2773: By Mr Davis—An act to add Sections 216 and 261 to the Revenue and Taxation Code, relating to exemptions from the property tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2774: By Mr. Lindsay—An act to add Section 28007 to the Government Code, relating to salaries of county officials.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2775: By Messrs Geddes, Evans, and Brady—An act to amend Section 86 of the Agricultural Code, relating to district agricultural associations.

Referred to Committee on Agriculture.

Assembly Bill No. 2776: By Messrs. Geddes, Evans, and Brady—An act to amend Section 14256 of the Government Code, relating to state contracts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2777: By Messrs Geddes, Evans, and Brady—An act to add Section 19480.1 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Public Morals.

Assembly Bill No. 2778: By Mr. Geddes—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Agriculture

Assembly Bill No. 2779: By Mr. Geddes—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Referred to Committee on Agriculture.

Assembly Bill No. 2780: By Mr. Dickey—An act to amend Section 9320 of the Government Code, relating to the compensation of officers

and employees of the Senate and Assembly and making an appropriation for the payment of such compensation.

Referred to Committee on Rules

Assembly Bill No. 2781: By Messrs. Huyck and Smith—An act to add Section 29001 5 to the Health and Safety Code, relating to records of dangerous drugs furnished.

Referred to Committee on Public Health.

Assembly Bill No. 2782: By Mr. Caldecott—An act to amend Section 1 of an act entitled "An act to amend an act entitled 'An act granting to the City of Berkeley the salt marsh, tide and submerged lands of the State of California, including the right to wharf out therefrom to the City of Berkeley, and regulating the management, use and control thereof,' approved June 11, 1913," approved May 27, 1915.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2783: By Messrs Kilpatrick, Hahn, Burke, and Babbage—An act to amend Section 13 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a state interest, and providing the procedure for making such allocations, and for assignment of such allocations," passed over Governor's veto February 13, 1946; otherwise known as "Construction and Employment Act"; relating to projects in which there is a state interest.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2784: By Messrs. Kilpatrick, Hahn, Burke, and Babbage—An act to amend Section 2943 of, to add Section 2716 to, and to repeal Section 2944 of, the Penal Code, relating to the prisoners, providing for employment thereof and for payment and other privileges on discharge.

Referred to Committee on Judiciary.

Assembly Bill No. 2785: By Messrs Kilpatrick, Hahn, Burke, and Babbage—An act making an appropriation to the Department of Justice for investigation and prosecution of violations of law in respect to the placement of children for adoption and of the Adoption Laws.

Referred to Committee on Judiciary.

Assembly Bill No. 2786: By Mr. Condon—An act making an appropriation to the State Personnel Board for the purpose of reimbursing employees who are required to wear uniforms.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2787: By Mr Davis—An act to add Section 16426 to the Education Code, relating to healthful conditions for children in the public schools and child care centers

Referred to Committee on Education.

Assembly Bill No. 2788: By Mr. Kilpatrick—An act to amend Section 702 of the Welfare and Institutions Code, relating to the protection of minors, defining the crime of contributing to the delinquency of a minor, and specifying the powers of the juvenile court in respect thereto

Referred to Committee on Judiciary.

Assembly Bill No. 2789: By Mr. Burkhalter—An act to amend Section 3209.3 of the Labor Code, relating to physicians.

Referred to Committee on Public Health

Assembly Bill No. 2790: By Messrs. Way and Condon—An act to amend Section 5001 of the Public Resources Code, relating to the State Park System.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2791: By Messrs. Way and Condon—An act to amend Section 5013 of the Public Resources Code, relating to the State Park Commission.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2792: By Mr Evans—An act adding Section 7.3 to the Unemployment Insurance Act, excluding certain services from the definition of "Employment" in said act.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2793: By Messrs. Hawkins and Elliott—An act to add Section 649 to the Penal Code, relating to discrimination in public places.

Referred to Committee on Judiciary.

Assembly Bill No. 2794: By Mr. Hawkins—An act to add Section 132.5 to the Civil Code, relating to the period of time that must expire after entry of the interlocutory judgment before the court may enter the final judgment granting divorce.

Referred to Committee on Judiciary.

Assembly Bill No. 2795: By Mr. Hawkins—An act to amend Section 182 of the Penal Code, relating to criminal conspiracy.

Referred to Committee on Judiciary.

Assembly Bill No. 2796: By Mr. Hawkins—An act making an appropriation for the purpose of increasing salaries of state employees.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2797: By Mr. Hawkins—An act to add Part 7a, comprising Sections 15501 to 15521 inclusive, to Title 2 of Division 3 of the Government Code, relative to creating a Department of Commerce, defining its functions, powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2798: By Mr. Conrad—An act to amend Section 29022 of the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health.

Assembly Bill No. 2799: By Messrs. Anderson and Hawkins—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personel effects from property taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2800: By Messrs Anderson, Dunn, Fletcher, Burkhalter, Beck, Coats, George D. Collins, Condon, Davis, Ralph C. Dills, Elliott, Hawkins, Lewis, Lowrey, McCarthy, Morris, Rosenthal, and Rumford—An act to repeal Section 2674 and to add Section 2674 to the Elections Code, dealing with nominations.

Referred to Committee on Elections and Reapportionment.

Speaker Pro Tempore Presiding

At 10.22 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Assembly Bill No. 2801: By Mr. Lindsay—An act to add Section 631.3 to the Code of Civil Procedure, relating to jury fees.

Referred to Committee on Judiciary.

Assembly Bill No. 2802: By Messrs Dickey, McCollister, Crowley, Doyle, Dolwig, Hollibaugh, and Silliman—An act to amend Section 862.11 of an act entitled "An act to provide for the organization, incorporation and government of municipal corporations," approved March 13, 1883, relating to taxation by sixth class cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2803: By Messrs. Dickey, McCollister, Crowley, Doyle, Dolwig, Hollibaugh, and Silliman—An act to amend Section 5417 of the Health and Safety Code, relating to control of water pollution.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2804: By Messrs. Dickey, McCollister, Crowley, Doyle, Dolwig, Hollibaugh, and Silliman—An act to amend Section 6695 of the Health and Safety Code, relating to tax limitation for sewerage facilities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2805: By Mr. Ralph C. Dills—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof.

Referred to Committee on Judiciary.

Assembly Bill No. 2806: By Mr. Silliman—An act to amend Section 6006.5 of the Revenue and Taxation Code, relating to the application of sales and use taxes to occasional sales.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2807: By Mr. Silliman—An act to amend Sections 153, 175, and 181 of the Vehicle Code, relating to transfers of title or interest in vehicles.

Referred to Committee on Transportation and Commerce.

Asembly Bill No. 2808: By Mr Way—An act to add Section 520 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2809: By Messrs. Moss, Ralph C. Dills, Morris, Anderson, Cook, and Elliott—An act to amend the Community Redevelopment Act, the State Housing Act, and the Housing Authorities Act, to provide for cooperation between the State of California and the Government of the United States, for the purpose of encouraging construction of housing stimulating the clearance of slums, and providing adequate housing for veterans and low income families, in accordance with certain bills now pending before the Congress of the United States, and providing for an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2810: By Messrs. Moss, Ralph C. Dills, Morris, George D. Collins, Anderson, Coats, Cooke, and Elliott—An act relating to public housing and community rehabilitation and redevelopment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2811: By Messrs. Moss, Ralph C. Dills, Morris, Coats, Anderson, Cooke, and Elliott—An act to add Section 3.5 and 3.6 to the Housing Authorities Law, providing for the coordination of local housing plans incidental to community redevelopment and replacement of temporary war housing, by the State Housing Authority and prescribing the powers and duties of said authority, and expanding said act to include housing for veterans and families of veterans.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2812: By Messrs. Moss, Ralph C. Dills, Morris, Anderson, Coats, Cooke, and Elliott—An act to provide for cooperation by the State in National Housing Programs.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2813: By Messrs. Moss, Ralph C. Dills, Morris, Elliott, Anderson, and Cooke—An act relating to state redevelopment and housing, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2814: By Messrs. Moss, Ralph C Dills, Morris, Coats, Anderson, Cooke, and Elliott—An act to add Section 17 5 to the Community Redevelopment Act, relating to the powers and duties of the State Redevelopment Agency in connection with community redevelopment projects.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2815: By Messrs Moss, Ralph C. Dills, Morris, George D Collins, Anderson, Coats, and Elliott—An act to amend Sections 2, 41, and 69 of the Community Redevelopment Act, relating to the redevelopment of blighted areas in this State.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2816: By Messrs Moss, Ralph C. Dills, Morris, George D. Collins, Anderson, and Elliott—An act relating to community redevelopment and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2817: By Messrs Moss, Ralph C. Dills, Morris, George D. Collins, Anderson, Coats, and Elliott—An act to provide for assistance to communities and public agencies in community redevelopment, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2818: By Messrs. Moss, Ralph C Dills, Morris, George D. Collins, Anderson, and Elliott—An act relating to public housing necessary and incidental to community redevelopment, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2819: By Messrs. Moss, Ralph C Dills, Morris, Anderson, and Elliott—An act to add Section 4.5 of the Housing Corporation Law, relating to the coordination of, and assistance to, housing projects.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2820: By Messrs. Moss, Ralph C Dills, Morris, Elliott, and Anderson—An act to authorize the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds for the single object of creating a fund to provide for community redevelopment and housing incidental thereto and to supplement loans and grants from the Federal Government and to assist in the replacement of temporary war housing with permanent housing, defining the powers of certain state officers in relation thereto, providing for the expense of preparing and advertising the sale of such bonds, and providing for the submission of this act to the vote of the people

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2821: By Messrs Moss, Ralph C Dills, Morris, George D. Collins, Anderson, and Elliott—An act calling a special election to submit to the electors of California an amendment to the Constitution of the State, proposed by the Legislature and relating to housing and community redevelopment

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2822: By Messrs Moss, Ralph C. Dills, Morris, Anderson, and Elliott—An act to provide for the construction of community redevelopment demonstration projects, and making an appropriation therefor.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2823: By Mr. Moss (By request)—An act to amend Section 4845 20 of the Health and Safety Code, relating to the withdrawal of unincorporated territory from a county sanitation district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2824: By Mr. Moss (By request)—An act to add Section 604 to the Vehicle Code, relating to the regulation of drivers and passengers of motor vehicles engaged in the transportation of persons for compensation.

Referred to Committee on Public Utilities and Corporations

Assembly Bill No. 2825: By Messrs. Fleury and Moss—An act to add Section 544 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2826: By Messrs. Fleury and Moss—An act making an appropriation to the Department of Public Works for the improvement of a street and for the construction of a bridge, relating to streets and highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2827: By Messrs. Moss and Fleury—An act making an appropriation to the State Public Works Board for improvement of the entrances to the City of Sacramento.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2828: By Mr Moss—An act relating to the Department of Veterans' Affairs, including but not limited to the Divisions of Farm and Home Purchases and educational assistance thereof and the amendment of Sections 72 and 985.3 of the Military and Veterans' Code.

Referred to Committee on Military Affairs.

Assembly Bill No. 2829: By Mr. Lindsay—An act to amend Sections 1815 and 1817 of the Education Code, relating to elementary school district boards.

Referred to Committee on Education.

Assembly Bill No. 2830: By Mr. Conrad—An act to add Section 2802.5 to the Elections Code, relating to state and county central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2831: By Mr. Burkhalter—An act to amend Section 1552 of the Labor Code, relating to employment agencies including booking agents.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2832: By Mr. Burkhalter—An act to add Part 7 to Division 5 of the Labor Code, relating to the motion picture industry.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2833: By Mr. Burkhalter—An act relating to guides and tourists aide, including the licensing and regulation thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2834: By Mr. Burkhalter—An act to add Section 313.5 to the Agricultural Code, relating to horse meat.

Referred to Committee on Public Health.

Assembly Bill No. 2835: By Mr. Bennett—An act to amend Sections 18737 and 18742 of, and to add Sections 18736.5 and 18736.6 to the Business and Professions Code, relating to boxing.

Referred to Committee on Public Morals.

Assembly Bill No. 2836: By Mr. McMillan—An act to amend Section 18734 of the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Public Morals.

Assembly Bill No. 2837: By Mr McMillan—An act to amend Section 4300f of the Political Code, relating to jurors' fees.

Referred to Committee on Judiciary.

Assembly Bill No. 2838: By Mr. McMillan—An act to amend Section 204 of the Code of Civil Procedure, relating to jury lists.

Referred to Committee on Judiciary.

Assembly Bill No. 2839: By Mr. Geddes—An act to add Section 544 to the Streets and Highways Code, relating to highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2840: By Mr. Anderson—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112 of, and to add Sections 34112.5 and 34112.4 to, the Government Code, creating new classes of cities to be known as cities of the four and seven-eighths class and cities of the four and five-eighths class, and to provide for their organization, to take effect immediately

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2841: By Mr. Anderson—An act to add Section 11f to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Referred to Committee on Judiciary.

Assembly Bill No. 2842: By Mr. Maloney—An act to add Section 1.7 to the Judges' Retirement Act and to add Section 4.7 to the Judges' Retirement Fund Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency.

Referred to Committee on Judiciary.

Assembly Bill No. 2843: By Mr. Fleury—An act to add Section 694 to, and to amend Section 540 of, the Vehicle Code, relating to traffic laws

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2844: By Mr Fleury—An act to amend Sections 6 and 21 of the State Aeronautics Commission Act, relating to state development and regulation of aeronautics.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2845: By Mr Connolly—An act to amend Section 14290 and to repeal Section 14241 of the Business and Professions Code, relating to trademarks.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2846: By Mr Connolly—An act to amend Sections 980, 981, 982, and 983 of, and to add Section 984 to, the Civil Code, relating to rights in products of the mind.

Referred to Committee on Judiciary.

Assembly Bill No. 2847: By Mr. Connolly—An act to amend Sections 329 and 1233 of the Probate Code, relating to rules of pleading in probate proceedings

Referred to Committee on Judiciary.

Assembly Bill No. 2848: By Mr Connolly—An act to amend Section 190 of the Penal Code, relating to the crime of murder in the first degree, and punishment therefor.

Referred to Committee on Judiciary.

Assembly Bill No. 2849: By Mr Hollibaugh—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax

Referred to Committee on Revenue and Taxation

Assembly Bill No. 2850: By Mr. McCollister—An act calling a special election and to provide for the submission to the electors of the State at such election of the Veterans' Bond Act of 1949, to take effect immediately.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2851: By Mr McCollister—An act relating to public officers and their return to public service from service in the armed forces.

Referred to Committee on Military Affairs

Assembly Bill No. 2852: By Mr. McCollister—An act to amend Section 1269a of the Code of Civil Procedure, relating to escheated estates.

Referred to Committee on Judiciary.

Assembly Bill No. 2853: By Mr. McCollister—An act to amend Section 1271 of the Code of Civil Procedure, relating to escheats.

Referred to Committee on Judiciary.

Assembly Bill No. 2854: By Mr. McCollister—An act to amend Section 1274.3 of the Code of Civil Procedure, relating to escheated property.

Referred to Committee on Judiciary.

Assembly Bill No. 2855: By Mr Connolly—An act to amend Sections 24202 and 24205 of the Education Code, relating to the conferring of diplomas and degrees by schools and colleges.

Referred to Committee on Education

Assembly Bill No. 2856: By Messrs Burke and Morris—An act to amend Section 2 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2857: By Mr Burke—An act to amend Section 307 of the Vehicle Code, relating to the suspension and revocation of drivers licenses.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2858: By Mr Hagen—An act to add Section 1509.5 to the Elections Code, relating to measures submitted to the voters.

Referred to Committee on Elections and Reapportionment

Assembly Bill No. 2859: By Mr. Hagen—An act to amend Section 209 of the Penal Code, relating to kidnaping

Referred to Committee on Judiciary

Assembly Bill No. 2860: By Mr Hagen—An act to add Section 2070.5 to the Insurance Code, relating to fire insurance.

Referred to Committee on Finance and Insurance

Assembly Bill No. 2861: By Mr Hagen—An act to add Section 476b to the Penal Code, relating to fictitious bills, notes, checks, or drafts.

Referred to Committee on Judiciary.

Assembly Bill No. 2862: By Mr Cooke—An act to amend Sections 14 and 19 of, to add Sections 15 5, 15.6, 15 7, 15.8, 15.9, and 1020 to, and to repeal Section 1065 of, the Fish and Game Code, relating to the taking of fish, mollusks, crustaceans, amphibia and reptiles for commercial purposes, delegating to the Fish and Game Commission regulatory powers in relation thereto, creating a Sardine and Mackerel Advisory Committee and prescribing its functions, and providing for a license fee for taking sardines and mackerel.

Referred to Committee on Fish and Game.

Assembly Bill No. 2863: By Mr Babbage—An act to add Section 241a to the Code of Civil Procedure, relating to the tenure of grand jurors.

Referred to Committee on Judiciary.

Assembly Bill No. 2864: By Mr. Babbage—An act to add Section 66u to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the County of Riverside, and to provide for the appointment of an additional judge," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of additional Superior Court Judges in and for the County of Riverside.

Referred to Committee on Judiciary.

Assembly Bill No. 2865: By Mr. Babbage—An act to amend Section 73b of the Code of Civil Procedure, and Section 24254.5 of the Government Code, relating to holding sessions of the superior court in places other than the county seat.

Referred to Committee on Judiciary.

Assembly Bill No. 2866: By Mr. Thompson—An act to add Article 4 to Chapter 3 of Division 1 of the Agricultural Code, relating to an annual State Horse Show.

Referred to Committee on Agriculture.

Assembly Bill No. 2867: By Messrs. Coats, Ralph C. Dills, Caldecott, Lewis, Babbage, Dunn, Fleury, Hahn, Meyers, and Moss—An act to add Chapter 1.2 to Division 10 of the Education Code, relating to scholarships for students of, and persons applying for admission to, publicly supported institutions of higher education and making an appropriation therefor, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Assembly Bill No. 2868: By Mr. Coats—An act to add Part 7.5 to Division 3 of Title 2 of the Government Code, establishing a State Department of Commerce, prescribing its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2869: By Mr. Coats—An act to add Sections 20658 and 20659 to the Education Code, relating to the California State Polytechnic College, and making an appropriation.

Referred to Committee on Education.

Assembly Bill No. 2870: By Mr. Coats—An act to amend Section 4650 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2871: By Mr. Coats—An act to amend Section 5800 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2872: By Mr. Coats—An act to amend Section 1300.1 of the Agricultural Code, relating to the processor of farm products.

Referred to Committee on Agriculture.

Assembly Bill No. 2873: By Mr. Coats—An act to amend Section 1300.8 of the Agricultural Code, relating to processors of farm products.

Referred to Committee on Agriculture.

Assembly Bill No. 2874: By Mr. Coats—An act to amend Section 420 of the Vehicle Code, relating to security following accident.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2875: By Mr. Coats—An act to amend Section 419 of the Vehicle Code, relating to security following accident.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2876: By Mr. Coats—An act making an appropriation to the California Aeronautics Commission for carrying out the provisions of Section 7 of the State Aeronautics Commission Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2877: By Mr. Coats—An act making an appropriation to the California Aeronautics Commission for carrying out the provisions of Section 6 of the State Aeronautics Commission Act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2878: By Mr Coats—An act to amend Section 9054 of the Government Code, relating to lobbying.

Referred to Committee on Rules.

Assembly Bill No. 2879: By Mr Coats—An act to amend Section 860 of the Fish and Game Code, relating to taking of fish.

Referred to Committee on Fish and Game.

Assembly Bill No. 2880: By Mr. Coats—An act to amend Section 1201 of the Fish and Game Code, relating to birds.

Referred to Committee on Fish and Game.

Assembly Bill No. 2881: By Mr. Coats—An act to amend Section 1272 of the Fish and Game Code, relating to deer.

Referred to Committee on Fish and Game.

Assembly Bill No. 2882: By Mr Coats—An act to provide for a new state park, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2883: By Mr. Coats—An act making an appropriation for the support of Chico State College.

Referred to Committee on Education.

Assembly Bill No. 2884: By Mr. Coats—An act making an appropriation for the acquisition of land and the construction of buildings for Chico State College.

Referred to Committee on Education.

Assembly Bill No. 2885: By Mr. Geddes—An act making an appropriation to pay the claim of Herbert Herzenberg against the State of California.

Referred to Committee on Ways and Means

Assembly Bill No. 2886: By Mr. Meyers—An act to amend Sections 4035, 4037, and 4044 of the Business and Professions Code, relating to the practice of pharmacy and the sale of drugs.

Referred to Committee on Public Health.

Assembly Bill No. 2887: By Mr Meyers—An act to add Section 11006 to the Revenue and Taxation Code, relating to vehicle license fee money allocable to cities

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2888: By Mr. Meyers—An act to amend Section 6b of the Municipal Court Act of 1925, relating to municipal courts.

Referred to Committee on Judiciary

Assembly Bill No. 2889: By Mr. Meyers—An act to provide for the operation and maintenance by the State of the Golden Gate Bridge, and for the incorporation thereof into the State Highway System.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2890: By Mr Meyers—An act to amend Section 4658 of the Labor Code, relating to computation of payment for permanent disability under the Workmen's Compensation Act

Referred to Committee on Industrial Relations.

Assembly Bill No. 2891: By Mr McMillan—An act to add Section 18637 to, and to amend Section 18674 of the Business and Professions Code, relating to boxing and wrestling

Referred to Committee on Public Morals.

Assembly Bill No. 2892: By Mr. McMillan—An act to amend Section 1143 of the Penal Code, relating to jurors' fees

Referred to Committee on Judiciary.

Assembly Bill No. 2893: By Mr. Luckel—An act to add Sections 161a, 280a, 280b, 280c, 280d, and 280e, to the Military and Veterans Code, relating to State Naval Militia and providing for the appointment of a board by the Governor of former Naval Militia and National Guard officers, which shall serve without pay, and which shall make a study of plans for the complete reactivation of the California Naval Militia; the immediate partial or limited reactivation of the California Naval Militia; the establishment of the California State Naval Reserve List; the appointment, promotion and retirement of former Naval Militia officers and enlisted men serving in the partial or the California Naval Militia; the appointment of active and retired officers of the Regular Navy in the partially reactivated Naval Militia; the granting of commissions in the Naval Militia to the Superintendent and Faculty Officers of the California Maritime Academy; the appointment of the Cadets of the Maritime Academy as Midshipmen in the Naval Militia, and the granting of

commissions on the California State Naval Reserve List to graduates of the Maritime Academy; and the raising of the rank of Lieutenant General to the Adjutant General without any increase in pay or allowances.

Referred to Committee on Military Affairs.

Assembly Bill No. 2894: By Mr. Dunn—An act to amend Sections 9603 and 9606 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2895: By Mr Dunn—An act to amend Section 18656 7 of the Health and Safety Code, relating to auto and trailer parks and trailer coaches, including the regulation thereof.

Referred to Committee on Public Health.

Assembly Bill No. 2896: By Mr. Dunn—An act to pay the claim of Kaze Tom Novic against the State of California.

Referred to Committee on Ways and Means.

Assembly Bill No. 2897: By Mr Dunn—An act to amend Section 73 3 of the Vehicle Code, relating to definitions

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2898: By Mr. Crichton—An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2899: By Mr. Tomlinson—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Referred to Committee on Education.

Assembly Bill No. 2900: By Mr. Tomlinson—An act to amend Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Referred to Committee on Municipal and County Government.

Hon. Thomas W. Caldecott Presiding

At 10.25 a m., Hon. Thomas W. Caldecott, Member of the Assembly from the Eighteenth District, presiding.

Assembly Bill No. 2901: By Mr. Weber—An act to add Chapter 4 comprising Sections 10500 to 10526, inclusive, to Part 2 of Division 2 of Title 2 of the Government Code.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2902: By Mr. Weber—An act to add Section 11005 6 to the Government Code, relating to acquisition of real property by state agencies, and providing for referral of proposed acquisitions to

local planning agencies and for approval thereof by the State Public Works Board.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2903: By Mr. Weber—An act to prohibit the expenditure for building sites of moneys appropriated by the Budget Act of 1948 without prior submission of plans to local planning boards and prior approval by the Department of Finance.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2904: By Mr. Sam L. Collins—An act to amend Section 811 of the Fish and Game Code, relating to cockles.

Referred to Committee on Fish and Game.

Assembly Bill No. 2905: By Messrs. Way and Condon—An act to amend Section 5082 1 of the Business and Professions Code, relating to the practice of public accountancy.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2906: By Mr. Condon—An act to amend Section 657 of the Code of Civil Procedure, relating to new trials.

Referred to Committee on Judiciary.

Assembly Bill No. 2907: By Mr. Condon—An act to amend Section 4754 of, and to add Section 4755 5 to, the Labor Code, relating to subsequent injuries.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2908: By Mr. Condon—An act to amend Section 4600 and to repeal Sections 4601, 4602, 4603, and 4605 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2909: By Messrs Kilpatrick and Burke—An act to amend Sections 633, 641, and 662 of the Welfare Code, relating to institutions in which delinquent or other juveniles are housed.

Referred to Committee on Social Welfare.

Assembly Bill No. 2910: By Mr Kilpatrick—An act requiring building inspectors of counties and cities to post bonds

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2911: By Mr. Kilpatrick—An act to add Section 7077 to the Business and Professions Code, relating to contractors

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2912: By Mr. Kilpatrick—An act to amend Section 361 of the Probate Code, relating to the probate of foreign wills in this State.

Referred to Committee on Judiciary.

Assembly Bill No. 2913: By Mr. Grant—An act to amend Sections 6301, 6321, 6501, 6813, 7051, and 7057 of the Public Resources Code, relating to publicly owned lands, including lands owned by the State, by counties, cities, districts, and other public agencies, and including tidelands and submerged lands, beds of navigable rivers and lakes, lands held in a proprietary or sovereign capacity, and other lands, providing for the administration, management, leasing, and disposition thereof, and of the oil and gas and other mineral deposits within or upon such lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry

Assembly Bill No. 2914: By Mr. Anderson—An act to add Section 38.1 to the Alcoholic Beverage Control Act, relating to distances between licensed premises.

Referred to Committee on Public Morals.

Assembly Bill No. 2915: By Mr. Gaffney—An act to add Section 89 1 to the Civil Code and to repeal Article 2, Chapter 1, Title 11a of Part 3 of the Code of Civil Procedure, relating to conciliation.

Referred to Committee on Judiciary.

Assembly Bill No. 2916: By Mr. Dickey—An act to provide for the regulation and licensing of tournaments, competitions and exhibitions of the Spanish-Basque game known variously as Jai-Alai, Hi-Li, or Pelota; played in conjunction with or pari-mutuel wagering; prescribing the powers and duties of the California Horse Racing Board for the regulation, licensing and supervision of such tournaments, competitions, and exhibitions; providing penalties for violation of the provisions hereof; and making an appropriation for the support of the California Horse Racing Board for administration of the terms hereof and appropriating the balance of moneys derived hereunder, after appropriation for the support of the California Horse Racing Board, to the junior colleges of the State of California for instruction in aeronautics.

Referred to Committee on Public Morals.

Assembly Bill No. 2917: By Mr Morris—An act to add Section 2305 to the Elections Code, relating to delegates to national conventions.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2918: By Mr. Morris—An act to amend Section 69 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 2919: By Mr. Morris—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control, including transfer of licenses, and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2920: By Mr. Morris—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control, including transfer of licenses and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2921: By Mr Morris—An act to repeal Section 7.2 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control, including transfer of licenses, and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2922: By Mr. Morris—An act to amend Section 7.2 of Alcoholic Beverage Control Act, relating to alcoholic beverage control including transfer of licenses and conditions governing the same.

Referred to Committee on Public Morals.

Assembly Bill No. 2923: By Mr. Morris—An act to amend Section 15 of the Alcoholic Beverage Control Act, relating to issuance of licenses contrary to zoning ordinances.

Referred to Committee on Public Morals.

Assembly Bill No. 2924: By Mr. Kirkwood—An act to amend Section 609 of the Probate Code, relating to the compensation of appraisers

Referred to Committee on Judiciary.

Assembly Bill No. 2925: By Mr Kirkwood—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Assembly Bill No. 2926: By Mr Erwin—An act to amend Section 401 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the first class

Referred to Committee on Education.

Assembly Bill No. 2927: By Mr Sherwin—An act to amend Sections 2 and 3 of the California State Communications Act, relating to the California State Communications Advisory Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2928: By Mr Sherwin—An act to amend Section 991 of the Military and Veterans Code, relating to the Veterans' Finance Committee of 1943.

Referred to Committee on Military Affairs.

Assembly Bill No. 2929: By Mr Sherwin—An act to amend Section 2 of the Wildlife Conservation Act of 1947, relating to the membership of the Wildlife Conservation Board.

Referred to Committee on Fish and Game.

Assembly Bill No. 2930: By Mr. Sherwin—An act to amend Section 20100 of the Government Code, relating to the membership of the Board of Administration of the State Employees' Retirement System

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2931: By Mr Sherwin—An act to amend Section 14339 of the Education Code, relating to the Retirement Investment Board of the State Teachers' Retirement System.

Referred to Committee on Education.

Assembly Bill No. 2932: By Mr. Sherwin—An act to amend Section 3.4 of the World Trade Center Authorities Act, relating to the San Francisco World Trade Center Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2933: By Mr Sherwin—An act to amend Section 3.4 of the World Trade Center Authorities Act, relating to the Los Angeles World Trade Center Authority.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2934: By Mr. Sherwin—An act to amend Section 3414 of the Public Resources Code, relating to the Board of Review of Oil and Gas Assessments.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 2935: By Mr. Sherwin—An act to abolish the Board of Public Building Reconstruction.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2936: By Mr. Sherwin—An act to amend Section 11401 of the Water Code, relating to the Water Project Authority.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2937: By Mr. Elliott—An act to repeal Part 1, comprising Sections 6001 to 7176, inclusive, of Division 2 of the Revenue and Taxation Code, relating to sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2938: By Mr. Ralph C. Dills—An act to add Section 134.5 to the Code of Civil Procedure, relating to the transaction of judicial business by justices' courts of Class A.

Referred to Committee on Judiciary.

Assembly Bill No. 2939: By Messrs. Way and Condon—An act to add Section 5020 to the Public Resources Code, relating to state parks and state beaches and providing for payment by the State to counties in lieu of taxes for lands heretofore or hereafter acquired for state parks and state beaches, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2940: By Mr. George D. Collins—An act authorizing the Director of Finance to borrow and secure the repayment of moneys for the immediate completion of the State Highway System.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2941: By Mr. George D. Collins—An act to add Section 739.3 to the Vehicle Code, relating to the fixing of bail in cases not involving a moving vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2942: By Mr. George D. Collins—An act to add Section 1193.5 to the Penal Code, relating to the imposition of death sentence.

Referred to Committee on Judiciary.

Assembly Bill No. 2943: By Messrs George D. Collins and McCarthy—An act to amend Section 758 of the Political Code, relating to officers and employees of the district courts of appeal.

Referred to Committee on Judiciary.

Assembly Bill No. 2944: By Mr Brown—An act to repeal Sections 209.5, 256 5, and 987 of the Revenue and Taxation Code, relating to property taxation and exemptions therefrom.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2945: By Mr. Brown—An act to add Section 754.6 to the Probate Code, relating to the sale of property in probate.

Referred to Committee on Judiciary.

Speaker Pro Tempore Presiding

At 10.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2946: By Mr. Brown—An act to amend Sections 1016, 1017, 1191, and 1192 of the Penal Code, relating to criminal proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2947: By Mr. Brown—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2948: By Mr. Brown—An act to add Article 4, comprising Sections 6060 to 6064, inclusive, to Chapter 1 of Division 7 of Title 1 of the Government Code, relating to the publication of notices.

Referred to Committee on Judiciary.

Assembly Bill No. 2849: By Mr. Brown—An act to amend Section 553.5 of the Probate Code, relating to substitution and discharge of surety.

Referred to Committee on Judiciary.

Assembly Bill No. 2950: By Mr. Brown—An act to amend Section 692 of the Code of Civil Procedure, relating to sales of property.

Referred to Committee on Judiciary.

Assembly Bill No. 2951: By Mr. Brown—An act to amend Section 521 of the Probate Code, relating to appointment of executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 2952: By Mr. Brown—An act to amend Section 851 of the Probate Code, relating to notices in administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 2953: By Mr. Brown—An act to amend Section 1201 of the Probate Code, relating to notices in the administration of estates.

Referred to Committee on Judiciary.

Assembly Bill No. 2954: By Mr. Brown—An act to amend Section 780 of the Probate Code, relating to sale of real property in estates.

Referred to Committee on Judiciary.

Assembly Bill No. 2955: By Mr. Brown—An act to amend Section 261 of the Probate Code, relating to notices in estates of missing persons.

Referred to Committee on Judiciary.

Assembly Bill No. 2956: By Mr. Brown—An act to amend Section 762 of the Code of Civil Procedure, relating to service of notice to lien-holders in actions for the partition of property.

Referred to Committee on Judiciary.

Assembly Bill No. 2957: By Mr. Brown—An act to amend Section 1271 of the Code of Civil Procedure, relating to escheats.

Referred to Committee on Judiciary.

Assembly Bill No. 2958: By Mr. Brown—An act to amend Sections 1534 and 1535 of the Probate Code, relating to guardians and wards in respect to rules governing sales proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 2959: By Mr. Brown—An act to amend Section 548 of the Probate Code, relating to appointment of executors and administrators.

Referred to Committee on Judiciary.

Assembly Bill No. 2960: By Mr. Meyers—An act to create the San Francisco Bay Authority and to transfer all the powers, duties and functions of the Board of State Harbor Commissioners for San Francisco Harbor to the authority.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2961: By Mr. Meyers—An act making an appropriation to the Department of Education for the acquisition of real property for the San Francisco State College.

Referred to Committee on Education.

Assembly Bill No. 2962: By Mr. Meyers—An act to amend Section 13108 of the Health and Safety Code, relating to the State Fire Marshal.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2963: By Mr. Meyers—An act making an appropriation for services for physically handicapped children suffering from rheumatic fever and rheumatic heart disease.

Referred to Committee on Social Welfare.

Assembly Bill No. 2964: By Mr Brown—An act to amend Section 146 of the Civil Code, relating to disposition of community property on divorce.

Referred to Committee on Judiciary.

Assembly Bill No. 2965: By Mr Brown—An act to amend Section 824 of the Code of Civil Procedure, relating to publication of notice of execution sales of vessels.

Referred to Committee on Judiciary

Assembly Bill No. 2966: By Mr. Brown—An act to amend Section 283 of the Probate Code, relating to notices in estates of missing persons

Referred to Committee on Judiciary.

Assembly Bill No. 2967: By Mr. Brown—An act to amend Section 413 of the Code of Civil Procedure, relating to service of summons.

Referred to Committee on Judiciary.

Assembly Bill No. 2968: By Mr Lowrey—An act to amend Sections 380.54 and 380 55 of the Agricultural Code, relating to the slaughter and inspection of horses and burros

Referred to Committee on Public Health.

Assembly Bill No. 2969: By Mr Lowrey—An act to add Section 4884 to the Public Resources Code, relating to controlled burning of brush covered lands and making an appropriation to the Division of Forestry, Department of Natural Resources, to carry out the provisions of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2970: By Mr Hawkins—An act to amend Sections 17053 5, 19201 5, 19203 5, 19204 5, and 19205.5 of the Revenue and Taxation Code, relating to state taxation and providing for rates and exemptions, and providing that this act shall take effect immediately.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2971: By Mr. Hawkins—An act to amend Section 428 of the Fish and Game Code, relating to hunting and fishing licenses.

Referred to Committee on Fish and Game.

Assembly Bill No. 2972: By Mr. Hawkins—An act to amend Section 410 5 of the Vehicle Code, relating to the financial responsibility of owners and operators of vehicles.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2973: By Mr. Hawkins—An act to amend Section 415.5 of the Vehicle Code, relating to the financial responsibility of owners and operators of vehicles.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2974: By Messrs. George D Collins, Gaffney, Lewis, Kilpatrick, Berry, Brown, Coats, Condon, Ralph C. Dills, Dolwig, Elliott, Fletcher, Hagen, Hawkins, Lowrey, McCarthy, Meyers, Moss, and Rumford—An act to add Section 6365 to the Revenue and Taxation Code, relating to exemptions from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2975: By Mr Waters—An act relating to the powers, duties, and functions of committees created by either or both houses of the Legislature, and for that purpose amending Section 9410 of the Government Code.

Referred to Committee on Judiciary.

Assembly Bill No. 2976: By Mr. Coats—An act declaring the state interest in the construction of a navigable channel on the Feather River for the purposes of flood control and navigation, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2977: By Messrs. Coats and Lowrey—An act declaring the state interest in the construction of a navigable channel on the Sacramento River for the purposes of flood control and navigation, and making an appropriation therefor.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2978: By Messrs. Coats, George D. Collins, and Moss—An act to add Section 16906 to the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Judiciary.

Assembly Bill No. 2979: By Mr. Burkhalter—An act to provide a tax on gross income to provide a fund for payment of security and expenses of administration under Article XXV of the Constitution and for the support of all totally disabled persons.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 2980: By Mr. Lewis—An act to amend Section 24402 of the Education Code, relating to community recreation.

Referred to Committee on Education.

Assembly Bill No. 2981: By Mr. Lewis—An act making an appropriation to the Department of Public Works for reconditioning a state highway.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2982: By Mr Lewis—An act to add Article 14, comprising Sections 14594 to 14599, inclusive, to Chapter 2 of Part 3 of Division 12 of the Health and Safety Code, relating to the powers of the governing board of a county fire protection district.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 2983: By Mr. Lewis—An act to add Section 103p to the Code of Civil Procedure, relating to the number of justices in townships of Class A and to their powers and duties.

Referred to Committee on Judiciary

Assembly Bill No. 2984: By Mr. Lewis—An act to amend Section 92 of the Agricultural Code, relating to district agricultural fairs.

Referred to Committee on Agriculture.

Assembly Bill No. 2985: By Mr Morris—An act to amend Section 7318 of the Labor Code, relating to elevators.

Referred to Committee on Industrial Relations.

Assembly Bill No. 2986: By Messrs. McCarthy, Berry, Gaffney, Brady, McCollister, Connolly, Crowley, Maloney, Meyers, and Way—An act to provide for the construction of a highway between the north end of the Golden Gate Bridge and a point at or near Waldo, in Marin County, and making an appropriation

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 2987: By Mr. Lincoln—An act to amend Section 1457 of the Penal Code, relating to the disposition of fines.

Referred to Committee on Judiciary.

Assembly Bill No. 2988: By Mr. Lincoln—An act to amend Section 1463 of the Penal Code, relating to the disposition of fines and forfeitures in municipal courts.

Referred to Committee on Judiciary.

Assembly Bill No. 2989: By Mr. Lincoln—An act to amend Section 1570 of the Penal Code, relating to fines and forfeitures.

Referred to Committee on Judiciary.

Assembly Bill No. 2990: By Mr. Lincoln—An act to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 2991: By Mr. Lincoln—An act to amend Sections 8, 13, and 19, and to add Sections 4 6 and 8a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation for the selection of jurors therein," approved May 23, 1925, as amended, relating to the establishment of municipal courts in cities of the second class.

Referred to Committee on Judiciary

Assembly Bill No. 2992: By Mr. Ralph C. Dills—An act relating to custody and detention in state or county prisons, jails or other detention facilities of persons committed or detained by process or order issued under the authority of the United States including, but not limited to, an amendment of Section 4005 of the Penal Code.

Referred to Committee on Judiciary.

Assembly Bill No. 2993: By Messrs. Fleury and Moss—An act to add Section 16423 1 to the Education Code, relating to athletic contests in which pupils of public schools participate.

Referred to Committee on Education

Assembly Bill No. 2994: By Mr. McCollister—An act to amend Section 1626 of the Business and Professions Code, relating to the practice of dentistry.

Referred to Committee on Public Health.

Assembly Bill No. 2995: By Mr. McCollister—An act to amend Section 1651 of the Business and Professions Code, relating to the practice of dentistry.

Referred to Committee on Public Health.

Assembly Bill No. 2996: By Mr. Evans—An act to add Part 7.6 to Division 3 of Title 2 of the Government Code, creating the Parking Area Authority and prescribing the powers and duties thereof.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2997: By Mr. Evans—An act to add Section 2102 5 to the Code of Civil Procedure, relating to the admissibility of evidence.

Referred to Committee on Judiciary.

Assembly Bill No. 2998: By Mr. Evans—An act to add Part 7.7 to Division 3 of Title 2 of the Government Code, creating the Coordinating and Redeveloping Authority and prescribing the powers and duties thereof.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2999: By Messrs. Hollibaugh, Ralph C. Dills, Geddes, Kilpatrick, Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Connolly, Conrad, Cooke, Crowley, Davis, Clayton A. Dills, Doyle,

Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hawkins, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Reagan, Stanley, Waters, and Weber—An act to amend Sections 7a, 7b, and 19 of the Municipal Court Act of 1925, and to add Section 28b thereto, relating to attaches in municipal courts in cities of the first and one-half class.

Referred to Committee on Judiciary.

Assembly Bill No. 3000: By Mr. Burkhalter—An act to provide for equitable administration of tax and revenue laws

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3001: By Mr Burkhalter—An act to add certain administrative provisions to the Revenue and Taxation Code, relating to state revenues and taxes and the administration thereof.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 3002: By Mr. Burkhalter—An act to add Section 5108 to the Revenue and Taxation Code, relating to suits for tax refunds.

Referred to Committee on Revenue and Taxation.

Assembly Constitutional Amendment No. 62: By Messrs. Geddes, Brady, and Evans—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 4 of Article XXIV thereof, relating to exemptions from state civil service.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 63: By Mr. Hagen—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 1d to Article IV of said Constitution, relating to the submission of initiative measures and the voting thereon.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 64: By Mr. Evans—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XIII thereof a new section to be numbered 1.7, relating to property taxation.

Referred to Committee on Constitutional Amendments

Assembly Joint Resolution No. 22: By Messrs. Way and Condon —Relative to reimbursing counties for the loss of revenue caused by federal ownership of lands within the counties.

Referred to Committee on Rules.

Assembly Joint Resolution No. 23: By Messrs. Coats and Lowrey —Relative to the construction of navigable channels on the Sacramento and Feather Rivers.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 27
Senate Concurrent Resolution No 26
Senate Concurrent ResolutionNo. 33
Senate Joint Resolution No. 5
Senate Joint Resolution No. 14

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 6—Relative to memorializing the President and the Congress of the United States in relation to two irrigation canals to supply water from the Sacramento River to areas in Northern California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Stanley, Waters, Way, Weber, and Mr Speaker—57

NOES—None.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 527

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT 500 ADDITIONAL COPIES OF REPORT BE PRINTED

Mr. Gaffney asked for, and was granted, unanimous consent that 500 additional copies of the Preliminary Report of the Assembly Interim Committee on Industrial Safety, as printed in the Assembly Journal of Friday, January 28, pages 883 to 889, inclusive, be ordered printed as separate documents.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 2—Relative to memorializing the President and the Congress of the United States in relation to two irrigation canals to supply water from the Sacramento River to areas in Northern California;

Assembly Joint Resolution No. 5—Relative to memorializing the President and the Congress of the United States in relation to agricultural compositions and extensions under the Federal Bankruptcy Law;

Assembly Joint Resolution No. 6—Relative to California water projects;

Assembly Joint Resolution No. 8—Relative to providing a veterans' hospital at San Diego;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of January, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 13—Relative to memorializing the President and the Congress of the United States in relation to establishing parity prices for California products;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of January, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, January 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 62—An act providing for a declaration of a water shortage emergency by the governing body of a distributor of a public water supply, authorizing the regulation and restriction of water deliveries and consumption during a water shortage emergency, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 295—An act to add a new division to the Vehicle Code, to be numbered 9b, relating to the regulation, control and policing of vehicles and vehicular traffic on privately owned toll bridges and the approaches thereto, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 645—An act to amend Sections 3420 and 3472 of the Welfare and Institutions Code, relating to aid to partially self-supporting blind residents, increasing the amount of the grant thereof, and making an appropriation, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of January, 1949, at 11 a.m.

HUYCK, Chairman

RECESS

At 10.47 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS BE EXCUSED FOR BALANCE OF LEGISLATIVE DAY

At 1.31 p.m., Mr. Maloney asked for, and was granted, unanimous consent that the following members be excused for the balance of the legislative day:

Messrs. Beck, Collier, Cramer, Huyck, Lincoln, Lindsay, Mrs. Niehouse, Messrs. Rosenthal, Sherwin, Smith, Thomas, and Thompson

Messrs. Cramer, Lindsay, and Thompson desired to waive their per diems.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, January 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 50
Assembly Joint Resolution No. 16

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT 500 ADDITIONAL COPIES OF REPORT BE PRINTED AS SEPARATE DOCUMENTS

Mr. Dickey asked for, and was granted, unanimous consent that 500 additional copies of the Report of the Assembly Interim Committee on Detention Homes and County and City Jails (Crime and Corrections), as printed in the Assembly Journal of Thursday, January 13, 1949, pages 281 to 289, inclusive, be ordered printed as separate documents.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, January 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 59
Assembly Bill No. 60

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Bill No. 59—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 59?

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, as amended, strike out "fifth class cities or cities and counties" and insert "cities and cities and counties of the fifth class".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 59 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sillman, Stanley, Waters, Way, Weber, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 59 ordered enrolled.

Assembly Bill No. 60—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, creating a new class of

cities to be known as cities of the four and seven-eighths class, and to provide for their organization, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 60?

Amendment No. 1

In line 3 of the title of the printed bill, after "amended," insert "and to amend Section 34112 of, and to add Section 34112.5 to, the Government Code,".

Amendment No. 2

On page 2, line 15, of said bill, after "SEC. 3", insert "Section 34112 of the Government Code is amended to read:

34112 Cities having a population of *more than one thousand five hundred and* not exceeding eight thousand are cities of the sixth class.

SEC. 4. Section 34112.5 is added to the Government Code, to read:

34112.5. Cities having a population of not exceeding one thousand five hundred are cities of the four and seven-eighths class. Four and seven-eighths class cities may organize as sixth class cities pursuant to this title and when they do, shall have all the powers and duties of a sixth class city.

SEC. 5. Sections 3 and 4 of this act become operative only if Title 4 of the Government Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Title 4 takes effect; at which time Section 1 of the act cited in the title hereof and Section 2 of this act are repealed.

SEC. 6."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 60 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Stanley, Waters, Way, Weber, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 60 ordered enrolled.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3003: By Messrs. Reagan, Levering, Hollibaugh, and Fletcher—An act to repeal Part 8, comprising Sections 15530 to 15563, inclusive, of Division 3 of Title 2 of the Government Code, relating to planning and research, and to abolish the Physical Planning and Economic Advisory Councils.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3004: By Messrs. Reagan, Levering, Hollibaugh, and Fletcher—An act to repeal Article 19, comprising Sections 95 and 96, of the Community Redevelopment Act, relating to the State Redevelopment Agency, and to abolish the State Redevelopment Agency.

Referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3005: By Messrs. Reagan, Levering, Hollibaugh, and Fletcher—An act to repeal Article 2, comprising Sections 13140 to 13146, inclusive, of Chapter 1 of Part 2 of Division 12 of the

Health and Safety Code, relating to the State Fire Advisory Board, and to abolish said board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3006: By Messrs Reagan, Levering, Hollibaugh, and Fletcher—An act to repeal Part 7, comprising Sections 15480 to 15485, inclusive, of Division 3 of Title 2 of the Government Code, relating to the Department of Investment, and to abolish the Board of Investment.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3007: By Messrs Levering, Reagan, Hollibaugh, and Fletcher—An act to repeal the State Aeronautics Commission Act, and to abolish the State Aeronautics Commission.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3008: By Messrs. Levering, Reagan, Hollibaugh, and Fletcher—An act to repeal Sections 3534, 3535, 3536, 3537, and 3538 of the Revenue and Taxation Code, relating to the Advisory Committee on Tax Deeded Property, and to abolish said committee.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3009: By Messrs. Levering, Reagan, Hollibaugh, and Fletcher—An act to repeal Chapter 1, comprising Sections 500 to 520.1, inclusive, of Part 2 of Division 2 of the Military and Veterans Code, relating to the California Cadet Corps, and to abolish the California Cadet Corps.

Referred to Committee on Military Affairs.

Assembly Bill No. 3010: By Messrs. Levering, Reagan, Hollibaugh, and Fletcher—An act to repeal Chapter 2, comprising Sections 410 to 418, inclusive, and Chapter 3, comprising Sections 419 to 420.9, inclusive, of Division 7 of the Vehicle Code, relating to financial responsibility of owners and operators of vehicles, and to abolish the Financial Responsibility Division of the Department of Motor Vehicles

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3011: By Messrs Fletcher, Levering, Reagan, and Hollibaugh—An act to repeal Sections 6028, 6028.1, 6028.2, 6028.3, and 6028.4 of the Penal Code, relating to Crime Commissions.

Referred to Committee on Judiciary.

Assembly Bill No. 3012: By Messrs. Levering, Reagan, Hollibaugh, and Fletcher—An act to repeal the California State Communications Act, and to abolish the California State Communications Advisory Board.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3013: By Messrs Way and Berry—An act to require the State to reimburse all counties for revenue lost due to state ownership of lands within the county.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 3014: By Mr. Doyle—An act to amend Section 419, to repeal Sections 420, 420.1, 420.2, 420.3, 420.4, 420.5, 420.6, 420.7, 420.8, and 420.9, and add Sections 420, 421, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 423, 423.1, and 423.2 of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 3015: By Mr. Ralph C. Dills—An act to amend Sections 4 and 17 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939 and Sections 4 and 17 of the Personal Property Brokers Act as amended by Chapter 1044 of the Statutes of 1939, relating to loans and charges thereunder and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Finance and Insurance

Assembly Bill No. 3016: By Mr. Ralph C. Dills—An act to add Section 385 to the Vehicle Code, relating to fees and charges payable on registration of a vehicle.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3017: By Messrs. Maloney, Gaffney, and Berry—An act to add Sections 6405.1 and 6405.2 to the Labor Code, relating to health and safety of workers.

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 3018: By Mr. Brown—An act to amend Sections 7651 and 8103 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3019: By Mr Brown—An act to repeal Sections 1, 2, 2.5, 3, 4, 5, and 21 of the California Airport District Act, to add Sections 1, 2, 3, 4, 5, and 21 and to amend Sections 3 5 and 14, thereof, relating to the formation of airport districts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3020: By Mr Brown—An act to amend Section 8352 of, and to add Sections 8354 to 8356, inclusive, to the Revenue and Taxation Code, and to add Section 28 to the State Aeronautics Commission Act, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3021: By Mr. Brown—An act to amend Section 7304 of the Revenue and Taxation Code, relating to taxes on motor vehicle fuel.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3022: By Mr. Brown—An act to amend Sections 22500 and 22503 of the Water Code, relating to disposition of irrigation district real property.

Referred to Committee on Agriculture.

Assembly Bill No. 3023: By Messrs Huyck and Lipscomb—An act to amend Sections 19484 and 19538 of, and to add Sections 19538.1, 19538 2, and 19485 5 to the Business and Professions Code, relating to horse racing.

Referred to Committee on Public Morals

Assembly Bill No. 3024: By Mr Brown—An act to amend and renumber Section 1882.5 of the Revenue and Taxation Code, relating to property taxation, and providing for the equalization of property values.

Referred to Committee on Judiciary.

Assembly Bill No. 3025: By Mr. George D Collins—An act to add Chapter 5.5 to Division 9 of the Health and Safety Code, relating to information concerning divorce and annulment proceedings, and making an appropriation

Referred to Committee on Judiciary.

Assembly Bill No. 3026: By Mr. George D. Collins—An act to amend Section 7301 of the Business and Professions Code, relating to the Board of Cosmetology.

Referred to Committee on Public Health.

Assembly Bill No. 3027: By Messrs. George D. Collins, Elliott, and Lewis—An act relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees and making an appropriation for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3028: By Messrs. Meyers and Berry—An act to amend the title of, and to add Sections 1.5 and 3.5 to, an act entitled "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, relating to the purposes of expenditure of said appropriation, and making an appropriation.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3029: By Messrs. Gaffney, Meyers, and Berry—An act to amend Section 302 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3030: By Mr. Meyers—An act to add Section 604.13 to the Vehicle Code, relating to motor vehicles equipped with television.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3031: By Mr. Meyers—An act to add Section 1908.1 to the Harbors and Navigation Code, providing for state aid in connection with the purchase of two diesel-electric power type fireboats by the City and County of San Francisco and making an appropriation in $_____.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3032: By Mr. Meyers—An act to amend Section 469 of the Vehicle Code, relating to railroad warning approach signs.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3033: By Mr. Meyers—An act making an appropriation to the Board of State Harbor Commissioners for San Francisco Harbor for state support of fireboats of the City and County of San Francisco.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3034: By Mr. Meyers—An act to repeal Chapter 5.5 consisting of Sections 6035, 6036, and 6037, of Title 7 of Part 3 of the Penal Code, relating to the State Board of Prison Directors.

Referred to Committee on Judiciary.

Assembly Bill No. 3035: By Mr. Dolwig—An act to add Section 3522 to the Revenue and Taxation Code, relating to deeds to the State for taxes.

Referred to Committee on Revenue and Taxation

Assembly Bill No. 3036: By Mr. Dolwig—An act to add Section 1245.2 to the Code of Civil Procedure, relating to actions to determine title to property appearing upon the recorded maps as a "square" or other open space.

Referred to Committee on Judiciary

Assembly Bill No. 3037: By Mr. Dolwig—An act to add a new section to the Code of Civil Procedure, to be numbered 1245.1, relating to proceedings in eminent domain.

Referred to Committee on Judiciary.

Assembly Bill No. 3038: By Mr. Dolwig—An act to add Section 1244.5 to the Code of Civil Procedure, relating to eminent domain proceedings.

Referred to Committee on Judiciary.

Assembly Bill No. 3039: By Mr. Dolwig—An act to add Section 205.5 to the Revenue and Taxation Code, relating to veterans exemptions from taxation.

Referred to Committee on Military Affairs.

Assembly Bill No. 3040: By Mr. Dolwig—An act to repeal Sections 22b and 22c of and to add Sections 22b, 22c, 22d, 22e, and 22f to the County Water District Act, relating to assessment proceedings.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3041: By Mr Dolwig—An act to add Section 6915 to the Health and Safety Code, relating to sanitary districts.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3042: By Messrs. Hollibaugh and Morris—An act relating to the use of names by political, civic or other associations, which names indicate or may lead to the belief that the organization or its members are connected with the Legislative Branch of the State Government.

Referred to Committee on Manufacturing, Oil, and Mining Industry

Assembly Bill No. 3043: By Mr Lewis—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts, creating new agricultural districts and regulating the conduct of agricultural fairs therein.

Referred to Committee on Agriculture.

Assembly Bill No. 3044: By Mr Davis—An act to add Section 216 to the Revenue and Taxation Code, relating to exemption from taxation of property of rural electrification associations.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3045: By Mr. Morris—An act to add Section 604 14 to the Vehicle Code, relating to ambulance drivers.

Referred to Committee on Transportation and Commerce.

Assembly Constitutional Amendment No. 65: By Mr. Davis—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1.7 to Article XIII thereof, relating to exemption therefrom from taxation of the property of rural electrification associations.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 66: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 7½a, 8a, and 18½ and amending Section 18 of Article XI thereof, relating to local government, thereby repealing and deleting certain obsolete and superseded provisions.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 67: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 19 of Article XX thereof, relating to expenses of the Constitutional Convention of 1879.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 68: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 1a of Article IV thereof, as adopted June 27, 1933, relating to the effective dates of statutes enacted in the year 1933.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 69: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 1.6, 8a, 14½, 14¾, 15½, and 16½ and amending Sections 14 and 14⅔ of Article XIII thereof, relating to taxation.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 70: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Assembly Constitutional Amendment No. 31, 1927 Regular Session and amending Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Senate Constitutional Amendment No. 21, 1927 Regular Session.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 71: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 4, 5, 6, 7, 8, and 9 of Article XXII, relating to the putting into effect of said Constitution of 1879 and the election for that purpose.

Referred to Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 72: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 26a of Article I thereof, relating to the suspension of nonexistent Sections 26 and 27 of said article, said sections not having been adopted.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 73: By Messrs. Dolwig, Brown, Waters, Caldecott, and Crowley—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 3, 5, and 18 of Article IV, Sections 17 and 22 of Article V, Section 25 of Article VI, Section 2 of Article IX, Section 20 of Article XX, and to repeal Section 19 of Article V, Section 17 of Article VI, and Section 10 of Article XXII, relating to state officers and deleting and repealing obsolete and superseded provisions relating to state officers and the election and compensation thereof.

Referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 74: By Mr. Brady—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a proposed section to Article XIII of the Constitution.

Referred to Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 75: By Mr Hahn—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 22a to Article XX thereof, relating to intoxicating liquors

Referred to Committee on Constitutional Amendments.

Assembly Bill No. 3046: By Mr. Morris—An act to amend Section 10200 of the Business and Professions Code, relating to real estate salesmen.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3047: By Mr Morris—An act to impose a tax upon natural gas that is imported into this State, and providing for the administration and enforcement thereof.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 102

Resolved, That the Chief Clerk of the Assembly be and he is hereby authorized to receipt for any warrants for members, officers, or attaches of the Assembly during the constitutional recess

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 102, at this time, without reference to committee or file

Resolution read, and adopted

By Mr. Dickey:

House Resolution No. 103

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Saturday, January 29, 1949, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 103, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr Dickey:

House Resolution No. 104

Resolved, That a Committee of Three be appointed by the Speaker to wait upon the Senate and inform that body that the Assembly is ready to adjourn for the constitutional recess, and ask if the Senate has any further communication to make to the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 104, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 104, Speaker Sam L. Collins announced the appointment of Messrs. Rumford, Babbage, and Geddes as such Select Committee to inform the Senate that the Assembly is ready to adjourn for the constitutional recess.

By Mr. Dolwig:

House Resolution No. 105

Resolved, That the Speaker appoint a Committee of Five to wait upon the Governor and inform him that the Assembly is ready to adjourn for the constitutional recess

Request for Unanimous Consent

Mr Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 105, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 105, Speaker Sam L. Collins announced the appointment of Messrs. Dickey, Cooke, Clayton A. Dills, George D. Collins, and Fleury as such Select Committee to inform the Governor that the Assembly is ready to adjourn for the constitutional recess.

Speaker Pro Tempore Presiding

At 2 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

COMMITTEE FROM THE SENATE

Senators Desmond, Michael J. Burns, and Miller appeared before the bar of the Assembly, and announced that the Senate had concluded its labors, and was now ready to recess the 1949 Regular Session until 12 m , Monday, March 7, 1949.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Governor appeared before the bar of the Assembly, and reported it had communicated with the Governor, and that he had no further communication to make to the Assembly.

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3048: By Mr. Elliott—An act to add Section 216 of the Revenue and Taxation Code, relating to exemptions from taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3049: By Messrs. Coats and Moss—An act to amend Section 2 of the Public Utilities Act, relating to definitions.

Referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 3050: By Mr. Coats—An act to amend Section 17020 of the Business and Professions Code, relating to unfair trade practices.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3051: By Mr. Coats—An act making an appropriation to the State Department of Public Works for the construction of state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3052: By Mr. Coats—An act to amend Section 16901 of the Business and Professions Code, relating to fair trade contracts.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3053: By Mr. Coats—An act making an appropriation to the Fish and Game Commission for the purpose of establishing public shooting, hunting, and fishing grounds.

Referred to Committee on Fish and Game.

Assembly Bill No. 3054: By Mr Coats—An act to amend Section 325 of the Fish and Game Code, relating to acquisition of lands.

Referred to Committee on Fish and Game.

Assembly Bill No. 3055: By Mr Coats—An act to amend Section 94 of the Streets and Highways Code, relating to contracts for state highways.

Referred to Committee on Transportation and Commerce

Assembly Bill No. 3056: By Mr. Coats—An act to amend Section 330 of the Penal Code, relating to gaming.

Referred to Committee on Judiciary.

Assembly Bill No. 3057: By Mr. Coats—An act to amend Section 35105 of the Corporations Code, relating to subversive activities

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3058: By Mr Coats—An act to amend Section 1 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control.

Referred to Committee on Public Morals.

Assembly Bill No. 3059: By Mr Brady—An act to amend Section 2826 of the Elections Code, relating to state central committees.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3060: By Mr. Brady—An act to amend Section 81 of the Agricultural Code, relating to district agricultural fairs

Referred to Committee on Agriculture.

Assembly Bill No. 3061: By Mr. Brady—An act relating to the maintenance of full employment in the State of California and providing for cooperation with the United States in relation thereto

Referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 3062: By Mr. Brady—An act to amend Sections 26, 951, 2792, 2799, 2807, 2839, 2842, and 2843 of the Elections Code, relating to the direct primary elections, changing the date thereof and the dates of other events to conform thereto.

Referred to Committee on Elections and Reapportionment.

Assembly Bill No. 3063: By Messrs Brady, Gaffney, Meyers, Berry, George D Collins, Connolly, Maloney, and McCarthy—An act to amend Section 4458 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3064: By Mr Brady—An act to add Section 5286.1 to the Business and Professions Code, relating to outdoor advertising.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3065: By Mr. Brady—An act to amend Section 6854 of the Business and Professions Code, relating to the definition of "collection agency."

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3066: By Mr. Brady—An act to add Section 401 5 to the Unemployment Insurance Act, relating to unemployment and disability insurance.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3067: By Mr. Brady—An act to amend Section 6125 of the Business and Professions Code, relating to unlawful practice of the law.

Referred to Committee on Judiciary.

Assembly Bill No. 3068: By Mr. Brady—An act to add Section 1.7 to the Judges' Retirement Act and to add Section 4.7 to the Judges' Retirement Fund Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency.

Referred to Committee on Judiciary.

Assembly Bill No. 3069: By Mr Brady—An act to amend Section 2191 of the Business and Professions Code, relative to requirements for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Assembly Bill No. 3070: By Mr. Brady—An act to add Section 217 to the Revenue and Taxation Code, relating to exemptions of property from taxation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3071: By Mr. Clayton A. Dills—An act to add Section 7 6 to the Bank and Corporation Franchise Tax Act, and Section 5.6 to the Corporation Income Tax Act, relating to state taxation and providing for rates.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3072: By Mr Clayton A. Dills—An act to add Section 331.5 to the Penal Code, relating to punchboards.

Referred to Committee on Public Morals.

Assembly Bill No. 3073: By Mr. Coats—An act to amend Section 15 of the Personal Property Brokers Act, as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to personal property brokers.

Referred to Committee on Finance and Insurance.

Assembly Bill No. 3074: By Mr. Morris—An act to add Part 12, comprising Section 30000 to 30150, inclusive, to Division 2 of the Revenue and Taxation Code, relating to the imposition of a tax on admissions to theaters and providing for the levying, assessing, collecting, paying, and disposing of such tax, and prescribing penalties for its violation.

Referred to Committee on Revenue and Taxation.

Assembly Bill No. 3075: By Mr. Gaffney—An act to add Section 538 to the Streets and Highways Code, relating to state highways.

Referred to Committee on Transportation and Commerce.

Assembly Bill No. 3076: By Mr. Brady—An act to amend Section 18930 of the Government Code, relating to civil service examinations.

Referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 3077: By Mr. Brady—An act to provide for the sale of bonds of cities and to add Section 43639 to the Government Code, relating to the sale of bonds of cities.

Referred to Committee on Municipal and County Government.

Hon. Francis Dunn Presiding

At 2.20 p.m., Hon. Francis Dunn, Member of the Assembly from the Thirteenth District, presiding.

Assembly Bill No. 3078: By Mr. Coats—An act to amend Section 4231 of the Education Code, relating to junior college districts.

Referred to Committee on Education.

Assembly Bill No. 3079: By Mr. Dolwig—An act to repeal Chapter 1 of Division 5 of Title 1 of the Government Code, relating to public works.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3080: By Mr. Brady—An act to amend Section 422 of the Probate Code.

Referred to Committee on Judiciary.

Assembly Bill No. 3081: By Mr. Brady—An act to repeal Section 17 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the maximum rate of charge on loans of money not exceeding three hundred dollars ($300) in amount

Referred to Committee on Finance and Insurance

Assembly Bill No. 3082: By Mr. Brady—An act to amend Section 7048 of the Business and Professions Code, relating to contractors.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3083: By Mr. Brady—An act to add Section 26800.5 to the Government Code, relating to the setting of civil cases for trial by the county clerk.

Referred to Committee on Judiciary.

Assembly Bill No. 3084: By Mr. Moss—An act to amend Section 19399 of the Government Code, relating to employees returning or who have returned from military service.

Referred to Committee on Military Affairs.

Assembly Bill No. 3085: By Mr. Dickey—An act to add Section 32050.5 to the Government Code, relating to retirement of county peace officers, including but not limited to constables, deputy constables and employees of the sheriff's office.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3086: By Mr. Coats—An act to add Section 1197.5 to the Labor Code, relating to wages for women.

Referred to Committee on Industrial Relations.

Assembly Bill No. 3087: By Mr. Dickey—An act to repeal Section 442 of the Revenue and Taxation Code, relating to property taxation.

Referred to Committee on Revenue and Taxation.

EXPRESSION OF APPRECIATION TO DESK OFFICERS AND ATTACHES

Mr. Maloney expressed, on behalf of Speaker Collins, himself, and Members of the Assembly, appreciation of the wholehearted efforts expended by officers and desk attaches at the opening session to streamline desk procedure and push forward great volumes of work with dispatch and accuracy.

THANKS EXPRESSED TO STENOGRAPHIC EMPLOYEES AND ATTACHES

Mr. Dickey, on behalf of the Committee on Rules, expressed thanks to officers, desk attaches, and stenographic employees for the cooperation, efficiency, and courtesy with which they worked for Members of the Assembly, and their committees, during the opening session.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3088: By Mr. Brady—An act to amend Section 1 of an act entitled "An act to authorize the several counties, cities and counties, cities, and towns of this State, and the officers and boards of officers thereof, to receive property by gift, bequest, and devise, and to hold, manage, and dispose of such property, and the income and increase thereof," approved February 10, 1881, and to amend Sections 25355 and 37354 of the Government Code, relating to the acceptance of gifts by counties, cities and counties, and cities.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3089: By Mr. Coats—An act to add Sections 7351.1 and 8651.1 to the Revenue and Taxation Code, relating to motor vehicle taxes providing for additional taxes to be expended in improving the State Highway System.

Referred to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolution was offered:

By Messrs. George D. Collins and Maloney:

House Resolution No. 106

Urging generous contributions to the March of Dimes

WHEREAS, The State of California was struck with an epidemic of infantile paralysis in 1948 with 5,811 cases being officially recorded; and

WHEREAS, Our entire Nation suffered its worst epidemic of this crippling disease since 1916, with 27,600 cases reported throughout the United States; and

WHEREAS, Through county chapters of the March of Dimes aided by more than $1,000,000 from the national headquarters of the National Foundation for Infantile Paralysis, more than $2,770,000 in this State alone has been expended for the care and cure of those suffering from polio; and

WHEREAS, The treasuries of many of our county chapters of the March of Dimes are depleted and in debt because of the heavy drain on their finances in fighting the polio epidemic; and

WHEREAS, The first two weeks of 1949 disclose that 117 new cases of polio have been reported with no let up of the epidemic in sight; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly appeals to all residents of California to contribute generously to the 1949 March of Dimes campaign for funds to the end that the research, care and cure of those stricken with polio may be continued at the highest level of scientific efficiency

Request for Unanimous Consent

Mr. George D. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 106, at this time, without reference to committee or file.

Resolution read, and adopted.

Speaker Presiding

At 2.55 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3090: By Mr Anderson—An act to amend Section 736.12 of the Agricultural Code, referring to the determination of minimum prices on fluid milk in marketing area.

Referred to Committee on Livestock and Dairies.

Assembly Bill No. 3091: By Mr. Brady—An act to amend Section 2 of an act entitled "An act to authorize the several counties, cities and counties, cities, and towns of this State, and the officers and boards of officers thereof, to receive property by gift, bequest, and devise, and to hold, manage, and dispose of each property, and the income and increase thereof" Approved February 10, 1881, relating to the acceptance of gifts by public agencies.

Referred to Committee on Municipal and County Government.

Assembly Bill No. 3092: By Mr. Doyle—An act to add Section tion 597g to the Penal Code, relating to abandonment of animals.

Referred to Committee on Judiciary.

BILLS STRICKEN FROM FILE

House Resolution No. 85, on motion of Mr. Maloney.
Assembly Joint Resolution No 19, on motion of Mr. Burkhalter.
Senate Concurrent Resolution No. 31, on motion of Mr. Silliman

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Assembly Journals for Monday, January 24, 1949; Tuesday, January 25, 1949; Wednesday, January 26, 1949; Thursday, January 27, 1949; Friday, January 28, 1949, and Saturday, January 29, 1949, were approved as corrected by the Minute Clerk.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Robert M Hoffman of Red Bluff

On request of Mr Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Jeannie Kirkwood of Saratoga.

On request of Messrs Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Doris Jean Marty and Peggy Burnam of Sacramento.

On request of Mr Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Sally and Suzie Fleury of Sacramento

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Lt. and Mrs. Herbert Benadan of Sacramento

On request of Mr Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Lloyd Frost and David K. Harvell of Vallejo.

ADJOURNMENT

At 3 p m., Saturday, January 29, 1949, in accordance with the provisions of Senate Concurrent Resolution No. 26, Hon Sam L. Collins, Speaker of the Assembly, announced that the time for adjournment for the constitutional recess of the 1949 Regular Session of the Legislature of the State of California had arrived, and thereupon declared the Assembly adjourned, until 12 m., Monday, March 7, 1949

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTIETH LEGISLATIVE DAY

SIXTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 7, 1949

At 12 o'clock m., pursuant to the requirements of Section 2, Article IV of the Constitution of the State of California, and to the provisions of Senate Concurrent Resolution No. 26, the Assembly was called to order.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: We pause in gratitude this morning for all the beauty and wonder of Thy World, for the green earth, for sunlight and flowers and for the starry night.

Grateful for the privileges of this unrivaled State, for its romance and its progress, and for all who labor to preserve unstained its great name and estate.

Thankful for the many personal blessings we enjoy, for homes lit by love, for loyal friends and for the wealth of culture and knowledge.

Let us give thanks that we are citizens of this great Nation, unsurpassed in its freedom and opportunity for all, and the main oasis of security and hope for mankind.

In gratitude to all who have given us this glorious inheritance, let us labor with unwearied zeal and incorruptible conscience for the generations that shall follow us.

Above all, let us be grateful to the Divine Source of Our Many Blessings from whose mind has sprung the earth and its riches, and by whose truth we are inspired — AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Geddes, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, by unanimous consent.

COMMUNICATIONS

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

THE WHITE HOUSE
WASHINGTON, D. C., January 25, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
California Legislature, Sacramento 14, California

DEAR MR. OHNIMUS: Please accept my thanks for your telegram of January 21st embodying House Resolution No. 55 adopted by the Assembly of the State of California.

I should like the Members of the Assembly to know that I appreciate immeasurably their tribute in honor of Inauguration Day. It gives me profound satisfaction to realize that this body of legislators is supporting me with confidence and good will. Such an assurance is a tremendous help in meeting the responsibilities entrusted to me by the American people.

Very sincerely yours,

HARRY S TRUMAN

By the Chief Clerk:

THE WHITE HOUSE
WASHINGTON, D. C., February 26, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
California Legislature, Sacramento 14, California

DEAR MR. OHNIMUS: Many thanks for your letter of February 8th. The illuminated copy of Assembly Joint Resolution No. 1 adopted by the California Legislature has also been received and I shall be obliged if you will appropriately express my appreciation to the Members of the California Legislature for their friendly action in extending congratulations to me and to the Vice President on the Inauguration. I am grateful for this kind gesture.

Very sincerely yours,

HARRY S TRUMAN

By the Chief Clerk:

The family of Dr. David Pressley Anderson acknowledges with sincere appreciation your kind expression of sympathy.

SANTA ROSA, CALIFORNIA, February 26, 1949

Mr. Arthur A. Ohnimus

DEAR SIR: Have received the most beautiful illuminated copy of resolutions in respect to my dear husband, Dr. David P. Anderson.

It is a wonderful tribute, deserved I think, and I shall ever prize it as a keepsake.

Very sincerely,

MRS. D. P. ANDERSON
RUTH ANDERSON PHILLIPS

By the Chief Clerk:

SANTA ROSA, CALIFORNIA, February 23, 1949

Hon. Arthur A. Ohnimus
Chief Clerk, State Capitol
Sacramento 14, California

DEAR MR. OHNIMUS: I have your letter of February 18th, and wish to say that the illuminated copy of resolution in respect to the memory of my late father, David P. Anderson, has been received by me.

I wish to say that I deeply appreciate the fact that such a resolution was passed, and that it has been so beautifully inscribed.

Very truly yours,

CLARENDON W. ANDERSON

By the Chief Clerk:

OCCIDENTAL COLLEGE
LOS ANGELES 41, CALIFORNIA, February 21, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly of the California Legislature
Sacramento 14, California

MY DEAR SIR: I acknowledge with gratitude the receipt today of the two illuminated copies of House Resolution No. 24, relating to the victory of Occidental College in the Fresno Raisin Bowl. I appreciate very much and thank you for your part in transmitting to me these two copies.

Very truly yours,

ARTHUR G. COONS, President

By the Chief Clerk:

VETERANS ADMINISTRATION
WASHINGTON, D. C., February 17, 1949

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
California Legislature, Sacramento 14, California

DEAR MR. OHNIMUS: This is in reply to your letter of January 29, 1949, enclosing a copy of the Assembly Joint Resolution No. 8, which was recently adopted by the California Legislature, relative to providing a veterans' hospital at San Diego.

Twenty-four proposed new veterans' hospitals have just recently been eliminated from our hospital expansion program. The San Diego hospital was one of those eliminated. We are now concentrating our efforts toward completing the projects remaining in this program. We therefore cannot at this time consider the construction of any additional hospitals.

We appreciate very much the interest you have expressed in this matter and regret that it is not possible to comply with your request.

Very truly yours,

PAUL B. MAGNUSON, Chief Medical Director

By the Chief Clerk:

UNITED STATES MARSHAL
SOUTHERN DISTRICT OF CALIFORNIA
LOS ANGELES, CALIFORNIA, February 11, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature, Assembly
Sacramento 14, California

DEAR ARTHUR: I have received the resolution adopted by the California Legislature, expressing the friendship and congratulations of the members, many of whom I well recall as former colleagues.

Will you kindly express to the Members of the House my sincere appreciation for this distinct honor, which I promise to treasure and place amongst my souvenirs of legislative experiences.

With best wishes to you and your official family, I am

Sincerely yours,

JAMES J. BOYLE
United States Marshal

By the Chief Clerk:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, January 31, 1949

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR SIR: In accordance with Section 143.2(f) of the Streets and Highways Code, there are transmitted herewith for the use of the Members of the Assembly, 250 copies of the Budget Report of the Division of Highways as included in the Governor's Budget submitted to the 1949 Session of the Legislature. A limited number of additional copies are available if needed.

Respectfully submitted,

C. H. PURCELL
Director of Public Works

Copy of above mentioned Budget Report ordered filed with the Secretary of State.

By the Sergeant-at-Arms:

The following communication was received, read, and ordered printed in the Journal:

THE WOMAN'S CLUB OF REDONDO BEACH
REDONDO BEACH, CALIFORNIA, February 24, 1949

Mr. Wilkie Ogg, Clerk of Assembly
Sacramento, California

DEAR MR. OGG: The Woman's Club of Redondo Beach, by unanimous vote of its membership, has adopted the resolution as enclosed.

Respectfully,

(MRS. RAOUL J.) ETHEL D. COLLETTE, President

Above mentioned resolution ordered referred to the Committee on Livestock and Dairies.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

COUNTY OF YOLO
WOODLAND, CALIFORNIA, February 23, 1949

The Assembly of California
State Capitol, Sacramento 14, California

GENTLEMEN: Enclosed is a certified copy of a resolution of the Grand Jury of the County of Yolo recommending $12,000 for the annual salary of the Judge of the Superior Court of the County of Yolo.

Respectfully yours,

C. L. HIDDLESON, County Clerk

Above mentioned resolution ordered referred to the Committee on Judiciary.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

NATIONAL COUNCIL OF THE ARTS, SCIENCES AND PROFESSIONS
LOS ANGELES 28, CALIFORNIA, February 21, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Assembly, Sacramento, California

DEAR SIR: The attached is a resolution unanimously passed by our board of directors.

We ask that you make the proper arrangements for a reading of this resolution before the Legislature.

Very truly yours,

SONJA DAHL BIBERMAN
Arts, Sciences and Professions Council

Above mentioned resolution ordered referred to the Committee on Education.

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

BOARD OF SUPERVISORS, Friday, February 4, 1949

The Board of Supervisors of the County of Tuolumne, met in session on the above date, there being present Supervisors Theodore E. Hunt, Chairman, Frank J. Dondero, Ernest H. Hodge, Millard C. Merrell, William F. Knoop, and Carlo M. De Ferrari, Deputy Clerk.

Absent None.

"It was moved by Supervisor Hodge, seconded by Supervisor Merrell, and unanimously carried that the Tuolumne County Board of Supervisors go on record as unanimously opposing House Resolution No. 73 of the Assembly of the State of California, as no emergency exists, but does not oppose state acquisition of the Sequoia Grove of the South Tuolumne-Calaveras Grove of Big Trees, providing that acquisition is limited to the Sequoia Grove plus the minimum amount of commercial timber necessary for a protective fringe to the Sequoias, and that certified copies of this minute order be forwarded to the following: Congressman Claire Engle; United States Senator Knowland; State Senator Jesse Mayo; United States Forest Supervisor Allen Miller; and to the Speaker of the Assembly of the State of California with a request that this minute order be entered in the official records of the Assembly."

The foregoing instrument is a correct copy of the original on file in this office.

ATTEST. February 4, 1949, JAMES G. WHITE, County Clerk and ex-officio Clerk of the Superior Court of the State of California in and for the County of Tuolumne By NAVARRA ADAMS, Deputy

By the Chief Clerk:

DEPARTMENT OF JUSTICE
WASHINGTON, D. C., February 8, 1949

Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: In further reference to your letter of January 12, 1949, and attachments, there is enclosed a copy of an indictment styled *United States* vs. *Rufus DeWitt King, et al*, returned by a Federal Grand Jury at San Antonio, Texas, on June 6, 1944, charging 13 small loan chains, as well as numerous individuals, with conspiring to maintain a floor on interest rates and charges in 23 states in violation of the Federal Antitrust Laws.

I regret to advise that we cannot make available to you a copy of the transcript of the grand jury testimony of Charles H Watts, L. J. Styskaal, James Monroe Jefferson, and representatives of the Better Business Bureau of St. Paul and Minneapolis, Minnesota, since such proceedings are secret.

Sincerely yours,

HERBERT A. BERGSON
Assistant Attorney General

Enclosure No. 217911

Above mentioned transcript ordered referred to the Joint Committee on Lending Transactions, in care of Mr. Ralph C. Dills, Vice Chairman.

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

UNITED STATES POST OFFICE
SACRAMENTO 1, CALIFORNIA, March 3, 1949

Mr. Arthur A. Ohnimus
Chief Clerk, Assembly
California Legislature, Sacramento, California

DEAR SIR: In reply to your letter of the twenty-eighth ultimo, relative to the proper rate of postage on the Senate and Assembly Semi-Final History, will advise that the special book rate is applicable to these books.

Respectfully yours,

J. R. WILSON, Postmaster
By E. F. LEAVITT, Assistant

By the Chief Clerk:

UNITED PRESS ASSOCIATIONS
GENERAL OFFICES, News Building, New York City
SACRAMENTO BUREAU, SACRAMENTO 14, CALIFORNIA, March 4, 1949

Mr. Arthur Ohnimus, Chief Clerk
State Assembly, Sacramento, California

DEAR ARTHUR: Will you please add Peter Gruening, a new member of our staff, to the list of accredited correspondents?

Sincerely,

LLOYD LAPHAM

By Speaker Sam L. Collins:

THE ASSOCIATED PRESS
SACRAMENTO, CALIFORNIA, March 7, 1949

Hon. Sam L. Collins
Speaker, California Assembly

DEAR MR. COLLINS: Will you please substitute the name of James Stanley Carter for that of Joseph Cullivan as representative of the Associated Press for press credentials.

Sincerely, W. A. WELLS

By the Chief Clerk

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, CALIFORNIA, March 7, 1949

Hon. Arthur A. Ohnimus, Chief Clerk
Assembly Chamber, Sacramento, California

DEAR MR. OHNIMUS: The Standing Committee of the Capitol Correspondents Association has examined applications for authentication as additional accredited press representatives and recommends the following action.

Approved for press card:

James Stanley Carter, *Associated Press*, replacing Joseph T. Cullivan, who resigned
Peter Gruening, *United Press*, an addition to United Press staff.

Sincerely,

EARL C. BEHRENS, President

Ratification of Action

By unanimous consent, the Members of the Assembly ratified the above action as taken by the Capitol Correspondents Association of California

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

CIVIL AERONAUTICS BOARD
WASHINGTON 25, March 1, 1949

The Honorable Arthur A. Ohnimus, Chief Clerk
Assembly of the California Legislature
State Capitol, Sacramento 14, California

MY DEAR MR. OHNIMUS: This will acknowledge your letter of January 25, 1949, addressed to the President, which forwarded for his attention House Resolution No. 46,

adopted by the California Legislature on January 21, 1949. Your letter has been referred to the Civil Aeronautics Board, the federal agency responsible for promulgating air safety regulations, for consideration and acknowledgement.

Resolution No. 46 recommends the enactment of legislation which would enable the Civil Aeronautics Administration to prohibit the taking off of aircraft from airports during periods when visibility is less than the minimum prescribed in Civil Air Regulations.

The subject matter of your recommendation has been the topic of considerable discussion within recent months. The board in conjunction with the Administrator of Civil Aeronautics has been giving serious consideration to the feasibility of controlling take-offs when weather conditions at a particular airport are below the minimum prescribed. It has been suggested that control tower operators or, alternatively, airport managers, be authorized to refuse to clear aircraft under such circumstances.

The administrator has determined with reference to airport traffic controllers that it would be placing an impossible work load on the controller to expect him, in addition to his duties of clearing airplanes in terms of traffic conditions around the field and on the airways, to act as a safety agent, checking to see that every plane he clears is airworthy and is flying in accordance with its particular operating limitations as to weather. I enclose herewith a mimeographed copy of a statement setting forth the administrator's present policy with regard to this subject, which was issued by the administrator on February 3, 1949, to aviation writers and editors.

I should like to point out that the reaction to the administrator's policy on the part of virtually all of the members of the board's staff and various disinterested outsiders with whom I have talked has been one of agreement. They maintain that control tower operators are simply not qualified to take on this added responsibility and that pilots would gradually come to assume that if they received a clearance, it was feasible to take off. Thus, it is maintained, would have the tendency of subordinating the pilot's judgment to that of the tower operator. On the contrary, it is believed that the pilot in command of an aircraft should be directly responsible for its operation. The current Civil Air Regulations so provide.

The regulations further provide that air carriers shall not take off when weather conditions are below the minimum prescribed, and the administrator has issued instructions to control tower operators that a report shall be made in those instances where air carriers take off in such weather. Should an air carrier be found to violate the regulations in this regard, such violations might be considered grounds for revoking the air carrier's operating certificate. An additional reason why the suggestion to authorize control tower operators to control scheduled air carrier take-offs has not been accepted is that scheduled air carriers have dispatchers of their own and their pilots are considerably less subject to company pressure than in the case of nonscheduled operators. It is not believed, therefore, that it would be necessary to extend a control tower veto to scheduled operators.

No final decision, however, has yet been reached by the board with reference to this proposal. It is intended to fully explore the feasibility of vesting authority in an individual to refuse to clear nonscheduled operations when weather conditions at a particular field are below minimum. It may appear desirable for the board to hold a public hearing or oral argument on the question.

Please be assured that serious consideration is being given to the proposal set forth in Resolution No. 46. If I may be of further service to you or the Members of the California Legislature, please do not hesitate to call upon me.

Sincerely yours,

JOSEPH J. O'CONNELL, JR., Chairman

UNITED STATES DEPARTMENT OF COMMERCE
CIVIL AERONAUTICS ADMINISTRATION

TO AVIATION WRITERS AND EDITORS: In view of apparent misconceptions regarding the duties and authority of CAA Airport Traffic Controllers, the following statement is issued for your information.

BEN STERN
Assistant Administrator
for Aviation Information

Exactly how much authority does the man in the airport traffic control tower have over pilots proposing to take off? Just what is the significance of the "clearance" the controller may give the pilot?

In order to provide authoritative answers to these questions, D. W. Rentzel, Administrator of Civil Aeronautics, today made the following statement:

The traffic controllers of the Civil Aeronautics Administration operate strictly within the bounds prescribed by the Civil Aeronautics Board in Part 60 of the Civil Air Regulations. This part declares that "the pilot in command of the aircraft shall be directly responsible for its operation and shall have final authority as to operation of the aircraft." It goes on to define an air traffic clearance as "Authorization by air traffic control, for the purpose of preventing collision between known aircraft, for an aircraft to proceed under specified traffic conditions within a control zone or control area."

Acting under this regulation, we always have instructed our controllers that they have authority to clear aircraft only with respect to traffic conditions, and that in providing weather information, they are simply furnishing assistance, but have no authority to prevent a plane from taking off because of weather

The ANC handbook on "Procedures for the Control of Air Traffic," jointly issued by the CAA, the Air Force, Navy and Coast Guard on May 1, 1948, makes this very plain It sets forth,

"A clearance issued by an airport traffic control tower * * * is authority for a pilot to proceed only insofar as known air traffic conditions are concerned, and does not constitute authority for a pilot to violate any provision of Air Force, Navy or Civil Air Regulations. * * * The mere fact that the pilot received a traffic clearance for the flight does not relieve the pilot of any responsibility whatsoever in connection with a possible violation of Air Force, Navy, or Civil Air Regulations."

We feel that the airport traffic controller has more than enough to keep him busy in his task of moving a heavy volume of planes in and out of an airport without collision. It would be placing an impossible workload on the controller to expect him also to act as a safety agent, checking to see that every plane he clears is airworthy and is flying in accordance with its particular operating limitations as to weather

It is our sincere desire and prime objective to achieve the highest degree of safety and the controller will continue to furnish all possible information to assist the pilot to fly in compliance with regulations, but it must necessarily remain the pilot's ultimate responsibility to determine whether he should make a particular flight.

Our regular aviation safety agents and their designees will, of course, exercise their usual care in ascertaining that planes are airworthy, crews are competent, and operating practices are sound

February 3, 1949.

By the Chief Clerk:

SACRAMENTO, CALIFORNIA, March 3, 1949

Hon. Arthur A. Ohnimus, Chief Clerk
State Assembly, State Capitol
Sacramento, California

DEAR MR. OHNIMUS. Would you please extend my sincere thanks and appreciation to Honorable Sam L. Collins, Speaker of the Assembly, and to all the Members of the Assembly for their thoughtfulness in forwarding the resolution with their kind wishes for my recovery during my recent illness

This resolution reached me while I was in the hospital, and it would be difficult to tell you how very much it meant to receive it especially at that particular time

Again expressing my thanks to the members for taking time out of their busy schedule to extend this thoughtful remembrance, I am

Sincerely,

JOSEPH P. MOLONEY

By the Chief Clerk:

A communication and a resolution from J. H. Covington, Executive Secretary of the State Division of Beaches and Parks, were received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from Carolyn E. Bentley, R.N., opposing passage of Senate Bill No. 434, was received, and ordered referred to the Committee on Public Health.

By the Chief Clerk:

A communication from W. W. Smith, Chairman, United States Maritime Commission, Washington, D. C., relative to Assembly Joint Resolution No. 4 regarding the shipbuilding situation on the Pacific Coast, was received, and ordered referred to the Committee on Transportation and Commerce.

By the Chief Clerk:

A communication from Mrs. Patience S. Chapin of Pomona, relative to Assembly Bill No. 677, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from John F. Shelley, Secretary, enclosing a resolution by the San Francisco Labor Council, opposing the program for expansion of prison industries in California, and urging a reduction in the present gross volume of production rather than an increase, was received, and ordered referred to the Committee on Crime and Correction

By the Chief Clerk:

A communication from Wm. M Carle of Twenty-nine Palms, relative to automobile liability insurance, was received, and ordered referred to the Committee on Finance and Insurance.

By the Chief Clerk:

A communication from Ruth Finken of Wilmar, relative to vivisection, was received, and ordered referred to the Committee on Public Health.

COMMITTEE FROM THE SENATE

Senators Parkman, Mayo, and McBride appeared before the bar of the Assembly, and informed the Assembly that, pursuant to the provisions of Senate Concurrent Resolution No 26, the Senate had reconvened, and was ready to proceed with the business of the State, with all officers heretofore elected present.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 107

Resolved, That the Speaker appoint a Select Committee of Three to notify the Senate that the Assembly has reconvened pursuant to Senate Concurrent Resolution No. 26, and is ready to proceed with the business of the State with all officers heretofore elected present, to wit:

Speaker—Hon Sam L. Collins
Speaker pro Tempore—Hon. Thomas A. Maloney
Chief Clerk—Arthur A Ohnimus
Minute Clerk—Geraldine B Hadsell
Sergeant-at-Arms—Wilkie Ogg
Chaplain—Dr. Torrance Phelps
Assistant Chief Clerk—Harold F. Lewright
Chief Assistant Sergeant-at-Arms—Andrew J. Cecchettini

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 107, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 107, the Speaker announced the appointment of Messrs. Dickey, Lincoln, and McCarthy as such Select Committee to wait upon the Senate

By Mr. Maloney:

House Resolution No. 108

Resolved, That a Select Committee of Five be appointed by the Speaker to wait upon the Governor and inform him that the Assembly has reconvened after the constitutional recess, and awaits any communication that he may wish to make to it.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No 108, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 108, the Speaker announced the appointment of Messrs. Maloney, McCollister, Clarke, Dunn, and Beck as such Select Committee to wait upon the Governor.

By Mr. Crowley:

House Resolution No. 109

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrants on the proper fund in favor of the following members and officers of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat more	Distance from county seat less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	A W Way	Eureka, Humboldt County	312	--	--	312	624	$31 20
3	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats Jr	Yuba City, Sutter County	58	--	--	58	116	5 80
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	4 00
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	**Richard H McCollister**	Mill Valley, Marin County	105	8	--	113	226	11 30
8	**Gordon A Fleury**	Sacramento, Sacramento County	--	--	--	--	--	----
9	John E Moss, Jr	Sacramento, Sacramento County	--	--	--	--	--	--
10	Robert L Condon	Walnut Creek, Contra Costa County	62	11	--	73	146	7 30
11	Charles M Weber	Stockton, San Joaquin County	48	--	--	48	96	4 80
12	Verne W Hoffman	Acampo, San Joaquin County	48	--	14	34	68	3 40
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	--	84	168	8 40
14	Randal F Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Luther H Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	**William Byron Rumford**	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W Caldecott	Berkeley, Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00
22	George D Collins Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	128	12	--	140	280	14 00
29	John F Thompson	San Jose, Santa Clara County	128	--	--	128	256	12 80
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	James G Crichton	Fresno, Fresno County	169	--	--	169	338	16 90
35	S L Heisinger	Calwa, Fresno County	**169**	**5**	--	**174**	**348**	**17 40**
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	John B Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
39	Joe C Lewis	Buttonwillow, Kern County	278	21	--	299	598	29 90
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	$42 60
42	Everett G Burkhalter	North Hollywood Los Angeles County	447	--	--	447	894	44 70
43	H Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles Los Angeles County	447	--	--	447	894	44 70
46	Glenn M Anderson	Hawthorne Los Angeles County	447	12	--	459	918	45 90
47	Albert I Stewart	Pasadena Los Angeles County	447	13	--	460	920	46 00
48	Bruce V Reagan	Pasadena, Los Angeles County	447	13	--	460	920	46 00
49	Ernest R Geddes	Pomona Los Angeles County	447	30	--	477	954	47 70
50	Thomas M Erwin	Puente, Los Angeles County	447	19	--	466	932	46 60
51	Elwyn S Bennett	Los Angeles Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Hollibaugh	Huntington Park Los Angeles County	447	6	--	453	906	15 30
53	Montivel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Glenard P Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles I Conrad	Hollywood Los Angeles County	447	--	--	447	894	44 70
58	Laughlin E Waters	Los Angeles Los Angeles County	447	--	--	447	894	44 70
59	Willard M Huyck	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
60	Harold K Levering	Los Angeles Los Angeles County	447	--	--	447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro Los Angeles County	447	23	--	470	940	47 00
69	Ralph C Dills	Compton, Los Angeles County	447	18	--	465	930	46 50
70	William S Grant	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Carl Fletcher	Long Beach Los Angeles County	447	22	--	469	938	46 90
73	L Stewart Hinckley	Redlands San Bernardino County	508	9	--	517	1,034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D Babbage	Riverside Riverside County	512	--	--	512	1 024	51 20
77	George R Butters	Brawley, Imperial County	661	--	14	647	1 294	64 70
78	Frank Luckel	San Diego San Diego County	573	--	--	573	1 146	57 30
79	Kathryn T Niehouse	San Diego San Diego County	573	--	--	573	1 146	57 30
80	Howard K Cramer	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco San Francisco County	--	--	--	--	--	--
Geraldine B Hadsell	Los Angeles, Los Angeles County	447	--	--	447	894	$89 40
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	--	--	--

Resolution read, and ordered printed in the Journal

REQUEST FOR UNANIMOUS CONSENT THAT CORRECTION BE MADE IN JOURNAL

Mr. Cramer asked for, and was granted, unanimous consent that the Assembly Journal for Saturday, January 29, 1949, be corrected to show that he and Messrs. Lindsay and Thompson were excused and desired to waive their per diems.

REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Governor reported that it had performed its duty.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that, while it is imperative that every piece of legislation be given a fair and adequate hearing, it is also imperative, for economic reasons, that rapid clearance be accorded bills in committee hearings, and recommended that urgency measures and departmental bills be given first attention; that advance lists of all bills to be considered in committees be printed in the File; that members cooperate in the effort to speed this session of the Legislature by requesting committee chairmen to set their bills for early hearings; that committee chairmen arbitrarily set bills for consideration in numerical order if authors do not cooperate by requesting hearings, and that said bills be placed at the foot of the calendar if no one appears to present them; and that, if this method of procedure is adopted, adjournment can be achieved at a reasonable date in an orderly fashion.

Speaker Sam L. Collins announced that, in the interest of time, the usual procedure will be followed during this session of not introducing guests from the floor unless they are former members of this House; and that names of guests must be brought to the desk of the Minute Clerk, in writing, so that they may be correctly inscribed in the Journal

Speaker Sam L. Collins announced that all committee meetings are to be announced from the floor, and that, in the interest of orderly desk procedure, no amendments to bills should be offered until the beginning of each day's business.

Mr. Stewart announced that, with over 300 bills to be heard by the Committee on Governmental Efficiency and Economy, it will be helpful if authors of bills now pending in this committee will request early hearings.

Mr. Dickey announced that the State Printer has informed him that it will be impossible for the printing plant to complete the printing of the interim committee reports by March 15th, and that he is preparing a resolution for introduction which will continue the time for the filing of interim committee reports.

Speaker Sam L. Collins announced, on behalf of Mr. Stanley, that a breakfast meeting of the Republican Caucus will be held tomorrow, Tuesday, March 8th, at 8 a m., in the Hotel Senator.

Mr. Beck announced that a luncheon meeting of the Democratic Caucus will be held on Wednesday, March 9th.

Mr. Stanley announced that, with the volume of work confronting the Committee on Municipal and County Government, all members are being urged to request that their bills now before this committee be set for early hearings.

Mr. Dickey announced that the set policy on the hearing of bills will be that proposed amendments must be presented in committee meetings; and that unanimous consent to withdraw bills from committee for purpose of amendment on the floor will be withheld.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 55: By Mr. Maloney—Relative to persecution of religious sects of all Communist controlled nations.

Referred to Committee on Rules.

Assembly Joint Resolution No. 24: By Mr. Butters—Relative to the Upper Colorado River Basin Compact.

Referred to Committee on Rules.

Assembly Joint Resolution No. 25: By Messrs Babbage, McCollister, and Stanley—Relative to memorializing and petitioning the Congress of the United States to enact the necessary legislation to make the Corona Naval Hospital in Riverside County, California, available to the Veterans Administration.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 56: By Mr. McCollister—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California.

Referred to Committee on Rules

REPORT OF SELECT COMMITTEE

The Select Committee appointed to wait upon the Senate reported that the Senate was organized, and ready to proceed with the regular business.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 2.30 p.m.—

Subcommitee on Ways and Means in Room 435. Subject: "No. 4."

Tonight, at 8 p.m.—

Finance and Insurance Subject: Consideration of Assembly Bill No 994 re State Banking Act.

Wednesday, March 9th—

Upon adjournment:

Governmental Efficiency and Economy.

At 8 p.m —

Education

Municipal and County Government

Wednesday, March 16th—

Conservation, Planning, and Public Works from 3 to 6 p.m. Subject: Assembly Bill No 2689 and other bills.

It was announced that the following committees would not hold meetings today:

Public Utilities and Corporations.

Crime and Correction.

No meeting on Tuesday, March 8th—

Agriculture

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Bennett, the usual courtesies of the Assembly for this day were unanimously extended to Former Speaker of the Assembly, William Moseley Jones, of Los Angeles

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Bruce Thomas of Compton.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Rosemary Mullen, and Ruth Thompson of Los Angeles.

On request of Speaker Collins and Mr. Huyck, the usual courtesies of the Assembly for this day were unanimously extended to John Hamlin of Los Angeles.

On request of Speaker Collins, the usual courtesies of the Assembly for this day were unanimously extended to William Harwood of Santa Ana.

ADJOURNMENT

At 12 45 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m. Tuesday, March 8, 1949.

SAM L COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIRST LEGISLATIVE DAY

SIXTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 8, 1949

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—77

Request for Unanimous Consent That Names Be Placed Upon the Morning Roll

Mr Sherwin asked for, and was granted, unanimous consent that the names of the following members of Subcommittee No 8 of the Committee on Ways and Means, now holding a meeting, be placed upon the morning roll:

Messrs. Butters, Caldecott, Crowley, Clarke, Grunsky, Lowrey, and Weber.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Spirit of Holiness In this Lenten Season, when all Christendom observes the Temptation of the Christ, may we also participate in the practice of self examination and in the amendment of our lives

May we search ourselves and search out our faults and limitations, knowing that little sins may grow into big ones, as "The little foxes may spoil the vineyard"

In public and private life, what disaster and sorrow spring from the evils men commit and cause the problems that engage the servants of the law.

Let us remind ourselves that every one faces temptation as even the Son of God was tempted in all points like as we are.

Day by day may we keep our conscience alert, knowing that the Devil of evil is ever ready to spring upon the careless.

So shall this Sacred Season offer us a rare opportunity to grow in the nobility and power of character which is our chief defense and crowning achievement—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McCarthy, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Lipscomb.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hagen, on motion of Mr. Fleury.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 16—Relative to memorializing the President and the Congress of the United States in relation to the mooring of surplus vessels in the northern waters of San Francisco Bay and the waters connected therewith;

Assembly Concurrent Resolution No. 50—Relative to the restoration and operation of Mission San Antonio de Padua;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the third day of February, 1949, at 12 m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, February 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 59—An act to add Section 11e to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately;

Assembly Bill No. 60—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112 of, and to add Section 34112.5 to, the Government Code, creating a new class of cities to be known as cities of the four and seven-eighths class, and to provide for their organization, to take effect immediately;

Assembly Bill No. 527—An act making an appropriation for the purpose of increasing the salaries of state employees, to be expended during the 1948-49 Fiscal Year, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of February, 1949, at 11.30 a m

HUYCK, Chairman

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal

VETERANS ADMINISTRATION
WASHINGTON, D C., March 4, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature Assembly
Sacramento 14, California

DEAR MR. OHNIMUS This will acknowledge copy of your letter of January 29, 1949, to the President, with attached resolution concerning the need for a veterans' hospital in San Diego, California, which was referred to my office for reply

The situation has not changed since my letter to you of February 17, 1949. In view of the President's directive eliminating 16,000 beds from the Veterans Administration Hospital Construction Program, including the proposed hospital for San Diego,

we could not recommend the reauthorization of any of those projects that were cancelled.

Your continued interest in this matter is very much appreciated.

Very truly yours,

PAUL B. MAGNUSON
Chief Medical Director

By the Chief Clerk:

The following communication and resolution were received, read, and ordered printed in the Journal:

CONGRESS OF THE UNITED STATES
HOUSE OF REPRESENTATIVES, WASHINGTON, D. C., March 3, 1949

Chief Clerk, California State Assembly
The Capitol, Sacramento, California

DEAR SIR: Pursuant to your Assembly Resolution 73, the California Congressional Delegation has taken the folllowing action:

A. Passed a resolution, a copy of which is enclosed;

B. Transmitted copies of the resolution to the Secretary of Agriculture, Charles Branman, to President Truman, and to the State Legislature of California.

Sincerely yours,

HARRY R. SHEPPARD, M. C.
Chairman of the California Congressional Delegation
of the U. S. House of Representatives

California Congressional Delegation Resolution Recommending Immediate Action to Preserve the Giant Sugar Pines and Sequoias of Tuolumne County, California

WHEREAS, The Assembly of the State of California has memorialized the Federal Government to preserve the giant sugar pines and Sequoias of Tuolumne County, California, by taking immediate action under Title 16, Section 494, U. S. Code, which empowers the Secretary of Agriculture to obtain for the United States the complete title to the lands described in this section; and

WHEREAS, Section 494 provides methods whereby the private owners of these lands may be equitably compensated through the transfer of other national forest lands or exchange of national forest timber, and

WHEREAS, Various civic organizations of the State of California have requested the cooperation of the California Congressional Delegation in obtaining these lands, and

WHEREAS, The California Congressional Delegation heartily approves the objective of preserving these magnificent trees for park purposes; and

WHEREAS, The California Congressional Delegation, after careful consideration of the subject and methods whereby the objective can be accomplished, do hereby state that the preservation of these magnificent trees is a desirable objective, now, therefore, be it

Resolved, That the California Delegation of the United States House of Representatives urge the Secretary of Agriculture to take immediate action under the authority granted him and using the methods provided for in Title 16, Section 494, U. S. Code, and obtain for the United States the complete title to all or such portion of the following lands in Tuolumne County as he finds adaptable for park purposes

The West Half of Section 28, T 5N, R 16E,
The East Half of Section 29, T 5N, R 16E;
The Southwest Quarter of Section 29, T 5N, R 16E;
The Southeast Quarter of Section 30, T 5N, R 16E,
All of Section 31, T 5N, R 16E;
That portion of Sections 32 and 33, T 5N, R 16E, which is included in the Olmstead Report of 1945;
The Southeast Quarter of Section 36, T 5N, R 15E; and
That portion of Section 6, T 4N, R 16E; which is included in the Olmstead Report of 1945;
(the attached map indicates in red the approximate 2,400 acres involved); and be it further

Resolved, That the California Congressional Delegation recommend that the California Legislature, during its 1949 Session, do enact a law in which the State of California by appropriate language, commits itself to pay to the Counties of Tuolumne, Calaveras, Amador, Alpine, and Mariposa, which are located in the Stanislaus National Forest, an "in lieu" payment or payments equivalent to the total amount which would be paid to the above named counties because of the cutting of commercial timber on the lands withdrawn from the Stanislaus National Forest and used in the proposed exchange (i.e., 25 percent of the stumpage price of said timber); and be it further

Resolved, That the State's commitment of funds be as specific as possible. That such commitment be based on a formula which would provide for fair computation and determination of the sums to which the counties named above would be entitled, if the proposed action recommended by the California Congressional Delegation and provided for by Title 16, Section 494 was not taken

(COPY)

Letter to Be Transmitted to Secretary Brannan on March 7, 1949, by Congressman Chet Holifield

March 4, 1949

The Honorable Charles F. Brannan
Secretary of Agriculture
Department of Agriculture, Washington, D. C.

DEAR MR. SECRETARY: The California Delegation is deeply interested in preserving one of the few remaining stands of sugar pine and giant Sequoia, which are to be found in Unit One, Unit Two, Unit Two-A, Unit Two-B, Unit Three, and Unit Four of Olmstead's Report of 1945. Approximately 2,400 acres are involved. This is part of the portion of land described in Title 16, Section 494, United States Code, which lies within Tuolumne County.

The California Delegation, after careful consideration, strongly recommends that you proceed, under the authority granted in the aforementioned statute, to obtain the previously specified area. We believe that you are empowered to use either or both of the two methods outlined in the 1909 Act to acquire this valuable stand of trees for park purposes.

We understand that it is the policy of your department to consider the effect of timber sales or transfers on local political subdivisions. It has been brought to our attention, that, if such a transfer as suggested above could be effected, there would be a potential revenue loss from stumpage (which is at present undetermined) to the five counties which comprise the Stanislaus National Forest.

In view of the dire need of these counties for this expected revenue, our delegation has forwarded a resolution to the California State Legislature requesting them to determine, as nearly as possible, the amount of revenue loss. We have suggested that they pass a bill making an "in lieu thereof" payment to these counties from State Park Funds, $500,000 of which is now earmarked for the purpose of establishing this park.

In our opinion this would present a practical formula by which this invaluable group of trees could be acquired as a permanent park for the people of California.

The private owners of this land have announced their intention of cutting the tagged trees in Unit One during 1949. Time is therefore of the essence in saving these trees. We therefore request that we receive the full cooperation of your office in attaining these great objectives.

Respectfully yours,

(Signed)

HARRY R. SHEPPARD
Chairman of the California Delegation

Attached Area Outline Map of the Sugar Pine and Sequoia Region of Calaveras and Tuolumne Counties ordered referred to the Committee on Conservation, Planning, and Public Works.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

Second Progress Reports of the Special Crime Study Commissions Letter of Transmittal

THE STATE BOARD OF CORRECTIONS, March 7, 1949

The Honorable Earl Warren
Governor of California
The Honorable Goodwin J. Knight
President of the Senate
The Honorable Sam L. Collins
Speaker of the Assembly

Pursuant to the provisions of Section 6028.3 of the Penal Code, enacted by the Legislature in 1947, I have the honor, in behalf of the Board of Corrections, to transmit the Second Progress Reports of the Special Crime Study Commissions for the study of: Criminal Law and Procedure, Adult Corrections and Release Procedures, Juvenile Justice, Social and Economic Causes of Crime and Delinquency and Organized Crime.

The commissions were established by the Governor on November 1, 1947, and their program was initiated at the "Governor's Conference on Crime and Juvenile Justice," Sacramento, November 17 and 18, 1947.

The members of the Board of Corrections are unanimous in their commendation of the work performed by each commission since its establishment. They have, likewise, been deeply impressed by the generosity and self sacrifice with which each appointee of the Governor to the various commissions has carried out his duties. The time which these responsible and respected fellow citizens of ours have taken from their own considerable personal and professional responsibilities and which they have freely donated to the enhancement of the welfare of this State merits the gratitude of all our people.

The board has studied and considered the Second Progress Report of each of the Special Crime Study Commissions. It is in general agreement with the spirit and intent of the specific proposals submitted by each commission to the Governor and the Legislature. The board as a whole and its individual members, however, reserve the right to withhold judgment with respect to the content and purpose of legislative bills related to these proposals as each is considered by the Legislature

In conformity with the provisions of their respective executive orders final reports of the commissions will be submitted on or before June 30, 1949.

The board suggests to the chairmen and members of the commissions that in the formulation of their final recommendations serious consideration be given to the adoption of proposals in their respective fields which will (a) provide for statements of long range goals to the attainment of which the State and its various agencies and departments should be striving in the next decade; and (b) to the adoption of proposals or recommendations which will make possible the ultimate completion of those important aspects of their work which will be unfinished as of July 1, 1949.

The members of the board unanimously support the recommendation of the administration that the work of the Commission on Organized Crime be continued through the Fiscal Year 1949-1950.

Our consideration of the Second Progress Report of this commission has convinced us that its enquiries have enhanced and augmented the efforts of law enforcement and the administration of justice in this State

We have noted, with satisfaction, in the above connection, that the peace officers of the State of California, at their annual conference held at Santa Monica, California, October 27-30, 1948, by unanimous action adopted the following resolution expressing their endorsement and support of the work of each of the Special Crime Study Commissions:

> "WHEREAS, The Special Crime Study Commissions appointed by the Honorable Earl Warren, Governor of the State of California, have rendered to this convention progress reports and tentative conclusions of their work since their appointment, and
>
> "WHEREAS, The Peace Officers' Association of the State of California are deeply interested and thoroughly conscious of the benefits that law enforcement will receive from the efforts of these commissions; now, therefore, be it
>
> "*Resolved*, That the members of this association do hereby express their entire support to the activities of the Crime Study Commission; be it further
>
> "*Resolved*, That this association does hereby commend the Crime Study Commissions for their work and efforts thus far obtained; be it further
>
> "*Resolved*, That this association extend to the Honorable Earl Warren, Governor of California, and a long-time member of this association, its commendation for putting into operation the Crime Study Commissions herein referred to and that a copy of this resolution be forwarded by the Secretary of this Association to Governor Warren."

The members of the board are fully convinced that Admiral Standley, his associates and staff, have objectively produced ample evidence that organized criminal elements, within and beyond the confines of this State, have made and are making concerted efforts to entrench themselves in California

It is apparent likewise that the alert and courageous enquiries of the respected membership of this commission, in ferreting out the identity and modus operandi of these enemies of society, will not have been completed at the close of the current fiscal year.

The Board of Corrections, therefore, respectfully urges the Members of our Legislature to express their confidence in and support of the work of the Special Crime Study Commission on Organized Crime by adopting the necessary measures to insure its effective continuance through 1949-1950.

In conclusion, the board wishes to extend its appreciation to the many citizens of California who, in an official or unofficial capacity, have appeared before the various commissions to give them the benefit of their experience and advice.

It is particularly indebted to the organizations and groups herewith named for the constructive cooperation and generous encouragement which, since the establishment of the commissions, they have consistently extended to furthering their objectives.

The Judicial Council and the Conference of California Judges, the California State Bar, and the local Bar Associations, the Justices and Constables' Association,

the Association of District Attorneys, the Peace Officers' Association of the State of California, the Sheriff's Association, the Chicago Crime Commission, the California Probation and Parole Association, the National Probation Association, the Osborne Association, Members of both Houses of the State Legislature and Legislature interim committees, the California Conference of Social Welfare, the California Youth Committee, the Los Angeles County Youth Committee and the Los Angeles County Juvenile Officers' Association, the Northern California Juvenile Officer Association, the League of California Cities and the Supervisors Association of the State of California, the University of California, the University of Southern California, and San Francisco State College, Womens Organizations, Service Clubs and Veterans Organizations and State and local agencies of government

Respectfully submitted,

THE STATE BOARD OF CORRECTIONS

RICHARD A. MCGEE, Chairman
MR. WALTER A GORDON, Vice Chairman
MR. O. H. CLOSE, Member
MR CHARLES W DULLEA, Member
MR KARL HOLTON, Member
MRS ANNE HUMPHREYS, Member
MR GERALD C. KEPPLE, Member
MRS HELEN LEGG, Member
MR. ERVIS W LESTER, Member
JUDGE ISAAC PACHT, Member
BY RICHARD A MCGEE, Chairman

Above mentioned Second Progress Report of the Special Crime Study Commission on Organized Crime ordered referred to the Committee on Rules.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

A Resolution of the Council of the City of Glendale Memorializing the Legislature of the State of California to Amend Proposed Rail Rapid Transit District Legislation

WHEREAS, Bills have been introduced in the Legislature of the State of California to provide for the creation of rail rapid transit districts; and

WHEREAS, A large percentage of Glendale residents work in Los Angeles and are in need of rapid transit; and

WHEREAS, The Council of the City of Glendale favors rapid transit but feels very strongly that the legislation presently proposed will result merely in compelling the taxpayers of Glendale to pay for rapid transit facilities in other parts of the county without providing such facilities for Glendale; now, therefore, be it

Resolved by the Council of the City of Glendale, That the Legislature of the State of California be urged to amend the proposed rail rapid transit district legislation to assure each city included in a rail rapid transit district that it will receive rail rapid transit facilities commensurate with the amount it pays in taxes for such purpose, as by providing that no property in a city shall be taxed to pay interest or principal on bonds of the district until actual construction of a rail rapid transit line, without grade crossings, to or through such city has been commenced in good faith, or by other appropriate provision; be it further

Resolved, That the city clerk send copies of this resolution to the Honorable Jack B. Tenney, Honorable H. Allen Smith, each Member of the Legislature of the State of California, and the legislative bodies of all other cities in the County of Los Angeles.

I, G. E CHAPMAN, City Clerk of the City of Glendale, do hereby certify that the foregoing is a true and correct copy of resolution adopted by The Council of the City of Glendale, California, on the tenth day of February, 1949

G E CHAPMAN,
City Clerk of the City of Glendale

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 57: By Mr. McCollister—Relative to the establishment of continuous and full-time instruction for San Quentin Prison guards.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burke:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 465.92 to the Vehicle Code, relating to street name signs on traffic signals.

Respectfully submitted,

MONTIVEL A. BURKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Burke:

An act to add Section 465.92 to the Vehicle Code, relating to street name signs on traffic signals.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3093: By Mr Burke—An act to add Section 465.92 to the Vehicle Code, relating to street name signs on traffic signals.

Referred to Committee on Transportation and Commerce.

MEMBERS EXCUSED

At 10 10 a.m., Mr. George D. Collins asked for, and was granted, unanimous consent that the following members of Subcommittee No 8 of the Committee on Ways and Means be excused, for the purpose of holding a meeting, at this time:

Messrs. Collier, George D. Collins, Connolly, Elliott, Kilpatrick, Kirkwood, Lipscomb, McMillan, Stewart, and Weber.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stanley:

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act amending Section 5 of an act entitled "An act to define and officially adopt a State-wide System of Plane Coordinates, to provide for uniformity in the orientation of land surveys and maps within the State of California, and permitting, but not requiring, the use thereof in surveying and mapping operations," approved July 10, 1947, relating to State-wide System of Plane Coordinates.

Respectfully submitted,

EARL W. STANLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Stanley:

An act amending Section 5 of an act entitled "An act to define and officially adopt a State-wide System of Plane Coordinates, to provide for uniformity in the orientation of land surveys and maps within the State of California, and permitting, but not requiring, the use thereof, in surveying and mapping operations," approved July 10, 1947, relating to State-wide System of Plane Coordinates

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heismger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3094: By Mr. Stanley—An act amending Section 5 of an act entitled "An act to define and officially adopt a State-wide System of Plane Coordinates, to provide for uniformity in the orientation of land surveys and maps within the State of California, and permitting, but not requiring, the use thereof in surveying and mapping operations," approved July 10, 1947, relating to State-wide System of Plane Coordinates

Referred to Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 7, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 1923

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 7, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 37

J A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 37—Relative to continuing the Joint Legislative Committee on Lending Transactions.

Referred to Committee on Rules

CONSIDERATION OF DAILY FILE

CONSIDERATION OF HOUSE RESOLUTION NO. 109

By Mr. Crowley:

House Resolution No. 109

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrants on the proper fund in favor of the following members and officers of the Assembly for the amount set opposite their respective names, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
1	A W Way	Eureka Humboldt County	312	--	--	312	624	$31 20
2	Lester Thomas Davis	Portola, Plumas County	136	40	--	176	352	17 60
3	Lloyd W Lowrey	Rumsey, Yolo County	23	36	--	59	118	5 90
4	Arthur W Coats, Jr	Yuba City, Sutter County	58	--	--	58	116	5 80
5	Ernest C Crowley	Fairfield, Solano County	40	--	--	40	80	4 00
6	Francis C Lindsay	Loomis, Placer County	37	--	10	27	54	2 70
7	**Richard H McCollister**	Mill Valley, Marin County	105	8	--	113	226	11 30
8	**Gordon A. Fleury**	Sacramento, Sacramento County	--	--	--	--	--	----
9	John E Moss, Jr	Sacramento Sacramento County	--	--	--	--	--	----
10	Robert L Condon	Walnut Creek, Contra Costa County	62	11	--	73	146	7 30
11	Charles M Weber	Stockton San Joaquin County	48	--	--	48	96	4 80
12	Verne W Hoffman	Acampo San Joaquin County	48	--	14	34	68	3 40
13	Francis Dunn, Jr	Oakland, Alameda County	84	--	--	84	168	8 40
14	Randal F Dickey	Alameda, Alameda County	84	5	--	89	178	8 90
15	Luther H Abe Lincoln	Oakland, Alameda County	84	--	--	84	168	8 40
16	Marvin Sherwin	Piedmont, Alameda County	84	--	--	84	168	8 40
17	**William Byron Rumford**	Berkeley, Alameda County	84	--	1	83	166	8 30
18	Thomas W Caldecott	Berkeley Alameda County	84	--	1	83	166	8 30
19	Bernard R Brady	San Francisco, San Francisco County	90	--	--	90	180	9 00
20	Thomas A Maloney	San Francisco, San Francisco County	90	--	--	90	180	9 00
21	Arthur H Connolly, Jr	San Francisco, San Francisco County	90	--	--	90	180	9 00

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
22	George D Collins, Jr	San Francisco, San Francisco County	90	--	--	90	180	$9 00
23	William Clifton Berry	San Francisco, San Francisco County	90	--	--	90	180	9 00
24	Charles W Meyers	San Francisco, San Francisco County	90	--	--	90	180	9 00
25	Robert I McCarthy	San Francisco, San Francisco County	90	--	--	90	180	9 00
26	Edward M Gaffney	San Francisco, San Francisco County	90	--	--	90	180	9 00
27	Richard J Dolwig	South San Francisco, San Mateo County	119	--	11	108	216	10 80
28	Robert C Kirkwood	Saratoga, Santa Clara County	138	12	--	140	280	14 00
29	John F Thompson	San Jose, Santa Clara County	128	--	--	128	256	12 80
30	Ralph M Brown	Modesto, Stanislaus County	77	--	--	77	154	7 70
31	George A Clarke	Planada, Merced County	114	10	--	124	248	12 40
32	Donald L Grunsky	Watsonville, Santa Cruz County	198	20	--	218	436	21 80
33	James W Silliman	Salinas, Monterey County	208	--	--	208	416	20 80
34	James G Crichton	Fresno, Fresno County	169	--	--	169	338	16 90
35	S L Heisinger	Calwa, Fresno County	**169**	**5**	--	**174**	**348**	**17 40**
36	Harlan Hagen	Hanford, Kings County	214	--	--	214	428	21 40
37	Stanley T Tomlinson	Santa Barbara, Santa Barbara County	460	--	--	460	920	46 00
38	John B Cooke	Ventura, Ventura County	490	--	--	490	980	49 00
39	Joe C Lewis	Buttonwillow, Kern County	278	21	--	299	598	29 90
40	William H Rosenthal	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
41	Julian Beck	San Fernando, Los Angeles County	447	--	21	426	852	42 60
42	Everett G Burkhalter	North Hollywood, Los Angeles County	447	--	--	447	894	44 70
43	H Allen Smith	Glendale, Los Angeles County	447	--	10	437	874	43 70
44	Edward E Elliott	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
45	Thomas J Doyle	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
46	Glenn M Anderson	Hawthorne, Los Angeles County	447	12	--	459	918	45 90
47	Albert J Stewart	Pasadena, Los Angeles County	447	13	--	460	920	46 00
48	Bruce V Reagan	Pasadena, Los Angeles County	447	13	--	460	920	46 00
49	Ernest R Geddes	Pomona, Los Angeles County	447	30	--	477	954	47 70
50	Thomas M Erwin	Puente, Los Angeles County	**447**	**19**	--	**466**	**932**	**46 60**
51	Elwyn S Bennett	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
52	Jonathan J Holbbaugh	Huntington Park, Los Angeles County	447	6	--	453	906	45 30
53	Montrel A Burke	Alhambra, Los Angeles County	447	9	--	456	912	45 60
54	John L E Collier	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
55	Vernon Kilpatrick	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
56	Glenard P Lipscomb	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
57	Charles J Conrad	Hollywood, Los Angeles County	447	--	--	447	894	44 70
58	Laughlin F Waters	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
59	Willard M Huyck	Beverly Hills, Los Angeles County	447	8	--	455	910	45 50
60	Harold K Levering	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
61	Lester A McMillan	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
62	Augustus F Hawkins	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
63	G Delbert Morris	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
65	John W Evans	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
66	Gordon R Hahn	Los Angeles, Los Angeles County	447	--	--	447	894	44 70
67	Clayton A Dills	Gardena, Los Angeles County	447	11	--	458	916	45 80
68	Vincent Thomas	San Pedro, Los Angeles County	447	23	--	470	940	47 00
69	Ralph C Dills	Compton, Los Angeles County	**447**	**18**	--	**465**	**930**	**46 50**
70	William S Grant	Long Beach, Los Angeles County	447	22	--	469	938	46 90
71	Carl Fletcher	Long Beach, Los Angeles County	447	22	--	469	938	46 90
73	L Stewart Hinckley	Redlands, San Bernardino County	508	9	--	517	1 034	51 70
74	Earl W Stanley	Balboa Island, Orange County	481	8	--	489	978	48 90
75	Sam L Collins	Fullerton, Orange County	481	--	11	470	940	47 00
76	John D Babbage	Riverside, Riverside County	512	--	--	512	1 024	51 20
77	George R Butters	Brawley, Imperial County	661	--	14	647	1 294	64 70
78	Frank Luckel	San Diego, San Diego County	573	--	--	573	1,146	57 30
79	Kathryn T Niehouse	San Diego, San Diego County	573	--	--	573	1,146	57 30
80	Howard K Cramer	Chula Vista, San Diego County	573	10	--	583	1,166	58 30

Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 10 cents per mile
Arthur A Ohnimus	San Francisco, San Francisco County	--	--	--	---	---	-----
Geraldine B Hadsell	Los Angeles, Los Angeles County	447	--	--	447	894	$89 40
Wilkie Ogg	Sacramento, Sacramento County	--	--	--	---	---	-----

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sullivan, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr Speaker—65.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 58

House Resolution No. 58

Relative to the printing of "A Chronic Disease Program for California"

WHEREAS, The Legislature, in Assembly Concurrent Resolution No. 42 of the 1947 Regular Session, requested the State Department of Public Health to report to the Legislature the result of its investigation of problems relating to death and disability from cancer and other chronic diseases; and

WHEREAS, That report has now been completed and should be printed as a public record; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to cause to be printed, as a public document, three thousand (3,000) copies of the report prepared pursuant to Assembly Concurrent Resolution No. 42, 1947 Regular Session and entitled "A Chronic Disease Program for California," the cost of not to exceed $2,500 to be paid from the legislative printing appropriation.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

Strike out the entire resolution as printed on page 507 of the Assembly Journal for January 21, 1949, and insert:

"By Mr. Thompson:

House Resolution No. 58

Relative to the printing of "A Chronic Disease Program for California"

WHEREAS, The Legislature, in Assembly Concurrent Resolution No. 42 of the 1947 Regular Session, requested the State Department of Public Health to report to the Legislature the result of its investigation of problems relating to death and disability from cancer and other chronic diseases; and

WHEREAS, That report has now been completed and should be printed as a public record; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to cause to be printed, as a public document, three thousand (3,000) copies of the report prepared pursuant to Assembly Concurrent Resolution No. 42, 1947 Regular Session and entitled "A Chronic Disease Program for California," the cost thereof to be paid from the legislative printing appropriation.

The State Printer shall deliver 600 copies of the report to the Chief Clerk of the Assembly for the use of Members of the Legislature. The remainder of the copies shall be sold through the Legislative Bill Room, at a price set by the Printer, not in excess of the actual cost of publication."

Amendment read, and adopted.

Consideration of House Resolution No. 58, as Amended

By Mr. Thompson:

House Resolution No. 58

Relative to the printing of "A Chronic Disease Program for California"

WHEREAS, The Legislature, in Assembly Concurrent Resolution No. 42 of the 1947 Regular Session, requested the State Department of Public Health to report to the Legislature the result of its investigation of problems relating to death and disability from cancer and other chronic diseases; and

WHEREAS, That report has now been completed and should be printed as a public record; now, therefore, be it

Resolved by the Assembly of the State of California, That the Chief Clerk of the Assembly is instructed to cause to be printed, as a public document, three thousand (3,000) copies of the report prepared pursuant to Assembly Concurrent Resolution No. 42, 1947 Regular Session and entitled "A Chronic Disease Program for California," the cost thereof to be paid from the legislative printing appropriation

The State Printer shall deliver 600 copies of the report to the Chief Clerk of the Assembly for the use of Members of the Legislature. The remainder of the copies shall be sold through the Legislative Bill Room, at a price set by the Printer, not in excess of the actual cost of publication.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65

NOES—None.

ANNOUNCEMENTS

Mr. Brown announced a request that members having bills pending for hearings before the Committee on Judiciary cooperate by asking for early hearings.

Mr. Stewart announced that it will be necessary for the Committee on Governmental Efficiency and Economy to consider over thirty bills at every committee meeting if all work of the committee is to be completed by late June, and urged members to cooperate by requesting early hearings of bills.

WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILL NO. 647 BY UNANIMOUS CONSENT

Mr. Heisinger asked for, and was granted, unanimous consent that Assembly Bill No. 647 be withdrawn from the Committee on Transportation and Commerce, and be re-referred to the Committee on Revenue and Taxation.

ANNOUNCEMENT

Mr. Dickey announced that the Committee on Rules is recommending to the chairmen of committees that they send information pertaining to committee hearings to only Members of the Assembly and Senate when the requests for information are local; and that all other interested people, residing in Sacramento, be asked to obtain their information from the easily available printed sources

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 26: By Messrs Maloney, Ralph C. Dills, Caldecott, Crichton, Brown, Burke, Coats, Connolly, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Hoffman, Huyck, Kirk-

wood, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Thompson—Relative to the participation of the United States in a World Federal Government.

Ordered temporarily held at desk, to be referred to the Committee on Rules.

(NOTE—See Assembly Journal for March 9th, page 974, for unanimous consent that certain members beside Mr. Maloney be co-authors of this resolution.)

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, Upon Adjournment—

Finance and Insurance. Subject: Further consideration of Assembly Bill No. 994 re State Banking Act.

Rules.

At 8 p.m., Tonight—

Fish and Game. Purpose: Organization of subcommittees

Thursday, March 10th, at 8 p.m.—

Subcommittee on Ways and Means.

Tuesday, March 15th—

Elections and Reapportionment.

Friday, March 25th—

Finance and Insurance. Subject: Consideration of Assembly Bills Nos. 448, 1720, 1721, 1722, and 1766.

It was announced that the following committees will not hold meetings today:

Subcommittee No. 2 of Ways and Means
Social Welfare
Elections and Reapportionment.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to F. T. Wood of Portola.

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to O. A. Dietrich and Guy C. Lewis of Pasadena.

ADJOURNMENT

At 10.32 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 9, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SECOND LEGISLATIVE DAY

SIXTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, March 9, 1949

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Presence: In this Lenten season, we listen to the voices of aspiration that arise within us and speak to us of the deeper and greater nature we have not yet realized.

We see that the outward world of existence, of work and pleasure is but the thin surface, below which our real self dwells, and sends up its stifled cries for recognition.

Let us hear "the high yearnings that come welling and surging in," and that come from the Infinite Ocean, whence our being has sprung.

May we be more aware of this mystic part of our nature which is forever incomplete and unsatisfied, and which will be forever restless until it is attuned with the Infinite.

In this flowering time, let us give way to these deeper longings of our hearts for the Eternal, in whom we live and move and have our being.

May we realize that we must fully live when we fulfil these higher aspirations, and let them lead us to the greater life of the Soul —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Berry, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Silliman.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Silliman.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES BE PLACED UPON THE MORNING ROLL CALL

Mr. Sherwin asked for, and was granted, unanimous consent that the names of the following members of Subcommittee No. 6 of the Committee on Ways and Means, who are now attending a meeting, be ordered placed upon the morning roll call: Messrs Butters, Collier, George D. Collins, Hinckley, Lipscomb; and Mr. Luckel, who is attending to legislative duties elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO CELEBRATE SAINT PATRICK'S DAY

Mr. Maloney asked for, and was granted, unanimous consent that Saint Patrick's Day, March 17th, be celebrated in the usual fashion from 11 a.m. until 12 m.

REQUEST FOR UNANIMOUS CONSENT THAT NAMES OF MEMBERS DESIRING TO BE CO-AUTHORS BE PLACED UPON ASSEMBLY CONCURRENT RESOLUTION NO. 26

Mr. Maloney asked for, and was granted, unanimous consent that the following members desiring to be co-authors of Assembly Concurrent Resolution No. 26, which is now being held at the desk, be permitted to place their names upon it, at this time:

Messrs. Maloney, Ralph C. Dills, Caldecott, Crichton, Brown, Burke, Coats, Connolly, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Hoffman, Huyck, Kirkwood, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Thompson.

ANNOUNCEMENT OF INTERIM COMMITTEE APPOINTMENTS

Pursuant to the provisions of Senate Concurrent Resolution No. 7, Speaker Sam L. Collins announced the appointment of Messrs. Beck, Smith, and McCarthy, as members of said Joint Interim Committee on Inter-House Cooperation.

REQUEST FOR UNANIMOUS CONSENT THAT SUBCOMMITTEE LIST BE PRINTED IN THE JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that the following subcommittee list of the Committee on Finance and Insurance be ordered printed in the Journal:

List of Subcommittees of the Committee on Finance and Insurance

COMMITTEE ON FINANCE AND INSURANCE, March 7, 1949

Subcommittees of the standing Committee on Finance and Insurance are as follows:

Unemployment Insurance and Disability Insurance—members are as follows:
Beck, Chairman
Brady
Levering
Maloney
Stanley

Workmen's Compensation Insurance—members are as follows:
Dunn, Chairman
Beck
Lipscomb
Morris
Dolwig

Personal Property Brokers and Small Loans—members are as follows:
Doyle, Chairman
Grunsky
Lipscomb
Meyers
Morris

Banking Act Reorganization—members are as follows:
Dolwig, Chairman
Beck
Brady
Lipscomb
Stanley

GEDDES, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 38

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 38—Relative to the annual fund campaign of the American National Red Cross.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 38, at this time, without reference to committee or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 38

Senate Concurrent Resolution No. 38—Relative to the annual fund campaign of the American National Red Cross.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call of Senate Concurrent Resolution No. 38

Mr. Conrad asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Concurrent Resolution No. 38, and that he be recorded as voting, "aye."

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 110

MR SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positons and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names, payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same:

Commencing Monday, March 7, 1949	*Per day*
Chief Clerk, Arthur A. Ohnimus	$25 00
Minute Clerk, Geraldine B. Hadsell	15 00
Sergeant-at-Arms, Wilkie Ogg	15 00
Chaplain, Dr Torrance Phelps	5 00
Assistant Chief Clerk, Harold F Lewright	15 00
Engrossing-Enrolling Clerk, Charles W Robbins	14 00
History Clerk, Ethel E. Brockelbank	13 00
File Clerk, Ruth Riley	12 00
Assistant Clerk, John R. Wendt	12 00
Assistant Clerk, Paul F. Crum	12 00
Assistant Clerk, Marvin D. Riley	12 00
Journal Clerk, Walter W. Feeley	12 00
Assistant at Desk, William J. Greene	11 00
Chief Assistant Sergeant-at-Arms, Andrew J. Cecchettini	13 00

Resolved, That the compensation of the above named attaches shall be on a seven-day week basis.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 110, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—Silliman—1.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2183 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 2183 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Agriculture

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 551 AND 1004 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, ~~and was granted~~ unanimous consent ~~that Assembly Bills Nos. 551 and 1004 be withdrawn from the Committee on~~

~~Agriculture, and be re-referred to the Committee on Livestock and Dairies.~~

On this day the above record was expunged and the action rescinded whereby Assembly Bills Nos. 551 and 1004 were ordered withdrawn from the Committee on Agriculture, and re-referred to the Committee on Livestock and Dairies.

ANNOUNCEMENT

Speaker Sam L. Collins announced that in the future the following policy will be adhered to: That the principal author of a bill and the two committee chairmen involved must be in agreement before unanimous consent will be granted that a bill be withdrawn from one committee, and be re-referred to another, as an author may have a preference, to which he is entitled.

REPORTS OF STANDING COMMITTEES

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 8, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 1574

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SILLIMAN, Chairman

Above reported bill ordered to second reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 55

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 20

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1923—An act to add Section 10180 to the Insurance Code, relating to group life and disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 14, inclusive, and insert "*year. Any policy dividends hereafter declared, or reduction in rate of premiums hereafter made or continued for the first or any subsequent year of insurance, under any such group policy heretofore or hereafter issued, may be applied to reduce the master policyholder's part of the cost of such insurance, except that if the aggregate dividends or refunds or credits under such group policy and any other group policy or contract*

issued to the master policyholder exceed the aggregate contributions of the master policyholder towards the cost of the coverages, such excess shall be applied by him for the sole benefit of the group of persons insured thereunder"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 20
Assembly Concurrent Resolution No. 55

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 58: By Messrs. Kilpatrick, Crowley, Evans, Rosenthal, Bennett, Hollibaugh, McMillan, and Stewart —Relative to new quarters for the Industrial Workshop for the Blind in Los Angeles.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 3453 of the Political Code, relating to reclamation districts.

Respectfully submitted.

ERNEST C. CROWLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Crowley:

An act to amend Section 3453 of the Political Code, relating to reclamation districts.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins,

Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3095: By Mr Crowley—An act to amend Section 3453 of the Political Code, relating to reclamation districts.

Referred to Committee on Conservation, Planning, and Public Works

ANNOUNCEMENTS

Mr. Stanley announced a request that as many members as possible ask that the bills they have pending in the Committee on Municipal and County Government be set for hearings for next week or the following week.

Mr. Crowley announced a reluctance to arbitrarily set hearings for bills now in the Committee on Constitutional Amendments, but expressed a desire to set hearings on some 75 constitutional amendments at the earliest possible date.

Mr. Beck announced a luncheon meeting of the Democratic Caucus, this noon, at the Hotel Senator.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 859 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No 859 be withdrawn from the Committee on Education, and be re-referred to the Committee on Elections and Reapportionment.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 111

Relative to the compilation and publication of a history of the Great Seal of the State of California

Resolved by the Assembly of the State of California, As follows:

1 That the Chief Clerk of the Assembly is instructed to cause to be printed as a public document, for distribution without charge to schools, libraries, study clubs, chambers of commerce, and other interested citizens, not to exceed 20,000 copies of the history of the Great Seal of the State of California and interesting statistical and historical facts relating thereto, compiled by the Secretary of State.

2 That copies of said history be mailed to all Members of the Legislature.

3. The sum of one thousand two hundred dollars ($1,200) is hereby made available from the Contingent Fund of the Assembly, for the payment of the cost of publication and distribution of said history.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT RECORD BE EXPUNGED AND ACTION RESCINDED ON WITHDRAWAL AND RE-REFERENCE OF ASSEMBLY BILLS NOS. 551 AND 1004

Mr. Clayton A. Dills asked for, and was granted, unanimous consent that the record be expunged, and the action rescinded, whereby Assembly Bills Nos. 551 and 1004 were, this day, withdrawn from the Committee on Agriculture, and were re-referred to the Committee on Livestock and Dairies.

Assembly Bills Nos. 551 and 1004 ordered returned to the Committee on Agriculture.

ANNOUNCEMENTS

Mr. Dickey announced that the Committee on Rules has purchased 80 four-drawer steel legal files for members; that 42 have been delivered to the Capitol; that committee chairmen and members entitled to seniority will be given first preference; and that, as the files are delivered from time to time by the company from which purchased, they will be placed in the offices of members.

Speaker Sam L. Collins announced that, because of action of the Committee on Rules worthy of commendation, the soiled window shades had been removed from the windows of the Assembly; the flags properly cleaned and placed; and the loud speaker system greatly improved because replaced, out of sight, in the ceiling.

Mr. Dickey announced that the Committee on Rules will meet, by call of the chairman, one hour each day, prior to the time set for the opening of the session.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings today:

This afternoon, after luncheon—

Subcommittee No. 6 of the Committee on Ways and Means. Subject: The Youth Authority.

At 3 p.m.—

Conservation, Planning, and Public Works. Subject: Consideration of author's amendments

Governmental Efficiency and Economy. Subject: Consideration of three bills, and discussion of proposed future calendar schedules.

At 9 a.m., on Thursday, March 10th—

Rules.

Wednesday night, March 16th at 8 p.m.—

Municipal and County Government.

Constitutional Amendments.

It was announced that the following committees would not hold meetings tonight:

Municipal and County Government.

Constitutional Amendments.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Onsgar Larsen of Fort Hueneme.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Phillip L. Boyd, former Assemblyman, of Riverside.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Oliver McCammon, of Hawthorne, and W. K. Cobb of Redondo.

ADJOURNMENT

At 10.52 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, March 10, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-THIRD LEGISLATIVE DAY

SIXTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 10, 1949

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal Spirit: In this Sacred Season we enter this mystic realm of silence, wherein we touch a wider Consciousness and feel in tune with the Infinite.

In silence, the outward world recedes, the mind rests from its labor, and every faculty receives a fresh illumination

In holy silence, lofty thoughts buried in the unconscious and sentiments long subdued, rise to speak in reason and conscience

In quietude, our greater selves ascend to dominate, and our latent potencies of mind and spirit flower.

Above all, while we are silent together, and focus our thoughts Godward, a sense of unity fuses us into one mind, seeking the general good

So may we enter each day, the silence and take time for—

"Some little hour, from sordidness and self, a Sanctuary,
Wherein to hold rapt converse with the Infinite;
Swept by the winnowing of unseen wings,
And touched by the white light ineffable."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Way, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Silliman.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

Mr. Sam L. Collins, by unanimous consent.

Mr. Sherwin, on motion of Mr. Stewart.

Mr. McCollister, on motion of Mr. Dickey.

COMMUNICATIONS

By Speaker pro Tempore Maloney:

A communication from Paul Winterbottom of Venice, California, relative to the old age pension, was received, and ordered referred to the Committee on Social Welfare.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Way:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 2876 to the Health and Safety Code, relating to pest abatement districts, the power and authority of boards of supervisors and the levy of pest abatement district taxes; providing that this act shall not be deemed to be a declaration of the intention of the Legislature concerning the meaning of Section 3720 of the Political Code or any statutory successor thereto; declaring the urgency thereof and providing that this act shall take effect immediately.

Respectfully submitted.

A. W. WAY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Way:

An act to add Section 2876 to the Health and Safety Code, relating to pest abatement districts, the power and authority of boards of supervisors and the levy of pest abatement district taxes; providing that this act shall not be deemed to be a declaration of the intention of the Legislature concerning the meaning of Section 3720 of the Political Code or any statutory successor thereto; declaring the urgency thereof and providing that this act shall take effect immediately.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Evans, Fletcher,

Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, and Weber—60.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3096: By Mr. Way—An act to add Section 2876 to the Health and Safety Code, relating to pest abatement districts, the power and authority of boards of supervisors and the levy of pest abatement district taxes; providing that this act shall not be deemed to be a declaration of the intention of the Legislature concerning the meaning of Section 3720 of the Political Code or any statutory successor thereto; declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS BE EXCUSED

Mr. Geddes asked for, and was granted, unanimous consent that the members of the Assembly Interim Fact-Finding Committee on Highways, Streets, and Bridges be excused on Saturday, March 12, 1949, for the purpose of holding a hearing in Room 540 of the State Building in San Francisco, on testimony relative to a land crossing of San Francisco Bay.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 681 BE WITHDRAWN FROM COMMITTEE, AND RE-REFERRED

Mr. McMillan asked for, and was granted, unanimous consent that Assembly Bill No. 681 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1923

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered re-referred to the Committee on Finance and Insurance.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 200
Assembly Bill No. 347
Assembly Bill No. 396

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 15 BE WITHDRAWN FROM COMMITTEE, AND RE-REFERRED

Mr. Hoffman asked for, and was granted, unanimous consent that Assembly Bill No. 15 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Agriculture.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1574—An act to add Sections 255 and 256 to the Agricultural Code, relating to bovine tuberculosis.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies:

Amendment No. 1

In line 2 of the title of the printed bill, after "tuberculosis", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1 of said bill, between lines 24 and 25, insert

"This section shall not apply to any sales yard or public stockyard nor to any cattle in or moving through any sales yard or public stockyard."

Amendment No. 3

On page 1 of said bill, after line 30, insert

"SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The spread of disease among cattle would seriously endanger the cattle industry and the health and safety of the people of this State At the present time there is immediate danger of disease assuming epizootic proportions in this State, with the result that gains previously made in controlling the disease will be lost.

In order to prevent such an epizootic it is necessary to limit and regulate the movement of disease-exposed cattle This act authorizes such regulation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to third reading

THIRD READING OF ASSEMBLY BILLS

Assembly Joint Resolution No. 20—Relative to the establishment of an Air Force Academy.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.

NOES—None

Resolution ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.18 a.m., Mr. Beck asked for, and was granted, unanimous consent that the members of the Democratic Delegation be excused, for the purpose of holding a meeting in the Cloak Room, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 373
Assembly Bill No. 1472

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 9, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 85

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1138

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 377
Assembly Bill No. 651
Assembly Bill No. 652
Assembly Bill No. 998
Assembly Bill No. 1073
Assembly Bill No. 1096
Assembly Bill No. 1591
Assembly Bill No. 1813

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 58

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER. Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 24
Assembly Joint Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred,

House Resolution No. 111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolution ordered on file.

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 111, at this time, without reference to file

CONSIDERATION OF HOUSE RESOLUTION NO. 111

By Mr. Waters:

House Resolution No. 111

Relative to the compilation and publication of a history of the Great Seal of the State of California

Resolved by the Assembly of the State of California, As follows:

1 That the Chief Clerk of the Assembly is instructed to cause to be printed as a public document, for distribution without charge to schools, libraries, study clubs, chambers of commerce, and other interested citizens, not to exceed 20,000 copies of the history of the Great Seal of the State of California and interesting statistical and historical facts relating thereto, compiled by the Secretary of State

2 That copies of said history be mailed to all Members of the Legislature

3 The sum of one thousand two hundred dollars ($1,200) is hereby made available from the Contingent Fund of the Assembly, for the payment of the cost of publication and distribution of said history.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, paragraph 1, lines 3 and 4, of the typewritten resolution, strike out "chambers of commerce, and other interested citizens", and insert "interested citizens and organizations".

Amendment read, and adopted.

Consideration of House Resolution No. 111, as Amended

By Mr. Waters:

House Resolution No. 111

Relative to the compilation and publication of a history of the Great Seal of the State of California

Resolved by the Assembly of the State of California, As follows:

1 That the Chief Clerk of the Assembly is instructed to cause to be printed as a public document, for distribution without charge to schools, libraries, study clubs, interested citizens and organizations, not to exceed 20,000 copies of the history of the Great Seal of the State of California and interesting statistical and historical facts relating thereto, compiled by the Secretary of State

2 That copies of said history be mailed to all Members of the Legislature.

3 The sum of one thousand two hundred dollars ($1,200) is hereby made available from the Contingent Fund of the Assembly, for the payment of the cost of publication and distribution of said history.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—63

NOES—None

RESOLUTIONS

The following resolutions were offered:

By Messrs. Clayton A Dills, Beck, Fletcher, Bennett, Hawkins, Crowley, Lowrey, Anderson, Ralph C. Dills, Doyle, Rosenthal, George D. Collins, Thomas, Burkhalter, Brown, Kilpatrick, Moss, Crichton, Hagen, Meyers, Condon, Cooke, McMillan, Heisinger, Dunn, Elliott, Brady, Davis, Coats, Lewis, Berry, Gaffney, Rumford, and McCarthy:

House Resolution No. 112

Relative to the amounts and availability of state funds

WHEREAS, There appears to be grave doubt as to the accuracy and completeness of the reports issued to the Legislature respecting the number, amounts and purposes of funds held in reserve by numerous departments of the State Government; and

WHEREAS, There is no agreement by fiscal officers of the State and the Legislative Auditor as to the availability of money held in these funds for General Fund use purposes; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Standing Committee on Revenue and Taxation is hereby requested and directed to call before that committee simultaneously within the next seven days the Director of Finance, the State Treasurer, the State Controller, the Legislative Auditor and any other state official who the committee may believe is possessed of information regarding the fiscal affairs of the State for the purpose of investigating this entire situation; and be it further

Resolved, That the Committee on Revenue and Taxation report their findings thereon to the Assembly.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 113

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of one thousand nine hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 113, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad,

Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—66.

NOES—None

By Mr. Dickey:

House Resolution No. 114

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone & Telegraph Company (tolls)	$1 00
The Pacific Telephone & Telegraph Company (tolls)	232 85
The Pacific Telephone & Telegraph Company (exchange service charges)	7 75
Department of Finance (mimeograph service)	4 00
Department of Finance (supplies)	81 05
H. S. Crocker Company, Inc. (supplies)	15 15
Western Union (telegrams)	31 31
Sam S. Frieden (bulletin board card signs)	75 00

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 114, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—66

NOES—None.

By Mr. Dickey:

House Resolution No. 115

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A. Ohnimus, Chief Clerk, and the State Treasurer is hereby directed to pay the same for the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 115, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—66.

NOES—None.

By Messrs. Kilpatrick, Hahn, Burke, Bennett, and Babbage:

House Resolution No. 116

Relative to continuing the Assembly Interim Committee on Crime and Corrections

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Crime and Corrections, formerly known as the Assembly Interim Committee on Detention Homes and City and County Jails (created by House Resolution No 164 of the 1947 Regular Session and continued as an Assembly Committee by House Resolution No 16 of the 1949 General Session) is authorized to act during the remainder of the 1949 General Session of the Legislature and to file its final report not later than the last legislative day thereof

Resolution read, and ordered referred to the Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grant:

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to amend Sections 2500, 2501, 2525, 2526, 2527, 2550, 2553, 2575, 2577, 2578, 2600, 2601, 2628, 2650, 2655, 2700, 2750, 2753, 2754, 2755, 2756, 2767, 2769, 2772, 2773, 2774, 2800, 2801, 2816, 2900 and the title of Article 3, Chapter 3, Part 3, Division 2, of the Water Code, relating to water right adjudications

Respectfully submitted.

WILLIAM S. GRANT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grant:

An act to amend Sections 2500, 2501, 2525, 2526, 2527, 2550, 2553, 2575, 2577, 2578, 2600, 2601, 2628, 2650, 2655, 2700, 2750, 2753, 2754, 2755, 2756, 2767, 2769, 2772, 2773, 2774, 2800, 2801, 2816, 2900 and the title of Article 3, Chapter 3, Part 3, Division 2, of the Water Code, relating to water right adjudications

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3097: By Mr Grant—An act to amend Sections 2500, 2501, 2525, 2526, 2527, 2550, 2553, 2575, 2577, 2578, 2600, 2601, 2628, 2650, 2655, 2700, 2750, 2753, 2754, 2755, 2756, 2767, 2769, 2772, 2773, 2774, 2800, 2801, 2816, 2900 and the title of Article 3, Chapter

3, Part 3, Division 2, of the Water Code, relating to water right adjudications.

Referred to Committee on Conservation, Planning, and Public Works.

Hon. Ralph C. Dills Presiding

At 10.45 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Lowrey:

House Resolution No. 117

Relative to the birth of John Rodney Davis

WHEREAS, On February 14, 1949, St Valentine's Day, the bells chimed, the locomotives threw the throttle wide open, and cigars were passed around by Assemblyman Lester T. Davis to the residents of the Town of Portola, Quincy, and Greenville, situated in Plumas County, due to the arrival of a bouncing baby boy, "John Rodney Davis," delivered by the proud mother, Mrs Lester T. Davis, in Sutter Maternity Hospital, Sacramento; and

WHEREAS, This young sprout of a lad, weighing 6 pounds and 14 ounces upon his arrival on schedule, is rapidly gaining weight by his over-indulgence in the necessities of life by always creating the impression he is hungry and always winning his argument on that point; and

WHEREAS, While it was first thought that "John Rodney Davis'" ambition in life would be his craving to follow his father's footsteps as a locomotive engineer, the thought vanished, and it was then decided that he would be brought up to be a statesman, and in the years to come occupy the seat of Dad in the Assembly of the State of California; but in the daily development of his voice, lungs, and the melodies rendered by him, it is agreed he may fit into his proper classification by working as a caller at railroad stations, notifying the traveling public which direction to go;

"His voice is strong"; now, therefore, be it

Resolved, That the Members of the Assembly in regular session on this tenth day of March, 1949, do hereby extend to Assemblyman Lester Davis and his charming wife, Pauline, our heartiest congratulations upon this most auspicious and glorious occasion of this wonderful addition to the "Davis Household"; and be it further

Resolved, That a suitably engrossed copy of this resolution be forwarded to Mr and Mrs. Lester T Davis.

Request for Unanimous Consent

Mr. Lowrey asked for, and was granted, unanimous consent to take up House Resolution 117, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

ANNOUNCEMENT

Acting Speaker Ralph C. Dills announced that authors of bills are to request committee chairmen to set their bills for hearings as soon as possible, and that chairmen are to bring to the desk lists of bills, with the dates when they are to be considered in committee, for the purpose of publication in the Daily File.

REQUEST FOR UNANIMOUS CONSENT THAT LIST OF JUDICIARY SUBCOMMITTEES BE PRINTED

Mr. Brown asked for, and was granted, unanimous consent that the following list of subcommittees of the Committee on Judiciary be ordered printed in the Journal:

Judiciary Subcommittees

Impeachment Proceedings

Babbage, Chairman
Tomlinson
Brady

Corporation Bills

Fleury, Chairman
McCarthy
Connolly

Retirement, Judges Salaries, Increase in Number of Judges, and Municipal Courts

Smith, Chairman
Caldecott

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Education, to which were referred

Assembly Bill No. 376
Assembly Bill No. 2374
Assembly Bill No. 707

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 24
Assembly Joint Resolution No. 25

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 58

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

At 2 p m., today, in Room 428—

Subcommittee on Finance and Insurance. Subject: State Banking Act.

At 2.30 p.m., today, in Room 428—

Subcommittee on Finance and Insurance Subject: Personal property brokers and small loans.

At 3 p m., today, in Room 432—

Transportation and Commerce.

At 9 a.m., tomorrow, March 11th—

Rules.

It was announced that the following committee would hold no meeting today:

Revenue and Taxation.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Arrasmith and Mrs. Wycoff, teachers, and the following pupils of the David Martin School of San Lorenzo: Sonja Westerland, Joan Holland, Ann Smith, Toni Salmon, Bob Russ, Paula Healy, Dawn Wild, Gerry Wacks, John Bowers, Harold Davis, Bill Everson, Bob Gouldthorpe, Peter Lowell, Rosey Miller, Kenneth Musca, Jack Thompson, Nancy Tullach, Peter Van Etten, Jean Werner, Pat Williams, Donald Wolf, Pat Woodside, Gary Chambasse, Nancy Feliciana, Helen Gerlisho, James Gleason, Ginger Morrison, Thelma Woodruff, Ernie Wright, Joanne Summy, Lorna Burtchett, Bobby Canon, Donald Cash, Barbara Lustig, Barbara Thackson, John Grubic, Rae Miller, Bill Lipcon, Don Uess, Dave Duncan, Dawn Spengler, Nancy Wolverton, Bill Morgan, Marilyn Talbott, Oogie O'Brien, Ulla Collins, Dick Newell, Larry Reese, Gary Peterson, Marilyn Ivey, Rose Etta Eddens, Zolita Robinson, Carolyn Young, Donna Cope, Martha Hanson, Karen Postom, Barbara Moody, Lawrence Soares, Ronald Foreman, Emma Lou Worrell, Bill Massie, Beatrice Morrill, Curtis Stelley, Jack Skinner, Paul Arrasmith, George Gower, Ken Roberts and Ken Louber.

ADJOURNMENT

At 10.58 a.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, March 11, 1949.

THOMAS A. MALONEY, Speaker pro Tempore

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FOURTH LEGISLATIVE DAY

SIXTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, March 11, 1949

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal God: In this age of doubt and unrest, we affirm the reality of Thy presence in nature, in history, and in human life.

We would trust Thee and believe that the mystical feelings that come from the outside and beyond us assure us of the reality of Thy Divine Being

As we behold the invisible Principle that organizes a world of electrons into solar systems and upholds them in their vast orbits, let us realize that organization on this cosmic scale requires intelligence of an Infinite degree.

In the spectacle of the universal law and order, which governs every cell of life and star in its constellation, may we see the working of a Divine Architect.

Let us behold a Divine activity in the irresistable spiritual urge that has driven the greatest men on earth to struggle for liberty, justice, and truth, even though the price be a cross.

May their unshakeable belief that the Divine sustained them strengthen our own faith.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Smith, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Silliman.

Mr. Berry, on motion of Mr. Thompson.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin.

Mr. Sam L. Collins, on motion of Mr. Connolly.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. McMillan, on motion of Mr. Fletcher.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1574

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bill ordered to third reading

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 118

Relating to the continuance of Assembly interim committees heretofore created

Resolved by the Assembly of the State of California, As follows:

1. That the following Assembly interim committees (created by resolution of the 1947 Regular Session and continued as Assembly committees by House Resolution No. 16 at this 1949 General Session) are authorized to act during this session of the Legislature, including any recess, until and including April 15, 1949, with authority to file a final report not later than April 15, 1949:

(a) Assembly Committee on Interstate Cooperation, created by House Resolution No. 23.

(b) Assembly Interim Committee on State and Local Taxation, created by House Resolution No. 37.

(c) Assembly Interim Committee on Aviation, created by House Resolution No. 247.

(d) Assembly Interim Committee on Crime and Corrections (formerly known as the Assembly Interim Committee on Detention Homes and County and City Jails), created by House Resolution No. 164.

(e) Assembly Interim Committee on Fire Hazards and Prevention, created by House Resolution No. 260.

(f) Assembly Interim Committee on Fish and Game, created by House Resolution No. 204.

(g) Fact-Finding Committee on Highways, Streets and Bridges, created by House Resolution No. 221.

(h) Assembly Interim Committee on Industrial Safety, created by House Resolution No. 239.

(i) Assembly Interim Committee on the Judicial System and Judicial Process, created by House Resolution No. 226.

(j) Assembly Interim Committee on Military and Veterans Affairs, created by House Resolution No. 205.

(k) Assembly Interim Committee on Public Education, created by House Resolution No. 236.

(*l*) Assembly Interim Committee on Public Morals, created by House Resolution No. 213.

(m) Assembly Interim Committee on Soil Conservation, created by House Resolution No. 224.

(n) Assembly Interim Committee on State Civil Service, created by House Resolution No. 218.

(o) Assembly Interim Committee on Tide and Submerged Lands, created by House Resolution No. 287.

(p) Assembly Interim Committee on Transportation and Commerce, created by House Resolution No. 252.

(q) Assembly Interim Committee to Study Promotion of the Welfare of the Youth of the State, created by House Resolution No. 234

(r) Assembly Interim Committee on Wildlife Conservation, House Resolution No. 69.

2. That each such committee is authorized to expend the unexpended balance of allocations made to it from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expense or claims it may incur under this resolution. Payment shall be made from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 118, at this time, without reference to committee or file.

Resolution read, and adopted

By Mr. Dickey:

House Resolution No. 119

Relating to the continuance of Assembly interim committees heretofore created

Resolved by the Assembly of the State of California, As follows

1. That the following Assembly interim committees (created by resolution of the 1947 Regular Session and continued as Assembly committees by House Resolution No. 16 at this 1949 General Session) are authorized to act during the remainder of the 1949 General Session and to file their preliminary report not later than the fifteenth day of April 1949 and their final report not later than the last legislative day thereof:

(a) Assembly Interim Committee on Ways and Means, House Resolution No. 62.

(b) Assembly Interim Committee on Governmental Efficiency and Economy, created by House Resolution No. 216.

(c) Fact-Finding Committee on Water Pollution, created by House Resolution No. 27.

(d) Assembly Interim Committee on Fairs and Expositions, created by House Resolution No. 225.

(e) Assembly Interim Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products, created by House Resolution No. 219

2 That each such committee is authorized to expend the unexpended balance of allocations made to it from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expense or claims it may incur under this resolution. Payment shall be made from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 119, at this time, without reference to committee or file.

Resolution read, and adopted.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No 23

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 23—Relative to the Upper Colorado River Basin Compact.

Referred to Committee on Rules.

ANNOUNCEMENTS RELATIVE TO REPORTS

Mr. McCollister announced that 15,000 copies of a Report by the Assembly Interim Committee on Military Affairs, relative to a bonus, to housing, to loans, and to taxes, have been printed, as separate documents, under date of March 15, 1949, and distributed to members, and other interested persons, and asked for, and was granted, unanimous consent that notation of this action be placed in the Journal; that the copy introduced across the desk be ordered filed with the Secretary of State; and that, as an economy measure, a request will not be made that said report be ordered printed in the Journal.

Mr. Clarke announced that the following reports have been published by the Senate, as separate documents, and that a copy of each report has been placed upon the desk of each Member of the Assembly: A Report of the Northern California Subcommittee on Agriculture and Livestock Problems; a Partial Report of the Joint Committee on Agriculture and Livestock Problems, Part I, relative to Farm Labor Housing in California; and a report of the said joint committee, Part II, relative to General Information on Farm Labor Supply Centers and Photographs Illustrating Types of Housing; and that, in the interest of economy, no request will be made that said reports be printed in the Assembly Journal as the reports have been published in the Senate Journal; and that the copies of the three reports, placed across the desk, be ordered filed with the Secretary of State.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Joint Resolution No. 27: By Mr Collier—Relative to memorializing the legislatures of certain states in opposition to general grants of federal aid.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 59: By Mr. McCollister—Relative to increasing the salaries of San Quentin Prison guards to a level in harmony with similar employment elsewhere.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 373—An act to amend Section 7026 and repeal Section 7027 of, and add Sections 7050, 7051, 7052, 7053 to, the Business and Professions Code, relating to contractors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 377—An act to add Section 13001 2 to the Education Code, relating to the confirmation of prior employment of certificated employees of school districts, and the conditions therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 651—An act to add Section 18707 to the Education Code, relating to the sale of materials by school districts to pupils.

Bill read second time, and ordered engrossed.

Assembly Bill No. 652—An act to amend Section 11671 of the Education Code, relating to textbooks for pupils in classes for adults.

Bill read second time, and ordered engrossed.

Assembly Bill No. 998—An act to add Section 20343 3 to the Education Code, relating to state college fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1073—An act to add Section 1304 1 to the Education Code, relating to superintendents of schools of unified school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1096—An act to add Section 20800 to the Education Code, relating to the payment of expenses of graduates of the California School for the Deaf attending Gallaudet College.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1472—An act to amend Section 22 of the Bank and Corporations Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1591—An act to amend Section 7437 of the Education Code, relating to the sale of school district bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1813—An act to add Section 19314 to the Education Code, relating to retirement contributions of cafeteria employees, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 376—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "fifteen", and insert "ten"; and in line 7, strike out "$15,000", and insert "$10,000".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 707—An act to amend Section 19607 of, and to add Section 19604.1 to, the Education Code, relating to child care centers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out line 1 of the title, and insert "An act to amend Sections 19601.5 and 19607 of, and to add Sections 19604.1 and 19619".

Amendment No. 2

In line 2 of the title of said bill, after "centers", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2 of said bill, after line 17, insert

"SEC. 3. Section 19601.5 of said code is amended to read:

19601.5. The need of a parent and child for child care center service shall be determined upon the following conditions:

(a) That there is but one parent in the home who both supports and cares for the child, or

(b) That there are two parents in the home, both of whom are working, or one of whom is physically or mentally unable to either support the family or care for the child, or

(c) That either parent is a veteran of World War II attending school or receiving instruction under the Servicemen's Readjustment Act of 1944 during the years 1947 to 1951, *or under Article 2, Chapter 6, Division 4 of the Military and Veterans Code*, and the other parent, if any, is gainfully employed, or

(d) That the services of the parent having care of the child are necessary as a teacher in a public school or as a registered nurse or to meet an emergency arising from the necessity of harvesting or processing crops.

SEC. 4. Section 19619 is added to said code, to read.

19619. The *Department of Education may maintain a child care center in* connection with the San Francisco State College subject to all the provisions of this chapter other than Sections 19608 and 19615.

The terms "governing board" and "district" as used in this chapter shall, for the purposes of this section, be deemed to mean the San Francisco State College.

SEC. 5. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

It is necessary to continue the existence of child care centers where a demonstrated need for such centers can be shown and for proper supervision of child care centers so that parents who are engaged or hereafter engage in work may have assurance of proper care for their minor children during the hours of their employment or for the proper care of children whose parents may be incapacitated by illness or other disability. It is, therefore, necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2374—An act to amend Section 13836 of the Education Code, relating to the payment of salaries of certificated employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "fifteenth", and insert "tenth".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to lobbying.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "lobbying", and insert "influencing the passage or defeat of legislation".

Amendment No. 2

On page 1, line 4, of said bill, strike out "LOBBYING", and insert "LEGISLATIVE REPRESENTATION".

Amendment No. 3

On page 2, line 29, of said bill, strike out "307", and insert "9905 of this chapter".

Amendment No. 4

On page 4, line 38, of said bill, strike out "Congress", and insert "Legislature".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 200—An act to add Article 5 to Chapter 1, Part 5, Division 11, of the Water Code, relating to flood control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 6, of the printed bill, after "may", insert a comma

Amendment No. 2

On page 1, line 6, of said bill, after "to", insert a comma

Amendment No. 3

On page 1, line 10, of said bill, strike out "of rivers or streams", and insert ", and may pay the cost and expense thereof out of its general fund or any special fund provided therefor".

Amendment No. 4

On page 1, line 11, of said bill, after "may", insert ", but shall not be required to.".

Amendment No. 5

On page 1, lines 11 and 12, of said bill, strike out ", and contribute funds to,".

Amendment No. 6

On page 1, line 15, of said bill, strike out the comma.

Amendment No. 7

On page 1, line 17, of said bill, strike out "of rivers or streams", and insert ", and may contribute to the cost or expense thereof out of its general fund or any special fund provided therefor".

Amendments read.

Unanimous Consent That Word Be Inserted in Amendment No. 5

By unanimous consent, the word, "funds," was ordered inserted in Amendment No. 5, after the word "contribute."

Amendments read, as corrected, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 347—An act authorizing the State Lands Commission to exchange property of the State of California for property of Marin County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 5, of the printed bill, after "to wit:", insert

"Beginning at the Inner Marsh Line Station 218, as shown on "Plat of Corte Madera Ark Sites", filed June 23, 1942, in Marin County Licensed Surveys in Volume 2 at page 98; thence along the northerly boundary line of Corte Madera Canal, as shown on said Plat of Corte Madera Ark Sites, north 78 degrees 46 minutes 50 seconds east, 264.37 feet; north 61 degrees 18 minutes 50 seconds east, 79.27 feet; north 74 degrees 32 minutes 30 seconds east, 745.71 feet; south 83 degrees 57 minutes 20 seconds east, 384.06 feet; south 70 degrees 12 minutes 20 seconds east, 201.93 feet; south 27 degrees 57 minutes 00 seconds east, 386.07 feet; south 13 degrees 36 minutes 20 seconds east, 191.47 feet, south 12 degrees 30 minutes 50 seconds east, 419.29 feet; south 49 degrees 28 minutes 40 seconds east, 351.59 feet to a point in the northern boundary line of Corte Madera Canal; thence north 65 degrees 54 minutes 19 seconds west, 2413.94 feet, more or less, to Inner Marsh Line Station 218 and the point of beginning."

Amendment No. 2

On page 1, line 11, of said bill, after "to wit ", insert

"Beginning at Main Slough Station 16 in the southerly boundary line of Corte Madera Canal, as shown on "Plat of Corte Madera Ark Sites", filed June 23, 1942, in Marin County Licensed Surveys in Volume 2 at page 98; thence south 61 degrees 43 minutes 32 seconds east, 1785.15 feet to Main Slough Station 12 in the southerly boundary line of said Corte Madera Canal; thence along said southerly boundary line, north 11 degrees 32 minutes 30 seconds west, 475.55 feet to a point of intersection of said southerly boundary of Corte Madera Canal with the southerly boundary of the lands being granted to Schultz Co. by the State of California concurrently herewith; thence north 65 degrees 54 minutes 19 seconds west, 1201.31 feet, more or less, to another point of intersection of said southerly boundary of Corte Madera Canal with the southerly boundary of the lands being granted to Schultz Co. by the State of California concurrently herewith; thence along said southerly boundary line of Corte Madera Canal south 73 degrees 46 minutes 00 seconds west, 396.16 feet, more or less to Main Slough Station 16 and the point of beginning."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 396—An act to provide for the incorporation by the State of the Golden Gate Bridge into the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, after "System", insert "for certain purposes".

Amendment No. 2

On page 1, line 4, of said bill, strike out "primary"

Amendment No. 3

On page 1, line 5, of said bill, after "System", insert "for the purposes and subject to the conditions hereafter set forth".

Amendment No. 4

On page 1 of said bill, after line 5, insert

"SEC. 2. It is the intent of this act to transfer to the State the obligation of maintaining the bridge and its approaches and nothing herein shall be construed to transfer or affect title to, property in or right to possession or control thereof.

SEC. 3 The cost of maintenance shall be a charge on that portion of the State Highway Fund allocated to the maintenance of state highways in general and no part thereof shall constitute a charge on the funds of any group of counties, county, city and county or city appropriated for highway purposes.

SEC. 4. The maintenance provided for herein shall be performed by the Department of Public Works under the supervision and control of the Golden Gate Bridge and Highway District unless the district and the department enter into an agreement

with the approval of the Director of Finance for the performance of the work of maintenance, or that such work shall be done by the district, reimbursement by the State being made from the above mentioned fund."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1574—An act to add Sections 255 and 256 to the Agricultural Code, relating to bovine tuberculosis.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, and Weber—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, and Weber—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 58—Relative to new quarters for the Industrial Workshop for the Blind in Los Angeles.

Resolution read.

Motion to Re-refer Assembly Concurrent Resolution No. 58 to the Committee on Ways and Means

Mr. Sherwin moved that Assembly Concurrent Resolution No. 58 be re-referred to the Committee on Ways and Means.

Mr. Conrad seconded the motion.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Sherwin has reversed procedure, and has spoken against adoption of Assembly Concurrent Resolution No. 58 before stating his motion.

Ruling by Speaker Pro Tempore

Speaker pro Tempore Maloney ruled the point of order not well taken.

Demand for Previous Question

Messrs. Thomas, Elliott, Babbage, Burke, and Evans demanded the previous question.

The roll was called, and the demand for previous question sustained by the following vote:

AYES—Brown, Burke, Clarke, Coats, Condon, Connolly, Cramer, Crichton, Davis, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Lindsay, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—35.

NOES—Babbage, Bennett, Brady, Butters, Caldecott, Collier, George D. Collins, Conrad, Cooke, Crowley, Dickey, Ralph C Dills, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Hoffman, Kilpatrick, Levering, Maloney, Moss, Niehouse, Reagan, and Sherwin—26.

The question being on the motion by Mr. Sherwin that Assembly Concurrent Resolution No. 58 be re-referred to the Committee on Ways and Means.

Point of Order

Mr. Ralph C. Dills arose to the following point of order: That Mr. Sherwin is discussing the contents of Assembly Concurrent Resolution No. 58, and not speaking to the propriety of the motion.

Ruling by Speaker Pro Tempore

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the motion by Mr. Sherwin that Assembly Concurrent Resolution No. 58 be re-referred to the Committee on Ways and Means.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Gaffney, Heisinger, Hoffman, Kirkwood, Lowrey, Reagan, and Sherwin—14

NOES—Anderson, Beck, Bennett, Brady, Burke, Burkhalter, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—50

Request for Unanimous Consent That Vote Be Changed

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to change his vote on the roll call taken on the motion offered by Mr. Sherwin, and that he be recorded as voting, "Aye."

The question being on the adoption of Assembly Concurrent Resolution No. 58.

Point of Order

Mr. Ralph C. Dills arose to the following point of order: That Mr. Lowrey is out of order.

Ruling by Speaker Pro Tempore

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of Assembly Concurrent Resolution No. 58.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Way, and Weber—54

NOES—Babbage, Caldecott, Erwin, Gaffney, Grunsky, Kirkwood, Levering, Lowrey, Sherwin, and Stanley—10.

Notice of Motion to Reconsider Assembly Concurrent Resolution No. 58

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Concurrent Resolution No. 58 was this day adopted.

Explanation of Vote on Assembly Concurrent Resolution No. 58

I voted "no" because the Finance Department was not accorded an opportunity of reporting to the Legislature as to whether new quarters have been obtained for a safe workshop I heartily agree, despite apparent lack of leasing space, new quarters should be obtained immediately

Signed

EDWARD M. GAFFNEY

Assembly Joint Resolution No. 24—Relative to Upper Colorado River Basin Compact

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—63.

NOES—None

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 25—Relative to memorializing and petitioning the Congress of the United States to enact the necessary legislation to make the Corona Naval Hospital in Riverside County, California, available to the Veterans Administration.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—63.

NOES—None.

ANNOUNCEMENT

Mr. Dickey announced that, because Members of the Assembly have been previously advised that policy in the future includes the publication of lists in the Daily File of the bills being set for hearings prior to the dates of said hearings; and because it had been previously determined that people in Sacramento, who have full access to printed information on this subject, will not be notified of hearings by mail; and because committee chairmen have not been adhering to this policy, he is again calling to the attention of committee chairmen the importance of adhering to this policy, in the interest of fair play.

MOTION THAT LISTS OF ALL BILLS SET FOR HEARINGS BE PUBLISHED IN THE DAILY FILE

Mr. Thomas moved that lists of all bills set for hearings must be published in the Daily File, not less than five days in advance of hearings, such action to take effect beginning next Monday, March 14th, with

the exception of matters referred for consideration to the Committee on Rules.

Mr. Geddes seconded the motion.

Substitute Motion

Mr. Collier moved, as a substitute motion, that the motion by Mr. Thomas be referred to the Committee on Rules.

Mr. Luckel seconded the motion.

Motion carried.

MOTION THAT NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONCURRENT RESOLUTION NO. 58 BE TAKEN UP, AT THIS TIME

Mr. Kilpatrick moved that the notice of motion, offered by Mr. Lowrey, to reconsider Assembly Concurrent Resolution No. 58, be taken up, at this time.

Mr. Ralph C. Dills seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Way, and Weber—59.

NOES—None.

Motion to Reconsider

Mr. Kilpatrick moved that the vote whereby Assembly Concurrent Resolution No 58 was adopted be reconsidered.

The roll was called, and reconsideration refused by the following vote:

AYES—Butters, Caldecott, Clarke, Conrad, Dolwig, Erwin, Fleury, Lincoln, Lowrey, Reagan, Sherwin, Stanley, Stewart, and Waters—14.

NOES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Tomlinson, Way, and Weber—51.

Assembly Concurrent Resolution No. 58 ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 120

Resolved, That whenever a bill has been passed twice on third reading file, it shall forthwith be placed upon a special file to be known as the inactive file. When a bill has been placed on the inactive file, it may be returned to the third reading file by a request of the author; but the bill shall then be placed at the foot of the third reading file

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 120, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

MOTION THAT IN THE FUTURE A RECORDED ROLL CALL BE TAKEN ON MATTERS PERTAINING TO A CHANGE OR ADDITION TO THE RULES

Mr. Beck moved that in the future a recorded roll call, of 41 votes or more, be taken on all matters pertaining to a change or additions to the Rules

Mr. Collier seconded the motion.

Statement by Mr. Dickey

Mr. Dickey stated that, if Mr. Beck will withdraw his motion, the first order of business to be considered by the Committee on Rules, in meeting next Tuesday morning, March 15th, will be this subject.

Motion Withdrawn

Mr. Collier withdrew his second.

Mr Beck withdrew his motion.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mrs. Niehouse:

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 30.2 of the Public Utility District Act, relating to public utility districts.

Respectfully submitted.

KATHRYN T. NIEHOUSE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mrs. Niehouse:

An act to amend Section 30.2 of the Public Utility District Act, relating to public utility districts.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Weber—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3098: By Mrs. Niehouse—An act to amend Section 30.2 of the Public Utility District Act, relating to public utility districts.

Referred to Committee on Public Utilities and Corporations.

Assembly Concurrent Resolution No. 60: By Mrs. Niehouse, Messrs. Luckel, and Cramer—Relative to general observance of Cabrillo Day and authorizing the Governor of the State of California to make appropriate proclamation with respect thereto

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 11, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 167

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 167—An act to provide for reversion of unexpended balance in the Vocational Rehabilitation Fund.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1455

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 338
Assembly Bill No. 548
Assembly Bill No. 1955

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred.

Assembly Bill No. 388
Assembly Bill No. 602
Assembly Bill No. 603
Assembly Bill No. 738

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No 387
Assembly Bill No. 390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 10, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 72
Assembly Bill No 84
Assembly Bill No 600
Assembly Bill No. 601
Assembly Bill No. 604
Assembly Bill No. 605
Assembly Bill No 606
Assembly Bill No 607
Assembly Bill No. 610
Assembly Bill No 611
Assembly Bill No 612

Has had the same under consideration, and reports the same back with the recommendation Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 22

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 11, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 48
Assembly Concurrent Resolution No. 53
Assembly Concurrent Resolution No 57

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CONTROLLER OF THE STATE OF CALIFORNIA
SACRAMENTO, March 11, 1949

Mr. Arthur A. Ohnimus
Chief Clerk of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

DEAR SIR: Pursuant to the provisions of Section 2154, Streets and Highways Code, I desire to advise that this office has distributed to the Members of the Legislature, and those other individuals therein described, copies of the Financial Report concerning streets and roads of the cities and counties of California for the Fiscal Year, 1947-48.

Very truly yours,

THOMAS H KUCHEL, Controller

RESOLUTIONS

The following resolution was offered:

By Mr. Lowrey:

House Resolution No. 121

Relating to the creation of the Assembly Committee on Public Lands

WHEREAS, In 1947 the Federal Government owned almost half of the total land area in the State of California, and federal ownership of such land is increasing; and

WHEREAS, In addition thereto a substantial amount of land is now owned by the State of California and its municipalities and political subdivisions and agencies; and

WHEREAS, Such property in most instances is not subject to taxation by the taxing agencies of state and local governments and results in the imposition of inequitable tax burdens on the taxpayers of this State and its local governmental subdivisions; and

WHEREAS, The State of California has an interest in all phases of the use, management, and control of publicly owned lands in this State and all activities connected therewith or related thereto; and

WHEREAS, It is necessary that the Legislature be fully informed on all phases of these problems, in order that it may take appropriate action; and

WHEREAS, It is necessary also for the Legislature to be fully informed on all matters relating to the recordation or registration of land titles to public or privately owned lands; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Public Lands is hereby created and authorized and directed to ascertain, study and analyze: All facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the state, federal and local governmental relationships involved therein, including but not limited to the effect of such public acquisition,

ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; all facts relating to the recordation and registration of land titles, and all other facts relating to or bearing upon the subject of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or related thereto and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By Speaker pro Tempore Maloney:

The following letters of transmittal, accompanying reports as set forward below, were received, read, and ordered printed in the Journal:

Part II of the Second Progress Report of the Special Crime Study Commission on Organized Crime; the Second Progress Report of the Special Crime Study Commission on the Social and Economic Causes of Crime and Delinquency; the Second Progress Report of the Special Crime Study Commission on Juvenile Justice; the Second Progress Report of the Special Crime Study Commission on Adult Corrections and Release Procedures; and the Second Progress Report of the Special Crime Study Commission on Criminal Law and Procedure.

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS
SACRAMENTO 14, March 11, 1949

The Honorable Earl Warren
Governor of California
The Honorable Goodwin J. Knight
President of the Senate
The Honorable Sam L. Collins
Speaker of the Assembly

Pursuant to Section 6028.3 Penal Code I have the honor, in behalf of the State Board of Corrections, to transmit Part II of the Second Progress Report of the Special Crime Study Commission on Organized Crime, together with copies of the Second Progress Reports of the Special Crime Study Commissions on Criminal Law and Procedure, Adult Corrections and Release Procedures, Juvenile Justice, and Social and Economic Causes of Crime and Delinquency.

Very truly yours,

RICHARD A. McGEE, Chairman
State Board of Corrections

Letter of Transmittal

STATE OF CALIFORNIA
SPECIAL CRIME STUDY COMMISSION ON SOCIAL AND ECONOMIC CAUSES OF CRIME AND DELINQUENCY
LOS ANGELES, CALIFORNIA, November 18, 1948

State Board of Corrections
State Office Building No. 1
Sacramento 14, California

ATTENTION: Hon. Richard A. McGee, Chairman

GENTLEMEN: Transmitted herewith is the Second Progress Report of the Commission on Social and Economic Causes of Crime and Delinquency, prepared in accordance with Section 6028.3 of the Penal Code.

So extensive and complex are the social and economic factors related to crime and delinquency that the commission is not ready to make legislative proposals without completion of studies now in progress. This report contains in summary or outline form, the studies completed and contemplated. We hope at a later date to offer a number of recommendations for your consideration.

The diligent work of the staff in the preparation of this report is gratefully acknowledged.

Respectfully submitted,

ARLIEN JOHNSON, Chairman

Letter of Transmittal

STATE OF CALIFORNIA
SPECIAL CRIME STUDY COMMISSION ON JUVENILE JUSTICE
SAN FRANCISCO, CALIFORNIA, November 18, 1948

State Board of Corrections
State Office Building No. 1
Sacramento 14, California

ATTENTION: Hon. Richard A. McGee, Chairman

GENTLEMEN: In accordance with Section 6028.3 of the Penal Code, there is transmitted herewith the Second Progress Report of the Commission on Juvenile Justice.

This report sets forth in brief form the proposals of the commission calling for legislative and administrative action, a summary of the activities conducted to date and an indication of future proposals.

There are many matters which have already had our attention but not to that full extent which justifies recommendations on the part of the commission. Also, we have had suggestions in many fields which as yet have not been fully investigated. So, recommendations with respect to the same will have to await a subsequent progress report or be included in the final report of the commission.

The commission has sent out many tentative proposals, including those in the Second Progress Report to interested organizations and individuals having particular competence in the respective fields, for their criticism, comments and suggestions. Naturally, when these have been received, they will have the consideration of the commission and this will probably lead to additional recommendations, as well as modifications in some of those herewith submitted.

Respectfully submitted,

CHARLES DE Y. ELKUS, Chairman

Letter of Transmittal

STATE OF CALIFORNIA
SPECIAL CRIME STUDY COMMISSION ON ADULT CORRECTIONS AND RELEASE PROCEDURES
LOS ANGELES, CALIFORNIA, November 18, 1948

State Board of Corrections
State Office Building No. 1
Sacramento 14, California

ATTENTION: Hon. Richard A. McGee, Chairman

GENTLEMEN: In accordance with Section 6028.3 of the Penal Code, I am transmitting the Second Progress Report of the Commission for the Study of Adult Corrections and Release Procedures.

This report sets forth in brief form the legislative proposals of the commission which it is prepared to make at this time. Several important aspects of the commission's work, such as its studies of county parole and probation services and of the problem of alcoholism, have not yet been completed and full recommendations concerning them must await its final report.

A brief summary of the commission's activities to date and of its future activities is also included.

Respectfully submitted,

BURDETTE J. DANIELS, Chairman

Letter of Transmittal

STATE OF CALIFORNIA
SPECIAL CRIME STUDY COMMISSION ON CRIMINAL LAW AND PROCEDURE
BEVERLY HILLS, CALIFORNIA, November 18, 1948

State Board of Corrections
State Office Building No. 1
Sacramento 14, California

ATTENTION: Hon. Richard A. McGee, Chairman

GENTLEMEN: In conformity with the provisions of Section 6028.3 Penal Code, I am transmitting herewith the Second Progress Report of the Commission for the Study of Criminal Law and Procedure.

In Part I of this report, which follows herewith, the commission has grouped its recommendations with respect to the general field of criminal law together with suggested legislation not only of the Penal Code but of the statute law bearing on crime and related subjects.

In Part II of this report, the commission, jointly with Hartley Shaw, Presiding Judge, Appellate Department, Superior Court, County of Los Angeles, is presenting its recommendations for the clarification and simplification of procedures in criminal cases in all the courts of California.

Respectfully submitted,

ISAAC PACHT, Chairman

Letter of Transmittal

THE STATE BOARD OF CORRECTIONS, March 7, 1949

Second Progress Reports of the Special Crime Study Commissions

The Honorable Earl Warren
Governor of California
The Honorable Goodwin J. Knight
President of the Senate
The Honorable Sam L. Collins
Speaker of the Assembly

Pursuant to the provisions of Section 6028.3 of the Penal Code, enacted by the Legislature in 1947, I have the honor, in behalf of the Board of Corrections, to transmit the Second Progress Reports of the Special Crime Study Commissions for the study of: Criminal Law and Procedure, Adult Corrections and Release Procedures, Juvenile Justice, Social and Economic Causes of Crime and Delinquency and Organized Crime.

The commissions were established by the Governor on November 1, 1947, and their program was initiated at the "Governor's Conference on Crime and Juvenile Justice," Sacramento, November 17 and 18, 1947.

The members of the Board of Corrections are unanimous in their commendation of the work performed by each commission since its establishment. They have, likewise, been deeply impressed by the generosity and self-sacrifice with which each appointee of the Governor to the various commissions has carried out his duties. The time which these responsible and respected fellow citizens of ours have taken from their own considerable personal and professional responsibilities and which they have freely donated to the enhancement of the welfare of this State merits the gratitude of all our people.

The board has studied and considered the Second Progress Report of each of the Special Crime Study Commissions. It is in general agreement with the spirit and intent of the specific proposals submitted by each commission to the Governor and the Legislature The board as a whole and its individual members, however, reserve the right to withhold judgment with respect to the content and purpose of legislative bills related to these proposals as each is considered by the Legislature.

In conformity with the provisions of their respective executive orders, final reports of the commissions will be submitted on or before June 30, 1949.

The board suggests to the chairmen and members of the commissions that in the formulation of their final recommendations serious consideration be given to the adoption of proposals in their respective fields which will (a) provide for statements of long-range goals to the attainment of which the State and its various agencies and departments should be striving in the next decade; and (b) to the adoption of proposals or recommendations which will make possible the ultimate completion of those important aspects of their work which will be unfinished as of July 1, 1949.

The members of the board unanimously support the recommendation of the Administration that the work of the Commission on Organized Crime be continued through the Fiscal Year 1949-1950.

Our consideration of the Second Progress Report of this commission has convinced us that its enquiries have enhanced and augmented the efforts of law enforcement and the administration of justice in this State.

We have noted, with satisfaction, in the above connection, that the peace officers of the State of California, at their annual conference held at Santa Monica, California, October 27-30, 1948, by unanimous action adopted the following resolution expressing their endorsement and support of the work of each of the Special Crime Study Commissions:

> WHEREAS, The Special Crime Study Commissions appointed by the Honorable Earl Warren, Governor of the State of California, have rendered to this convention progress reports and tentative conclusions of their work since their appointment; and
>
> WHEREAS, The Peace Officers' Association of the State of California are deeply interested and thoroughly conscious of the benefits that law enforcement will receive from the efforts of these commissions; now therefore, be it
>
> *Resolved*, That the members of this association do hereby express their entire support to the activities of the Crime Study Commissions. Be it further
>
> *Resolved*, That this association does hereby commend the Crime Study Commissions for their work and efforts thus far obtained Be it further
>
> *Resolved*, That this association extend to the Honorable Earl Warren, Governor of California, and a long-time member of this association, its commendation for putting into operation the Crime Study Commissions herein referred to and that a copy of this resolution be forwarded by the secretary of this association to Governor Warren

The members of the board are fully convinced that Admiral Standley, his associates and staff, have objectively produced ample evidence that organized criminal elements, within and beyond the confines of this State, have made and are making concerted efforts to entrench themselves in California.

It is apparent likewise that the alert and courageous enquiries of the respected membership of this commission, in ferreting out the identity and modus operandi of these enemies of society, will not have been completed at the close of the current fiscal year.

The Board of Corrections, therefore, respectfully urges the Members of our Legislature to express their confidence in and support of the work of the Special Crime Study Commission on Organized Crime by adopting the necessary measure to insure its effective continuance through 1949-1950

In conclusion, the board wishes to extend its appreciation to the many citizens of California who, in an official or unofficial capacity, have appeared before the various commissions to give them the benefit of their experience and advice

It is particularly indebted to the organizations and groups herewith named for the constructive cooperation and generous encouragement which, since the establishment of the commissions, they have consistently extended to furthering their objectives.

The Judicial Council and the Conference of California Judges, the California State Bar, and the Local Bar Associations, the Justices and Constables' Association, the Association of District Attorneys, the Peace Officers' Association of the State of California, the Sheriffs' Association, the Chicago Crime Commission, the California Probation and Parole Association, the National Probation Association, the Osborne Association, Members of both Houses of the State Legislature and Legislature interim committees, the California Conference of Social Welfare, the California Youth Committee, the Los Angeles County Youth Committee and the Los Angeles County Juvenile Officers' Association, the Northern California Juvenile Officers Association, The League

of California Cities and Supervisors Association of the State of California, the University of California, the University of Southern California, and San Francisco State College, Women's Organizations, Service Clubs and Veterans Organizations and state and local agencies of government.

Respectfully submitted,

THE STATE BOARD OF CORRECTIONS

RICHARD A. MCGEE, Chairman
MR. WALTER A. GORDON, Vice Chairman
MR. O. H. CLOSE, Member
MR. CHARLES W. DULLEA, Member
MR. KARL HOLTON, Member
MRS. ANNE HUMPHREYS, Member
MR. GERALD C. KEPPLE, Member
MRS. HELEN LEGG, Member
MRS. ERVIS W. LESTER, Member
JUDGE ISAAC PACHT, Member

By RICHARD A. MCGEE, Chairman

Five above mentioned reports ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Mr. Geddes announced that he will publish lists of bills that are to be heard in the Committee on Finance and Insurance, not only in the Daily File, but also in the Journal, as a protective measure.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that no meetings of the Committees on Rules and Finance and Insurance will be held on Monday, March 14th.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Porter Boals of Payette, Idaho, and Mrs. Peter Swetzer of Sacramento.

On request of Mr. Clayton A. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Eddie Bush of Los Angeles.

ADJOURNMENT

At 12.43 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, March 14, 1949.

THOMAS A. MALONEY, Speaker pro Tempore

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-FIFTH LEGISLATIVE DAY

SEVENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 14, 1949

The Assembly met at 10 a m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Holhbaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Our Fathers: May we be proud of America today, of her unparalleled history of freedom and democracy, springing from the *belief in the importance of rights of the individual.*

Let us glory in the truth that we, as Americans, do not measure a man's worth by his wealth, nor grade our deference according to the accident of his heredity

May we exalt the idea of treating all men, rich or poor, with equal courtesy, because every man is possessed of a spark of divine fire.

Let us remember that the decline of ancient nations began with the worship of rank and titles, and with the decay of the spirit of respect for the ordinary man.

Let us survey the past and behold the men who made America great, who defied kings, bowed to no man, and regarded every man as an immortal.

May America ever continue to be a land of equality, where the child of the log cabin and the prairie can attain unto the White House, and where the test of worth is character and public service —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Berry, further reading of the Journal of the previous legislative day was dispensed with.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from E. L. Macaulay, Executive Officer of the Division of Fish and Game, relative to a report pertaining to Assembly House Resolution No. 32, was received, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Concurrent Resolution No. 48
Assembly Concurrent Resolution No. 53
Assembly Concurrent Resolution No. 57

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 22

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 373	Assembly Bill No 1073
Assembly Bill No. 377	Assembly Bill No. 1096
Assembly Bill No. 651	Assembly Bill No. 1472
Assembly Bill No. 652	Assembly Bill No. 1591
Assembly Bill No. 998	Assembly Bill No. 1813

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3	Assembly Bill No. 707
Assembly Bill No. 376	Assembly Bill No. 2374

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 200
Assembly Bill No. 347
Assembly Bill No. 396

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 72—An act to amend Section 139.28 of the Vehicle Code, relating to the establishment of Highway Patrol headquarters and substations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 84—An act to amend Section 139.32 of the Vehicle Code, relating to authorized patrol equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 600—An act to amend Sections 35 and 515.1; to repeal Sections 35.5 and 620.5 of; and to add Sections 620.5 and 670.1 to the Vehicle Code, relating to speed limit applicable to and equipment required on motor-driven cycles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 601—An act to add Sections 37.1 and 670.6 to, and to amend Section 141 of the Vehicle Code, relating to auxiliary dollies, the registration thereof, and brakes thereon.

Bill read second time, and ordered engrossed.

Assembly Bill No. 604—An act to amend Section 109 of, and to add Sections 128.2, 135, and 139.40 to the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the Department of the California Highway Patrol.

Bill read second time, and ordered engrossed.

Assembly Bill No. 606—An act to amend Sections 146, 175, and 185 of the Vehicle Code, relating to registration and transfer of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 607—An act to amend Sections 195, 196, and 197 of, and to repeal Section 195.5 of the Vehicle Code, relating to chattel mortgages on registered vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 612—An act to add Section 383.2 to the Vehicle Code, relating to the refund of fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 605—An act to amend Sections 140.1 and 142 of, and to add Section 140.2 to the Vehicle Code, relating to permits for the operation of and registration of vehicles.

Bill read second time.

Motion to Amend

Mr. Luckel moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 32, of the printed bill, after "part", insert "of a ranch to another part".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 610—An act to add Section 378 2 to, and to amend Sections 379 and 381 of the Vehicle Code, relating to fees for registration of motor vehicles and for issuance of operator's and chauffeur's licenses.

Bill read second time.

Motion to Amend

Mr. Luckel moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "387 2.", and insert "378 2."

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 611—An act to amend Section 383 of the Vehicle Code, to amend Section 10901 of the Revenue and Taxation Code, and to amend Section 11, Chapter 788, Statutes of 1937, as amended, relating to the refund of fees collected thereunder.

Bill read second time

Motion to Amend

Mr. Luckel moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 3, of the printed bill, strike out "Refund of Fees Erroneously Collected: Application: Time For:".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 388—An act to amend Section 697 of the Vehicle Code, relating to the height and length of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "may be of a length not to exceed 45 feet when"; and strike out lines 7 and 8, and insert "meeting all of the requirements in this section may be of a length not to exceed 40 feet. As to all semitrailers, the distance from the center of the fifth wheel turning axis to the center of the rearmost axle shall not exceed 30 feet, and no portion of the semitrailer or its body or load forward of the fifth wheel turning axis shall project to a greater distance than a 54-inch radius from the said turning axis; provided, however, that the restriction of distance from the fifth wheel turning axis to the rearmost axle and the restriction of

the projection of the semitrailer or its body shall not apply to semitrailers 35 feet or less in length constructed, reconstructed or first registered prior to the ninety-first day after the adjournment of the 1949 Regular Session of the Legislature."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 602—An act to amend Sections 50 and 81 of, and to add Section 90.2 to the Vehicle Code, relating to definitions of certain terms used therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 50 and 81", and insert "Section 81".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 20, inclusive, and insert "SECTION 1. Section 81 of the Vehicle Code is amended to read ".

Amendment No. 3

On page 2, line 3, of the printed bill, strike out "SEC 3 ", and insert "SEC. 2.".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 603—An act to amend Section 576 of the Vehicle Code, relating to vehicles which must stop at crossings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 9, of the printed bill, before "semitrailer", insert "tank".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 738—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2 of the printed bill, after line 43, insert

"(d) Notwithstanding the provisions of subsection (c) the department shall have the right to sell copies of all or any part of its records relating to drivers' or chauffeurs' licenses at a charge sufficient to pay the actual cost to the department of such copies, the charge for such records and the conditions under which they may be sold to be determined by the Director of Motor Vehicles, with the approval of the Department of Finance

(e) The department shall not make any charge for any copies of records, or for information given out from its records, to any county, city, or city and county, or to any state department, or the Federal Government."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1455—An act to amend Sections 164.5, 373, and 776 of the Vehicle Code and to add Section 373.1 thereto, relating to registration and registration and license fees for trailer coaches and disposition of the funds received therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 25, of the printed bill, strike out "school district", and insert "county treasurer of each county for distribution to the general funds of the school districts".

Amendment No. 2

On page 2, line 26, of the printed bill, after "registration.", insert "If the trailer coach is located upon property included within an elementary school district, a high school district, and a junior college district, 60 percent shall be distributed to the elementary school district, 30 percent to the high school district, and 10 percent to the junior college district. If it is located upon property in an elementary school district and a high school district, it shall be distributed 60 percent to the elementary school district and 40 percent to the high school district. If it is located upon property in an elementary school district only, the whole amount shall be distributed to the elementary school district If it is located upon property in a unified school district conducting a junior college, or which is not a part of a junior college district, the entire amount shall be distributed to the unified school district If it is located in a unified school district which is included within a junior college district, 90 percent shall be distributed to the unified school district and 10 percent to the junior college district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 338—An act to repeal Chapter 11 of Division 4 and Sections 5153.5, 6933, 7042, 7102.1, 7104, 7105, 12143.5, 12144, and 12145 of the Education Code, relating to the education of mentally retarded children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "repeal Chapter 11 of Division 4 and Sections 5153.5, 6933, 7042, 7102.1, 7104, 7105, 12143.5, 12144, and 12145", and insert "amend Section 9809".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Section 9808 of the Education Code is amended to read:

9808. The county superintendent of schools shall on or before July 15th of each year, certify to the county auditor and the board of supervisors the amount of money required to be raised by a county tax for the education of mentally retarded minors and for rental of property by the county superintendent of schools. The amount shall

be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors and by adding to the result the amount required for rental of property. The board of supervisors may include in such amount a sum for capital outlay.

The board of supervisors [shall] *may* at the time of levying other county taxes levy a county tax for the education of mentally retarded minors upon the taxable property of the county sufficient to produce the amount required. The amount received from this tax shall be deposited in the county school service fund. *If such a tax is not levied, only such amount as is otherwise made available shall be used for the education of mentally retarded minors.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 548—An act to add Article 4.5, comprising Sections 4330 and 4331, to Chapter 13 of Division 2 of the Education Code, relating to the boundaries of high school and junior college districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "on High School Districts."

Amendment No. 2

On page 1 of the printed bill, strike out lines 6 to 10, inclusive, and insert

"4330 The boundaries of every junior college district shall be coextensive with the boundaries of the high school district or districts included in the junior college district. If the boundary of any high school district included in a junior college district is changed by annexation, withdrawal, operation of law or in any other manner, such change shall automatically effect a corresponding change in the junior college district boundary, and any such change in junior college district boundaries shall be effective at the same time as the change in high school district boundaries is effective,".

Amendment No. 3

On page 1, line 11, of the printed bill, strike out "in the", and insert "from".

Amendment No. 4

On page 1, line 12, of the printed bill, after "new", insert "high school".

Amendment No. 5

On page 1 of the printed bill, strike out lines 14 to 22, inclusive, and insert

"4331. The boundaries of every junior college district as the same were established for the purpose of the levy and collection of taxes for the Fiscal Year 1947-48, are hereby confirmed, validated, and declared legally effective for all purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1955—An act to add Section 11792 to the Education Code of the State of California, relating to the furnishing of textbooks to students in evening high schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, strike out line 3, and insert "adults".

Amendment No. 2

On page 1, line 5, of said bill, strike out "maintaining an evening high school".

Amendment No. 3

On page 1, line 6, of said bill, strike out "student", and insert "adult".

Amendment No. 4

On page 1 of said bill, beginning in line 6, strike out "an evening high school", and insert "a class for adults".

Amendment No. 5

On page 1, line 9, of said bill, strike out "students in any evening high school", and insert "adults in classes for adults".

Amendment No. 6

On page 1, line 10, of said bill, after "textbooks", insert "for adults".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 387—An act to amend Section 694 of the Vehicle Code, relating to width of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "102", and insert "100".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 390—An act to amend Sections 704 and 705 of the Vehicle Code, relating to axle loading and spacing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "35,200", and insert "30,100".

Amendment No. 2

On page 2, line 8, of the printed bill, strike out "36,800", and insert "36,000".

Amendment No. 3

On page 2, line 9, of the printed bill, strike out "37,600", and insert "36,000".

Amendment No. 4

On page 2, line 10, of the printed bill, strike out "38,400", and insert "36,000".

Amendment No. 5

On page 2, line 11, of the printed bill, strike out "39,200", and insert "36,000".

Amendment No. 6

On page 2, line 12, of the printed bill, strike out "40,000", and insert "36,000".

Amendment No. 7

On page 2, line 13, of the printed bill, strike out "40,800", and insert "36,000".

Amendment No. 8

On page 2, line 14, of the printed bill, strike out "41,600", and insert "36,000".

Amendment No. 9

On page 2, line 15, of the printed bill, strike out "42,400", and insert "36,400".

Amendment No. 10

On page 2, line 16, of the printed bill, strike out "43,200", and insert "37,100".

Amendment No. 11

On page 2, line 17, of the printed bill, strike out "49,000", and insert "43,200".

Amendment No. 12

On page 2, line 18, of the printed bill, strike out "50,300", and insert "44,000".

Amendment No. 13

On page 2, line 19, of the printed bill, strike out "51,600", and insert "44,800".

Amendment No. 14

On page 2, line 20, of the printed bill, strike out "52,900", and insert "45,600".

Amendment No. 15

On page 2 of the printed bill, strike out line 21, and insert

"18 ---------- 46,400"

Amendment No. 16

On page 2 of the printed bill, strike out lines 29 to 52, inclusive, and insert

"18	46,400
19	47,200
20	48,000
21	48,800
22	49,600
23	50,400
24	51,200
25	55,250
26	56,100
27	56,950
28	57,800
29	58,650
30	59,500
31	60,350
32	61,200
33	62,050
34	62,900
35	63,750
36	64,600
37	65,450
38	66,300
39	67,150
40	68,000
41	68,000".

Amendment No. 17

On page 3 of the printed bill, strike out lines 3 to 17, inclusive, and insert

"42	68,000
43	68,000
44	68,000
45	68,000
46	68,800
47	69,600
48	70,400
49	71,200
50	72,000
51	72,800
52	73,600
53	74,400
54	75,200
55	76,000
56 or over	76,800".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

THIRD READING OF ASSEMBLY BILLS (OUT OF ORDER) (BY UNANIMOUS CONSENT)

Assembly Bill No. 1591—An act to amend Section 7437 of the Education Code, relating to the sale of school district bonds

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "in which the district lies over which the county superintendent of schools has jurisdiction", and insert "whose county superintendent of schools has jurisdiction over the district".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Assembly Bill No. 1073—An act to add Section 1304.1 to the Education Code, relating to superintendents of schools of unified school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "Division", and insert "Article".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

COMMUNICATIONS

By Mr. Doyle:

A communication from Dr. R. B. Toller, Superintendent and Medical Director of the Stockton State Hospital, relative to expressing fullest confidence in the employees of the Stockton State Hospital, was received, read, and ordered noted in the Journal.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 55—Relative to persecution of religious sects of all Communist-controlled nations.

Resolution read.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Hahn moved a call of the Assembly.

Motion lost.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Doyle is out of order because the House is in the middle of a roll call.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The vote was announced, and Assembly Concurrent Resolution No. 55 adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs. Dunn, Silliman, Morris, and Meyers asked for, and were granted, unanimous consent that their names be placed upon the roll call on Assembly Concurrent Resolution No. 55, and that they be recorded as voting, "aye."

Explanation of Vote

Due to my absence from the Assembly Chamber on legislative business of the Judiciary Committee, I was unable to vote for Assembly Concurrent Resolution No. 55, however, I would have voted "aye" had I been present

RALPH M. BROWN

Assembly Bill No. 373—An act to amend Section 7026 and repeal Section 7027 of, and add Sections 7050, 7051, 7052, and 7053 to, the Business and Professions Code, relating to contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—49.

NOES—Anderson, Burkhalter, Butters, Ralph C. Dills, Hagen, Heisinger, and Luckel—7

Bill ordered transmitted to the Senate.

Assembly Bill No. 377—An act to add Section 13001.2 to the Education Code, relating to the confirmation of prior employment of certificated employees of school districts, and the conditions therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 651—An act to add Section 18707 to the Education Code, relating to the sale of materials by school districts to pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 652—An act to amend Section 11671 of the Education Code, relating to textbooks for pupils in classes for adults.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—60.

NOES—Butters, George D Collins, Conrad, Heisinger, Hinckley, Hoffman, Lowrey, Reagan, Smith, and Tomlinson—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 998—An act to add Section 20343.3 to the Education Code, relating to state college fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—72.

NOES—George D. Collins, Hinckley, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1096—An act to add Section 20800 to the Education Code, relating to the payment of expenses of graduates of the California School for the Deaf attending Gallaudet College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—74.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1472—An act to amend Section 22 of the Bank and Corporation Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

Bill read third time.

Assembly Bill No. 1472 ordered temporarily held at the desk.

Assembly Bill No. 1813—An act to add Section 19314 to the Education Code, relating to retirement contributions of cafeteria employees, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Mr. Speaker—68
NOES—Butters, Heisinger, Hoffman, Lowrey, and Tomlinson—5.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Mr. Speaker—68.
NOES—Butters, Heisinger, Hoffman, Lowrey, and Tomlinson—5.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dickey announced that recess will be moved at 11.30 a.m. this morning, for the purpose of permitting Members of the Assembly to go immediately to busses which will be stationed in front of the Capitol to take them on a tour of the new Western Pacific Zephyr train. This is the only train of its kind in the United States, and inspection by Members of the Legislature is urged.

REQUEST FOR UNANIMOUS CONSENT THAT ANNOUNCEMENT OF SCHEDULE BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the following announcement of schedule for airline transportation between Sacramento and Los Angeles be ordered printed in the Journal:

In response to the demand for better service between Los Angeles and Sacramento during legislative sessions United Air Lines will operate a legislative special flight between the two points. The flight will depart from Sacramento on adjournment every Friday (temporarily 3 p.m.) and will depart from Los Angeles at 8 p.m. every Sunday evening. Burbank will also be served as an intermediate stop both going and

coming. Reservations can be made through United Air Lines Sacramento or Los Angeles reservation offices or through Tom Murphy at the Sacramento Hotel.

Schedule:	Lv. Sacramento	3:00 p.m.
	Ar. Burbank	5:10 p.m.
	Ar. Los Angeles	5:30 p.m.
	Lv. Los Angeles	8:00 p.m.
	Lv. Burbank	8:15 p.m.
	Ar. Sacramento	10:30 p.m.

CONSIDERATION OF DAILY FILE (RESUMED)

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1472

Assembly Bill No. 1472—An act to amend Section 22 of the Bank and Corporation Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

Bill read third time.

Demand for Previous Question

Messrs. Hahn, Silliman, Hagen, Evans, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1472.

The roll was called, and Assembly Bill No. 1472 passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.

NOES—Anderson, George D. Collins, Crowley, Doyle, Geddes, Heisinger, Lewis, Maloney, Meyers, Morris, and Thomas—11.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Vote Be Changed

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to change his vote on the roll call on Assembly Bill No. 1472, and that he be recorded as voting, "No."

Explanation of Vote

I voted "No" on Assembly Bill No. 1472 because the bill was heard without notice and is an attack on the man most vulnerable but not most responsible.

ERNEST R. GEDDES
T. J. DOYLE

ANNOUNCEMENTS

Mr. Davis announced that the private preview tour of the Zephyr train, at noon, as previously announced by Mr. Dickey, will just take about 30 minutes, and issued a cordial invitation to members of the press, and attaches, as well as members, to visit this new Western Pacific train upon recess.

MEMBERS EXCUSED

At 11:40 a.m., Mr. Dickey asked for, and was granted, unanimous consent that Messrs. Connolly, Silliman, and Dolwig be excused for the balance of the legislative day because of legislative duties elsewhere.

ANNOUNCEMENTS

Mr. Stanley announced a breakfast meeting and Republican caucus at 8 a.m., tomorrow morning, Tuesday, March 15th, at the Hotel Sacramento.

RECESS

At 11.45 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 72	Assembly Bill No. 604
Assembly Bill No. 84	Assembly Bill No. 606
Assembly Bill No. 600	Assembly Bill No. 607
Assembly Bill No. 601	Assembly Bill No. 612

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 20—Relative to the establishment of an air force academy;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourteenth day of March, 1949, at 1 p.m.

HUYCK, Chairman

STATEMENT BY SPEAKER

Speaker Sam L. Collins stated that, as a direct result of the conscientious work of the Interim Committee on Governmental Efficiency and Economy, offered in a report, corrective legislation was introduced this morning in the form of Assembly Bill No. 1472, the bill passed in the Assembly, and transmitted to the Senate. He commended the committee, and urged other committee members to take note. He announced that he recommends that, in the future, the standing house committees comprise the interim committees.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 707—An act to amend Section 19607 of, and to add Section 19604.1 to, the Education Code, relating to child care centers.

Bill read third time.

Bill ordered passed on file temporarily.

Request for Unanimous Consent That Proposed Authors' Amendments Be Printed in the Journal

Messrs. Geddes and Hawkins asked for, and were granted, unanimous consent that the following proposed authors' amendments, now being held at the desk, be ordered printed in the Journal:

Proposed Amendments to Assembly Bill No. 707

By Mr. Hawkins:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 11, 1949, after line 17, insert

"SEC. 2. Section 19601 of the Education Code is amended to read:

19601. The policy of the Legislature in enacting this chapter is to provide an adequate program for the care of children of working mothers and other children in need of care and supervision during usual working hours and who would not otherwise receive such care."

Amendment No. 2

On page 2, line 18, of the printed amended bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 3

On page 2 of the printed amended bill, strike out line 22, and insert

"SEC. 3. Sections 19601.5 and 19601.6 of the Education Code are hereby repealed."

Amendment No. 4

"SEC. 4. Strike out all of Section 19613 and insert

19613. The governing board of each school district is hereby authorized to accept funds from the Government of the United States or any agency thereof, or from any other source."

Proposed Amendments to Assembly Bill No. 707

By Mr. Lewis:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 11, 1949, after "Sections", insert "19601.1, 19601.2, 19601.3,".

Amendment No. 2

On page 2 of said bill, between lines 47 and 48, insert

"SEC. 4.1. Section 19601.1 is added to said code, to read:

19601.1. Upon the application of 20 working mothers residing in any school district, the county superintendent of schools shall appoint a committee composed of five such mothers applying.

SEC. 4.2. Section 19601.2 is added to said code, to read:

19601.2. The committee shall apply to the department for the establishment of a child care center within the school district.

SEC. 4.3. Section 19601.3 is added to said code, to read:

19601.3. Upon the application of the committee, the department shall establish and maintain such child care centers within the school district as it deems necessary to provide for the proper supervision and care of children between two years and 16 years of age living within, and in the custody of mothers residing in, the district when such care and supervision can not be provided by the mothers because they are gainfully employed."

Proposed Amendments to Assembly Bill No. 707

By Mr. Levering:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on March 11, 1949, strike out lines 2 and 3, and insert

"An act to amend Sections 19601.5, 19602, 19605, 19607, and 19613.5 of, and to add Sections 19601.7, 19604.1, 19613.6, and 19619 to,".

Amendment No. 2

On page 2, lines 10 to 16, inclusive, of said bill, strike out "It is further declared to be the policy of the Legislature that the fee scales shall, so far as reasonably possible, be uniform for all child care centers, and that they shall be established on such basis and in accordance with such principles as the State Department of Education may recommend to insure proper administration of the child care center program and to establish uniform budgetary and accounting procedures."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 17 and 18, insert

"SEC 1.5 Section 19602 of said code is amended to read:

19602. The governing board of any school district may, subject to the provisions of this chapter, establish, [and] maintain, *and discontinue* such child care centers within the district as it may deem necessary to provide for the proper supervision and care, including such health supervision as may be established under the standards established for child care centers by the Superintendent of Public Instruction as hereinafter provided, of children between two years and 16 years of age, *or such other ages as the governing board determines*, living within, and in the custody of persons residing in, the district when such care and supervision can not be provided by such persons because such persons are gainfully employed."

Amendment No. 4

On page 2, of said bill, between lines 39 and 40, insert

"SEC 3.1. Section 19601.7 is added to said code to read:

19601.7. The governing board of any school district may prescribe more strict qualifications for admission to child care centers maintained by it than those prescribed by Section 19601.6.

SEC. 3.2. Section 19605 of said code is amended to read:

19605. The Superintendent of Public Instruction shall establish reasonable and uniform standards *relating to health, care, and supervision* not in conflict with the provisions of this chapter for child care centers established and maintained under the provisions of this chapter and no child care center shall be so established and maintained which does not comply with such standards.

SEC. 3.3. Section 19613.5 of said code is amended to read:

19613.5. No state funds shall be expended for the operation of child care centers [until all available federal funds, including federal funds appropriated or which may be appropriated prior to March 1, 1946, have been expended.

No state funds shall be expended for the operation of child care centers except funds appropriated therefor from the General Fund of the State.]

SEC. 3.4. Section 19613.6 is added to said code to read:

19613.6. *Pursuant to Chapter 10 of Division 3, the governing board of any* school district maintaining a child care center shall include in its budget the amount necessary to carry out its child care center program pursuant to this chapter and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied."

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2374—An act to amend Section 13836 of the Education Code, relating to the payment of salaries of certificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 22—Relative to reimbursing counties for the loss of revenue caused by federal ownership of lands within the counties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets.

[AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Clayton A. Dills, Ralph C Dills, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62]

[NOES—None.]

Request for Unanimous Consent That Announcement of Vote Be Stricken

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that announcement of the vote on Assembly Joint Resolution No. 22 be ordered stricken, and that a new roll call be taken.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—Ralph C Dills—1.

Resolution ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 48—Relative to accountants.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—56.

NOES—Lincoln—1.

Resolution ordered transmitted to the Senate

Assembly Concurrent Resolution No. 57—Relative to the establishment of continuous and full-time instruction for San Quentin Prison guards.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Doyle, Dunn, Evans, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Thomas, Thompson, Way, and Weber—41.

NOES—Burke, Burkhalter, Butters, Caldecott, Collier, Conrad, Erwin, Fleury, Grant, Grunsky, Hahn, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—29.

Resolution ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO SEND WIRES

Mr. Butters asked for, and was granted, unanimous consent that the Chief Clerk be instructed to wire the contents of Assembly Joint Resolution No. 24 to Northcutt Ely because Assembly Joint Resolution No. 24 constitutes an emergency measure

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to lobbying.

Bill read third time.

Motion to Amend

Mr. Collier moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on March 11, 1949, after "Assembly", insert ", and the term "Secretary" means the Secretary of the Senate,"

Amendment No. 2

On page 1 of said bill, after line 24, insert

"(f) The term "political committee" includes any committee, association, or organization which accepts contributions or makes expenditures for the purpose of influencing or attempting to influence the election of candidates or presidential and vice presidential electors, or any duly authorized committee or subcommittee of a political party whether national, state, or local."

Amendment No. 3

On page 2, line 30, of said bill, after "clerk", insert "and secretary".

Amendment No. 4

On page 2, line 36, of said bill, strike out "title", and insert "chapter".

Amendment No. 5

On page 2, line 38, of said bill, strike out "act", and insert "chapter".

Amendment No. 6

On page 3, line 9, of said bill, after "clerk", insert "and secretary".

Amendment No. 7

On page 3, line 12, of said bill, after "Assembly", insert "and Secretary of the Senate,".

Amendment No. 8

On page 3, line 13, of said bill, after "Sacramento", strike out "14"

Amendment No. 9

On page 3, line 16, of said bill, after "clerk", insert "and secretary".

Amendment No. 10

On page 3, line 19, of said bill, strike out "title", and insert "chapter".

Amendment No. 11

On page 3 of said bill, strike out lines 20 and 21; and in line 22, strike out "political party)", and insert ", except a political committee".

Amendment No. 12

On page 4, line 29, of said bill, strike out "title", and insert "chapter".

Amendments read, and adopted.

Bill ordered reprinted.

Motion That Assembly Bill No. 3 Be Re-referred to Committee on Governmental Efficiency and Economy

Mr. Dunn moved that Assembly Bill No. 3 be re-referred to the Committee on Governmental Efficiency and Economy when returned from the printer.

Mr. Geddes seconded the motion.

Substitute Motion

Mr. Collier moved, as a substitute motion, that when Assembly Bill No. 3 is returned from the printer, it be ordered read the third time, and debated on the floor.

Mr. Lowrey seconded the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the substitute motion not in order.

The question being on the motion by Mr Dunn that when Assembly Bill No. 3 is returned from the printer it be re-referred to the Committee on Governmental Efficiency and Economy.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Dunn is not following procedure, and is out of order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr Dunn.

Point of Order

Mr. Collier arose to the following point of order: That Mr. McMillan is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr. Dunn.

Point of Order

Mr. McMillan arose to the following point of order: That Mr. Heisinger is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr. Dunn.

Demand for Previous Question

Messrs. Collier, Kirkwood, Morris, Luckel, and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Dunn that Assembly Bill No. 3 be re-referred to the Committee on Governmental Efficiency and Economy when returned from printer.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Dunn's time for closing has elapsed.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion by Mr. Dunn.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Mr. Dunn seconded the motion.

Motion lost.

The vote was announced, and the motion by Mr. Dunn that Assembly Bill No. 3 be re-referred to the Committee on Governmental Efficiency and Economy when returned from printer, carried by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Clarke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Geddes, Grant, Hoffman, Hollibaugh, Kilpatrick, Levering, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Thomas, Thompson, Way, Weber, and Mr. Speaker—37.

NOES—Anderson, Babbage, Beck, Bennett, Brown, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Davis, Ralph C. Dills, Elliott, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, McCarthy, Moss, Sherwin, Smith, Stanley, Tomlinson, and Waters—35.

Notice of Motion to Reconsider Motion Offered by Mr. Dunn to Assembly Bill No. 3

Mr. Collier gave notice that on the next legislative day he would move to reconsider the vote whereby the motion offered by Mr. Dunn that Assembly Bill No. 3 be re-referred to the Committee on Governmental Efficiency and Economy when returned from printer was this day carried.

MOTION BY MR. BECK

Mr. Beck moved that the Committee on Rules be instructed to consider an amendment to the Standing House Rules which will provide that whenever a bill is re-referred to a committee from the floor, 41 affirmative votes are necessary.

Announcement by Mr. Dickey

Mr. Dickey announced that the contents of the motion by Mr. Beck will be placed for consideration before the Committee on Rules at the next meeting of said committee.

Motion Withdrawn

Mr. Beck withdrew his motion.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Concurrent Resolution No. 37—Relative to continuing the Joint Legislative Committee on Lending Transactions.

Resolution read.

Motion That Action on Senate Concurrent Resolution No. 37 Be Deferred

Mr. McCollister moved that further consideration of Senate Concurrent Resolution No. 37 be deferred until the next legislative day.

Mr. Clayton A. Dills seconded the motion.

Substitute Motion to Set Special Order

Mr. Evans moved that Senate Concurrent Resolution No. 37 be made a special order of business for Tuesday, March 15, 1949, at 2.30 p.m.

Mr. McCollister seconded the motion.

Point of Order

Mr. Conrad arose to the following point of order: That Mr. Clayton A. Dills is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr. Evans that Senate Concurrent Resolution No. 37 be set for a special order of business.

Motion Withdrawn

Mr. McCollister withdrew his second.

Mr. Evans withdrew his motion.

Motion Withdrawn

Mr. Clayton A. Dills withdrew his second.

Mr. McCollister withdrew his motion to defer further consideration of Senate Concurrent Resolution No. 37 until the next legislative day.

Question of Personal Privilege

Mr. Ralph C. Dills arose to a question of personal privilege.

The question being on the adoption of Senate Concurrent Resolution No. 37

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Resolution ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 122

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed

below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Recorder Printing & Publishing Company (Larmac Index)	$358 75
Shasta Water Company (drinking water)	22 94
Western Manufacturing Company (19 cases)	944 53
Department of Finance (Supplies)	77 15

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 122, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None.

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Journals for Monday, March 7, 1949; Tuesday, March 8, 1949; Wednesday, March 9, 1949; Thursday, March 10, 1949; and Friday, March 11, 1949, were approved as corrected by the Minute Clerk.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hinckley:

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 13266 of the Education Code, relating to the health of teachers.

Respectfully submitted,

L. STEWART HINCKLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hinckley:

An act to amend Section 13266 of the Education Code, relating to the health of teachers.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen,

Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3099: By Mr. Hinckley—An act to amend Section 13266 of the Education Code, relating to the health of teachers.

Referred to Committee on Education.

MEMBER EXCUSED

At 3.50 p.m. Mr. Hinckley asked for, and was granted, unanimous consent that Mr. Price be excused for the balance of the legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT RECORD SHOW HE IS NOT A CO-AUTHOR

Mr. Thomas asked for, and was granted, unanimous consent that the record show that he is not a co-author on Assembly Bills Nos. 600 to 640, with the exception of Assembly Bill No. 603.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, upon adjournment—

Public Utilities and Corporations, in Room 432.

Crime and Correction.

Subcommittee on Ways and Means. Subject: Maritime Academy.

Tonight at 8 p.m.—

Judiciary.

Subcommittee No. 4 of Ways and Means. Subject: Water Resources.

At 9 a.m., Tuesday, March 15th—

Rules.

It was announced that the following committee would not hold a meeting today:

Finance and Insurance.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Victor Baciarini of Suisun.

On request of Mr. Way, the usual courtesies of the Assembly for this day were unanimously extended to A. E. Johnston of Fort Bragg.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Miss Lucille Jones, Mrs. Irwin Moore, and Mrs. C. E. Shinn of San Pedro.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Victor Houser of Hollywood.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Good and Mrs Hansen, guardians, and the following Camp Fire Girls of Camp Wa-Pa-K-Ya of Napa: La Verne Fry, Lucile Hansen, Joan Good, Kathleen McDonald, Vicki Raneri, Theresa Brassi, Charlott Bissell, and Pauline Trisler.

On request of Messrs. Gaffney, George D. Collins, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Herbert C. Clish of San Francisco.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. David Rice, Mrs. Katherine Zachariades, Mrs Elizabeth Lawson, Mrs Zola Fowler, Mrs Wanda Galetti, and Mrs. Lorraine Ducey, instructors, and the following pupils of the David E. Martin School of San Lorenzo: Robert 'Agee, Richard Anderson, Darlene Barnes, Jerry Brown, Marilyn Bumgarner, Paula Butts, Richard Cardoza, Joyce Coffie, Carolyn Crosier, Gary DeGraw, Albert Dozier, Robert Ducey, Connie Dunlap, Gail Ellis, Bonnie Fowler, Consuelo Gallegos, Jimmy Glascock, Lynne Hammond, Charmaine Hanford, David Hill, Ann Husar, Jeannine Jope, Margie Junet, Chuck Keaton, Terry Keenan, Joan Lawson, Louise Lussier, Elaine Mackin, Jim Mulsaw, Nancy McElrath, Joan Porter, and Helen Woodward.

ADJOURNMENT

At 3.59 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, March 15, 1949.

SAM L COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SIXTH LEGISLATIVE DAY

SEVENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, March 15, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78

Request for Unanimous Consent That Names Be Placed Upon Morning Roll Call

Mr. Sherwin asked for, and was granted, unanimous consent that the names of the following members be placed upon the morning roll call, because they are in the Capitol attending to legislative committee duties: Messrs. Caldecott, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Evans, Fletcher, Gaffney, Hollibaugh, Kirkwood, Maloney, McCollister, Stewart, Silliman, Thompson, and Waters.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of the Individual: In a world where every grain of sand is important in the cosmic scheme, let us believe that the Infinite takes note of each of us, and that the God who calls the stars by name knows every one's name.

May we believe that the Eternal Mind is not too busy with constellations and his Grand Canyon affairs to have an eye on the critical course of human events.

Is it not for us a million stars shine, and the energies of the sun throb from pole to pole and offer us their power for service?

Let us cherish the sublime belief that we are individually known and individually sustained in our struggle for the Good by an Infinite Power

May we see that the greatest source of serenity and consolation is to feel that we are near to the Heart of God, and that His Spirit upholds us

Let us see that this august faith is a tonic for every weakness, and for every mental or emotional ill, and inspires a sense of superiority to the hard experiences of life —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Butters.

COMMUNICATIONS

By Speaker Sam L. Collins:

A telegram from Monsignor Thomas J. O'Dwyer, relative to stating the opposition to child care center bills of important segments of the Catholic Hierarchy was received, read, and ordered noted in the Journal.

By Speaker Sam L. Collins:

A communication from the Directors of Catholic Social Service and Education in California, relative to urging the Legislature, in considering the child care center bills during the 1949 Regular Session, to regard the day care of children as basically a social problem rather than the responsibility of the State School System, was received, read, and ordered noted in the Journal.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

VETERANS OF FOREIGN WARS OF THE UNITED STATES
LIEUTENANT LANSDALE POST NO. 67
SACRAMENTO, CALIFORNIA, March 12, 1949

In replying to this communication address Sam J Rippon, Sr., Adjutant, 1932 Bidwell Way, Sacramento

Hon. Sam L. Collins
Speaker of the Assembly, California State Legislature
State Capitol, Sacramento, California

DEAR MR. COLLINS: Mr. James V. Hicks, Commander, and the officers and members of Lieutenant Lansdale Post No. 67, Veterans of Foreign Wars of the United States, cordially invite you and the Members of the Assembly to an open house meeting to be held in our club rooms located at 3333 Eye Street, Sacramento, California. Arrangements have been made for a buffet supper and cocktails from 6 to 8 p m The date is Thursday, March 24, 1949.

We sincerely hope you will be with us on this occasion.

Very truly yours,
LIEUTENANT LANSDALE POST NO. 67
VETERANS OF FOREIGN WARS OF THE UNITED STATES
By SAM J. RIPPON, SR., Adjutant

MEMBER EXCUSED

At 10.10 a.m., Mr. Lowrey asked for, and was granted, unanimous consent that he be excused for an indefinite period of time for the purpose

of attending to legislative duties, in a conference, being held in Office Building No. 1, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 388
Assembly Bill No. 602

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1073
Assembly Bill No. 1591

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:

Assembly Bill No. 748

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 696
Assembly Bill No. 2247
Assembly Bill No. 2421
Assembly Bill No. 2422
Assembly Bill No. 2424
Assembly Bill No. 2425
Assembly Bill No. 2426
Assembly Bill No. 2427
Assembly Bill No. 2428

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 331
Assembly Bill No. 416
Assembly Bill No. 1354
Assembly Bill No. 1355
Assembly Bill No. 1356

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BENNETT, Vice Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 1253
Assembly Bill No 1254
Assembly Bill No. 1255
Assembly Bill No. 2387

Has had the same under consideration, and reports the same back with the recommendation: Do pass

EVANS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 2295

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 189
Assembly Bill No. 428
Assembly Bill No. 695
Assembly Bill No. 821
Assembly Bill No. 1122
Assembly Bill No. 1338
Assembly Bill No. 1393
Assembly Bill No. 1630
Assembly Bill No. 2945

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 188
Assembly Bill No. 506

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 267
Assembly Bill No. 268
Assembly Bill No. 503
Assembly Bill No. 2697
Assembly Bill No 2851
Assembly Bill No. 868

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No 603
Assembly Bill No. 605
Assembly Bill No 738

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 24—Relative to the Upper Colorado River Basin Compact;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of March, 1949, at 11 a.m

HUYCK, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 466

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill re-referred to Committee on Ways and Means

UNANIMOUS CONSENT REQUEST THAT MISTAKE IN VOTE BE NOTED AND CORRECTED

Mr. Connolly asked for, and was granted, unanimous consent that it be noted in the Journal, that due to inadvertance, he is recorded as voting, "No" on the motion offered by Mr Dunn during debate of Assembly Bill No. 3 (see page 1035 in the Assembly Journal of Monday, March 14th); that he was not present in the Assembly Chamber, having been previously excused; and that he be recorded as not having voted on this motion.

RENEWAL OF REQUEST

Mr. Dickey again renewed his request that the usual House procedure, which provides that guests will not be introduced from the floor of the Assembly, this session, be strictly adhered to, in the interest of time, and that members be urged to bring the names of their guests to the desk of the Minute Clerk for recognition in the Journal. Only exceptions to be: Former members, members of the families of legislators, dignitaries, and school children.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1073—An act to add Section 1304.1 to the Education Code, relating to superintendents of schools of unified school districts, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott,

Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 707—An act to amend Sections 19601.5 and 19607 of, and to add Sections 19604.1 and 19619 to the Education Code, relating to child care centers and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent to Change Wording of Amendments

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to change the word "shall" to "may" in the last paragraph of his proposed Amendment No. 2, as it appeared, in print, in yesterday's Journal, prior to his motion to offer his amendments to Assembly Bill 707.

Motion to Amend

Mr. Lewis moved the adoption of the following amendments.

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 11, 1949, after "Sections", insert "19601.1, 19601.2, 19601.3,".

Amendment No. 2

On page 2 of said bill, between lines 47 and 48, insert

"SEC. 4.1. Section 19601.1 is added to said code, to read

19601.1. Upon the application of 20 working mothers residing in any school district, the county superintendent of schools shall appoint a committee composed of five such mothers applying.

SEC. 4.2. Section 19601.2 is added to said code, to read.

19601.2. The committee shall apply to the department for the establishment of a child care center within the school district.

SEC. 4.3. Section 19601.3 is added to said code, to read.

19601.3. Upon the application of the committee, the department may establish and maintain such child care centers within the school district as it deems necessary to provide for the proper supervision and care of children between two years and 16 years of age living within, and in the custody of mothers residing in, the district when such care and supervision cannot be provided by the mothers because they are gainfully employed."

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Berry, Burkhalter, George D. Collins, Condon, Cooke, Ralph C. Dills, Elliott, Grant, Hagen, Hawkins, Heisinger, Lewis, McCarthy, Rosenthal, Rumford, Thomas, and Mr. Speaker—18.

NOES—Babbage, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—51

Request for Unanimous Consent That Substitution of Corrected Amendments Be Permitted

Mr. Hawkins asked for, and was granted unanimous consent that the following proposed corrected amendments be substituted for those

printed in yesterday's Journal, for the purpose of rectifying some mistakes inadvertently appearing in the amendments as originally printed:

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 11, 1949, strike out "19601 5 and 19607", and insert "19601, 19607, and 19613".

Amendment No. 2

In line 2 of the title of said bill, after "of," insert "to repeal Sections 19601.5 and 19601 6 of,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 17 and 18, insert

"SEC. 2 Section 19601 of the Education Code is amended to read

19601 The policy of the Legislature in enacting this chapter is to provide *an adequate program* for the care of children of [needy parents] *working mothers* and other children in need of care and supervision during usual working hours and who would not otherwise receive such care [because of the financial inability of the supporting parent As used in this chapter 'parent" includes any person having legal custody of a child]"

Amendment No. 4

On page 2, line 18, of said bill, strike out "SEC. 2", and insert "SEC 3".

Amendment No. 5

On page 2 of said bill, strike out lines 22 to 39, inclusive, and insert

"SEC 4 Sections 19601 5 and 19601 6 of the Education Code are repealed.

SEC 5 Section 19613 of the Education Code is amended to read:

19613 The governing board of each school district is hereby authorized to accept funds from the Government of the United States or any agency thereof, or from any other source. [other than funds derived from taxes levied by any taxing agency, for any of the purposes of this chapter and such funds may be accepted subject to such conditions as will further the purpose of this chapter. As used in this section "taxing agency" has the meaning ascribed to the phrase in the Revenue and Taxation Code except that it does not include the State in respect to appropriations from the General Fund]"

Amendment No. 6

On page 2, line 40, of said bill, strike out "SEC 4", and insert "SEC 6".

Amendment No. 7

On page 2, line 48, of said bill, strike out "SEC 5", and insert "SEC. 7".

Amendments read.

Point of Order

Mr. Sillman arose to the following point of order: That Mr. Lewis has exceeded his time.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Hawkins to Assembly Bill No. 707.

Demand for Previous Question

Messrs Grant, Connolly, Grunsky, Lipscomb, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Hawkins to Assembly Bill No. 707.

Division of the Question

Mr. Hawkins asked for a division of the question.

Request for Unanimous Consent That Proposed Amendments Be Rearranged

Mr. Hawkins asked for, and was granted, unanimous consent that he be permitted to rearrange his proposed amendments as follows for the purpose of asking for a division of the question:

Proposed Amendments by Mr. Hawkins, as Rearranged

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 11, 1949, between lines 17 and 18, insert

"SEC. 2. Section 19601 of the Education Code is amended to read:

19601. The policy of the Legislature in enacting this chapter is to provide *an adequate program* for the care of children of [needy parents] *working mothers* and other children in need of care and supervision during usual working hours and who would not otherwise receive such care. [because of the financial inability of the supporting parent. As used in this chapter "parent" includes any person having legal custody of a child.]"

Amendment No. 2

On page 2, line 18, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 3

On page 2 of said bill, strike out lines 22 to 39, inclusive, and insert "SEC. 4. Sections 19601.5 and 19601.6 of the Education Code are repealed."

Amendment No. 4

On page 2 of said bill, after line 39, insert

"SEC. 5. Section 19613 of the Education Code is amended to read:

19613. The governing board of each school district is hereby authorized to accept funds from the Government of the United States or any agency thereof, or from any other source. [other than funds derived from taxes levied by any taxing agency, for any of the purposes of this chapter and such funds may be accepted subject to such conditions as will further the purpose of this chapter. As used in this section "taxing agency" has the meaning ascribed to the phrase in the Revenue and Taxation Code except that it does not include the State in respect to appropriations from the General Fund.]"

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Assembly on March 11, 1949, strike out "19601.5 and 19607", and insert "19601, 19607, and 19613".

Amendment No. 6

In line 2 of the title of said bill, after "of," insert "to repeal Sections 19601.5 and 19601.6 of,".

Amendment No. 7

On page 2, line 40, of said bill, strike out "SEC. 4", and insert "SEC. 6".

Amendment No. 8

On page 2, line 48, of said bill, strike out "SEC. 5", and insert "SEC. 7".

Amendments read, as rearranged.

Division of the Question
Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Set I

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being inclosed within brackets.

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 11, 1949, between lines 17 and 18, insert

"SEC. 2. Section 19601 of the Education Code is amended to read:

19601. The policy of the Legislature in enacting this chapter is to provide *an adequate program* for the care of children of [needy parents] *working mothers* and other children in need of care and supervision during usual working hours and who would not otherwise receive such care. [because of the financial inability of the supporting parent. As used in this chapter "parent" includes any person having legal custody of a child]"

Amendment No. 2

On page 2, line 18, of said bill, strike out "SEC. 2", and insert
"SEC. 3".

Amendment No. 3

On page 2 of said bill, strike out lines 22 to 39, inclusive, and insert
"SEC. 4. Sections 19601.5 and 19601.6 of the Education Code are repealed."

Amendments read.

The question being on the adoption of the first set of amendments offered by Mr. Hawkins to Assembly Bill No. 707.

The roll was called, and the first set of amendments refused adoption by the following vote:

AYES—Anderson, George D Collins, Condon, Davis, Clayton A. Dills, Ralph C. Dills, Elliott, Evans, Hawkins, Heisinger, Hinckley, Lewis, Luckel, McMillan, Niehouse, Rosenthal, and Rumford—17.

NOES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—56.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendment:

Set II

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, after line 39, insert

"SEC. 5. Section 19613 of the Education Code is amended to read:

19613. The governing board of each school district is hereby authorized to accept funds from the Government of the United States or any agency thereof, or from any other source. [other than funds derived from taxes levied by any taxing agency, for any of the purposes of this chapter and such funds may be accepted subject to such conditions as will further the purpose of this chapter. As used in this section "taxing agency" has the meaning ascribed to the phrase in the Revenue and Taxation Code except that it does not include the State in respect to appropriations from the General Fund.]"

Amendment read.

The roll was called, and the second set of amendments offered by Mr. Hawkins refused adoption by the following vote:

AYES—Anderson, Coats, George D. Collins, Condon, Davis, Clayton A. Dills, Ralph C. Dills, Elliott, Hagen, Hawkins, Heisinger, Lewis, McCollister, McMillan, Niehouse, Rosenthal, Rumford, Sherwin, and Mr. Speaker—19

NOES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Cramer, Crichton, Dickey, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Reagan, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—50.

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Set III

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Assembly on March 11, 1949, strike out "19601 5 and 19607", and insert "19601, 19607, and 19613".

Amendment No. 6

In line 2 of the title of said bill, after "of," insert "to repeal Sections 19601.5 and 19601 6 of,"

Amendment No. 7

On page 2, line 40, of said bill, strike out "SEC. 4", and insert "SEC. 6".

Amendment No. 8

On page 2, line 48, of said bill, strike out "SEC. 5", and insert "SEC. 7".

Amendments read.

Request for Unanimous Consent That He Be Permitted to Withdraw Amendments

Mr. Hawkins asked for, and was granted, unanimous consent that he be permitted to withdraw Set III of his amendments.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Mrs. Niehouse and Messrs. Hollibaugh and Geddes as a Select Committee to escort Hilo Hattie to the rostrum.

RECESS

At 11.50 a.m., on motion of Mrs. Niehouse and Messrs. Hollibaugh and Geddes, the Assembly recessed until 11.55 a.m. to hear remarks from Hilo Hattie, distinguished Hawaiian dancer from Honolulu, Territory of Hawaii.

At the request of Mr. Dickey, Mr. Ralph C. Dills presented his guests, State Senator and Mrs. Sol J. Selvin, of Utah, and Dr. and Mrs. H. J. Peck, of Auburn.

REASSEMBLED

At 11.55 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 707

Assembly Bill No. 707—An act to amend Sections 19601.5 and 19607 of, and to add Sections 19604.1 and 19619 to the Education Code, relating to child care centers and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on March 11, 1949, strike out lines 2 and 3, and insert

"An act to amend Sections 19601 5, 19602, 19605, 19607, and 19613 5 of, and to add Sections 19601 7, 19604 1, 19613.6, and 19619 to,".

Amendment No. 2

On page 2, lines 10 to 16, of said bill, inclusive, strike out "It is further declared to be the policy of the Legislature that the fee scales shall, so far as reasonably possible, be uniform for all child care centers, and that they shall be established on such basis and in accordance with such principles as the State Department of Education may recommend to insure proper administration of the child care center program and to establish uniform budgetary and accounting procedures."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 17 and 18, insert

"SEC. 1.5. Section 19602 of said code is amended to read:

19602. The governing board of any school district may, subject to the provisions of this chapter, establish, [and] maintain, *and discontinue* such child care centers within the district as it may deem necessary to provide for the proper supervision and care, including such health supervision as may be established under the standards established for child care centers by the Superintendent of Public Instruction as hereinafter provided, of children between two years and 16 years of age, *or such other ages as the governing board determines*, living within, and in the custody of persons residing in, the district when such care and supervision can not be provided by such persons because such persons are gainfully employed"

Amendment No. 4

On page 2 of said bill, between lines 39 and 40, insert

"SEC. 3 1. Section 19601.7 is added to said code to read:

19601 7. The governing board of any school district may prescribe more strict qualifications for admission to child care centers maintained by it than those prescribed by Section 19601.6.

SEC. 3.2. Section 19605 of said code is amended to read:

19605. The Superintendent of Public Instruction shall establish reasonable and uniform standards *relating to health, care, and supervision* not in conflict with the provisions of this chapter for child care centers established and maintained under the provisions of this chapter and no child care center shall be so established and maintained which does not comply with such standards.

SEC 3 3. Section 19613.5 of said code is amended to read:

19613.5. No state funds shall be expended for the operation of child care centers until all available federal funds, including federal funds appropriated or which may be appropriated prior to March 1, 1946, have been expended.

No state funds shall be expended for the operation of child care centers except funds appropriated therefor from the General Fund of the State]

SEC 3 4 Section 19613 6 is added to said code to read:

19613 6 Pursuant to Chapter 10 of Division 3, the governing board of any school district maintaining a child care center shall include in its budget the amount necessary to carry out its child care center program pursuant to this chapter and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied"

Amendments read.

Demand for Previous Question

Messrs. Silliman, Kirkwood, Luckel, Caldecott, and Weber demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Levering to Assembly Bill No. 707.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Babbage, Brady, Butters, Clarke, Cramer, Grunsky, Hinckley, Hoffman, Huyck, Levering, Lindsay, Reagan, Sherwin, Silliman, Waters, and Mr. Speaker—16.

NOES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, and Weber—58.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in the Assembly on March 11, 1949, after "procedures", insert "All child care centers shall be closed on or before June 30, 1950"

Amendment read.

Demand for Previous Question

Messrs. Kirkwood, Silliman, Luckel, Morris, and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Waters to Assembly Bill No. 707.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Brady, Burke, Butters, Clarke, Connolly, Cramer, Crichton, Dickey, Dolwig, Gaffney, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Lindsay, Lipscomb, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, and Weber—27.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Thomas, Way, and Mr. Speaker—47.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Amendment Offered by Mr. Waters

Mr. George D. Collins asked for, and was granted, unanimous consent that his name be placed upon the roll call on the amendment offered by Mr. Waters to Assembly Bill No. 707, and that he be recorded as voting "No."

The question being on the passage of Assembly Bill No. 707.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Way, and Weber—64.

NOES—Babbage, Butters, Clarke, Cramer, Levering, Reagan, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—12.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Way, and Weber—64

NOES—Babbage, Butters, Clarke, Cramer, Levering, Reagan, Sherwin, Silliman, Smith, Tomlinson, Waters, and Mr. Speaker—12.

Bill ordered transmitted to the Senate:

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No. 112

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 60

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 3

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bill ordered to unfinished business

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 610

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

RECESS

At 12.40 p m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p m, the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 338
Assembly Bill No. 387
Assembly Bill No. 548
Assembly Bill No. 1455
Assembly Bill No. 1955

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 338 ordered re-referred to Committee on Education.

Assembly Bill No. 387 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No 548 ordered re-referred to Committee on Education.

Assembly Bill No. 1455 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1955 ordered re-referred to Committee on Education.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received. read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF SOCIAL WELFARE
SACRAMENTO, March 11, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
California State Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS. In accordance with the provisions of Item 337.5 of Section 2 of the Budget Act of 1948, I have the pleasure of forwarding to you a report on the survey of the private schools of the State of California, together with my recommendations regarding legislation.

Very sincerely yours,

MYRTLE WILLIAMS, Director
Department of Social Welfare

Attachment

Above mentioned report ordered referred to the Committee on Education.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crichton:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1640 of the Insurance Code, relating to exemptions from licensing as insurance agents.

Respectfully submitted,

J. G. CRICHTON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Crichton:

An act to amend Section 1640 of the Insurance Code, relating to exemption from licensing as insurance agents.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crichton moved a call of the Assembly.

Motion carried. Time, 2.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Crowley, Clayton A. Dills, Dunn, Erwin, Geddes, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Niehouse, Price, and Weber—27.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Gaffney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 376—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Bill read third time.

Motion to Amend

Mr. Gaffney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 11, 1949, strike out "ten thousand dollars ($10,000)", and insert "four thousand dollars ($4,000)."

Amendment No. 2

On page 1 of said bill, after line 8, insert

"Any school district which includes a city having a department or division of architecture which employs one or more full-time certified architects holding a valid license under Chapter 3 of Division 3 of the Business and Professions Code, or one or more structural engineers holding a valid certificate to use the title structural engineer under Chapter 7 of Division 3 of the Business and Professions Code, may construct, reconstruct, alter, or make additions to any school building if the estimated cost thereof does not exceed ten thousand dollars ($10,000), and if the construction, reconstruction, alteration of, or addition to, the school building is under the immediate control and supervision of such an architect or structural engineer in the employ of the city, in lieu of the supervision of the Division of Architecture of the Department of Public Works required by this article."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1591—An act to amend Section 7437 of the Education Code, relating to the sale of school district bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 53—Relative to the survey of a state highway from MacArthur in Shasta County to Susanville in Lassen County.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—70.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 72—An act to amend Section 139.28 of the Vehicle Code, relating to the establishment of Highway Patrol headquarters and substations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—47

NOES—Babbage, George D Collins, Erwin, Hagen, Hinckley, Kirkwood, Lincoln, and Sherwin—8.

Resolution ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON THE REQUEST BY MR. CRICHTON TO INTRODUCE A BILL

At 2.52 p.m., on motion of Mr. Crichton, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill, was granted Mr. Crichton by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McMillan,

Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3100: By Mr. Crichton—An act to amend Section 1640 of the Insurance Code, relating to exemptions from licensing as insurance agents.

Referred to Committee on Finance and Insurance.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Clarke:

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 26733.5 to the Water Code, relating to irrigation districts.

Respectfully submitted.

GEORGE A CLARKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Clarke:

An act to add Section 26733.5 to the Water Code, relating to irrigation districts.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3101: By Mr. Clarke—An act to add Section 26733.5 to the Water Code, relating to irrigation districts.

Referred to Committee on Agriculture.

Assembly Joint Resolution No. 28: By Messrs. Elliott, Anderson, Hawkins, Thomas, Bennett, Berry, Burkhalter, Coats, George D. Collins,

Condon, Cooke, Crowley, Clayton A. Dills, Ralph C. Dills, Evans, Fletcher, Gaffney, Geddes, Hagen, Heisinger, Kilpatrick, Lewis, Luckel, McCarthy, McMillan, Morris, Rosenthal, and Rumford—Relative to the limitation of debate in the United States Senate.

Referred to Committee on Rules.

MOTION TO RECONSIDER RE-REFERENCE OF ASSEMBLY BILL NO. 3 TO THE COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

In compliance with a notice given on a previous day, Mr. Collier moved that the vote whereby Assembly Bill No. 3 was re-referred to the Committee on Governmental Efficiency and Economy be reconsidered.

Point of Order

Mr. McCollister arose to the following point of order: That Mr. George D. Collins is not speaking on the propriety of the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion by Mr. Collier that the vote be reconsidered whereby Assembly Bill No. 3 was re-referred to the Committee on Governmental Efficiency and Economy.

Demand for Previous Question

Messrs. Kirkwood, Silliman, McCollister, Morris, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Collier that the vote be reconsidered whereby Assembly Bill No. 3 was re-referred to the Committee on Governmental Efficiency and Economy.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Messrs. Collier, Crichton, and Moss moved a call of the Assembly.

Motion carried. Time, 3.20 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Davis, Elliott, Kilpatrick, Levering, Lipscomb, Price, and Silliman—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REMARKS ON THE CONDITION OF THE FILE

Mr. Beck spoke on the condition of the file.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3045 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No. 3045 be withdrawn from the Committee on Transportation and Commerce, and be re-referred to the Committee on Public Health.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF RE-REFERENCE OF ASSEMBLY BILL NO. 3

At 3.30 p.m., on motion of Mr. Collier, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of the vote whereby Assembly Bill No. 3 was ordered re-referred to the Committee on Governmental Efficiency and Economy refused by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Ralph C. Dills, Fleury, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Kirkwood, Lewis, Lowrey, Luckel, McCarthy, Moss, Rosenthal, Sherwin, Silliman, Stanley, Thomas, and Waters.—31

NOES—Berry, Brady, Brown, Burke, Burkhalter, Clarke, Connolly, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hawkins, Hoffman, Hollibaugh, Huyck, Lincoln, Lindsay, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Smith, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—42.

MEMBERS EXCUSED

At 3.37 p.m., Mr. Clarke asked for, and was granted, unanimous consent that the members of the Committee on Agriculture be excused, for the purpose of holding a meeting, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 84—An act to amend Section 139.32 of the Vehicle Code, relating to authorized patrol equipment.

Bill read third time.

Point of Order

Mr. Thomas arose to the following point of order: That Mr. Huyck is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 84.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hollibaugh, Kilpatrick, Lincoln, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—47.

NOES—Brady, Conrad, Hagen, Hinckley, Huyck, Morris, and Rosenthal—7.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 123

Relative to continuing the Assembly Governmental and Efficiency Committee for the Report on Smog Control

Resolved by the Assembly of the State of California, That the Assembly Governmental and Efficiency Committee on Smog Control (created by House Resolution No. 22 of the 1949 Regular Session) is authorized to act during this session of the Legislature, until and including April 1, 1949, with authority to file a final report not later than April 1, 1949.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 123

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 123

By Mr. Waters:

House Resolution No. 123

Relative to continuing the Assembly Governmental and Efficiency Committee for the Report on Smog Control

Resolved by the Assembly of the State of California, That the Assembly Governmental and Efficiency Committee on Smog Control (created by House Resolution No. 22 of the 1949 Regular Session) is authorized to act during this session of the Legislature, until and including April 1, 1949, with authority to file a final report not later than April 1, 1949.

Resolution read, and adopted.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 124

Relative to the creation of the Assembly Interim Committee on Traffic Violations

WHEREAS, Violations of traffic laws are now common and are increasing daily and are causing loss of life and damage to property; and

WHEREAS, It appears that there is a lack of uniformity as to the fines and other punishments imposed on those violators who are apprehended; and

WHEREAS, In order to ascertain what, if any, legislation is needed to remedy this situation, it is necessary that the Assembly have complete information on these matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Traffic Violations is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of_____dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT HE BE PERMITTED TO READ LIST OF BILLS SCHEDULED FOR HEARING

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to read the list of bills which will be heard in the next meeting of the Committee on Finance and Insurance; and announced that he is placing the list in the hands of the File Clerk, at this time.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, upon adjournment—

Livestock and Dairies.
Subcommittee No 8 of Ways and Means.

At 3 p.m.—

Agriculture.
Social Welfare.
Public Health.

At 8 p.m.—

Fish and Game. Subject: 21 bills.

At 9 a.m., on Wednesday, March 16th—

Rules.
Subcommittee No. 9 of Ways and Means.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Harold Wood and Robert Vejby and the following pupils of the Ashland School of San Lorenzo: David Alley, George Cameron, Billy Hager, Richard Koenig, Johnny Rebiejo, Lawrence Rose, Howard Rugg, Frank Bauer, Joyce Bianchi, Carolyn Blizzard, Lois Breece, Marlene Cobb, Kathleen Connolly, Joan Castello, Dorothy Depner, Ruthann Duncan, Barbara Furtado, Narcia Garcia, Dimple James, Phyllis Kellogg, David Magneson, Joe Ventura, Pearl Castro, Joan Gatti, Barbara Hansen, Elsie Lockwood, Beverly Patterson, Joyce Robinson, Dorothy Webb, Betty Stensland, and Jean Willmore.

On request of Messrs McCollister and Lewis, the usual courtesies of the Assembly for this day were unanimously extended to John G. Terry, instructor, and the following pupils of the Tamalpais School of San Rafael: Peter Hayward, Ernie Gates, George Wurzburg, John Upston, Jim Stewart, Herbert Swedlund, Ned Little, and Fred Hindes.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Clinton Fulcher of Lookout.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Harold and Edwin Geiszler of Acampo.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Miss Evelyn McClay, Miss Alma V. Linton, and the following pupils of the Abraham Lincoln School of San Jose: Jim Trowbridge, George Prussia, Ray Kramer, George Kirby, Raymond Lazatera, Alberta Beall, Janet Trittschuh, Bobbie Tarlow, Roberta Norton, Joyce Webster, Lora Haines, Marion McCracken, Betsy Tisdale, Marilyn Rothholz, Henry Down, Ronald Wren, Janette Potter, Rita Espinosa, Rosario Sunyer, Carma Austin, Howard Wood, Charlotte Cuneo, Ronald Keesling, Phyllis Filben, Beverly Juren, Marguerite Clayton, Laura Willson, Joan Jeffe, Peggy Ross, Jerry Saxon, Charlene Jacop, Lauren Swanson, Jeanne Saxon, Stephanie Martin, Ruth Rix, Lois Olson, Dick DiSalvo, Lee Livingston, and Bob Kelty.

On request of Messrs. Weber and Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ellen D. Moule, instructor, and the following pupils of Stockton Junior College: Hazel Dean, Marylin Abbott, Joyce Bigelow, Ardyth Davis, Barbara Pingree, Jim Davenport, Marvin Gobell, Bill Hardey, John Baston, Pat Wong, Mee Yoke Wong, Grace Savidge, Georgia Zeb, Elsie Bertaina, Marian Isaak, Rosetta Yenrick, Diana Betti, Donna Ellis, Barbara Preston, Richard Ochsner, Jack Hunter, Max Wright, Bill Kester, Robert Byers, Billy Joe Bretz, Joe Scott, Maurice Lafferty, Wilburn Langlotz, and Bob Burks.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Stephen C. Paxton of Sacramento and Roger B. McGinnis of Fairfield.

On request of Mrs. Niehouse, Messrs. Geddes, and Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Hilo Hattie of Honolulu.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Senator and Mrs. Sol. J. Selvin of Utah and Dr. and Mrs. H. J. Peck of Auburn.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to John E. Lewis and John William Heaney of Santa Barbara and Donald Talbott of Berkeley.

On request of Mr. Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. W. V. Wood, Mr. and Mrs. Boisserane, Mr. and Mrs. C. Renn, Mr. and Mrs. Marenco, and A. H. Butera of Saratoga.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Lloyd Gross of Modesto.

ADJOURNMENT

At 3.52 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m , Wednesday, March 16, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-SEVENTH LEGISLATIVE DAY

SEVENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, March 16, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Names Placed Upon Morning Roll Call

Speaker Sam L. Collins ordered the names of the members listed below to be placed upon the morning roll call as they are in the Capitol attending to legislative committee duties: Messrs. Connolly, Crowley, Erwin, Gaffney, Grunsky, Kilpatrick, Kirkwood, and Lipscomb.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: We pray that we may have faith to believe in this difficult world in Thy presence, manifest in the laws which protect us and provide for our welfare;

Faith to believe that if we pursue righteousness and establish a just world, we will have all needful things;

Faith to believe that a better world of justice and abundance for all can emerge from the chaotic happenings of this generation, and faith to rid our minds of anxiety and fears of tomorrow.

We pray, too, for power to be calm and courageous in the face of unforeseen dangers that may arise as we are doing our daily duties;

For power to greet with goodwill and magnanimity those who harden their hearts against us, and for power to cheerfully bear suffering, criticism and hard knocks;

For faith to leave in Thy hands the welfare of all our dear ones;
For faith to believe in the ultimate triumph of liberty, goodness and justice over every tyranny, iniquity and darkness—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hoffman, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Hinckley.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 611
And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 376
And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 390
And reports the same correctly engrossed

HUYCK, Chairman

Above reported bill ordered re-referred to Committee on Transportation and Commerce.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:
Assembly Bill No. 2400
Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 450	Assembly Bill No. 1102
Assembly Bill No. 518	Assembly Bill No. 1104
Assembly Bill No. 701	Assembly Bill No. 1111
Assembly Bill No. 1098	Assembly Bill No. 1605
Assembly Bill No. 1099	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER. Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No. 843
Assembly Bill No. 844
Assembly Bill No. 845

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No 842
Assembly Bill No. 908
Assembly Bill No. 1640
Assembly Bill No. 1945

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: Your Committee on Social Welfare, to which were referred

Assembly Bill No. 417
Assembly Bill No. 419
Assembly Bill No. 420
Assembly Bill No 1748
Assembly Bill No. 1749
Assembly Bill No. 1750
Assembly Bill No. 1753
Assembly Bill No 1754
Assembly Bill No. 1755

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 63
Assembly Bill No. 207
Assembly Bill No. 874
Assembly Bill No. 882
Assembly Bill No. 1408
Assembly Bill No. 1411
Assembly Bill No. 1413
Assembly Bill No. 1489

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading

Hon. Randal F. Dickey Presiding

At 10 14 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 309
Assembly Bill No. 903
Assembly Bill No 920

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 904	Assembly Bill No 923
Assembly Bill No. 905	Assembly Bill No. 924
Assembly Bill No 921	Assembly Bill No. 1314

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 871
Assembly Bill No. 881
Assembly Bill No. 1107

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 438
Assembly Bill No. 1101
Assembly Bill No. 1103

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 792	Assembly Bill No. 1318
Assembly Bill No. 794	Assembly Bill No. 2150
Assembly Bill No. 797	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 809

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 118

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 796
Assembly Bill No. 997

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Butters asked for, and was granted, unanimous consent that the bills on the second reading file, without amendments, be deemed read.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1253—An act to amend Section 5 of the Public Utility District Act of 1921, relating to public utility districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1254—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1255—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2387—An act to amend Section 5 of the Public Utility District Act, relating to hearings on petitions for organization of public utilities districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 331—An act to amend Section 957 of the Welfare and Institutions Code, relating to state reimbursement of counties for juvenile homes and camps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 416—An act to add Section 638.1 to the Welfare and Institutions Code, relating to the duties of probation officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1354—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1355—An act to amend Section 604 of the Welfare and Institutions Code, relating to probation committees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1356—An act to add Section 1767.7 to the Welfare and Institutions Code, relating to the care of paroled persons under the jurisdiction of the Youth Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 696—An act to amend Section 412 of the Code of Civil Procedure, relating to commencement of actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2247—An act to amend Section 2924c of the Civil Code, relating to reinstatement of deeds of trust and mortgages, and attorneys fees in connection therewith

Bill read second time, and ordered engrossed.

Assembly Bill No. 2421—An act to amend Section 19390 of the Government Code, relating to the right of state employees entering the military service to be restored to their former position and civil service status upon termination of such military service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2422—An act to amend Section 19611 of the Education Code, relating to child care centers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2424—An act to amend Section 1331 of the Streets and Highways Code, relating to the county road commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2425—An act to amend Section 3641 of the Corporations Code, relating to the identification of provisions of the articles of incorporation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2426—An act to amend Section 4300 of the Political Code, relating to jurors' fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2427—An act to amend Section 8802 of the Health and Safety Code, relating to cemetery associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2428—An act to add Section 500017.5 to the Government Code, repealing an act entitled "An act in relation to clerks in the Office of the Secretary of State and to provide for their pay," approved April 14, 1853.

Bill read second time, and ordered engrossed.

Assembly Bill No. 267—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and veterans' widows.

Bill read second time, and ordered engrossed.

Assembly Bill No. 268—An act to amend Section 1086.1 of the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of California and for the reimbursement of hospitals and physicians rendering this aid.

Bill read second time, and ordered engrossed.

Assembly Bill No. 503—An act to amend Section 985 of the Military and Veterans Code, relating to veterans' farm and home purchases

Bill read second time, and ordered engrossed.

Assembly Bill No. 2697—An act to add Section 261 to the Revenue and Taxation Code, relating to veterans' and welfare property tax exemptions.

Bill read second time, and ordered engrossed

Assembly Bill No. 2851—An act relating to public officers and their return to public service from service in the armed forces

Bill read second time, and ordered engrossed.

Assembly Bill No. 868—An act to amend Sections 1261 and 1262 of the Military and Veterans Code, relating to veterans' affairs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 748—An act to add Section 10007 to the Penal Code, relating to inspection of public prisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "prisons", insert "and other custodial facilities".

Amendment No. 2

On page 1, line 5, of the printed bill, after "representatives", insert "when accompanied by one or more committee members".

Amendment No. 3

On page 1, line 7, of the printed bill, after "prisons", insert "or other custodial facilities".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Speaker Pro Tempore Presiding

At 10.20 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 188—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 9, of the printed bill, after "or in", insert "educational institutions, approved by the board, which are located in".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 506—An act to add Section 984 to Article 3, Chapter 6, Division 4 of the Military and Veterans Code, relating to farm and home purchases.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 7, of the printed bill, after "United States," insert "whose service may or may not have been continuous,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2295—An act to add Section 19 to the Municipal Utility District Act, relating to municipal utility districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 19 to", and insert "amends Section 974 of".

Amendment No. 2

In line 2 of the title of the printed bill, after "districts", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1 Section 974 of the Municipal Utility District Act is amended to read:

Sec. 974. Any district operating utility works and having a population of not more than five hundred thousand may accept, without limitation by any other provisions of this act requiring approval of indebtedness, loans from any person, firm or corporation for the purpose of financing the construction of an office building for the district, and the acquisition of a site therefor, with appurtenances necessary or convenient thereto. The evidence of the district's indebtedness shall constitute a negotiable instrument.

As used in this section, "construction" includes the meaning of "reconstruction", "repair", "improve", "remodelling", "rehabilitation", and "completion".

SEC. 2. Any municipal utility district which, prior to the effective date of this act, expended other moneys available to it for the purposes set out in Section 974 of the Municipal Utility District Act, as that section is amended by this act, may incur an indebtedness under that section in order to replace moneys so expended.

SEC. 3. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution, and shall therefore go into immediate effect A statement of the facts constituting such necessity is as follows:

The existing law is not clear whether under the authority therein granted municipal utility districts may acquire an existing building for conversion into an office building under the authority of Section 974 of the Municipal Utility District Act or whether that section requires the complete construction of an entirely new building

Certain districts have incurred obligations on the basis of the first interpretation, *in order to obtain office facilities needed for the efficient rendition of public utility* service to their consumers at the earliest possible date, and it is necessary that their authority to borrow money for this purpose be clarified in order that their financial margins may remain adequate."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 189—An act to add Section 587d to the Penal Code, relating to malicious injuries to railroad property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, after "relating to", strike out "Malicious injuries to railroad property.", and insert "the obstruction of the operation of railroad cars, trains or engines."

Amendment No. 2

Strike out lines 3 to 13, inclusive, of the printed bill, and insert

"587d. Every person who shall do any act with the intent or for the purpose of obstructing or stopping the running or operation of any car or cars, train or locomotive engine, or who shall in anywise attempt to prevent any telegraph dispatches or orders for the movement or operation of railroad trains or car or cars or locomotive engines from being sent or received, shall be deemed guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 428—An act to add Section 834 to the Corporations Code, relating to derivative actions by shareholders.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, after "transaction", insert "or any part thereof,".

Amendment No. 2

On page 1, line 13, of the printed bill, after "transaction", insert "or any part thereof".

Amendment No. 3

On page 1 of the printed bill, strike out lines 15 and 16, and insert "ity his efforts to secure from the board of directors such action as he desires and alleges further that he has either informed the corporation or such board of directors in writing of the ultimate facts of each cause of action against each defendant director or delivered to the corporation or such board of directors a true copy of the complaint which he proposes to file, and the".

Amendment No. 4

On page 1 of the printed bill, strike out lines 19 to 24, inclusive; and on page 2, strike out lines 1 to 13, inclusive, and insert

"(b) In any such action, at any time within thirty days after service of summons upon the corporation or any defendant, the corporation or such defendant may move the court for an order, upon notice and hearing, requiring the plaintiff to furnish security as hereinafter provided. Such motion may be based upon one or more of the following grounds:

(1) That there is no reasonable probability that the prosecution of the cause of action alleged in the complaint against the moving party will benefit the corporation or its security holders;

(2) That the moving party, if other than the corporation, did not participate in the transaction complained of in any capacity

The court on application of the corporation or any defendant may, for good cause shown, extend such 30-day period for an additional period or periods not exceeding sixty days

At the hearing upon such motion, the court shall consider such evidence, written or oral, by witnesses or affidavits, as may be material, (a) to the ground or grounds upon which the motion is based, or (b) to a determination of the probable reasonable expenses, including attorney's fees, of the corporation and the moving party which will be incurred in the defense of the action If the court determines, after hearing the evidence adduced by the parties at the hearing, that the moving party has established a probability in support of any of the grounds upon which the motion is based, the court shall fix the nature and amount of security to be furnished by the plaintiff for reasonable expenses, including attorney's fees, which may be incurred by the moving party and the corporation in connection with such action, including expenses for which said corporation may become liable pursuant to Section 830. A determination by the court that security either shall or shall not be furnished or shall be furnished as to one or more defendants and not as to others, shall not be deemed a determination of any one or more issues in the action or of the merits thereof. The corporation and the moving party shall have recourse to such security in such".

Amendment No. 5

On page 2, line 14, of the printed bill, after "court", strike out "in which such action is pending".

Amendment No. 6

On page 2, lines 17 and 18, of the printed bill, after "court", strike out "in which such action is pending".

Amendment No. 7

On page 2, line 19, of the printed bill, after the period, insert "If the court, upon any such motion, makes a determination that security shall be furnished by the plaintiff as to any one or more defendants, the action shall be dismissed as to such defendant or defendants, unless the security required by the court shall have been furnished within such reasonable time as may be fixed by the court.

(c) If any such motion is filed, no pleadings need be filed by the corporation or any other defendant, and the prosecution of such action shall be stayed, until 10 days after such motion shall have been disposed of."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 695—An act to amend Section 1126 of the Probate Code, relating to testamentary trusts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, after "to", insert "declare a vacancy and".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 821—An act to add Section 649.5 to the Penal Code, relating to restrictive covenants and other restrictions based on race or religion.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "religion", strike out ", or who-" ; and in line 6, beginning at the beginning of the line, strike out "ever advocates,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1122—An act to add Section 812 to the Civil Code, relating to estates in real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "arising", and insert "claimed".

Amendment No. 2

On page 1, line 5, of said bill, strike out "lots", and insert "any lot".

Amendment No. 3

On page 1, line 12, of said bill, strike out "or", and insert "to such".

Amendment No. 4

On page 1, line 12, of said bill, strike out "in", and insert "over all or any part of".

Amendment No. 5

On page 1, line 13, of said bill, strike out "streets", and insert "street".

Amendment No. 6

On page 1, line 13, of said bill, strike out "highways", and insert "highway".

Amendment No. 7

On page 1, line 13, of said bill, strike out "as", and insert "which is".

Amendment No. 8

On page 1, line 13, of said bill, strike out "therein", and insert "in such notice".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1338—An act to add Section 1 7 to the Judges' Retirement Act, relating to retirement of judges for service

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 16, inclusive, and insert "municipal court, who has attained the age of 70 years and who has been a judge of such court or any court which was later superseded by a municipal court, or any combination of such courts, for a period of 10 years in the aggregate, and who has served as a public officer of the State, any county, city and county, or city, including time served as judge, for 34 years of the 35 years preceding his retirement, may retire if he pays into the Judges' Retirement Fund a sum equal to the amount he would have paid had he been a justice or a judge of the court from which he is retiring for the period of 20 years next preceding his retirement, less contributions actually paid by him. Said contributions shall be computed by ascertaining the average

annual amounts paid by the judge or justice for the period during which he actually made contributions to the Judges' Retirement Fund and applying this rate to the period of 20 years."

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1393—An act to add Section 373.5 to the Code of Civil Procedure, relating to the appointment and compensation of guardian ad litem for unborn and unascertained persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "persons", insert "of a designated class who are".

Amendment No. 2

On page 1, line 4, of said bill, after "ascertained or", insert "who are".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1630—An act to amend Section 1187 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out "Section 1187", and insert "Sections 1187 and 1190".

Amendment No. 2

On page 2, lines 22 and 23, of said bill, strike out "(or his successor in interest at the date a notice of completion or cessation from labor is filed for record)".

Amendment No. 3

On page 2, line 25, of said bill, after "repaired", insert "(or his successor in interest at the date a notice of completion or cessation from labor is filed for record)".

Amendment No. 4

On page 3 of said bill, after line 14, insert

"Paragraph 2. Section 1190 of said code is amended to read:

1190. No lien provided for in this chapter binds any property for a longer period than 90 days after the same has been filed, unless proceedings be commenced in a proper court within that time to enforce the same; or, if a credit be given and notice of the fact and terms of such credit be filed in the office of the county recorder subsequent to the filing of such lien and prior to the expiration of said 90 day period, then 90 days after the expiration of such credit; *provided, that as to any person acquiring an interest in or lien upon the property for value and in good faith subsequent to expiration of such 90 day period, such lien shall be conclusively presumed to have been extinguished unless prior to acquisition of such interest or lien proceedings to enforce the lien have been commenced as required herein and a notice of pendency of such proceedings has been filed for record as provided in Section 409 of the Code of Civil Procedure;* but no lien continues to force for a longer time than one year from the time the work is completed, by any agreement to give credit, and in case such proceedings be not prosecuted to trial within two years after the commencement thereof, the court may in its discretion dismiss the same for want of prosecution, and in all cases the

dismissal of such action (unless it be expressly stated that the same is without prejudice) or a judgment rendered therein that no lien exists, shall be equivalent to the cancellation and removal from the record of such lien."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2945—An act to add Section 754.6 to the Probate Code, relating to the sale of property in probate.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after the comma, insert "or consists of any oil or gas leasehold interest,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 600—An act to amend Sections 35 and 515.1; to repeal Sections 35 5 and 620 5 of; and to add Sections 620.5 and 670.1 to the Vehicle Code, relating to speed limit applicable to and equipment required on motor-driven cycles.

Bill read third time.

Bill ordered passed on file temporarily.

Speaker Presiding

At 10 36 a.m., Hon. Sam L Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 604—An act to amend Section 109 of, and to add Sections 128 2, 135, and 139 40 to the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the Department of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Elliott, Evans, Fletcher, Fleury, Grant, Hagen, Hahn, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thompson, and Way—41.

NOES—Clarke, Collier, Dunn, Geddes, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lowrey, Morris, Reagan, and Silliman—13.

Notice of Motion to Reconsider Assembly Bill No. 604

Mr. Silliman gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 604 was this day passed.

MOTION THAT GENTLEMEN BE PERMITTED TO REMOVE THEIR COATS

Mrs. Niehouse moved that the gentlemen Members of the Assembly, the press, and of the attaches, be permitted to remove their coats if they so desire.

Mr. Cramer seconded the motion.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 606—An act to amend Sections 146, 175, and 185 of the Vehicle Code, relating to registration and transfer of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Stanley, Thompson, Tomlinson, Way, Weber, and Mr Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 607—An act to amend Sections 195, 196, and 197 of, and to repeal Section 195.5 of the Vehicle Code, relating to chattel mortgages on registered vehicles.

Bill read third time.

Motion to Amend

Mr. Berry moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, after "vehicles", insert ", and declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2 of the printed bill, after line 24, insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

This act deletes the requirement of filing chattel mortgages with the Department of Motor Vehicles in Sacramento. Under the present law an extreme hardship is visited upon those holding chattel mortgages over vehicles because of the ability of attaching creditors to attach a vehicle during the time the chattel mortgage is in transit to the department. This hardship must be alleviated with the least possible delay."

Amendments read.

Point of Order

Mr. Conrad arose to the following point of order: That Mr. Doyle is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Berry.

Motion That Assembly Bill No. 607 Be Re-referred to Committee

Mr Cooke moved that Assembly Bill No 607 be re-referred to the Committee on Transportation and Commerce.

Mr. Doyle seconded the motion.

Motion lost.

The question being on the adoption of the amendments offered by Mr. Berry to Assembly Bill No. 607.

Amendments refused adoption.

The question being on the passage of Assembly Bill No. 607.

Request for Unanimous Consent That Assembly Bill No. 607 Be Re-referred to Committee

Mr. Berry asked for, and was granted, unanimous consent that Assembly Bill No. 607 be re-referred to the Committee on Transportation and Commerce.

MEMBERS EXCUSED

At 11 a.m., Mr. Ralph C. Dills asked for, and was granted, unanimous consent that he and Messrs. Hollibaugh and Grunsky, be excused for the purpose of attending a meeting of the Joint Committee on Lending Transactions, in the Senate, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 610—An act to add Section 378.2 to, and to amend Sections 379 and 381 of the Vehicle Code, relating to fees for registration of motor vehicles and for issuance of operator's and chauffeur's licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ANALYSIS OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Morris asked for, and was granted, unanimous consent that the following analysis of the Legislative Counsel, relative to Assembly Bill No. 21, be printed in the Journal:

Analysis of Assembly Bill No. 21 by Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL, SACRAMENTO

ANALYSIS OF ASSEMBLY BILL NO. 21, RELATING TO STATE ASSISTANCE THROUGH THE DEPARTMENT OF VETERANS AFFAIRS IN THE FINANCING OF MASS RESIDENTIAL HOUSING AND OTHER FACILITIES INCIDENTAL OR APPURTENANT THERETO, AND MAKING AN APPROPRIATION THEREFOR. NO. 4776

Defines "borrower" as any corporation formed under the Limited Dividend Housing Corporations Act (Act 3481), the articles of incorporation of which state that it is a corporation which does not contemplate the distribution of gains, profits, or dividends to the members or shareholders thereof

Defines "project" as provision for mass residential housing, including commercial, industrial, public, recreational, and other facilities incidental or appurtenant thereto.

Creates in Department of Veterans Affairs new division to be known as the Division of Construction Amortization, to be administered by the Manager of Construction Amortization.

Authorizes Department of Veterans Affairs to approve construction loans made to borrowers to finance the construction of projects, to an aggregate unpaid amount of $300,000,000 if loans meet requirements of bill, and, after the recording of an agreement between the borrower and the department, to pay all interest on such loans during period of construction and for 90 days thereafter, and all interest over 2 percent per year on the principal thereafter outstanding. Specifies that in event of default on a loan, payment of principal and interest shall not be accelerated without the express permission of the department, but permits department to take possession of and operate project, or to return it to borrower on such condition as department approves.

To qualify for approval, loans must be repayable in not less than 50 years in equal monthly installments, and bear interest not over 4½ percent per year; borrower must own site of project or have lease for term longer than term of loan; plan of construction of project and means of financing it must be economically sound, in opinion of department; borrower must agree to lease units of project in all cases of equal need to veterans, and rent schedule for project must be approved by department. Rentals are to be fixed so as to make project self-supporting and self-liquidating without profit to borrower. Rentals in excess of approved schedule may not be charged without approval of department. No part of principal of loans may be lent or paid out of state moneys received as tax proceeds.

Appropriates from General Fund sum necessary for interest payments, not to exceed $5,075,000 annually, to carry out its provisions. Prohibits use of General Fund appropriations for purposes other than payment of interest on loans, or support of Division of Construction Amortization, and limits such support to $75,000 annually.

FRED B. WOOD, Legislative Counsel
By MRS. HARRIETT R. BUHLER, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 611—An act to amend Section 383 of the Vehicle Code, to amend Section 10901 of the Revenue and Taxation Code, and to amend Section 11, Chapter 788, Statutes of 1937, as amended, relating to the refund of fees collected thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 612—An act to add Section 383.2 to the Vehicle Code, relating to the refund of fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 388—An act to amend Section 697 of the Vehicle Code, relating to the height and length of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Condon, Cooke, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—55.

NOES—Butters, Collier, and Lowrey—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 602—An act to amend Section 81 of, and to add Section 90 2 to the Vehicle Code, relating to definitions of certain terms used therein.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 738—An act to amend Section 130 of the Vehicle Code, relating to records of the Department of Motor Vehicles.

Bill read third time.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Thomas has exceeded his time.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 738.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dolwig, Elliott, Evans, Fletcher, Fleury, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Thomas, Thompson, Tomlinson, and Way—41

NOES—Brady, Brown, Burkhalter, Caldecott, Collier, Conrad, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Geddes, Heisinger, Hinckley, Huyck, Levering, Reagan, Silliman, Smith, Stewart, Waters, and Mr. Speaker—22.

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 600

Assembly Bill No. 600—An act to amend Sections 35 and 515.1: to repeal Sections 35.5 and 620.5 of; and to add Sections 620 5 and 670.1 to the Vehicle Code, relating to speed limit applicable to and equipment required on motor-driven cycles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No 1078

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER. Your Committee on Rules, to which were referred:

Assembly Bill No. 1405
Assembly Bill No. 1406
Assembly Bill No. 2878

Has had the same under consideration, and reports the same back without recommendation; be re-referred to the standing Committee on Governmental Efficiency and Economy.

DICKEY, Chairman

Above reported bills ordered re-referred to the Committee on Governmental Efficiency and Economy.

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 60

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 60—Relative to general observance of Cabrillo Day and authorizing the Governor of the State of California to make appropriate proclamation with respect thereto.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 601—An act to add Sections 37.1 and 670.6 to, and to amend Section 141 of the Vehicle Code, relating to auxiliary dollies, the registration thereof, and brakes thereon.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.13 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 605—An act to amend Sections 140.1 and 142 of, and to add Section 140.2 to the Vehicle Code, relating to permits for the operation of and registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brown, Burke, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hoffman, Hollibaugh, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Mr. Speaker—42

NOES—Anderson, Beck, Bennett, Brady, Burkhalter, Cooke, Davis, Ralph C Dills, Doyle, Geddes, Hawkins, Heisinger, Kirkwood, Lowrey, McCarthy, Rosenthal, Waters, and Way—18.

Bill ordered transmitted to the Senate.

Assembly Bill No. 603—An act to amend Section 576 of the Vehicle Code, relating to vehicles which must stop at crossings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 112

By Messrs. Clayton A. Dills, Beck, Fletcher, Bennett, Hawkins, Crowley, Lowrey, Anderson, Ralph C. Dills, Doyle, Rosenthal, George D. Collins, Thomas, Burkhalter, Brown, Kilpatrick, Moss, Crichton, Hagen, Meyers, Condon, Cooke, McMillan, Heisinger, Dunn, Elliott, Brady, Davis, Coats, Lewis, Berry, Gaffney, Rumford, and McCarthy:

House Resolution No. 112

Relative to the amounts and availability of state funds

WHEREAS, There appears to be grave doubt as to the accuracy and completeness of the reports issued to the Legislature respecting the number, amounts and purposes of funds held in reserve by numerous departments of the State Government; and

WHEREAS, There is no agreement by fiscal officers of the State and the Legislative Auditor as to the availability of money held in these funds for General Fund use purposes; now, therefore, be it

Resolved by the Assembly of the State of California, That an Assembly Standing Committee on Revenue and Taxation is hereby requested and directed to call before that committee simultaneously within the next seven days the Director of Finance, the State Treasurer, the State Controller, the Legislative Auditor and any other state official who the committee may believe is possessed of information regarding the fiscal affairs of the State for the purpose of investigating this entire situation; and be it further

Resolved, That the Committee on Revenue and Taxation report their findings thereon to the Assembly.

Resolution read.

Point of Order

Mr. Rosenthal arose to the following point of order: That Mr Conrad is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of House Resolution No. 112.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Conrad is out of order.

Ruling by Speaker

Speaker Sam L Collins ruled that, as Mr. Conrad had finished his remarks, the point of order is not well taken.

The question being on the adoption of House Resolution No. 112.

Demand for Previous Question

Messrs. Waters, Evans, Burke, Morris, and Reagan demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 112.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—75.

NOES—Babbage and Evans—2.

Explanations of Vote

My vote for this resolution was solely to express my desire that our membership should become informed concerning all state funds. Almost all the information sought

by the resolution is found on page A18 of the Budget Few members have attended Ways and Means Committee hearings on this subject.

MARVIN SHERWIN

My reason for voting "No" on House Resolution No. 112 is that while the proponents claim there is no party policy involved, it appears strange to me that in the Assembly Journal of March 10, 1949, page 987, you will find that the resolution was introduced by the entire Democratic bloc as coauthors, numbering 34; and the charges made will involve Governor Earl Warren, Republican; Thomas Kuchel, Controller, Republican; Gus Johnson, Treasurer, Republican; and James Dean, Director of Finance, Republican.

I cannot honestly see how the argument could be made on a fair basis that this was not a political maneuver. Therefore, my "No" vote.

JOHN W. EVANS

In explanation of my "No" vote on House Resolution No. 112, this day passed, I wish to state that I oppose the language in the first whereas clause inferring that the state officers concerned have not been accurate in the handling of state funds. I believe the necessary information is available without this undesirable inference and without the political implications of this resolution.

JOHN BABBAGE

QUESTION OF PERSONAL PRIVILEGE

Mr. Cramer arose to a question of personal privilege.

REQUEST FOR UNANIMOUS CONSENT

Mr. Cramer asked for, and was granted, unanimous consent that the following statement be ordered printed in the Journal:

STATEMENT BY MR. CRAMER

Today I arose to a question of personal privilege because a San Diego newspaper has attacked my integrity on the introduction of Assembly Bill No. 2217, and many copies of this newspaper article have been circulated in an effort to discredit me. This legislative measure was introduced by me at the request of a group of citizens in my district and, as this is still a free country, even the minority is entitled to a voice in it. I would be remiss in my obligations as an elected representative in my district if I were not fair and impartial to all of the people I represent.

HOWARD K. CRAMER

MEMBER EXCUSED

At 2.55 p.m., Mr. Rumford asked for, and was granted unanimous consent that Mr. Lincoln be excused for the balance of the legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Crowley:

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend the title of Chapter 5.5 of, and to amend Section 2426 of, the Health and Safety Code, relating to mosquito and gnat control, to take effect immediately.

Respectfully submitted.

ERNEST C. CROWLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Crowley:

An act to amend the title of Chapter 5.5 of, and to amend Section 2426 of, the Health and Safety Code, relating to mosquito and gnat control, to take effect immediately.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3102: By Mr Crowley—An act to amend the title of Chapter 5.5 of, and to amend Section 2426 of, the Health and Safety Code, relating to mosquito and gnat control, to take effect immediately.

Referred to Committee on Public Health.

Assembly Concurrent Resolution No. 61: By Mr. Crowley—Relative to reports of the annual conventions of the Regular Veterans.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Hahn and Collier:

House Resolution No. 125

Relative to adding Rule 13.5 to the Standing Rules of the Assembly, relating to officers and attaches

Resolved by the Assembly of the State of California, That Rule 13.5 is added to the Standing Rules of the Assembly, to read:

13.5. All officers of the Assembly, except those officers who are members, all attaches, and all employees of all Assembly standing and interim committees, who are employed for a period of 10 days or longer, shall file an affidavit with the Chief Clerk of the Assembly showing all persons by whom employed and all sources from which they have received any income during the past three years, all sources of income at the present time, and all income which they expect to receive for outside services during their tenure in their present legislative position. Such affidavits shall be filed by each officer, attache, or employee when he commences his employment and at the commencement of each general session.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Hahn and Collier:

House Resolution No. 126

Relative to employees of the Legislative Counsel

Resolved by the Assembly of the State of California, That the Legislative Counsel shall require all employees of the Legislative Counsel Bureau who are employed for a period of 10 days or longer to file with him an affidavit showing all persons by whom employed and all sources from which they have received any income during the past three years, all sources of income at the present time, and all income which they expect to receive for outside services during their tenure in their present position. The Legislative Counsel shall require such affidavits from each employee at the commencement of each general session.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS BE PERMITTED TO HOLD MEETING

At 3 p.m., Mr. Ralph C. Dills asked for, and was granted, unanimous consent that the members of the Committee on Manufacturing, Oil, and Mining Industry be permitted to hold a meeting, at his desk, for the purpose of considering author's amendments to Assembly Bill No. 447, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 2	Assembly Bill No. 1161
Assembly Bill No. 294	Assembly Bill No. 1293
Assembly Bill No. 297	Assembly Bill No. 1349
Assembly Bill No. 299	Assembly Bill No. 2141
Assembly Bill No. 300	Assembly Bill No. 2143
Assembly Bill No. 304	Assembly Bill No. 2144
Assembly Bill No. 325	Assembly Bill No. 2285

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred.

Assembly Bill No. 135	Assembly Bill No. 372
Assembly Bill No. 298	Assembly Bill No. 494
Assembly Bill No. 301	Assembly Bill No. 1290

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 447

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DILLS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 16
Assembly Concurrent Resolution No 58

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO RECALL ASSEMBLY BILL NO. 738 FROM SENATE

Mr. Dickey asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 738 to the Assembly, for further action.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returned as per your request:

Assembly Bill No. 738

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 738

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 738 was this day passed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Upon adjournment today—

Subcommittee on Finance and Insurance. Subject: Assembly Bill No. 994 re State Banking Act.

Conservation, Planning, and Public Works.

Governmental Efficiency and Economy.

Tonight at 8 p.m.—

Municipal and County Government, in Room 426.

Constitutional Amendments.

Education, in Room 432.

Upon adjournment tomorrow, Thursday, March 17th—

Subcommittee on Finance and Insurance. Subject: Assembly Bill No. 994 re State Banking Act.

At 3 p.m. on Thursday, March 17th—

Transportation and Commerce.

At 8 p.m., tomorrow night, Thursday, March 17th—

Subcommittee on Finance and Insurance. Subject: Assembly Bill No. 994 re State Banking Act.

At 9 a.m., Friday morning, March 18th—

Rules.

It was announced that the following committee would hold no meeting tomorrow morning, Thursday, March 17th:

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Jesse Vetter of Couer d'Alene, and B. A. Westerlund of Idaho. Mr. Vetter and Mr. Westerlund are Members of the Idaho Legislature.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to General and Mrs. Wayne Allen, and Mr. and Mrs Al Lama of Los Angeles.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman Jack Massion of Los Angeles

On request of Mr. Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Thomas E. Caldecott and Miss Micheline Angustini of Berkeley.

On request of Mr Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. W G Martin of Los Angeles

On request of Messrs Sam L. Collins, Levering, Conrad, and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to George Jessel and his party.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Bert C. Wenzel of Hollywood

On request of Mr Davis the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gladys Berglund, Mrs. Cornelia Smith, Mrs. Emma Metcalf, and Miss Desmond, instructors; Mrs John Poytress and Mrs Vaughan, mothers; and the following pupils of the Center School and the Ravendale School from Lassen County: Dale Weigand, Jack Poytress, Jack Goodyear, Mabel Donzelli, Wayne Hancock, Elton Cannon, Carmella Donzelli Aruthur Phelps, Phillip Hatch, Linda Garate, and Leanna Garate

On request of Mr Dunn, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Ashland School of San Lorenzo: Claudette Alameda, Dorothy Arnold, George Brallier, Carolyn Caswell, Floyd Callaway, Bennie June Clary, Minnie Cook, Frances Davis, Marion Davis, Donald Douglas, Jane Dunn, Ronnie Hernandez, Carole Huddleson, Franklin Hammond, Reta Harris, Betty Heeren, Johnny Hermoso, Stanley Hernandez, Bob Johnson, Ted Kennison, Leland Lewis, Ann Meli, Steve Mennet, Ronald Moniz, Joe Morreira, Patricia Nystrom, Marlene Reams, Roberta Redmayne, Lorna Reese, Tony Relva, Beverly Rogers, Alta Rose, Arthur Rutherford, Helen Silhavy, Saralee Smith, George Snyder, Russell Talbot, Richard Thompson, Gilbert Troche, and Jo Ann Brookshire

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Klus and Marie

Barthe, advisors; and the following pupils of the Livermore Union High School: Joy Michell, Bettyann Orloff, Richard Owens, Kitsy Peterman, Don Rego, Wayne Riggs, Elinor Robertson, Tom Ross, Dolores Ruiz, John Saboraria, Lois Smith, Jolene Thompson, Marlene Walker, Elsabeth Walsted, Madeline Weaver, Sue Weaver, Evelyn Weimer, Annie Aflague, Barbara Archer, Barbara Barthe, Yvonne Bass, Bobbe Beatty, Bill Berkowitz, Richard Brinton, Richard Callaghan, Jim Clawson, Beverly Clement, Joe Dickinson, Gloria Ann Dik, Jeanette Fornaciari, Barbara Hachmann, Larry Hartman, Mary Henriques, Lou Hobbs, Jacquie Ingles, Mary Lou Kelly, and Wilma Klus.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Louis Sbarbara of Weed.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the Sacramento Woman's Council: Mrs. Gerald Rifkin, Mrs. E. A. Schwing, Mrs. Chas. R. Theyson, Mrs. Marie Kneeland, Mme. Winifred Lucia Fisher, Mrs. T. J. Clark, Mrs. H. H. Johnson, Mrs. John A. Johnson, Mrs. Mary Marchand, Mrs. Evelyn C. Crinshaw, Ella E Harris, Joe L. Monce, Sadio Daley, Margaret Walls, Mrs. J. W. Richardson, Rozella McHenry, Annie Steeves, Mrs Vila M. Brooks, Mrs. Susan H Roberts, Adelle Dyke, Belle D. Danforth, Mrs D. E. Wyatt, Mrs. C. F. Vardon, Mamie L. Denton, Mrs. George D. Azevedo, Mrs F. P. Demstan, Mrs. Charles L. Walker, Mrs. B. E. Eastburn, Mrs. Annie Adams, Mrs. Ada Hildebrand, Pearl Morris, Miolet A. Virke, Mrs. F. J. Brorsen, Mrs. Tom Bridges, Mrs. Charles Materne, Mrs. A. J. Beakey, Mrs J. A. Pembroke, Mrs. Edson League, Mrs. Virginia Whetstone, Ruth A Upp, Margaret Gibson, Myrtle H. Jensen, Mrs. W. R. Wilson, Mrs. J. L. Harbough, Muriel Moe, Mrs. Ethel Bueryer, Mrs. J. H. Honeychurch, Mrs. Martin E. Simmonds, Mrs. Vesta Squire, Mrs. Alice M. Longstreth, Mrs. Warren Reymond, Mrs. H. L Abbott, Mrs. Walter Kiekeuapp, Mrs. Ellsworth Frank, Mrs. R. W. McCluskey, Clara D. England, Mrs. Nevadna Shaw, and Mrs. Rolland Vandegrift.

ADJOURNMENT

At 3 03 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Thursday, March 17, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-EIGHTH LEGISLATIVE DAY

SEVENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 17, 1949

The Assembly met at 10 a m
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Spirit of Toleration: In this age of confusion, with so many differences of belief and opinion, we pray for the spirit of toleration.

May we respect with the greatest sincerity the people who disagree with us on the issues of today, whether on religious or in political life, and honor men for the courage of their convictions.

Give us the mind to see that liberty means freedom of mind and soul, and where these freedoms are restricted, the initiative which is the genius of progress is stifled

Let us hear the rattling of the chains of tyranny in every effort to muzzle the Basic Freedoms.

God forbid that those who are allowed to differ from our fundamental beliefs should take a selfish advantage, to use the privilege of freedom to destroy the Fountain of our liberties.

May every class and group remember that all the unparalleled blessings of daily comfort, culture and equal opportunity spring from the spirit that respects the conscience of all and seeks to exploit none —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Thompson, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Way, on motion of Mr. Condon.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Burke, on motion of Mr. Grant.

Mr. Kilpatrick, on motion of Mr. Cooke.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Miss Ruth Lehman, of Los Angeles, relative to opposing Assembly Bill No. 434, was received, read, and ordered noted in the Journal.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 564

Has had the same under consideration, and reports the same back without recommendation; be re-referred to Committee on Conservation, Planning, and Public Works.

STANLEY, Chairman

Above reported bill ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 243
Assembly Bill No. 100
Assembly Bill No. 101
Assembly Bill No 239

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 583
Assembly Bill No. 149
Assembly Bill No. 422
Assembly Bill No 521
Assembly Bill No 522

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2541
Assembly Bill No. 158
Assembly Bill No. 265
Assembly Bill No. 1012
Assembly Bill No 2370
Assembly Bill No. 1360
Assembly Bill No. 556
Assembly Bill No. 2840

Has the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1676
Assembly Bill No. 2710

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred.

Assembly Bill No 347

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 346

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 167

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 67
Assembly Bill No. 111
Assembly Bill No. 260
Assembly Bill No. 1174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 40
Assembly Bill No 193
Assembly Bill No. 642
Assembly Bill No. 1744
Assembly Bill No. 1777
Assembly Bill No. 2298

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 350

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

WEBER, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 330
Assembly Bill No. 1352

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BENNETT, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 14, 1949

MR SPEAKER: Your Committee on Crime and Correction, to which was referred

Assembly Bill No. 1604

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BENNETT, Vice Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 188
Assembly Bill No. 506
Assembly Bill No. 748

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 267
Assembly Bill No. 268
Assembly Bill No. 331
Assembly Bill No. 416
Assembly Bill No 503
Assembly Bill No. 696
Assembly Bill No. 868
Assembly Bill No. 1253
Assembly Bill No. 1254
Assembly Bill No. 1255
Assembly Bill No. 1354
Assembly Bill No. 1355
Assembly Bill No 1356
Assembly Bill No. 2247
Assembly Bill No. 2387
Assembly Bill No. 2421
Assembly Bill No. 2422
Assembly Bill No. 2424
Assembly Bill No. 2425
Assembly Bill No 2426
Assembly Bill No. 2427
Assembly Bill No. 2428
Assembly Bill No. 2697
Assembly Bill No 2851

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 229
Senate Bill No. 263
Senate Bill No. 322
Senate Bill No 1034
Senate Bill No. 1035

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 229—An act to add Section 12500 to the Education Code, relating to fees for credentials and life diplomas.

Referred to Committee on Education.

Senate Bill No. 263—An act to amend Section 8051 of the Education Code, relating to the performance of services by governing boards of school districts and county superintendents of schools.

Referred to Committee on Education

Senate Bill No. 322—An act to add Section 20454.1 to the Education Code, relating to the giving of bonds in connection with the maintenance of Reserve Officer Training Corps units at state colleges, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1034—An act to amend the heading of Article 3 of Chapter 9 of Division 4 and Sections 9651 and 9652 of the Education Code, relating to physically handicapped minors.

Referred to Committee on Education.

Senate Bill No. 1035—An act to repeal Sections 17252 to 17261, inclusive, of the Education Code, and to add Section 17252 to said code, relating to the education of the deaf.

Referred to Committee on Education.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Beck asked for, and was granted, unanimous consent that the bills on the second reading file, without amendments, be deemed read.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 904—An act to add Section 1045 to the Agricultural Code, relating to fertilizing materials.

Bill read second time, and ordered engrossed

Assembly Bill No. 905—An act to amend Sections 1010 and 1011 of the Agricultural Code, relating to spray residue

Bill read second time, and ordered engrossed

Assembly Bill No. 921—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 923—An act to amend Section 18 1 of the Agricultural Producers Marketing Act, relating to amendments to marketing programs and declaring the urgency of this act, to take effect immediately

Bill read second time, and ordered engrossed

Assembly Bill No. 924—An act to add Section 1276 to the Agricultural Code, relating to the disposition and use of moneys derived from provisions of said code, pertaining to produce dealers and processors

Bill read second time, and ordered engrossed

Assembly Bill No. 1314—An act to amend Section 802 of the Agricultural Code, relating to standards for grapes, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 63—An act to amend Section 19 6 of the Fish and Game Code, relating to the Fish and Game Commission and extending the period during which its general regulatory powers shall continue in existence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 207—An act to amend Section 29.1 of the Fish and Game Code, relating to bounties on crows and magpies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 882—An act to amend Sections 990 and 990 1 of the Fish and Game Code, relating to commercial fishing licenses

Bill read second time, and ordered engrossed.

Assembly Bill No. 874—An act to amend Section 783 of the Fish and Game Code, relating to lobsters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1408—An act to repeal Section 692 of the Fish and Game Code, relating to District 22

Bill read second time, and ordered engrossed.

Assembly Bill No. 1411—An act to add Section 976 to the Fish and Game Code, relating to mudsuckers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1413—An act to repeal Section 995 3 of the Fish and Game Code, relating to taking sheepshead and eel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 842—An act to amend Section 500 of the Agricultural Code, relating to milk and milk products inspection

Bill read second time, and ordered engrossed.

Assembly Bill No. 1489—An act to add Section 491 5 to the Fish and Game Code, relating to general regulations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 908—An act to repeal Sections 215.8, 215 9 215.10, 215.11, 215.12, and 215 17 of the Agricultural Code, relating to the licensing of swine salesyards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1640—An act to amend the title of Article 1 of Chapter 4, and Section 380 51 of the Agricultural Code, relating to swine.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1945—An act to amend Section 600 of the Agricultural Code, relating to scoring of butter.

Bill read second time, and ordered engrossed.

Assembly Bill No. 417—An act to amend Section 871 of the Welfare and Institutions Code, relating to support of wards of the juvenile court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 419—An act to amend Section 638 of the Welfare and Institutions Code, relating to the duties of probation officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 420—An act to amend Section 721 of the Welfare and Institutions Code, relating to the duties of probation officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1748—An act to amend Section 1501 of the Welfare and Institutions Code, relating to definition of terms.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1749—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1750—An act to amend Section 160 of the Welfare and Institutions Code, relating to the transfer of mental patients to the states of their residence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1753—An act to amend Section 6727 of the Welfare and Institutions Code, relating to the furnishing of needed clothing or money to patients discharged, paroled, or on leave of absence from state hospitals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1754—An act to add Sections 6660 1 and 6660.2 to the Welfare and Institutions Code, relating to the investment of funds held by the Department of Mental Hygiene as guardian or other fiduciary.

Bill read second time, and ordered engrossed

Assembly Bill No. 1755—An act to amend Section 6500.3 of the Welfare and Institutions Code, relating to the state institution for epileptics, and for mentally defective physically handicapped persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 450—An act to amend Sections 21200 and 21201 of, and to add Section 21202 to the Corporations Code, relating to the property of certain unincorporated associations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 518—An act to amend Sections 1203.1 and 1203a of the Penal Code, relating to the terms and conditions of probation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 701—An act to amend Section 537 of the Code of Civil Procedure, relating to attachments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1098—An act to amend Section 689c of the Code of Civil Procedure, relating to application of proceeds of sale or execution.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1099—An act to amend Section 581a of the Code of Civil Procedure, relating to dismissal on lack of prosecution.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1102—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1104—An act to amend Section 1166a of the Code of Civil Procedure, relating to unlawful detainer.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1111—An act to amend Section 689b of the Code of Civil Procedure, relating to executions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1605—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

Bill read second time, and ordered engrossed.

Assembly Bill No. 792—An act to amend Section 7329 of the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered engrossed.

Assembly Bill No. 794—An act to amend Section 7301 of the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered engrossed.

Assembly Bill No. 797—An act to amend Section 7302 of the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1318—An act to amend Section 4162 of the Business and Professions Code, relating to hypodermic syringes and needles.

Bill read second time, and ordered engrossed

Assembly Bill No. 2150—An act to amend Section 7726 of the Business and Professions Code, relating to licenses of funeral directors and embalmers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1078—An act providing for the compilation, publication, and distribution of a State Blue Book.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2—An act to amend an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, by adding Sections 48.1 to 48.9, inclusive, thereto, relating to the withdrawal of land from registry under the said act, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution

Bill read second time, and ordered engrossed.

Assembly Bill No. 294—An act to amend Section 373 of, and to add Section 373.5 to, the Elections Code, relating to indexes of registration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 297—An act to amend Sections 7930 and 7931 of the Elections Code, relating to canvass of election returns.

Bill read second time, and ordered engrossed

Assembly Bill No. 299—An act to repeal Section 7103 of, and to amend Section 7104 of, the Elections Code, relating to the return of precinct supplies to the county clerk.

Bill read second time, and ordered engrossed.

Assembly Bill No. 300—An act to amend Sections 4530 and 4536 Elections Code, relating to campaign expenditures.

Bill read second time, and ordered engrossed.

Assembly Bill No. 304—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative, referendum and recall petitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 325—An act to amend Sections 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2750, 2753, 2795, 2798, and 2804 of the Elections Code, relating to elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1161—An act to amend Section 331 of the Elections Code, relating to affidavits of registration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1293—An act to amend Sections 668, 668.5, 669, 670, 671, 672, 672.5, 673, and 674 of the Elections Code, relating to the publication of lists of election officers and polling places.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1349—An act to add Section 7964.5 to the Elections Code, relating to precinct boards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2141—An act to amend Section 4533 of the Elections Code, relating to campaign statements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2143—An act to amend Section 8007 of the Elections Code, relating to recount of ballots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2144—An act to amend Section 330.5 of the Elections Code, relating to affidavits of registration.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2285—An act to amend Sections 7015, 7016 and 7020 of the Elections Code, relating to canvass of ballots

Bill read second time, and ordered engrossed.

Assembly Bill No. 309—An act to add Section 803 5 to the Agricultural Code, relating to nectarines, prescribing standards of quality and regulating the packing thereof, declaring the emergency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 790 and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 790 of the Agricultural Code is amended to read:

790. There are hereby established standards for fruits, nuts and vegetables which shall include apricots, avocados, berries, cherries, citrus fruits, dates, grapes, *nectarines*, peaches, pears, oriental persimmons, plums, and fresh prunes, "wonderful" pomegranates, quinces, walnuts, artichokes, asparagus, Brussels sprouts, cantaloupes, carrots, cauliflower, celery, green corn, head lettuce, Italian sprouting broccoli, melons, onions, peas, potatoes, sweet potatoes, tomatoes and apples

SEC. 2. Section 803 5 is added to said code, to read "

Amendment No. 3

On page 1, line 4, of said bill, after "flesh," insert "split pits which are visible,"

Amendment No. 4

On page 1 of said bill, strike out lines 10 and 11

Amendment No. 5

On page 1 of said bill, strike out lines 17 to 20, inclusive, and insert

"Except in the case of nectarines affected by split pits which are visible, not more than 10 percent, by count, of the nectarines in any one container or bulk lot may be below these requirements, but not to exceed one-half of this tolerance shall be allowed for any one cause. In the case of nectarines affected by split pits which are visible, an additional tolerance of not more than 10 percent, by count, of the nectarines in any one container or bulk lot shall be allowed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 903—An act to amend Section 123.55 of the Agricultural Code, relating to intercounty nursery stock certificates

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "this", and insert "his"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 920—An act to amend Section 108 of the Agricultural Code, relating to the control or eradication of pests.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out both commas

Amendment No. 2

On page 1, line 25, of the printed bill, strike out the comma.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT PROPOSED COMMITTEE AMENDMENTS TO BILLS, ON SECOND READING, BE DEEMED READ AND APPROVED

Mr. Maloney asked for, and was granted, unanimous consent that the proposed committee amendments to bills, on second reading, be deemed read and unanimously approved.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 871—An act to amend Section 1011 of the Fish and Game Code, relating to licenses

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, after "licenses", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, following line 9, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Two of the most important sources of our food supply are the commercial fishing industry and the distributors of fresh fish Licensing of retailers of fresh fish was not intended when this law was enacted, and has reduced the distribution of a food valuable to our citizens, as well as increasing its cost. License fees are due and payable July 1st and unless exempted will continue the higher costs to consumers."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 881—An act to amend Section 1010 of the Fish and Game Code, relating to licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, after "licenses", insert ", declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 1 of said bill, following line 12, insert

"SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

Two of the most important sources of our food supply are the commercial fishing industry and the distributors of fresh fish. Licensing of retailers of fresh fish was not intended when this law was enacted, and has reduced the distribution of a food valuable to our citizens, as well as increasing its cost. License fees are due and payable July 1st and unless exempted will continue the higher costs to consumers."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1107—An act to amend Section 886 of the Fish and Game Code, relating to fish for bait.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, after "transported out", strike out "to", and insert "of".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 843—An act to amend Sections 470 and 474 of the Agricultural Code, relating to milk and cream.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Livestock and Dairies:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "It", and insert "The milk".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 844—An act to amend Sections 260 and 261.4 of the Agricultural Code, relating to bovine Brucellosis.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and", and insert ", 260.2, and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out all of line 22, and insert

"SEC. 2. Section 260.2 of the Agricultural Code is amended to read:

260.2. Each calf vaccinated under this article shall have an official tattoo [showing the month and year of vaccination] placed in the left ear by the veterinarian

performing the service, *showing the period within which the animal was vaccinated,* and such other evidence of vaccination or identification as the department may specify.

SEC. 3. Section 2614 of the Agricultural Code is amended".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 845—An act to amend Section 617 of the Agricultural Code, relating to cheese and cheese products.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Livestock and Dairies:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out ", and", and insert "and the".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 438—An act to amend Section 5402 of the Welfare and Institutions Code, relating to appearance in court, time and place of hearing and commitment to rehabilitation center.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 24, of the printed bill, after "examination", insert "for a term not exceeding one year".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1101—An act to amend Section 690 26 of the Code of Civil Procedure, relating to exemptions from executions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 9, of the printed bill, strike out "counter-claim", and insert "counter-affidavit".

Amendment No. 2

On page 2, line 27, of the printed bill, strike out "five (5)", and insert "twenty (20)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1103—An act to amend Section 683 of the Code of Civil Procedure, relating to the return of execution.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 16, of the printed bill, after "upon request of the", strike out "plaintiff", and insert "person in whose favor the writ runs"

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 796—An act to amend Section 7320 of the Business and Professions Code, relating to cosmetology.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 14, of the printed bill, after "misdemeanor", insert a period; and strike out the remainder of line 14.

Amendment No. 2

On page 1 of said bill, strike out lines 15 to 18, inclusive

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 997—An act to add Section 7325 to the Business and Professions Code, relating to cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 5, of the printed bill, after "misdemeanor", insert a period.

Amendment No. 2

On page 1 of said bill, strike out lines 6 through 9, inclusive

Amendments read, and adopted
Bill ordered reprinted, and engrossed.

Assembly Bill No. 135—An act to amend Section 2621 of the Elections Code, relating to declaration of candidacy.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1 of the printed bill, following line 13, insert "In counties where the office of the county clerk is legally closed on Saturday, the final day for filing shall be the preceeding day at 5 o'clock p m."

Amendment read, and adopted.
Bill ordered reprinted, and engrossed

Assembly Bill No. 298—An act to amend Sections 9001 and 9851 of the Elections Code, relating to special and local elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 9, of said bill, strike out "only".

Amendment No. 3

On page 1, line 11, of said bill, strike out "shall", and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 301—An act to amend Section 2571 of the Elections Code, relating to registration of voters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "eleventh", and insert "nineteenth".

Amendment No. 2

On page 1, line 8, of said bill, strike out "84th", and insert "76th".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 372—An act to add Chapter 7 to Division 8 of the Elections Code, relating to elections and providing for an alternative and optional method of balloting and ascertaining the vote at elections and in precincts for which such method is adopted.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 11, of the printed bill, after "punching", insert "or marking a single card or".

Amendment No. 2

On page 1, line 14, of said bill, after "mechanical", insert "or electrical".

Amendment No. 3

On page 2, line 3, of said bill, after "a", insert "single card or a".

Amendment No. 4

On page 2, line 4, of said bill, strike out "collectively".

Amendment No. 5

On page 2, lines 17 and 18, of said bill, strike out "a hole in", and insert ", slotting, or marking".

Amendment No. 6

On page 2, line 28, of said bill, after "another", insert "where the ballot consists of more than one card".

Amendment No. 7

On page 2 of said bill, strike out line 36, and insert "be arranged with the top card or covering sheet of paper containing the instructions to".

Amendment No. 8

On page 2, line 42, of said bill, after "mechanical", insert "or electrical".

Amendment No. 9

On page 3, line 3, of said bill, after "ballot", insert ", or when a single card is used, the covering sheet".

Amendment No. 10

On page 3, line 11, of said bill, strike out "left", and insert "right".

Amendment No. 11

On page 3, line 17, of said bill, strike out "and instructions to the"; and strike out all of line 18, and insert a period and "When a single card is used the serial numbers shall be printed at the lower right hand corner of the covering sheet. The ballot shall be so arranged that when these numbers are torn off no choice of the voter will be disclosed"

Amendment No. 12

On page 3, line 20, of said bill, after "voters", insert "as to the use of the voting form. Below this shall appear the designation of the election, the congressional, senatorial, and assembly district, and in the case of a primary election, the designation of the party. Below this shall appear the instructions to the voters".

Amendment No. 13

On page 3, line 24, of said bill, after "punch", insert "or otherwise mark".

Amendment No. 14

On page 3, line 30, of said bill, strike out "vertically"

Amendment No. 15

On page 3, lines 35 and 36, of said bill, strike out "from top to bottom".

Amendment No. 16

On page 4, line 3, of said bill, after "supplied", insert "when ballots to be punched are used".

Amendment No. 17

On page 4, line 26, of said bill, strike out "to punch", and insert "for punching, slotting, or marking".

Amendment No. 18

On page 4, line 34, of said bill, after "of a ballot", insert "containing more than one card".

Amendment No. 19

On page 4, line 42, of said bill, strike out "left-hand", and insert "right-hand".

Amendment No. 20

On page 4, line 43, of said bill, strike out "right-hand", and insert "left-hand".

Amendment No. 21

On page 4, line 47, of said bill, after the period, insert "When a single card is used, the portions of the covering sheet containing the serial number shall be torn off by the inspector and he shall hand one to the voter."

Amendment No. 22

On page 5, line 21, of said bill, strike out the comma, and insert "and separate the defective ballots and those ballots containing the names of write-in candidates. They shall then".

Amendment No. 23

On page 6, line 8, of said bill, after "punched", insert "or marked".

Amendment No. 24

On page 6, line 11, of said bill, after "mechanical", insert "or electrical".

Amendment No. 25

On page 6, line 21, of said bill, after "mechanically", insert "or electrically".

Amendment No. 26

On page 6, line 41, of said bill, after "mechanically", insert "or electrically".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 494—An act to amend Section 370 of the Elections Code, relating to the registration of voters

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "either in", and insert "in not less than".

Amendment No. 2

On page 1 of said bill, strike out line 16, and insert "type on not less than eight"

Amendment No. 3

On page 1, line 17, of said bill, strike out "county".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1290—An act to amend Sections 5901, 5911, 5930, and 5931 of the Elections Code, relating to absent voting.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "twenty-seven", and insert "twenty"

Amendment No. 2

On page 1, line 4, of said bill, strike out "seven", and insert "five".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2400—An act to amend Section 464.5 of the Agricultural Code, relating to the dispensing of market milk and derivatives therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 461, 464, and"

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "dispensing of market milk and derivatives therefrom", and insert "serving and sale of market milk".

Amendment No. 3

On page 1, of said bill, strike out line 1, and insert

"SECTION 1. Section 461 of the Agricultural Code is amended to read:

461. It is unlawful to sell or otherwise dispose of market milk, skim milk, buttermilk and cultured buttermilk to the retail trade, unless said products are

contained in standard milk bottles or single service containers which have been mechanically filled and capped or sealed in a milk room properly designed and equipped as approved by the director, *or unless contained in milk dispensing devices approved by the director*. All receptacles, except single service containers, used to contain said products, shall be properly washed and sterilized on the premises where filled, in a separate room designed and equipped for said washing and sterilizing. For the purpose of this section "single service containers" are those which are used only once and are not refilled, shall be made of sanitary material, in a sanitary manner and shall be kept in a sanitary condition free from contamination until actually filled with said products. Transferring of any of said products from one receptacle to another upon any highway, any street or sidewalk, or upon any vehicle or in any place except a milk room as specified above or except in a place where said products are served for consumption on the premises, is prohibited.

SEC. 2 Section 464 of said code is amended to read

464 When served by any school, hospital, hotel, boarding house, restaurant, soda fountain, lunch counter or other place where food or drink is served to the public, market milk shall be served in the individual service bottle or container which has been filled and capped or sealed in a milk room, properly designed and equipped as approved by the director, the cap or seal of which shall not be removed except in the presence of the consumer or patron. *The provisions of this section do not apply to serving of milk from milk dispensing appliances, devices, or machines approved by the director.*

SEC. 3. Section 464 5 of said code is".

Amendment No. 4

On page 1, line 3, of said bill, strike out "On and after September 1, 1948,".

Amendment No. 5

On page 1, of said bill, strike out lines 8 and 9, and insert " The provisions of this section do not apply to serving of milk from milk dispensing appliances, devices, or machines approved by the director."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

Assembly Bill No. 809—An act to amend Section 7420 of the Business and Professions Code, relating to the granting of cosmetology licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, after "(c)", insert

"That the requirements for registration or licensing of hairdressers and cosmeticians or cosmetologists, electrologists and manicurists, in the particular state were, at the date of the previous registration or licensing, substantially equal to the requirements therefore then in force in this State "

Amendment No. 2

On page 2 of said bill, strike out lines 4 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 118—An act to amend Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges,

clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "seven hundred fifty dollars ($750) ", and insert "nine hundred dollars ($900)."

Amendment No. 2

On page 1, lines 13 and 14, of said bill, strike out "five hundred twenty-five dollars ($525) ;" and insert "six hundred twenty-five dollars ($625) ;"

Amendment No. 3

On page 1 of said bill, strike out lines 15 to 20, inclusive, and on page 2, strike out lines 1 to 11, inclusive, and insert

"One deputy clerk (chief division clerk, traffic department), five hundred fifty dollars ($550) ;

One deputy clerk (chief division clerk, civil department), five hundred fifty dollars ($550) ;

One deputy clerk (chief division clerk, criminal department), five hundred fifty dollars ($550) ;

One deputy clerk (chief division clerk, accounting department), five hundred fifty dollars ($550) ;

Five deputy clerks (assistant chief division clerks), four hundred seventy-five dollars ($475) ;

Two deputy clerks, four hundred twenty-five dollars ($425) ;

One deputy clerk (while assigned to the department of the presiding judge), four hundred twenty-five dollars ($425) ;

One deputy clerk (while assigned to the law and motion department), four hundred twenty-five dollars ($425) ;

One deputy clerk (while assigned to the master calendar department), four hundred twenty-five dollars ($425) ;

Eighteen deputy clerks, four hundred dollars ($400) ;

Ten deputy clerks, three hundred fifty dollars ($350) ;

Thirteen deputy clerks, three hundred dollars ($300) ;

Eighteen deputy clerks, two hundred seventy-five dollars ($275) ;

Sixteen deputy clerks, two hundred fifty dollars ($250) ;".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 447—An act to add Sections 20703.1, 20810, and 20811 to the Business and Professions Code, relating to the sale, standards and labelling of anti-freeze substances and preparations for use in internal combustion engines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 2, lines 11 and 12, of the printed bill, strike out "in letters of not less than one-half of an inch in height."

Amendment No. 2

On page 2, lines 14 and 15, of the printed bill, strike out "and not less than three-eighths of an inch in height."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Manufacturing, Oil, and Mining Industry.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Report to the Legislature on the Survey of Private Schools by the State Department of Social Welfare;

Has had the same under consideration, and reports the same back with the recommendation: That the report be printed in the Journal in 10-point type.

DUNN, Chairman

REPORT ORDERED PRINTED IN JOURNAL

Pursuant to recommendations of Committee on Education, the above mentioned report was ordered printed in the Journal.

Above mentioned report will appear prior to the motion to adjourn

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 765
Assembly Bill No. 926

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 128

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 19
Assembly Bill No. 86
Assembly Bill No. 129

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bills ordered to second reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hoffman:

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 810.5 of the Agricultural Code, relating to asparagus

Respectfully submitted,

VERNE W. HOFFMAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hoffman:

An act to amend Section 810.5 of the Agricultural Code, relating to asparagus.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—68

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3103: By Mr. Hoffman—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus.

Referred to Committee on Agriculture.

RESOLUTIONS

The following resolution was offered:

By Mr. Cooke:

House Resolution No. 127

Congratulating the Ventura High School basketball team for winning the California Interscholastic Federation, southern section, championship

WHEREAS, Climaxing an unbroken string of 30 victories and a perfect season the Ventura High School basketball team, the Pirate Preps, defeated the Alhambra High School team on March 12th, to win the California Interscholastic Federation, southern section, championship, and

WHEREAS, This championship represents the most coveted high school basketball title in Southern California; and

WHEREAS, The Pirate Preps, throughout the season, have displayed the highest degree of good sportsmanship; and

WHEREAS, The Pirate Preps have won their school's first California Interscholastic Federation championship; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends to the Ventura High School 1949 basketball team, its coach, and each of its members,

its congratulations for winning the California Interscholastic Federation, southern section, championship, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Principal of the Ventura High School, to its basketball coach and to each member of its championship basketball team

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1354—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to commitments to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1355—An act to amend Section 604 of the Welfare and Institutions Code, relating to probation committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1356—An act to add Section 1767.7 to the Welfare and Institutions Code, relating to the care of paroled persons under the jurisdiction of the Youth Authority.

Bill read third time, and ordered held at desk temporarily.

REQUEST FOR UNANIMOUS CONSENT TO REFER BACK TO UNFINISHED BUSINESS FILE

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to refer back to the unfinished business file for the purpose of taking up Item 1, at this time.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 604 WAIVED

Mr. Silliman waived his notice of motion to reconsider the vote whereby Assembly Bill No. 604 was passed.

Assembly Bill No. 604 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 696—An act to amend Section 412 of the Code of Civil Procedure, relating to commencement of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2247—An act to amend Section 2924c of the Civil Code, relating to reinstatement of deeds of trust and mortgages, and attorneys fees in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2421—An act to amend Section 19390 of the Government Code, relating to the right of state employees entering the military service to be restored to their former position and civil service status upon termination of such military service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2422—An act to amend Section 19611 of the Education Code, relating to child care centers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins

Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2424—An act to amend Section 1331 of the Streets and Highways Code, relating to the county road commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle Dunn Elliott Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2425—An act to amend Section 3641 of the Corporations Code, relating to the identification of provisions of the articles of incorporation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2426—An act to amend Section 4300 of the Political Code, relating to jurors' fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2427—An act to amend Section 8802 of the Health and Safety Code, relating to cemetery associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott,

Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—69

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2428—An act to add Section 500017.5 to the Government Code, repealing an act entitled "An act in relation to clerks in the Office of the Secretary of State and to provide for their pay," approved April 14, 1853.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10 58 a m , Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Brown:

House Resolution No. 128

Relative to requesting the state officers who constitute the appointing authority with respect to the Franchise Tax Commissioner to file charges with the Personnel Board against the commissioner

WHEREAS, The Assembly Interim Committee on Governmental Efficiency and Economy has just completed a thorough investigation of the Office of the Franchise Tax Commissioner; and

WHEREAS, That committee found, among other things, that the commissioner's attendance at the office was spotty and sporadic; that he had almost no personal contact with the key officials of his office who were directly responsible to him; that he was not familiar with the functions of the various branch offices maintained by his department; that he used state cars for private purposes and state employees to take him for rides not connected with state business; that in spite of widespread misuse of state equipment, misuse of sick leave, faulty and inefficient record keeping, acceptance of incompatible employment by employees, and bickering and dissension between employees in his office over a period of years, the Franchise Tax Commissioner has taken no action to change these conditions; and

WHEREAS, Under Opinion NS 4188, dated April 6, 1942, the Attorney General ruled that the Controller, Chairman of the State Board of Equalization, and the Director of Finance constitute the "appointing power" with respect to the commissioner within the meaning of the Civil Service Act; and

WHEREAS, Under Section 19574 of the Government Code the appointing power has the authority and the duty to file charges against any employee for punitive action for one or more causes for discipline defined in the Civil Service Act; and

WHEREAS, Among the grounds for such charges listed in such act are incompetency, inefficiency, inexcusable neglect of duty, and any other acts which are incompatible with or inimical to the public service, and

WHEREAS, Said Assembly Interim Committee on Governmental Efficiency and Economy, on the basis of the record before it, justifiably concluded:

> "The over-all fact remains that the public welfare requires the removal of the incumbent Franchise Tax Commissioner, and the responsibility for accomplishing that now rests, has rested, and will continue to rest in the State Controller, the Director of the Department of Finance, and the Chairman of the State Board of Equalization;" and

WHEREAS, Those officials have taken no action in this regard, now, therefore, be it

Resolved, by the Assembly of the State of California, That the Controller, Director of the Department of Finance, and the Chairman of the State Board of Equalization are hereby requested to suspend the Franchise Tax Commission pursuant to Section 19576 of the Government Code and to file charges under the Civil Service Act against the incumbent Franchise Tax Commissioner at the earliest possible date; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to cause copies of this resolution to be transmitted to the Governor, the Attorney General, to each member of the State Personnel Board, the Controller, Director of Finance, and the Chairman of the State Board of Equalization

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 16—Relative to naming the freeway between San Diego and Tia Juana the John J. Montgomery Freeway;

Assembly Concurrent Resolution No. 58—Relative to new quarters for the Industrial Workshop for the Blind in Los Angeles;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventeenth day of March, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 189	Assembly Bill No. 1338
Assembly Bill No. 428	Assembly Bill No. 1393
Assembly Bill No. 695	Assembly Bill No. 1630
Assembly Bill No. 821	Assembly Bill No. 2295
Assembly Bill No. 1122	Assembly Bill No. 2945

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 189 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 428 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 695 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 821 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1122 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1338 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1393 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1630 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2945 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2295 ordered re-referred to Committee on Public Utilities and Corporations

RECESS

At 11 a.m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m. to observe between 11 a.m. and 12 m., the annual Saint Patrick's Day celebration.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 267—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and veterans' widows.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, and Weber—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 268—An act to amend Section 1086.1 of the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of California and for the reimbursement of hospitals and physicians rendering this aid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 503—An act to amend Section 985 of the Military and Veterans Code, relating to veterans' farm and home purchases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy,

McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, and Tomlinson—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2697—An act to add Section 261 to the Revenue and Taxation Code, relating to veterans' and welfare property tax exemptions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Holman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2851—An act relating to public officers and their return to public service from service in the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Thomas, Tomlinson, Waters, and Weber—61.
NOES—Morris—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SPEECHES BE PRINTED IN THE JOURNAL

Mr. Doyle asked for, and was granted, unanimous consent that the speeches delivered by Mr. John F. Henning, Secretary of the Irish Literary and Historical Society of San Francisco, and by Governor Earl Warren, at the Saint Patrick's Celebration, today, in the Assembly Chamber, be ordered printed in the Journal:

Speech of John F. Henning

Mr Chairman, Your Excellency, Governor Warren; Honored Guests, Members of the Legislature, Ladies and Gentlemen:

I am honored by the privilege of this address. I am honored to be with you. Surely, it is a fine thing that on this St Patrick's Day of 1949 we should meet in honor of a man who survives in American opinion as a gracious symbol of understanding.

It is an issue of striking importance that the name of this man whom we honor today is so sharply impressed upon the American mind, the name of this man who lived and labored among the Irish people 15 centuries ago.

It is, of course, a tribute to the character of his toil that he is so remembered, and, if we would measure that toil, if we would weigh that effort, it is imperative that we consider, however briefly, the beginnings of this remarkable man, the origins of this Patrick, the Christian Apostle of Ireland

I am certain that many of you here this morning are acquainted with the historical doubt that is associated with the territory of his birth. Throughout the centuries, scholars have championed either Scotland or France as his native land.

Those who proclaim that he was a native of Scotland, assert that he was born near Dumbarton, in the then northern Roman province of Celtic Britain, while those

who declare that he was a native of France, argue that he was born in Celtic Brittany, of Western France.

But regardless of dispute as to place of birth, it is agreed that it was from Brittany that he was stolen away at the age of 16, taken by Irish sea raiders striking at the continental shores. And so it was that Patrick first came to Ireland in the chains of slavery. He came first in the year 389, and it was as a slave boy that he was sold to an Irish chieftain of Ulster, who set him to work tending sheep on the hills of Antrim in Northeastern Ireland.

And while he suffered for seven years in slavery, it was during this period that he learned to love that strange and pagan land. Following his span of servitude, he returned to Brittany, but the mark of Ireland was upon him forever.

It was only historic justice, then, that long years later, having been ordained a priest and consecrated a bishop, he should come again to Ireland. He came this time in the year 432. He came this time at the behest of Pope Celestine who commissioned him to carry the gospel of Christianity to pagan Ireland.

Patrick was not the first Christian to challenge the Irish destiny. It is now accepted that Christianity existed in some minor degree in Ireland prior to the coming of Patrick.

Indeed, the good man came as a replacement. He came as the successor to Bishop Palladius who had been directed to Ireland in 431 by Pope Celestine. However, Palladius, having failed to impress the Irish mind, sailed away in despair to England that very year.

But whatever the groping scope of that struggling Christianity might have been in Ireland, prior to the advent of Patrick, it was he who brought all the land to the standard of Christ.

He arrived just previous to Easter in 432, and on Easter Eve, he and his party camped on the Hill of Slane, high above the left bank of the River Boyne, across from the Hill of Tara, from Tara, the seat of the free and sovereign government of Ireland for centuries before the coming of Christ.

Now it happened that on that dramatic Easter Eve, the pagan Irish, who were Druids, were in the midst of an annual festival which was coincident with Patrick's celebration of Easter.

In accord with ancient Druid custom, the reigning Ard-Ri, or High King of Ireland, King Leary, forbade that any fire should burn that night in Ireland save the sacred Druid flame which burned on the Hill of Tara.

You can well imagine, then, the Irish indignation of King Leary, when Patrick, in bold defiance, lit his own fire on the Hill of Slane. Legend tells that the wise men of the Druid world, immediately counseled King Leary, that if the fire which burned on the Hill of Slane were not extinguished that night, it would burn forever in Ireland.

But legend or no, the fire of Christianity did remain, and Patrick's astonishing conversion of the Irish people proceeded without the shedding of one drop of martyr's blood, certainly a singular experience in the annals of early Christianity.

The building of churches, monasteries, convents, and schools, followed the trail of Patrick across Ireland, through the four provinces, from the center to the sea.

It was his particular gift to combine spiritual integrity with a human warmth which together captured the Irish soul. And this was the genius of Patrick.

But at last, full of honors and years, he came to the end of his natural life in the County of Down, in the Province of Ulster, sometime between the years 460 and 472, the date of his death, like the place of his birth, being a matter of historical conjecture.

However great the earthly accomplishments of St. Patrick, his legacy has been the greater. Even within the reach of his own lifetime, Ireland, because of his influence, was entering her superb Golden Age. At a time when the virile peoples of Northern Europe were sacking the proud cities of the Roman Empire, Ireland was becoming a western citadel of culture and erudition.

From the Fifth to the Eighth Centuries, scholars from Britain and all Europe came to study at the feet of the Irish masters of learning. The brightest sons of the noblest families came there for the progress of the mind. The Irish were not content merely to train those who came within their care, and so Gaelic missionaries and scholars launched an academic invasion of the Continent, spreading the renown of Irish letters through France, Germany, Austria, Switzerland, and Italy.

But the Golden Age was not to endure, for in the closing years of the Eighth Century, the Vikings began their sharp, exploratory raids on the Continent, Britain, and Ireland. The Northmen invaded Ireland in full in the Ninth Century, and, in the understandable manner of the time, they leveled every center of learning and culture upon which they could rest of their hands. Yet they worked good as well as evil. They brought the protective walled city to Irish life. They advanced the cause of Irish ship building. They founded the prominent cities of Dublin, Wexford, and Waterford, to cite but a few.

The Vikings continued in consistent control of Ireland for some two centuries. It remained for Brian Boru, the illustrious and never forgotten Ard-Ri, to break the hold of the Northmen on Ireland when he drove them into the sea at the Battle of Clontarf fought near Dublin in the year 1014, thus ending their authority forever.

The legacy of Patrick served the Irish well during the Viking occupation, for the appreciation he had given them of human dignity made oppression unbearable That legacy was to serve the Irish through ensuing centuries, for in the year 1169, there came for the first time to the beaches of Wexford, to the shores of Erin, the forces of English invasion and establishment. And the aged resistance to that occupation was founded on that same intense love of personal freedom.

Irishmen of every religious persuasion carried that concept to this Nation in the days of the Revolutionary War There are varying estimates as to the number of Irishmen in the Revolutionary Army, but all of them are high

An interesting commentary on this Irish contribution, is the testimony of John Galloway, former Speaker of the House of Assembly in Pennsylvania. Following the war, Galloway was questioned in the House of Commons, in London, as to the nationality of the men who comprised the Revolutionary Army. Galloway replied: "The names and places being taken down, I can answer with precision. Scarcely one-quarter were native American, one-quarter were English and Scotch, one-half were Irish."

But whether the percentage was one-half, or one-quarter, or, as Benjamin Franklin pronounced, two-thirds, the Irish were definitely there in the founding days of the Republic.

It is also significant to recall that the most feared and protesting voice within England during the Revolution, was the voice of Irish Edmund Burke of the Commons, who, in his magnificent Speech on Conciliation, arose, and in the refined language of his literary school, advised the gentlemen of the House, that the day of unbridled empire was done.

Reverting to the American scene, the incomparable Washington time after time commended the Fighting Irish of the Revolutionary effort, and, in tribute to their valor, he joined the Friendly Sons of St Patrick.

From that revolutionary day of Commodore John Barry, Homer Mulligan, and Mad Anthony Wayne, to the day of Colin Kelly, the five Sullivans, and Audie Murphy, the Irish name has appeared large in the military history of the Nation

Throughout the century and a half of our national existence, the children of St Patrick have joined with all the other peoples of the world, in forging our mighty America.

And surely it is the hope of all who would hold an affection for St Patrick as a happy symbol of American tolerance, that the men and women of this Nation, whatever their creed, or race, or color, shall remain before the world, sons and daughters of one national family.

And more, surely it is the prayer of us all today, that we Americans, whatever our distinctions of mind, shall continue to stand before God and history, as the brothers and sisters of one family—brothers and sisters unto the end.

(Note: Above-mentioned speech by Governor Warren will appear in the Journal of a later date)

REQUEST FOR UNANIMOUS CONSENT THAT BILLS RETAIN PLACES ON FILE

Mr Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 376, on the third reading file, and Assembly Bill No. 738, on the unfinished business file, retain their places on file on the next legislative day.

Mr. Cooke asked for, and was granted, unanimous consent that Assembly Bill No. 1356, on the third reading file, retain its place on file on the next legislative day.

RECOMMENDATION

Mr. Weber recommended that the Committee on Rules give consideration of a well organized program which will stagger the attendance of school children as observers in the Gallery, in an effort to avoid disappointment of young visitors who cannot be accommodated.

BILL STRICKEN FROM FILE

By unanimous consent, Senate Joint Resolution No 12 was ordered stricken from file.

REPORT TO THE LEGISLATURE ON THE SURVEY OF PRIVATE SCHOOLS BY THE STATE DEPARTMENT OF SOCIAL WELFARE

March 11, 1949

I. INTRODUCTION

Section 1620 of the Welfare and Institutions Code provides that:

"No person, association, or corporation shall, without first having obtained a written license or permit therefor from the State Department of Social Welfare or from an inspection service approved or accredited by the department:

(a) Maintain or conduct any institution, boarding home, day nursery, school other than a school conducted by an established religious organization, or other place for the reception, care, or education of children under 16 years of age, nor engage in the business of receiving or caring for such children, nor receive nor care for any such child in the absence of its parents or guardian, either with or without compensation * * *."

Although the licensing of schools was added to this section of the code by amendment in the Statutes of 1947, no appropriation was made for the additional cost of administration necessary in connection with the inspection and licensing of them.

The Budget Act of 1948 in Section 337.5 made an appropriation "for additional support of the Department of Social Welfare for the purpose of studying and analyzing all matters relating to the requirements for licensing of schools in accordance with Section 1620 of the Welfare and Institutions Code (exempt from Section 124 of the Welfare and Institutions Code)."

An advisory committee was appointed by the Director of the State Department of Social Welfare to guide the study of private schools. This committee consisted of the following persons:

Mr. Roy E. Simpson, Director, Department of Education
Mr. Howard H. Pattee, General Secretary, the California Association of Independent Schools
Mr. Sterling S. Winans, Director, Recreation Commission
Reverend James N. Brown, Superintendent of Schools, Archdiocese of San Francisco
The Most Reverend James T. O'Dowd, Bishop of San Francisco
Mr. Joe R. Yockers, State Fire Marshal
Dr. Wilton L. Halverson, Director, State Department of Public Health
Professor Hiram W. Edwards, University of California
Mr. Paul Scharrenberg, Director, Department of Industrial Relations
Mr. James Vincent, Christian Science Committee on Publications

Two analysts were added to the staff of the State Department of Social Welfare for the purpose of visiting a number of private schools in order to secure a body of knowledge concerning their operation.

II. IDENTIFICATION OF PRIVATE SCHOOLS

For the purpose of this survey a private school has been considered to be a facility (other than a public school) accepting children under 16 years of age and operating primarily for educational purposes, which does not fall solely within the classification of institution or day nursery as established by the State Department of Social Welfare; or within the classification of schools which are under the jurisdiction of the State Department of Public Health or State Department of Mental Hygiene. Also, schools which operate solely for the purpose of teaching music, art or dancing, etc., have not been considered to be within the scope of this survey.

It is not known how many private schools exist in California. An attempt was made through various sources (such as state and local departments of education, existing lists of schools, telephone directories, advertisements, etc.) to secure as complete a list as possible for the purpose of this survey. The number of private schools fluctuates rapidly. New schools are started and others are discontinued. The word "school" may or may not be used in the title thus making identification more difficult A school may change its location or its name and any list made without some provision for a centralized system of reporting by schools would not remain current for any length of time.

A total of 847 private schools throughout the State has been tentatively identified. This includes schools privately owned and operated and those operated by religious organizations. The largest concentration of schools is in Los Angeles County. Three hundred and thirty-nine schools were not included in the number visited since they are conducted by established religious organizations and are thus exempt by law from licensing.

III. METHOD OF CONDUCTING SURVEY

A questionnaire devised by the committee was sent to each of the private schools identified, with a letter of explanation giving the names of the committee members and the reasons for the survey. This questionnaire served the purpose of obtaining information on which a selection of schools to be visited could be based and of preparing the school officials for a possible visit later.

The committee members also prepared a schedule for the collection of selected information from the schools concerning the buildings occupied, fire protection, sanitation, personnel employed, child care, recreational facilities and educational objectives and practices. This schedule was used by the analysts to record the information secured in the visit to the school.

A sample of 70 schools to be visited was set as a representative number. Schools to be visited were selected on a random basis by the survey staff to include a variety which would represent schools carrying day programs only, boarding students only and a combination of day and boarding; large and small schools, schools for boys only, for girls only, and coeducational schools. Also, a selection was made to include schools in 17 counties on a percentage basis similar to that of the known schools in these counties. An appointment for visiting each school was made in advance whenever possible. The information on the schedules was

obtained through an interview with the head of the school or a chief assistant and personal observation. Some county school officials were also interviewed.

IV. SUMMARY OF FINDINGS AND RECOMMENDATIONS

A. Summary of Findings

In the 70 schools visited during the survey there were 6,524 pupils enrolled, however, the total number of children enrolled in private schools throughout the State is unknown since there is no complete list of private schools. It is estimated that in Los Angeles alone approximately one-eighth of the school population is attending schools other than the public schools.

The survey showed that in less than one-half of the schools visited were the buildings occupied actually erected for school purposes and that buildings were frequently adapted for school purposes from former residences, hotels, etc. The buildings varied in age from a few of recent construction to buildings at least fifty-four years old. The majority of buildings were over twenty-five years old and many have had or still have unusual and expensive improvements to make. However, fire inspections were reported to have been made by state or local fire officials in all except two of the schools visited, although there was considerable variation in the intervals between such inspections in different localities. In a few of the schools visited there was evidence of overcrowding which might be avoided by more frequent inspections and the official setting of capacity for each school.

So far as could be observed in the schools surveyed, kitchens appeared to be reasonably clean and lighting and ventilation was fair in all schools having resident pupils. There was some indication that improvements were not effected in some instances (such as the installation of garbage disposal units to eliminate rat infestation) until complaints were made or until an order was issued by an inspecting authority. Wash room and toilet facilities were in general within desirable standards.

The committee is of the opinion that the Health and Safety Code and existing local ordinances regarding fire safety and sanitation provide sufficient authority for the protection of children in private schools in these aspects of their welfare and that private schools which are not operating in conformity with the law can be closed. However, unless state or local officials are notified in some way that a private school is in existence, no inspection is likely to be made and it is possible for private schools to exist for some time without coming to the attention of such officials. Thus, there are always some children who are not receiving the protection afforded by existing laws.

A central resource is needed for the gathering of information about total school population and other data and to which inquiries and complaints can be directed. Private schools vary greatly in the quality of the educational programs offered and in their admission policies. Regardless of whether funds for the support of a school are from public or private sources, there needs to be a resource through which clearance can be made and educational objectives accomplished. The sharing of ideas of curriculum development, encouragement of closer relationships

in work shop experience and institute sessions would promote between public and private school officials a better understanding of the mutual problems of education. Thus with a central resource to take responsibility better integration of all educational services can be achieved.

The primary purpose of a private school is education. Of the 6,524 pupils enrolled in the 70 schools visited in the survey, the majority were enrolled as day pupils. While the custodial care of a child is by no means unimportant (and it is recognized that the school is often a substitute home) children are primarily sent to private schools to be educated. In considering the other needs of a child such as health, mental hygiene, nutrition and recreation, there is an overlapping of governmental agencies responsible for his welfare. There was indication in the schools visited that the physical needs of the child are being met and that training is given in personal hygiene. In approximately one-half of the schools visited there was some method of checking the health of children on admission to the school either through the requirement of medical certificates or other means. Provisions were generally made for meeting emergencies. However, the health of teachers can also directly affect children and in less than one-fifth of the schools were teachers required to present a medical certificate or undergo a medical examination. School officials reported that other than normal children are not accepted for enrollment. While the food observed and described as being served in the schools visited adhered in general to acceptable standards, the food served can fluctuate both in quality and quantity within a short space of time. Recreational facilities were satisfactory in most of the schools visited and were superior in some. Only a few schools had limited recreational resources. Other information secured such as methods of discipline, etc., indicated that school officials are not always aware of some of the basic principles of child care The extent to which private schools are meeting all of the needs of children for normal developmental growth requires continuing evaluation. All phases of a child's development and of his environment are also concerned with his education so that all are inextricably bound up together. The committee believes that guidance of school officials in improving standards of child care and the enforcement of any regulations concerning private schools, therefore, belongs within the jurisdiction of a public educational authority

B. Recommendations

1. It is recommended that Section 1620 of the Welfare and Institutions Code be amended to exclude schools from licensing provisions under the jurisdiction of the State Department of Social Welfare.

2. It is recommended that private schools accepting children under sixteen years of age be required to register annually with the State Department of Education at the time and in the manner required, giving certain basic identifying information such as name, location, name of responsible official, scope and number of enrollment and the scope of instruction offered. Registration may be effected by the operator of a private school or by the superintendent of an organized school system There should be no exemption from this requirement for any school or for any facility whose purpose is an educational one regardless of whether the word "school" is used in its name. The operator of any private school or the superintendent of an organized school system who

does not annually register a school shall be considered to be guilty of a misdemeanor.

3 It is recommended that upon receiving the registration of a private school, the State Department of Education shall forward to the proper state or county officials a notification that such registration has been made in order that inspections be made for fire safety and sanitation.

4 It is recommended that there be established by the State Department of Education a representative committee which, through the use of the information secured through registration and inspection reports, may give continuing study to the subject of private schools.

5. It is recommended that adequate financial provisions be made for the administration of this program.

RESULTS OF STUDY OF 70 SCHOOLS

A. Administration and Enrollment

Of the 70 schools visited, the majority (39) were proprietary, owned and operated by one or more individuals. Five of the schools were organized as corporations, 24 as nonprofit corporations and two were operated as associations.

The oldest of these schools was established in 1853 and the newest in the fall of 1948 Twenty of the schools were over twenty-five years old, 19 were less than ten years old and the remainder or 31 were between ten and twenty-five years old.

Nine of the 70 schools visited accepted boarding pupils only, 33 accepted day pupils only and 28 accepted both boarding and day pupils.

These 70 schools have a total of 6,524 pupils enrolled. The enrollment was divided according to the following tables, among boarding schools, day schools, and schools carrying a combination of boarding and day programs.

Enrollment

	Boys	*Girls*	*Coed*	*Total*
Boarding schools	474	---	72	546
Day schools	---	202	3212	3414
Boarding and day schools	1311	671	582	2564
Total	1785	873	3866	6524

The minimum age at which children were enrolled in the schools visited was 2½ years, the maximum age was 21 and in addition older veterans were accepted in certain schools qualified under the G.I. Bill of Rights. The distribution of age of children enrolled is shown in the following table:

Enrollment by Age

	Number of schools taking children under 4½	*Number of schools taking children from 4½ to 12*	*Number of schools taking children from 12 to 21*
Boarding schools		7	7
Day schools	10	25	22
Boarding and day schools	1	24	23

B. Plant and Capacity

The number of buildings occupied by the schools visited varied from one to thirty buildings per school Twenty-four of the schools were housed in one building; 25 schools occupied from two to five buildings per school and 21 schools had from six to thirty buildings per school.

These buildings varied in age from a few of recent construction to buildings at least fifty-four years old. The majority of buildings were over twenty-five years old.

In less than one-half of the schools visited were the buildings actually erected for school purposes. In the majority of schools, the buildings occupied were constructed as residences, hotels, apartment houses, etc, and were altered for school purposes. In one school, all buildings occupied (with the exception of school buildings converted from a ranch house and two barns) were built by the faculty and boys at the school.

Less than one-fourth of the buildings were of masonry construction One school building was a metal quonset hut. Over three-fourths of the buildings were of wood frame or wood frame and stucco construction.

None of the buildings of the schools visited were more than four stories in height. Four schools had buildings four stories in height; five schools had buildings three stories in height and the remainder were one or two stories high. In 21 schools there were sleeping rooms for pupils above the first floor.

The capacity of the schools as reported by the school official interviewed varied from 35 to 500 for day time and from 20 to 235 for night time and was distributed according to the following tables:

Capacity of the Schools

	Day		*Night*	
	Max.	*Min.*	*Min.*	*Max.*
Day schools	500	40	--	--
Boarding schools	200	80	80	200
Boarding and day schools	300	35	20	235

Capacity Reported	*Number of Schools Reporting*	
	Day	*Night*
Under 49	8	19
50-99	22	10
100-199	22	6
200-299	7	2
300-399	2	--
400-499	1	--
500	1	--

In all of the schools visited taking boarding pupils the minimum requirements of 500 cubic feet of space per person in the children's sleeping rooms appeared to be met. It was also estimated that window space per room comprised at least one-eighth of the floor space in all of the schools visited. Double beds were used in only one of the schools visited. In all of the other schools the beds were either single beds or double-deck bunk beds and were spaced three feet apart in all but two schools. As a

rule the sleeping quarters observed appeared clean and fairly comfortable, but there were some exceptions In one school established in September, 1948, with 15 boys and girls between 6 and 13 years of age in attendance, the sleeping quarters were cheerless, the furniture decrepit, mattresses lumpy and the bedcovers unclean. In nine schools there were two children in a sleeping room; in 17 schools there were three to four children in one room; in two schools there were five children in one room and in one school there were seven children in one sleeping room.

Of the 15 schools having dormitories there were as many as 35 children in a dormitory in one school, another school had 20 double-deck bunks in one dormitory. In one school the dormitory had 22 beds arranged with the heads to the wall without three feet between them with one double-deck bunk in each corner of the room and three or four beds lengthwise down the middle of the room. In another school a recitation room was used as a sleeping room at night with five double-deck beds on large casters. These were crowded together with other beds in a dormitory during the day, so that this room could be used for recitation, necessitating the rolling and shifting of beds every night and every morning. There seemed to be little opportunity for rest in the dormitory during the day time hours and the pupils could not get at the drawer space reserved for clothes or the closets. Dormitories in the other schools accommodated from 4 to 20 children. In one school the dormitory building was an exceptionally well furnished and well organized room with sleeping porches adjacent. In two schools, loud speaker systems were installed in the dormitories with reception in the proprietor's room so that a child becoming ill at night or needing other attention would be heard.

The drawer and chest space appeared to be sufficient for the storage of clothing and personal belongings in all of the boarding schools, however, in some of the schools which often served as substitute homes for the children there was a lack of provision for expression of the child's individuality in arrangement of his personal belongings.

Recreation living and study rooms were provided in all of the schools visited. Dining rooms varied in degree of adequacy and in attractiveness. In one school the recitation room was used as a dining room. In another school the dining room was so small that the children had to eat in two shifts In another school the dining room and kitchen were in the same large room.

At the 26 schools having resident staff, the quarters provided were reasonably clean and attractive. As a rule, separate rooms were provided with or without a private bath and in a few schools there was an apartment available for resident staff. In some schools where house-mothers were not employed, teachers were responsible for the children at night and had rooms adjacent to children's dormitories.

School quarters varied from classrooms in which the lighting, ventilation, arrangement of desks and size of equipment were adapted to the needs of children to those with poor equipment and crowded quarters. In two schools new non-glare lamps were recently installed and in another venetian blinds were used to control glare on desk tops. Ventilation of school rooms was by means of open windows in all but four schools in

which ventilating systems were installed. In one school ultra-violet health lamps were used in all quarters were pupils congregate and in another school ultra-violet units were used in the classrooms. There was some form of heat in the classrooms of all but two schools, in one of which a few of the classrooms were heated, but the majority were "fresh air rooms" with one or two sides exposed to the weather. In two schools a classroom was heated by a portable kerosene heater with no visible means of ventilation in the room. In one school the classrooms seemed small and crowded and it was questionable whether farsighted pupils could be adequately accommodated, but the director stated that it passed minimum sight-saving standards. In one school, due to overcrowded classrooms, pupils had to travel several blocks to another building for their classes. In another school, alterations in the building occupied made the ceilings of the classrooms undesirably low. Classrooms in two day schools in which the buildings had been converted from residences appeared crowded.

C. Fire Protection

Approximately two-thirds of the schools visited were located in corporate city areas, two were in fire protection districts and the others were located in unincorporated areas. Fire inspections were reported to have been made by the local or state fire officials in all of the schools except two schools. One of these was a boarding and day school with 17 boys from 6 to 13 in attendance. It was founded in 1946 and is located in a fire protection district. The operator stated that no inspection of his school had been made by local or state fire officials, but that he had taken his plans for building to the State Fire Marshal's Office for approval before opening his school. The other school which had had no fire inspection occupies a wood frame building which was formerly a night club and is located on a 320-acre ranch in an unincorporated area. Brush had been cleared well away from the building as a protection against fire. In 22 schools fire inspections were made annually, in nine schools semiannually, in 15 schools at monthly, bimonthly or quarterly periods. In 12 schools inspections were said to be made "frequently" and in two schools they were made "seldom." One school official reported that an annual inspection was made by the local mountain patrol, another school official reported that a rigid inspection was made when the school was started three years ago, but that there had been no inspection since that time. In two schools the last inspection was made in the spring of 1947. The fact that inspection had been made, does not necessarily mean that approval of the inspecting agency has been given or that there has been substantial compliance with minimum standards of fire safety as some of the schools were in the process of meeting fire inspection requirements.

The type of fuel used in 49 schools was gas; a combination of gas and electricity or gas and oil in seven schools; electricity in two schools; and oil in five schools. In one school in which there were 38 day and boarding students an oil heating plant formerly used to heat the main building had been disconnected because it was said to be dangerous. This building, which was the center of activities and which contained sleeping quarters

on the second floor, had no heat at the time of the visit although the director said that usually the fireplaces and electric heaters were used for heating.

At least two methods of exit from each floor level were provided in all but one of the schools visited In this school, accepting 15 day and 36 boarding students, there were no fire escapes and the plant was reported to have been approved by the local fire department. In another school formerly accepting resident students and in which 20 day students are now enrolled, the second floor was shut off by barriers, the basement sealed and the discontinuance of four gas furnaces recommended as a result of fire inspection. The director said that she had been told that a resident school could be operated only if two steel stair fire escapes were installed for the dormitories and sheet rock installed for the dormitory walls. The director said that these changes would cost $5,000, which she was unable to afford. In another school the second means of egress from the second floor of a building in which older girls were housed was through a window of one of the sleeping rooms onto a roof of a classroom. The director said that this means of exit had been approved by the local fire department.

D. Sanitation

So far as could be observed, kitchens were reasonably clean and lighting and ventilation fair in all boarding schools. Equipment seemed adequate in all except two schools and was superior in some schools. There was no special dish washing equipment in 16 of the boarding schools visited and in one school, although an electric dish washer was provided, dishes were being washed in an ordinary dishpan at the time of visit. A refrigerator was provided in all boarding schools.

The sewage disposal system was said to have been approved by the health department in all but one of the schools accepting boarding students. In this one school no visit of inspection had ever been made. Four schools reported having cesspools and in seven schools septic tanks were used.

Washroom and toilet facilities in the boarding schools visited were in general within desirable standards There was one toilet for every 10 children or less, in all boarding schools except one in which the ration was 14 children to a toilet. The majority of schools had sufficient toilets to allow a toilet for less than eight children. In one of the day schools there was only one toilet for 35 children. There was one wash basin for every five or less children in 24 of the boarding schools, in eight of the schools there was one wash basin for six to eight children and in one school one wash basin for ten children.

There was one tub or shower bath for every 10 or less children in all of the boarding schools visited.

E. Child Care

There was indication in the schools visited that the physical needs of the child are being met and that training is given in personal hygiene. In all of the boarding schools each pupil was supplied with his own personal toilet articles, (such as comb, brush, tooth brush, towel, etc.) and with

adequate clothing Either closets or lockers were provided for the storage of clothing and in some schools both were available.

In five schools of the 12 visited which had 50 or more resident pupils a graduate nurse was employed; in five others a practical nurse was employed and in four schools a graduate nurse was on call A graduate nurse was also employed in one other boarding school with less than 50 resident pupils and was on call in seven boarding schools. A physician was on call in 31 of the resident schools and in 17 of the day schools.

In case of an emergency, it was reported in 11 day schools and in five boarding schools that an attempt would first be made to reach the child's parents before calling a physician or hospital. The telephone number of the physician of parents' choice was filed in an accessible place in all but three of the schools visited. In 17 schools a physician would be called in case of emergency and in nine schools a nearby clinic or hospital would be called A hospital or clinic was located within a half-mile of the school in 16 schools and within the same city or reasonably nearby in the remaining schools Other types of practitioners were not regularly on call by the schools visited, but would be called by six schools if the pupil's parents so specified A dentist was not employed by any of the schools visited, but one was reported to be on call by nine of the schools in case of emergency.

Isolation quarters were provided in all of the schools visited except in 13 schools which were operating a day program only and in one boarding school These latter schools reported that a child would be sent home at the first sign of illness. The quarters provided for isolation were usually adequate although in a few schools they were neither adequate in the facilities provided nor in location In one school isolation consisted of placing the child on a cot bed in the kitchen, and in another school in the library.

The majority of schools had a planned program for the care of accidents All schools except one had one or more first aid kits available and all but three schools reported that one or more members of the staff had formal training in first aid.

In 29 schools a medical certificate is required for each pupil before admission and in 28 schools no certificate is required. In two schools the certificate is not required, but is requested from parents. Three schools make their own health check on the pupils admitted In three schools a health certificate or examination is made only if there is reason to suspect illness In two schools no statement is required prior to the initial investigation, but if a pupil is absent because of illness, medical clearance is required before he is permitted to return to school. Medical and health records are kept on pupils in 43 of the schools visited and in one school weight charts only are kept.

Out of the 24 schools taking boarding pupils and the seven providing lunches to day pupils, a trained dietician was employed in nine schools. In 15 schools meals were planned by a cook or head chef, sometimes in consultation with the principal, a nurse, a housemother, or a physician. In four schools meals were planned by the director or the director and principal or the director's wife In one school a 25 cent lunch was served to pupils by a church society.

While the information given about meals and the observation of the survey staff indicated that the food served was generally satisfactory, the contact with the school was too limited to determine whether the food provided was in the proper amounts and balance to maintain normal growth, good health and abundant energy for each child.

The dining rooms observed were clean and reasonably satisfactory in all but three schools visited. The number of pupils per table varied from 4 to 19, with more than eight pupils seated at a table in 14 schools. In one school the dining tables were in a classroom.

In all of the schools visited, the drinking water was said to be from a source inspected and approved. All schools were not provided with fountains or coolers. In general, paper cups were used for drinking although in some schools glasses or a combination of glasses and paper cups were used.

In 28 of the 70 schools visited no food was served and in four schools no information was secured regarding the milk supply. Of the remaining 38 schools, the milk was pasteurized and secured from local dairies in all except one school which served raw milk The milk was not always served in the original container.

While a few schools reported that the need for punishment had been rarely encountered or that unruly conduct would result in dismissal from school the majority of school directors reported that some means of punishment is necessary In nine schools corporal punishment is used on occasions. The methods of punishment reported as most commonly used were deprivation of privileges or separation from the group. Other methods described were extra work assignments, standing at attention, paying a fine, detention, putting a child to bed at 4 30 p.m. for five nights consecutively or being deprived of candy or made to eat with younger children. A merit and demerit system is used in some schools or a student control system is used There was indication in a few schools that motivation of the behavior would be examined or that the child would be trained in self-discipline as a means of decreasing the need for punishment

All but one of the schools visited reported that no hazing of pupils is permitted. In the one school where hazing is permitted it was reported to be "controlled."

F. Recreational Facilities

One or more trained recreation workers were employed in over one-half of the schools visited.

Recreational facilities varied from a small play yard of a day school so crowded with children at noon and recess periods as to be actually hazardous, to a 300-acre campus of another school with excellent facilities. Some provision was made for recreation in all schools, although in nine schools the facilities were limited.

One school in which both boys and girls were enrolled had recreation facilities for the boys, but none for the girls. In the majority of schools there was provision for some outdoor sports, such as tennis, basketball, football, volleyball or baseball for older students and well-equipped playgrounds for younger pupils. In addition in some schools there were provisions for horseback riding, folk dancing, hobbies such as handcrafts,

puppet shows, photography and frequently television and other recreation programs were available. In one school with an unusually fine playground and assortment of apparatus to interest children, the play area was carefully planned and adapted to the size of the children. One school included a merry-go-round for its younger children and another school gave a yearly pageant in which all of the pupils take part. In the larger schools there are usually teams for competitive sports with other schools.

Nineteen schools had gymnasiums, of which 12 were boys' schools, two were girls', and five were coeducational. There was a swimming pool on the campus in 16 schools and in some other schools there was access to a swimming pool nearby. All but one of the swimming pools were reported to be checked at daily or weekly intervals by the local health departments. In the one school in which no inspection had been made by a health official, the pool was located in a sunny area and a filter plant was installed, with a complete change of water every 12 hours. No chlorination tests were made and the operator considered that the sun provided sufficient means of purification. Children were expected to take a shower bath before going into the pool. The majority of pools were out-door unheated pools used only in warm weather. In one school accepting 250 older boys for both day and boarding care, the pool had a new canvas wind breaker recently installed and ample dressing rooms. In another school accepting 238 boys between 4½ and 15, for both day and boarding care, the pool was shallow and especially built for younger boys so that all could learn to swim. In another school which accepted 60 younger girls and boys for day care, in connection with an out-door heated pool there were electrically heated dressing rooms and hair driers.

G. Personnel

In evaluating the qualifications of administrators and teachers, the information secured was limited to data regarding educational background, length of experience, and number of years in the present position. No attempt was made to determine whether the members of the staff were familiar with the principles of child care or the extent to which they were temperamentally adapted to working with children. There was some indication that teachers and administrative staff do not take advantage of refresher courses or keep abreast of current educational methods as often as desirable.

In the schools visited in which information regarding qualifications could be obtained, the headmaster or director of the school was qualified by more than 25 years of experience in 23 schools; by 15 to 25 years of experience in 19 schools; by 5 to 15 years of experience in eight schools and by less than five years of experience in two schools. While the experience was usually in the educational field, in some instances it was experience in business, in nursing, in art or music or as an ordained minister.

In seven schools the head of the school had been in this position over 25 years (in one school 38 years; in two schools 37 years; in two schools 35 years; in one school 30 years; and in one school 25 years), in 16 schools the head of the school had been in the position between 15 and

25 years; in 13 schools between 5 and 15 years; and in 16 schools less than five years

The head of the school had one or more college degrees in 45 schools; had the equivalent of a degree or education in a foreign country in four schools; had some college training or education beyond high school in 13 schools and had not gone beyond graduation from high school in three schools. One school was operated by a committee of three.

In some schools the head of the school was the business manager and in some schools the responsibility of business management was turned over to a chief assistant. In 27 schools the chief assistant had one or more degrees; in 21 schools the chief assistant had had college or education beyond high school; in one school the chief assistant had no education beyond high school; in three military schools the chief assistant was a military officer; in 18 schools there was no chief assistant or his educational qualifications were unknown.

In nine schools the chief assistant had had over 25 years of experience (one had 44 years, one had 38 years, two had 35 years and one had 30 years); in 12 schools the chief assistant had between 15 and 25 years of experience; in 18 schools between 5 and 15 years of experience and in five schools the chief assistant had had less than five years of experience.

In some schools the head of the school or the chief assistant were also teachers. Of the total of 667 teachers reported to be employed in the schools visited, 572 were hired on a full-time basis and 101 on a part-time basis Information regarding educational qualifications and the length of time on the job was not available on all the teachers, but in the schools in which this information was given it was reported that 430 had A.B. degrees, 67 had A.M. degrees, 9 had Ph.D. degrees and 82 had no degrees. A total of 206 teachers had California teaching credentials, some had credentials from other states and in a number of schools the director did not know how many of his teachers had state credentials. Of those teachers whose length of experience in the school was known, 115 had taught in the school two years or less, 131 had taught in the school approximately three years, 153 had been there for approximately five years and 77 for approximately 10 years or over.

In only 12 of the schools visited are staff members given a medical examination or required to present a medical certificate before employment and in three of these schools an annual examination is required. In two other schools tuberculosis tests and X-rays only are routinely required if the employee does not appear to be well. Medical and health records are kept for staff members in only six of the schools visited.

The salaries paid to teachers in the 70 schools visited are in varying amounts and ranges and in some schools cover lunch only or all meals or meals, housing and laundry for one or more persons. The minimum salary paid in the schools visited was $100 a month without any extras. The minimum salary paid with extras was $50 a month plus maintenance. There were 26 schools in which the minimum salary for teachers was less than $200 a month and in nine schools where maintenance was added the minimum salary was less than $150 a month. The maximum salary paid was $444 with maintenance (except for one large boys' school in

which the headmaster received $10,000 a year). In two schools there was no salary schedule and teachers were paid according to the number of pupils enrolled.

H. Education

The objectives toward which their educational programs were directed were not defined in 10 of the schools visited. In 17 schools, of which eight were boys' schools, one was a girls' school and eight were coeducational, the program was primarily one of preparation for college. In eight schools, the objective was to provide a personalized service to children and their parents by giving individual attention to children. In one of these eight schools taking children from 3 to 15, the purpose of the school was to take children who did not fit into public schools or who had acquired bad study habits and to effect improvement by placing them in different grades for different subjects Another coeducational school taking junior high and high school students selected its applicants for admission to avoid "problems." The emphasis in this school (and in another school taking boys from 8 to 14 years old) was on high scholastic standards. In some schools the objective was to train the child for "useful citizenship," or "for adult life" or to provide a "foundation for living" or to give the pupil "a well balanced and fully developed personality." Two schools defined their programs as designed to build "leaders." The emphasis in two other schools was on developing the potentialities of the students under a system of carefully selected admissions. The aim of one school was to provide a sound basis for fundamentals for the purpose of developing a child physically, mentally and socially.

One school, operating a coeducational program for children from three and one-half to eight, provided a center for the study of Hebrew and the purpose stated was "integration of Hebrew and English education."

In seven coeducational schools visited the objective was defined as education based on religious principles either sectarian or nonsectarian. In three schools the objective was to develop sound working habits or to stress the value of work in connection with the development of character.

In some of the girls' schools visited, emphasis was placed on preparing pupils for homemaking, together with a balanced cultural life. In one coeducational school, taking children from 5 to 10, the purpose was to prepare the children "to become happy citizens." The teaching of "dancing, drama, French and the minimum essentials" was defined as the objective in one coeducational school and in another, the objective was to prepare the child for a professional life giving special attention to holding children in school who might otherwise quit early. In one school taking boys from 5 to 18 the objective was to train the pupils in satisfactory deportment and personal habits In other schools the objective was to provide a well-rounded education for the pupils Regardless of the terms in which the objective was stated, there was recognition in most of the schools of the desirability of developing the pupil individually as a member of society.

Children other than normal are not accepted in any of the 70 schools visited according to the information given although one director reported that she would accept a child with a speech defect.

Pupils were enrolled in kindergarten and elementary grades in 20 schools visited; in kindergarten, elementary grades and high school in five schools; in the elementary grades only in 13 schools; in elementary grades and high school in 30 schools; and high school only in two schools. In 43 schools pupils are enrolled by grades and in three schools pupils are not formally graded, but are taught on an individual basis. In all of the remaining 24 schools there were some combinations of grades, either a combination of two grades or as many as seven grades. This was particularly true in the smaller schools, although not entirely so.

A register of students was kept in all of the schools visited. The field of instruction was reported to be academic only in all schools except one which included an occupational field also.

The grading system used in the majority of schools was A, B, C, D, and F, with some slight modification in a few schools. Reports are sent to parents at varying intervals in all but one school in which a verbal report is made to the parent on the progress of the child.

The school calendar dates were reported to be in accordance with or closely approximating the public school calendar in all but three schools, in two of which operations were on a 12-month basis. In addition, four schools operated a summer session distinct from the school calendar dates. The number of days of instruction per year was approximately 180 days in nearly all schools.

In 12 of the schools it was reported that a psychologist or psychiatrist was employed on the staff or was on call. In one school referrel is made to a child guidance clinic when necessary.

Pupils are given standardized achievement, subject matter or aptitude tests in 63 of the schools visited. In 15 schools these tests are given before enrollment; in 36 schools they are given after enrollment and in 10 schools tests are given both before and after enrollment, as needed.

The majority of schools reported that they were meeting the state legal requirements in instruction in regard to the Constitution and American history, health, morals and manners, public safety and accident prevention and instruction in the English language. In 10 schools the director reported that no instruction is given in conformity with Section 8254 of the Education Code on alcohol and narcotics and in some schools there was a lack of understanding of the provisions of Section 8155 of the code regarding Constitution Day. One school official did not know whether any of the above requirements were being met.

A library was provided for the students in 51 schools, consisting of from 200 to 6,000 volumes. The quality and currency of books varied in different schools and in some schools, exceptionally fine facilities were noted. In some schools books were distributed throughout living areas to encourage reading In 17 schools the library was also used as a study hall. Nearby public libraries and county libraries were used by some of the schools which had no facilities of their own.

I. Labor

In two schools visited the minimum wages paid were reported to be $100 a month for 40 hours of work per week. In one school a maid, who had been obtained from Sonoma State Home, was employed for room and board; there was a financial arrangement with the home. In another school one employee was being paid $15 a week for three hours work daily In another school taking only day pupils, it was reported that an elderly couple had quarters in the attic and that the 80-year-old husband was given $30 a month plus his heat, light, and housing to act as caretaker at night; his wife was employed nearby. All other schools reported that the minimum wages paid to employees were within the state legal limit.

The maximum number of hours of work for any employee was reported as 48 hours per week. One director said that she had "no idea" how many hours her employees worked. All but two schools reported that they kept a record of time of employment. Housing was furnished to one or more employees in 15 of the schools.

In 12 schools some degree of work was done by students for the school. In one boarding school taking boys from 6 to 20, all took turns at waiting on tables, in addition some were employed regularly, two or three hours per day at nonhazardous work for which they received tuition reductions. In two boarding schools taking girls from 5 to 18, the pupils cared for their own rooms and were responsible for answering the door bell and telephone. They were not paid for this work which was considered as training for them In another girls' boarding school the girls were employed for two hours per day at nonhazardous work for which they were paid 50 cents per hour. In one coeducational school, one student was employed one and one-half hours regularly or eight hours a week in "custodial work" receiving tuition reduction in return. In another coeducational school it was reported that some of the girls helped the cook get breakfast and they took hourly duties at answering the telephone, that all students made their own beds on Saturdays, took turns on playground duty, washed the supper dishes on Sunday night and set the tables. For these duties they received tuition reductions in varying amounts. Also in this school there were arrangements for employment of students during summer months, but the director said she did not know the details of their assignments or the wages paid. In one coeducational school both boys and girls received tuition reductions for duties which were described as consisting of "washing blackboards and sweeping the school rooms," the director estimating that one hour a day or five hours a week were spent in this occupation. In one coeducational school with an enrollment of 190 pupils from 5 to 18 an assignment of five hours of work per week was expected of each boy or girl for which payment was made. In one large school taking boys between 8 and 18, tuition reductions were received by 24 pupils who served as waiters two hours daily. In another coeducational school seven pupils received tuition reductions in return for one hour of work a day. In one school, enrolling boys between 12 and 19, work was part of the school plan. The buildings housing the school were constructed by the boys and teachers and one

hour of work daily was required without pay. In addition the boys in this school were permitted to saw wood for members of the faculty to earn incidental money.

One military school reported that three older students had part-time employment in a market, that placement was not made by the school and that no inspection was made of the place of employment These students were paid directly by the market and not through the school. Work permits are issued by this school if the parents approve. In another school it was reported that a few students had Saturday jobs and that vacation work permits were issued by the school. In one military school taking children from 4½ to 15, the president stated that work permits were secured if requested for vacation or moving-picture work. In two schools for girls, work permits were secured for vacation or weekends for such work as clerking, teaching dancing, etc. In one boys' school permits were secured for practical training in jobs related to their training at school, in nonhazardous work. Students were placed by the school and places of employment were inspected.

J. Tuition

The lowest tuition paid by resident pupils was $55 a month and the highest $220 a month. Of the schools taking resident pupils the majority charged over $100 a month.

The lowest tuition for day pupils was $5 a month and the highest tuition paid by day students was $130 a month. In the majority of the schools the tuition for day pupils was less than $50 a month.

In some schools tuition was charged on a sliding rate, according to the grade or the number of subjects taken, etc. In some schools there was a charge for "extras." While the tuition charged usually covered a school term of nine months, in a few schools the amount also included all or part of a summer session.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Upon adjournment today—

Transportation and Commerce, in Room 432.
Public Morals, in Room 430.
Ways and Means.
Interim Committee on Water Pollution.

Tonight, at 8 p.m.—

Industrial Relations.
Revenue and Taxation.

At 9 a.m., tomorrow, March 18th—

Rules, in Room 430.

It was announced that the following committee will not hold a meeting tonight:

Civil Service and State Personnel.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Caldecott and The Assembly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Marjorie Benedict of Berkeley.

On request of Mr. Hagen, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Mrs. Wesley Davies of Hanford and Miss Virginia Rasmussen and Mrs. Marion Foster of Fresno.

On request of Mr. McMillan, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Philip F. Walsh and Hoit C. Vicini of Los Angeles.

On request of Mr. Connolly, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Sister Regina, Sister Antoninas, Sister Laetitia, Father Ward, and the following pupils of St. Dominic's School of San Francisco: Marilyn Maschi, Helen Mathews, Bill McManus, John McGuire, Carlos Sevilla, Annette Biber, Richard E. Sweet, Paul Ryan, Clementina Radillo, Francine Catania, Adele Portillo, William Kiner, Veronica G. Sesiunin, Elias A. Silva, Irene Crise, Evelyn Essaff, Edward Dollard, George Lawton, Irene Jerabek, Nancy Ann Smith, Henry Schaeffer, Patricia Tout, Tom Nuyens, Jane Ann Nuyens, John Steen, Michael Donohue, Beverley Davies, Giannina Loyocan, Charyl Powers, Gwendolyn McClone, Joann Sylakowski, Mary Mullarky, and Yvonne Willette.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ethel Brown, Miss Jean Evans, teachers, Mrs. William Berryman, Mrs. Harold Brandt, Mrs. A. J. Crowin, Mrs. Dan J. McIntosh, and Mrs. W. S. Davis, mothers, and the following pupils of the Montezuma School: Glenna Waddle, Helen Leschke, Luella Siefert, Pauline Peoples, Anne James, Elynor Smith, Peggy Simmons, Velma Beck, Jeanette Kester, Bernice Williams, Virgie Merrill, Zola Greenlee, Carlotta Dawes, Elaine Newcomb, Muriel Brandt, Marvethel Reynolds, Zelma Sawyer, Beverly Tyrrell, Oda Smith, Richard Young, George Hames, J. C. Weatherwax, Donnie Smith, Billy Leschke, Glen Brown, Howard Arnaiz, Gerald Cavanaugh, William Cravalho, Mary Cronin, Bobby Frank, Rodney Heikkinen, Gerald Medlock, Ronald Samson, Bobby Pierson, Robert Montantes, Bill Iten, Charles Durham, Don Standridge, Neil Smith, Edwin Sandau, Stanley Robertson, Kenneth Owen, Bill McAter, Robert Cassidy, Gary Berryman, Gene Newcomb, Darrell Winchel, Glen Terry, Odis Smith, Gene Shelton, Mary Ann Luman, Bob Pederson, Tracy Englert, Shirley Sandau, Patsy Roberts, Betty Piersen, Carol Nielsen, Shirley Mayer, Annette Mayer, Dixie Luke, Lavona Denney, Charleen Candini, Ettamae Byers, Shirley Cravalho, Warner Stewart, and Donald Davis.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Henry S. Grant, Guardian, and the following Camp Fire Girls of Oakdale: Bernita Sundling, Maria Caruso, Elaine White, Annette Woodward, Marjorie McIntosh, Joan Lightsey, Joan Horigan, Roberta Harper, Grace Marie Garat, Barbara

Garat, Carol Sundling, Pauline Rice, Kathleen Troth, Jacqueline Shepherd, Margaret Ann Hall, Sandra Meyers, Betty Funari, Betty Webb, Montave Garner, Judy Murtha, Wilma Stockton, Denise Kristman, Mary Ann Funari, Mary Allen, Carol Skavdahl, Carol Engler, Ceola Barclay, Marlan Faye, Arie Martin, Ann Davis, Faye Spilman, Shirley Harris, Maxine Meadows, Patty Coslet, Judy Trunnell, Dorothy Zaro, and Ardythe Edward.

On request of Mr. Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Duckworth, Mrs. Honna, Mrs. Dana, Mrs. Ruhland, Mrs. Fisher, Marie Verna, Mrs. Esley, Mrs. Chain, Mrs Allen, Mrs. Spradling, Mrs. French, Mrs. Semper, Mrs. Johnsen, Mrs. Brown, Mrs. Berkenbile, Miss Campbell, and Dorothy Reithardt, Guardians; and the following Camp Fire Girls from Stockton and San Joaquin County Schools:

Stockton High School: Joan Malloy, Dorothy Walters, Deyla Swineford, Dorothy MacDonald, Dixie Dugan, Patricia Jacobs, Nancy Keigley, Nancy Peterson, Jackie Deven, Alice Herzog, Marilyn Roberts, Barbara Barton, LaVana Hansen, Ann Wright, Mary Bitts, Marcia Simmons, Brook Trikey, Charmaine Ellsworth, Beverly Warner, Carol Goetz, Joan Fleming, Sylvia Weisner, Claire Bromberg, Marsha Madson, Val Ann Grider, Judith Turpen, Joan Siegwart, Lauretta Lenci, Elaine Chain, Marlene Sutherland, Barbara Heill, Janet Clark, Margart Dewar, Colleen Hilton, and Pat Crumb.

August: Donna Clark and Glenda Fisher.

Weber: Dorothy Jean Lee, Jacqueline Scott, Cecile Fox, and Linda Heiger.

El Dorado: Jacqueline Koster, Susan Koster, Marcia Sider, Barbara Newton, Jean Hartman, Janet Hartman, and Gail Hartman.

Davis: Judith McClure, Kathleen Harris, Marie Esley, Darlene Loverock, Betty Rasmussen, and Monetta Warford.

El Dorado: Marnell French, Susan Sheppard, Janet Semper, Donna Semper, Barbara Sherman, Joan Vierra, Jane Soderberry, Barbara Kay, Leslie Eccleston, Donalee Carlson, Judy Andrew, Joan Potter, Sylvia Peirano, Rose Marie Mayer, Lynn Shattuck, Gloria Hudson, Nancy Martin, Karren Peterson, Tisha Haynie, Rodlyn Sievers, Carolyn Chiapale, Leanne Kroh, Donna Monk, Sandra La Fontaine, Nadyne Witt, Judith Kellogg, Linda Nostrand, Mary Maybeck, Beverly Newton, Marilyn Starr, Carolyn Dana, Barbara Scherf, Elaine Sutton, Frances Zdorsky, Martha Ruhland, Janet Martinelli, and Linda Zumwalt.

Woodrow Wilson: Betty Lou Berkenbile, Marjorie Morris, Mary DeLong, Ethel Berkenbile, Barbara Barkhorn, Nadine Graham, Patty Spooner, Sandra Ray Smith, Deanna Nordeen, Judith Gibson, Margo Coolures, Rochelle Bahor, Janis Mae Smith, Tamara Hodgson, Jacklyn Bertolotto, Helen Laird, Loretta Willems, Diane Hoskins, Patricia Held, and Rochelle Rosenthal.

Victory: Susan Chisamore, Margaret Allen, Mary Ann LaValley, Donna Jean Spradling, Donna Viviano, Deanna Harper, Sylvia Bradbury, Carole Jean Johnson, Marilyn Curnow, Norma Glasson, Peggy Ann Osborn, Priscilla Thomas, Carol Cruz, Deann Brown, Judith

McCrabb, Judy Pemberton, Pauline Holdren, Bonnie Evinger, and Robin Betz.

Lincoln: Lynne Hammer, Leanna Norman, Shirely Northcraft, Jeanette Cameron, Irma Duckworth, Marian Hanna, Carole Thomas, Joan Hunt, Marilyn Thomas, Nila Smith, Rosaland Quarles, and Yvonne Mabbett.

St. Agnes: Helen Ways, Barbara Snedeker, Mary Snedeker, Shirely Halverson, and Donno Lee Brown.

Lotte Grunsky: Beverly Roberts and Lynn Crawford.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. George Danver and Mrs. Winfield Montgomery, and the following pupils of the Lockeford School: Johnnie Smith, Edwin Sappenfield, Bob Olds, Patty Tompkins, Nancy Netz, Abe Madrid, Ronald Wall, Janet Howard, Lorene Miller, Darlene Prestridge, Anton Aggerholm, Jun Yanate, Winfield Montgomery, Tom Sholly, Avanell Calton, Delford Phillips, Betty Lou Emmett, Margie Womack, Elden Enzminger, James King, and Dick Hurd.

On request of Messrs. Thompson, Gaffney, Kirkwood, and Maloney the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Notre Dame High School of San Jose: Jean Anderson, Lorraine Boitano, Marie Bruno, Anna Mary Bush, Norma Capas, Nellianne Casparian, Jessie DeLao, Barbara Driscoll, Kathleen Flannery, Donna Francis, Elizabeth Freitas, Marie Gagliasso, Patricia Giannotti, Grace Griffel, Anne Grimaldi, Mary Frances Gurries, Rita Gurries, Geraldine Harris, Mildred Harvel, Ruth Heintz, Geraldine Herzog, Ellen Hess, Charleen Jones, Patricia Kane, Louise Kirby, Anne Kuklinski, Shirley Lannin, Sharon Lewis, Corrine LoGuidice, Alberta LoSavio, Mary Martha MacDonald, Doreen Maffey, Roberta Mager, Colleen Malone, Catherine Matasci, Dorothy Mattos, Joy Maynard, Eileen McBride, Beverly McCarthy, Joanne McDowell, Marianne McDowell, Carolyn McKenzie, Virginia Mijares, Joanne Miller, Lillian Miner, Elizabeth Miranda, Dorothy Mollo, Rita Moore, Dorothy Musso, Charlese Olsen, Dolores Perez, Marylou Perry, Anne Pfieffer, Teresa Polk, Claire Prince, Phyllis Pusateri, Collette Quement, Carol Rankin, Josephine Rizzo, Donna Scilacci, Janet Seidle, Dolores Silva, Angie Sparacino, Joyce Steiner, Marianne Thornton, Josephine Vicari, Annamarie Vierra, Cecilia Wallace, Patricia Whitaker, Kathleen Wilson, and Joan Winterling.

On request of Mr Condon, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pauline Keemer, Mrs. Julia Lally, Mr. Nate DeGiobbi, and Mrs. Charles Haworth, Principal of the Pittsburg Junior High School, and the following pupils: Audrey Adams, Carmen Ambrosini, Mary Ambrosini, O. G. Bray, Ophelia Contreras, Ida Flosi, Josephine Garcia, Joan Girot, Tommy Graham, Rose Herrera, Jack Lucas, David Mangues, Paula McDermott, Jack Megna, Ramon Miller, Fred Patton, Joe Rodriquez, Morena Roller, Benny Salazar, Nanette Smario, Carl Stoval, Donald Wildes, Kathleen Gibaldi, Tommy Reis, Richard Bavier, Mary Aguilar, William Azeveda,

John Carpanella, Mary Jane Cavallaro, Hannah Chambers, Beverly DiMaggio, Estelle Fernandez, Arlene Granberg, Bob Hanson, Dorothy Henderson, Eva Mae Jiles, Mary Jiminez, Juan Lujan, Victor Magistrale, Robert Mendoza, Phyllis Powell, Manuel Rodriguez, Pat Rotell, Katheryn Russo, Gerald Ryan, Frank Straface, Frank Tiscerano, Charles Vaulato, Pete Zaragoza, Nancy Noon, Patricia Davis, Frances Enea, Anthony Aiello, Ronald Anderson, Frances Belleci, Robert Blackford, Isabel Castro, Speranza Cutino, Samuel Dawson, Cherry Fairchild, Katherine Green, Jerry Halsbach, Douglas Killingsworth, Nancy Lynch, Andrew Mercurio, Demetria Mitchell, Carl Peterson, Patsy Romeo, Anthony Russo, Horace Russo, Helen Stratikis, Carmen Verduzco, Kenneth Walker, Anna Marie Wilson, Ponce Matamorez, Virginia Arroya, Earl Blau, Barbara Bogarini, Irene Bogarini, Cathy Dearborn, Miriam DiMaggio, Sarah Fulbright, Joseph LaVallie, Frank Macalusa, Elena Montez, Betty Richer, Alvin Rudkin, Anna San Fillippo, Earl Taylor, Doris Trezza, Douglas Wilson, Tom Brown, Jess Hurtado, Barbara Lawson, Gene Pitlick, John Bankson, Joan Attama, Barbara Belleci, Catherine Capeto, Annette Gaiera, Angie Gonzales, Bonnie Hosier, LaVonne Meyer, Richard Ong, Sarah Ramirez, Richard Rasmussen, Leveta Richards, Joseph Siino, Dorothy Sposito, Rurie Tirey, Donald Wood, Josie Stines, Dorothy Fudge, Carla Karsten, Mary Ellen Alfaro, Tacy Allington, Phyllis Aulton, Andrew Battaglia, Rose Confetti, Marcia Galler, Louis Guiterrez, David Herrera, Worley James, Elliott Lawson, Gertrude McCree, Emily Miller, Marlene Morgan, William Parga, Emmett Pickens, John Roberts, Tommy Rizzo, Carol Roberts, Shirley Russel, Pat Russo, Eleanor Scavarda, Dorothy Stauffer, Edward Tinsley, Richard Wherity, and Linda Meade.

On request of Messrs Dickey, Dunn, Rumford, Lincoln, and Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the Women's Civic Club of Oakland: Mrs. J. J. O'Donnell, President; Mrs Augustus Dunaway, Chairman of Tour; Mrs. Harry E. Allen, Mrs. Louie Heinz, Mrs. H. Foote, Mrs. Agnes Allen, Mrs. Joseph Fabry, Mrs. E. C. Copeland, Mrs. Madge Ferrell, Mrs. Margaret Monkin, Mrs. Nicolas Loshe, Mrs. R. C. Koehler, Mrs Robert Rich, Mrs. Alfred Widel, Mrs. Arthur Gawne, Mrs. Henry Miller, Mrs. Fred Cowell, and Mrs. P. J. Friday.

On request of Messrs Gaffney, Maloney, Berry, and the San Francisco Delegation, the privilege of the floor of the Assembly Chamber for this day was unanimously extended to Rev. Brother Stanislaus, Louis C. Walter, Sr., and John Maffei, and the following pupils of the St. Peter's High School of San Francisco: John Ferro, Donald Gaudette, Richard Gill, Stanton Lee, Robert Maffei, Dennis McCarthy, Frank Nolte, William Perasso, Hugh Peterson, Robert Reynolds, Joseph Roche, Walter Riley, Norman Saucedo, Michael Tarhanoff, Louis Walker, John Warren, and Robert Reynolds.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Verne Kelsey of Los Angeles

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Nettie L. Modrell of Bakersfield.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mrs A. A. Young of Pomona.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to William Buchaman of Pittsburg, S S. Ripley of Richmond, Ray Taylor, and Joseph Barkley of Martinez.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to J. Noland of Sacramento.

ADJOURNMENT

At 3.14 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, March 18, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

TWENTY-NINTH LEGISLATIVE DAY

SEVENTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, March 18, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—72.

Names Placed Upon Morning Roll Call by Unanimous Consent

By unanimous consent, upon order of the Speaker, the names of the members, now in a meeting of the Committee on Rules, were placed upon the morning roll call.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Spirit of Service: May we stand in awe before the universal law of Service, which pervades all life from an atom of dust in the garden to the distant star in the cosmic scheme.

Let Nature remind us that

"Not a worm is cloven in twain, and not a moth with vain desire, is shriveled in the fruitless fire, but each subserves another's gain."

May we see that the strength of the deer is the herd, and of the wolf is the pack, and that even the Cross means that service for the general good is the inescapable condition of survival.

Let us remember that he gains most who serves widely and wisely without selfish thought, as seed cast upon the soil returns to the sower.

"There is a law that makes us brothers—no man goes his way alone;
All that we put into the life of others, comes back into our own."

May we be glad to stand with the great Servants of Humanity, whose names are enshrined forever in poetry and monument, and in the Bibles of religion.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lindsay, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Erwin

Mr. Way, on motion of Mr. Condon

Mr. Babbage, on motion of Mr. Hahn.

Mr. Thompson, on motion of Mr Silliman

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Burke, on motion of Mr. Grant.

Mr. Kilpatrick, on motion of Mr. Grant.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Mrs. H. S Irwin and Mrs. Leslie Carmen, regent and secretary, respectively, of the Encinitas Chapter of the Daughters of the American Revolution of Monrovia, relative to recommending health legislation pertaining to leprosy patients, was received, and ordered referred to the Committee on Public Health.

By Speaker Sam L. Collins:

A resolution from the North Long Beach Commercial Club, Inc., of Long Beach, relative to opposing passage of Assembly Bill No. 1535, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2	Assembly Bill No. 794
Assembly Bill No. 63	Assembly Bill No 797
Assembly Bill No 207	Assembly Bill No. 842
Assembly Bill No. 294	Assembly Bill No 874
Assembly Bill No 297	Assembly Bill No 882
Assembly Bill No. 299	Assembly Bill No 904
Assembly Bill No 300	Assembly Bill No 905
Assembly Bill No. 304	Assembly Bill No. 908
Assembly Bill No 325	Assembly Bill No. 921
Assembly Bill No 417	Assembly Bill No 923
Assembly Bill No. 419	Assembly Bill No. 924
Assembly Bill No. 420	Assembly Bill No. 1078
Assembly Bill No. 450	Assembly Bill No 1098
Assembly Bill No 518	Assembly Bill No. 1099
Assembly Bill No 701	Assembly Bill No. 1102
Assembly Bill No. 792	Assembly Bill No 1104

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1111	Assembly Bill No. 1748
Assembly Bill No. 1161	Assembly Bill No. 1749
Assembly Bill No. 1293	Assembly Bill No. 1750
Assembly Bill No. 1314	Assembly Bill No. 1753
Assembly Bill No. 1318	Assembly Bill No. 1754
Assembly Bill No. 1349	Assembly Bill No. 1755
Assembly Bill No. 1408	Assembly Bill No. 1945
Assembly Bill No. 1411	Assembly Bill No. 2141
Assembly Bill No. 1413	Assembly Bill No. 2143
Assembly Bill No. 1489	Assembly Bill No. 2144
Assembly Bill No. 1605	Assembly Bill No. 2150
Assembly Bill No. 1640	Assembly Bill No. 2285

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2106	Assembly Bill No. 2303
Assembly Bill No. 2107	Assembly Bill No. 2305
Assembly Bill No. 2108	Assembly Bill No. 2306
Assembly Bill No. 2109	Assembly Bill No. 2308
Assembly Bill No. 2302	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 523
Assembly Bill No. 2258

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 18
Assembly Joint Resolution No. 25
Assembly Concurrent Resolution 47

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled

SENATE CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 802

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1362

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1362—An act to repeal Section 22048 of the Education Code, relating to the State Library.

Referred to Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 33
Senate Bill No. 34
Senate Bill No. 37
Senate Bill No 38
Senate Bill No. 74
Senate Bill No. 78
Senate Bill No. 82
Senate Bill No. 219
Senate Bill No. 286
Senate Bill No. 299
Senate Bill No. 382
Senate Bill No. 472
Senate Bill No 537
Senate Bill No 567
Senate Bill No. 590
Senate Bill No. 750
Senate Bill No 767
Senate Bill No. 768
Senate Bill No. 780
Senate Bill No. 782
Senate Bill No 852
Senate Bill No. 1111
Senate Bill No 1119
Senate Bill No 1338
Senate Bill No 1484

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 33—An act to add Section 11010 to the Government Code, relating to charges made by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 34—An act to add Section 13320 5 to the Government Code, relating to budgets of state agencies.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 37—An act to amend Section 12973.7 of the Insurance Code, relating to documents and publications.

Referred to Committee on Finance and Insurance.

Senate Bill No. 38—An act to add Section 1062 5 to, and amend Section 11032 of, the Government Code, relating to absences of state officers and employees from the State.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 78—An act authorizing the State Director of Finance to sell, exchange, or otherwise dispose of certain state property located in San Mateo County, and dispose of the proceeds thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 82—An act authorizing the State Director of Finance to sell, exchange, or otherwise dispose of certain state property located in Stanislaus County.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 219—An act to amend Section 13600 of the Government Code, relating to publications and documents.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 286—An act to amend Section 13 of the Ventura County Flood Control Act, relating to flood control.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 299—An act to amend the title of, and to add Section 4 to, "An act making an appropriation to the Regents of the University of California for establishing and operating an institute of transportation and traffic engineering," approved July 19, 1947, relating to the expenses of certain state, county, city and county, city or district officers and employees attending and participating in meetings of such institute.

Referred to Committee on Municipal and County Government.

Senate Bill No. 382—An act to authorize the Director of Finance to convey all rights, title, and interest of the State of California, in and to certain real property in the County of Kern.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 472—An act to amend Section 13 of the County Waterworks District Act, relating to property and obligations of county waterworks districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 537—An act to amend Section 8552 of the Water Code, relating to the Reclamation Board.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 567—An act to amend Section 12 and to repeal Section 13 of "An act to provide a unified program of construction, improvement, and equipment for state agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," relating to reports of the State Public Works Board.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 590—An act to amend Section 14033 of the Government Code, relating to the Revolving Fund of the Division of Architecture.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 750—An act to add Title 4 and Sections 500041 to 500045, inclusive, to the Government Code, to consolidate and revise the law, relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of arts specified therein.

Referred to Committee on Municipal and County Government.

Senate Bill No. 767—An act to add Article 6.5, comprising Sections 1170 to 1176, inclusive, to Chapter 1, Division 4 of Title 1 of the Government Code, and to repeal an act entitled "An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of Internal Revenue Laws of the United States, declaring the urgency of this act, to take effect immediately," approved February 10, 1943 (Chapter 48 of the Statutes of 1943), relating to withholding taxes from wages, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Referred to Committee on Municipal and County Government.

Senate Bill No. 768—An act to add Chapter 5, comprising Sections 6500 to 6547, inclusive, to Division 7 of Title 1 of the Government Code, and to repeal an act entitled "An act providing for the joint exercise of powers by counties, by municipalities, or by municipalities and counties," approved May 20, 1921 (Chapter 363 of the Statutes of 1921), and an act entitled "An act authorizing certain indebtedness to be incurred in connection with joint exercise of powers by public agencies," approved July 2, 1947 (Chapter 1044 of the Statutes of 1947), relating to the joint exercise of powers by cities and counties and the incurring of indebtedness therefor, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Referred to Committee on Municipal and County Government

Senate Bill No. 780—An act to add Section 12425, Government Code, relating to duties of the Controller.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 782—An act to amend Section 13924 of the Government Code, relating to the valuation of maintenance furnished to state employees

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 852—An act to amend Sections 12127, 12128, 12129, 12130, 12131, 12134, 12135, 12136, 12137, and 12144 of the Education Code, relating to the credentials authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 1111—An act to amend Section 13145 of the Government Code, relative to retention of refunds by state agencies.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1119—An act authorizing the Director of Finance, with the approval of the Youth Authority, to exchange certain real property in the County of Sonoma, State of California

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1338—An act authorizing the sale, exchange or other disposition of certain state property located in Alameda County.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1484—An act to amend Sections 12440 and 16002 of the Government Code, relating to presentation of claims against the State and drawing warrants therefor.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR SPEAKER. Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 379

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

FLETCHER, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 236
Assembly Bill No. 326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FLETCHER, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 159
Assembly Bill No. 462
Assembly Bill No. 724
Assembly Bill No. 764
Assembly Bill No. 773

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

FLETCHER, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr Hawkins asked for, and was granted, unanimous consent that the bills on second reading file with and without proposed committee amendments be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1676—An act to amend Section 5016 of the Public Resources Code, relating to the exchange of land within Anza Desert State Park Project.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2710—An act to add Section 1239 5 to the Code of Civil Procedure, relating to eminent domain and the use of property acquired pursuant to eminent domain proceedings by the State and public agencies.

Bill read second time, and ordered engrossed

Assembly Bill No. 2541—An act to amend Section 5 of "An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale, and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems," approved April 26, 1935, to remove the limitation on the amount of the principal of indebtedness.

Bill read second time, and ordered engrossed.

Assembly Bill No. 158—An act to amend Section 29142 of the Government Code, relating to county and district budgets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 265—An act to add Section 3456a½ to the Political Code, relating to the raising of money for reclamation districts by means of taxation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1012—An act to amend Section 25365 of the Government Code, relating to the powers and duties of boards of supervisors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2370—An act to add Section 5½ to the County Water Authority Act, relating to powers of county water authorities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1360—An act to amend Section 25461 of the Government Code, relating to the powers and duties of boards of supervisors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 556—An act adding Sections 32039, 32040, 32339, and 32340 to the Government Code, relating to retirement systems for peace officers, foresters, firewardens, and county fire protection district firemen.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2840—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112 of, and to add Sections 34112.5 and 34112.4 to, the Government Code, creating new classes of cities to be known as cities of the four and seven-eighths class and cities of the four and five-eighths class, and to provide for their organization, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 40—An act to amend Sections 1500, 1501, and 1503 of the Welfare and Institutions Code, relating to needy children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 193—An act to amend Sections 20452, 20481, and 20482 of the Education Code, relating to the granting of master degrees by state colleges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 642—An act to add Section 1301.1 to the Education Code, relating to the employment of assistant and deputy superintendents of school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1744—An act to amend Sections 18023, 18024, 18025, and 18026, and to repeal Section 18027 of the Education Code, relating to the maintenance and repair of school district property.

Bill read second time, and ordered engrossed

Assembly Bill No. 1777—An act to amend the heading of Article 3 of Chapter 2 of Division 8 of, and to amend Section 16291 of, the Education Code, relating to the transportation of pupils.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2298—An act to add Section 5943 to the Education Code, relating to temporary transfers from county schools service fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 19—An act to amend Section 7137 of the Business and Professions Code, relating to contractors' licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 86—An act to amend Section 9300 of the Government Code, relating to the salaries of Members of the Legislature.

Bill read second time, and ordered engrossed.

Assembly Bill No. 129—An act to add Article 4, comprising Sections 9220 to 9222, inclusive, to Chapter 2, Part 1, Division 2, Title 2 of the Government Code, relating to the powers and duties of the Speaker of the Assembly.

Bill read second time, and ordered engrossed.

Assembly Bill No. 346—An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and operation of establishments or facilities for the sale of merchandise or services to the public.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works.

Amendment No. 1

On page 1 of the printed bill, strike out lines 19 and 20, and insert "sion from the establishment, maintenance, and operation of public camping grounds."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 330—An act to add Section 729 to the Welfare and Institutions Code, relating to the detention of minors by peace officers and probation officers when such detention is necessary for the health and welfare of such minors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "detention home", and insert "juvenile hall".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1352—An act to add Section 1752.8 to the Welfare and Institutions Code, relating to the custody, deposit, and investment of funds in the possession of the Director of the Youth Authority and belonging to persons committed to the Youth Authority and to the disposition of the increment thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out lines 17 to 22, inclusive.

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 22, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 243—An act to amend Sections 31452 and 31595 of, and to add Sections 31601, 31602, 31603, 31604, 31605, 31606, and 31607 to, the Government Code, relating to county employees retirement systems, authorizing the investment of the funds of such systems in court houses and other public buildings, and prescribing the limitations upon such investments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 7 of the title of the printed bill, after "investments", insert ", and declaring the urgency thereof to take effect immediately"

Amendment No. 2

On page 3 of the printed bill, following line 50, insert

"SEC. 11. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 and Section 2 of Article IV of the Constitution and shall therefore go into effect immediately. The facts constituting the necessity are as follows:

That counties in which retirement systems are established have contributed large sums towards such systems amounting in the aggregate to many millions of dollars That such sums are now urgently needed in the construction of buildings to provide quarters for the courts and for county departments and officers, such as health departments, building departments, sheriffs, district attorneys and other departments and officers, who enforce peace, health and safety laws, ordinances and regulations; that present quarters for such courts, departments and officers are inadequate and seriously interfere with their efficient operation; that other money is not immediately available for such purposes; that the investment of such sums by the retirement boards in such property would not only be advantageous to the retirement systems but would materially assist the counties in properly enforcing the laws, ordinances and regulations relating to matters of peace, health and safety, and since other funds are not immediately available for such purposes it is urgent that this money be made immediately available so that such laws, ordinances and regulations may be properly enforced for the public good"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 100—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 22, of the printed bill, after "facilities", strike out "and", and insert a comma.

Amendment No. 2

On page 1, line 24, of said bill, after "facilities", and before the semicolon, insert "and to repay federal or state loans or advances made to such city or city and county for the construction or reconstruction of sanitary or sewerage facilities".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 101—An act to amend Section 770 of the Vehicle Code, relating to disposition by cities of certain fines and forfeitures.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 14, of the printed bill, after "guards", and before the period, insert "who are not regular full-time members of the police department of such city".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 239—An act to require that consideration be given to airport needs of a community when zoning ordinances are proposed, and declaring such ordinances ineffective when such consideration is not given.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "any".

Amendment No. 2

On page 1 of said bill, strike out line 11, and insert "that there".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 765—An act to amend Section 2884 of the Streets and Highways Code, relating to special assessment investigation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert "hearing, omit or decrease any portion of or make such alterations or changes in the work proposed to be done which will not".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "exceeding", and insert "or alterations which will increase said estimated cost by more than".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 9, of the printed bill, strike out "[or omission from]", and insert "or omission from or decrease in".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 926—An act to provide for the transfer of the Napa State Farm to the Department of Mental Hygiene and the vesting of control and disposition of the water rights of the Napa State Farm in the Department of Finance, amending Section 154 of, and adding Division 8 to, the Welfare and Institutions Code and repealing Article 5

of Chapter 2, Part 3, Division 3, Title 2 of the Government Code, all relating to the Napa State Farm

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 8 of the title of the printed bill, following "Farm", insert ", and to repeal "An act to provide for the control of certain property of the State in Napa County by the Fish and Game Commission," approved May 27, 1943"

Amendment No. 2

On page 3 of said bill, between lines 15 and 16, insert

"9007. The Fish and Game Commission shall have control over and the management of, but not the right to transfer or alienate, the lands and properties situated in Napa County, State of California, which lands and properties are now possessed, used, and occupied by the commission in the Yountville Game Farm, located on the State Farm (formerly Napa State Farm) being known and described as Tract No. 1, 25.78 acres; Tract No. 2, 4.81 acres, a total of 30.59 acres, more or less, and an additional tract of 41.39 acres, adjoining the said first mentioned lands and premises."

Amendment No. 3

On page 3 of said bill, following line 23, insert

"SEC. 4. The transfer of the Napa State Farm from the jurisdiction of the Department of Finance to that of the Department of Mental Hygiene effected by this act shall not affect the status and rights of the state officers and employees employed by the Department of Finance at or in connection with the Napa State Farm. On the effective date of this act each such state officer or employee shall be transferred to a like position in the Department of Mental Hygiene and shall continue to be employed at or in connection with the Napa State Farm, without any change whatever in his existing status, rights, privileges, and duties.

SEC. 5. Any money heretofore appropriated and remaining available for the construction of a hog ranch at the Napa State Hospital or for construction and farming activities at the Veterans' Home may upon order of the Department of Finance be expended at the Napa State Farm for similar purposes."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 583—An act to add Chapter 4, comprising Sections 2125 to 2133, inclusive, to Division 3 of the Streets and Highways Code, relating to city, city and county, and county contracts for street and highway work.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, lines 15 and 16, of the printed bill, strike out ", with the approval of the California Highway Commission.".

Amendment No. 2

On page 2, lines 18 and 19, of the printed bill, strike out ", with the approval of the commission.".

Amendment No. 3

On page 2, line 24, of the printed bill, strike out line 24, and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 149—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28157 of the Government", and insert "457 of the Education".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 457 of the Education Code is amended to read:

457. The annual salary of the county superintendent of schools of a county of the fifty-seventh class is [three thousand] *three thousand five hundred* dollars [($3,000)] *($3,500)*, and he shall possess a valid elementary or secondary teaching credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 422—An act to add Sections 3a, 16a, 16b, 16c, 16d, and 16e to the Los Angeles County Flood Control Act, relating to the officers and employees of the Los Angeles County Flood Control District.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 16e", and insert "16e and 16¾".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "officers and employees of the".

Amendment No. 3

On page 2 of the printed bill, following line 40, insert

"SEC. 7. Section 16¾ is hereby added to said act, to read:

Sec. 16¾. Whenever a part only of a house or other structure must be taken or removed in order to use the land on which such structure is situated for flood control or water conservation purposes and the severance of such portion of the structure from the whole structure would cause a substantial damage to the structure, the Board of Supervisors of the Los Angeles County Flood Control District may condemn or otherwise acquire the entire house or structure and thereafter sell or otherwise cause the said structure to be removed from the portion of the land so required for a public use."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 521—An act to repeal Sections 4136, 4137, 4138, and 4139 of, and to add Sections 4136, 4137, 4138, and 4139 to, the Health and Safety Code, relating to garbage disposal districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "be", and insert "by".

Amendment No. 2

On page 1 of the printed bill, strike out lines 14 to 17, inclusive, and insert "in the district."

Amendment No. 3

On page 2, line 3, of the printed bill, strike out "another".

Amendment No. 4

On page 2 of the printed bill, following line 14, insert

"Less than the whole of any city shall not be annexed to the district except by unanimous consent of the governing body of the city."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 522—An act to amend Sections 4890 and 4910 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 4890 and", and insert "repeal Section 4890 of, and to amend Section".

Amendment No. 2

On page 1 of the printed bill, strike out lines 2 to 16, inclusive, and insert "is hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 67—An act to add Chapter 10.5, comprising Sections 6401 to 6406, inclusive, to Division 3 of, and Section 5026.3 to, the Education Code, relating to state payments to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 3 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 2, of said bill, after line 14, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

The conditions which this bill proposes to alleviate, that is, the reduction in school district tax receipts due to the exemption of state-owned property, work particular hardship on sparsely populated school districts by forcing the maintenance of substandard teaching systems in substandard buildings. The situation is so acute that one school district is forced to scatter its school classes in rented rooms which fall far below the minimum standards for school facilities

The children living in these districts are being denied their birthright of a good education. In order to give these children, our future citizens, every opportunity to become useful and happy people, it is essential that this measure take effect at the earliest possible time. In order for the school districts to improve their educational services for the ensuing school year it is necessary for the measure to take effect immediately since contracts with school teachers are customarily entered into in May."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 111—An act to amend Sections 1, 2, 3, 4, and 5 of an act entitled "An act establishing a four-year state institution of higher education in the City of Los Angeles, County of Los Angeles," approved July 2, 1947, relating to the establishment, government and maintenance of a four-year state institution of higher education in the City of Los Angeles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 13, of the printed bill, after "members", insert "who shall provide, maintain, manage and control the same".

Amendment No. 2

On page 2, line 36, of said bill, strike out "attending", and insert "rendering".

Amendment No. 3

On page 3, line 21, of said bill, strike out "board", and insert "State Director of Education".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 260—An act to amend Section 16271 of the Education Code, relating to the transportation of public school pupils and employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 12, insert

"SEC. 2 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

The present law is impractical in its application to many school districts situated on the state border In some border districts, it is impossible to furnish necessary transportation to and from school for the pupils of the district without crossing the state border as the roads used in transporting pupils to and from school do not run solely within the California Boundary In other school districts, although the roads ordinarily used by the school busses are within the State, heavy snowfall or rain necessitates the use of circuitous routes which run outside the state line during the winter months.

Furthermore, pupils of school districts bordering on other states should not be denied the experience of taking field trips, as a part of their curricula, in neighboring states and in participating in other school activities which take place close to the district but across the state line.

In order that the borderline school districts shall be authorized to carry out their necessary activities and furnish pupils with the best possible service it is necessary that this measure take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1174—An act to add Section 6962 to the Education Code, relating to the education of adults.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 1, line 4, of said bill, after "adults", insert "confined in a public institution".

Amendment No. 3

On page 1 of said bill, after line 5, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are

The amount of money allowed to school districts furnishing individual instruction to physically handicapped adults should be placed on an equal basis with the amount for furnishing such instruction to physically handicapped minors. The present law provides that each clock hour of teaching time devoted to the individual instruction of such minors counts as one day of attendance No such provision is made for the equally important individual instruction furnished to physically handicapped adults with the result that as little as one fourth as much money is available per pupil for the instruction of the adults as is available for the minors

In order that school districts furnishing individual instruction to physically handicapped adults confined in hospitals may provide more adequate instruction for the school year commencing in the fall of this year it is necessary for this bill to take effect immediately since contracts between the school districts and teachers are entered in May and it is often impossible to hire teachers later in the year"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 1604—An act making an appropriation to the Youth Authority for payments under Section 957 of the Welfare and Institutions Code.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "of two hundred eighty-eight thousand dollars ($288,000), or so much thereof as may be".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Bill No. 128—An act authorizing the State Director of Finance to sell, exchange or otherwise dispose of certain state property located in the County of Sacramento.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, following "Sacramento", insert ", and providing for the disposition of funds received from the sale thereof".

Amendment No. 2

On page 2 of said bill, following line 22, insert

"SEC 2. Any moneys received from the sale of the property herein authorized shall be paid into the State Treasury in augmentation of the appropriation contained in Chapter 101, Statutes of 1946, First Extraordinary Session."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 167—An act to provide for reversion of unexpended balance in the Vocational Rehabilitation Fund.

Bill read second time, and ordered to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 331—An act to amend Section 957 of the Welfare and Institutions Code, relating to state reimbursement of counties for juvenile homes and camps.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 331 Be Withdrawn From File, and Be Re-referred

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 331 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Assembly Bill No. 416—An act to add Section 638.1 to the Welfare and Institutions Code, relating to the duties of probation officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1356—An act to add Section 1767.7 to the Welfare and Institutions Code, relating to the care of paroled persons under the jurisdiction of the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Weber, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2247—An act to amend Section 2924c of the Civil Code, relating to reinstatement of deeds of trust and mortgages, and attorneys fees in connection therewith.

Bill read third time, and ordered passed on file temporarily.

Assembly Bill No. 868—An act to amend Sections 1261 and 1262 of the Military and Veterans Code, relating to veterans' affairs

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 748—An act to add Section 10007 to the Penal Code, relating to inspection of public prisons.

Bill read third time, and ordered passed on file.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO CONTACT BILL ROOM

Mr. Cramer moved that the Chief Clerk be instructed to contact the Supervisor of the Bill Room, and request that the Bill Room place bills in numerical order, in the bill folders of members, rather than in the sequence in which they are listed in the File.

Ruling by Speaker

Speaker Sam L. Collins ruled the motion not in order, as established procedure is to the advantage of accuracy on the part of Bill Room employees, working under pressure of time.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No 26

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 127

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 135
Assembly Bill No. 298
Assembly Bill No. 301
Assembly Bill No. 309

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 18, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 79
Senate Bill No. 92
Senate Bill No. 95
Senate Bill No. 148
Senate Bill No 195
Senate Bill No. 272
Senate Bill No. 753
Senate Bill No. 765
Senate Bill No. 895

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 79—An act to amend Section 27640 of the Government Code, relating to the appointment of county counsels in counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 92—An act to amend Section 25601 of the Government Code, relating to wild flowers.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 95—An act to repeal Article 4 of Chapter 1 of Division 20, consisting of Sections 24150 and 24151, of the Health and Safety Code, and to add Sections 267 and 268 to the Harbors and Navigation Code, relating to regulation of power boats and motor boat races.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 148—An act to amend Section 750 2 of the Agricultural Code, relating to the effective period of Chapter 14 of Division 4 of said code, relating to the California Dairy Industry Advisory Board.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 195—An act to amend Section 28127 of the Government Code, relating to compensation for public service in counties of the twenty-seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 272—An act to amend Sections 12130.1, 12400.1, and 12402.1 of the Education Code, and to add Section 12130.2 to said code, all relating to the credentials authorizing service in the public schools, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 753—An act to amend Section 29741 of the Government Code, relating to the audit and allowance of claims against counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 765—An act to add Title 5 and Sections 500046 and 500047 to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of acts specified therein.

Referred to Committee on Municipal and County Government.

Senate Bill No. 895—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class.

Referred to Committee on Municipal and County Government.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2247

Assembly Bill No. 2247—An act to amend Section 2924c of the Civil Code, relating to reinstatement of deeds of trust and mortgages, and attorneys fees in connection therewith.

Bill read third time.

Request for Unanimous Consent to Speak on Condition of File

Mr. Silliman asked for unanimous consent that he be permitted to speak on the condition of the file.

Ruling by Speaker

Speaker Sam L. Collins withheld unanimous consent, and ruled Mr. Silliman out of order because the business before the House is debate upon Assembly Bill No. 2247.

The question being on the passage of Assembly Bill No. 2247.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Caldecott, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Tomlinson, Waters, Weber, and Mr. Speaker—41.

NOES—Burkhalter, Clarke, George D. Collins, Cooke, Cramer, Davis, Ralph C Dills, Elliott, Geddes, Hawkins, Heisinger, Hoffman, Lewis, Lincoln, Lowrey, Luckel, Morris, Rumford, Stanley, and Thomas—20.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dickey announced that, in order to avoid expense in the printing of the various reports of the Crime Commission by the Legislature, he has arranged that the Crime Commission will furnish sufficient copies for distribution, so that every member may receive one copy of every report; and that said copies will be distributed to members as soon as delivered by the Crime Commission; and that a portion of the reports were delivered today.

REQUEST FOR UNANIMOUS CONSENT TO SPEAK ON CONDITION OF FILE

Mr. Dunn asked for unanimous consent that he be permitted to speak on the condition of the file.

Ruling by Speaker

Speaker Sam L. Collins ruled Mr. Dunn not in order.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 188—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Waters, Weber, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger,

Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Waters, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 506—An act to add Section 984 to Article 3, Chapter 6, Division 4 of the Military and Veterans Code, relating to farm and home purchases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 376 BE TAKEN UP, OUT OF ORDER

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to refer back to No. 42 on file, and that consideration of Assembly Bill No. 376 be taken up, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 376 BY UNANIMOUS CONSENT

Assembly Bill No. 376—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Bill read third time, and ordered passed on file temporarily.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Moss and Fleury as a Select Committee to escort the first Ambassador to the United States from the new State of Pakistan, recently divided from India, His Excellency, the Honorable M. A. H. Ispahani, to the rostrum.

RECESS

At 11.30 a.m., on motion of Mr. Dickey, the Assembly recessed until 11.40 a.m. to hear remarks from the first Ambassador to the United States from the Dominion of Pakistan, His Excellency, the Honorable M. A. H. Ispahani.

REASSEMBLED

At 11.40 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 438
Assembly Bill No. 494
Assembly Bill No. 796
Assembly Bill No. 843
Assembly Bill No. 844

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 376

Assembly Bill No. 376—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings.

Bill read third time, and ordered passed on file temporarily.

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Weber asked for, and was granted, unanimous consent that the following reports be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2711

Has had the same under consideration, and reports the same back with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 845
Assembly Bill No. 871
Assembly Bill No. 881
Assembly Bill No. 903
Assembly Bill No. 920
Assembly Bill No. 997
Assembly Bill No. 1101
Assembly Bill No. 1103
Assembly Bill No. 1107

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 89	Assembly Bill No 619
Assembly Bill No. 442	Assembly Bill No. 817
Assembly Bill No 608	Assembly Bill No 2101

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No 36	Assembly Bill No 1863
Assembly Bill No. 620	Assembly Bill No 1865
Assembly Bill No 667	Assembly Bill No 1866
Assembly Bill No 852	Assembly Bill No 2153
Assembly Bill No 1858	Assembly Bill No. 2326
Assembly Bill No 1859	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR. SPEAKER Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No 607

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 17, 1949

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No 20	Assembly Bill No 618
Assembly Bill No 616	Assembly Bill No 407

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

LUCKEL, Chairman

Above reported bills ordered to second reading.

MEMBER EXCUSED

At 2.02 p.m., Mr Moss asked for, and was granted, unanimous consent that Mr Hagen be excused for the balance of the legislative day, as he is attending to legislative business elsewhere.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 376

Assembly Bill No. 376—An act to amend Section 18191 of the Education Code, relating to the construction of school buildings

Bill read third time.

Demand for Previous Question

Messrs. Grant, Lipscomb, Conrad, Smith, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 376.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Fletcher, Gaffney, Grant, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, Meyers, Moss, Reagan, Rumford, Smith, Stanley, Stewart, Weber, and Mr. Speaker—44.

NOES—Ralph C. Dills, Evans, and McMillan—3

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 904—An act to add Section 1045 to the Agricultural Code, relating to fertilizing materials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Weber, and Mr Speaker—53.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 905—An act to amend Sections 1010 and 1011 of the Agricultural Code, relating to spray residue.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Waters, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 921—An act to amend Section 809 of the Agricultural Code, relating to walnut standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 923—An act to amend Section 18.1 of the Agricultural Producers Marketing Act, relating to amendments to marketing programs and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Weber, and Mr. Speaker—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Weber, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 924—An act to add Section 1276 to the Agricultural Code, relating to the disposition and use of moneys derived from provisions of said code, pertaining to produce dealers and processors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Weber, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1314—An act to amend Section 802 of the Agricultural Code, relating to standards for grapes, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Waters, Weber, and Mr. Speaker—55.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Waters, Weber, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that a package of Crime Commission Reports, individually addressed to certain members, was herewith being turned over, by him, to the Chief Clerk for immediate distribution The names of the recipients were read, and the members urged to claim their reports, at this time.

Mr. Meyers announced that the Saint Patrick's Day parade will be held in San Francisco on next Sunday, March 20th.

Members of the Assembly, who are invited to be special guests, are requested to be at the City Hall, in San Francisco, between 1.30 p m. and 2.15 p.m., at the latest.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 207—An act to amend Section 29.1 of the Fish and Game Code, relating to bounties on crows and magpies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Weber, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 882—An act to amend Sections 990 and 990.1 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Mr. Speaker—55

NOES—George D. Collins, Conrad, and Lowrey—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT THE CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 802 BE TAKEN UP, OUT OF ORDER

Mr. Stewart asked for unanimous consent that the consideration of Senate amendments to Assembly Bill No. 802 be taken up, out of order, at this time.

Mr. Beck withheld unanimous consent.

COMMUNICATIONS

By Mr. Dickey:

The following communication was received, read, and ordered printed in the Journal:

A. W. HERRON COMPANY
SACRAMENTO, CALIFORNIA, March 18, 1949

Hon. Randal F. Dickey, Chairman, Committee on Rules
California State Assembly, Sacramento, California

DEAR MR. DICKEY: It has been brought to my attention that you were informed that three keys were made for each file cabinet furnished the Assemblymen by our company. This is true. Only two keys, however, were delivered with each cabinet.

At your request, we keyed these locks especially because of valuable contents stored therein. It is our policy, when this special key is requested, to make an additional key and keep on hand in case of loss. This is good, standard business practice.

This letter is written to tell you that we hope our honest mistake will not embarrass you or the good work you are doing. The third key will be returned by me, personally, to every individual Assemblyman—if they lose them, then please call a locksmith.

Yours very sincerely,

A. W. HERRON COMPANY
C. I. MOGLE, Sales Manager

cc—Honorable Sam Collins, Speaker of the Assembly.

ANNOUNCEMENTS

Mr. Dickey announced that, as rapidly as the steel file cabinets are delivered, they are being given to the members; and that it is expected that every member will have his cabinet within a few days.

MOTION THAT CHIEF CLERK BE INSTRUCTED RELATIVE TO THIRD KEY

Mr. Lowrey moved that the Chief Clerk be instructed to hold the third key to every member's steel file cabinet.

Motion died for lack of a second.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK SEND COPIES OF ASSEMBLY CONCURRENT RESOLUTION NO. 1

Mr. Fletcher asked for, and was granted, unanimous consent that the Chief Clerk be instructed to order one dozen illuminated copies of Assembly Concurrent Resolution No. 1, and to send them to Mrs. John C. Lyons, widow, and Miss Virginia Lyons, daughter, of the late former Member of the Assembly from the Sixty-fourth District, the Honorable John C. Lyons.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Huyck, Grant, Berry, Morris, Smith, Hinckley, Meyers, Rosenthal, Geddes, Tomlinson, Stanley, Hagen, Rumford, Babbage, Lipscomb, Reagan, Levering, Conrad, Grunsky, Connolly, Silliman, Fleury, Moss, Lindsay, Caldecott, Lincoln, Kirkwood, Waters, Stewart, Cramer, Erwin, Clarke, Butters, Hoffman, and Sherwin:

House Resolution No. 129

Relative to directing the Assembly Standing Committee on Governmental Efficiency and Economy to investigate the problems arising out of the adoption of Article XXV of the State Constitution

WHEREAS, The adoption of Article XXV of the Constitution, designated therein as the Old Age Security and Security for the Blind Law, at the general election held on November 2, 1948, has effected extensive changes in the State Programs for Old-age Assistance and Aid to the Needy Blind and in the State Department of Social Welfare; and

WHEREAS, The effect of the said Article XXV upon the organization and administrative operations of the State Department of Social Welfare is not fully known to and understood by the Members of the Assembly, but there has been general discussion and debate as to the existence of and relationship, if any, between the State Social Welfare Board appointed by the Governor prior to the adoption of the said Article XXV, and the board or committee which the Director of the State Department of Social Welfare is authorized by Section 4 of Article XXV to appoint, with the consent of the Senate; and

WHEREAS, There have been reports in the public press that certain former officials of the State Department of Social Welfare and others have been offered and have accepted positions on the said board or committee, and subsequent recent reports that those persons have withdrawn their acceptances thereof or have resigned therefrom, but the facts are neither a matter of public record, nor known to the Members of the Assembly; and

WHEREAS, The Members of the Assembly are informed that federal funds for old-age assistance and aid to the needy blind were withheld from the State from January 1, 1949, until a date late in February, 1949, on the ground that the state plans for such assistance and aid, as modified by Article XXV and the rules adopted by the Director of the State Department of Social Welfare, had not been found by the Federal Security Administrator to be in conformity with the Federal Social Security Act, and that such approval has now been secured and such federal funds have now been made available to this State, but the information of Members of the Assembly on these matters is derived from unofficial sources, and neither the specific facts nor the reasons for federal action are known to the Members of the Assembly; and

WHEREAS, It is essential that the Members of the Assembly, in order to exercise their legislative function, should have complete and accurate information as to the nature and scope of the financial obligations of the State under Article XXV of the Constitution in relation to the general problem of state finances; and

WHEREAS, The assumption by the State of the full administration of old-age security and security for the blind will increase the need of the State Department of Social Welfare for competent and experienced employees to perform the functions in relation thereto previously performed by officers and employees of the counties, and at the same time lessen the need of the counties for the services of such officers and employees, and there are bills pending before the Legislature to provide for employment of such county officers and employees by the State Department of Social Welfare and for the protection of the rights of the individuals affected; and

WHEREAS, The Members of the Assembly are not fully cognizant of the nature and scope of the problems arising out of the adoption of Article XXV, the necessity for legislation to implement Article XXV, and the present extent of the power of the Legislature to exercise legislative control over old-age security, security for the blind, and the State Department of Social Welfare; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Standing Committee on Governmental Efficiency and Economy is hereby authorized and directed

to ascertain, study, and analyze all facts relating to Article XXV of the Constitution, the subject matter thereof, and the problems arising therefrom, including but not limited to the matters hereinabove set forth, and to report thereon to the Assembly not later than May 15, 1949; and be it further

Resolved, That the sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Standing Committee on Governmental Efficiency and Economy and its members and for any charges, expenses, or claims incurred by the committee in the exercise of its functions, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Fletcher, Evans, and Brady:

House Resolution No. 130

Assembly resolution relative to the creation of a committee to investigate the attempts to nullify the use by the people of their constitutional rights through the initiative to make laws and to see such laws when adopted are given a fair opportunity to work

WHEREAS, No sooner had the majority of the people voted on November 2, 1948, old age security and security for the blind into law as the Twenty-fifth Amendment to the State Constitution than those who opposed its enactment immediately commenced a campaign for its repeal; and

WHEREAS, This repeal move is unprecedented in the history of our State and threatens to undermine the confidence of the people in the initiative and in our constitutional form of government; and

WHEREAS, Members of the Legislature are besieged by inquiries from frantic and disturbed needy aged and blind who believe and are being told that their welfare is threatened; and

WHEREAS, Members of the Legislature receiving such pleas for information are not fully aware of all sides of the question and therefore cannot advise their constituents regarding their welfare; and

WHEREAS, Legislation is now before the State Legislature to assist the State Department of Social Welfare, in its compliance with Article XXV and such legislation can best be considered after a thorough and impartial investigation by a competent and informed legislative committee; and

WHEREAS, Legislation is now being proposed and considered that directly or indirectly affects the State Department of Social Welfare and recipients of old age security and security for the blind which measure the legislators may be hesitant to act because of the uncertainty of the future due to said repeal agitation; and now, therefore, be it

Resolved by the Assembly of the State of California

(1) The Committee to Investigate the Attempts to Repeal Article XXV of the Constitution, and to Study the Mechanics of Said Article is hereby created, authorized, appointed, and directed to investigate, ascertain, collate, appraise, study and analyze all facts directly or indirectly relating to the foregoing.

(2) In addition to other duties imposed upon the committee, the committee shall investigate and study the activities of persons, publicists, groups and organizations who have as their object to repeal Article XXV of the State Constitution.

(3) The committee consists of five Members of the Assembly appointed by the Speaker.

(4) The committee is authorized to act during the session of the Legislature, including any recess, and after final adjournment until final adjournment of the next regular session with authority to file its report not later than the last legislative day of the next regular session.

(5) The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman and to employ and fix the compensation of a secretary and such clerical investigative expert and technical assistants as it may deem necessary.

(b) To create subcommittees from its membership, assigning to the subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited

by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee which powers may be withdrawn or terminated at any time by the committee.

(c) To adopt and from time to time amend such rules governing its procedure (including and the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate

(d) To contract with such other agencies public or private as it deems necessary for the rendition and affording of such services, facilities and reports to the committee as will best assist it to carry out the purposes for which it is created,

(e) To meet at the State Capitol or at any other place in this State or within the United States, and to expend funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California

(f) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procure testimony

(g) To cooperate with and secure the cooperation of county, city and county, and other law enforcement agencies, and also civic and private organization in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(h) To report its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided

(i) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the object and purposes of this resolution

(6) The committee, each of its members, and any representatives of the committee thereunto authorized by the committee or by its chairman is authorized and empowered to administer oaths.

(7) Every department, commission, board, agency, officer, and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in the State shall furnish the committee and any subcommittee upon request any and all such assistance, and information records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created.

(8) The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasury.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Mr. Burkhalter announced the contents of House Resolution No. 131, stated that he is presently putting it across the desk, and invited interested members to become co-authors.

RESOLUTIONS

The following resolution was offered:

By Messrs. Burkhalter, Evans, Beck, and Elliott:

House Resolution No. 131

Relative to requesting the Public Utilities Commission to delay final action on application of Pacific Electric Railway Company to make certain changes in its rail and motor coach service

WHEREAS, The Pacific Electric Railway Company, on February 25, 1949, filed its application No. 30095 with the Public Utilities Commission of the State of California requesting permission for the "abandonment of certain rail lines, discontinuance of passenger service on certain other rail lines, substitution and discontinuance of

motor coach service over certain routes, and, in general, to make such changes in its rail and motor coach system" as specifically set forth in said application; and

WHEREAS, The inadequacy of the mass transportation facilities in the Los Angeles metropolitan area is apparent to all, and several proposals are now under consideration attempting to find a proper solution to this great mass transportation problem; and

WHEREAS, There are now pending in this session of the Legislature four bills proposing to authorize the formation of metropolitan rapid transit districts, with power to plan, finance and construct rail rapid transit facilities more adequately to meet the transportation needs of the metropolitan areas of this State; and

WHEREAS, The granting at this time of said Application No. 30095 of the Pacific Electric Railway Company would cause irreparable injury and hardship to the people of the Los Angeles metropolitan area and possibly delay for all time the proper solution of the transportation problem; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

The Public Utilities Commission of the State of California is hereby requested to postpone action on Application No. 30095 of the Pacific Electric Railway Company, a corporation, or any other application of said company for authority to make changes in its rail and motor coach service, until this Legislature has had time within which to give consideration to Assembly Bills Nos. 147, 2023, and 2454, and Senate Bill No. 194; and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to certify to the adoption of this resolution and transmit a copy thereof to the Public Utilities Commission of the State of California and to the Pacific Electric Railway Company.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 372
Assembly Bill No. 1290

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 118
Assembly Bill No. 447
Assembly Bill No. 809
Assembly Bill No. 2400

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 118 re-referred to Committee on Judiciary.

Assembly Bill No. 447 re-referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 809 re-referred to Committee on Public Health.

Assembly Bill No. 2400 re-referred to Committee on Livestock and Dairies.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Next Monday, March 21st, at 3.30 p.m.—

Civil Service and State Personnel

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to the following delegates attending California Credit League convention: Henry K. Darrah, Squire F. Fridell, Jr., Robert T. Gilmore, Carroll H. Hudson, L. A. Hune, Paul Hart, Edna K. Hardman, R. M. Hicks, Lewis T. Hanlon, Walter G. Holbrook, Leona L. Harris, Barbara Harris, Marji Housen, C. L. Hulbert, J. L. Huncke, Morris Hayter, John O. Helgren, George F. Hees, Arthur L. Hamilton, Georgene Hayter, Ollie M. Howard, Charles Hendershot, Harry E. Hjorth, Ray Hall, Chester W. Howard, Mark A. Hall, Sandy A. Hicks, Mrs. Grace Hamilton, Edward C. Hetz, George G. Harward, Lawrence W. Helgesen, James D. Holbrook, C. H. Hunter, Jr., A. E. Heide, S R. Jarvis, Ruth Jaffee, Tom Jones, Sarah Judd, Wendell M. Jones, Velma Jones, Walter R. Koenig, Catherine R. Kimball, George B. Krieg, Glenn P. King, W. A. Krimmel, Kenneth Kimball, Lou Keymer, Virgil Knider, Helene Kunz, Eric A. Lotz, Mrs. J. C. Lorie, Joseph C. Lortie, Edward L. Leavitt, C. H. Lasenby, Dorcas B. Lotz, Lars C. Hansen, E. B. Larson, Seymour Lipschultz, Albert Lipsold, Fred B. Lovie, Gerald M. Lawler, Alice Larsen, Wayne La Borde, Mrs. Edythe L. Lenox, Edwin O. Lenox, Roy Metz, H. W. Miller, Ewald Mallard, J. W. Miller, Larry Mossman, Marry O. Mossman, Charles J. Male, Clarence E. Murphy, D. D. Mattocks, Mrs. Art Moll, Art Moll, Martin R. Mortensen, Cliff Miller, Charles O. Murray, Mrs. P. H. Montgomery, P. H. Montgomery, Oscar S. Malm, Margaret Moore, Leon Armstrong, William T. Ashton, Frank A. Atwill, W. C. Astley, Peter R. Aduna, Lucille Bray, T. O. Becker, Harold O. Brown, J. W. Brown, Judy K. Barnes, Carl A. Bowman, George W. Barnes, Charles O. Busick, Jr., Elizabeth Bonner, Victor L. Bone, Mrs. H. F. Bramley, H. F. Bramley, William Barclay, Carl Barnum, L. Bardin, W. L. Black, Martha Bunker, W. G. Blaikie, C. V. Brainard, Mildred S. Boyd, Ernest C. Boyer, John N. Bennets, Harold E. Baughman, H. G. Baugh, Evelyn Ann Cox, H. W. Crawley, Edna F. Cook, Muriel Conant, Russell B. Cossey, David R. Coleman, Blanche Calfee, Maurice E. Calfee, Grace Cook, Frank Campbell, F. D. Cook, Miss Inetta C. Carty, John G. Chaffee, Josephine C. Coleman, A. P. Carroll, Harry Gross, Virginia Gross, H. J. Gavigan, Mrs. B. J. Geary, Lee C. German, Max Gorenstein, Mrs. Max Gorenstein, Edith German, Dave K. Giles, Owen S. Gibbs, John Gustavson, Elsie Gillespie, Parker Gillespie, Earl N. Cooper, Marion E. Cooper, Ernest J. Boublucq, William H. Crawford, John W. Connington, B. Davidson, Pauline M. Delker, Orval B. Delker, Harry Denton, A. W. DeWeese, Ike Danning, L. F. Dense, E. F. Dinley, Andrew N. Dye, Warren L. Doty, William H. Durham, Winifred de Jong, H. W. de Jong, R. E. Dunkle, Al DuRaub, Barbara E. Fox, D. C. Edminster, Earl Eversmeyer, Charles Eikel, Sheldon P. Estabook, Leon Egan, Arch Edgerton, Bernadine M. Estabrook, Robert Fordman, Evertt L. Fountain, Laures H. Fretts, W. G. Feuchter, Hal Fullerton, Paul K. Farmer, Leo Freed, Myron Flagg, Kenneth S. Greathead, Norma Garner, Orrie A. Gould, Merle L. Gould, Howard E. Green, Mrs. Donald B. George, Mr. Donald B. George, T E. Davis, John R Hoffman, and Mrs. John Hoffman, and Modelle Hall.

The Oakland Delegation includes: M. Aylward, G. R. Tilton, George K. Brandner, Jim Brunsell, Sr., John L. Moore, G. O. Jacobsen, J. C. Shaver, N. J. Breckling, Harold Graves Buckalew, A. R. McKay, G. H. Porep, A. P. Klaiss, K. W. Geide, R. J. Santos, W. F. Lindauer, A. L. Jensen, J. R. Hoffman, J. W. Bevis, J. S. Edwards, H. F. Closson, E. J. Ruedy, M. Chandler, M. F. Goode, O. C. Gilbertson, Don Erb, and Mrs. J. S. Edwards.

On request of Mr. Butters, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harold Krohn and son of Grass Valley.

On request of Speaker Collins, the usual courtesies of the Assembly for this day were unanimously extended to His Excellency M. A. H. Ispahani, Ambassador to the United States from the Dominion of Pakistan, and Ted Labhard of Sacramento.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Harrison Call, former Member of the Assembly, of San Mateo.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth Jaffee of Los Angeles.

ADJOURNMENT

At 3.04 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, March 21, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTIETH LEGISLATIVE DAY

SEVENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 21, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Mankind: Before our minds this day, let the vision rise of people of all lands and centuries lifting up their thoughts to Thee.

We look back to the dawn of history, and behold the temples of the Nile and the Acropolis, and the multitudes who kindled their altar fires to Thee.

When we survey the first inhabitants of the forest primeval of our own continent, we behold them acknowledging with reverence the Great Spirit of the Universe.

We look over to the teeming millions of the Orient, and behold the kindred aspirations and devotion to some higher power that the common heart of man reveres.

Wherever civilization rises and culture flowers, we see the cities starred with spires and hear the bells calling the human heart to Thy Universal Spirit.

So now may this vision of the unity of mankind, of our oneness in faith in the Highest, inspire us to dwell and work together in Goodwill.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Moss, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Huyck, on motion of Mr. Smith.

Mr. Grunsky, on motion of Mr. Dolwig.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

THE PACIFIC SOUTHWEST AREA COUNCIL OF THE
NATIONAL COUNCIL OF THE YOUNG MEN'S CHRISTIAN ASSOCIATIONS
OF THE UNITED STATES OF AMERICA

LOS ANGELES, March 17, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. COLLINS: At its recent session in the State Capitol February 18th and 19th, the first YMCA Model Legislature, held through the courtesy of the Senate and Assembly of the State of California, asked me to express to you and through you to the Members of the Assembly the extreme appreciation of the boys and girls who participated in the first YMCA Model Legislature for permission granted by them for use of the facilities.

Their appreciation is expressed in Senate Concurrent Resolution No 2 introduced by Senator John Tucker representing the Cardinal Hi-Y Club of West Los Angeles, a copy of which is enclosed.

Sincerely yours,

MARLENE JOST, Chief Clerk
YMCA Model Legislature

Above mentioned resolution (Senate Concurrent Resolution No. 2) ordered filed with the Secretary of State.

By Speaker Sam L. Collins:

A communication from the Supreme Office of the Royal Neighbors of America, from Mrs. Jessie B. Huguley, of Alameda, relative to the desire of this organization that Assembly Bill No. 2671 be defeated, was received, and ordered noted in the Journal.

By Speaker Sam L. Collins:

A communication from Mrs Ino Chilautt of Pomona, relative to rental control, was received, and ordered noted in the Journal.

REQUEST FOR UNANIMOUS CONSENT THAT STATEMENT BE PRINTED IN JOURNAL

Messrs. Way and Condon asked for, and were granted, unanimous consent that the following statement be ordered printed in the Journal:

Statement

When Assembly Joint Resolution No 26 was offered in the Assembly, we requested that our names be included as authors. Through inadvertance, our names were not included.

The resolution was printed before we observed the omission of our names, and rather than have the State go to the expense of reprinting the resolution, we take this means of making known that we are sponsors of this measure.

ROBERT L. CONDON
A. W. WAY

REQUEST FOR UNANIMOUS CONSENT THAT CHANGE BE NOTED IN JOURNAL

Mr. Fletcher asked for, and was granted, unanimous consent that the corrected Journal for Friday, March 18, 1949, show, on page 1151, the following transpositions of figures:

List Assembly Bill No. 379 in place of Assembly Bill No. 159 in the first report of the Committee on Industrial Relations.

List Assembly Bill No. 159 in place of Assembly Bill No. 379 in the third report of this committee as listed on above mentioned page.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 19	Assembly Bill No. 1012
Assembly Bill No. 40	Assembly Bill No. 1360
Assembly Bill No. 86	Assembly Bill No. 1676
Assembly Bill No. 129	Assembly Bill No. 1744
Assembly Bill No. 158	Assembly Bill No 1777
Assembly Bill No. 193	Assembly Bill No. 2370
Assembly Bill No. 265	Assembly Bill No. 2541
Assembly Bill No. 556	Assembly Bill No. 2710
Assembly Bill No. 642	Assembly Bill No. 2840

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2298

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Price asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2106—An act to amend Section 9173 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of use fuel tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2107—An act to amend Section 8148 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle fuel license tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2108—An act to amend Section 10278 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle transportation license tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2109—An act to amend Section 11573 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of private car tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2302—An act to amend Sections 6902, 6903, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2303—An act to amend Section 6362 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2305—An act to amend Sections 6901 and 6981 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2306—An act to amend Sections 6481, 6511, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2308—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 462—An act to amend Sections 1595 and 1663 of the Labor Code, relating to employment agencies, including artists' managers, the transfer of an interest in an employment agency and the applicability of various Labor Code sections to artists' managers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 724—An act to amend Sections 1296, 1301, 1305, 1306, 1311, 1398, and 1776 of the Labor Code, and Sections 16687 and 16732 of the Education Code, relating to the Division of Labor Law Enforcement.

Bill read second time, and ordered engrossed.

Assembly Bill No. 764—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens.

Bill read second time, and ordered engrossed.

Assembly Bill No. 773—An act to amend Sections 52 and 53 of the Labor Code, relating to the Department of Industrial Relations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 89—An act to amend Section 533 of the Vehicle Code, relating to school busses and the regulation of traffic in connection therewith.

Bill read second time, and ordered engrossed.

Assembly Bill No. 442—An act to add Section 512 6 to the Vehicle Code, relating to speed limits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 608—An act to amend Sections 271.2, 304, 307, 311, and 332 of the Vehicle Code, relating to the licensing of drivers of motor vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 619—An act to amend Sections 525, 525.1, and 540 of, and to add Section 525 2 to the Vehicle Code, relating to the driving of vehicles on highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 817—An act to amend Section 511.3 of the Vehicle Code, relating to speed limits and the operation of vehicles upon the highways, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2101—An act to amend Sections 1113, 1160, 1190, and 1191 of the Harbors and Navigation Code, and to repeal Sections 1160.5, 1160.6, and 1161 thereof, relating to the powers, duties and licensing of pilots.

Bill read second time, and ordered engrossed.

Assembly Bill No. 159—An act to amend the title of Part 5, Division 2 of the Labor Code, relating to housing.

Bill read second time, and ordered engrossed.

Assembly Bill No. 379—An act to amend Section 1588 of the Labor Code, and to add Section 1588 2 thereto, relating to license fees of employment agencies and labor contractors and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 3 of the title of the printed bill, after "contractors", insert a period; and strike out the balance of line 3, and all of line 4

Amendment No. 2

On page 1 of said bill, strike out all of lines 17 to 27

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 20—An act to add Sections 159.5, 159.6, and 159.7 to the Vehicle Code, relating to motor vehicle registration.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "1950", and insert "1952".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 616—An act to amend Sections 452, 459.2, and 476 of, and to add Sections 454.1, 469.1, and 474.1 to the Vehicle Code, relating to the regulations of traffic on highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2 of the printed bill, strike out all of lines 10 to 17, inclusive.

Amendment No. 2

On page 2, line 18, of the printed bill, strike out "SEC. 6", and insert "SEC. 5".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 618—An act to amend Sections 511.3, 515, and 601.5 of, and to repeal Section 511.6 of the Vehicle Code, relating to speed regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 8, of the printed bill, strike out "within such city or city and county".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 407—An act to add Section 587.6 to the Vehicle Code, relating to fire hoses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert "587.6. No person shall drive or propel any vehicle or conveyance upon, over or across, or in any manner damage any fire hose or chemical hose used by or under the supervision and control of any organized fire department in the State of California."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 533—An act to be known as the "Off Track Wagering License Act," defining off track wagering, and providing for licensing, bonding, regulating and supervising the activities of the same; providing for the enforcement of this act by the Director of Social Welfare and prescribing penalties for the violation of the provisions thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 5 of the title of the printed bill, strike out "Director of Social Welfare", and insert "State Board of Equalization".

Amendment No. 2

On page 1 of said bill, strike out lines 9 and 10, and insert "SEC. 2.2 "Board" means the State Board of Equalization."

Amendment No. 3

On page 2 of said bill, strike out line 15, and insert "to the board upon such forms as the board may prescribe."

Amendment No. 4

On page 2, line 16, of said bill, strike out "director", and insert "board".

Amendment No. 5

On page 2, line 17, of said bill, strike out "he", and insert "it".

Amendment No. 6

On page 2, line 29, of said bill, strike out "director", and insert "board"

Amendment No. 7

On page 2, line 30, of said bill, strike out "he", and insert "it".

Amendment No. 8

On page 2 of said bill, strike out line 39, and insert "made to the board upon a form prescribed by the board."

Amendment No. 9

On page 2, line 44, of said bill, strike out "director", and insert "board".

Amendment No. 10

On page 2, line 45, of said bill, strike out "him", and insert "it".

Amendment No. 11

On page 2, line 46, of said bill, strike out "director", and insert "board".

Amendment No. 12

On page 2, line 52, of said bill, strike out "director", and insert "board".

Amendment No. 13

On page 3, line 2, of said bill, strike out "director", and insert "board".

Amendment No. 14

On page 3, line 7, of said bill, strike out "director", and insert "board".

Amendment No. 15

On page 3, line 19, of said bill, strike out "director", and insert "board".

Amendment No. 16

On page 3, line 23, of said bill, strike out "director", and insert "board".

Amendment No. 17

On page 3, line 35, of said bill, strike out "director", and insert "board".

Amendment No. 18

On page 3, line 37, of said bill, strike out "director", and insert "board".

Amendment No. 19

On page 4, line 6, of said bill, strike out "director", and insert "board".

Amendment No. 20

On page 4, line 8, of said bill, after "population," insert "except that there shall be at least one in each equalization district of the State,"

Amendment No. 21

On page 4, line 9, of said bill, strike out "director", and insert "board".

Amendment No. 22

On page 4, line 14, of said bill, strike out "director", and insert "board".

Amendment No. 23

On page 4, line 33, of said bill, strike out "director", and insert "board".

Amendment No. 24

On page 4, line 36, of said bill, strike out "he", and insert "it".

Amendment No. 25

On page 4, line 41, of said bill, strike out "director", and insert "board".

Amendment No. 26

On page 4 of said bill, strike out lines 44 to 51, inclusive; and in line 52, strike out "by said licensee", and insert

"SEC. 12. Each licensee shall make a charge of 5 percent of the amount wagered or bet and shall collect said 5 percent from the bettor in addition to the amount of the wager at the time any wager or bet is accepted by said licensee. Each off track wagering licensee, in addition to the license fee required to be paid under the provisions of the act, shall not later than the tenth day of each month remit to the board the said 5 percent of the total gross wagers handled by him during the preceding month".

Amendment No. 27

On page 4, line 52, of said bill, strike out "director", and insert "board".

Amendment No. 28

On page 5, line 3, of said bill, strike out "director", and insert "board".

Amendment No. 29

On page 5, line 6, of said bill, strike out "director", and insert "board".

Amendment No. 30

On page 5, line 10, of said bill, strike out "director", and insert "board".

Amendment No. 31

On page 5, line 13, of said bill, strike out "He", and insert "It".

Amendment No. 32

On page 5 of said bill, strike out line 16, and insert "it may require. The board, or its authorized representatives,".

Amendment No. 33

On page 5, line 18, of said bill, strike out "he", and insert "it".

Amendment No. 34

On page 5, line 20, of said bill, strike out "himself", and insert "itself".

Amendment No. 35

On page 5 of said bill, strike out line 21 and insert "The board shall have power to summon witnesses before it".

Amendment No. 36

On page 5, line 23, of said bill, strike out "his", and insert "its".

Amendment No. 37

On page 5, line 24, of said bill, strike out "his", and insert "its".

Amendment No. 38

On page 5, line 25, of said bill, strike out "director", and insert "board".

Amendment No. 39

On page 5, line 31, of said bill, strike out "director", and insert "board".

Amendment No. 40

On page 5, line 37, of said bill, strike out "director", and insert "board".

Amendment No. 41

On page 5, line 40, of said bill, strike out "director", and insert "board".

Amendment No. 42

On page 5, line 44, of said bill, strike out "director", and insert "board".

Amendment No. 43

On page 5, line 48, of said bill, strike out "he", and insert "it".

Amendment No. 44

On page 6, line 22, of said bill, strike out "director", and insert "board".

Amendment No. 45

On page 6, line 23, of said bill, strike out "director", and insert "board"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 2258—An act to add Section 372.4 to the Vehicle Code, relating to exemptions to vehicle weight fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 372.4 to the Vehicle Code, relating to"; and strike out all of line 2 of the title, and insert "amend Sections 140.1 and 142 of, and to add Section 140.2 to the Vehicle Code, relating to permits for the operation of and registration of vehicles."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 140.1 of the Vehicle Code is amended to read:

140.1. Special Permit. Any vehicle of a type subject to registration hereunder may be operated under a permit issued by the department without the registration of such vehicle when moved from one place to another for the purpose of *inspection by the department or* weighing such vehicle

SEC. 2. Section 140.2 is added to the Vehicle Code, to read:

140.2. Permit for Operation of Incomplete Vehicle. Any vehicle of a type subject to registration hereunder, such as a truck chassis with cab, or any other vehicle the construction of which has not been completed, may be moved or operated under a permit issued by the department without the registration of such vehicle until such time as the construction thereof is completed and final weights and costs can be determined for registration purposes.

SEC. 3. Section 142 of the Vehicle Code is amended to read:

142. Exemption from Registration The registration provisions of this chapter shall not apply to any of the following vehicles:

(a) Any vehicle of a type otherwise subject to registration hereunder which is driven or moved upon a highway in conformance with the provisions of this code relating to dealers, transporters or nonresidents or under a temporary registration permit issued by the department as authorized by Section 147 hereof.

(b) Any vehicle of a type otherwise subject to registration hereunder which is driven or moved upon a highway only for the purpose of crossing such highway from one property to another in accordance with a permit issued by the Department of Public Works.

(c) Any implement of husbandry, whether of a type otherwise subject to registration hereunder or not, which is only incidentally operated or moved over a highway. The following shall be deemed to be implements of husbandry and shall be exempt from registration:

(1) A lift-carrier or other vehicle designed and used exclusively for the lifting and carrying of implements of husbandry, when operated or moved upon a highway.

(2) A two-wheeled trailer having no bed, and designed and used solely for transporting a hay loader.

(3) A spray rig designed and used exclusively for spraying in the conduct of agricultural operations.

(4) A nurse rig or equipment auxiliary to the use of a spray rig.

(5) A row duster.

(6) A wagon or van used exclusively for carrying products of farming from one part of a farm to another part thereof, or from one farm to another farm, and used solely for agricultural purposes, including any van used in harvesting alfalfa, which is only incidentally operated or moved on a highway as a trailer.

(7) A wagon or portable house on wheels used solely by shepherds as a permanent residence in connection with sheep-raising operations and moved from one part thereof or from one ranch to another ranch, which is only incidentally operated or moved on a highway as a trailer.

(8) A trap wagon moved from one part of a ranch to another part of the same ranch or from one ranch to another, which is only incidentally operated or moved on a highway.

The foregoing list shall be deemed as illustrative and not a list of limitations.

(d) Special mobile equipment.

(e) Any self-propelled wheel chair or invalid tricycle *while being operated by a person who by reason of physical disabilities is otherwise unable to move about as a pedestrian.*

(f) Special highway construction equipment.

(g) Self-propelled portable oil derricks and oil well pullers which are only incidentally operated or moved upon a highway."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 236—An act to amend Section 1394 of the Labor Code, relating to activities of minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1394", and insert "Sections 1394 and 1308".

Amendment No. 2

On page 2 of said bill, after line 9, insert

"SEC. 2 Section 1308 of said code is amended to read:

1308. Any person is guilty of a misdemeanor and is punishable by a fine of not less than fifty and not more than two hundred fifty dollars ($250) or imprisonment for not exceeding six months or both, who, as parent, relative, guardian, employer, or otherwise having the care, custody, or control of any minor under the age of sixteen years, exhibits, uses, or employs, or in any manner or under any pretense, sells, apprentices, gives away, lets out, or disposes of any such minor to any person, under any name, title, or pretense for, or who causes, procures, or encourages such minor to engage in:

(a) Any business, exhibition, or vocation, injurious to the health or dangerous to the life or limb of such minor.

(b) The vocation, occupation, service, or purpose of singing, playing on musical instruments, rope or wire walking, dancing, begging, or peddling, or as a gymnast, acrobat, contortionist, or rider, in any place whatsoever

(c) Any obscene, indecent, or immoral purposes, exhibition, or practice whatsoever.

(d) Any mendicant or wandering business

Nothing in this section applies to or affects:

(a) The employment or use of any minor, as a singer or musician in any church, school, or academy, or the teaching or learning of the science or practice of music

(b) The employment of any minor as a musician at any concert or other musical entertainment on the written consent of the mayor of the city or president of the board of trustees of the city or town where such concert or entertainment takes place.

(c) The participation by any minor in amateur horseback riding exhibitions, contests or events, which are non-profit in nature, and in which no minor participant receives payment for his services or money prizes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

Assembly Bill No. 326—An act to amend Section 800 of the Labor Code, relating to midday meals of employees in the lumber industry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "at noon".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

Assembly Bill No. 36—An act to amend Section 595 of the Vehicle Code, relating to unattended motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 9, of the printed bill, after "making", insert "pickups or".

Amendment No. 2

On page 1, line 5, of the printed bill, after "stand", insert "on any highway".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 620—An act to add Section 531.1 to the Vehicle Code, relating to overtaking and passing on a grade

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, after "another", insert "moving".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 667—An act to amend Section 314 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 16, of the printed bill, strike out "relating", and insert "which are more favorable relating".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 852—An act directing the Division of Highways to survey Buena Vista Lagoon, San Diego County, to determine the feasibility and desirability of establishing a harbor in that area, and making an appropriation therefor

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Division of Highways", and insert "Department of Public Works".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Division of Highways", and insert "Department of Public Works".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "Division of Highways", and insert "Department of Public Works".

Amendment No. 4

On page 1, lines 8 and 9, of the printed bill, strike out "Division of Highways", and insert "Department of Public Works".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1858—An act to add Sections 51 and 58 to the Vehicle Code, defining an armored car and inflammable liquid.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, after "heit", insert "for the purposes of Sections 576 and 599 of this code".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1859—An act to amend Sections 621, 625, 627, 633, 640, and 646 of the Vehicle Code, respecting the mounting height, use of certain lamps and testing fees for lamps and devices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 3 of the printed bill, strike out lines 12 to 18, inclusive

Amendment No. 2

On page 3 of said bill, strike out lines 44 to 46; and in line 47, strike out "which the vehicle stands and every", and insert "(b) Every".

Amendment No. 3

On page 4 of said bill, strike out lines 3 and 4

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1863—An act to amend Sections 750 and 752 of the Vehicle Code, permitting members of the California Highway Patrol to make certain arrests of Division 9 while not in full uniform.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out ", except Sections 473 and 474 and Chapters 4, "; and in line 8, strike out "and 5 thereof,".

Amendment No. 2

On page 1 of said bill, after line 11, insert "The foregoing provisions of this section shall not apply to an officer assigned exclusively to the duty of investigating and securing evidence in reference to any theft of a vehicle or failure of a person to stop in the event of an accident or violation of Section 601.5 or in reference to any felony charge or to any officer engaged in serving any warrant when such officer is not engaged in patrolling the highways for the purpose of enforcing the traffic laws."

Amendment No. 3

On page 1, line 23, of said bill, strike out ", except Sections 473 and 474,"; and in line 24, strike out "and Chapters 4 and 5 thereof,".

Amendment No. 4

On page 1 of said bill, after line 27, insert "The foregoing provisions of this section shall not apply to an officer assigned exclusively to the duty of investigating and securing evidence in reference to any theft of a vehicle or failure of a person to stop in the event of an accident or violation of Section 601.5 or in reference to any felony

charge or to any officer engaged in serving any warrant when such officer is not engaged in patrolling the highways for the purpose of enforcing the traffic laws."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 1865—An act to amend Sections 675.5, 676, and 697 of the Vehicle Code, regarding safety glass, windshield wipers and height of loads on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 12, of the printed bill, strike out "need"; and in line 13, strike out "not be approved", and insert "may be colored"

Amendment No. 2

On page 2, line 41, of said bill, strike out "After December 31, 1949, every new", and in line 42, strike out "motor vehicle", and insert "Every new motor vehicle first registered after December 31, 1949,"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

Assembly Bill No. 1866—An act to add Section 645.5 to the Vehicle Code, relating to specifications for lamps and devices requiring approval.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, after line 6, insert

"Any specifications determined by the department shall be governed by the provisions of this code and any recognized standards or specifications."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce

Assembly Bill No. 2153—An act to amend Section 680 of the Streets and Highways Code, relating to franchises in public highways

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, after "public", insert "or private".

Amendment No. 2

On page 1, line 18, of the printed bill, after "public", insert "or private".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2326—An act to amend Sections 776 and 777 of the Vehicle Code, relating to moneys of the Departments of Motor Vehicles and California Highway Patrol.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 2, of the printed bill, after "($100,000)", insert for each department".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 2711—An act to add Article 10, comprising Sections 8001 to 8021, inclusive, to Chapter 4 of Part 3 of Division 6 of the Public Resources Code, relating to surveys and maps, creating the Office of State Supervisor of Maps and Surveys, and prescribing his powers and duties, making an appropriation therefor, and repealing "An act to provide for basic topographic mapping of the State of California and making an appropriation therefor," approved July 17, 1945.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 3, line 50, of the printed bill, strike out "twenty-five thousand dollars ($25,000)", and insert "_____ ($_____)".

Amendment No. 2

On page 4, lines 1 and 2, of said bill, strike out "1947-1948", and insert "1949-1950".

Amendment No. 3

On page 4, line 46, of said bill, strike out "292.5", and insert "252".

Amendment No. 4

On page 4, line 47, of said bill, strike out "1947", and insert "1949"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Joint Resolution No. 26—Relative to the participation of the United States in a World Federal Government.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 19, of the printed measure, strike out "the Legislature of the State of California"; and strike out line 20, and insert "application is hereby made to the Congress of".

Amendment No. 2

On page 2, line 32, of said measure, strike out "resolution to the President"; and strike out lines 33, 34, and 35, and insert "application to the Senate and the House of Representatives of the Congress, to the Members of the Senate and House of Representatives from this State, and to the presiding officers of each of the legislatures of the several states, requesting their cooperation."

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 738

In compliance with a notice given on a previous day, Mr. Dunn moved that the vote whereby Assembly Bill No. 738 was passed be reconsidered.

The roll was called, and Assembly Bill No. 738 reconsidered by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—George D. Collins—1.

Request for Unanimous Consent That Assembly Bill No. 738 Be Re-referred

Messrs. Dunn and Luckel asked for, and were granted, unanimous consent that Assembly Bill No. 738 be re-referred to the Committee on Transportation and Commerce.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 100
Assembly Bill No. 101
Assembly Bill No. 239
Assembly Bill No. 346

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 243
Assembly Bill No. 765

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 330
Assembly Bill No. 926
Assembly Bill No 1352

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 802—An act to amend Sections 419 and 420 of the Vehicle Code, relating to financial responsibility and declaring the urgency thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 802?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 419 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 21, inclusive

Amendment No. 3

On page 1, line 22, of said bill, strike out "SEC 2", and insert "SEC. 1".

Amendment No. 4

On page 3, line 8, of said bill, strike out "SEC 3", and insert "SEC. 2".

Amendment No. 5

On page 3 of said bill, strike out lines 21 to 41, inclusive, and insert "drivers should be suspended. In the operation of the act it was found that it was impossible to secure verification of insurance within the time limits imposed by the law in a very substantial number of cases, and that therefore it became necessary, in compliance with those time limits, to suspend licenses of numerous drivers who actually had protected themselves and other drivers by the purchase of insurance, but through the operation of technical provisions of the law could not meet the time requirements in the act. This defect has already resulted in the suspensions of thousands of drivers licenses which need not have been suspended It is therefore necessary to change the procedure for determining whether insurance was in effect at the time of the accident in order to prevent the law from continuing to work a serious injustice upon thousands of drivers"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 802 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—Butters—1

Assembly Bill No. 802 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS HOLD THEIR POSITIONS ON FILE

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bills Nos. 1253, 1254, 1255, and 2387 be passed on file, and hold their places on file on the next legislative day.

COMMUNICATIONS

By Messrs. Hinckley and Price:

A communication from George A. Herz, President of the National Orange Show at San Bernardino, relative to requesting Messrs. Hinckley and Price to distribute several boxes of excellent quality oranges which were packed in the National Orange Show's model packing plant, and forwarded to them for the pleasure of the Members of the Assembly, was received, and ordered noted in the Journal.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Stewart and Reagan as a Select Committee to escort the Honorable T. Fenton Knight to the rostrum.

RECESS

At 10.43 a.m., on motion of Mr. Dickey, the Assembly recessed until 10.56 a m. to hear remarks from the Ambassador at Large of the Assembly, the Honorable T. Fenton Knight, former Member of the Assembly from the Forty-eighth District.

REASSEMBLED

At 10.56 a.m., the Assembly reconvened.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 347—An act authorizing the State Lands Commission to exchange property of the State of California for property of Marin County.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Assembly on March 11, 1949, strike out "by"

Amendment No. 2

On page 2, line 1, of said bill, strike out "quitclaim deed from Marin County".

Amendment No. 3

On page 2, line 2, of said bill, strike out "all Marin County's right, title and interest in and to".

Amendment No. 4

On page 2, lines 11, 12, and 13, of said bill, strike out "north 11 degrees 32 minutes 30 seconds west, 475.55 feet to a point of intersection of said southerly boundary of Corte Madera Canal with", and insert "south 58 degrees 47 minutes 00 seconds 620.58 feet to Main Slough Station 11, thence north 5 degrees 01 minutes 26 seconds east, 490.34 feet across Corte Madera Canal to a point in the north boundary of said canal and".

Amendment No. 5

On page 2, line 14, of said bill, strike out "granted to Schultz Co.", and insert "quitclaimed to Marin County".

Amendment No. 6

On page 2, line 16, of said bill, strike out "1201.31", and insert "2413.94".

Amendment No. 7

On page 2, lines 17 and 18, of said bill, strike out " to another point of intersection of said southerly boundary of Corte Madera Canal with", and insert "along".

Amendment No. 8

On page 2, line 19, of said bill, strike out "granted to Schultz Co.", and insert "quitclaimed to Marin County".

Amendment No. 9

On page 2, line 20, of said bill, after "herewith", insert "to Inner Marsh Line Station 218".

Amendment No. 10

On page 2, lines 20 and 21, of said bill, strike out "along said southerly boundary line of", and insert "across".

Amendment No. 11

On page 2, lines 21 and 22, of said bill, strike out "73 degrees 46 minutes 00 seconds west, 396 16", and insert "10 degrees 40 minutes 11 seconds east, 312 08".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 63—An act to amend Section 19.6 of the Fish and Game Code, relating to the Fish and Game Commission and extending the period during which its general regulatory powers shall continue in existence.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, McCollister, Waters, Kirkwood, and Smith demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 63.

Point of Order

Mr. Gaffney arose to the following point of order: That Mr. Erwin has exceeded his time for closing debate.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 63.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Price, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—57

NOES—Burke, George D Collins, Cramer, Crowley, Clayton A Dills, Geddes, Lowrey, Morris, Reagan, Silliman, Stewart, and Way—12.

Notice of Motion to Reconsider Assembly Bill No. 63

Mr. Stewart gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 63 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Erwin moved that the Rules be temporarily suspended for the purpose of considering the notice of motion given by Mr. Stewart that Assembly Bill No. 63 be reconsidered, at this time.

Mr. Stanley seconded the motion.

Motion lost.

Assembly Bill No. 874—An act to amend Section 783 of the Fish and Game Code, relating to lobsters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1408—An act to repeal Section 692 of the Fish and Game Code, relating to District 22.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1411—An act to add Section 976 to the Fish and Game Code, relating to mudsuckers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1413—An act to repeal Section 995.3 of the Fish and Game Code, relating to taking sheepshead and eel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1489—An act to add Section 491.5 to the Fish and Game Code, relating to general regulations.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10, 11, 12, and 13.

Amendment read

Point of Order

Mr. Lindsay arose to the following point of order: That Mr. Erwin has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled that Mr. Erwin has one more minute of time, and the point of order not well taken.

The question being on the adoption of the amendment offered by Mr. Davis to Assembly Bill No. 1489.

Demand for Previous Question

Messrs. McMillan, Kirkwood, Connolly, Silliman, and Morris demanded the previous question

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Davis to Assembly Bill No. 1489.

Point of Order

Mr. Erwin arose to the following point of order: That. Mr. Davis is out of order because he is breaking a Standing House Rule when he reads a telegram.

Mr. Erwin withdrew his point of order.

The question being on the adoption of the amendment offered by Mr. Davis to Assembly Bill No. 1489.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—54

NOES—Burke, Connolly, Doyle, Erwin, Lincoln, Sherwin, Smith, Stewart, and Mr. Speaker—9.

Bill ordered reprinted, and re-engrossed

Motion That Assembly Bill No. 1489 Be Re-referred When Returned From Printer and Re-engrossment

Mr. Silliman moved that Assembly Bill No 1489, when returned from the printer, and re-engrossment, be re-referred to the Committee on Fish and Game

Mr. Gaffney seconded the motion.

Motion carried.

RECESS

At 12.15 p.m , on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m , the Assembly reconvened.
Hon. Sam L Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 842—An act to amend Section 500 of the Agricultural Code, relating to milk and milk products inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to Senate.

Assembly Bill No. 908—An act to repeal Sections 215 8, 215.9, 215.10, 215.11, 215.12, and 215.17 of the Agricultural Code, relating to the licensing of swine salesyards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—51
NOES—None.

Bill ordered transmitted to Senate.

Assembly Bill No. 1640—An act to amend the title of Article 1 of Chapter 4, and Section 380.51 of the Agricultural Code, relating to swine.

Bill read third time.

Motion to Amend

Mr. Hoffman moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "4", insert "of Division 3".

Amendment No. 2

On page 1, line 1, of said bill, after "4", insert "of Division 3".

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1945—An act to amend Section 600 of the Agricultural Code, relating to scoring of butter.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hahn, Heisinger,

Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr Speaker—57

NOES—Ralph C Dills—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 417—An act to amend Section 871 of the Welfare and Institutions Code, relating to support of wards of the juvenile court.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 419—An act to amend Section 638 of the Welfare and Institutions Code, relating to the duties of probation officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 420—An act to amend Section 721 of the Welfare and Institutions Code, relating to the duties of probation officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr Speaker—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1748—An act to amend Section 1501 of the Welfare and Institutions Code, relating to definition of terms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle,

Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1749—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Request for Unanimous Consent That Assembly Bill No. 1749 Be Withdrawn From File, and Be Re-referred

Messrs. Dickey and Kirkwood asked for, and were granted, unanimous consent that Assemlby Bill No. 1749 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1753 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Messrs. Dickey and Kirkwood asked for, and were granted, unanimous consent that Assembly Bill No. 1753, be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1750—An act to amend Section 160 of the Welfare and Institutions Code, relating to the transfer of mental patients to the states of their residence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1754—An act to add Sections 6660.1 and 6660.2 to the Welfare and Institutions Code, relating to the investment of funds held by the Department of Mental Hygiene as guardian or other fiduciary.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins,

Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1755—An act to amend Section 6500.3 of the Welfare and Institutions Code, relating to the state institution for epileptics, and for mentally defective physically handicapped persons.

Bill read third time, and ordered passed on file temporarily.

COMMUNICATIONS

By Mr. Dickey:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
THE SPECIAL CRIME STUDY COMMISSIONS
SACRAMENTO, CALIFORNIA, March 21, 1949

Hon Randal F. Dickey, Chairman
Assembly Rules Committee
Room 320, State Capitol, Sacramento, California

DEAR MR. DICKEY In compliance with your request of March 17th, I am privileged to transmit to you herewith for early distribution to the Members of the Assembly and your committee 85 printed copies of the Second Progress Reports of the Special Crime Study Commissions on

Criminal Law and Procedure
Adult Corrections and Release Procedures
Juvenile Justice
Social and Economic Causes of Crime and Delinquency

Sincerely yours,

FRANK E. CANE, Executive Officer
State Board of Corrections

Above mentioned copies of reports are being placed in the post-office boxes of members this afternoon.

Speaker Pro Tempore Presiding

At 2.35 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 18—Relative to memorializing the President and Congress to have the Mammoth Pass Road in California constructed as a postwar construction project;

Assembly Joint Resolution No. 25—Relative to memorializing and petitioning the Congress of the United States to enact the necessary legislation to make the Corona Naval Hospital in Riverside County, California, available to the Veterans Administration;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-first day of March, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 47—Commending the Board of Regents and the President of the University of Washington,

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-first day of March, 1949, at 2 p.m.

HUYCK, Chairman

MEMBER EXCUSED

At 2:36 p.m., Mr. Ralph C. Dills asked for, and was granted, unanimous consent that he be excused for the balance of the legislative day for the purpose of attending to legislative duties elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 450—An act to amend Sections 21200 and 21201 of, and to add Section 21202 to the Corporations Code, relating to the property of certain unincorporated associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, and Way—59

NOES—Reagan—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 518—An act to amend Sections 1203.1 and 1203a of the Penal Code, relating to the terms and conditions of probation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, and Way—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 701—An act to amend Section 537 of the Code of Civil Procedure, relating to attachments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse,

Price, Reagan, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, and Way—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1098—An act to amend Section 689c of the Code of Civil Procedure, relating to application of proceeds of sale or execution.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Thomas, Thompson, Tomlinson, Waters, and Way—63
NOES—None.

Motion to Amend Title

Mr. Caldecott moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "or execution", and insert "under process"

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1099—An act to amend Section 581a of the Code of Civil Procedure, relating to dismissal on lack of prosecution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, and Way—64
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1102—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn Elliott, Fleury, Gaffney, Grant, Hagen, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Price, Reagan, Sherwin, Thomas Tomlinson, Waters, and Way—50
NOES—Anderson, Beck, Crowley, Erwin, Evans, Geddes, Hinckley Lowrey, Morris, and Smith—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1104—An act to amend Section 1166a of the Code of Civil Procedure, relating to unlawful detainer

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, and Way—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1605—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, and Way—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 792—An act to amend Section 7329 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Silliman, Smith, Thomas, Tomlinson, Way, and Weber—49

NOES—Beck, Davis, Hahn, Hinckley, Lincoln, and Lowrey—6

Bill ordered transmitted to the Senate.

Assembly Bill No. 794—An act to amend Section 7301 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Berry, Brown, Butters, Clarke, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Fleury, Gaffney, Grant, Heisinger, Hoffman, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Niehouse, Rumford, Silliman, Thomas, Thompson, and Weber—31

NOES—Anderson, Beck, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Davis, Dickey, Dunn, Elliott, Erwin, Evans, Hagen, Hahn, Hinckley, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, McCarthy, Moss, Reagan, Sherwin, Smith, Tomlinson, Waters, and Way—31

Notice of Motion to Reconsider Assembly Bill No. 794

Mrs. Niehouse gave notice that on the next legislative day she would move to reconsider the vote whereby Assembly Bill No. 794 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT THAT OPINIONS OF THE LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Hahn asked for, and was granted, unanimous consent that the following opinions of the Legislative Counsel be ordered printed in the Journal:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 19, 1949

Hon. Gordon R. Hahn
Assembly Chamber

A.B. 748—INSPECTION BY LEGISLATIVE COMMITTEES No 5100

Question

DEAR MR HAHN. We have your request of March 18, 1949, asking whether legislative committees now have the power to inspect prisons and other custodial facilities at reasonable hours and without prior notice

Opinion

It appears to us, from the research we have been able to make in the limited time available, that it is doubtful whether such power exists.

Analysis

The power of the Legislature to create investigating committees to act during sessions or after final adjournment is conferred by Article IV, Section 37, of the Constitution, which section reads in part:

> "Any such committee shall have such powers and perform such duties as may be provided by the resolution creating it and in addition shall have such powers and perform such duties as may be provided by law or by the rules of the Legislature or either house thereof."

Independently of the constitutional provision, it has long been held that there is reposed in the Legislative Branch of the government the inherent and auxiliary power to conduct investigations in aid of prospective legislation (*In re Battelle* (1929) 207 Cal. 227, 241) This power includes the right to examine witnesses, compel their attendance, compel the production of evidence, and punish for contempt

However, some rule of procedure for effectuating these purposes appears to be required In the case of courts of law, many statutes deal with the service of subpenas, examination of witnesses, issuance of subpenas duces tecum, punishment for contempt, and similar matters We know of no inherent power of the courts which would supply a deficiency in this respect

In the *Battelle* case, the Supreme Court had under consideration the punishment for contempt of certain witnesses for disobedience of a committee subpena to produce certain evidence and failure to answer certain questions The court held that a showing of compliance with the provisions of the Code of Civil Procedure re contempt proceedings was required before punishment could be imposed

Numerous statutory provisions now place in the wardens and other custodians the care and safekeeping of the persons committed to them Broad powers to regulate the admission of persons into the state institutions are entrusted to them. For a legislative committee as a matter of right to be able to gain admission to the institution and examine the persons confined in it would appear to conflict with the custodial powers imposed by law.

Whether the inherent powers of the Legislature are sufficient to override the powers conferred by law upon the wardens and custodians presents a serious question Certainly the legislative committee must act in accordance with law to compel production of evidence Likewise, Sections 2621 and 2622 of the Penal Code provide methods by which the courts can secure the presence of prisoners as defendants and witnesses.

Even though legislative committees undoubtedly have an inherent power to investigate state institutions and examine their inmates, the method of such investigation and examination would appear to be a proper subject for legislation. In the absence of a method prescribed by law, it seems doubtful whether the committee may

itself determine the method by which the investigation can be conducted and compel obedience to that method.

Very truly yours,

FRED B WOOD, Legislative Counsel
By JOSEPH L. KNOWLES, Deputy

Copies to authors of A. B. No 784 pursuant to Joint Rule 34.

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 19, 1949

Hon. Gordon R. Hahn
Assembly Chamber

INVESTIGATION OF PUBLIC INSTITUTIONS—No 5100

DEAR MR. HAHN: Pursuant to your request of March 18, 1949, we enclose two sets of amendments to Assembly Bill No. 748.

One set of amendments includes all state institutions within the scope of the bill. The other provides for admission to the institution upon written authorization by the committee chairman We were not certain whether you wished the second amendment, so prepared it in this manner in order that you may use it or not as you desire.

It does not appear to us that the adoption of the proposed amendments would in any way imply that any public authority which now has the right to enter or investigate a state prison or other institution would in any way be deprived of that right by granting a similar right to a legislative committee

The law under which the other authority may enter or investigate remains in force unless it is clearly indicated by the later enactment that it is superseded. We see nothing in your proposal indicating such an intention.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH L. KNOWLES, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 748 BE TAKEN UP, AT THIS TIME

Mr. Hahn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 748, which was temporarily passed on file, for the purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 748

Assembly Bill No. 748—An act to add Section 10007 to the Penal Code, relating to inspection of public prisons.

Bill read third time.

Motion to Amend

Mr. Hahn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 16, 1949, after "members", insert "or on written authorization from the committee chairman"

Amendment read, and adopted.

Consideration of Further Amendments by Unanimous Consent

Motion to Amend

Mr. Hahn moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 16, 1949, strike out the period, and insert "and public institutions."

Amendment No. 2

On page 1, line 8, of said bill, after "facilities", insert "or public institutions, including the state hospitals for the mentally ill, the state homes for the mentally deficient, and similar institutions".

Amendment No. 3

On page 1, line 9, of said bill, after "imprisoned", insert "or confined".

Amendments read, and adopted.

Bill ordered reprinted and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 797—An act to amend Section 7302 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—Dickey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1755 BE TAKEN UP, AT THIS TIME

Mr. Smith asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1755, which was temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1755 (BY UNANIMOUS CONSENT)

Assembly Bill No. 1755—An act to amend Section 6500.3 of the Welfare and Institutions Code, relating to the state institution for epileptics, and for mentally defective physically handicapped persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Price, Reagan, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, and Weber—63.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 132

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant on the proper fund in favor of the following Member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
72	R Fred Price	Upland San Bernardino County	508	--	23	485	970	$48 50

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 132, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 106 of the Water Code, relating to the use of water.

Respectfully submitted,

S. L. HEISINGER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Heisinger:

An act to amend Section 106 of the Water Code, relating to the use of water.

COATS, Acting Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke,

Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3104: By Mr. Heisinger—An act to amend Section 106 of the Water Code, relating to the use of water.

Referred to Committee on Conservation, Planning and Public Works.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 699.6 to the Military and Veterans Code, relating to assistance to veterans and making an appropriation.

Respectfully submitted.

WILLIAM H. ROSENTHAL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Rosenthal:

An act to add Section 699.6 to the Military and Veterans Code, relating to assistance to veterans and making an appropriation.

COATS, Acting Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3105: By Mr. Rosenthal—An act to add Section 699.6 to the Military and Veterans Code, relating to assistance to veterans and making an appropriation.

Referred to Committee on Military Affairs.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 6368 to the Revenue and Taxation Code, relating to the exemption of watercraft used in interstate or foreign commerce or in commercial deep sea fishing operations and property and charges used and incurred in the construction or repair of such watercraft from the sales and use taxes

Respectfully submitted.

MALONEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Maloney:

An act to add Section 6368 to the Revenue and Taxation Code, relating to the exemption of watercraft used in interstate or foreign commerce or in commercial deep sea fishing operations and property and charges used and incurred in the construction or repair of such watercraft from the sales and use taxes.

COATS, Acting Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—66

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3106: By Mr Maloney—An act to add Section 6368 to the Revenue and Taxation Code, relating to the exemption of watercraft used in interstate or foreign commerce or in commercial deep sea fishing operations and property and charges used and incurred in the construction or repair of such watercraft from the sales and use taxes.

Referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2840, OUT OF ORDER

Mr. Anderson asked for, and was granted, unanimous consent to take up Assembly Bill No 2840, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2840 (OUT OF ORDER)

Assembly Bill No. 2840—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112 of, and to add Sections 34112.5 and 34112.4 to, the Government Code, creating new classes of cities to be known as cities of the four and seven-eighths class and cities of the four and five-eighths class, and to provide for their organization, to take effect immediately

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "Sections 34112.5 and", and insert "Section".

Amendment No. 2

On page 2 of said bill, strike out lines 23 to 29, inclusive.

Amendment No. 3

On page 2, line 30, of said bill, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 4

On page 2, line 38, of said bill, strike out "SEC. 6. Sections 3, 4, and 5", and insert "SEC. 5. Sections 3 and 4"

Amendment No. 5

On page 2, line 43, of said bill, strike out "SEC. 7.", and insert "SEC. 6."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 325, OUT OF ORDER

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 325, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 325 (OUT OF ORDER)

Assembly Bill No. 325—An act to amend Sections 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2750, 2753, 2795, 2798, and 2804 of the Elections Code, relating to elections.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 9, of the printed bill, after the period, insert "In counties where the office of the county clerk is legally closed on Saturday, the final day for filing shall be the preceding day at 5 o'clock p.m."

Amendment No. 2

On page 3 of said bill, between lines 7 and 8, insert

"The county clerk shall not accept such a declaration of candidacy or declaration of acceptance of nomination after 5 o'clock p.m. on the sixty-fifth day; provided, that if such day is a Saturday no declaration of candidacy or of acceptance of nomination shall be accepted after 12 o'clock noon. In counties where the office of the county clerk

is legally closed on Saturday, the final day for filing shall be the preceding day at 5 o'clock p m "

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 101 (OUT OF ORDER)

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 101, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 101 (OUT OF ORDER)

Assembly Bill No. 101—An act to amend Section 770 of the Vehicle Code, relating to disposition by cities of certain fines and forfeitures.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 18, 1949, after "770.", insert "Disposition by Cities of Certain Fines and Forfeitures."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Hollibaugh:

House Resolution No. 133

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State, and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the scope of state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the state and local governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1951 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 62: By Messrs. Meyers, Maloney, McCarthy, Gaffney, Berry, Brady, George D. Collins, Condon, and Connolly—Relative to the University of San Francisco victory in the National Invitational Basketball Championship.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN THE JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

Opinion of Legislative Counsel

SACRAMENTO 2, CALIFORNIA, March 11, 1949

Hon. Marvin Sherwin
Assembly Chamber

SPECIAL FUND APPROPRIATIONS IN BUDGET ACT NO 4731

DEAR MR. SHERWIN: You have asked us one general question and three specific ones which we will discuss in series.

1. Will you please advise me if it is possible by means of amendments written into the several items of the Budget Bill to appropriate money in support of particular items from special funds which are now disbursed in some instances in accordance with statutes previously enacted by the Legislature and in others also by items in the Budget Bill.

In considering this question it must be borne in mind that there are two types of special funds. One type consists of money derived from regulatory license fees, inspection fees, and the like under police power acts. The other type consists of money derived under taxing power acts.

The distinction is that the revenue derived under police power acts must bear some relation to the enforcement or administration of the particular act while revenue derived under tax power acts may be used for any state purpose.

In *Daugherty* vs *Riley* (1934) 1 Cal. (2d) 298, two appropriations from the Corporation Commission Fund were involved That fund consisted of fees and other money collected by the Corporation Commissioner and all of the fund was appropriated by a continuing appropriation for support of his office.

The 1929 Act involved (1929:805:1683) made an appropriation of $330,000 out of the Corporation Commission for an addition to the State Building in San Francisco for housing the Offices of the Corporation Commissioner. Provision was made for renting by the Director of Finance of space not needed for the Corporation Commissioner, the rentals to be deposited in the Corporation Commission Fund.

The 1931 Act (1931:57:51) appropriated $210,000 from the money in the Corporation Fund not otherwise appropriated "to meet a deficiency in the appropriation for the construction and completion, equipment and furnishing of an addition to the State Office Building at San Francisco." No mention was made of use by the Corporation Commissioner or of rental of space not needed by him.

The court held that the 1929 Act was, on its face, not unconstitutional but that the 1931 Act was ineffectual as an appropriation The latter decision was based upon two grounds. (a) because it was an outright diversion of a special or trust fund raised for regulatory purposes to a capital expenditure or general tax purpose with no provision for its return, or for safeguarding it as an investment on behalf of the special fund; or (b) because by its terms it was postponed to the continuing appropriation for the Division of Corporations.

The court ordered the retransfer to the Corporation Commission Fund of all of the money expended under the purported authority of the 1931 Act.

While the court based its decision on two grounds the principal stress was laid upon the first. The court said "To hold that the Legislature could provide fees for regulatory purposes under the police power and then devote the money so received to capital expenditures for a foreign purpose would be to declare that the Legislature could thus raise money by a special tax in contravention of Section 25 of Article IV of the Constitution" (1 Cal. 2d at 310).

In *Urban* vs *Riley* (1942) 21 Cal. (2d) 232 the court confronted a different situation. The Real Estate Commissioner's Fund contained fees received by the Real Estate Commissioner. Petitioners sought to have $637,851.78 which had been transferred from that fund to the General Fund from 1919 to 1929 retransferred to the Real Estate Commissioner's Fund. During this period the Real Estate Act provided for the periodic transfer of the unexpended balance in the special fund to the General Fund.

The court refused to order the retransfer. It distinguished, but did not question the correctness of, the *Daugherty* case discussed above. In the *Urban* case the statute itself provided for transfers to the General Fund. The court pointed out that license fees may be fixed at a sum sufficient to cover all expenses that may reasonably be anticipated and are not limited to the exact amount of the expense, and that the mere fact that an enactment providing for regulatory fees may incidentally produce revenue does not render the enactment unconstitutional.

The result of these cases seems to be that while the Legislature has considerable leeway in fixing regulatory fees and some of the revenue therefrom may be transferred to the General Fund and become available for General Fund purposes, the deliberate diversion of such revenues to a purpose foreign to that for which they were collected would be improper.

In the *Daugherty* case the court likened this type of special fund to the Special Deposit Fund (Secs. 16370-16375, Gov. C). This fund contains trust funds, unclaimed money, and money collected for specific purposes for which no other fund is available to which to credit it. Unclaimed money or money for which no claimant can be found goes into the General Fund after three years Otherwise this fund is a trust fund and the money in it can not be used for other purposes.

The other type of special fund presents no element of trust. Such funds are established largely for administrative convenience, particularly when appropriations are made on a formula basis. The Alcohol Beverage Control Fund (Sec. 37 of the Alcoholic Beverage Control Act, D. A. 3796), and the Fair and Exposition Fund (Sec. 19620, B. & P. C.) are examples of such funds. The money in such funds consists primarily of revenue derived under the taxing power and may be used for any General Fund purpose. The Fair and Exposition Fund will be dealt with more specifically below.

Certain state revenues are set aside for specific purposes by constitutional provisions. Fish and game revenues (Sec. 25§, Art. IV), boxing and wrestling revenue (Sec. 25¾, Art. IV), motor vehicle and gas tax revenue (Art. XXVI), and school land revenue (Sec. 4, Art. IX) are in this category. This money may not, of course, be used for purposes other than those for which it is earmarked.

Certain funds have been set up in the State Treasury and earmarked for certain purposes by statute. The Postwar Employment Reserve (1943 :572 :2141), the Postwar Unemployment and Construction Fund (1945 647 :1301), and the Revenue Deficiency Reserve Fund (1947 :958 :2228) are examples of this type. The money in these funds originated in transfers from the General Fund. To the extent that money is available in these funds it may be appropriated for any General Fund purpose.

The Flood Control Fund of 1946 (Stats. 1947, p. 180) is slightly different. Some of the money in that fund was appropriated for certain projects and the remainder for allocation by subsequent allocations by the Legislature Any unallocated money in that fund would be available for reappropriation for any General Fund purpose

In connection with budget appropriations of special funds already appropriated by continuing appropriations for the same purpose it should be pointed out that the budget appropriation operates as a limitation on the continuing appropriation.

This was the situation in *Board of Fish and Game Commissioners vs. Riley* (1924) 194 Cal. 37. The Fish and Game Preservation Fund was all appropriated to the commission. The Budget Act appropriated less than all of the money in the fund. The court held that this operated to limit the availability of the money appropriated by the continuing appropriation and that in such a situation a deficiency could be created under what is now Section 11006 of the Government Code

To recapitulate: The answer to the general question seems to be that.

a. The money in special funds derived from regulatory fees may not be diverted to a purpose foreign to that for which the fees are collected.

b. The money in special funds consisting of revenue earmarked for specific purposes by the Constitution may not be diverted to other purposes.

c. Money in special funds derived from taxes or from transfers from the General Fund may be diverted to any public purpose to the extent that it is revenue not earmarked by constitutional provision.

2. You point out that Item 46 of the Budget Bill appropriates money to the Poultry Testing Project Fund from the money available in the Fairs and Exposition Fund for allocation for improvements for fair purposes

You ask if money could be appropriated from the same source for (a) support of the State Soil Conservation Commission and (b) to the Department of Agriculture for pest eradication and animal disease control

We believe the answer is "Yes" as to both instances.

The Fair and Exposition Fund (Sec. 19620, B. & P. C.) consists of money received by the California Horse Racing Board. A small portion of this comes from license fees of jockeys, trainers, etc. ($19,000 estimated for current fiscal year, Executive Budget, p. 622) The bulk of the money comes from license fees of track operators which consists of money deducted from the pari-mutuel pools. This is essentially a tax, and not a regulatory, measure. While called a license fee of track operators the tax is actually collected from the money contributed to the wagering pools.

The fact that the original Horse Racing Act (1933 : 769 : 2046) was confirmed, ratified, and declared effective by Section 25a of Article IV of the Constitution did not freeze the appropriations of the revenue because the constitutional provision also provided that the act could be amended or repealed by the Legislature at any time. The disposal of the revenue has been changed, as a matter of fact, a number of times. While the same general pattern of distribution of the fund has been maintained there is no reason by the Legislature could not vary it.

While the original act contained an incidental statement that its purpose was to encourage agriculture and the breeding of horses in California (Sec. 4, 1933 Act, now Sec. 19562, B. & P. C.) the power of the Legislature to amend the act was not restricted.

There is no legal reason why this revenue could not be placed in the General Fund and appropriated for any state purpose. There would be certain practical differences from the present situation. The original act appropriated the revenue for a number of different purposes by a formula. This formula has been changed at times by changing several of the various appropriations or allocations in a single bill. If the money were in the General Fund it could be appropriated for more than one of the purposes only by the Budget Bill or by a series of separate bills.

The Budget Bill items suggested by you would not, however, necessitate any change in the present set up. The money available for allocation for improvement of fair property is available from the residue after all other appropriations and allocations are made Therefore, diverting this money to another purpose would not interfere with the remainder of the formula.

3. May the Legislature provide that the appropriation made by Item 55 of the Budget Bill for payment for subsequent injuries under the Workmen's Compensation Law shall be made from the Unemployment Compensation Disability Fund created by Section 300 of the Unemployment Insurance Act, Deering Act 8780d?

The Disability Fund consists of money received from employees under the disability features of the Unemployment Insurance Act. The entire fund is now appropriated for disability payments and administration.

In *Gillum* vs. *Johnson* (1936) 7 Cal (2d) 744 the funds involved in the unemployment insurance features of the act were under consideration While there was no question as to the diversion of these funds to another purpose the court said:

> "It must be conceded that the moneys so contributed under the act are not public moneys in the sense that they are subject to appropriation otherwise than as provided in the act. The funds thus raised are in their nature a continuing appropriation for a specific purpose (See *Daugherty* vs. *Riley*, 1 Cal. (2d) 298 [34 Pac. (2d) 1005]). The balances therein do not revert to the General Fund at the end of the fiscal year and under both the state and federal acts constitute trust funds to be administered by the state commission and subject to its call at all times" (7 Cal. (2d) p. 758)

The subsequent injuries payments are not made pursuant to the Unemployment Insurance Act but under the workmen's compensation provisions of the Labor Code These payments arise as follows: If a workman is injured while in one employment and is subsequently injured in another employment the second employer is liable only as to the second injury considered alone and not as to the cumulative effect of both injuries. For example, a worker may lose one eye in one employment and the other eye in the second employment. The second employer is liable only for the loss of one eye, rather than for total blindness The State makes up the difference.

We do not believe that the money in the Disability Fund can be diverted in the Budget Bill for these payments. It might be possible to amend the Unemployment Insurance Act to provide for setting aside a certain amount of the receipts under that act for such purpose While the coverage under the Workmen's Compensation System and the Disability Insurance System is not identical the same general class-wage earners—is involved in each act. It is not necessary that the contributors and the beneficiaries under the Unemployment Insurance Act be identical. Thus, it has been held that contributions must be made for wages paid newsboys although the amount paid was so small that the newsboys would not be entitled to unemployment insurance payments (*California Employment Commission* vs. *Shopping News Corporation*, (1944) 24 Cal. (2d) 421).

Both the unemployment insurance provisions and the subsequent injuries provisions have the same general social objectives—the promotion of the welfare of employees.

Even though such an amendment to the disability provisions of the Unemployment Insurance Act might be possible it does not follow that the money in the Disability Fund could be diverted for subsequent injuries payments by a budget appropriation. The Budget Act can not effect substantive changes in other provisions of the law.

Therefore, we are inclined to believe that the courts would adhere to the positions taken in the *Daugherty* and *Gillum* cases discussed above and hold that the diversion of the money in the Disability Fund to a purpose beyond the scope of the act under which the money was derived would be improper.

4. Could the Legislature amend Item 248 of the Budget Bill to provide that the appropriation made therein should be made from the Highway Fund with the same terms, interest, and repayment provisions fund in Item 248?

Item 248 provides for an appropriation of $893,049 for surveys, plans, etc., for an additional toll bridge from Alameda County to San Francisco. It provides for the return of the appropriation with 1½ percent interest from the sale of the revenue bonds issued for such crossing under the Toll Bridge Authority Act and if the second crossing is not built from the revenues of the existing Oakland-San Francisco Bridge after all outstanding bonds and other obligations have been paid.

We believe that this can be done.

The money in the Highway Fund is derived from revenues earmarked for street and highway purposes by Article XXVI of the Constitution. While bridges are not specifically mentioned there is nothing in the article to exclude them. Bridges may undoubtedly be built from such revenue when they are part of the State Highway System and we can perceive no constitutional difference between bridging a river and bridging San Francisco Bay.

The fact that the State has adopted its present policy in relation to the San Francisco Bay Bridges does not necessarily mean it could not build a free bridge if it chose—assuming, of course, appropriate protection of the holders of bonds for the present structures.

Furthermore, Article XXVI expressly provides that the motor vehicle and gas tax revenues may be temporarily loaned to the General Fund upon condition that it be repaid. Even assuming that the item in question involves what is strictly a General Fund purpose a diversion to that purpose with provision for repayment amounts to practically the same thing as borrowing the money and using it for that purpose. Assuming that the security for repayment is sufficient, as it appears to us to be, the end results would be identical.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

ANNOUNCEMENTS

Mr. Beck announced a luncheon meeting, and Democratic Caucus, for tomorrow noon, Tuesday, March 22d, at the Hotel Sacramento.

Mr. Babbage announced a breakfast meeting, and Republican Caucus, for 8 a.m., tomorrow morning, Tuesday, March 22d, at the Hotel Sacramento.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 67
Assembly Bill No. 111
Assembly Bill No. 128
Assembly Bill No. 149
Assembly Bill No. 260
Assembly Bill No. 422
Assembly Bill No. 521
Assembly Bill No 522
Assembly Bill No. 583
Assembly Bill No. 1174
Assembly Bill No. 1604

And reports the same correctly engrossed.

HUYCK, Chairman

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 583 re-referred to Committee on Municipal and County Government

Assembly Bill No. 149 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 422 re-referred to Committee on Municipal and County Government.

Assembly Bill No 521 re-referred to Committee on Municipal and County Government.

Assembly Bill No 522 re-referred to Committee on Municipal and County Government.

Assembly Bill No. 67 re-referred to Committee on Education.

Assembly Bill No. 111 re-referred to Committee on Education.

Assembly Bill No 260 re-referred to Committee on Education.

Assembly Bill No 1174 re-referred to Committee on Education.

Assembly Bill No. 1604 re-referred to Committee on Ways and Means.

Assembly Bill No. 128 re-referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 89
Assembly Bill No. 159
Assembly Bill No 442
Assembly Bill No 462

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

COMMUNICATIONS

By Speaker pro Tempore Maloney:

A communication from Herbert S. Robinson of Bakersfield relative to expressing a wish that Members of the Legislature deliberate fully upon bills being presented for consideration, and avoid passage of radical legislation, was received, and ordered filed with the Secretary of State.

ANNOUNCEMENTS

Mr. Brown, Chairman of the Assembly Committee on Judiciary, announced that from now until the end of this legislative session there will be a meeting of the Committee on Judiciary every Monday and Tuesday night, at 8 p.m.; and that this announcement will serve as his final reminder to committee members to be in attendance.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight, at 8 p.m.—

Finance and Insurance, in Room 432.
Judiciary.
Military Affairs.

Today upon adjournment—

Public Utilities and Corporations
Ways and Means.
Crime and Correction.

Tomorrow morning, Tuesday, March 22d, at 9 a.m.—

Rules.

Next Tuesday night, March 29th, at 8 p.m —

Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ernest Kobler, Mrs. Rose Fischer, Laurence Meredith, Mr. and Mrs. Russell Denner, Lloyd Rickman, Russell Denner, Jr., Stanley Denner, Chas. Hogelsen, Mr. and Mrs. Roy Wakeland, and Mr and Mrs. L. Baker, of Santa Rosa.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Longshore, Advisor, and the following pupils of the Sarah Dix Hamlin School of San Francisco: Pat Robb, Sally Sproles, Charlotte Kempner, Gloria Lobaugh, Ruth Quigley, Alice Jane Gates, Jane Magee, Millicent Maas, Anne Brawner, Peggy Henler, Patricia Hart, Jane Howard, Ann Carrillo, Joan Sims, Carolyn Jouck, Joan Frederick, and Andrea Hayes.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mary Scanlon and Miss Margaret Scanlon of Daly City.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to William Dresback and Mrs. Belva Boynton, teachers of the Ashland School, and the following pupils: Beverly Hitchcock, Miriam Kawahara, Joanne Kyle, Marilyn Le Roy, Roland Medeiros, Don McDonald, Joe Muren, Marie Mancuso, Bob Porto, Pattijune Prindle, Yvonne Regas, Claude Robinson, Thomas Silva, Marilyn Spangler, Seffie Tagle, Tom Tillitz, Jerry Weber, Dick Wood, Nancy Welshinger, Ray Whistler, Ann Meli, Ronald Hernandez, Richard Thompson, Lois Anderson, Jon Sligar, Jack Almstad, Harvey Aydelotte, Modena Barnes, Geraldine Brooks, Doris Davis, Keith De Ruig, Eddie Devlin, Ray Duncan, Martha Godbehere, Sara Guardias, Jean Cole, Diane Hall, Ronnie Espindola, Ronald Hansen, John Hembree, Tony Hermoso, Lawana Hess, Beverly Hines, and Mary Ann Hines.

On request of Mr. George D Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Edward O'Neill, Director of the Salvation Army Red Shield Boys' Club of San Francisco, and the following members: Dale Nethercutt, Paul Guldbech, Joe Minto, James Gillis, Bill Perry, Keith Norgard, Charles Norgard, Richard Morillon, Eddie England, Alfred Gonzales, and Ernie Cobarruviaz

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to T. Fenton Knight, former Assemblyman of Los Angeles.

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Samuel Wesley Pelley of Los Angeles.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mary L. Williams, Mr. and Mrs. Robert Williams of Dayton, Ohio; and Mr. and Mrs. J. R. Williams of Hagginwood.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to John F. S. D'Aule of Hollywood

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Jess G. Fidler of Dunsmuir.

ADJOURNMENT

At 3.42 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Tuesday, March 22, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIRST LEGISLATIVE DAY

SEVENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, March 22, 1949

The Assembly met at 10 a.m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76.

Names Placed Upon Morning Roll Call

By order of Speaker Sam L Collins, the names of the members, now attending the meeting of the Committee on Rules, were placed upon the morning roll call.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by the Rev. Ralph M. Johnson of the Baptist Church:

Our Father in Heaven, at the beginning of another legislative day we bow before Thee for guidance and perspective Help us to realize that just as water is no better than the reservoir from which it comes, so laws can be no better than the men who make them.

For Members of this Assembly we pray for depth in religious principle, breadth in responsibility and outlook, and a perspective that partakes of the Divine in its recognition of what is of main importance

Strengthen us to withstand the pressure of selfish lobbyists, the narrow prejudice of constituents.

Help us to place righteousness before re-election, and the public good before sectional advantage.

May debate and action be on a high level this day because our hope is that Thy will might be done on earth in this Assembly, as it is in Heaven

In the Name of the Master, we pray.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McCollister, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Fletcher, by unanimous consent.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Huyck, on motion of Mr. Smith.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 608	Assembly Bill No. 2107
Assembly Bill No 619	Assembly Bill No. 2108
Assembly Bill No. 724	Assembly Bill No. 2109
Assembly Bill No. 764	Assembly Bill No. 2302
Assembly Bill No. 773	Assembly Bill No 2303
Assembly Bill No. 817	Assembly Bill No. 2305
Assembly Bill No 2101	Assembly Bill No 2306
Assembly Bill No. 2106	Assembly Bill No. 2308

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations to which were referred:

Assembly Bill No. 1264	Assembly Bill No 2757
Assembly Bill No. 2756	Assembly Bill No 2067

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 21

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Industrial Relations.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No 725
Assembly Bill No 1205
Assembly Bill No. 1209

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER. Your Committee on Military Affairs, to which was referred:

Assembly Bill No 1830

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No 1203
Assembly Bill No. 1208
Assembly Bill No 1210
Assembly Bill No. 2146

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No 1692

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

McCOLLISTER, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 317

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Governmental Efficiency and Economy.

BENNETT, Vice Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 189

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1122
Assembly Bill No. 1393
Assembly Bill No. 2945

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:

Assembly Bill No. 695

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No. 190
Assembly Bill No. 704
Assembly Bill No. 705
Assembly Bill No. 1394
Assembly Bill No. 1631

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 467
Assembly Bill No. 697

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 56
Assembly Bill No. 131
Assembly Bill No. 749

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 332

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary.

BENNETT, Vice Chairman

Above reported bill re-referred to Committee on Judiciary.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 101
Assembly Bill No. 347
Assembly Bill No. 748
Assembly Bill No. 1640
Assembly Bill No. 2840

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 55

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Joint Resolution No. 22

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 22—Relative to memorializing the President, Secretary of State, and Congress of the United States and condemning the Communist persecution of Cardinal Mindszenty and other Roman Catholic prelates in Hungary, the espionage trial of Protestant pastors in Bulgaria and the persecution of religion in all Communist-dominated countries behind the Iron Curtain.

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 42
Senate Bill No. 44
Senate Bill No. 390
Senate Bill No. 392
Senate Bill No. 468
Senate Bill No. 796
Senate Bill No. 800
Senate Bill No. 819
Senate Bill No. 1330
Senate Bill No. 1365

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 42—An act to amend Section 27288 of the Government Code, relating to the recording of documents.

Referred to Committee on Judiciary.

Senate Bill No. 44—An act to repeal Section 27378 of the Government Code, relating to the fee for recording marks or brands.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 390—An act to amend Section 626 of the Agricultural Code, relating to skim milk.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 392—An act to amend Sections 737.5 and 737.7 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 468—An act to add Section 32100.5 to the Health and Safety Code, relating to local hospital districts.

Referred to Committee on Public Health.

Senate Bill No. 796—An act to add Section 125 to the Business and Professions Code, prohibiting certain practices by persons licensed under said code and providing penalties for violations thereof.

Referred to Committee on Public Health.

Senate Bill No. 800—An act to add Section 162 to the Business and Professions Code, and to repeal Section 7080.1 of said code, and to amend Section 7080 of said code, relating to certificates of certain officers of boards within the Department of Professional and Vocational Standards.

Referred to Committee on Public Health.

Senate Bill No. 819—An act to add Section 17500.1 to the Business and Professions Code, relating to regulation of advertising.

Referred to Committee on Public Health.

Senate Bill No. 1330—An act to add Section 450.1 to the California Unemployment Insurance Act, relating to disability insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1365—An act to add Section 758.5, to amend Sections 758 and 759.1, and to repeal Section 758a of the Political Code, relating to officers and employees of the district courts of appeal.

Referred to Committee on Judiciary.

ANNOUNCEMENT BY SPEAKER

Speaker Sam L. Collins announced that, as has happened before, the books containing copies of the printed bills are not on the desks of the members, although it is time for the Assembly to consider them; that the delay of the Printer and the Legislative Bill Room in placing the books on the desks on time is retarding the work of this House, and costing the taxpayers money for time wasted.

CONSIDERATION OF DAILY FILE

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1318—An act to amend Section 4162 of the Business and Professions Code, relating to hypodermic syringes and needles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Clayton A. Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Way, Weber, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2150—An act to amend Section 7726 of the Business and Professions Code, relating to licenses of funeral directors and embalmers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Conrad, Cooke, Cramer, Davis, Clayton A. Dills, Ralph C. Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2—An act to amend an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, by adding Sections 48.1 to 48.9, inclusive, thereto, relating to the withdrawal of land from registry under the said act, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Conrad, Cooke, Cramer, Davis, Clayton A. Dills, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Mr Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 903—An act to amend Section 123.55 of the Agricultural Code, relating to intercounty nursery stock certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Conrad, Cooke, Cramer, Davis, Clayton A. Dills, Ralph C. Dills, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1107—An act to amend Section 886 of the Fish and Game Code, relating to fish for bait.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Clayton A Dills, Ralph C. Dills, Fleury, Gaffney, Grant, Grunsky,

Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Way, Weber, and Mr Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 843—An act to amend Sections 470 and 474 of the Agricultural Code, relating to milk and cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Clayton A Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Way, Weber, and Mr. Speaker—55.

NOES—Ralph C Dills—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 844—An act to amend Sections 260 and 261.4 of the Agricultural Code, relating to bovine Brucellosis

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Clayton A. Dills, Ralph C. Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Way, Weber, and Mr Speaker—58

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 845—An act to amend Section 617 of the Agricultural Code, relating to cheese and cheese products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Cooke, Cramer, Davis, Clayton A Dills, Ralph C. Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Way, Weber, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 438—An act to amend Section 5402 of the Welfare and Institutions Code, relating to appearance in court, time and place of hearing and commitment to rehabilitation center.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Clayton A Dills, Ralph C. Dills, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sillman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1101—An act to amend Section 690.26 of the Code of Civil Procedure, relating to exemptions from executions

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Assembly on March 17, 1949, strike out "filing of such petition", and insert "making of such motion".

Amendment No. 2

On page 2, line 26, of said bill, strike out "twenty (20)", and insert "five (5)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 796—An act to amend Section 7320 of the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grunsky, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—59

NOES—Ralph C. Dills, Geddes, and Hinckley—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 997—An act to add Section 7325 to the Business and Professions Code, relating to cosmetology.

Bill read third time, and passed temporarily on file.

ANNOUNCEMENTS

Mr. Rumford announced that he is holding a House resolution, at his desk, relative to commending the distinguished American Negro, Dr. Ralph Johnson Bunche, in bringing about a peaceful settlement of the Arabian-Israeli dispute, and whomever wishes to sign it, as a co-author, may do so.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 871—An act to amend Section 1011 of the Fish and Game Code, relating to licenses.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn,

Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 881—An act to amend Section 1010 of the Fish and Game Code, relating to licenses.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—72.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—72.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 796

Mr. Hagen asked for unanimous consent that his name be placed upon the roll call on Assembly Bill No. 796, and that he be recorded as voting, "Aye."

Objection was heard, and by order of the Speaker, unanimous consent was withheld.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 294

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 294, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 294

Assembly Bill No. 294—An act to amend Section 373 of, and to add Section 373.5 to, the Elections Code, relating to indexes of registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69

NOES—Heisinger—1

Bill ordered transmitted to the Senate.

MEMBER EXCUSED FOR MEETING

At 11.05 a.m., Mr. Evans asked for, and was granted, unanimous consent that he be excused, for the purpose of attending a meeting in the Senate, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 325
Assembly Bill No. 1489

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 26

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20
Assembly Bill No. 379

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR SPEAKER. Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No 62

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 123
Assembly Bill No. 1721
Assembly Bill No. 1722
Assembly Bill No 1766

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 155
Assembly Bill No. 1720

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 125

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 827
Assembly Bill No. 830
Assembly Bill No. 948
Assembly Bill No. 1319

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 62

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 304

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 304, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 304

Assembly Bill No. 304—An act to amend Sections 1402, 1404, and 11001 of the Elections Code, relating to the form of initiative, referendum and recall petitions.

Bill read third time.

Demand for Previous Question

Messrs. Luckel, Grunsky, Doyle, Heisinger, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 304.

Point of Order

Mr. Heisinger arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No 304.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Conrad, Dickey, Dolwig, Erwin, Grant, Grunsky, Hinckley, Hoffman, Kirkwood, Levering, Lindsay, Lipscomb, Price, Reagan, Sherwin, Sillman, Smith, Stanley, Thompson, Tomlinson, Waters, and Mr. Speaker—27.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way, and Weber—47.

REQUEST FOR UNANIMOUS CONSENT TO INTRODUCE AN ASSEMBLY CONCURRENT RESOLUTION

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to introduce an Assembly concurrent resolution, out of order, at this time.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 63: By Messrs. Maloney, Gaffney, Beck, Dunn, Berry, George D. Collins, Connolly, Dolwig, McCarthy, and Meyers—Relative to congratulating Brigadier General C. Lyn Fox.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No 63, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 63

Assembly Concurrent Resolution No. 63—Relative to congratulating Brigadier General C. Lyn Fox.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered printed, and transmitted to the Senate

Motion to Place Rush Order on Printing of Assembly Concurrent Resolution No. 63

Mr. Maloney moved that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 63.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 62

Messrs. Maloney and Meyers asked for, and were granted, unanimous consent to take up Assembly Concurrent Resolution No. 62, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 62

Assembly Concurrent Resolution No. 62—Relative to the University of San Francisco victory in the National Invitational Basketball Championship.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 325

Mr Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 325, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 325

Assembly Bill No. 325—An act to amend Sections 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2750, 2753, 2795, 2798, and 2804 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1349

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1349, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1349

Assembly Bill No. 1349—An act to add Section 7964.5 to the Elections Code, relating to precinct boards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2141

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2141, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2141

Assembly Bill No. 2141—An act to amend Section 4533 of the Elections Code, relating to campaign statements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2143

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 2143, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2143

Assembly Bill No. 2143—An act to amend Section 8007 of the Elections Code, relating to recount of ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2144

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 2144, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2144

Assembly Bill No. 2144—An act to amend Section 330.5 of the Elections Code, relating to affidavits of registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2285

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 2285, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2285

Assembly Bill No. 2285—An act to amend Sections 7015, 7016, and 7020 of the Elections Code, relating to canvass of ballots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—Anderson, Crowley, Heisinger, and Lewis—4

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 997

Assembly Bill No. 997—An act to add Section 7325 to the Business and Professions Code, relating to cosmetology.

Bill read third time.

Point of Order

Mr. Cramer arose to the following point of order: That Mrs. Niehouse has exceeded her time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 997.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Thompson, Way, Weber, and Mr. Speaker—47.

NOES—Beck, Burke, Ralph C. Dills, Evans, Hahn, Lincoln, Lowrey, McMillan, and Stewart—9.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 135 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 135 be withdrawn from the file, and be re-referred to the Committee on Elections and Reapportionment.

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Journals for Monday, March 14, 1949; Tuesday, March 15, 1949; Wednesday, March 16, 1949; Thursday, March 17, 1949; and Friday, March 18, 1949, were approved, as corrected by the Minute Clerk.

RECESS

At 12.14 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 407
Assembly Bill No. 616
Assembly Bill No. 618

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MEMBER EXCUSED

At 2.01 p.m., Mr. Grunsky asked for, and was granted, unanimous consent that Mr. Connolly be excused for the balance of the legislative day, as he is attending to legislative duties elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1676—An act to amend Section 5016 of the Public Resources Code, relating to the exchange of land within Anza Desert State Park Project.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Cramer moved a call of the Assembly.

Motion carried. Time, 2.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Butters, Coats, George D Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hawkins, Hinckley, Huyck, Kilpatrick, Lewis, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Price, Rosenthal, Sherwin, Silliman, Stewart, Thomas, Thompson, Waters, and Weber—47

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 802—An act to amend Section 420 of the Vehicle Code, relating to financial responsibility and declaring the urgency thereof,

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-second day of March, 1949, at 2 p.m.

HUYCK, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 44

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 44

By Mr. Dolwig:

House Resolution No. 44

Relative to the creation of the Assembly Fact-Finding Committee on Tideland Reclamation

WHEREAS, The problem of tideland reclamation and development is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that with the rapid growth of industry and commerce within the borders of the State of California, land which is easily accessible to rail and water is being used to capacity; and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State of California desires land easily accessible to rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, There is an urgent need for the Legislature to be fully advised in all the facts relating to the need for the reclamation and development of tidelands, the scarcity of industrial sites available to rail and water, and the demands of industry and commerce for adequate and satisfactory locations within the borders of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Fact-Finding Committee on Tideland Reclamation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California, and

(b) The methods that are generally used for the reclamation of tidelands; and

(c) The needs of industry and commerce for expansion and location within the borders of the State of California upon land easily accessible to rail and water;

(d) Specific tideland areas within the State that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial and commercial use, including adequate provisions for access thereto; the estimated costs of any or all such projects;

(e) All matters pertaining to or directly or indirectly affecting the subject matter of this resolution; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of _____ Members of the Assembly appointed by the Speaker. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its finding and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the

expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Request for Unanimous Consent That Proposed Amendment Be Printed in the Journal Without Action

Mr. Dickey asked for, and was granted, unanimous consent that the following proposed amendment be ordered printed in the Journal, without action.

Proposed Committee Amendments

By the Committee on Rules:

Amendment No. 1

Strike out all of the title and text of the measure as printed in the Assembly Journal for January 17, 1949, at pages 315 and 316, and insert

"Relative to the creation of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

WHEREAS, The problem of tideland reclamation and development in Northern California, and particularly in the San Francisco Bay region, is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that, with the rapid growth of industry and commerce within the borders of the State of California, land which is easily accessible to highways, rail and water is being used to capacity; and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State desire land easily accessible to highways, rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, An essential part of such a development program involves consideration of providing adequate highway facilities and integrating plans for state highway facilities with the plans for such reclamation and development of industrial sites; and

WHEREAS, There presently exists a serious condition wherein the people of the State living in the valleys of Northern California are greatly harassed by traffic congestion in and about the San Francisco Bay area and the people of the State living on the San Francisco-San Mateo Peninsula are not being adequately served by the present means of ingress and egress from the northern and central portions of the State; and

WHEREAS, The State now has under consideration plans for the construction of additional San Francisco Bay crossings and there is pending before this Legislature a proposal for an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of such crossing; and

WHEREAS, There are differences of opinion as to which location and type of crossing would be most advantageous to the people of the State; and

WHEREAS, The construction of such crossing and the location thereof is a material factor in the development of a program for tideland reclamation and development of the San Francisco Bay area; and

WHEREAS, There is urgent need for the Legislature to be fully advised as to all facts relating to the foregoing; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California and particularly in the San Francisco Bay region;

(b) The needs of industry and commerce for expansion and location of sites in Northern California and particularly in the San Francisco Bay region upon land easily accessible by highway, rail, and water;

(c) Specific tideland areas in Northern California and particularly in the San Francisco Bay region that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial or commercial use, and the estimated costs of any or all such projects;

(d) Providing adequate access by highways from such areas and the San Francisco-San Mateo Peninsula to the northern and central portions of California, including all matters pertaining to the construction of additional San Francisco Bay crossings, the location thereof, and the type of structure; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer."

Amendment read, and ordered printed in the Journal.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 29: By Messrs. Rumford, Hawkins, Moss, Cramer, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, George D. Collins, Condon, Cooke, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Evans, Fleury, Gaffney, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, McCarthy, McCollister, Meyers, Rosenthal, Smith, Way, and Weber—Relative to the work of Dr. Ralph Johnson Bunche in bringing about a peaceful settlement of the Arabian-Israeli dispute.

Referred to Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1676

At 2.12 p m., on motion of Mr Cramer, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1676 passed by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 309

Mr. Crichton asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 309, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 309

Assembly Bill No. 309—An act to add Section 803.5 to the Agricultural Code, relating to nectarines, prescribing standards of quality and regulating the packing thereof, declaring the emergency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Mr. Speaker—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Mr Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE
SACRAMENTO 3, March 22, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
California Legislature, State Capitol, Sacramento, California

DEAR SIR: I am enclosing herewith letter from Robert Howden of Oakland, submitting for legislative approval words for a State Song.

Sincerely yours,

FRANK M. JORDAN, Secretary of State

Above mentioned proposed State Song ordered referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2541—An act to amend Section 5 of "An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of water works, water systems or water distribution systems; for the issuance, sale, and payment of bonds of such districts to meet the cost of such water works, water systems or water distribution systems; and for the acquisition, construction or extension of such water works, water systems or water distribution systems," approved April 26, 1935, to remove the limitation on the amount of the principal of indebtedness.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 158—An act to amend Section 29142 of the Government Code, relating to county and district budgets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 265 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Hoffman asked for, and was granted, unanimous consent that Assembly Bill No. 265 be withdrawn from the file, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1640

Mr. Hoffman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1640, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1640

Assembly Bill No. 1640—An act to amend the title of Article 1 of Chapter 4, and Section 380.51 of the Agricultural Code, relating to swine.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 920

Mr. Hoffman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 920, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 920

Assembly Bill No. 920—An act to amend Section 108 of the Agriculture Code, relating to the control or eradication of pests.

Bill read third time, and ordered passed on file temporarily.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 372

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 372, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 372

Assembly Bill No. 372—An act to add Chapter 7 to Division 8 of the Elections Code, relating to elections and providing for an alternative and optional method of balloting and ascertaining the vote at elections and in precincts for which such method is adopted.

Bill read third time, and ordered passed on file temporarily.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2710

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2710, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2710

Assembly Bill No. 2710—An act to add Section 1239.5 to the Code of Civil Procedure, relating to eminent domain and the use of property acquired pursuant to eminent domain proceedings by the State and public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—64

NOES—Beck—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1012—An act to amend Section 25365 of the Government Code, relating to the powers and duties of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That His Name Be Placed Upon Roll Call

Mr. Moss asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1012, and that he be recorded as voting, "Aye."

Assembly Bill No. 2370—An act to add Section 5½ to the County Water Authority Act, relating to powers of county water authorities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott,

Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1360—An act to amend Section 25461 of the Government Code, relating to the powers and duties of boards of supervisors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—63.

NOES—Clayton A. Dills and Dunn—2.

Notice of Motion to Reconsider Assembly Bill No. 1360

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1360 was this day passed.

ANNOUNCEMENT RELATIVE TO ASSEMBLY BILL NO. 372

Mr. Waters announced that he has been informed that the Legislative Bill Room is out of the original copies of Assembly Bill No. 372, and requested all members to retain both the original and the amended copies of said bill, as he proposes to take up Assembly Bill No. 372 on the next legislative day, and wishes to avoid delay.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED STATE SONG BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that a proposed State Song, referred today to the Committee on Education, be withdrawn from the Committee on Education, and be re-referred to the Committee on Governmental Efficiency and Economy; and recommended that a new committee, or subcommittee, be created for the purpose of considering such matters.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1004 AND 551 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Bills Nos. 1004 and 551 be withdrawn from the Committee on Agriculture, and be re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Hollibaugh asked for, and was granted, unanimous consent that the Committee on Revenue and Taxation be permitted to use the Assembly

Chamber this afternoon, upon adjournment, for the purpose of holding a meeting.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 30: By Messrs. McCollister, Hoffman, Dolwig, Gaffney, Berry, Clarke, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dunn, Hagen, Lincoln, Lipscomb, Maloney, Meyers, Mrs Niehouse, Messrs. Rumford, and Stanley—Relative to the assistance to veterans in borrowing funds from established lending institutions for the acquisition of homes and other purposes.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 76: By Messrs. Cramer, Heisinger, and Rosenthal—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California, relating to compensation of the Members of the Legislature.

Referred to Committee on Constitutional Amendments.

Motion to Place Rush Order on Printing of Assembly Constitutional Amendment No. 76

Mr. Heisinger moved that a rush order be placed upon the printing of Assembly Constitutional Amendment No. 76.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 792

Because of a defect in the voting machine, and because his vote on Assembly Bill No. 792, passed yesterday, was not correctly recorded, Mr. Coats asked for, and was granted, unanimous consent that he be recorded on the roll call on Assembly Bill No. 792, and that he be recorded as voting, "Aye."

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 36
Assembly Bill No. 236
Assembly Bill No. 326
Assembly Bill No. 620
Assembly Bill No 667
Assembly Bill No. 852
Assembly Bill No. 1858
Assembly Bill No 1863
Assembly Bill No. 1866
Assembly Bill No. 2153
Assembly Bill No. 2326

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 36 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 236 ordered re-referred to Committee on Industrial Relations.

Assembly Bill No. 326 ordered re-referred to Committee on Industrial Relations.

Assembly Bill No. 620 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 667 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 852 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1858 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1863 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1866 ordered re-referred to Committee on Transportation and Commerce

Assembly Bill No. 2153 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2326 ordered re-referred to Committee on Transportation and Commerce.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Social Welfare.

Tonight, at 8 p m —

Fish and Game.

Today Upon Adjournment—

Revenue and Taxation, in the Assembly Chamber.

Agriculture.

Livestock and Dairies, upon adjournment of the Committee on Agriculture.

Public Health, in Room 426.

Water Pollution, in Room 435.

Tomorrow, Wednesday, March 23d, at 9 a.m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Salvatore C. J. Fusco of San Francisco.

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. George Taylor of Salinas.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Oliver Carter, former Senator, of Redding, and Patrick Brown of San Francisco.

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs E. A. Couture and Mr. and Mrs. Paul Couture of Modesto

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to H. R. Crane and Rawlins Coffman of Red Bluff; A. M. Beel of Maxwell, and Charles K. Price and Lester W. Wigmore of Orland.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Frank Ettl, Mr. and Mrs. Walter Ettl, Dorothy and Bob Ettl, Mrs. George Cothrin, Mrs. John Stering, John and Eddie Stering, Mrs. W. W. Tate, Gene Richard, Robert Fleharty, and Mrs Marian Richard, and the following pupils of the Winship School of Sutter County, Meridian, California: Michael Ettl, Kathleen Linn, Claudine Niesen, Bob Cothrin, Franceska Ettl, Stanley Cothrin, Joyce Tate, Bobby Brown, Larry Tate, Joycie Lee Jackson, Teddy Fleharty, Charles Stering, and Bill Ettl.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Harry Adams, and C. O. Blose, teachers of the Fairmont School, and the following pupils: Billy Anderson, Buddy Ashmore, Charles Borgstede, Richard Brundage, Billy Burford, Thomas Carbon, Lydia Carrillo, Sharon Cambra, Ben Castro, Susan Clarke, Shirley Craig, Ludwig Deliersnyder, John Dillard, Beauton Duggins, Ruby Ezell, Donna Fisher, Patricia Flowers, Shirley Gilbertson, Jackie Gregory, Billy Hector, Keith Henry, Beverly Hernandez, David Lopez, May McKee, Sherman McVay, Jerome Parks, Raymond Perriera, Roberta Petersen, Ernest Rabbiosi, Bobby Reid, Melvin Remmert, Ruth Rydman, Douglas Scott, David Smart, Wanda Smart, Edward Stegeman, Joan Svendsgaard, Fred West, Carol J. Williams, Billy Witcher, and Peter Zantopoulos.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Helen Peets and Mrs. Cora Stanley, teachers of the Capy Rancho School, the following parents: Mrs. Woodward, Mrs. Moore, Mr. and Mrs. Newkirk, Jonathan Newkirk, and pupils: Saundra Holmes, Charlene Nixon, Kenneth Sliger, Mark Stockton, Carolin Lepp, Wanda Peets, Loretta Riffel, Byron Bambauer, Harvey Peck, Charles Newkirk, Ross Woodward, James Estes, Josephine Janzen, Calvin Lepp, Merlin Peets, Charlotte Sliger, Rozelle Walker, Billy Woodward, Duane Woodward, Bill Brubaker, Virginia Janzen, Fred Newkirk, Claudine Nixon, and Gladys Peck.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mae Arnold, Mrs. Edna Monson, teachers of Patterson Union High School of Patterson, and the following pupils: John Apland, Carol Arambel, Carole Bergman, Dolores Bertolosso, Doris Bizzanelli, Robert Broggi, Mario Cabral, Bob Chadwick, Laura Farinha, Frank Fernandez, Elsie Ferreira, Carol Gaspar, Janet Glotfelty, Don Harmon, Sheldon Hatlen, John Herger, David Hiatt, Bobby Houtchens, Buddy Ingebretsen, Rose Mary Kilby, David Knutson, Francine Lawson, Marie Machado, Ernie Myers, John Nunes, Charles Nylund, Stanley Ohm, Dolores Parsons, Margaret Parsons, Ellen Puyo, Nancee Rabbiosi, Evelyn Redford, Ida Rovedatti, Tony Sierra, Madeline Silva, Arvey Swanson, Darlene Taylor, Merlin Thorkelson, and Paul Yale.

ADJOURNMENT

At 3 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 23, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SECOND LEGISLATIVE DAY

EIGHTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, March 23, 1949

The Assembly met at 10 a.m
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75

Names Placed Upon Morning Roll Call

By order of Speaker Sam L. Collins, the names of the members, now attending the meeting of the Committee on Rules, were placed upon the morning roll call.

By order of Speaker Sam L. Collins, the name of Mr. Huyck, now appearing before the Committee on Rules, was placed upon the morning roll call.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of Hope: In these momentous days, when many look with anxious eyes at countries in ruins and cities in ashes, let us behold the immense recuperative forces which ever work secretly and silently in communities and nations.

Let us remember that Europe has been ravaged a thousand times by the devastating forces of war, and yet has always risen like the Phoenix from the ashes to a more civilized age.

Let us behold how Italy and France rose out of the Dark Ages to the glories of the Renaissance, and how England rose out of the devastating Wars of the Roses to

the Golden Age of Shakespeare, and how all Europe rose from the wreckage of the Napoleonic Era to modern times.

Let us recall how our own Nation sprang out of the chaos and devastation of our Revolutionary and Civil Wars to the greatest summits of progress the world has ever known, and that in a world of despair, America is the universal symbol of hope.

May we cherish the resourceful mind which has set many heroic people, crippled in fortune, on their feet, and cultivate the creative spirit which can make a Golden Age out of any desolation, and make any desert flourish as a garden.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Clarke, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Grant.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Connolly, on motion of Mr. Grunsky.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 109
Assembly Bill No. 431
Assembly Bill No. 535

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 251
Assembly Bill No. 432
Assembly Bill No. 434
Assembly Bill No. 509
Assembly Bill No. 715

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 318
Assembly Bill No. 700
Assembly Bill No. 1524
Assembly Bill No. 2161

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 214
Assembly Bill No. 270
Assembly Bill No. 872
Assembly Bill No. 936
Assembly Bill No. 959
Assembly Bill No. 1015
Assembly Bill No. 2212

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1460
Assembly Bill No. 1461

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 41

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 846

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 62

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 21

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 21—Relative to memorializing the Federal Department of Interior and the Bureau of Reclamation of the

Federal Government in relation to reimbursing the State of California and the reconstruction of flood control works on the Sacramento River

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 251
Senate Bill No. 273
Senate Bill No. 352
Senate Bill No. 401
Senate Bill No. 471
Senate Bill No. 482
Senate Bill No. 560
Senate Bill No. 654
Senate Bill No. 656
Senate Bill No. 658
Senate Bill No. 660
Senate Bill No. 661
Senate Bill No. 663
Senate Bill No. 664
Senate Bill No. 665
Senate Bill No. 741
Senate Bill No. 799
Senate Bill No. 803
Senate Bill No. 1343
Senate Bill No. 1355
Senate Bill No. 1512

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 251—An act to amend Sections 16505 and 16581, and to repeal Section 16524 of, the Government Code, relating to deposits of state money in banks.

Referred to Committee on Finance and Insurance.

Senate Bill No. 273—An act to amend Section 28114 of the Government Code, relating to compensation of county officers.

Referred to Committee on Municipal and County Government.

Senate Bill No. 352—An act to amend Section 13 of, and to add Section 13.2 to, the Construction and Employment Act, relating to projects for which the county allocation thereunder is available, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 401—An act to amend Sections 11540 and 11541 of the Business and Professions Code, relating to subdivision maps.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 471—An act to amend Section 28135 of the Government Code, relating to compensation for public service in counties of the thirty-fifth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 482—An act to amend Section 3476a of the Political Code, relating to reclamation districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 560—An act to amend Section 27264 of the Government Code, relating to the recordation of land patents.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 654—An act to amend and renumber Section 6210.3 of the Public Resources Code, added to said code by an act entitled "An act to add Sections 6210.3, 6210 4 and 6220 to the Public Resources Code, relating to reservations of easements for convenient access, in sale, lease or rental of state owned lands, and to acceptance of quitclaim deeds by the State Land Commission," approved May 20, 1943, and to amend and renumber Sections 6210.4 and 6210.5 of the Public Resources Code, relating to public lands.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 656—An act to amend Section 6303 of the Public Resources Code, relating to state lands, granting privileges with respect thereto.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 658—An act to authorize and validate sales of state land made by the State Lands Commission during the calendar year 1948.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 660—An act to amend Section 7704 of the Public Resources Code, relating to unapproved applications for purchase of state lands.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 661—An act to amend Section 7406 of the Public Resources Code, relating to public land selections.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 663—An act to amend Section 7729 of the Public Resources Code, relative to the issuance of patents for state lands.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 664—An act to amend Section 7705 of the Public Resources Code, relating to state lands open and closed to purchase.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 665—An act to amend Section 7706 of the Public Resources Code, relating to applications for the purchase of state lands.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 741—An act to amend Section 3 of an act entitled "An act to release the Regents of the University of California from all obligations assumed by said the Regents of the University of California pursuant to the provisions of Sections 1, 2, and 3 of an act entitled, 'An act appropriating five hundred twenty-five thousand dollars ($525,000) to be used and expended by the Regents of the University of California for the construction and equipment of a building or buildings on the site of the University of California at Los Angeles; providing that none of said money shall be drawn or expended until said the regents shall deliver to the Chairman of the Department of Finance an obligation binding said the regents (a) to set aside for sale certain real property in Los Angeles owned by said the regents; (b) not to use or permit to be used the same so as to interfere with or prevent its sale, provided, that said the regents may lease the whole or part of said property for periods of not more than six months; (c) to sell parts or parcels of said property or the whole at such prices and on such terms and conditions as said the regents with approval of the Department of Finance shall fix; (d) to pay over to the State Treasury all sums received from sales or rentals, less the costs of selling and leasing and the necessary costs of care and maintenance of said real property; providing that on sale of the last part or the whole of said real property and payment of all moneys agreed to be paid into the State Treasury by said the regents, the Chairman of the Department of Finance shall deliver to said the regents a written acknowledgment that all requirements of said the regents obligation have been performed and further providing that said the regents shall thereupon be discharged of every duty and requirement in the premises, declaring the urgency thereof and providing that this act shall take effect immediately,' approved May 31, 1929, assenting to the conveyance to the State of California by the Regents of the University of California of certain real property in the City of Los Angeles, providing for the transfer to the State of California of leases and contracts of sale affecting said real property, and providing for the sale of such property by the State," approved April 21, 1943, relating to interests in real property owned by the Regents of the University of California.

Referred to Committee on Education.

Senate Bill No. 799—An act to add Section 161 to the Business and Professions Code, relating to the sale of copies of the public records of boards within the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 803—An act to amend Section 6736 of the Business and Professions Code, relating to the practice of civil engineering.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1343—An act to amend Section 10332 of the Government Code, relating to the California Code Commission.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1355—An act to add Article 6 to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, relating to

the sale of products of institutions under the jurisdiction of the Department of Education.

Referred to Committee on Education.

Senate Bill No. 1512—An act to amend Section 28139 of the Government Code, relating to compensation for public service.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Cooke asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 155—An act to amend Section 4650 of the Labor Code, dealing with workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1720—An act to amend Section 17 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Bill read second time, and ordered engrossed.

Assembly Bill No. 190—An act to amend Section 587b of the Penal Code, relating to trespass upon railroad equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 704—An act to amend Section 1570 of the Probate Code, relating to the appointment of guardians for minors and insane or incompetent persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 705—An act to amend Section 801 of the Probate Code, relating to the sale of property in probate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1394—An act to amend Sections 27320 and 27321 of the Government Code, relating to the recordation of instruments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1631—An act to amend Section 164 of the Civil Code, relating to property acquired after marriage.

Bill read second time, and ordered engrossed.

Assembly Bill No. 725—An act to add Section 19333 to the Government Code, relating to authorizing absences from veterans' homes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1205—An act to amend Sections 502.1, 511.5, and 516.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1209—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, and 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the federal system of discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry, and bad-conduct discharges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 123—An act to amend Section 4661 of the Labor Code, dealing with workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, following line 15, insert "Every computation made pursuant to this section shall be made only with reference to disability resulting from an original injury sustained after this section as amended during the 1949 Regular Session of the Legislature becomes effective; provided, however, that all rights presently existing under this section shall be continued in force"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1721—An act to amend Section 18 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 10, of the printed bill, before "upon", insert "in advance".

Amendment No. 2

On page 1, lines 11 and 12, of said bill, strike out "a limited line of".

Amendment No. 3

On page 1, line 14, of said bill, strike out "a limited line", and insert "an extension".

Amendment No. 4

On page 1, line 16, of said bill, strike out "amounts of such loan or loans do", and insert "amount of such loan or loans does"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1722—An act to amend Section 10 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "tenth", and insert "first".

Amendment No. 2

On page 1, line 14, of said bill, strike out "such", and insert "the following".

Amendment No. 3

On page 1 of said bill, strike out line 15, and insert

"The by-laws of any credit union may provide that shares which shall have been fully paid by the tenth day of any calendar month of any period for which dividends are declared shall be entitled to a proportionate part of such dividend calculated from the first day of such month and may further provide that shares".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1766—An act to amend Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 22, inclusive, and insert

"2 Make any loan in excess of five hundred dollars ($500) unless security therefor is taken; nor in any event make a loan to any member in excess of three thousand dollars ($3,000) or 10 *percent of its paid-in and unimpaired capital*, whichever is greater, but not to exceed ten thousand dollars ($10,000). The term "security" within the meaning of this subdivision shall include, but is not limited to, a note which is endorsed by any member or members of the said credit union or by any other person or persons who is a nonmember (provided, however, for any loan in excess of three thousand dollars ($3,000) such excess shall be secured by real and/or personal property) and any obligation, the payment of interest and principal of which is guaranteed by any municipal, or State Government, by the Government of the United States or by any instrumentality of the United States. Comaker or comakers, other than the borrower or borrowers, shall be deemed to be an endorser within the provisions of this section."

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 11, inclusive, and insert

"In the event a credit union shall make a loan or loans to any of its members and the said member or members shall have invested therein, either in the form of shares or in funds received, an amount equal to the said loan or loans, said investment shall be deemed as security within the provisions of this section and said borrower or borrowers shall not be required to give further or additional security. Subject to the limitations as in this section provided, nothing contained herein shall prohibit a credit union from simultaneously making different classes of loans, either secured or unsecured to any member."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 467—An act to amend Section 3045 of the Penal Code, relating to paroles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "prison," insert "or".

Amendment No. 2

On page 1 of said bill, strike out line 6, and insert "tentiary,".

Amendment No. 3

On page 1 of said bill, strike out lines 9 to 11, inclusive, and insert "Any sentence based on conviction of crime of which the person was previously pardoned on the express ground that he was not guilty shall not be counted as a previous conviction."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 697—An act to amend Section 645 of the Probate Code, relating to the setting aside of estates without administration.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "if there be no such surviving spouse,".

Amendment No. 2

On page 1, lines 7 and 8, of the printed bill, strike out "hearing", and insert "death".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 695—An act to amend Section 1126 of the Probate Code, relating to testamentary trusts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "trusts", and insert "trust".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1203—An act to amend Sections 163, 164, 167, 168, 175, 180, 187, 223, 224, 252, and 253 of, and to add Section 212 to, the Military and Veterans Code, relating to the military forces of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out ", Assistant Adjutant General and", and insert "and Assistant Adjutant General".

Amendment No. 2

On page 2, line 1, of said bill, strike out "Assistant Chiefs of Staff".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1208—An act to amend Sections 125, 127, 324, 325, 369, 397, 398, 439, 612, and 615 of the Military and Veterans Code and to amend Section 718c of the Civil Code, relating to the military forces of the State, including the exemption from military service, the detail of federal officers for service with the National Guard or Naval Militia, the detail of officers for special duty and waiver of part of compensation, performance of emergency service, the performance of military duty on election day, the passage of the National Guard through toll bridges and on ferries, the declaration of places as "off limits," the leasing of property owned by a municipality for a term not to exceed fifty years for military or armory purposes the Colors and standards of organizations of the National Guard, the delivery of the Colors to members of the family of a deceased member of the National Guard, the use of the National Flag, and assignment of command.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "397,".

Amendment No. 2

In line 9 of the title of the printed bill, following the comma, strike out "the passage of the National".

Amendment No. 3

In line 10 of the title of the printed bill, strike out "Guard through toll bridges and on ferries,".

Amendment No. 4

On page 3 of the printed bill, strike out lines 9 to 22, inclusive.

Amendment No. 5

On page 3, line 23, of the printed bill, strike out "7", and insert "6".

Amendment No. 6

On page 3, line 37, of the printed bill, strike out "8", and insert "7".

Amendment No. 7

On page 4, line 16, of the printed bill, strike out "9", and insert "8".

Amendment No. 8

On page 4, line 32, of the printed bill, strike out "10", and insert "9".

Amendment No. 9

On page 4, line 45, of the printed bill, strike out "11", and insert "10".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1210—An act to amend Sections 210, 224, 225, 250, 254, 261, 262, and 269, and to repeal Section 322 of the Military and Veterans Code, relating to the organization of the National Guard, precedence in rank, separation of personnel from service, the qualification for enlistment, the transfer and reduction of members of the National Guard, discharge certificates, the dishonorable discharge of members of the military or naval service of the State and the effect thereof and the pay of members of the National Guard while attending camps of instruction, drills or parades

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "224,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 13 to 16, inclusive

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2146—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance at drills, camps, and exercises; performance of duty during insurrection or emergency; private employees and restoration to positions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 8, of the printed bill, after "service", insert "for a period not to exceed 180 days".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1264—An act to add Sections 2.5 and 50.5 to the Public Utilities Act, relating to public garages, parking places and parking place operators.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2.5 and 50.5", and insert "2.6 and 50.6".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "2.5", and insert "2.6".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "2.5", and insert "2.6".

Amendment No. 4

On page 1, line 10, of the printed bill, strike out "50.5", and insert "50.6".

Amendment No. 5

On page 1, line 11, of the printed bill, strike out "50.5", and insert "50.6"

Amendment No. 6

On page 1, line 13, of the printed bill, strike out "2.5", and insert "2.6".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2756—An act to add Section 369b to the Penal Code, relating to maintenance by common carriers of unprotected pathways along rights of way, and providing penalties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "pathway along", and insert "bridge or culvert on".

Amendment No. 2

On page 1, line 5, of said bill, strike out "pathway", and insert "bridges and culverts"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2757—An act to add Section 369c to the Penal Code, relating to train switching movements involving cabooses, and providing penalties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1 of the printed bill, after line 9, insert

"For the purposes of this section, the operation of attaching cabooses to, or detaching cabooses from, trains, shall not be interpreted as a switching movement."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 2067—An act to add Part 5A, comprising Sections 1300 to 1392, inclusive, to the Municipal Utility District Act, relating to municipal utility districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 4, line 10, of the printed bill, after "after", insert "the date of the second".

Amendment No. 2

On page 4, line 45, of the printed bill, strike out "to be held for some other purpose", and insert ". Such resolution and such election shall, except to the extent otherwise provided in this Part 5A, conform to the requirements of Article 4, Chapter 1, Part 5 of this act".

Amendment No. 3

On page 7 of the printed bill, strike out lines 7 to 10, inclusive, and insert

"SEC. 1342. The resolution authorizing the issue of any bonds issued under this part shall determine the relative priorities with respect to payment of principal or interest of such bonds over payment of principal or interest of any bonds theretofore or thereafter issued under this part and such resolution may determine that all bonds issued under this part, payable out of the same revenues, shall be issued without any priority with respect to payment of principal or interest"

Amendment No. 4

On page 7, line 37, of the printed bill, strike out "Any", and insert "The board may provide in the resolution authorizing the issue of any bonds under this part that any".

Amendment No. 5

On page 7 of the printed bill, strike out lines 46 to 51, inclusive; and on page 8, strike out lines 1 to 9, inclusive, and insert

"Sec. 1348. The board may provide in the resolution authorizing the issue of any bonds under this part the terms and conditions upon which any provision of any resolution of the board constituting a part of the proceedings for the issuance of such bonds, or any provision of such bonds or coupons appurtenant thereto, may be modified if consented to by the holders of any percentage, specified in such resolution authorizing the issue of such bonds, of the aggregate principal amount of the outstanding bonds of such issue."

Amendment No. 6

On page 8 of the printed bill, strike out lines 49 to 51, inclusive; and on page 9, strike out lines 1 to 2, inclusive, and insert "redemption; provided, that no bond shall be subject to redemption unless such bond at the time of its issue states on its face that it is redeemable at the option of the district or by the operation of a sinking fund for bonds of that issue, as the case may be."

Amendment No. 7

On page 9 of the printed bill, strike out lines 20 to 31, inclusive; and in line 32, strike out "bids", and insert

"Sec. 1350.10 The board may provide for the sale of any such bonds upon such terms and conditions as the board in its discretion may determine, either at public or private sale. Bonds may be sold by the board below the par or face value thereof, but no issue of bonds shall be sold at a price below the par or face value thereof which would result in a sale price yielding to the purchaser of the entire issue an average yield of more than 6 percent per annum, payable semi-annually, according to standard tables of bond values".

Amendment No. 8

On page 10 of the printed bill, strike out lines 41 to 52, inclusive, and on page 11, strike out lines 1 to 25, inclusive.

Amendment No. 9

On page 11, line 37, of the printed bill, strike out "eight", and insert "ten".

Amendment No. 10

On page 11, line 38, of the printed bill, strike out "forty", and insert "fifty".

Amendment No. 11

On page 11 of the printed bill, strike out lines 39 to 42, inclusive.

Amendment No. 12

On page 11 of the printed bill, strike out lines 46 to 50, inclusive, and insert

"SEC. 1360. Prior to the issue of any bonds to be issued pursuant to this part, the board, after".

Amendment No. 13

On page 12, line 16, of the printed bill, strike out "acceptance of such proposal", and insert "adoption of such resolution".

Amendment No. 14

On page 13, line 19, of the printed bill, after "act.", insert "All bonds issued under this part shall be incontestable from and after the time of payment to the district of the purchase price thereof."

Amendment No. 15

On page 13, line 22, of the printed bill, strike out "premiums or".

Amendment No. 16

On page 13, line 26, of the printed bill, after "principal", insert "and premiums".

Amendment No. 17

On page 13, line 28, of the printed bill, after "issued.", insert "The board may provide in the resolution authorizing the issue of any bonds under this part that any portion of the proceeds of sale of the bonds may be applied to payment of interest during construction for a period of not to exceed three years from and after the date of such bonds."

Amendment No. 18

On page 14, line 28, of the printed bill, strike out "revenue funds", and insert "revenues".

Amendment No. 19

On page 15, line 17, of the printed bill, strike out "In making any such investment in, or sale of, bonds the"; and strike out all of lines 18, 19, and 20.

Amendment No. 20

On page 15 of the printed bill, strike out lines 27 to 29, inclusive, and insert

"SEC. 1392. All bonds issued under this part shall be legal investment for all trust funds, and for the funds of all insurance companies, banks, both commercial and savings and trust companies, and for the State School Fund, and for all sinking funds under the control of the State Treasurer. Whenever any money or funds may by law now or hereafter enacted be invested in, or loaned upon the security of, bonds of cities, cities and counties, counties, or school districts, in the State of California, such moneys or funds may be invested in, or loaned upon the security of, the bonds of the district; and whenever bonds of cities, cities and counties, counties, or school districts by any law now or hereafter enacted may be used as security for the faithful performance or execution of any court or private trust or of any other act, bonds of the district may be so used.

All bonds issued under this part, to the same extent as bonds of any other municipality, shall also be legal for use by any state or national bank in the State as security for the deposit of funds of the State or of any county, city and county, or municipality or other public or municipal corporation within this State."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

Assembly Bill No. 827—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "and during the benefit year within which such period of disqualification occurs", and insert "which are based upon wages earned during any period prior to the date of the occurrence of the cause of disqualification".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 830—An act to amend Section 67 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "the employing unit by which the claimant was last", and insert "all employing units by which the claimant was employed within the six months' period immediately preceding the filing of such claim In the event that claimant has not been employed by an employing unit within the six months' period, the employing unit by which the claimant was last employed prior to the filing of the claim shall be notified"

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "employment immediately preceding the filing of such claim"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 948—An act to add Article 5, comprising Sections 11628 and 11629 to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704 of said code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 11629", and insert ", 11629, and 11629.5,".

Amendment No. 2

In line 3 of the title of said bill, strike out "and to amend Section 704 of said code,".

Amendment No. 3

On page 1, lines 1 and 2, of said bill, after "11628", strike out "and 11629", and insert ", 11629, and 11629.5".

Amendment No. 4

On page 1, line 19, of said bill, strike out "five hundred dollars ($500)", and insert "one hundred dollars ($100)".

Amendment No. 5

On page 2 of said bill, strike out lines 4 through 26, inclusive, and insert

"SEC. 2. Section 11629.5 is added to said code, to read:

11629.5. Any insurer which has refused to issue to an applicant a policy of insurance in violation of Section 11628 of this code and which has been required to pay damages for the violation pursuant to Section 11629 shall pay as additional damages the amount by which the rates which the applicant found it necessary to pay to obtain other insurance exceed the rates of the insurer."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 1319—An act to amend Sections 3.06 and 5.02 of the Building and Loan Association Act, relating to shares and investment certificates as legal investments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, commencing in line 8, strike out "savings banks and".

Amendment No. 2

On page 1, line 9, of the printed bill, following "companies", insert "and when, by any law of this State, it is provided that the moneys of any pension fund, retirement plan, trust fund, or the moneys of any fund the investment of which is governed by law may or shall be invested in securities which are a legal investment for savings banks, then such law shall be deemed to authorize the investment of such moneys in such shares".

Amendment No. 3

On page 1 of the printed bill, strike out lines 14 and 15, and insert "receivers, trustees or insurance companies, or for any of the other funds referred to in this section."

Amendment No. 4

On page 1, line 23, of the printed bill, strike out "savings banks and".

Amendment No. 5

On page 1, line 23, of the printed bill, following "companies", insert "and when, by any law of this State, it is provided that the moneys of any pension fund, retirement plan, trust fund, or the moneys of any fund the investment of which is governed by law may or shall be invested in securities which are a legal investment for savings banks, then such law shall be deemed to authorize the investment of such moneys in such investment certificates".

Amendment No. 6

On page 1, line 28, of the printed bill, strike out "or trustees or"

Amendment No. 7

On page 1 of the printed bill, strike out all of line 29, and insert ", trustees or insurance companies, or for any of the other funds referred to in this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

Assembly Bill No. 189—An act to add Section 587d to the Penal Code, relating to the obstruction of the operation of railroad cars, trains or engines.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on March 16, 1949, after "shall", insert "unlawfully", and strike out "with the intent,"; and in line 15, before "for", strike out "or".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 56—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 15, of the printed bill, after "and", strike out "three", and insert "seven".

Amendment No. 2

On page 1, line 15, of said bill, after "clerks", insert "and one file clerk".

Amendment No. 3

On page 2, line 29, of said bill, after "of", strike out "four", and insert "five".

Amendment No. 4

On page 2, line 29, of said bill, after "thousand", strike out "eight", and insert "four".

Amendment No. 5

On page 2, line 30, of said bill, strike out "(4,800)", and insert "(5,400)".

Amendment No. 6

On page 2, line 31, of said bill, after "thousand", strike out "seven", and insert "nine".

Amendment No. 7

On page 2, line 31, of said bill, after "hundred", insert "and forty".

Amendment No. 8

On page 2, line 32, of said bill, after "dollars", strike out "($2,700)", and insert "($2,940) and the file clerk shall receive an annual salary of two thousand two hundred and twenty dollars ($2,220)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 131—An act creating a Division of Inspection in the Department of Justice and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "creating a Division of Inspection in the Department of Justice and making an appropriation therefor", and insert "relating to mistreatment or brutality committed by city law enforcement officers or agencies, establishing Citizens' Review Boards and creating a Division of Metropolitan Police Inspection in the Department of Justice".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive

Amendment No. 3

On page 1 of said bill, after line 13, insert

"SECTION 1. In each city having a population of 200,000 or over there shall be a citizens' review board consisting of five members, each of whom shall be appointed by the mayor with the approval of the city council for a term of four years. The sessions of the board shall not exceed twenty days per month. Each member shall receive fifteen dollars ($15) per day for expenses while the board is in session.

SEC. 2 The citizens' review board shall have power to investigate and to review complaints of mistreatment or brutality committed by the city law enforcement officers and agencies, and the board may refer the complaint to the Attorney General as Chief of the Division of Metropolitan Police Inspection, for investigation and for prosecution before the proper court, civil service commission, or personnel board.

SEC. 3. There shall be in the Department of Justice a Division of Metropolitan Police Inspection, and the Attorney General shall be chief of the division. The Division of Metropolitan Police Inspection shall inspect and investigate any suspected violations of constitutional or statutory provision relating to civil rights and brutality

committed by city and county law enforcement officers and shall commence proceedings against and prosecute any such officers against whom there is reasonable evidence of guilt. Subject to civil service regulations, the Attorney General may employ the following personnel who shall cooperate, under the direction of the chief of the division, with the citizens' review board in their respective cities:

In cities of the first and one-half class, two deputy attorneys, four investigators, and two clerk-stenographers; in cities of the first class, one deputy attorney, two investigators, and one clerk-stenographer; in cities of the second class, one deputy attorney, one investigator, and one clerk-stenographer; and in cities of the two and one-fourth class, one deputy attorney, one investigator, and one clerk-stenographer.

SEC. 4. Each city within the provisions of this act shall furnish suitable office space for the citizens' review board, for its secretarial staff, and for the personnel employed by the Division of Metropolitan Police Inspection.

SEC. 5. All expenses incurred in the administration of this act, including expenses of the citizens' review board, its employees, and the personnel in the Division of Metropolitan Police Inspection, shall be paid by the respective cities."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 749—An act to add Section 10006 to the Penal Code, relating to production of prisoners as witnesses in legislative proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "10006 to the Penal Code", and insert "9414 to the Government Code".

Amendment No. 2

On page 1, line 1, of said bill, strike out "10006 is hereby added to the Penal", and insert "9414 is added to the Government".

Amendment No. 3

On page 1, line 3, of said bill, strike out "10006", and insert "9414".

Amendment No. 4

On page 1, line 6, of said bill, strike out "public prison", and insert "state prison, county or city jail, or other detention facility".

Amendment No. 5

On page 1, line 6, of said bill, strike out "file with the", and strike out line 7, and insert "cause the person having the custody of such prisoner to produce him before the committee in the manner provided in Section 2621 of the Penal Code. For this purpose the chairman of the committee or the chairman of a subcommittee thereof may make the required affidavit and the court shall make its order for the production of such prisoner. The court order".

Amendment No. 6

On page 1, lines 15 and 16, of said bill, strike out "prison from", and insert "place".

Amendment No. 7

On page 1 of said bill, after line 19, insert

"If the warden or person having custody of the prisoner believes that the safety and well-being of the prisoner would be imperiled by removing him from the prison, jail or other detention facility to which he has been confined, he may refuse to produce the prisoner at the place designated in the order, but in such case he shall provide the legislative committee or subcommittee with a convenient and proper place at which the prisoner may be examined."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 317—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____", and insert "one thousand twenty-five".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "($_____)", and insert "eighty-eight cents ($1,025.88)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 21—An act to add Chapter 2 to Division 8 of the Military and Veterans Code, relating to state assistance through the Department of Veterans Affairs in the financing of mass residential housing and other facilities incidental or appurtenant thereto and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 3, inclusive, and insert

"An act to amend Section 2 of, to add the heading to Part 1 thereof, and to add Part 2, comprising Sections 25 to 46, inclusive, to, the Limited Dividend Housing Corporations Act, relating to state assistance through the Department of Industrial Relations in financing of mass".

PRINTER'S NOTE—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. A heading is added to the Limited Dividend Housing Corporations Act, after Section 2, to read:

PART 1 ORGANIZATION AND OPERATION

SEC. 2. Section 2 of said act is amended to read:

Sec. 2. When used in this act the following terms shall, unless the context indicates otherwise, have the following respective meanings:

The term "commission" refers to the Department of Industrial Relations of the State of California, acting through the [Commission of Immigration and] *Division of* Housing created by the provisions of Section [364d] *56* of the [Political] *Labor* Code.

The term "actual cost" includes in addition to the cost of the lands and buildings, charges for financing and supervision, and carrying charges during construction, including interest on borrowed money and invested capital, when such charges have been approved by the commission.

The term "fixed charges" includes all operating and maintenance charges, taxes, assessments, insurance and depreciation, amortization, interest, sinking fund, and other expenses and charges in amounts approved by the commission.

The term "security" shall include any share, stock, bond, note, treasury stock, debenture, evidence of indebtedness, certificate of interest of participation, or beneficial interest in title to property, profits or earnings or any other instrument commonly known as a security.

The term "slum area" means any area of property partially or totally occupied by deteriorated, obsolete, unsafe or unsanitary single or multiple dwellings. The determination of the question as to whether or not any building is deteriorated, obsolete, unsafe or unsanitary rests solely with the commission.

SEC. 3. Part 2 is added to said act, to read:

PART 2. CONSTRUCTION AMORTIZATION

Sec. 25. As used in this part, "borrower" means any corporation formed under this act when the articles of incorporation thereof state that it is a corporation which does not contemplate the distribution of gains, profits, or dividends to the members or shareholders thereof. When such a statement is made in the articles of incorporation, any corporation formed to qualify as a borrower within the meaning of this section shall be exempt from the provisions of subdivision (b) of Section 4 and any other provisions of Part 1 which are inconsistent with this part.

Sec. 26. As used in this part, "project" means provision for mass residential housing, including commercial, industrial, public, recreational, and other facilities incidental or appurtenant thereto.

Sec. 27. There shall be an office in the Division of Housing of the Department of Industrial Relations to be known as the Office of Construction Amortization and to be administered by the Manager of Construction Amortization.

Sec. 28. The Office of Construction Amortization and the manager thereof shall be subject to the control and supervision of the commission.

Sec. 29. The commission may approve construction loans meeting the requirements of this part.

Sec. 30. The total amount of loans approved pursuant to this part and remaining unpaid shall not at any time exceed three hundred million dollars ($300,000,000). No part of the principal amount of such loans shall be lent or repaid out of money received by the State of California as the proceeds of taxes levied by it.

Sec. 31. Each construction loan shall be made in order to finance the construction of a project.

Sec. 32. Each loan shall be payable as to principal in six hundred or more equal installments payable monthly commencing 90 days after the completion of construction.

Sec. 33. Interest on each construction loan shall not exceed 4½ percent per year on the amount of the loan outstanding, payable monthly.

Sec. 34. The provisions of each construction loan contract between the borrower and the lender shall provide that in event of default of 60 days or more by the borrower, the commission may take possession of the project and related property pursuant to Section 45.

Sec. 35. The borrower receiving the construction loan must either own the land on which the project is to be constructed or be the lessee thereof for a term longer than the term of the loan applied for.

Sec. 36. The plan of construction of the project for which the construction loan is made and the means of financing the same shall in the opinion of the commission be economically sound.

Sec. 37. Provision shall be made for such insurance of the properties to be constructed from the proceeds of the construction loan and the income from such properties and the land or any interest therein on which such properties are situated as the commission believes is necessary.

Sec. 38. Before approving a construction loan, the commission shall require the borrower to agree to a plan whereby individual units of the project are leased in all cases of equal need to veterans as defined in either Section 800 or Section 980 of the Military and Veterans Code.

Sec. 39. Before approving a construction loan, the commission shall approve a rent schedule for the housing to be constructed, and rent shall not be charged in excess of that approved except with the approval of the commission. Such rentals shall be fixed so as to make the project self-supporting and self-liquidating without profit to the borrower.

Sec. 40. Before approving a construction loan, the commission shall impose such other requirements as it believes are necessary in order to effectuate the purposes of this part.

Sec. 41. If approval is requested for more loans than the maximum amount which may be approved, the commission may restrict its approvals to those loans providing for housing which will serve the greatest need.

Sec. 42. No obligation is assumed on the part of the State in connection with any construction loan until there has been recorded in the office of the county recorder of the county in which is situated the project for which the loan was approved an agreement between the borrower and the commission setting forth their respective obligations pursuant to this part, which agreement shall also provide that the project, including the property on which it is situated, or any interest therein, cannot be thereafter in any manner conveyed or encumbered without the consent of the commission.

Sec. 43. The commission shall pay all interest on loans during the period of construction and for 90 days thereafter and all interest in excess of 2 percent per year on the principal of the loan thereafter outstanding. Such interest shall continue to

be paid pursuant to this section during such time as the commission may be in possession of a project, but this shall not prevent the payment of interest that may be otherwise payable.

Sec. 44. In the event of default on the loan, the payment of the principal and interest on the loan shall not be accelerated without the express permission of the commission.

Sec. 45. In the event of default of 60 days or more in the payment of principal and interest on any approved loan, the commission may forthwith demand and take possession of the project for which the loan was made and all property, including money, obligations, and credits, and books, records, and papers of the borrower appertaining to such project. Upon taking such possession, the commission shall collect all moneys due to the borrower in connection with the project and give full receipt therefor and do such other acts as are necessary or expedient to collect, conserve, or protect the business, property, and assets of the project. With the consent of the commission, the project, books, records, and papers may be returned to the borrower upon such conditions as the commission approves. All money received by the commission pursuant to this section shall be deposited in the Construction Amortization Fund, which fund is hereby created in the State Treasury. The money so deposited in connection with each project shall be used to carry out this section with respect to such project, and the balance thereof shall be paid to the borrower when the project is returned to it.

Sec. 46. There is appropriated from the General Fund an amount equal to seventy-five thousand dollars ($75,000) plus the sum of the interest payments to be made pursuant to Section 43 but in no event more than five million seventy-five thousand dollars ($5,075,000) annually, together with all money at any time in the Construction Amortization Fund, to be used in carrying out the purposes of this part. Money from the General Fund may be used only for the payment of interest pursuant to Section 43 or for the support of the Office of Construction Amortization exclusive of any expenditures to carry out Section 45. Not more than seventy-five thousand dollars ($75,000) of the money appropriated annually from the General Fund, if expended, may be expended for support of the Office of Construction Amortization.

No money received in connection with one project shall be used in connection with another project."

Amendment No. 3

On page 1 of said bill, strike out lines 4 to 23, inclusive, and strike out all of pages 2, 3, and 4.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Industrial Relations.

Assembly Bill No. 1830—An act to amend Section 395 of the Military and Veterans Code, relating to military leaves from state service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "which", and insert "while".

Amendment No. 2

On page 1, line 18, of said bill, strike out "reappointed", and insert "reappointment".

Amendment No. 3

On page 1, line 25, of said bill, strike out "any", and insert "the".

Amendment No. 4

On page 1, line 25, of said bill, after "year", insert "1949 and thereafter".

Amendment No. 5

On page 1, line 30, of said bill, strike out "any", and insert "the".

Amendment No. 6

On page 1, line 31, of said bill, after "year", insert "1949 and thereafter".

Amendment No. 7

On page 1, line 31, of said bill, strike out "the first".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 127

Mr. Cooke asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 127, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 127

By Mr. Cooke:

House Resolution No. 127

Congratulating the Ventura High School basketball team for winning the California Interscholastic Federation, southern section, championship

WHEREAS, Climaxing an unbroken string of 30 victories and a perfect season the Ventura High School basketball team, the Pirate Preps, defeated the Alhambra High School team on March 12th, to win the California Interscholastic Federation, southern section, championship; and

WHEREAS, This championship represents the most coveted high school basketball title in Southern California; and

WHEREAS, The Pirate Preps, throughout the season, have displayed the highest degree of good sportsmanship; and

WHEREAS, The Pirate Preps have won their school's first California Interscholastic Federation championship; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly extends to the Ventura High School 1949 basketball team, its coach, and each of its members, its congratulations for winning the California Interscholastic Federation, southern section, championship; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the principal of the Ventura High School, to its basketball coach and to each member of its championship basketball team.

Resolution read, and adopted unanimously, there being more than a quorum present.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1584
Assembly Bill No. 1921

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 427
Assembly Bill No. 892
Assembly Bill No 893
Assembly Bill No 1270
Assembly Bill No. 1585

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2147

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend and do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No. 918
Assembly Bill No. 1483
Assembly Bill No. 1547

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1647

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 352
Assembly Bill No. 441
Assembly Bill No. 894
Assembly Bill No 925
Assembly Bill No. 1569
Assembly Bill No 1646

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 55—Relative to persecution of religious sects of all communist-controlled nations;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-third day of March, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1101

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 533
Assembly Bill No. 1859
Assembly Bill No 1865
Assembly Bill No. 2258
Assembly Bill No. 2711

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 533 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1859 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1865 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2258 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2711 ordered re-referred to Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 556—An act adding Sections 32039, 32040, 32339, and 32340 to the Government Code, relating to retirement systems for peace officers, foresters, firewardens, and county fire protection district firemen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dickey announced a recommendation to committee chairmen and members, that when amendments are offered to bills, in committee hearings, which are solely technical, that they be adopted in committee and reports be put over the desk with the recommendation that the bills be passed, as amended, for the purpose of saving work, time, and extra printing expense.

Mr. Dickey announced that the Chief Clerk is securing information on billbook binders with larger rings, which everyone needs, and that new binders will be obtained, and distributed, as soon as possible.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 297

Mr. Dolwig asked for unanimous consent that he be permitted to take up Assembly Bill No. 297, out of order, at this time.

Speaker Sam L. Collins withheld unanimous consent because Assembly Bill No. 297 was passed on file yesterday, and is now near the end of the day's calendar, and should await its turn.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2840—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112

of, and to add Sections 34112.5 and 34112.4 to, the Government Code, creating new classes of cities to be known as cities of the four and seven-eighths class and cities of the four and five-eighths class, and to provide for their organization, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—70.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 193—An act to amend Sections 20452, 20481, and 20482 of the Education Code, relating to the granting of master degrees by state colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—64.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 642—An act to add Section 1301.1 to the Education Code, relating to the employment of assistant and deputy superintendents of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1777—An act to amend the heading of Article 3 of Chapter 2 of Division 8 of, and to amend Section 16291 of, the Education Code, relating to the transportation of pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2298—An act to add Section 5943 to the Education Code, relating to temporary transfers from county schools service fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 86—An act to amend Section 9300 of the Government Code, relating to the salaries of Members of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lapscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71

NOES—Collier and Luckel—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 372

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 372, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 372

Assembly Bill No. 372—An act to add Chapter 7 to Division 8 of the Elections Code, relating to elections and providing for an alternative and optional method of balloting and ascertaining the vote at elections and in precincts for which such method is adopted.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Grant, Reagan, Levering, and Geddes demanded the previous question.

Roll Call Demanded

Messrs. Brown, George D. Collins, and Berry demanded a roll call.

The roll was called, and the demand for the previous question sustained by the following vote:

AYES—Babbage, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCollister, Morris, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—49.

NOES—Beck, Bennett, Berry, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Lowrey, Maloney, McCarthy, McMillan, Meyers, and Rosenthal—21.

The question being on the passage of Assembly Bill No. 372.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Conrad, Cramer, Crichton, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—47.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Lewis, Lowrey, McCarthy, McMillan, Meyers, and Rumford—25.

NOTE: See proceedings after recess for action preventing Assembly Bill No. 372 from being transmitted to the Senate at this time.

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 134

Expressing appreciation to Lawrence C. Munsterman for services rendered to the Legislature

WHEREAS, Lawrence C. Munsterman, who has been in the United States Postal Service for 31 years, has for the last nine years been charged with the delivery of mail to the Members of the Legislature of this State; and

WHEREAS, Mr. Munsterman has rendered a great service to the Members of the Legislature for those many years; now, therefore, be it

Resolved by the Assembly of the State of California, That the appreciation of the Assembly of the State of California is extended to Lawrence C. Munsterman for his services to its members; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Lawrence C. Munsterman.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Butters asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 256	Assembly Bill No. 1752
Assembly Bill No. 1687	Assembly Bill No. 3096

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 770	Assembly Bill No. 555
Assembly Bill No. 771	Assembly Bill No. 1243
Assembly Bill No. 772	Assembly Bill No. 1244

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 22, 1949

MR. SPEAKER. Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 74	Assembly Bill No. 1456
Assembly Bill No 543	Assembly Bill No. 1523
Assembly Bill No 546	Assembly Bill No. 1538
Assembly Bill No. 563	Assembly Bill No. 1684
Assembly Bill No. 671	Assembly Bill No 2502
Assembly Bill No 720	Assembly Bill No. 2858

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 130

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

RECESS

At 11.53 a.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 29

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grant:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act authorizing the Director of Finance to acquire real property in the City of Long Beach, declaring the urgency thereof to take effect immediately.

Respectfully submitted.

WILLIAM S. GRANT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grant:

An act authorizing the Director of Finance to acquire real property in the City of Long Beach, declaring the urgency thereof to take effect immediately.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Grant moved a call of the Assembly.

Motion carried. Time, 2.06 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Berry, Brady, Brown, Burke, Caldecott, Coats, George D. Collins, Connolly, Conrad, Dickey, Clayton A. Dills, Ralph C. Dills, Evans, Fletcher, Hinckley, Hollibaugh, Levering, Lewis, Lipscomb, McCollister, Meyers, Niehouse, Price, Rosenthal, Sherwin, Stanley, Stewart, Thomas, and Tomlinson—29

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 372

Mr. Condon gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 372 was this day passed.

Motion to Temporarily Suspend the Rules

Mr. Waters moved that the Rules be temporarily suspended for the purpose of considering the notice of motion by Mr. Condon to reconsider Assembly Bill No. 372, at this time.

Point of Order

Mr. Beck arose to the following point of order: That motions are not the order of business now before the House, and that Mr. Waters is not in order.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Condon is not in order because motions are not before the House, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because a notice of motion to reconsider a bill takes precedence over other business, and is in order at any time.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1352—An act to add Section 1752.8 to the Welfare and Institutions Code, relating to the custody, deposit, and investment of funds in the possession of the Director of the Youth Authority and belonging to persons committed to the Youth Authority and to the disposition of the increment thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—Davis, Geddes, Hollibaugh, and Lowrey—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 40

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 40, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 40

Assembly Bill No. 40—An act to amend Sections 1500, 1501, and 1503 of the Welfare and Institutions Code, relating to needy children.

Bill read third time.

Motion That Assembly Bill No. 40 Be Withdrawn From File, and Be Re-referred

Mr. Kirkwood moved that Assembly Bill No. 40 be withdrawn from the file, and be re-referred to the Committee on Ways and Means

Mr. Conrad seconded the motion.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Kirkwood first spoke on Assembly Bill No. 40, and then made a motion that the bill be re-referred to committee, so is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 40.

Motion That Assembly Bill No. 40 Be Withdrawn From File, and Be Re-referred

Mr. Silliman moved that Assembly Bill No. 40 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Mr. Conrad seconded the motion.

Demand for Previous Question

Messrs. Tomlinson, Burke, Reagan, Levering, and Evans demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Silliman that Assembly Bill No. 40 be re-referred to the Committee on Ways and Means.

Roll Call Demanded

Messrs. Ralph C. Dills, Elliott, and Rosenthal demanded a roll call.

The roll was called, and the motion by Mr. Silliman that Assembly Bill No. 40 be re-referred to the Committee on Ways and Means lost by the following vote:

AYES—Babbage, Burke, Butters, Clarke, Collier, Conrad, Dickey, Erwin, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Morris, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—33.

NOES—Anderson, Beck, Bennett, Berry, Brown, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, and Thomas—39.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 2.55 p.m., on motion of Mr. Grant, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted to Mr. Grant by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3107: By Mr. Grant—An act authorizing the Director of Finance to acquire real property in the City of Long Beach, declaring the urgency thereof to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 40

Assembly Bill No. 40—An act to amend Sections 1500, 1501, and 1503 of the Welfare and Institutions Code, relating to needy children.

The question being the passage of Assembly Bill No. 40.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Way, and Weber—50.

NOES—Babbage, Burke, Butters, Clarke, Collier, Erwin, Grunsky, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Morris, Reagan, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, and Mr. Speaker—21.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 3.05 p m., Mr. Dunn asked for, and was granted, unanimous consent that Mr. Caldecott be excused, for the balance of the legislative day, because he is attending to legislative duties elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1744

Mr Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1744, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1744

Assembly Bill No. 1744—An act to amend Sections 18023, 18024, 18025, and 18026, and to repeal Section 18027 of the Education Code, relating to the maintenance and repair of school district property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 372 WAIVED

Mr. Condon waived his notice of motion to reconsider the vote whereby Assembly Bill No. 372 was passed

Assembly Bill No. 372 ordered transmitted to the Senate.

STATEMENT BY MR. CONDON

I waived my notice of intention to reconsider Assembly Bill No. 372 because its author agreed to insert certain amendments before the Senate which would require the cards to be carried in padlocked boxes between the polling place and the central counting place, with the keys to the locks to be kept at the central counting place. These amendments would help prevent tampering with the ballot cards. Even with my amendments, however, I oppose Assembly Bill No 372, and do not wish my waiver to be construed as approval of the bill.

ROBERT L. CONDON

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 243—An act to amend Sections 31452 and 31595 of, and to add Sections 31601, 31602, 31603, 31604, 31605, 31606, and 31607 to, the Government Code, relating to county employees retirement systems, authorizing the investment of the funds of such systems in courthouses and other public buildings, and prescribing the limitations upon such investments, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—67

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—67.

NOES—None.

Motion to Amend Title

Mr. Rosenthal moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, as amended in the Assembly on March 18, 1949, strike out "in courthouses and other public buildings"

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 607—An act to amend Sections 195, 196, and 197 of, and to repeal Section 195.5 of the Vehicle Code, relating to chattel mortgages on registered vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 379

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 379, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 379

Assembly Bill No. 379—An act to amend Section 1588 of the Labor Code, and to add Section 1588.2 thereto, relating to license fees of employment agencies and labor contractors and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Amendment No. 1

On page 1 of the printed bill, after line 11, insert

"All figures as to population shall be based on the latest United States Government census"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2101

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 2101, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2101

Assembly Bill No. 2101—An act to amend Sections 1113, 1160, 1190, and 1191 of the Harbors and Navigation Code, and to repeal Sections 1160.5, 1160.6, and 1161 thereof, relating to the powers, duties and licensing of pilots.

Bill read third time.

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out "the powers, duties and licensing of".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 125

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Bill No. 125, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 125

Assembly Bill No. 125—An act to amend Sections 4452, 4453, and 4656 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

Amendment No. 1

On page 2, line 45, of the printed bill, as amended in the Assembly on January 27, 1949, after "($61.54) ", insert "Between these limits the average weekly earnings, except as provided in Sections 4456 to 4459, shall be arrived at as follows:".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1591

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Heisinger:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 38.5 to the Fish and Game Code, relating to power of the Fish and Game Commission to conserve migratory wild fowl.

Respectfully submitted,

S. L. HEISINGER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Heisinger:

An act to add Section 38.5 to the Fish and Game Code, relating to power of the Fish and Game Commission to conserve migratory wild fowl.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Bennett:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to regulate, control, and stabilize rents, and to regulate the eviction of tenants of housing accommodations, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

ELWYN S. BENNETT

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Bennett:

An act to regulate, control, and stabilize rents, and to regulate the eviction of tenants of housing accommodations, declaring the urgency thereof, to take effect immediately.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3108: By Mr. Heisinger—An act to add Section 38.5 to the Fish and Game Code, relating to power of the Fish and Game Commission to conserve migratory wild fowl.

Referred to Committee on Fish and Game.

Assembly Bill No. 3109: By Mr Bennett

(By request of Assemblymen Elliott, McCarthy, Rumford, Meyers, Beck, Kilpatrick, Cooke, Burkhalter, Rosenthal, Davis, Clayton A. Dills, Brown, Crowley, Anderson, Ralph C. Dills, McMillan, Dunn, Crichton, Heisinger, George D. Collins, Berry, Gaffney, Coats, Lewis, Moss, Condon, Lowrey, Hawkins, Thomas, Doyle, Fletcher.)

An act to regulate, control, and stabilize rents, and to regulate the eviction of tenants of housing accommodations, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Lincoln, Rumford, Dickey, Dunn, Sherwin, and Caldecott:

House Resolution No. 135

Relating to the Oakland Bittner's Basketball Team

WHEREAS, During the past year the Oakland Bittner's Basketball Team has played 63 games and won 62 of these games; and

WHEREAS, On Saturday, March 19th, at Oklahoma City said Oakland Bittner's defeated the Phillips Oilers' team which has been National A.A.U. champions for six years as well as Olympic Games champions; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends its heartiest congratulations to the Oakland Bittner's Basketball Team and to its coach for its splendid record of the past year and for its defeat of the Phillips Oilers on March 19th; and be it further

Resolved, That the Clerk of the Assembly is requested to send copies of this resolution to the coach and to each member of the Oakland Bittner's Basketball Team

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Bennett, Rumford, Beck, Elliott, McCarthy, Kilpatrick, Heisinger, George D Collins, Gaffney, Meyers, Burkhalter, Cooke, Lewis, Lowrey, Davis, Crowley, Coats, Rosenthal, Berry, Condon, Moss, Hagen, Clayton A. Dills, Dunn, Ralph C. Dills, McMillan, Fletcher, Brown, Doyle, Crichton, Hawkins, Anderson, and Thomas:

House Resolution No. 136

Relating to calling a special session of the Legislature to consider rent controls

WHEREAS, Federal rent controls on housing as provided by the Housing and Rent Act of 1948 will terminate on March 31, 1949, unless extended by Congress; and

WHEREAS, The continuation of rent controls is necessary for the welfare of the citizens of this State; and

WHEREAS, Because of the possibility of this termination of federal controls, legislation on the state level may be necessary to provide a continuation of rent controls; and

WHEREAS, Legislation passed during the present session of the Legislature cannot take effect until the ninety-first day after adjournment unless enacted as an urgency measure; and

WHEREAS, The legislation that would be necessary to create a System of State Rent Controls cannot be enacted by means of an urgency measure due to Section 1 of Article IV of the California Constitution which provides that measures creating an office cannot be construed as an urgency measure; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of the State of California is hereby requested to call the Legislature into special session immediately after March 31, 1949, in the event federal rent controls are not continued, for the purpose of considering legislation to establish a State System of Rent Control; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to forward copies of this resolution to the Governor of the State of California

Resolution read, and ordered referred to the Committee on Rules.

By Mr Maloney and 77 others:

House Resolution No. 137

Relating to the birthday of Mrs Kathryn T Niehouse

WHEREAS, The natal anniversary of the charming and gracious representative of the Seventy-ninth Assembly District fell on March 23d, and

WHEREAS, The ability, sincerity and serenity of the only woman Member of the Legislature of the State of California has, without exception, won the admiration and affection of her fellow Members of the Legislature, and

WHEREAS, The Members of the Legislature are fortunate that the birthday of Mrs Kathryn T. Niehouse has fallen on a day when she is gracing the halls of the Assembly Chamber in Sacramento; now, therefore, be it

Resolved by the Assembly of the State of California, That all Members of the Assembly of the State of California join in expressing to Mrs Kathryn T Niehouse our hearty felicitations and congratulations on her birthday; and be it further

Resolved, That the Chief Clerk of the Assembly is requested to transmit a suitable copy of this resolution to Mrs. Niehouse

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 137, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Rosenthal:

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows.

An act to amend Sections 2011, 2016, 2020, 2160, 2163, 2180, and 3084 of the Welfare and Institutions Code, to repeal Sections 2181, 2224, and 3025 thereof, and to add Sections 2020 01, 3025, 3053, and 3084 01 thereto, relating to security for persons specially in need thereof, including security for the aged, security for the blind, and security for totally and permanently physically disabled persons, and making an appropriation

Respectfully submitted.

WILLIAM H. ROSENTHAL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Rosenthal:

An act to amend Sections 2011, 2016, 2020, 2160, 2163, 2180, and 3084 of the Welfare and Institutions Code, to repeal Sections 2181, 2224, and 3025 thereof, and to add Sections 2020 01, 3025, 3053, and 3084 01 thereto, relating to security for persons specially in need thereof, including security for the aged, security for the blind, and securing for totally and permanently physically disabled persons, and making an appropriation.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3110: By Mr. Rosenthal—An act to amend Sections 2011, 2016, 2020, 2160, 2163, 2180, and 3084 of the Welfare and Institutions Code, to repeal Sections 2181, 2224, and 3025 thereof, and to add Sections 2020.01, 3025, 3053, and 3084.01 thereto, relating to security for persons specially in need thereof, including security for the aged, security for the blind, and security for totally and permanently physically disabled persons, and making an appropriation.

Referred to Committee on Social Welfare.

Assembly Constitutional Amendment No. 77: By Mr. Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 2.5 to Article XXV thereof, relating to old age security and security for the blind.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 63

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO MAKE PURCHASES

Mr. Dickey moved that the Chief Clerk be instructed to purchase 12 new typewriters for use by the secretarial staff, and one small cart, with rubber tires, for use by the Sergeant-at-Arms.

Mr. Weber seconded the motion.

Motion carried.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 1360
Assembly Bill No. 63
Assembly Bill No. 794

MEMBER EXCUSED

At 3.35 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Brady be excused, for the balance of the legislative day, as he is attending to legislative duties elsewhere.

REQUEST FOR UNANIMOUS CONSENT THAT ADDITIONAL TIME BE GRANTED FOR FILING OF REPORT

Mr. Hollibaugh announced that the Committee on Revenue and Taxation had complied with the provisions of House Resolution No. 112, and asked for, and was granted, unanimous consent, that 10 additional legislative days be allowed, from today, to the committee, for the purpose of filing the committee report on the findings of said committee in accordance with the requirements of House Resolution No. 112.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight, 8 p.m.—

Municipal and County Government, in Room 426.
Education, in Room 432.
Constitutional Amendments.

Today upon adjournment—

Governmental Efficiency and Economy.
Conservation, Planning, and Public Works.
Manufacturing, Oil, and Mining Industry.

Tomorrow, Thursday, March 24th, at 9 a.m —

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Way, the usual courtesies of the Assembly for this day were unanimously extended to Judge John L. Childs of Crescent City.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Larry Hatlett of Atherton.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Cameron and Mr. and Mrs. Jose Jacate of San Diego.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Jack F. Mackenzie of Inglewood.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Bill Beedie, Trustee; Mr. Christensen, Principal; Mrs. Christensen, Elementary Teacher; Mrs W. Bronner, Elementary Teacher; Doris Petty, Instructor; Mrs. Vogt, and Jim Vogt, Vice Principal, and the following pupils of the Healdsburg High School: Ira Anthony, Jackie Ahey, Albert Azevedo, Alfreda Bartlett, Barbara Basford, Bill Beedie, Carl Bynum, Bill Calhoun, Jackie Corrigan, Carole Dalton, Jerry Decker, Hellen Fistolera, Clinton Folger, Margie Forsythe, Bob Frost, Ted Gibbs, Dave Gilbert, Jim Le Baron, Dave Manley, Laura Marsala, Bob Martin, Nancy McNear, Virginia Meese, James Moore, Shirley Morehouse, Charles Morse, Allen Navarro,

Royce Nedeleff, Florence Niguma, Bette Otten, Dick Patterson, Gloria Pedroncelli, James Pierce, Roger Pierce, Arnold Goldburg, Bill Grant, Allan Grist, Eulalia Grove, Elva Harmon, Janet Hayes, Merle Henry, Jennie Pearl Hicks, Tom Hodges, Virginia Honor, Melinda House, Richard Jacobsen, Jim Jennings, Diana Kent, Dick Kruckman, Helen Pirinoli, Eugene Ricci, Schyler Richardson, Marian Ried, Linda Rodello, Clarence Rose, Russ Ruonavaara, Jeanette Scharer, Aldo Simoni, Irene Smith, Stanley Smith, Harold Loveless, Georgia Smithers, Jack St. Martin, Ed Squibb, Doris Vallier, Mona Van Patten, Keith Walker, Ronnie Walters, Barbara Wasson, Wallace Wood, Howard Young, and R. L. Ziegenfuss.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Stanley McDougall, Supervisor; Frank Martella, Principal; of the Sunset School and the following pupils: Norman DeShon, Don Covey, Luther Cobet, Glenn Railsback, Loana Collins, Henry Hobson, Reiko Sato, Jay Whited, Donald Arthur, Earleen Benedict, Marilyn Smith, Allen Ness, Tom Barnes, Jim McNish, Ritchie Stapp, Jackie Dancer, Glenn Feise, Joe Gilstrap, Russell Garrett, Glenn Vargas, Joyce Detton, Larry Davidson, Marlene Berry, Joe Wehenkel, Ray Davis, Robert Lund, Carl Joaquin, Patricia Morgan, Shirley Johnson, Harley Carothers, Stan Ness, Claude Cooper, Marlene Welch, Wilma Hammons, Henry Vardanega, Oral Hayes, Manuel Perez, Richard Nieto, Jim Rider, Edward Ramirez, and Donald Furtado.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Kenneth H. Easter, teacher of the Dos Palos School, and the following pupils: Jean Angle, Doris Arancibia, Walter Abbott, Blanche Adams, Jackie Azevedo, Robert Belmont, Wanda Bartlett, Evelyn Black, Bonnie Burke, Dean Barrett, Pete Bucher, Wanda Cook, Verna Crowe, Virginia Coyle, Wanda Cox, Darlene Dietz, Bernice Espinoza, Joyce Farnham, Beverly Flarity, Richard Flocchini, Albert Fountain, Linda Franklin, Kenneth Ferrell, Norma Foster, Dolores Gragnani, Delpha Green, Joe Gamboni, Pat Goforth, W. L. Goodman, Roberta Habert, Barbara Holly, Shirley Howard, James Hurd, Evelyn Hooten, Jack Howard, Lois Howard, James Jorgensen, Ray Knight, William Kuykendall, Lavada Lawson, Otis Loring, Margaret McCaleb, Jackie McCracken, Bill Maxwell, June Meissner, Alice Mello, Charlotte Nommsen, Gloria Paganucci, Ben Perry, Alfred Peterson, Evelyn Redding, Margie Regallo, David Robideaux, Robert Renfro, Alma Jean Scott, Bill Spain, Paula Sandoval, Alice Snyder, Joann Townsend, Louise Villaneuva, Virginia Ware, Donald Warnes, Ronald Wood, Jonelda Weathers, and Jean Wirth.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Robert Lockhart, teacher of the Geyserville Union High School, and the following pupils: Delores Cain, Luella Shenkenberger, Tommy Lombardi, Jerry Rose, Jack Jarman, Clarence Davis, and Bill Carroll

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jeane Burke of Los Angeles.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Niehouse of Sherman Oaks.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Howard R. McCuistion, A. F. Milani, Florence Elliott, teachers, and the following pupils of the West Park School of Tracy: Leslie Freitas, William Giffin, Ronald Joiner, Edmon Lindsey, William Lopez, Albert Marlow, Donald Metcalf, Marvin Miller, Thomas Mitchell, Dwayne Mohrman, Gene Moore, Jonilee Moss, Bobby Nunez, James Oswalt, Robert Paris, Jack Penland, Beryl Post, Donald Post, Gary Sillivan, Leonard Costa, Lorraine Andujo, Sally Hazelbauer, Alene Hintz, Dorothy Lee, LaVerne McBride, Dorothy McKasson, Shirley Mellelo, Norma Miller, Bernadine Minges, Joan Mohrman, Rosa Moreno, Arlene Nickerson, Dolores Noyer, Betty Ottenstroer, Delores Perry, Evangeline Pikounis, and Arelene Pummill.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to former Senator Jack Shelley of San Francisco.

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Lillian Warren, teacher; John Hensley, bus driver; and the following pupils of the Ceres School: Adeline Pires, Allan Williams, Alice Davis, Ben Cogburn, Betty Burmaster, Betty Ruth Chandler, Charles Reynolds, Barbara Fisher, Cora Lu Triplett, Clara Nunes, Dianne Koshell, Dolores Reis, Donald Davis, Edith Burnett, Flora Bryan, Frank Malone, George Norwood, Hazel Davis, Helen Shimek, Janie Stow, Jenny Lee Jones, John McGehee, June McCarter, Jack Wilson, Jeannette Pierce, Lela Peyton, Marilyn Lamb, Marjorie McKnight, Martha Thompson, Mary Lou Krepela, Mitsie Murata, Myron Anderson, Norman Fuller, Paul Jenkins, Robert Floyd, Raymond Spellman, Robert Long, Shelley McCarter, Sidney Long, Valerie Lichty, Willa Lee Graham, Samalee Jaco, Don Hallford, Betty Robison, Esther Parker, Patsy Pearson, Wayne Brawley, Leon Holly, Shirley Zirkle, and Josephine McDonald.

On request of Messrs. Kirkwood and Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Robert Doerr, Ben Sweeney, teachers of the Abraham Lincoln School of San Jose, and the following pupils: Don Ansok, Joy Aspinwall, Jack Beebe, Marilou Borgen, Louise Butler, Art Curry, Gordon DeCarli, Nila Dodd, Dale Dyke, Don Gibbs, Louis Himelhoch, George Hummel, Franklin Kirby, Ronnie Kuykendall, Jackie Lawlor, Lewis Long, Beth Lou Lundy, Biebrach Martin, Dave McClintic, Shirley Mitchell, Jim Morton, Ray Ogden, Dan O'Neal, Clifford Ott, Gordon Patterson, Connie Polk, Janice

Porter, Janette Potter, Joan Rogers, Celia Rosing, Larry Shadle, Al Smith, James Smith, Bill Thomas, Gordon Wallace, Marcia Wilcox, Pat Work, Richard Wright, Marian Yeram, and Newell Strayer.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ira Venable, teacher; Carl Barham, driver; and the following pupils of the eighth grade of the Ceres School: Wanda Bandy, Floyd Boehme, Bobby Bowen, Adeline Brogdon, Alta Jo Bray, Jimmie Burgett, June Carlton, Andrew Chipponeri, Billy Fanter, Betty Foshee, Donna Fox, Patsy Green, Don Hale, Gary Kalteich, Harold Kub, Joy Ladusau, Elvis Lane, Keneth Louenhagen, Pete Lovett, Robert Lynd, Leroy McNutt, Twyla Nichols, Alvin Piris, Bob Robinson, Billy Sargent, Betty Sneed, Shirley Sneed, Janet Stephens, Wilma Stewart, Billy Stone, Raymond Strong, Barbara Wallace, Leslie Watts, William Welborn, Delbert Willard, Juanita Wyatt, Johanna Mineni, Thoral Kenner, Charlene Miller, Billy Mulligan, and Eugene Myatt.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to L. Halligan, teacher of the West Park School of Tracy, and the following pupils: Gilbert Osorno, Lionel Parriera, Leslie Serpa, Stanley Simpson, Louie Smith, Bob Swanfeldt, Richard Steen, Harry Toepfer, Louie Villalovas, Garry Williams, Jerry Williams, Allan Young, George Wilson, James Rosenberg, Mike Salas, Leon May, Carmelita Mallory, Alice Nigg, Anita Nunez, Helen Selna, Dolly Silva, Zelma Simas, Arlene Simonich, Mae Joan Shupe, Wanda Smith, Marjorie Strong, Patsy Van Art, Bernice Van Erp, Sylvia Vierra, Ditto Williamson, Margo Woodward, Joyce Wubben, Beverlee Madruga, and Wanda Plummer.

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Don Sanson of Los Angeles.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Jack Wilde and Elmer Lagorio, teachers of the El Cerrito High School, and the following pupils: Alvin Turkovich, Richard Garnero, Ragene Cash, Harry Hansen, Jerry Sims, Ruth Renfro, Joy Jones, Pat Fitzgibbon, Sally Akers, Ray Bertotti, Larry Buchfeld, Zodia Mae Batten, Marilyn Clabaugh, Clarence Clark, Marion Crowninshield, Doug Dempster, Howard Detro, Clara Fiedler, Karen Hansen, Carole Holt, Nancy Howard, Alan Jelten, Michael LaGosh, Eugene Lawler, Frank Lewis, Jerry Meindersee, Roberta Miles, Ken Miller, Wilse Morgan, Mas Narasaki, George Nyquist, Eloise Ogden, Helen Raphael, Guy Raumer, Donna Reed, Beverly Richardson, Joan Spicer, Dorraine Thulin, Betty Vaughn, Grant Walker, Mike White, Jim Wong, Barbara Worsham, and Maureen Young.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to former Senator Thomas McCormack of Rio Vista.

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Spencer Lyons, Thomas Lyons, and Beatrice Lyons of Sacramento.

On request of Mr Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Elsie Hartwell, teacher of the Davis school, and the following pupils: Cherill Becker, John Briggs, Ann Brooks, Deborah Brooks, Walter Brown, Lindsay Cameron, Benita Castanon, Lura Jo Doneen, Elizabeth Eklund, Sandra Fentzling, Sam Fimby, Edna Floyd, Ynez Galindo, George Gordon, Margaret Gordon, Grace Gutierrez, Richard Hansen, Connie Hernandez, Joe Hom, Judy Hultman, Fred Jones, Sue Johnston, David Kearney, Douglass Koenitzer, Ardath Lilleland, Robert Lucas, Wilma Lucas, Barbara McKown, Tommy Malcolm, Francis Meyer, Mary Louise Millar, Petra Ramirez, Peggy Reiber, Alice Smalley, Sam Statler, Sid Sutherland, Bette Triebsch, Lester Verozza, Harold Villanueva, Frederic Walker, Richard Walther, Kenneth Whitehead, Jim Wilson, Jack Wolfenden, and Carla Wulff

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to James B. Boone of Los Angeles.

ADJOURNMENT

At 3.36 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Thursday, March 24, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-THIRD LEGISLATIVE DAY

EIGHTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 24, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of the Searching: May we think this morning of the restless hearts of men forever seeking Shangri-la, the enchanted place where all their desires and wants are fulfilled

In the long ago, we see men seeking the Golden Fleece and the isles of the blessed, and in our own clime—Eldorado and the Pot of Gold at the end of the rainbow

We see the multitude pursuing the glamor, the pomp and the show of life, glorying in the outward and external, and coming at last to find that the golden things they coveted turned to dust and ashes in the crucible of experience

Now may we discover that our Shangri-la lies not in the golden distance, but within our own selves, and our most precious treasures are found in the riches of knowledge and in grace of character.

Let us find our Shangri-la in the mood of trust in the Infinite Love that creates peace within us, and in a career of devotion to human betterment.

And when we come to the end of a busy life, and look back over the years, the happiest memories will be the deeds of kindness and helpfulness that lightened the lives of our fellowmen —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Clayton A. Dills, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Fletcher, on motion of Mr. Doyle

Mr. Price, on motion of Mr. Doyle.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 152
Assembly Bill No. 144
Assembly Bill No. 269
Assembly Bill No. 554
Assembly Bill No. 581
Assembly Bill No. 1317
Assembly Bill No. 1634
Assembly Bill No. 1266
Assembly Bill No. 1000

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2399
Assembly Bill No. 98

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2770

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 149

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 583
Assembly Bill No. 2240

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 520
Assembly Bill No. 1799
Assembly Bill No. 1854
Assembly Bill No. 1855
Assembly Bill No. 1856
Assembly Bill No. 2216
Assembly Bill No. 3094

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 92
Senate Bill No. 537

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 28
Assembly Constitutional Amendment No. 76

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 25
Assembly Constitutional Amendment No. 50

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolutions ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No 155	Assembly Bill No 1205
Assembly Bill No 190	Assembly Bill No 1209
Assembly Bill No 704	Assembly Bill No. 1394
Assembly Bill No. 705	Assembly Bill No. 1631
Assembly Bill No. 725	Assembly Bill No 1720

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 125	Assembly Bill No. 695
Assembly Bill No. 379	Assembly Bill No. 2101

And reports the same correctly re engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER. Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 2729

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

G. DELBERT MORRIS, Vice Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER Your Committee on Education, to which was referred.

Assembly Bill No. 2530

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 548	Assembly Bill No. 260
Assembly Bill No. 111	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Education, to which was referred.

Assembly Bill No. 930

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 43

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 43—An act to amend Section 27380 of the Government Code, relating to filing fees

Referred to Committee on Municipal and County Government

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 35
Senate Bill No. 215
Senate Bill No. 216
Senate Bill No. 598
Senate Bill No. 657
Senate Bill No. 754
Senate Bill No. 873
Senate Bill No. 874
Senate Bill No. 1325
Senate Bill No. 1496

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 35—An act to repeal Chapter 3 of Division 12 of the Education Code, consisting of Sections 24351 to 24355, inclusive, relating to the California State Historical Association

Referred to Committee on Education

Senate Bill No. 215—An act to amend Section 1512 of the Elections Code, relating to voter's pamphlets.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 216—An act to add Section 1509.5 to the Elections Code, relating to ballot pamphlets

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 598—An act to add Article 5 to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code and to amend Section 3325 of said code, relating to institutions for the blind under the jurisdiction of the Department of Education

Referred to Committee on Education.

Senate Bill No. 657—An act to repeal an act entitled "An act withdrawing certain state land from sale or lease and setting the same aside for the use and benefit of Indians," approved May 30, 1923.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 754—An act to amend Sections 9704 and 9705 of the Elections Code, relating to the general municipal election in cities of the fifth and sixth classes.

Referred to Committee on Elections and Reapportionment

Senate Bill No. 873—An act to amend Section 11791 of the Education Code, relating to textbooks for junior college students.

Referred to Committee on Education.

Senate Bill No. 874—An act to repeal Section 52 of, and to add Section 52 to, the County Water District Act, relating to inclusion of lands.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1325—An act to amend Sections 12752 and 12754 of the Education Code, and to add Section 12752.1 to said code, relating to the revocation of credentials, life diplomas, documents, and certificates authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 1496—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, and 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the Federal System of Discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry, and bad-conduct discharges.

Referred to Committee on Military Affairs.

ANNOUNCEMENTS

Mr. Fleury announced that Members of the Assembly are cordially invited to be dinner guests, tonight, at 6.30 p.m., of the Veterans of Foreign Wars, at 3331 I Street, and urged attendance.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. George D. Collins asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 214—An act to amend Section 741 of the Fish and Game Code, relating to sardines.

Bill read second time, and ordered engrossed.

Assembly Bill No. 270—An act to add Section 1204 to the Fish and Game Code, relating to migratory birds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 872—An act to add Section 492.5 to the Fish and Game Code, relating to fish.

Bill read second time, and ordered engrossed.

Assembly Bill No. 936—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 959—An act to amend Section 1016 of, and to add Sections 1016.1 and 1016.2 to, the Fish and Game Code, relating to fish packing and reduction privilege taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1015—An act to amend Section 92 of the Fish and Game Code, relating to District 22.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2212—An act to amend Section 402 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 109—An act to amend Section 386 of the Code of Civil Procedure, relating to parties to civil actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 431—An act to add Section 15 to an act entitled, the "State Aeronautics Commission Act," relating to liability of aircraft owners, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 74—An act to amend Section 5301 of the Elections Code, relating to campaign funds.

Bill read second time, and ordered engrossed

Assembly Bill No. 543—An act to amend Sections 6032 and 6038 of the Harbors and Navigation Code, relating to elections in harbor districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 546—An act to add Section 2847.4 to the Elections Code, relating to membership in a county central committee.

Bill read second time, and ordered engrossed.

Assembly Bill No. 563—An act to amend Section 695 of the Elections Code, relating to election officer's right of absence from employment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 671—An act to amend Section 1812 of the Education Code, relating to school district elections.

Bill read second time, and ordered engrossed.

Assembly Bill No. 720—An act to amend Section 5931 of, and to add Section 5931.5 to, the Elections Code, relating to absentee voting

Bill read second time, and ordered engrossed.

Assembly Bill No. 1456—An act to add Section 1513.2 to, and to amend Section 3812 of, the Elections Code, relating to measures submitted to the voters of the State.

Bill read second time, and ordered engrossed

Assembly Bill No. 1523—An act to repeal Article 4, comprising Sections 4600 to 4611, inclusive, of Chapter 1, Division 7 of the Elections Code, relating to campaign expenditures.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1538—An act to add Section 132.5 to the Elections Code, relating to registration of members of the armed forces

Bill read second time, and ordered engrossed.

Assembly Bill No. 1684—An act to amend Section 1772 of the Elections Code, relating to municipal referendum.

Bill read second time, and ordered engrossed

Assembly Bill No. 2502—An act to amend Section 6050 of the Elections Code, relating to voting machines.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2858—An act to add Section 1509.5 to the Elections Code, relating to measures submitted to the voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3096—An act to add Section 2876 to the Health and Safety Code, relating to pest abatement districts, the power and authority of boards of supervisors and the levy of pest abatement district taxes; providing that this act shall not be deemed to be a declaration of the intention of the Legislature concerning the meaning of Section 3720 of the Political Code or any statutory successor thereto; declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 256—An act to amend Sections 3047, 3048, and 3051 of the Business and Professions Code, relating to professional courses in optometry.

Bill read second time, and ordered engrossed

Assembly Bill No. 1687—An act to amend Section 24400 of the Health and Safety Code, relating to abandoned excavations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1752—An act to amend Section 740.5 of the Welfare and Institutions Code, relating to minors believed to be mentally unsound and their temporary placement for observation in institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read second time, and ordered engrossed.

Assembly Bill No. 427—An act to add Section 641.1 to the Welfare and Institutions Code, relating to the powers and duties of probation officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 892—An act to amend Section 3447 of the Welfare and Institutions Code, relating to the blind.

Bill read second time, and ordered engrossed.

Assembly Bill No. 893—An act to add Section 3451 to the Welfare and Institutions Code, relating to the blind

Bill read second time, and ordered engrossed.

Assembly Bill No. 1270—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by adding Section 8 1 thereto, relating to the rights of blind person in respect to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1585—An act to amend Sections 1562, 2190, and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 846—An act to amend Section 681 of the Agricultural Code, relating to license for testers and pasteurizers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 352—An act to amend Section 827 of the Agricultural Code, relating to apple standards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 441—An act to amend Section 829.3 of the Agricultural Code, relating to standard packs for cantaloupes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 894—An act to amend Section 21100 of the Water Code, relating to irrigation district offices.

Bill read second time, and ordered engrossed.

Assembly Bill No. 925—An act to amend Sections 1300 1, 1300.1a, 1300 4a, and 1300.6 of the Agricultural Code, relating to processors of farm products.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1569—An act to amend Sections 1300.13, 1300.16, and 1300.28 of the Agricultural Code, relating to marketing agreements and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1646—An act to amend Section 1300.16 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 41—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "September 1st and December 31st", and insert "August 15th and February 15th".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 535—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts.

Bill read second time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 20, of the printed bill, after "Class A", insert a period; strike out the remainder of line 20; and strike out lines 21, 22, and 23.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 251—An act to amend Sections 602 and 627 of the Penal Code, relating to trespass.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, from line 36 to line 44, inclusive, re-insert the material which appears in strike-out type.

Amendment No. 2

On page 2, line 45, of said bill, strike out "(k)", and re-insert "*(l)*".

Amendment No. 3

On page 2, line 48, of said bill, strike out "*(l)*", and re-insert "(m)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 432—An act relating to labor and material liens on aircraft.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 11, and insert "owner, and the mortgagee of the aircraft, and the written consent of such legal owner and the mortgagee of the aircraft is obtained".

Amendment No. 2

On page 2 of said bill, after line 32, insert

"SEC. 7. The provisions of this act shall not apply to aircraft used in scheduled interstate air operations by a scheduled air carrier with an air carrier operating certificate issued by the Administrator of Civil Aeronautics."

Amendment No. 3

On page 1, line 6, of said bill, after "lien in excess of", strike out "one hundred", and insert "two hundred fifty"; and on page 1, line 7, strike out "($100)", and insert "($250)".

Consideration of Further Amendments (By Unanimous Consent)

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, after "aircraft," insert "also for reasonable charges for the use of any landing aid furnished to such aircraft and reasonable landing fees,"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 434—An act to amend Section 499b of, and to add Section 499d to the Penal Code, relating to unauthorized taking or operation of vehicles or aircraft.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 23, 24, 25, and 26

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 509—An act to amend Sections 2701, 2709, and 2875 of the Penal Code, relating to the employment of prisoners in state prisons and the disposition of prison-made goods.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, after "school," insert "memorial building,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 715—An act to add Section 32.5 to the Code of Civil procedure, relating to service of process.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 413, 1011, and 1013 of the Code of Civil Procedure and to amend Section 228 of the Probate Code."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 413 of the Code of Civil Procedure is amended to read.

413. The order must direct the publication to be made in a newspaper, to be named and designated as most likely to give notice to the person to be served, and for such length of time as may be deemed reasonable, at least once each calendar week, but publication against a defendant residing out of the State, or absent therefrom, must not be less than two months, except in proceedings instituted pursuant to the provisions of Chapter 4, Title 3, Part 3, of this code. In case of publication, where the residence of a nonresident or absent defendant is known, the court, judge, or justice, must direct a copy of the summons and complaint to be forthwith deposited in the post office, directed to the person to be served, at his place of residence. When publication is ordered, personal service of a copy of the summons and complaint out of the State is equivalent to publication and deposit in the post office. Service is complete upon the making of such personal service or at the expiration of the time prescribed by the order for publication, whichever event shall first occur.

As used in this section "post office" includes mail box, sub-post office, substation and mail chute or other like facility regularly maintained by the Government of the United States.

SEC. 2. Section 1011 of said code is amended to read:

1011. The service may be personal, by delivery to the party or attorney on whom the service is required to be made, or it may be as follows.

1. If upon an attorney, it may be made during his absence from his office, by leaving the notice or other papers with his clerk therein, or with a person having charge thereof; or when there is no person in the office, by leaving them between the hours of nine in the morning and five in the afternoon, in a conspicuous place in the office, or, if it is not open so as to admit of such service, then by leaving them at the attorney's residence, with some person of not less than eighteen years of age, if his residence is in the same county with his office, and if his residence is not known, or is not in the same county with his office, or being in the same county it is not open, or there is not found thereat any person of not less than eighteen years of age, then by putting the same, enclosed in a sealed envelope, into the post office *or a mail box, sub-post office, substation, or mail chute or other like facility regularly maintained by the Government of the United States* directed to such attorney at his office, if known, otherwise to his residence, if known, and if neither his office nor his residence is known, then by delivering the same to the clerk of the court, or to the justice where there is no clerk, for the attorney;

2. If upon a party, it shall be made in the manner specifically provided in particular cases, or, if no specific provision is made, it may be made by leaving the notice or other paper at his residence, between the hours of eight in the morning and six in the evening, with some person of not less than eighteen years of age; if at the time of attempted service between the said hours no such person can be found at his residence, the same may be served by mail; and, if his residence is not known, then by delivering the same to the clerk of the court or the justice, if there be no clerk, for such party.

SEC. 3. Section 1013 of said code is amended to read.

1013. In case of service by mail, the notice or other paper must be deposited in the United States Post Office, *or a mail box, sub-post office, substation, or mail chute, or other like facility regularly maintained by the Government of the United States*, in a sealed envelope, with postage paid, addressed to the person on whom it is to be served, at his office address as last given by him on any document which he has filed in the cause and served on the party making service by mail, otherwise at his place of residence. The service is complete at the time of the deposit, but if, within a given number of days after such service, a right may be exercised, or an act is to be done by the adverse party, the time within which such right may be exercised or act be done, is extended one day, together with one day additional for every full one

hundred miles distance between the place of deposit and the place of address, if served by different post offices, but such extension shall not exceed thirty days in all

SEC. 4 Section 328 of the Probate Code is amended to read:

328 At least ten days before the hearing, copies of the notice must be personally served upon the heirs of the testator and the devisees and legatees named in the will and all persons named as executors who are not petitioning, or mailed, postage prepaid, from a post office within this State, addressed to them at their respective places of residence, if known to the petitioner, if not, at the county seat of the county where the proceedings are pending.

As used in this section "post office" includes mail box, sub-post office, substation and mail chute or other like facility regularly maintained by the Government of the United States."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1647—An act to amend Section 1300.15 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 41, of the printed bill, between "form" and "and", insert ", except when processed in hermetically sealed containers,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1584—An act to amend Section 1500, 1501, and 1511 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 11, of the printed bill, strike out "licensed".

Amendment No. 2

On page 2, line 11, of said bill, following "homes", insert "or institutions".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1921—An act to repeal Section 3474 of the Welfare and Institutions Code, relating to the responsibility of relatives of partially self-supporting blind persons who are receiving public assistance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3474", and insert "Sections 3474 and 3474.1".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 3474", and insert "Sections 3474 and 3474.1".

Amendment No. 3

On page 1, line 2, of said bill, strike out "is", and insert "are".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1460—An act to amend Section 252.1 of the Fish and Game Code, relating to and defining the boundaries of the Mendota Pool Game Refuge and public shooting ground.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "Whites Bridge on", and insert "the water line at the west end of Whites Bridge near".

Amendment No. 2

On page 1, line 14, of said bill, strike out "to the northwest corner", and insert "along the south side of the highway to the west line".

Amendment No. 3

On page 1, line 20, of said bill, after "northerly to", insert "the Mendota Pool (Fresno Slough), thence northwesterly along the western boundary of the Mendota Pool (Fresno Slough) to".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 1461—An act to amend Section 169 of the Fish and Game Code, relating to the Mendota Pool Game Refuge and defining the boundaries of Mendota Pool.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3, 4, 5, 6, 7, and 8 and insert

"169. The following shall constitute the Mendota Pool Game Refuge: Mendota Pool in Fresno County, south of Whites Bridge, Fresno County, California. *For the purposes of this section, Mendota Pool shall be deemed to include all that area confined within the highwater mark during the year 1948-1949 of the body of water known as Mendota Pool and described as Mendota Pool (Fresno Slough) embraced within the boundaries of the federal segregation lines separating private property from public property.*

Except as otherwise provided, the provisions of this code relating to District 1 shall apply to the Mendota Pool Game Refuge."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Fish and Game.

Assembly Bill No. 318—An act to add Sections 6046.5, 6046.6, and 6046.7 to the Business and Professions Code, relating to State Bar examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "in April and in October in", and insert "at least once in the spring and once in the fall of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 8, inclusive, and insert "The fee for such examination shall be governed by the provisions of Section 6063 of the Business and Professions Code, except that the fee for retaking the examination shall not be increased for successive examinations."

Amendment No. 3

On page 1, line 12, of the printed bill, after "examination", insert a period to indicate the end of the sentence, after the period, strike out "if he is able", and insert "If the applicant fails to pass after taking five examinations, he may be required"; and after "studies", insert a period, and strike out ", and pays the prescribed fee."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 700—An act to add Section 2470.5 to the Civil Code, relating to the use of fictitious names, and the filing of certificates of abandonment thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section", and insert "amend Section 2470 and to add Sections 2469.1 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 2469.1 is added to the Civil Code, to read:

2469.1. Every person and every partnership transacting business in this State under a fictitious name, or designation not showing the names of the persons interested as partners in such business, who has filed a certificate and caused the publication thereof according to the provisions of this chapter, may, upon ceasing to do business under that name, file a certificate to that effect, stating the name in full and the place of residence of such person, and stating the names in full of all the members of such partnership and their places of residence.

Such certificate must be published once a week for four successive weeks, in a newspaper published in the county, if there be one, and if there be none in such county, then in a newspaper in an adjoining county. An affidavit showing the publication of such certificate shall be filed with the county clerk within thirty days after the completion of such publication.

When the certificate has been filed and publication has been made as herein required, no action may be maintained against the person or persons filing the certificate upon or on account of any contract or contracts made, or transactions had under such fictitious name, or their partnership name, after the publication of such certificate.

SEC. 2. Section 2470 of said code is amended to read:

2470. Every county clerk must keep a register of the names of firms and persons mentioned in the certificates filed with him pursuant to this article, entering in alphabetical order [the name of every such person who does business under a fictitious

name, and the fictitious name, and the name of every such partnership, and of each partner therein.] *each fictitious or partnership name and any abandonment thereof.*

SEC 3. Section 2470 5 is added to said code, to read:".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 1524—An act to amend Section 5047 of, and to add Section 5053.1 to, the Welfare and Institutions Code, relating to petition for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", and to add Section 5053.1 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "petition", and insert "procedure".

Amendment No. 3

On page 1, line 16, of said bill, strike out the period, and insert "and all other forms required in the proceeding."

Amendment No. 4

On page 1 of said bill, strike out lines 22 to 25, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2161—An act to amend Section 204a of the Code of Civil Procedure, relating to appointment of a jury commissioner and fixing his salary.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "appointment of a jury commissioner and fixing his salary", and insert "the appointment of jury commissioners and assistants".

Amendment No. 2

On page 1, line 9, of said bill, strike out ", who", and insert ". In any county or city and county having a population of 60,000 or over, but less than 289,000, the jury commissioner".

Amendment No. 3

On page 1, line 12, of said bill, strike out the comma, and insert ". In any county or city and county having a population of 289,000 or over the jury commissioner shall receive a salary of four hundred dollars ($400) per month, and may appoint on authorization of the judges a secretary who shall receive a salary of two hundred dollars ($200) per month."

Amendment No. 4

On page 1, line 12, of said bill, strike out "and who", and insert "Jury commissioners and their secretaries".

Amendment No. 5

On page 1, line 13, of said bill, strike out "such court,".

Amendment No. 6

On page 1, line 14, of said bill, strike out "said salary to", and insert "the superior court in and for their respective counties, and their salaries shall".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 770—An act to amend Section 5700 of the Welfare and Institutions Code, relating to private institutions for the care or treatment of insane, alleged insane, mentally ill, or other incompetent persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 23, of the printed bill, after "hospital", insert "or establishment".

Amendment No. 2

On page 1, line 25, of the printed bill, after "2", insert "or Chapter 3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1243—An act to amend Section 24220 of the Health and Safety Code, relating to air pollution control districts and the officers thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 24220", and insert "add Article 7 to Chapter 2 of Division 20".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Article 7 is added to Chapter 2 of Division 20 of the Health and Safety Code, to read:

Article 7. Unified Air Pollution Control Districts

24330. Two or more contiguous counties having activated air pollution control districts under this chapter may merge their several districts into one district, under the provisions of this article.

24331. The boards of supervisors of each county may by a vote of its members appoint two of its members to meet with an equal number appointed in a like manner from the other counties and agree to form one district, which agreement, upon ratification by the several boards of supervisors, shall create one district out of the several districts. Such agreement shall provide for the voting procedure on the air pollution control board.

24332. The boundaries of the unified air pollution control district shall be the same as the boundaries of the several counties of which it is comprised.

24333. Each county within the unified district shall be a zone of that district.

24334. The powers of the district shall be as provided in this chapter unless provided otherwise by this article.

24335. The boards of supervisors of the several zones comprising the unified district shall be, ex officio, the air pollution control board of the district.

24336. All county officers, their assistants, clerks, deputies, and employees of the several counties in the district and all other county employees of the zones within

the district shall be ex officio officers, assistants, deputies, clerks, and employees of the district only within the zone in which they are employed

24337. The boards of supervisors of each zone in the district shall appropriate such funds as are necessary to carry out the purposes of such air pollution control districts, as determined by the air pollution control board, in the proportion that the population of said zone at the date of merger bears to the total population of the district at the date of merger.

24338. All such appropriations are legal charges against the county in which the board of supervisors voted the appropriation.

24339. The treasurers of the several counties within the district shall pay the amount appropriated by the board of supervisors of their county into the treasury of the district.

24340. The district treasury shall be in the custody of the county treasurer of the largest zone, in terms of population at the date of merger, in the district and said treasurer shall be the unified air pollution control district treasurer.

24341. Whenever any person duly subpenaed to appear and give evidence or to produce any books and papers before the hearing board neglects or refuses to appear, or to produce any books and papers, as required by the subpena, or refuses to testify or to answer any question which the hearing board decides is proper and pertinent, he shall be deemed in contempt, and the hearing board shall report the fact to the judge of the superior court of the county in which the person resides"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 555—An act to add Chapter 5.6 to Division 2 of the Business and Professions Code, relating to the practice of physical therapy by registered physical therapists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "2628", and insert "2629"

Amendment No. 2

On page 4, line 41, of said bill, after the period, insert

"All persons who have been administering physical therapy as commissioned officers in the Medical Corps of the United States Army, or in the Medical Service Corps of the United States Navy, for a period of one year or more prior to the effective date of this chapter, may also apply for registration without examination, within six months from the dates of their respective honorable discharges."

Amendment No. 3

On page 5 of said bill, after line 6, insert

"2628 Blind persons shall not be denied registration solely on the basis of such infirmity."

Amendment No. 4

On page 5, line 7, of said bill, strike out "2628", and insert "2629".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 771—An act to amend Section 2300 of the Welfare and Institutions Code, relating to institutions and boarding homes for aged persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 10, of the printed bill, after "hospital", insert "or establishment".

Amendment No. 2

On page 1, line 11, of the printed bill, after "2", insert "or Chapter 3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 772—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care and home-finding agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 18, of the printed bill, after "hospital", insert "or establishment".

Amendment No. 2

On page 1, line 19, of the printed bill, after "2", insert "or Chapter 3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 1244—An act to amend Section 24248 of the Health and Safety Code, relating to air pollution control districts, including the prohibition and regulation of air pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 24248", and insert "repeal Section 24251 and amend Section 24265"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 1 of said bill, strike out all of lines 1 to 6, inclusive, and insert

"SECTION 1. Section 24251 of the Health and Safety Code is repealed.

SEC. 2. Section 24265 of the Health and Safety Code is amended to read:

24265. A permit shall not be required for:

(a) Any mobile equipment.

(b) Any structure designed for and used exclusively as a dwelling for not more than four families.

(c) An incinerator used exclusively in connection with such a structure

(d) Barbecue equipment used exclusively in connection with such a structure.

[(e) Equipment described in Section 24251. (f)] *(e)* Repairs or maintenance not involving structural changes to any equipment for which a permit has been granted.

As used in this section, maintenance does not include operation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Health.

Assembly Bill No. 918—An act to amend Section 829.5 of the Agricultural Code, relating to experimental containers for fruits, nuts, and vegetables.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, after "sale", insert "under permit of the director".

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 24, inclusive; and on page 2, strike out lines 1 to 10, inclusive, and insert "ards prescribed in this chapter, if each such container is conspicuously marked in letters not less than one-half inch in height, "Experimental Container".

Application for such permit shall be made to the director at least 15 days before shipment, stating: (1) The name of the product, (2) the quantity intended to be shipped, (3) the description and inside dimensions of the container, expressed in inches, and (4) the quantity of such product, if any, shipped by the applicant in all types of containers during the preceding year.

If the director finds that the container is not deceptive in shape, design, or capacity, he may issue to the applicant a permit for the shipment of a specified quantity of the product in such containers within a specified period, not exceeding one year. If the applicant during the preceding calendar year has shipped products of the kind specified in the application during the preceding year, no permit shall be issued for the shipment in experimental containers of more than 5 percent of the quantity of any such product shipped in all types of containers by such person in the preceding calendar year.

Any type of container for which a permit has been issued, which is uniformly marked as provided in this section, and which is not used for shipping fruits, nuts, and vegetables in excess of the quantities specified in the permit, shall be deemed an experimental type of container within the meaning of this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1483—An act to add Section 788.5 to the Agricultural Code, relating to the marketing of fruits, nuts, and vegetables.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "788.5", and insert "801.5".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "fruits, nuts, and vegetables", and insert "juice grapes".

Amendment No. 3

On page 1, line 1, of said bill, strike out "788.5", and insert "801.5".

Amendment No. 4

On page 1 of said bill, strike out all of lines 3 to 16, inclusive, and insert

"801.5. Nothing in this chapter shall be construed to prohibit any producer, under permit from an enforcing officer of this chapter, from transporting out of the

State from his own premises within the State juice grapes which comply with the quality requirements of this chapter in unlidded containers, whether standard or not Such officer may issue the permit if he determines that the grapes comply with the requirements of this chapter except as to containers, are of the applicant's own production, and are to be delivered pursuant to a bona fide contract of sale direct to a purchaser in an adjoining state for the manufacture of by-products on the premises of the purchaser."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1547—An act to amend Sections 136 and 137 of the Agricultural Code, to provide more effective and expeditious abatement of pests in abandoned orchards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 136 and 137 of", and insert "add Section 136 5 to".

Amendment No. 2

In line 3 of the title of said bill, strike out "in abandoned orchards".

Amendment No. 3

On page 1, line 1, of said bill, strike out "136 of the Agricultural Code is", and insert "136 5 is added to the Agricultural Code to read "

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 24, inclusive; and on page 2, strike out lines 1 to 18, inclusive, and insert

"136 5 Whenever the commissioner determines that such nuisance constitutes an immediate hazard to adjoining or nearby property, and after such reasonable effort as is consistent with the hazard is unable to make personal service of the notice within the county, as hereinbefore provided, he may forthwith cause said nuisance to be abated by eradicating, controlling or destroying said pests, without personal service of notice."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 2147—An act making an appropriation to the Department of Agriculture for support of the Bureau of Fruit and Vegetable Standardization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, following "Agriculture", insert "in augmentation of Item 39 of the Budget Act of 1949".

Amendment No. 2

On page 1 of said bill, strike out all of lines 4 and 5, and insert "said department in maintaining and operating a fruit and vegetable standardization inspection station primarily in the north coast area."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 63 WAIVED

Mr. Stewart waived his notice of motion to reconsider the vote whereby Assembly Bill No. 63 was passed.

Assembly Bill No 63 ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT RECONSIDERATION BE GRANTED ON ASSEMBLY BILL NO. 794

Mrs. Niehouse asked for, and was granted, unanimous consent that reconsideration be granted on Assembly Bill No. 794.

Request for Unanimous Consent That Assembly Bill No. 794 Be Withdrawn From File, and Be Re-referred

Mrs. Niehouse asked for, and was granted, unanimous consent that Assembly Bill No. 794 be withdrawn from the file, and be re-referred to the Committee on Public Health.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1360

In compliance with a notice given on a previous day, Mr. George D Collins moved that the vote whereby Assembly Bill No. 1360 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1360 refused reconsideration by the following vote:

AYES—Beck, Berry, Brady, Burkhalter, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Clayton A Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Hawkins, Heisinger, Lewis, Lincoln, Lowrey, Maloney, McCarthy, McMillan, Moss, Rosenthal, Thomas, and Way—30.

NOES—Brown, Burke, Butters, Clarke, Conrad, Cramer, Crichton, Dolwig, Erwin, Geddes, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, McCollister, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, and Mr. Speaker—36

Assembly Bill No 1360 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2106—An act to amend Section 9173 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of use fuel tax.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69

NOES—Butters—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2107—An act to amend Section 8148 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle fuel license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2108—An act to amend Section 10278 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle transportation license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2109—An act to amend Section 11573 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of private car tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2302—An act to amend Sections 6902, 6903, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering,

Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2303—An act to amend Section 6362 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2305—An act to amend Sections 6901 and 6981 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Way, and Weber—67
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2306—An act to amend Sections 6481, 6511, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Way, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2308—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Way, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.05 a.m., Hon Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 26

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 26, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 26

Assembly Joint Resolution No. 26—Relative to the participation of the United States in a World Federal Government.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Explanations of Vote

When Assembly Joint Resolution No. 26 was voted upon today, I was in the office of the State Director of Finance on business for the San Diego Fair Association. Had I voted, I would have voted "Aye."

KATHRYN T. NIEHOUSE

When Assembly Joint Resolution No 26 was voted upon today, I was at the office of the State Director of Finance on business of the San Diego Fair Association. Had I voted, I would have voted "Aye."

FRANK LUCKEL

Statement of Vote

March 24, 1949

This is to certify that, due to taking up Assembly Joint Resolution No. 26 on the floor of the Assembly out of order while Assemblymen Niehouse and Luckel were attending a meeting of the San Diego State Fair, they missed voting. It was not their fault, as they would have voted for Assembly Joint Resolution No. 26 if they had been here. They were 100 percent for it.

THOMAS A. MALONEY

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 379—An act to amend Section 1588 of the Labor Code, and to add Section 1588 2 thereto, relating to license fees

of employment agencies and labor contractors and declaring the urgency of this act, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, and Way—69.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 462—An act to amend Sections 1595 and 1663 of the Labor Code, relating to employment agencies, including artists' managers, the transfer of an interest in an employment agency and the applicability of various Labor Code sections to artists' managers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Weber—67.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 724—An act to amend Sections 1296, 1301, 1305, 1306, 1311, 1398, and 1776 of the Labor Code, and Sections 16687 and 16732 of the Education Code, relating to the Division of Labor Law Enforcement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—67

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 764—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers,

Morris, Moss, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 773—An act to amend Sections 52 and 53 of the Labor Code, relating to the Department of Industrial Relations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 442—An act to add Section 512.6 to the Vehicle Code, relating to speed limits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 89

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 89, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 89

Assembly Bill No. 89—An act to amend Section 533 of the Vehicle Code, relating to school busses and the regulation of traffic in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—71

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILLS NOS. 1253, 1254, 1255, AND 2387

Mr Evans asked for, and was granted, unanimous consent to take up Assembly Bills Nos 1253, 1254, 1255, and 2387, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1253

Assembly Bill No. 1253—An act to amend Section 5 of the Public Utility District Act of 1921, relating to public utility districts.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 27, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 1254

Assembly Bill No. 1254—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Bill read third time

Motion to Amend

Mr. Moss moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 8, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed

CONSIDERATION OF ASSEMBLY BILL NO. 1255

Assembly Bill No. 1255—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 10, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF ASSEMBLY BILL NO. 2387

Assembly Bill No. 2387—An act to amend Section 5 of the Public Utility District Act, relating to hearings on petitions for organization of public utilities districts.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 28, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.
Bill ordered reprinted, and re-engrossed.

MOTION TO SET SPECIAL ORDER

Mr. Evans moved that Assembly Bills Nos. 1253, 1254, 1255, and 2387 be made a special order of business for Friday, March 25, 1949, at 10.30 a m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

MOTION TO PLACE RUSH ORDER ON PRINTING OF ASSEMBLY BILLS NOS. 1253, 1254, 1255, AND 2387

Mr. Evans moved that a rush order be placed upon the printing of Assembly Bills Nos. 1253, 1254, 1255, and 2387.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN THE JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the following communication be ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FISH AND GAME
SAN FRANCISCO 11, CALIFORNIA, March 9, 1949

Hon Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER. The Fish and Game Commission is pleased to transmit herewith its report on the feasibility of transporting male soupfin sharks from the waters of Northern California to Southern California, for the purpose of assisting nature in the breeding of the species, in accordance with House Resolution No. 32.

The commission finds that the plan is not feasible for the following reasons.

1. The investigative research program of the commission's Bureau of Marine Fisheries is intimately tied up with the schedules of its two research vessels. The *M T Yellowfin* will not be converted for use until late summer or early fall, after which its time is filled The schedule for the *M T N. B Scofield* is completely filled for the year. The working time for these vessels is allotted on the basis of several considerations The prevailing weather in the regions where the research work for the various programs is to be conducted is of major consideration. The season of the year during which the various programs can be conducted is a limiting condition. The importance and need for the various investigations are weighed, and all these factors contribute to the final scheduling of the vessel at the first of the year. Inasmuch as the schedules for both vessels were completed in January to include the work of the expanded sardine program and that of the other investigations, disruption of the schedule would work a serious hardship on the various research activities of this bureau. Furthermore, the relative size of the soupfin fishery, not over 150 fishermen out of a total of 13,000 commercial fishermen in the State, does not warrant the expense and time even if the program had any chance of success.

2. The high price of soupfin shark makes it economically unfeasible to have commercial fishermen catch them for us Each pound of male soupfin shark liver is worth from $10 to $15, depending upon the potency of the liver. An average male shark will contain about five pounds of liver Thus, the minimum price we would be required *to pay for any soupfin shark would be not less than $50 each, and would probably* average more than $60 per fish.

3 Soupfin shark are present in various localities during certain seasons of the year, with most of the females concentrated in Southern California during much of the year, and the males inhabiting waters to the north The sexes rendezvous annually for breeding purposes Local chronological appearance is sporadic and erratic The present catches of soupfin shark made by fishing vessels along the Pacific Coast are not large Only a small number of boats, out of the total fleet which occasionally numbers as many as 30 to 40 vessels, are successful in capturing soupfin shark in sufficient quantity to make the venture economically feasible. If anything, our opera-

tions would be even less successful, as the fish do not maintain themselves well in captivity, and our experience in catching sharks is limited

4. The fish are large. A soupfin shark averages better than five feet in length and about 50 pounds in weight. The numbers of fish that could be transported, even in a large tank, would be very limited, as a considerable volume of water would have to be maintained for each shark The very large size precludes the feasibility of transporting them. Even if the transportation and catching problems were practical, which they are not, few individuals could be hauled each trip The time alone involved in transporting would amount to six days round trip without any time allowed for capturing the individuals.

With the assistance of Drs. Chapman and Kask of the Stemhart Aquarium, the Bureau of Marine Fisheries conducted some experiments in transporting small soupfin to the Aquarium in San Francisco from Santa Barbara Even with small shark, the task proved fruitless. The fish did not survive the transportation, and removal from their original environment; and all had died when they reached the Aquarium In this respect experience has shown that soupfin shark are much more delicate to handle alive than many other species

5 The fishing gear required for taking soupfin sharks is very expensive A set of bottom diver nets of the type now in use by the fishery would cost $6,000 to $7,000 As bottom nets do not last for much over one season, the replacement cost for gear would be very high Drift nets are even more expensive, and the 1,400 fathoms of drift net would cost about $8,000 This gear, too, is subject to rapid deterioration under normal use. Hook and line gear would be inexpensive; however, soupfin sharks are so scarce that the lines would be practically useless for capturing sharks for transportation.

6 Although sharks are taken commercially in nets, both drift and bottom types these nets would not be practical for taking them alive. When sharks strike a net, they attempt to roll and turn to escape capture In so doing, they roll themselves up into a tightly-bound mass of shark and net. This almost immediately kills them by drowning, and almost all mature sharks taken commercially are dead when they are brought aboard the vessel Therefore, to accumulate any numbers of live sharks would require great numbers of soupfin to be taken to have the small percentage survive for the transportation experiment

One of the most successful boats in Northern California waters this year caught approximately 400 sharks during the whole season As only a small percentage survive, even a lucky strike such as this would not produce enough soupfin to make the experiment feasible

7. Soupfin shark migrate freely along the coast in response to certain biological factors Of these factors, sexual maturity, food, temperature, prevailing currents, and oceanographic conditions all play their part Sudden removal of a number of male sharks from ecological conditions to which they are adjusted and attuned, and placing them in an entirely chronologically different environment would not follow the sharks' normal habits It is conceivable that the removal and subsequent transplanting would completely upset their metabolism and destroy or inhibit the production of vitamin

8 There is no reason to believe that the soupfin shark would react favorably to forced connubiality, the purpose for their transportation back to Southern California where females are present At the time of the year male soupfin sharks are available in Northern California the sexually mature females in Southern California are practically all pregnant As the male segment of the population has completed its conjugal duties, it should be free to maintain its voluntarily misogynous existence without the machination of man. Any program predicated upon the forced breeding of female sharks already pregnant would of necessity be in error. The regimentation and transportation of males by the State would be of no benefit so far as the reproductive potentials of the soupfin stock are concerned. The male sharks pursue other interests until the urge to reproduce is felt When this occurs, they make a countermigration down the coast and conjugate with the females under conditions satisfactorily evolved in the past history of the race. The commercial fishery is the only barrier that operates to prevent the free movements of shark up and down the coast As previously indicated, nearly all mature females, that is, better than 98 percent, in Southern California waters are pregnant. This alone indicates that there is no necessity for further fertilization If there were any need for supplementary male breeding stock, the fact would make it so known by a change in the sexual condition of the females This possibility is highly improbable as the soupfin shark has been able to breed for many millions of years without the dubious benefit of man's interference in its sexual habits.

Inasmuch as no benefit or use would be derived from the expensive and time-consuming transportation of male sharks from Northern California to Southern California for the avowed purposes of breeding, even if such action were physically practical, it is recommended that such transportation not be attempted

Respectfully submitted,

CALIFORNIA FISH AND GAME COMMISSION
By E L MACAULAY, Executive Officer

MOTION TO TURN OVER ORIGINAL REPORTS OF THE CRIME COMMISSION TO CHIEF CLERK FOR FILING IN ARCHIVES

Mr Dickey moved that the five original Reports of the Special Crime Study Commission on Organized Crime, namely, Part II of the Second Progress Report of the Special Crime Study Commission on Organized Crime; the Second Progress Report of the Special Crime Study Commission on the Social and Economic Causes of Crime and Delinquency; the Second Progress Report of the Special Crime Study Commission on Juvenile Justice; the Second Progress Report of the Special Crime Study Commission on Adult Corrections and Release Procedures; and the Second Progress Report of the Special Crime Study Commission on Criminal Law and Procedure, be turned over by the Committee on Rules to the Chief Clerk; and that he be instructed to file said reports with the Secretary of State.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal, Geddes, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Sam L Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber.

House Resolution No. 138

Relative to the Twenty-eighth Wedding Anniversary of Assemblyman and Mrs. Ernest C. Crowley

WHEREAS, Twenty eight years ago two students at the University of California temporarily abandoned the pursuit of knowledge in favor of the pursuit of matrimony, an objective attained at Reno, Nevada, on March 24, 1921, whereupon the young couple, having achieved happiness through the surrender of liberty, thereafter pursued life together; and

WHEREAS, In this happy state they continued their studies, she preparing to teach and he to practice law, and in the course of events which, like the course of true love, sometimes runs erratically, they both became admitted to the Bar, confirming an early dictum that to the marriage of true minds no impediment may be admitted, and

WHEREAS, She has since made the grade and become a jurist, while he is stuck in the Legislature; and

WHEREAS, The present situation presents a grave problem somehow concerning the separation of powers of government, touched upon by the Constitution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly heartily congratulate Assemblyman and Judge Crowley upon the occasion of their Twenty-eighth Wedding Anniversary and extend to them warm felicitations and best wishes for continued happiness and success through many more years; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman and Mrs. Crowley as a token of the affection and esteem in which they are held by their friends and colleagues in this Assembly.

Request for Unanimous Consent That Names of Members Present Be Placed Upon House Resolution No. 138

Mr. Geddes asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 138, as co-authors.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 138, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

RECESS

At 12.03 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 123
Assembly Bill No. 467
Assembly Bill No. 697

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1203
Assembly Bill No. 1208

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1591—An act to amend Section 7437 of the Education Code, relating to the sale of school district bonds;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fourth day of March, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 62—Relative to the University of San Francisco victory in the National Invitational Basketball Championship.

Assembly Concurrent Resolution No. 63—Relative to congratulating Brigadier General C. Lyn Fox;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-fourth day of March, 1949, at 2 p.m.

HUYCK, Chairman

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 35

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 608—An act to amend Sections 271.2, 304, 307, 311, and 332 of the Vehicle Code, relating to the licensing of drivers of motor vehicles.

Bill read third time, and ordered temporarily passed on file.

MEMBERS EXCUSED

At 2.03 p.m., Mr. Beck asked for, and was granted, unanimous consent that Mr. Cooke be excused, for the balance of the legislative day, as he is attending to legislative business elsewhere.

At 2.04 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Ralph C. Dills be excused, for the balance of the legislative day, as he is attending to legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 817—An act to amend Section 511.3 of the Vehicle Code, relating to speed limits and the operation of vehicles upon the highways, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Erwin, Evans, Grant, Grunsky, Hagen, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2101—An act to amend Sections 1113, 1160, 1190, and 1191 of the Harbors and Navigation Code, and to repeal Sections 1160.5, 1160.6, and 1161 thereof, relating to the powers, duties and licensing of pilots.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Way, Weber, and Mr Speaker—50.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 159—An act to amend the title of Part 5, Division 2 of the Labor Code, relating to housing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Maloney, McCollister,

McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 20—An act to add Sections 159.5, 159.6, and 159.7 to the Vehicle Code, relating to motor vehicle registration.

Bill read third time.

Demand for Previous Question

Messrs. Conrad, Waters, Burke, McMillan, and Weber demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 20.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Roll Call Demanded

Messrs. McCollister, Geddes, and Weber demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dicker, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—65

NOES—Burke—1.

Time, 2.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Hoffman and Kilpatrick—2

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

COMMUNICATIONS

By the Chief Clerk.

The following communication was received, read, and ordered printed in the Journal:

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, March 24, 1949

Mr. Arthur Ohnimus
Chief Clerk of the Assembly
State of California

DEAR MR. CHIEF CLERK: I am writing to request the return to the Senate of Senate Bill No. 1496, transmitted to you through error yesterday.

Very truly yours,

J. A. BEEK, Secretary of the Senate

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1496 BE WITHDRAWN FROM COMMITTEE, AND RETURNED TO SENATE

By unanimous consent, Senate Bill No. 1496 was withdrawn from the Committee on Military Affairs, and ordered returned to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 616—An act to amend Sections 452, 459.2, and 476 of, and to add Sections 454.1, 469.1, and 474.1 to the Vehicle Code, relating to the regulations of traffic on highways.

Bill read third time

Demand for Previous Question

Messrs Geddes, Burke, Waters, Stewart, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 616.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Stanley, Thomas, Thompson, Tomlinson, Way, and Mr. Speaker—47.

NOES—Anderson, Beck, Burkhalter, Butters, Caldecott, Clarke, Coats, Davis, Dolwig, Dunn, Geddes, Kilpatrick, Lewis, Lowrey, Rosenthal, Rumford, and Stewart—17.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 44

Mr Dolwig asked for unanimous consent that he be permitted to take up House Resolution No 44, out of order, at this time.

Mr. George D Collins withheld unanimous consent.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 20

At 3.16 p.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 20 passed by the following vote:

AYES—Anderson, Babbage, Brady, Burke, Burkhalter, Butters, Clarke, George D Collins, Condon, Connolly, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hagen, Hawkins, Hollibaugh, Huyck, Kilpatrick, Lewis, Luckel, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Way, Weber, and Mr. Speaker—41

NOES—Beck, Bennett, Berry, Brown, Caldecott, Coats, Collier, Conrad, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, Meyers, Moss, Reagan, Sherwin, Silliman, Smith, Stewart, Tomlinson and Waters—34

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 854 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 854 be withdrawn from the Committee on Transportation and Commerce, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 361, 362, 363, 368, AND 369 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bills Nos. 361, 362, 363, 368, and 369 be withdrawn from the Committee on Civil Service and State Personnel, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 360, 364, AND 365 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bills Nos. 360, 364, and 365 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Municipal and County Government.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Ralph C. Dills and Dickey:

House Resolution No. 139

Relating to wishing a speedy recovery to Ruth Riley

WHEREAS, On March 12, 1949, Ruth Riley, the well liked and charming Assembly File Clerk, fell and broke her ankle; and

WHEREAS, Ruth Riley has been at home while her ankle is mending, and she has been missed by her many friends in the Assembly during this time, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their sincere wishes for her speedy recovery and hope that she will soon be able to return to her duties; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution as a token of the friendship and esteem of the Members of the Assembly to Ruth Riley.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 139, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. McMillan:

House Resolution No. 140

Relating to amending the Servicemen's Readjustment Act of 1944, as amended, to provide that the affidavits of veterans that they are eligible for flight training be conclusive of the statements therein contained

WHEREAS, A veteran, in order to use his education entitlements under the Servicemen's Readjustment Act of 1944, as amended, to take flight training or related aviation courses in a state-approved school or institution, must file an affidavit with the Administrator of Veterans' Affairs; and

WHEREAS, Said affidavit must state that he desires such courses in connection with (1) his present occupation or (2) his contemplated future occupation, or (3) preparation for entrance into the aviation branch of the Armed Forces of the United States; and

WHEREAS, Said affidavit is not, under the present act, conclusive of the statements therein contained; and

WHEREAS, Such statements are almost impossible in certain cases to actually prove, and many applicants have had difficulty in proving said statements to the Veterans' Administration; and

WHEREAS, Due to this fact many applicants have been denied the educational entitlement benefits of this act despite honest intentions to use the courses in present or future business, or future military service; and

WHEREAS, Anyone deliberately making false statements in said affidavit would be guilty under the law for such offense; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly of the State of California respectfully memorializes the President and the Congress of the United States to enact an amendment to the Servicemen's Readjustment Act of 1944, as amended, to provide that the affidavits filed by veterans that they are eligible for flight training be conclusive of the statements therein contained; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Rosenthal:

House Resolution No. 141

Relating to adjournment in respect to the memory of former Assemblyman Harry Lyons

WHEREAS, The Members of this Assembly have learned with profound sorrow of the death of Harry Lyons in Los Angeles, California, on March 22, 1949; and

WHEREAS, Harry Lyons was a Member of this Assembly for seven terms, from 1919 to 1933, representing the Sixty-fourth Assembly District, the Wilshire District of Los Angeles; and

WHEREAS, Harry Lyons during his terms of office took an active and effective part in the work of this Assembly, was a member of the Committees on Judiciary, Motor Vehicles, Reapportionment, Revenue and Taxation, and other important committees, devoting himself and his efforts to the best interests of the State of California and of the people of his district; and

WHEREAS, Harry Lyons was well known throughout the State of California as a distinguished member of the Bar, active in political circles, affiliated with many outstanding charitable organizations, and a member of the Masonic Order and other civic and fraternal organizations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express profound regret and sorrow upon learning of the death of their former colleague and friend, Harry Lyons, and extend to his family their deepest sympathy; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to Mrs Rose Lyons, widow of Harry Lyons; to his sons, David and William Lyons; and to his daughters, Gertrude Lyons Spero and Frieda Lyons Gordon, at 8104 Blackburn Avenue, Los Angeles, California; and be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of Harry Lyons.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 141, at this time, without reference to committee or file

Resolution read, and adopted unanimously by a rising vote.

ANNOUNCEMENT OF COMMITTEE APPOINTMENT

Speaker Sam L. Collins announced the appointment of Mr. Luckel as a member of, and as Chairman of, the Interim Committee on Transportation and Commerce, vice Mr. Michael J. Burns.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 736

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 736—An act to amend Sections 1195, 1196, and 1197 of the Military and Veterans Code, relating to officers of memorial districts and their election.

Referred to Committee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No 1210
Assembly Bill No 1721
Assembly Bill No 1722
Assembly Bill No 1766
Assembly Bill No. 2146

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 2162
Assembly Bill No. 2366
Senate Bill No. 269

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred

Assembly Bill No. 2335

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and re-refer to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 3
Assembly Bill No 717
Assembly Bill No. 1662
Assembly Bill No. 1670
Assembly Bill No. 2030

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 23, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 235
Assembly Bill No. 1347
Assembly Bill No 1950
Assembly Bill No. 2206
Assembly Bill No 2337
Assembly Bill No 2522

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER. Your Committee on Rules, to which was referred

Assembly Bill No 2780

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER. Your Committee on Rules, to which was referred

Assembly Joint Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 16, 1949

MR. SPEAKER Your Committee on Rules, to which was referred

Assembly Concurrent Resolution No. 56

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 21
Senate Joint Resolution No. 22

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER. Your Committee on Rules, to which were referred.

House Resolution No. 131
House Resolution No 135

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolutions ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 21	Assembly Bill No. 948
Assembly Bill No. 56	Assembly Bill No. 1264
Assembly Bill No. 131	Assembly Bill No. 1319
Assembly Bill No. 317	Assembly Bill No. 1830
Assembly Bill No. 749	Assembly Bill No. 2756
Assembly Bill No. 827	Assembly Bill No. 2757
Assembly Bill No. 830	

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1264 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2756 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2757 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 827 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 830 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 948 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1319 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 56 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 131 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 749 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 317 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 21 ordered re-referred to Committee on Industrial Relations.

Assembly Bill No. 1830 ordered re-referred to Committee on Military Affairs.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight at 8 p.m.—

Industrial Relations.

Revenue and Taxation, in Room 435.

Today Upon Adjournment—

Subcommittee on Finance and Insurance. Subject: State Banking Act.

Transportation and Commerce, in Room 432.

Public Morals.

Ways and Means.

Water Pollution.

Tomorrow, Friday, March 25th, at 9 a m —

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Thompson and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman Raup Miller of Palo Alto.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ardella B. Tibby, Henry McKay, and Dr. L. H. Heacock of Compton.

On request of Messrs. Price and Bennett, the courtesies of the Assembly for this day were unanimously extended to H. A. Bogue of Chino.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ben Franklin, teacher of the College School of Chico; the following guests: Clifford Day, Albert Nelson, Clifford Speigle, Mrs. Charles King, Mrs. Dale Ostrander, Mrs. Lloyd Cook, Mrs. Paul Stoner, Mrs. Charles Scott, Mrs. R. Brownfield, and Mrs. Ryland Goodspeed; and the following pupils: Dan Cook, Bert Cornick, Donald Eldred, James Finley, Richard Frost, Leo Gallegoes, Gene Gates, Sherman Gates, Tom King, James Lemert, Douglas Mann, James Morgan, Jr., Delbert Ostrander, George Pavcik, Boyd Pine, David Scott, Donald Spiker, Jack Vice, Billy Wells, Jerry Bohlander, Arlie Pederson, Kenneth Yeisley, Wanda Brown, Marjorie Brownfield, Gretchen Brunelle, Pearl Calhoon, Jane Carnegie, Alice Foren, Boo Goodspeed, Joanne Hill, Patricia King, Florence Loose, Shirley McClelland, Dalene Ostrander, Barbara Schaller, Marilyn Stoner, Nannette Swallow, and Linda Voss.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Blair, teacher of the San Lorenzo School, and the following pupils: Sharon Bernards, Ellen Beuman, Rita Black, Joy Bunch, Roberta Darcey, Jeanne Dart, Reva Falvey, Kathy Hart, Joan Johnson, Loretta Keltner, Eiko Kumagai, Joyce Parker, June Rebello, Shirley Rozario, Phyllis Wade, Carl Bowersmith, Stanley Boone, Kenneth Clair, Darrel Clement, David Coats, Bob Dexter, Peter Ghiglione Ronald Giacomo, Harold Johnson, Joe Martin, Bob Ribelin, George Silva, Eddie Slason, Edwin Smith, Ronny Speer, Clyde Tedder, and Arthur Widener.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ethel Stabler, and Michael and Jimmy Stabler of San Lorenzo.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to James Burchfield, George White, Mrs. S. Mace, Mark Fisher, teachers of the Colusa school; Mrs. H. Davis, parent, and the following pupils: Robert Bailey, Donald Baker, Joy Banning, Robert Bell, LaVoy Bowen, Dixie Brazo, Lowell Bruffett, Raymond Bruggman, Pat Capehart, Jayne Clare, Jack Collins, John Coronado, Mary Crabtree, Wilbur Crabtree, Alfred Davis, Wesley Davis, Frank Dunigan, Louie Edwards, Rudolph Geary, Joan Gifford, Tommy Guild, Janet Heitman, Gale Homan, Albert Mahurin, Shirley Mayberry, Ruth McCullough, Davidine McKasson, Richard Meyers,

Eileen Mitchell, Jimmy Moore, Ray Moore, Gerald Moss, Virginia Moss, Genevieve Rodgers, Beverly Rose, Dee Rowe, Johnnie Sanderson, Fern Satterfield, Gary Savage, Barbara Smick, Raymond Smick, George St. Louis, Bobby Stokes, Peter Towne, Larry Turner, Clair Walker, Gerald Westesen, Carleen Youngling, Edwin Youngling, Joanne Zoller, Helen Hoyt, Jimmy Ishigaki, Sam Jaconetti, and Pedro Larez.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Miss Rosemary Bell, Miss Bernice Bloettler, Gene Tarp, teachers of the Live Oak Union High School of Morgan Hill, and the following pupils: Duane Baker, Mary Edith Breckenridge, Franalee Buchheister, Jerry Butler, Al Carlton, Manuel Cardoza, Art Christopher, Mel Denny, Lavonne Dodd, Glenn Elliott, Ophelia Espinoza, Wendall Farris, Keith Fletcher, Paul Friebel, Rosie Fujimoto, Judy Hale, Susanne Hall, Ray Hanley, Hubert Hazleton, Masao Hayashi, Kisaye Iwamura, Carl Johnson, Mae Kitahara, Chiyeko Kodamo, Fumi Kondo, Jo Ann Larson, Pete Lent, Ruby Meeks, Joe Miyamura, Helen Moore, Roy Mukai, Yosheo Murato, Harry Nagahori, Lorice Nakaji, Janet Parker, Carolyn Pourroy, Edith Reynolds, Frank Romero, Madeline Hernandez, Yatsuko Inami, Michiko Inokuchi, Glenn Irwin, Doreen Clinton Ryan, David Sanchez, Clara Schiermeyer, Patsy Smith, Jack Swickard, Wanda Teafatiller, Eugene Thompson, Jimmie Trifilo, and Richard Wiens.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Hannah, and Paul Cook, teachers of the Ceres School, and the following pupils Harrison Austin, Wilma Burnett, Joe Carvalho, Donald Conolly, Margrett Contreas, Clyde Cumming, Patricia Dunn, Shirley Dye, Robert Earl, Virginia Earl, Kenneth Ennis, Irene Evans, Jean Green, Kenneth Harbour, Cleta Hopkins, Wobbie Johnston, Betty Klaus, James Kilpatrick, Paul Loukenoff, Paul Mantaro, Leona Robertson, Janis K Lester, Dorothy Savage, W O Sheppard, Wanda Spurlock, Billy Vandenberg, Dorothy Waddell, John Walker, Marilyn Walkins, Carol Wortham, Peggy Willims, Charles Wix, Phillip Bahand, Ronald Roder, Billy Mason, Ateta Miller, Gorden Overbey, Jo Helen Thompson, Wayne Rice, Joyce Thompson, Robert Schmidt, Johnnie Serrat, Junior Smith, Donald Groufe, Betty Lou Palmer, Dorothy Tittsworth, Viola Veiga, Robert Welborn, Alta Jo Bray, Bobby Murphy, Bobby Barnard, Doris Barner, Harold Deickelbohrer, Mary Contreras, James Firestine, Berke George, Shirley Graham, Dorothy Hawkins, Clareta Hemphill, Naomi Hiekman, George Ivy, Belevery Jones, Leora Jones, Paul Jones, John Kelly, Paul Kersey, Donald Karral, Valara Lewis, Willard Longmire, Mary Miller, Betty Mosely, Alvin Murry, Lowell Olson, Kenneth Overley, and Patsy Phipps.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Richard M. Moon, Alvo Price, Elden Mahoney, and Herman Dorion, teachers, of the Waterford School, and the following pupils: Leonard Arnett, Wilma Bostic, Patsy Bradshow, Elaine Breshears, Betty Brewer, Sina Campbell, Jim Chilcutt, Betty Choate, Orval Clapp, Rilla Clark, Lavon Colbert, Constance Couchman, Betty Daniel, Joann Eastburn, Evelyn Fagundes, James

German, Minnie German, Donald Gidden, Robert Hartman, Jimmy Herrington, Daryl Howe, Joe King, Earl Kisling, Gene Lancaster, Earl Maddox, Evelyn Maestas, William McCloud, Arlene Mickle, Ethel Miller, Juanita Miller, Nanita Miller, Mary Monk, Cecil Parrish, Donald Parish, Lena Passalaqua, Wendell Price, Vada Price, Gwendolyn Reeves, Robert Riddle, Henry Roberts, Horace Rocha, Adolph Sauls, Peggy Sharp, Donald Shehan, Norma Switzer, Freda Vowell, Evelyn Whitmer, Bill Young, and Lois Beghtel.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Friday, March 25, 1949, out of respect to the memory of the late former Assemblyman Harry Lyons

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FOURTH LEGISLATIVE DAY

EIGHTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, March 25, 1949

The Assembly met at 10 a m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—68.

Names Placed Upon Morning Roll Call

By order of Speaker Sam L. Collins, the names of the members now attending the Committee on Rules were placed upon the morning roll call.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: We pause to manifest our respect for the sacred, and by our reverential attitude show that we are of eternity, and not like the dumb animals with no mind above their appetites

Let us be silent together because our respect for this moment of prayer reveals that we have a real Faith, and that we are not like the cynic who flouts the sacred.

May we be reverent together, because reverence for the most precious things—reverence for personality, for beauty and music, and common decency—spring from the religious spirit.

Let us be silent together, because we see that the spirit of irreverence is destructive, the source of anarchy and lawlessness.

Above all may we have a little altar in the margin of our minds, where day by day we enkindle that respect for the sacred which is the light of life.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Crowley, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr Reagan

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Erwin, on motion of Mr. Butters.

Mr. Ralph C. Dills, on motion of Mr. Butters

Mr. Silliman, on motion of Mr. Grunsky

Mr. Cooke, on motion of Mr Burkhalter

Mr. Hinckley, on motion of Mr. Collier.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Caldecott, on motion of Mr. Brown

Mr. Kilpatrick, on motion of Mr. Bennett

Mr. McMillan, on motion of Mr. Anderson.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 621
Assembly Bill No. 622
Assembly Bill No. 628
Assembly Bill No. 640
Assembly Bill No. 658

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 54
Assembly Bill No 625
Assembly Bill No. 630
Assembly Bill No. 656

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 635
Assembly Bill No. 2450

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 36

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to third reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No 258

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

GAFFNEY, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No 185
Assembly Bill No. 186
Assembly Bill No. 187
Assembly Bill No. 424
Assembly Bill No. 2647

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GAFFNEY, Vice Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 140

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No 74
Assembly Bill No. 720
Assembly Bill No. 846
Assembly Bill No. 872
Assembly Bill No. 892
Assembly Bill No. 893
Assembly Bill No. 894
Assembly Bill No. 1687
Assembly Bill No. 1752
Assembly Bill No. 2212
Assembly Bill No. 2502
Assembly Bill No. 2858
Assembly Bill No. 3096

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 56

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No 30

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 431
Assembly Bill No. 441
Assembly Bill No. 543
Assembly Bill No. 546
Assembly Bill No. 563
Assembly Bill No. 671
Assembly Bill No. 1569
Assembly Bill No. 1585

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 479

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 730

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 23, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 659

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 659—An act to amend Section 7410 of the Public Resources Code, relating to state lands, removing acreage limitations on purchases thereof.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 31
Senate Bill No 133
Senate Bill No 142
Senate Bill No. 143
Senate Bill No 190
Senate Bill No 202
Senate Bill No. 244
Senate Bill No. 247
Senate Bill No. 380
Senate Bill No. 384
Senate Bill No. 591
Senate Bill No 601
Senate Bill No. 666
Senate Bill No. 671
Senate Bill No. 766
Senate Bill No. 997
Senate Bill No. 1130
Senate Bill No 1221
Senate Bill No 1280
Senate Bill No. 1354
Senate Bill No. 1421
Senate Bill No 1572
Senate Bill No 1610
Senate Bill No. 1209

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 31—An act to amend Section 13554 of the Health and Safety Code and to add Section 9535 to the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments.

Referred to Committee on Public Health.

Senate Bill No. 133—An act to amend Section 19141 of the Government Code, relating to reinstatement of employees in the state civil service.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 142—An act to amend the heading of Article 4 of Chapter 1 of Division 4, and Section 4126 of the Public Resources Code, relating to the closing of parks and forestry areas.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 143—An act to add Section 4006 5 to the Public Resources Code, relating to cooperative agreements for reforestation.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 190—An act to add Sections 132 5 and 5931.5 to the Elections Code, relating to absentee registration and voting of members of the armed forces of the United States, or any auxiliary branch thereof.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 202—An act to amend Section 1530a of the Probate Code, relating to compromise of claim or demand by guardian.

Referred to Committee on Judiciary.

Senate Bill No. 244—An act to amend Section 70 of the Civil Code, relating to solemnization of marriages.

Referred to Committee on Judiciary.

Senate Bill No. 247—An act to amend Section 4011 of the Public Resources Code, relating to peace officers who enforce fire laws

Referred to Committee on Judiciary.

Senate Bill No. 380—An act to amend Section 754 of the Probate Code, relating to decedents' estates.

Referred to Committee on Judiciary.

Senate Bill No. 384—An act to amend Section 390 of the Penal Code, relating to railway crossing warning.

Referred to Committee on Judiciary.

Senate Bill No. 591—An act to amend Section 185 of the Streets and Highways Code, relating to the Revolving Fund of the Division of Highways.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 601—An act to add Sections 170, 171, and 172 to the Government Code, relating to the boundary of the State of California along the Pacific Coast and to the inland waters of California in coastal areas, giving greater precision thereto by declaring the lines thereof.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 666—An act to amend Section 6323 of the Public Resources Code, relating to the administration and control of swamp, overflowed, tide or submerged lands and structures thereon.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 671—An act to amend Section 18102 of the Government Code, relating to sick leave.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 766—An act to add Section 1226 to the Government Code, and to repeal an act entitled "An act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed by conflagration or other public calamity," approved June 16, 1906 (Chapter 53 of the Statutes of the Extra Session of 1906), relating to the issuance of duplicate certificates, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Referred to Committee on Municipal and County Government.

Senate Bill No. 997—An act to add Section 532b to the Penal Code, relating to false personation, and providing penalties.

Referred to Committee on Judiciary.

Senate Bill No. 1130—An act to renumber the heading of Division 15 of the Health and Safety Code, relating to venereal disease.

Referred to Committee on Public Health.

Senate Bill No. 1221—An act to amend Section 4300f of the Political Code, relating to jurors' fees.

Referred to Committee on Judiciary.

Senate Bill No. 1280—An act to revise Article 2, Chapter 1, Division 5 of the Public Resources Code by repealing Sections 5020, 5021, 5022, and 5023 to authorize the appointment of an Historical Landmarks Advisory Committee and defining the powers and duties of said committee, the State Park Commission and the Director of Natural Resources with reference to historical buildings and landmarks and geographical names.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1354—An act to amend Section 184 of the Education Code and Section 3253 of the Welfare and Institutions Code, relating to gifts, donations, bequests, and devises to the Department of Education and to schools, colleges, and other institutions under the jurisdiction of the Department of Education.

Referred to Committee on Education.

Senate Bill No. 1421—An act to amend Section 10337 of the Government Code, relating to the California Code Commission and legislative committees on revision of the law.

Referred to Committee on Judiciary

Senate Bill No. 1572—An act to amend Section 26826 of the Government Code, relating to the appearance of defendant, intervenor, respondent, corespondent, or adverse party.

Referred to Committee on Judiciary.

Senate Bill No. 1610—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1209—An act to amend Section 4001 of the Government Code, relating to public work.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 189
Assembly Bill No. 1253
Assembly Bill No. 1254
Assembly Bill No. 1255
Assembly Bill No. 2387

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No 189 ordered re-referred to Committee on Judiciary.

Balance of above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 7—Relative to memorializing the Congress of the United States to enact legislation relating to the disposal of temporary war housing

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 540	Assembly Bill No. 1835
Assembly Bill No. 660	Assembly Bill No. 1943
Assembly Bill No. 1032	Assembly Bill No. 1944

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1022	Assembly Bill No. 1765
Assembly Bill No. 1023	Assembly Bill No. 2076
Assembly Bill No. 1031	Assembly Bill No. 2197

Has had the same under consideration, and reports the same back with the recommendation. Do pass

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 685
Assembly Bill No. 686

Has had the same under consideration, and reports the same back with the recommendation. Be re-referred to Committee on Public Health.

HOLLIBAUGH, Chairman

Above reported bills re-referred to Committee on Public Health.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred.

Assembly Bill No. 389	Assembly Bill No. 1033
Assembly Bill No. 1024	Assembly Bill No. 1942

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT PARTIAL REPORT OF THE STUDY OF THE PERSONNEL BOARD AND ITS OPERATION BE PRINTED IN JOURNAL

Mr. Stewart asked for, and was granted, unanimous consent that the Partial Report of the Study of the Personnel Board and Its Operation, as compiled by the Assembly Interim Committee on Governmental Efficiency and Economy, be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT 500 COPIES OF REPORT WITH FINAL STAFF REPORT BE PRINTED AS SEPARATE DOCUMENTS

Mr. Stewart asked for, and was granted, unanimous consent that 500 copies of the Report of the Study of the Personnel Board and Its Operation, as compiled by the Assembly Interim Committee on Governmental Efficiency and Economy, accompanied by the Final Staff Report of the Assembly Interim Committee on Governmental Efficiency and Economy, be ordered printed as separate documents, in 10-point type.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lipscomb:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill the title of which is as follows

An act to amend Sections 13981 and 13982 of the Revenue and Taxation Code and to add Article 3, comprising Sections 14001 through 14009, inclusive, to Chapter 6, Part 8, Division 2 of said code, relating to inheritance tax deductions

Respectfully submitted,

GLENARD P. LIPSCOMB

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Lipscomb:

An act to amend Sections 13981 and 13982 of the Revenue and Taxation Code and to add Article 3, comprising Sections 14001 through 14009, inclusive, to Chapter 6, Part 8, Division 2 of said code, relating to inheritance tax deductions

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nicholson, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—61

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3111: By Mr. Lipscomb—An act to amend Sections 13981 and 13982 of the Revenue and Taxation Code and to add Article 3, comprising Sections 14001 through 14009, inclusive, to Chapter 6, Part 8, Division 2 of said code, relating to inheritance tax deductions.

Referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Crichton asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2729—An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 930—An act to add Section 16275.5 to the Education Code, relating to the use of school busses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3094—An act amending Section 5 of an act entitled "An act to define and officially adopt a State-wide System of Plane Coordinates, to provide for uniformity in the orientation of land surveys and maps within the State of California, and permitting, but not requiring, the use thereof in surveying and mapping operations," approved July 10, 1947, relating to State-wide System of Plane Coordinates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2216—An act to add Section 22264 to the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1856—An act to amend Section 4001 of the Government Code, relating to public work.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1855—An act to amend Section 185 of the Streets and Highways Code, relating to the Revolving Fund of the Division of Highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1854—An act to amend Section 14033 of the Government Code, relating to the Revolving Fund of the Division of Architecture.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1799—An act to amend Section 29483 of the Government Code, relating to the payment to counties of United States Forest Reserve receipts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 520—An act to amend Section 19233 of the Streets and Highways Code, relating to highway lighting districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1000—An act to cure defects in maps or plats filed for record prior to April 1, 1949, and in deeds or conveyances referring to such maps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1266—An act to add Section 31676.1 to the Government Code, relating to service retirement of county employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1634—An act to amend Section 26743 of the Government Code, relating to sheriffs' fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1317—An act to amend Section 28129 of the Government Code, relating to compensation for public services in counties of the twenty-ninth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 581—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 554—An act to amend Section 28117 of the Government Code, relating to compensation for public services in counties of the seventeenth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 269—An act to amend Section 28125 of the Government Code, relating to compensation of county officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 144—An act to amend Section 27265 of the Government Code, relating to destroying temporary index sheets by county recorders.

Bill read second time, and ordered engrossed.

Assembly Bill No. 152—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class

Bill read second time, and ordered engrossed.

Assembly Bill No. 2162—An act to amend Sections 17221 and 17242 of the Government Code, relating to the registration of warrants drawn against the General Fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2366—An act to amend Sections 8937 to 8971 of the Business and Professions Code, relating to the licensing and regulation of yacht and ship brokers

Bill read second time, and ordered engrossed.

Assembly Bill No. 2780—An act to amend Section 9320 of the Government Code, relating to the compensation of officers and employees of the Senate and Assembly and making an appropriation for the payment of such compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 98—An act to amend Sections 26822, 26826, 26828, 26829, 26833, 26834, 26838, 26841, 26848, and 26852 of, to repeal Section 26835, and to add Section 26849.1 to, the Government Code, relating to the fees of county clerks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "26833,".

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 to 5, inclusive; and in line 6, strike out "SEC. 6", and insert

"SEC. 5"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2399—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 737ee of the Political Code".

Amendment No. 2

On page 1, line 10, of said bill, strike out "two thousand four hundred dollars", and insert "three thousand dollars".

Amendment No. 3

On page 1, line 11, of said bill, strike out "2,400", and insert "3,000".

Amendment No. 4

On page 2 of said bill, strike out lines 7 and 8

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 5

On page 2 of said bill, after line 8, insert

"SEC. 2. Section 737ee of the Political Code is amended to read

737ee. The annual salary of the Judge of the Superior Court in and for the County of Placer is [eight] *eleven* thousand dollars [$8,000] *($11,000)*"

Amendments read, and adopted

Bill ordered reprinted, and engrossed

Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1¼a to Article XIII of said Constitution, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, strike out "be assessed, for the purpose of", and strike out lines 14 to 18, inclusive, and insert "exempt from taxation, except as the Legislature may provide"

Amendment read, and adopted

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California, relating to compensation of the Members of the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments.

Amendment No. 1

On page 1, line 10, of the printed measure, after "($250)", insert "each".

Amendment read, and adopted

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 35—A resolution to propose to the people of the State of California an amendment to Section 25a of Article IV of the Constitution of the State, relating to horse racing, and wagering on the results thereof

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In the title of the printed measure, strike out line 3; and in line 4, strike out "said State", and insert "ment to the Constitution of said State by adding Section 25b to Article IV".

Amendment No. 2

On page 1 of said bill, strike out line 7, and insert "amended by adding Section 25b to Article IV thereof, to".

Amendment No. 3

On page 1 of said bill, strike out lines 9 to 25, inclusive, and insert

"SEC. 25b. Notwithstanding the provisions of any legislation enacted in accordance with Section 25a of this article, the board of supervisors of any county by ordinance, or the people of any county acting through the initiative process, may prohibit horse races, horse race meetings and the wagering on the results thereof within such county or within any portion of the county described in the ordinance or initiative measure. As used in this section "county" includes both the incorporated and unincorporated territory of a county as well as each city and county."

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed

Assembly Bill No. 3—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 14, 1949, strike out lines 5 to 11, inclusive.

Amendment No. 2

On page 3, line 37, of said bill, strike out "except a political committee,".

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 14, inclusive.

Amendment No. 4

On page 1, line 15, of said bill, strike out "(c)", and insert "(a)".

Amendment No. 5

On page 1, line 18, of said bill, strike out "(d)", and insert "(b)".

Amendment No. 6

On page 2, line 1, of said bill, strike out "(e)", and insert "(c)".

Amendment No. 7

On page 2, line 5, of said bill, strike out "(f)", and insert "(d)".

Amendment No. 8

On page 2 of said bill, strike out lines 12 to 50, inclusive; and on page 3, strike out lines 1 to 33, inclusive.

Amendment No. 9

On page 3, line 34, of said bill, strike out "9905", and insert "9901".

Amendment No. 10

On page 3, line 49, of said bill, strike out "9906", and insert "9902".

Amendment No. 11

On page 4 of said bill, strike out lines 7 to 14, inclusive, and insert "employment and the".

Amendment No. 12

On page 4, line 42, of said bill, strike out "9907", and insert "9903".

Amendment No. 13

On page 4, line 45, of said bill, strike out "9908", and insert "9904".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1662—An act to amend Sections 6852, 6855, 6857, 6862, 6864, 6865, 6866, 6876, 6877, 6878, 6880, 6885, 6889, 6890, 6895, 6897, 6898, 6902, 6906, 6907, 6908, 6909, 6910, 6911, 6912, 6913, 6914, 6915, 6916, 6922, 6923, 6925, 6926, 6930, 6950, and to add Sections 6858, 6931, 6947, 6948, and to renumber Sections 6939 and 6940 of the Business and Professions Code, relating to the regulation and licensing of collection agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "6857," insert "6861,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of the printed bill, between lines 6 and 7, insert

"SEC. 3.1. Section 6861 of said code is amended to read:

6861. The Secretary of State shall appoint one [Superintendent] *Chief, Division* of Collection Agencies whose duties are provided in this chapter, and whose salary may be fixed by the Secretary of State with the approval of the Director of Finance."

Amendment No. 3

On page 2, line 38, of the printed bill, after "agency", insert "or three years as Assistant Chief".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1670—An act to add Article 4 comprising Sections 16390 to 16395, inclusive, to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to the payment of compensation to state officers and employees, creating the State Payroll Revolving Fund, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out the comma, and insert "and".

Amendment No. 2

On page 1 of said bill, strike out lines 11 and 12, and insert "all amounts withheld therefrom pursuant to".

Amendment No. 3

On page 1, line 14, of said bill, strike out "by rule"

Amendment No. 4

On page 1, line 15, of said bill, strike out ", includ-", and insert "and".

Amendment No. 5

On page 1 of said bill, strike out line 16, and insert "amounts withheld therefrom pursuant to law, where".

Amendment No. 6

On page 1, line 18, of said bill, strike out "designated in such rule".

Amendment No. 7

On page 1, line 21, of said bill, strike out ", in accordance with such rule,"

Amendment No. 8

On page 2, line 10, of said bill, after "amount", insert "erroneously".

Amendment No. 9

On page 2 of said bill, strike out lines 11 to 14, inclusive, and insert "ing Fund shall be refunded by the Controller."

Amendment No. 10

On page 2 of said bill, strike out lines 21 and 22, and insert "paid from the State Payroll Revolving Fund."

Amendment No. 11

On page 2, line 28, of said bill, strike out "presumed", and insert "deemed"

Amendment No. 12

On page 2, line 31, of said bill, following line 31, insert

"16396. Nothing in this article shall apply to any agency of the State without the consent of the head of such state agency unless the Controller advises the head of such state agency prior to including such agency in any plan under Section 16391 hereof that the payrolls thereof can be met and warrants delivered to all permanent monthly salaried employees thereof on or before the fourth working day following the payroll period."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2030—An act to add Section _____ to the Government Code, relating to powers of the State Board of Control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", insert "13926"

Amendment No. 2

On page 1, line 1, of said bill, after the second "Section", insert "13926"

Amendment No. 3

On page 1, lines 3 and 4, of said bill, strike out "Whenever the Legislature has appropriated money for such purpose the", and insert "13926. The"

Amendment No. 4

On page 1 of said bill, following line 8, insert

"Any award made by the State Board of Control under the provisions of this section may be paid from the appropriation available to the state agency in which the elimination or reduction of state expenditures has been made possible by adoption of the proposal.

The board may adopt rules and regulations to carry out the provisions of this section, and may appoint merit award boards made up of state officers, employees or citizens to consider employee proposals and to make recommendations to the board as to the merit of the proposal and whether or not the proposal justifies an award."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 717—An act relating to the holding of Olympic games in California in 1952, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "in 1952".

Amendment No. 2

On page 1, line 3, of said bill, strike out "1952", and insert "either 1952 or 1956, or both years".

Amendment No. 3

On page 2, line 37, of said bill, strike out "of Los Angeles", and insert "awarded the Olympic games in connection with which the money is expended"

Amendment No. 4

On page 3, line 40, of said bill, after "act", insert "in connection with the Olympic games of 1952 or the Olympic games of 1956, or both.

SEC. 14. This act shall become operative at such time as either the Olympic games of 1952 or the Olympic games of 1956 are awarded to a city in California by the International Olympic Committee"

Amendment No. 5

On page 3, line 29, of said bill, after the period, insert "From any revenues received by the commission which remain unexpended upon completion of the work of the commission the commission shall pay into the State Treasury for credit to the fund from which the appropriation herein contained is made, an amount equal to the appropriation herein made, plus 3 percent interest per annum, for the period any such money appropriated has been withdrawn from the Treasury; provided, however, that if the entire amount herein appropriated has not been returned upon completion of the work of the commission any amount remaining not so returned shall be by the State Controller transferred to said fund from the General Fund."

Amendment No. 6

On page 3, line 37, of said bill, after "money", insert "in the Estate of Deceased Persons Fund".

Amendment No. 7

On page 3, line 37, of said bill, strike out "not otherwise appro-".

Amendment No. 8

On page 3, line 38, of said bill, strike out "priated".

Amendment No. 9

On page 2, line 30, of said bill, after "demands", insert ", substantiated by vouchers and itemized statements,"

Amendment No. 10

On page 2, line 31, of said bill, strike out "thereupon", and insert "make such audit as may be necessary and".

Amendment No. 11

On page 2, line 43, of said bill, before the period, insert "or the State Controller".

Amendment No. 12

On page 3, line 35, of said bill, strike out "13470", and insert "14370".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2240—An act relating to the acquisition, construction, establishment, operation, maintenance and financing of off-street parking facilities and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue bonds and other obligations and defining the powers and duties of parking authorities, cities, and cities and counties with respect to off-street parking facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, after line 29, insert

"(b) "Project" shall mean any acquisition, improvement, construction, or undertaking of any kind authorized by this act."

Amendment No. 2

On page 5 of said bill, strike out lines 41 through 52, inclusive; and strike out all of pages 6 through 10, inclusive, and insert

"SEC. 12. The authority shall have power to issue revenue bonds in the name of the city. These bonds shall constitute obligations of the project only, and neither the payment of the principal or interest of any such bond constitutes a debt, liability or obligation of the city or of the State of California. All bonds issued by the authority shall contain a recital on their face that neither the payment of the principal or any part thereof nor any interest thereon constitutes a debt, liability or obligation of the city or of the State.

SEC. 13. An authority may issue such types of bonds as it may determine, including bonds on which the principal and interest are payable: (a) exclusively from the income and revenues of the parking facilities financed with the proceeds of such bonds, or with such proceeds together with financial assistance from the State or Federal Governments in aid of such projects; (b) exclusively from the income and revenues of certain designated parking facilities whether or not they were financed in whole or in part with the proceeds of such bonds; (c) from its revenues generally; (d) from any contributions or other financial assistance from the State or Federal Governments; (e) from parking meter revenues of the city which may be appropriated by the city or otherwise appropriated, or authorized by law for such purpose; or (f) by any combination of these methods. Any of such bonds may be additionally secured by a pledge of any revenues or by an encumbrance (whether by mortgage, deed of trust or otherwise) of any parking facility, facilities or other property of the authority.

SEC. 14. The authority shall determine the time, form and manner of the issuance of revenue bonds.

SEC. 15. The authority may enter into indentures providing for the aggregate principal amount, date, or dates, maturities, interest rate, denominations, form, registration, transfer and interchange of such bonds and coupons, and the terms and conditions upon which the same shall be executed, issued, secured, sold, paid, redeemed, funded and refunded. Reference on the face of the bonds to such indenture by its date of adoption, or the apparent date on the face thereof, is sufficient to incorporate all of the provisions thereof and of this act into the body of the bonds and their appurtenant coupons. Each taker and subsequent holder of the bonds or coupons, whether the coupons are attached to or detached from the bonds, has recourse to all of the provisions of the indenture and of this act, and is bound thereby.

SEC. 16. An indenture pursuant to which bonds are issued may include such covenants and agreements on the part of the authority as the authority deems necessary or advisable for the better security of the bonds issued thereunder including a pledge of the project when permitted by law.

SEC. 17. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to pay or cause to be paid punctually the principal of such bonds and the interest thereon on the date or dates, at the place or places, and in the manner mentioned in such bonds and in the coupons appertaining thereto in accordance with such indenture.

SEC. 18 An indenture may include a clause relating to the bonds issued thereunder requiring the authority to continuously operate all projects acquired, constructed, or completed, in whole or in part, from the proceeds of the bonds in an efficient and economical manner.

SEC. 19. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to make all repairs, renewals and replacements necessary to the operation of the project and to keep it at all times in good repair.

SEC. 20. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to preserve and protect the security of the bonds and the rights of the holders thereof and to warrant and defend such rights.

SEC. 21. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to pay and discharge or cause to be paid and discharged from the funds available for that purpose all lawful claims for labor, materials and supplies or other charges which, if unpaid, might become a lien or charge upon the revenues, or any part thereof, of any project acquired, constructed or completed from the proceeds of the sale of the bonds, or upon any of the physical properties thereof which might impair the security of the bonds.

SEC 22 An indenture may include a clause relating to the bonds issued thereunder which limits, restricts, or prohibits any right, power or privilege of the authority to mortgage or otherwise encumber, sell, lease or dispose of any project constructed from the proceeds of the bonds, or to enter into any lease or agreement which impairs or impedes the operation of such project, or any part thereof, necessary to secure adequate revenues or which otherwise impairs or impedes the rights of the holders of the bonds with respect to such revenues.

SEC 23. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to fix, prescribe and collect fees, tolls, rentals or other charges in connection with the services and facilities furnished from the project acquired, constructed or purchased from part or all of the proceeds of the bonds, sufficient to pay the principal of and interest on the bonds as they become due and payable, together with all expenses of operation, maintenance and repair of the project, and with such additional sums as may be required for any sinking fund, reserve fund or other special fund provided for the further security of such bonds or as a depreciation charge or other charge in connection with such project.

SEC 24. An indenture may include a clause relating to the bonds issued thereunder requiring the authority to hold in trust the revenues pledged to the payment of such bonds and the interest thereon, or to any reserve or other fund created for the further protection of the bonds, and to apply such revenues or cause them to be applied only as provided in the indenture.

SEC. 25 An indenture may include a clause limiting the power of the authority to apply the proceeds of the sale of any issue of bonds for the acquiring, constructing, or completing of any project or any part thereof, or more than one of such projects.

SEC. 26. An indenture may include a clause limiting the power of the authority to issue additional bonds for the purpose of acquiring, constructing or completing any improvement or any part thereof.

SEC. 27. An indenture may include a clause requiring, specifying or limiting the kind, amount and character of insurance to be maintained by the authority on any project, or any part thereof, and the use and disposition of the proceeds of any such insurance thereafter collected.

SEC. 28 An indenture may include a clause providing the events of default and the terms and conditions upon which any or all of the bonds then or thereafter issued may become or be declared due and payable prior to maturity, and the terms and conditions upon which such declaration and its consequences may be waived.

SEC 29. An indenture may include a clause designating the rights, limitations, powers and duties arising upon breach by the authority of any of the covenants, conditions or obligations contained in any indenture

SEC. 30. An indenture may include a clause prescribing a procedure by which the terms and conditions of the indenture may be subsequently amended or modified with the consent of the authority and the vote or written assent of the holders of a specified principal amount of the bonds issued and outstanding. Such clause may provide for meetings of bondholders and for the manner in which the consent of the bondholders may be given. The clause shall specifically state the effect of such amendment or modification upon the rights of the holders of all of the bonds and interest coupons appertaining thereto, whether attached thereto or detached therefrom.

With respect to any clause providing for the modification or amendment of an indenture, the authority may agree that bonds held by the authority, by any department, political subdivision or agency of the State of California, or by any public corporation, municipality, district or political subdivison shall not be counted as outstanding bonds, or be entitled to vote or assent but shall nevertheless, be subject to any such modification or amendment.

SEC. 31. The indenture may include a clause providing for such other acts and matters as may be necessary or convenient or desirable in order to secure the bonds or to make the bonds more marketable.

SEC 32. The authority may designate a bank or trust company, qualified to do business in this State, as a trustee for the holders of bonds issued hereunder, and may authorize the trustee to act on behalf of the holders of the bonds, or any stated percentage thereof, and to exercise and prosecute on behalf of the holders of the bonds such rights and remedies as may be available to the holders

SEC. 33. The authority shall fix and determine the conditions upon which any trustee shall receive, hold or disburse any or all revenues collected for or on account of the bondholders. The authority shall prescribe the duties and powers of such trustee with respect to the payment of principal and interest on the bonds, the redemption of the bonds, the registration and discharge from registration of the bonds, and the management of any sinking fund or other funds provided as security for the bonds

SEC 34 The authority may issue bonds in series or may divide any issue into one or two more divisions and fix different maturities or dates of such bonds, different rates of interest, or prescribe different terms and conditions for the bonds of the several series or divisions. It is not necessary that all bonds of the same authorized issue be of the same kind or character, have the same security, or be of the same interest rate, but the terms thereof shall in each case be provided for by the authority, at or prior to the issue thereof The authority may provide for successive issues or may provide for one maximum issue.

SEC. 35 Bonds may be issued as coupon bonds or as registered bonds The authority may provide for the interchange of coupon bonds for registered bonds and registered bonds for coupon bonds, and may provide that the bonds shall be registered as to principal only, or as to both principal and interest, or otherwise as the authority may determine.

SEC 36. Bonds shall bear interest at a rate of not to exceed six (6) percent per annum, payable annually or semiannually or in part annually and in part semiannually. Prior to the issuance of bonds the authority may fix limitations or restrictions on the payment of interest

SEC 37. Bonds may be callable upon such terms, conditions, and upon such notice as the authority may determine, and upon the payment of the premium fixed by the authority in the proceedings for the issuance of the bonds No bond is subject to call or redemption prior to its fixed maturity date unless the right to exercise such call is expressly stated on the face of the bond.

SEC 38 The authority may provide for the payment of the principal and interest of bonds at any place within or without the State of California, and in specified coin or currency of the United States.

SEC 39. The authority may provide for the execution and authentication of bonds by the manual, lithographed or printed facsimile signature of officers of the authority If any of the officers whose signatures or countersignatures appear upon the bonds or coupons cease to be officers before the delivery of the bonds or coupons, their signatures or countersignatures are nevertheless valid and of the same force and effect as if the officers had remained in office until the delivery of the bonds and coupons.

SEC 40 Bonds shall bear dates prescribed by the authority Bonds may be serial bonds or sinking fund bonds with such maturities as the authority may determine No bond by its terms shall mature in more than fifty (50) years from its own date and in the event any authorized issue is divided into two or more series or divisions, the maximum maturity date herein authorized shall be calculated from the date on the face of each bond separately, irrespective of the fact that different dates may be prescribed for the bonds of each separate series or division of any authorized issue.

SEC. 41 The authority may fix terms and conditions for the sale or other disposition of any authorized issue of bonds The authority may sell bonds at less than their par or face value but no bond may be sold at a price below the par or face value thereof which would result in a sale price yielding to the purchaser an average of more than six (6) percent per annum, payable semiannually, according to standard tables of bond values

SEC 42 The authority may provide for the security of the bonds.

SEC 43 Interest on bonds may be paid out of the proceeds of the sale of the bonds during the actual construction of any project for the acquisition, construction or completion of which the bonds have been issued, and for a period of not to exceed two (2) years thereafter as provided for in the indenture

SEC 44. The authority may provide in the proceedings for the issuance of bonds that the bonds and the interest thereon constitute such lien upon the revenues of any project acquired, constructed or completed from the proceeds thereof as may be provided for in the indenture.

SEC 45. Pending the actual issuance or delivery of revenue bonds, the authority may issue temporary or interim bonds, certificates or receipts of any denominations whatsoever, and with or without coupons, to be exchanged for definitive bonds when ready for delivery.

SEC 46. All bonds, and the interest or income therefrom, are exempt from all taxation in this State other than gift, inheritance and estate taxes

SEC 47 All bonds issued under this act shall be legal investments for both public and private funds

SEC 48. The authority may provide for the issuance, sale, or exchange of refunding bonds for the purpose of redeeming or retiring any revenue bonds issued by the authority. All provisions of this act applicable to the issuance of revenue bonds are applicable to the funding or refunding bonds and to the issuance sale or exchange thereof

SEC 49. Funding or refunding bonds may be issued in a principal amount sufficient to provide funds for the payment of all bonds to be funded or refunded thereby, and in addition for the payment of all expenses incident to the calling, retiring or paying of such outstanding bonds and the issuance of such funding or refunding bonds These expenses include the difference in amount between the par value of the funding or refunding bonds and any amount less than par for which the funding or refunding bonds are sold, any amount necessary to be made available for the payment of interest upon such funding or refunding bonds from the date of sale thereof to the date of payment of the bonds to be funded or refunded or to the date upon which the bonds to be funded or refunded will be paid pursuant to the call thereof or agreement with the holders thereof, and the premium, if any, necessary to be paid in order to call or retire the outstanding bonds and the interest accruing thereon to the date of the call or retirement.

SEC. 50. All bonds issued under the provisions of this act are negotiable instruments, except when registered in the name of a registered owner.

SEC 51 Prior to the issuance of any bonds, the authority may commence a special proceeding to determine the right to issue the bonds and their validity in the superior court of the county. Such proceeding shall be instituted and prosecuted in the same manner as provided by Sections 22670 to 22684, inclusive, of the Water Code, as these sections now read or may hereafter be amended to read, and these sections apply to all and govern all such proceedings instituted under this act. Such proceeding is a proceeding in rem and the judgment rendered therein is conclusive against all persons whomsoever and against the city and the State of California.

SEC. 52 The authority shall fix the rates, fees and all other charges to be made for all projects, services or facilities furnished, acquired, constructed or completed under this act for the use thereof by any persons or public or private agencies utilizing such projects, services or facilities Subject to such contractual obligations as may be entered into by the authority and the holders of the revenue bonds issued under this act, the authority is authorized to change such rates, charges and fees from time to time as conditions warrant. All rates, fees and charges shall be at all times fixed to yield annual revenue equal to annual operating and maintenance expenses including insurance costs and all redemption payments and interest charges on the revenue bonds at any time issued and outstanding in connection with the project of which such facilities are a part as the same become due The bond redemption and interest payments shall constitute a first, direct and exclusive charge and lien on all such fees, and charges and other revenues and interest thereon and sinking funds created therefrom received from the use and operation of the project for the acquisition, construction or completion of which such revenue bonds were issued, and all such fees and charges and other revenues, together with the interest thereon shall constitute a trust fund for the security and payment of such bonds and shall not be used or pledged for any other purpose so long as such bonds or any of them, are outstanding and unpaid The authority may provide that the rates, fees and charges established are minimum rates, fees and charges and subject to increase or decrease in accordance only with the terms of the indenture under which the revenue bonds were issued.

SEC 53 Every contract entered into by the authority for the use of any project or the services or facilities thereof, acquired constructed or completed from the proceeds of the sale of revenue bonds shall incorporate by reference the provisions of any indenture pursuant to which the bonds were issued Every such contract or lease shall also refer to the provisions of this act with respect to the obligation of the authority to fix fees and charges to meet the payments provided for in this act and in the proceedings for the issuance of revenue bonds and all payments required to be made to the authority under such contract shall be subject to increase if and when the authority is required to increase rates or charges to meet its obligations hereunder and under any indenture providing for the issuance of bonds

SEC 54 Rights of Obligee of Authority An obligee of an authority shall have the right in addition to all other rights which may be conferred on such obligee, subject only to any contractual restrictions binding upon such obligee:

(a) (To compel performance of contract.) By mandamus, suit, action or proceeding at law or in equity to compel said authority and the members, officers, agents or employees thereof to perform each and every term, provision, and covenant contained in any contract of said authority with or for the benefit of such obligee, and to require the carrying out of any or all such covenants and agreements of said authority and the fulfillment of all duties imposed upon said authority by this act

(b) (To enjoin unlawful acts.) By suit, action or proceeding in equity, to enjoin any acts or things which may be unlawful, or the violation of any of the rights of such obligee of said authority.

SEC. 55. Same · Upon Default. An authority shall have power by its resolution, trust indenture, mortgage, lease or other contract to confer upon any obligee holding or representing a specified amount in bonds, the right (in addition to all rights that may otherwise be conferred), upon the happening of an event or default as defined in such resolution or instrument, by suit, action or proceeding in any court of competent jurisdiction:

(a) To cause possession of any parking facility or any part thereof to be surrendered to any such obligee.

(b) To obtain the appointment of a receiver of any parking facility of said authority or any part thereof and of the rents and profits therefrom. If such receiver be appointed, he may enter and take possession of such parking facility or any part thereof and operate and maintain same, and collect and receive all fees, rents, revenues, or other charges thereafter arising therefrom, and shall keep such moneys in separate account or accounts and apply the same in accordance with the obligations of said authority as the court shall direct.

(c) To require said authority and the members and employees thereof to account as if it and they were the trustees of an express trust

SEC. 56. As an alternative method of financing the projects authorized by this act, assessment districts may be formed pursuant to the provisions of Chapter 971 of the Statutes of 1943, as they now exist or may hereafter be amended The owner of land subject to assessment shall be primarily liable for such assessment, but if the land is subject to a lease at the time of such assessment the owner shall have a right of reimbursement against the lessee This right shall be for that proportion of the total assessment on the land which the length of the lease at the time of assessment bears to the estimated life of the improvement as determined by the authority. The estimated life of the improvement for this purpose shall not exceed forty years

SEC. 57. Real Property of Authority Exempt From Execution · Application of Section. All real property of an authority shall be exempt from levy and sale by virtue of an execution, and no execution or other judicial process shall issue against the same nor shall any judgment against an authority be a charge or lien upon its real property; provided, however, that the provisions of this section shall not apply to or limit the right of obligees to foreclose or otherwise enforce any mortgage, deed of trust or other encumbrance of an authority or the right of obligees to pursue any remedies for the enforcement of any pledge or lien given by an authority on its rents, fees, or revenues.

SEC 58. Power of Authority. In addition to the powers conferred upon an authority by other provisions of this act, an authority is empowered to borrow money or accept financial or other assistance from the city, the Federal or State Governments for or in aid of any parking facility within its area of operation, and to such ends comply with any conditions attached thereto.

SEC. 59. Any city or city and county may exercise any or all of the powers granted to such authority by the provisions of this act and such city or city and county may exercise any of the powers granted herein in combination with powers granted by any other general law relative to parking facilities.

SEC. 60 Any city or city and county may bind, allocate, pledge and authorize payment of not to exceed twenty-five percent (25%) of the net revenues collected from the establishment and operation of parking meters within such city or city and county for periods of years for the financing or operation of any project authorized by this act and principal and interest on all revenue bonds issued and outstanding pursuant to this act, until all of such bonds have been fully paid

SEC. 61. Validity of Act. If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of the act, or the application of such provision to other persons or circumstances, shall not be affected thereby."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 583—An act to add Chapter 4, comprising Sections 2125 to 2133, inclusive, to Division 3 of the Streets and Highways Code, relating to city, city and county, and county contracts for street and highway work.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 18, 1949, strike out "4, comprising Sections 2125 to 2133", and insert "5, comprising Sections 2200 to 2208".

Amendment No. 2

On page 1, line 6, of said bill, strike out "2125", and insert "2200".

Amendment No. 3

On page 1, line 10, of said bill, strike out "2126", and insert "2201".

Amendment No. 4

On page 1, line 14, of said bill, strike out "2127", and insert "2202".

Amendment No. 5

On page 1, line 17, of said bill, strike out "2128", and insert "2203".

Amendment No. 6

On page 2, line 1, of said bill, strike out "2129", and insert "2204".

Amendment No. 7

On page 2, line 10, of said bill, strike out "2130", and insert "2205".

Amendment No. 8

On page 2, line 13, of said bill, strike out "2131", and insert "2206".

Amendment No. 9

On page 2, line 21, of said bill, strike out "2132", and insert "2207".

Amendment No. 10

On page 2, line 27, of said bill, strike out "2133", and insert "2208".

Amendments read, and adopted.

Request for Unanimous Consent to Present Further Amendments to Assembly Bill No. 583

Mr. Burkhalter asked for, and was granted, unanimous consent that he be permitted to present further amendments to Assembly Bill No. 583, at this time

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on March 18, 1949, strike out "4", and insert "5".

Amendment No. 2

On page 1, line 4, of said bill, strike out "4", and insert "5".

Amendment No. 3

On page 2, line 30, of said bill, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Municipal and County Government.

Assembly Bill No. 2530—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

"SECTION 1. Section 1303 of the Education Code is amended to read:

The city superintendent of schools elected by a board of education shall be elected for a term of four years. Any deputy superintendent of schools, any associate superintendent of schools or district superintendent of schools may be elected for a term of four years. *The governing board of any school district may at any time with the consent of the superintendent terminate the then existing term of employment of such superintendent, associate superintendent, assistant superintendent or district superintendent and any contract which may have been entered into with such superintendent in order to re-elect him to a new term to become effective on the first day of July next succeeding his re-election with such changes in terms and conditions of employment as may be mutually acceptable to both parties.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Education.

Assembly Bill No. 2770—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 22, of the printed bill, strike out "_____ dollars ($_____)", and insert "one hundred eighty-one thousand dollars ($181,000)"

Amendment No. 2

On page 1, line 23, of said bill, after "the", insert "unappropriated money in the"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1 of the printed measure, strike out line 11; and in line 12, strike out "poses", and insert "way, public building or institution site, or lands to be used for reservoir purposes, airport purposes, or as a source of materials for the construction of public improvements".

Amendment No. 2

On page 2, line 6, of said bill, strike out "or lands to be used for reser-"; and in line 6, strike out "voir purposes, or airport purposes", and insert ", public building or institution site or lands to be used for reservoir purposes, airport purposes, or as a source of materials for the construction of public improvements".

Amendments read, and adopted

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments

Assembly Constitutional Amendment No. 50—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments.

Amendment No. 1

On page 1, line 10, of the printed measure, strike out "or", strike out all of line 11; and in line 12, strike out "institution sites", and insert ", public building or institution site, or lands to be used for reservoir purposes airport purposes, or as a source of materials for the construction of public improvements".

Amendment No. 2

On page 2 of said bill, strike out lines 2 and 3, and insert "and use of any right of way, public building or institution site, or lands to be used for reservoir purposes, airport purposes, or as a source of materials for the construction of public improvements, required for".

Amendments read, and adopted

Resolution ordered reprinted, engrossed, and to be re-referred to the Committee on Constitutional Amendments

Assembly Bill No. 235—An act to expedite the State Highway and Freeway Program by providing for construction of housing facilities for persons evicted or threatened with eviction upon condemnation of property for state highway or freeway purposes; to provide against the eviction of occupants from property condemned for state highway or freeway purposes until suitable accommodations are available for them, to provide for an appropriation, and declaring the urgency thereof, to take effect immediately

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, strike out lines 19 to 31, inclusive, and insert

"SEC. 3. There is hereby set aside out of the State Deficiency Reserve Fund a special revolving fund in the sum of fifteen million dollars ($15,000,000) which is appropriated to carry out the provisions of this act. The department shall administer this fund and allocate moneys therefrom as provided by this act."

Amendment No. 2

On page 3, line 2, of said bill, after "housing", insert "Such income shall be allocated to the State Highway Fund until such time as the State Highway Fund has been reimbursed, at which time the net revenue shall be allocated to the Special Revolving Fund provided for in Section 3 of this act"

Amendment No. 3

On page 3, line 44, of said bill, after "jurisdiction", insert "until paid into the State Highway Fund or Special Revolving Fund as provided in this act"

Amendment No. 4

On page 3, line 44, of said bill, strike out "All sums paid to the"; strike out line 45; and in line 46, strike out "the State Treasury"

Amendment No. 5

On page 4, line 21, of said bill, after the period, insert "The successful bidder or bidders shall be required to furnish good and sufficient bonds conditioned upon the faithful performance of any contract awarded and upon the payment of their claims for labor and material in connection therewith. Such bonds shall contain the terms and conditions set forth in Chapter 3 of Division 5 of Title 1 of the Government Code and shall be subject to the provisions of that chapter"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1347—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "sheriffs' offices in Counties", and insert "sheriff's office".

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "Plumas,".

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "and Modoc.", and insert "Lassen County."

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "_____", and insert "three thousand one hundred fifty-nine dollars and fifty cents".

Amendment No. 5

On page 1, line 6, of the printed bill, strike out "($_____)", and insert "($3,159.50)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1950—An act relating to the State Allocation Board and providing for the allocation by said board of state funds appropriated for allocation to local agencies for capital outlay and incidental expenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "state", and insert "public".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "capital outlay", and insert "public works projects".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. As used in this act:

(a) "Local agencies" means cities, counties, cities and counties, housing authorities, districts, and any other local public agencies.

(b) "Public works projects" means acquisition and improvement of sites, construction, modification and alteration of public buildings, airports, water supply systems, (including when incidental to a public works project (1) highways, streets, bridges, and other street and highway structures, and (2) plan preparation and equipment) and publicly owned and operated facilities, including but not limited to sewage treatment and disposal plants and sanitary facilities.

SEC. 2. Whenever the Legislature makes an appropriation of state or federal funds for apportionment or allocation to any class or classes of local agencies for public works projects or whenever any state officer or agency is authorized by law to receive or accept any money from the Federal Government or from other sources for the purpose of making such apportionments or allocations, and if in either case no state officer or agency, other than the State Allocation Board, is authorized and empowered by law to make the same, such allocations or apportionments shall be made solely and only by the State Allocation Board."

Amendment No. 4

On page 1, line 14, of the printed bill, strike out "2", and insert "3".

Amendment No. 5

On page 1, line 17, of the printed bill, after "istration of", insert a comma and "and not inconsistent with,".

Amendment No. 6

On page 1 of the printed bill, between lines 20 and 21, insert

"Unless inconsistent with the provisions of the act making the appropriation the board may provide for the submission to, and approval or disapproval of, the board of applications for such allocations or apportionments."

Amendment No. 7

On page 1, line 21, of the printed bill, strike out "3", and insert "4"

Amendment No. 8

On page 1 of the printed bill, strike out lines 24 and 25; and on page 2, strike out lines 1 to 9, inclusive, and insert

"SEC 5 Any moneys appropriated for allocation or apportionment upon a fixed formula basis or upon a basis not requiring the exercise of judgment or discretion as to the amount of or the terms and conditions under which such allocations and apportionments are to be made, are exempt from the provisions of this act unless the Legislature expressly provides that such allocations or apportionments are subject to the provisions of this act.

SEC. 6. Nothing contained in this act shall be construed as affecting or changing any authority or practice existing on the effective date of this act whereby any state officer or agency is allocating or apportioning money to local agencies.

SEC 7 This act may be cited as "The Local Agency Allocation Act"."

Amendment No. 9

On page 2 of the printed bill, strike out lines 15 to 22, inclusive, and insert

"The current sessions of Congress and the State Legislature have under consideration several bills appropriating funds for allocation to local agencies for public works purposes Some of these bills if acted upon favorably may take effect immediately In order that any such appropriations for financial aid to local agencies may be administered uniformly through a state agency already established for such purposes, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2206—An act to add Article 7.5, comprising Sections 5099.1 to 5099.4, inclusive, to Chapter 1 of Division 3 of the Business and Professions Code, relating to registration of public accountants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 17, of the printed bill, after "board", change the period to a comma, and insert "(f) has had a high school education or its equivalent."

Amendment No. 2

On page 1 of the printed bill, strike out lines 18-23, inclusive, and lines 1-12, inclusive, on page 2, and insert

"5099.3. The examination for registration as a public accountant shall be prepared by the state board, or a committee appointed by them, and given by the state board at least every six months to qualified applicants at convenient locations within the State of California. The said examination shall be a practical examination in which the applicant shall have access to accounting machines and reference books and shall cover the installation of systems, audits, working papers, budgetary control, reorganizations, federal and state taxes, commercial law, business English and such other subjects as the board may from time to time determine. A grade of 75 percent, based on 100.00 perfect, shall constitute a passing grade. Within ninety (90) days the board shall notify each applicant of his grade. The failure of an applicant in one examination shall not preclude his taking subsequent board examinations.

5099.4. Any unsuccessful applicant for registration as a public accountant, after he has taken any examination and within four (4) months after the results thereof have been declared, has the right to inspect his examination papers in the city in which he wrote his examination, at such place as the board may designate.

The applicant also has the right to inspect the grading of the papers whether the record thereof is marked upon the examination, or otherwise."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2337—An act to add Chapter 10 to Division 2 of the Business and Professions Code, relating to psychologists, including the regulation thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4, line 40, of the printed bill, strike out "State"; and in line 41, strike out "Association of", and after "Psychologists", insert "Association".

Amendment No. 2

On page 5 of the printed bill, between lines 4 and 5, insert

"4603.5. The practice of psychology does not include treatment of the sick by prayer or spiritual means in the practice of the religion of any well recognized church, sect, denomination or organization."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2522—An act to provide for the assistance of cooperation of the State with local communities for the clearance of slum and blighted areas and the development of low rent housing units; and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, after "from", insert "any money in the Revenue Deficiency Reserve Fund in".

Amendment No. 2

On page 1 of said bill, between lines 11 and 12, insert

"SEC. 3. Cities of a population of 100,000 persons or more as of the last Federal Census shall be eligible to apply for such funds on a matching basis independently of counties. Applications for funds for rural areas and cities and towns of less than 100,000 population as of the last Federal Census, shall be handled exclusively by county governments.

SEC. 4. Such funds shall be devoted to the construction of low rent housing and the clearance or redevelopment of slum and blighted areas in those parts of the particular city or county deemed by the Community Redevelopment Agency to be most in need of it.

SEC. 5. Housing units shall rent for the following rates: Units for single persons: Not more than $21 per month. Units for families of two: Not more than $30 per month. Units for families of more than two: Not more than $45 per month to be graduated according to the number accommodated by the unit. Eligibility for rental units shall be based on need and economic status, and the local agency shall pass on applications. Veterans of World War II with 90 days or more of service shall have a priority of 30 percent of all units available in a particular local community.

SEC. 6. It shall be the aim of each local community to make this low rent housing, slum clearance, and community redevelopment program a self-expanding plan. Each county and each city of 100,000 persons or more at the last Federal Census that avails itself of the provisions of this act shall set up a low rent housing, slum clearance, and community redevelopment fund. When any project for low rent housing is complete under the provisions of this act, the local agency shall cause it to be rented at such rates as will realize a return sufficient to repay the cost thereof without interest over an amortization period which shall not exceed 50 years, insofar as it is possible to do so and conform to the provisions of Section 5 of this act. Rental amounts, less necessary operating expenses, shall revert to this low rent housing, slum clearance, and community redevelopment fund to be devoted as efficiently and expeditiously as practicable by the local community to the development of low rent housing, slum clearance, and community redevelopment projects. At the end of 10 years the local community may terminate this program, if it so desires. Any funds remaining in the aforementioned fund established by the local agency shall revert 50 percent to the general fund of the local agency and 50 percent to the State General Fund. All low rent housing projects incomplete at that time shall be completed, and funds derived from the sale of housing facilities or other properties shall be likewise divided in the same manner heretofore prescribed.

SEC. 7. The Community Redevelopment Agency shall require that low rent housing built by local communities under the provisions of this act shall be of proper standard as to space and construction, location, conformity to city master plans, proximity of schools and recreation facilities and playgrounds, convenience to public transportation, and availability of yard space.

SEC. 8. Not more than 30 percent of the amount made available under the provisions of this act or the amount raised through the establishment of the low rent housing, slum clearance, and community redevelopment fund shall be devoted to purposes other than the development of low rent housing."

Amendment No. 3

On page 1, line 12, of said bill, strike out "3", and insert "9".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2335—An act to add Chapter 8.5, comprising Sections 21400 to 21407, inclusive, to Division 10 of the Education Code, relating to the study of history and government, creating the California Academy of Government, prescribing its powers and duties and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 22, of the printed bill, after "Each", insert "odd numbered".

Amendment No. 2

On page 1, line 21, of the printed bill, after "chapter", strike out the period, and insert "and of Sections 16401 and 16483 of this code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 92—An act to amend Section 25601 of the Government Code, relating to wild flowers.

Bill read second time, and ordered to third reading.

Senate Bill No. 537—An act to amend Section 8552 of the Water Code, relating to the Reclamation Board.

Bill read second time, and ordered to third reading.

Senate Bill No. 269—An act to amend Section 1 of, and to add Section 1.5 to, an act entitled "An act providing that the State of California enter into a compact with the States of Oregon and Washington, one or both, to promote the better utilization of the fisheries, marine, shell, and anadromous of the Pacific Seaboard, and to create the Pacific Marine Fisheries Commission; providing for the members of such commission from the State of California; providing for the administration of the provisions of said compact; and making an appropriation," approved July 17, 1947, relating to the termination of a Pacific Marine Fisheries compact, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 109	Assembly Bill No. 959
Assembly Bill No. 214	Assembly Bill No. 1015
Assembly Bill No. 256	Assembly Bill No. 1270
Assembly Bill No. 270	Assembly Bill No. 1456
Assembly Bill No. 352	Assembly Bill No. 1523
Assembly Bill No. 427	Assembly Bill No. 1538
Assembly Bill No. 925	Assembly Bill No. 1646
Assembly Bill No. 936	Assembly Bill No. 1684

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 618—An act to amend Sections 511.3, 515, and 601.5 of, and to repeal Section 511.6 of the Vehicle Code, relating to speed regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 407—An act to add Section 587.6 to the Vehicle Code, relating to fire hoses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1766

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1766, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1766

Assembly Bill No. 1766—An act to amend Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on March 23, 1949, strike out "and virgule or", and "and/or".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO PRINT STATEMENT BY MR. GEDDES IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to place the following statement in the Journal:

Statement by Mr. Geddes to Follow Action Amending Assembly Bill No. 1766

The bill, as amended March 23, 1949, contained the words "and virgule or" as the result of the sponsor of the legislation in dictating a previous amendment using the name of the sign "virgule" for the sign "/" This explanation is given since this amendment will drop out previous strike out type and cause italics to be printed in regular type, and it may be difficult for Members of the Assembly to determine what is the nature of the amendment when the corrected bill is before us.

REQUEST FOR UNANIMOUS CONSENT TO SET UP SPECIAL ORDER

Mr. Dolwig asked for, and was granted, unanimous consent that House Resolution No. 44 be made a special order of business for Monday, March 28, 1949, at 11 a m.

ANNOUNCEMENT OF INVITATION

Mr. Dickey made the following announcement, and extended the following invitation:

Through the courtesy of Pan American World Airways, the world's largest, fastest, and most luxurious transport aircraft will be on display at the Sacramento Airport Tuesday, March 29th The aircraft is the new Pan American Clipper, one of 20 Boeing strato-cruisers, 75-passenger type being added to the Pan American World Airways fleet.

An invitation is extended to the Members of the Legislature to participate in special courtesy flights starting at 12 noon. The Sergeant-at-Arms will contact each member individually to determine your desire to accept the invitation and the most desirable time. It is important due to the limited seats available, that we know today definitely how many will attend.

Basic Program—Sacramento Airport

Tuesday, March 29th

Display	8.00 a.m	to	11 30 a.m
Flight 1	12.00 noon	to	1.15 p m
Flight 2	1.45 p m	to	2.30 p m.
Flight 3	3.00 p m	to	3 45 p m
Flight 4	4.15 p m	to	5 00 p m

Airport transportation will be furnished from the Senator Hotel in accordance with the following schedule:

Flight 1	11.00 a m.
Flight 2	1.00 p m.
Flight 3	2.00 p.m
Flight 4	3.15 p m.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 748—An act to add Section 10007 to the Penal Code, relating to inspection of public prisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Holli-

baugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 347—An act authorizing the State Lands Commission to exchange property of the State of California for property of Marin County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1078—An act providing for the compilation, publication, and distribution of a State Blue Book

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 297—An act to amend Sections 7930 and 7931 of the Elections Code, relating to canvass of election returns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 299—An act to repeal Section 7103 of, and to amend Section 7104 of, the Elections Code, relating to the return of precinct supplies to the county clerk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 300—An act to amend Sections 4530 and 4536 of the Elections Code, relating to campaign expenditures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1161—An act to amend Section 331 of the Elections Code, relating to affidavits of registration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1293—An act to amend Sections 668, 668.5, 669, 670, 671, 672, 672.5, 673, and 674 of the Elections Code, relating to the publication of lists of election officers and polling places.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 1293 Be Withdrawn From File, and Be Re-referred

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 1293 be withdrawn from the file, and be re-referred to the Committee on Elections and Reapportionment.

Assembly Bill No. 920—An act to amend Section 108 of the Agricultural Code, relating to the control or eradication of pests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 298—An act to amend Sections 9001 and 9851 of the Elections Code, relating to special and local elections.

Bill read third time, and temporarily passed on file.

NOTICE OF MOTION TO AMEND STANDING HOUSE RULE NO. 37

Speaker Sam L. Collins gave notice that on next Tuesday, March 29, 1949, he will move to amend the Standing House Rules to the effect that at the session next January, 1951, no bills from boards, bureaus, commissions or state departments may be introduced after the first two weeks of the opening session unless by request of a member, in company with a vote of two-thirds of the house membership.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 301—An act to amend Section 2571 of the Elections Code, relating to registration of voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bills Nos. 1253, 1254, 1255, and 2387 were taken up.

Assembly Bill No. 1253—An act to amend Section 5 of the Public Utility District Act of 1921, relating to public utility districts.

Assembly Bill No. 1254—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Assembly Bill No. 1255—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Assembly Bill No. 2387—An act to amend Section 5 of the Public Utility District Act, relating to hearings on petitions for organization of public utilities districts.

Bills read third time.

Request for Unanimous Consent to Take Up Assembly Bills Nos. 1253, 1254, 1255, and 2387 at Same Time

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to explain, and take up, Assembly Bills Nos. 1253, 1254, 1255, and 2387, at the same time.

Consideration of Assembly Bill No. 1253

Assembly Bill No. 1253—An act to amend Section 5 of the Public Utility District Act of 1921, relating to public utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—Butters—1.

Bill ordered transmitted to the Senate

Request for Unanimous Consent That Assembly Bill No. 1254 Be Withdrawn from File and Be Re-referred

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 1254 be withdrawn from the file, and be re-referred to the Committee on Public Utilities and Corporations.

Consideration of Assembly Bill No. 1255

Assembly Bill No. 1255—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Grant Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—Butters—1.

Bill ordered transmitted to the Senate

Consideration of Assembly Bill No. 2387

Assembly Bill No. 2387—An act to amend Section 5 of the Public Utility District Act, relating to hearings on petitions for organization of public utilities districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Holbbaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—62.

NOES—Butters—1.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 29

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No 29, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 29

Assembly Joint Resolution No. 29—Relative to the work of Dr Ralph Johnson Bunche in bringing about a peaceful settlement of the Arabian-Israeli dispute.

Resolution read, and adopted unanimously.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 260

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 260, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 260

Assembly Bill No. 260—An act to amend Section 16271 of the Education Code, relating to the transportation of public school pupils and employees.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 10 1949, beginning in line 7, strike out "either within or without the district" and insert "in the State or in any adjoining state"

Amendment No. 2

On page 1, line 10, of said bill, strike out "The governing"; strike [illegible] and strike out line 12.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1306 AND 1307 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bills Nos. 1306 and 1307 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 135

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 135, out of order, for purpose of amendment, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 135

By Messrs. Lincoln, Rumford, Dickey, Dunn, Sherwin, and Caldecott:

House Resolution No. 135

Relating to the Oakland Bittner's Basketball Team

WHEREAS, During the past year the Oakland Bittner's Basketball Team has played 63 games and won 62 of these games; and

WHEREAS, On Saturday, March 19th, at Oklahoma City said Oakland Bittner's defeated the Phillips Oilers' team which has been National A.A.U. champions for six years as well as Olympic Games champions; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends its heartiest congratulations to the Oakland Bittner's Basketball Team and to its coach for its splendid record of the past year and for its defeat of the Phillips Oilers on March 19th; and be it further

Resolved, That the Clerk of the Assembly is requested to send copies of this resolution to the coach and to each member of the Oakland Bittner's Basketball Team.

Resolution read.

Motion to Amend

Mr. Lincoln moved the adoption of the following amendment:

Amendment No. 1

In paragraph 3, lines 4 and 5, of the typewritten resolution, strike out "defeat of the Phillips Oilers on March 19th", and insert "achievement in winning the National A.A.U. championship".

Amendment read, and adopted.

Consideration of House Resolution No. 135, as Amended

By Messrs. Lincoln, Rumford, Dickey, Dunn, Sherwin, and Caldecott:

House Resolution No. 135

Relating to the Oakland Bittner's Basketball Team

WHEREAS, During the past year the Oakland Bittner's Basketball Team has played 63 games and won 62 of these games; and

WHEREAS, On Saturday, March 19th, at Oklahoma City said Oakland Bittner's defeated the Phillips Oilers' team which has been National A.A.U. champions for six years as well as Olympic Games champions; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly extends its heartiest congratulations to the Oakland Bittner's Basketball Team and to its coach for its splendid record of the past year and for its achievement in winning the National A.A.U. championship; and be it further

Resolved, That the Clerk of the Assembly is requested to send copies of this resolution to the coach and to each member of the Oakland Bittner's Basketball Team.

Resolution read, as amended, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred: Assembly Bill No. 1170

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENTS

Speaker Sam L Collins announced that the special United Airlines week-end plane service, established for the benefit of Members of the Legislature, will leave the airport at 3 p.m., this afternoon, for Southern California. A bus will leave the Sacramento Hotel, for the airport, promptly at 2.25 p.m.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to establish the line of ordinary high tide in Avalon Bay, in Los Angeles County, California, in conformity with a certain decree of the Superior Court of the State of California, in and for the County of Los Angeles, establishing said line of ordinary high tide.

Respectfully submitted,

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thomas:

An act to establish the line of ordinary high tide in Avalon Bay, in Los Angeles County, California, in conformity with a certain decree of the Superior Court of the State of California, in and for the County of Los Angeles, establishing said line of ordinary high tide

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3112: By Mr. Thomas—An act to establish the line of ordinary high tide in Avalon Bay, in Los Angeles County, California, in conformity with a certain decree of the Superior Court of the State of California, in and for the County of Los Angeles, establishing said line of ordinary high tide.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thompson:

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Chapter 2 of Part 1 of Division 14 of, and add Chapter 2 of Part 1 of Division 14 to the Health and Safety Code, relating to police protection districts.

Respectfully submitted,

JOHN F. THOMPSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Thompson:

An act to repeal Chapter 2 of Part 1 of Division 14 of, and add Chapter 2 of Part 1 of Division 14 to the Health and Safety Code, relating to police protection districts.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3113: By Mr. Thompson—An act to repeal Chapter 2 of Part 1 of Division 14 of, and add Chapter 2 of Part 1 of Division 14 to the Health and Safety Code, relating to police protection districts.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 298

Assembly Bill No. 298—An act to amend Sections 9001 and 9851 of the Elections Code, relating to special and local elections.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Messrs. Maloney and Sherwin moved a call of the Assembly.

Roll Call Demanded

Messrs. Maloney, Sherwin, and Dolwig demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Berry, Brady, Brown, Burke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Evans, Fleury, Gaffney, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kirkwood, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Morris, Rosenthal, Sherwin, Stanley, Stewart, Tomlinson, Waters, Way, and Mr. Speaker—37.

NOES—Babbage, Bennett, Butters, Collier, Doyle, Dunn, Geddes, Hoffman, Lewis, McCollister, Meyers, Moss, and Reagan—13.

Time, 12.18 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Burkhalter, Clayton A. Dills, Evans, Grunsky, Hahn, Kirkwood, Levering, Lincoln, Lipscomb, Rumford, Smith, Thomas, Thompson, and Weber—15

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Waters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 494—An act to amend Section 370 of the Elections Code, relating to the registration of voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Rosenthal, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Mr. Speaker—55

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1290—An act to amend Sections 5901, 5911, 5930, and 5931 of the Elections Code, relating to absent voting.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 17, 1949, between lines 22 and 23, insert

"I declare under the penalty of perjury that the above declarations are to the best of my knowledge and belief true and correct."

Amendment No. 2

On page 2, line 2, of said bill, after "certify", insert "under the penalty of perjury"

Amendment No. 3

On page 2 of said bill, between lines 22 and 23, insert

"Any person making the declaration provided for in this section who wilfully states as true any material matter which he knows to be false is punishable by imprisonment in the state prison for not less than one nor more than fourteen years"

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 346—An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and operation of establishments or facilities for the sale of merchandise or services to the public.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on March 18, 1949, strike out "constructing or"

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 100—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 101—An act to amend Section 770 of the Vehicle Code, relating to disposition by cities of certain fines and forfeitures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 298

At 12.30 a.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 298 refused passage by the following vote:

AYES—Babbage, Burke, Butters, Clarke, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Evans, Grant, Hoffman, Hollibaugh, Huyck, Kirkwood, Lincoln, Luckel, Maloney, McCollister, Niehouse, Reagan, Sherwin, Stanley, Stewart, Tomlinson, Waters, Way, and Mr Speaker—29

NOES—Anderson, Beck, Bennett, Berry, Brady, Coats, Collier, George D. Collins, Condon, Connolly, Davis, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Lewis, Lindsay, Lowrey, McCarthy, Meyers, Morris, Moss, Rosenthal, and Rumford—30

Notice of Motion to Reconsider Assembly Bill No. 298

Mr. Dolwig gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 298 was this day refused passage.

RESOLUTIONS

The following resolution was offered:

By Messrs Fleury, Moss, and Maloney:

House Resolution No. 142

Relating to a happy and successful marriage

WHEREAS, Twenty years ago this coming Sunday, on March 27, 1929, Dolly Mary Helen Smith, the efficient and charming Secretary of our Chief Clerk, Arthur A. Ohnimus, did enter into the bonds of holy matrimony with Donald Smith; and

WHEREAS, Dolly Smith has always been a loving and faithful wife, a shining example of motherhood, and a true and loyal citizen of the United States and of the State of California; and

WHEREAS, Throughout the entire 20 years of this wonderful marriage Dolly Smith has had a cheerful and sunny disposition, a sweet smile, and a kind word for everyone; and

WHEREAS, Dolly Smith has been blessed with a devoted husband, who has contributed greatly to her happiness by his love, understanding and wisdom, and with a handsome son, Alan; now, therefore, be it

Resolved by the Assembly of the State of California, That we, the members, hereby extend to Dolly Mary Helen Smith and to her fortunate husband, Donald Smith, our warmest felicitations on their Twentieth Wedding Anniversary, and wish them many more years of connubial bliss and parental joy.

Request for Unanimous Consent

Mr. Fleury asked for, and was granted, unanimous consent to take up House Resolution No. 142, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

MEMBER EXCUSED

At 12.40 p.m., Mr. Stewart asked for, and was granted, unanimous consent that Mr. Weber be excused for the balance of the legislative day as he is attending to legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 239—An act to require that consideration be given to airport needs of a community when zoning ordinances are proposed, and declaring such ordinances ineffective when such consideration is not given.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Hoffman, Huyck, Kirkwood, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Tomlinson, Waters, and Mr Speaker—45.

NOES—Anderson, Beck, Geddes, Hagen, and Heisinger—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 765—An act to amend Section 2884 of the Streets and Highways Code, relating to special assessment investigation.

Bill read third time.

Point of Order

Mr. George D. Collins arose to the following point of order: That copies of the printed bill on Assembly Bill No. 765 are not on the desks of members, and that consideration of the bill is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Assembly Bill No. 765 ordered temporarily passed on file with the provision it hold its place on file, on the next legislative day.

REMARKS ON CONDITION OF THE FILE

Mr. Lowrey spoke on the condition of the file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 926—An act to provide for the transfer of the Napa State Farm to the Department of Mental Hygiene and the vesting of control and disposition of the water rights of the Napa State Farm in the Department of Finance, amending Section 154 of, and adding Division 8 to, the Welfare and Institutions Code and repealing Article 5 of Chapter 2, Part 3, Division 3, Title 2 of the Government Code, all relating to the Napa State Farm, and to repeal "An act to provide for the control of certain property of the State in Napa County by the Fish and Game Commission," approved May 27, 1943.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, Waters, Way, and Mr. Speaker—53.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 41
Assembly Bill No 251
Assembly Bill No. 432
Assembly Bill No. 434
Assembly Bill No 535
Assembly Bill No 1584
Assembly Bill No 1921

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 509
Assembly Bill No 715
Assembly Bill No 1647

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 318
Assembly Bill No 555
Assembly Bill No 700
Assembly Bill No. 770
Assembly Bill No. 771
Assembly Bill No. 772
Assembly Bill No. 918
Assembly Bill No. 1243
Assembly Bill No. 1244
Assembly Bill No 1460
Assembly Bill No 1461
Assembly Bill No. 1483
Assembly Bill No. 1524
Assembly Bill No 2147
Assembly Bill No. 2161

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1460 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 1461 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 318 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 700 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1524 ordered re-referred to Committee on Judiciary

Assembly Bill No. 2161 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 770 ordered re-referred to Committee on Public Health.

Assembly Bill No. 1243 ordered re-referred to Committee on Public Health.

Assembly Bill No 555 ordered re-referred to Committee on Public Health.

Assembly Bill No. 771 ordered re-referred to Committee on Public Health.

Assembly Bill No. 772 ordered re-referred to Committee on Public Health.

Assembly Bill No. 1244 ordered re-referred to Committee on Public Health.

Assembly Bill No. 918 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 1483 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 2147 ordered re-referred to Committee on Ways and Means

PARTIAL REPORT OF THE STUDY OF THE PERSONNEL BOARD AND ITS OPERATION

By

ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

House Resolution No. 216, 1947

A. I STEWART, Chairman

To the Honorable Sam L Collins, Speaker, and to the Members of the Assembly:

Your committee desires to make the following report of its investigation of the State Personnel Board and its operation:

At the 1947 Session of the Legislature this Assembly by House Resolution No. 216 authorized an Interim Committee on Governmental Efficiency and Economy "for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of state and local governments * * *."

In determining the scope of its work the committee took into account the report to the Assembly in 1947 of the Ways and Means Committee, which leveled certain criticisms at the State Personnel Board and recommended "that an interim committee of the Legislature make a complete investigation of the Personnel Board."

In addition, members of the committee, like many other legislators, have heard reports and received complaints bearing on the administration of the Civil Service Law, and in particular concerning the nature of the examinations Even discounting many of these complaints as the natural reactions of unsuccessful candidates, there seemed to be enough cause for inquiry to justify careful study

Finally, the committee was impressed by the important place which personnel management has in the State Government. We have enacted laws which puts the State into many fields of activity We have created many agencies to perform those functions We have *approved budgets* which *provide* for the *employment* of *40,000* civil servants. The laws and policies which we adopt in behalf of the people are only as effective as they are made to be by this small army of public employees. If state employees are carefully selected, if the conditions of their employment are just and equitable, and if the *unfit are weeded out* while the competent employees are given *reasonable assurance of security,* we can expect the kind of State Government which the public has a right to demand

Whether or not we have those conditions depends in large measure on the Civil Service Laws of the State, and upon the agency—the *State Personnel Board—which is responsible for administering them.* An inquiry into personnel policies and practices is not therefore an inquiry into personnel problems alone. It relates to the efficiency and economy of the entire state service

Being mindful of all these things, your committee decided upon a detailed investigation of the State Personnel Board. Believing that a systematic, expert appraisal of the operations of the board would be the most productive of results, we retained the consulting firm of Louis J. Kroeger and Associates to make the study Mr. Kroeger is a former Executive Officer of the Personnel Board, and is qualified by other experience as well to make a thorough and impartial survey of personnel policies and practices

This investigation extended over a period of six months During the course of it, the committee met monthly with Mr Kroeger to receive progress reports and to discuss his findings and recommendations He has now concluded his work with a detailed report to the committee, accompanied by drafts of legislation which in his judgment are necessary to improve the operations of the Personnel Board, and thereby serve the ends of *greater efficiency and economy* in the *State Government generally*

The members of the committee are of course not in a position to vouch for all of the staff findings, nor do we necessarily all agree with all of the conclusions or recommendations for change The committee is agreed, however, that the staff report is a significant public document, which should be published and distributed to the Members of the Legislature, to the Personnel Board, and to interested civic groups. We ask, therefore, for authority to have 300 copies printed for that purpose.

Members of the committee have sponsored legislation to give effect to many of the proposals resulting from this study, and in some cases one or more members of the committee may sponsor other such measures.

It is particularly significant that the staff report points out many ways to *strengthen* and *improve* the *administration* of the Civil Service Laws and to provide additional services, yet proposes a net reduction in the budget of the board amounting to $202,474. We in the Legislature are quite familiar with the spectacle of administrative officials seeking to solve their problems by hiring larger staffs The results of this study suggest that perhaps the answer lies in *eliminating useless operations* and in *simplifying those which must remain.* If the same philosophy and approach can be applied to all the other functions of State Government, and if savings can be shown in the same proportion, *millions of dollars* can be saved for the expenditure for this kind of study

Chapter XXV of the staff report shows in detail the manner in which these savings can be made Over $150,000 of the savings is through the reduction of staff. This is not because the board is overstaffed to do its present work—because in fact it is understaffed for what it is now trying to do. The savings come instead through cutting out work that should either be done elsewhere or not done at all

We hesitate to try to summarize the more detailed report, because it covers a wide range of subjects in considerable detail. It contains

nearly *two hundred specific recommendations* for *changes in law* and *practice*. They are summarized in Chapter 111 of the staff report

From this detailed report and from the observations of the members of the committee during the progress of the inquiry, we offer the following general conclusions:

1 Within the limitations of the present law the Personnel Board has on the whole done a good job. The membership of the board and its key staff is of high quality. We do not question their competence nor their integrity.

2. Some personnel practices need improvement, and the law ought to be changed in many respects to enable the board to do a better job

3. On the specific question of responsibility for creating new positions, which was a particular concern of the Ways and Means Committee at the last session, we find that the responsibility rests with the department heads and with the Department of Finance through its budgetary controls The board only classifies the jobs when they are created The classification of a job does not imply any authority to pass on the need for the job. Nor do we *think that* the *Board should have such authority.* If anything is needed at all to clarify the existing situation, it is a simple amendment to the law to confirm the present practice

4. The other specific concern of the Ways and Means Committee had to do with the manner of classifying position There are over 2,100 classes in the classified service We believe that two-thirds as many would be enough. Our staff report suggests ways in which the classification plan can be simplified; and the members of this committee will *sponsor a House resolution calling on the board to take action in this respect.*

5. We are not satisfied with the examinations being given by the board. Many of their defects probably result from a very heavy work load resulting from war-time and postwar manpower shortages The result of too little time to develop examinations carefully has been that the questions propounded are not always germane to the kind of positions to be filled. The staff report suggests many ways in which the work load can be reduced, and examinations techniques can be improved

6. There appears to be a good deal of buck-passing between the departments and the board. The claim is made by the department heads, for example, that it is difficult to dismiss an incompetent employee. Yet the record shows that in a *four year period* only *75 cases* seeking dismissal were brought to the board for hearing. *In all but five of these cases the employee is now out* of the service. The discouraging aspect of these figures is not the record of the board on dismissals; it is the appalling neglect of the department heads in failing to bring to hearing the many cases in which they seem to feel that *disciplinary action* is required.

7 The attitude of the department heads is also revealed by their marking of reports of performance. *About 95 percent of all employees are marked "Standard" or better. A department head who marks an employee "Standard" and then seeks his dismissal can hardly expect to escape inquiry into what prompts his action.* Or, viewed from another angle, if as few as 1 percent of all the employees were properly marked below the level of "Standard," there ought to be 400 cases immediately before the board, instead of 75 in four years.

8. The promotional policies of the State come near to making the state service a closed shop except at the lowest levels. We endorse the idea of a career system to encourage better service and a sense of security; but we also believe that a career in the state service should be earned by meeting competition from time to time. The policy of the State should be to promote from within when superior talent is available within; but there should be more effort to see what is available outside the service as well.

9 Every Member of the Legislature has heard complaints from constituents who were denied admission to state civil service examinations because they could not meet arbitrary standards of education and experience set up as a condition to being admitted to the examination. We believe that every job should be filled by a qualified appointee, but good examinations and not arbitrary standards must be the measure by which qualifications are measured We *recommend broader standards of admission to examinations, and better tests to measure ability*

10 There has been much emphasis on security under civil service. As protection against political abuse, that security is sound. But security without incentives to better service is deadening. As incentives to better service we urge that the report of performance system be made more realistic; that there be more competition with the outside in filling top jobs; that the top steps in the salary scales be reserved for the better employees; and that a suggestion system be created to reward helpful suggestions for the improvement of the service which an employee may offer above and beyond the requirements of his job

11 We find that too many state employees, whether supervisors or rank and file, do not know exactly what is expected of them, or what to do about it This requires on the one hand that the board and the departments give more attention to setting up standards of conduct and performance, and it means on the other hand that far more attention should be given to training employees—and particularly supervisors—in what they have to do. Abuses of state cars, abuses of the sick leave privilege, and other examples of laxity in departmental operations which have come to the attention of all of us are more often the fault of poor supervision than they are the result of wilfulness

12 On the many details of organization and procedure on which our staff report dwells, and on many points of personnel techniques, the members of the committee frankly do not feel qualified to comment. We have relied on an expert review of the situation, and as to these matters of operating detail we are content to accept an expert viewpoint. We are impressed with the many improvements that seem possible in organization and procedure, and we are confident that the adoption by the board of many of the recommendations will simplify and speed their work and will lighten their burdens Since many of the complaints we hear seem to reflect nothing more than the sheer burden of time-consum-

ing personnel paperwork, we are sure that reform in that direction will produce greater satisfaction with the work of the board.

Respectfully submitted.

A. I. STEWART, Chairman
LAUGHLIN E. WATERS, Vice Chairman
RALPH M BROWN
JOHN W. EVANS
WILLARD M. HUYCK
JAMES W. SILLIMAN
LESTER A. MCMILLAN
AUGUSTUS F. HAWKINS
THOMAS A. MALONEY
CHARLES J. CONRAD

GUESTS EXTENDED USUAL COURTESIES OF ASSEMBLY

On request of Mr. Hagen, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. E. E Hall of Avenal.

On request of Mr. Hagen, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Harry Johnson, Harold Corbin, Herman Matzke, and C. R. Williams of Porterville

On request of Messrs. Kirkwood and Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Miss J. McLeish, Mrs. S. McKee, P Dougherty, and E. Buckner, teachers of the Santa Clara Union High School, and the following pupils. Noreen Adams, Norine Berg, Daisy Borghi, Jeanne Bottorff, Gertrude Bridgham, Angie Cirigliano, Betty Clark, Barbara Diez, Margaret Diez, Clorinda DiLonardo, Lena DiLonardo, Zada Douglass, Pat Enos, Joyce Fernandez, Ellen Garcia, Gerry Gonzales, Kathlyn Hayley, Bertha Hee, Mary Louise Ibach, Ann Jacobs, Ruth Kiesel, Inez Nunes, Merilyn Orr, Marlene Pasquinelli, Mary Lou Piatti, Tomy Pierce, Marlene Reynolds, Laura Romero, Helen Santos, Patty Taketa, Josephine Tralongo, Dorothy Turner, Betsy Van Dalsem, Betty Walling, Lorilea Williams, and Betty Wingert.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Howard, teacher, of the Sacramento State College, and the following pupils: Miss Barber, Miss Fergusen, Miss Moat, Mr. Mansfield, Mr. Shadden, and Mr Munn.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Helen W. Gray, teacher of the Oakdale High School, and the following pupils: Roberta Hazard, Jo Stadler, Yvonne Layne, and Betty Black.

ADJOURNMENT

At 1.16 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Monday, March 28, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-FIFTH LEGISLATIVE DAY

EIGHTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, March 28, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: May we honor today the sacrifices of the heroic galaxy to whom we owe our faith and freedom.

The martyrs who died for their Faith during the centuries and the forefathers who found here a refuge from persecution.

"By the light of Burning Martyrs Christ's bleeding feet we track,
Toiling ever up new Calvaries, with the Cross that turns not back."

Artists who starved in garrets, scientists burned in laboratories, engineers who died making the desert bloom, service men on sea and land, where 100,000 crosses loom

May we too bear some cross to bless posterity —AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Waters, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Rosenthal, on motion of Mr. Beck.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Ralph C. Dills, on motion of Mr. Erwin

COMMUNICATIONS

By the Chief Clerk:

A communication from Charles C. Teague, Regent of the University of California, relative to Assembly Concurrent Resolution No 47 and expressing belief that the Board of Regents will do everything it can to see that the State University is kept free from Communistic activities and propaganda, was received, and ordered referred to the Committee on Education.

By Speaker Sam L. Collins:

A resolution from the Board of Harbor Commissioners of the City of Long Beach, petitioning the Legislature to oppose the enactment of Assembly Bill No. 1535, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

By Speaker Sam L. Collins:

A resolution from the City Council of the City of Long Beach, petitioning the Legislature to oppose the enactment of Assembly Bill No. 1535, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 144
Assembly Bill No. 152
Assembly Bill No 269
Assembly Bill No. 520
Assembly Bill No 554
Assembly Bill No 581
Assembly Bill No 930
Assembly Bill No 1000
Assembly Bill No. 1266
Assembly Bill No 1317
Assembly Bill No. 1634
Assembly Bill No. 1799
Assembly Bil No. 1854
Assembly Bill No. 1855
Assembly Bill No 1856
Assembly Bill No. 2162
Assembly Bill No. 2216
Assembly Bill No 2366
Assembly Bill No 2729
Assembly Bill No 2780
Assembly Bill No 3094

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 25
Assembly Constitutional Amendment No. 35
Assembly Constitutional Amendment No 50
Assembly Constitutional Amendment No. 76

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Constitutional Amendments Nos 35 and 76 ordered on file for adoption.

Assembly Constitutional Amendments Nos. 25 and 50 ordered re-referred to the Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 717

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 98
Assembly Bill No 1670
Assembly Bill No 2399

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1290

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER. Your Committee on Public Morals, to which was referred:

Assembly Bill No 1713

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 24, 1949

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No 2914

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 39
Senate Joint Resolution No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 39—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Referred to Committee on Rules.

Senate Joint Resolution No. 24—Relative to memorializing the President of the United States, the Vice President of the United States and the Third Assistant Postmaster General at Washington, D. C., in relation to issuing special stamp commemorating heroism and self-sacrifice of Manly and Jayhawker Parties.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1216

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1216—An act to amend Section 19390 of the Government Code, relating to the right of state employees entering the military service to be restored to their former position and civil service status upon termination of such military service.

Referred to Committee on Military Affairs

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 25, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 4
Senate Bill No. 75
Senate Bill No. 89
Senate Bill No 217
Senate Bill No. 257
Senate Bill No. 321
Senate Bill No. 330
Senate Bill No. 627
Senate Bill No. 974
Senate Bill No. 977
Senate Bill No. 1118
Senate Bill No. 1495
Senate Bill No 1496

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 4—An act to amend Section 28125 of the Government Code, relating to compensation for public services in counties of the twenty-fifth class

Referred to Committee on Municipal and County Government.

Senate Bill No. 75—An act to add Section 381.1 to the Vehicle Code, relating to penalties for failure to renew licenses

Referred to Committee on Transportation and Commerce.

Senate Bill No. 89—An act to amend Section 11 of the Conservation and Planning Act, relating to local planning commissions.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 217—An act to add Section 3720 1 to the Political Code, relating to the creation, and changes of boundaries, of school districts.

Referred to Committee on Education.

Senate Bill No. 257—An act to amend Section 812 4 of the Agricultural Code, relating to standard containers for carrots.

Referred to Committee on Agriculture

Senate Bill No. 321—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 330—An act to amend Sections 20017, 20021.5, 20023, 20025, 20060, 20203, 20208, 20333, 20335, 20393, 20461.5, 20532, 20563, 20580, 20583, 20630, 20654, 20655, 20656, 20750 1, 20750.2, 20750 3, 20750.4, 20867, 20894 1, 21029, 21032, 21033, 21250, 21251, 21257, 21257.1, 21258, 21295, 21364, 21366, and 21454 of the Government Code, to repeal Sections 20654.5, 20750, 21455, and Article 2 5, comprising Sections 21000 to 21002, inclusive, of Chapter 8 of Part 3 of Division 5 of Title 2 thereof, and to add Sections 20609.1, 20685, 20750 5, 21251 15, 21261, and 21262 thereto and Article 4, comprising Sections 21100 to 21103, inclusive, to Chapter 8 of Part 3 of Division 5 of Title 2 thereof, all relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 627—An act to amend Section 4 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, as amended, relating to fines and obligations of officers.

Referred to Committee on Finance and Insurance

Senate Bill No. 974—An act to add Section 755.2 to the Insurance Code, relating to life, disability and surety insurance and the payment of commissions thereon.

Referred to Committee on Finance and Insurance

Senate Bill No. 977—An act to amend Section 1690 of the Insurance Code, relating to the issuance of restricted licenses to transact insurance.

Referred to Committee on Finance and Insurance

Senate Bill No. 1118—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1495—An act to amend Sections 125, 127, 324, 325, 369, 397, 398, 439, 612, and 615 of the Military and Veterans Code and to amend Section 718c of the Civil Code, relating to the military forces of the State, including the exemption from military service, the detail of federal officers for service with the National Guard or Naval Militia, the detail of officers for special duty and waiver of part of compensation, performance of emergency service, the performance of military duty on election day, the passage of the National Guard through toll bridges and on ferries, the declaration of places as "off limits," the leasing of property owned by a municipality for a term not to exceed fifty years for military or armory purposes, the Colors and standards of organizations of the National Guard, the delivery of the Colors to members of the family of a deceased member of the National Guard, the use of the National Flag, and assignment of command.

Referred to Committee on Military Affairs.

Senate Bill No. 1496—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the Federal System of Discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry, and bad-conduct discharges.

Referred to Committee on Military Affairs.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 28

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3
Assembly Bill No. 260
Assembly Bill No. 346
Assembly Bill No. 583
Assembly Bill No. 1766

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bills Nos. 3, 260, 346, and 1766 ordered to third reading.

Assembly Bill No. 583 ordered re-referred to Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1347
Assembly Bill No. 2067.

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1347 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No 2067 ordered re-referred to Committee on Public Utilities and Corporations

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr Sherwin asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 621—An act to amend Sections 552, 553, and 554 of the Vehicle Code, relating to pedestrians and the operation of vehicles on highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 622—An act to amend Sections 560.1, 560.5, 562, and 564.1 of the Vehicle Code, relating to pedestrians on highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 628—An act to amend Section 600 of the Vehicle Code, relating to throwing lighted substance from or upon a highway.

Bill read second time, and ordered engrossed.

Assembly Bill No. 640—An act to amend Sections 1, 2, and 3 of an act to regulate the caravaning of vehicles upon the public highways of this State, defining the term caravaning and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposing of such fees and imposing penalties for violation thereof, approved July 1, 1937, relating to the definitions of the terms employed therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 658—An act to amend Section 589.5 of, and to add Section 589.7 to, the Vehicle Code, relating to parking regulations by local authorities, including cities and counties and the enforcement thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2647—An act to amend Section 4751 of the Labor Code, relating to workmen's compensation

Bill read second time, and ordered engrossed.

Assembly Bill No. 424—An act to amend Section 4702 of the Labor Code, relating to death benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 185—An act to amend Section 5801 of the Labor Code, relating to attorney's fees under the Workmen's Compensation Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 186—An act to amend Section 3854 of the Labor Code, dealing with workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 187—An act to amend Section 3856 of the Labor Code, dealing with workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1022—An act to amend Sections 17319.3, 17325, and 18402, and to add Section 17053 7 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1023—An act to amend Section 17127, and to repeal Section 17136.1 of the Revenue and Taxation Code, relating to personal income taxes, and providing that the act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1031—An act to amend Section 17951, and to repeal Section 17320.9 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1765—An act to provide for the assessment of property for tax purposes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2076—An act to add Section 2117.5 to the Streets and Highways Code, relating to the Highway Users Tax Fund.

Bill read second time, and ordered engrossed

Assembly Bill No. 2097—An act making an appropriation to the Department of Mental Hygiene for the establishment and maintenance of mobile mental hygiene clinics to serve the communities of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 54—An act to add Section 1.5 to Chapter 788, Statutes of 1937, as amended, relating to the caravaning of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "add Section 1.5 to Chapter 788, Statutes of 1937, as amended", and insert "amend Section 1 of, and to

add Section 13.5 to, an act entitled "An act to regulate the caravaning of vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof", and to repeal an act entitled "An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof," approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately, approved July 1, 1937".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1 of the act cited in the title is amended to read:

Section 1. *(a)* The term "caravaning" as used in this act shall mean the transportation of any vehicle of a type subject to registration under the Vehicle Code, *except a commercial vehicle*, operated on its own wheels, or in tow of a motor vehicle, for the purpose of selling or offering the same for sale to or by any agent, dealer, purchaser or prospective purchaser, whether such agent, dealer, purchaser or prospective purchaser may be located within or without this State

(b) The term "commercial vehicle" as used in this act means a vehicle of a type required to be registered under the Vehicle Code used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

SEC. 2. Section 13.5 is added to said act, to read.

Sec 13.5 This act shall not apply to any commercial vehicle within this State."

Amendment No. 3

On page 1 of said bill, strike out lines 2 through 7, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 625—An act to repeal Section 586.5 of, and to add Sections 39.7 and 586.5 to the Vehicle Code, relating to the operation of tow cars.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 3 of the printed bill, following line 4, insert

"The provisions of this section shall not apply to those vehicles operated by the Department of Public Works pursuant to the provisions of Section 607.6 of this code."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 630—An act to amend Section 604.10 of the Vehicle Code, relating to the removal of persons injured on highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 5, of the printed bill, after the comma, insert "any employee of the Division of Highways assigned to maintenance operations,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert "may transport or arrange for the transportation of any person injured in an accident upon any highway to a physician and surgeon or hospital, or in the event medical or surgical treatment is contrary to the religious belief of such person, to any other place in the county to which the injured person may direct Any peace officer, any member of any organ-"

Amendments read, and adopted
Bill ordered reprinted, and engrossed

Assembly Bill No. 656—An act to amend Sections 511.2, 511.3, and 511.6 of the Vehicle Code, relating to speed limits upon highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "511 2, 511 3, and 511.6", and insert "Section 511 2".

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 to 51, inclusive

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 258—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 7 and 8, and insert "exceeding four hundred dollars ($400)".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 389—An act to add Section 8654 to the Revenue and Taxation Code, relating to the use fuel tax, and providing this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8654", and insert "6357.1".

Amendment No. 2

In line 2 of the title of said bill, strike out "use fuel tax", and insert "exemption of fuel subject to the use fuel tax from the sales tax".

Amendment No. 3

On page 1, line 1, of said bill, strike out "8654", and insert "6357.1".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 7, inclusive, and insert

"6357.1 There are exempted from the taxes imposed by this part the gross receipts from the distributions of and the storage, use or other consumption in this State of fuel the use of which in this State is subject to the tax imposed by Part 3 of this division."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1024—An act to amend Section 18472 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 11, of the printed bill, after "Section", strike out "18171", and insert "18471".

Amendment No. 2

On page 1, line 15, of the printed bill, before the semicolon, strike out "18171", and insert "18471".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1033—An act to amend Sections 18171, 18586, 18691.1, 18692, 19053.5 and 19061.1, and to add Section 18586.1 to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "18586,", insert "18691,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, after line 22, and before line 23, insert

"SEC. 2.5. Section 18691 of said code is amended to read:

18691. (a) Where an overpayment is made by any taxpayer for any year, and a deficiency is owing from the same taxpayer for any other year, the overpayment, if the period within which credit for the overpayment may be allowed has not expired, shall be credited on the deficiency, if the period within which assessment of the deficiency may be proposed has not expired, and the balance, if any, shall be credited or refunded to the taxpayer. No interest shall be assessed on such portion of the deficiency as is extinguished by the credit for the period of time subsequent to the date the overpayment was made.

(b) For the purposes of this section the returns of a decedent and his estate shall be considered returns of the same taxpayer and the returns for the decedent and his estate filed for the year of death shall be considered returns for different taxable years.

[b] *(c)* [The preceding paragraph] *This section* is not intended, nor shall it be construed, as a limitation on the commissioner's right to offset or recoup barred assessments against overpayments."

Amendment No. 3

On page 2 of the printed bill, strike out lines 13 to 16, inclusive.

Amendment No. 4

On page 2, line 37, of the printed bill, before "overpayment", strike out "an" and insert "any".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1942—An act to amend Sections 18303 and 18406 of the Revenue and Taxation Code, relating to the filing of partnership and fiduciary returns.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "The return shall be signed by any one of the partners.", and insert "The return shall contain or be verified by a written declaration that it is made under the penalties of perjury, signed by one of the partners."

Amendment No. 2

On page 1, line 15, of the printed bill, after "return", insert ", which shall contain or be verified by a written declaration that it is made under the penalties of perjury,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1943—An act to amend Sections 1, 4, 5, 8, 9, 13, 24, 24.1, 25, and 34.1, and to repeal Section 8.2 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, before "13", insert "12,".

Amendment No. 2

In line 1 of the title of the printed bill, before "and", insert ", 31".

Amendment No. 3

On page 1, lines 10 and 11, of the printed bill, strike out "amending Section 5219 of the Revised Statutes of the United States,".

Amendment No. 4

On page 6, line 30, of the printed bill, after "metal," insert "bauxite,".

Amendment No. 5

On page 6, line 31, of the printed bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 6

On page 6, line 32, of the printed bill, after "ball", strike out "and", and insert a comma.

Amendment No. 7

On page 6, line 32, of the printed bill, after "sagger", insert ", and china".

Amendment No. 8

On page 6, line 32, of the printed bill, after "clay," insert "phosphate rock,".

Amendment No. 9

On page 6, line 32, of the printed bill, after "asphalt", insert "trona, bentonite, gilsonite, thenardite,".

Amendment No. 10

On page 7, line 16, of the printed bill, after "mines," insert "bauxite,".

Amendment No. 11

On page 7, line 17, of the printed bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 12

On page 7, line 18, of the printed bill, after "ball", strike out "and", and insert a comma.

Amendment No. 13

On page 7, line 18, of the printed bill, after "sagger", insert ", and china".

Amendment No. 14

On page 7, line 18, of the printed bill, after "clay," insert "phosphate rock,".

Amendment No. 15

On page 7, line 18, of the printed bill, after "mines," insert "trona, bentonite, gilsonite, thenardite (from brines or mixtures of brine),".

Amendment No. 16

On page 16 of the printed bill, after line 11, and before line 12, insert

"SEC. 6.5. Section 12 of the Bank and Corporation Franchise Tax Act is amended to read:

Sec. 12. *(1)* The net income shall be computed upon the basis of the taxpayer's annual accounting period, fiscal year or calendar year as the case may be, in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of said commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year, or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the callendar year.

(2) If, in the case of a taxpayer owning any noninterest-bearing obligation issued at a discount and redeemable for fixed amounts increasing at stated intervals, the increase in the redemption price of such obligation occurring in the income year does not (under the method of accounting used in computing its net income) constitute income to taxpayer in such year, such taxpayer may, at its election made in its return for any income year beginning after December 31, 1942, treat such increase as income received in such income year. If any such election is made with respect to any such obligation, it shall apply also to all such obligations owned by the taxpayer at the beginning of the first income year to which it applies and to all such obligations thereafter acquired by taxpayer and shall be binding for all subsequent income years, unless upon application by the taxpayer the commissioner permits taxpayer, subject to such conditions as the commissioner deems necessary, to change to a different method. In the case of any such obligations owned by the taxpayer at the beginning of the first income year to which its election applies, the increase in the redemption price of such obligations occurring between the date of acquisition and the first day of such income year shall also be treated as income received in such income year.

(3) If the taxpayer changes [his] *its* accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the commissioner, be computed on the basis of such new accounting period subject to the [following] provisions *of paragraphs (a), (b) and (c) following:*

(a) If a taxpayer, with the approval of the commissioner, changes the basis of computing net income from fiscal year to calendar year, a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31st. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the beginning of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the beginning of the new fiscal year

(b) Where a separate return is made under paragraph (a) on account of a change in the accounting period then the income shall be computed on the basis of the period for which separate return is made. The due date of the separate return for such period is the fifteenth day of the third month following the close of that period.

(c) (1) If a separate return is made under paragraph (a) on account of a change in the accounting period, the net income, computed on the basis of the period for which separate return is made (referred to in this subsection as "the short period"), shall be placed on an annual basis by multiplying the amount thereof by 12, and dividing by the number of months in the short period. The commissioner shall compute the amount of a tax on the income placed on such annual basis, and shall allow the offset provided for in Sections *4 and* 26 from such tax. The tax due under this section (which shall not be subject to offset) shall be such part of the tax (less the offset allowed) computed on such annual basis as the number of months in the short period is of 12 months.

(2) If the taxpayer establishes the amount of its net income for the period of 12 months beginning with the first day of the short period, computed as if such 12-month period were an income year, under the law applicable to such year, then the tax for the short period shall be reduced to an amount which is such part of the tax computed on the net income for such 12-month period as the net income computed on the basis of the short period is of the net income for the 12-month period. The taxpayer (other than a taxpayer to which the next sentence applies) shall compute the tax and file his return without the application of this paragraph. If the taxpayer has disposed of substantially all its assets prior to the end of such 12-month period, then in lieu of the net income for such 12-month period there shall be used for the purposes of this paragraph the net income for the 12-month period ending with the last day of the short period. The tax computed under this paragraph shall in no case be less than the tax computed on the net income for the short period without placing such net income on an annual basis. The benefits of this paragraph shall not be allowed unless the taxpayer, at such time as regulations prescribed hereunder require (but not after the time prescribed for the filing of the return for the first income year which ends on or after 12 months after the beginning of the short period), makes application therefor in accordance with such regulations. Such application, in case the return was filed without regard to this paragraph, shall be considered a claim for credit or refund with respect to the amount by which the tax is reduced under this paragraph. The commissioner shall prescribe such regulations as he may deem necessary for the application of this paragraph.

(d) The tax on any bank or corporation for a period beginning in one calendar year (hereinafter in this section called "first calendar year") and ending in the following calendar year (hereinafter in this section called "second calendar year") where the law applicable to the computation of taxes for calendar year banks or corporations for the second calendar year is different from the law applicable to computation of taxes for calendar year banks or corporations for the first calendar year, shall (except as otherwise provided) be the sum of: (1) The same proportion of a tax for the entire period, determined under the law applicable to the first calendar year and at the rates for such year, which the portion of such period falling within the first year is of the entire period; and (2) the same proportion of a tax for the entire period, determined under the law applicable to the second calendar year and at the rates for such year, which the portion of such period falling within the second calendar year is of the entire period.

Any tax that has been paid under the law applicable to the first calendar year if in excess of the tax imposed by this section shall be refunded or credited to the bank or corporation as provided in Section 27. Any tax in addition to that paid under the law applicable to the first calendar year made necessary by this section shall be immediately due and payable upon notice and demand from the commissioner.

(e) Where a corporation is engaged in the performance of a contract in this State which will require more than a year to complete, the commissioner may require that the income from the contract be reported on the basis of percentage of completion unless the corporation furnishes bond or other security guaranteeing the payment of a tax measured by the income received on the completion of the contract, even though the corporation is not doing business in this State in the year subsequent to the year of completion."

Amendment No. 17

On page 22 of the printed bill, between lines 30 and 47, insert

"Interest upon the amount determined as a deficiency shall be assessed and paid at the same time as the deficiency at the rate of 6 percentum per year from the date prescribed for the payment of the tax (or, if the tax is paid in installments, from the date prescribed for the payment of the first installment) to the date the deficiency is assessed; provided, however, if any portion of the deficiency is paid prior to the date it is assessed, interest shall accrue on such portion only to the date paid.

Where a deficiency, or any interest or additional amounts assessed in connection therewith, or any addition to the tax in case of delinquency provided for in subsection (a) of this section, is not paid in full within 10 days from the date of notice and demand from the commissioner, there shall be collected as a part of the tax, interest upon the unpaid amount at the rate of 6 percentum a year from the date of such notice and demand until it is paid."

Amendment No. 18

On page 24, lines 13 and 14, of the printed bill, after "taxpayer", strike out "at his post-office address (which must appear on its return)".

Amendment No. 19

On page 26, line 22, of the printed bill, strike out "determination", and insert "the termination".

Amendment No. 20

On page 26 of the printed bill, after line 28 and before line 29, insert

"(j) The taxes imposed by this act upon any taxpayer, other than a transferee, for which any bank, corporation or person other than the taxpayer is liable, at law or in equity, may be assessed against such bank, corporation or person in the same manner as is provided in this section for the assessment of deficiencies and may be assessed at any time within which deficiency assessments may be made against the taxpayer. The provisions of this section and other provisions of this act respecting the collection of taxes shall apply to the collection of such taxes from such bank, corporation or person to the same extent and with the same force and effect as though such bank, corporation or person were the taxpayer.

(k) The amounts of the following liabilities shall, except as hereinafter provided in this subsection and subsection (*l*), be assessed, collected, and paid in the same manner and subject to the same provisions and limitations as in the case of a deficiency in a tax imposed by this act (including the provisions in the case of a delinquency in payment after notice and demand, the provisions authorizing proceedings in court for collection, and the provisions prohibiting claims and suits for refunds):

(1) The liability, at law or in equity, of a transferee of property of a taxpayer, in respect of the tax (including interest, additional amounts, and additions to the tax provided by law) imposed upon the taxpayer by this act.

(2) The liability of a fiduciary under Part 10, Division 2 of the Revenue and Taxation Code in respect of the payment of any such tax from the estate of the taxpayer.

Any such liability may be either as to the amount of tax shown on the return or as to any deficiency in tax.

(*l*) The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows:

(1) In the case of the liability of an initial transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the taxpayer;

(2) In the case of the liability of a transferee of a transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the preceding transferee, but only if within three years after the expiration of the period of limitation for assessment against the taxpayer; except that if before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the taxpayer or last preceding transferee, respectively, then the period of limitation for assessment of the liability of the transferee shall expire one year after the return or execution in the court proceeding.

(3) In the case of the liability of a fiduciary, not later than the expiration of the period for collection of the tax in respect of which such liability arises, whichever is the later;

(4) Where before the expiration of the time prescribed in paragraph (1), (2), or (3) for the assessment of the liability, both the commissioner and the transferee or fiduciary have consented in writing to its assessment after such time, the liability may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

SEC. 10.5. Section 31 of the Bank and Corporation Franchise Tax Act is amended to read:

Sec. 31. At any time within three years after the determination of liability for any tax, penalties, and interest, or any installment thereof, the commissioner may bring an action in a court of competent jurisdiction in the County of Sacramento in the name of the people of the State of California to collect the amount delinquent, together with penalties, and interest, and such action shall be tried in the County of Sacramento unless the court, with the consent of the Attorney General or the counsel for the commissioner, orders a change of place of trial. The Attorney General or the counsel for the commissioner must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings, herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the commissioner showing the delinquency shall be prima facie evidence of the levy of the tax, penalties, and interest, of the delinquency and of compliance by the commissioner and the State Board of Equalization with all the provisions of this act in relation to the computation and levy of the tax.

[The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows:

[(1) In the case of the liability of an initial transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the taxpayer;

[(2) In the case of the liability of a transferee of a transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the preceding transferee, but only if within three years after the expiration of the period of limitation for assessment against the taxpayer; except that if before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the taxpayer or last preceding transferee, respectively, then the period of limitation for assessment of the liability of the transferee shall expire one year after the return of execution in the court proceeding.

[(3) In the case of the liability of a fiduciary, not later than one year after the liability arises or not later than the expiration of the period for collection of the tax in respect of which such liability arises, whichever is the later;

[(4) Where before the expiration of the time prescribed in paragraph (1), (2), or (3) for the assessment of the liability, both the commissioner and the transferee or fiduciary have consented in writing to its assessment after such time, the liability may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.]

(b) At any time within which an action can be brought to collect any delinquent amounts as provided in the preceding paragraph, the commissioner may collect the tax, together with penalties and interest, in the following manner The commissioner shall seize any personal property owned by the bank or corporation against whom the tax is assessed, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest, and any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent bank or corporation and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by enclosing such notice in an envelope addressed to said bank or corporation at its last known place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said 10-day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of the taxes, interest, penalties and costs, the name of the bank or corporation, and the further statement that, unless such taxes, interest, penalties and costs are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

[The taxes imposed by this act upon any taxpayer for which any bank, corporation or person other than the taxpayer is liable, at law or in equity, may be assessed against such bank, corporation or person in the same manner as is provided in Section 25 for the assessment of deficiencies and may be assessed at any time within which deficiency assessments may be made against the taxpayer. The provisions of this section and other provisions of this act respecting the collection of taxes shall apply to the collection of such taxes from such bank, corporation or person to the same extent and with the same force and effect as though such bank, corporation or person were the taxpayer.]

At any such sale, the property shall be sold by said commissioner or his duly authorized agent in accordance with law and said notice, and the commissioner shall deliver to the purchaser a bill of sale for the property so sold and such bill of sale shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of said bank or corporation. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such bank or corporation, any such excess shall be returned to the bank or corporation and a receipt therefor obtained; provided, however, that if any person having an interest in or lien upon the property has filed with the commissioner prior to any such sale notice of such interest or lien the commissioner shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction.

If, for any reason, the receipt of such bank or corporation shall not be available, the commissioner shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such bank or corporation or its successor through reorganization, merger, or consolidation, or its stockholders upon dissolution

(c) The commissioner may bring an appropriate action (whether in the form of a common law action or debt or indebitatus assumpsit, or a code or other action), in any court of competent jurisdiction in the United States or in a foreign country, in the name of the people of the State of California, to recover the amount of any taxes and interest due under this act. The Attorney General of this State, or the counsel for the counsel for the commissioner must prosecute such action.

(d) It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the commissioner shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1944—An act to amend Sections 7, 8, 16, 18.1, and 19, and to repeal Section 7.2 of the Corporation Income Tax Act, relating to the levy and collection of taxes upon the income of corporations, associations and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "2,".

Amendment No. 2

In line 1 of the title of the printed bill, after "8," insert "15".

Amendment No. 3

In line 1 of the title of the printed bill, after "18.1," strike out "and"; and after "19," insert "and 24".

Amendment No. 4

On page 1, line 1, of the printed bill, before "of", strike out "7", and insert "2".

Amendment No. 5

On page 1 of the printed bill, between lines 2 and 3, insert

"SEC. 2. For the purposes of this act and unless otherwise required by the context:

(a) The word "commissioner" as used in this act means the Bank and Corporation Franchise Tax Commissioner.

(b) The term "corporation" as herein used shall include every corporation, association, and Massachusetts or business trust, except a bank or banking association. It shall also include any corporation operated by *any assignee for the benefit of creditors or by* any receiver, liquidator, referee, trustee or other officers or agents appointed by any court. For the purposes of this act a Massachusetts or business trust includes every business organization consisting essentially of an arrangement whereby property is conveyed to one, or more than one, trustee for purposes other than the mere conservation of assets, collection and disbursing of fixed and periodic income, or the securing of an obligation.

(c) The words "taxable year" mean the calendar year or the fiscal year, upon the basis of which the net income is computed under this act; if no fiscal year has been established they mean the calendar year.

"Taxable year" means, in the case of a return made for a fractional part of a year under the provisions of this act or under regulations prescribed by the commissioner, the period for which such return is made.

(d) The words "fiscal year" mean an accounting period of twelve months ending on the last day of any month other than December.

(e) The words "paid or incurred" and "paid or accrued" shall be construed according to the method of accounting upon the basis of which the net income is computed under this act.

(f) The word "State" shall include the Territories of Alaska and Hawaii, the District of Columbia, and the possessions of the United States.

(g) The term "counsel for the commissioner," as used in Sections 20, 23 and 24 of this act, means attorney or attorneys appointed or employed by the commissioner and acting subject to the approval and under the supervision of the Attorney General.

SEC. 1.5. Section 7 of the Corporation Income Tax Act is amended to read:".

Amendment No. 6

On page 2, line 9, of the printed bill, after "deeds", strike out "included in the measure of", and insert "subject to".

Amendment No. 7

On page 4, line 3, of the printed bill, after "metal," insert "bauxite,".

Amendment No. 8

On page 4, line 4, of the printed bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 9

On page 4, line 5, of the printed bill, after "ball", strike out "and", and insert a comma.

Amendment No. 10

On page 4, line 5, of the printed bill, after "sagger", insert ", and china".

Amendment No. 11

On page 4, line 5, of the printed bill, after "clay," strike out "or", and insert "phosphate rock,".

Amendment No. 12

On page 4, line 5, of the printed bill, after "asphalt", insert ", trona, bentonite, gilsonite, thenardite,".

Amendment No. 13

On page 4, line 40, of the printed bill, after "mines," insert "bauxite,".

Amendment No. 14

On page 4, line 41, of the printed bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 15

On page 4, line 42, of the printed bill, after "ball", strike out "and", and insert a comma

Amendment No. 16

On page 4, line 42, of the printed bill, after "sagger", insert ", and china"

Amendment No. 17

On page 4, line 42, of the printed bill, after "clay", insert "phosphate rock,".

Amendment No. 18

On page 4, line 42, of the printed bill, after "mines," insert "trona, bentonite, gilsonite, thenardite (from brines or mixtures of brine),".

Amendment No. 19

On page 12, line 19, of the printed bill, after "not", strike out "included in the measure of", and insert "subject to".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 20

On page 13 of the printed bill, between lines 20 and 21, insert

"SEC. 3.5. Section 15 of the Corporation Income Tax Act is amended to read:

Sec. 15. *(1)* The net income shall be computed upon the basis of the taxpayer's annual accounting period, fiscal year or calendar year as the case may be, in accordance with the method of accounting regularly employed in keeping the books of such taxpayer; but if no such method of accounting has been so employed, or if the method employed does not clearly reflect the income, the computation shall be made in accordance with such method as in the opinion of said commissioner does clearly reflect the income. If the taxpayer's annual accounting period is other than a fiscal year, or if the taxpayer has no annual accounting period or does not keep books, the net income shall be computed on the basis of the calendar year.

(2) If, in the case of a taxpayer owning any noninterest-bearing obligation issued at a discount and redeemable for fixed amounts increasing at stated intervals, the increase in the redemption price of such obligation occurring in the taxable year

does not (under the method of accounting used in computing its net income) constitute income to taxpayer in such year, such taxpayer may, at its election made in its return for any taxable year beginning after December 31, 1942, treat such increase as income received in such taxable year. If any such election is made with respect to any such obligation, it shall apply also to all such obligations owned by the taxpayer at the beginning of the first taxable year to which it applies and to all such obligations thereafter acquired by taxpayer and shall be binding for all subsequent taxable years, unless upon application by taxpayer the commissioner permits taxpayer, subject to such conditions as the commissioner deems necessary, to change to a different method. In the case of any such obligations owned by the taxpayer at the beginning of the first taxable year to which its election applies, the increase in the redemption price of such obligations occurring between the date of acquisition and the first day of such taxable year shall also be treated as income received in such taxable year

(3) If the taxpayer changes its accounting period from fiscal year to calendar year, from calendar year to fiscal year, or from one fiscal year to another, the net income shall, with the approval of the commissioner, be computed on the basis of such new accounting period subject to the [following] provisions *of paragraphs (a) and (b) following:*

(a) If a taxpayer, with the approval of the commissioner, changes the basis of computing net income from fiscal year to calendar year, a separate return shall be made for the period between the close of the last fiscal year for which return was made and the following December 31st. If the change is from calendar year to fiscal year, a separate return shall be made for the period between the close of the last calendar year for which return was made and the date designated as the beginning of the fiscal year. If the change is from one fiscal year to another fiscal year a separate return shall be made for the period between the close of the former fiscal year and the date designated as the beginning of the new fiscal year.

(b) Where a separate return is made under paragraph (a) on account of a change in the accounting period then the income shall be computed on the basis of the period for which separate return is made. The due date of the separate return for such period is the fifteenth day of the third month following the close of that period

(c) The tax for any period beginning in one calendar year (hereinafter in this section called "first calendar year") and ending in the following calendar year (hereinafter in this section called "second calendar year") where the law applicable to the computation of taxes for the taxpayers reporting on a calendar year basis differs for the second calendar year from the law applicable to the first calendar year, shall (except as otherwise provided) be the sum of (1) the same proportion of a tax for the entire period, determined under the law applicable to the first calendar year and at the rates for such year, which the portion of such period falling within the first calendar year is of the entire period; and (2) the same proportion of a tax for the entire period, determined under the law applicable to the second calendar year and at the rates for such year, which the portion of such period falling within the second calendar year is of the entire period.

Any tax that has been paid under the law applicable to the first calendar year if in excess of the tax imposed by this section shall be refunded or credited to the taxpayer as provided in Section 20. Any tax in addition to that paid under the law applicable to the first calendar year made necessary by this section shall be immediately due and payable upon notice and demand from the commissioner."

Amendment No. 21

On page 15, lines 17 and 18, of the printed bill, after "taxpayer", strike out "at its post-office address (which must appear on its return)".

Amendment No. 22

On page 17, line 26, of the printed bill, after "after", strike out "determination", and insert "the termination".

Amendment No. 23

On page 17 of the printed bill, between lines 32 and 33, insert

"(j) The taxes imposed by this act upon any taxpayer *other than a transferee* for which any bank, corporation or person other than the taxpayer is liable, at law or in equity, may be assessed against such bank, corporation or person in the same manner as is provided in Section 19 for the assessment of deficiencies and may be assessed at any time within which deficiency assessments may be made against the taxpayer. The provisions of this section and other provisions of this act respecting the collection of such taxes shall apply to the collection of such taxes from such bank, corporation or person to the same extent and with the same force and effect as though such bank, corporation or person were the taxpayer.

(k) The amounts of the following liabilities shall, except as hereinafter provided in this subsection and subsection *(l)*, be assessed, collected, and paid in the same manner and subject to the same provisions and limitations as in the case of a deficiency in a tax imposed by this act (including the provisions in the case of a delinquency in

payment after notice and demand, the provisions authorizing proceedings in court for collection, and the provisions prohibiting claims and suits for refunds):

(1) The liability, at law or in equity, of a transferee of property of a taxpayer, in respect of the tax (including interest, additional amounts, and additions to the tax provided by law) imposed upon the taxpayer by this act.

(2) The liability of a fiduciary under Part 10, Division 2 of the Revenue and Taxation Code in respect of the payment of any such tax from the estate of the taxpayer.

Any such liability may be either as to the amount of tax shown on the return or as to any deficiency in tax.

(l) The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows:

(1) In the case of the liability of an initial transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the taxpayer;

(2) In the case of the liability of a transferee of a transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the preceding transferee, but only if within three years after the expiration of the period of limitation for assessment against the taxpayer; except that if before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the taxpayer or last preceding transferee, respectively, then the period of limitation for assessment of the liability of the transferee shall expire one year after the return of execution in the court proceeding.

(3) In the case of the liability of a fiduciary, not later than one year after the liability arises or not later than the expiration of the period for collection of the tax in respect of which such liability arises, whichever is the later;

(4) Where before the expiration of the time prescribed in paragraph (1), (2), or (3) for the assessment of the liability both the commissioner and the transferee or fiduciary have consented in writing to its assessment after such time, the liability may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.

SEC. 6.5. Section 24 of the Corporation Income Tax Act is amended to read:

Sec. 24. (a) At any time within three years after the determination of liability for any tax, penalties, and interest, or any installment thereof, the commissioner may bring an action in a court of competent jurisdiction in the County of Sacramento in the name of the people of the State of California to collect the amount delinquent, together with penalties, and interest, and such action shall be tried in the County of Sacramento unless the court, with the consent of the Attorney General or the counsel for the commissioner, orders a change of place of trial. The Attorney General or the counsel for the commissioner must prosecute such action, and the provisions of the Code of Civil Procedure, relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings, herein provided for. In such action a writ of attachment may be issued, and no bond or affidavit previous to the issuing of said attachment is required. In such action a certificate by the commissioner showing the delinquency shall be prima facie evidence of the levy of the tax, penalties, and interest, of the delinquency and of compliance by the commissioner and the State Board of Equalization with all the provisions of this act in relation to the computation and levy of the tax.

[The period of limitation for assessment of any such liability of a transferee or fiduciary shall be as follows.

[(1) In the case of the liability of an initial transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the taxpayer;

[(2) In the case of the liability of a transferee of a transferee of the property of the taxpayer, within one year after the expiration of the period of limitation for assessment against the preceding transferee, but only if within three years after the expiration of the period of limitation for assessment against the taxpayer; except that if before the expiration of the period of limitation for the assessment of the liability of the transferee, a court proceeding for the collection of the tax or liability in respect thereof has been begun against the taxpayers or last preceding transferee, respectively, then the period of limitation for assessment of the liability of the transferee shall expire one year after the return of execution in the court proceeding.

[(3) In the case of the liability of a fiduciary, not later than one year after the liability arises or not later than the expiration of the period for collection of the tax in respect of which such liability arises, whichever is the later;

[(4) Where before the expiration of the time prescribed in paragraph (1), (2), or (3) for the assessment of the liability, both the commissioner and the transferee or fiduciary have consented in writing to its assessment after such time, the liability may be assessed at any time prior to the expiration of the period agreed upon. The period so agreed upon may be extended by subsequent agreements in writing made before the expiration of the period previously agreed upon.]

(b) At any time within which an action can be brought to collect any delinquent amounts as provided in the preceding paragraph, the commissioner may collect the tax, together with penalties and interest, in the following manner: The commissioner shall seize any personal property, owned by the corporation against whom the tax is assessed, and thereafter sell at public auction such property so seized, or a sufficient portion thereof, to pay the tax due hereunder, together with any interest, and any penalty or penalties imposed hereby for such delinquency, and any and all costs that may have been incurred on account of such seizure and sale. Notice of such intended sale and the time and place thereof, shall be given to such delinquent corporation and to all persons appearing of record to have an interest in such property, in writing at least ten days before the date set for such sale by inclosing such notice in an envelope addressed to said corporation at its last known place of business in this State if any, and, in the case of any person appearing of record to have an interest in such property, addressed to such person at the last known place of residence, if any, and depositing the same in the United States mail, postage prepaid, and by publication for at least ten days before the date set for such sale in a newspaper of general circulation published in the county or city and county in which the property seized is to be sold; provided, however, that if there be no newspaper of general circulation in such county or city and county, then by the posting of such notice in three public places in such county or city and county for said 10-day period. The said notice shall contain a description of the property to be sold, together with a statement of the amount of taxes, interest, penalties and costs, the name of the corporation, and the further statement that, unless such taxes, interest, penalties and cost are paid on or before the time fixed in said notice for such sale, said property, or so much thereof as may be necessary, will be sold in accordance with law and said notice.

At any such sale, the property shall be sold by said commissioner or his duly authorized agent in accordance with law and said notice, and the commissioner shall deliver to the purchaser a bill of sale for the property so sold and such bill of sale shall vest title in the purchaser. The unsold portion of any property so seized may be left at the place of sale at the risk of said corporation. If, upon any such sale, the moneys so received shall exceed the amount of all taxes, interest, penalties and costs due the State from such corporation, any such excess shall be returned to the corporation and a receipt therefor obtained; provided, however, that if any person having an interest in or lien upon the property has filed with the commissioner prior to any such sale notice of such interest or lien the commissioner shall withhold any such excess pending a determination of the rights of the respective parties thereto by a court of competent jurisdiction.

If, for any reason, the receipt of such corporation shall not be available, the commissioner shall deposit such excess moneys with the State Treasurer, as trustee for such owner, subject to the order of such corporation or its successor through reorganization, merger, or consolidation, or its stockholders upon dissolution.

(c) The commissioner may bring an appropriate action (whether in the form of a common law action of debt or indebitatus assumpsit, or a code or other action), in any court of competent jurisdiction in the United States or in a foreign country, in the name of the people of the State of California, to recover the amount of any taxes and interest due under this act. The Attorney General or the counsel for the commissioner of this State must prosecute such action.

(d) It is expressly provided that the foregoing remedies of the State shall be cumulative and that no action taken by the commissioner shall be or be construed to be an election on the part of the State or any of its officers to pursue any remedy hereunder to the exclusion of any other remedy for which provision is made in this act.

(e) If any tax, or any portion thereof, together with penalties, and interest thereon, which is due and payable either at the time the return is required to be filed or on or before the fifteenth day of the ninth month following the close of the income year, is not paid on or before 6 o'clock p.m. on the last day of the twelfth month after the close of the income year or if any tax due and payable upon notice and demand from the commissioner, together with penalties and interest thereon, is not paid on or before 6 o'clock p.m. on the last day of the eleventh month following the due date of such tax, except in the case of jeopardy or fraud assessments, in which case, if such tax, interest and penalties are not paid within forty days from the date such tax, penalties and interest are due and payable (unless the bond required by this act is filed to stay the collection of such tax, penalties and interest and such tax, interest and penalties are paid within sixty days after notice by the commissioner on taxpayer's petition for reassessment), the corporate powers, rights and privileges of the delinquent taxpayer shall be suspended and shall be incapable of being exercised in any manner which it is within the power of this State to prohibit; provided, that in any action or suit at law or in equity in which such suspended taxpayer shall seek to prosecute or shall be named as defendant, if such taxpayer has not been notified by the commissioner of its liability for tax, such action shall be continued on motion of the suspended taxpayer for a period of 90 days, or until such time as the tax determined by the commissioner to be due shall be paid, whichever expires or occurs the earlier. The certificate of the commissioner setting forth that the suspended taxpayer has been notified of its liability for tax under this act and that such tax has not been paid, shall constitute prima

facie evidence of such facts. The suspension shall be terminated on payment of the tax, and the certificate of the commissioner that the tax has been paid shall be evidence of the termination of the suspension.

[(f) The taxes imposed by this act upon any taxpayer for which any bank, corporation or person other than the taxpayer is liable, at law or in equity, may be assessed against such bank, corporation or person in the same manner as is provided in Section 19 of the assessment of deficiencies and may be assessed at any time within which deficiency assessments may be made against the taxpayer. The provisions of this section and other provisions of this act respecting the collection of such taxes shall apply to the collection of such taxes from such bank, corporation or person to the same extent and with the same force and effect as though such bank, corporation or person were the taxpayer.]"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1835—An act to impose a state tax on cigarettes and to provide for the licensing of retailers, manufacturers, wholesalers, vending machine operators, unclassified acquirers and transportation companies in relation to cigarettes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "impose a state tax on", and insert "add Part 13, comprising Sections 30001 to 30473, inclusive, to Division 2 of the Revenue and Taxation Code, relating to a state tax with respect to the sale and use or consumption of".

Amendment No. 2

In line 1 of the title of said bill, strike out "provide for the", and strike out all of lines 2, 3, and 4 of the title, and insert "make an appropriation for the administration thereof."

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Part 13, comprising Sections 30001 to 30473, inclusive, is added to the Revenue and Taxation Code, to read:

PART 13. CIGARETTE TAX

CHAPTER 1. DEFINITIONS

30001. This part is known and may be cited as the "Cigarette Tax Law."

30002. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

30003. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

30004. "Untaxed cigarette" means any cigarette which has not yet been distributed in such manner as to result in a tax liability under this part.

30005. "Sale" includes any transfer of title or possession for a consideration, exchange or barter, in any manner or by any means whatever.

30006. "Distribution" includes

(a) The first sale of cigarettes manufactured in this State,

(b) The use or consumption by the manufacturer of cigarettes manufactured in this State,

(c) The first sale of untaxed cigarettes after transportation to this State, and

(d) The use or consumption by the first person in possession in this State of untaxed cigarettes transported to the State in quantities of 200 or more in a single shipment.

30007. "Use or consumption" includes the exercise of any right or power over cigarettes incident to the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale.

30008. "Person" includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business

trust, receiver, trustee, syndicate, this State, any county, city and county, municipality, district, or other political subdivision of the State, or any other group or combination acting as a unit.

30009. "Distributor" includes

(a) Every person who, after 4 o'clock a.m. on July 1, 1949, and within the meaning of the term "distribution" as defined in this chapter, distributes cigarettes, and

(b) Every person who sells or accepts orders for cigarettes which are to be transported from a point outside this State to a consumer within this State in quantities of 200 or more in a single shipment.

30010. "Dealer" includes every person, other than one holding a distributor's license, who engages in this State in the sale of cigarettes.

30011. "In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America.

CHAPTER 2. IMPOSITION OF TAX

Article 1. Tax on Distributors

30101. For the privilege of distributing cigarettes, a tax is hereby imposed upon every distributor at the rate of $.001 for the distribution after 4 o'clock a.m. on July 1, 1949, of each cigarette weighing not more than three pounds per thousand and at the rate of $.002 for the distribution after 4 o'clock a.m. on July 1, 1949, of each cigarette weighing over three pounds per thousand.

30102. Every distributor maintaining a place of business in this State and selling or accepting orders for cigarettes with respect to the sale of which the tax imposed by Section 30101 is inapplicable, shall at the time of making the sale or accepting the order, or if the distribution of the cigarettes is not then taxable hereunder at the time the distribution becomes taxable, collect the tax from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the board.

30103. Unless the contrary is established, it shall be presumed that all cigarettes manufactured in this State, or transported to this State and no longer in the possession of the distributor, have been distributed.

Article 2. Only One Distribution Taxed

30104. Any cigarette with respect to which a tax has once been imposed under Article 1 or Article 3 of this chapter shall not be subject upon a subsequent distribution to the tax imposed under Article 1 of this chapter

Article 3 Floor Stocks Tax on Dealers

30121. For the privilege of distributing cigarettes, a floor stocks tax is hereby imposed upon every dealer at the rate of $.001 for each cigarette weighing not more than three pounds per thousand in his possession or under his control at 4 o'clock a.m. on July 1, 1949, and at the rate of $.002 for each cigarette weighing over three pounds per thousand in his possession or under his control at that time

30122 The tax imposed by this article is due and payable on or before July 15, 1949.

30123. Each dealer, on or before July 15, 1949, shall file a report with the board in such form as the board may prescribe. The report shall state the number of cigarettes on hand at 4 o'clock a.m. on July 1, 1949, and the amount of tax due thereon Each report shall be accompanied by a remittance payable to the board for the amount of tax due.

30124 All the provisions of Chapters 3 to 9, inclusive, of this part, relating to the tax imposed by Article 1 of this chapter, shall be applicable, so far as pertinent, to the tax imposed by this article.

CHAPTER 3. LICENSES, BONDS AND REGISTRATION

Article 1. Licenses and Bonds

30150. Every person desiring to engage in the sale of cigarettes as a distributor, except a person who desires merely to sell or accept orders for cigarettes which are to be transported from a point outside this State to a consumer within this State, shall file with the board an application, in such form as the board may prescribe, for a distributor's license. The application shall be accompanied by a license fee of one dollar ($1) payable to the board.

30151 The board, whenever it deems it necessary to insure compliance with this part, may require any person subject thereto, to deposit with it such security as the board may determine The amount of the security shall be fixed by the board but shall not be greater than three times the estimated average liability of persons required to file monthly reports, determined in such manner as the board deems proper, or ten thousand dollars ($10,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided The board may sell the security at public auction if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest, or penalty due. Notice of the sale may be served upon the person who deposited the

security personally or by mail; if by mail, service shall be made in the manner prescribed for service of a notice of a deficiency determination and shall be addressed to the person at his address as it appears in the records of the board. Security in the form of a bearer bond issued by the United States or the State of California which has a prevailing market price may, however, be sold by the board at private sale at a price not lower than the prevailing market price thereof. Upon any sale any surplus above the amounts due shall be returned to the person who deposited the security.

30152. On receipt of an application and license fee and after the deposit of such security as may be required pursuant to Section 30151, the board shall issue a distributor's license to the applicant. The license is not transferable and is valid until canceled or revoked.

30153. Whenever any distributor fails to comply with any provision of this part or any rule or regulation of the board prescribed and adopted under this part, the board upon hearing, after giving the distributor at least 10 days' notice in writing specifying the time and place of hearing and requiring him to show cause why his license should not be revoked, may revoke the license held by him. The notice may be served personally or by mail in the manner prescribed for service of notice of a deficiency determination. The board shall not issue a new license to a distributor whose license has been revoked unless it is satisfied that he will comply with the provisions of this part and the rules and regulations of the board.

30154. Any person required to obtain a license as a distributor under this chapter who engages in business as a distributor without a license or after a license has been canceled or revoked, and each officer of any corporation which so engages in business, is guilty of a misdemeanor.

Article 2. Registration

30161. Every distributor, except one to whom a license is issued under Article 1 of this chapter, required under Section 30102 to collect the tax imposed under this part from a purchaser shall register with the board and give the names and addresses of all agents operating in this State, the location of all distribution or sales houses or offices or other places of business in this State, and such other information as the board may require.

CHAPTER 4. DETERMINATIONS

Article 1. Reports and Payments

30181. The tax imposed by this part is due and payable monthly on or before the fifteenth day of the month following each calendar month in which a distribution of cigarettes occurs.

30182. On or before the fifteenth day of each month, every distributor shall file on forms prescribed by the board a report showing the number of cigarettes distributed during the preceding calendar month by the distributor in this State and such other information as the board may require to carry out the purposes of this part.

30183. The distributor shall accompany each report with a remittance payable to the board for the amount of tax due.

30184. The board for good cause may extend for not to exceed fifteen days the time for making any report or paying any amount of tax required under this part. The extension may be granted at any time provided a request therefor is filed with the board within or prior to the period for which the extension may be granted.

Any distributor to whom an extension is granted shall pay, in addition to the amount of tax, interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the amount of the tax would have been due without the extension to the date of payment.

Article 2. Deficiency Determinations

30201. If the board is dissatisfied with the report filed, it may compute and determine the amount to be paid upon the basis of any information available to it. One or more deficiency determinations may be made of the amount of tax due for one or for more than one month.

30202. The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount of the tax, or any portion thereof, should have been reported until the date of payment.

30203. In making a determination the board may offset overpayments for a month or months against underpayments for another month or months and against the interest and penalties on the underpayments.

30204. If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this part or the rules and regulations adopted under this part, a penalty of 10 percent of the amount of the determination shall be added thereto.

30205. If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade this part or the rules and regulations adopted under this part, a penalty of 25 percent of the amount of the determination shall be added thereto.

30206. The board shall give the distributor written notice of its determination The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the distributor at his address as it appears in the records of the board, but the service shall be deemed complete at the time of deposit of the notice in the mail without extension of time on account of the distance between the place of deposit and the place of address.

30207. Except in the case of fraud, intent to evade the tax, or failure to make a report, every notice of a deficiency determination shall be given within three years after the date when the amount should have been reported.

Article 3 Determinations if No Report Made

30221. If any distributor fails to make a report, the board shall make an estimate of the number of cigarettes distributed by him The estimate shall be made for the month or months in respect to which the distributor failed to make a report and shall be based upon any information available to the board Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus fixed a penalty equal to 10 percent thereof. One or more determinations may be made for one or for more than one month.

30222. In making a determination the board may offset overpayments for a month or months against underpayments for another month or months and against interest and penalties on the underpayments

30223 The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount, or any portion thereof, should have been reported until the date of payment.

30224. If the failure of a distributor to file a report is due to fraud or an intent to evade the tax, a penalty of 25 percent of the amount required to be paid by the distributor, exclusive of penalties, shall be added thereto in addition to the 10 percent penalty provided in Section 30221.

30225. Promptly after making its determination the board shall give to the distributor written notice of its estimate and determination, and penalty, the notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 4. Jeopardy Determinations

30241. If the board believes that the collection of any amount of tax imposed under this part will be jeopardized by delay, it shall thereupon make a determination of the amount of tax, noting that fact upon the determination. The amount determined is immediately due and payable

30242 If the amount of the tax, interest, and penalty specified in the jeopardy determination is not paid within 10 days after service upon the distributor of notice of the determination, the determination becomes final, unless a petition for redetermination is filed within the 10 days, and the delinquency penalty and interest provided in Article 6 of this chapter shall attach to the amount specified.

30243. The distributor against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to Article 5 of this chapter. He shall, however, file the petition for redetermination with the board within 10 days after the service upon him of notice of the determination The distributor shall at the time of filing the petition for redetermination deposit with the board such security as it may deem necessary to insure compliance with this part. The security may be sold by the board in the manner prescribed by Section 30151.

Article 5. Redeterminations

30261 Any distributor against whom a determination is made under Article 2 or 3 of this chapter may petition for a redetermination within 15 days after service upon the distributor of notice thereof. If a petition for redetermination is not filed within the 15-day period, the determination becomes final at the expiration of the period.

30262 If a petition for redetermination is filed within the 15-day period, the board shall reconsider the determination and, if the distributor has so requested in his petition, shall grant him an oral hearing and shall give him at least 10 days' notice of the time and place of the hearing. The board may continue the hearing from time to time as may be necessary.

30263 The order or decision of the board upon a petition for redetermination becomes final 15 days after mailing of notice thereof

30264. All determinations made by the board under Article 2 or 3 of this chapter are due and payable at the time they become final. If they are not paid when due and payable, a penalty of 10 percent of the amount of the determination, exclusive of interest and penalties, shall be added thereto.

30265. Any notice required by this article shall be served personally or by mail in the manner prescribed for service of notice of a deficiency determination

Article 6. Interest and Penalties

30281. Any distributor who fails to pay any tax, except taxes determined by the board under Article 2 or 3 of this chapter, within the time required shall pay a

penalty of 10 percent of the amount of the tax, in addition to the tax, plus interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the tax became due and payable until the date of payment.

CHAPTER 5 COLLECTION OF TAX

Article 1. Suit for Tax

30301. At any time within three years after any amount of tax becomes due and payable and at any time within three years after the last recording of a certificate under Section 30322, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State.

30302. In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required.

30303. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax, interest, and penalty set forth, and of compliance by the board with all provisions of this part in relation to the computation and levy of the tax.

Article 2. Priority and Lien of Tax

30321. The amounts required to be paid by any person under this part together with interest and penalties shall be satisfied first in any of the following cases:

(a) Whenever the person is insolvent.

(b) Whenever the person makes a voluntary assignment of his assets.

(c) Whenever the estate of the person in the hands of executors, administrators, or heirs is insufficient to pay all the debts due from the deceased.

(d) Whenever the estate and effects of an absconding, concealed, or absent person required to pay any amount under this part are levied upon by process of law.

This section does not give the State a preference over any recorded lien which attached prior to the date when the amounts required to be paid became a lien

The preference given to the State by this section shall be subordinate to the preferences given to claims for personal services by Sections 1204 and 1206 of the Code of Civil Procedure

30322. If any amount required to be paid to the State under this part is not paid when due, the board may within three years after the amount is due file for record in the office of any county recorder a certificate specifying the amount, interest, and penalty due, the name and address as it appears on the records of the board of the person liable for the same, and the fact that the board has complied with all provisions of this part in the determination of the amount required to be paid. From the time of the filing for record, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterwards and before the lien expires acquired by him The lien has the force, effect, and priority of a judgment lien and shall continue for five years from the time of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within five years from the date of the filing of the certificate or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property and such county for five years unless sooner released or otherwise discharged.

30323. The board may at any time release all or any portion of the property subject to any lien provided for in this part from the lien or subordinate the lien to other liens and encumbrances if it determines that the amount, interest, and penalties are sufficiently secured by a lien on other property or that the release or subordination of the lien will not jeopardize the collection of the amount, interest, and penalties.

30324. A certificate by the board to the effect that any property has been released from the lien or that the lien has been subordinated to other liens and encumbrances shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate.

Article 3. Warrant for Collection of Tax

30341. At any time within three years after any person is delinquent in the payment of any amount herein required to be paid, or within three years after the last recording of a certificate under Section 30322, the board or its authorized representative may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the State under this part. The warrant shall be directed to any sheriff, marshal or constable and shall have the same effect as a writ of execution. The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution.

30342 The board shall pay the sheriff, marshal or constable, upon the completion of his services pursuant to a warrant, the same fees, commissions, and expenses for his services as are provided by law for similar services pursuant to a writ of execution. The board, and not the court, shall approve the fees for publication in a newspaper.

30343. The fees, commissions, and expenses are the obligation of the person required to pay any amount under this part and may be collected from him by virtue of the warrant or in any other manner provided in this part for the collection of the tax.

Article 4. Miscellaneous Provisions

30351. The remedies of the State provided for in this chapter are cumulative, and no action taken by the board or Attorney General constitutes an election by the State to pursue any remedy to the exclusion of any other remedy for which provision is made in this part.

30352. In all proceedings under this chapter the board may act on behalf of the people of the State of California.

CHAPTER 6. OVERPAYMENTS AND REFUNDS

Article 1. Claim for Refund

30361. If the board determines that any amount not required to be paid under this part has been paid by any person, the board shall set forth in its records and certify to the State Board of Control the amount paid in excess of the amount legally due and the person by whom the excess was paid to the board. If the State Board of Control approves, the excess shall be credited on any amounts then due and payable from the person under this part, and the balance shall be refunded to the person, or his successors, administrators, executors, or assigns.

30362 No credit or refunds shall be allowed after three years from the date of overpayment unless a claim therefor is filed with the board within three years from the date of overpayment.

30363. The claim shall be in writing and shall state the specific grounds upon which it is founded.

30364. In the case, however, of a determination by the board that an amount not exceeding twenty-five dollars ($25) was not required to be paid under this part, the board without obtaining approval of the State Board of Control, may credit the amount on any amounts then due and payable under this part from the person by whom the amount was paid and may refund the balance to the person or his successors, administrators, or executors.

Article 2. Recovery of Erroneous Refunds

30381. The board may recover any refund or part thereof which is erroneously made and any credit or part thereof which is erroneously allowed in an action brought in a court of competent jurisdiction in the County of Sacramento in the name of the people of the State of California.

30382 The action shall be tried in the County of Sacramento unless the court with the consent of the Attorney General orders a change of place of trial.

30383. The Attorney General shall prosecute the action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings.

Article 3. Suit for Refund

30401. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this part of any amount of tax or to prevent or enjoin the revocation of any license issued under this part or any other action whereby it is sought to enforce the payment of any amounts required to be paid.

30402. After payment of any amount, the person making the payment may bring an action against the board in a court of competent jurisdiction in the County of Sacramento for the recovery of the amount paid.

30403. No action may be instituted more than ninety days after the payment of the amount sought to be recovered. Failure to bring suit within ninety days constitutes a waiver of any demand against the State on account of alleged overpayments

30404. If judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any amounts due from the plaintiff under this part, and the balance of the judgment shall be refunded to the plaintiff. In any judgment, interest shall be allowed at the rate of 6 percent per annum upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment or to a date preceding the date of the refund warrant by not more than thirty days, the date to be determined by the board

30405 A judgment shall not be rendered in favor of the plaintiff in any action brought against the board to recover any amount paid when the action is brought by or in the name of an assignee of the person making the payment or by any person other than the person making the payment

Article 4. Cancellations

30421. If any amount has been illegally determined, the board shall set forth in its records and certify to the State Board of Control the amount determined in excess of the amount legally due and the person against whom the determination was

made. If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board.

CHAPTER 7. ADMINISTRATION

30451. The board shall enforce the provisions of this part and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this part. The board may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

30452. The board may employ accountants, auditors, investigators, assistants, and clerks necessary for the efficient administration of this part and may designate representatives to conduct hearings, prescribe regulations, or perform any other duties imposed by this part or other laws of this State upon the board.

30453. Every distributor and every person dealing in, transporting, or storing cigarettes in this State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto in such form as the board may require.

30454 The board or its authorized representative may examine the books, papers, records, and equipment of any person dealing in, transporting, or storing cigarettes and may investigate the character of the disposition which the person makes of the cigarettes in order to ascertain whether all taxes due under this part are being properly reported and paid.

30455. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any report, or to permit any report or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person.

Any violation of this section is a misdemeanor and is punishable by a fine not exceeding one thousand dollars ($1,000), by imprisonment not exceeding one year, or by both in the discretion of the court.

CHAPTER 8 DISPOSITION OF PROCEEDS

30461. All amounts required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. The board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Cigarette Tax Fund, which fund is hereby created.

30462. All money deposited in the Cigarette Tax Fund under this part shall, upon order of the State Controller be drawn therefrom for refunds under this part or be transferred to the General Fund of this State.

CHAPTER 9 VIOLATIONS

30471. Any person who fails or refuses to file any report required to be made, or who fails or refuses to furnish a supplemental report or other data required by the board, or who renders a false or fraudulent report is guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars ($500) for each offense

30472 Any person required to make, render, sign, or verify any report who makes any false or fraudulent report with intent to defeat or evade the determination required by law to be made is guilty of a misdemeanor. He shall for each offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000), or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment in the discretion of the court.

30473. Any violation of the provisions of this part, except as otherwise provided, is a misdemeanor and is punishable as such.

SEC 2 The sum of two hundred and fifty thousand dollars ($250,000), or so much thereof as may be necessary, is appropriated for the support of the State Board of Equalization in administering Part 13 of Division 2 of the Revenue and Taxation Code during the fiscal year beginning July 1, 1949 and ending June 30, 1950.

SEC 3. This act, inasmuch as it provides for a tax levy shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 23, inclusive; and strike out all of pages 2, 3, 4, 5, 6, 7, 8, 9, and 10.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 540—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "structural".

Amendment No. 2

On page 1, line 6, of said bill, strike out "and machinery, equipment or trade fixtures"; and strike out lines 7 and 8, and insert a period.

Amendment No. 3

On page 1 of said bill, after line 11, insert

"(c) For purposes of taxation trade fixtures shall be considered as personal property."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 660—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 18, of the printed bill, after "Taxes", insert "or assessments".

Amendment No. 2

On page 1 of said bill, strike out line 25, and insert "deemed to be within the exception made by subdivision (e)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation.

Assembly Bill No. 1032—An act to add Section 19053.9 to the Revenue and Taxation Code, relating to personal incomes taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, before "Section", strike out "add", and insert "amend".

Amendment No. 2

In line 1 of the title of the printed bill, after "Section", strike out "19053.9", and insert "s 17813, 17817, and 18172 7".

Amendment No. 3

On page 1, line 1, of the printed bill, after "Section", strike out "19053.9 is added to", and insert "of".

Amendment No. 4

On page 1, line 2, of the printed bill, after "Code", strike out the comma, and insert "is amended".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert

"17813. In the case of mines (other than metal, *bauxite*, coal, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc, *(including pyrophyllite)*, lepidolite, spodumene, barite, potash, ball, [and] sagger, *and china* clay, *phosphate* rock, rock asphalt, *trona*, *bentonite*, *gilsonite*, *thenardite*, or sulphur mines) discovered by the taxpayer after February 28, 1913, the basis for depletion shall be the fair market value of the property at the date of discovery or within thirty days thereafter, if [the] *such* mines were not acquired as the result of purchase of a proven tract or lease, and if the fair market value of the property is materially disproportionate to the cost.

SEC. 2. Section 17817 of the Revenue and Taxation Code is amended to read:

17817. The allowance for depletion under Section 17314 shall be, in the case of coal mines, 5 percent, in the case of metal, *bauxite*, fluorspar, flake graphite, vermiculite, beryl, feldspar, mica, talc, *(including pyrophyllite)*, lepidolite, spodumene, barite, ball, [and] sagger, *and china* clay, *phosphate rock*, [or] rock asphalt mines, *trona*, *bentonite*, *gilsonite*, *thenardite (from brines or mixtures of brine)*, and potash mines or deposits, 15 percent, and, in the case of sulphur mines or deposits, 23 percent, of the gross income from the property during the taxable year, excluding from such gross income an amount equal to any rents or royalties paid or incurred by the taxpayer in respect of the property. The allowance shall not exceed 50 percent of the net income of the taxpayer (computed without allowance for depletion) from the property, except in no case shall the depletion allowance under Section 17314 be less than it would be if computed without reference to this section.

SEC. 3. Section 18172.7 of the Revenue and Taxation Code is amended to read:

18172.7. For the purposes of computing the net income of the estate or trust and net income of the wife described in Sections 17104, 17105, 17106, and 17107, or Section 18172.3, the wife shall be considered as the beneficiary specified in Sections 18172.3 and 18172.5. A periodic payment under Sections 17104, 17105, 17106, and 17107 to any part of which the provisions of Sections 18172.3 and 18172.5 are applicable, shall be included in the gross income of the beneficiary in the taxable year in which *under Section 18133 such* [that] part is required to be included."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Revenue and Taxation

Assembly Bill No. 1170—An act to add Section 3052 to the Welfare and Institutions Code, relating to persons eligible to receive aid to the needy blind.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

Strike out lines 1 to 7, inclusive, of the printed bill, and insert

"SECTION 1. The purpose of this act shall be to extend the equivalent in assistance now obtainable by blind persons and partially self supporting blind persons to such blind persons or partially blind persons who under current regulations of the Department of Social Welfare interpreting the present statutes are ineligible for aid if such blind persons or partially blind persons are unable by reason of impairment of eyesight to provide themselves fully with the necessities of life and who have not sufficient income and resources through their own means, as defined in Section 3403, sufficient to provide a reasonable and decent standard of living.

SEC. 2. Those provisions of the Welfare and Institutions Code relating to needy and partially self supporting blind persons not conflicting with the provisions and/or intent of this act shall also apply herewith.

SEC. 3. The Department of Social Welfare shall determine eligibility for aid under the provisions of this act, but the maximum requirements relating to impairment of eyesight shall be as follows.

In terms of ophthalmic measurement, central visual acuity of 20/150 in the better eye with correcting glasses or a field defect in which the peripheral field has contracted to such an extent that the widest diameter of visual field subtends at an angular distance of no greater than thirty (30) degrees. Where the eyesight in the poorer eye has a central visual acuity of 20/200 or less with correcting glasses, vision of 20/100 in the better eye with correcting glasses."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Social Welfare.

Assembly Bill No. 2450—An act to amend Section 592.1 of the Vehicle Code, relating to stopping, standing, or parking of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 6, of the printed bill, after "by", insert "or for".

Amendment No. 2

On page 1, line 9, of said bill, before "removal", insert "operation,".

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "or under", and insert ", over, under or adjacent to".

Amendment No. 4

On page 1 of said bill, strike out lines 16 through 26, inclusive, and insert "hereinafter specified:

(1) During daylight such warning devices shall consist of

(a) A warning flag or barricade striping on the front and rear of such vehicle, or

(b) A warning flag, sign or barrier on the highway not more than 50 feet in advance of the vehicle and not more than 50 feet to the rear thereof, provided, however, that in zones where the maximum speed limit is in excess of 25 miles per hour said 50-foot distance may be increased up to 500 feet from the vehicle as circumstances may warrant.

(2) During the time referred to in Section 618 hereof such warning devices shall consist of

(a) One or more lights or fuses on the vehicle giving warning to approaching traffic from each direction, or

(b) A warning light, flare, fusee or reflector on the highway not more than 50 feet in advance of the vehicle and not more than 50 feet to the rear thereof, provided, however, that in zones where the maximum speed limit is in excess of 25 miles per hour said 50-foot distance may be increased up to 500 feet from the vehicle where circumstances may warrant.

(3) The provisions of paragraphs (1) and (2) shall not be deemed to prevent the display of the warning devices specified in (a) and (b) of each of said paragraphs respectively.

(4) During either daylight or the time referred to in said Section 618, no other warning devices shall be necessary if the vehicle is an authorized emergency vehicle within the provisions of this code and is equipped with a flashing red light or lights visible to approaching traffic from each direction."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

Assembly Bill No. 635—An act to add Section 697.1 to the Vehicle Code, relating to the length of passenger busses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 5, of the printed bill, following "bus", insert "may exceed 35 feet in length but".

Amendment No. 2

On page 1, line 8, of said bill, before the period, insert "and when the Public Utilities Commission by order has approved the use of busses in excess of 35 feet in length on routes designated by it".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Transportation and Commerce.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 608—An act to amend Sections 271.2, 304, 307, 311, and 332 of the Vehicle Code, relating to the licensing of drivers of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 619—An act to amend Section 525, 525.1, and 540 of, and to add Section 525.2 to the Vehicle Code, relating to the driving of vehicles on highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 125—An act to amend Sections 4452, 4453, and 4656 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

Demand for Previous Question

Messrs. Kirkwood, Silliman, Connolly, Hinckley, and Stanley demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 125.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Thomas, Way, and Weber—44.

NOES—Babbage, Burke, Butters, Clarke, Collier, Connolly, Conrad, Erwin, Geddes, Grant, Grunsky, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—26.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.30 a.m., Mr. Dunn asked for, and was granted, unanimous consent that Mr. Rumford be excused, for the balance of the legislative day because he is attending to legislative business elsewhere.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, House Resolution No. 44 was taken up.

CONSIDERATION OF HOUSE RESOLUTION NO. 44

By Mr. Dolwig:

House Resolution No. 44

Relative to the creation of the Assembly Fact-Finding Committee on Tideland Reclamation

WHEREAS, The problem of tideland reclamation and development is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that with the rapid growth of industry and commerce within the borders of the State of California, land which is easily accessible to rail and water is being used to capacity; and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State of California desires land easily accessible to rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, There is an urgent need for the Legislature to be fully advised in all the facts relating to the need for the reclamation and development of tidelands, the scarcity of industrial sites available to rail and water, and the demands of industry and commerce for adequate and satisfactory locations within the borders of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Fact-Finding Committee on Tideland Reclamation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California; and

(b) The methods that are generally used for the reclamation of tidelands; and

(c) The needs of industry and commerce for expansion and location within the borders of the State of California upon land easily accessible to rail and water;

(d) Specific tideland areas within the State that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial and commercial use, including adequate provisions for access thereto; the estimated costs of any or all such projects;

(e) All matters pertaining to or directly or indirectly affecting the subject matter of this resolution; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of _____ Members of the Assembly appointed by the Speaker. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its finding and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Motion to Amend

Mr. Dolwig moved the adoption of the following committee amendment:

Amendment No. 1

Strike out all of the title and text of the measure as printed in the Assembly Journal for January 17, 1949, at pages 315 and 316, and insert

"Relative to the creation of the Assembly Fact-finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

WHEREAS, The problem of tideland reclamation and development in Northern California, and particularly in the San Francisco Bay Region, is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that, with the rapid growth of industry and commerce within the borders of the State of California, land which is easily accessible to highways, rail and water is being used to capacity; and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State desire land easily accessible to highways, rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, An essential part of such a development program involves consideration of providing adequate highway facilities and integrating plans for state highway facilities with the plans for such reclamation and development of industrial sites; and

WHEREAS, There presently exists a serious condition wherein the people of the State living in the valleys of Northern California are greatly harassed by traffic congestion in and about the San Francisco Bay area and the people of the State living on the San Francisco-San Mateo Peninsula are not being adequately served by the present means of ingress and egress from the northern and central portions of the State; and

WHEREAS, The State now has under consideration plans for the construction of additional San Francisco Bay crossings and there is pending before this Legislature a proposal for an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of such crossing; and

WHEREAS, There are differences of opinion as to which location and type of crossing would be most advantageous to the people of the State; and

WHEREAS, The construction of such crossing and the location thereof is a material factor in the development of a program for tideland reclamation and development of the San Francisco Bay area; and

WHEREAS, There is urgent need for the Legislature to be fully advised as to all facts relating to the foregoing; now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California and particularly in the San Francisco Bay region;

(b) The needs of industry and commerce for expansion and location of sites in Northern California and particularly in the San Francisco Bay region upon land easily accessible by highway, rail, and water;

(c) Specific tideland areas in Northern California and particularly in the San Francisco Bay region that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial or commercial use, and the estimated costs of any or all such projects;

(d) Providing adequate access by highways from such areas and the San Francisco-San Mateo Peninsula to the northern and central portions of California, including all matters pertaining to the construction of additional San Francisco Bay crossings, the location thereof, and the type of structure; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer."

Amendment read.

Motion to Re-refer House Resolution No. 44 to Committee

Mr. George D. Collins moved that House Resolution No. 44 be withdrawn from the file, and be re-referred to the Committee on Rules.

Mr. Sherwin seconded the motion.

Demand for Previous Question

Messrs. Grunsky, Weber, Smith, Connolly, and Hoffman demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. George D. Collins that House Resolution No. 44 be withdrawn from the file, and be re-referred to the Committee on Rules

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Berry, Caldecott, Collier, George D. Collins, Connolly, Crowley, Hinckley, Lincoln, Maloney, McCarthy, Meyers, Morris, and Sherwin—14

NOES—Anderson, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Holhibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Moss, Niehouse, Reagan, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—55.

The questions being on the motion by Mr. Dolwig that the amendment offered by the Committee on Rules to House Resolution No. 44 be adopted.

Amendment adopted.

Consideration of House Resolution No. 44, as Amended

By Mr. Dolwig:

House Resolution No. 44

Relative to the creation of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

WHEREAS, The problem of tideland reclamation and development in Northern California, and particularly in the San Francisco Bay region, is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, It is manifestly clear that, with the rapid growth of industry and commerce within the borders of the State of California, land which is easily accessible to highways, rail and water is being used to capacity; and

WHEREAS, Industry and commerce seeking to establish itself within the borders of the State desire land easily accessible to highways, rail and water; and

WHEREAS, The economy and economic welfare of the State of California is closely related and interwoven with the development of a broad industrial and commercial program; and

WHEREAS, There presently exists several methods for reclaiming tidelands, and each method being useful for different purposes; and

WHEREAS, An essential part of such a development program involves consideration of providing adequate highway facilities and integrating plans for state highway facilities with the plans for such reclamation and development of industrial sites; and

WHEREAS, There presently exists a serious condition wherein the people of the State living in the valleys of Northern California are greatly harassed by traffic congestion in and about the San Francisco Bay area and the people of the State living on the San Francisco-San Mateo Peninsula are not being adequately served by the present means of ingress and egress from the northern and central portions of the State; and

WHEREAS, The State now has under consideration plans for the construction of additional San Francisco Bay crossings and there is pending befor this Legislature a proposal for an appropriation for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of such crossing; and

WHEREAS, There are differences of opinion as to which location and type of crossing would be most advantageous to the people of the State; and

WHEREAS, The construction of such crossing and the location thereof is a material factor in the development of a program for tideland reclamation and development of the San Francisco Bay area; and

WHEREAS, There is urgent need for the Legislature to be fully advised as to all facts relating to the foregoing; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The scarcity of industrial sites within the borders of the State of California and particularly in the San Francisco Bay region;

(b) The needs of industry and commerce for expansion and location of sites in Northern California and particularly in the San Francisco Bay region upon land easily accessible by highway, rail, and water;

(c) Specific tideland areas in Northern California and particularly in the San Francisco Bay region that are available for reclamation and development, the methods by which any such area may be reclaimed, developed, and made available for industrial or commercial use, and the estimated costs of any or all such projects;

(d) Providing adequate access by highways from such areas and the San Francisco-San Mateo Peninsula to the northern and central portions of California, including all matters pertaining to the construction of additional San Francisco Bay crossings, the location thereof, and the type of structure; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer"

Resolution read, as amended.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Sherwin has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Allow Additional Time to Mr. Sherwin

Mr. George D. Collins moved that Mr. Sherwin be allowed five minutes additional time for debate on House Resolution No. 44.

Motion died for lack of a second.

The question being on the adoption of House Resolution No. 44, as amended.

Demand for Previous Question

Messrs. Lincoln, Grunsky, Evans, McCollister, and McMillan demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 44, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Silliman, Thomas, Thompson, Tomlinson, Way, and Weber—55.

NOES—Berry, Caldecott, Collier, Connolly, Crowley, Hinckley, Kirkwood, Lincoln, Maloney, McCarthy, Sherwin, and Stanley—12.

RECESS

At 12.40 p m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 235	Assembly Bill No. 2206
Assembly Bill No. 1547	Assembly Bill No 2335
Assembly Bill No 1950	Assembly Bill No. 2522

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No 235 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1547 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 1950 ordered re-referred to Committee on Governmental Efficiency and Economy

Assembly Bill No. 2206 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2335 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2522 ordered re-referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2030

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Hagen:

House Resolution No. 143

WHEREAS, In the tragic death of Stanley Stemmer Beaubaire, youthful Hanford Sentinel-Journal co-publisher, in an airplane accident near Bakersfield, the San Joaquin Valley, the State of California and the Nation have sustained the loss of an exemplary citizen; and

WHEREAS, Stanley Beaubaire has, through extreme devotion to his profession and his magnetic personality, risen to a recognized leadership among the State's newspapermen; and

WHEREAS, Beginning with his high school days at Lowell High School in San Francisco, and his college days at Stanford University, the field of journalism was bettered by his participation therein; and

WHEREAS, He also was a material factor in providing a local radio outlet for Kings County and the San Joaquin Valley through the Sentinel-Journal's Radio Station KNGS; and

WHEREAS, He was, in addition, a civic leader in the City of Hanford and a member of the Hanford Elks Lodge, the Hanford Kiawanis Club, Sigma Delta Chi (honorary journalistic fraternity), the San Francisco Press Club, and a Director of the California Newspaper Publishers Association; and

WHEREAS, He always cherished his friends and found time to cheer and help them in life's problems; now, therefore, be it

Resolved, That the Assembly of the State of California, and the members thereof express their regret at the passing of one of California's foremost young leaders in journalistic, civic and fraternal circles, and sincerely condole with his parents in their bereavement; and be it further

Resolved, That a copy of this resolution, properly engrossed, be sent to his parents, Mr and Mrs Samuel M Beaubaire, of Hanford.

Resolution read, and ordered referred to the Committee on Rules.

PROPOSED AMENDMENT TO ASSEMBLY PERMANENT STANDING RULE NO. 37 ORDERED PRINTED IN JOURNAL

Pursuant to his notice of motion that on Tuesday, March 29th, he would move to amend the Permanent Standing House Rules, Speaker Sam L. Collins ordered that his proposed amendment to Assembly Permanent Standing Rule No. 37, be ordered printed in the Journal as follows:

Proposed Amendment to Assembly Permanent Standing Rule No. 37

By Mr. Sam L. Collins:

Resolved, That Assembly Permanent Standing Rule No. 37 be amended by adding thereto the following

"During the portion of the session prior to the constitutional recess and after the end of the second week following the convening of the session, no member of the Assembly shall introduce any bill, other than the Budget Bill, at the request of or on behalf of any state officer, department, board, bureau, or commission, without first obtaining permission to do so. Any member who desires to introduce such a bill after the end of the second week of the session shall send it to the Clerk's desk, accompanied by a written request for permission to introduce it. The bill may be introduced only after the adoption of a motion by the Assembly that permission be granted to the member to do so. The adoption of such a motion shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 554

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 554, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 554

Assembly Bill No. 554—An act to amend Section 28117 of the Government Code, relating to compensation for public services in counties of the seventeenth class.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 27 and 28.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1393—An act to add Section 373.5 to the Code of Civil Procedure, relating to the appointment and compensation of guardian ad litem for unborn and unascertained persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Thompson, Way, Weber, and Mr Speaker—51

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2945—An act to add Section 754.6 to the Probate Code, relating to the sale of property in probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Thompson, Way, Weber, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1720—An act to amend Section 17 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant,

Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Thompson, Way, Weber, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 704—An act to amend Section 1570 of the Probate Code, relating to the appointment of guardians for minors and insane or incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Way, Weber, and Mr Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 705—An act to amend Section 801 of the Probate Code, relating to the sale of property in probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1394—An act to amend Sections 27320 and 27321 of the Government Code, relating to the recordation of instruments

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1631—An act to amend Section 164 of the Civil Code, relating to property acquired after marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 725—An act to add Section 19333 to the Government Code, relating to authorizing absences from veterans' homes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 730, ON UNFINISHED BUSINESS FILE

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up the consideration of Senate amendments to Assembly Bill No. 730, on the unfinished business file, at this time.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 730—An act to add Section 135 to the Welfare and Institutions Code, relating to the compensation of members of the board or committee appointed by the Director of the State Department of Social Welfare, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 730?

Amendment No. 1

In line 4 of the title of the printed bill, after "Welfare,", strike out the remainder of that line, and also line 5.

Amendment No. 2

On page 1, line 15, of said bill, strike out all of Sec 2, which includes lines 15 to 24, inclusive.

Amendment No. 3

Strike out all of page 2 of said bill.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 730 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin,

Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 730 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 298 WAIVED

Mr. Dolwig waived his notice of motion to reconsider the vote whereby Assembly Bill No. 298 was refused passage

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1205—An act to amend Sections 502.1, 511.5, and 516.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Bill read third time, and ordered temporarily passed on file.

Speaker Pro Tempore Presiding

At 2.35 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1209—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, and 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the Federal System of Discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry, and bad-conduct discharges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 2.38 p.m., Hon. Richard H McCollister, Member of the Assembly from the Seventh District, presiding.

Assembly Bill No. 123—An act to amend Section 4661 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.
NOES—Levering, Reagan, and Stanley—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2 43 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1721—An act to amend Section 18 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1722—An act to amend Section 10 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1766—An act to amend Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb,

Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 467—An act to amend Section 3045 of the Penal Code, relating to paroles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 697—An act to amend Section 645 of the Probate Code, relating to the setting aside of estates without administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—62.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.56 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 190 HOLD PLACE ON FILE

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 190, previously passed on file, retain its place on file, on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 695—An act to amend Section 1126 of the Probate Code, relating to testamentary trusts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky,

Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1203—An act to amend Section 163, 164, 167, 168, 175, 180, 187, 223, 224, 252, and 253 of, and to add Section 212 to, the Military and Veterans Code, relating to the military forces of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1208—An act to amend Sections 125, 127, 324, 325, 369, 397, 398, 439, 612, and 615 of the Military and Veterans Code and to amend Section 718c of the Civil Code, relating to the military forces of the State, including the exemption from military service, the detail of federal officers for service with the National Guard or Naval Militia, the detail of officers for special duty and waiver of part of compensation, performance of emergency service, the performance of military duty on election day, the passage of the National Guard through toll bridges and on ferries, the declaration of places as "off limits," the leasing of property owned by a municipality for a term not to exceed fifty years for military or armory purposes, the Colors and standards of organizations of the National Guard, the delivery of the Colors to members of the family of a deceased member of the National Guard, the use of the National Flag, and assignment of command.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1210—An act to amend Sections 210, 224, 225, 250, 254, 261, 262, and 269, and to repeal Section 322 of the Military and Veterans Code, relating to the organization of the National Guard, precedence in rank, separation of personnel from service, the qualification for enlistment, the transfer and reduction of members of the National

Guard, discharge certificates, the dishonorable discharge of members of the military or naval service of the State and the effect thereof and the pay of members of the National Guard while attending camps of instruction, drills or parade.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2146—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance at drills, camps, and exercises; performance of duty during insurrection or emergency; private employees and restoration to positions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that a breakfast meeting and Republican caucus will be held at 8 a.m., tomorrow morning, Tuesday, March 29th, at the Hotel Senator.

Speaker Sam L. Collins announced that Assemblyman and Mrs. Huyck are the proud parents of a new son, born last Saturday, March 26th.

CORRECTION AUTHORIZED BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered that an incorrect report, as released by the Committee on Manufacturing, Oil, and Mining Industry, and printed on page 1304 of the Journal on Thursday, March 24th, be deleted, and that a correct report be substituted in its place, in the Corrected Journal of that date, to show that Assembly Bill No. 2729 was reported out of committee instead of Assembly Bill No. 102.

CORRECTION AUTHORIZED BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered that an incorrect report, as released by the Committee on Rules, and printed on page 1347 of the Journal on Friday, March 25th, be corrected to show that House Resolution No. 140 instead of House Resolution No. 40 was reported out of committee, in the Corrected Journal of that date.

RESOLUTIONS

The following resolution was offered:

By Messrs. Clayton A. Dills and Maloney:

House Resolution No. 144

Congratulating Assemblyman John D. Babbage upon his birthday anniversary

WHEREAS, At the opening of the Regular Session of 1949, this Assembly was augmented and enriched by the membership of John D. Babbage of Riverside; and

WHEREAS, Upon his election to this Assembly this young man had already achieved an enviable record, having been born in New York City and attended grammar school there, later coming to California where he was graduated from the University of Southern California and was awarded a scholarship at Columbia University where he took his degree in law, and served with the Federal Bureau of Investigation during the war, then becoming Deputy District Attorney of Riverside County, which position he held at the time of his election to this Assembly, and having had the forethought to acquire for himself his lovely wife, Marjorie, and, with her assistance, their son, James, and daughter, Robyn; and

WHEREAS, During the short time that he has been in this Assembly, John D. Babbage, by his forthright conduct and his capable participation in the work of this Assembly, has already won the warm friendship of his colleagues, and by his youth, good looks, and chivalrous manner has completely charmed all the ladies; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend felicitations and congratulations to John D. Babbage upon the occasion of his thirty-third birthday anniversary and wish him many happy returns of the day; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman Babbage as an expression of the friendship and esteem of his colleagues in the Assembly of California.

Request for Unanimous Consent

Mr. Clayton A. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 144, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2530
Assembly Bill No. 2770

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2530 ordered re-referred to Committee on Education.

Assembly Bill No. 2770 ordered re-referred to Committee on Ways and Means.

MEMBER EXCUSED

At 3.18 p.m., Mr. George D. Collins asked for, and was granted, unanimous consent that Mr. Brady be excused, for the balance of the legislative day because of illness.

RESOLUTIONS

The following resolution was offered:

By Messrs. Conrad, Waters, Smith, and Lipscomb:

House Resolution No. 145

Congratulating Assemblyman and Mrs. Willard M. Huyck upon the birth of a son

WHEREAS, That stupendous stork has again diligently exercised the functions of his office, and brought to Willard M. and Coramae Huyck, at noon on Saturday, the twenty-sixth of March, another fine boy, James Forrest, weight 7 pounds, 11 ounces; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend to their colleague, Willard M. Huyck, and to his lovely wife, Coramae Huyck, warm congratulations upon the birth of this their second son, and extend best wishes for a long, happy, and successful life to the newcomer, James Forrest Huyck; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman and Mrs. Huyck.

Request for Unanimous Consent

Mr. Conrad asked for, and was granted, unanimous consent to take up House Resolution No. 145, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

ANNOUNCEMENTS

Mr. Moss announced that the luncheon meeting and Democratic caucus, scheduled for next Tuesday noon, will be held Wednesday noon, March 30th, upon recess, at the Hotel Sacramento.

EXPLANATION OF VOTE ON ASSEMBLY BILLS NOS. 125 AND 123

When Assembly Bill No. 125 and Assembly Bill No. 123 were considered and passed by the Assembly today, March 28th, I was absent on legislative business. Had I been present, I would have voted Aye.

WILLIAM BYRON RUMFORD

REQUEST

Speaker Sam L. Collins requested that the bills listed on the second reading file today, which are carried in the bill folders of each member, be not destroyed, because they will appear tomorrow on the third reading file. In event of delay in the placing of bills on the desks of members, the business of the House can proceed.

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Journals for Monday, March 21, 1949; Tuesday, March 22, 1949; Wednesday, March 23, 1949; Thursday, March 24, 1949; and Friday, March 25, 1949, were approved as corrected by the Minute Clerk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 1314

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bill ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight at 8 p.m.—

Finance and Insurance, in Room 432.

Today Upon Adjournment—

Crime and Correction.
Rules, in Room 430
Public Utilities and Corporations.
Ways and Means. Subject: Recreation budgets and other items.

Tomorrow, Tuesday, March 29th, at 9 a.m.—

Subcommittee on Agriculture. Subject: Consideration of Assembly Bill No. 3101 and Assembly Bill No. 1407.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mary Racicot of Sacramento.

On request of Mr. Clayton A. Dills, the usual courtesies of the Assembly for this day were unanimously extended to C. Van Steenwyk of Los Angeles.

On request of Speaker Sam L. Collins and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Alfred Robertson of Santa Barbara.

On request of Speaker Sam L Collins, the usual courtesies of the Assembly for this day were unanimously extended to Lawrence Kelly and Glenn McCloud of Anaheim.

On request of Mr Butters, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mary Crowley of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Edwin Loredon, teacher of the Yreka High School; Mrs. George Walker, Mrs. Marie Broderick, Mrs. Isabel Stables, Jack Ferrari, guests, and the following pupils: Jere Turre, Lyle Foster, Sherril Harrison, Mario Michelon, Thelma Fiock, Alferd McCann, Maxine Cardoza, Idabelle Frost, Louie Machado, Corrine Sadler, Lynn Thomason, Judy Barr, Marie Brodrick, Charline Calkins, Lucreita Churchill, Betty Davis, Dan Girdner, Jean Hallmark, Nancy Harris, James Harvey, Ruby Kice, Pat McKenzie, Ray Ruth, Dorothy Smith, Joan Stables, Leland Stickney, Norma Lee Urback, Jay Williams, Jere Brooks, Mary Chinozzo, and James McNames.

ADJOURNMENT

At 3.25 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m . Tuesday, March 29, 1949

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SIXTH LEGISLATIVE DAY

EIGHTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, March 29, 1949

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Liberty: May we hear today the universal demand for a free world issuing from the lips of all the oppressed and irrepressible within our own hearts.

Let us demand a world where men are free to express their opinions without the threat of intimidation.

A world where the agencies of publicity, the press and the radio, are never controlled by merely selfish interests, and a world where the masses of the people can learn the ungarbled facts.

Let us be warned by the police states which suppress freedom and stifle their own genius and progress.

May the Goddess of Liberty ever stand before us without a padlock on her lips—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Reagan, on motion of Mr. Levering.

Mr. Stewart, on motion of Mr. Doyle

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Rosenthal, on motion of Mr. Beck.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Connolly, on motion of Mr. Grunsky.

Mr. Ralph C. Dills, on motion of Mr. Sam L. Collins.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1749

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 932
Assembly Bill No. 1353
Assembly Bill No. 1357
Assembly Bill No. 1358

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BENNETT, Vice Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 185
Assembly Bill No. 186
Assembly Bill No. 187
Assembly Bill No. 424
Assembly Bill No. 621
Assembly Bill No. 622
Assembly Bill No. 628
Assembly Bill No. 640
Assembly Bill No. 658
Assembly Bill No. 1022
Assembly Bill No. 1023
Assembly Bill No. 1031
Assembly Bill No. 1765
Assembly Bill No. 2076
Assembly Bill No. 2197
Assembly Bill No. 2647
Assembly Bill No. 1662

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2240
Assembly Bill No. 2337

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2240 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2337 ordered re-referred to Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 479—An act to amend Section 3423 of the Public Resources Code, relating to delinquent assessment and charges for the Petroleum and Gas Fund, Division of Oil and Gas, Department of Natural Resources;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of March, 1949, at 4 p.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1574

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 24, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No 347

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 347—An act to amend Section 13143 of the Health and Safety Code, relating to preparation and adoption of fire safety regulations.

Referred to Committee on Public Health.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 28, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 24
Senate Bill No 71
Senate Bill No. 198
Senate Bill No. 223
Senate Bill No. 250
Senate Bill No 313
Senate Bill No 375
Senate Bill No. 378
Senate Bill No. 379
Senate Bill No. 466
Senate Bill No. 467
Senate Bill No. 789
Senate Bill No. 859
Senate Bill No 861
Senate Bill No. 862
Senate Bill No. 998
Senate Bill No. 1135
Senate Bill No. 1283

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 24—An act to add Sections 9105 and 9106 to the Government Code, relating to the State Capitol Building, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 71—An act to amend Section 827 of the Agricultural Code, relating to apple standards, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 198—An act to add Chapter 3 to Part 8, Division 1 of the Revenue and Taxation Code, relating to the distribution of property tax levies and collections on the secured roll.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 223—An act to amend Section 813.5 of the Agricultural Code, relating to standards for celery.

Referred to Committee on Agriculture.

Senate Bill No. 250—An act to amend Section 4167 of the Public Resources Code, relating to fire hazards in the vicinity of forest, brush, grass or grain covered land.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 313—An act to amend Section 39 of the Unemployment Insurance Act, relating to employer's contributions.

Referred to Committee on Finance and Insurance.

Senate Bill No. 375—An act to amend Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 378—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 379—An act to amend Section 67 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 466—An act to amend Section 44 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 467—An act to amend Section 45.12 of the Unemployment Insurance Act, relating to the release or subordination of liens.

Referred to Committee on Finance and Insurance.

Senate Bill No. 789—An act to amend Sections 10170 and 10375 of the Insurance Code, relating to life and disability policies.

Referred to Committee on Finance and Insurance.

Senate Bill No. 859—An act to amend Sections 736 and 12903.5 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 861—An act to amend Section 1858.6 of the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 862—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Referred to Committee on Finance and Insurance.

Senate Bill No. 998—An act to amend Sections 4573 and 4573.5 of, and to add Section 4573.6 to the Penal Code, relating to the bringing of narcotics, drugs, and alcoholic beverages into state and local prisons, and making possession of such articles within such institutions a felony.

Referred to Committee on Judiciary.

Senate Bill No. 1135—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes.

Referred to Committee on Agriculture.

Senate Bill No. 1283—An act to add Section 725 to the Insurance Code, relating to the regulation of interlocking directors of insurance companies.

Referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 429	Assembly Bill No. 1541
Assembly Bill No. 430	Assembly Bill No. 2423
Assembly Bill No. 992	Assembly Bill No. 2841

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 209

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 7
Assembly Bill No. 687
Assembly Bill No. 702
Assembly Bill No. 910
Assembly Bill No. 912
Assembly Bill No. 1082
Assembly Bill No. 2540
Assembly Bill No. 2562
Assembly Bill No. 2576
Assembly Bill No. 2577
Assembly Bill No. 2579
Assembly Bill No. 2582
Assembly Bill No. 2587
Assembly Bill No. 2594
Assembly Bill No. 2595
Assembly Bill No. 2598
Assembly Bill No. 2599
Assembly Bill No. 2846
Assembly Bill No. 2999

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2588

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1713—An act to add Section 55.65 to the Alcoholic Beverage Control Act, relating to the sale of wine, requiring the making of fair trade contracts and the filing of selling and resale price lists in relation thereto, and governing the giving of discounts in connection with the sale of wine.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

Strike out the title of the printed bill, and insert

"*An act to add Section 55.65 to and to amend Sections 40 and 55.6 of the Alcoholic Beverage Control Act, relating to the sale of wine, requiring the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.*"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 through 22; and strike out lines 1 through 51 on page 2, lines 1 through 51 on page 3, and lines 1 through 25 on page 4, and insert

"SECTION 1. Section 55.65 is added to the Alcoholic Beverage Control Act, to read:

Sec. 55.65. (a) *Mandatory Price Posting and Fair Trade Contracts.* On and after November 1, 1949, no licensee shall sell or resell or buy any item of wine in this State except at the selling or resale price thereof contained either in an effective posted price schedule or in an effective fair trade contract as authorized by Section 55.5 of the Alcoholic Beverage Control Act, unless otherwise provided herein.

(b) *Exemptions.* This section shall not apply to the following transactions.

1. Sales of bulk wine, except where bulk wine is sold and bottled by the seller for the purchaser, in which case posting shall be required as herein provided for bottled wine.

2. Sales to a buyer without the State when one of the terms and conditions of the sale is the shipment of the wine out of the State

3. Sales between corporations where one corporation owns all or substantially all of the issued capital stock of the other, or between corporations which are controlled by one other corporation, directly or indirectly, through ownership of issued capital stock or between corporations when all or substantially all of the capital stock of both corporations is owned by the same persons.

4. Sales to wine growers, wine rectifiers, rectifiers, or to consumers for consumption on the premises.

5. Sales by wholesalers to other wholesalers where the selling wholesaler does not own or control the brand of wine.

(c) *Trading Areas.* For the purpose of providing different selling or resale prices, the State may be divided into trading areas as hereinafter defined. For the Southern California and the Northern California trading areas the selling and resale prices shall be specified prices; for the mountain trading area the selling prices to wholesalers shall be specified prices but the selling and resale prices to retailers and consumers may be minimum prices provided that the minimum prices shall not be less than the specified prices for the Northern California trading area.

(d) *Who Shall Make Fair Trade Contracts and Post Price Schedules.* 1. Each wine grower, each wine rectifier, and each rectifier shall.

Post a "Schedule of Selling Prices" if he sells wine to wholesalers, retailers, or consumers for which his resale price is not governed by a fair trade contract made by the person who owns or controls the brand.

Make and file a fair trade contract and file a "Schedule of Resale Prices" if he owns or controls a brand of wine resold to retailers or consumers.

2. Each wine wholesaler shall:

Post a "Schedule of Selling Prices" if he sells wine to other wholesalers for which he owns or controls the brand, or if he sells wine to retailers or consumers for which his resale price is not governed by a fair trade contract made by the person who owns or controls the brand.

Make and file a fair trade contract and file a "Schedule of Resale Prices" if he owns or controls a brand of wine resold to retailers or consumers.

3. Each seller without the State shall designate in writing, or if he is unable or refuses to designate the board shall designate, one licensee who imports wine from the seller to post a "Schedule of Selling Prices" if he sells wine to wholesalers.

4. Each person without the State who owns or controls a brand of wine resold to retailers or consumers in this State shall designate in writing one licensee who imports the brand of wine to make and file a fair trade contract and file a "Schedule of Resale Prices" for such brand.

5. Each off-sale retailer who owns or controls a brand of wine sold to consumers shall post a "Schedule of Selling Prices" for such brand.

(e) *Contents of Price Schedules.* Each "Schedule of Selling Prices" and each "Schedule of Resale Prices," in addition to such other information, and on such form, as the board may prescribe, shall contain the following.

1. General information:

a. Name and address of licensee filing the schedule.

b. Name and address of the seller or brand owner without the State, if any, for whom the licensee is filing the schedule.

c. Date.

d. Trading area or areas covered by the schedule.

e. Restriction on distribution or resale, if any.

2. Information identifying each different item of wine:

f. Brand name.

g. Secondary brand name, if any.

h. Form of label, if more than one form used.

i. Class and type of wine.

j. Vintage date, if shown on label.

k. Special or gift package, if any.

l. Number of bottles in case.

m. Size of bottles.

3. Information as to basic prices of each item, f.o.b. selling premises or delivered, or both, for each of the trading areas covered by the schedule:

In "Schedules of Selling Prices" only:

n. Basic case posted prices to wholesalers and to retailers.

o. Basic bottle posted prices to retailers and to consumers.

In "Schedules of Resale Prices" only

p. Basic case resale price to retailers.

q. Basic bottle resale prices to retailers and to consumers.

4. Information as to discounts and additional charges:
r. Quantity discounts to retailers and to consumers, if any
s. Prompt payment discounts to retailers, if any.
t. Broken case charge to retailers, if any.

Each fair trade contract or the schedule contained in or referred to in such contract shall contain the information required above for "Schedules of Resale Prices."

(f) *Prices.* Basic posted price and basic resale price shall include customs duties, if any, federal and California excise taxes, California Marketing Order assessment, if applicable, plus any other legal charge not required to be shown in the price schedule except California sales tax. Selling price and resale price shall be the basic selling price or the basic resale price, respectively, less discounts, plus broken case charges contained in the applicable price schedule or fair trade contract.

The selling price to retailers or to consumers contained in any "Schedule of Selling Prices" shall be the same as the resale price contained in an effective fair trade contract and "Schedule of Resale Prices" filed by the same licensee.

Where bulk wine is bottled for a buyer under the label of the bottler, the selling price to the buyer of the wine so bottled shall be the same as the selling price contained in an applicable "Schedule of Selling Prices" posted by the bottler for wine carrying such label.

Not more than three different prices to the same category of licensee-purchasers or to consumers shall be permitted for the same brand of bottled wine differing only in the secondary brand name, the form of label (such as color scheme, number of stars, etc.), or in some other way not pertaining to the class or type, vintage date, if shown on the label, or special or gift package.

(g) *Discounts.* No discounts of any kind shall be given to wholesalers by any wine grower, or wine rectifier, or rectifier, or by a wholesaler as to a brand of wine owned or controlled by the wholesaler.

Quantity discounts to retailers shall be permitted only when actual delivery of a single order is begun and completed to the same premises within a period not to exceed 48 hours, except in the case of accident, strike, insurrection, riot, or act of God, and then delivery shall be made within 48 hours after such occurrence ends. Quantity discounts to retailers shall not exceed the following:

Less than 5 cases	—No discount
5 or more cases but less than 10 cases	—1 % discount
10 or more cases but less than 25 cases	—2 % discount
25 or more cases but less than 100 cases	—4 % discount
100 or more cases	—6½% discount

Quantity discounts to consumers shall not exceed 10 percent for case lots of the same brand.

Prompt payment discounts to retailers shall be permitted only when the seller actually receives payment in cash or its equivalent within the specified period after date of delivery. Post-dated checks or checks returned for nonpayment shall not be deemed the equivalent of cash. Prompt payment discounts to retailers shall not exceed 1 percent for payment in cash within ten days after date of delivery.

Permitted discounts shall not be taken in merchandise.

(h) *Filing, Effective Dates, and Changes.* Fair trade contracts and price schedules for wine available for sale on November 1, 1949, shall be made and filed on or before October 15, 1949. Fair trade contracts in effect on the effective date of this rule shall continue to be effective through October 31, 1949. Fair trade contracts and price schedules for wine available for sale for the first time after November 1, 1949, shall be made and filed on or before the tenth of any month.

Adding an item to, removing an item from, or changing any charge, discount, or price contained in, any price schedule or fair trade contract shall constitute a change. Monthly changes shall be filed on or before the tenth of any month. Changes to lower an effective price to meet a competitive selling or resale price for the same or similar item of wine shall be filed on or before the twentieth of any month and shall be accompanied by the name and address of the competitor whose price is being met, with a complete identification of the competing item, including the price. A change of price to meet a competitor's price may be a reduction by any amount desired, but in no event shall the reduction be to an amount below the competing price.

If a change occurs in the body of a fair trade contract a copy of the changed fair trade contract shall be filed at the same time that the changed price schedule affected thereby is filed.

Price schedules, fair trade contracts, or changes therein shall become effective on the first day of the month following the month of filing.

(i) *Public Inspection.* The board shall make price schedules or monthly changes therein, or a composite thereof, available for public inspection by the fifteenth of every month.

(j) *Publication or Mailing.* Except for wine growers selling only to consumers at their licensed premises, every person filing a price schedule or change therein, shall, at least once on or before the twenty-fifth of the month in which filed, publish the price schedule or change in a trade journal or industry price book, printed and

published in this State and of general circulation among licensees in this State. In case of industry price books which are of general circulation among licensees in only some of the trading areas, the publication shall be in one industry price book of general circulation in each trading area.

Instead of publishing, the licensee may mail his price schedule or any changes therein to all licensees affected thereby. Schedules of changes shall be deposited in the United States Post Office on or before the date required for publication, and the mailing shall be deemed completed at the time of such deposit. Within five days after the mailing, the licensee shall file with the board a list of names and addresses of the licensees to whom such price schedules or changes are mailed, together with an affidavit of the person who deposited the schedules in envelopes addressed to the licensees whose names and addresses are set forth in such list. Such affidavit shall be prima facie evidence of the facts stated therein.

Wine growers selling only to consumers at their licensed premises need not publish or mail their price schedules as herein provided, but shall post said schedules in that portion of their premises where sales are made where they can be readily inspected by consumers.

(*k*) *"Close-outs" and Damaged Wine.* No licensee shall make any "close-out" sale under the implied condition provided for by Section 55.5 (b) (1), or any sale under the implied condition provided for by Section 55.5 (b) (2), of the Alcoholic Beverage Control Act except after receiving permission from the board, which shall determine whether the proposed sale is bona fide.

Permission to sell under the provisions of Section 55.5 (b) (1) shall be granted only if it appears that the stock of wine sought to be closed out has been on the market in this State for a period of not less than six months and was not brought into this State for the purpose of offering it, or any part of it, at a close-out sale.

Permission to sell under the provisions of Section 55.5 (b) (2) shall be granted only if it shall appear that the facts of the case warrant the sale of the wine affected as damaged or deteriorated.

A "close-out" sale under this rule shall be construed to mean a bona fide close-out of a particular item of wine in the California market. Label changes which do not pertain to the class or type of wine, the vintage date, or the special or gift package, shall not be deemed to be "close-outs" within the meaning of this paragraph (k).

Petitions for permission to make close-out sales, or sales of damaged or deteriorated wine shall state a full and complete description of the wine involved, in such detail as to distinguish such wines from all others, and shall include the federal serial numbers, if any, of the cases involved. The number of cases or bottles involved shall also be stated. The petitioner shall agree not to sell or handle the item closed out for at least six months after the close-out.

(*l*) *Sales Below Cost and Price Discriminations.* The sale of any wine by a licensee in violation of Part 2, Division 7, Chapter 4 of the California Business and Professions Code, entitled "Unfair Trade Practices," is prohibited and shall be a violation of this section.

(*m*) *Circumvention of Section.* Except as otherwise provided in this section, the giving of, or offering to give, any rebate, free goods, combination deal, premium, allowance, unauthorized discount, floor stocks adjustment, or any other thing or service of value, directly or indirectly, in connection with the sale of wine subject to this section, or, in any other way circumventing this section to effect a sale at a price other than the price shown in the applicable price schedule, shall be a violation of this section; provided, however, that this provision shall not prohibit any cooperative buying group holding a federal wholesaler's basic permit on October 1, 1949, from giving, or its members from receiving, dividends or other adjustments based upon the amount of wine received by the member through the cooperative buying group. In all other respects cooperative buying groups shall be considered as wholesalers selling to retailers.

This section shall not prohibit the furnishing of samples, advertising matter, and other selling aids as may be authorized by this act and rules and regulations issued thereunder.

This section shall not prohibit the return to the seller for exchange for the same items in good condition of any wine which is defective or damaged if written permission to do so is first obtained from the board, or if the return is pursuant to court order, or, without the permission of the board, if the return of individual lots from one licensee during any one month to any one other licensee is less than five gallons.

(*n*) *Penalties.* For a violation of any of the provisions of this section or rules and regulations adopted pursuant hereto, the board may suspend or revoke a license as follows:

For a first offense, not exceeding 10 days' suspension;

For a second offense, not exceeding 30 days' suspension;

For a third offense, the board may suspend or revoke a license.

(*o*) The board may adopt such rules and regulations it may determine to be necessary for the administration of this section.

(*p*) *Definitions.* Words and phrases used in this section shall have the meanings given them by this act except as otherwise indicated in this section:

1. "Bottled" wine means wine packaged in individual containers of one gallon or less.

2. "Bulk" wine means wine packaged in individual containers of over one gallon or wine transferred via pipe line or shipped in tank cars or tank trucks.

3. "Class" and "type" of wine shall mean class and type as defined or provided for by regulations of the United States Treasury Department and the California State Department of Public Health.

4. "Consumer" means a person who buys wine for consumption off the premises where sold.

5. "Effective" means a fair trade contract or price schedule, including changes therein filed, published, and in effect.

6. "File" or "post" means to mail or deliver fair trade contracts, price schedules, or changes thereto, to the Sacramento office of the board.

7. "Item" of wine means wine that differs from any and all other wine in its brand name, secondary brand name, form of label, class or type, vintage date, special or gift package, number of bottles in a case, or size of bottles. An item of wine is similar where all the elements listed above are the same except its brand name, or secondary brand name, or form of label.

8. "Licensee" means any person holding a license issued by the board which authorizes the sale of wine.

9. "Person" shall also include any California licensee or any person without the State who sells wine to licensees.

10 "Sell" shall also include advertisements and contracts to sell.

11. Trading Areas: "Northern California" shall consist of all counties lying north of the southern boundaries of San Luis Obispo, Kern, and Inyo Counties which are not included in "Mountain." "Southern California" shall consist of all the counties lying south of said boundaries. "Mountain" shall consist of the Counties of Del Norte, Siskiyou, Modoc, Shasta, Humboldt, Lassen, Tehama, Plumas, Sierra, Nevada, Placer, El Dorado, Amador, Alpine, Tuolumne, Mono, and Inyo.

12. "Wholesaler" means a person licensed by the board to sell wine at wholesale to other wholesalers or retailers but does not include a licensed wine grower, wine rectifier, or rectifier when such licensee is not buying or selling in his capacity as a wholesaler.

SEC. 2. Section 40 of the Alcoholic Beverage Control Act is amended to read:

Sec. 40. Complaints Against Licensees Complaints may be made to the board by any person against any licensee. Complaints must be in writing and must state a violation of Section 38e or one or more grounds which would authorize the board to suspend or revoke the license or licenses of the licensee against whom the complaint is made.

A written report of a member of the board or of an employee of the board engaged in the enforcement of this act, or of a public officer disclosing a violation of Section 38e or one or more grounds for the suspension or revocation of the license or licenses of any licensee shall be deemed a complaint against the licensee within the meaning of this act, even though not in the form of a complaint

The following are the grounds which constitute a basis for the suspension or the revocation of licenses:

1 When the continuance of such license would be contrary to public welfare or morals; but proceedings under Section 40 upon this ground shall be deemed a limitation upon the board's authority to proceed under Article XX, Section 22 of the Constitution of this State.

2. Except as limited by Section *s* 38e *and 55.65* hereof, the violation or the causing or the permitting of a violation by a licensee of (a) this act, (b) any rules and regulations of the board adopted under the provisions of this act, (c) any other penal provisions of law of this State prohibiting or regulating the sale, exposing for sale, use, possession, giving away, adulteration, dilution, misbranding or mislabeling of alcoholic beverages or intoxicating liquors

3. The misrepresentation of a material fact by any applicant in obtaining any license hereunder.

4. The plea, verdict or judgment of guilty to any public offense involving moral turpitude or under any federal law prohibiting or regulating the sale, exposing for sale, use, possession, or giving away of alcoholic beverages or intoxicating liquors or prohibiting the refilling or reuse of distilled spirits containers charged against the licensee.

SEC. 3. Section 55 6 of the Alcoholic Beverage Control Act is amended to read:

Sec. 55 6. Distilled Spirits Fair Trade Contracts and Price Posting. The provisions of Section 55.5 shall apply to the containers, cartons, cases or bottles for alcoholic beverages.

All distilled spirits sold at retail shall be, and any other alcoholic beverage may be, sold pursuant to a contract executed under the provisions of Section 55 5 of this act [.] *; provided that the provisions of Section 55.65 of this act shall govern the sale*

of wine in all cases where said section is applicable. No licensee shall violate any of the provisions of said contract.

Every distilled spirits manufacturer, brandy manufacturer, rectifier and wholesaler shall file and maintain with the board a price list showing the prices at which distilled spirits are sold to retailers by such licensee. Sales of distilled spirits to retailers by each distilled spirits manufacturer, brandy manufacturer, rectifier and wholesaler shall be made in compliance with the price list of such licensee on file with the board.

The board may adopt such rules and regulations as it may determine to be necessary for the administration of this section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2914—An act to add Section 38.1 to the Alcoholic Beverage Control Act, relating to distances between licensed premises.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"Sec. 38.1. No on-sale general license shall be issued, either as a new license or by transfer, to".

Amendment No. 2

On page 1 of said bill, strike out line 7, and insert

"No off-sale general license shall be issued, either as a new license or by transfer, to any person".

Amendment No. 3

On page 1, line 11, of said bill, at the beginning of the line, strike out "or beer and wine".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Morals

Speaker Presiding

At 10.15 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 214—An act to amend Section 741 of the Fish and Game Code, relating to sardines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 270—An act to add Section 1204 to the Fish and Game Code, relating to migratory birds.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "and Sundays", and insert "Sundays and holidays".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENTS

Mr. Dickey announced the lists of names of members, and their wives, who have expressed a wish to accept the courtesy of Pan American World Airways, and accept an invitation to take a flight in the new Pan American Clipper, this afternoon. Mr. Dickey announced the scheduled flights, and designated which flights guests were to be on, and asked that if announced arrangements are not convenient, to confer with him at once.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 872—An act to add Section 492.5 to the Fish and Game Code, relating to fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Dunn as a Select Committee to escort Dr. Paul Auh, Minister of Education for the American Military Government in Korea, to the rostrum.

RECESS

At 10.28 a.m., on motion of Mr. Dunn, the Assembly recessed until 10.33 a.m. to hear remarks from a distinguished Korean visitor, Dr. Paul Auh, Minister of Education for the American Military Government in Korea.

REASSEMBLED

At 10.33 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT TO CORRECT FILE

Mr. Stewart asked for, and was granted, unanimous consent that it be called to the attention of members that on today's File, on page 5, the Committee on Governmental Efficiency and Economy lists Assembly Bill No. 1717 by Mr. Grunsky twice, as being set for committee hearing. One notation is hereby ordered deleted, and to be listed in its place, Assembly Bill No. 681, by Mr. McMillan.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 936—An act to amend Section 2 of the Fish and Game Code, relating to definitions.

Bill read third time.

Demand for Previous Question

Messrs. Grant, Conrad, Kirkwood, Burkhalter, and Weber demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 936.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cramer, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—51.

NOES—Beck, Burkhalter, Coats, Cooke, Crowley, Elliott, Evans, Kilpatrick, Lewis, Lowrey, McMillan, Morris, and Waters—13.

Notice of Motion to Reconsider Assembly Bill No. 936

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 936 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 548

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 548, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 548

Assembly Bill No. 548—An act to add Article 4.5, comprising Sections 4330 and 4331, to Chapter 13 of Division 2 of the Education Code, relating to the boundaries of high school and junior college districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 149

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 149, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 149

Assembly Bill No. 149—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets.

[AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—55.

NOES—George D. Collins, and Geddes—2.]

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 149

Mr. Lindsay asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 149.

Assembly Bill No. 149 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 260

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 260, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 260

Assembly Bill No. 260—An act to amend Section 16271 of the Education Code, relating to the transportation of public school pupils and employees.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman,

Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 959—An act to amend Section 1016 of, and to add Sections 1016.1 and 1016.2 to, the Fish and Game Code, relating to fish packing and reduction privilege taxes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 717

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up Assembly Bill No. 717, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 717

Assembly Bill No. 717—An act relating to the holding of Olympic games in California, creating the California Olympics Commission, describing the powers and duties thereof, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 25, 1949, strike out "either 1952 or 1956, or both years", and insert "1952"

Amendment No. 2

On page 4, line 3, of said bill, strike out "Estate of Deceased Persons Fund", and insert "Bond Sinking Fund of 1943".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 717

Mr. Sam L. Collins moved that a rush order be placed upon the printing of Assembly Bill No. 717.

Request for Unanimous Consent That Assembly Bill No. 717 Be Withdrawn From File, and Be Re-referred

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Bill No. 717 be withdrawn from the file, when returned from the printer, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1015—An act to amend Section 92 of the Fish and Game Code, relating to District 22.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—61.

NOES—Lowrey—1.

Notice of Motion to Reconsider Assembly Bill No. 1015

Mr. Maloney gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1015 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF JOINT INTERIM COMMITTEE ON LEGISLATIVE CONSTITUTIONAL REVISION BE PRINTED

Mr. Dolwig asked for, and was granted, unanimous consent that the Report of the Joint Interim Committee on Legislative Constitutional Revision be ordered printed in the Journal, in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

MEMBERS EXCUSED

At 11.43 a.m., Mr. Huyck asked for, and was granted, unanimous consent that Messrs. Brady, Clarke, Clayton A. Dills, and Price be excused for the balance of the legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 130

Mr. Fletcher asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 130, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 130

By Messrs. Fletcher, Evans, and Brady:

House Resolution No. 130

Relative to the creation of a committee to investigate the attempts to nullify the use by the people of their constitutional rights through the initiative to make laws and to see such laws when adopted are given a fair opportunity to work

WHEREAS, No sooner had the majority of the people voted on November 2, 1948, old age security and security for the blind into law as the Twenty-fifth Amendment to the State Constitution than those who opposed its enactment immediately commenced a campaign for its repeal; and

WHEREAS, This repeal move is unprecedented in the history of our State and threatens to undermine the confidence of the people in the initiative and in our constitutional form of government; and

WHEREAS, Members of the Legislature are besieged by inquiries from frantic and disturbed needy aged and blind who believe and are being told that their welfare is threatened; and

WHEREAS, Members of the Legislature receiving such pleas for information are not fully aware of all sides of the question and therefore cannot advise their constituents regarding their welfare; and

WHEREAS, Legislation is now before the State Legislature to assist the State Department of Social Welfare, in its compliance with Article XXV and such legislation can best be considered after a thorough and impartial investigation by a competent and informed legislative committee; and

WHEREAS, Legislation is now being proposed and considered that directly or indirectly affects the State Department of Social Welfare and recipients of old age security and security for the blind which measure the legislators may be hesitant to act because of the uncertainty of the future due to said repeal agitation; and now, therefore, be it

Resolved by the Assembly of the State of California

(1) The Committee to Investigate the Attempts to Repeal Article XXV of the Constitution, and to Study the Mechanics of Said Article is hereby created, authorized, appointed, and directed to investigate, ascertain, collate, appraise, study and analyze all facts directly or indirectly relating to the foregoing.

(2) In addition to other duties imposed upon the committee, the committee shall investigate and study the activities of persons, publicists, groups and organizations who have as their object to repeal Article XXV of the State Constitution.

(3) The committee consists of five Members of the Assembly appointed by the Speaker.

(4) The committee is authorized to act during the session of the Legislature, including any recess, and after final adjournment until final adjournment of the next regular session with authority to file its report not later than the last legislative day of the next regular session.

(5) The committee has the following additional powers and duties:

(a) To select a chairman and a vice chairman and to employ and fix the compensation of a secretary and such clerical investigative expert and technical assistants as it may deem necessary.

(b) To create subcommittees from its membership, assigning to the subcommittees any study, inquiry, investigation or hearing which the committee itself has authority to undertake or hold, and the subcommittee for the purpose of this assignment shall have and exercise all of the powers conferred upon the committee limited by the express terms of the resolution or resolutions of the latter defining the powers and duties of the subcommittee which powers may be withdrawn or terminated at any time by the committee.

(c) To adopt and from time to time amend such rules governing its procedure (including and the fixing of its own quorum and the number of votes necessary to take action on any matter) as may to it appear appropriate

(d) To contract with such other agencies public or private as it deems necessary for the rendition and affording of such services, facilities and reports to the committee as will best assist it to carry out the purposes for which it is created.

(e) To meet at the State Capitol or at any other place in this State or within the United States, and to expend funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

(f) To summon and subpena witnesses, require the production of papers, books, accounts, reports, documents, and records of every kind and description, to issue subpenas and to take all necessary means to compel the attendance of witnesses and procure testimony.

(g) To cooperate with and secure the cooperation of county, city and county, and other law enforcement agencies, and also civic and private organization in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(h) To report its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided

(i) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the object and purposes of this resolution.

(6) The committee, each of its members, and any representatives of the committee thereunto authorized by the committee or by its chairman is authorized and empowered to administer oaths.

(7) Every department, commission, board, agency, officer, and employee of the State Government, including the Legislative Counsel, the Attorney General and their subordinates, and of any political subdivision, county, city, or public district of or in

the State shall furnish the committee and any subcommittee upon request any and all such assistance, and information records, and documents as the committee or subcommittee deems proper for the accomplishment of the purposes for which the committee is created.

(8) The sum of ten thousand dollars ($10,000) or as much thereof as may be necessary, is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasury.

Resolution read.

Motion to Amend

Mr. Huyck moved the adoption of the following amendment:

Amendment No. 1

Strike out the title and text of the printed measure as printed on pages 1175 and 1176 of the Assembly Journal for March 18, 1949, and insert

"Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to investigate the problems arising out of the adoption of Article XXV of the State Constitution

WHEREAS, The adoption of Article XXV of the Constitution, designated therein as the Old Age Security and Security for the Blind Law, at the general election held on November 2, 1948, has effected extensive changes in the state programs for old-age assistance and aid to the needy blind and in the State Department of Social Welfare; and

WHEREAS, The effect of the said Article XXV upon the organization and administrative operations of the State Department of Social Welfare is not fully known to and understood by the Members of the Assembly, but there has been general discussion and debate as to the existence of and relationship, if any, between the State Social Welfare Board appointed by the Governor prior to the adoption of the said Article XXV, and the board or committee which the Director of the State Department of Social Welfare is authorized by Section 4 of Article XXV to appoint, with the consent of the Senate; and

WHEREAS, There have been reports in the public press that certain former officials of the State Department of Social Welfare and others have been offered and have accepted positions on the said board or committee, and subsequent recent reports that those persons have withdrawn their acceptances thereof or have resigned therefrom, but the facts are neither a matter of public record, nor known to the Members of the Assembly; and

WHEREAS, The Members of the Assembly are informed that federal funds for old-age assistance and aid to the needy blind were withheld from the State from January 1, 1949, until a date late in February, 1949, on the ground that the state plans for such assistance and aid, as modified by Article XXV and the rules adopted by the Director of the State Department of Social Welfare, had not been found by the Federal Security Administrator to be in conformity with the Federal Social Security Act, and that such approval has now been secured and such federal funds have now been made available to this State, but the information of Members of the Assembly on these matters is derived from unofficial sources, and neither the specific facts nor the reasons for federal action are known to the Members of the Assembly; and

WHEREAS, It is essential that the Members of the Assembly, in order to exercise their legislative function, should have complete and accurate information as to the nature and scope of the financial obligations of the State under Article XXV of the Constitution in relation to the general problem of state finances; and

WHEREAS, The assumption by the State of the full administration of old-age security and security for the blind will increase the need of the State Department of Social Welfare for competent and experienced employees to perform the functions in relation thereto previously performed by officers and employees of the counties, and at the same time lessen the need of the counties for the services of such officers and employees, and there are bills pending before the Legislature to provide for employment of such county officers and employees by the State Department of Social Welfare and for the protection of the rights of the individuals affected, and

WHEREAS, The Members of the Assembly are not fully cognizant of the nature and scope of the problems arising out of the adoption of Article XXV, the necessity for legislation to implement Article XXV, and the present extent of the power of

the Legislature to exercise legislative control over old-age security, security for the blind, and the State Department of Social Welfare; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy is hereby authorized and directed to ascertain, study, and analyze all facts relating to Article XXV of the Constitution, the subject matter thereof, and the problems arising therefrom, including but not limited to the matters hereinabove set forth, and to report thereon to the Assembly not later than May 15, 1949; and be it further

Resolved, That the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Interim Committee on Governmental Efficiency and Economy and its members and for any charges, expenses, or claims incurred by the committee in the exercise of its functions, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer."

Request for Unanimous Consent That Amendment Be Deemed Read

Mr. Kirkwood asked for, and was granted, unanimous consent that, in the interest of time, the amendment offered by Mr. Huyck to House Resolution No. 130 be deemed read, and that Mr. Huyck be permitted to explain his amendment, at this time.

The question being on the adoption of the amendment offered by Mr. Huyck to House Resolution No. 130.

Point of Order

Mr. Geddes arose to the following point of order: That pursuant to the provisions of Standing House Rule No. 80, Mr. Huyck is out of order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Roll Call Demanded

Messrs. Heisinger, Conrad, and Levering demanded a roll call.

The roll was called, and the amendment offered by Mr. Huyck to House Resolution No. 130 refused adoption by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Collier, Conrad, Dolwig, Erwin, Fleury, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Moss, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—30.

NOES—Anderson, Beck, Bennett, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Thomas, and Way—36.

Request for Unanimous Consent That Name Be Placed Upon Roll Call of Motion by Mr. Huyck

Mr. Hinckley asked for, and was granted, unanimous consent that his name be placed upon the roll call on the motion to amend House Resolution No. 130, as he was in the Office of the Legislative Counsel when the roll was closed, and that he be recorded as voting, "Aye."

The question being on the adoption of House Resolution No. 130.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Hawkins is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of House Resolution No. 130.

Point of Order

Mr. Babbage arose to the following point of order: That Mr. Hawkins is speaking from printed matter, and not stating his authority.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of House Resolution No. 130.

Point of Order

Mr. Waters arose to the following point of order: That Mr Hawkins is reading from printed matter which, pursuant to the Standing House Rules, is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of House Resolution No. 130.

Point of Order

Mr. Fleury arose to the following point of order: That Mr. Hawkins has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken as Mr. Hawkins is entitled to one more minute.

The question being on the adoption of House Resolution No. 130.

Point of Order

Mr. Babbage arose to the following point of order: That Mr. Hawkins has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of House Resolution No. 130.

Motion That Additional Time Be Granted Mr. Hawkins

Mr. Beck moved that five additional minutes be granted Mr. Hawkins for debate.

Mr. Dunn seconded the motion.

Motion carried.

Demand for Previous Question

Messrs. Hinckley, Hawkins, Caldecott, Stanley, and Babbage demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 130.

Roll Call Demanded

Messrs. Heisinger, Silliman, and Beck demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Fletcher moved a call of the Assembly.

Motion carried. Time, 12.23 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Dickey, Luckel, and Rumford—3.

Further Proceedings Under Call of the Assembly Dispensed With on House Resolution No. 130

At 12.27 p.m., on motion of Mr. Fletcher, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 130 refused adoption by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, George D. Collins, Condon, Cooke, Davis, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, McCollister, McMillan, Meyers, Morris, Niehouse, Thomas, Way, and Weber—28.

NOES—Babbage, Bennett, Burke, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, and Waters—40.

ANNOUNCEMENTS

Mr. Lowrey announced that on next Thursday and Friday nights, March 31st and April 1st, the Inter-Collegiate Boxing Matches will be held in the Auditorium, and that Cripp Toomey, at the Senator Hotel, is holding a block of reserved seats for Members of the Legislature desiring to attend. Tickets will not be held past the time of adjournment, tomorrow. Mr. Lowrey urged those planning to purchase tickets to contact Cripp Toomey at once.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Butters:

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 5 of, and to add Section 24.5 to, the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

GEORGE BUTTERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Butters:

An act to amend Section 5 of, and to add Section 24.5 to, the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin,

Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3114: By Mr. Butters—An act to amend Section 5 of, and to add Section 24 5 to, the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government

MEMBERS EXCUSED

At 12.30 p.m., Mr. Dickey asked for, and was granted, unanimous consent that all members scheduled to leave on the first Pan American Clipper flight be excused, at this time.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 146

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same

The Pacific Telephone and Telegraph Company (tolls)	$125 45
The Pacific Telephone and Telegraph Company (exchange service charges)	7 75
Department of Finance (typewriter service)	1 77
Department of Finance (racks for Senate and Assembly bills)	38 40
H. S. Crocker Company, Inc. (supplies)	218 35
Department of Finance (6 Remington Rand typewriters)	1,200 60

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 146, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 54
Assembly Bill No. 389
Assembly Bill No. 625
Assembly Bill No. 630
Assembly Bill No. 656
Assembly Bill No. 1024

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 554

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 258
Assembly Bill No. 1033
Assembly Bill No 1942
Assembly Bill No. 2450

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 258, 1033, and 1942 ordered to third reading

Assembly Bill No. 2450 ordered re-referred to Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 730—An act to add Section 135 to the Welfare and Institutions Code, relating to the compensation of members of the board or committee appointed by the Director of the State Department of Social Welfare;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-ninth day of March, 1949, at 4 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 1032
Assembly Bill No. 1835

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1032 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1835 ordered re-referred to Committee on Revenue and Taxation.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2421

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 827

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER. Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 384

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 37

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 323

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 787
Assembly Bill No. 1793
Assembly Bill No. 1824
Assembly Bill No. 1825

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 2295

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER. Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2431
Assembly Bill No. 3098

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 35

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 426
Assembly Bill No. 1844

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-refer to Committee on Ways and Means.

McCOLLISTER, Chairman

Above reported bills ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 1830

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 375

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 28, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 18

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Military Affairs.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No. 143

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER. Your Committee on Rules, to which was referred.

Senate Joint Resolution No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dunn asked for, and was granted, unanimous consent that the Committee on Education be permitted to use the Assembly Chamber on Wednesday evening, March 30th, at 8 p.m., for the purpose of holding a meeting.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 540
Assembly Bill No. 635
Assembly Bill No. 660
Assembly Bill No. 1170

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 540 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 635 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 660 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1170 ordered re-referred to Committee on Social Welfare

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Social Welfare.

Public Health, in Room 426.

Agriculture.

Livestock and Dairies after adjournment of the Committee on Agriculture.

Tonight at 8 p.m.—

Fish and Game.

Elections and Reapportionment.

Tomorrow, Wednesday, March 30th, at 9 a.m.—

Rules.

Next Wednesday, March 30th, at 8 p.m.—

Education, in Assembly Chamber.

REPORT OF JOINT INTERIM COMMITTEE ON LEGISLATIVE CONSTITUTIONAL REVISION

(Created by Resolutions Chapter 197, 1947 General Session; Continued by Assembly Concurrent Resolution No. 33, Resolutions Chapter 51, 1949 General Session)

MEMBERS OF COMMITTEE

HON. RICHARD J. DOLWIG, Chairman
vice HON. ALFRED W. ROBERTSON, term expired
SENATOR GEORGE J. HATFIELD, Vice Chairman

HON. RALPH M. BROWN
HON. THOMAS W. CALDECOTT
HON ERNEST C. CROWLEY
HON. RALPH C. DILLS
HON. W. E. JAMES
(Term expired)
HON. MARVIN SHERWIN
HON. ALBERT I. STEWART
HON. LAUGHLIN E. WATERS

SENATOR CHARLES BROWN
SENATOR OLIVER J. CARTER
(Term expired)
SENATOR RANDOLPH COLLIER
SENATOR BRADFORD S. CRITTENDEN
SENATOR JESSE M. MAYO
SENATOR THOMAS F. KEATING
SENATOR W. P. RICH
SENATOR BYRL SALSMAN
SENATOR CLARENCE C. WARD

NORRIS J. BURKE, General Counsel

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LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, SACRAMENTO, March 25, 1949

Hon. Goodwin J. Knight, President of the Senate
Hon. Sam L. Collins, Speaker of the Assembly
State Capitol, Sacramento, California

HONORABLE SIRS: The Joint Interim Committee on Legislative Constitutional Revision, created by Resolutions Chapter 197, 1947 General Session and continued by Resolutions Chapter 51, 1949 General Session, herewith files a report of its investigations, studies, and recommendations.

As the report shows, your committee received the unselfish and invaluable assistance and cooperation of literally hundreds of public spirited citizens who gave generously of their time and efforts, and the capable services of Norris J. Burke, General Counsel for the committee and his staff.

It is a matter of personal regret to the present chairman and the members of the committee, that the Honorable Alfred W. Robertson chose to terminate his legislative career before this report is rendered,

and that another must sign as chairman in his place It is but fitting to state that the unflagging enthusiasm and the genius for organization of such a tremendous project displayed by the Honorable Alfred W. Robertson have made the labors of this committee fruitful and have been invaluable to this State.

Respectfully submitted,

RICHARD J. DOLWIG, Chairman

REPORT OF THE JOINT INTERIM COMMITTEE ON LEGISLATIVE CONSTITUTIONAL REVISION

The Legislative Constitutional Revision Committee herewith files its final report.[1]

(I)

The Organization

At the initial meeting of this committee at Sacramento on June 24, 1947, Assemblyman Alfred W. Robertson was elected chairman, and Senator George J. Hatfield was elected vice chairman. The chairman was delegated general authority to organize, supervise, and arrange for, the carrying out of the undertaking, work, and functions, of this committee as provided in the resolution.

In August, 1947, the chairman and vice chairman, assisted by Hon Fred B Wood, Legislative Counsel, established a headquarters for this committee in the County Court House in Santa Barbara; and appointed Dr. Norris J. Burke as general counsel and coordinator. At the same time, and immediately following, steps were taken to collect a bibliography and the literature in the field; to inform the public of the project and invite its participation; to appoint an "advisory" committee as provided in the resolution; to establish subcommittees to consider revision of specific subject matter committed to their jurisdictions; and to arrange for a general and public "opening" meeting, with a panel of prominent speakers, followed by a first meeting of each subcommittee.

(A)

As a major portion of the organizational work, a large advisory committee was selected and appointed Every known specialist, authority, and expert, in the field of constitutional revision residing in this State was asked to serve, including the presidents of our leading universities, the deans, and prominent faculty members, of our outstanding law schools and departments of political science, and other recognized specialists and leaders in the field including participants in past projects, in particular several ex-governors and the surviving members of the 1929 Constitutional Revision Commission. Practically all of these persons agreed to serve.

[1] The principal records of this committee, including the membership of its advisory committee and of each subcommittee, the program of all general meetings of the interim and its advisory committee, the minutes of each meeting of every committee, and subcommittee, the rules of this committee, the guide for subcommittees, the revision drafts of the general counsel, including the final coordinated draft (Proposal 3) and the separate draft for each subcommittee, the several speeches of the general counsel, copies of "model" constitution, etc., have been contemporaneously filed with the Secretary of State.

Next, a large number of prominent public officers were also appointed. These included judges as well as executive officers, and officials of counties, and of cities, as well as heads of state departments and other state officers, especially those directly affected by the present Constitution.

In addition, and larger in numbers, every association, organization, and group in this State of any substantial size or prominence, and known normally to participate through a representative in legislative or civic affairs, was requested to select a representative for appointment to the advisory committee. Practically all of those requested responded. Thus, all labor, industry, trade, vocational, and professional associations secured representation, together with like representation from what might be termed "cross section" associations, such as auto clubs, state and other public employee associations, taxpayers' groups, church groups, fraternal groups, local government associations and women's organizations.

Suffice it here to say that the interim committee knows of no more able, outstanding, balanced representative, or better advisory committee obtainable in any way or manner, whether the criterion be a balance between recognized expert authorities and persons of experience, or between adherents of "right," "left," and "center," or of one faith, philosophy, psychology, point of view, interest, or party, against another or others.

(B)

The subject matter of our present Constitution was segregated and divided into 10 topics; and a like number of subcommittees was established to consider a revision of the same. To this end, the general counsel prepared a "Guide for Subcommittees," allocating the present provisions among them; and the chairman requested each advisory committeeman to indicate which subcommittee or subcommittees he desired to serve upon, according to his special qualifications, interests, or wishes.

The chairman of the interim committee decided that each of the 10 subcommittees should be headed by a chairman and vice chairman selected from the interim committee Further, one, and in a few cases two, "advisers" were appointed for each subcommittee from the "expert," generally the university faculty, group, in order to encourage and assure their fullest participation and an adequate presentation of their views as a result of their years of study and research in the field.

At the time of the "opening" meeting (October 13, 1947), all 10 subcommittees had been established in the manner indicated. Each subcommittee had between 40 and 80 members throughout its life. To those interested, the final membership of each subcommittee is set forth in the list on file.

(C)

Under the rules of this committee, every meeting of the interim committee, of its advisory committee, and of each of its subcommittees, was open to all interested persons. In other words, every member of the public, not only committeemen, was asked to participate; and anyone could, and a very few did, speak at any meeting upon recognition of the chair. Further, this committee appointed a part time Director of Public Relations, Mr. James F. Dorrance, to publicize the project, and

the works, plans, programs, and happenings, relative thereto, and especially publicly to announce in advance, through the press and otherwise, the time and place of all meetings of this committee, its advisory committee, and of each of its subcommittees. Such publicity was given to the fullest extent possible.

(D)

The "opening" meeting of the interim committee and of its entire advisory committee at Santa Barbara on October 13-14, 1947, was widely announced in the public press and otherwise; and its proceedings were widely reported. Practically all of the interim committee and advisory committee attended; and fully one thousand other interested persons, many from without the city.

The first evening session was devoted to an address prepared by Governor Earl Warren and to a keynote speech by Hon. Justin Miller, President of the National Association of Broadcasters, and other topics. The succeeding day session was devoted to speeches by two ex-Governors, Chief Justice Gibson of the Supreme Court, the Legislative Counsel, and the head of the Political Science Department of the University of Southern California, followed by an organization meeting of each subcommittee. Each advisory committeeman was furnished with a copy of the guide to subcommittees, of the existing State Constitution, and of the Report of the 1929 California Constitutional Revision Commission.

(II)

The Subcommittee Meetings

Each subcommittee met at least once. Several meetings lasted one day and two ran into a second day. To illustrate the workings of the subcommittees, we cite the following examples:

(1) The Subcommittee on the Executive Department met first. The general counsel presented two revision drafts; a short form one eliminating the present executive officers other than the Governor and the Lieutenant Governor, and a longer one not making such elimination. Most of those present were long experienced in our State Government and upon a section-by-section review proceeded to revise the long form draft. The drafts before this subcommittee underwent considerable change as the general counsel proceeded to develop and complete his model coordinating and harmonizing all parts to such an extent that this subcommittee cannot be said to have considered or approved said model as to its subject matter.

(2) The Subcommittee on Waters, Harbors, and Tidelands met to consider the state boundaries and the sections on public lands, tidelands, fishing and water resources. A topic-by-topic review for one day resulted in no recommendation of any change. Firm convictions appeared against any change in regard to: (a) the seaward boundary of the State, as bearing on the existing state-federal controversy over tidelands; and (b) the section on water resources.

(3) The Subcommittee on Education met in Sacramento. At this meeting, debate centered on two views: (a) major revision with deletion of most of the provisions on education as being statutory in nature subject to their continuance as statutes, and (b) a repeal of the obsolete. Many

members felt that a compromise course was possible, and to this end, a smaller section was appointed This section undertook to effect such a compromise. Their efforts failed to satisfy any of the contending views.

(4) The Subcommittee on the Legislative Department at its initial meeting on October 14, 1947, divided its membership into six sections. These were designed to study specific suggestions within the jurisdiction of the entire subcommittee. As a result of these subsection activities, the groups agreed to limit their work to repeal of the obsolete, and considerable time of one of the subsections was devoted to a review and approval of specific items considered obsolete in character. The principal exception to this procedure was approval of certain specific recommendations with respect to the initiative process.

Without burdening this report with further specific reference to subcommittee meetings, it is sufficient to say that the experience in each of the subcommittees was practically identical. The conclusion of each subcommittee investigating the subject matter presented to it was that its recommendation to the main committee should be to limit the report to the Legislature in the main to a repeal of those provisions of the Constitution which were agreed to be obsolete.

(III)

Final General Meeting

The legislative interim committee and members of its advisory committee met in a final general meeting in Santa Barbara on November 18 and 19, 1948.

The chairman of each subcommittee, or in his absence the general counsel, presented a final report of the work of each subcommittee.

During discussion of these recommendations, the advisory committee, after thorough discussion, adopted a motion that it recommend to the legislative interim committee the policy of confining its activities to deleting obsolete material, with such exceptions as otherwise recommended. In support of this recommendation, the advisory committee cited its reasons as follows:

(1) No popular demand for change in the basic principles of the State Constitution.

(2) By the process of amendment, the present Constitution is a modern document.

(3) No generally acceptable reasons have been advanced for changing the substance of the Constitution.

(4) Seeking revision for brevity's sake is no valid argument.

(5) The present Constitution has been thoroughly adjudicated by the courts.

On November 19th, the legislative committee met having before it the above recommendation of the general advisory committee, as well as the report and recommendations of the individual subcommittees. As a result of its deliberations, the legislative interim committee adopted and herewith submits the following recommendations:

(1) Local Governments—Article XI.

The obsolete matters to be deleted relative to this subject are set forth in Exhibit 1. Assembly Constitutional Amendment No. 66 embodies

the amendments therein set forth. All were approved by the advisory committee. The volume is rather large and material gain will be effected by these repeals, and we recommend this amendment for passage at this session.

(2) The Executive Department—Article V.

We recommend for passage at this session a repeal of those obsolete matters approved by our advisory committee and as set forth in Exhibit 2, largely because it deletes the misleading salaries specified in superseded Section 19. This recommendation is embodied in Assembly Constitutional Amendment No. 67.

(3) Judicial Department—Article VI.

A repeal of obsolete matters as set forth in Exhibit 3 was approved by our advisory committee, and we recommend the same for passage at this session, largely because it deletes the misleading salaries specified in superseded Section 17. This is embodied in Assembly Constitutional Amendment No. 73.

(4) Revenue and Taxation—Article XIII.

Our advisory committee approved the repeal of the obsolete matters in Article XIII as set forth in Exhibit 4. We recommend the same for passage at this session. This is embodied in Assembly Constitutional Amendment No. 69.

(5) We recommend for passage at this session the consolidation of the two Sections 22 of Article IV, with a deletion of the obsolete matters in the first said section, all as shown in Exhibit 6 and as approved by our advisory committee, as there appears to be a material gain by so doing. This is embodied in Assembly Constitutional Amendment No. 70.

(6) We recommend for passage at this session the repeal of the obsolete matters in Article XXII and of Article XX, Section 19, and a disposition of Article XX, Section 20, all relating to the 1879 Convention and Constitution and incidents germane thereto and all as shown in Exhibit 7 and as approved by our advisory committee, as there appears to be a material gain by so doing. This is embodied in Assembly Constitutional Amendments Nos. 71 and 73.

(7) Our advisory committee recommended for passage at this session a repeal of Article I, Section 26-a (Exhibit 9—Assembly Constitutional Amendment No. 72), Article IV, Section 1-a, as added in 1933, (Exhibit 10, Assembly Constitutional Amendment No. 68), and Article XIX, Section 2, (Exhibit 11), and an amendment of Article IV, Section 18, to delete the Surveyor General (Exhibit 12). In view of the expense and disadvantages of a wordy and lengthy ballot, since in the normal course we may anticipate a dozen measures on the ballot in addition to what we recommend in this report, we would not seriously object to these matters being held over for action at some later session.

(IV)

Initiative

We believe and find that some tightening of the amendment process at this time, if not too drastic, would be salutary. Since all existing amendments have been submitted by both the initiative petition and the Legislature, and it requires a two-thirds vote of the Legislature to propose an amendment by the legislative process, we recommend that the number of signatures on an initiative petition proposing a constitutional amendment be increased from 8 percent to 12 percent of the total votes cast for all candidates for Governor at the last preceding general election.

(V)

Concerning Submission of Revision

Under the Constitution as it now stands, submission of an entire revised document to the people for their adoption or rejection is possible only by a constitutional convention. One of the principal things learned from this project is that a "revision" in any true sense can only be prepared, considered, dealt with and submitted as a whole. A general meeting of the full interim and advisory committee was held on February 23, 1948, to consider a proposed amendment to present Article XVIII of the Constitution to provide that the Legislature by concurrent resolution approved by two-thirds of the members of each house might submit a Constitution to the electors at a special election called for such purposes. This proposed amendment was defeated by a roll call vote of the advisory committee at this meeting, and accordingly was not considered further.

As a part of our study, we had before us the report of the California Constitution Commission made on December 29, 1930. We found the study of this commission of great value. The following quoted portion of the report is one with which we are in complete agreement:

> "So far as the substance of the Constitution is concerned, we find it to be a logical record of the struggle of the people to preserve their rights. We find in it adequate provisions preserving the natural rights of the people to protection in their persons and property. We find in it a general frame of government under which the State has prospered and been efficiently governed. We find that it embodies the principle of home rule in local and municipal affairs, for which the people have so long struggled. We find in it provisions by which the people have reserved to themselves powers by which they are enabled to control legislation, and by which the people have insisted that they themselves should establish the principles upon which they are to be taxed."

In view of the finding of that commission and our present findings, we recommend that the Legislature take no action looking toward the calling of a constitutional convention inasmuch as we are convinced that such action is unwarranted and unnecessary.

However, in order that the results of research in connection with preparation of a proposed final draft of a "model" constitution as developed by the general counsel may not be lost to any possible future considerations given this problem, our committee makes this short draft or "model" a part of this report.

Respectfully submitted

RICHARD J. DOLWIG, Chairman
GEORGE J. HATFIELD, Vice Chairman
CHARLES BROWN
RALPH M. BROWN
THOMAS W. CALDECOTT
RANDOLPH COLLIER
BRADFORD S. CRITTENDEN
ERNEST C. CROWLEY
JESSE M. MAYO
THOMAS F. KEATING
W. P. RICH
BYRL SALSMAN
MARVIN SHERWIN
ALBERT I. STEWART
CLARENCE C. WARD
LAUGHLIN E. WATERS

GUESTS EXTENDED USUAL COURTESIES OF ASSEMBLY

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Paul Auh of Korea

On request of Messrs. Lincoln and Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Frank L Walrath and Courtland D. Arne of Oakland.

On request of Messrs. Beck, Smith, and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to George Thatcher of North Hollywood and Lloyd Massey of Glendale.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Charles Henderson of Inglewood and John Landis of Auburn.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Lahey and Mr Breuman of New York.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Fred Center and Mrs. Ira R. Darrow, teachers of the Beamer School of Woodland, and 80 pupils.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Dennis P. Keegan of Santa Rosa.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Elinor H. Berg and Mrs. Anna Mei, teachers of Laney Trade Tech. of Oakland and the following pupils: John Franz, Mrs. Chung Sen Fung, Lucienne Gagliani, Don Galindo, Doreen Gee, Helen Gee, Mitsuko Goda, Miss Magdalena Guenara, Fukawa Higashi, Mrs. Sina Hillendale, Irene Ho, Kazuo Ishiwata, Mrs.

Rose Jackson, Mrs. Bert Jones, Frances Jung, Richard Kautch, Mrs Richard Kautch, Betty Lee, Bowman Lee, Harry Lee, Linda Lee, Mae Lee, Ney Shil Lee, Richard Lee, Calvin Leong, Daniel Lew, Edward Lew, Henry Lim, Vivian Looser, Catherine Lui, Walter F. Mast, Patricia Metcalf, Martha Mew, Mrs. Willis Moore, Lily Moy, Mrs. Johanna Mueller, Toshiko Narahara, Mrs Mary Nobriga, Mrs. Young Sook Pong, Olive Jean Quan, Mrs. Yvonne Rogers, Nathan Spinadel, Robert Stevens, Elizabeth Stock, Frank Swinford, Dan Umberger, Don White, Anne Wong, Rose Ark, Warren Chaffey, Shau Chan, Florence Chew, Wing Don Chew, Yat Mun Chew, Edward Chin, Mrs. Gwendolyn Chinn, Janet Chinn, Kay Chinn, Patty Chinn, Moon Young Choi, Oy Dong Chong, Wiley Choy, Ray Coates, Robert Coy, Mary Dong, Mrs. Nita Eiko, Jane Fong, Jeannie Fong, Jennie Fong, Kay Fong, Norman Fong, Wendy Fong, Eveline Wong, Jimmy Wong, Ming Wong, Mrs. Wong Shee Wu, Shoso Yamasaki, Yayoi Yobumoto, and Ishui Yutako.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Sidney Strand, Mrs. Evelyn Clark, teachers of the Goodyear School of Sierra County; Mr. and Mrs. Milton Creviston, and the following pupils: Julia Ellsworth, Donald Creviston, Shirley Loffmark, Sue Creviston, Annabelle Drury, Jerry Ellsworth, William Bosworth, Donna McLeod, James Lee, and Paul Lage.

ADJOURNMENT

At 12.37 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, March 30, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-SEVENTH LEGISLATIVE DAY

EIGHTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, March 30, 1949

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Love: May we remember this day the members of the families from which we come, who are watching us from unseen balconies.

May we see the faces of the faithful women to whom we are wedded, and who support us with deathless constancy and affection.

Forbid that we should do any act in their absence, that would bring a tear or a shudder to their noble and loving hearts

Let the faces of our children rise before us to inspire our idealism and our efforts to create a better world of opportunity, justice, and peace for all youth.

So shall we feel the invisible and spiritual influence of many loving hearts, like a shield about us.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Bennett, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Reagan, on motion of Mr. Levering.

Mr. Price, on motion of Mr. Levering.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Ralph C. Dills, on motion of Mr. Butters.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Victor R. Hansen, Regent of the University of California, relative to Assembly Concurrent Resolution No. 47, and expressing belief that the Board of Regents will take appropriate action to prevent Communistic infiltration into the university faculties of California state universities, was received, and ordered referred to the Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 148

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 390

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No. 735
Assembly Bill No. 1991

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 567
Assembly Bill No. 685
Assembly Bill No. 686
Assembly Bill No. 945
Assembly Bill No. 1501
Assembly Bill No. 1751
Assembly Bill No. 2744

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1564
Assembly Bill No. 2666

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Livestock and Dairies.

THOMPSON, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2762

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 770
Assembly Bill No. 771
Assembly Bill No. 772
Assembly Bill No. 793
Assembly Bill No. 1979

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 588

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred.

Assembly Bill No. 809

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to third reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 876
Assembly Bill No. 877
Assembly Bill No. 1180

Has had the same under consideration, and reports the same back with the recommendation. Do pass

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1281

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 213

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred.

Assembly Bill No. 1666
Assembly Bill No. 3108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 918
Assembly Bill No. 1483

Has had the same under consideration, and reports the same back with the recommendation · Do pass.

CLARKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER Your Committee on Agriculture, to which were referred:

Assembly Bill No. 96
Assembly Bill No. 1171
Assembly Bill No. 1576
Assembly Bill No. 1578

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 919

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 906
Assembly Bill No. 1568
Assembly Bill No. 3101

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2161

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 433	Assembly Bill No. 1123
Assembly Bill No. 498	Assembly Bill No. 1194
Assembly Bill No. 699	Assembly Bill No. 1351
Assembly Bill No. 901	Assembly Bill No. 2496

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1365

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2765

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 958
Assembly Bill No 2139

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 270

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 998

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 32
Senate Bill No. 60
Senate Bill No. 161
Senate Bill No 187
Senate Bill No. 220
Senate Bill No 230
Senate Bill No 305
Senate Bill No. 324
Senate Bill No 381
Senate Bill No. 470
Senate Bill No. 653
Senate Bill No. 691
Senate Bill No. 712
Senate Bill No 864
Senate Bill No. 867
Senate Bill No. 1031
Senate Bill No. 1099
Senate Bill No 1100
Senate Bill No. 1117

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 32—An act to amend Section 7211 of the Business and Professions Code, relating to the Guide Dog Fund.

Referred to Committee on Social Welfare.

Senate Bill No. 60—An act to add Section 6904 to the Education Code, relating to the crediting of average daily attendance, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 161—An act to add Section 369 to the Education Code, relating to the retirement of county superintendents of schools.

Referred to Committee on Education.

Senate Bill No. 187—An act to amend Section 13424 of the Education Code, relating to the attendance of teachers upon institutes.

Referred to Committee on Education.

Senate Bill No. 220—An act to add Section 11090 to, and to amend Section 11091 of, the Government Code, relating to state agency reports.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 230—An act to amend Section 13031.1 of the Education Code, relating to the filing or registration of certification documents.

Referred to Committee on Education.

Senate Bill No. 305—An act to amend Section 1601 of the Probate Code, relating to notices and procedure.

Referred to Committee on Judiciary.

Senate Bill No. 324—An act to add Section 31510 to the Government Code, relating to establishment of and changes in county employees' retirement system.

Referred to Committee on Municipal and County Government.

Senate Bill No. 381—An act to amend Sections 7406, 10375, and 10453 and to repeal Section 10377 of the Health and Safety Code, relating to death certificates.

Referred to Committee on Public Health.

Senate Bill No. 470—An act to amend Section 12126 of the Education Code, relating to credentials authorizing service in the public schools.

Referred to Committee on Education.

Senate Bill No. 653—An act to add Section 16006 to the Education Code, relating to the admission of pupils to school.

Referred to Committee on Education.

Senate Bill No. 691—An act to add Section 5012.2 to the Public Resources Code, relating to public utility structures and easements across state park lands.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 712—An act to amend Section 10314 of the Insurance Code, relating to disability insurance policies.

Referred to Committee on Finance and Insurance.

Senate Bill No. 864—An act to add to Chapter 1, Part 2, Division 1 of the Insurance Code a new article to be numbered 7.5, relative to remuneration of insurance claims adjusters.

Referred to Committee on Finance and Insurance.

Senate Bill No. 867—An act to amend Section 952 of the Insurance Code, relating to deposits with the Insurance Commissioner.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1031—An act to amend Section 21604 of the Education Code, relating to state schools for cerebral palsied children.

Referred to Committee on Education.

Senate Bill No. 1099—An act to amend Section 13 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a Postwar Public Works Program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights-of-way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, as amended (Chapter 47, Statutes of 1944), relating to the submission of plans.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1100—An act to amend Section 23 of the Construction and Employment Act, relating to approval by the State Allocation Board of assignments of allocations between agencies for the construction of public works.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1117—An act to amend Section 4004 of the Public Resources Code, relating to state fire prevention and suppression.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 717

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 717 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1943

Assembly Bill No. 1944

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1943 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1944 ordered re-referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Waters asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 429—An act to add Section 3370 to the Civil Code, relating to injunctive relief in connection with an act of unfair competition as defined in the Unfair Practices Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 430—An act to add Section 17087 to the Business and Professions Code, relating to power of Attorney General and district attorneys, or any of them, to file injunction actions in enforcement of the Unfair Practices Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 992—An act to amend Section 1558 of the Probate Code, relating to distribution of surplus income of insane or incompetent persons.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1541—An act to amend Section 259a of the Code of Civil Procedure, relating to duties of court commissioners, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2423—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2841—An act to add Section 11f to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 384—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2431—An act to amend Section 315 of the Municipal Utility District Act, relating to nomination papers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3098—An act to amend Section 30.2 of the Public Utility District Act, relating to public utility districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 375—An act to add Chapters 3 and 4 to Part 2, Division 2 of the Military and Veterans Code, relating to the creation and organization of a security force and a reserve force, the authority for the organization of military forces when the National Guard is absent in federal service or Congress has consented thereto, the rules and regulations for the government of such forces and reserves, the pay, allowances, expenses, supply, equipment, maintenance, training, discipline and administration of such security and reserve forces, the use of armories and buildings, the use of the forces without the State, the authority to use the forces of other states within this State, federal service, civil groups, disqualifications, oaths of office, articles of war, freedom from arrest, jury duty, unemployment, exemption from civil service, workmen's compensation, removal from service and the employment of such forces in the service of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 932—An act to amend Section 4573.5 of the Penal Code, relating to the introduction of drugs into prisons, institutions, camps, farms, and other places under the jurisdiction of the Department of Corrections, and the possession of drugs therein.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "Mere", and insert "Unauthorized".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1353—An act to add Section 308a to the Penal Code, authorizing the Director of Corrections and the Youth Authority to provide tobacco and tobacco products to persons confined in institutions under their respective jurisdictions, and to permit the use thereof by such persons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 to 27, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1357—An act to amend Section 1767.5 of the Welfare and Institutions Code, relating to the care of paroled persons.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "for the support of the authority", and insert "to the authority for such purpose"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1358—An act to amend Section 1772 of the Welfare and Institutions Code, relating to the discharge of parolees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1, line 3, of the printed bill, after "person", insert "honorably".

Amendment No. 2

On page 1 of said bill, after line 16, insert

" "Honorably discharged" as used in this section means and includes every person whose discharge is based upon a good record on parole."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 209—An act to amend Section 70 of the Civil Code, relating to solemnizing marriage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 70", and insert "Sections 70 and 73".

Amendment No. 2

On page 1 of said bill, after line 8, insert

"SEC. 2 Section 73 of said code is amended to read.

73. The person solemnizing a marriage must make, sign and indorse upon or attach to the license a certificate showing

1 The fact, time and place of solemnization, and

2. The names and places of residence of one or more witnesses to the ceremony

3 A statement of the official position of the person solemnizing the marriage, or of the denomination of which said person is a priest or minister.

4 A statement that the person solemnizing the marriage is over 21 years of age"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 323—An act to amend Section 41.5 of the California Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, after line 49, insert "The provision of this subdivision shall apply to joint ventures entered into prior as well as subsequent to the effective date of this section; provided that notice of such prior joint venture participation shall have been given to the commission within one hundred twenty days after the effective date of this section; and provided further, such transfer shall not affect any rate of contribution for any period prior to said effective date"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 35—An act to add Section 987.11 to the Military and Veterans Code, relating to veterans' farm and home purchases.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 12, inclusive, and insert

"987 11. Out of any money available in the Veterans' Farm and Home Building Fund of 1943 the department shall, upon written application of the purchaser, provide for the payment of taxes which are a lien upon the property described in his purchase contract, and for the payment of premiums due on insurance covering such property. All money so expended by the department shall be added to the selling price of the property and bear interest at the rate of interest designated in Section 987 from the date of such expenditure, and shall be repaid by the purchaser to the department upon such terms and conditions as the department may deem proper."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1749—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 10, of the printed bill, strike out "hospital", and insert "home for the mentally deficient".

Amendment No. 2

On page 1, line 19, of the printed bill, strike out "the support of the department", and insert "that purpose".

Amendment No. 3

On page 2, line 15, of the printed bill, strike out "the support of the department", and insert "that purpose".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____", and insert "eight hundred forty-six".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "($_____)", and insert "($846)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 687—An act to add Sections 6348.2 and 6348.4 to the Business and Professions Code, relating to the powers and duties of boards of law library trustees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 8, and insert "to erect a library building to house the law library, it may borrow money for that purpose and repay the loan from its future income. The board may borrow the money from any person, or private or public agency, or corporation, in an amount not exceeding".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "and".

Amendment No. 3

On page 1 of the printed bill, after line 17, insert

"Real property acquired by a board other than by the power of eminent domain or by dedication, may be sold by the board to the State of California or to any governmental agency, the proceeds to be deposited in the law library fund."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 702—An act to add Section 6007 to the Business and Professions Code, relating to membership in the State Bar.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, after line 9, insert

"When the time for appeal from such adjudication has elapsed or the judgment of incompetency has been affirmed on appeal, the clerk of the court in which such adjudication is had shall, within thirty days thereafter, transmit a certified copy of the record of adjudication of incompetency to the Supreme Court. The proceedings to suspend the attorney shall be undertaken by the court upon receipt of a certified copy of the record of such adjudication of incompetency.

When a member of the State Bar has had the fact of his restoration to capacity judicially determined, the clerk of the court which has determined the member's restoration to capacity shall, within thirty days after the judgment has become final, transmit a certified copy thereof to the Supreme Court. The proceedings to terminate the suspension of the attorney shall be undertaken by the Supreme Court upon receipt of a certified copy of the adjudication of restoration to capacity or upon receipt of a certified copy of any certificate the issuance of which effects, by provision of law, a restoration to capacity."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 910—An act to amend Section 224 of the Civil Code, relating to the adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 20, of the printed bill, after "child", insert "(a)".

Amendment No. 2

On page 1, line 24, of said bill, strike out the period, and insert ", or (b) by similar order of a court of another jurisdiction, pursuant to any law of that jurisdiction authorizing such order; or when such father or mother has, in a judicial proceeding in another jurisdiction, voluntarily surrendered his right to the custody and control of such child pursuant to any law of that jurisdiction providing for such surrender."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 912—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "that", and insert "the"

Amendment No. 2

On page 1, line 15, of said bill, after "signed", insert "in the presence of a judge of the superior court or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1082—An act to amend Section 6060 of the Business and Professions Code, relating to the practice of law.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out lines 7 and 8, and insert

"'Year' as used in subdivision (g) of this section means an academic year of nine months with respect to law study accomplished in a law school authorized by law to confer degrees and requiring classroom attendance of its students, provided, however, that except as to persons who have heretofore graduated from or who are now enrolled in such a law school or to persons who have served honorably on active duty in the armed forces of the United States at any time between September 16, 1940 and December 31, 1946 or to persons who have served on active sea duty at any time during the last mentioned period as an officer or member of the crew on vessels documented under the laws of the United States or on vessels owned, chartered or operated by or for the account or use of the War Shipping Administrator, no credit shall be given for more than one academic year in any 12-month period"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2540—An act to add Sections 4025, 4026, and 4027 to the Penal Code, relating to county jails.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 18, inclusive, and insert

"4027. The board of supervisors of any county may initiate proceedings proposing the creation of a joint district for the purpose of maintaining a joint county jail, to be composed of two or more counties of the State having a combined population of not less than fifty thousand persons, according to the official census next preceding the formation of such district by the adoption of a resolution reciting the following:

(1) That it will be beneficial to the public interest to create a joint district for maintenance of a joint county jail

(2) The names of the counties proposed to be included in the proposed district which will be benefited by the formation thereof

(3) That it is proposed to create a joint district for the establishment and maintenance of a joint county jail composed of the counties so named.

When adopted certified copies of said resolution shall be transmitted to the several clerks of the boards of supervisors in each of the counties named in the said resolution other than that in which the proceedings are initiated.

Upon the adoption of such resolution the board of supervisors of the county adopting the same shall name and appoint a member of said board of supervisors to represent said county upon the board of directors of the joint district proposed to be organized.

4028. Upon receipt of the resolution adopted as provided in Section 4027, the boards of supervisors of the counties affected and to whom the same may be directed shall consider the advisability of creating and organizing a joint district as proposed in said resolution and, upon determining the facts involved therein, shall severally adopt resolutions either rejecting or approving the proposal to create such joint district. Each resolution of approval shall, in addition to the matter otherwise required therein, also name and appoint the member of the board of supervisors of the county adopting such resolution qualified to represent such county upon the board of directors of the proposed joint district. A certified copy of said resolution of approval shall be forthwith transmitted to the clerk of the board of supervisors initiating the proceedings.

4029. The board of supervisors of any county initiating proceedings for the creation of a joint district shall, after the receipt of a copy of the resolution approving the proposal to form such district as provided in Section 4027 from the board of supervisors of each county proposed to be included within any such joint district, adopt a resolution declaring the creation and organization of said joint district and setting forth the names of the counties composing said district. A certified copy of said resolution shall be transmitted to and filed with the Secretary of State of the State of California, whereupon the said joint district shall be deemed created, and organized and shall exercise all the powers granted in this act and shall bear the name and designation of "Joint County Jail District No. _____ of the State of California." All districts organized under the provisions of this act shall be numbered in the order of their creation, such number to be assigned to said district forthwith upon the organization thereof by the Secretary of State, and the Secretary of State shall keep and maintain in his office a list and register showing the joint county jail districts organized under the provisions of this act The Secretary of State shall furnish and transmit to the clerk of the board of supervisors of the county adopting the initial resolution for the organization of any district hereunder a certificate of the organization of the same, and upon receipt of said certificate such clerk shall, within ten days after the receipt of the same, send a certified copy of said certificate to each of the clerks of the several boards of supervisors of the counties constituting said district, and said clerk shall also within said time notify each supervisor appointed as a member of the board of directors of said district of such fact and of the time and place of the first meeting of the board of directors of said district. Such time and place of meeting shall be fixed and determined by said clerk, but said time of meeting shall be within thirty days after the date of mailing notices thereof. The necessary expense incurred by such supervisors in attending and in going to and coming from any meeting of said board shall constitute a county charge of their respective counties.

4030 The body thus formed shall be called the board of directors of such district. The said delegates from each county are authorized and empowered to enter an agreement with the other counties for and on behalf of the county appointing them, binding said counties to the joint enterprise and apportioning the cost of establishing and maintaining the joint county jail, except as hereinafter provided, such cost to be apportioned on the basis of the population of the respective counties as determined by the official declaration of the State Legislature determining the population of counties next preceding such apportionment.

4031. All sums found due from any county according to the provisions of this act shall be a debt against said county, and may be collected in the manner provided by law by the said board of directors, or, in its behalf, by the board of supervisors of any county in said district by action instituted and tried in any county in said district in which the same may be first filed.

4032 The board of directors shall have power to establish the jails, and to furnish such jails with the necessary personnel and equipment to transport, feed, clothe, shelter and lodge the prisoners who shall be placed therein.

4033. Each county in said group is authorized, empowered and directed to pay from its county general fund its proportionate share to the board of directors of such amount as the said board may designate to constitute a cash revolving fund to carry on the work and expense of maintaining such jail. Each month a statement of the expense of said jail shall be sent to the board of supervisors of each county in said district, together with a claim for its proportionate share of said expenses. Said amount when received shall be paid into said cash revolving fund.

4034. Whenever any person shall be ordered committed to a county jail pursuant to law under a final judgment of imprisonment in any county of such district, he shall forthwith be committed to the joint county jail within the district.

4035. Said board of directors shall have power to make such rules as they deem proper for the government of said jail and the conduct of the prisoners."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2562—An act to amend Section 273d of, and to add Section 273 to, the Penal Code, relating to wilful corporal injury to wife or child.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "punishment", insert "or injury".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2576—An act to amend Sections 27700, 27703, 27705, 27706, 27708, 27709, and 27710 of the Government Code, to add Sections 27705.1 and 27711 thereto, and to repeal Sections 27702 and 27707 thereof, relating to public defenders.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 3 and 4 of the title of the printed bill, strike out "Sections 27702 and", and insert "Section".

Amendment No. 2

On page 1 of the printed bill, strike out lines 5 to 15, inclusive, and insert "The board of supervisors of any county may establish the office of public defender for the county. Any county may join with one or more counties to establish and maintain the office of public defender to serve such counties."

Amendment No. 3

On page 1 of the printed bill, strike out line 16.

Amendment No. 4

On page 1, line 17, of the printed bill, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 5

On page 1, line 18, of the printed bill, after "defender", insert "of any county".

Amendment No. 6

On page 1, lines 19 and 20, of the printed bill, after "appointed", strike out "to serve at the will of the appointing authority.", and insert "by the board of supervisors to serve at its will. The public defender of any two or more counties shall be appointed by the boards of supervisors of such counties."

Amendment No. 7

On page 1, line 21, of the printed bill, strike out "SEC. 4.", and insert "SEC. 3."

Amendment No. 8

On page 2, line 3, of the printed bill, strike out "SEC. 5.", and insert "SEC. 4"

Amendment No. 9

On page 2, line 8, of the printed bill, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 10

On page 2, lines 14 and 15, of the printed bill, after "contempt", strike out comma "misdemeanor, felony, or other", and insert "or".

Amendment No. 11

On page 2, line 36, of the printed bill, strike out "SEC. 7.", and insert "SEC. 6"

Amendment No. 12

On page 2, line 37, of the printed bill, strike out "SEC 8.", and insert "SEC. 7."

Amendment No. 13

On page 2, line 44, of the printed bill, strike out "SEC. 9.", and insert "SEC. 8."

Amendment No. 14

On page 2, line 50, of the printed bill, strike out "SEC. 10.", and insert "SEC. 9."

Amendment No. 15

On page 3, line 3, of the printed bill, strike out "SEC 11.", and insert "SEC. 10."

Amendment No. 16

On page 3, line 5, of the printed bill, strike out the comma after "counties", and insert a period.

Amendment No. 17

On page 3 of the printed bill, strike out lines 6, 7, 8, and 9

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2577—An act to amend Sections 987a and 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 987a and", and insert "Section".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out lines 1 to 14, inclusive.

Amendment No. 3

On page 1, line 15, of the printed bill, strike out "SEC. 2", and insert "SECTION 1."

Amendment No. 4

On page 1, line 16, of the printed bill, strike out "A plea of guilty can", and insert "Unless otherwise provided by law every plea must"

Amendment No. 5

On page 1, line 17, of the printed bill, strike out "only".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 2579—An act to amend Section 995 of the Penal Code, and to add Section 999a thereto, relating to proceedings after indictment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "Where it is shown that", and insert "That".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2582—An act to amend Section 147 of the Penal Code, relating to punishment for inhumanity toward prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, after "imprisonment.", insert "Upon conviction such officer shall be removed from office."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2587—An act to amend Sections 1089 and 1098 and to add Section 1070.5 to the Penal Code, relating to the number of challenges in criminal cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "two", and insert "more".

Amendment No. 2

On page 1, line 23, of said bill, after "defendant", insert "or defendants".

Amendment No. 3

On page 1, line 24, of said bill, strike out "near, with", and insert "so as to have".

Amendment No. 4

On page 2, lines 15 and 16, of said bill, strike out "so as to be unable to perform his duty," and insert "or upon other good cause shown to the court a juror is found to be unable to perform his duty,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2594—An act to amend Section 1181 of the Penal Code, relating to new trials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after "rendered", insert "or a finding made".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "if the indictment is for a felony", and insert "except in cases where the trial may lawfully proceed in his absence".

Amendment No. 3

On page 1, line 9, of said bill, after "premises", insert ", or of personal property".

Amendment No. 4

On page 1, line 22, of said bill, after "verdict", insert "or finding".

Amendment No. 5

On page 1, line 26, of said bill, after "the", insert "verdict, finding or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2595—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "after his conviction,".

Amendment No. 2

On page 1 of said bill, strike out lines 10 and 11; and in line 12, strike out "defendant", and insert "where".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2598—An act to amend Section 1238 of the Penal Code, relating to the taking of appeals by the people.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, after "verdict", insert "or finding".

Amendment No. 2

On page 1, line 13, of said bill, strike out "crime", and insert "offense".

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "therefor.", and insert "imposed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2599—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 995, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1204, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the headings of Title 2, Part 2 and Sections 779, 780, 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 975, and 1167 to said code, relating to proceedings in criminal cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 11 of the title of the printed bill, strike out "1204,".

Amendment No. 2

In line 19 of the title of the printed bill, strike out "779, 780,".

Amendment No. 3

In line 27 of the title of the printed bill, strike out "975,".

Amendment No. 4

On page 2, line 46, of the printed bill, after "information," insert "an accusation,".

Amendment No. 5

On page 3, line 12, of the printed bill, strike out "in", and insert "is".

Amendment No. 6

On page 3, line 16, of the printed bill, strike out "courts", and insert "court".

Amendment No. 7

On page 3, line 29, of the printed bill, strike out "subscribed by him".

Amendment No. 8

On page 3, line 33, of the printed bill, after "committed.", insert "The information shall be in the name of the people of the State of California and subscribed by the district attorney."

Amendment No. 9

On page 3, line 43, of the printed bill, strike out "SUNDRY" and insert "ADDITIONAL".

Amendment No. 10

On page 4, lines 14 to 18, inclusive, of the printed bill, strike out "in respect to a minor child who has been declared a ward of the juvenile court of any county under the juvenile court law of this State and by such juvenile court committed to the custody of a person, society, institution, or authority which places or keeps such child in another county,".

Amendment No. 11

On page 4 of the printed bill, strike out lines 20, 21, and 22, and insert "jurisdictional territory in which the minor child is cared for or in which such parent is apprehended."

Amendment No. 12

On page 4 of the printed bill, strike out line 34.

Amendment No. 13

On page 4, line 35, of the printed bill, strike out "SEC 12.", and insert "SEC. 11."

Amendment No. 14

On page 4, line 42, of the printed bill, strike out "SEC. 13.", and insert "SEC. 12."

Amendment No. 15

On page 4, line 47, of the printed bill, strike out "SEC 14.", and insert "SEC. 13."

Amendment No. 16

On page 5 of the printed bill, strike out lines 1 to 4, inclusive, and insert "or on a railroad train or car, motor vehicle, common carrier transporting passengers or on an aircraft prosecuting its".

Amendment No. 17

On page 5, line 5, of the printed bill, strike out "and", and insert "in any".

Amendment No. 18

On page 5, line 7, of the printed bill, strike out "bus", and insert "motor vehicle".

Amendment No. 19

On page 5, line 18, of the printed bill, strike out "SEC. 15", and insert "SEC. 14."

Amendment No. 20

On page 5, lines 26 and 27, of the printed bill, strike out "a child under the age of twelve years," and insert "any minor child,"

Amendment No. 21

On page 5, lines 30, 31, and 32, of the printed bill, strike out "an unmarried female of previous chaste character under the age of eighteen years," and insert "any female".

Amendment No. 22

On page 5, line 32, of the printed bill, after "the purpose of", insert "concubinage or".

Amendment No. 23

On page 5, line 32, of the printed bill, after "prostitution," strike out "or," and lines 33 to 36, inclusive.

Amendment No. 24

On page 5, lines 38, 39, and 40, of the printed bill, strike out "of which the offense is committed, or out of the jurisdictional territory of which the person upon whom the offense was committed, has, in the commission of the offense been", and insert "in which the offense was committed, or in the jurisdictional territory out of which the person upon whom the offense was committed was".

Amendment No. 25

On page 5, line 41, of the printed bill, strike out "of" after "territory", and insert "in".

Amendment No. 26

On page 5, line 45, of the printed bill, strike out "SEC. 16.", and insert "SEC. 15."

Amendment No. 27

On page 6, line 4, of the printed bill, strike out "SEC. 17.", and insert "SEC. 16."

Amendment No. 28

On page 6 of the printed bill, strike out lines 5 to 9, inclusive, and insert

"785. When the offense of incest is committed in the jurisdictional territory of one competent court and the defendant is apprehended in the jurisdictional territory of another competent court the jurisdiction is in either court.

When the offense of bigamy is committed, jurisdiction is in the competent court of either the jurisdictional territory in which the marriage took place or in which cohabitation occurred or in which the defendant was apprehended."

Amendment No. 29

On page 6, line 10, of the printed bill, strike out "SEC. 18.", and insert "SEC. 17."

Amendment No. 30

On page 6, line 24, of the printed bill, strike out "SEC. 19.", and insert "SEC. 18."

Amendment No. 31

On page 6, line 31, of the printed bill, strike out "SEC. 20.", and insert "SEC. 19."

Amendment No. 32

On page 6, line 38, of the printed bill, strike out "SEC. 21.", and insert "SEC 20."

Amendment No. 33

On page 6, line 44, of the printed bill, strike out "SEC 22.", and insert "SEC. 21."

Amendment No. 34

On page 6, line 49, of the printed bill, strike out "SEC. 23.", and insert "SEC. 22."

Amendment No. 35

On page 7, line 8, of the printed bill, strike out "SEC 24.", and insert "SEC 23."

Amendment No. 36

On page 7, line 9, of the printed bill, after "when", insert "or after".

Amendment No. 37

On page 7, line 10, of the printed bill, after "found", insert "a complaint or".

Amendment No. 38

On page 7, line 18, of the printed bill, strike out "SEC. 25.", and insert "SEC. 24."

Amendment No. 39

On page 7, line 24, of the printed bill, strike out "SEC 26.", and insert "SEC. 25."

Amendment No. 40

On page 7, line 40, of the printed bill, strike out "SEC 27.", and insert "SEC 26."

Amendment No. 41

On page 7, line 42, of the printed bill, strike out "SEC 28.", and insert "SEC. 27."

Amendment No. 42

On page 7, line 50, of the printed bill, strike out "SEC 29.", and insert "SEC 28."

Amendment No. 43

On page 8, line 21, of the printed bill, strike out "SEC. 30.", and insert "SEC. 29."

Amendment No. 44

On page 8, line 29, of the printed bill, strike out "SEC 31.", and insert "SEC. 30."

Amendment No. 45

On page 8, line 33, of the printed bill, strike out "SEC. 32.", and insert "SEC. 31."

Amendment No. 46

On page 8, line 34, of the printed bill, strike out "SEC. 33.", and insert "SEC. 32."

Amendment No. 47

On page 8, line 42, of the printed bill, strike out "SEC. 34.", and insert "SEC 33."

Amendment No. 48

On page 9, line 3, of the printed bill, strike out "SEC. 35.", and insert "SEC 34."

Amendment No. 49

On page 9, line 10, of the printed bill, strike out "SEC. 36.", and insert "SEC. 35."

Amendment No. 50

On page 9, lines 11 and 12, of the printed bill, strike out "If the offense charged in the warrant issued pursuant to Section 827 is a misdemeanor," and insert "When a complaint is filed with a magistrate of the commission of a public offense triable in an inferior court of another county of the State than that in which he sits, but showing that the defendant is in the county where the complaint is filed,".

Amendment No. 51

On page 9, line 19, of the printed bill, strike out "SEC. 37.", and insert "SEC. 36."

Amendment No. 52

On page 9, line 25, of the printed bill, strike out "SEC. 38.", and insert "SEC. 37."

Amendment No. 53

On page 9, line 27, of the printed bill, strike out "SEC. 39.", and insert "SEC. 38."

Amendment No. 54

On page 9, line 32, of the printed bill, strike out "SEC. 40.", and insert "SEC. 39."

Amendment No. 55

On page 9, line 37, of the printed bill, strike out "SEC 41.", and insert "SEC. 40."

Amendment No. 56

On page 9, line 42, of the printed bill, strike out "SEC. 42.", and insert "SEC. 41."

Amendment No. 57

On page 9, line 48, of the printed bill, strike out "SEC. 43 ", and insert "SEC. 42."

Amendment No. 58

On page 9, line 50, of the printed bill, after "indictment", strike out "or information," and insert "information, accusation".

Amendment No. 59

On page 10, line 1, of the printed bill, after "Section 859a", insert "or the complaint filed in accordance with the provisions of Section 702 of the Welfare and Institutions Code".

Amendment No. 60

On page 10, line 3, of the printed bill, strike out "SEC 44.", and insert "SEC. 43."

Amendment No. 61

On page 10, line 12, of the printed bill, strike out "SEC. 45 ", and insert "SEC. 44."

Amendment No. 62

On page 10, line 18, of the printed bill, strike out "SEC. 46.", and insert "SEC. 45."

Amendment No. 63

On page 10, line 39, of the printed bill, strike out "SEC. 47.", and insert "SEC. 46."

Amendment No. 64

On page 10, line 45, of the printed bill, strike out "SEC. 48.", and insert "SEC. 47."

Amendment No. 65

On page 10, line 50, of the printed bill, strike out "SEC. 49.", and insert "SEC. 48."

Amendment No. 66

On page 11, line 3, of the printed bill, strike out "SEC. 50.", and insert "SEC. 49."

Amendment No. 67

On page 11 of the printed bill, strike out lines 26, 27, and 28, and insert "the filing of the accusatory pleading."

Amendment No. 68

On page 11, line 29, of the printed bill, strike out "SEC. 51.", and insert "SEC. 50."

Amendment No. 69

On page 11, line 35, of the printed bill, strike out "SEC. 52.", and insert "SEC. 51."

Amendment No. 70

On page 11, line 39, of the printed bill, strike out "SEC. 53.", and insert "SEC. 52."

Amendment No. 71

On page 11, line 45, of the printed bill, strike out "SEC. 54.", and insert "SEC. 53."

Amendment No. 72

On page 12, line 4, of the printed bill, strike out "SEC. 55.", and insert "SEC. 54."

Amendment No. 73

On page 12, line 17, of the printed bill, strike out "SEC. 56.", and insert "SEC. 55."

Amendment No. 74

On page 12, line 26, of the printed bill, strike out "SEC. 57.", and insert "SEC. 56."

Amendment No. 75

On page 12, line 35, of the printed bill, strike out "SEC. 58.", and insert "SEC. 57."

Amendment No. 76

On page 12, line 47, of the printed bill, strike out "SEC. 59.", and insert "SEC. 58."

Amendment No. 77

On page 13, line 18, of the printed bill, strike out "Deadly Weapons", and insert "Dangerous Weapons'".

Amendment No. 78

On page 13, line 47, of the printed bill, strike out "SEC. 60.", and insert "SEC. 59."

Amendment No. 79

On page 14, line 1, of the printed bill, strike out "SEC. 61.", and insert "SEC. 60."

Amendment No. 80

On page 14, line 14, of the printed bill, strike out "SEC. 62.", and insert "SEC. 61."

Amendment No. 81

On page 14, line 23, of the printed bill, strike out "SEC. 63.", and insert "SEC. 62."

Amendment No. 82

On page 14 of the printed bill, strike out lines 30 to 33, inclusive.

Amendment No. 83

On page 14, line 34, of the printed bill, strike out "SEC. 65.", and insert "SEC. 63."

Amendment No. 84

On page 14, line 39, of the printed bill, strike out "SEC. 66.", and insert "SEC. 64."

Amendment No. 85

On page 14, line 45, of the printed bill, strike out "SEC. 67.", and insert "SEC. 65."

Amendment No. 86

On page 15, line 1, of the printed bill, strike out "SEC. 68.", and insert "SEC. 66."

Amendment No. 87

On page 15, line 8, of the printed bill, strike out "SEC 69.", and insert "SEC. 67."

Amendment No. 88

On page 15, line 13, of the printed bill, strike out "SEC. 70 ", and insert "SEC. 68."

Amendment No. 89

On page 15, line 25, of the printed bill, strike out "SEC. 71.", and insert "SEC. 69."

Amendment No. 90

On page 15, line 37, of the printed bill, strike out "SEC. 72.", and insert "SEC. 70."

Amendment No. 91

On page 16, line 1, of the printed bill, strike out "SEC. 73.", and insert "SEC. 71."

Amendment No. 92

On page 16, line 7, of the printed bill, strike out "SEC. 74.", and insert "SEC. 72."

Amendment No. 93

On page 16, line 21, of the printed bill, strike out "SEC. 75.", and insert "SEC. 73."

Amendment No. 94

On page 16, line 26, of the printed bill, strike out "SEC. 76.", and insert "SEC. 74."

Amendment No. 95

On page 16, line 36, of the printed bill, after "952, and", insert "also".

Amendment No. 96

On page 16, line 44, of the printed bill, strike out "SEC. 77.", and insert "SEC. 75."

Amendment No. 97

On page 16, line 49, of the printed bill, strike out "SEC 78.", and insert "SEC. 76."

Amendment No. 98

On page 17, line 15, of the printed bill, strike out "SEC. 79.", and insert "SEC. 77."

Amendment No. 99

On page 17, line 43, of the printed bill, strike out "SEC. 80.", and insert "SEC. 78."

Amendment No. 100

On page 18, line 30, of the printed bill, strike out "SEC. 81.", and insert "SEC. 79."

Amendment No. 101

On page 18, line 41, of the printed bill, strike out "SEC. 82.", and insert "SEC. 80."

Amendment No. 102

On page 18, line 42, of the printed bill, strike out "SEC 83 ", and insert "SEC. 81."

Amendment No. 103

On page 19, line 1, of the printed bill, strike out "SEC. 84.", and insert "SEC. 82."

Amendment No. 104

On page 19, line 19, of the printed bill, strike out "SEC. 85.", and insert "SEC. 83 "

Amendment No. 105

On page 19, line 43, of the printed bill, strike out "SEC 86.", and insert "SEC. 84."

Amendment No. 106

On page 19 of the printed bill, strike out lines 44 to 52, inclusive, and insert

"1018. Unless otherwise provided by law, every plea must be put in by the defendant himself in open court, except that no plea of guilty of a felony for which the maximum punishment is death, or life imprisonment without the possibility of

parole, shall be received from a defendant who does not appear with counsel, nor shall any plea of guilty of any felony be accepted from any defendant who does not appear with counsel unless the court shall first fully inform him of his right to counsel and unless the court shall find that the defendant understands his right to counsel and freely waives it. On application of the defendant at any time before judgment the court may, and in case of a defendant who appeared without counsel at the time of the plea the court must, for good cause shown, permit the plea of guilty to be withdrawn and a plea of not guilty substituted.

Upon indictment or information against a corporation a plea of guilty may be put in by counsel.

This section shall be liberally construed to effect these objects and to promote justice"

Amendment No. 107

On page 20 of the printed bill, strike out lines 1 to 16, inclusive.

Amendment No. 108

On page 20, line 17, of the printed bill, strike out "SEC. 87.", and insert "SEC. 85."

Amendment No. 109

On page 20, line 22, of the printed bill, strike out "SEC. 88", and insert "SEC. 86."

Amendment No. 110

On page 20, line 30, of the printed bill, strike out "SEC 89.", and insert "SEC. 87."

Amendment No. 111

On page 20, line 35, of the printed bill, strike out "SEC. 90.", and insert "SEC. 88."

Amendment No. 112

On page 20, line 45, of the printed bill, strike out "SEC. 91.", and insert "SEC. 89."

Amendment No. 113

On page 20, line 49, of the printed bill, strike out "SEC. 92.", and insert "SEC 90."

Amendment No. 114

On page 21, line 18, of the printed bill, strike out "SEC. 93.", and insert "SEC. 91."

Amendment No. 115

On page 21, line 22, of the printed bill, after "apply to", insert "actions pending in other courts."

Amendment No. 116

On page 21, line 23, of the printed bill, strike out "SEC. 94.", and insert "SEC. 92."

Amendment No. 117

On page 21, line 37, of the printed bill, strike out "SEC. 95.", and insert "SEC. 93."

Amendment No. 118

On page 22, line 10, of the printed bill, strike out "SEC. 96.", and insert "SEC. 94."

Amendment No. 119

On page 22, line 14, of the printed bill, strike out "SEC. 97.", and insert "SEC. 95."

Amendment No. 120

On page 22, line 20, of the printed bill, strike out "SEC. 98.", and insert "SEC. 96."

Amendment No. 121

On page 23, line 11, of the printed bill, strike out "SEC. 99.", and insert "SEC. 97."

Amendment No. 122

On page 23, line 13, of the printed bill, strike out "counsels", and insert "counsel".

Amendment No. 123

On page 23, line 17, of the printed bill, strike out "SEC. 100.", and insert "SEC. 98."

Amendment No. 124

On page 23, line 24, of the printed bill, strike out "SEC. 101.", and insert "SEC. 99."

Amendment No. 125

On page 23, line 31, of the printed bill, strike out "SEC. 102.", and insert "SEC. 100."

Amendment No. 126

On page 23, line 45, of the printed bill, strike out "SEC. 103.", and insert "SEC. 101."

Amendment No. 127

On page 23, line 50, of the printed bill, after "orally", insert a semicolon and "provided however, that in all misdemeanor cases oral instructions may be given pursuant to stipulation of the prosecuting attorney and counsel for the defendant."

Amendment No. 128

On page 24, line 19, of the printed bill, strike out "SEC. 104.", and insert "SEC. 102."

Amendment No. 129

On page 24 of the printed bill, strike out lines 20 and 21, and insert "1130. If the prosecuting attorney fails to attend at the trial, the court must appoint some attorney at law".

Amendment No. 130

On page 24, line 22, of the printed bill, strike out "districts", and insert "prosecuting".

Amendment No. 131

On page 24, line 23, of the printed bill, strike out "SEC. 105.", and insert "SEC. 103."

Amendment No. 132

On page 24, line 35, of the printed bill, strike out "SEC. 106.", and insert "SEC. 104."

Amendment No. 133

On page 24, line 50, of the printed bill, strike out "SEC. 107 ", and insert "SEC. 105."

Amendment No. 134

On page 25, line 7, of the printed bill, strike out "SEC. 108.", and insert "SEC. 106 "

Amendment No. 135

On page 25, line 8, of the printed bill, strike out "SEC. 109.", and insert "SEC. 107."

Amendment No. 136

On page 25, line 13, of the printed bill, strike out "SEC. 110.", and insert "SEC. 108."

Amendment No. 137

On page 25, line 18, of the printed bill, strike out "SEC. 111.", and insert "SEC. 109."

Amendment No. 138

On page 25, line 29, of the printed bill, strike out "SEC 112.", and insert "SEC. 110."

Amendment No. 139

On page 25, line 42, of the printed bill, strike out "SEC. 113 ", and insert "SEC. 111."

Amendment No. 140

On page 25, line 47, of the printed bill, strike out "SEC 114 ", and insert "SEC. 112 "

Amendment No. 141

On page 26, line 10, of the printed bill, strike out "SEC 115 ", and insert "SEC. 113."

Amendment No. 142

On page 26, line 15, of the printed bill, strike out "SEC 116.", and insert "SEC. 114."

Amendment No. 143

On page 26, line 27, of the printed bill, strike out "SEC. 117.", and insert "SEC. 115."

Amendment No. 144

On page 26, line 36, of the printed bill, strike out "SEC. 118.", and insert "SEC. 116."

Amendment No. 145

On page 26, lines 44 and 45, of the printed bill, strike out "in the superior court,".

Amendment No. 146

On page 26, line 47, of the printed bill, strike out "indictment or information", and insert "accusatory pleading".

Amendment No. 147

On page 26, line 48, of the printed bill, strike out "indictment or information", and insert "accusatory pleading".

Amendment No. 148

On page 27, line 1, of the printed bill, strike out "SEC. 119.", and insert "SEC. 117."

Amendment No. 149

On page 27, line 7, of the printed bill, strike out "SEC. 120.", and insert "SEC. 118."

Amendment No. 150

On page 27, line 14, of the printed bill, strike out "SEC. 121.", and insert "SEC. 119."

Amendment No. 151

On page 27, line 26, of the printed bill, strike out "disconduct", and insert "misconduct".

Amendment No. 152

On page 27 of the printed bill, strike out lines 43 to 47, inclusive, and insert "7 When the verdict or finding is contrary to law or evidence, but in any case wherein authority is vested by statute in the trial court or jury to recommend or determine as a part of its verdict or finding the punishment to be imposed, the court may modify such verdict or finding by imposing the lesser punishment without granting or ordering a new trial, and this power shall extend to any court to which the case may be appealed"

Amendment No. 153

On page 28, line 6, of the printed bill, strike out "SEC. 122.", and insert "SEC 120."

Amendment No. 154

On page 28, line 17, of the printed bill, strike out "SEC. 123.", and insert "SEC. 121."

Amendment No. 155

On page 28, line 22, of the printed bill, strike out "last section".

Amendment No. 156

On page 28, line 24, of the printed bill, strike out "SEC. 124.", and insert "SEC. 122."

Amendment No. 157

On page 28, line 31, of the printed bill, strike out "SEC. 125.", and insert "SEC. 123."

Amendment No. 158

On page 29, line 1, of the printed bill, strike out "SEC 126.", and insert "SEC. 124."

Amendment No. 159

On page 29, line 5, of the printed bill, strike out "The", and insert "1. If the conviction be for a felony, the"

Amendment No. 160

On page 29, line 7, of the printed bill, after "unless", insert a comma and "after the exercise of reasonable diligence to procure the presence of the defendant,".

Amendment No. 161

On page 29, lines 10 and 11, of the printed bill, strike out the comma and "and, in case of conviction of a felony, that reasonable diligence has been used to procure his presence;" and insert a semicolon.

Amendment No. 162

On page 29, line 36, of the printed bill, insert

"2. If the conviction be of a misdemeanor, judgment may be pronounced against the defendant in his absence."

Amendment No. 163

On page 29, line 38, of the printed bill, strike out "SEC. 127.", and insert "SEC. 125."

Amendment No. 164

On page 29, line 47, of the printed bill, strike out "SEC. 128.", and insert "SEC. 126."

Amendment No. 165

On page 30, line 1, of the printed bill, strike out "SEC. 129.", and insert "SEC. 127."

Amendment No. 166

On page 30, line 22, of the printed bill, strike out "SEC. 130.", and insert "SEC. 128."

Amendment No. 167

On page 30, line 27, of the printed bill, strike out "SEC. 131.", and insert "SEC. 129."

Amendment No. 168

On page 30 of the printed bill, strike out lines 35 to 52, inclusive.

Amendment No. 169

On page 31 of the printed bill, strike out lines 1 to 7, inclusive.

Amendment No. 170

On page 31, line 8, of the printed bill, strike out "SEC. 133 ", and insert "SEC. 130."

Amendment No. 171

On page 32 of the printed bill, strike out lines 7 to 9, inclusive, and insert "any violation of any of the codes or statutes of the State of California punishable by a fine or by a fine and imprisonment."

Amendment No. 172

On page 32, line 10, of the printed bill, strike out "SEC. 134.", and insert "SEC. 131."

Amendment No. 173

On page 32, line 17, of the printed bill, strike out "SEC. 135.", and insert "SEC. 132."

Amendment No. 174

On page 32, line 25, of the printed bill, strike out "SEC. 136.", and insert "SEC. 133."

Amendment No. 175

On page 32, line 31, of the printed bill, strike out "SEC. 137.", and insert "SEC. 134."

Amendment No. 176

On page 32, line 38, of the printed bill, strike out "SEC. 138.", and insert "SEC. 135."

Amendment No. 177

On page 32, line 45, of the printed bill, strike out "SEC. 139.", and insert "SEC. 136."

Amendment No. 178

On page 33, line 5, of the printed bill, strike out "SEC. 140.", and insert "SEC. 137."

Amendment No. 179

On page 33, line 17, of the printed bill, strike out "SEC. 141.", and insert "SEC. 138."

Amendment No. 180

On page 33, line 18, of the printed bill, strike out "SEC. 142.", and insert "SEC. 139."

Amendment No. 181

On page 33, line 29, of the printed bill, strike out "SEC. 143.", and insert "SEC. 140."

Amendment No. 182

On page 34, line 1, of the printed bill, strike out "SEC 144.", and insert "SEC. 141."

Amendment No. 183

On page 34, line 7, of the printed bill, strike out "SEC 145.", and insert "SEC. 142."

Amendment No. 184

On page 34, line 30, of the printed bill, strike out "SEC 146.", and insert "SEC. 143."

Amendment No. 185

On page 34, line 38, of the printed bill, strike out "SEC 147.", and insert "SEC 144."

Amendment No. 186

On page 35, line 1, of the printed bill, strike out "SEC. 148.", and insert "SEC 145."

Amendment No. 187

On page 35, line 8, of the printed bill, strike out "SEC 149.", and insert "SEC. 146."

Amendment No. 188

On page 35, line 14, of the printed bill, strike out "SEC. 150.", and insert "SEC. 147."

Amendment No. 189

On page 35, line 16, of the printed bill, strike out "SEC. 151.", and insert "SEC. 148."

Amendment No. 190

On page 36, line 5, of the printed bill, strike out "SEC. 152.", and insert "SEC. 149."

Amendment No. 191

On page 36, line 7, of the printed bill, after "police justice", insert "of".

Amendment No. 192

On page 36, line 10, of the printed bill, strike out "and" before "criminal".

Amendment No. 193

On page 36, line 20, of the printed bill, strike out "SEC. 153.", and insert "SEC. 150."

Amendment No. 194

On page 36, line 22, of the printed bill, strike out "SEC. 154.", and insert "SEC. 151."

Amendment No. 195

On page 36, line 23, of the printed bill, after "1429.", insert "In the case of a misdemeanor triable in any inferior court the plea of the defendant may be made by said defendant or by his counsel. When made, the plea must be entered in the minutes."

Amendment No. 196

On page 36, lines 27 and 28, of the printed bill, strike out "If a defendant charged in an inferior court with a misdemeanor triable in such court", and insert "If such defendant".

Amendment No. 197

On page 36, line 38, of the printed bill, strike out "SEC 155.", and insert "SEC. 152."

Amendment No. 198

On page 36, line 41, of the printed bill, strike out "SEC 156.", and insert "SEC. 153."

Amendment No. 199

On page 36, line 50, of the printed bill, strike out "SEC. 157.", and insert "SEC. 154."

Amendment No. 200

On page 37, line 26, of the printed bill, strike out "SEC. 158.", and insert "SEC. 155."

Amendment No. 201

On page 37, line 28, of the printed bill, strike out "SEC. 159.", and insert "SEC. 156."

Amendment No. 202

On page 38, line 7, of the printed bill, strike out "SEC. 160.", and insert "SEC. 157."

Amendment No. 203

On page 38, line 9, of the printed bill, strike out "SEC. 161.", and insert "SEC. 158."

Amendment No. 204

On page 38, line 20, of the printed bill, strike out "SEC. 162.", and insert "SEC. 159."

Amendment No. 205

On page 38, line 21, of the printed bill, strike out "SEC. 163.", and insert "SEC 160."

Amendment No. 206

On page 38, line 43, of the printed bill, strike out "SEC. 164.", and insert "SEC. 161."

Amendment No. 207

On page 38, line 44, of the printed bill, strike out "SEC. 165.", and insert "SEC. 162."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2846—An act to amend Sections 980, 981, 982, and 983 of, and to add Section 984 to, the Civil Code, relating to rights in products of the mind.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 26, inclusive.

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 980 of the Civil Code is amended to read.

980 *(a)*. The author or proprietor of any composition in letters or art has an exclusive ownership in the representation or expression thereof as against all persons except one who originally and independently creates the same or a similar composition

(b). The inventor or proprietor of any invention or design, with or without delineation, or other graphical representation, has an exclusive ownership therein, and in the representation or expression thereof, which continues so long as the invention or design and the representations or expressions thereof made by him remain in his possession.

SEC. 2 Section 981 of said code is amended to read:

981 *(a)*. Unless otherwise agreed, a composition in letters or art in the production of which several persons are jointly concerned, is owned by them as follows:

1 If the product is indivisible, in equal proportions.

2. If it is divisible, in proportion to the contribution of each.

(b). Unless otherwise agreed, an invention or design in the production of which several persons are jointly concerned is owned by them as follows:

1. If the invention or design is single, in equal proportions.

2. If it is not single, in proportion to the contribution of each.

SEC. 3. Section 982 of said code is amended to read:

982 *(a)*. The owner of any rights in any composition in letters or art, may transfer his ownership therein.

(b). The owner of any invention or design, or of any representation or expression thereof, may transfer his property in the same.

SEC. 4. Section 983 of said code is amended to read:

983 *(a)*. If the owner of a composition in letters or art publishes it the same may be used in any manner by any person, without responsibility to the owner, insofar as the law of this State is concerned.

(b). If the owner of any invention or design intentionally makes it public, a copy or reproduction may be made public by any person, without responsibility to the owner, so far as the law of this State is concerned"

Amendment No. 3

On page 2, line 9, of said bill, strike out "a product of the mind", and insert "an invention or design".

Amendment No. 4

On page 2, line 12, of said bill, strike out "author", and insert "inventor".

Amendment No. 5

On page 2, line 13, of said bill, strike out "author", and insert "inventor".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2999—An act to amend Sections 7a, 7b, and 19 of the Municipal Court Act of 1925, and to add Section 28b thereto, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 7b,"

Amendment No. 2

On page 2, line 23, of said bill, strike out "_____ ($_____)", and insert "four hundred forty dollars ($440)"

Amendment No. 3

On page 2, line 24, of said bill, strike out "The salaries of court clerks", and insert "Court clerks and bail clerks".

Amendment No. 4

On page 2, line 26, of said bill, after "receive", insert "as".

Amendment No. 5

On page 2, line 26, of said bill, strike out the second "in"

Amendment No. 6

On page 2 of said bill, between lines 27 and 28, insert

"From the court clerks of the court by a vote of a majority of the judges, there shall be appointed one chief of court clerks, whose duties shall be generally to supervise the assignment and performance of duties of the court clerks in the several court rooms; while serving in such office the chief of court clerks shall receive five hundred dollars ($500)."

Amendment No. 7

On page 2, line 29, of said bill, strike out "_____ ($_____)", and insert "five hundred seventy-five dollars ($575)".

Amendment No. 8

On page 2, line 31, of said bill, strike out "_____ ($_____)", and insert "five hundred dollars ($500)".

Amendment No. 9

On page 2, line 33, of said bill, strike out "_____ ($_____)", and insert "five hundred seventy-five dollars ($575)".

Amendment No. 10

On page 2, line 35, of said bill, strike out "_____ ($_____)", and insert "five hundred dollars ($500)".

Amendment No. 11

On page 2, line 37, of said bill, strike out "_____ ($_____)", and insert "five hundred seventy-five dollars ($575)".

Amendment No. 12

On page 2, line 39, of said bill, strike out "_____ ($_____)", and insert "five hundred dollars ($500)".

Amendment No. 13

On page 2, line 41, of said bill, strike out "_____ ($_____)", and insert "five hundred seventy-five dollars ($575)".

Amendment No. 14

On page 2, line 43, of said bill, strike out "_____ ($_____)", and insert "five hundred dollars ($500)".

Amendment No. 15

On page 2 of said bill, between lines 43 and 44, insert

"One deputy clerk, who shall be a legal consultant, five hundred seventy-five dollars ($575) ;".

Amendment No. 16

On page 3, lines 3 and 4, of said bill, strike out "_____ ($_____)", and insert "three hundred ninety dollars ($390)".

Amendment No. 17

On page 3, line 8, of said bill, strike out "_____ ($_____)", and insert "three hundred twenty-five dollars ($325)".

Amendment No. 18

On page 3, lines 11 and 12, of said bill, strike out "_____ ($_____)", and insert "two hundred eighty-five dollars ($285)'

Amendment No. 19

On page 3, line 14, of said bill, strike out "_____ ($_____)", and insert "two hundred sixty dollars ($260)".

Amendment No. 20

On page 3, line 16, of said bill, strike out "_____ ($_____)", and insert "two hundred fifteen dollars ($215)".

Amendment No. 21

On page 3 of said bill, strike out lines 21 to 50, inclusive; and on page 4, strike out lines 1 to 44, inclusive.

Amendment No. 22

On page 4, line 45, of said bill, after "SEC.", strike out "3", and insert "2".

Amendment No. 23

On page 5, line 21, of said bill, after "SEC." strike out "4", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 787—An act to amend Section 7.2 of the Unemployment Insurance Act, relating to employment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 22, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 23, of the printed bill, strike out "be subject to the contribution", and insert "voluntarily pay contributions".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1793—An act to amend Sections 822, 823, 827, 839, 857, and 858 of the Insurance Code, relating to the issue of securities by insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 10, of the printed bill, after "an exchange," insert "any change in the rights, preferences, privileges or restrictions on outstanding securities,".

Amendment No. 2

On page 1, line 20, of the printed bill, before "sale", insert "the".

Amendment No. 3

On page 2, line 16, of the printed bill, after "857.", insert "The commissioner shall charge and collect the following fees:
(a)"

Amendment No. 4

On page 2, lines 17 and 18, of the printed bill, strike out "the commissioner, as a fee, shall collect".

Amendment No. 5

On page 2 of the printed bill, strike out all of lines 31 to 37, inclusive, and insert "(b) For filing an application for a permit to issue securities evidencing any change in the rights, preferences, privileges or restrictions on outstanding securities, twenty-five dollars ($25)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1824—An act to add Section 751.1 to, and to amend Section 763 of, the Insurance Code, relating to rebates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "policies on a participating plan", and insert "participating policies".

Amendment No. 2

On page 1, line 4, of the printed bill, after "dividend", insert "or refund".

Amendment No. 3

On page 1, line 5, of the printed bill, after "dividend", insert "or refund".

Amendment No. 4

On page 1, line 6, of the printed bill, after "directors", insert ", executive committee thereof".

Amendment No. 5

On page 1 of the printed bill, strike out lines 7 and 8 and "policies" in line 9, and insert "conformity with a plan, formula, schedule, program, specification, regulation or basis which shall be recorded in the form of a resolution in the minutes of the meeting of such board, committee or governing body at which such resolution was adopted and shall not be unfairly discriminatory as applied to participating policyholders in the same classification."

Amendment No. 6

On page 1 of the printed bill, strike out all of lines 11 and 12, and insert "ful rebate.

Nothing in this section shall prohibit the payment of dividends or refunds at a uniform rate to all participating policyholders, or the establishment of reasonable classifications of participating policyholders or the basing of dividends or refunds on graduations according to amounts of premiums, ratios of losses incurred to premiums earned, ratios of expenses incurred to premiums earned, or combinations thereof.

This section likewise applies to reciprocals or inter-insurance exchanges"

Amendment No. 7

On page 1 of the printed bill, strike out lines 15 and 16, and insert

"(a) Subject to the provisions of Section 751.1, the return by an insurer issuing participating policies, after the expiration or cancellation of any".

Amendment No. 8

On page 2, line 9, of the printed bill, strike out "The", and insert "Subject to the provisions of Section 751.1, the".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance

Assembly Bill No. 1825—An act to amend Section 11738 of the Insurance Code, relating to participating workmen's compensation insurance policies and refunds thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out all of lines 7, 8, and 9, and insert

"(a) In conformity with a plan, formula, schedule, program, specification, regulation or basis which shall not be unfairly discriminatory as applied to participating policyholders in the same classification. Nothing in this section shall prohibit the payment of dividends or refunds at a uniform rate to all participating policyholders, or the establishment of reasonable classifications of participating policyholders or the basing of dividends or refunds on graduations according to amounts of premiums, ratios of losses incurred to premiums earned, ratios of expenses incurred to premiums earned, or combinations thereof"

Amendment No. 2

On page 1, line 13, of the printed bill, after "profits", insert a comma.

Amendment No. 3

On page 1, line 14, of the printed bill, after "reserves", insert "and other liabilities".

Amendment No. 4

On page 1 of the printed bill, strike out all of lines 19 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 18—An act to amend Sections 985 and 986.3 of, and to add Section 987.11 to, the Military and Veterans Code, relating to farm and home purchases for veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to amend Sections 985, 986.3, 986.5, 986.6, and 986.9 of the Military and Veterans Code, relating to farm".

Amendment No. 2

On page 1, line 12, of said bill, strike out "and also means a".

Amendment No. 3

On page 1 of said bill, strike out lines 13 to 16, inclusive.

Amendment No. 4

On page 1, line 17, of said bill, strike out "abode"

Amendment No. 5

On page 2, line 6, of said bill, after "thereof", insert "or may contract with a veteran for the construction of a dwelling house and other improvements for a farm or home,".

Amendment No. 6

On page 2, line 15, of said bill, after "property", insert ", or the sum to be expended by the department pursuant to a contract for the construction of a dwelling house and other improvements,".

Amendment No. 7

On page 2 of said bill, between lines 17 and 18, insert

"(d) Where the department is to contract with a veteran for the construction of a dwelling house and other buildings:

(1) The veteran is the owner in fee of the real property on which the dwelling house and other buildings are to be constructed and agrees to convey that property to the department without cost.

(2) The veteran has paid a reasonable fee set by the department to cover the cost of such preliminary service of the department as may be necessary to process the application.

(3) The veteran has filed with the department adequate plans and specifications for the improvements to be constructed upon said real property, together with a contract, executed by a contractor licensed by the State of California, for the construction of said improvements in accordance with said plans and specifications within eight months after the acquisition of said real property by the department, and a bond providing for compliance with the terms of said contract and for the payment of material men and labor furnishing material or labor on the job, executed by a surety company authorized to do business in the State of California.

(4) The plans, specifications, contract and bond are approved by the department

(5) The total value of said real property and the improvements to be constructed thereon in accordance with the contract, plans and specifications submitted shall not exceed the sum of ten thousand dollars ($10,000) in the case of a home or fifteen thousand dollars ($15,000) in the case of a farm.

(6) The veteran has placed in escrow, any sum of money to be advanced by him where the cost is in excess of the maximum that may be expended by the department"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 2 of said bill, strike out lines 18 to 34, inclusive, and insert

"SEC. 3. Section 986.5 of said code is amended to read:

986.5. The *total* cost of a home to the [board] *department*, shall not exceed the sum of seven thousand five hundred dollars ($7,500), and a veteran purchasing

the home may advance the difference between the [purchase] *total* price *or cost* of the home and the cost of the home to the [board] *department* but in no case shall the total value thereof *after completion of construction* exceed ten thousand dollars ($10,000) The cost of a farm to the [board] *department* shall not exceed thirteen thousand five hundred dollars ($13,500), and a veteran purchasing the farm may advance the difference between the [purchase] *total* price of the farm *or cost of the dwelling and improvements to be constructed on a farm under a contract* and the cost of the farm to the [board] *department*, but in no case shall the total value *of the farm and the dwellings and improvements thereon* exceed fifteen thousand dollars ($15,000).

SEC 4 Section 986.6 of said code is amended to read:

986.6. The [board] *department* may acquire a farm or home *or real property* [in] *of* which the veteran to whom such farm or home *or real property* is to be sold has theretofore [acquired an interest.] *become owner in fee and agreed to convey to the department without cost.*

SEC. 5. Section 986.9 of said code is amended to read:

986.9. The department shall then enter into a contract with the veteran for the sale of the property to the veteran. The department shall fix the selling price of the property by adding to the purchase price thereof, *to the total cost of improvements constructed,* or to the value of such property as determined by the department when such property is acquired by the department in a manner other than by purchase, all expenses incurred and estimated to be incurred by the department in relation thereto, inclusive of interest, administration, appraisals, examination of title, incidental expenses, and the sum deemed necessary to meet unforeseen contingencies. *In the case of real property acquired from a veteran for the purpose of constructing improvements thereon, the department shall forthwith after acquiring said real property enter into the contract with the veteran authorized by this section at a selling price determined by the amount of the contract price for the improvements and any of the other additions herein authorized. After the execution of said contract between the veteran and the department and the making of the initial payment thereon the department shall be authorized to pay the cost of the improvements contracted to be constructed on said real property, making progress payments thereon in such amounts and at such times as the department approves. The department shall upon written request of the veteran and his contractor have authority to approve additions to or deletions from the improvements contracted to be constructed and any savings affected or added cost incurred shall be deducted from or added to the amount due the department by the veteran under the terms of his contract."*

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Military Affairs.

Assembly Bill No. 2588—An act to amend Sections 1123 and 1140 and to repeal Section 1139 of the Penal Code, relating to discharge of jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, after "the", strike out "jurors", and insert "juror"

Amendment No. 2

On page 1, line 11, of said bill, after "alternate", strike out "jurors", and insert "juror".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 37—An act to amend Section 12973.7 of the Insurance Code, relating to documents and publications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "12973.7", insert "and 12922".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 1, line 9, of said bill, insert

"SEC. 2. Section 12922 of the Insurance Code is amended to read:

12922. The commissioner shall, on or before the first day of August in each year, make a report to the Governor, containing a tabular statement and synopsis of the reports which have been filed in his office and showing, generally, the condition of the insurance business and interests in this State, and other matters concerning insurance. Such report shall also contain a detailed verified statement, of the moneys and fees of office received by him, and for what purpose. [The printing of said report and all other printing required by the Division of Insurance shall be exempt from the provisions of Article 12, Chapter 3, Title 1, Part 3 of the Political Code.]"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1015 WAIVED

Mr. Maloney waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1015 was passed.

Assembly Bill No. 1015 ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 19, on request of Mr. Maloney.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1574—An act to add Sections 255 and 256 to the Agricultural Code, relating to bovine tuberculosis, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1574?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on March 10, 1949, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 11, of said bill, after the period, insert "The premises, or portion thereof infected, shall be identified in the notice."

Amendment No. 3

On page 1, line 13, of said bill, strike out "and/or examinations", and insert "or examinations, or both,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1574 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, and Mr Speaker—62

NOES—None.

Assembly Bill No. 1574 ordered enrolled.

Speaker Pro Tempore Presiding

At 10.25 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MOTION TO AMEND ASSEMBLY PERMANENT STANDING RULE NO. 37

In compliance with a notice given on a previous day, Mr. Sam L. Collins moved the adoption of the following amendment to Assembly Permanent Standing Rule No. 37:

Amendment No. 1

Resolved, That Assembly Permanent Standing Rule No. 37 be amended by adding thereto the following:

"During the portion of the session prior to the constitutional recess and after the end of the second week following the convening of the session, no member of the Assembly shall introduce any bill, other than the Budget Bill, at the request of or on behalf of any state officer, department, board, bureau, or commission, without first obtaining permission to do so Any member who desires to introduce such a bill after the end of the second week of the session shall send it to the clerk's desk, accompanied by a written request for permission to introduce it. The bill may be introduced only after the adoption of a motion by the Assembly that permission be granted to the member to do so The adoption of such a motion shall require an affirmative recorded vote of two-thirds of all members elected to the Assembly"

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—68.

NOES—None

Speaker Presiding

At 10.50 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENT

Mr. Crichton announced that the Sun-Maid Raisin Co., of Fresno, has had placed on the desk of every member a box of raisins, with the best wishes of the company, that its "16 ounces of sunshine will be enjoyed."

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2421—An act to amend Section 19390 of the Government Code, relating to the right of state employees entering the military service to be restored to their former position and civil service status upon termination of such military service;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1949, at 11.30 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1314—An act to amend Section 802 of the Agricultural Code, relating to standards for grapes, declaring the urgency of this act, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirtieth day of March, 1949, at 11 30 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1713
Assembly Bill No 2914

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 1713 ordered to third reading.

Assembly Bill No. 2914 ordered re-referred to the Committee on Public Morals.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 39

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 39, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 39

Senate Concurrent Resolution No. 39—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb,

Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2212—An act to amend Section 402 of the Fish and Game Code, relating to licenses.

Bill read third time, and ordered passed on file.

Assembly Bill No. 431—An act to add Section 15 to an act entitled, the "State Aeronautics Commission Act," relating to liability of aircraft owners, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 11.06 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Clarke, Crichton, Doyle, Erwin, Geddes, Hinckley, Hoffman, Hollibaugh, Rosenthal, Rumford, and Thomas—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Morris asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 535—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 74—An act to amend Section 5301 of the Elections Code, relating to campaign funds.

Bill read third time, and temporarily passed on file.

Assembly Bill No. 543—An act to amend Sections 6032 and 6038 of the Harbors and Navigation Code, relating to elections in harbor districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE TO ASSEMBLY BILL NO. 431

At 11.15 a.m., on motion of Mr. Brown, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 431 adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—57.

NOES—Anderson, George D. Collins, Condon, Cooke, Dunn, Elliott, Gaffney, Hawkins, Heisinger, Lewis, and Maloney—11.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.

NOES—George D. Collins and Hagen—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF ASSEMBLY BILL NO. 936

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up reconsideration of Assembly Bill No. 936, at this time.

RECONSIDERATION OF ASSEMBLY BILL NO. 936

In compliance with a notice given on a previous day, Mr. Lowrey moved that the vote whereby Assembly Bill No. 936 was passed be reconsidered.

Request for Unanimous Consent to Read Opinion of the Legislative Counsel

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to read an opinion of the Legislative Counsel, relative to Assembly Bill No. 936, at this time.

The question being on the motion that the vote whereby Assembly Bill No. 936 was passed be reconsidered.

The roll was called, and Assembly Bill No. 936 reconsidered by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.

NOES—Hagen—1.

Request for Unanimous Consent That Assembly Bill No. 936 Be Withdrawn From File and Be Re-referred

Messrs. Erwin and Lowrey asked for, and were granted, unanimous consent that Assembly Bill No. 936 be withdrawn from the file, and be re-referred to the Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, March 29, 1949

Hon. Lloyd W. Lowrey
Assembly Chamber

Assembly Bill No. 936, re Definition of Angling—No. 5296

DEAR MR. LOWREY: You have asked us if the Fish and Game Commission under its general regulatory powers could make the same requirement that Assembly Bill No. 936, as introduced, proposes. You also ask whether or not the commission can make practically any rule relating to sporting fishing and hunting.

Assembly Bill No. 936 amends Section 2 of the Fish and Game Code to provide that in "angling" not more than one hand line, or pole with line attached, may be used by any person.

The general regulatory powers of the commission appear in Article 1 of Chapter 2 of Division 1 of the Fish and Game Code (Secs. 14 to 196, incl.).

Under the provisions of said article the Fish and Game Commission is given very broad powers to regulate many aspects of sporting fishing and of hunting, but no power is delegated as to any phase of commercial fishing.

Among the powers delegated as to sporting fishing is the power to make orders relating to fish, mollusks, crustaceans, amphibia and reptiles which, as to all or any

species or varieties * * *." (d) Prescribe the manner and the means of taking any species or variety." (Sec. 15 4, F. & G C.).

We believe that under this provision the commission may restrict sport fishing to the use of one line or one rod and line per person.

As to the scope of the powers delegated to the commission under the general regulatory powers provisions, the delegation was and is intended to be plenary as to the matters covered. The commission may change seasons, bag limits, territorial limits, and prescribe the means and methods of taking of fish, game, birds, mammals, mollusks, crustaceans, amphibia, and reptiles, and in case of birds and mammals, change restrictions based on sex, maturity or other physical distinctions (Secs. 15 4 and 16 3, F & G. C.).

These matters appear to cover everything that the Legislature might itself do in relation to the actual taking of fish and game. The commission may not fix the general license fees or prescribe penalties. It may, however, regulate the taking of fish and game in such manner as it finds necessary to permit the utilization of the fish and game resources to the fullest extent consistent with the preservation and propagation of the various species

Having turned over to the commission the important functions of setting seasons and bag limits, and prescribing areas and methods of taking, it seems to follow that the Legislature intended the commission's powers to be very broad. Therefore, even if on some minor matter there was room for doubt whether or not the matter was within the scope of the delegated power, it would be more in accord with the evident intent and purpose of the provisions to assume that the commission had been delegated the particular power than to assume that it had not.

However, in the case of your specific question we do not believe that there is any question since the matter appears to be specifically covered.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Copy to author of A B. No. 936 pursuant to Joint Rule 34.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 149

Mr. Lindsay asked for unanimous consent that he be permitted to take up Assembly Bill No. 149, out of order, at this time.

Ruling By Speaker

Speaker Sam L. Collins ruled his request not in order as Assembly Bill No. 149 was passed on file yesterday, and should take its proper place at the end of the file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 74

Assembly Bill No. 74—An act to amend Section 5301 of the Elections Code, relating to campaign funds.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Coats, George D Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Evans, Fletcher, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Maloney, McCarthy, McMillan, Rumford, Stanley, Thomas, and Mr. Speaker—27.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, Way, and Weber—41.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 546—An act to add Section 2847.4 to the Elections Code, relating to membership in a county central committee.

Bill read third time.

Point of Order

Mr Heisinger arose to the following point of order: That Speaker Sam L. Collins is commenting on a bill while presiding, and should, in such instance, release the gavel.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 546.

Motion to Amend

Mr Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "primary or".

Amendment read.

Roll Call Demanded

Messrs. Waters, Lindsay, and Silliman demanded a roll call.

The roll was called, and the amendment offered by Mr. Dunn to Assembly Bill No 546 refused adoption by the following vote:

AYES—Condon, Cramer, Crowley, Dickey, Doyle, Dunn, Gaffney, Geddes, Lowrey, Maloney, Meyers, Morris, Moss, Niehouse, Rumford, Weber, and Mr. Speaker—17.

NOES—Anderson, Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dolwig, Elliott, Erwin, Evans, Fleury, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McMillan, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, and Way—45

The question being on the passage of Assembly Bill No. 546.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "gives aid or support of any kind to", and insert "publicly endorses and urges the election of"

Amendment read.

Roll Call Demanded

Messrs. Elliott, Hawkins, and Anderson demanded a roll call.

The roll was called, and the amendment offered by Mr. Coats to Assembly Bill No. 546 refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burkhalter, Coats, George D Collins, Condon, Cooke, Cramer, Crowley, Davis, Clayton A. Dills, Dunn, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, McMillan, Meyers, Moss, Rumford, and Thomas—28.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—39.

The question being on the passage of Assembly Bill No. 546.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burkhalter, Coats, George D. Collins, Conrad, Cooke, Crichton, Davis, Dunn, Elliott, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McMillan, Meyers, Moss, Rumford, and Thomas—24

NOES—Babbage, Brown, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Cramer, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Niehouse, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—45.

RECESS

At 12.15 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 2.01 p.m., Mr. Caldecott asked for, and was granted, unanimous consent that Mr. Dunn be excused, for the balance of the legislative day, as he is attending to legislative duties elsewhere.

ABSENCE OF QUORUM SUGGESTED

Mr. Maloney suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Maloney moved a call of the Assembly.

Motion carried. Time 2.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brady, Brown, Collier, Condon, Conrad, Cooke, Crichton, Dickey, Dolwig, Elliott, Fleury, Geddes, Hinckley, Hollibaugh, Lewis, Lipscomb, Rosenthal, Silliman, Stanley, Stewart, Thomas, and Weber—23.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 2.08 p.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

Quorum present.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 375	Assembly Bill No. 1541
Assembly Bill No. 384	Assembly Bill No 2423
Assembly Bill No. 429	Assembly Bill No. 2431
Assembly Bill No. 430	Assembly Bill No. 2841
Assembly Bill No. 992	Assembly Bill No. 3098

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 563—An act to amend Section 695 of the Elections Code, relating to election officer's right of absence from employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52

NOES—Anderson, George D. Collins, and Lewis—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 671—An act to amend Section 1812 of the Education Code, relating to school district elections

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 2.14 p.m., Mr. Kilpatrick asked for, and was granted, unanimous consent that Mr. Rosenthal be excused for the balance of the legislative day, as he is attending to legislative business elsewhere.

At 2.15 p.m., Mr. George D. Collins asked for, and was granted, unanimous consent that Mr. Brady be excused for the balance of the legislative day because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 720—An act to amend Section 5931 of, and to add Section 5931.5 to, the Elections Code, relating to absentee voting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1523—An act to repeal Article 4, comprising Sections 4600 to 4611, inclusive, of Chapter 1, Division 7 of the Elections Code, relating to campaign expenditures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Cooke, Cramer, Crowley, Davis, Dickey, Doyle, Elliott, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—48.

NOES—Clarke, Connolly, Conrad, Dolwig, Erwin, Geddes, Heisinger, Hinckley, Hoffman, McCollister, Morris, Sherwin, and Waters—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1538—An act to add Section 132.5 to the Elections Code, relating to registration of members of the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1684—An act to amend Section 1772 of the Elections Code, relating to municipal referendum.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2502—An act to amend Section 6050 of the Elections Code, relating to voting machines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2858—An act to add Section 1509.5 to the Elections Code, relating to measures submitted to the voters.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1509.5", and insert "1509 7".

Amendment No. 2

On page 1, line 1, of said bill, strike out "1509.5", and insert "1509 7".

Amendment No. 3

On page 1, line 3, of said bill, strike out "1509.5", and insert "1509.7".

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 3096—An act to add Section 2876 to the Health and Safety Code, relating to pest abatement districts, the power and authority of boards of supervisors and the levy of pest abatement district taxes; providing that this act shall not be deemed to be a declaration of the intention of the Legislature concerning the meaning of Section 3720 of the Political Code or any statutory successor thereto; declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—58

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 109

Mr. Waters asked for, and was granted, unanimous consent to take up Assembly Bill No. 109, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 109

Assembly Bill No. 109—An act to amend Section 386 of the Code of Civil Procedure, relating to parties to civil actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Evans, Fletcher, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—49.

NOES—George D. Collins, Connolly, Cramer, Erwin, Geddes, McCarthy, and Sherwin—7.

Notice of Motion to Reconsider Assembly Bill No. 109

Mr. Sherwin gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 109 was this day passed.

Assembly Bill No. 256—An act to amend Sections 3047, 3048, and 3051 of the Business and Professions Code, relating to professional courses in optometry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dolwig, Doyle, Erwin, Evans Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1687—An act to amend Section 24400 of the Health and Safety Code, relating to abandoned excavations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1752—An act to amend Section 740.5 of the Welfare and Institutions Code, relating to minors believed to be mentally unsound and their temporary placement for observation in institutions under the jurisdiction of the Department of Mental Hygiene.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 427—An act to add Section 641.1 to the Welfare and Institutions Code, relating to the powers and duties of probation officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 892—An act to amend Section 3447 of the Welfare and Institutions Code, relating to the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 893—An act to add Section 3451 to the Welfare and Institutions Code, relating to the blind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1270—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of

Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by adding Section 8.1 thereto, relating to the rights of blind person in respect to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1585—An act to amend Sections 1562, 2190, and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 846—An act to amend Section 681 of the Agricultural Code, relating to license for testers and pasteurizers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—59.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 352—An act to amend Section 827 of the Agricultural Code, relating to apple standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dicker, Clayton A Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stillman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO WAIVE RULE

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to waive the five day rule pertaining to listing bills scheduled for hearing in committee meetings in the File, and announced that the Committee on Ways and Means will hear Assembly Bill No 717, tomorrow afternoon, Thursday, March 31st, at 3 p m

REQUEST FOR UNANIMOUS CONSENT TO INTRODUCE HOUSE RESOLUTION

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to introduce a house resolution, out of order, at this time.

RESOLUTIONS

The following resolution was offered:

By Mr. Dolwig:

House Resolution No. 147

Relative to the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings created by House Resolution No. 44

Resolved by the Assembly of the State of California, As follows:

That the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings created by House Resolution No. 44 shall consist of nine Members of the Assembly appointed by the Speaker

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up House Resolution No. 147, at this time, without reference to committee or file.

Resolution read, and adopted.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Maloney:

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 57 of the Public Utilities Act, relating to fees and charges to be made and collected by the Public Utilities Commission

Respectfully submitted,

THOMAS A MALONEY

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Maloney:

An act to amend Section 57 of the Public Utilities Act, relating to fees and charges to be made and collected by the Public Utilities Commission

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage Beck, Bennett, Berry Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—64

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bills were introduced, and read the first time:

Assembly Bill No. 3115: By Mr Maloney—An act to amend Section 57 of the Public Utilities Act, relating to fees and charges to be made and collected by the Public Utilities Commission

Referred to Committee on Public Utilities and Corporations

Assembly Joint Resolution No. 31: By Messrs Lindsay, Moss, Fleury, Heisinger, Butters, Clarke, Coats, Cramer, Davis, Erwin, Grunsky, Hagen, Hahn, Hoffman, Kirkwood, Lewis, Lowrey, McCollister, Mrs Niehouse, Messrs. Thompson, Way, and Weber—Relative to provision for public recreation, fish and wildlife development in flood, irrigation and power projects involving construction of dams.

Referred to Committee on Rules.

APPOINTMENT OF INTERIM COMMITTEE

Pursuant to the provisions of House Resolutions Nos. 44 and 147, Speaker Sam L. Collins announced the appointment of Messrs. Dolwig, Chairman; Thompson, Dickey, George D. Collins, Gaffney, Geddes, Dunn, Connolly, and McCarthy to membership on said Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1111, Assembly Bill No 1103, and Assembly Bill No. 19, on request of Mr. Caldecott.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1765, on motion of Mr. Geddes.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Joint Resolution No. 32: By Mr Burkhalter—Relative to memorializing the President and the Congress of the United States in relation to levying a tax upon foreign films made by American film studios.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 64: By Mr. Waters—Relative to the creation of the Joint Interim Committee on Elections and Reapportionment.

Referred to Committee on Rules.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight, at 8 p m.—

Municipal and County Government.
Crime and Correction.
Constitutional Amendments.

Today Upon Adjournment—

Conservation, Planning, and Public Works.
Governmental Efficiency and Economy.

Tomorrow, Thursday, March 31st, at 9 a.m.—

Rules.

It was announced that the following committee would not hold a meeting today:

Manufacturing, Oil, and Mining Industry.

GUESTS EXTENDED USUAL COURTESIES OF ASSEMBLY

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Judge Bill Keller, Whit Carter, and Roy Knapp of Lancaster.

On request of Mr Erwin, the usual courtesies of the Assembly for this day were unanimously extended to John H. Baker of New York.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Rollen Waterson of Oakland.

On request of Mr. Beck and the Democratic Delegation, the usual courtesies of the Assembly for this day were unanimously extended to E George Luckey of Brawley.

On request of Mr Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Ray E. Pease, Ben F. Watkins, and Mrs E. R. Rumford of Oakland

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Frank Taylor, Jeanne Billings, teachers, of Sutter Union High School, and the following pupils. Dolores Spence, Janice Tarke, Helen Carlton, Gordon Raub, Russell Todd, Eddie Bergtholdt, Bill Bodle, Nancy Bodle, Jackie Salisbury, Elsie Cardoza, Norma Welter, Cathy Byer, Doris Ohland, Carol Ray Reische, Joann Ettl, Merle Carnegie, Bobbie Lathrop, Laverne McPherrin, Sonya Roark, Mary Ann Smith, and Ellen Cagle.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Minihane and Mrs. Gerhan, teachers, and the following pupils of the Tracy School: Billie Allee, Carol Ann Ellis, Shirley Ferguson, Pauline Flores, Beverly Fogli, Bette Lue Fuson, Lillian Gomez, Shirley Healey, Arlene Hill, Hellen Hobbs, Betty Juanita Hunt, Doris Jordan, Sally Moreno, Elsie Plasencia, Lupe Rangel, Alverna Riggins, Joy Ritter, Shirley Ann Rowe, Margaret Schmidt, Rhonda Thomason, Virginia Torres, Betty Zaragozo, Shirley Upton, Vivian Andrade, Mary Alvillar, Juanita Bennett, Beverly Benton, Shirley Boarts, Dorothy Borges, Margaret Boyd, Betty Brannon, Nancy Ceniceras, Diane Chrisman, Charlsie Clarkson, Jeanne Cline, Delia Costa, Myrcille Cox, Frances Cuellar, Joannell

Deede, Marlyn Dickerson, Jennie Garcia, Ruby Hobbs, Joy Howerton, Louise Mena, Faye Sisson, James Chandler, Frank Espinoza, Richard Garcia, Ray Green, Gary Isbell, Jack Ivey, Jesse Juarez, Charles Morris, Donald Quintana, Eusebio Ramirez, Raymond Rios, Ralph Robertson, Burt Taylor, Charles Thompson, Wayne Duckworth, Alex Arevalo, Marshall Airrington, Frankie Alegre, John Avila, Gilbert Bullard, Harold Burchett, James Byrne, Jerry Campbell, Raymond Cardoza, John Carson, Russell Cline, Albert Correia, Richard Cornelius, Joe Davis, James Owens, and Donald Riggins.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Anna Kirchgater and John Draper, teachers, of the Elk Grove School, and the following pupils: Edward Abelia, Jean Argo, Nelda Bradford, June Clark, Donald Costello, Winona Cound, William Courtney, Mildred Edralin, Dorothy Feickert, Marilyn Fizer, Donald Frost, Louis Garcia, Pearl Gwerder, Gail Halverson, Darlene Hartley, William Head, Evelyn Heaton, James Hensley, Oscar Hottman, Helen Jamerson, Margie Kerby, Corrine Lagura, Peggy Macklin, Dewey McDonald, John Miller, Rudy Muller, Mamoru Nakatani, Kenneth Neely, Mary Lou Neely, Vernon Newland, Joan Niesen, Tommy Oda, John Ohrenschall, Charles Phillips, Teddy Reed, Barbara Soares, Ronald Stull, Richard Tessen, Bobby Timmons, Alice Truett, Patsy Truett, Edward Vickers, Janet Vogt, and Robert Watkins.

On request of Messrs Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Wendell Brown, teacher, of New Hope School, and the following pupils: Ray Berrich, Harold Cox, Robert Flentge, John Gisler, Marie Simas, Mildred Thomas, Jo Ann Azvedo, Wilda Summers, Marilyn Garrett, Olivia De Silva, Katherine Lum, Wanda Weisner, Jeanne Vetter, Allen Daniels, Barth Alfichte, Billy Feagan, Guy Ingram, Aleck Dambacker, Arthur Sartini, Sue Gillian, Dolores Sweet, Anna Mae Huggins, Lucille Combs, Sylvia Cheshire, Joan Smith, Evelyn Weller, George Barber, Otto Gisler, Junior Cheshire, Jack Haslinger, Franzi Steiner, Linuel Maxwell, Venita Maxwell, and Maxine Wilson.

On request of Mr. Crowley the usual courtesies of the Assembly for this day were unanimously extended to Miss Florence Toohey, teacher, Senior Problems Class, of the Clear Lake High School, Lakeport, and the following pupils: Maxine Abercrombie, Don Browning, Marie Covey, Lila Cox, Don De Bolt, Nadine De Bolt, Vera Farrington, Darlene Foeller, Velvia Freeman, Florence Hefner, Ila Mae Hickok, Donna Hyder, Jeanne Leonard, David Miller, Merlene Ray, Victor Thomas, Don Wattenburger, Don Weaving, Bill Williams, Bob Zehnder, and Jerry Butler.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Joseph McGie, Robert Gein, Lloyd

Lauer, Leland Harriman, and Mrs J. B O'Neal, of the Gridley Union School, and the following pupils: Ronald Bell, Bill Claypool, Hugh Handley, Freddie Hudson, Windell Jones, Jack Neely, James Powell, Clayton Rowley, Robert Scott, Gary Chenoweth, James King, Stanley Hughes, Dennis Patton, Donald Henderson, Edwin Britton, Gerald Brubaker, O. J Campbell, Theodore Deen, Bunda Dillard, Markay Hamblin, Jimmie Rogers, Bobby Sweringen, Don Upton, Ray Upton, David Vaca, Jimmie Waller, Warren Wilson, Mancel Womack, Gerald Nester, Walter Black, Freddie Foster, Darlene Bryan, Joyce Claypool, Marlyce Dillman, Edna Elsner, Kenneth Edsinger, Gerald Gorton, Robert Johnson, Donald Maberry, Robert Newell, Richard Randolph, LeRoy Richins, Roger Sanford, Willard Stull, Jerry Thomas, Betty Abbott, Helen Bettencourt, Judy Brown, Juanita Eaton, Florence Fife, Zoe Gardner, Jolyne Hepworth, Pat Hepworth, Joanne Herrington, Margaret King, Loretta Little, Patti Moore, Anita Pantaleoni, Barbara Powell, Ardyne Silva, Virginia Gorton, Alice Haggard, Shirley Justus, Mary Kuster, Loretta Loughmiller, Delores Mabry, Christine Martin, Loretta Pike, Radele Roe, Virginia Upton, Maxine Gillilland, Joan Copelin, Jesse Loughmiller, Jimmie Keen, Nyla Peacock, Doris Baker, Betty Copeland, Shirley Edwards, Carolyn Friedman, Nancy Hughes, Holland Lee, Jackie Kelley, Joann Pryde, Stella Sample, Viola Sample, Barbara Siebe, Donna West, Caroline Yockey, and Loretta Kolusbuz.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day was unanimously extended to Dan Lucos of Baldwin Park.

On request of the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Jack Goldberger, Gene DeChristofaro, and James Murphy of San Francisco.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mary Davis, teacher of the Lincoln School of Sacramento, and the following pupils: Patsy Blakey, Francis Blackshire, Alma Calloway, Louise Collins, Dixie Fong, Mildred Erby, Abraham Fong, Barbara Fong, Faye Fong, Faye Louie, Esther Montez, Mary Miyasaki, Isabel Sanchez, Eddy Alvarez, Benny Cade, Walter Colbert, Gene Cunningham, Wilson Fong, Gilbert Fontes, John Galvez, Frank Gonzales, Robert Granodos, Edwin Kado, Ronald Nikaido, Ken Shiomoto, Masakazu Yamamoto, and John Zamora.

On request of Mr. Clarke, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Kenneth G Clarke and son, Howard Clarke, of Susanville.

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to V. J. Lancaster of Denair, Joe Hart and Hugh Richards of Modesto.

ADJOURNMENT

At 3.10 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a m., Thursday, March 31, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-EIGHTH LEGISLATIVE DAY

EIGHTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, March 31, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: May we realize today that we need to be scared to death by the discovery of atomic energy.

Remind us that scientific minds are appalled at its dangerous possibilities, and only the ignorant and unthinking pay no heed to the most terrifying discovery ever made.

Let us remember that the secret of atomic power will soon be widespread and accessible to every corner of the globe, and that groups we know not now, can employ its stupendous energies for good or ill.

May the people no longer drift in indifference, but labor for an organized world to restrain its lawless misuses, so that our fair land will not become a smouldering cinder.

Heaven help the statesmen of the world to learn how to harness atomic forces for human welfare.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Smith, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 35
Assembly Bill No 323
Assembly Bill No. 932
Assembly Bill No 1353

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No 1749

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 1163
Assembly Bill No 1550
Assembly Bill No. 2917
Assembly Bill No 2192

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER. Your Committee on Elections and Reapportionment, to which were referred

Assembly Bill No 9
Assembly Bill No. 397
Assembly Bill No. 460
Assembly Bill No 461
Assembly Bill No. 536
Assembly Bill No. 659

Has had the same under consideration, and reports the same back with the recommendation: Do pass

WATERS, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No 60

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 268
Senate Bill No. 431
Senate Bill No. 704
Senate Bill No 983
Senate Bill No. 984
Senate Bill No. 985
Senate Bill No 1379
Senate Bill No. 1423

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 268—An act to amend Section 4629 of the Education Code, relating to unified school districts.

Referred to Committee on Education.

Senate Bill No. 431—An act to amend Section 13196 of the Government Code, relating to use of water of the Napa State Farm.

Referred to Committee on Military Affairs.

Senate Bill No. 704—An act to add Part 6.5 to Division 11, and Article 2.5 to Chapter 3, Part 8, Division 11, of the Water Code, and to add Section 25803.5 to said code, relating to distribution districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 983—An act to amend Section 2848 of the Elections Code, relating to termination of membership in a county central committee.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 984—An act to amend the heading of Chapter 4, Division 7 of, to repeal the article heading of Article 1, Chapter 4, Division 7 of, and to add Sections 5251, 5252, and 5253 to, the Elections Code, relating to political corporations and associations

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 985—An act to add Section 5301.5 to, and to amend Section 5302 of, the Elections Code, relating to solicitation of funds for political purposes.

Referred to Committee on Elections and Reapportionment

Senate Bill No. 1379—An act to add Section 7.5 to an act entitled "An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts," approved June 8, 1931, relating to eminent domain.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1423—An act to amend Section 2541 of, and to add Section 2542 to, the Elections Code, relating to the Office of Director of the Department of Social Welfare.

Referred to Committee on Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Sherwin asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 567—An act to amend Section 6535 of the Business and Professions Code, relating to barber colleges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 685—An act to amend Section 7873 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 686—An act to amend Section 10100 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 945—An act to amend Sections 1670 and 1679 of the Business and Professions Code, relating to disciplinary action against licensed dentists.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1501—An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1751—An act to amend the article headings of Article 1 and Article 2 of Chapter 3 of Part 1 of Division 6 of the Welfare and Institutions Code, and to amend Sections 5350, 5352, 5354, 5355, 5400, 5401, and 5404 of said code, relating to drug addicts, designating certain persons as narcotic drug addicts, and other persons as addicted to the intemperate use of habit forming drugs, and providing for their commitment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2744—An act to amend Section 6627 of the Business and Professions Code, relating to barbers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 876—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks.

Bill read second time, and ordered engrossed.

Assembly Bill No. 877—An act to amend Section 87 of the Fish and Game Code, relating to districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1180—An act to add Section 975 to the Fish and Game Code, relating to carp traps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 96—An act to amend Section 102 of the Agricultural Code, relating to the fees of the agricultural commissioner.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1171—An act to amend Section 806 of the Agricultural Code, relating to plum standards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1576—An act relating to the application for, acceptance and use of, funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1578—An act to amend Section 788 of, and to add Section 829.8 to, the Agricultural Code, relating to standard containers for fruits and vegetables.

Bill read second time, and ordered engrossed.

Assembly Bill No. 433—An act to add Section 625b to the Penal Code, relating to wilful or malicious injury to aircraft and providing a penalty therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 498—An act to amend Section 6140 of the Business and Professions Code, relating to fees payable by members of the State Bar.

Bill read second time, and ordered engrossed.

Assembly Bill No. 699—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 901—An act to amend Sections 3854, 3856, and 3861 of, and to add Section 3863 to, the Labor Code, relating to attorney's fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1123—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1194—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1351—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in the small claims court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2496—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 588—An act to amend Sections 6511 and 6617 of the Business and Professions Code, relating to barbers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 735—An act to amend Section 627.5 of the Agricultural Code, relating to chocolate drinks containing milk or skimmed milk.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Livestock and Dairies:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert

"627.5. (a) Sterilized chocolate drink is milk or skim milk, evaporated or condensed or dried milk or non fat milk solids or any combination thereof which contains harmless sweetening, chocolate, cocoa or combinations thereof, harmless edible stabilizer not to exceed five-tenths of 1 percent or seasoning, and which is homogenized, packed in hermetically sealed containers and so processed by heat as to prevent spoilage.

(b) Sterilized chocolate milk is milk, evaporated or condensed milk or dried milk or any combination thereof which contains harmless sweetening, chocolate, cocoa or combinations thereof, harmless edible stabilizer not to exceed five-tenths of 1 percent or seasoning, and which is homogenized, packed in hermetically sealed containers and so processed by heat as to prevent spoilage. Chocolate milk shall contain not less than 3 percent milk fat and not less than 16½ percent total solids."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1991—An act to amend Section 526 of the Agricultural Code, relating to milk products plants.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Livestock and Dairies:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "or building".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 793—An act to amend Section 7380 of, and to add Section 7385 to, the Business and Professions Code, relating to cosmetology.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 7, of the printed bill, after "shops", insert a comma

Amendment No. 2

On page 1, line 13, of said bill strike out "punishable by a fine of", and strike out lines 14 to 17, inclusive, and insert "and a ground of disciplinary action by the board"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1979—An act to amend Section 4828 of the Business and Professions Code, relating to license to practice veterinary medicine.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, after "medicine", strike out the period, and insert ", declaring the urgency of this act, to take effect immediately."

Amendment No. 2

On page 1, line 8, of said bill, after "Agriculture", insert "as full time veterinary meat inspectors".

Amendment No. 3

On page 1, line 12, of said bill, after "medicine", strike out the period, and insert ", and provided further that veterinarians employed by the California Department of Agriculture in other veterinary activities shall not be required to have a license prior to January 1, 1951, so long as they do not practice any other branch of veterinary medicine.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution, and shall go into immediate effect. The facts constituting such necessity are:

The spread of contagious diseases among livestock would seriously endanger the agricultural industry and the health and safety of the people of this State. At the present time there is immediate danger of such diseases assuming epizootic proportions in this State with the result that gains previously made in controlling them will be lost.

In order to prevent such an occurrence it is necessary to obtain the services of a sufficient number of veterinarians to fill positions now provided for. To assist in this regard it is necessary to waive veterinary license provisions for a period of time in order to induce otherwise qualified veterinarians to enter state service."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1666—An act to amend Sections 46 and 48 of the Fish and Game Code, relating to the disposition of fish and game fines and forfeitures, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 11, inclusive, and insert

"(a) To the commission for payment of refunds, subject to the approval of the State Board of Control prior to payment thereof, of money received or collected in payment of fees, or for licenses, permits, or other services whenever the license, permit, or other service can not lawfully be issued or rendered to the applicant, and in cases where the payment in whole or in part represents overpayment or payment in duplicate. This subdivision does not apply to fines and forfeitures erroneously deposited in said fund"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3108—An act to add Section 38.5 to the Fish and Game Code, relating to power of the Fish and Game Commission to conserve migratory wild fowl.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 and 19, and insert

"Moneys for such purposes shall be derived from the Fish and Game Preservation Fund."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 770—An act to amend Section 5700 of the Welfare and Institutions Code, relating to private institutions for the care or treatment of insane, alleged insane, mentally ill, or other incompetent persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on March 24, 1949, strike out "section", and insert "chapter".

Amendment No. 2

On page 2, line 2, of said bill, strike out "or establishment holding", and insert "which maintains and operates organized medical or surgical facilities primarily for the diagnosis, care, and treatment of physical human illness, including convalescence, and including care during and after pregnancy, and to which persons may be admitted for overnight stay or longer, and holds".

Amendment No. 3

On page 2, line 3, of said bill, strike out "or Chapter 3".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 771—An act to amend Section 2300 of the Welfare and Institutions Code, relating to institutions and boarding homes for aged persons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on March 24, 1949, after the period, insert "However, where a hospital or establishment holding such a license from the State Department of Public Health provides services not incidental to its primary purpose, the provisions of this chapter continue to apply to the hospital or establishment in respect to such additional services."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 772—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care and home-finding agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 24, 1949, strike out line 8, and insert "day nursery, school other than a school conducted by an established religious organization, or other place for the reception, care, or education of children".

Amendment No. 2

On page 1, line 20, of the printed bill, as amended in the Assembly on March 24, 1949, after the period, insert "However, where a hospital or establishment holding such a license from the State Department of Public Health provides services not incidental to its primary purpose, the provisions of subdivision (a) continue to apply to the hospital or establishment in respect to such additional services."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 906—An act to amend Sections 914, 914.5, 915.1, 915.5, 916.1, and 917.5 of, to repeal Section 917.6 of, and to add Sections 913.1 and 918.1 to the Agricultural Code, relating to agricultural and vegetable seeds

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out line 24, and insert

"(B) In the case of agricultural seeds sold at retail, nine months; except that agricultural seed in packages consisting of one pound or less may be sold at retail if the test to determine the percentage of germination was completed within a 15-month period, exclusive of the calendar month in which the test was completed.

(C) In the case of vegetable seeds sold at"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1568—An act to amend Sections 1261, 1262, 1263, 1264, 1265, and 1266 of the Agricultural Code, relating to produce dealers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1264,".

Amendment No. 2

On page 5 of said bill, strike out lines 36 to 51, inclusive, and on page 6, lines 1 to 3, inclusive

Amendment No. 3

On page 6, line 4, of said bill, strike out "5", and insert "4"

Amendment No. 4

On page 7, line 11, of said bill, strike out "6", and insert "5".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed

Assembly Bill No. 3101—An act to add Section 26733.5 to the Water Code, relating to irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee o Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert "and declaring the urgency thereof, to take effect immediately"

Amendment No. 2

On page 1 of said bill, after line 13, insert

"SEC 2 This act is hereby declared to be an urgency measure necessary for immediate preservation of the public peace, health and safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are: Excluded land has been taxed by the excluding district but expenses of including district will be incurred as to this land prior to the time the including district can collect taxes levied on the land included In order to provide funds for the including district's operations as to land affected during the current farming season it is necessary that this act take effect immediately"

Amendments read, and adopted.
Bill ordered reprinted, and engrossed

Assembly Bill No. 958—An act to add Section 14438 to the Business and Professions Code, relating to containers and container brands.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out the period, and insert ", when such return was made after commencement of the suit"

Amendment read, and adopted.
Bill ordered reprinted, and engrossed

Assembly Bill No. 2139—An act to add Section 1.7 to the Judges' Retirement Act and to add Section 4.7 to the Judges' Retirement Fund Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out "absent", and insert "on leave of absence".

Amendment read, and adopted
Bill ordered reprinted, and engrossed

Assembly Bill No. 213—An act to amend Section 1015 of the Fish and Game Code, relating to privilege taxes.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "maintenance of hatcheries for", and insert "propagation of".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1564—An act to amend Sections 359 and 359.5 of the Agricultural Code, relating to licensed slaughterers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 359.5", and insert ", 359.3, 359.5, and 360.4, and to add Chapter 8, comprising Section 438, to Division 3."

Amendment No. 2

In line 2 of the title of said bill, after "slaughterers", insert "and to injunctive remedy"

PRINTER'S NOTE—There being no 7 point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 6 and 7, insert

"SEC. 2. Section 359.3 of said code is amended to read:

359.3 The bureau, *after notice and hearing before the director as hereinafter provided*, shall refuse to issue a license to any applicant unless the chief finds that he is qualified to operate in accordance with *the provisions of this division* [this article and that he is of good moral character, and fitness] *and that he is properly equipped* to engage in the business of slaughtering [, and if applying to operate his business where meat inspection is not mandatory under Chapter 1 of this division that he will operate] in a clean and sanitary manner. *Previous violation of any provision of this division shall be good and sufficient ground for denial of license*"

Amendment No. 4

On page 1, line 7, of said bill, strike out "2", and insert "3"

Amendment No. 5

On page 1 of said bill, following line 24, insert

"SEC. 4. Section 360.4 of said code is amended to read

360.4 The director may, after notice and hearing, revoke a slaughterer's license for any [wilful] violation of any provision of this [chapter] *division*. The director may, after notice and hearing, revoke the license of any slaughterer operating a slaughterhouse [where meat inspection is not mandatory under Chapter 1 of this division for maintaining a slaughterhouse] in unclean or insanitary manner [The proceeding]

The proceeding for refusal or revocation of license shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code and the director shall have all the powers granted therein. No license so revoked shall be reissued except upon payment of an additional reinstatement fee of twenty-five dollars ($25).

SEC. 5. Chapter 8, comprising Section 438, is added to Division 3 of said code, to read:

CHAPTER 8. INJUNCTIVE REMEDY

438. The director may bring an action to enjoin the violation or the threatened violation of any provision of this division in the superior court in the county in which

such violation occurs or is about to occur. There may be enjoined in one proceeding any number of defendants alleged to be violating the same provisions, although their properties, interests, residences or places of business may be in several counties and the violations separate and distinct. Any proceeding brought hereunder shall be governed in all other respects by the provisions of Chapter 3, Title 7 of Part 2 of the Code of Civil Procedure."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Livestock and Dairies.

Assembly Bill No. 2666—An act to add Sections 318.1, 318.2, and 318.3 to the Agricultural Code, relating to meat inspection.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 301 of, and".

Amendment No. 2

In line 1 of the title of said bill, strike out "and 318.3", and insert ", 318.3 and 318.4 to,".

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 28, inclusive, and insert

"SECTION 1. Section 301 of the Agricultural Code is amended to read:

301. As used in this article:

(a) 'Federal inspection' means the meat inspection maintained by the Bureau of Animal Industry of the United States Department of Agriculture.

(b) 'State inspection' means the meat inspection maintained by the department.

(c) 'Municipal inspection' means the meat inspection department of each county or each chartered or incorporated city, whose inspection is performed by persons who have passed a regular civil service meat or market inspector's examination or who have been continuously employed since January 1, 1929, and who hold license from the State to practice veterinary science and whose inspection is performed according to meat inspection regulations equivalent, in health value and protection to the public, to those adopted by the Bureau of Animal Industry of the United States Department of Agriculture.

(d) 'Health authority' means the health officer, the chief of meat inspection, or other official designated by the health officer of any city or county of the State.

(e) 'Establishments' includes all premises where animals are slaughtered or otherwise prepared for food purposes, meat canneries, sausage factories, curing and smoke houses, and similar places.

(f) 'Animals' means cattle, swine, sheep, goats and other large domesticated mammals, but does not include small species such as dogs, cats, and rabbits.

(g) 'Slaughter' means kill and prepare for human consumption.

(h) 'Horse meat' means the meat of, or meat products derived from horses, mules or burros.

"SEC. 2. Section 318.1 is added to said code to read:

318.1. It is unlawful to bring into any establishment subject to inspection under the provisions of this article, or to use in the preparation of any meat or product in such establishment, any preservative, chemical, or other substance not permitted by the California Meat Inspection Regulations, and the director may seize and destroy for food purposes any meat or meat product wherever found to which any such preservative, chemical or other such substance has been added.

SEC. 3. Section 318.2 is added to said code, to read:

318.2. It is unlawful to slaughter horses, mules or burros in establishments coming under the jurisdiction of this article where cattle, calves, sheep, swine or goats are slaughtered for human consumption; or to bring horse meat into establishments where meat or meat food products are prepared for human consumption from the meat of cattle, calves, sheep, swine or goats.

It is unlawful to add horse meat to meat or meat food products prepared from the meat of cattle, calves, sheep, swine or goats for human consumption in establishments coming within the jurisdiction of this article and the director may seize and destroy for food purposes any such meat or product wherever found to which horse meat has been added.

SEC. 4. Section 318.3 is added to said code, to read

318.3. It is unlawful for any person to forge, counterfeit, simulate, or falsely represent, or without proper authority to use or knowingly or wrongfully alter any of the marks, stamps, tags, labels, or other identification devices provided for in this article, or in and as directed by the rules and regulations prescribed hereunder by the director, on any carcasses, parts of carcasses, or the food product, or containers thereof, subject to the provisions of this article, or any certificates in relation thereto, authorized or required by this article or by the said rules and regulations of the director

SEC. 5. Section 318.4 is added to said code, to read:

318.4. Every person who slaughters any horse, mule or burro, or who by purchase or otherwise acquires possession of the meat of any horse, mule or burro, and who sells or otherwise disposes of such meat, shall make and keep for one year a correct record, separate from all other business, of each such transaction, recorded at the time of the transaction, showing the quantity of such meat so acquired or disposed of, the names and addresses of the parties to the transaction, the date, the place to which such meat was shipped or delivered, and the name of the person by whom the shipment or delivery was made

This section shall not apply to retail sales of fresh or processed meat or meat products in quantities of five pounds or less to any one person, nor to canned or prepackaged meat or meat products in packages of five pounds or less when conspicuously labeled to show the percentage by weight of horse, mule or burro meat contained therein

All records required by this section to be kept shall be open at all times during business hours to the inspection of the director, any health officer or sanitation inspector, or any peace officer. Failure to keep records as required by this section, or failure or refusal to permit inspection of such records as authorized by this section, is a misdemeanor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Livestock and Dairies.

Assembly Bill No. 2762—An act to amend Section 11105 of the Health and Safety Code, relating to narcotics.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to amend Sections 11001, 11104, 11166.05, 11166.11, 11166.12, 11170, 11200, 11331.5, 11391, 11392, 11393, 11530, 11555, 11556, 11715.7, 11780 of the Health and Safety Code and to add Sections 11002.1, 11002.2, 11163.5, 11166.02, 11166.13, 11166.14, 11390.5 to the Health and Safety Code, relating to the sale, possession, transportation, distribution, and use of habit forming narcotics and other dangerous drugs and providing penalties for the violation thereof, and to the Division of Narcotic Enforcement, Department of Justice"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 11001 of the Health and Safety Code is amended to read:

11001. "Narcotics," as used in this division, means any of the following:

(a) Cocaine.
(b) Opium.
(c) Morphine.
(d) Codeine.
(e) Heroin.
(f) Alpha eucaine.
(g) Beta eucaine.
(h) All parts of the plant Cannabis sativa L., (commonly known as marihuana), whether growing or not; the seeds thereof; the resin extracted from any part of such plant; and every compound, manufacture, salt, derivative, mixture, or preparation of such plant, its seeds or resin; [but not including the mature stalks of such

plant, fiber produced from such stalks, oil or cake made from the seeds of such plant, any other compound, manufacture, salt, derivative, mixture, or preparation of such mature stalks (except the resin extracted therefrom), fiber, oil, or cake, or the sterilized seed of such plant which is incapable of germination] *except as otherwise provided by law.*

(i) Isonipecaine. "Isonipecaine" shall mean any substance identified chemically as 1-methyl-4-phenyl-piperidene-4-carboxylic acid ethyl ester, or any salt thereof, by whatever trade name designated

(j) Amidone. Amidone shall mean any substance identified chemically as 4,4-diphenyl-6-dimethylamino-heptanone-3, or any salt thereof by whatever trade-name designated.

(k) Any substance decreed to be a narcotic as provided by Section 11002.1.

(l) The extract of any cactus of the genus lophophora (commonly known as peyote).

SEC. 2. Section 11002.1 is added to the Health and Safety Code, to read:

11002.1. When, in the opinion of the Chief of the Division of Narcotic Enforcement, it is in the interest of the public health, safety or welfare, he may, after notice and hearing, add to the narcotic enumerated in Sections 11001 and 11002, such other narcotics as may be in his opinion necessary.

At least thirty days prior to the hearing, a notice of such hearing shall be published in a newspaper of general circulation, trade or industrial publication, a copy mailed to every person who has filed a request for notice, and a copy mailed or delivered to the Attorney General.

SEC. 3. Section 11002.2 is added to the Health and Safety Code, to read:

11002.2. Persons desiring to be heard at said hearing shall file with the chief, a written request to be heard, not less than ten days prior to said hearing. Evidence both oral and documentary will be received and argument will be heard.

The decision of the chief shall be published in the manner as provided for notice of hearing in Section 11002.1.

SEC. 4. Section 11104 of the Health and Safety Code is amended to read:

11104. The state division may employ a physician to interview and examine any patient for whom any narcotic has been prescribed or to whom any narcotic has been furnished or administered, [and] *or* who is an habitual user of narcotics, *or who has a previous narcotic addiction record.*

The patient shall submit to the interview and examination and shall not in any manner hinder or impede it.

The physician employed by the state division to conduct the interview and examination shall report the results of the examination and interview to the state division.

The physician so employed may testify in any action brought under this division or in any hearing before the State Board of Medical Examiners and his testimony is not privileged.

Every person who violates any provision of this section is guilty of a misdemeanor.

SEC. 5. Section 11163.5 is added to the Health and Safety Code, to read:

11163.5. Any physician, who by court order or order of the Board of Medical Examiners of the State of California or any other state or governmental agency, or who voluntarily surrenders his narcotic privileges, shall not possess, administer, or prescribe a narcotic unless and until such privileges have been restored and he has obtained current registration from the United States Collector of Internal Revenue as provided by law.

SEC. 6. Section 11166.02 is added to the Health and Safety Code, to read:

11166.02. No person shall fill, compound, or dispense a prescription for a narcotic unless it is wholly written in ink or indelible pencil in the handwriting of the prescriber, signed and dated by the prescriber, and containing the name and address of the person for whom prescribed, and stating the name and quantity of the narcotic prescribed.

SEC. 7. Section 11166.05 of the Health and Safety Code is amended to read:

11166.05. Prescription blanks shall be issued by the state division in serially numbered groups of 100 forms in triplicate each, and shall be furnished free of cost to any person authorized to write a prescription, and such prescription blanks shall not be transferable. *Any person possessing any such prescription blank otherwise than as herein provided is guilty of a misdemeanor.*

SEC. 8. Section 11166.11 of the Health and Safety Code is amended to read:

11166.11. The original and one copy of the prescription shall be delivered to the person filling the prescription. The duplicate shall be properly endorsed by the pharmacist filling the prescription at the time such prescription is filled. The original shall be retained by the person filling the prescription, and at the end of each month in which the prescription [is issued,] *is filled*, the duplicate shall be returned to the state division.

SEC. 9. Section 11166.12 of the Health and Safety Code is amended to read:

11166.12. The provisions of this code with reference to the writing of narcotic prescriptions on official triplicate blanks and the filling thereof do not apply to [any

preparations containing codeine or to preparations containing not more than two grains of opium to the fluid or avoirdupois ounce, without additional narcotics when compounded with other medicinal ingredients or to codeine when prescribed in combination with any of the narcotic drugs or preparations mentioned in this section, or to preparations containing apomorphine hydrochloride, or ethylmorphine hydrochloride (dionin), prescribed in writing in good faith for medicinal purposes only] any of the following:

(a) Codeine or dihydrocodeinone combined with other non-narcotic medicinal ingredients

(b) Codeine in combination with any of the narcotic drugs mentioned in this section, with the exception of dihydrocodeinone.

(c) Preparations containing not more than two grains of opium to the fluid or avoirdupois ounce combined with other non-narcotic medicinal ingredients

(d) Apomorphine hydrochloride.

(e) Ethylmorphine hydrochloride.

(f) Papaverine hydrochloride

Any of the combinations mentioned in the above subsections must be in the handwriting of the prescriber on the prescriber's regular prescription blanks

SEC 10. Section 11166 13 is added to the Health and Safety Code, to read.

11166 13. When codeine, or dihydrocodeinone or tincture opii camphorata (paregoric) is not combined with other medicinal ingredients, it shall be prescribed on the official triplicate blanks

SEC 11. Section 11166 14 is added to the Health and Safety Code, to read:

11166 14. Medicinal compounds as referred to in Sections 11166.12 and 11166.13 are compounds containing non-narcotic drugs.

SEC 12. Section 11170 of the Health and Safety Code is amended to read:

11170. (1) No person shall obtain or attempt to obtain narcotics, or procure or attempt to procure the administration of or prescription for narcotics, (a) by fraud, deceit, misrepresentation, or subterfuge, or (b) by the concealment of a material fact. [, or (c) by the use of a false name or the giving of a false address]

(2) No person shall make a false statement in any prescription, order, report, or record, required by this division.

(3) No person shall, for the purpose of obtaining narcotics, falsely assume the title of, or represent himself to be, a manufacturer, wholesaler, pharmacist, physician, dentist, veterinarian, or other authorized person

(4) No person shall affix any false or forged label to a package or receptacle containing narcotics

SEC 12A Section 11170.5 is added to the Health and Safety Code, to read:

11170 5. No person shall, in connection with the prescribing, furnishing, administering, or dispensing of a narcotic, give a false name or false address

SEC 13. Section 11200 of the Health and Safety Code is amended to read

11200 The provisions of this division requiring prescriptions and physicians' reports do not apply to preparations [or to remedies or prescriptions sold or prescribed in good faith for medicinal purposes only and not for the purpose of satisfying addiction] containing not more than one grain of codeine in one fluid ounce without additional narcotics, or to mistura glycyrrhiza compound, N F. *However, the exemptions herein provided do not exempt any person from the provisions of Section 11225 of this division*

SEC 14 Section 11331 5 of the Health and Safety Code is amended to read:

11331.5. In order to provide a supply of narcotics as may be necessary to handle emergency cases, any hospital which does not employ a resident pharmacist and which is under the supervision of a licensed physician, may purchase narcotics on federal order forms for said institution, under the name of said [licensed physician] *hospital*, said supply to be made available to a registered nurse for administration to patients in emergency cases, upon direction of a licensed physician

A report showing the kind and amount of narcotics purchased on the federal order form shall be forwarded, by registered mail, to the Division of Narcotic Enforcement, at the time such narcotics are purchased

SEC. 15 Section 11390 5 is added to the Health and Safety Code, to read:

11390.5 No physician or other person shall order, permit or direct any person other than a registered nurse, or other physician, to administer a narcotic to a person being treated for narcotic addiction

SEC. 16 Section 11391 of the Health and Safety Code is amended to read:

11391 No person shall treat an addict for addiction except in one of the following.

(a) An institution approved by the Board of Medical Examiners, and where the patient is at all times kept under restraint and control

(b) A city or county jail

(c) A state prison.

(d) A state narcotic hospital.

(e) A state hospital.

(f) A county hospital.

This section does not apply during emergency treatment of where the patient's addiction is complicated by the presence of incurable disease, serious accident, or injury, or the infirmities of old age

SEC. 17. Section 11392 of the Health and Safety Code is amended to read:

11392. A physician treating an addict for addiction shall not prescribe for or furnish the addict more than any one of the following amounts of narcotics during each of the first 15 days of such treatment.

(a) Eight grains of opium.

(b) Four grains of morphine

(c) Six grains of pantopon.

(d) One grain of dilaudid.

(e) Four hundred milligrams of isonipecaine (demerol).

(f) One hundred eighty milligrams of amidone

SEC. 18. Section 11393 of the Health and Safety Code is amended to read:

11393. After 15 days of treatment the physician shall not prescribe for or furnish to the addict more than any one of the following amounts of narcotics during each day of such treatment.

(a) Four grains of opium

(b) Two grains of morphine.

(c) Three grains of pantopon.

(d) One-half grain of dilaudid.

(e) Two hundred milligrams of isonipecaine (demerol).

(f) Ninety milligrams of amidone

SEC. 19. Section 11530 of the Health and Safety Code is amended to read:

11530. No person shall [knowingly] plant, cultivate, cut, harvest, dry, or process any cannabis sativa or any part thereof

SEC. 20. Section 11555 of the Health and Safety Code is amended to read.

11555. It is unlawful to possess an opium pipe *or any device contrivance or instrument used for smoking a narcotic.*

SEC. 21. Section 11556 of the Health and Safety Code is amended to read:

11556. It is unlawful to [knowingly] visit or to be in any room or place where any narcotics are being or have recently been smoked.

SEC. 23. Section 11780 of the Health and Safety Code is amended to read:

11780. Every building or place used for the purpose of unlawfully selling, serving, storing, keeping, or giving away any [opium, morphine, cocaine, heroin, cannabis sativa, or loco weed], *narcotics as defined in this division*, and every building or place wherein or upon which such acts take place, is a nuisance which shall be enjoined, abated, and prevented, whether it is a public or private nuisance.

SEC. 24. Section 11611 of the Health and Safety Code is amended to read:

11611. Any peace officer of this State, upon making or attempting to make an arrest for a violation of this division, shall seize any vehicle used to unlawfully transport any narcotic, or in which any narcotic is unlawfully kept, deposited or concealed, or in which any narcotic is unlawfully possessed by an occupant thereof, and shall [hold the] *deliver such* vehicle *to the Division of Narcotic Enforcement of the Department of Justice to be held* as evidence until a forfeiture has been declared or a release ordered."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1281—An act to amend Sections 1063, 1065, 1066, and 1091 of, and to add Sections 1065.1, 1078, and 1079 to the Fish and Game Code, relating to sardines and mackerel, providing for the establishment of size limits, bag limits and seasons for the taking thereof, establishing a Sardine and Mackerel Advisory Committee, prescribing its powers and duties, providing for special employees to enforce the provisions of law relating to such fish, and providing for the employment of weighmasters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 1066 and 1091 of, and to add Section 1078 to, the Fish and Game Code, relating to sardines and mackerel, establishing a Sardine and Mackerel Advisory Committee, and providing for the employment of weighmasters"

Amendment No. 2

On page 1 of said bill, strike out lines 1 through 20, inclusive; and on page 2, strike out lines 1 through 38, inclusive.

Amendment No. 3

On page 2, line 39, of said bill, strike out "SEC 4", and insert

"SECTION 1"

Amendment No. 4

On page 2, line 49, of said bill, strike out "5", and insert "2".

Amendment No. 5

On page 3 of said bill, strike out lines 19 through 31, inclusive.

Amendment No. 6

On page 3, line 32, of said bill, strike out "7", and insert "3".

Amendment No. 7

On page 4 of said bill, strike out lines 10 and 11, and insert

"SEC. 4. The provisions of Sections 1063, 1065, 1066, and 1078 shall be effective until the ninety-first day".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 919—An act to amend Sections 1064 and 1071.2 of the Agricultural Code, relating to economic poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1064.2 to,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 23 to 25, inclusive, and insert

"(g) The label fails to state either

(1) the name and percentage of each active ingredient, together with the total percentage of the inert ingredients, in the economic poison; or

(2) the name of each active ingredient, together with the name of each and total percentage of the inert ingredients, if any there be, in the economic poison.

If the preparation is highly toxic to man, as determined by rules and regulations of the director, option (1) only shall apply.

(h) The economic poison contains arsenic in any form and the label fails to state, in addition to one of the options required by provision (g) of this section, the percentages of total and water-soluble arsenic, each calculated as elemental arsenic"

Amendment No. 3

On page 2 of said bill, strike out line 12, and insert

"SEC. 2. Section 1064.2 is added to said code, to read:

1064.2. Spray adjuvants are economic poisons within the meaning of this article and, except as otherwise specified, the provisions of this article apply to spray adjuvants with the same force and effect as though the term 'spray adjuvant' were specifically named and set forth in each usage of the term 'economic poison'. The term

'spray adjuvant' means any wetting agent, spreading agent, deposit builder, adhesive, emulsifying agent, deflocculating agent, water modifier, or similar agent, with or without toxic properties of its own, intended to be used with another economic poison as an aid to the application or effect thereof, and sold in a package separate from that of the economic poison with which it is to be used

In addition to the provisions of Section 1064, a spray adjuvant is misbranded when the label fails to state the type or function, and the names of the principal functioning agents If more than three such agents are present, only the three principal ones need be named An economic poison sold only as a spray adjuvant shall not be construed to be misbranded within the meaning of provision (g) of Section 1064 if the total percentage of the constituents ineffective as a spray adjuvant is stated on the label without mention of the terms 'active ingredient' or 'inert ingredient' in lieu of one of the options required by said provision (g).

SEC 3. Section 1071 2 of the Agricultural Code is"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2765—An act to amend Section 1659 of the Probate Code, relating to compensation of veterans' guardians.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after the comma, strike out "or the", and insert "except that, in any case in which 5 percent of the income during the accounting period is less than the".

Amendment No. 2

On page 1, line 5, of said bill, after the comma, strike out "whichever is greater", and insert "the court, in its discretion, may allow a reasonable compensation, not to exceed the sum of thirty-five dollars ($35)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 148—An act to amend Section 750.2 of the Agricultural Code, relating to the effective period of Chapter 14 of Division 4 of said code, relating to the California Dairy Industry Advisory Board.

Bill read second time, and ordered to third reading

Senate Bill No. 390—An act to amend Section 626 of the Agricultural Code, relating to skim milk

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on March 11, 1949, following "milk", insert "or non fat milk".

Amendment No. 2

On page 1, line 14, of the printed bill, following "milk", insert "or non fat milk".

Amendment No. 3

On page 1, line 15, of the printed bill, following "Skim Milk", insert "or "Non Fat Milk" ".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1365—An act to add Section 758.5, to amend Sections 758 and 759.1, and to repeal Section 758a of the Political Code, relating to officers and employees of the district courts of appeal.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 17, 1949, strike out "and", and insert a comma; and after "759.1", insert ", 767".

Amendment No. 2

In line 3 of the title of said bill, after "employees", insert "of the Supreme Court and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, between lines 14 and 15, insert

"SEC. 7. Section 767 of the Political Code is amended to read:

767 The reporter of the decisions of the Supreme Court and of the district courts of appeal and not more than three assistant reports thereof shall be appointed by the Supreme Court, and said court shall also appoint a clerk and a secretary to said reporter, each of whom shall be removable at the pleasure of the Supreme Court.

The salary of the reporter of the decisions of the Supreme Court and of the district courts of appeal is [six thousand] *six thousand three hundred sixty* dollars *($6,360)* per annum, the salaries of the assistant reporters of decisions of the Supreme Court and of the district courts of appeal are one at [four thousand five hundred] *four thousand eight hundred* dollars *($4,800)* per annum and two at [four thousand *four thousand two hundred* dollars *($4,200)* per annum each, the salary of the clerk of said reporter is [three thousand] *three thousand three hundred seventy-two* dollars *($3,372)* per annum and the salary of the secretary to said reporter is [one thousand eight hundred] *two thousand forty* dollars *($2,040)* per annum

SEC. 8. Section 7 of this act shall take effect October 1, 1949."

Amendment No. 4

On page 2, line 5, of said bill, strike out "7", and insert "9".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Butters asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1357
Assembly Bill No 1358

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER. Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 250

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Senate Bill No 895

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 378
Assembly Bill No. 1941
Assembly Bill No. 569
Assembly Bill No. 570
Assembly Bill No 2622
Assembly Bill No. 2624
Assembly Bill No. 1274

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred

Senate Bill No 43
Senate Bill No. 79
Senate Bill No 195
Senate Bill No. 299
Senate Bill No 273
Senate Bill No 471
Senate Bill No 750
Senate Bill No 753
Senate Bill No. 765
Senate Bill No 766
Senate Bill No. 767
Senate Bill No 768
Senate Bill No 1512

Has had the same under consideration, and reports the same back with the recommendation Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1168
Assembly Bill No 2348
Assembly Bill No. 3114

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 1768
Assembly Bill No 1785
Assembly Bill No. 2347
Assembly Bill No. 2615
Assembly Bill No 2616
Assembly Bill No 2620

Has had the same under consideration, and reports the same back with the recommendation. Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No 219

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred.

Assembly Bill No. 542
Assembly Bill No. 545
Assembly Bill No 785

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No 2702
Assembly Bill No 2703

Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Committee on Ways and Means

WEBER, Chairman

Above reported bills ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred

Assembly Bill No. 1971

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER Your Committee on Education, to which were referred,

Assembly Bill No. 956
Assembly Bill No. 972
Assembly Bill No. 2122

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1379
Assembly Bill No 1381

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER Your Committee on Education, to which was referred.

Assembly Bill No. 3099

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER. Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 24

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 24

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 998—An act to add Section 20343.3 to the Education Code, relating to state college fees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 998?

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "and fees in the amount fixed by the Director of"; strike out all of line 6, and insert a period and "A placement service

fee in the amount fixed by the Director of Education may be charged former students using such service "

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 998 by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hoffman, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 998 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 109, by request of Messrs. Waters and Sherwin.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 441—An act to amend Section 829.3 of the Agricultural Code, relating to standard packs for cantaloupes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hawkins, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Waters, Way, Weber, and Mr Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 894—An act to amend Section 21100 of the Water Code, relating to irrigation district offices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—56

NOES—Anderson and Hawkins—2.

Bill ordered transmitted to the Senate

Assembly Bill No. 925—An act to amend Sections 1300.1, 1300.1a, 1300.4a, and 1300.6 of the Agricultural Code, relating to processors of farm products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—63.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1569—An act to amend Section 1300.13, 1300.16, and 1300 28 of the Agricultural Code, relating to marketing agreements and declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr Speaker—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1646—An act to amend Section 1300.16 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman,

Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 41—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Coats, Collier, George D Collins, Condon, Cooke, Cramer, Crichton, Davis, Clayton A. Dills, Doyle, Dunn, Evans, Gaffney, Grant, Hawkins, Heisinger, Hinckley, Hollibaugh, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Way, Weber, and Mr Speaker—42.

NOES—Babbage, Brown, Burkhalter, Caldecott, Connolly, Conrad, Crowley, Dickey, Dolwig, Erwin, Fleury, Grunsky, Hagen, Hahn, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Reagan, Silliman, Thompson, and Waters—24

Bill ordered transmitted to the Senate.

Assembly Bill No. 251—An act to amend Sections 602 and 627 of the Penal Code, relating to trespass.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Caldecott, Collier, George D. Collins, Condon, Connolly, Cramer, Crichton, Davis, Clayton A Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Reagan, Sherwin, Smith, Stanley, Thomas, Waters, Way, and Weber—49

NOES—Burkhalter, Butters, Coats, Dickey, Dolwig, Erwin, Hahn, Hinckley, Hollibaugh, Lincoln, McCollister, Morris, Rumford, Thompson, and Tomlinson—15

Bill ordered transmitted to the Senate.

Assembly Bill No. 432—An act relating to labor and material liens on aircraft.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

March 15, 1949

To the Speaker of the Assembly
California Legislature
Sacramento, California

Pursuant to House Resolution No. 37, passed at the Fifty-seventh Regular Session of the California Legislature, the Assembly Interim Committee on State and Local Taxation herewith submits its report covering its findings and recommendations.

In view of the technical and statistical work carried on by the Senate Committee on State and Local Taxation headed by Senator Ben Hulse, the committee felt it advisable to act in the capacity of observer in order that duplication would be avoided.

The committee attended many annual conferences of various governmental agencies and private organizations interested in taxation and is herein publishing the reports and recommendations of the various groups. By adopting this method the Members of the Legislature as well as the general public will have the benefit of their views and suggestions.

Grateful acknowledgment is made of the many state and local officials and private organizations who so generously provided factual information and practical counsel. Without their cooperation the committee would not have been confident in reaching its conclusions which in its brief are designed to safeguard the tax structure of the State and still give recognition to the financial problems of local government.

Respectfully submitted,

JONATHAN J. HOLLIBAUGH, *Chairman*
HARRY J. JOHNSON, Vice Chairman
GLENN M. ANDERSON
RAYMOND W. BLOSSER
ERNEST R. GEDDES
CLAYTON A. DILLS
JOHN C. LYONS (deceased)

Above mentioned report ordered filed with the Secretary of State

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 509—An act to amend Sections 2701, 2709, and 2875 of the Penal Code, relating to the employment of prisoners in state prisons and the disposition of prison-made goods.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on March 24, 1949, strike out the period, and insert ", and except that, to avoid waste or spoilage and consequent loss to the State, by-products and surpluses of agricultural and animal husbandry enterprises may be sold to private persons, at private sale, under rules prescribed by the Director of Finance."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 715—An act to add Section 32.5 to the Code of Civil Procedure, relating to service of process.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—61.
NOES—None

Motion to Amend

Mr. Bennett moved the adoption of the following amendment to the title:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on March 24, 1949, strike out "228", and insert "328".

Amendment read, and adopted.
Bill ordered transmitted to the Senate.

Assembly Bill No. 1647—An act to amend Section 1300.15 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1584—An act to amend Sections 1500, 1501, and 1511 of the Welfare and Institutions Code, relating to aid to needy children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2212

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2212, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2212

Assembly Bill No. 2212—An act to amend Section 402 of the Fish and Game Code, relating to licenses.

Bill read third time.

Motion to Amend

Mr. Butters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "or possess".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 167

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 167, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 167

Senate Bill No. 167—An act to provide for reversion of unexpended balance in the Vocational Rehabilitation Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 92

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 92, out of order, at this time

CONSIDERATION OF SENATE BILL NO. 92

Senate Bill No. 92—An act to amend Section 25601 of the Government Code, relating to wild flowers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin,

Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1101—An act to amend Section 690 26 of the Code of Civil Procedure, relating to exemptions from executions.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 22, 1949, strike out "Section", and insert "Sections 690 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

---

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1 Section 690 of the Code of Civil Procedure is amended to read:

690 The property mentioned in Sections 690 1 to [690.24] *690.25*, inclusive, this code, is exempt from execution or attachment, except as therein otherwise specially provided, when claim for exemption is made to the same by the judgment debtor or defendant as hereinafter in Section 690 26 provided

SEC 2. Section 690 26 of the Code of Civil Procedure".

Amendment No. 3

On page 1, line 2 of said bill, strike out the period, and insert a colon.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1290 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Bill No. 1290 be withdrawn from the file, and be re-referred to the Committee on Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1765 BE WITHDRAWN FROM INACTIVE FILE, AND BE RE-REFERRED

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 1765 be withdrawn from the inactive file, and be re-referred to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 129 HOLD PLACE ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 129 be passed on file, at this time, but hold its place on file, on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 346—An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and operation of establishments or facilities for the sale of merchandise or services to the public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Way, Weber, and Mr. Speaker—59.

NOES—George D Collins—1

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3114

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3114, for purpose of amendment, at this time.

SECOND READING OF ASSEMBLY BILL NO. 3114

Assembly Bill No. 3114—An act to amend Section 5 of, and to add Section 24 5 to, the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Motion to Amend

Mr. Butters moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "and", and insert a comma.

Amendment No. 2

On page 1, line 18, of said bill, strike out "of water but does not include water distribution mains", and insert "and distribution of water".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 765—An act to amend Section 2884 of the Streets and Highways Code, relating to special assessment investigation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn,

Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—62.

NOES—Geddes, Lowrey, and Stewart—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1804 BE WITHDRAWN FROM COMMITTEE, FOR PURPOSE OF AMENDMENT

Mr. Reagan asked for unanimous consent that Assembly Bill No. 1804 be withdrawn from the Committee on Municipal and County Government, for purpose of amendment, and be re-referred to Committee on Municipal and County Government.

Mr. Dolwig withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 190—An act to amend Section 587b of the Penal Code, relating to trespass upon railroad equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

PRINTER'S NOTE—There being no 7-point strikeout type available, the following heading, which should appear in strikeout type, is indicated by being enclosed within brackets.

[BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE]

~~Assembly Bill No. 1205, on motion of Mr. McCollister.~~

(On this day the above record was expunged, and the action rescinded, whereby Assembly Bill No 1205 was placed on the inactive file.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 149—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—69

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 111—An act to amend Sections 1, 2, 3, 4, and 5 of an act entitled "An act establishing a four-year state institution of higher education in the City of Los Angeles, County of Los Angeles" approved July 2, 1947, relating to the establishment, government and maintenance of a four-year state institution of higher education in the City of Los Angeles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT NAME BE PLACED UPON ROLL CALL ON ASSEMBLY BILL NO. 111

Mr. Levering asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 111, and that he be recorded as voting, "Aye."

ANNOUNCEMENT

Speaker Sam L Collins announced, on behalf of Mr. Hawkins, that two documents, setting forth a summary of attachments prepared for hearing on accessibility of vital records, have been received by Mr. Hawkins from the Director of Public Health; and that, as Mr. Hawkins has not requested this information, as stated in the letter of transmittal, he is ordering the documents held at the desk pending discovery of the legislator who contacted Dr. Halverson re this matter.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 40

J. A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read the first time:

Senate Concurrent Resolution No. 40—Relative to "The Miracle of the Trees," pageant at Santa Cruz.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1813

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1565
Assembly Bill No. 2968

Has had the same under consideration, and respectfully reports the same back without recommendation, to be re-referred to the Committee on Livestock and Dairies

THOMPSON, Chairman

Assembly Bill No. 1565 ordered re-referred to Committee on Livestock and Dairies.

Assembly Bill No 2968 ordered re-referred to Committee on Livestock and Dairies.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No 88
Assembly Bill No 983

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No 601

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 917
Assembly Bill No. 1717
Assembly Bill No 1743
Assembly Bill No 1807
Assembly Bill No. 1857
Assembly Bill No 3107

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR SPEAKER Your Committee on Governmental Efficiency and Economy, to which was referred.

Senate Bill No 1484

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 30, 1949

MR. SPEAKER Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 681
Assembly Bill No. 2018
Assembly Bill No 2355

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

RECESS

At 11 55 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1 30 p.m., the Assembly reconvened.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered.

By Mr. Kilpatrick:

House Resolution No. 148

Relative to the actual condition of the building program of the State

WHEREAS, There appears to be a lack of definite information and conflicting reports as to the accuracy and completeness of information available to the Legislature respecting the structural building plans and the present status thereof and the contemplated building program of the State for the remainder of the current fiscal year and for the Budget Year 1949-50; and

WHEREAS, There is no official statement available to the Legislature at this time as to the status of this building program, the amount of money committed and the amount of money required to complete the program, therefore, be it

Resolved by the Assembly of the State of California, That the State Architect be required to furnish the Legislature not later than April 15th the following definite and specific information covering the several phases of the building program of the State as herein indicated

1. A complete list, by projects, of the building plans for which plans have been done and contracts let subsequent to January 1, 1948 up to March 1, 1949.

2. A list of those projects that have been completed which were let subsequent to January 1, 1948, together with a list of the remaining funds available for the several projects which have already been reverted and a list of those available for reversion

3 A list of those projects in the planning stage with an estimate when plans will be completed and the approximate date when bids will be called for and an approximate date when each can be completed.

4. The total amount of money allocated and available for building projects for the Fiscal Year 1948-49 with the amount that will be committed, that is, contracts let by June 30, 1949

5 The total amount required to complete projects contemplated for 1949-50.

6. What authority signs the contract for actual construction work and does this same authority determine subsequent changes in contract and whether or not penalties will be imposed for failure to comply with the terms of the contract.

7. A list of projects completed during the period July 1, 1947 to March 1, 1949, showing those which have been completed within the specified time allowance of the contract. Also show if there is any liability in each instance on the part of the contractor to the State for the delay incurred in the completion of the several contracts, together with an indication of what penalties have been imposed for such delay.

8. An explanation concerning the policy pertaining to the collection of penalties for failure to complete projects within the contracted time and the possible effect on the price bid; be it further

Resolved, That this information be made available to each Member of the Assembly by having the same printed in the Assembly Journal.

Resolution read, and ordered referred to the Committee on Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Constitutional Amendment No. 78: By Mr. Silliman—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Section 23 of Article VI thereof, relating to eligibility for judicial office.

Referred to Committee on Constitutional Amendments.

Assembly Concurrent Resolution No. 65: By Mr. Stewart—Relative to approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of March, 1949.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 270—An act to add Section 1204 to the Fish and Game Code, relating to migratory birds

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 29, 1949, strike out "birds", and insert "water fowl".

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1713 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. McMillan asked for, and was granted, unanimous consent that Assembly Bill No. 1713 be withdrawn from the file, and be re-referred to the Committee on Public Morals.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1817 AND 1823 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bills Nos. 1817 and 1823 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 131

By Messrs. Burkhalter, Evans, Beck, and Elliott

House Resolution No. 131

Relative to requesting the Public Utilities Commission to delay final action on application of Pacific Electric Railway Company to make certain changes in its rail and motor coach service

WHEREAS, The Pacific Electric Railway Company, on February 25, 1949, filed its application No. 30095 with the Public Utilities Commission of the State of California requesting permission for the "abandonment of certain rail lines, discontinuance of passenger service on certain other rail lines, substitution and discontinuance of motor coach service over certain routes, and, in general, to make such changes in its rail and motor coach system" as specifically set forth in said application, and

WHEREAS, The inadequacy of the mass transportation facilities in the Los Angeles metropolitan area is apparent to all, and several proposals are now under consideration attempting to find a proper solution to this great mass transportation problem; and

WHEREAS, There are now pending in this session of the Legislature four bills proposing to authorize the formation of metropolitan rapid transit districts, with power to plan, finance and construct rail rapid transit facilities more adequately to meet the transportation needs of the metropolitan areas of this State; and

WHEREAS, The granting at this time of said Application No. 30095 of the Pacific Electric Railway Company would cause irreparable injury and hardship to the people of the Los Angeles metropolitan area and possibly delay for all time the proper solution of the transportation problem; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

The Public Utilities Commission of the State of California is hereby requested to postpone action on Application No. 30095 of the Pacific Electric Railway Company, a corporation, or any other application of said company for authority to make changes in its rail and motor coach service, until this Legislature has had time within which to give consideration to Assembly Bills Nos. 147, 2023 and 2454, and Senate Bill No. 194, and be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to certify to the adoption of this resolution and transmit a copy thereof to the Public Utilities Commission of the State of California and to the Pacific Electric Railway Company.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of March 18, 1949, on pages 1176-1177, on page 1177, in paragraph 3, line 2, after "Company", strike out "would", and insert "may".

Amendment read, and adopted.

Consideration of House Resolution No. 131, As Amended

By Messrs. Burkhalter, Evans, Beck, and Elliott:

House Resolution No. 131

Relative to requesting the Public Utilities Commission to delay final action on application of Pacific Electric Railway Company to make certain changes in its rail and motor coach service

WHEREAS, The Pacific Electric Railway Company, on February 25, 1949, filed its application No. 30095 with the Public Utilities Commission of the State of California requesting permission for the "abandonment of certain rail lines, discontinuance of passenger service on certain other rail lines, substitution and discontinuance of motor coach service over certain routes, and, in general, to make such changes in its rail and motor coach system" as specifically set forth in said application; and

WHEREAS, The inadequacy of the mass transportation facilities in the Los Angeles metropolitan area is apparent to all, and several proposals are now under

consideration attempting to find a proper solution to this great mass transportation problem; and

WHEREAS, There are now pending in this session of the Legislature four bills proposing to authorize the formation of metropolitan rapid transit districts, with power to plan, finance and construct rail rapid transit facilities more adequately to meet the transportation needs of the metropolitan areas of this State; and

WHEREAS, The granting at this time of said application No. 30095 of the Pacific Electric Railway Company may cause irreparable injury and hardship to the people of the Los Angeles metropolitan area and possibly delay for all time the proper solution of the transportation problem; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

The Public Utilities Commission of the State of California is hereby requested to postpone action on application No. 30095 of the Pacific Electric Railway Company, a corporation, or any other application of said company for authority to make changes in its rail and motor coach service, until this Legislature has had time within which to give consideration to Assembly Bills Nos. 147, 2023, and 2454, and Senate Bill No. 194; and, be it further

Resolved, That the Chief Clerk of the Assembly be and he is hereby directed to certify to the adoption of this resolution and transmit a copy thereof to the Public Utilities Commission of the State of California and to the Pacific Electric Railway Company.

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1122

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1122, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1122

Assembly Bill No. 1122—An act to add Section 812 to the Civil Code, relating to estates in real property.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—44

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 434

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 434, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 434

Assembly Bill No. 434—An act to amend Section 499b of, and to add Section 499d to the Penal Code, relating to unauthorized taking or operation of vehicles or aircraft

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Dolwig, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—49.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 56

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 56, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 56

Assembly Concurrent Resolution No. 56—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—56.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 30

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 30, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 30

Assembly Joint Resolution No. 30—Relative to the assistance to veterans in borrowing funds from established lending institutions for the acquisition of homes and other purposes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—58.
NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 930—An act to add Section 16275.5 to the Education Code, relating to the use of school busses.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, and Weber—57

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 375

Mr. Clayton A. Dills asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 375, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 375

Assembly Bill No. 375—An act to add Chapters 3 and 4 to Part 2, Division 2 of the Military and Veterans Code, relating to the creation and organization of a security force and a reserve force, the authority for the organization of military forces when the National Guard is absent in federal service or Congress has consented thereto, the rules and regulations for the government of such forces and reserves, the pay, allowances, expenses, supply, equipment, maintenance, training, discipline and administration of such security and reserve forces, the use of armories and buildings, the use of the forces without the State, the authority to use the forces of other states within this State, federal service, civil groups, disqualifications, oaths of office, articles of war, freedom from arrest, jury duty, unemployment, exemption from civil service, workmen's compensation, removal from service and the employment of such forces in the service of the State.

Bill read third time.

Motion to Amend

Mr. Clayton A. Dills moved the adoption of the following amendment:

Amendment No. 1

On page 6 of the printed bill, strike out lines 39 to 49, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3094—An act amending Section 5 of an act entitled "An act to define and officially adopt a State-wide System of Plane Coordinates, to provide for uniformity in the orientation of land

surveys and maps within the State of California, and permitting, but not requiring, the use thereof in surveying and mapping operations," approved July 10, 1947, relating to State-wide System of Plane Coordinates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, and Weber—57.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 2216—An act to add Section 22264 to the Water Code, relating to irrigation districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—55

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1856—An act to amend Section 4001 of the Government Code, relating to public work.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—55

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1855—An act to amend Section 185 of the Streets and Highways Code, relating to the Revolving Fund of the Division of Highways

Bill read third time.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Heisinger has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 1855.

The roll was called and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, and Mrs. Speaker—58

NOES—Burkhalter, Clayton A. Dills, Ralph C. Dills, and Geddes—4

Bill ordered transmitted to the Senate.

Assembly Bill No. 1854—An act to amend Section 14033 of the Government Code, relating to the Revolving Fund of the Division of Architecture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Way, Weber, and Mr. Speaker—51

NOES—Burkhalter, Clayton A. Dills, Ralph C. Dills, Elliott, Geddes, Hollibaugh, McMillan, Morris, and Thomas—9

Bill ordered transmitted to the Senate.

Assembly Bill No. 1799—An act to amend Section 29483 of the Government Code, relating to the payment to counties of United States Forest Reserve receipts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

DEI MAR INSTITUTE NO. 66, Y. L. I.
SAN FRANCISCO, CALIFORNIA, March 25, 1949

To the Members of the California Legislature Child Care Center

WHEREAS, It is our conviction that the present social structure of California will be seriously endangered if any bill is approved, which would make the child care center a permanent part of the state supported school system, and which would provide day care service without evidence of demonstrated need:

WHEREAS, The School System of California should not attempt more than it can do efficiently,

WHEREAS, During the next 10 years with the increase in pupil population it will be difficult to maintain the educational ladder without adding child care center; and

WHEREAS, Local and state school funds moreover should not be diverted to finance an institution which is social rather than educational in nature; and

WHEREAS, The day care center was started in California during wartime and therefore its status as a peacetime institution should be scrutinized periodically; now, therefore, be it

Resolved, That this body go on record opposing any bill for permanent child care center, and further, be it

Resolved, To be in favor of a bill on a year to year basis

Respectfully submitted,

ELEANOR DEMPSEY, President
GENEVIEVE BEATTIE, Recording Secretary

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1574—An act to add Sections 255 and 256 to the Agricultural Code, relating to bovine tuberculosis, declaring the urgency of this act, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirty-first day of March, 1949, at 2 p.m.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1456

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1456, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1456

Assembly Bill No. 1456—An act to add Section 1513.2 to, and to amend Section 3812 of, the Elections Code, relating to measures submitted to the voters of the State.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", and to amend Section 3812 of,".

Amendment No. 2

On page 1, line 4, of said bill, after "be", insert "determined".

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 18, inclusive; and on page 2, strike out lines 1 to 7, inclusive.

Amendment No. 4

On page 2, line 10, of said bill, after "measure", insert "and to the authors of each legislative measure".

Amendment No. 5

On page 2, lines 19 and 20, of said bill, strike out "be given the number next following that given to the highest numbered legislative measure", and insert "be numbered 1".

Amendment No. 6

On page 2, line 27, of said bill, after "changed", insert "and if, for any reason, an additional measure is to be printed in the ballot pamphlet or on the ballot, it shall be given the number next following that given the last measure withdrawn as aforesaid and shall be printed after said measure in the ballot pamphlet or on the ballot, or both, as the case may be."

Amendment No. 7

On page 2 of said bill, strike out lines 28 to 52, inclusive; and strike out page 3.

Amendments read.

Point of Order

Mr. Caldecott arose to the following point of order: That Mr. Dunn is speaking on the bill rather than to the amendments.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. George D. Collins to Assembly Bill No. 1456.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Dunn has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken, and that Mr. Dunn is entitled to one more minute for debate.

The question being on the adoption of the amendments offered by Mr. George D. Collins to Assembly Bill No. 1456.

Roll Call Demanded

Messrs. George D. Collins, McCarthy, and Gaffney demanded a roll call.

The roll was called, and the amendments offered by Mr. George D. Collins to Assembly Bill No. 1456 refused adoption by the following vote:

AYES—Beck, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Connolly, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Evans, Gaffney, Hahn, Hawkins, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Niehouse, Stanley, Way, and Weber—29

NOES—Babbage, Brown, Burke, Butters, Caldecott, Clarke, Collier, Conrad, Crichton, Dolwig, Dunn, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lindsay, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stewart, Tomlinson, Waters, and Mr. Speaker—31.

The question being on the passage of Assembly Bill No. 1456.

Consideration of Further Amendments

Motion to Amend

Mr. Collier moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 3, of the printed bill, after "Legislature", insert "or by the people".

Amendment No. 2

On page 2 of said bill, strike out lines 6 through 52.

Amendment No. 3

Strike out page 3 of the printed bill.

Amendments read.

Roll Call Demanded

Messrs. Waters, Collier, and Hahn demanded a roll call.

The roll was called, and the amendments offered by Mr. Collier to Assembly Bill No. 1456 refused adoption by the following vote:

AYES—Babbage, Butters, Collier, Ralph C. Dills, Erwin, Fletcher, Hahn, Lowrey, and Sherwin—9.

NOES—Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Doyle, Dunn, Elliott, Evans, Fleury,

Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—45.

The question being on the passage of Assembly Bill No 1456.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Clayton A Dills, Ralph C Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Holbbaugh, Kirkwood, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—51

NOES—Bennett, Brown, Butters, George D Collins, Erwin, Gaffney, Hinckley, McCarthy, and Stanley—9.

Notice of Motion to Reconsider Assembly Bill No. 1456

Mr McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1456 was this day passed.

Notice of Motion to Reconsider Amendments Offered By Mr. George D. Collins to Assembly Bill No. 1456

Mr McCarthy gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. George D. Collins to Assembly Bill No 1456 were this day refused adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 581

Mr. Clayton A Dills asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 581, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 581

Assembly Bill No. 581—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class

Bill read third time

Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 26 and 27.

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 1205

Mr. McCollister asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day withdrew Assembly Bill No 1205 from the active file, and placed it upon the inactive file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1205 HOLD ITS PLACE ON FILE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 1205 hold its place on the third reading file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 520—An act to amend Section 19233 of the Streets and Highways Code, relating to highway lighting districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1000—An act to cure defects in maps or plats filed for record prior to April 1, 1949, and in deeds or conveyances referring to such maps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 1266—An act to add Section 31676.1 to the Government Code, relating to service retirement of county employees.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Huckley, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—59.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate

Assembly Bill No. 269—An act to amend Section 28125 of the Government Code, relating to compensation of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 144—An act to amend Section 27265 of the Government Code, relating to destroying temporary index sheets by county recorders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.
NOES—None.

Motion to Amend Title

Mr. Burke moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 27265 of", and insert "add Section 27265 to".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 152—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2162—An act to amend Sections 17221 and 17242 of the Government Code, relating to the registration of warrants drawn against the General Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2366—An act to amend Sections 8937 to 8971 of the Business and Professions Code, relating to the licensing and regulation of yacht and ship brokers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2780—An act to amend Section 9320 of the Government Code, relating to the compensation of officers and employees of the Senate and Assembly and making an appropriation for the payment of such compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 98—An act to amend Sections 26822, 26826, 26828, 26829, 26834, 26838, 26841, 26848, and 26852 of, to repeal Section 26835, and add Section 26849.1 to, the Government Code, relating to the fees of county clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury,

Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—57.

NOES—Beck, Cooke, Elliott, Geddes, Luckel, and Thomas—6

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 33: By Messrs. Hollibaugh, Brady, Luckel, Hahn, Bennett, Burke, Burkhalter, Caldecott, Coats, Cooke, Cramer, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Grant, Kilpatrick, Lowrey, Maloney, McCollister, Morris, Moss, Mrs. Niehouse, Messrs. Smith, Thomas, and Weber—Relative to memorializing Congress to enact legislation to give postal employees civil service credit for time spent in military service.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1814 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 1814 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 7	Assembly Bill No. 2562
Assembly Bill No. 18	Assembly Bill No. 2576
Assembly Bill No. 687	Assembly Bill No. 2577
Assembly Bill No. 702	Assembly Bill No. 2579
Assembly Bill No. 787	Assembly Bill No. 2587
Assembly Bill No. 910	Assembly Bill No. 2588
Assembly Bill No. 912	Assembly Bill No. 2594
Assembly Bill No. 1082	Assembly Bill No. 2595
Assembly Bill No. 1793	Assembly Bill No. 2598
Assembly Bill No. 1824	Assembly Bill No. 2846
Assembly Bill No. 1825	Assembly Bill No. 2999
Assembly Bill No. 2540	

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 7 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 18 ordered re-referred to Committee on Military Affairs.

Assembly Bill No. 687 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 702 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 787 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 910 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 912 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1082 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1793 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No 1824 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1825 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No 2540 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2562 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2576 ordered re-referred to Committee on Judiciary.

Assembly Bill No 2577 ordered re-referred to Committee on Judiciary.

Assembly Bill No 2579 ordered re-referred to Committee on Judiciary

Assembly Bill No. 2587 ordered re-referred to Committee on Judiciary

Assembly Bill No. 2588 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2594 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2595 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2598 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2846 ordered re-referred to Committee on Judiciary

Assembly Bill No. 2999 ordered re-referred to Committee on Judiciary.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight at 8 p.m.—

Revenue and Taxation.
Industrial Relations.

Today Upon Adjournment—

Transportation and Commerce, in Room 432.
Public Morals
Subcommittee on Ways and Means. Subject · Claims Bills
Ways and Means—main committee
Subcommittee on Finance and Insurance Subject. State Banking Act, in Room 428.

Tomorrow, Friday, April 1st, at 9.30 a.m.

Rules.

GUESTS EXTENDED USUAL COURTESIES OF ASSEMBLY

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Charles G. Johnson, Mrs. W. Spencer Hutchinson, Jr., and David S. Hutchinson of Sacramento

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Clara Belle MacLellan of Pasadena.

On request of Mr. Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to John C. Bollens, Miss Elizabeth Ferina, Edward F. Staniford, Kenneth Decker, and Samuel C. May of Berkeley.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Robert Hoffman of Red Bluff.

On request of Mr. George D Collins, the usual courtesies of the Assembly for this day were unanimously extended to Arthur Wittmer, teacher, and Alfred E. Wade, school trustee of the St. John's Lutheran School of San Francisco, and the following pupils: Marlene Bareis, Charlene Bruggemann, Jean Brass, Helena Cannon, Valerie Arthur, Diana Ahrens, Marlene Matteson, Cecelia Toleson, Gordon Young, Robert Hoelter, Robert Hahn, Roy Schiller, David Wall, John Ferguson, Donald Bischoff, and Donald Johnston.

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Herbert Stuenkel, teacher of St. Paulus Lutheran School of San Francisco and the following pupils: Catherine Emslie, Betty Gucker, Joan Holihan, Charles Holmes, Shirley Immel, Jo Ann Livingstone, Ann Merry, Bobby Meyers, Verna Rathe, Jean Roberson, Sigrid Schnibben, and Shirley Widick.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Miss Corpstein and Miss Agnes Hilary, teachers, of the Fairmont School, and the following pupils: Robert Babbick, Patricia Bandarre, Chesley Gersh, George Hall, Norman Hard, Glenn Hargrave, William Kelly, Alex Kruchin, Betty McAdam, Donald McFarland, Albert Mattson, John Nowak, Marcia Norstrom, Lois Packer, Mary Lou Passanise, Judith Pearson, Delena Powell, Diane Richard, Juan Salcedo, Claudette Schroeder, Fay Schwenlauf, Don Yager, Harry Larson, Cleve Carter, Charles Block, Bob Ross, Nick Korpontinos, Robert Fahey, Francis Kelly, Richard Bulloch, Jack Derian, Armand Lugon, Loy Barker, Dan Fay, Bob Stevens, Barbara Cooper, Anna Astmos, Helen Price, Patricia O'Brien, Victoria Zepeda, Shirley Anthony, Arabella Bernal, Elaine Carlson, David Matheson, Billie Armstrong, Jack Harden, Maureen Long, Yvonne Cooper, Eleanor Assalino, Patricia Dill, Carmen Dorich, Arthur Solorzano, Shirley Tompkins, Robert Waldron, Charlotte Wright, Jacqaline Bulter, Justine Bartholomew, Milton Ziegler, Gaynel Koch, Lettya Burgess, Joan Litch, Patricia Clinton, and Joann Paterson.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Miss Norah Lavers and Rev. K. N. Cooper, teachers, of the Liberty Union High School of Brentwood, and the following pupils: Catherine Callaghan, Gwen Carlyon, Lorraine Carlyon, Neila Neilson, Esther Matsuda, Billie Robbins, Gladys Pitau, Betey Firpo, Fukiko Yagi, Bruce Soderstrom, John Bristow, Pat O'Brien,

Marvin Lindorf, Dave Anderson, Pat Rennels, Edna Bettencourt, Beverly Colburn, Carolyn Carpenter, Lois Welches, Dennis O'Brien, Mary Matsuda, and Wilda Fuggett.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Dalores Dillon, teacher, of the Lincoln School of Sacramento, and the following pupils: Eileen Neshekawa, Evelyn Lai, Inez Lopez, Terry Hernandez, James Keith, Hiro Nagata, George Fong, Soo Yee, Danny Yamada, Gim Fong, Satomi Oto, Jeannette Uchida, Adell Shimosaka, Joe Flowers, Albert Fong, Danny Yamada, Frank Lopez, Warren Lee, Marie Chew, and Steve Muramoto.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. R. H. Lincoln, Raymond Lincoln, and Danny Lincoln of Oakland.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. William Spencer Hutchinson, Jr., and son David, of Goodyears Bar.

On request of Speaker Sam L Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Holmes Bishop of Orange.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. E. V. Doles of Riverside.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Lucy Meyers, Miss Grace Mooney, and Miss Ailene Regan of San Francisco.

ADJOURNMENT

At 3.15 p.m., on motion of Mr. Sam L. Collins, the Speaker declared the Assembly adjourned until 10 a m., Friday, April 1, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

THIRTY-NINTH LEGISLATIVE DAY

EIGHTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 1, 1949

The Assembly met at 10 a.m

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—76

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal Spirit. May we realize how our belief in Thee, O God, inspires integrity and justice.

For Thou art a God who demands righteousness and mercy of all men.

Let history remind us that people who reject these moral beliefs soon succumb to the rule of barbarous instincts

Let us remember the Nazis who rejected Faith, and having no religious restraints perpetuated the blackest crimes; and every bloody battle was the final result of their godless ideology.

May we stand for a Faith as the bulwark against anarchy and the guardian of law and security.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Rosenthal, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Smith.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Huyck, on motion of Mr. Smith.

Mr. Stanley, on motion of Mr. Reagan.

MEMBER EXCUSED

Mr. Beck asked for, and was granted, unanimous consent that Mr. Rosenthal be excused, for yesterday, Thursday, March 31st, because he was attending to legislative business elsewhere.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 3107.

STATE OF CALIFORNIA
GOVERNOR'S OFFICE, SACRAMENTO, March 31, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 3107, "An act authorizing the Director of Finance to acquire real property in the City of Long Beach, declaring the urgency thereof, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill permits money already appropriated to be expended for a new purpose. It permits the Director of Finance, with the approval of the Adjutant General, to acquire real property in the City of Long Beach for the use of the Adjutant General and the National Guard. It is necessary that this property be acquired at once in order to secure the benefit of a federal contribution for the construction of a stores depot in the City of Long Beach.

I therefore recommend consideration of Assembly Bill No. 3107 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 717

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 2038
Assembly Bill No. 2056

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CRAMER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1932
Assembly Bill No. 2041
Assembly Bill No. 2042
Assembly Bill No. 2044
Assembly Bill No. 2047
Assembly Bill No. 2048
Assembly Bill No. 2050
Assembly Bill No. 2066

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRAMER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 2046
Assembly Bill No. 2049
Assembly Bill No. 2051
Assembly Bill No. 2053
Assembly Bill No. 2055
Assembly Bill No. 2061

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CRAMER, Chairman

Above reported bills ordered to second reading

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 620
Assembly Bill No. 1859
Assembly Bill No. 1863
Assembly Bill No. 1865
Assembly Bill No. 1866

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 93
Assembly Bill No. 94
Assembly Bill No. 95
Assembly Bill No. 634
Assembly Bill No. 244
Assembly Bill No. 1995

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 852

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill re-referred to Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 624
Assembly Bill No. 2175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 24

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

LUCKEL, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 632

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 96	Assembly Bill No. 945
Assembly Bill No. 209	Assembly Bill No. 1123
Assembly Bill No. 433	Assembly Bill No. 1171
Assembly Bill No. 498	Assembly Bill No. 1180
Assembly Bill No. 567	Assembly Bill No. 1194
Assembly Bill No 588	Assembly Bill No. 1351
Assembly Bill No. 685	Assembly Bill No. 1501
Assembly Bill No. 686	Assembly Bill No. 1576
Assembly Bill No 699	Assembly Bill No. 1578
Assembly Bill No. 876	Assembly Bill No. 1751
Assembly Bill No. 877	Assembly Bill No. 2496
Assembly Bill No. 901	Assembly Bill No. 2744

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2858

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2120

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 236

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

FLETCHER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 231
Assembly Bill No. 312
Assembly Bill No 412

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FLETCHER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 191

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

FLETCHER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 65

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 33

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2427

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 372

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, March 31, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 6
Senate Bill No. 51
Senate Bill No. 65
Senate Bill No. 113
Senate Bill No. 115
Senate Bill No. 137
Senate Bill No. 144
Senate Bill No. 556
Senate Bill No 674
Senate Bill No. 692
Senate Bill No. 1066
Senate Bill No 1082
Senate Bill No. 1083
Senate Bill No. 1084
Senate Bill No. 1085
Senate Bill No 1086
Senate Bill No. 1087
Senate Bill No. 1088
Senate Bill No. 1089
Senate Bill No. 1090
Senate Bill No. 1091
Senate Bill No. 1094
Senate Bill No. 1095
Senate Bill No. 1162
Senate Bill No. 1220
Senate Bill No. 1245
Senate Bill No. 1337
Senate Bill No. 1406
Senate Bill No. 1462

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 6—An act to add Section 2333.5 to the Health and Safety Code, relating to annexation of cities to mosquito abatement districts.

Referred to Committee on Public Health.

Senate Bill No. 51—An act to amend Section 2316 of the Public Resources Code, relating to fees for recording affidavits of labor or improvements on mining claims.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 65—An act to amend an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, by adding Sections 48.1 to 48.9, inclusive, thereto, relating to the withdrawal of land from registry under the said act, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Referred to Committee on Judiciary.

Senate Bill No. 113—An act to amend Section 4532 of the Penal Code, relating to punishment and escape from a county or city jail, prison, industrial farm, or road camp.

Referred to Committee on Judiciary.

Senate Bill No. 115—An act to amend Section 672 of the Penal Code, relating to fines.

Referred to Committee on Judiciary.

Senate Bill No. 137—An act to amend Section 969 (b) of the Penal Code, relating to proof of previous conviction of crime by certified records.

Referred to Committee on Judiciary.

Senate Bill No. 144—An act to amend Section 4433 of the Public Resources Code, relating to state payments to counties in lieu of taxes on land acquired for state forests.

Referred to Committee on Municipal and County Government.

Senate Bill No. 556—An act to add Section 161b to the Civil Code, relating to payments or refunds made pursuant to a retirement or death benefits plan.

Referred to Committee on Finance and Insurance.

Senate Bill No. 674—An act to provide for the expansion of publicly supported higher education and making an appropriation therefor; and to repeal an act entitled "An act establishing a four-year institution of higher education in the City of Sacramento, County of Sacramento," approved July 1, 1947 (Chapter 1017 of the Statutes of 1947), and an act entitled "An act making an appropriation for the establishment, equipment and maintenance of a four-year state institution of higher education at Sacramento," approved July 10, 1947 (Chapter 1349 of the Statutes of 1947), all relating to the System of Publicly Supported Higher Education, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 692—An act to amend Sections 4741 and 4762 of, and to repeal Sections 4797 and 4798 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1066—An act to repeal Chapter 8, comprising Sections 1131 to 1136, inclusive, of Part 3 of Division 2 of the Labor Code and to add a new Chapter 8 to Part 3 of Division 2 of that code, comprising Sections 1131 to 1140, relating to hot cargo and secondary boycotts

Referred to Committee on Industrial Relations.

Senate Bill No. 1082—An act to add Division 12 to the Water Code, thereby revising and consolidating the law relating to county water districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal certain acts specified herein.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1083—An act to add Section 30063 to the Water Code, relating to publication of notices in connection with county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1084—An act to amend Section 30762 of the Water Code, relating to nominations of county water district directors

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1085—An act to amend Sections 30295, 30364, 30700, 31406, and 31412 of the Water Code, relating to county water districts and their elections.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1086—An act to repeal Chapter 6, comprising Sections 30360 to 30365, inclusive, of Part 2 of Division 12, and to amend Sections 30291, 30292, 30294, and 30295, of the Water Code, relating to county water districts, their formation and elections.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1087—An act to amend Sections 30296, 30365, 30702, 31411, and 32696 of the Water Code, relating to county water districts and the canvass of election returns.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1088—An act to amend Section 30061 of the Water Code, relating to county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1089—An act to add Section 30706 to the Water Code, relating to county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1090—An act to add Section 31793.5 to the Water Code, relating to county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1091—An act to amend Section 30014 of the Water Code, relating to county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1094—An act to amend Section 31521 of the Water Code, relating to county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1095—An act to amend Section 31861 of the Water Code, relating to county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1162—An act to amend Section 1415 of the Health and Safety Code, relating to licensing of hospitals

Referred to Committee on Public Health.

Senate Bill No. 1220—An act to amend Section 8802 of the Health and Safety Code, relating to cemetery associations.

Referred to Committee on Public Health.

Senate Bill No. 1245—An act to amend Sections 11371, 11380, 11382.5, 11421, 11422, and 11423 of the Government Code, relating to administrative regulation.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 1337—An act to amend Section 2952 of the Civil Code, relating to the recordation of mortgages and deeds of trust.

Referred to Committee on Judiciary.

Senate Bill No. 1406—An act to add Section 631 3 to the Code of Civil Procedure, relating to jury fees.

Referred to Committee on Judiciary

Senate Bill No. 1462—An act to add Chapter 4 to Division 4 of the Elections Code, relating to propositions submitted at district elections.

Referred to Committee on Elections and Reapportionment

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER: Your Committee on Public Morals, to which was referred Assembly Bill No. 2508

has had the same under consideration, and reports the same back with the recommendation Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, March 31, 1949

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2593

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred

Assembly Bill No. 660

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman
By CLAYTON A. DILLS

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 52
Assembly Bill No 1712
Assembly Bill No 1723

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1967

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred.

Assembly Bill No. 472
Assembly Bill No. 822

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 34

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman
By CLAYTON A. DILLS

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 3114

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 998—An act to add Section 20343.3 to the Education Code, relating to state college fees;

Assembly Bill No. 1813—An act to add Section 19314 to the Education Code, relating to retirement contributions of cafeteria employees, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the first day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 60—Relative to the general observance of Cabrillo Day and authorizing the Governor of the State of California to make appropriate proclamation with respect thereto;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the first day of April, 1949, at 11 a.m.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Kilpatrick asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 9—An act to add Section 1514.3 to the Elections Code, relating to ballot pamphlets and providing for detailed analyses of measures submitted to the voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 397—An act to add Section 2797.5 to, and to amend Sections 2798 and 2800 of, the Elections Code, relating to filling vacancies in the membership of party state conventions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 460—An act to amend Section 370 of the Elections Code, relating to registration of voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 461—An act to amend Section 374 of the Elections Code, relating to registration of voters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 536—An act to add Section 1408 to the Elections Code, relating to initiative measures.

Bill read second time, and ordered engrossed.

Assembly Bill No. 659—An act to add Section 1513.2 to, and amend Section 3812 of, the Elections Code, relating to measures submitted to the voters of the State.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1768—An act to amend Section 9 of the Franchise Act of 1937, relating to franchises and the filing of bond.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1785—An act to amend Sections 2110, 2111, 2112, and 2115 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund

Bill read second time, and ordered engrossed.

Assembly Bill No. 2347—An act to add Section 48 to the Elections Code empowering the Secretary of State or the President of the County Clerk's Association to call meetings of the county clerks and registrars of voters to discuss administration of the election laws and promote uniformity of procedure in such matters; limiting the number of such meetings, authorizing the same to be attended also by one designated deputy of each clerk or registrar; declaring expenses of such clerks, registrars and deputies in attending such meetings a county charge, and limiting the amount thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2615—An act to amend the Streets and Highways Code by adding Section 5829.1, relating to joint sanitary disposal sewers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2616—An act to amend the Health and Safety Code by adding Sections 4636.8, 4667, 4843, 4888, and 6823, relating to joint sanitary disposal sewers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2620—An act to amend Sections 4781, 4782, and 4788, and to add Sections 4800 and 4801 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1379—An act to amend Sections 317 and 319 of the Education Code, relating to the compensation of members of county boards of education

Bill read second time, and ordered engrossed

Assembly Bill No. 1381—An act to amend Sections 16461, 16462, and 16463 of the Education Code, relating to the supervision of the health of public school pupils by county superintendents of schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 917—An act to amend Section 6420 of the Streets and Highways Code, relating to improvement assessments and bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1717—An act to add Sections 16346, 16347, 16348, and 16349 to Article 1 of Chapter 2 of Part 2 of Division 4 of Title 2, and to amend Section 16350, of the Government Code, relating to the abolition of special funds in the State Treasury.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1743—An act to amend Sections 12460 and 12461 of the Government Code, relating to the duties of the Controller.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1807—An act to add Section 104.65 to the Streets and Highways Code, relating to income from rental of properties acquired for highway purposes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1857—An act to amend Section 16475 of the Government Code, relating to the disposition of interest and other increment derived from the investment of surplus moneys in special funds in the State Treasury.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3107—An act authorizing the Director of Finance to acquire real property in the City of Long Beach, declaring the urgency thereof to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1168—An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, after line 50, insert

"SEC. 2. The amendment by this act of the act cited in the title hereof is not intended to modify the boundaries of the lands granted to the City of Coronado, as described in "An act respecting the tidelands and submerged lands granted pursuant to Chapter 49, Statutes of 1923, and Chapter 293, Statutes of 1931, located in San Diego Bay, describing and fixing the boundaries of said lands and providing for the execution of deeds with reference thereto," approved July 19, 1947."

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2348—An act to amend Section 29610 of the Government Code, relating to county charges

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "and one deputy for each such officer,", and insert "and, with prior approval of the board of supervisors, necessary deputies for each such officer,".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1971—An act authorizing and directing the State Water Resources Board to make a study and investigation and to submit recommendations for the control of storm and flood waters in Dorchester Creek in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 15, of the printed bill, strike out "Such", and insert "A report from the State Director of Public Health as to the urgency of the improvement for the protection of the public health. The Director of Public Health is hereby authorized and directed to make such investigation of the sanitary and public health conditions along Dorchester Creek as may be requested by the State Water Resources Board

(e) Such".

Amendment No. 2

On page 2 of the printed bill, strike out lines 3 to 6, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 219—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources for the acquisition of the home of John Steven McGroarty in the City of Los Angeles in Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty-seven thousand five hundred dollars ($27,500)".

Amendment No. 2

On page 1, line 7, of said bill, strike out "14", and insert "18".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3099—An act to amend Section 13266 of the Education Code, relating to the health of teachers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13266", and insert "13226".

Amendment No. 2

In line 1 of the title of said bill, after the comma, insert "and to add Section 14002.1 to said code,"

Amendment No. 3

In line 2 of the title of said bill, strike out "teachers", and insert "public school employees".

Amendment No. 4

On page 1, line 1, of said bill, strike out "13266", and insert "13226".

Amendment No. 5

On page 1, line 3, of said bill, strike out "13266", and insert "13226".

Amendment No. 6

On page 1 of said bill, beginning in line 13, strike out "and a skin test recognized by the American Medical Association".

Amendment No. 7

On page 1 of said bill, after line 24, insert

"SEC. 2. Section 14002.1 is added to said code to read:

14002.1. No person shall be employed by a school district in a position not requiring certification qualifications which requires him to be in frequent or prolonged contact with pupils until, if required by an order of the county board of education, he has on file with the county superintendent of schools a certificate from a physician and surgeon licensed under Chapter 5 of Division 2 of the Business and Professions Code showing that he has submitted to a physical examination within three years last past, including an X-ray of the lungs, and that the results of such examination indicate that he is free of active tuberculosis."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 681—An act to add Section 6562 to the Business and Professions Code, relating to the practice of barbering.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert

"6562. For the purposes of this chapter, a diploma duly issued by the issuing authority of the appropriate unit of the California Public School System certifying that any individual has taken a course of schooling and has successfully passed examinations, establishing that he has an eighth-grade education, or its equivalent, shall be conclusive evidence of that fact without the necessity of taking an examination by the board."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2018—An act to add Article 5, comprising Sections 16400 to 16405, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and to repeal Section 13923 of the Government Code, relating to revolving funds and advances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 21, of the printed bill, after "earned," insert "traveling expenses,".

Amendment No. 2

On page 2, line 17, of said bill, strike out "the Controller who shall make such audit as"; and strike out line 18, and insert "and audited by the Controller."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2355—An act to add Section 17007 to the Government Code, relating to the designation of funds by code number, letter, or combination thereof, on all warrants issued by the Controller, and on all reports furnished by the Controller and Treasurer to each other.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "by rule".

Amendment No. 2

On page 1, line 5, of said bill, strike out "all".

Amendment No. 3

On page 1, line 6, of said bill, strike out "all".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1163—An act to amend Section 700 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 700", and insert "Sections 222 and 223".

Amendment No. 2

On page 1, line 1, of said bill, strike out "700", and insert "222".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"222. Whenever any voter has declined to designate or has changed his political affiliation prior to the close of registration for an election, he may *either* so designate or have a change recorded prior to the close of registration by application in person to the county clerk, and by the making of an affidavit *; or execute a new affidavit of registration.*

SEC. 2. Section 223 of said code is amended to read:

223. The affidavit required for change of political affiliation, *other than a new affidavit of registration*, or for designation of affiliation where affiant has previously declined to designate, shall be substantially in the following form:

State of California, } ss
County of _____ }

_____, being duly sworn, deposes and says that he registered on the register of the County of _____ as a _____ (insert former party affiliation, or that he had declined to designate his party affiliation); that since the date of his registration he has decided to affiliate with a political party or has changed his political views and in good faith declares his affiliation with _____ party.

Subscribed and sworn to before me, this _____ day of _____, 19____.

The county clerk shall take this affidavit without charge and shall file it. This political affiliation or change of political affiliation shall be entered on the elector's affidavit of registration."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1550—An act to amend Sections 2798, 2799, 2821, 2822, and 2825 of, to repeal Sections 2800, 2801, 2802, 2803, 2804, 2805, 2806, 2811 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, and 2820 of, and to add Sections 2811, 2812, 2813, 2814, 2815, 2816, 2817, 2818, 2819, and 2820 to, the Elections Code, relating to state central committees of political parties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 5 of the title of the printed bill, after "2816," insert "2816.1,".

Amendment No. 2

On page 2, line 37, of said bill, strike out "convention shall appoint", and insert "State Central Committee shall elect".

Amendment No. 3

On page 2, line 40, of said bill, after "gates", insert "at large".

Amendment No. 4

On page 2, lines 40 and 41, of said bill, strike out "in the following presidential election year".

Amendment No. 5

On page 2, line 43, of said bill, strike out "and the Lieutenant Governor", and insert ", Lieutenant Governor, Treasurer, Controller, Attorney General, Secretary of State, any members of the State Board of Equalization, any Senators and Representatives in Congress, and any Members of the State Legislature,".

Amendment No. 6

On page 2, line 46, of said bill, strike out "place of the Governor and Lieutenant Governor", and insert "their place".

Amendment No. 7

On page 3 of said bill, after line 7, insert

"(b) The Treasurer or the person appointed pursuant to Section 2812 in place of him.

(c) The Controller or the person appointed pursuant to Section 2812 in place of him

(d) The Attorney General or the person appointed pursuant to Section 2812 in place of him

(e) The Secretary of State or the person appointed pursuant to Section 2812 in place of him.

(f) All members of the State Board of Equalization or the persons appointed pursuant to Section 2812 in place of them.

(g) All Senators and Representatives in Congress from California or the persons appointed pursuant to Section 2812 in place of them.

(h) All Members of the State Legislature or the persons appointed pursuant to Section 2812 in place of them."

Amendment No. 8

On page 3, line 8, of said bill, strike out "(b)", and insert "(i)".

Amendment No. 9

On page 3, line 9, of said bill, after "mitteewoman", insert "and the chairman of each county central committee".

Amendment No. 10

On page 3, line 10, of said bill, strike out "(c)", and insert "(j)".

Amendment No. 11

On page 3 of said bill, after line 11, insert

"Each of the above-named persons shall appoint an alternate of the opposite sex."

Amendment No. 12

On page 3 of said bill, after line 21, insert

"(c) In counties containing more than one congressional district, election of state central committee members by the county central committee."

Amendment No. 13

On page 3 of said bill, strike out lines 37 and 38.

Amendment No. 14

On page 3, line 39, of said bill, strike out "(b) One male elector who is", and insert "(a) Three male electors who are".

Amendment No. 15

On page 3 of said bill, strike out line 40, and insert "the party and are residents of the district, and three alternates of the opposite sex"

Amendment No. 16

On page 3, line 41, of said bill, strike out "(c) One female elector who is", and insert "(b) Three female electors who are".

Amendment No. 17

On page 3 of said bill, strike out line 42, and insert "the party and are residents of the district, and three alternates of the opposite sex."

Amendment No. 18

On page 3 of said bill, after line 42, insert

"SEC. 10. Section 2816.1 is added to said code, to read:

2816.1. All delegates and alternates elected to the state central committee shall by virtue of their office be ex officio members with full right of voice and vote of the county central committee of the district within which they are electors"

Amendment No. 19

On page 3, line 43, of said bill, strike out "10", and insert "11".

Amendment No. 20

On page 3, line 49, of said bill, strike out "11", and insert "12".

Amendment No. 21

On page 4, line 3, of said bill, strike out "12", and insert "13".

Amendment No. 22

On page 4, line 10, of said bill, strike out "13", and insert "14".

Amendment No. 23

On page 4, line 14, of said bill, strike out "14", and insert "15".

Amendment No. 24

On page 4, line 23, of said bill, strike out "15", and insert "16".

Amendment No. 25

On page 4, line 29, of said bill, strike out "16", and insert "17".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2917—An act to add Section 2305 to the Elections Code, relating to delegates to national conventions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Sections 2203 and 2205 of and to".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 2203 of the Elections Code is amended to read

2203. Each group of candidates for delegate shall have the endorsement of [the candidate for presidential nominee for whom the members of the group have filed a preference, or the indorsement of] a state campaign committee created in support of the candidacy of the presidential nominee [which has not been repudiated by him as lacking authority to make the indorsement] The endorsement [, either of the candidate for presidential nominee or of his state campaign committee,] shall be filed with the Secretary of State.

SEC. 2 Section 2205 of said code is amended to read

2205. No candidates for delegate not indorsed by [the candidate for presidential nominee or by his] *a* state campaign committee *in support of a candidate for presidential nominee* shall be represented on the ballot by a group-heading favoring [a] *that* candidate for presidential nominee.

SEC. 3. Section 2305 is added to said code".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment

Assembly Bill No. 2192—An act to amend Sections 668.5, 669, 670, 671, 672, 672.5, 673, and 674 of, and to repeal Section 668 of, the Elections Code, relating to the publication of the list of precinct officers and polling places.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "668.5, 669, 670, 671, 672, 672.5, 673, and 674 of, and to repeal Section 668", and insert "668, 668.5, 669, and 673 of, and to repeal Sections 670, 671, 672, 672.5, and 674".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "668.5", and insert "668".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, between lines 2 and 3, insert

"668. Except in counties [of the first class] *adopting the procedure provided for in Section 669* the county clerk shall also publish the list of the names of the election officers appointed and the polling places designated for each election precinct in any daily or weekly newspaper of general circulation published in the county where the election is to be held, for two issues, the last publication to be at least one week before the day of the election.

SEC. 1.5. Section 668.5 of said code is amended to read:".

Amendment No. 4

On page 1, line 4, of the printed bill, after "Section", insert "668 or".

Amendment No. 5

On page 1, line 7, of the printed bill, after "669.", insert "The board of supervisors of any county may, in lieu of publishing the list of names of the election officers appointed and the polling places designated by the board of supervisors in the manner provided for in Section 668, by resolution, direct the county clerk to publish such list in the manner provided for in this section.

In any county in which the board of supervisors adopts such a resolution".

Amendment No. 6

On page 1 of the printed bill, strike out line 15; and in line 16, strike out "670."

Amendment No. 7

On page 1 of the printed bill, strike out line 24; and in line 25, strike out "671."

Amendment No. 8

On page 2 of the printed bill, strike out line 6; and in line 7, strike out "672."

Amendment No. 9

On page 2 of the printed bill, strike out line 15; and in line 16, strike out "672.5."

Amendment No. 10

On page 2 of the printed bill, strike out lines 24 and 25, and insert

"SEC. 3. Section 673 of said code is amended to read:

673. As used in Section 669 "territory" means and as used in that section".

Amendment No. 11

On page 2 of the printed bill, strike out line 40; and in line 41, strike out "674."

Amendment No. 12

On page 2, line 43, of the printed bill, after "designated", insert "in Section 669".

Amendment No. 13

On page 2 of the printed bill, strike out line 49, and insert

"SEC. 4. Sections 670, 671, 672, 672.5, and 674 of said code are hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 250—An act to amend Section 31526 of the Government Code, relating to retirement of county employees, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on January 27, 1949, strike out lines 12 to 19, inclusive, and insert "hour. If a member holds or held a full time position in the county service, and for reasons of economy or efficiency and not because of any fault of the member, such position heretofore was, or hereafter shall be reduced to a part time position, the duties of which require the performance of not less than 75 percent of the full standard of hours required in county service, the time served by such employee in such position shall be deemed to be service under this chapter. A member shall not receive credit for time served in such position prior to the effective date of the 1949 amendment to this section unless:

(1) Such member continues in county service after such effective date, and

(2) Prior to January 1, 1950, such member deposits with the retirement system the".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 378—An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, and 14525.1 to, and to amend Sections 14400, 14401, 14406, 14450.5, 14451, and 14510 of, the Health and Safety Code, relating to county fire prevention districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "14400,".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "14400", and insert "14401".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 9, inclusive.

Amendment No. 4

On page 2 of the printed bill, between lines 11 and 12, insert "However, if the city withdraws from the district, time served as an employee of the city fire department shall not thereafter be deemed to be district service in computing seniority credits in promotional examinations for the district or for layoff purposes."

Amendment No. 5

On page 2, line 46, of the printed bill, strike out "layoff", and insert "seniority".

Amendment No. 6

On page 3, line 2, of the printed bill, strike out "layoff list", and insert "seniority list. Persons laid off shall be eligible for reemployment and shall be reemployed in preference to new applicants in any district in the manner and for such period of time as may be prescribed by the rules of the civil service commission."

Amendment No. 7

On page 4 of the printed bill, strike out lines 26 and 27, and insert "service in the districts."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1941—An act to amend Sections 4740, 4741, and 4742 of the Health and Safety Code, relating to refuse collection and disposal by county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "4741", strike out "and", and insert a comma.

Amendment No. 2

In line 1 of the title of said bill, after "4742", insert ", 4744, 4760, and 4761".

Amendment No. 3

On page 1, line 8, of said bill, after "system", insert ", or both".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 28, insert

"SEC. 4. Section 4744 of said code is amended to read.

4744. It may sell, or otherwise dispose of, any water, sewage effluent, fertilizer, or other by-product resulting from the operation of a sewerage system, sewage disposal plant, *refuse disposal plant or process*, or treatment plant, and construct, maintain, and operate such pipe lines and other works as may be necessary for that purpose.

SEC. 5. Section 4748 of said code is amended to read:

4748. The district board shall, by resolution, employ one or more sanitation engineers to make a survey of the problems of the district concerning sanitation and especially with reference to the matter of sewage collection, treatment, and disposal. The resolution shall direct the engineer or engineers to prepare and file with the district board of the district a report setting forth:

(a) A general description of existing facilities for sewage collection, treatment, and disposal [.] , *or a general description of existing facilities for refuse collection, treatment and disposal, or both.*

(b) A general description of the work proposed to be done to carry out the objects of the district.

(c) A general plan and general specifications of the work.

(d) A general description of the property proposed to be acquired or damaged in carrying out the work.

(e) A map showing the boundaries of the district and in general the location of the work proposed to be done, property taken or damaged, and any other information useful to an understanding of the proposed work.

(f) An estimate of the cost of the proposed work.

SEC. 6. Section 4760 of said code is amended to read:

4760. The district board may, by agreement with any city or other public agency, take possession of or acquire by condemnation or in any other manner any sewerage system, or any sewage *or refuse* disposal or treatment plant, *or any combination of the foregoing* necessary or convenient to carry out any of the objects of the district, or may acquire by agreement or in any manner the right to use them, and any city or other public agency may enter into such an agreement with a county sanitation district.

A compliance with this chapter is sufficient to authorize such an agreement by either a county sanitation district, city, or other public agency entering into such a contract with a county sanitation district.

Whenever any sewerage *or refuse disposal* system, or sewage *or refuse* disposal or treatment plant so taken possession of or otherwise acquired was built from the proceeds of a bond issue, the district shall assume and pay out of its funds the outstanding bonds according to their terms, and the principal sum remaining unpaid shall be credited to it and deducted from any sum to be paid by it to the city or public agency.

Funds may be obtained by the county sanitation districts to pay the principal and interest on the assumed bonds in the manner as is provided for paying the principal and interest on its own bonds.

SEC. 7. Section 4761 of said code is amended to read:

4761. Any city or public agency in the district may enter into an agreement with the district for the use, or entire possession and operation, by the county sanitation district of any sewerage *or refuse disposal* system, or sewage *or refuse* disposal or treatment plant owned or operated by the city or public agency."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 569—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "six thousand dollars ($6,000)", and insert "nine thousand dollars ($9,000)".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, strike out "seven thousand two hundred dollars ($7,200)", and insert "ten thousand dollars ($10,000)".

Amendment No. 3

On page 1, line 17, of said bill, strike out "four thousand eight hundred dollars ($4,800)", and insert "four thousand two hundred dollars ($4,200)".

Amendment No. 4

On page 2 of said bill, after line 6, insert

"(e) The judges of the superior court, twelve thousand five hundred dollars ($12,500) a year.

(f) The county superintendent of schools, nine thousand dollars ($9,000) a year."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 570—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "seven thousand two hundred dollars ($7,200)", and insert "nine thousand dollars ($9,000)".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "seven thousand two hundred dollars ($7,200)", and insert "ten thousand dollars ($10,000)".

Amendment No. 3

On page 1, lines 17 and 18, of said bill, strike out "three thousand six hundred dollars ($3,600)", and insert "four thousand two hundred dollars ($4,200)".

Amendment No. 4

On page 2 of said bill, after line 6, insert

"(e) The judges of the superior court, twelve thousand five hundred dollars ($12,500) a year.

(f) The county superintendent of schools, nine thousand dollars ($9,000) a year"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2622—An act to amend Sections 2820, 5500, and 8702, and to add Sections 5906, 2932, and 6464 to the Streets and Highways Code, relating to special assessment and bond proceedings for financing the cost of sanitary sewers and other local improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 12 and 14, of the printed bill, strike out "5906", and insert "2906".

Amendment No. 2

On page 2 of the printed bill, strike out line 47, and insert "vided by the law pursuant to which the acquisition or improvement was done or is proposed to be done, if any such valid procedure is provided, and otherwise as provided by Sections".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of the printed bill, after line 24, insert

"SEC. 5. Section 6460 of said code is hereby amended to read as follows:

6460. Form of bond The bond shall be substantially in the following form:

Street Improvement Bond

Series (designating it), in the City (or County) of (naming it).

$_____ No _____

Under and by virtue of the Improvement Act of 1911 (Part 5 of Division 7 of the Streets and Highways Code), I, out of the fund for the above designated street improvement bonds, series _____, will pay to _____ or order, the sum of _____ dollars ($_____) with interest at the rate of _____ percent per annum, all as is hereinafter specified, and at the Office of the Treasurer of the _____ of _____, State of California.

This bond is issued to represent the cost of certain street work upon _____, in the _____ of _____, as the same is more fully described in assessment number _____ issued by the street superintendent of said _____, after the acceptance of said work, and recorded in his office. Its amount is the amount assessed in said assessment against the lot or parcel of land numbered therein, and in the diagram attached

thereto, as number _____, and which now remains unpaid, and constitutes a lien upon the property affected thereby, as the same is described herein and in said recorded assessment with its diagram, to wit: The lot or parcel of land in said _____ of _____, County of _____, State of California

This bond is payable exclusively from said fund, and neither the (here insert city or county) nor any officer thereof is to be holden for payment otherwise of its principal or interest. The term of this bond is _____ years from the second day of January next succeeding the next October 15th following its date, and at the expiration of said time the whole sum then unpaid shall be due and payable; but on the second day of January of each year, following the next October 15th after its date, an even annual proportion of its whole amount is due and payable, upon presentation of the coupon therefor, until the whole is paid, with all accrued interest at the rate of _____ percentum per annum.

The interest is payable semiannually, to wit: On the second days of January and of July in each year hereafter, upon presentation of the coupons therefor, hereto attached, the first of which is for the interest [from date] to the next second day of _____, and thereafter the interest coupons are for semiannual interest.

This bond may be redeemed by the owner or any person interested in any lot or parcel of land described herein, in the manner provided in said code, at any time before maturity, and before commencement of proceedings for sale, upon payment to the Treasurer, for the holder of this bond, of the amount then unpaid on the principal sum thereof, with interest thereon calculated up to the due date of the next maturing interest coupon, and all penalties accrued and unpaid.

Should default be made in the annual payment upon the principal, or in any payment of interest from the owner of said lot or parcel of land, or any one in his behalf, the holder of this bond is entitled to declare the whole unpaid amount to be due and payable, and to have said lot or parcel of land advertised and sold forthwith, in the manner provided by law; provided, however, that any bond may be reinstated after such default in the manner provided in said code In case of such default there shall be immediately added to such defaulted amount, 1 percent of the amount thereof, and on the first day of each month following such default there shall be added a further penalty of 1 percent of such defaulted amount. The 1 percent penalty first imposed and all subsequent penalties shall be paid to the holder of the bond along with and as a part of such defaulted payment.

At said _____ of _____, this _____ day of _____, in the year one thousand nine hundred and _____.

Treasurer of the _____ of _____.

SEC. 6. Section 6463 of said code is hereby amended to read as follows:

6463. The interest shall be payable semiannually, by coupon, on the second days of January and July, respectively, of each year after their date. The first interest coupon shall *be for interest from the date of filing the list of unpaid assessments and* the first interest coupon shall become due and payable on the second day of January next succeeding the October 15th or the second day of July next succeeding the April 15th, as the case may be, next following their date The rate of interest shall not exceed 6 percent per annum on all sums unpaid. However, bonds issued in place of bonds issued prior to August 27, 1937, may bear interest at a rate not exceeding 10 percent per annum on all sums unpaid."

Amendment No. 4

On page 2, line 25, of the printed bill, strike out "5", and insert "7".

Amendment No. 5

On page 2 of the printed bill, after line 34, insert

"SEC. 7. Section 6465 is hereby added to read as follows

6465. Said bonds may be made payable to the contractor or to his last assignee as shown by the assignment filed with and approved by the superintendent of streets. Said bonds may also be made payable to bearer in which case the words "or order" may be deleted."

Amendment No. 6

On page 2, line 35, of the printed bill, strike out "6", and insert "8".

Amendment No. 7

On page 2, line 50, of the printed bill, strike out "7", and insert "9".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2624—An act to amend the title and Sections 1a, 1b, 5, 15, and 19, the repeal of Sections 1c and 3a, and to add Sections 2a, 2b, 4a, 5a, 8a, 18a, 18b, 18c, and 18d, to the Municipal Improvement Act of 1913, relating to the acquisition or construction of sanitary sewers and other local improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13, 14, and 15, and insert "providing that such proceedings shall be subject to the Special Assessment Investigation, Limitation and Majority Protest Act of 1931, and for the formation and government of county main-".

Amendment No. 2

On page 2 of the printed bill, after line 41, insert

"SEC. 4a. Section 1c of said act is amended to read as follows:

SEC. 1c The Special Assessment Investigation, Limitation and Majority Protest Act of 1931 shall apply."

Amendment No. 3

On page 6, line 2, of the printed bill, strike out "provisions", and insert "applicable provisions of Sections 14, 15, 16, 17, 20, 21, 22, 24, 25, 26, 27, and 28."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government

Assembly Bill No. 1274—An act relating to the acquisition and construction of property for public airports.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 15, of the printed bill, after "prescribe.", insert "The county, city, or city and county exercising such power shall, in addition to the damage for the taking of such airspace, also pay the cost of removal and relocation of any private structures, railways, mains, pipes, conduits, wires, cables, poles or any other structure or equipment of public service corporations which are required to be moved to a new location."

Amendment No. 2

On page 2, line 1, of said bill, after "ceedings", strike out the period, and insert a semicolon and "provided, that such owner shall, in addition to the damage for the taking of such airspace, also pay the cost of removal and relocation of any private structures, railways, mains, pipes, conduits, wires, cables, poles or any other structure or equipment of public service corporations which are required to be moved to a new location."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 542—An act to establish a Capitol Planning Commission, prescribing its organization, powers and duties, transferring to the commission certain functions of the Department of Finance, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 3 of the printed bill, strike out lines 5, 6, and 7.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 545—An act adding Section 10505.5 to the Water Code, relating to release of priority to, or assignment of, appropriated water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 4, of the printed bill, after "will", insert ", in the judgment of the Department of Finance,".

Amendment No. 2

On page 1, line 7, of said bill, strike out "reasonably".

Amendment No. 3

On page 1, line 8, of said bill, strike out "present or future".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 785—An act to add Section 10004 to the Water Code, relating to water development projects.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "no water shall be taken", and insert "a watershed or area wherein water originates, or an area immediately adjacent thereto which can conveniently be supplied with water therefrom, shall not be deprived directly or indirectly of the prior right to all of the water reasonably required to adequately supply the beneficial needs of the watershed, area, or any of the inhabitants or property owners therein."

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 956—An act to amend Sections 14479, 14521, 14601, 14631, 14635, 14636, and 14640 of, and to add Article 10.1 to, Chapter 14 of Division 7 of, the Education Code, relating to State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "14267,".

Amendment No. 2

In line 1 of the title of said bill, after "14601", insert "14606,".

Amendment No. 3

In line 1 of the title of said bill, after "14631,", insert "14632,".

Amendment No. 4

In line 2 of the title of said bill, after "14636,", insert "14637".

Amendment No. 5

In line 2 of the title of said bill, after "of,", insert "to repeal Section 14608 of,".

Amendment No. 6

On page 1, line 1, of said bill, strike out "14479", and insert "14267".

Amendment No. 7

On page 1 of said bill, following line 2, insert

"14267. "Retirement allowance" means the sum of the "annuity," [or any optional benefit payable in lieu thereof,] and the "retirement salary", *or any optional benefit payable in lieu thereof.*

SEC. 1.1. Section 14479 of said code is amended to read:".

Amendment No. 8

On page 2, line 3, of the printed bill, after "death", insert "on account of which a death benefit is payable".

Amendment No. 9

On page 2, line 26, of said bill, after "date," insert "and within four months after the termination of the member's employment in a status requisite for membership in this Retirement System, or while the member was physically or mentally incapacitated for performance of his duty, if such incapacity had been continuous from said termination,".

Amendment No. 10

On page 2, line 38, of said bill, and after "State," insert "and payable from the Retirement Annuity Fund,".

Amendment No. 11

On page 3 of said bill, following line 5, insert

"SEC. 4.1. Section 14606 of said code is amended to read:

14606. Application for retirement may be made at any time, unless the last day of service was rendered prior to [October 1, 1947,] *July 1, 1935*, in which case such application shall be made [within two years after the last day of service or at any time during a leave of absence (which for the purpose of this section shall be considered as including time of regular employment immediately following the termination of such leave, during which the performance of duties is not required) or renewal thereof if the persons left service on such leave of absence duly granted by a governing board of a school district or other authority employing him, or within six months after the appointment of a guardian of a member whose right to apply for retirement has otherwise lapsed, and who is determined to the satisfaction of the Retirement Board to have been mentally incompetent at the time of lapsing.] *only after additional service in a status requisite for membership, of not less than two years.*

SEC. 4.2. Section 14608 of said code is repealed."

Amendment No. 12

On page 3, line 26, of said bill, after "from", insert "a local retirement system. Contributions and interest thereon owed to the system by said persons on said effective date, shall be deducted from the respective increased allowances, in the manner prescribed in Section".

Amendment No. 13

On page 3 of said bill, following line 31, insert

"SEC. 5.1. Section 14632 of said code is amended to read:

14632. Upon retirement for service, a retired member shall receive a retirement allowance which shall consist of:

(a) Subject to the next sentence, a retirement salary derived from the Permanent Fund, payable monthly in an amount which bears the same ratio to fifty dollars ($50) as the number of years of service credited, not to exceed 30 years, bears to 30 years. If retirement is at an age less than [63] *60* years and with credit for less than 30 years of service, a member shall receive a retirement salary actuarially equivalent to the value at the lesser age of the retirement salary calculated under the preceding sentence, on the basis of service credited at the effective date of retirement, deferred to the age of [63] *60* years. The retirement salary shall be subject to the deductions provided in Section 14476, if the member is not credited at the time of retirement with the total Permanent Fund contributions required of each member.

(b) A retirement annuity derived from the Retirement Annuity Fund based upon the salary earned by him in service rendered by him after July 1, 1944, not counting so much of such salary as exceeds three thousand dollars ($3,000) for each school year prior to July 1, 1947, and five thousand dollars ($5,000) for each school year after June 30, 1947, and not counting any salary earned in service for which he is entitled to receive retirement benefits under a local retirement system, computed pursuant to Section 14635.

(c) A retirement annuity derived from the Retirement Annuity Fund based upon the number of years of credited service rendered by him prior to July 1, 1944, less any service for which he is entitled to receive retirement benefits under a local retirement system, computed pursuant to Section 14636.

(d) An annuity which shall be the actuarial equivalent of the accumulated annuity deposits standing to the credit of his individual account at the time of his retirement."

Amendment No. 14

On page 3, line 33, of said bill, strike out "63", and insert "60".

Amendment No. 15

On page 3, line 43, of said bill, strike out "sixty", and insert "60".

Amendment No. 16

On page 4, line 2, of said bill, strike out "63", and insert "60".

Amendment No. 17

On page 4, line 6, of said bill, strike out "63", and insert "60".

Amendment No. 18

On page 4, line 7, of said bill, strike out "63", and insert "60

SEC. 7.1. Section 14637 of said code is amended to read.

14637 Before the first payment on account of his retirement allowance is made, any member who retires may elect to receive the actuarial equivalent as of the date of retirement, of the [annuities] *retirement allowance* payable to him in a reduced [annuity] *retirement allowance*, payable throughout life with the provision that:

Option 1. If he dies before he has received in [annuity] payments provided by his [accumulated annuity] *total* contributions *(which for the purposes of this section, shall include only his accumulated annuity contributions, his accumulated annuity deposits and his Permanent Fund contributions based on service after June 30, 1944 and interest credited thereon)*, [plus his accumulated annuity deposits] the amount of such *total* contributions [and deposits] as it was at the time of his retirement, the balance of such [accumulated annuity] *total* contributions [and accumulated annuity deposits] shall be paid to his estate or to such person as he has nominated by written designation duly executed and filed with the board; or

Option 2. Upon his death, his reduced [annuity] *retirement allowance* shall be continued throughout the life of and paid to such person as he has nominated by written designation duly executed and filed with the board at the time of his election; or

Option 3. Upon his death, one-half of his reduced [annuity] *retirement allowance* shall be continued throughout the life of, and paid to such person as he has

nominated by written designation duly executed and filed with the board at the time of his election.

He may revoke or change any previous election prior to its approval."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 972—An act to add Section 3822.1 to the Education Code, relating to the inclusion of certain elementary school districts in high school districts or in unified districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 3822.1", and insert "Sections 3822.1 and 3822.2".

Amendment No. 2

On page 1, line 6, of said bill, after "committee", insert "provided by Chapter 16 of this division, or of the county board of education if there be no county committee,".

Amendment No. 3

On page 1, line 9, of said bill, strike out "attached", and insert "annexed".

Amendment No. 4

On page 1, line 24, of said bill, strike out "of the county committee".

Amendment No. 5

On page 2, line 6, of said bill, strike out "of the county committee"

Amendment No. 6

On page 2, line 6, of said bill, after the second "the", insert "county".

Amendment No. 7

On page 2, line 6, of said bill, after "committee", insert "or county board of education, as the case may be,".

Amendment No. 8

On page 2, line 13, of said bill, after "committee", insert "or county board of education, as the case may be,".

Amendment No. 9

On page 2, line 16, of said bill, strike out "attached.", and insert "annexed.

SEC. 2. Section 3822.2 is added to said code, to read

3822.2. The governing board of a unified school district established under this chapter may discontinue an elementary school only if a petition is filed with said governing board requesting the discontinuance of the school signed by at least two-thirds of the parents or guardians of pupils residing within the boundaries of the component elementary school district which maintained the school prior to the establishment of the unified school district and attending elementary school in the unified school district as shown by elementary school registers of the unified school district for the year in which the petition is filed. If a school is discontinued as herein provided, the governing board of the unified school district may maintain the building for community and civic center and other lawful purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 2122—An act to amend Sections 3492, 3593, 3594, 3595, 3597, 3598, 3662, 3663, and 3665 of; to add Sections 3593.1, 3593.2, 3594.1, 3661.2, and 3661.3 to; and to repeal Sections 3599 and 3660 of, the Education Code, all relating to high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2 of the printed bill, beginning in line 15, strike out "governing board of the high school district affected by the petition", and insert "State Board of Education".

Amendment No. 2

On page 2 of said bill, beginning in line 17, strike out "governing".

Amendment No. 3

On page 2, line 43, of said bill, strike out "governing board of the high school district", and insert "State Board of Education".

Amendment No. 4

On page 3 of said bill, beginning in line 18, strike out "governing board of the high school district affected by the petition", and insert "State Board of Education".

Amendment No. 5

On page 3 of said bill, beginning in line 20, strike out "governing".

Amendment No. 6

On page 3, line 46, of said bill, strike out "petitioning".

Amendment No. 7

On page 3, line 47, of said bill, strike out "governing board of the high school district", and insert "State Board of Education".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Sections 75 and 76 of the Unemployment Insurance Act, relating to the salaries of state officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "and".

Amendment No. 2

In line 4 of the title of said bill, following the comma, insert "and Section 151 of the Business and Professions Code,"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, following line 43, insert

"SEC. 8. Section 151 of the Business and Professions Code is amended to read:

151. The director is appointed by the Governor and holds office at the Governor's pleasure. He shall receive a salary of [ten] *twelve* thousand dollars [($10,000)] *($12,000)* per annum, and his necessary traveling expenses. He shall execute and furnish to the State of California an official bond in the sum of twenty-five thousand dollars ($25,000) conditioned upon the faithful performance of his duties."

Amendment No. 4

In lines 5 and 6 of the title of the printed bill, strike out "the salaries of".

Amendment No. 5

On page 2, line 6, of said bill, strike out "romoved", and insert "removed".

Amendment No. 6

On page 2, line 13, of said bill, strike out "twelve thousand", and insert "thirteen thousand five hundred"

Amendment No. 7

On page 2, line 14, of said bill, strike out "($12,000)", and insert "($13,500)".

Amendment No. 8

On page 2, line 19, of said bill, after the comma, insert "except that the first director appointed after the effective date of this section shall hold office for four years."

Amendment No. 9

On page 2, line 19, of said bill, strike out "and", and insert "The director".

Amendment No. 10

On page 2, line 20, of said bill, strike out "twelve", and insert "fifteen".

Amendment No. 11

On page 2, line 20, of said bill, strike out "($12,000)", and insert "($15,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 983—An act authorizing the Director of Finance, with the approval of the Director of the Department of Mental Hygiene, successor in interest of Norwalk State Hospital, to exchange certain lands with the Atchison, Topeka and Santa Fe Railway Company, a corporation, in the County of Los Angeles, State of California.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9, 10, and 11, and insert "fornia, being a portion of the south half of the northwest quarter of Section 8, Township 3 South, Range 11 West, S. B. B. & M., and being more particularly described as follows:

Parcel No. 1:

A strip of land 25.00 feet in width by 706 feet in average length, lying between lines which are concentric with and distant 12.50 feet on each side of the following described center line:

Beginning at a point in the center line of the most westerly main track of The Atchison, Topeka and Santa Fe Railway Company, being a point in a line which is parallel with and distant 14.00 feet westerly at right angles from the center line of said railway company's 100 foot wide right of way, as described in deed recorded December 2, 1887, in Book 350, page 99, of Deeds, records of Los Angeles County, distant northerly along said parallel line 645.58 feet from the south line of said northwest quarter of Section 8; thence southerly along the arc of a curve, tangent to said parallel line, concave westerly and having a radius of 942.29 feet, through a central angle of 6 degrees 48 minutes, a distance of 111.83 feet; thence southwesterly, compounding along the arc of a curve, concave northwesterly and having a radius of 573.686 feet, through a central angle of 83 degrees 21 minutes a distance of 834.56 feet to point of ending.

Excepting from the above described strip of land all that portion thereof which lies within the area described in said deed recorded in Book 350, page 99 of Deeds.

Said strip contains a net area of 0.405 of an acre, more or less.

Parcel No. 2:

A strip of land 25 feet in width by approximately 150 feet in average length, being all that portion of the south half of the northwest quarter of said Section 8 which lies between lines that are concentric or parallel with and distant 12.50 feet on each side of the following described center line:

Commencing at a point in the center line of the most westerly main track of said railway company, being a point in a line which is parallel with and distant 14.00 feet westerly at right angles from the center line of said railway company's 100-foot-wide right of way, as described in deed recorded December 2, 1887, in Book 350, page 99 of Deeds, records of Los Angeles County, distant northerly along said parallel line 645.58 feet from the south line of said northwest quarter of Section 8; thence southerly along the arc of a curve, tangent to said parallel line and having a radius of 942.29 feet, through a central angle of 6 degrees 48 minutes a distance of 111.83 feet; thence southwesterly, compounding along the arc of a curve, concave northwesterly and having a radius of 573.686 feet, through an angle of 36 degrees 00 minutes 00 seconds a distance of 360.46 feet to the true point of beginning for the center line to be described; thence southwesterly, compounding along the arc of a curve, concave northwesterly and having a radius of 11459.2 feet, through a central angle of 0 degrees 22 minutes 30 seconds, a distance of 75.00 feet; thence southwesterly tangent to last said curve, a distance of 25.01 feet; thence southwesterly along the arc of a curve, tangent to last course, concave southeasterly and having a radius of 573.686 feet, a distance of 168.5 feet more or less to point of ending in the southerly line of the northwest quarter of said Section 8.

The side lines of said strip being lengthened or shortened along their respective courses to terminate in the southerly line of said northwest quarter of Section 8.

Excepting therefrom, all that portion thereof which lies within the above described Parcel No. 1.

Said strip contains a net area of 0.09 of an acre, more or less.

Reserving unto the State, its successors and assigns, the right of ingress and egress over Parcel No. 2 to and from the adjoining land of the State on each side thereof, provided, however, that the exercise of such right shall not unreasonably interfere with Santa Fe's use of said parcel for railroad purposes."

Amendment No. 2

On page 1, line 14, of the printed bill, strike out "alongside", and insert "adjacent to".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

SECOND READING OF SENATE BILLS

Senate Bill No. 43—An act to amend Section 27380 of the Government Code, relating to filing fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 79—An act to amend Section 27640 of the Government Code, relating to the appointment of county counsels in counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 195—An act to amend Section 28127 of the Government Code, relating to compensation for public service in counties of the twenty-seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 299—An act to amend the title of, and to add Section 4 to, "An act making an appropriation to the Regents of the University of California for establishing and operating an institute of transportation and traffic engineering," approved July 19, 1947, relating to the expenses of certain state, county, city and county, city or district officers and employees attending and participating in meetings of such institute

Bill read second time, and ordered to third reading.

Senate Bill No. 273—An act to amend Section 28114 of the Government Code, relating to compensation of county officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 471—An act to amend Section 28135 of the Government Code, relating to compensation for public service in counties of the thirty-fifth class

Bill read second time, and ordered to third reading.

Senate Bill No. 750—An act to add Title 4 and Sections 500041 to 500045, inclusive, to the Government Code, to consolidate and revise the law, relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of acts specified therein.

Bill read second time, and ordered to third reading

Senate Bill No. 753—An act to amend Section 29741 of the Government Code, relating to the audit and allowance of claims against counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 765—An act to add Title 5 and Sections 500046 and 500047 to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of acts specified therein.

Bill read second time, and ordered to third reading

Senate Bill No. 766—An act to add Section 1226 to the Government Code, and to repeal an act entitled "An act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed by conflagration or other public calamity," approved June 16, 1906 (Chapter 53 of the Statutes of the Extra Session of 1906), relating to the issuance of duplicate certificates, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 767—An act to add Article 6.5, comprising Sections 1170 to 1176, inclusive, to Chapter 1, Division 4 of Title 1 of the Government Code, and to repeal an act entitled "An act to authorize public agencies to withhold amounts from salaries and wages, paid by

public agencies and to comply with provisions of internal revenue laws of the United States, declaring the urgency of this act, to take effect immediately" approved February 10, 1943 (Chapter 48 of the Statutes of 1943), relating to withholding taxes from wages, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 768—An act to add Chapter 5, comprising Sections 6500 to 6547, inclusive, to Division 7 of Title 1 of the Government Code, and to repeal an act entitled "An act providing for the joint exercise of powers by counties, by municipalities, or by municipalities and counties," approved May 20, 1921 (Chapter 363 of the Statutes of 1921), and an act entitled "An act authorizing certain indebtedness to be incurred in connection with joint exercise of powers by public agencies," approved July 2, 1947 (Chapter 1044 of the Statutes of 1947), relating to the joint exercise of powers by cities and counties and the incurring of indebtedness therefor, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 1512—An act to amend Section 28139 of the Government Code, relating to compensation for public service.

Bill read second time, and ordered to third reading.

Senate Bill No. 24—An act to add Sections 9105 and 9106 to the Government Code, relating to the State Capitol Building, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 601—An act to add Sections 170, 171, and 172 to the Government Code, relating to the boundary of the State of California along the Pacific Coast and to the inland waters of California in coastal areas, giving greater precision thereto by declaring the lines thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 895—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 737ee of the Political Code".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "two thousand four hundred dollars ($2,400)", and insert "three thousand dollars ($3,000)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 15, insert

"SEC. 2. Section 737ee of the Political Code is amended to read:

737ee. The annual salary of the Judge of the Superior Court in and for the County of Placer is [eight] *eleven* thousand dollars [($8,000)] *($11,000)*."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1484.—An act to amend Sections 12440 and 16002 of the Government Code, relating to presentation of claims against the State and drawing warrants therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "12410,".

Amendment No. 2

In line 2 of the title of said bill, after "presentation", insert "and audit".

Amendment No. 3

On page 1, line 1, of said bill, strike out "12440", and insert "12410".

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"12410. The Controller shall superintend the fiscal concerns of the State. The Controller shall audit all claims against the State, and may audit the disbursement of any state money, for correctness, legality, and for sufficient provisions of law for payment. Whenever, in his opinion, the audit provided for by Chapter 1, Part 1, Division 4 of Title 2 of this code is not adequate, the Controller may make such field or other audit of any claim or disbursement of state money as may be appropriate to such determination.

SEC. 3. Section 12440 of the Government Code is amended to read:".

Amendment No. 5

On page 1, line 9, of said bill, strike out the first "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 430

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 430, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 430

Assembly Bill No. 430—An act to add Section 17087 to the Business and Professions Code, relating to power of Attorney General and district attorneys, or any of them, to file injunction actions in enforcement of the Unfair Practices Act.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "and", and insert "or".

Amendment No. 2

On page 1, line 4, of said bill, strike out the comma, and insert "and".

Amendment No. 3

On page 1, line 5, of said bill, strike out "and carry to final judgment".

Amendment No. 4

On page 1, line 9, of said bill, strike out "must", and insert "shall".

Amendment No. 5

On page 1, line 10, of said bill, strike out "diligently carry to final judgment", and insert "take such proceedings as he may consider advisable by and in".

Amendment No. 6

On page 1 of said bill, strike out lines 11 to 15, inclusive, and insert "actions whenever evidence has been presented to him which, in his opinion, results in a violation of this chapter in the county under the jurisdiction of such district attorney."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 384

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 384, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 384

Assembly Bill No. 384—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read third time.

Amendments found not in order, and bill temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 932 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Bill No. 932 be withdrawn from the file, and be re-referred to the Committee on Crime and Correction.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 109, on request of Messrs. Waters and Sherwin.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1456 WAIVED

Mr. McCarthy waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1456 was passed.

Notice of Motion to Reconsider Amendments to Assembly Bill No. 1456 Waived

Mr. McCarthy waived his notice of motion to reconsider the vote whereby the amendments offered by Mr. George D. Collins to Assembly Bill No. 1456 were refused adoption.

RECONSIDERATION OF ASSEMBLY BILL NO. 1456

Mr George D. Collins moved that the vote whereby Assembly Bill No. 1456 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1456 reconsidered by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hinckley, Kilpatrick, Kirkwood, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Smith, Thomas, Thompson, Way, and Weber—43.

NOES—Burke, Butters, Caldecott, Clarke, Conrad, Cramer, Crichton, Dunn, Erwin, Hagen, Morris, Reagan, Sherwin, Stewart, Tomlinson, and Waters—16.

Motion to Reconsider Amendments Offered by Mr. George D. Collins to Assembly Bill No. 1456

Mr. George D Collins moved that the vote whereby his amendments to Assembly Bill No. 1456 were refused adoption be reconsidered.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. George D. Collins has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the reconsideration of the amendments offered by Mr. George D. Collins to Assembly Bill No. 1456.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. George D Collins moved a call of the Assembly.

Motion carried. Time, 10.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Ralph C. Dills, Geddes, Hinckley, Lewis, Morris, and Silliman—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Speaker Pro Tempore Presiding

At 11.02 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1¼a to Article XIII of said Constitution, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60

NOES—Sherwin—1.

Resolution ordered transmitted to the Senate.

Speaker Presiding

At 11.05 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Constitutional Amendment No. 76—A resolution to propose to the people of the State of California an amendment to Section 23 of Article IV of the Constitution of the State of California, relating to compensation of the Members of the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—67.

NOES—Luckel—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3 BE PASSED ON FILE AND HOLD ITS PLACE ON FILE

Mr. Collier asked for, and was granted, unanimous consent that Assembly Bill No. 3 be passed on file, and that it hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1662—An act to amend Sections 6852, 6855, 6857, 6862, 6864, 6865, 6866, 6876, 6877, 6878, 6880, 6885, 6889, 6890, 6895, 6897, 6898, 6902, 6906, 6907, 6908, 6909, 6910, 6911, 6912, 6913,

6914, 6915, 6916, 6922, 6923, 6925, 6926, 6930, 6950, and to add Sections 6858, 6931, 6947, 6948, and to renumber Sections 6939 and 6940 of the Business and Professions Code, relating to the regulation and licensing of collection agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1670—An act to add Article 4, comprising Sections 16390 to 16395, inclusive, to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to the payment of compensation to state officers and employees, creating the State Pay Roll Revolving Fund, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 25, 1949, strike out "16395," and insert "16396,".

Amendment No. 2

On page 1, line 1, of said bill, strike out "16395," and insert "16396,".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2030—An act to add Section 13926 to the Government Code, relating to powers of the State Board of Control.

Bill read third time, and ordered passed on file until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2841

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2841, out of order, for reasons of urgency, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2841

Assembly Bill No. 2841—An act to add Section 11f to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Weber, and Mrs. Speaker—65.
NOES—Heisinger—1.

The roll was called and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Weber, and Mrs. Speaker—65.
NOES—Heisinger—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3114

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3114, out of order, for reasons of urgency, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3114

Assembly Bill No. 3114—An act to amend Section 5 of, and to add Section 24.5 to, the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—67
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Mr Speaker—67.
NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 3114

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly No. 3114 was this day passed.

Notice of Motion to Reconsider Assembly Bill No. 3114 Waived

Mr. Beck waived his notice of motion to reconsider the vote whereby Assembly Bill No 3114 was this day passed

Assembly Bill No. 3114 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 1456

At 12 m., on motion of Mr. George D. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of the amendments offered by Mr. George D. Collins to Assembly Bill No. 1456 refused by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Clayton A. Dills, Ralph C Dills, Doyle, Elliott, Evans, Gaffney, Hahn, Hawkins, Kilpatrick, Lowrey, Maloney, McCarthy, McMillan, Meyers, Rosenthal, Thomas, and Way—31.

NOES—Babbage, Brown, Burke, Butters, Caldecott, Clarke, Conrad, Cramer, Crichton, Dickey, Dolwig, Dunn, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCollister, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, and Weber—41.

Further Consideration of Assembly Bill No. 1456

Assembly Bill No. 1456—An act to add Section 1513.2 to, and to amend Section 3812 of, the Elections Code, relating to measures submitted to the voters of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Weber, and Mr. Speaker—60.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 270	Assembly Bill No. 770
Assembly Bill No 375	Assembly Bill No. 771
Assembly Bill No. 509	Assembly Bill No. 772
Assembly Bill No. 581	Assembly Bill No. 2212

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 1365 re-referred to Committee on Judiciary.

MEMBERS EXCUSED

At 12.04 p m., Mr. Burke asked for, and was granted, unanimous consent that Messrs. Hinckley, Morris, and Tomlinson be excused, for the balance of the legislative day, as they are attending to legislative business elsewhere.

Speaker Pro Tempore Presiding

At 12.05 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2399—An act to amend Section 28133 of the Government Code and Section 737ee of the Political Code, relating to compensation for public services in counties of the thirty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Waters, and Weber—57.

NOES—George D. Collins—1.

Motion to Amend Title

Mr. Lindsay moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on March 25, 1949, strike out "in counties of the thirty-third class", and insert a period.

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 36—An act to amend Section 595 of the Vehicle Code, relating to unattended motor vehicles.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crichton moved a call of the Assembly.

Motion carried. Time, 12.13 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Caldecott, Ralph C. Dills, Dolwig, Dunn, Grunsky, Hagen, Hawkins, Holibaugh, Lewis, Lipscomb, Sherwin, and Silliman—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 621—An act to amend Sections 552, 553, and 554 of the Vehicle Code, relating to pedestrians and the operation of vehicles on highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, and Weber—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 622—An act to amend Sections 560.1, 560.5, 562, and 564.1 of the Vehicle Code, relating to pedestrians on highways.

Bill read third time, and ordered passed on file.

Assembly Bill No. 628—An act to amend Section 600 of the Vehicle Code, relating to throwing lighted substance from or upon a highway.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, and Weber—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 640—An act to amend Sections 1, 2, and 3 of an act to regulate the caravaning of vehicles upon the public highways of this State, defining the term caravaning and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposing of such fees and imposing penalties for violation thereof, approved July 1, 1937, relating to the definitions of the terms employed therein.

Bill read third time, and ordered passed on file temporarily.

Assembly Bill No. 658—An act to amend Section 589.5 of, and to add Section 589.7 to, the Vehicle Code, relating to parking regulations by local authorities, including cities and counties and the enforcement thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hoffman, Hollibaugh, Kirkwood, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, and Way—44.

NOES—Anderson, Brady, Cooke, Davis, Ralph C. Dills, Elliott, Evans, Fletcher, Geddes, Hahn, Heisinger, Kilpatrick, Levering, Lipscomb, Lowrey, Reagan, and Weber—17.

Notice of Motion to Reconsider Assembly Bill No. 658

Mr. Ralph C. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 658 was this day passed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 36

At 12.43 p.m., on motion of Mr. Crichton, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 36 passed by the following vote:

AYES—Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Dickey, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Kilpatrick, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Silliman, Stewart, Thomas, Thompson, Waters, and Weber—43.

NOES—Anderson, Babbage, Beck, Bennett, Burkhalter, Collier, Condon, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Elliott, Evans, Geddes, Hahn, Kirkwood, Levering, Lowrey, Reagan, Rosenthal, Rumford, Sherwin, Smith, and Way—24.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney, Meyers, Maloney, Berry, George D. Collins, McCarthy, Connolly, and Ralph C. Dills:

House Resolution No. 149

Congratulating Bernard and Margaret Brady upon the birth of a daughter

WHEREAS, The joyful news that the family of Bernard and Margaret Brady has a new arrival, Catherine, born at 4:45 p.m. on March 29, 1949, and weighing eight pounds; and

WHEREAS, In addition to the joy of the devoted parents, there was happiness upon the arrival of this lovely baby girl, also an affectionate welcome, from her brothers Bernard, Gerald, and Peter, and her sister Mary Anne; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly most heartily congratulate their colleague and Mrs. Brady upon this happy event, and extend best wishes to little Miss Catherine Brady; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman and Mrs. Bernard R. Brady.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No 149, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 622 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Grant asked for, and was granted, unanimous consent that Assembly Bill No. 622 be withdrawn from the file, and be re-referred to the Committee on Transportation and Commerce.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 66: By Mr. Elliott—Relative to requesting the State Board of Bar Examiners to continue semiannual examinations for applicants to practice law.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 206
Senate Bill No. 232
Senate Bill No. 371
Senate Bill No. 454
Senate Bill No. 458
Senate Bill No. 550
Senate Bill No. 552
Senate Bill No. 682
Senate Bill No. 824
Senate Bill No. 855
Senate Bill No. 970
Senate Bill No. 971
Senate Bill No. 976
Senate Bill No. 996
Senate Bill No. 1264
Senate Bill No. 1327
Senate Bill No. 1468

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 206—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 232—An act to amend Section 9 of the Dangerous Weapons Control Law, relating to dealer's registers.

Referred to Committee on Judiciary.

Senate Bill No. 371—An act to add Section 10953.95 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 454—An act to amend Section 5392 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 458—An act to amend Section 5003 and the article heading of Article 5 of Chapter 1 of Title 1 of Part 3 of the Penal Code, and to add Article 6, comprising Sections 2046 to 2046.6, to Chapter 1 of Title 1 of Part 3 thereof, relating to institutions subject to the jurisdiction of the Department of Corrections, providing for the establishment of the Southern California Medium Security Prison and for the commitment and transfer of persons thereto and therefrom.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 550—An act to amend Section 28152 of the Government Code, relating to compensation for public services in counties of the fifty-second class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 552—An act to add Section 25562 to the Government Code, relating to county participation in centennial celebrations, declaring the urgency thereof and providing that this act shall take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 682—An act to amend Section 2559.5 and to add Sections 2600.5 and 2603 to the Health and Safety Code, relating to the control of tuberculosis and providing penalties for the violation thereof.

Referred to Committee on Public Health.

Senate Bill No. 824—An act to amend and renumber Section 1703 of, to add Section 1703 to, to amend Sections 1705.2, 1706.85, 1706. and 1706.95 of, and to repeal Section 1703.5 of, the Insurance Code, relating to life agents' licenses.

Referred to Committee on Finance and Insurance.

Senate Bill No. 855—An act to amend Section 28113 of the Government Code, relating to compensation for public service in counties of the thirteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 970—An act to add Section 22.5 and 23.5 to the Insurance Code, relating to the definition of insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 971—An act to amend Sections 700.01, 700.02, and 1594 of the Insurance Code, to renumber and amend Section 1584 of said code, to repeal Section 1582 of said code, and to add Section 700.05 to said code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 976—An act to add Article 4, comprising Sections 1610 to 1619, inclusive, to Chapter 4, Part 2, Division 1 of the Insurance Code, relating to actions in this State against nonadmitted insurers.

Referred to Committee on Finance and Insurance.

Senate Bill No. 996—An act to amend Section 108 of the Civil Code, relating to divorce actions on grounds of insanity.

Referred to Committee on Judiciary.

Senate Bill No. 1264—An act to amend Section 1013 of the Code of Civil Procedure, relating to service by mail.

Referred to Committee on Judiciary.

Senate Bill No. 1327—An act to amend Section 1094.5 of the Code of Civil Procedure, relating to the review of administrative orders or decisions.

Referred to Committee on Judiciary.

Senate Bill No. 1468—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Referred to Committee on Judiciary

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE PRINTED AS SEPARATE DOCUMENTS

Mr. Dickey asked for, and was granted, unanimous consent that the Majority and Minority Reports of the Joint Legislative Committee on Lending Transactions be ordered printed as a separate document, in 10-point type, and that 500 copies be printed.

Mr. Dickey asked for, and was granted, unanimous consent that the Majority and Minority Reports of the Investigation Into the Control of Smog made by the Assembly Interim Committee on Governmental Efficiency and Economy, be ordered printed as a separate document, in 10-point type, and that 500 copies be printed; and that the letter of transmittal, which accompanied the report, be ordered printed in the Journal as follows:

LETTER OF TRANSMITTAL
ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY
CALIFORNIA LEGISLATURE

ALBERT I. STEWART, Chairman

ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

CALIFORNIA LEGISLATURE, April 1, 1949

Pursuant to the instructions contained in House Resolution No. 22 of the 1949 Regular Legislative Session, your Interim Committee on Governmental Efficiency and Economy conducted an investigation to ascertain, study and analyze all the facts relating to smog.

Having concluded its public hearing and having carefully studied and analyzed the evidence and the record before it, the committee hereby submits its majority report and recommendations to the Assembly.

A. I. STEWART, Chairman
LAUGHLIN E. WATERS, Vice Chairman
CHARLES J. CONRAD
LESTER A. MCMILLAN
JOHN W. EVANS

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2582
Assembly Bill No. 2599

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2582 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2599 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1101

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 919
Assembly Bill No. 1281
Assembly Bill No. 1564
Assembly Bill No 2666
Assembly Bill No. 2762
Assembly Bill No. 2765

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 919 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 1281 ordered re-referred to Committee on Fish and Game.

Assembly Bill No 1564 ordered re-referred to Committee on Livestock and Dairies.

Assembly Bill No. 2666 ordered re-referred to Committee on Livestock and Dairies.

Assembly Bill No. 2762 ordered re-referred to Committee on Public Health.

Assembly Bill No. 2765 ordered re-referred to Committee on Judiciary.

GUESTS EXTENDED USUAL COURTESIES OF ASSEMBLY

On request of Speaker Collins and Mr Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. L. Wallace Hopkins of Los Angeles.

On request of Messrs. Levering and Huyck, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Leo Herchfield, Mrs. Morton Garbus, and Mrs. Armin Wittenberg of Beverly Hills and Los Angeles.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to S K. Boordman of Monterey Park, and R. B. Boordman of Oakland.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. L. Wallace Hopkins of Hollywood.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to William Peck of San Francisco, Nels Elmose of San Francisco, and Stanley Henderson of Berkeley.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Louise Orcutt, teacher of the Calaveras School, and the following pupils: Gerald McGary, Richard Brown, Elaine Pezzi, Leanne Pezzi, Joan De Vincenzi, Joe Serrao, Ursula Mazzuca, Ann De Vincenzi, Darlyene Bronke, Steve Trucco, Catherine Freggiaro, Joe Mazzuca, Janice Bronke, Dean Swanson, James Fernandez, Anna Mazzuca, Lupe Fernandez, and Sharon Ann Rossi.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Francine Dunn, Bruce Bearden, and Don Arne of Oakland.

On request of Messrs. Levering, Huyck, Maloney, Dolwig, and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to the following Members of the National Council of Jewish Women of California: Mrs. Mary Benjamin, Mrs. S. Schonfeld, Mr. and Mrs. A. Serensky, Mr. and Mrs. M. Felton, Mrs. Fay Levy, Mrs. Harry Banks, Mrs S Breger, Mrs. R. Borovoy, Mrs. Morris Mendle, Mrs. Vivian Schole, Mrs. Joe Thieben, Mrs Albert Getz, Mrs. Irene Kosak, Mrs. Hannah Koler, and Mrs. Harry Geballe.

ADJOURNMENT

At 12.55 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 4, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTIETH LEGISLATIVE DAY

NINETY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 4, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Our Fathers: Let us honor at this time, when the Pony Express began its daring trips, the founders and builders who discovered and settled our State.

Cabrillo and Drake who were the first to explore our coastal regions, and who began our colorful history.

The brave padres and their leader Junipero Serra, who established the missions, venerated land-marks, whose bells called the natives to school and to true religion.

The heroism of the first settlers who faced incredible hazards in canyon and desert, and the prairie schooner a symbol of the indomitable spirit of California

May the names of the early builders, of the numberless unknown, of Sutter and Huntington, of Stanford, Crocker and Judah forever shine, like stars with their dross removed, in the firmament of our history —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Burke, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Berry, on motion of Mr. Gaffney.

Mr. Price, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Huyck, on motion of Mr. Waters.

Mr. Hollibaugh, on motion of Mr. Evans.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 430
Assembly Bill No. 1670

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 219
Assembly Bill No. 681
Assembly Bill No. 1168
Assembly Bill No. 1971
Assembly Bill No. 2018
Assembly Bill No. 2348
Assembly Bill No. 2355
Assembly Bill No. 3099

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 9
Assembly Bill No. 397
Assembly Bill No. 460
Assembly Bill No. 461
Assembly Bill No. 536
Assembly Bill No. 659
Assembly Bill No. 917
Assembly Bill No. 1379
Assembly Bill No. 1381
Assembly Bill No. 1717
Assembly Bill No. 1743
Assembly Bill No 1768
Assembly Bill No. 1785
Assembly Bill No. 1807
Assembly Bill No. 1857
Assembly Bill No. 2347
Assembly Bill No 2615
Assembly Bill No. 2616
Assembly Bill No. 2620
Assembly Bill No. 3107

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 213
Assembly Bill No. 735
Assembly Bill No. 793
Assembly Bill No. 906
Assembly Bill No. 958
Assembly Bill No. 1568
Assembly Bill No. 1666
Assembly Bill No. 1979
Assembly Bill No. 1991
Assembly Bill No. 2139
Assembly Bill No. 3101
Assembly Bill No. 3108

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 33
Assembly Concurrent Resolution No. 65

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 88
Assembly Bill No. 378
Assembly Bill No. 542
Assembly Bill No. 545
Assembly Bill No. 569
Assembly Bill No. 570
Assembly Bill No. 785
Assembly Bill No. 956
Assembly Bill No. 972
Assembly Bill No. 983
Assembly Bill No. 1163
Assembly Bill No. 1274
Assembly Bill No. 1550
Assembly Bill No. 1941
Assembly Bill No. 2122
Assembly Bill No. 2192
Assembly Bill No. 2622
Assembly Bill No. 2624
Assembly Bill No. 2917

And reports the same correctly engrossed.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 250

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 88 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 378 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 542 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 545 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 569 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 570 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 785 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 956 ordered re-referred to Committee on Education.

Assembly Bill No. 972 ordered re-referred to Committee on Education.

Assembly Bill No. 983 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1163 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1274 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1550 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1941 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2122 ordered re-referred to Committee on Education.

Assembly Bill No. 2192 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2622 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2624 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2917 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 250 ordered re-referred to Committee on Municipal and County Government.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

THE STATE OF WYOMING
SENATE CHAMBER, THIRTIETH STATE LEGISLATURE
POWELL, WYOMING, April 1, 1949

Arthur A. Ohnimus,
Chief Clerk, Sacramento, California

DEAR MR OHNIMUS Reference is made to your letter of March 16th regarding an illuminated copy of House Resolution No 54, which I have just received as I have been away on a visit with my brother in Louisiana

It was a grand surprise to me to receive a tribute of this type from your members. I feel humiliated and any one in my position should be.

I prize it very highly and shall file it among my keep-sakes as the one most treasured.

It is indeed gratifying to learn of the esteem and affection accorded my brother among the Members of your Assembly He has given me a lot of encouragement to carry on in my position I am sure it is a pleasure to work for the interest of your people with a fine group of men as are found in our Legislature.

You might be interested to learn that by virtue of my position as President of the Wyoming Senate that I am being called to serve as Governor of the State beginning April 8th, for an indefinite time during the Governor's absence

Please convey my thanks and best wishes to the Members of your Assembly for the fine tribute to both the brother and myself.

Yours very truly,

GEORGE BURKE

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Grunsky asked for, and was granted, unanimous consent that the bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1932—An act to amend Section 9357.2 of, and to add Section 9355.07 to, the Government Code, relating to retirement of Members of the Legislature, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2041—An act to amend Section 18932 of the Government Code, relating to age requirements for civil service examinations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2042—An act to amend Section 18938 of the Government Code, relating to state civil service examinations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2044—An act to amend Section 19300 of the Government Code, relating to establishment of performance standards for state employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2047—An act to amend Section 19140 of the Government Code, relating to reinstatement of state employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2048—An act to amend Section 19055 of the Government Code, relating to certification of state employment lists.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2050—An act to amend Section 18021 of the Government Code, relating to overtime work in state civil service.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2066—An act to amend Section 18902 of the Government Code, relating to civil service eligible lists.

Bill read second time, and ordered engrossed.

Assembly Bill No. 93—An act to amend Section 2930 of the Streets and Highways Code, relating to the withdrawal of protests.

Bill read second time, and ordered engrossed.

Assembly Bill No. 94—An act to amend Section 5221 and 5222 of the Streets and Highways Code, relating to the withdrawal of protests and the time within which proceedings may be reinstituted after majority protest.

Bill read second time, and ordered engrossed.

Assembly Bill No. 95—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names.

Bill read second time, and ordered engrossed.

Assembly Bill No. 634—An act to add Section 685 to, and amend Section 701 of, the Vehicle Code, relating to the operation of vehicles on highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 244—An act to amend Sections 459 and 459.4 of the Vehicle Code, relating to the adoption of local ordinances affecting traffic on state highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1995—An act to amend Section 444 of, to add Section 513 to, and to repeal Section 530 of, the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 231—An act to amend Section 4455 of the Labor Code, dealing with workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 312—An act to add Section 54.1 to the Unemployment Insurance Act, relating to the benefits payable thereunder.

Bill read second time, and ordered engrossed.

Assembly Bill No. 412—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2508—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1712—An act to amend Sections 11004 and 11005 of the Revenue and Taxation Code, relating to the disposition of motor vehicle license fees ("in-lieu" tax).

Bill read second time, and ordered engrossed.

Assembly Bill No. 1723—An act to add Section 16302.1 to the Government Code, relating to the disposition of amounts not exceeding one dollar ($1) paid to state agencies and determined to constitute overpayment of taxes, penalties, interest, license or other fees, or other revenues due the State of California.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2046—An act to add Section 19143 to the Government Code, relating to counting of prior state service for layoff and sick leave purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 2 of the title of the printed bill, after "layoff", strike out "and", and insert a comma; and after "sick leave", insert "vacation".

Amendment No. 2

On page 1, line 6, of the printed bill, after "for", strike out "one", and insert "six"; and after "month", insert "s".

Amendment No. 3

On page 1, line 8, of the printed bill, after "after", strike out "the effective date of this act," and insert "December 31, 1949,".

Amendment No. 4

On page 1, line 10, of the printed bill, after "layoff", strike out "or", and insert a comma; and after "sick leave", insert a comma and "or vacation, nor shall he be credited with any sick leave which he had accumulated prior to his separation."

Amendment No. 5

On page 1, line 11, of the printed bill, after the comma, insert "suspension,".

Amendment No. 6

On page 1, line 13, of the printed bill, after "layoff", strike out "or", and insert a comma; and after "sick leave", insert "and vacation".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2049—An act to amend Section 19058 of the Government Code, relating to temporary appointments in state service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 6, of the printed bill, after "until", strike out "the".

Amendment No. 2

On page 1, line 7, of the printed bill, before "an", strike out "establishment of", and insert "eligibles are available from".

Amendment No. 3

On page 1, line 9, of the printed bill, after "that", strike out "any such temporary appoint-", and insert "within the limits of the period prescribed by the Constitution any temporary appointment to a position the duration of which position is not to exceed the probationary period for the class may, in the discretion of the appointing power and with the approval of the board be continued for the life of such position"

Amendment No. 4

On page 1 of the printed bill, strike out line 10

Amendment No. 5

On page 1, line 11, of the printed bill, before "An", strike out "tinue until its term is completed"; and after "appropriate", insert "employment".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2051—An act to add Section 19265 to the Government Code, relating to attendance and leaves of absence of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "add Section 19265 to", and insert "amend Section 18024 of"; and in line 2 of said title, after "and", strike out "leaves of absence of state employees.", and insert "overtime work in state civil service".

Amendment No. 2

On page 1, line 1, of the printed bill, after "Section", strike out "19265 is added to the Government", and insert "18024 of the Government Code is amended to read:".

Amendment No. 3

On page 1, line 2, of the printed bill, strike out "Code, to read:".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert

"18024. The State Personnel Board shall adopt rules governing hours of work and overtime compensation [.] *and the keeping of records related thereto, including time and attendance records. Each appointing power shall administer and enforce such rules.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2053—An act to amend Section 18101 of the Government Code, relating to sick leave.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "18101", insert "and 18103",

Amendment No. 2

On page 1, line 2, of the printed bill, after "amended", strike out "as follows.", and insert "to read:".

Amendment No. 3

On page 1, line 5, of the printed bill, after the period, strike out "The board may provide for the granting of additional sick leave without pay."

Amendment No. 4

On page 1 of the printed bill, after line 6, insert

"SEC. 2. Section 18103 of the Government Code is amended to read:

18103. No employee shall be entitled to receive any sick leave *with pay* until he has been continuously employed for a period of six months. In the event an employee remains in state service after six months of continuous service, there shall be credited to said employee six days of sick leave for said first six months of continuous service. *The board may provide for sick leave without pay for employees with less than six months' service.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2055—An act to add Section 19260 to the Government Code, relating to adjustment of state employee grievances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", strike out "19260", and insert "18714".

Amendment No. 2

On page 1, line 1, of the printed bill, after "Section", strike out "19260", and insert "18714"; and after "is", strike out "hereby".

Amendment No. 3

On page 1, line 3, of the printed bill, strike out "19260", and insert "18714".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2061—An act to amend Section 19361 of the Government Code, relating to intra-department transfer of civil service employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 10, of the printed bill, after "regular", strike out "per diem".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 632—An act to amend Sections 671 and 672 of the Vehicle Code, relating to the use of horns and warning devices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, after "vehicle", insert "or bicycle".

Amendment No. 2

On page 1, line 13, of said bill, after "vehicle", insert "or bicycle".

Amendments read, and adopted
Bill ordered reprinted, and engrossed.

Assembly Bill No. 191—An act to add Section 122.5 to the Labor Code, relating to medical assistance of the Industrial Accident Commission under the Workmen's Compensation Act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "licensed to practice medicine in this State", and insert "who shall possess a physicians and surgeons certificate granted under the provisions of Chapter 5, Division 2 of the Business and Professions Code".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 236—An act to amend Section 1394 of the Labor Code, relating to activities of minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 21, 1949, strike out lines 9 to 11, inclusive.

Amendment No. 2

On page 2 of said bill, after line 44, insert

"(d) The leading of livestock by a minor in non-profit fairs, stock parades, livestock shows and exhibitions."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1967—An act to amend Section 6359 of, and to add Section 6359.6 to, the Revenue and Taxation Code, relating to food products exempt from sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", strike out ", and to add Section 6359.6 to,". The title of the act is amended to read as follows:

"An act to amend Section 6359 of the Revenue and Taxation Code, relating to food products exempt from sales and use taxes"

Amendment No. 2

On page 1, line 8, of the printed bill, following "meat", insert a comma, and strike out "and".

Amendment No. 3

On page 1, line 8, of the printed bill, following "products", insert "and casings used or employed in the making, manufacturing, producing or processing of sausage or meat products,".

Amendment No. 4

On page 1 of the printed bill, strike out lines 14 to 21, inclusive.

Amendment No. 5

On page 2 of the printed bill, strike out lines 9 to 15, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 624—An act to amend Section 586 of, and to add Section 585.6 to the Vehicle Code, relating to the parking of vehicles adjacent to railroad tracks.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 9, of the printed bill, strike out the period, and insert ", except a commercial vehicle for the purpose of loading or unloading."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2175—An act to amend Sections 303 and 346 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 303 and 346", and insert "Sections 303, 346, 444 and 460 of, to add Section 513 to, and to repeal Section 530".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, after line 23, insert

"SEC. 3. Section 444 of said code is amended to read:

444. Route 144 is from Cummings Valley State Institution to Route 58 near [Old Town] *Tehachapi.*

SEC. 4. Section 460 of said code is amended to read:

460. Route 160 is Highland Avenue, Los Angeles, from [Cahuenga Boulevard] *Route 2* to [Santa Monica Boulevard] *Route 162*

SEC. 5. Section 513 is added to said code, to read:

513. Route 213 is from a point on Route 4 near the northerly city limits of San Fernando to a point on Route 4 near the southerly city limits of San Fernando, approximately paralleling but not coinciding with Route 4

SEC. 6. Section 530 of said code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 4, line 3, of the printed bill, after "section", insert "during a fiscal year".

Amendment No. 2

On page 4, line 11, of said bill, after "Instruction", insert "in writing not later than July 15th of the succeeding fiscal year".

Amendment No. 3

On page 4, line 12, of said bill, after "section", insert "for the fiscal year on account of which the application is made".

Amendment No. 4

On page 4, line 16, of said bill, after "requirements", insert "for the fiscal year on account of which the application is made".

Amendment No. 5

On page 6, line 47, of said bill, strike out "such school or class", and insert "continuation high school or continuation education class".

Amendment No. 6

On page 7, line 14, of said bill, strike out "but no pupil shall"; and strike out all of line 15 and all of line 16, and insert a period.

Amendment No. 7

On page 12 of said bill, following line 38, insert

"7002. For all the purposes of this chapter, except as otherwise specifically provided, each of the districts merged or otherwise included within a unified school district shall be deemed a separate and independent district."

Amendment No. 8

On page 13, line 23, of said bill, after "classes", insert "in the State".

Amendment No. 9

On page 13, line 41, of said bill, strike out "Ninety dollars ($90)", and insert "One hundred eighty-five dollars ($185)".

Amendment No. 10

On page 13, line 42, of said bill, after "in", insert "an elementary school maintained in".

Amendment No. 11

On page 13 of said bill, following line 43, insert

"(d) Two hundred ten dollars ($210) for each unit of average daily attendance in a high school maintained in a juvenile hall, or juvenile home or camp and credited to the county school service fund."

Amendment No. 12

On page 13, line 45, of said bill, after "allow", insert "the county school service fund".

Amendment No. 13

On page 14, line 37, of said bill, strike out "1950", and insert "1948".

Amendment No. 14

On page 14, line 39, of said bill, strike out "first", and insert "preceding".

Amendment No. 15

On page 14, line 43, of said bill, strike out "the", and insert "a".

Amendment No. 16

On page 14, line 44, of said bill, after "district", insert "during such preceding fiscal year".

Amendment No. 17

On page 14, line 47, of said bill, strike out "therefter", and insert "thereafter".

Amendment No. 18

On page 16, line 5, of said bill, strike out "becomes", and insert "became".

Amendment No. 19

On page 16, line 6, of said bill, strike out "1950", and insert "1948".

Amendment No. 20

On page 18, line 10, of said bill, strike out "(a)".

Amendment No. 21

On page 18, line 21, of said bill, strike out "(b)", and insert "7058.1."

Amendment No. 22

On page 18 of said bill, beginning in line 21, strike out "which had an average daily attendance during the preceding fiscal year of less than three hundred and".

Amendment No. 23

On page 18, line 26, of said bill, after "each", insert "day".

Amendment No. 24

On page 18, line 27, of said bill, after "school", insert "having an average daily attendance of less than three hundred".

Amendment No. 25

On page 18, line 28, of said bill, strike out "(a) of this section", and insert "Section 7058".

Amendment No. 26

On page 18 of said bill, following line 38, insert

"No computation shall be made under this section for any high school established after July 1, 1949 without the approval of the Superintendent of Public Instruction."

Amendment No. 27

On page 18 of said bill, beginning in line 39, strike out "which had an average daily attendance during the preceding fiscal year of three hundred or more,".

Amendment No. 28

On page 18, line 42, of said bill, after "attendance", insert ", exclusive of the average daily attendance of a day high school having an average daily attendance of less than three hundred".

Amendment No. 29

On page 18, line 44, of said bill, strike out "this article", and insert "Section 7058 or Section 7058.1".

Amendment No. 30

On page 18 of said bill, beginning in line 44, strike out "having an average daily attendance of less than three hundred".

Amendment No. 31

On page 19, line 7, of said bill, strike out "in another district".

Amendment No. 32

On page 20, line 48, of said bill, strike out "6963", and insert "6961".

Amendment No. 33

On page 21, line 46, of said bill, strike out "such", and insert "a separate elementary school".

Amendment No. 34

On page 21, line 46, of said bill, after "by", insert "Subdivision (a) of".

Amendment No. 35

On page 22 of said bill, beginning in line 20, strike out "such district", and insert "a separate high school district for high school purposes".

Amendment No. 36

On page 22, line 21, of said bill, after "by", insert "Subdivision (b) of".

Amendment No. 37

On page 24, line 10, of said bill, strike out "excess amount"; and strike out all of lines 11 to 16, inclusive, and insert "identifiable special current expenses only, excluding teachers' salaries and including but not limited to special supplies, books and special transportation, incurred solely for physically handicapped minor pupils instructed in regular classes, plus the excess amount of the current expenses for all other physically handicapped minor pupils instructed in special schools, or in special classes, over the amount incurred for current expenses for an equal number of units of average daily attendance of normal pupils not classified as handicapped pupils; provided further, that in the computation of the excess cost to be allowed the county school service fund for physically handicapped minor pupils instructed in special schools or in special classes, the amount to be allowed under Sections 7015 and 7016 as state aid to the county school service fund during the then current fiscal year on account of all average daily attendance credited to the fund at that level shall be employed in lieu of the factor of current expense for normal pupils specified hereinbefore for the computation for school districts."

Amendment No. 38

On page 24, line 35, of said bill, strike out "to be apportioned as basic state aid to the school dis-"; and strike out all of line 36 and all of line 37, and insert "of the current expenses incurred for the education of normal pupils not classified as handicapped or the amount to be apportioned to the county school service fund during the then current fiscal year, computed in the same manner as the computation of the excess cost of educating physically handicapped minor pupils in special schools or in special classes, in the case of a school district or county school service fund, as the case may be."

Amendment No. 39

On page 25, line 3, of said bill, after "formed", insert "after July 1, 1947".

Amendment No. 40

On page 25, line 4, of said bill, after the comma, insert "or for any district formed under any provision of this code after July 1, 1947 and conforming with approved plans and recommendations of a local survey committee or county committee,".

Amendment No. 41

On page 25, line 12, of said bill, after "therein", insert "in addition to the amount allowed to the district under other provisions of this chapter".

Amendment No. 42

On page 26, line 33, of said bill, after the comma, insert "or if the district was not in existence for all purposes during the preceding fiscal year,".

Amendment No. 43

On page 26, line 51, of said bill, strike out the period, and insert "except that in the case of a district which was not in existence for all purposes during the preceding fiscal year the reference to average daily attendance during the preceding fiscal year shall not be applicable."

Amendment No. 44

On page 27, line 6, of said bill, after "of", insert "the district for".

Amendment No. 45

On page 27, line 10, of said bill, strike out the period, and insert "except that in the case of a district which was not in existence for all purposes during the preceding fiscal year he shall apportion the amount which would have been apportioned to the district had the district been in existence for all purposes during the preceding fiscal year and had the average daily attendance during such fiscal year been that computed under this article multiplied by the ratio of days taught during such period to 175."

Amendment No. 46

On page 28, line 6, of said bill, strike out the period, and insert "and shall be expended only for the purposes for which apportioned as stated by the Superintendent of Public Instruction."

Amendment No. 47

On page 28, line 32, of said bill, strike out "or", and insert a comma.

Amendment No. 48

On page 28, line 32, of said bill, after "district", insert "or unified school district".

Amendment No. 49

On page 28, line 33, of said bill, strike out "1949", and insert "1948".

Amendment No. 50

On page 30, line 46, of said bill, strike out ", with", and insert ":
(a) With".

Amendment No. 51

On page 30, line 47, of said bill, strike out the colon.

Amendment No. 52

On page 30, line 48, of said bill, strike out "(a) Advisory", and insert "advisory".

Amendment No. 53

On page 31, line 1, of said bill, strike out "Payment of", and insert "Pay".

Amendment No. 54

On page 31, line 15, of said bill, after the comma, insert "and in any other elementary school districts of the county the governing board of which requests him to supervise instruction in the schools of such district,".

Amendment No. 55

On page 17, line 40, of said bill, strike out "in another district".

Amendment No. 56

On page 17, line 45, of said bill, strike out "in another district".

Amendment No. 57

On page 15, line 39, of said bill, after "year", insert "and which provided such transportation or made such payments,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2593—An act to amend Sections 337c, 337d, 337e, 337f, 337.3, and 337.7 of the Penal Code, relating to crimes in connection with sporting events, contests and exhibitions, including horse racing, baseball, football, boxing, and wrestling.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 3 of the printed bill, after line 17, insert

"The term "drug" includes all substances recognized as having the power of stimulating or depressing the central nervous system, respiration, or blood pressure of an animal, such as narcotics, hypnotics, benzedrine or its derivatives, but shall not include recognized vitamins or supplemental feeds approved by the veterinarian representing the California Racing Board."

Amendment No. 2

On page 2, line 17, of said bill, after "said", insert "code".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 472—An act to repeal Part 4 of Division 2 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Part 4 of Division 2", and insert "amend Sections 9603, 9603.5, 9605, 9606, 9606.7, 9653, 9701, 9703, 9754, and 10501".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9603 of the Revenue and Taxation Code is amended to read:

9603 "Operator" includes:

(a) Any person engaging in the transportation of persons [or property] for hire or compensation by or upon a motor vehicle upon any public highway in this State, either directly or indirectly.

(b) Any person who furnishes any motor vehicle for the transportation of persons [or property] under a lease or rental agreement when pursuant to the terms thereof the person operates the motor vehicle furnished or exercises any control of, or assumes any responsibility for, or engages either in whole or in part in, the transportation of persons [or property] in the motor vehicle furnished.

"Operator" does not include any of the following:

(a) [Any person transporting his own property in a motor vehicle owned or operated by him unless he makes a specific charge for the transportation. This subdivision does not in any way limit any other exemption granted by this section.

(b)] Any farmer, resident of this State, who occasionally transports [property for other farmers, or who transports his own farm products, or who transports] laborers to and from farm work incidentally in his farming operations.

[(c) Any nonprofit agricultural cooperative association, organized and acting within the scope of its powers under Chapter 4 of Division 6 of the Agricultural Code, to the extent only that it is engaged in the transporting of its own property or the property of its members.

(d)] *(b)* Any person whose sole transportation of persons [or property] for hire or compensation consists of the transportation of children to or from any public school and whose total compensation from all sources for providing such transportation does not exceed fifty dollars ($50) in any calendar month.

[(e)] *(c)* Any person engaged in the business of operating a hearse or other vehicle in a procession to a burial ground or place of interment and from the burial ground or place of interment to a garage or place of storage.

[(f)] *(d)* Any registered owner of a pleasure vehicle who, while operating the vehicle, transports persons to his work or to a place through which he passes on the way to his work, whether for or without compensation, if he is not in the business of furnishing such transportation.

SEC. 2. Section 9603.5 of said code is amended to read:

9603.5. "Occasionally" as used in the second subdivision [(b)] *(a)* of Section 9603 shall be construed to mean occasionally or for a total annual compensation from all sources for providing such transportation for hire of not more than six hundred dollars ($600), and provided that such transportation shall constitute the sole transportation of persons [or property] for hire or compensation. Any person excluded from the definition of "operator" under that subdivision shall keep available an account of each time he has transported [property or] laborers and the compensation received therefor. If during any month of a calendar year the sum of gross receipts of any farmer derived from transportation operations defined in this section shall exceed six hundred dollars ($600) for the calendar year, the farmer shall not be entitled to the exemption herein provided but shall be an operator as defined in Section 9603 (a) of this part. The entire sum of his gross receipts earned during that year shall be subject to the tax imposed in this part and the amount of the gross receipts earned in prior months of the year shall be added to the gross receipts of the month in which the sum of the gross receipts for the year exceeded six hundred dollars ($600) and shall be deemed to be gross receipts of that month for the purpose of computing the amount of the tax due under this part. The "account" of transportation performed and compensation received therefor, as herein provided, may be by any simple method of record keeping and in cases where record keeping practices are such that reports upon truck operations are reported at the end of the operating season, such end-of-the-season reports shall be deemed adequate for the purposes of this section.

SEC. 3. Section 9605 of said code is amended to read:

9605. "Motor vehicle" includes any automobile, truck, tractor, or other self-propelled vehicle used for the transportation of persons [or property] upon the public highways, otherwise than upon fixed rails or tracks, and any trailer, semitrailer, dolly, or other vehicle drawn thereby, not exempt from registration fees under the laws of this State.

SEC. 4. Section 9606 of said code is amended to read:

9606. "Gross receipts" include all receipts from the operation of motor vehicles entirely within this State and a proportion, based upon the proportion of the mileage within this State to the entire mileage over which such operations extend, of the receipts from the operation of motor vehicles passing through, into, or out of this State, or partly within and partly without this State. "Gross receipts" as applied in connection with operations under lease or rental agreements include such amounts as the board under such rules and regulations as it may prescribe determines to be reasonable compensation for the transportation services rendered by the operator.

["Gross receipts" do not include revenue derived by an express company from the shipment of property over the lines of common carriers, but do include revenue derived by an express company from the transportation of property in motor vehicles operated by it.]

SEC. 5. Section 9606.7 of said code is amended to read:

9606.7. In determining the "gross receipts" of any operator, there shall be deducted from his receipts of operation all amounts which he has paid or has obligated himself to pay for bridge and ferry fares or tolls in connection with the operation of motor vehicles in the transportation of persons [or property] for hire or compensation upon the public highways.

SEC. 6. Section 9653 of said code is amended to read:

9653. This part does not apply to operators of motor vehicles operated exclusively within incorporated cities or between incorporated cities or incorporated cities and private property where no portion of the public highway outside the corporate limits of the cities is traversed in such operation.

The tax does not apply to the gross receipts derived from the transportation of persons [or property] wholly within incorporated cities or between incorporated cities or incorporated cities and private property or wholly on private property where no portion of the public highway outside the corporate limits of the cities or private property is traversed in such operation.

SEC. 7. Section 9701 of said code is amended to read:

9701. Every operator of a motor vehicle within this State who transports or desires to transport for compensation or hire persons [or property] upon any public highway within this State shall apply to the board, on such forms as the board may prescribe, for a license to operate motor vehicles for the transportation of persons [or property] for hire or compensation upon public highways in this State.

SEC. 8. Section 9703 of said code is amended to read:

9703. Upon the receipt of the application, accompanied by the required fee, the board shall issue to the applicant a license to transport for compensation or hire persons [or property] upon any public highway within this State. The board may refuse to issue a license to any person to whom a license was previously issued and subsequently revoked for a violation of this part.

SEC. 9. Section 9754 of said code is amended to read:

9754. The board or its authorized representatives may impound the vehicles of an operator whose license has been revoked and who continues to engage in the transportation of persons [or property] for hire or compensation after having been duly notified by the board of the revocation. The board or its representatives may retain possession of the vehicles until all taxes, interest, and penalties due from the operator and all costs incurred in connection with the impounding or storage of the vehicles have been paid.

SEC. 10. Section 10501 of said code is amended to read:

10501. It is unlawful for any person to do any of the following:

(a) Use any public highway in this State for the transportation of persons [or property] for hire or compensation without first obtaining the license required under this part or without carrying upon each motor vehicle so used the number plates or emblems required under this part.

(b) Fail, neglect, or refuse to make any return required under this part or any report required by the board or make any false return.

(c) Refuse to permit the board or any of its representatives to make any examination which the board may make.

(d) Fail to keep records of gross receipts from operations as the board may prescribe.

(e) Violate any other provision of this part

Any person who violates any provision of this section is guilty of a misdemeanor, unless the act is by any other law of this State declared to be a felony."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 6, inclusive, and insert

"SEC. 11. All provisions of Part 4 of Division 2 of the Revenue and Taxation Code which relate to persons engaging in the transportation of property for hire or compensation are continued in effect as respects the collection of all amounts due and payable thereunder prior to the day provisions of this act become operative and as respects refunds of amounts erroneously paid thereunder.

SEC. 12. The provisions of this act shall become operative on the day this act takes effect, except that if that day is other than the first day of a calendar month, then the provisions of this act shall become operative on the first day of the calendar month next following the day this act takes effect."

Amendment No. 4

On page 1, line 7, of said bill, strike out "2", and insert "13".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 822—An act to amend Section 11005 of the Revenue and Taxation Code, relating to motor vehicle license tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 13, of the printed bill, after "into", strike out "the", and insert "an auxiliary".

Amendment No. 2

On page 2, line 30, of said bill, after the first "the", insert "auxiliary".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2038—An act to amend Sections 18935, 18936, and 18937, and to add Section 18939 to the Government Code, relating to state civil service examinations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "18937", strike out the semicolon, and "and to add"; and in line 2, strike out "Section 18939 to", and insert "of".

Amendment No. 2

On page 1, line 4, of the printed bill, after "ation," insert "may refuse"; after "declare", strike out "or certify"; after "as", insert "an"; after "eligible", insert "or may withhold from certification"; after "anyone who", insert "comes under any of the following categories:".

Amendment No. 3

On page 1, line 6, of the printed bill, after "for", insert "the".

Amendment No. 4

On page 1, line 11, of the printed bill, after "physically", insert "or mentally".

Amendment No. 5

On page 1, line 18, of the printed bill, after "felony", insert a comma; and after "or", insert "convicted of a".

Amendment No. 6

On page 2, line 4, of the printed bill, insert

"(k) Has waived appointment three times after certification from the same employment list.

(l) Has failed to reply within a reasonable time, as specified by the board, to communications concerning his availability for employment.

(m) Has made himself unavailable for employment by requesting that his name be withheld from certification.

(n) Is, in accordance with board rule, found to be unsuited or not qualified for employment."

Amendment No. 7

On page 2, line 11, of the printed bill, after the period, strike out "The board may also establish standards for each part of an examination and may provide that candidates not meeting such standards may not advance to subsequent parts of the examination", and insert "The board may set minimum qualifying ratings for each phase of an examination and may provide that competitors failing to achieve such ratings in any phase shall be disqualified from any further participation in the examination."

Amendment No. 8

On page 2, line 17, of the printed bill, after "for", strike out "any", and insert "an".

Amendment No. 9

On page 2, line 18, of the printed bill, after "true", strike out "arithmetic", and insert "percentage or".

Amendment No. 10

On page 2, line 19, of the printed bill, after the stricken out "the", strike out "if an adjusted score".

Amendment No. 11

On page 2, line 21, of the printed bill, after the stricken out "contestants", strike out "is", and insert "if"; after "justified", insert "in order".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 12

On page 2, line 23, of the printed bill, after "examination", insert "In establishing any eligible list or promotional list following an examination, the names of the persons who have attained the passing mark in such examination shall be placed on the list in the order of final earned ratings, except as such order may be modified by the application of veterans' preferences. When the order of names has been determined after applying the appropriate veterans' preference credits, the board may thereafter limit to suit the needs of the service the number of names to be placed on the employment list. [For purposes of receiving veterans' preference credits, service in World War II shall be counted only if it was performed before January 1, 1947]"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel

Assembly Bill No. 2056—An act to amend Sections 18023, 18100, 18700, 18709, 18806, and 19140 of the Government Code, to add Section 18800.5 to, and repeal Sections 19200 and 19366 of said code, relating to state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "18023", strike out "18100"; after "18709," insert "18805 and"; after "18806," strike out "and 19140"; and in line 2 of said title, after "Code," strike out "to add Section 18800.5 to,"; in line 3 of said title, after "repeal", strike out "Sections 19200 and", and insert "Section".

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "hereby amended as follows:", and insert "amended to read:".

Amendment No. 3

On page 1 of the printed bill, strike out lines 9 to 19, inclusive.

Amendment No. 4

On page 1, line 20, of the printed bill, after "SEC.", strike out "3", and insert "2".

Amendment No. 5

On page 2, line 3, of the printed bill, after "SEC.", strike out "4", and insert "3"

Amendment No. 6

On page 2, line 26, of the printed bill, after "SEC." strike out "5", and insert "4"; after "Section" strike out "18800.5 is added to", and insert "18805 of", and after "Code," insert "is amended".

Amendment No. 7

On page 2, line 28, of the printed bill, strike out "18800.5.", and insert "18805.", and after "state", strike out "civil".

Amendment No. 8

On page 2, line 29, of the printed bill, after "appointing", strike out "authority", and insert "power"; and strike out the comma after "law".

Amendment No. 9

On page 2, line 30, of the printed bill, after "the", strike out "appropriation", and insert "availability"; and after "funds", insert "Each appointing power shall promptly report to the board his intention to establish new positions in order that such positions may be classified and allocated, and shall so report material changes in the duties of any position in his jurisdiction".

Amendment No. 10

On page 2, line 31, of the printed bill, after "SEC.", strike out "6", and insert "5".

Amendment No. 11

On page 2, line 33, of the printed bill, after "or", strike out "an equivalent code", and insert "a code symbol".

Amendment No. 12

On page 2, line 36, of the printed bill, after "SEC.", strike out "7", and insert "6"; strike out "Section 19140 of the Government Code is amended to read:", and insert "Section 19366 of the Government Code is repealed."

Amendment No. 13

On page 2 of the printed bill, strike out lines 38 to 49, inclusive.

Amendment No. 14

On page 3 of the printed bill, strike out lines 1 to 10, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Civil Service and State Personnel.

SECOND READING OF SENATE BILLS

Senate Bill No. 34—An act to add Section 13320.5 to the Government Code, relating to budgets of state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "13320.5", and insert "13326".

Amendment No. 2

On page 1, line 1, of said bill, strike out "13320.5", and insert "13326".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 8, inclusive, and insert

"13326. Every state agency, when making requests or preparing budgets to be submitted to the Federal Government for funds, equipment, materials or services, shall, upon completion of such request or budget, first submit it to the department. The department shall have authority to approve, disapprove, modify, or amend any such request or budget before it is submitted to the proper federal authority."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Assembly Bill No. 52 re-referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1751

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1751, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1751

Assembly Bill No. 1751—An act to amend the article headings of Article 1 and Article 2 of Chapter 3 of Part 1 of Division 6 of the Welfare and Institutions Code, and to amend Sections 5350, 5352, 5354, 5355, 5400, 5401, and 5404 of said code, relating to drug addicts, designating certain persons as narcotic drug addicts, and other persons as addicted to the intemperate use of habit forming drugs, and providing for their commitment.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 5, of the printed bill, after "person ", insert "As used in this article the term "habit forming drugs" shall be construed to refer to and mean those dangerous drugs designated in Chapter 1 of Division 22 of the Health and Safety Code, which are habit forming drugs "

Amendment No. 2

On page 3 of said bill, strike out lines 31 to 34, inclusive, and insert "jail".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2744

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2744, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2744

Assembly Bill No. 2744—An act to amend Section 6627 of the Business and Professions Code, relating to barbers.

Bill read third time.

Motion to Amend

Mr. Thompson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, after "required", insert "examination".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 109, on request of Messrs. Waters and Sherwin.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 372—An act to add Chapter 7 to Division 8 of the Elections Code, relating to elections and providing for an alternative and optional method of balloting and ascertaining the vote at elections and in precincts for which such method is adopted.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 372?

Amendment No. 1

On page 6, line 6, of the printed bill, as amended in the Assembly on March 17, 1949, after "containers", insert "shall then be placed in one or more metal ballot boxes or similar metallic boxes and the boxes shall then be locked with a padlock. The boxes".

Amendment No. 2

On page 6, line 7, of said bill, after "clerk.", insert "All keys to the padlocks on the metal ballot boxes or similar metallic boxes shall be kept at all times at the central counting place and shall not at any time be in the polling places. The padlocks shall be unlocked at the central counting place and thereafter the proceedings shall be as provided in Article 8, hereof."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 372 by the following vote:

AYES—Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Connolly, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Mr. Speaker—50

NOES—Anderson, Beck, Coats, Cooke, Ralph C. Dills, and Lewis—6.

Assembly Bill No. 372 ordered enrolled

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 658 WAIVED

Mr. Ralph C. Dills waived his notice of motion to reconsider the vote whereby Assembly Bill No. 658 was passed

Assembly Bill No. 658 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2647—An act to amend Section 4751 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—62

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 424—An act to amend Section 4702 of the Labor Code, relating to death benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 185—An act to amend Section 5801 of the Labor Code, relating to attorney's fees under the Workmen's Compensation Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, and Way—55.

NOES—Butters, Erwin, Hoffman, Levering, Lindsay, Smith, and Tomlinson—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 187

Mr. Beck asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 187, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 187

Assembly Bill No. 187—An act to amend Section 3856 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—66

NOES—Butters—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1022—An act to amend Sections 17319.3, 17325, and 18402, and to add Section 17053.7 to, the Revenue and Taxation

Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Brown, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—45

NOES—Anderson, Babbage, Beck, Burkhalter, Butters, George D Collins, Cooke, Davis, Ralph C. Dills, Dunn, Elliott, Erwin, Hagen, Lewis, Moss, Rumford, and Thomas—17.

Notice of Motion to Reconsider Assembly Bill No. 1022

Mr. Beck gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1022 was this day passed.

Assembly Bill No. 1023—An act to amend Section 17127, and to repeal Section 17136.1 of the Revenue and Taxation Code, relating to personal income taxes, and providing that the act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1031—An act to amend Section 17951, and to repeal Section 17320 9 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3107

Mr. Grant asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3107, out of order, for reasons of urgency, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3107

Assembly Bill No. 3107—An act authorizing the Director of Finance to acquire real property in the City of Long Beach, declaring the urgency thereof to take effect immediately.

Bill read third time.

Communication from Governor recommending passage of Assembly Bill No. 3107 read on April 1, 1949 (A. J., p. 1596).

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—69.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 219 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No 219 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 630—An act to amend Section 604.10 of the Vehicle Code, relating to the removal of persons injured on highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—73
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3

Mr. Collier asked for unanimous consent to take up Assembly Bill No. 3, out of order, at this time.

Mr. Dickey withheld unanimous consent because Assembly Bill No. 3 was passed on file last Friday, and should take its rightful place at the end of the file.

Motion to Take Up Assembly Bill No. 3, Out of Order

Mr. Collier moved that Assembly Bill No. 3 be taken up, out of order, at this time.

Motion died for lack of a second.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 656—An act to amend Section 511.2 of the Vehicle Code, relating to speed limits upon highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—62.

NOES—Dickey, Ralph C. Dills, Dunn, Geddes, Sherwin, Smith, and Mr Speaker—7.

Bill ordered transmitted to the Senate

Assembly Bill No. 258—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 389—An act to add Section 6357.1 to the Revenue and Taxation Code, relating to the exemption of fuel subject to the use fuel tax from the sales tax, and providing this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers,

Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1024—An act to amend Section 18472 of the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1033—An act to amend Sections 18171, 18586, 18691, 18691.1, 18692, 19053.5, and 19061.1, and to add Section 18586.1, to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1942—An act to amend Sections 18303 and 18406 of the Revenue and Taxation Code, relating to the filing of partnership and fiduciary returns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 143

By Mr. Hagen:

House Resolution No. 143

WHEREAS, In the tragic death of Stanley Stemmer Beaubaire, youthful Hanford Sentinel-Journal co-publisher, in an airplane accident near Bakersfield, the San

Joaquin Valley, the State of California and the Nation have sustained the loss of an exemplary citizen; and

WHEREAS, Stanley Beaubaire has, through extreme devotion to his profession and his magnetic personality, risen to a recognized leadership among the State's newspapermen; and

WHEREAS, Beginning with his high school days at Lowell High School in San Francisco, and his college days at Stanford University, the field of journalism was bettered by his participation therein; and

WHEREAS, He also was a material factor in providing a local radio outlet for Kings County and the San Joaquin Valley through the Sentinel-Journal's Radio State KNGS; and

WHEREAS, He was, in addition, a civic leader in the City of Hanford and a member of the Hanford Elks Lodge, the Hanford Kiwanis Club, Sigma Delta Chi (honorary journalistic fraternity), the San Francisco Press Club, and a Director of the California Newspaper Publishers Association; and

WHEREAS, He always cherished his friends and found time to cheer and help them in life's problems; now, therefore, be it

Resolved, That the Assembly of the State of California, and the members thereof express their regret at the passing of one of California's foremost young leaders in journalistic, civic and fraternal circles, and sincerely condole with his parents in their bereavement; and be it further

Resolved, That a copy of this resolution, properly engrossed, be sent to his parents, Mr. and Mrs. Samuel M. Beaubaire, of Hanford

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of March 28, 1949, page 1433, in paragraph 8, line 1, after "resolution," strike out ", properly engrossed.".

Amendment read, and adopted.

Consideration of House Resolution No. 143, As Amended

By Mr. Hagen:

House Resolution No. 143

WHEREAS, In the tragic death of Stanley Stemmer Beaubaire, youthful Hanford Sentinel-Journal co-publisher, in an airplane accident near Bakersfield, the San Joaquin Valley, the State of California and the Nation have sustained the loss of an exemplary citizen; and

WHEREAS, Stanley Beaubaire has, through extreme devotion to his profession and his magnetic personality, risen to a recognized leadership among the State's newspapermen; and

WHEREAS, Beginning with his high school days at Lowell High School in San Francisco, and his college days at Stanford University, the field of journalism was bettered by his participation therein; and

WHEREAS, He also was a material factor in providing a local radio outlet for Kings County and the San Joaquin Valley through the Sentinel-Journal's Radio Station KNGS; and

WHEREAS, He was, in addition, a civic leader in the City of Hanford and a member of the Hanford Elks Lodge, the Hanford Kiwanis Club, Sigma Delta Chi (honorary journalistic fraternity), the San Francisco Press Club, and a Director of the California Newspaper Publishers Association; and

WHEREAS, He always cherished his friends and found time to cheer and help them in life's problems; now, therefore, be it

Resolved, That the Assembly of the State of California, and the Members thereof express their regret at the passing of one of California's foremost young leaders in journalistic, civic and fraternal circles, and sincerely condole with his parents in their bereavement; and be it further

Resolved, That a copy of this resolution be sent to his parents, Mr. and Mrs. Samuel M. Beaubaire, of Hanford.

Resolution read, as amended, and adopted unanimously, there being more than a quorum present.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2295—An act to amend Section 974 of the Municipal Utility District Act, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 19—An act to amend Section 7137 of the Business and Professions Code, relating to contractors' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—64

NOES—Burke, Burkhalter, Evans, Levering, Morris, Reagan, and Tomlinson—7

Bill ordered transmitted to the Senate.

Assembly Bill No. 1111—An act to amend Section 689b of the Code of Civil Procedure, relating to executions

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick Kirkwood, Levering, Lincoln Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson Waters, Way, Weber, and Mr Speaker—67

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1103—An act to amend Section 683 of the Code of Civil Procedure, relating to the return of execution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 330—An act to add Section 729 to the Welfare and Institutions Code, relating to the detention of minors by peace officers and probation officers when such detention is necessary for the health and welfare of such minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

On behalf of Mr. Stanley, Chairman, Speaker Sam L. Collins announced a breakfast meeting and Republican caucus, at 8 a.m., tomorrow, Tuesday, April 5th, at the Hotel Sacramento.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 992—An act to amend Section 1558 of the Probate Code, relating to distribution of surplus income of insane or incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1541—An act to amend Section 259a of the Code of Civil Procedure, relating to duties of court commissioners, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 429

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 429, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 429

Assembly Bill No. 429—An act to add Section 3370 to the Civil Code, relating to injunctive relief in connection with an act of unfair competition as defined in the Unfair Practices Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—Anderson, Babbage, George D. Collins, Condon, Elliott, Hawkins, Heisinger, and Lewis—8

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 430

Mr Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 430, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 430

Assembly Bill No. 430—An act to add Section 17087 to the Business and Professions Code, relating to power of Attorney General and district attorneys, or any of them, to file injunction actions in enforcement of the Unfair Practices Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Grant, Grunsky, Hagen, Hoffman, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Wa·, and Weber—49.

NOES—Anderson, Babbage, George D Collins, Condon, Elliott, Evans, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Lewis, McCarthy, and Waters—14.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent to Change His Vote

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to change his vote from "aye" to "no," on Assembly Bill No. 430.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2423—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 384—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 692 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Messrs Stanley and Thompson asked for, and were granted, unanimous consent that Senate Bill No. 692 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2197

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2197, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2197

Assembly Bill No. 2197—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3098—An act to amend Section 30 2 of the Public Utility District Act, relating to public utility districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—74

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1353—An act to add Section 308a to the Penal Code, authorizing the Director of Corrections and the Youth Authority to provide tobacco and tobacco products to persons confined in institutions under their respective jurisdictions, and to permit the use thereof by such persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—68.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1357—An act to amend Section 1767.5 of the Welfare and Institutions Code, relating to the care of paroled persons

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1358—An act to amend Section 1772 of the Welfare and Institutions Code, relating to the discharge of parolees.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 54

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 54, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 54

Assembly Bill No. 54—An act to amend Section 1 of, and to add Section 13 5 to, an act entitled "An act to regulate the caravaning of vehicles upon the public highways of this State, defining the term 'caravaning' and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposition of such fees and imposing penalties for violation thereof, and to repeal an act entitled 'An act to regulate the caravaning of motor vehicles upon the public highways of this State, defining the term "caravaning" and providing for the licensing of motor vehicles in caravan and imposing penalties for violation thereof,' approved July 6, 1935, declaring the urgency thereof, and providing that it shall take effect immediately," approved July 1, 1937, relating to the caravaning of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—Coats, Grunsky, and Hagen—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that the letter of transmittal, which accompanied the Report to the Legislature, of the Assembly Interim Committee on Public Education, be ordered printed in the Journal as follows:

Letter of Transmittal

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, April 4, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

The Assembly Interim Committee on Public Education created by House Resolution No. 236, adopted June 20th, 1947, herewith submits its first report This report deals entirely with the problem of higher education below the university level in the City of Los Angeles. Further reports concerning the general problems of public education in California will be forthcoming at a later date

Respectfully submitted,*

FRANCIS DUNN, JR., Chairman
(MRS.) KATHRYN T. NIEHOUSE, Vice Chairman
RALPH C. DILLS
ERNEST R. GEDDES
WILLARD M. HUYCK
ROBERT C. KIRKWOOD

* Raymond W. Blosser was formerly a member of the committee

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF ASSEMBLY INTERIM COMMITTEE ON PUBLIC EDUCATION BE PRINTED AS A SEPARATE DOCUMENT

Mr. Dunn asked for, and was granted, unanimous consent that the Report of the Assembly Interim Committee on Public Education be printed as a separate document, in 10-point type, and that 500 copies be printed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 209—An act to amend Sections 70 and 73 of the Civil Code, relating to solemnizing marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—69.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 323—An act to amend Section 41.5 of the California Unemployment Insurance Act, relating to transfer of employers' reserve accounts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.

NOES—George D. Collins, Condon, Davis, Gaffney, Hagen, and Lewis—6.

Bill ordered transmitted to the Senate

Assembly Bill No. 35—An act to add Section 987.11 to the Military and Veterans Code, relating to veterans' farm and home purchases

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2076

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2076, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2076

Assembly Bill No. 2076—An act to add Section 2117.5 to the Streets and Highways Code, relating to the Highway Users Tax Fund

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71

NOES—None

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1749—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72

NOES—None

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 150

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of one thousand nine hundred seventy-five dollars ($1,975), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding one thousand nine hundred seventy-five dollars ($1,975) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25)

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 150, at this time, without reference to committee or file

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant,

Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72.

NOES—None.

By Mr. Lewis:

House Resolution No. 151

Relative to providing adequate clerical assistance to Members of the Assembly

WHEREAS, The Legislature has under consideration at this Session an unprecedented number of bills, resolutions and constitutional amendments; and

WHEREAS, Each Member of the Assembly must necessarily devote a large amount of time to consideration and study of these measures in order to reach intelligent decisions with reference thereto; and

WHEREAS, The aid of a full-time assistant for each member is necessary to enable the members to read, consider and answer the great quantity of mail received relating to such measures; and

WHEREAS, Each Assembly committee needs a full-time secretary in order adequately to perform its duties; and

WHEREAS, At the present time the number of stenographers, secretaries and other clerical assistance are insufficient to provide each member and committee with such assistance; now, therefore, be it

Resolved by the Assembly of the State of California, That the standing Committee on Rules and the chairman of that committee are requested to take such action as may be necessary to provide for additional help so that each Member of the Assembly and each standing committee of the Assembly may have the full-time services of at least one stenographic secretary for the remainder of the duration of this session of the Legislature.

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

WEST OF SACRAMENTO BOYS, INCORPORATED
BERKELEY, CALIFORNIA, April 4, 1949

State Assembly
Sacramento 14, California

HONORABLE BODY: As a citizen and a representative of an organization, from which I have unanimous support, I am writing you this letter to ask that you use your influence and vote to defeat any further restrictions to be put on the sport, or hook and line fisherman We are informed that there is a bill to be proposed during the current session of our legislative to limit the sport fisherman to 15 pounds per license per day

During the last fishing season there was a limit put on certain popular species of deep sea or rock fish of 10 in the aggregate per license per day. This was bad enough especially when the public and the sport fisherman had no voice in this law being passed.

Now let me paint you a picture of what a limit of 15 pounds per license will mean to the average fellow who goes deep sea fishing. First of all, most of them are working men To start out with he has to pay $3 for a license and then when he manages to put aside a few extra dimes to go deep sea fishing, he has to buy bait which costs an average of $1.50 per person per day. He has his tackle to buy, and most every one who deep sea fishes has a good many miles to travel to reach his port He has bridge fare to pay as a rule, then he pays from $3.25 to $6 per day to get aboard the party boat, for which he has already made a long distance phone call for reservations. He climbs aboard with great anticipation of a day's sport and taking home some food, to partly compensate for the cash outlay he has been compelled to spend to have this day Now if he is fortunate and catches one fish weighing 15 pounds or over he must sit and relax until members of the party annex their 15 pounds in the aggregate.

Personally, I was born and raised here in the West and I sincerely and religiously believe that the right to fish with a pole and line from the bank of the river or from the sea is every citizens' heritage and also believe that commercial fishing and their varied powerful interests are responsible in getting laws passed that will soon compel the average workingman to hang up his pole and forget it.

The organization which I represent in this letter has a membership roll of 1,400 odd members which represents a cross section of all the citizens of West Berkeley,

This membership is wholeheartedly in approval of being against any and all laws that will further restrict the privileges of the hook and line fisherman.

As our representatives, we beg of you to use your influence and your vote at all times to defeat any further bills that may come before your body, relative to restrictions on the sport fishing of the common citizen

Appreciating your reply, I am,

Respectfully yours,

M. O. COONS, Assistant Secretary

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 155, on request of Mr. Rosenthal.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2427—An act to amend Section 8802 of the Health and Safety Code, relating to cemetery associations;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourth day of April, 1949, at 2 p.m.

HUYCK, Chairman

ANNOUNCEMENT

Mr. Beck announced a Democratic caucus upon adjournment tomorrow, Tuesday, April 5th.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Ways and Means. Subject: Sections 52 and 53 of the Budget Bill.

Public Utilities and Corporations.

At 8 p.m. tonight—

Finance and Insurance, in Room 432.

Tomorrow, Tuesday, April 5th, at 9 a.m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Calvin Collins of Santa Rosa.

On request of Mr. Reagan, the usual courtesies of the Assembly for this day were unanimously extended to Bruce Reagan, Jr., Miss Lark Puckett, and Carl Diesenroth of Pasadena.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to members of the San Francisco Chapter of League of Women Voters

including Mrs. R. E. Alderman, Mrs. Herbert W. Richards, Mrs. M. Lasky, Mrs. C. Dorence Jones, Mrs Paul Bogisich, and Mrs M. Donald Whyte.

On request of Messrs. Thompson and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Oscar de Reschke, William L. Pierce, and Charles R. Reynolds, teachers of the Franklin School of Santa Clara County, and the following pupils: Noemi Baiza, Joyce Becker, Jackie Bertlow, Nancy Brewer, Mary Bruno, Dora Caballero, Ruth Caruso, Sammy Castro, James Davis, Pauline Deck, Clifford Eppard, Joan Ereno, Joe Escamilla, Pansy Evans, Hortencia Gallegos, Esther Gusman, Vera Gutierrez, Willie Hannah, Pete Harnett, Arthur Hillis, Jack Johnston, Myrna Kimm, Leroy King, Charles Kinkey, Richard Madson, Mickey Manning, Beatrice Martinez, Henry Mattos, Junior McDonald, Carl McKinney, John McLaughlin, Eileen Mello, Richard Mitchell, Tony Mollica, Shirley Newman, Virginia Nimmo, George Okashima, Erlinda Palacios, Manuel Palacios, Victor Palacios, Norman Papson, Jimmy Parks, Irma Perez, Ofelia Perez, Sally Perez, Marie Phillips, Jacob Pickett, Shirley Powell, Voyd Ryan, Dolores Sanfilippo, Robert Sears, Frank Silva, Rosamond Smee, Gerrie Smith, Venora Smith, Virginia Stephens, Edward Stevenson, James Stone, Gerry Tavis, Johnny Thielmann, Joe Torres, Gene Veraguth, Lois Wagner, William Walsh, Dale Woodall, Charles Ybarra, and James Ybarra.

On request of Messrs. Cramer and Crichton, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. Robert Stratton of Fresno

ADJOURNMENT

At 12.56 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 30 a m., Tuesday, April 5, 1949

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIRST LEGISLATIVE DAY

NINETY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, April 5, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of the Dawn. May we rejoice today in the floral beauty of this State with its riot of gorgeous flowers and giant vegetation

The gigantic forests, the colossal sequoia and redwood, the forest monarchs of the world, born before Abraham went out of Ur of Chaldees.

The rare trees of our State, the towering eucalyptus, the madrona with its color, and the pepper tree with its feathery leaf and berries of red

May we be grateful for the flowers that flourish so profusely, the wild poppy, our State Flower, the rich poinsettias that adorn Christmas, and the roses which everywhere mass their glory

Above all, may we prize the far-famed parks, where every beauty of color and fragrance abounds, and preserve their grandeur for coming generations.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on request of Mr. Waters.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Huyck, on request of Mr. Waters.

(Note: See Assembly Journal, page 1790.)

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from the members of the Ripon Grange, signed by Mrs. J. R. Williams, secretary, relative to the establishment of a qualified open season on wild pigeons, was received, and ordered referred to the Committee on Fish and Game.

By Speaker Sam L. Collins:

A communication and two resolutions from the Board of Supervisors of Yolo County, signed by C. L. Hiddleson, Clerk of the Board, and W. Naismith, Chairman of the Board of Supervisors, respectively, relative to a proposed raise in salaries for the Auditor of Yolo County, and the Superior Court Judge of Yolo County, were received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 93	Assembly Bill No. 1932
Assembly Bill No. 94	Assembly Bill No. 1995
Assembly Bill No. 95	Assembly Bill No 2041
Assembly Bill No. 231	Assembly Bill No 2042
Assembly Bill No 244	Assembly Bill No. 2044
Assembly Bill No. 312	Assembly Bill No 2047
Assembly Bill No. 412	Assembly Bill No. 2048
Assembly Bill No. 634	Assembly Bill No. 2050
Assembly Bill No. 1712	Assembly Bill No. 2066
Assembly Bill No. 1723	Assembly Bill No. 2508

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2750
Assembly Bill No. 2751

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

EVANS, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 603

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Joint Resolution No. 17

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Joint Resolution No. 22

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 43

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 43—Relative to honoring the memory of Caroline Hall Breed.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 259
Senate Bill No. 349
Senate Bill No. 413
Senate Bill No. 414
Senate Bill No. 417
Senate Bill No. 418
Senate Bill No. 420
Senate Bill No. 459
Senate Bill No. 460
Senate Bill No. 565
Senate Bill No. 1013
Senate Bill No. 1042

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 259—An act to amend Section 2010 of the Streets and Highways Code, relating to mileage allowances for supervisors' official road duties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 349—An act to amend Section 25305 of the Government Code, relating to county-owned automobiles.

Referred to Committee on Municipal and County Government.

Senate Bill No. 413—An act to amend Section 3049 of the Penal Code, relating to minimum imprisonment.

Referred to Committee on Judiciary.

Senate Bill No. 414—An act to add Section 2900.1 to the Penal Code, relating to term of imprisonment

Referred to Committee on Judiciary.

Senate Bill No. 417—An act to repeal Chapter 5.5 consisting of Sections 6035, 6036, and 6037, of Title 7 of Part 3 of the Penal Code and to amend Section 6025 of the Penal Code and to add Sections 6025.1 and 6025.2 to the Penal Code, relating to the State Correctional System.

Referred to Committee on Judiciary.

Senate Bill No. 418—An act to amend Sections 5077 and 5079 of the Penal Code, relating to the State Correctional System

Referred to Committee on Judiciary

Senate Bill No. 420—An act to amend Section 2082 of the Penal Code, relating to the distribution of identification data concerning prisoners to identification bureaus.

Referred to Committee on Judiciary.

Senate Bill No. 459—An act to add Section 1755.5 to the Welfare and Institutions Code, relating to the placement of persons under the jurisdiction of the Youth Authority in certain institutions under the jurisdiction of the Department of Corrections for study, diagnosis, and treatment, authorizing the Director of Corrections to receive and to keep such persons therein, and providing for the status and rights of persons so placed.

Referred to Committee on Crime and Correction

Senate Bill No. 460—An act to add Article 10, comprising Sections 1250 to 1257, inclusive, to Chapter 3 of Part 1 of Division 2 of the Welfare and Institutions Code, providing for the establishment of the California Youth Training School and the commitment and transfer of youthful offenders thereto and therefrom, declaring escape or attempted escape therefrom a crime.

Referred to Committee on Crime and Correction.

Senate Bill No. 565—An act to add Section 5004 to the Penal Code, relating to agreements for mutual police aid.

Referred to Committee on Judiciary.

Senate Bill No. 1013—An act to add Section 7057 to the Revenue and Taxation Code, relating to registration of employers under the California Unemployment Insurance Act by officers and employees of the Board of Equalization.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1042—An act to amend Section 690.24 of the Code of Civil Procedure, relating to property exempt from execution of judgment in civil actions.

Referred to Committee on Judiciary.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 109, by request of Messrs. Waters and Sherwin.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 186 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bill No. 186 be withdrawn from the file, and be re-referred to the Committee on Industrial Relations

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 76 FROM COMMITTEE

Mr. Elliott gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 76 from the Committee on Finance and Insurance, and have it placed upon the file.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1101—An act to amend Sections 690 and 690.26 of the Code of Civil Procedure, relating to exemptions from executions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Dolwig, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Way, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2858—An act to add Section 1509.7 to the Elections Code, relating to measures submitted to the voters

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Way, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS OF ATTORNEY GENERAL HOWSER BE PRINTED IN THE JOURNAL

Mr. Doyle asked for unanimous consent that the remarks of the Attorney General, the Hon. Fred N. Howser, made before the Assembly Committee on Ways and Means, yesterday, be printed in the Journal, in 10-point type.

Mr. Sherwin withheld unanimous consent

Motion to Temporarily Suspend the Rules

Mr. Doyle moved that the Rules be temporarily suspended for the purpose of permitting the remarks of Attorney General Fred N. Howser, made before the Assembly Committee on Ways and Means on yesterday, Monday, April 4th, be printed in the Journal, in 10-point type.

Messrs. Geddes and Cramer seconded the motion

Motion carried, it appearing more than two-thirds of the members voting.

REMARKS BY FRED N. HOWSER, ATTORNEY GENERAL OF CALIFORNIA

April 4, 1949

To the Assembly Committee:

The Special Crime Study Commission of organized crime came to us for the first time in our state history as a result of executive order November 1, 1947, pursuant to Section 6027 of the Penal Code of California. The scope of the study is described as follows:

"(a) The extent to which persons are organized or are otherwise banded together, both inside and outside of this State, for objects and purposes which violate the laws of the State of California.

"(b) The means and methods used by such persons to further and promote their unlawful objects and purposes in California

"(c) The conditions which make possible the continued existence and activity within the State of California of persons who are organized or otherwise banded together, both inside and outside of this State, for purposes which violate the laws of the State of California.

"(d) The measures considered by the commission to be appropriate for recommendation to the Executive, Legislative, and Judicial Departments of the State with the object of eradicating groups organized for unlawful purposes from this State and providing increased protection for the people of the State against the inroads of organized crime.

"Said commission is authorized to seek and receive cooperation and assistance in making its investigations, studies, and reports from all agencies of the Executive Department of this State.

"Said commission is authorized to make partial and interim reports on such subjects within the general scope of its study and at such times as are deemed appropriate by said commission.

"Said commission shall render its final report and recommendations to the Director of Corrections not later than January 15, 1949, and in the manner provided by Section 6028.3 of the Penal Code."

In Part I of its report we find that the commission has, from November, 1947, to March, 1948, held *nine* meetings. Two of these were on November 17th and 18th upon the inauguration of all commissions. As to the other seven meetings no mention or record is filed indicating the attendance of the members or whether a quorum was present at all under which business could be transacted. I mention this not to question the legality of any finding, but to call attention to the existence of knowledge of the committee membership which certainly goes to its credibility.

Likewise, whether this commission is to continue is the issue, and the Legislature is entitled to know whether these commissions when appointed attend their meetings and give reasonable attention to their duties. I believe it would be interesting to know how many of these meetings were attended by Mr. Harvey S. Mudd, by Mr. William Jeffers, etc.

Having this knowledge we could then come to some reasonable conclusion as to whether this report is in fact a report of outstanding citizens or a report dictated by the commission's attorney.

We are to note in this connection also that the remaining seven meetings were only of one day's duration. How long they were in session on that day is also important for the Legislature to determine how many hours the commission was actually in session From this information we may determine if the report is a product of long hours of study and investigation of the matter, sound consideration or hasty and the product of snap judgment. Again, I say the Legislature is entitled to know (1) how many days the commission met, (2) how long the meetings were, (3) who was present at the meetings, (4) what facts were presented to the members, (5) who presented these facts, (6) was the presentation through witnesses or (7) reports of investigators, and (8) who wrote the record—the actual drafting.

The first objective of the commission, according to its report, Part I, was to determine whether organized crime does in truth exist in California. It is stated in this report that "*its studies leave no doubt as to the answer—organized crime does exist*"

If so—*what actual proof has the commission presented?*

After making this finding of fact, the commission proceeds to state conclusions without supplying evidence acceptable to our courts to substantiate their position This I shall only mention now and will discuss more fully later.

Legitimate, bona fide sources of evidence were not consulted.

As to assistance received from the local public officers little mention is made, and to excuse the commission of its own deficiencies they blame powerful organized gangs who throttle government through their duly elected officials who, in turn, according to the commission, *have refused* to render them aid.

To the commission it appears inconceivable that any person could have good and legitimate reasons or bona fidely not agree with their approach of the problem On one point all respectable citizens are in agreement—organization for crime must go, but let us do it legitimately through our regular processes of constitutional government and not cast a public distrust upon those officers who have the duty and the power to act, by a committee that, by its own admission, states that it hasn't the duty nor the power to take corrective action.

It is open to question whether lurid and extravagant recitations of supposed criminal conditions—virtually unsupported by evidence which will stand the test of a court of law—contribute to suppression of crime. Such abandoned and misguided statements, since they may tend to discredit established law enforcement agencies and paint a broad picture of unchecked and uncombatted lawlessness, may in effect give aid and comfort to criminals. Long-existent, dependable and honest law enforcement officers may be made to appear ridiculous and ineffective in the face of what the commission claims to have uncovered, but its claims and production are two different things. It claims fact, and has produced fiction. We can't prosecute crime on such a basis. We need facts—not suppositions.

In Part I, at page 3, of the introduction, the commission has candidly stated that it has exceeded its jurisdiction, "*when serious prosecution* has been undertaken by an appropriate agency against persons playing an important part in the organization of crime in the State, *the commission has assisted* with its staff with every resource which it commands."

The "assistance" to which the commission here refers is the help it gave in the prosecution at Ukiah, in which the defendants were charged with attempting to organize a payoff racket on existing slot machines. It must be noted that the charges in this case and the "assistance" of the commission in the prosecution are projected upon the basic fact that slot machines were in operation in the county. Despite this fact the commission made no report of the existence of the machines except by inference, and voiced no criticism of their existence. Specifically, despite "assistance" in the Ukiah prosecution the commission did not report (1) existence of the machines, (2) by whom operated, (3) to whom revenue was paid, and (4) whether operation was possible because of local law enforcement laxity.

The commission claimed that by its participation in the Ukiah trial it prevented spread of a protection racket throughout the State. But again it is pertinent to note (1) slot machines must first be in operation before (2) any attempt can be made to organize a protection racket on them.

Nor did the commission report that *during the trial* of these defendants on charges of attempting to organize a protection racket on slot machines, such machines continued in operation throughout the county—a fact that could have been ascertained (if it were not explicitly known to the commission).

The commission seemingly prides itself on participation in the Ukiah trial (Part I, page 3), but compare this with page 3, Exhibit 1, wherein a portion of a letter by the Attorney General calls attention to a meeting May 26, 1948, with Mr. Olney and Governor Warren, wherein the investigation of an operative for the Crime Commission was discussed. This investigation as discussed disclosed a clear violation of Section 337a of the Penal Code. At this meeting the Attorney General demanded the investigator swear out a complaint, since a felony had been committed in his presence The suggestion was violently opposed by Mr. Olney and the Governor. Reference is also made to this same letter wherein the Attorney General suggested the investigator, Mr. Hanson, and his undercover agents, submit all their evidence to the District Attorney of Riverside County—this suggestion by the Attorney General likewise being rejected.

What distinction separates these two transactions in the minds of the commission? First they state with pride that the commission exceeded its jurisdiction, and next (with bold sham) they excuse their inactivity in the face of facts exclusively within their knowledge of their own agents.

The answer to this puzzle is obvious, as the former reference relates to the prosecution of an ex-member of my staff, and political implications are involved The latter case refers to "just a bookmaker"; and this man frankly admitted he had been engaged in bookmaking for the

past 14 years, this fact dating his unlawful business back to the time when Mr. Olney was Assistant Attorney General.

This type of conduct by the commission's agents is now specifically directed to the attention of the Legislature.

The commission's recommendations on the bookmaking racket fall into two classifications, *the first* pertaining to bringing about through the Federal Communications Commission adoption of a rule similar to that adopted by the California Public Utilities Commission requiring all communication companies to refuse service on notice by a law enforcement agency that the facilities are being used to violate the laws of the states. *Secondly*, that the California Department of Justice, of which I am the head, investigated the present network of telephone service and abate the same.

Certain observations are to be made:

1. The commission admits its own deficiency and returns to the Legislature for action in its recommendations to get the job done.

2. It again returns to constitutional government to get the job done in asking the Attorney General to use his office to secure the support of such a program through the National Association of Attorneys General.

3. It again returns to constitutional government in asking the Attorney General to sustain any proceedings in the United States Supreme Court.

4. It again returns to constitutional government in asking the State Department of Justice to investigate the telephone service and abate the same.

5. That although the Attorney General did on March 7, 1949, request of the commission that it supply all facts upon which the commission based its recommendations as of this date no such evidence has been forthcoming.

6. That although the Attorney General has requested $10,000 from the Governor to finance this requested investigation of utmost urgency and importance, the Governor after 30 days still has this request under advisement.

In any event, may I endeavor to analyze these recommendations for your determination as to their real worth.

First, we learn from the report that bookmaking is a true lottery. This is presented to you as an astounding announcement or discovery, but any person in practical law enforcement will tell you it has been known and used in practice by police and prosecuting agencies for years.

Secondly, the real necessity to maintain bookmaking or this lottery is the horse race itself. This main necessity is casually and only incidentally mentioned by the commission itself. Whether this has been motivated by the fact three members of the commission and its staff are and have been closely associated in the financing, management, and operation of one of the world's largest racing plants, is a fact with which we need not necessarily here concern ourselves.

Thirdly, we are told the abolition of racing in California would have little effect on the menace of bookmaking; and that

Fourthly, the wire service is the "juicy financial plum" (that is the prize for racketeers) and that bookmaking is always accompanied

by fixing and corruption of public officials. No evidence is given in this report substantiating this violent statement *and its implicit affront to the public officialdom of California,* nor is there a single instance where the commission has referred their "evidence" to any proper authority for action.

Let us look at this so-called juicy plum so painstakingly described by the Crime Commission We are told of its evils and we are referred to another report of another Crime Commission in Chicago as authority in *this* report for its factional existence. Both reports are full of statements, but contain no evidence acceptable by our courts as evidence. It is upon the unsubstantiated representations of the Chicago Crime Report that we are to accept as gospel that Capone and his gang operate here in California; and even if we assumed the Chicago Report were completely true as to events set forth as applicable there, that is the business of Chicago.

I earnestly urge you to interrogate any law enforcement agency in California as to the truth of these statements, and as Members of the Legislature to ask yourselves "Is this a scheme on which you are willing to spend the taxpayers money?" To have reproduced for your consumption the report of a Chicago Crime Commission? What is this authority —the Chicago Crime Commission is not a legislative body nor a duly constituted body created by the Legislature of Illinois, possessed of any police power, but is the creation of the association of commerce. In other words, it is a part of the Chamber of Commerce of the City of Chicago.

Slashing through pages of recitations, we find a bookie wire service was stopped in California, and the report admits it was terminated under order of the Attorney General. The report likewise admits, even though this wire service was so terminated, that bookmaking continued, but it refers to it as a petty thing of only local significance. The report states that the California Public Utilities Commission adopted its order permitting termination of service on notice from any law enforcing agency, but according to the Crime Commission Report, bookmaking still continues, even though the California Public Utilities Commission's order applies with equal force to wire service and telephone service

It appears we go all around the barn when we read page 24 of Part I, and I quote:

> "It is true that removal of the wire still leaves open to bookmakers a number of other sources, such as the offices of scratch sheets and newspapers and radio broadcasts, from which race results, mutuel prices and other gambling information can be secured. If information from these sources is too slow, which is nearly always the case for any considerable volume of business, it is still possible for a California bookmaker to secure speedier transmission of information by means of a long distance telephone call to some bookmaker or 'wire service' center outside the State."

At page 26, Part I, it is stated:

> "A new network is now beginning to appear for the dissemination of bookmaking information."

It is, therefore, noteworthy that passage of rules, whether by State or Federal Communications Commissions does not stop bookmaking, and

that little can be gained in following the commission's recommendations of (a), (b), (c) and (d).

If we are to stop bookmaking we must get at the cause—and that is, horse racing. If horse racing is to continue the establishment of legalized bookmaking should be considered. I see no worth in the commission's argument that licensees would be selected by those who control the wire service and not by the State. That is like saying the hen will decide who buys eggs from the farmer. Certainly our State does have the police power to control and regulate such activity affecting its people and as related to its business it regulates and controls such as the tracks in its jurisdiction.

In any event do you need a Crime Commission to tell you these things? If so, what purpose do the interim committees of the Legislature serve?

So far, gentlemen, I do most respectfully submit, I do not see any justification, and if the continuance or creation of this commission isn't political, why is it then we see all this attention attracted to it? Volumes of newspaper clippings upon it and numerous political candidates who are active in California try to attract attention to themselves through this commission. What a spectacle it would have been if former Governor Olson had created a Crime Commission during the incumbency of Earl Warren as Attorney General. It is even reasonably conceivable that the lasting close friendship of Bob Kenny and Earl Warren might have become strained if this commission had been inaugurated and permitted to disport itself during the Kenny term of office.

Let me now turn to Part II of the report and observe the recommendations contained therein. It is notable that none of them are of importance other than the recommendation of the Attorney General of last November 16th (conveyed to a legislative committee last December 8th) making mere possession of slot machines unlawful.

After a preliminary voyage with the commission through the various national associations engaged in this business, we are told of the number of machines reflected by the Federal Internal Revenue Offices. This report makes it clear the Federal Internal Revenue Department is not doing its job, if the report is to be relied upon. Here, again, we have some of the commission's hocus pocus, and there is a fact that should be brought out at this point, to wit: It does not take a Crime Commission to get this information from the federal offices. Any person has an equal opportunity.

The commission admits it has no accurate estimate of the amount of money taken from the public by slot machine operators in California. We have merely a loose statement that there are slot machines. We are not told (as I said before) where they are located, and specifically, who owns and operates them, or what that estimated revenue is. We are merely informed they are around somewhere, and although the commission does not infer that it is the fault of the Attorney General of California that slot machines exist in Chicago, you sort of get the idea that California's Attorney General should be held accountable for the moral condition of every community in this State.

But again the commission goes to the findings of the Chicago Crime Commission for the year of 1939, 10 years ago, and also goes to *Colliers'* magazine of February, 1949. I am not impressed when the commission

estimates California's present situation on the basis of what the Chicago Crime Commission reported existed in Chicago some ten years ago.

The Crime Commission's report at page 8, Part II, states "the reputed head of the racket is Frank Costello of New York" and at page 10, Part II, "the true relationship between these gangsters and the slot machine manufacturers, distributors, operators and the trade association *is not* known." We are then paraded from New York to Louisiana and what is the basis of proof? Competent evidence admissible by our courts? No—the basis is *Life* magazine and again the report of the Chicago Crime Commission.

Our State has reached a new low when re-editing of old crime reports, magazine articles, and best sellers can be offered up as justification of an expenditure of $100,000 of the taxpayers money.

We are taken through Santa Cruz, Kern, and Yuba Counties between pages 14 to 30, inclusive, of Part II of this report. Here we have misstatements of fact, and the employment of the device of implication and innuendo, to paint a lurid story seeking to involve the Office of the Attorney General.

It is significant to read page 18, Part II; I quote:

> *"The commission's studies have not involved, directly or indirectly, an appraisal, comparative or otherwise, of the performance of local law enforcement agencies."*

Yet it cannot be denied that rackets cannot exist without the knowledge, consent, or participation of local law enforcement agencies. This acknowledgment, of itself, is final, complete, and inescapable proof that the Crime Commission Report is a nullity—that the State paid $100,000 for nothing. The statement quoted was made to shield a glaring weakness of the commission in not placing responsibility where it belongs, because it was not political expedience to do so at the time.

As to this phase of the report, what has come of it? For what legitimate purpose was it used? What was done with this "information"? Was it referred to any prosecuting agency?

There is a negative answer to all these questions. No use was made of the supposed "evidence" and it was not referred to any prosecuting agency. The commission's actions in combination with its reports clearly show that it had only one clearly defined objective, and that was to impugn the name of the Attorney General and cast doubts on the efficacy of the State Department of Justice. What civic virtue is to be found in a public group which devotes its major efforts to an assault on the reputation of the chief law enforcement officer of this State, and his department, and seeks to hide its political activities under a smokescreen of fantastic charges that the State is overrun with criminals, and the lives and property of its citizens endangered?

Certainly the commission took action to aid in at least one prosecution, and the only action taken was in Mendocino County because that matter possibly involved one of the former agents of the Attorney General's Office. I think we all can agree that if, as reported in its reports, any evidence of unlawful conduct existed in Santa Cruz, Kern, Yuba, or any other county, the commission would have insisted on a prosecution.

In passing, we see the full resources of the Crime Commission and of the home county of our present Governor thrown into this Mendocino County by the use of the facilities of the Alameda County District

Attorney's Office and Sheriff's Office, even though the Crime Commission states at page 33, Part II of its report, "* * * it was considered that this course was not in excess of the directives in the executive order appointing the commission * * *."

For bulk we are again returned at page 36, Part II, of the report to Chicago, we are told of the terrible things there, of the unlawful experiences up in Idaho, of happenings down in Florida, how crime happens in England, what the gangsters are doing in Oklahoma, the suffering of the people as a result of crime in South Carolina, and Massachusetts, and Minnesota, are thrown in for good results and we come to a stop at page 58.

But what of California? The greatest crime of all was clearly set forth in the commission's report—it was the crime of taking $100,000 from the taxpayers of California, and giving them in return, along with an insult to their intelligence, a false, fictitious, and fearful tale of crime, which as evidence in a court of law and as an effective weapon in the fight against crime, bears no more weight than one of the pages upon which it is written.

Pages 36 to 58 give us 22 pages of bulk—22 pages of stuff you could get compiled for $100 by any informed newspaper reporter in the Country. I think it is high time someone is asking just what has the State received for $100,000 and what can it expect to receive in the future if the commission is continued by this Legislature, and I would like to have the Governor of this State tell the taxpayers just what is proposed.

You men have provided and organized the State Department of Justice. You are financing it together with other duly constituted law enforcement agencies. The laws of this State are being enforced. This commission, not by its creation or by its duly constituted power, but through its extra jurisdictional functions, which it feels it is big enough to get by with, duplicates and interferes with the due administration of justice in this State. In the hands of its present management, it is dangerous and should be voted out of existence.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2212

Mr. Butters asked for, and was granted, unanimous consent to take up Assembly Bill No. 2212, previously passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2212

Assembly Bill No. 2212—An act to amend Section 402 of the Fish and Game Code, relating to licenses.

Bill read third time.

Speaker Pro Tempore Presiding

At 10.02 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Butters moved a call of the Assembly.

Motion carried. Time, 10.07 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Clayton A. Dills, Ralph C. Dills, Dunn, Hollibaugh, Huyck, Lewis, Price, Silliman, Thompson, and Tomlinson—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Presiding

At 10 08 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 509—An act to amend Sections 2701, 2709, and 2875 of the Penal Code, relating to the employment of prisoners in state prisons and the disposition of prison-made goods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Added to Roll Call on Assembly Bill No. 509

Mr. Burkhalter asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 509, and that he be recorded as voting, "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1205

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1205, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1205

Assembly Bill No. 1205—An act to amend Sections 502.1, 511.5, and 516.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 23, of the printed bill, after "leggings.", insert "Such uniforms not to be furnished in excess of seven dollars and fifty cents ($7.50) in value per cadet, the number of cadets per unit to be based upon the average monthly strength report thereof."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1921—An act to repeal Section 3474 of the Welfare and Institutions Code, relating to the responsibility of relatives of partially self-supporting blind persons who are receiving public assistance.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Rosenthal, Rumford, Sillman, Smith, Thomas, Way, Weber, and Mr. Speaker—43.

NOES—Babbage, Burke, Connolly, Conrad, Fleury, Grant, Grunsky, Hinckley, Kirkwood, Levering, Lincoln, McCarthy, Moss, Reagan, Sherwin, Stanley, and Waters—17

Bill ordered transmitted to the Senate.

Assembly Bill No. 2729—An act to amend Section 6816 of the Public Resources Code, relating to the disposition of moneys credited to the State Lands Act Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sherwin, Sillman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—Burkhalter, Cooke, Rumford, and Stanley—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 270

Mr. Heisinger asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 270, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 270

Assembly Bill No. 270—An act to add Section 1204 to the Fish and Game Code, relating to migratory birds.

Bill read third time.

Demand for Previous Question

Messrs. Erwin, Weber, Rosenthal, Burke, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 270.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Beck, Berry, George D Collins, Connolly, Doyle, Erwin, Evans, Fletcher, Hawkins, Heisinger, Hollibaugh, Lewis, McMillan, Thomas, Way, and Weber—17.

NOES—Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, and Waters—40

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1317—An act to amend Section 28129 of the Government Code, relating to compensation for public services in counties of the twenty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—53.

NOES—Anderson, George D Collins, Doyle, Elliott, Evans, Geddes, Hahn, Hawkins, Heisinger, Kilpatrick, Luckel, Rosenthal, and Thomas—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 554—An act to amend Section 28117 of the Government Code, relating to compensation for public services in counties of the seventeenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—53.

NOES—Anderson, George D. Collins, Elliott, Evans, Geddes, Hahn, Hawkins, Heisinger, Kilpatrick, Luckel, Rosenthal, and Thomas—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to influencing the passage or defeat of legislation.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 47, of the printed bill, as amended in the Assembly on March 25, 1949, after "such", insert "employment, how much he is paid and is to receive, by whom he is paid or is to be paid, how much he is to be paid for expenses, and what expenses are to be included. Each such person so registering shall, between the first and tenth day of each calendar month, so long as his activity continues, file with the clerk and secretary a detailed report under oath of all money received and expended by him during the preceding calendar month in carrying on his work, to whom paid; for what purposes; and the".

Amendment read.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Coats is trying to place back into the bill portions previously amended out of it, and that his amendment is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Appeal From Decision of the Chair

Mr. Coats appealed from the decision of the Chair.

Decision Sustained

The roll was called, and the decision of the Speaker was sustained by the following vote:

AYES—Berry, Brown, Burke, Butters, Clarke, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Doyle, Dunn, Evans, Fletcher, Gaffney, Geddes, Grant, Hawkins, Hoffman, Kilpatrick, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Smith, Stanley, Thomas, Tomlinson, Waters, Way, and Weber—38.

NOES—Anderson, Beck, Bennett, Burkhalter, Coats, Collier, George D. Collins, Condon, Cooke, Elliott, Fleury, Hagen, Hahn, Lewis, Lindsay, Lowrey, McCarthy, Moss, Rosenthal, and Rumford—20.

The question being on the passage of Assembly Bill No. 3.

Request for Unanimous Consent That, If Necessary, Additional Time Be Allowed for Debate

Mr. Collier asked for unanimous consent that, if necessary, he be permitted to use additional time for his opening remarks.

Mr. Dunn withheld unanimous consent.

Motion That Mr. Collier Be Granted Additional Time for Debate

Mr. Lowrey moved that, if necessary, Mr. Collier be given more than the 10 minutes allowed him for his opening remarks on Assembly Bill No. 3.

Mr. Grunsky seconded the motion.

Motion carried.

The question being on the passage of Assembly Bill No. 3.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Maloney is taking too much latitude in his remarks, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled that, as Mr. Collier had been given great latitude by being allowed 35 minutes for his opening remarks, his point of order is not well taken.

The question being on the passage of Assembly Bill No 3.

Demand for Previous Question

Messrs. Grunsky, Connolly, Kirkwood, Lindsay, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No 3

Request for Unanimous Consent That He Be Permitted to Read Excerpts From Report

Mr. Collier asked for unanimous consent that he be allowed to read excerpts from the Philbrick Report.

Mr. Geddes withheld unanimous consent on the premise that Mr. Collier has long exceeded his time.

Point of Order

Mr. Cramer arose to the following point of order: That Mr Collier has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No 3

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—58

NOES—Burke, Butters, Clarke, Cramer, Crowley, Doyle, Erwin, Evans, Fletcher, Hoffman, Hollibaugh, Levering, Morris, Reagan, Smith, Stanley, and Way—17.

Bill ordered transmitted to the Senate.

RECESS

At 11.58 a.m., on motion of Mr Doyle, the Assembly recessed until 11.59 a m., so that Mr. James Roosevelt, former Chairman of the Democratic State Central Committee, escorted by Mr. Rosenthal, could appear before the bar of the Assembly.

REASSEMBLED

At 11.59 a.m., the Assembly reconvened

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Mr. Maloney:

House Resolution No. 152

Resolution relative to the Thirtieth Wedding Anniversary of Verne and Ethel Hoffman

WHEREAS, There is a well known slogan entitled "Chickens come home to roost"; and

WHEREAS, That slogan cheerfully and happily fits into the married career of Verne and Ethel Hofman, because 30 years ago today on April 5, 1919, the honeymoon of this lovely couple was spent in the City of Sacramento where there is located the State Capitol of this glorious State of California, and

WHEREAS, From the very first day in the fall of 1916 when Ethel Jack, now Mrs. Hoffman, was a freshman at the University of California, and he a senior, there might have been misconnections; however, love at first glance became a certainty, for in the fall of 1917, while a Cadet at the School of Military Aeronautics, Verne Hoffman became brave enough to pop the question of marriage, which was readily accepted by Ethel, and an engagement followed; and

WHEREAS, Returning from the military, Verne came back to California, learned that the engagement was still on, and on April 5, 1919, the knot was tied A happy marriage took place and during those past 30 years nothing but joy filled their hearts and lives While Ethel assumed her duties as a housewife, Verne worked for the Agricultural Extension Service as a farm advisor. Being obsessed with the idea of progressing, in 1921 they moved to Lodi, and, from the uncultivated soil, developed their own property, where they built their present home on a piece-meal basis. While times were tough, Verne and Ethel went through the depression of 1930 in the same manner as they did in the '20s when times in their household were a little tougher; and

WHEREAS, In 1921 Verne Hoffman Junior was born, and then in 1923 Bob made his appearance, followed in 1928 by the lovely features of a daughter, Marolyn Hoffman; and

WHEREAS, So to carry on in the good old American Way, Verne Hoffman with fortitude and courage, in order to support his family and buy a ranch, taught school for 22 years, and retired from teaching in 1944 Verne Jr., is a graduate of Utah State Agricultural College, and Bob is a graduate from the University of California, and also attending this great institution of learning, is Marolyn

Verne and Ethel Hoffman, celebrating their Thirtieth Wedding Anniversary in Sacramento today, are blessed with a grandson, Gary Bruce Hoffman, who is the apple of the eyes of both of his grandparents; now, therefore be it

Resolved, That the Members of the Assembly extend to Verne and Ethel Hoffman their heartiest congratulations on this their Thirtieth Wedding Anniversary, and hope and trust and pray that their future married life will be just as happy as the last 30 years spent together; and be it further

Resolved, That an engrossed copy of this resolution be forwarded to the Honorable Assemblyman and Mrs Verne Hoffman

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 152, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1670 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bill No. 1670 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2212

At 12.07 p.m., on motion of Mr. Butters, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Assembly Bill No. 2212 passed by the following vote:

AYES—Babbage, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Conrad, Cooke, Cramer, Crichton, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr Speaker—45.

NOES—Anderson, Beck, Bennett, Berry, Caldecott, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Elliott, Evans, Geddes, Grunsky, Hahn, Hawkins, Kilpatrick, Lowrey, McCarthy, McMillan, Rosenthal, and Rumford—24.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 12.08 p.m., Mr. Waters asked for, and was granted, unanimous consent that Mr. Huyck be excused, for the balance of the legislative day, as he is attending to legislative duties elsewhere.

At 12.09 p m., Mr. Reagan asked for, and was granted, unanimous consent that Mr. Price be excused, for the balance of the legislative day, because of illness.

COMMUNICATIONS

By Speaker Sam L. Collins:

A telegram from Annie Ellenberger of Hayward, relative to urging the Legislature to discontinue the Crime Commission, was received, and ordered referred to the Committee on Ways and Means.

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
PRINTING DIVISION, SACRAMENTO 14, April 4, 1949

Mr. Randal Dickey, Chairman
Assembly Rules Committee
State Capitol, Sacramento 14, California

DEAR MR. DICKEY: In conformance with your request relative to the possibility of changing present procedure of handling amended bills to a new procedure wherein bills would carry all successive amendments in each progressive printing until passed, we have given the matter considerable thought. There is no doubt that something could be worked out but I would like to call the following matters to your attention:

1. Present procedure has been in practice for a number of years and thoroughly understood by our plant personnel, the legislative amending clerks, the general public, as well as the membership of the Legislature and the staff of the Legislative Counsel Bureau Any new system wherein all successive amendments were carried on the original bill in the progressive handling as well as in the final enrolled bill would greatly increase the possibilities of error.

2. The carrying of successive amendments would increase number of pages in many bills, complicate plant storage problem, and increase the cost of printing of the amended and enrolled bills

3 Under normal procedure in the last month of regular sessions, when both houses are giving final passage to a great number of bills, the plant is squeezed hard to get the enrolled bills out promptly along with the legislative publications. If all successive amendments were carried on each bill, practically all of the amended bills would have to be completely reset under such procedure during a period when time is of utmost importance, and would hold up considerably the production and receipt of enrolled bills, and cause great inconvenience and delay to the officials in both houses in leaving after final adjournment, as well as create problems in the Governor's Office during the official bill signing period, unless present Government Code provisions are amended to increase time allowed for bill signing.

4. A summary of bills amended during March, 1949, follows:

Total bills amended			483=100%
Bills amended 1 time	Assembly	270	
	Senate	158	428= 89%
Bills amended 2 times	Assembly	25	
	Senate	26	51= 10%
Bills amended 3 times	Assembly	2	
	Senate	2	4= 1%

It is observed the percentage of bills carrying more than one amendment is small and any advantage to be gained by any change in present procedure must be carefully weighed against all factors mentioned. However, it might not be so difficult mechanically if the Printing Division is able to secure larger quarters in the not too far distant future and additional linotype machines can be installed and manned as the increased facilities would permit us to take care of greater peaks in handling of enrolled bills as well as the production of bills in the original introduction period.

If it is desired to go further into the matter, we shall be pleased to do so, and I would suggest members of the staff of the Legislative Counsel Bureau be present

at any future discussion as there may be preparation problems in their office with which we are not familiar, as well as the mechanical problems and production problems which follow in the Printing Division

Yours very truly,

PAUL E. GALLAGHER, State Printer

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1634—An act to amend Section 26743 of the Government Code, relating to sheriffs' fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—63.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 581

Mr. Davis asked for, and was granted, unanimous consent to take up Assembly Bill No. 581, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 581

Assembly Bill No. 581—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—64.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2030—An act to add Section 13926 to the Government Code, relating to powers of the State Board of Control.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 25, 1949, following line 19, insert "Any award granted under the provisions of this section shall

be limited to one hundred dollars ($100) unless a larger award is approved by concurrent resolution of the Legislature Not more than ten awards during any fiscal year may be made to employees of any one state agency "

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 35 TO HOLD PLACE ON FILE BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L Collins ordered that Assembly Constitutional Amendment No. 35 hold its place on file, on the next legislative day.

ANNOUNCEMENTS

Mr. Evans announced that all members of the Los Angeles Delegation, and their wives, are invited to Rooms 622 and 623 of the Hotel Senator, tonight, for the purpose of hearing Los Angeles mayoralty election returns over the air.

Speaker Sam L. Collins announced that Assemblyman and Mrs. Fletcher celebrated their Thirty-first Wedding Anniversary yesterday, Monday, April 4th, and expressed belated best wishes and congratulations on behalf of all Members of the Legislature.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1932 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No. 1932 be taken up out of order, be withdrawn from file, and be re-referred to Committee on Civil Service and State Personnel.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mrs. Niehouse:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain

Respectfully submitted,

KATHRYN T NIEHOUSE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mrs Niehouse:

An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly,

Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3116: By Mrs. Niehouse—An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Silliman:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts to junior college districts.

Respectfully submitted,

JAMES W. SILLIMAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Silliman:

An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts to junior college districts.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3117: By Mr. Silliman—An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts to junior college districts.

Referred to Committee on Education.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Weber:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 1.5, comprising Articles 1 and 2, to Part 2, Division 2, Title 2, of the Government Code, relating to the Legislature, providing for research aids thereto, creating the Legislative Research Bureau, the Legislative Research Council, the Senate and Assembly Committees on Legislative Organization, and the Joint Committee on Organization and Program, and prescribing their powers and duties.

Respectfully submitted.

CHARLES M. WEBER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Weber:

An act to add Chapter 1.5, comprising Articles 1 and 2, to Part 2, Division 2, Title 2, of the Government Code, relating to the Legislature, providing for research aids thereto, creating the Legislative Research Bureau, the Legislative Research Council, the Senate and Assembly Committees on Legislative Organization, and the Joint Committee on Organization and Program, and prescribing their powers and duties.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3118: By Mr. Weber—An act to add Chapter 1.5, comprising Articles 1 and 2, to Part 2, Division 2, Title 2, of the Government Code, relating to the Legislature, providing for research aids thereto, creating the Legislative Research Bureau, the Legislative

Research Council, the Senate and Assembly Committees on Legislative Organization, and the Joint Committee on Organization and Program, and prescribing their powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2120

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered re-referred to the Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 191
Assembly Bill No. 632
Assembly Bill No. 1967
Assembly Bill No 2049
Assembly Bill No 2051

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 236
Assembly Bill No 1751
Assembly Bill No. 2744

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2046
Assembly Bill No. 2053
Assembly Bill No. 2055
Assembly Bill No 2061

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 43, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 43

Senate Concurrent Resolution No. 43—Relative to honoring the memory of Caroline Hall Breed.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 640—An act to amend Sections 1, 2, and 3 of an act to regulate the caravaning of vehicles upon the public highways of this State, defining the term caravaning and providing for the licensing of vehicles in caravan for the privilege of using the public highways and for the cost of regulating persons engaged in caravaning and providing such fees shall be a lien and for the enforcement of such liens and the collection and disposing of such fees and imposing penalties for violation thereof, approved July 1, 1937, relating to the definitions of the terms employed therein.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—52

NOES—Anderson, Beck, Cramer, Crowley, Davis, Ralph C. Dills, Hagen, Heisinger, and Lewis—9

Bill ordered transmitted to the Senate

ANNOUNCEMENT

Mr. Ralph C. Dills announced that an invitation to members to attend a luncheon tomorrow was being deferred until Wednesday, April 13th.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter to the Minute Clerk of the Senate, and request that he delete his name from the corrected Senate Daily Journal of Friday, April 1st, on page 936, where it shows that he signed the Majority Report as concluded on said page, because he did not sign the Majority Report, and the recording of his signature is an error.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 1022, by request of Mr. Beck

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2197 HOLD PLACE ON FILE

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 2197 be passed on file, and that it hold its place on file, on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 625—An act to repeal Section 586.5 of, and to add Sections 39 7 and 586 5 to the Vehicle Code, relating to the operation of tow cars

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Holhbaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—73

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2431 HOLD PLACE ON FILE

Mr. Condon asked for, and was granted, unanimous consent that Assembly Bill No. 2431, passed on file, hold its place on file, on the next legislative day

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1358—An act to amend Section 1772 of the Welfare and Institutions Code, relating to the discharge of parolees

Bill read third time.

Motion to Amend

Mr Cooke moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on March 30, 1949 after "committed", insert a comma

Amendment No. 2

On page 1, line 8, of said bill, strike out "so"

Amendment No. 3

On page 1, line 11, of said bill, after "petitioner", insert "who shall thereafter be released from all penalties and disabilities resulting from the offense or crime for which he was committed".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 827

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 827, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 827

Assembly Bill No. 827—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—Anderson, Condon, Davis, and Elliott—4.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 809—An act to amend Section 7420 of the Business and Professions Code, relating to the granting of cosmetology licenses.

Bill read third time, and ordered passed on file.

Assembly Bill No. 918—An act to amend Section 829.5 of the Agricultural Code, relating to experimental containers for fruits, nuts and vegetables.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 397 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 397 be taken up out of order, be withdrawn from the file, and be re-referred to the Committee on Elections and Reapportionment.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1483—An act to add Section 801.5 to the Agricultural Code, relating to the marketing of juice grapes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2161—An act to amend Section 204a of the Code of Civil Procedure, relating to the appointment of jury commissioners and assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 567—An act to amend Section 6535 of the Business and Professions Code, relating to barber colleges.

Bill read third time.

Demand for Previous Question

Messrs. Geddes, Waters, Morris, Conrad, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 567.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Grant, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Thompson, Way, Weber, and Mr. Speaker—43.

NOES—Beck, Burke, Butters, Conrad, Cramer, Crowley, Elliott, Erwin, Evans, Geddes, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Levering, Lincoln, Lowrey, Morris, Reagan, Sherwin, Smith, Tomlinson, and Waters—24.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Beck announced the luncheon meeting and Democratic Caucus, upon adjournment, at the Hotel Sacramento.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred

Senate Bill No. 1572

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred,

Assembly Bill No. 987
Assembly Bill No. 2975

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 232
Assembly Bill No. 1045
Assembly Bill No. 1046

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended

BROWN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No. 1035
Assembly Bill No. 1036
Assembly Bill No. 1037
Assembly Bill No. 1038
Assembly Bill No. 1039
Assembly Bill No. 1040

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 4, 1949

MR SPEAKER: Your Committee on Military Affairs, to which were referred

Assembly Bill No. 507
Assembly Bill No. 1201

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER: Your Committee on Military Affairs, to which was referred,

Assembly Bill No. 1931

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

McCOLLISTER, Chairman

Above reported bill ordered to second reading

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER Your Committee on Finance and Insurance, to which were referred

Assembly Bill No. 1470
Assembly Bill No 1794
Assembly Bill No 2674
Assembly Bill No. 2349
Assembly Bill No 2350
Assembly Bill No 2352
Assembly Bill No. 2353

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER: Your Committee on Finance and Insurance, to which was referred.

Assembly Bill No 2351

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER. Your Committee on Finance and Insurance to which was referred

Senate Bill No 251

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER Your Committee on Finance and Insurance, to which were referred

Assembly Bill No 249
Assembly Bill No 2546

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER Your Committee on Finance and Insurance, to which were referred

Assembly Bill No 1319
Assembly Bill No. 1793

Has had the same under consideration and reports the same back with the recommendation Do pass

GEDDES, Chairman

Above reported bills ordered to third reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER Your Committee on Rules, to which was referred.

Assembly Joint Resolution No 31

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 372—An act to add Chapter 7 to Division 8 of the Elections Code, relating to elections and providing for an alternative and optional method of

balloting and ascertaining the vote at elections and in precincts for which such method is adopted;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifth day of April, 1949, at 1 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 31

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 386

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 41

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 41—Relative to the observance of Army Day.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 472
Assembly Bill No. 624
Assembly Bill No. 822
Assembly Bill No. 2038
Assembly Bill No 2056
Assembly Bill No. 2175
Assembly Bill No. 2593

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 472 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 624 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 822 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2038 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2056 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2175 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2593 ordered re-referred to Committee on Public Morals.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Agriculture.

Public Health.

Subcommittee on Finance and Insurance. Subject: State Banking Act.

Social Welfare.

Livestock and Dairies upon adjournment of Committee on Agriculture.

Tonight, at 8 p.m.—

Fish and Game.

It was announced that no meeting of the Committee on Elections and Reapportionment would be held today.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to J. J. O'Hern and E. D. Starkweather of Los Angeles.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the William Land School of Sacramento: Leslie Owyang, Jeanette Leong, Judith Quinney, Marjorie McCletchie, Shirley Bernal, Masami Ikemoto, George Onoda, Ronald Frame, Allen Wimberly, Albert Rodriques, Philip Soto, Carolyn Yee, Katherine Miller, Betty Yue, Jeanette Papini, Betty Azevedo, Beverly Dere, and Hobart Fong.

On request of Messrs. Geddes and Butters, the usual courtesies of the Assembly for this day were unanimously extended to George Streit of Pomona, Edward M. Sills and Irving C. Jordan of Los Angeles.

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mildred Ewell of Los Angeles.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Vernon Hoffman of Acampo.

On request of Mr. Beck and the Democratic Assemblymen, the usual courtesies of the Assembly for this day were unanimously extended to James Roosevelt of Los Angeles.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Genevieve Cupples and Miss Helen Vida, teachers, of Grant School of San Francisco, and the following pupils: Lawrence Axtell, Donn Bernstein, Clay Bradley, Alfred Breslauer, George Gundlfinger, Jack Hill, Kenneth Lym, Robert Morris, Richard Orear, Garnett Pessel, John Strathdee, Shoyei Yamanchi, Lois Arnstein, Marcia Baird, Ann Barnard, Gabriele Berliner, Lois Bernstein,

Jacquelme Hughes, Donna Joost, Jean Landram, Susan Mizell, Carole Nickelson, Lynn Ray, Cynthia Stearns, Virginia Treadwell, Marcia Upson, Karin Walker, Sydney Wallis, Carol Williams, Robert Wilm, Sharon Kilby, Sue Griswold, Larry Palofox, Angela Bowen, Bill Pope, and Donald Bull.

On request of Mr. Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Carlson and Mrs. Dobson, staff members of the International House of the University of California, and the following pupils· Hans Luyt, Netherlands; Robin Sung, China; Charlotte Pearl, U. S A.; P Solomonides, Cyprus; Chun-I Chung, China; Ying-Yung Lo, China; John Swedberg, U. S. A.; Min-Hsin Li, China; Richard See, U. S. A.; Domingo Lim, P. I.; Abdullah Tarzi, Afghanistan; Hamid Tarzi, Afghanistan; Linda Chang, China; Clas Bohman, Sweden; Esben Dragsted Denmark; J. R. Luchsinger, Switzerland; Arthur Turner, Scotland; Rae Galbraith, U. S. A.; Maung Thein Swe, Burma; Turg Schoellhorn, Switzerland; Elsi Schoellhorn, Switzerland; Bill Colburn, U. S. A.; Albert Machado, U. S. A ; Helen Best, Canada; Eleanor Ragon, U S. A.; M. Krueger, U. S. A.; Barbara Alcock, U S A.; M. Khaiser, India; M. G. Thomson, Canada; Patricia Boericke, U. S A.; Johan Akerman, Sweden; Betty Guy, U. S. A.; Gloria Jenvey, Trinidad, B. W. I ; Noel Beadle, Australia; Cheng-Mei Wang, China; Cheong-Ping Wang, China; Harry Keaton, Czechoslovakia; Dr Tony Sycip, P. I.; Waheeduddin Mohamad, India; Walter Fleischer, China; and Evelyn Vartany, Iran.

On request of Mr. Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Ernie Hicks and Barbara Hicks of San Francisco

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Malcolm Crowe, Mrs Mark Lane of Burlingame, Mrs. Lorraine Mitchell, Mrs Frank Lane, Mrs Douglas See of San Mateo, and Luther Carr of Burlingame

ADJOURNMENT

At 1.10 p m , on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 9.30 a m., Wednesday, April 6, 1949

SAM L COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SECOND LEGISLATIVE DAY

NINETY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 6, 1949

The Assembly met at 9.30 a m
Hon. Sam L Collins, Speaker of the Assembly, presiding
Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names.

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—74

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Spirit of Beauty: Thou hast said, "Behold the Birds of the Air"

May we behold our State as the Paradise of birds of every species and zone—

The plumed valley quail, our State Bird, the yellow oriole and goldfinch, the gay brown wren and the iridescent green humming bird, the blue crested jay and the snow and green herons of the bayous

May we greet the day with the joy of the russet thrush, which at earliest dawn sings with its rich sweet song, and as the green vireo warbling with bell-like melody

Let us covet the persistence of the white headed woodpecker, which merrily attacks the thickest and toughest bark, and the pine grossbeak which revels in swirling clouds of snow

The serenity of the desert song sparrow, which "in rain or shine is the same jolly fellow," and the poise of the lark singing on a weed with a silver tremolo

Let us aspire like the glossy green swallow breaking into song as he rises to the peaks of the Everlasting Hills —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hollibaugh, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Stewart, on motion of Mr. Doyle.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Huyck, on motion of Mr. Waters.

Mr. Way, on motion of Mr. Clarke.

MEMBERS EXCUSED

At 9.37 a.m., Mr. Hoffman asked for, and was granted, unanimous consent that he be excused for the balance of the legislative day, because he will be attending to legislative business elsewhere.

At 9.38 a.m., Mr. Geddes asked for, and was granted, unanimous consent that he be excused at 12 o'clock noon, today, for the purpose of attending to legislative business elsewhere.

At 9.39 a.m., Mr. Brown asked for, and was granted, unanimous consent that he be excused for the balance of the legislative day, for the purpose of attending to legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS HOLD THEIR PLACES ON FILE

Mr. Brown asked for, and was granted, unanimous consent that his bills be passed on file today, and retain their places on file on the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1280 — Assembly Bill No. 1784
Assembly Bill No. 1368 — Assembly Bill No. 2388

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 702

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 414
Assembly Bill No. 471
Assembly Bill No. 1827
Assembly Bill No. 2177

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 183
Assembly Bill No. 449
Assembly Bill No. 703
Assembly Bill No. 1396
Assembly Bill No. 1643

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1035—An act to add Title 2, comprising Sections 15001 to 15700, inclusive, and Section 100002 to the Corporations Code, relating to partnerships and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain acts and parts of acts specified therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1036—An act to add Title 4, comprising Sections 25000 to 26104, and Section 100005 to the Corporations Code, thereby codifying and repealing the Corporate Securities Act, and consolidating and revising the law relating to securities as defined therein, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1037—An act to add Division 2, comprising Sections 27000 to 27203, inclusive, to Title 4 of, and Section 100006 to the Corporations Code, thereby codifying, consolidating, and revising the law relating to solicitation and collection of funds from security owners and holders for the protection, enforcement, or representation of their rights, providing for regulation and supervision by the Commissioner of Corporations of the solicitation, collection, and application of such funds, and requiring persons and organizations to obtain certificates from him prior to engaging in such solicitation and collection, and repealing the act codified therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1038—An act to add Division 3, comprising Sections 28000 to 28501, inclusive, to Title 4 of, and Section 100007 to the Corporations Code, thereby codifying and repealing the Retirement Systems Act, and consolidating and revising the law relating to the establishment of retirement systems to provide benefits in respect to the

retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1039—An act to add Division 4, comprising Sections 29000 to 29201, inclusive, to Title 4 of, and Section 100008 to the Corporations Code, thereby codifying and revising the law relating to certain transactions in respect to securities and commodities defined therein as bucketing and bucket shopping, prohibiting the keeping of bucket shops, making or offering to make contracts or sales constituting bucketing, and other acts preliminary or incidental thereto, requiring the keeping of records or books of account and the furnishing of statements of facts by persons making purchases or sales of securities or commodities, and fixing penalties for violations thereof, and repealing the act so codified.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1040—An act to amend Section 25154 of the Corporations Code, relating to acts permitted to be performed by or in behalf of corporations prior to the issue of any shares.

Bill read second time, and ordered engrossed.

Assembly Bill No. 507—An act to amend Section 395.1 of the Military and Veterans Code, relating to reemployment rights of persons who leave or have left employment to join the armed forces.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1201—An act to amend Section 987 of the Military and Veterans Code, relating to farm and home purchase.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1470—An act to amend Sections 1672 and 1673 of the Insurance Code, relating to the licensing of nonresident brokers or agents.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1794—An act to amend Section 12400 of the Insurance Code, relating to title insurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2674—An act to amend Section 1850.4 of the Insurance Code, relating to the definition of "Casualty Insurance" under Chapter 9, relating to rates and ratings and other organizations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2349—An act to amend Section 1703.91, 1703.92, 1703.94, 1703.95, and 1703.96 of the Insurance Code, relating to joint firm life agents' licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2350—An act to amend Sections 10953.3 and 10953.4 of the Insurance Code, relating to legal reserve capital stock insurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2352—An act to amend Sections 11521 and 11523 of the Insurance Code, relating to grants and annuity societies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2353—An act to add Section 1153.5 to, and to amend Section 1154 of the Insurance Code, relating to assets required to be maintained by insurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 232—An act to amend Section 799 of the Code of Civil Procedure, relating to partition of property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, before "the plaintiff", insert "or a litigation report or guarantee as to the necessary parties to the action,".

Amendment No. 2

On page 1, line 7, of said bill, strike out "or certificate", and insert ", certificate, report or guarantee".

Amendment No. 3

On page 1, line 11, of said bill, strike out "or certificate", and insert ", certificate, report or guarantee".

Amendment No. 4

On page 1, line 15, of said bill, strike out "or certificate", and insert ", certificate, report or guarantee".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1045—An act to amend Section 25500 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 25500", and insert "Sections 25009, 25101, and 26003".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 25009 of the Corporations Code is amended to read:

25009. (a) "Sale" or "sell" includes every disposition, or attempt to dispose, of a security or interest in a security for value.

"Sale" or "sell" includes all of the following, whether [attempted or] done directly or by an agent, circular letter, advertisement, or otherwise: An offer to sell; an attempt to sell; a solicitation of a sale; an option of sale; a contract of sale; *a taking of* a subscription; an exchange; any change in the rights, preferences, privileges, or restrictions on outstanding securities

(b) Any security given or delivered with, or as a bonus on account of, any purchase of securities or any other thing is conclusively presumed to constitute a part of the subject of the purchase and to have been sold for value.

(c) A privilege pertaining to a security giving the holder the privilege to convert that security into another security of the same company is not a sale of the other security within the meaning of this section

The issue or transfer of a right pertaining to a security and entitling the holder of that right to subscribe to another security of the same company shall not be deemed a sale of such other security within the meaning of this section; but the sale of the other security upon the exercise of the right is subject to the provisions of this division.

SEC. 2. Section 25101 of said code is amended to read:

25101. Brokers are subject to the Corporate Securities Law with respect to all transactions involving the classes of securities enumerated in Section 25100 [.] *but they are not subject to the Corporate Securities Law with respect to transactions involving the classes of securities enumerated in Section 25102.*

SEC. 3. Section 26003 of said code is amended to read:

26003. (a) The fee for filing an original or supplemental application for a permit to issue securities (except applications for permits to issue certificates of deposit, any guarantee of any security, or securities evidencing any change in the rights, preferences, privileges, or restrictions on outstanding securities, the fees for which applications are fixed in Sections 26006, 26007, and [28008] *26008*, respectively) is twenty dollars ($20), plus the sum of the following:

(1) Fifteen one-hundredths of 1 percent of the amount of any excess of the aggregate value of the securities sought to be issued over one thousand dollars ($1,000) and not exceeding fifty thousand dollars ($50,000).

(2) Five one-hundredths of 1 percent of such amount in excess of fifty thousand dollars ($50,000) and not exceeding one hundred thousand dollars ($100,000).

(3) Three one-hundredths of 1 percent of such amount in excess of one hundred thousand dollars ($100,000) and not exceeding five hundred thousand dollars ($500,000).

(4) One one-hundredth of 1 percent of such amount in excess of five hundred thousand dollars ($500,000).

(b) For the purpose of determining the fees fixed in subdivision (a):

(1) The value of the securities shall be their par or face value unless the consideration for the securities is in excess of their par or face value, in which case the value shall be the amount of the consideration so received.

(a) Where the securities have no nominal or par value, the value of the securities shall be the price at which the company proposes to sell or issue the securities, or the value, as alleged in the application, or the actual value, as determined by the commissioner, of the consideration (if other than money) to be received in exchange therefor. However, until a new value has been established, each share of no par value stock shall have a value equal to the value which has been established by previous sales for money or other property of other shares of the same class

(3) Interim or voting trust certificates shall have a value equal to the aggregate value of the securities to be represented by the interim or voting trust certificates.

(4) Rights, warrants, or other certificates evidencing stockholder's rights to purchase additional securities shall have a value equal to the difference between the selling price of the securities represented by the rights, warrants, or other certificates and the market value of the securities so represented at the date of filing of application

(5) Where an application is made to issue securities containing a provision entitling the holders thereof to convert or exchange them for a different class of securities, the value of the securities to be so issued shall be an amount equal to twice the amount of the consideration to be received for the securities containing the conversion or exchange provision."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1046—An act to amend Section 26101 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "26101", and insert "26104".

Amendment No. 2

On page 1, line 1, of said bill, strike out "26101", and insert "26104".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 15, inclusive, and insert

"26104. Every officer, agent, or employee of any company and every other person, who does any of the following acts is guilty of a public offense punishable by imprisonment in a state prison not exceeding five years, or in a county jail not exceeding [one year] *two years*, or by a fine not exceeding five thousand dollars ($5,000), or by both such fine and imprisonment:

(a) Knowingly authorizes, directs, or aids in the issue or sale of, or issues or executes, or sells, or causes or assists in causing to be issued, executed, or sold, any security, in nonconformity with a permit of the commissioner then in effect authorizing such issue, or contrary to the provisions of this division, or of the Constitution of this State.

(b) In any application to the commissioner, or in any proceeding before him, or in any examination, audit, or investigation made by him or his authority, knowingly makes any false statement or representation, or, with knowledge of its falsity, files or causes to be filed in the office of the commissioner any false statement or representation concerning the company or the property which it then holds or proposes to acquire, or concerning its officers or its financial condition or other affairs, or concerning its proposed plan of business, or, with knowledge of the falsity of any such statement or representation, issues, executes, or sells, or causes to be issued, executed, or sold, any security.

(c) Directly or indirectly, knowingly applies, or causes or assists in causing to be applied, the proceeds, or any part thereof, from the sale of any security to any purpose contrary to the provisions of the permit authorizing the issue of the security, or to any purpose specified in the permit in excess of any amount limited in the permit to be used for that purpose.

(d) With knowledge that any security has been issued or executed in violation of any provision of this division, sells, or offers the security for sale.

(e) Issues, circulates, or publishes, or causes to be issued, circulated, or published, any advertisement, pamphlet, prospectus, or circular concerning any security containing any statement that is false or misleading, or otherwise likely to deceive a reader thereof, with knowledge that it contains such false, misleading, or deceptive statement.

(f) In any respect wilfully violates or fails to comply with any provision of this division, or wilfully violates or fails, omits, or neglects to obey, observe, or comply with any order, permit, decision, demand, or requirement, or any part or provision thereof, of the commissioner under this division.

(g) With one or more other persons, conspires to violate any permit or order issued by the commissioner or any provision of this division

SEC. 2. The purpose of this act is to restore in Section 26104 of the Corporations Code, which codifies Section 18 of the Corporate Securities Act, the identical language concerning the punishment for violation of the section which appeared in the said Section 18. It is the intention of the Legislature that Section 26104 of the Corporations Code, as amended by this act, shall be construed as a restatement and continuation of Section 18 of the Corporate Securities Act as it existed immediately prior to codification, without any change whatever in meaning or legal effect."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2351—An act to amend Sections 1649, 1679, 1706, 1709, 1808, and 1810.5 of the Insurance Code, relating to the licensing of insurance agents, brokers, solicitors and life agents, and to bail agents, permittees and solicitors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, insert a period at the end of line 15.

Amendment No. 2

On page 2, line 16, of the printed bill, strike out "upon payment of a fee", and insert "Until June 30th next succeeding the fee shall be".

Amendment No. 3

On page 3, line 43, of the printed bill, strike out "upon pay-", and insert a period.

Amendment No. 4

On page 3, line 44, of the printed bill, strike out "ment of a fee", and insert "Until December 30th next succeeding the fee shall be".

Amendment No. 5

On page 4 of the printed bill, insert a period at the end of line 21.

Amendment No. 6

On page 4, line 22, of the printed bill, strike out "upon payment of a fee", and insert "Until June 30th next succeeding the fee shall be".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2750—An act to amend Section 60 of the Public Utilities Act, relating to complaints against public utilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Sections 4 and 60 of, and to add Section 4.5 to, the Public Utilities Act, relating".

Amendment No. 2

In line 2 of the title of said bill, after "utilities", insert ", and providing for the appointment of a People's Counsel to represent ratepayers, patrons and the public in the prosecution of such complaints and in other proceedings"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4 of the Public Utilities Act is amended to read:

Sec. 4. The commission shall have power to appoint as attorney to the commission an attorney at law of this State, who shall hold office during the pleasure of the commission. It shall be the right and the duty of the attorney to represent and appear for [the people of the State of California and] the commission in all actions and proceedings involving any question under this act or under any order or act of the commission, and, if directed to do so by the commission, to intervene, if possible, in any action or proceeding in which any such question is involved; to commence, prosecute and expedite the final determination of all actions and proceedings directed or authorized by the commission; to advise the commission and each commissioner, when so requested, in regard to all matters in connection with the powers and duties of the commission and the members thereof; and generally to perform all duties and services as attorney to the commission which the commission may require of him.

SEC. 2. Section 4.5 is added to said act to read:

Sec. 4.5. The Governor shall have power to appoint a People's Counsel for a term of four years, at a salary of eight thousand five hundred dollars ($8,500) per year, to be removable by the Governor for incompetency, inefficiency, or neglect of duty, after

hearing had upon written charges Such People's Counsel shall be an attorney at law of this State, and qualified by knowledge and experience to practice in public utility proceedings. He shall be entitled to, and when requested by the commission he shall, appear on behalf of ratepayers, patrons and the public in all proceedings before the commission or any examiner thereof, including all applications, petitions, and complaints filed with the commission, regardless of whether a hearing is granted, all hearings and rehearings before the commission or an examiner thereof, all proceedings for review of orders or decisions of the commission, all actions in any court in which the commission is a party, and all other proceedings before the commission or any court in which the subject matter of the proceeding affects the ratepayers or patrons of any public utility, or the public.

Upon the institution of any proceeding before the commission in which the People's Counsel is authorized to appear, the commission shall immediately notify such People's Counsel thereof and transmit to him a copy of the application, petition or complaint filed therein. The People's Counsel shall have the right, with the consent of the applicants, petitioners or complainants, when said application, petition or complaint is filed on behalf of the ratepayers, patrons or the public, to make such amendments to such application, petition or complaint as he may deem advisable The commission shall not proceed to hear any such application, petition, complaint or proceeding in which said People's Counsel is entitled to appear until he shall have had at least ten days' notice thereof, unless he shall have waived the same. In all proceedings before the commission and in any court in which he shall appear, the People's Counsel shall have charge of the interests of the ratepayers and patrons of the utility and utilities involved and he shall give notice of such hearing to all municipalities, corporations, or organizations, and persons parties to such proceeding, suit or action, other than such utility or utilities. In addition to such notice given by such People's Counsel, the commission shall give the notices otherwise required by law.

Services of all engineers, experts and accountants of the commission may be availed of by such People's Counsel in the performance of his duties as such, and they shall make such appraisals and audits as the People's Counsel, with the approval of the commission, may request, and he shall have access to the records and files of said commission. With the advice and consent of the Governor, such People's Counsel may employ examiners, experts, engineers, assistant counsels, accountants, stenographers and other clerical employees, at such salaries and compensation and for such length of time as the Governor may approve. The salaries of the People's Counsel and said assistants and employees, and their necessary expenses while traveling on public business, shall be paid by the State Treasurer out of the appropriation for the support of the commission, on warrants drawn by the State Controller.

Nothing in this section contained shall be construed to prevent any party interested in such proceeding, suit or action from appearing in person or from being represented by counsel therein.

The first appointment under this section shall be an interim appointment for a term commencing one month after the effective date of this act, and continuing until February 1, 1951 On and after said date, the appointments shall be for 4-year terms commencing February 1st of the year following each gubernatorial election.

SEC. 3. Section 60 of said act is".

Amendment No. 4

On page 1, line 4, of said bill, after "motion", insert ", by the People's Counsel.".

Amendment No. 5

On page 1, line 13, of said bill, strike out "regulation", and insert "rule".

Amendment No. 6

On page 1, line 14, of said bill, after "motion", insert "or upon motion of the People's Counsel".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2751—An act to amend Section 72 of the Public Utilities Act, relating to enforcement of provisions of the Constitution and statutes of the State affecting public utilities.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1 of the printed bill, strike out line 14, and insert "visions of this act, and upon request of the commission, or independently of such request in any case where the Attorney General or any such district attorney shall in the exercise of his or their discretion determine that the interests of the public require it, to institute and prosecute actions or".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 987—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "Four", and insert "Five"; after "senior", insert "legal".

Amendment No. 2

On page 1 of said bill, strike out lines 13 and 14, and insert "thousand nine hundred sixty dollars ($3,960) per annum"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2975—An act relating to the powers, duties, and functions of committees created by either or both houses of the Legislature, and for that purpose amending Section 9410 of the Government Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or be subject to any criminal penalty or forfeiture".

Amendment No. 2

On page 1, line 6, of said bill, strike out the period, and insert "if such person claims his privilege against self-incrimination and the Senate, Assembly, or committee rejects such claim. The form of the claim of privilege by such person is immaterial if he in substance makes objection that his testimony may incriminate himself."

Amendment No. 3

On page 1, line 7, of said bill, after "witness", insert "under these circumstances".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1931—An act to provide for the presentation of a token of recognition of service to persons honorably discharged from the California National Guard and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "National", and insert "State".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "National", and insert "State".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 249—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, after "(2)", insert "in the absence of such a receipt".

Amendment No. 2

On page 1, line 10, of said bill, strike out "application is approved by the", and after "the insurer", insert ", pursuant to its regular underwriting practices and standards, approves the application".

Amendment No. 3

On page 1, line 15, of said bill, after "requested", insert "in the application".

Amendment No. 4

On page 1, line 20, of said bill, after "the applicant.", insert "The provisions of this section shall not prohibit an insurer from limiting the maximum amount for which it may be liable prior to actual issuance and delivery of the policy of life insurance to an amount not less than its established maximum retention if a statement to this effect is included in the application."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2546—An act to amend Section 1676 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out line 8; and in line 9, strike out "[from issuance]".

Amendment No. 2

On page 1, line 7, of the printed bill, after "license or certificate of convenience a certificate of convenience", insert ", operative for a period not extending beyond six months from issuance".

Amendment No. 3

On page 1, lines 11 and 12, of the printed bill, strike out ", which certificate shall in any event be operative for a period of three months from issuance".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 386—An act to amend an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, by amending Sections 1 and 3 thereof, relating to fees payable by such persons, corporations and forwarders, including motor transportation brokers, and the collection and disposition of such fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 2 of the printed bill, strike out lines 18 to 26, inclusive, and insert "There shall be paid to the Railroad Commission a fee of five dollars ($5) for each application for a permit to operate as an initial agricultural carrier, a fee of twenty-five dollars ($25) for each application for a permit to operate as a highway contract carrier or for authority to transfer such permit, and a fee of twenty-five dollars ($25) for each application for a permit to operate as a city carrier or for authority to transfer such permit."

Amendment No. 2

On page 2, line 29, of said bill, strike out "except as provided in this section", and insert "and under the Public Utilities Act for the filing of applications for certificates of public convenience and necessity pursuant to Section 50¼ thereof".

Amendment No. 3

On page 2 of said bill, strike out lines 44 to 46, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to the Committee on Public Utilities and Corporations.

SECOND READING OF SENATE BILLS

Senate Bill No. 1572—An act to amend Section 26826 of the Government Code, relating to the appearance of defendant, intervenor, respondent, correspondent, or adverse party.

Bill read second time, and ordered to third reading.

Senate Bill No. 251—An act to amend Sections 16505, 16551, 16552, 16553, 16554, and 16581, and to repeal Section 16524 of, the Government Code, relating to deposits of state money in banks, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "owing", and insert "owning".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1403

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 952
Assembly Bill No. 1402

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1566

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Committee on Livestock and Dairies.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1567

Has had the same under consideration, and reports the same back with the recommendation. That the bill be re-referred to Committee on Livestock and Dairies.

CLARKE, Chairman

Above reported bill re-referred to Committee on Livestock and Dairies.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER. Your Committee on Agriculture, to which were referred:

Assembly Bill No. 92
Assembly Bill No. 974
Assembly Bill No. 2016
Assembly Bill No. 2775
Assembly Bill No. 3103

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1407
Assembly Bill No. 1947

Has had the same under consideration, and reports the same back with the recommendation Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 71

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR SPEAKER: Your Committee on Agriculture, to which were referred·

Senate Bill No. 223
Senate Bill No. 257

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1205
Assembly Bill No. 1358
Assembly Bill No. 2030

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 17—Relative to memorializing Congress concerning minimum wage legislation;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixth day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 603—An act to amend Section 576 of the Vehicle Code, relating to vehicles which must stop at crossings;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of April, 1949, at 11 a.m.

HUYCK, Chairman

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 109, by request of Messrs. Waters and Sherwin.

ANNOUNCEMENT

Mr. McMillan announced the election, yesterday, in Los Angeles, of Mr. Sam Yorty, as the Assemblyman for the Sixty-fourth Assembly District, to fill the vacancy caused by the death of the Hon. John C. Lyons; and that Mr. Yorty, a former member of this House, will arrive in Sacramento this week to take his post.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 685—An act to amend Section 7873 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 686—An act to amend Section 10100 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 945—An act to amend Sections 1670 and 1679 of the Business and Professions Code, relating to disciplinary action against licensed dentists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister,

McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2744 HOLD PLACE ON FILE

Mr. Thompson asked for, and was granted, unanimous consent that Assembly Bill No. 2744 be passed on file today, and retain its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 876—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 877—An act to amend Section 87 of the Fish and Game Code, relating to districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1180—An act to add Section 975 to the Fish and Game Code, relating to carp traps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—59.
NOES—George D. Collins—1.

Notice of Motion to Reconsider Assembly Bill No. 1180

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1180 was this day passed.

Assembly Bill No. 96—An act to amend Section 102 of the Agricultural Code, relating to the fees of the agricultural commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1576—An act relating to the application for, acceptance and use of, funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Dickey, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Niehouse, Reagan, Sherwin, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—43.

NOES—Anderson, Beck, George D. Collins, Condon, Elliott, Geddes, Levering, and Morris—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1578—An act to amend Section 788 of, and to add Section 829.8 to, the Agricultural Code, relating to standard containers for fruits and vegetables.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 498—An act to amend Section 6140 of the Business and Professions Code, relating to fees payable by members of the State Bar.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rumford, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—45.

NOES—Anderson, Burkhalter, Cooke, Cramer, Elliott, Geddes, and Lowrey—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 901—An act to amend Sections 3854, 3856, and 3861 of, and to add Section 3863 to, the Labor Code, relating to attorney's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Reagan, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Weber, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1194—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1351—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in the small claims court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—54.

NOES—Coats—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2496—An act to amend Section 630 of the Probate Code, relating to summary probate proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT

Mr. Hahn announced the result of yesterday's Los Angeles City councilmanic election returns; and that his brother, Los Angeles City Councilman Kenneth Hahn, had been re-elected, and by a larger vote than received by other candidates.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1991—An act to amend Section 526 of the Agricultural Code, relating to milk products plants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Heisinger, Huckley, Hoffman, Kilpatrick, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 793—An act to amend Section 7380 of, and to add Section 7385 to, the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1501

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1501, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1501

Assembly Bill No. 1501—An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code.

Bill read third time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 5, 6, and 7, of the printed bill, strike out "laboratory technician or technologist upon specific written authorization from a duly licensed physician and surgeon", and insert "clinical laboratory technician, clinical laboratory technologist,

or by an assistant technician while under direct supervision of a duly licensed clinical laboratory technician or a duly licensed clinical laboratory technologist."

Amendment read.

Point of Order

Mr. Ralph C. Dills arose to the following point of order: That Mr. Thompson has already spoken on the proposed amendment, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Ralph C. Dills to Assembly Bill No. 1501.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Coats, Collier, George D. Collins, Condon, Cooke, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Hahn, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Nichouse, Rosenthal, and Sherwin—31

NOES—Babbage, Berry, Brady, Burke, Butters, Caldecott, Clarke, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Hinckley, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Maloney, McCollister, Morris, Reagan, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Mr. Speaker—38

The question being on the passage of Assembly Bill No. 1501.

Consideration of Further Amendments

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert "nologist upon specific authorization from any person licensed under any provision or law relating to the healing arts."

Amendment read.

Point of Order

Mr. Thomas arose to the following point of order: That both Messrs. Ralph C. Dills and Thompson have exceeded their time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Dunn to Assembly Bill No. 1501.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Thompson has previously spoken on the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr Dunn to Assembly Bill No. 1501.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Smith is not speaking on the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of the amendment offered by Mr. Dunn to Assembly Bill No. 1501.

Roll Call Demanded

Messrs. Dunn, Clayton A. Dills, and Ralph C. Dills demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thompson moved a call of the Assembly.

Motion carried. Time, 11.40 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Lindsay, Rumford, and Thomas—3.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT PHOTOGRAPHERS BE PERMITTED TO TAKE PICTURES

Mr. Dickey asked for, and was granted, unanimous consent, that photographers be permitted to approach the bar of the Assembly and take pictures of the distinguished visitor, about to be introduced, while he is speaking.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Rosenthal and Waters as a Select Committee to escort Captain Nachman Kaplansky, Canadian-born hero of the Israeli Army, to the rostrum.

RECESS

At 11.43 a. m., on motion of Mr. Dickey, the Assembly recessed until 11.46 a.m., to hear remarks by Captain Nachman Kaplansky, 23-year-old Israeli Delegate, and war hero of the Israeli Army, who is a personal Ambassador of Good Will from the newly formed State of Israel.

REASSEMBLED

At 11.46 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS OF CAPTAIN NACHMAN KAPLANSKY BE PRINTED IN THE JOURNAL

Mr. Gaffney asked for, and was granted, unanimous consent that the remarks of Captain Nachman Kaplansky, made during recess, be reduced to writing, and ordered printed in the Journal, as follows:

REMARKS BY CAPTAIN NACHMAN KAPLANSKY

Mr. Collins, Speaker, and Members of the Assembly:

It is a particular honor and privilege for me to be allowed today to address this session of the Assembly of the State of California. It is a particular honor and privilege, because I come here simply as a soldier, a member and delegate of the Army of Israel.

With other soldiers from our ranks, I am one of a group brought to this Country to inform the people of America about the State of Israel.

Coming here as a soldier of our Army, I am essentially on a mission of good will. I bring to the people of the United States, and on this occasion to the people of the Commonwealth of California, the friendship and esteem of our young republic.

Israel, the youngest republic on earth, looks with admiration and fellowship toward your older, established, great Nation. To us, the United States is and has been an inspiration and a guide, as well as a helping friend.

Yet, since I come as a soldier, dressed in the uniform of my country, I feel I must say a few words about the months of war we have just gone through.

Israel is a country dedicated to peace. Peace is the very basis of our life. Our daily greeting to each other, "Shalom," means Peace. Our insignia bears the olive-branch of peace. And still, in the name of peace, we had to make war.

Our new republic was proclaimed with peaceful aims. But we were invaded, and obliged to fight back. We feel that we can say, without lack of modesty, that we have proved we cherish our independence and national integrity. My fallen comrades have shown how we can fight for them

Now, the peace is won. Our country is ours. We are free to dedicate ourselves to the principles on which it was founded.

We can now devote ourselves to building up Israel as a free country—not only for ourselves—not only for those who were born and bred there—but also for those fellow-Jews who can find no homes elsewhere.

We want Israel to become and remain a haven for all those homeless Jews who have been so sorely tried within the past two decades—a haven which will also be open in the future to anyone who may be forced to take refuge there from unbearable conditions in other countries.

Yet, we do not feel this is our struggle alone. All of us, together, fought a victorious war against Hitler. And the salvation of displaced Jews is only the continuation of that fight. For, if they were allowed to perish, Hitler in the end would have achieved his purpose.

So, by opening our country as a refuge, we feel we are carrying to its logical conclusion the victorious enterprise in which we were all associated.

And, as a free country, we aim to make and keep Israel a true democracy. It is and must remain a country where men can have freedom of thought, freedom of speech, freedom of worship—whether they are Jews, Christians, Moslems, or members of other creeds—and a country guaranteeing to all a secret ballot, a system of fair parliamentary representation, and conditions of life as fine as can be provided.

It is to establish these principles that we fought back the invader.

And because we fought for these principles, we like to think—and to think proudly—that our recent War of Liberation can be compared to the War of Independence your own ancestors fought from 1776 to 1783.

Gentlemen, on behalf of the young Army of Israel, which I have had the honor of representing here today, I thank you for having accorded me this opportunity to present to you a statement of our aims, and for having given me your friendly attention.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF ASSEMBLY BILL NO. 1022

Mr. Beck asked for, and was granted, unanimous consent that he be permitted to take up the reconsideration of Assembly Bill No. 1022, temporarily passed on file, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1022

In compliance with a notice given on a previous day, Mr. Beck moved that the vote whereby Assembly Bill No. 1022 was passed be reconsidered.

Demand for Previous Question

Messrs. Silliman, Grunsky, Lincoln, McCollister, and Reagan demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Beck that the vote whereby Assembly Bill No. 1022 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1022 refused reconsideration by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Fletcher, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, McMillan, Meyers, Moss, Rosenthal, Rumford, and Thomas—33

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, Morris, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—38.

Assembly Bill No. 1022 ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT OFFERED BY MR. DUNN TO ASSEMBLY BILL NO. 1501

At 12.30 p.m., on motion of Mr. Thompson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunn moved a call of the Assembly.

Roll Call Demanded

Messrs. Dunn, Ralph C. Dills, and Clayton A. Dills demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Weber—50.

NOES—Babbage, Burke, Butters, Caldecott, Cramer, Dickey, Gaffney, Hoffman, Levering, Lipscomb, Niehouse, Reagan, Silliman, Smith, and Thompson—15.

Time, 12 35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent member:

Lindsay—1

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ANNOUNCEMENT

Mr. Ralph C. Dills again announced that the luncheon, to which he has invited members, will be held next Wednesday, April 13th, and not today.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1979—An act to amend Section 4828 of the Business and Professions Code, relating to license to practice veterinary medicine, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1751

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1751, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1751

Assembly Bill No. 1751—An act to amend the article headings of Article 1 and Article 2 of Chapter 3 of Part 1 of Division 6 of the Welfare and Institutions Code, and to amend Sections 5350, 5352, 5354, 5355, 5400, 5401, and 5404 of said code, relating to drug addicts, designating certain persons as narcotic drug addicts, and other persons as addicted to the intemperate use of habit forming drugs, and providing for their commitment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln.

Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3108—An act to add Section 38.5 to the Fish and Game Code, relating to power of the Fish and Game Commission to conserve migratory wild fowl.

Bill read third time.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Heisinger has spoken twice on the subject, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 3108.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Heisinger moved a call of the Assembly.

Motion carried. Time, 12.58 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Gaffney, Geddes, Lindsay, and McCarthy—4.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT OFFERED BY MR. DUNN TO ASSEMBLY BILL NO. 1501

At 1 p.m., on motion of Mr. Dunn, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment offered by Mr. Dunn to Assembly Bill No. 1501 refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Lewis, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Rosenthal, Sherwin, Thomas, and Weber—36

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Maloney, McCollister, Morris, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Mr. Speaker—37.

Notice of Motion to Reconsider Amendment Offered by Mr. Dunn to Assembly Bill No. 1501

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby his amendment to Assembly Bill No. 1501 was this day refused adoption.

Motion to Temporarily Suspend the Rules

Messrs. Thompson and Grunsky moved that the Rules be temporarily suspended for the purpose of considering Mr. Dunn's notice of motion to reconsider the vote whereby his amendment to Assembly Bill No. 1501 was refused adoption, at this time.

Motion carried, there appearing more than two-thirds of the members voting.

The question being on the reconsideration of the vote whereby the amendment offered by Mr. Dunn to Assembly Bill No. 1501 was this day refused adoption.

The roll was called, and reconsideration refused by the following vote:

AYES—Anderson, Beck, Berry, Brady, Burkhalter, Butters, Coats, Collier, George D Collins, Condon, Cooke, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Fletcher, Hagen, Hawkins, Kilpatrick, Lewis, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Rosenthal, Rumford, Thomas, and Weber—31.

NOES—Babbage, Burke, Caldecott, Clarke, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lipscomb, Maloney, McCollister, Niehouse, Reagan, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Mr. Speaker—33

The question being on the passage of Assembly Bill No. 1501

Demand for Previous Question

Messrs. Grunsky, Hoffman, Hahn, Lincoln, and Connolly demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1501.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Brady, Burke, Butters, Caldecott, Clarke, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Maloney, McCollister, Morris, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—41.

NOES—Anderson, Beck, Bennett, Berry, Burkhalter, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Hahn, Hawkins, Hinckley, Kilpatrick, Lewis, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Rosenthal, and Sherwin—28.

Notice of Motion to Reconsider Assembly Bill No. 1501

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1501 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 735

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 735, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 735

Assembly Bill No. 735—An act to amend Section 627.5 of the Agricultural Code, relating to chocolate drinks containing milk or skimmed milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—66.

NOES—Collier—1.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hinckley:

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 14402 1, 14444 1, 14450 6, 14480 6, 14480.7, 14480.8, 14516, 14525 1, 14532, 14550, and 14594 to, and to amend Sections 14400, 14401, 14406, 14450 5, 14451, 14480.2, 14503, 14505, and 14510 of, the Health and Safety Code, relating to county fire protection districts, declaring the urgency thereof, to take effect immediately.

Respectfully submitted,

L. STEWART HINCKLEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Hinckley:

An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, 14516, 14525 1, 14532, 14550, and 14594 to, and to amend Sections 14400, 14401, 14406, 14450 5, 14451, 14480 2, 14503, 14505, and 14510 of, the Health and Safety Code, relating to county fire protection districts, declaring the urgency thereof, to take effect immediately

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3119: By Mr. Hinckley—An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, 14516, 14525.1, 14532, 14550, and 14594 to, and to amend Sections 14400, 14401, 14406, 14450.5, 14451, 14480.2, 14503, 14505, and 14510 of, the Health and Safety Code, relating to county fire protection districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

REQUEST FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dunn:

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1, 3, 6, 7, 13, and 14 of, to add Sections 3¾, 7¼, 12½, 13½, 13¾, 19¼, 19½, and 20½ to, and to repeal Section 8 of the City Carriers Act, relating to the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation

Respectfully submitted.

FRANCIS DUNN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Dunn:

An act to amend Sections 1, 3, 6, 7, 13, and 14 of, to add Sections 3¾, 7¼, 12½, 13½, 13¾, 19¼, 19½, and 20½ to, and to repeal Section 8 of the City Carriers Act, relating to the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3120: By Mr. Dunn—An act to amend Sections 1, 3, 6, 7, 13, and 14 of, to add Sections 3¾, 7¼, 12½, 13½, 13¾, 19¼, 19½, and 20½ to, and to repeal Section 8 of the City Carriers Act, relating to the

use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation.

Referred to Committee on Transportation and Commerce.

Assembly Constitutional Amendment No. 79: By Messrs. Burkhalter and Davis—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 22 of Article XII thereof, relating to the Public Utilities Commission, and providing for the election of the members thereof.

Referred to Committee on Constitutional Amendments.

Assembly Joint Resolution No. 34: By Mr. Burkhalter—Relative to memorializing the President and the Congress of the United States in relation to securing the release of film industry assets frozen in foreign countries.

Referred to Committee on Rules.

COMMUNICATIONS

By Mr. Maloney:

The following communication was received, read, and ordered printed in the Journal:

COPY
SAN FRANCISCO CHAMBER OF COMMERCE
SAN FRANCISCO, CALIFORNIA, April 1, 1949

Hon. Randal F. Dickey, Chairman
Assembly Interim Committee on Water
Pollution and Industrial Waste
State Capitol, Sacramento, California

DEAR MR. DICKEY: The Board of Directors of the San Francisco Chamber of Commerce, upon recommendation of its Special Projects Section, desires to express its appreciation for the excellent manner in which the Assembly Interim Committee on Water Pollution and Industrial Waste has conducted its activities. A review of the bills which your committee has introduced in the January, 1949, Session of the Legislature indicates the general problem of water pollution has been approached from the standpoint of serving and protecting the best interests of the people in the State.

As you know, early in 1946 the Special Projects Section initiated action as a result of which, in 1947, the State Assembly enacted legislation which appropriated funds and established the Assembly Interim Committee on Water Pollution and Industrial Waste. Since that time the section has carefully followed the progress of the interim committee.

The San Francisco Chamber endorses your general program of:

(1) Making a distinction between "Contamination" which involves a disease hazard affecting the public health and "Pollution" which does not impair the use of the waters of the State for beneficial purposes.

(2) Making use of existing local agencies for pollution control, which agencies shall function in cooperation with regional boards established in accordance with the seven watershed areas of the State or appropriate subdivisions thereof.

(3) Establishment of a State Water Pollution Control Board consisting of the chairmen of the individual regional boards with the directors of the State Departments of Public Health, Natural Resources, Agriculture, the State Engineer and the Chairman of the Fish and Game Commission serving in an advisory capacity.

(4) Replacing the present unsatisfactory permit system by offering appeal to court action by violators and the issuance of an injunction to restrain any person from continuing a practice causing pollution.

(5) Giving to the Department of Public Health full jurisdiction over the control of contamination involving health and disease hazards.

The Chamber recognizes that the committee's bills as now presented are in skeleton form and that you are soliciting suggestions for amendments from both governmental and industrial groups. In this connection, we are supporting the program of the California Association of Production Industries and endorse their suggestions for amendment, which we understand have already been presented for your consideration.

The Chamber wishes to thank you for the cooperation your committee has shown all parties concerned, both governmental and industrial, in endeavoring to provide fair and equitable laws for the control of pollution. It is our belief that the passage of your committee's bills, particularly as set forth in Assembly Bill No. 2034 and

Assembly Bill No. 2156, will establish beneficial laws for controlling waste disposal, reflecting the best interests of the public health, industry, agriculture, fish and wild life and the other interests which go to make up this great State.

Sincerely,

(Signed) HENRY E. NORTH, President

RESOLUTIONS

The following resolution was offered:

By Messrs. Dunn and Lincoln:

House Resolution No. 153

Relating to printing and distribution of scrolls containing the Great Seal and other emblems of the State of California

WHEREAS, For many years the Secretary of State has distributed, especially to school children, a printed scroll, bearing the State Colors and other official emblems of the State of California, attractively designed and beautifully displayed; and

WHEREAS, These printed scrolls have been received with the greatest pleasure and pridefully treasured by the children who have received them; and

WHEREAS, The greatest distribution of these scrolls has been among the many hundreds of school children visiting sessions of the California Legislature, to whom these scrolls mean a treasured souvenir of their visit, as well as imparting to them a sense of the dignity and prestige of their State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Secretary of State is requested to cause to be printed as a public document, for distribution without charge as the Secretary of State shall direct, not to exceed 15,000 copies of a scroll containing the Great Seal and other emblems of the State of California as prepared under the direction of the Secretary of State; and be it further

Resolved, That the sum of two thousand two hundred dollars ($2,200) is hereby made available from the Contingent Fund of the Assembly, for payment of the cost of printing and distribution of said scrolls.

Resolution read, and ordered referred to the Committee on Rules.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 375, on request of Mr Clayton A. Dills.

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Assembly Journals for Monday, March 28, 1949; Tuesday, March 29, 1949; Wednesday, March 30, 1949; Thursday, March 31, 1949; and Friday, April 1, 1949, were approved as corrected by the Minute Clerk.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3108

At 1.20 p.m., on motion of Mr. Heisinger, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3108 passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Grant, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Maloney, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—41.

NOES—Babbage, Burkhalter, Butters, Caldecott, Clarke, Cooke, Cramer, Davis, Dickey, Ralph C. Dills, Dolwig, Fleury, Grunsky, Hahn, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCollister, Moss, Reagan, Sherwin, Silliman, Smith, Thompson, and Waters—29.

Notice of Motion to Reconsider Assembly Bill No. 3108

Mr. Lowrey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3108 was this day passed.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR SPEAKER Your Committee on Fish and Game, to which was referred.

Assembly Bill No. 1709

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER Your Committee on Fish and Game, to which were referred:

Assembly Bill No 1132	Assembly Bill No 1461
Assembly Bill No 1460	Assembly Bill No 1710

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 939	Assembly Bill No. 1295
Assembly Bill No. 941	Assembly Bill No. 2001
Assembly Bill No 943	Assembly Bill No 2075

Has had the same under consideration, and reports the same back with the recommendation Do pass

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 18

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPLAKER. Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 44

Has had the same under consideration, and reports the same back with the recommendation · Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:
Assembly Bill No. 2666

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:
Assembly Bill No. 1580

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:
Senate Bill No. 819

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred.
Assembly Bill No. 718
Assembly Bill No. 1707
Assembly Bill No. 3102

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:
Assembly Bill No. 916
Assembly Bill No. 1732
Assembly Bill No 2501

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:
Assembly Bill No. 1936

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1917

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1667

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary.

NIEHOUSE, Chairman

Above reported bill re-referred to Committee on Judiciary.

MEMBER EXCUSED

At 1.25 p.m., Mr. Fleury asked for, and was granted, unanimous consent, that Mr. Lindsay be excused for the balance of the legislative day, for the purpose of attending to legislative business elsewhere.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 2227
Assembly Bill No. 2228
Assembly Bill No. 2229

Respectfully reports the same back without recommendation, and re-refer to Committee on Judiciary.

THOMPSON, Chairman

Above reported bills ordered re-referred to the Committee on Judiciary.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

A resolution requesting the Legislature to establish a qualified open season on wild pigeons;

Has had the same under consideration, and reports the same back with the recommendation: A joint Senate and Assembly resolution be introduced, memorializing Congress of the damage presently being done by the migratory wild pigeons in California.

ERWIN, Chairman

Resolution Returned to Desk and Returned to the Committee on Fish and Game

Above reported resolution returned to the Committee on Fish and Game for the purpose of using the contents to draft a joint resolution.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Interim Committee on Water Pollution, in Room 436.

At 2.30 p.m.—

Subcommittee on Education, in Room 415 on the Senate side. Subject: Assessments as related to education.

At 3 p.m.—

Conservation, Planning, and Public Works.
Governmental Efficiency and Economy.

Tonight at 8 p.m.—

Education, in Room 432.
Municipal and County Government, in Room 426.
Manufacturing, Oil, and Mining Industry, in Rules Committee Room.
Constitutional Amendments.

Tomorrow, April 7th, at 9 a.m.—

Fact-finding Committee on Tideland Reclamation, in Room 426. Subject: Bridges.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins and Messrs. Stewart and McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Miss Autumn Shade of Los Angeles.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. Charles A. Dawson of Fargo, N. D., and Mrs. John Hartong of Sacramento.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Fred Haney of Los Angeles.

On request of Speaker Sam L. Collins and Messrs. Anderson and Morris, the usual courtesies of the Assembly for this day were unanimously extended to Harry E. Welsh of Los Angeles.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. McKeown, Mrs. Alice Tier, Oscar Jensen, Jr., and Fred Sasso, teachers, and the following pupils of the Monte Rio School: Nancy Burke, Willow Frasheski, Alfred Bohny, George Gibbs, John Odell, Harry Burke, Richard Odell, Coral Sasso, Barbara Callahan, Margaret Givens, Gayle Tier, Lucky Parks, and John Moseley.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Don Williams and Calvin Lahman, teachers of the New Hope School of Thornton, and the following pupils: Max Mindosa, Eugene Masterson, Harry Shores, Orbee Stottlemyre, Robert Bowen, Rudy Ormsby, Robert Baker, Donald Young, Dale Wade, Edward Alfiche, Gordon Sennoe, Donald Stevens, Mary Thomas, Ramona Cain, Pat Little, Goldie Daniels, Dolores Fernandes, Joyce Mori, Josephine Basques, Dorothy Stevenson, Becky Lerma, and Antoinette Lopes.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Clay Caldwell, Mrs. Schwartz, Mrs. Alice Morateur, Miss Matie Luther, teachers; Gilbert Tennis, city superintendent; Frank Bennallack, board member; and the following pupils of the J. S. Hennessy School of Grass Valley: Mary Lee Arthur.

Sue Arbraugh, Hattie Ayers, Rose Brown, Beverly Burger, Shirley Bennett, Velma Bisiaux, Thelma Gage, Arletta Goff, Joyce Hollmer, Gerda LeDuc, Martha Mildred, Jean Nichols, Barbara Prescott, Sally Page, Helen Rosell, Mavis Roberts, Mary Wood, Frank Buck, Jim Daniels, Bobby Earhart, Lawrence Gray, Donald Gallino, Jack Hughes, Jack Knuckey, Fred Makinson, Richard Newell, William Roth, Amos Seghezzi, Freddie Schmidt, Richard Straub, Bob Tabor, Max Vanzi, Mary Berry, Karen Carmichael, Carol Chan, Donna Cicogni, Bobbie Clark, Patty Cleveland, Loveda Cowan, Bernice Espinosa, Eileen Hovie, Olive Hugi, Nancy Myers, June Pendrak, Joyce Pianezzi, Mary Jane Pickthall, Carol Pitts, Betty Romeo, Ada Warren, Patsy Colter, Doris Armstrong, Videne Baker, Mariese Boucher, Luanne Depew, Shirley Dorell, Mary Lou Hartman, Marian Hattox, Virginia Hutton, Karen Kohler, Frances Percy, Wanda Phillips, Shirley Plautz, Joann Simpson, Elizabeth Strain, Jeanne Taylor, Carolyn Whiting, Eugene Cantrill, Dwain Eades, Wayne Gemmill, John Hosking, Ken Keeney, Jack Moore, Bill Mulch, Douglas Norby, Wendel Peterson, Alan Shipler, Buddy Schetter, David Smith, Melvin Smith, Walter Tanner, Harold Wasley, Bob Abas, Edward Beck, Melvon Bird, Chandler Church, Ray Clanton, Joe Cox, Allen Cresswell, Howard Evans, Carl Harris, Robert Hudson, Floyd McCain, Dale Rush, Francis Viscia, Gene Warren, and George Goff.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Charnow, Mr. Glass, Mrs. Gothan, and Mr. Bowers, teachers; Mr. Gothan, Mrs. Conane, Mrs. Covington, parents; and the following pupils of the Roosevelt School of Burlingame: William Bull, Ted Cathcart, Ted Dolton, Reese Foster, Dick Hanson, Don Jackson, Ronnie Levenberg, Mike Levis, Don Smith, Bob Steele, Eric Sterner, David Von Dohren, Ronnie Wollmer, James Vlassis, Lowell Wright, David Wilde, Sheila Gray, Jane Abbott, Dolores Barnes, Bette Brown, Shirley Collins, Barbara Conant, Verlarni Dunn, Ruth Fieldhouse, Marilyn Goetze, Leah-Beth Gans, Jaret Hage, Doris Himmell, Darlene Huntley, Barbara Lanning, Bonny McDonald, Betty Priolo, Carol Turner, Shirly Warnock, Margie Wood, Pat Koerner, Murray Baldwin, Bill Bauer, David Belew, Barbara Bentley, Peter Brown, Lucy Covington, Carole Dickey, Barbara Francard, Adele George, Barbara Gillett, Joan Griffith, Ed Hanson, Doris Heckman, Sue Hevey, Robert Hill, Judy Hitt, Sybil Hoffman, Roger Johnstone, Laura Judin, Peggy Kaufman, Henry Lancendorfer, Carol Lauderbaugh, Nancy Lewis, Mike McDonald, David Nyeland, George Reynolds, Janet Selenger, Carol Skougaard, and Cliff Vickery.

On request of Messrs. Weber and Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. De Bernardi, teacher, and Mrs. Sherwood Beckman, and the following pupils of the Henderson School of Lodi: Sheri Beckman, Jerry Lee Christesen, Marion Hepper, Jean Sauer, Roberta Lauchland, Dolores Glover, Ronnie Kirschenman, Jimmy Kessel, Dick Brodersen, Bob Eichele, William Fisher, George Fisher, Ted Katzakian, Mickey Manassero, Curtis Mettler, Harold Weber, Farryle Zarek, Phyllis Zarek, Norma Sue Cox, and Wanda Stilley.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to James Teel, teacher of the Butte

School of Sierra City, and the following pupils: Margaret Negus, Beverly Gilbert, Richard Seebrecht, John Ostrom, and Wilbur Thompson.

On request of Mr. Beck and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Ray Blosser of San Francisco.

ADJOURNMENT

At 1.26 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 7, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-THIRD LEGISLATIVE DAY

NINETY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 7, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: Let us rejoice today in the varied scenic grandeur and natural wonders for which this State is celebrated.

The wild flowers that carpet the desert, the white yucca that lights the slopes, the burning sands of the Valley of Death, hemmed in by mountain walls.

Let us lift up our eyes to the snowy mountains, the highest in our Nation, to Shasta and to Whitney with their glistening summits and their gorges carved by primeval glacial forces.

The crystal lakes, the sun spangled waters of Tahoe and Arrowhead.

May we hear afar off the rumble of the cascades and the majestic roar of Yosemite and the murmur of many mountain streams that drain into the ocean.

God give us men to match our mountains—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Fleury, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Huyck, on motion of Mr. Waters.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that former Speaker Charles W. Lyon, who was operated on for appendicitis last night, is quite ill in the hospital, but is being given every attention by his wife, daughter, and friends; and expressed on behalf of all members sincere wishes for his rapid recovery.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

SACRAMENTO CITY COUNCIL
COUNCIL CHAMBER, CITY HALL
SACRAMENTO, CALIFORNIA, April 6, 1949

California State Assembly
State Capitol Building
Sacramento, California

MEMBERS IN SESSION: At a meeting of the city council held on date of April 1, 1949, Resolution No. 759, certified copy of which is attached hereto, was adopted.

This resolution requests that the Legislature defeat proposed legislation intended to divert an appropriation originally made for the purpose of purchasing a new site for the California State Fair.

Yours very truly,

PAUL H. MANBY
Chief Deputy City Clerk

Above mentioned resolution ordered referred to the Committee on Ways and Means.

By Speaker Sam L. Collins:

A communication and a resolution from John G. Eliot, Chairman, Legislative Committee, Lawyers' Club of San Francisco, relative to expressing support of the Special Crime Study Commission on Organized Crime, was received, and ordered referred to the Committee on Judiciary.

By Speaker Sam L. Collins:

A communication and two resolutions from Mrs. Charles Mowry, State Recording Secretary of the National Society, Daughters of the American Revolution in California, relative to recommendations for the preservation of the natural resources of our State, were received, and ordered referred to the Committee on Conservation, Planning, and Public Works.

By the Chief Clerk:

A communication from R. E. Mittelstaedt, President, Public Utilities Commission, relative to acknowledging receipt of House Resolution No. 131, stating that action will be considered by the commission, was received, and ordered noted in the Journal.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 507
Assembly Bill No. 1035
Assembly Bill No. 1036
Assembly Bill No. 1037
Assembly Bill No. 1038
Assembly Bill No. 1039
Assembly Bill No. 1040
Assembly Bill No. 1201
Assembly Bill No. 1470
Assembly Bill No. 1794
Assembly Bill No. 2349
Assembly Bill No. 2350
Assembly Bill No. 2352
Assembly Bill No. 2353
Assembly Bill No. 2674

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 6, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 26

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 462

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 47
Senate Bill No. 398
Senate Bill No. 432
Senate Bill No. 726
Senate Bill No. 727
Senate Bill No. 728
Senate Bill No. 729
Senate Bill No. 858
Senate Bill No. 1278

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 47—An act to repeal Sections 27206, 27207, 27208, and 27209, and to add Chapter 13.5, comprising Sections 26250, 26251, 26252, and 26253, to Part 2, Division 2, Title 3, of the Government Code, relating to duties of county recorders.

Referred to Committee on Municipal and County Government.

Senate Bill No. 398—An act to amend Section 11151 of the Education Code, relating to teachers' manuals for use in kindergarten schools.

Referred to Committee on Education.

Senate Bill No. 432—An act to add Article 2.5 to Chapter 2 of Division 10 of the Education Code, relating to state college advisory boards.

Referred to Committee on Education.

Senate Bill No. 726—An act to amend Sections 10150.5, 10158, 10176, 10177, 10177.5, 10211, and 10213.5 of, and to add Sections 10161.5, 10150.6, and 10177.6 to the Business and Professions Code, relating to real estate regulations, including licenses and disciplinary action.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 727—An act to amend Sections 10275.5, 10301, 10302, 10331, and 10333.5 of, to add Sections 10275.6, 10284.5, 10302.5, and 10302.6 to, and to renumber and amend Section 104281 of the Business and Professions Code, relating to business opportunity regulations.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 728—An act to amend Sections 10376, 10382, 10401, 10402, and 10432.5 of, and to add Sections 10375.5, 10385.5, 10402.5, 10402.6, and 10433 to the Business and Professions Code, relating to cemetery brokerage regulations.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 729—An act to amend Sections 10521, 10561, 10562, 10591, and 10593.5 of, and to add Sections 10515 5, 10524.5, 10562.5, and 10562.6 to the Business and Professions Code, relating to mineral, oil and gas brokerage.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 858—An act to amend Section 10454 of the Business and Professions Code, relating to the Division of Real Estate.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1278—An act to add Section 3332, and to repeal Sections 3259, 3304, and 3304.5 of, the Welfare and Institutions Code, relating to institutions for the blind under the jurisdiction of the Department of Education.

Referred to Committee on Social Welfare.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 183—An act to add Section 10c to the Municipal Court Act of 1925, relating to bail in municipal courts in cities or cities and counties of the second and one-half class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 449—An act to amend Sections 117 and 117r of the Code of Civil Procedure, relating to small claims actions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 703—An act to amend Section 1080 of the Probate Code, relating to distribution of estates.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1396—An act to amend Sections 6877, 6878, and 6915 of the Business and Professions Code, relating to collection agency licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1643—An act to amend Section 26524 of the Government Code, relating to duties of district attorney.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1407—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1947—An act to amend Section 132.5 of the Agricultural Code, relating to the control and eradication of pests.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1917—An act to add Section 225q to the Welfare and Institutions Code, relating to the adoption of children.

Bill read second time, and ordered engrossed.

Assembly Bill No. 718—An act to amend Sections 7372 and 7396 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1707—An act to add Section 7409 to the Welfare and Institutions Code, relating to the qualifications of the superintendent of a psychiatric hospital clinic in the City of Los Angeles under the control of the Department of Mental Hygiene.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3102—An act to amend the title of Chapter 5.5 of, and to amend Section 2426 of, the Health and Safety Code, relating to mosquito and gnat control, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 939—An act to amend Section 497 of the Fish and Game Code, relating to closures to fishing.

Bill read second time, and ordered engrossed.

Assembly Bill No. 941—An act to amend Section 1158 of the Fish and Game Code, relating to hunting.

Bill read second time, and ordered engrossed.

Assembly Bill No. 943—An act to repeal Sections 1040, 1041, and 1042 and to amend Section 1043, of the Fish and Game Code, relating to fish breeding.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1295—An act to amend Section 2 of Chapter 1276, Statutes of 1947 and Section 1015.5 of the Fish and Game Code,

relating to fish, providing for a privilege tax in relation thereto, establishing a Marine Research Committee and making an appropriation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2001—An act to amend Sections 1018 and 1073 of the Fish and Game Code, relating to commercial fishing reports.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2075—An act to amend Section 875.5 of the Fish and Game Code, relating to gill nets.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Messrs. Ralph C. Dills and McCollister asked for, and were granted, unanimous consent that the remaining bills on second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 414—An act to add Section 246 to the Penal Code, relating to the discharging of firearms or throwing of missiles into dwelling houses or occupied buildings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "into", and insert "at".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 6, inclusive, and insert "charge a firearm at an inhabited dwelling house or".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 471—An act to amend Section 6029 of the Penal Code, relating to the Board of Corrections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 10; and in line 11, strike out "shall", and insert "recommendations Upon request of any city, city and county or county, the board shall".

Amendment No. 2

On page 1, line 14, of the printed bill, after "county", insert "and make recommendations thereon".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1827—An act to add Section 6103.5 to the Government Code, relating to filing fees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "paid", insert "other than in a condemnation proceeding,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2177—An act to amend Section 1184e of the Code of Civil Procedure, relating to claims of laborers or materialmen on public contracts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 14, of the printed bill, after "notice", insert ", if filed,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 916—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for medical and hospital services.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 17, of the printed bill, after "facility", insert "or from any corporation formed under Section 9201 of the Corporations Code or under Chapter 11A of Part 3, Division 2, of the Insurance Code, and operating"

Amendment No. 2

On page 2, lines 21 and 22, of the printed bill, strike out "holding the degree of doctor of medicine."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1732—An act to amend Section 254 of the Unemployment Insurance Act, relating to medical records.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or except by consent of the claimant,".

Amendment No. 2

On page 1, line 9, of the printed bill, strike out the period after "act", and insert "provided, however, that a medical record or certified copy thereof may be made available for inspection or evidence in any matter in which a claimant is a party with the written consent of the claimant and the physician who furnished any report or finding contained in such record."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2501—An act to amend Section 13368 of the Health and Safety Code, relating to construction of the roof of a hazardous building of a clothes cleaning establishment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, beginning with line 14, strike out "August 2, 1927, and has been in continuous operative use since that date or was constructed since August 2, 1927, in accordance with a design approved prior to".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1709—An act to amend Section 1278 of the Fish and Game Code, relating to deer tags.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, after "tags", insert ", and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 12, inclusive, and insert

"Any nonresident of this State, or any noncitizen of the United States, who possesses a valid hunting license, may, upon payment of ten dollars ($10), procure the number of license tags corresponding to the number of deer that may legally be taken by one person during the current license year.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows: Deer season generally opens in the State approximately August 1st. Special tags must be printed and distributed to the license agents prior to this date; otherwise this law would become effective in the middle of deer season. Some hunters would have the old deer tag with a fee of one dollar ($1) and the new law provides for a fee of ten dollars ($10) for nonresident citizen and noncitizen."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1280—An act to amend the title and Sections 1 and 3 of the Judges' Retirement Act and to amend Sections 2, 4, and 4.5 of the Judges' Retirement Fund Act, relating to the State System for the Retirement of the Judges and Justices, and providing for the inclusion

of city justices of police courts in cities of the second class within that system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 6 of the title of the printed bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 3

On page 1, of said bill, strike out lines 12 and 13, and insert "municipal court, and every city justice of police courts in cities having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 4

On page 1, line 17, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established"

Amendment No. 5

On page 2, line 2, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 6

On page 2, line 8, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established"

Amendment No. 7

On page 2, line 16, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 8

On page 2, line 24, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 9

On page 2, line 33, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 10

On page 2, line 45, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 11

On page 2, line 49, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 12

On page 2, line 52, of said bill, strike out "of"; and on page 3, line 1, strike out "the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 13

On page 3, line 25, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 14

On page 3, line 43, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 15

On page 4, line 3, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendment No. 16

On page 4, line 12, of said bill, strike out "of the second class", and insert "having a population of 300,000 or more in which no municipal court has been established".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1368—An act to amend Section 69 of the Civil Code, relating to marriage.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out lines 17 to 21, inclusive, and insert "However, any applicant claiming that his previous marriage has been annulled or that a divorce has been granted, but who for good reasons cannot produce an authenticated copy of such decree and whose application for a license is therefore refused by the clerk, may bring the matter before the court in the county where he applied for a license, and if the court is satisfied that a decree has been granted it may direct the clerk to issue a license"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1784—An act to amend Section 1269b of the Penal Code, relating to authority to accept bail in city courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "of Class A".

Amendment No. 2

On page 1, line 4, of said bill, before "shall", insert "or a peace officer designated in writing by the judge of said court".

Amendment No. 3

On page 1 of said bill, strike out lines 20 to 24, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2388—An act to amend Section 69 of the Civil Code, relating to marriage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 69 of the Civil Code", and insert "Sections 69, 73, and 74 of the Civil Code and Section 10029 of the Health and Safety Code".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "documents required in connection with marriage, and making an appropriation."

Amendment No. 3

On page 1 of said bill, strike out lines 13 to 15, inclusive, and insert "any intoxicating liquor, or narcotic drug. If".

Amendment No. 4

On page 1, line 26, of said bill, after "matters", insert "enumerated".

Amendment No. 5

On page 1 of said bill, after line 29, insert

"The forms for the application for license to marry and the marriage license shall be prescribed by the State Department of Public Health, and shall be adapted to set forth the facts required in this section.

SEC. 2. Section 73 of the Civil Code is amended to read

73. The person solemnizing a marriage must make, sign and indorse upon or attach to the license a certificate *of marriage, in the form prescribed by the State Department of Public Health*, showing

1. The fact, time and place of solemnization; and

2. The names and places of residence of one or more witnesses to the ceremony.

3. A statement of the official position of the person solemnizing the marriage, or of the denomination of which said person is a priest or minister.

SEC. 3. Section 74 of the Civil Code is amended to read.

74. He must, at the request of, and for either party, make a certified copy of the license and *a certified copy of or duplicate* certificate *of marriage* and file the originals with the county recorder within 90 days after the marriage

SEC. 4. Section 10029 of the Health and Safety Code is amended to read:

10029. The state department shall prepare and distribute all forms and blanks for use in registering, recording, and preserving the returns, or in otherwise carrying out the purposes of this division

The state department shall prepare and distribute to each county clerk, in such quantities as may be necessary for use in that county, blank forms of application for license to marry license to marry certificate of marriage, and certificate of registry of marriage.

SEC. 5. Out of any money in the General Fund the sum of _____ dollars ($_____) or so much thereof as is necessary is hereby appropriated to the State Department of Public Health, to be expended during the 1949-1950 Fiscal Year for the preparation and distribution of blank forms of documents required in connection with marriage, in accordance with the provisions of Section 10029 of the Health and Safety Code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 952—An act relating to the agricultural pest known as the Oriental fruit fly and making an appropriation to be expended for preventing the entry into this State of such pest and controlling or eradicating such pest within this State, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 4, of the printed bill, immediately following "into," insert "spread within,".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "of bait traps for eradication", and insert ", maintaining and servicing of bait traps for detection".

Amendment No. 3

On page 1, line 17, of the printed bill, strike out "local officials thereof," and insert "official territorial agencies".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1402—An act relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and preventing the spread of the same and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 22, inclusive, and insert "Agriculture that detection methods against any of the pests referred to in Section 1 through trapping and inspections are necessary or that the status of the Oriental fruit fly, other fruit flies or other newly introduced serious pest of agriculture, when discovered within California, is such that more intensive inspections, surveys,".

Amendment No. 2

On page 1, line 23, of said bill, after "investigational", insert ", preventive or eradication".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1566—An act to add Section 335 to the Agricultural Code to provide for an advisory board in connection with the hide and brand administration and enforcement work of the State Department of Agriculture.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 335 to the Agricultural Code to provide", and insert "Sections 335, 348.1a, 348.1b, 348.1c, 350.2, and 353.10 to, and to amend Sections 337, 348.1, 348.6, and 349.9 of, the Agricultural Code, relating to livestock identification and hide and brand inspection, and making an appropriation."

Amendment No. 2

Strike out lines 2, 3, and 4 of the title of said bill.

Amendment No. 3

On page 1, line 1, of said bill, after "to", insert "Article 2 of Chapter 2 of Division 3 of".

Amendment No. 4

On page 1, line 12, of said bill, strike out "may", and insert "shall".

Amendment No. 5

On page 1, line 15, of said bill, strike out "The", and insert

"The term of office of the members of the board shall be four years, except that the terms of two of the members first appointed shall be fixed by the director at two

years. Any vacancy occurring during an unexpired term shall be filled by appointment for the unexpired term.

The".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of said bill, after line 20, insert

"SEC. 2. Section 337 of said code is amended to read:

337. It is the ultimate object of this chapter to provide for state-wide recordation of brands with the entire State as one branding district To conform to this objective, all applications for the recordation of a brand on and after the effective date of this chapter [,] shall be accepted by the chief only when not in conflict with any other recorded brand in this State. *On and after January 1, 1959, the right to use any brand which conflicts with any brand having a prior recordation under the provisions of this chapter shall be forfeited, and all recordations thereafter shall be on a state-wide basis.*

SEC. 3 Section 348.1 of said code is amended to read.

348.1. No inspection is required in cases where no sale is made and cattle are shipped by the owner for purposes other than marketing or slaughter if the cattle *are accompanied by a certificate of ownership and* are moved only between points in the same county or to a point in a county the boundary line of which passes through the ranch *to or* from which the animals are removed by the owner for transportation *or if the cattle are moved only between points in a cattle movement zone established by the director pursuant to Section 348 1a except as provided in Section 348 1b*

SEC 4. Section 348.1a is added to said code after Section 348.1 to read:

348.1a. As soon as possible after this section becomes effective the director shall by regulation cause the formation of cattle movement zones. In formulating such zones the director shall consult with the Livestock Identification Advisory Board and may consult with interested parties in each proposed zone Such zones may consist of one or more counties or geographical areas

SEC. 5 Section 348.1b is added to said code after Section 348.1a to read:

348 1b The director shall by regulation provide that full point of origin inspection shall be maintained in any county or geographical area to be described within said regulation where 65 percent of the persons who own cattle within the county or geographical area and who are present at a public hearing called by the director for the consideration of such proposed regulation vote in favor of such inspections.

At such hearing and before the cattle owners vote on whether or not they desire full point of origin inspection the director shall inform them of all relevant facts and of the costs of such inspections.

SEC. 6. Section 348.1c is added to said code after Section 348.1b to read:

348.1c. Notwithstanding the provisions of Section 348.1b, the director, under cooperative agreement with individuals, associations, or boards of supervisors, may provide full point of origin inspection in any county or geographical area

SEC. 7. Section 348.6 of said code is amended to read:

348.6. No inspection is required prior to transportation to a point and from an area designated by the chief pursuant to this section as one in which inspection may be made en route or at destination Whenever the chief determines that in any particular area in which there is operating a licensed slaughterhouse, public sales yard or stockyard, or other cattle sales market, the volume of shipments or other factors render it impossible or impractical to have inspection prior to shipment he may, by order, authorize inspection en route or at point of destination *: provided, however, that all cattle so shipped shall be accompanied by a certificate of ownership which shall be surrendered to the inspector at the time the brand certificate is issued.* The order shall specify the point to which and the area from which such shipments may be made.

SEC 8. Section 349 9 of said code is amended to read:

349 9. Unless the shipment is released pursuant to Section 350 *or Section 350 2*, no common carrier, or owner or driver of any conveyance [engaged for hire in the business of freighting or transporting cattle, or the carcasses of cattle with hide on or the hides thereof.] shall receive for transportation or transport [such] *any* cattle, or the hides or the carcases thereof until the same have been inspected, and said carrier, owner or driver, has been furnished with duplicate certificates signed by an inspector, showing the brands, or brands and marks, the names of the shipper and consignee and the origin and destination of the shipment.

SEC. 9. Section 350.2 is added to said code after Section 350.1 to read:

350 2. The chief may release or provide for the release of any number of cattle without the inspection required by Section 349.9 in cases where such cattle are being transported or have been sold, provided, however, that such cattle shall not be moved or transported unless they are accompanied by a bill of sale or a certificate of ownership.

SEC. 10. Section 353.10 is added to said code after Section 353.9, to read

353.10 The fee for the inspection of cattle, other than sucking calves accompanying their mother, shall be twenty cents ($0.20) for each head of cattle in those counties or geographical areas where a full point of origin inspection is maintained pursuant to Section 348.1b.

SEC. 11. There is hereby appropriated the sum of two thousand dollars ($2,000) to the Department of Agriculture in augmentation of Item 44 of the Budget Act of 1949 for support of said department, to be used for payment of the expenses of the members of the Livestock Identification Advisory Board, payable from the Department of Agriculture Fund."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Livestock and Dairies.

Assembly Bill No. 92—An act to add Article 2.5, consisting of Sections 1045 to 1049, inclusive, to Chapter 7 of Division 5 of the Agricultural Code, establishing a California Board of Plant Food Investigation, providing for its support and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 20, of the printed bill, after "Governor", insert ", six of whom shall be persons who are, or officers of corporations who are, registered under the provisions of Section 1030"

Amendment No. 2

On page 1, line 24, of said bill, strike out "Within".

Amendment No. 3

On page 2 of said bill, strike out lines 1, 2, and 3; and in line 4, strike out "make such appointments from this list."

Amendment No. 4

On page 2, line 11, of said bill, strike out "director", and insert "manager, and such assistants as may be necessary, who shall be".

Amendment No. 5

On page 2, line 12, of said bill, strike out "his".

Amendment No. 6

On page 2, line 14, of said bill, strike out "investigation with rela-"; and strike out lines 15, 16, 17, and 18.

Amendment No. 7

On page 2, line 19, of said bill, strike out "practices", and insert "the study of problems regarding fertilizer mixtures and engage in technological work to evaluate the many fertilizer materials, agricultural minerals, and combinations thereof on the basis of their particular application to California soils and economic returns for the direct benefit of the grower."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 974—An act to amend Section 763 of the Agricultural Code, relating to tomato standards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 763 of", and insert "add Section 762.2 to".

Amendment No. 2

In line 2 of the title of said bill, after "standards", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 762.2 is added to the Agricultural Code, to read:

762.2. For the purpose of determining better methods of grading and inspection of canning tomatoes as provided in this chapter and to enable processors and growers to establish by contract a system of premium payments for the delivery of tomatoes of a higher grade and quality than the minimum now specified in Section 762 there is established for the seasons of 1949 and 1950 a California Number 1 and a California Number 2 grade of canning tomatoes to read as follows:

STANDARDS

California No. 1 Canning Tomatoes.

Tomatoes of this grade shall be:

(a) Well colored and vine ripened

(b) Free from worm or worm damage, mold or decay, or freezing injury, any of which has penetrated or damaged the flesh of the tomato

(c) Free from shriveling or overripeness to the extent that the entire tomato is sufficiently affected to be unsuitable for canning purposes.

(d) Free from sunburn, sunscald, growth cracks, hail damage, green or yellow butts, insect bites, pest infections, gray wall, green or white core, and other imperfections not specified in this section when more than 10 percent by weight of the individual tomato cannot be used for canning purposes due to this cause.

California No. 2 Canning Tomatoes.

Tomatoes of this grade shall be those which do not meet the California No. 1, but do meet the minimum standards as presently provided in Section 762 of the Canning Tomato Standards of the Agricultural Code

If any canner notifies the director in writing on or before July 15 of 1949 or 1950 that he has contracted all or part of his tomatoes on the basis of California 1 and 2 grades; the certificate shall show, in addition to the other factors specified in Section 762.5, the percentage of California 1 and 2 in each delivery.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health, safety and general welfare within the meaning of Section 1 of Article IV of the Constitution of this State and shall therefore go into immediate effect. The necessity for such urgency is as follows:

During the past two tomato canning seasons the Division of Truck Crops of the University of California, and the Bureau of Fruit and Vegetable Standardization of the State Department of Agriculture have tested these grades. The industry feels that the grades should be made permissive so that it will be possible for canners and growers to contract tomatoes on this basis and have the inspection certificate show these additional factors during the 1949 canning season.

The chaotic condition of the tomato canning and growing industry requires that a means such as this be established to stabilize the marketing, improve the quality of canning tomatoes and provide an incentive for the delivery and canning of a better product."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2016—An act to amend Section 87 of the Agricultural Code, relating to powers of directors of district agricultural associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 87 of", and insert "Sections 86, 87, and 96 of, and to add Section 97 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "powers of directors of", and insert "the use of property for fair purposes by counties and".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 86 of the Agricultural Code is amended to read:

86. Each district agricultural association is a state institution. Each association by its name has perpetual succession, may have a seal, be sued and, with the approval of the Department of Finance, may .

(a) Contract, and sue.

(b) Purchase, acquire, hold, sell, exchange or convey any interest in real or personal property and beautify or improve such property.

(c) Lease, let or grant licenses for the use of its real estate or personal property or any portion thereof [for any agricultural, horticultural, viticultural or livestock fairs or expositions, rodeos, riding club activities, floral displays, exhibitions of industries and industrial products, or federal or state armories; to school organizations or associations thereof for the purpose of conducting athletic events participated in by such schools or associations; or to civic, patriotic, benevolent, or fraternal corporations or associations, for the purpose of holding conventions, assemblies, or public meetings on subjects of public or community interest; or for the sale of tangible personal property, or for concessions and services incidental to any of such purposes; or to nonprofit athletic organizations for athletic activities or to municipal corporations for use or reletting for any or all of the foregoing purposes.] *to private individuals or associations for whatever purpose may be approved by the board of directors and the Department of Finance.*

(d) Use or manage its real estate or personal property or any part thereof for any or all of the foregoing purposes jointly with any lessee, sublessee or licensee, or otherwise use or manage said property in connection with such lease, sublease or license heretofore or hereinafter made or granted.

(e) Lease or let its real property for public park, recreational, or playground purposes.

(f) Rent or permit the use of its premises for the holding of sales or auctions of cattle or other livestock, or for other purposes beneficial to the agricultural industry

(g) Contract with any county or county fair association for holding a fair jointly with the same Such joint fair shall constitute a district fair of the association.

(h) Do any and all things necessary to carry out the above powers and the objects and purposes for which the association is formed.

SEC. 2. Section 87 of said code is".

Amendment No. 4

On page 1 of said bill, after line 23, insert

"SEC. 3. Section 96 of said code is amended to read:

96. The board of supervisors of any county owning [county fairgrounds and fairground facilities, or] any public park, shall have authority: (a) to lease, let or grant licenses for the use of its real estate or personal property or any portion thereof for any agricultural, horticultural, viticultural or livestock fairs or expositions, rodeos, floral displays, dog and cat shows, exhibition of industries and industrial products or federal or state armories; to school organizations or associations thereof for the purpose of conducting athletic events participated in by such schools or associations or to civic, patriotic, benevolent, or fraternal corporations or associations, for the purpose of holding conventions, assemblies or public meetings on subjects of public or community interest; or for the sale of tangible personal property, or for concessions and services incidental to any of such purposes; or to nonprofit athletic organizations for athletic activities or to nonprofit fair associations or to nonprofit agricultural associations or to municipal corporations for use or reletting for any or all of the foregoing purposes; (b) to rent or permit the use of its premises for the holding of sales or auctions of cattle or other livestock or for other purposes beneficial to the agricultural industry.

SEC. 4. Section 97 is added to said code, to read:

97. The board of supervisors of any county owning fairgrounds and fairground facilities may (a) lease, let, or grant licenses for the use of its real estate or personal property or any portion thereof to private individuals or associations for whatever purpose may be approved by said board, which will not interfere with the use of such property for fair purposes; and (b) arrange for and conduct or cause or by contract

permit to be conducted by any other individual, institution, corporation or association, upon such property at such time as it may deem advisable, any activity which will not interfere with the use of such property for fair purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2775—An act to amend Section 86 of the Agricultural Code, relating to district agricultural associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 86", and insert "Sections 86, 87 and 96 of, and to add Section 97 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "district", and insert "the use of property for fair purposes by counties and district".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 16, insert

"SEC. 2. Section 87 of said code is amended to read:

87. The board of directors may, with the approval of the Department of Finance,

(a) Fix the term of office, the amount of bond, salary and prescribe the duties of the secretary and of the treasurer.

(b) Manage the affairs of the association

(c) Make all necessary by-laws, rules and regulations for the government of the association.

(d) Arrange for and conduct or cause or by contract permit to be conducted by any other *individual,* institution, corporation or association, upon its property at such time as they may deem advisable, any [agricultural, horticultural, viticultural, or livestock fairs or expositions, circus, floral displays, exhibitions of industries and industrial products] *activity, notwithstanding other provisions of the code*

An agricultural association shall not lease its race track, for running races of horses, to any private person, firm or corporation except to a national or international exposition or its affiliated corporations or associations for the period of time now permitted by law for fairs. The provisions of this subdivision shall not apply to existing leases or extensions or renewals thereof.

SEC. 3. Section 96 of said code is amended to read.

96. The board of supervisors of any county owning [county fairgrounds and fairground facilities, or] any public park, shall have authority: (a) to lease, let or grant licenses for the use of its real estate or personal property or any portion thereof for any agricultural, horticultural, viticultural or livestock fairs or expositions, rodeos, floral displays, dog and cat shows, exhibition of industries and industrial products or federal or state armories; to school organizations or associations thereof for the purpose of conducting athletic events participated in by such schools or associations or to civic, patriotic, benevolent, or fraternal corporations or associations, for the purpose of holding conventions, assemblies or public meetings on subjects of public or community interest; or for the sale of tangible personal property, or for concessions and services incidental to any of such purposes; or to nonprofit athletic organizations for athletic activities or to nonprofit fair associations or to nonprofit agricultural associations or to municipal corporations for use or reletting for any or all of the foregoing purposes; (b) to rent or permit the use of its premises for the holding of sales or auctions of cattle or other livestock or for other purposes beneficial to the agricultural industry.

SEC. 4. Section 97 is added to said code, to read:

97. The board of supervisors of any county owning fairgrounds and fairground facilities may (a) lease, let, or grant licenses for the use of its real estate or personal property or any portion thereof to private individuals or associations for whatever purpose may be approved by said board, which will not interfere with the use of such property for fair purposes, and (b) arrange for and conduct or cause or by contract permit to be conducted by any other individual, institution, corporation or association, upon such property at such time as it may deem advisable, any activity which will not interfere with the use of such property for fair purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 3103—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 47, of the printed bill, strike out "5/16", and insert "7/16".

Amendment No. 2

On page 2 of said bill, strike out lines 48 and 49

Amendment No. 3

On page 3, line 1, of said bill, strike out "1 1/16" and insert "7/16"

Amendment No. 4

On page 3, line 2, of said bill, strike out "1 1/16", and insert "13/16".

Amendment No. 5

On page 3, line 3, of said bill, strike out "Extra large", and insert "Jumbo".

Amendment No. 6

On page 3, line 3, of said bill, strike out "1 1/16", and insert "13/16".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 1936—An act to amend Sections 3406, 3420, 3430, 3431, 3444, 3450, 3460, 3462.1, 3470, 3471, 3472, 3473, and 3474.5 of the Welfare and Institutions Code, to repeal Sections 3421, 3432, 3461, 3463, 3473.2, 3474, 3474.1, 3480, 3481, and 3482 thereof, and to add Section 3480 thereto, relating to aid to partially self-supporting blind residents, providing for full state administration thereof, eliminating county participation in the administration thereof, eliminating relatives' responsibility, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "3420," insert "3421,".

Amendment No. 2

In line 2 of the title of said bill, after "3460," insert "3461,".

Amendment No. 3

In line 3 of the title of said bill, strike out "3421,"

Amendment No. 4

In line 4 of the title of said bill, strike out "3461,".

Amendment No. 5

On page 1, line 16, of said bill, strike out "nine hundred dollars ($900)", and insert "ten hundred and twenty dollars ($1020)".

Amendment No. 6

On page 2 of said bill, strike out line 1, and insert

"SEC. 3. Section 3421 of said code is amended to read

3421. It shall be the duty of [each county] *the State Department of Social Welfare* to aid blind persons as provided in this chapter."

Amendment No. 7

On page 3, line 40, of said bill, strike out "aid to needy blind", and insert "Security for the Blind".

Amendment No. 8

On page 3, line 43, of said bill, strike out "the needy blind", and insert "Security for the Blind".

Amendment No. 9

On page 3 of said bill, strike out line 46, and insert

"SEC. 10 Section 3461 of said code is amended to read:

3461 The State Department of Social Welfare shall [supervise the administration of] *administer* the provisions of this act"

Amendment No. 10

On page 4, line 43, of said bill, strike out "seventy-five", and insert "eighty-five".

Amendment No. 11

On page 4, line 44, of said bill, strike out "($75)", and insert "($85)".

Amendment No. 12

On page 5, line 34, of said bill, strike out "the State Social Welfare Board", and insert "a referee or Board of Appeals designated by the Director of the State Department of Social Welfare".

Amendment No. 13

On page 6, line 3, of said bill, after "and", insert "the Director of the State Department of Social Welfare".

Amendment No. 14

On page 6, lines 8 and 9, of said bill, strike out "referee or board of appeals designated by the ".

Amendment No. 15

On page 6, lines 27 and 28, of said bill, strike out "a referee or board of appeals designated by".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Social Welfare.

Assembly Bill No. 1580—An act to provide for research on, and development of, improved methods of disposing of garbage and refuse by the University of California and making an appropriation, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert
"An act to provide for a survey and analysis of existing and proposed".

Amendment No. 2

On page 1, line 6, of said bill, strike out "one hundred thousand dollars ($100,000)", and insert "thirty-four thousand dollars ($34,000)".

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 10, inclusive, and insert "thereof as may be necessary to enable the Department of Engineering of the University of California at Berkeley to make a survey and analysis of existing and proposed methods of disposing of garbage and refuse.

SEC. 2. It is the intention of the Legislature in making this appropriation to the Regents of the University of California that the survey and analysis include assembling and studying existing published information on refuse and garbage disposal methods and detailed engineering and economic analyses made on the basis of field investigation of actual operations which shall include a sufficient number of each kind of existing and proposed disposal methods to enable general conclusions to be drawn. Such investigations of actual plants and operations, while according proper emphasis to existing installations within the State of California, should include field investigations of plants and operations elsewhere in the country as may be necessary to obtain practical information concerning all such operation problems and difficulties and the relative efficiency and cost data concerning the different installations. Specific recommendations should also be made concerning needed research and experimentation with respect to any method or methods of disposal. The information secured as a result of this survey shall be made available to all persons within the State affected by or interested therein.

SEC. 3. To the extent deemed appropriate by the Regents, the Department of Engineering shall consult with the Assembly Interim Committee on Water Pollution and representatives of interested and affected public and private agencies.

SEC. 4. The sum hereby appropriated may be expended only for purposes directly and exclusively related to this survey and analysis and in no event shall any part of the appropriation be expended for buildings or land."

Amendment No. 4

On page 1, line 11, of said bill, after "SEC.", strike out "2", and insert "5"

Amendment No. 5

On page 1 of said bill, strike out lines 17 and 18

Amendment No. 6

On page 2 of said bill, strike out lines 1 to 5, inclusive, and insert "Throughout the State of California, and particularly in areas of population concentration, the problems of garbage and refuse disposal have become extremely acute. Increased population has produced larger quantities of garbage and at the same time has made disposal more difficult. The problems of pollution of the atmosphere by dump and backyard burning, pollution of the ground water through infiltration from sanitary fills and ash dumps, complaints and agitation against hog feeding with garbage, all have combined to make the situation critical. Local authorities are being urged to expend large sums of public money for methods of garbage and refuse disposal without assurance that such expenditures will produce desired results, or that new problems will not be created."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 18—An act to amend Sections 985, 986.3, 986.5, 986.6, and 986.9 of the Military and Veterans Code, relating to farm and home purchases for veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on March 30, 1949, after "986.9", insert "and to repeal Section 986.4".

Amendment No. 2

On page 2 of said bill, between lines 5 and 6, insert

"(i) As used in this article, "Progress Payment Plan" means payment by the department for improvements on real property in installments as work progresses."

Amendment No. 3

On page 2, line 7, of said bill, strike out "purchase", and insert "acquire".

Amendment No. 4

On page 3, line 39, of said bill, strike out "or real property of", and insert "in".

Amendment No. 5

On page 3, line 40, of said bill, strike out "or real property".

Amendment No. 6

On page 3, lines 41 and 42, of said bill, strike out "become owner in fee and agreed to convey to the department without cost", and insert "acquired an interest"

Amendment No. 7

On page 4 of said bill, after line 19, insert

"SEC. 6 Section 986.4 of said code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Military Affairs.

Assembly Bill No. 1132—An act to add Sections 1201.1, 1201.2, 1201.3, 1201.4, 1201.5, 1201.6, 1201.7, 1201.8, 1201.9, 1201.10, and 1201.11, to the Fish and Game Code, relating to pheasants.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 19, of the printed bill, strike out "for 60 days following"; and strike out line 20, and insert "until the last day prior to the opening of the next pheasant hunting season."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1460—An act to amend Section 252.1 of the Fish and Game Code, relating to and defining the boundaries of the Mendota Pool Game Refuge and Public Shooting Ground.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on March 24, 1949, after "follows", strike out "com-" and all of lines 12 to 24, inclusive, and insert "Beginning at the west end of White's Bridge on Highway 180 at a point of the low-water line of the Mendota Pool (Fresno Slough) designated as 12 feet according to

the gauge at the San Joaquin River Mendota weir, all of Section 9, south of Highway 180 and westerly of the Mendota Pool (Fresno Slough), and all of Sections 8, 17, 21, 22, 26 and 27 and those portions of Sections 10, 15, 16, 23, 24 and 25 westerly of the low-water line of Mendota Pool (Fresno Slough), all sections located within Township 14, Range 15, M. D. B. & M."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1461—An act to amend Section 169 of the Fish and Game Code, relating to the Mendota Pool Game Refuge and defining the boundaries of Mendota Pool.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 24, 1949, strike out lines 9 to 17, inclusive, and insert

"169. The following shall constitute the Mendota Pool Game Refuge: Mendota Pool (Fresno Slough) in Fresno County, south of Whites Bridge, Fresno County, California. For the purposes of this section, Mendota Pool Game Refuge shall be deemed to include all that area confined within the medium water line, designated as thirteen feet according to the gauge at the San Joaquin River Mendota weir, of the body of water known as Mendota Pool and described as Mendota Pool (Fresno Slough) embraced within the boundaries of the federal segregation lines separating private property from public property."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1710—An act to add Section 462 to the Fish and Game Code, relating to the regulation of nonresident hunting.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "county board of supervisors of any county", and insert "commission".

Amendment No. 2

On page 1, line 5, of said bill, strike out "the", and insert "any"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

SECOND READING OF SENATE BILLS

Senate Bill No. 223—An act to amend Section 813 5 of the Agricultural Code, relating to standards for celery.

Bill read second time, and ordered to third reading.

Senate Bill No. 257—An act to amend Section 812 4 of the Agricultural Code, relating to standard containers for carrots.

Bill read second time, and ordered to third reading.

Senate Bill No. 71—An act to amend Section 827 of the Agricultural Code, relating to apple standards, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 44—An act to repeal Section 27378 of the Government Code, relating to the fee for recording marks or brands.

Bill read second time, and ordered to third reading.

Senate Bill No. 819—An act to add Section 17500.1 to the Business and Professions Code, relating to regulation of advertising.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 109

In compliance with a notice given on a previous day, Messrs. Waters and Sherwin moved that the vote whereby Assembly Bill No. 109 was passed be reconsidered.

The roll was called, and Assembly Bill No. 109 reconsidered by the following vote:

AYES—Beck, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sullivan, Smith, Stanley, Stewart, Tomlinson, Waters, and Mr. Speaker—47.

NOES—None.

Request for Unanimous Consent That Assembly Bill No. 109 Be Withdrawn From File, and Be Re-referred

Mr. Waters asked for, and was granted, unanimous consent that Assembly Bill No. 109 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

MEMBER EXCUSED

At 9.44 a.m., Mr. Hagen asked for, and was granted, unanimous consent that Mr. Way be excused for the balance of the legislative day, for purpose of attending to legislative business elsewhere.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 76 FROM COMMITTEE WAIVED

Mr. Elliott waived his notice of motion to withdraw Assembly Bill No. 76 from the Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 770—An act to amend Section 5700 of the Welfare and Institutions Code, relating to private institutions for the care or treatment of insane, alleged insane, mentally ill, or other incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills,

Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 771—An act to amend Section 2300 of the Welfare and Institutions Code, relating to institutions and boarding homes for aged persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—54.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 772—An act to amend Section 1620 of the Welfare and Institutions Code, relating to institutions for child care and home-finding agencies.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 906—An act to amend Sections 914, 914.5, 915.1, 915.5, 916.1, and 917.5 of, to repeal Section 917.6 of, and to add Sections 913.1 and 918.1 to the Agricultural Code, relating to agricultural and vegetable seeds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, and Waters—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3101—An act to add Section 26733.5 to the Water Code, relating to irrigation districts and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Mr. Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 958—An act to add Section 14438 to the Business and Professions Code, relating to containers and container brands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1568

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1568, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1568

Assembly Bill No. 1568—An act to amend Sections 1261, 1262, 1263, 1264, 1265, and 1266 of the Agricultural Code, relating to produce dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2139—An act to add Section 1.7 to the Judges' Retirement Act and to add Section 4.7 to the Judges' Retirement Fund Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Tomlinson, Weber, and Mr Speaker—53.

NOES—Heisinger, Hinckley, Hoffman, and Sherwin—4

Bill ordered transmitted to the Senate.

Explanation of Votes

We voted against Assembly Bill No 2139 solely because it provides for further contribution from a General Fund to a reserve already sufficient for 10 years' need It requires taxation now for future payments, which we do not favor We should tax now for current needs only—for pensions as well as salaries.

MARVIN SHERWIN
L STEWART HINCKLEY
S L HEISINGER
VERNE W. HOFFMAN

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
RECONSIDERATION OF ASSEMBLY BILL NO. 3108

In compliance with a notice given on a previous day, Mr. Lowrey moved that the vote whereby Assembly Bill No 3108 was passed be reconsidered.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Heisinger is not in order because he is speaking on personalities instead of on the motion.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order not well taken.

The question being on the reconsideration of Assembly Bill No. 3108

Demand for Previous Question

Messrs. Conrad, Waters, Lipscomb, Geddes, and Reagan demanded the previous question.

Demand for previous question sustained.

The question being on the reconsideration of Assembly Bill No. 3108.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 11 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Evans, Rosenthal, and Silliman—5

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION ON ASSEMBLY BILL NO. 3108

At 11.04 a.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3108 reconsidered by the following vote:

AYES—Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Conrad, Cooke, Cramer, Davis, Ralph C. Dills, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stewart, Thompson, Tomlinson, and Waters—41.

NOES—Anderson, Babbage, Beck, Bennett, Coats, Condon, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Maloney, McCollister, Morris, Sherwin, Stanley, Thomas, Weber, and Mr Speaker—32.

REQUEST FOR UNANIMOUS CONSENT THAT CHANGE BE AUTHORIZED IN ORIGINAL COPY

Mr. Geddes asked for, and was granted, unanimous consent that the typewritten copy of Amendment No. 4 to Assembly Bill No. 2351, as released by the Committee on Finance and Insurance, and incorporated in the Minutes of Wednesday, April 6th, be corrected to conform with the wording as printed in the Assembly Journal on page 1726, of said date.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 9—An act to add Section 1514.3 to the Elections Code, relating to ballot pamphlets and providing for detailed analyses of measures submitted to the voters.

Bill read third time.

Demand for Previous Question

Messrs. McCollister, Waters, Lincoln, Hagen, and Smith demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 9.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—57

NOES—Caldecott, George D. Collins, Ralph C. Dills, Dunn, Hawkins, and Lewis—6.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2431

Mr. Condon asked for unanimous consent that he be permitted to take up Assembly Bill No. 2431, out of order, at this time.

Mr. Dickey withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 460—An act to amend Section 370 of the Elections Code, relating to registration of voters.

Bill read third time.

Demand for Previous Question

Messrs. Fleury, Lincoln, Reagan, Evans, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 460.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lipscomb moved a call of the Assembly.

Motion carried. Time, 11.42 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Clarke, Elliott, Erwin, Fletcher, Gaffney, Grant, Hahn, Kirkwood, and Tomlinson—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 536—An act to add Section 1408 to the Elections Code, relating to initiative measures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1785—An act to amend Sections 2110, 2111, 2112, and 2115 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 917—An act to amend Section 6420 of the Streets and Highways Code, relating to improvement assessments and bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1381

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1381, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1381

Assembly Bill No. 1381—An act to amend Sections 16461, 16462, and 16463 of the Education Code, relating to the supervision of the health of public school pupils by county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1379

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1379, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1379

Assembly Bill No. 1379—An act to amend Sections 317 and 319 of the Education Code, relating to the compensation of members of county boards of education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1717—An act to add Sections 16346, 16347, 16348, and 16349 to Article 1 of Chapter 2 of Part 2 of Division 4 of Title 2, and to amend Section 16350, of the Government Code, relating to the abolition of special funds in the State Treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Mr. Speaker—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1743—An act to amend Sections 12460 and 12461 of the Government Code, relating to the duties of the Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford,

Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1807—An act to add Section 104.65 to the Streets and Highways Code, relating to income from rental of properties acquired for highway purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—72.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 460

At 12.15 p.m., on motion of Mr. Lipscomb, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 460 passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—54.

NOES—Anderson, Beck, Bennett, Burkhalter, Butters, Cooke, Davis, Clayton A. Dills, Ralph C. Dills, Evans, Geddes, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Luckel, McMillan, and Thomas—19.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Kilpatrick:

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 6028 of the Penal Code, relating to special commissions appointed to assist the Board of Corrections.

Respectfully submitted.

VERNON KILPATRICK

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Kilpatrick:

An act to amend Section 6028 of the Penal Code, relating to special commissions appointed to assist the Board of Corrections.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3121: By Mr. Kilpatrick—An act to amend Section 6028 of the Penal Code, relating to special commissions appointed to assist the Board of Corrections.

Referred to Committee on Judiciary.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 154

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	$213 03
H. S. Crocker Company (supplies)	5 32
Cascade Towel Supply (towels)	50 20
The Shasta Water Company (drinking water)	17 73
E. C. Buehrer Associates (1 hand truck)	24 60
Department of Finance (supplies)	20 01
Western Union (telegrams)	68 51
Department of Finance (pro rate telephone service)	31 88
H. S Crocker Company (supplies)	152 21

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 154, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes,

Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 35: By Mr. Erwin—Relative to the establishment of an open hunting season on wild pigeons.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 461

Mr. Lipscomb asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 461, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 461

Assembly Bill No. 461—An act to amend Section 374 of the Elections Code, relating to registration of voters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—67.

NOES—Anderson, Ralph C. Dills, and Heisinger—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP UNFINISHED BUSINESS

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up the consideration of Senate amendment to Assembly Joint Resolution No. 22, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED) CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 22—Relative to reimbursing counties for the loss of revenue caused by federal ownership of lands within the counties.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 22?

Amendment No. 1

Strike out lines 1 to 20, inclusive, of the printed bill, and insert

"WHEREAS, The Federal Government owns in excess of 46 percent of the total land area of the State of California and in excess of 47 percent of the total land area

of the 11 western states, and in excess of 24 percent of the total land area of the United States; and

WHEREAS, These federally-owned lands occupy a substantial part of the total land area of many of the counties of the United States; and

WHEREAS, The counties in the United States wherein federally-owned lands are located furnish many services for such land for which there is no adequate return of revenue for such services; and

WHEREAS, Federal contributions to county government are uncertain, because the Federal Government is not under a duty to create any revenue in which local government can share; and

WHEREAS, Such revenues being unpredictable in time and amount make it difficult to operate within the provisions of state constitutions and statutes regulating fluctuations in the budgets of local governments; and

WHEREAS, There is an increasing demand for a critical re-examination of the federal fiscal responsibility to local governments because of the ownership of federal properties within the boundaries of such local governments; and

WHEREAS, Lands in private ownership in the counties within the boundaries of which federally-owned lands are located are required to assume an extra burden for the cost of services rendered by local government because of the location of such federal lands in such counties; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature of the State of California respectfully memorializes the President and the Congress of the United States to enact legislation to reimburse the counties for the loss of revenue caused by federal ownership of land within such counties; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 22 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—Ralph C. Dills—1.

Assembly Joint Resolution No. 22 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 1501, on request of Mr. Dunn.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2347

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2347, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2347

Assembly Bill No. 2347—An act to add Section 48 to the Elections Code empowering the Secretary of State or the President of the

County Clerk's Association to call meetings of the county clerks and registrars of voters to discuss administration of the election laws and promote uniformity of procedure in such matters; limiting the number of such meetings; authorizing the same to be attended also by one designated deputy of each clerk or registrar; declaring expenses of such clerks, registrars and deputies in attending such meetings a county charge, and limiting the amount thereof.

Bill read third time, and ordered passed on file.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1180 WAIVED

Mr. Lowrey waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1180 was passed.

Assembly Bill No. 1180 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2615

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2615, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2615

Assembly Bill No. 2615—An act to amend the Streets and Highways Code by adding Section 5829.1, relating to joint sanitary disposal sewers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Chamberlain, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2616

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2616, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2616

Assembly Bill No. 2616—An act to amend the Health and Safety Code by adding Sections 4636.8, 4667, 4843, 4888, and 6823, relating to joint sanitary disposal sewers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 34

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 34, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 34

Senate Bill No. 34—An act to add Section 13320.5 to the Government Code, relating to budgets of state agencies.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on April 4, 1949, after "services," insert "other than for highway purposes,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

UNANIMOUS CONSENT THAT EXCUSES BE NOTED IN CORRECTED JOURNAL

Members who had asked various members to present their requests for leaves of absence on Tuesday, April 5th, were not formally excused, due to inadvertance. Mr. Waters asked for, and was granted, unanimous consent that an insertion be authorized in the corrected Assembly Journal, for that date, to show that the following members were excused for the following reasons:

Mr. Price, because of illness; and

Mr. Huyck, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1857—An act to amend Section 16475 of the Government Code, relating to the disposition of interest and other increment derived from the investment of surplus moneys in special funds in the State Treasury.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3108 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Heisinger asked for, and was granted, unanimous consent that Assembly Bill No. 3108 be withdrawn from the file, and be re-referred to the Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dolwig asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 232
Assembly Bill No. 1045
Assembly Bill No. 1046
Assembly Bill No. 2351

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Education, to which was referred.

Senate Bill No. 187

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 890

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 81

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 341
Assembly Bill No. 1275

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Senate Bill No 352

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 782
Assembly Bill No 900
Assembly Bill No 1787
Assembly Bill No. 3017

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred.

Assembly Bill No. 459
Assembly Bill No. 580

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1950

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 41

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 4
Senate Bill No. 321
Senate Bill No. 1099
Senate Bill No. 1118

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 250
Assembly Bill No. 378
Assembly Bill No. 422
Assembly Bill No. 521

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 578
Assembly Bill No. 713
Assembly Bill No. 977
Assembly Bill No. 1642
Assembly Bill No. 1672
Assembly Bill No. 2344
Assembly Bill No. 2898

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 223
Assembly Bill No. 226
Assembly Bill No. 1804

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No. 38

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 33

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 25

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 21
Assembly Constitutional Amendment No. 44

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 678

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 472

Has had the same under consideration, and reports the same back with amendments with the recommendation . Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2791

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 272
Assembly Bill No. 1870
Assembly Bill No. 1873
Assembly Bill No. 1874
Assembly Bill No. 2709
Assembly Bill No. 2275
Assembly Bill No 3097

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 286
Senate Bill No. 560
Senate Bill No. 656
Senate Bill No. 658
Senate Bill No. 660
Senate Bill No. 661
Senate Bill No. 663
Senate Bill No. 664
Senate Bill No. 665

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1845
Assembly Bill No. 1847
Assembly Bill No. 1848
Assembly Bill No. 1849
Assembly Bill No. 1850
Assembly Bill No. 1851
Assembly Bill No. 1852

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 200

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to third reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 116
Assembly Bill No 728

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WATERS, Chairman

Above reported bills ordered to second reading.

RESOLUTION ORDERED FILED WITH THE SECRETARY OF STATE

The resolution referred to on page 1751, of the Assembly Journal for Wednesday, April 6th, as having been returned to the Committee on Fish and Game, has been returned to the desk. Ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 21
Assembly Constitutional Amendment No. 44

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 249
Assembly Bill No. 386
Assembly Bill No. 987
Assembly Bill No. 1931
Assembly Bill No. 2546
Assembly Bill No. 2750
Assembly Bill No. 2751
Assembly Bill No. 2975

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 249 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 386 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 987 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1931 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2546 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2750 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2751 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2975 ordered re-referred to Committee on Judiciary.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Interim Committee on Water Pollution.

At 3 p.m.—

Transportation and Commerce, in Room 432.
Ways and Means.

Tonight at 8 p.m.—

Industrial Relations.
Revenue and Taxation.

Tomorrow, Friday, April 8th, at 9 a.m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, Mr. Fleury, and the Republican Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. H. H. Benedict, of Berkeley, Republican National Committeewoman of California; Mrs. Paul Jasper of Fortuna, State President of the California Council of Republican Women; Mrs. George Faulkner of Black Point, President of the Northern Division of the Council, and the following members: Grace H. de Fremery, Glenna L. Bernheim, Emily Axtell, Elizabeth Gnaga, Bernice L. Hutchison, Lelia Eastman Baeskens, Maxine Coelho, Gloria Venturi, Myrtle Clark Stearns, Ruby M. Iverson, Mrs. C. C. Baker, Rose Sickufoose, Dulcie A. Horton, Peggy Marquard, Jane Zimmerman, Mrs. Viola M. Polson, Mrs. B. H. Henning, Mrs. Samuel G. Clark, A. Ethel Ferguson, Grace N. Hoffman, Mary E. Findley, Mrs. E. J. Mulquin, Mrs. Henry D. Lyman, Miss Mary Woolly, and Mrs. H. E. Wyllie.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to D. A. Pfeiffer and Margaret Mollins, teachers of the Sonoma Valley Union High School of Sonoma, and the following pupils: Bonnie Andrews, Evelyn Andrews, Leslie Aubin, Mary Bacher, Clark Blake, Dolores Canevari, Bill Coops, Ruth Curtin, Naeda Davenport, Betty Dillman, Jerry Duncan, Earl Ebert, Leo Felder, Emilio Finato, Pat Foster, Olga Gordenker, Pat Gibson, Trena Graves, Tony Jacobsen, Bill Johnson, Peggy Johnson, Jim Kirk, Helene Ladd, Delberta Lighthill, Carroll Marsh, Arthur Mattocks, Cathy McCarthy, Doun McVeigh, Doug McVeigh, Eileen McKenna, Carson Mitchell, Rhoma Mitchell, Pat Moser, Bertha Munger, Jim Newland, Don Orlandi, Tom Gregory, Marjorie Gunderson, Louise, Hansken, Leona Owen, James Palmore, Barbara Perry, Mary Pfeiffer, Glenn Pursell, Pete Quinn, Joan Reynolds, Joe Samson, Steve Siegel, Gladys Strader, Lisa Sandstrom, Nancy Simpson, Janet Sterkbar, Jim Stone, Leroy Stone, Gene McKamey, Vera Williams, Fred Roseme, Susan Battaglia, and Rena Di Guilio.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Margaret Sweetland, Mrs. Mary Bouska, Nelson Dean, L. G. Johnson, teachers, of the Arbuckle School, and the following pupils: Douglas Alberts, Shirley Beldon, Ted Blankenship, James Coon, Ida Jane Fisher, Gary Hursh, Barbara Kleeman, Erlene Myers, Janice Pratt, Tom Smedley, Elaine Bartlett, Richard

Bouska, Alfred Bruffet, Gayle Dawley, Renae Flack, Melton Hester, James Martin, Duane Peters, Robert Salyer, and James Mahorney.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Luvia Kilroy, Robert K. "Bob" Bonner, and Mrs. Alice Thibault, teachers of the Nevada City schools, and the following pupils: Thomas Bean, Patricia Bragg, Everett Heckenlively, Ronald Heckenlively, Edward Heiberger, Emily Kelly, Wayne Kistle, John Merkel, May Rollins, Raymond Phelps, Jacqueline Kafer, Herman Carr, Pat Roche, James Barker, Eugene Stuart, Margie Duggan, Ina Jane Dorris, Wilma Sanden, Claire Schance, Roberta Simmons, Lee Smart, Roger Smith, ReNee Spangler, Freddie Steck, Donald Steger, Bob Strach, Rosemary Thibault, Bobby Tonella, William Webb, Garry Weldon, John Williams, Wanda Brewer, Shirley Burger, Koreen Buster, Dorothy Castro, Roxanna Heiser, Everett Hiscox, Rosie Kelly, Wynona Leonard, Bill Murphy, Margaret Nutt, Cecil Raetz, Joe Say, Violet Schwartz, Frances Sellers, Alfred Silva, James Thomas, Leonard Woodside, Mary Brown, Dolores Bryan, James Calvert, Bing Cutting, Bob Danos, Wilma Davis, John Falconi, Carl Foote, Joyce French, Madeline Giani, David Haley, Robert Hewston, Charles Holmes, Jeannie Johnson, Pat Macdonald, Richard Moody, Margaret Mooers, Laureta Peart, Wade Penrose, Linda Poulson, Dorothy Roberts, Gayle Roberts, Hans Ronningen, and Gilbert Larson.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jules Fadem of Culver City.

On request of Mr. George D. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dan Gallagher, former Assemblyman of San Francisco.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ralph H. Morris of Los Angeles, Albert Eaves, Jr., and C. W. Bradbury of Santa Barbara.

On request of Messrs. Dunn and Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Wilson, teacher of the Fremont School of Oakland, and the following pupils: Don Bellum, Ray Conder, Bob Conner, Tom Cortese, Connie D'Ambrosio, Olympic Dictus, Pat Flood, Lorraine Fults, Ken Getz, Richard Geltz, Pat Gilbert, Pat Harper, Earl Jackson, Don Johnson, Roy Kerns, Lorna Matthi, Diane McDonald, Rodney McPeak, Ronald Melon, Bill Murphy, Sue Ortiz, Maydelle Owens, Bert Pease, Vern Pendleton, George Perry, Gil Perry, Bob Purcell, Bob Rodrigues, Roger Siegal, Jack Terry, Duane Wallace, Neil Garman, and Betty Fernandez.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Vernon E. Karstod and E. F. Parker, teachers of the Esparto High School, and the following pupils: Pat Johnson, Bob Lowrey, Joan Bishop, Richard Schaupp, Nel Lindberg, Mel Lindberg, Lois Hull, Jane Vance, Chris Campus, Anne Winter, Dolores Schaupp, Jack Fiddler, Walter Reiff, Lila Duncan, Iona Keech, Anne Miller, Angelina Campus, Raymond Adan, Glen Jensen, Dick Malone, Don Gans, Delmer Gans, Bob Han, and Felix Pires.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Mel Johns and Gilbert Tennis, teachers of the J. S. Hennessy School of Grass Valley, and the following pupils: Ora Baker, Marilyn Blaine, Mary Jane Brown, Joan Carvin, Marie Davis, Carole Freeman, Patricia Gillett, Carol Hayes, Maryeda Hayes, Virginia Lee, Jacqueline Lewis, Romona McCully, Betty Jean Messing, Shirley Patterson, Beverly Thorne, Shirley Roberts, Shirley West, Dan Alley, Bill Andrews, Charles Ausley, Jim Benjamin, Gary Christl, Charles Cross, Norman Day, Lee Droivold, Vandel Eades, Sam Hardin, Gene Kuster, Frank Lee, Vernon Phillips, Donald Roddy, Carlton Thomas, Merlyn Thorne, Merrill Tompkins, Roy Wallen, and Robert Hudson.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Hamilton and David Dalke, teachers of the Union Hill school, and the following pupils: Christenia Hutchison, Joyce Frey, Pat Schimke, Janet Bourquin, Marie Anderson, Janet Lair, John Wells, Jim Lusk, Don Rodger, Harold Cantrill, Carroll Beaver, and Carl O'Young; Mrs. Hughes, teacher of the Chicago Park school, and the following pupils: John Stewart, Norajean Cranford, Darcy Murphy, and Brent Walter; Mrs. Thompson, teacher of the Rough and Ready school, and the following pupils: Donald Painter, Robert Steuber, Francis Nill, and Margene Filer; and Mrs. Fisher, teacher of the Forest Springs school, and Gladys Reuter, pupil.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to State Representative and Mrs. Floyd C. Miller of the State of Washington.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Dean E. Howell of Escondido.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Charles Palmerlee of Inglewood.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Fred B. Smales of Orange County.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman and Mrs. Albert M. King of Oroville.

ADJOURNMENT

At 12.49 p.m., on motion of Mr. Dolwig, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 8, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FOURTH LEGISLATIVE DAY

NINETY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 8, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Our Fathers: In this Centennial year may we cherish the romantic beginning of our State, when the Spanish Flag waved over Monterey, the Russian Flag over Fort Ross, and against these great odds, a little band of heroic men won for us this Golden Land.

Let us cherish the Cavalier Age of the ranchero and his hacienda, the gay caballero and his serape, the vaquero and the rodeo, with their example of festive and more leisurely living.

The Age of Gold, with its prospecting and revelry, with its law of the rifle and the rope, and yet with its sense of honor, respect for virtue, and loyalty to a friend.

Let us honor the Frontier Days when Vigilantes risked life and fortune to abolish lawlessness and establish orderly society.

Now let us halo the adventurous spirit of the past, casting off its evils and crudities, and rise to a higher plane because of our greater advantages, and enlightenment.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Gaffney, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Collier, by unanimous consent.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Condon, on motion of Mr. Way.

Mr. Huyck, on motion of Mr. Waters.

Mr. Grunsky, on motion of Mr. Dolwig.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 183
Assembly Bill No. 449
Assembly Bill No. 703
Assembly Bill No. 718
Assembly Bill No. 939
Assembly Bill No. 941
Assembly Bill No. 943
Assembly Bill No. 1295
Assembly Bill No. 1396
Assembly Bill No. 1407
Assembly Bill No. 1643
Assembly Bill No. 1707
Assembly Bill No. 1917
Assembly Bill No. 1947
Assembly Bill No. 2001
Assembly Bill No. 2075
Assembly Bill No. 3102

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 7, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 260

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 111
Assembly Bill No. 1255

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 18
Senate Bill No. 19
Senate Bill No. 90
Senate Bill No. 98
Senate Bill No. 146
Senate Bill No. 248
Senate Bill No. 323
Senate Bill No. 405
Senate Bill No. 406
Senate Bill No. 428
Senate Bill No. 481
Senate Bill No. 488
Senate Bill No. 569
Senate Bill No. 701
Senate Bill No. 894
Senate Bill No. 1073
Senate Bill No. 1075
Senate Bill No. 1218
Senate Bill No. 1248
Senate Bill No. 1402
Senate Bill No. 1522

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 18—An act to amend Section 4852.17 of the Penal Code, relating to the restoration of certain rights to persons who are granted full and unconditional pardons.

Referred to Committee on Judiciary.

Senate Bill No. 19—An act to amend Sections 2051 and 2065 of the Code of Civil Procedure, relating to examination and impeachment of witnesses.

Referred to Committee on Judiciary.

Senate Bill No. 90—An act to amend Section 3571 of the Education Code, relating to the formation of high school districts.

Referred to Committee on Education.

Senate Bill No. 98—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to the support and parole of persons committed to industrial farms, industrial road camps or branches of county jails for addiction to the intemperate use of stimulants, dipsomania or inebriety.

Referred to Committee on Judiciary.

Senate Bill No. 146—An act to amend Section 602 of the Penal Code, relating to trespass.

Referred to Committee on Judiciary.

Senate Bill No. 248—An act to amend Section 4151 of the Public Resources Code, relating to campfire permits.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 323—An act to suspend the operation of Section 1065 of the Fish and Game Code, and to add Section 1065a to the Fish and Game Code, relating to the taking and use of sardines.

Referred to Committee on Fish and Game.

Senate Bill No. 405—An act to amend Section 14191 of, and to add Article 6 5, comprising Sections 14195 to 14195.4, inclusive, to Chapter 8, Part 8, Division 2, of the Revenue and Taxation Code, relating to the compromise of death taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 406—An act to add Article 6.7, comprising Sections 14197 to 14197.13, inclusive, to Chapter 8, Part 8, Division 2, of the Revenue and Taxation Code, relating to the interstate arbitration of death taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 428—An act to amend Section 2085 of, and to add Section 5060 to, the Penal Code, relating to disposition of moneys and valuables of prisoners.

Referred to Committee on Judiciary.

Senate Bill No. 481—An act to amend Section 3952 of the Revenue and Taxation Code, relating to actions by purchasers of tax-deeded property to determine adverse claims to, or clouds upon that property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 488—An act to amend Section 7001 of the Water Code, relating to joint use of conduits.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 569—An act to amend Section 8161 of the Education Code, relating to the maintenance of school classes.

Referred to Committee on Education.

Senate Bill No. 701—An act to add Section 9.5 to the Property Acquisition Act, relating to sites for student housing on the campuses of state colleges.

Referred to Committee on Education.

Senate Bill No. 894—An act to amend Section 8727 of the Education Code, relating to high school tuition fees.

Referred to Committee on Education.

Senate Bill No. 1073—An act to add Sections 11, 12, 13, 14, and 15 to an act entitled "An act to provide for the maintenance of storm drain improvements, and of other watercourses or drainage channels; the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts; defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 11, 1937, and to renumber the existing sections of 11 and 12 of said act, relative to storm drain maintenance districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1075—An act to repeal Section 3722 of the Political Code, relating to the organization of river port districts for assessment and taxation purposes.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1218—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Referred to Committee on Judiciary.

Senate Bill No. 1248—An act to amend Sections 11501 and 11519 of the Government Code, relating to administrative adjudication.

Referred to Committee on Judiciary.

Senate Bill No. 1402—An act to amend Sections 1815 and 1816 of the Education Code, relating to candidates for office of school trustees.

Referred to Committee on Education.

Senate Bill No. 1522—An act authorizing the sale of certain real property in the City of Sacramento not required for existing state functions and providing for the disposition of the proceeds of such sale.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 6—Proposed amendment to Article XXIV, Section 4, of the Constitution, relative to exemptions from state civil service.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 578—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 713—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection.

Bill read second time, and ordered engrossed.

Assembly Bill No. 977—An act to amend Sections 1631, 2311, and 5709 of the Welfare and Institutions Code, relating to the local control

and regulations of certain institutions, boarding homes and other places caring for children, the aged and the insane.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1642—An act to amend Section 31553 of the Government Code, relating to membership in County Employees' Retirement Association.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1672—An act to amend Sections 2 and 3 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therefrom.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2344—An act to amend Sections 4850, 4851, 4852, and 4854 of, and to repeal Section 4853 of, the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2898—An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 678—An act to amend Section 7056 of the Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1845—An act to amend Sections 7140, 7142, and 7231 of, and to repeal Section 7143 of, Division 8 of the Streets and Highways Code, relating to street improvement proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1847—An act to amend Section 8322 of the Streets and Highways Code, relating to notices of street vacation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1848—An act to amend Section 3222 of the Streets and Highways Code, relating to street opening proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1849—An act to amend Section 4141 of the Streets and Highways Code, relating to street opening proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1850—An act to amend Sections 5181, 5241, 5242, 5254, 5258, 5369, and 6420 of the Streets and Highways Code, relating to improvement proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1851—An act to amend Section 18071 of the Streets and Highways Code, relating to street lighting proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1852—An act to amend Section 5871 of the Streets and Highways Code, relating to the construction of gutters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 459—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 580—An act to amend Section 1361 of the Government Code, relating to oaths of office.

Bill read second time, and ordered engrossed.

Assembly Bill No. 890—An act to amend Section 8161 of the Education Code, relating to the maintenance of school classes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2791—An act to amend Section 5013 of the Public Resources Code, relating to the State Park Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, after line 6, insert

"The State Park Commission shall also have power to:

(1) Acquire, construct, maintain, improve, and develop public beaches and such upland areas adjacent thereto as may, in the opinion of the commission, be reasonably necessary to provide for the full, complete and convenient public utilization of such beaches.

(2) Acquire, construct, maintain, improve, and develop public small boat harbors and such facilities and improvements in connection therewith as in the opinion of the commission may be reasonably necessary to provide for the full, complete and convenient public use of such small boat harbors.

(3) Acquire, construct, maintain, and operate facilities for the public convenience in conjunction with any public beach or public small boat harbor.

(4) Acquire, construct, maintain, improve, and develop winter sports areas and facilities, including but not limited to roads, highways, trams, tramways, aerial cableways, up-skis, ski-lifts, parking areas, skiing areas, areas for tobogganing, coasting, snowshoeing, sledding, ice skating, ski huts, ski hostels, restaurants, busses, buildings and all other works, properties and structures necessary, convenient or useful for the development of winter sports.

(5) Acquire, construct, maintain, improve, and develop picnic grounds and fishermen's camps and hunters' camps adjoining rivers or streams, and to provide facilities for camping, lodging, cooking, launching boats, restaurants, buildings and all other structures necessary, convenient or useful, for the purpose of providing a place for sportsmen and others to stay in recreational areas.

(6) Acquire property for recreational purposes for the benefit of the public, to finance and construct suitable buildings thereon, and to lease the facilities for purposes of public recreation."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 341—An act to add Section 5082 2 to the Business and Professions Code, relating to the registration of public accountants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "subdivision (c) of Section 5802", and insert "that section".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "in that section", and insert "therein".

Amendment No. 3

On page 1, line 8, of the printed bill, strike out "prior to March 15,".

Amendment No. 4

On page 1, line 9, of the printed bill, strike out "1950," and insert "within 60 days of the effective date of this act,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1275—An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to the Revenue and Taxation Code, and to add Section 28 to the California Aeronautics Commission Act, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the entire title of the printed bill, and insert

"An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel."

Amendment No. 2

On page 1 of said bill, strike out lines 22 and 23, and insert

"(f) To the counties, as provided in this chapter. Payments pursuant".

Amendment No. 3

On page 2 of said bill, strike out lines 32 to 42, inclusive, and insert "any quarter of a year and may pay to any county a sum not to exceed ninety percent (90%) of the amount estimated to be due to the county during the quarterly period.

After the Controller has made a payment to a county based on his estimate and the amounts paid and to be paid described in subdivisions (a) and (b) of Section 8355 have been determined, he shall compute the balance due and pay such balance to each of the counties to which payments have been made."

Amendment No. 4

On page 2 of said bill, strike out line 45, and insert "8357. The amount avail-".

Amendment No. 5

On page 3 of said bill, strike out lines 1 to 3, inclusive.

Amendment No. 6

On page 3 of said bill, strike out lines 17 to 25, inclusive

Amendment No. 7

On page 3 of said bill, between lines 3 and 4, insert

"In any county wherein there is located an airport owned by a city, 50 percent of the amount apportioned to such county shall be paid to such city. In the event that there is more than one such city within the county, the cities' share shall be divided among such cities in the proportion which the population of each city bears to the total population of airport-owning cities within the county."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, lines 13 and 14, of the printed measure, as amended in the Assembly on March 24, 1949, strike out "or as a source of materials for the construction of public improvements,".

Amendment No. 2

On page 2, lines 11 and 12, of said measure, strike out "or as a source of materials for the construction of public improvements,".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to regular sessions of the Legislature designated as budget sessions.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 15, of the printed measure, after "year," insert "revenue acts necessary therefor, proposed constitutional amendments, the approval or rejection of charters and charter amendments of cities, counties, cities and counties,".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 223—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "four thousand dollars ($4,000)", and insert "four thousand eight hundred dollars ($4,800)"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 226—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "four thousand dollars ($4,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 2

On page 1, line 7, of said bill, strike out "four thousand dollars ($4,000)", and insert "five thousand dollars ($5,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1804—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, between the title and the enacting clause, insert "*PREAMBLE.* In order to facilitate the administration of county governmental functions in county territory and to increase the efficiency and dispatch of county governmental affairs and to provide for more efficient local participation in zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, education and libraries, and other functions under the authority of county boards of supervisors, and in order to set up workable urban districts within the county territories having simple and direct access to and from the county boards of supervisors and the departments of county government"

Amendment No. 2

On page 1 of the printed bill, between lines 8 and 9, insert "posed to be established and signed by not less than 5 percent of the residents residing within the boundaries of the proposed district or by the assessees of property representing at least 5 percent

of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed districts

SEC. 3. The petition may be filed in sections each of which must comply with all the requirements of the petition except that a section need not contain the total number of signatures required for the petition.

SEC. 4 The petition must:

(a) State the proposed name for the district in substantially the following form:

_____ (Filling in the blank) Urban District of _____ (Filling in the blank) County;

(b) Set forth the boundaries of the proposed district or describe the lands to be situated therein; and

(c) Request that the district be formed under the terms of this act.

SEC 5 Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing of the petition. The hearing shall not be less than thirty days nor more than sixty days after such filing.

SEC. 6. Notice of such hearing shall be given by the clerk of the board of supervisors by publication of a notice of hearing at least once in a newspaper of general circulation published within the boundaries of the proposed district, or if there be none, then in a newspaper of general circulation in the county published nearest thereto.

SEC. 7. The notice of hearing shall:

(a) State the name of the proposed district;

(b) State that the petition for the formation of the same is available for inspection at the office of the clerk of the board of supervisors;

(c) Designate the boundaries of the proposed district;

(d) State the time and place for the hearing;

(e) State that at said hearing protests will be considered by the board of supervisors, and

(f) State that at said hearing requests in writing for the exclusion from or inclusion of lands in the proposed district will also be heard and considered by the board of supervisors.

SEC 8 The board of supervisors shall not be deprived of jurisdiction to proceed with the hearing nor shall any action on the petition be invalidated by any clerical error in the published notice

SEC. 9. At the hearing protests may be made orally or in writing by any person interested in the formation of the proposed district. Any protest pertaining to the regularity or sufficiency of the proceedings must be in writing and must clearly set forth the irregularities and defects to which objection is made. All written protests must be filed with the clerk of the board of supervisors on or before the time fixed for the final hearing The hearing may be continued from time to time not exceeding ninety days.

SEC. 10. The proceeding shall terminate if prior to the time the board of supervisors determines the district shall be formed written protests against the formation of the district are filed with the clerk of the board of supervisors either by a majority of the residents residing within the boundaries of the proposed district, if it is proposed to organize the district by a petition signed by not less than 5 percent of the residents residing within the boundaries of the proposed district, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district, if it is proposed to organize the district by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the boundaries of the proposed district.

CHAPTER II. FORMATION OF DISTRICT

SEC. 20. If, after the hearing provided for above, the board of supervisors determines that the organization of the district is in the public interest, it shall fix the boundaries of the proposed district, including therein any territory within the boundaries of the district covered by the petition or by any written requests for inclusion which it determines will be benefited by inclusion in the district and excluding therefrom any such territory which it determines will not be benefited by inclusion in the district.

SEC. 21 If the board of supervisors determines that the district should be established, it shall by resolution declare the district established, fix and describe its boundaries and designate a name thereof which name may be that proposed in the petition or such other name as the board of supervisors may select

SEC. 22. Upon the adoption of the resolution declaring the district organized, the organization of the district shall be complete; and the clerk of the board of supervisors shall file a certified copy of the resolution in the office of the county recorder and in the Office of the Secretary of State.

SEC. 23. The county in which an urban district is organized as herein provided shall pay from its general fund all fees required by the organization or dissolution of the district.

CHAPTER III. POWERS OF DISTRICT

SEC. 30. Any urban district incorporated, as herein provided, shall have power:

First: To have perpetual succession.

Second: To hold title to a community building and appurtenant structures within the district; and to provide for the maintenance thereof and to establish rules and regulations governing its use and charges therefor, or to contract with the board of supervisors for the joint use of a community building with other county agencies or urban districts on a rental or ownership basis.

Third: To contract, either alone or in conjunction with other urban districts within the county, with the board of supervisors for the furnishing to such district or districts, and maintenance thereof by the county, of such county services as are available but not provided under the county tax rate.

Fourth: To cause the board of supervisors to be advised of the needs of the district.

Fifth: To adopt a seal and alter it at pleasure.

Sixth: To sue and be sued, except as otherwise provided by law, in all actions and proceedings, in all courts and tribunals of competent jurisdiction.

Seventh: To appoint an executive secretary and such other employees as may be required.

CHAPTER IV. BOARD OF SELECTMEN

SEC. 40. A board of selectmen consisting of five members and having the powers and duties hereinafter specified shall be appointed for the district by the board of supervisors from among those residents of the county within which the district is located, nominated by petitions signed by at least 5 percent of the residents residing within the district, or by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the district. The county treasurer and the county auditor shall be ex officio treasurer and auditor of the district.

SEC. 41. Each selectman shall serve for a term of four years, except that two of the members of the first board of selectmen appointed shall serve for a term of two years, said selectmen serving for two years being those two who express a desire to serve for two years or, if there be only one so desiring, then he shall serve for two years and the other shall be chosen by lot from among the other four selectmen or, if there be three or more desiring to serve for two years, then the choice shall be by lot from among those selectmen desiring to serve for two years.

SEC. 42. Vacancies in the office of selectmen existing during the term thereof shall be filled by appointment by the board of supervisors from among the residents of the county, and such person so appointed shall serve until the expiration of the term of office of his predecessor.

SEC. 43. Each selectman shall serve until his successor is appointed and qualifies and shall not be eligible for reappointment unless renominated for office in the same manner as is hereinabove provided for nomination to such office.

CHAPTER V. POWERS AND DUTIES OF SELECTMEN

SEC. 50. The powers of the district shall be exercised through the board of selectmen.

SEC. 51. The board of selectmen shall hold meetings at least once a month and shall elect from among their number a chairman who shall hold office for one year from the date of his election, or until his successor is elected.

SEC. 52. Three members of the board of selectmen shall constitute a quorum, and not less than three votes shall be required to adopt any resolution or take any action.

SEC. 53. The board of selectmen shall serve as an advisory group to the board of supervisors in connection with policies and programs for the district and with respect to the establishment and performance of county services therein.

SEC. 54. In matters pertaining to zoning, sanitation, roads and streets, parks and recreation, flood control, building and alterations, permits, licenses, vital statistics, health, police and fire protection, education and libraries, and other district matters, the board of selectmen shall advise the board of supervisors as to the needs and desires of the district and, acting under such administrative authority as may be delegated to them by the board of supervisors, shall act as the representatives of the board of supervisors within the district.

SEC. 55. The board of selectmen shall prepare and submit to the board of supervisors by the first of February of each year a budget stating the amount necessary to be levied against all the taxable property within the district to provide for the expenses of the district for the next fiscal year; and it shall be the duty of the board of supervisors to levy a tax to be known as the "(name of the district) urban district tax" against all the taxable property within the district at the time of levying county taxes to raise the amount of the budget. The tax so levied shall be computed by the county auditor and shall be collected at the same time and in the same manner as county taxes and when collected shall be paid to the county treasurer for the use of said district. In the event that such budget is not submitted it shall be the duty of the board of supervisors to require the immediate submission thereof. If the budget exceeds the amount that the board of supervisors feel should reasonably be collected for the purposes of the

district, they shall require that the budget be reduced to an amount and in the manner as directed by them.

CHAPTER VI. DISTRICT INVESTIGATION ACT

SEC. 60 Districts formed or proposed to be formed under the provisions of this act are not subject to any provisions of the "Special Assessment Investigation, Limitation and Majority Protest Act of 1931" or the "District Investigation Act of 1933"

CHAPTER VII. CHANGES IN DISTRICT BOUNDARIES

SEC. 70. Any tract of land within the county may be annexed to or excluded from a district in the manner provided by this chapter.

SEC. 71. A petition shall be addressed to and filed with the board of selectmen of the district, signed by at least 10 percent of the residents residing in or by the assessees of property representing at least 10 percent of the assessed value, according to the last equalized assessment-roll, of all the property within, the territory seeking annexation to or exclusion from the district.

SEC. 72. The petition shall state the reasons for annexation or exclusion of the tract of land, describe its boundaries and include the consent of the petitioners to such annexation or exclusion.

SEC. 73 The board of selectmen shall consider the petition for annexation or exclusion and within thirty days after the filing thereof shall send it to the board of supervisors with the recommendation of the board of selectmen with respect thereto.

SEC. 74 Upon the filing of the petition, the board of supervisors shall fix a time and place for the hearing thereof and shall cause a notice of the filing of the petition and of the time and place of the hearing to be published at least once in a newspaper of general circulation published within the boundaries of the district, or if there be none, then in a newspaper of general circulation in the county published nearest thereto; provided, however, that the time of such hearing shall be not less than ninety days nor more than six months after the first publication of the aforesaid notice

SEC. 75. The notice shall state:

(a) The date of filing of the petition;

(b) That the petition is available for inspection at the office of the clerk of the board of supervisors;

(c) The location and boundaries of the land described in the petition;

(d) The prayer of the petition;

(e) The time and place fixed for the hearing thereof;

(f) That petitions stating that the proposed annexation or exclusion is protested may be filed with the board of supervisors by residents of the district or by assessees of property in the district, as the case may be, at any time before the time fixed for the hearing; and

(g) That all persons interested in or affected by such change in the boundaries of the district may appear and show cause why such change should not be made.

SEC 76 At the hearing the board of supervisors shall hear all relevant evidence in support of or in opposition to the petition; provided, however, that if a majority of the residents of the district, if the district was organized by a petition *signed by not less than 5 percent of the residents thereof, or if assessees of property* representing a majority of the assessed value, according to the last equalized assessment-roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the district, file petitions protesting the annexation or exclusion, as the case may be, of the territory seeking annexation or exclusion, the proceeding shall terminate, and the board of supervisors shall take no further action with respect to such proceeding at said hearing.

SEC 77. If the proceedings are not terminated as provided in Section 76, and if the board of supervisors determines that the territory seeking annexation or exclusion will be benefited by such annexation or exclusion and that it is for the best interest of the district that the boundaries thereof be changed by annexing or excluding such territory or any part thereof, the board of supervisors shall by resolution annex or exclude the tract of land described in the petition or any part thereof and shall describe the altered boundaries of the district as so changed

SEC. 78. A resolution of annexation or exclusion adopted by the board of supervisors as provided for in Section 77, describing the altered boundaries of the district as changed, shall be entered in the minutes of the board of supervisors, and a certified copy of such resolution shall be immediately filed in the office of the county recorder of the county in which the district is situated and thereafter a certified copy of the same shall promptly be filed in the Office of the Secretary of State Upon the filing of the aforesaid copy with the Secretary of State the annexation or exclusion of the territory shall be deemed complete.

CHAPTER VIII. DISSOLUTION OF DISTRICT

SEC 80. An urban district shall be dissolved by resolution of the board of supervisors as the result of a petition requesting such dissolution signed either by a

majority of the residents of the district, if the district was organized by a petition signed by not less than 5 percent of the residents thereof, or by the assessees of property representing a majority of the assessed value, according to the last equalized assessment-roll, of all the property within the district, if the district was organized by a petition signed by the assessees of property representing at least 5 percent of the assessed value, according to the last equalized assessment-roll, of all the property within the district, and filed with the board of supervisors.

SEC. 81. Immediately after the adoption of the resolution declaring the district dissolved, the clerk of the board of supervisors shall file a certified copy of such resolution for record in the office of the county recorder and thereafter shall file a certified copy of the same with the Secretary of State. Upon the filing of the aforesaid copy with the Secretary of State the dissolution of the district shall be complete.

SEC. 82. No territory included in any district may be annexed to any city until that territory has been excluded from the district in the manner provided for herein or until the dissolution of the district.

SEC. 83. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of the act. The Legislature hereby declares that it would have passed this act, and each section, subsection, sentence, clause and phrase thereof, irrespective of the fact that any one or more other sections, subsections, sentences, clauses or phrases be declared unconstitutional."

Amendment No. 3

On page 1 of the printed bill, strike out lines 9 to 25, inclusive; and strike out pages 2, 3, 4, and 5 thereof.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 272—An act to provide for the development and improvement of state parks now or hereafter incorporated in the State Park System, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 5, of the printed bill, after "System", insert "or leased by the State to the cities or counties".

Amendment No. 2

On page 1, line 9, of said bill, after "inlets," insert "estuaries, and tidal streams and rivers,".

Amendment No. 3

On page 2, line 13, of said bill, strike out "fifteen million dollars ($15,000,000)", and insert "three million dollars ($3,000,000)".

Amendment No. 4

On page 2, line 37, of said bill, strike out "other structures or".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1870—An act to amend Section 3480 of the Political Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 6, of the printed bill, after "where", insert "in the judgment and opinion of".

Amendment No. 2

On page 1, line 7, of said bill, strike out "determines that".

Amendment No. 3

On page 8, line 16, of said bill, after "thereof," insert "excluding therefrom any funds in the treasury deposited therein pursuant to Section 3466a of this code".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1873—An act to amend Section 8401 of the Water Code, relating to flood control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8401 of", and insert "8403 of, and to add Sections 8402.1 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 8402.1 is added to the Water Code, to read:

8402.1. The local agency shall not be required to take any action specified as necessary by a statement of the department. The statement shall not be admissible as evidence in any action brought against the local agency, its governing body or any member thereof, nor shall the failure of the local agency, its governing body or any member thereof to take any such action, be construed as negligence."

SEC. 3. Section 8403 of said code is amended to read:

8403. If a local agency is obligated by any law of this State, including Section 8370 of this code, to operate and maintain a unit, the board, *upon receipt of a statement from the department*, shall make such investigation as it deems necessary to determine the likelihood that the unit will thereafter be operated and maintained satisfactorily by such local agency *and shall receive and consider, at one of its regular meetings held within 45 days following receipt of such statement, any relevant information or evidence concerning the statement of the department that may be presented by the department, the local agency or any representative or member thereof or any interested person. The board shall notify the department and the governing body of the local agency of the date of the meeting at which the matter is to be considered, not less than 10 days prior to the meeting.*

If, after the investigation and hearing, the board finds that any items of work are necessary to be done in order to comply with the requirements of the Secretary of War, it shall submit to the governing body of the local agency within 20 days after the date of the hearing, a statement specifying the items of work necessary and request that body to give assurances that the specified work shall be done and the unit thereafter operated and maintained in accordance with the standards of operation and maintenance prescribed for the unit.

If the governing body of the local agency fails to give any requested assurances within 30 days after the request therefor has been made or if the board finds that such operation or maintenance is not likely, or that such local agency does not desire to continue to operate and maintain such unit, or that there is no such local agency obligated to so maintain and operate such unit, the board shall proceed to determine and establish a maintenance area in accordance with this article and all provisions of said article, together with Articles 5 and 6 hereof, shall be applicable thereto."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1874—An act to amend Sections 3454, 3457, 3476a, and 3479 of the Political Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 5, line 26, of the printed bill, strike out "thereof", and insert "of registration hereof".

Amendment No. 2

On page 9 of said bill, strike out lines 31 to 35, inclusive, and insert "any assessment and whenever it appears to the trustees of said".

Amendment No. 3

On page 9 of said bill, strike out lines 37 and 38, and insert "some portion thereof and whenever it shall also appear to the".

Amendment No. 4

On page 9, line 45, of said bill, after "cancel", insert "all or".

Amendment No. 5

On page 9 of said bill, strike out lines 46 to 48, inclusive, and insert "portion of said assessment including any interest thereon. The trustees in said".

Amendment No. 6

On page 10 of said bill, strike out lines 47 to 50, inclusive, and insert "The provisions of this section shall not apply to any assessment or part of an assessment if any bonds issued in reliance thereon remain unpaid or provision has not been made for the payment thereof."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Waters asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2709—An act relating to the use and occupation of real property lying within the lines of public improvements adopted as precised plans under the Conservation and Planning Act, restricting the use of property within such lines, and prescribing the powers and duties of certain public officers in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 20, of the printed bill, strike out "any city or".

Amendment No. 2

On page 1, line 21, of said bill, after "county", insert "outside the boundary of any city".

Amendment No. 3

On page 2, line 1, of said bill, strike out "city or".

Amendment No. 4

On page 2, line 5, of said bill, strike out "city or".

Amendment No. 5

On page 2, line 8, of said bill, strike out "city or".

Amendment No. 6

On page 2, line 9, of said bill, strike out "as to a county,".

Amendment No. 7

On page 2, line 28, of said bill, strike out "city or".

Amendment No. 8

On page 3 of said bill, between lines 4 and 5, insert

"SEC. 9.5. After the expiration of a period of three years following the date of filing of such precised plan, the owner of any property included within such plan, but against which proceedings in eminent domain have not been commenced, may file with such public agency a written request that such agency take immediate action either to acquire said property or to issue a written declaration of abandonment of such plan as affecting said property. Such agency shall act upon such written request within a period of 30 days after the filing of the same, either by commencing proceedings in eminent domain or by issuing a declaration of abandonment, and the failure to act within such period shall be deemed equivalent to a declaration of abandonment. Upon the issuance of such declaration, or upon the expiration of such 30 day period without action by such public agency, the land owner, or his successors in interest, may use said property in any manner desired and otherwise permitted by law, free and clear of the permit requirements or other restrictions contained in this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2275—An act relating to the development and improvement of the Mission Bay Park and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend an act entitled "An act to amend Section 5032 of the Public Resources Code, relating to Mission Bay State Park, and making an appropriation to the State Division of Beaches and Parks, Department of Natural Resources, for development, and improvement of Mission Bay Park, to take effect immediately," approved July 17, 1945, relating to the Mission Bay State Park in San Diego County, California."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 4 is added to the act cited in the title hereof to read:

Sec. 4. The State Park Commission of California, the City of San Diego and the Department of Public Works of the State of California having entered into an agreement for the development and improvement of the Mission Bay Park area, under the provisions of Chapter 1456, Statutes of 1945, the Department of Public Works may perform all or any portion of the construction of works for said development and improvement of Mission Bay Park area directly by contract or force account, or said commission, department and city may enter into a supplemental contract whereby all or any portion of such work may be performed by the City of San Diego."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3097—An act to amend Sections 2500, 2501, 2525, 2526, 2527, 2550, 2553, 2575, 2577, 2578, 2600, 2601, 2628, 2650, 2655, 2700, 2750, 2753, 2754, 2755, 2756, 2767, 2769, 2772, 2773, 2774,

2800, 2801, 2816, 2900, and the title of Article 3, Chapter 3, Part 3, Division 2, of the Water Code, relating to water right adjudications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 23, inclusive; and on page 2, strike out lines 1 to 12, inclusive, and insert

"2525. [Upon] *A* petition signed by one or more claimants to water of any [stream system,] *source of water supply may be filed with the department*, requesting the determination of the rights of the various claimants to the water [of that stream system,] *thereof. Any such petition shall be accompanied by a deposit of such sum as may be required by the department to cover the cost of its preliminary investigation and the public hearing hereinafter provided for. Notice of the filing of such petition and of the time and place when the department will hear and consider the same shall be published by the department for two consecutive weeks prior to said hearing in one or more newspapers of general circulation published in each county in which any part of the source of supply is situated. Any person interested may appear and be heard at such time and place with respect to said petition. In the event the department shall find that a source or sources of water supply in addition to that described in the petition should be included in the determination, it shall again publish notice in the manner hereinabove set forth, describing all sources of water supply to be included in the determination, before proceeding further in the matter. The department may, if necessary, require an additional deposit or deposits from the petitioner or petitioners for the purposes aforesaid.* [the] *The* department shall, if, *after such hearing and* upon investigation, it finds the facts and conditions are such that the public interest and necessity will be served by a determination of the water rights involved, enter an order granting the petition and make proper arrangements to proceed with the determination, *in which event the deposit accompanying the petition shall be returned to the petitioner or petitioners. If the petition be denied, the deposit or deposits shall be used for the purposes aforesaid and the balance only, if any, after paying such costs shall be returned to the petitioner or petitioners.*

In the event the source of water supply or any part thereof shall lie within the boundaries of one or more districts created by the Legislature of the State of California with powers to conserve and appropriate water, own water rights, commence, maintain and intervene in litigation for the protection of water or water rights used or useful within such district, before an order granting such petition shall be made, there shall be filed with the department the written consent of at least one such district, and if petitioner or petitioners or any of them produce water in such a district the consent must be by a district in which one such petitioner produces water, unless the producers of 10 percent or more of the water diverted from such source of water supply, as estimated by the department, consent in writing to the granting of such petition. No defect in said notice of the filing of said petition or in the publication thereof shall affect the validity of the proceedings"

Amendment No. 2

On page 2 of said bill, strike out lines 14 to 20, inclusive, and insert

"2526. As soon as practicable after granting the petition the department shall prepare a notice setting forth the facts of the entry of the order and of the pendency of the proceedings, and the date when the department is to begin the examination. The notice shall state *the location of the source of water supply and, if it be in whole or in part an underground source of water supply, the boundaries thereof, and* that all claimants to rights to the water of the [stream system] *source of water supply* are required to make proof of their claims."

Amendment No. 3

On page 2 of said bill, strike out lines 34 to 42, inclusive, and insert

"2550. At the time set in the notice of the proceeding, the department shall begin an investigation of the [stream system,] *source of water supply*, of the conduits, *tunnels, wells, or other works* diverting water, and the lands [irrigated] *served* or

[irrigable] *servable* [therefrom] *from such source of water supply, the extent, nature and character of the uses made of the water,* and shall gather such other data and information as may be essential to the proper determination of the water rights in the [stream system] *source of water supply.*"

Amendment No. 4

On page 2 of said bill, strike out lines 44 to 49, inclusive, and insert

"2553. The surveys and maps shall show with substantial accuracy the [stream system,] *source of water supply,* the location of each conduit, *tunnel, well, or other works* diverting water therefrom, the land *s and areas* [irrigated] *served* and capable of being [irrigated] *served* by each [conduit] *diversion, the lands to which overlying or riparian rights attach,* and the kind of culture upon the irrigated land."

Amendment No. 5

On page 3 of said bill, strike out lines 2 to 6, inclusive, and insert

"2575. Upon the completion of the measurements and maps and the filing of the observations, data, information, and measurements, the department shall prepare a notice *describing the source of water supply and* setting forth the date prior to which the proofs as to the rights to the water of the [stream system] *source of water supply* shall be filed."

Amendment No. 6

On page 3 of said bill, strike out lines 27 to 52, inclusive, and insert

"2601. The statement of proof shall include, *insofar as claimant is able to ascertain the facts,* all of the following:

(a) The name and post-office address of the claimant.

(b) The nature of the right or use on which the claim is based.

(c) The date of the initiation of the right and a description of any works of diversion and distribution.

(d) The date of beginning of construction.

(e) The date when completed.

(f) The dates of beginning and completion of enlargements.

(g) The [dimensions] *size and capacity* of any [ditch] *diversion works* as originally constructed and as enlarged.

(h) The date when water was first used for irrigation or other beneficial purposes, and if used for irrigation, the amount of land irrigated the first year, the amount in subsequent years, with dates of irrigation and the area and the location of the lands which are intended to be irrigated [.] , *if used for other purposes, the nature and character of the use, the lands or areas served, and the amount, insofar as the information may be available to claimant, of water beneficially used each year.*

(i) The character of the soil and the kind of crops cultivated.

(j) Such other facts as the department requires to show the extent and nature of the right and a compliance with the law in acquiring it."

Amendment No. 7

On page 5 of said bill, strike out lines 14 to 22, inclusive, and insert

"2769. The decree shall in every case declare as to the water right adjudged to each party, the priority, amount, *extent, nature and character* [season of use, purpose of use, point of diversion, and place] of use of the water, [and as to water used for irrigation, the decree shall also declare the specific tracts of land to which it is appurtenant,] together with such other factors as may be necessary to define the right. *It may also approve and adopt a physical or practical solution of the water problems involved.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 782—An act to amend Section 26301 of the Government Code, and Section 5157 of the Public Resources Code, relating to public recreation areas and facilities, and to the powers and duties of counties and the boards of supervisors thereof in connection therewith, and authorizing the issuance and sale of revenue bonds for public

improvements and the acquisition and leasing of public property for recreational purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "and", insert "to amend".

Amendment No. 2

In line 2 of the title of said bill, after "of", insert ", and add Section 5157.5 to,".

Amendment No. 3

In line 4 of the title of said bill, strike out "thereof", and insert "and State Park Commission".

Amendment No. 4

On page 2 of said bill, after line 32, insert

"SEC. 3. Section 5157.5 is added to the Public Resources Code to read:

5157.5. The Legislature finds that a state purpose exists in the development and use of public beaches, small boat harbors, winter sports areas, picnic grounds, fishermen's camps, and hunters' camps for the recreation of the people of the State, and that the increased use and enjoyment of such facilities will result in a general benefit to the health and welfare of the citizens of the State.

The Department of Natural Resources through the State Park Commission is authorized to contribute from any funds available not to exceed one-half the cost of any project for the acquisition, construction, improvement, and development of public beaches, small boat harbors, winter sports areas, picnic grounds, fishermen's camps, and hunters' camps undertaken by a county.

Before any contributions are made by the department, the county board of supervisors shall first make available for the purpose a sum equal to any contributions to be made by the department. The sum made available by the board of supervisors may be from any county funds or from money obtained by the issuance and sale of revenue bonds pursuant to Chapter 14, Part 2, Division 2, Title 3 of the Government Code.

Contributions to the county may be expended by the board of supervisors for any of the purposes enumerated in this section and title to any property purchased shall be in the county. The State Park Commission shall make such regulations as to the applications for contributions, payment of money to the counties, and expenditure of the funds as it deems necessary to effectuate this section and secure the expenditure of the contributions for the purposes for which made."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 900—An act to create a Fair Trade Commission, to define its powers and duties for the enforcement of the Unfair Practices Act, and making an appropriation for the purpose hereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out lines 1, 2, and 3 of the title of the printed bill, and insert

"An act to amend Sections 17026 and 17025 of the Business and Professions Code, relating to the definitions of the words "Cost" and "Vendor" in the Unfair Practices Act."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

Strike out all of the printed bill from and including line 1, page 1, thereof, to and including line 23, page 4, and insert

"SECTION 1. Section 17025 is hereby amended to read:

17025. Vendor *in addition to its ordinary meaning also* includes any person who performs work upon, renovates, alters or improves any personal property belonging to another person.

SEC. 2. Section 17026 is hereby amended to read:

17026. "Cost" as applied to production includes the cost of raw materials, labor and all overhead expenses of the producer.

"Cost" as applied to distribution means the invoice or replacement cost, whichever is lower, of the article or product to the distributor and vendor [, plus the cost of doing business by the distributor and vendor]."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1787—An act authorizing the Director of Finance, with the approval of the Director of the Department of Mental Hygiene, successor in interest of Norwalk State Hospital, to sell certain lands in the County of Los Angeles, State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, after line 7, insert

"A parcel of land in the County of Los Angeles, State of California, situated in the Rancho Santa Gertrudes, being portions of the South Half of the Northwest Quarter of Section 8, Township 3 South, Range 11 West, S.B.M., and being more particularly described as follows:

Commencing at a point in the center line of the most westerly main track of the A. T. & S. F. Railway Company, being a point in a line which is parallel with and distant 14.00 feet westerly at right angles from the center line of said Railway Company's 100 foot wide right of way, as described in deed recorded December 2, 1887, in Book 350, page 99 of Deeds, records of Los Angeles County, distant northerly N. 0 degrees-19 minutes 45 seconds E 645.58 feet from the south line of said Northwest Quarter of Section 8; thence southerly along the arc of a curve, tangent to said parallel line and having a radius of 942.29 feet through a central angle of 6 degrees 48 minutes a distance of 111.83 feet, thence southwesterly, compounding along the arc of a curve, concave northwesterly and having a radius of 573.686 feet, through an angle of 36 degrees 00 minutes 00 seconds a distance of 360.46 feet; thence southwesterly, compounding along the arc of a curve, concave northwesterly and having a radius of 11459.2 feet, through a central angle of 0 degrees 22 minutes 30 seconds, a distance of 75.00 feet; thence southwesterly tangent to last said curve, a distance of 25.01 feet; thence southwesterly along the arc of a curve, tangent to last course, concave southeasterly and having a radius of 573.686 feet, a distance of 168.5 feet more or less to point in the southerly line of the Northwest Quarter of said Section 8; thence easterly S 89 degrees-33 minutes 15 seconds E 319.91 ft. to point of beginning; except westerly 36 ft. of the most easterly line and the south easterly 12.5 feet of northwesterly curve boundary described which is right of way of the A. T. & S. F. Railway. Said parcel contains a net area of 1.17 acres more or less."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3017—An act to add Sections 6405.1 and 6405.2 to the Labor Code, relating to health and safety of workers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "6405.1 and 6405.2", and insert "6312.1 and 6405.1".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 6312.1 is added to the Labor Code, to read:

6312.1. The division may require the submission of complete plans and specifications for any proposed new place of employment or for any major change in any structure, process, or method of production at existing places of employment, and no new place of employment shall be constructed or no new method or process shall be used until such plans and specifications are approved by the division.

The division shall, by general safety orders, specify in which industries or types of processes such plans and specifications shall be submitted to the division for approval.

The division may accept the decision of local building departments for those portions of such plans and specifications which are covered by local ordinances and which are up to the standard established by the division.

SEC. 2. Section 6405.1 is added to said code to read:

6405.1. No person shall construct, or cause to be constructed, any new place of employment or make, or cause to be made, any major changes in any structure, process, or method of production in existing places of employment as provided by general safety orders of the Division of Industrial Safety until plans and specifications thereof shall have been submitted to, and approved by, the Division of Industrial Safety."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 116—An act to amend Sections 2799, 2800, 2802, 2804, 2805, 2815, 2816, 2831, 2832, 2839, 2840, 2841, 2842, 2843, and 3931 of, to add Sections 2831.1, 2831.2, 2831.3, 2831.4, 2831.5, 2831.6, and 3946.5 to, and to repeal Section 3935.5 and Article 11 of Chapter 1 of Division 5 of, the Elections Code, relating to political parties, and including provisions relating to the selection, organization, meetings, and functions of state conventions and state and county central committees thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "2839,".

Amendment No. 2

In line 2 of the title of said bill, strike out "2843, and 3931", and insert "and 2843 of".

Amendment No. 3

Strike out lines 3 and 4 of the title of said bill, and in line 5 of said title, strike out "Article 11 of Chapter 1 of Division 5 of,".

Amendment No. 4

On page 1 of said bill, strike out lines 1, 2, and 3, and insert "SECTION 1. Section 2799 of the Elections Code is amended to read:".

Amendment No. 5

On page 2, line 34, of said bill, strike out "3", and insert "2".

Amendment No. 6

On page 3, line 19, of said bill, strike out "4", and insert "3".

Amendment No. 7

On page 3, line 33, of said bill, strike out "5", and insert "4".

Amendment No. 8

On page 3, line 40, of said bill, strike out "6", and insert "5".

Amendment No. 9

On page 4, line 13, of said bill, strike out "7", and insert "6".

Amendment No. 10

On page 4, line 29, of said bill, after "SEC.", strike out "8", and insert "7".

Amendment No. 11

On page 4, line 37, of said bill, strike out "9", and insert "8".

Amendment No. 12

On page 4, lines 40 and 41, of said bill, strike out "the general election in November, 1952 and each second year thereafter", and insert "every presidential primary in accordance with the provisions of Article 11 of Chapter 1 of Division 5 of this code".

Amendment No. 13

On page 4, lines 50 and 51, of said bill, strike out "general election in November," and insert "direct primary election in".

Amendment No. 14

On page 5 of said bill, strike out lines 7 to 48, inclusive; and strike out page 6.

Amendment No. 15

On page 7, line 1, of said bill, strike out "16", and insert "9".

Amendment No. 16

On page 7 of said bill, strike out lines 11 to 17, inclusive.

Amendment No. 17

On page 7, line 18, of said bill, strike out "18", and insert "10".

Amendment No. 18

On page 7, lines 27 and 28, of said bill, strike out ", except that the time limitations specified therein shall refer to such times before the next general election".

Amendment No. 19

On page 7, line 29, of said bill, strike out "19", and insert "11".

Amendment No. 20

On page 7, line 42, of said bill, strike out "20", and insert "12".

Amendment No. 21

On page 7, line 52, of said bill, strike out "general", and insert "primary".

Amendment No. 22

On page 8, line 4, of said bill, strike out "21", and insert "13".

Amendment No. 23

On page 8, line 5, of said bill, after "2843.", insert "Not later than 10 days after the third Tuesday in December following the presidential primary, the county clerk shall mail or otherwise deliver to the Secretary of State a certificate showing the chairman of each county central committee in each county containing 20 or more Assembly districts."

Amendment No. 24

On page 8, line 11, of said bill, strike out "general", and insert "primary".

Amendment No. 25

On page 8 of said bill, strike out lines 16 to 49, inclusive; and strike out page 9.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 728—An act to add Section 4652 to the Elections Code, relating to campaign expenditures for a candidate without authorization.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 7, of the printed bill, after "behalf", insert ", provided that nothing in this section shall be construed to require written authorization from a political party before contributions may be made to such party"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Constitutional Amendment No. 22—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 8 of Article I, Sections 1, 1a, 4, 4b, 5, 11, 12, 14, 18, and 24 of Article VI, and repealing Sections 11a and 13, of Article VI, relating to courts of justice.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In line 3 of the title of the printed measure, strike out "Section"; and strike out lines 4, 5, and 6 of the title, and insert "Sections 1a, 4, 4b, 5, 11, 14, and 24 of Article VI, and to add Section 11 1 thereto, relating to courts of justice."

Amendment No. 2

On page 1 of said measure, strike out lines 8 to 24, inclusive.

Amendment No. 3

On page 2 of said measure, strike out lines 1 to 38, inclusive.

Amendment No. 4

On page 2, line 39, of said measure, strike out "Third", and insert "First".

Amendment No. 5

On page 2, line 44, of said measure, strike out "five", and insert "four".

Amendment No. 6

On page 2, line 46, of said measure, strike out "justices' ", and insert "municipal court, and one judge of an inferior".

Amendment No. 7

On page 3, line 48, of said measure, strike out "Fourth", and insert "Second".

Amendment No. 8

On page 3, line 52, of said measure, after "as arise in", insert "municipal or".

Amendment No. 9

On page 4, line 23, of said measure, strike out "Fifth", and insert "Third".

Amendment No. 10

On page 4, line 30, of said measure, strike out "justices' ", and insert "municipal, or in justices' or other inferior".

Amendment No. 11

On page 4, line 36, of said measure, after "criminal cases", insert "prosecuted by indictment or information,".

Amendment No. 12

On page 5, line 6, of said measure, strike out "Sixth", and insert "Fourth".

Amendment No. 13

On page 5, line 12, of said measure, strike out "justices' ", and insert "municipal, justices', or other inferior".

Amendment No. 14

On page 5, lines 18 and 19, of said measure, strike out "justices' ", and insert "municipal and in justices' and other inferior".

Amendment No. 15

On page 5, line 20, of said measure, after "The Legislature may", insert ", in addition to any other appellate jurisdiction of the superior courts, also".

Amendment No. 16

On page 5, lines 24 and 25, of said measure, strike out ", and for the jurisdiction", and insert "wherein any municipal court is established, and for the constitution, regulation, jurisdiction, government and procedure".

Amendment No. 17

On page 5, line 28, of said measure, strike out "and justices' courts", and insert ", municipal courts and justices' courts in cities having a population of more than forty thousand inhabitants".

Amendment No. 18

On page 5, line 32, of said measure, strike out ". All", and insert "; provided that all".

Amendment No. 19

On page 5, line 42, of said measure, after "nonjudicial days.", insert "The process of any municipal court shall extend to all parts of the county or city and county in which the city is situated where such court is established, and to such other parts of the State as may be provided by law, and such process may be executed or enforced in such manner as the Legislature shall provide."

Amendment No. 20

On page 5, line 49, of said measure, after "superior court", insert "or in a municipal court".

Amendment No. 21

On page 6, line 8, of said measure, strike out "Seventh", and insert "Fifth".

Amendment No. 22

On page 6, line 10, of said measure, after "Sec. 11.", insert "In any city or city and county which is governed under a charter framed and adopted under the authority of this Constitution containing a population of more than forty thousand inhabitants, as ascertained by the last preceding census taken under the authority of the Congress

of the United States, a municipal court may be established as in this article provided, except as set forth in Section 11.1 of the Constitution, anything in this Constitution to the contrary notwithstanding. For each such municipal court at least one judge with such additional judges as may be determined by the Legislature, shall be elected by the qualified electors of the city or city and county at the general municipal election. In any city, or city and county, in which such municipal court shall be established for which there shall be more than one judge the judges of such court may hold as many sessions thereof at the same time as there are judges thereof, and the business thereof shall be apportioned among such judges in the manner prescribed by law.

The Legislature shall provide by general law for the establishment of such municipal courts in cities or cities and counties in this section specified, and for the constitution, regulation, government, procedure and jurisdiction thereof.

The manner in which, the time at which, the term for which the judges, clerks and other attaches of municipal courts shall be elected or appointed, the number and qualifications of said judges and of the clerks and other attaches, except as such matters are otherwise provided in this article, shall be prescribed by the Legislature.

In any city or city and county where such municipal court has been established, and in townships situated in whole or in part in such city or city and county, there shall be no other court inferior to the superior court, except that the Legislature may provide for the establishment of such inferior courts.

Pending actions, trials, and all pending business of inferior courts within a city or city and county or township, upon the establishment of any such municipal court therein, shall, unless otherwise provided by law, be transferred to and become pending in such municipal court, and all records of such inferior courts shall be transferred to, and thereafter be and become records of, such municipal court.

Upon the establishment of any such municipal court, and until the first election and the qualification of the judge or judges thereof and the first appointment and the qualification of the clerks and other attaches thereof, the judges or justices, and the clerks and other attaches, of any existing inferior courts in such city, city and county, or township shall become and act as the judges, clerks and attaches respectively of such municipal court. Whenever any city having a municipal court is formed into a consolidated city and county with the combined powers of a city and county, under proceedings therefor as elsewhere in this Constitution provided, such municipal court shall thereupon and thereby be and become the municipal court of such city and county.

This amendment shall be effective on and after _____ ____."

Amendment No. 23

On page 7 of said measure, between lines 9 and 10, insert
"Sixth: That Section 11.1 be added to Article VI to read as follows:".

Amendment No. 24

On page 7, line 10, of said measure, before "On and after", insert
"Sec. 11.1."

Amendment No. 25

On page 7, line 14, of said measure, after "State", insert "which has a population of 500,000 or more, and in any county of this State irrespective of population wherein a majority of the electors of such county voting on the question of the adoption of the provisions of this section, in a manner to be provided for by the Legislature, shall vote in favor thereof,".

Amendment No. 26

On page 7, lines 15 and 16, of said measure, strike out "other courts so inferior now existing", and insert "courts so inferior then existing".

Amendment No. 27

On page 7, line 24, of said measure, strike out "fifty dollars ($50)", and insert "three hundred dollars ($300)".

Amendment No. 28

On page 7 of said measure, strike out lines 26, 27, and 28, and insert "In any case pending in any small claims court, no attorney at law or person other than plaintiff and defendant shall take any part in the filing or the prosecution or defense thereof In any county in which this section shall become operative, the superior court and justices' court, wherever the same may be established, shall exercise the jurisdiction conferred by law upon municipal judges and justices of the peace to sit as a small claims court."

Amendment No. 29

On page 7, line 46, of said measure, after "constitution", insert ", who now will be subject to Section 11.1 of Article VI of the Constitution,".

Amendment No. 30

On page 8 of said measure, strike out lines 32 to 43, inclusive

Amendment No. 31

On page 8, line 44, of said measure, strike out "Eleventh", and insert "Seventh".

Amendment No. 32

On page 9 of said measure, strike out lines 20 to 35, inclusive

Amendment No. 33

On page 9, line 36, of said measure, strike out "Thirteenth", and insert "Eighth".

Amendment No. 34

On page 9, line 39, of said measure, after "superior court", insert "nor of a municipal court".

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to Committee on Constitutional Amendments.

Assembly Constitutional Amendment No. 38—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 22 of Article XX thereof, relating to alcoholic beverages, and establishing an Alcoholic Beverage Commission, and defining its powers and duties.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 2 of the printed measure, strike out lines 46 to 50, inclusive, and insert "The Alcoholic Beverage Commission shall be comprised of three (3) members, to be appointed by the Governor with the consent of the Senate, and shall serve at the pleasure of the Governor. The commission shall hold one or more public sessions each month, and shall be paid twenty-five and no one hundredths dollars ($25) per day and necessary traveling expenses, for not to exceed two days in each month. The commission shall appoint an administrative officer who shall enforce all the provisions of the Alcoholic Beverage Control Act and all policies and directives of the commission. He shall serve at the pleasure of the commission. His salary shall be fixed by the commission, subject to approval by the Legislature."

Amendment read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to Committee on Constitutional Amendments.

SECOND READING OF SENATE BILLS

Senate Bill No. 4—An act to amend Section 28125 of the Government Code, relating to compensation for public services in counties of the twenty-fifth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 321—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1099—An act to amend Section 13 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a Postwar Public Works Program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, as amended (Chapter 47, Statutes of 1944), relating to the submission of plans.

Bill read second time, and ordered to third reading.

Senate Bill No. 1118—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 286—An act to amend Section 13 of the Ventura County Flood Control Act, relating to flood control.

Bill read second time, and ordered to third reading.

Senate Bill No. 560—An act to amend Section 27264 of the Government Code, relating to the recordation of land patents.

Bill read second time, and ordered to third reading.

Senate Bill No. 656—An act to amend Section 6303 of the Public Resources Code, relating to state lands, granting privileges with respect thereto.

Bill read second time, and ordered to third reading.

Senate Bill No. 658—An act to authorize and validate sales of state land made by the State Lands Commission during the calendar year 1948.

Bill read second time, and ordered to third reading.

Senate Bill No. 660—An act to amend Section 7704 of the Public Resources Code, relating to unapproved applications for purchase of state lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 661—An act to amend Section 7406 of the Public Resources Code, relating to public land selections.

Bill read second time, and ordered to third reading.

Senate Bill No. 663—An act to amend Section 7729 of the Public Resources Code, relative to the issuance of patents for state lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 664—An act to amend Section 7705 of the Public Resources Code, relating to state lands open and closed to purchase.

Bill read second time, and ordered to third reading.

Senate Bill No. 665—An act to amend Section 7706 of the Public Resources Code, relating to applications for the purchase of state lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 472—An act to amend Section 13 of the County Waterworks District Act, relating to property and obligations of county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 28, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert "municipal corporation.

The".

Amendment No. 2

On page 2, lines 10 and 11, of said bill, strike out "within the boundaries of such municipal corporation".

Amendment No. 3

On page 2, line 20, of said bill, before "Whenever", insert

"(b)".

Amendment No. 4

On page 2 of said bill, after line 40, insert

"(c) Whenever, heretofore or hereafter, a municipal corporation at the time of its incorporation owned or owns no works for supplying its inhabitants with water and all of the works and system of a county waterworks district used for supplying the district's inhabitants with water and all of the territory of the district, except that owned by the United States, are located within the boundaries of the municipal corporation at the time of its incorporation, then the county waterworks district shall be deemed dissolved. Upon such dissolution its property shall thereupon become the property of the municipal corporation Any bonds of such district, theretofore voted, but not issued and sold, shall be canceled.

The municipal corporation and proper officers thereof, as to such property, shall have and exercise the powers and perform the duties vested in and imposed upon the said county, and the board of supervisors and officers thereof, prior to such annexation or inclusion, except as specifically provided otherwise herein. Upon such annexation or inclusion, all money in the county treasury to the credit of any fund, other than funds for the payment of any outstanding obligations of the district, shall be forthwith transferred to the treasury of said municipal corporation and be used for the purposes for which the same was available prior to such transfer and none other.

Such annexation or inclusion shall not affect any obligation of the district outstanding at the time of the annexation or inclusion, and the board of supervisors shall levy such tax, pursuant to the provisions of this act, as may be necessary to make required payments therefor.

Where a municipality has been heretofore incorporated and a county waterworks district therein is dissolved pursuant to the provisions of this subdivision, such district is dissolved on the effective date of this amendment."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 352—An act to amend Section 13 of, and to add Section 13.2 to, the Construction and Employment Act, relating to projects for which the county allocation thereunder is available, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 23 and 24, and insert "destroyed by fire. The destruction".

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 187—An act to amend Section 13424 of the Education Code, relating to the attendance of teachers upon institutes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on March 28, 1949, after "institute", insert "or thirty-five dollars ($35), whichever is the lesser amount".

Amendment read, and adopted

Bill ordered reprinted, and to be re-referred to the Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 29

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 817
Assembly Bill No. 1253
Assembly Bill No. 2387

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 158
Assembly Bill No. 696
Assembly Bill No. 921
Assembly Bill No. 1408
Assembly Bill No. 1411
Assembly Bill No. 1413
Assembly Bill No. 1640
Assembly Bill No. 2370
Assembly Bill No. 2425
Assembly Bill No. 2426

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1168—An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Hahn, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1971—An act authorizing and directing the State Water Resources Board to make a study and investigation and to submit recommendations for the control of storm and flood waters in Dorchester Creek in Los Angeles County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—56.

NOES—None.

Bill ordered transmitted to the Senate.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Lowrey as a Select Committee to escort Mr. Jack Foote, President of the Associated Students California Aggies, and Mr. Horace Hampton, Editor of *California Aggie*, University of California, College of Agriculture at Davis, to the rostrum.

RECESS

At 10.05 a.m., on motion of Mr. Lowrey, the Assembly recessed until 10.10 a.m., to hear remarks from Mr. Jack Foote and Mr. Horace Hampton from the College of Agriculture at Davis, University of California.

REASSEMBLED

At 10.10 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT INVITATION BE PRINTED IN THE JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that the invitation extended by Messrs. Foote and Hampton be ordered printed in the Journal.

INVITATION

Mr. Jack Foote, President, Associated Students, California Aggies, and Mr. Horace Hampton, Editor of the *California Aggie*, cordially

extended an invitation to all Members of the Assembly, and their wives, to attend Picnic Day at the College of Agriculture, at Davis, tomorrow, Saturday, April 9th, to be held from 9 a.m. until 9 p.m.

ANNOUNCEMENTS

Messrs. Kirkwood and Thompson announced that the gifts of boxed prunes and bottled prune juice, placed on the desks of all members and attaches, are there because of the courtesy of Mr. Vince Garrett, of Santa Clara County, who grew the prunes comprising these items on his Saratoga prune ranch; and extended an invitation to everyone to drive through Santa Clara County over the week-end to see the beauty of prune trees in blossom.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3099—An act to amend Section 13226 of the Education Code, and to add Section 14002.1 to said code, relating to the health of public school employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 681—An act to add Section 6562 to the Business and Professions Code, relating to the practice of barbering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Hinckley:

House Resolution No. 155

Relative to the death of William Henry Bernhard

WHEREAS, The death at age 78 of William Henry Bernhard ended the career of a well known sports figure; and

WHEREAS, William Henry Bernhard will be remembered as a nationally known major league pitcher and as a manager in the Pacific Coast Leagues and other leagues; and

WHEREAS, William Henry Bernhard has been a resident of this State for over thirty years, residing in the communities of Ontario and San Diego; and

WHEREAS, William Henry Bernhard has always been active in civic and fraternal affairs; and

WHEREAS, William Henry Bernhard was the brother-in-law of our colleague, Assemblyman R. Fred Price, of Upland, California; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Members of the Assembly express their regret and sorrow upon learning of the death of William Henry Bernhard; and be it further

Resolved, That the Clerk of the Assembly transmit suitable copies of this resolution to the widow of William Henry Bernhard, to his sisters, Mrs. R. Fred Price and Mrs. Charles C. Weaver, and to his brothers, George and Frank Bernhard.

Request for Unanimous Consent

Mr. Hinckley asked for, and was granted, unanimous consent to take up House Resolution No. 155, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2018—An act to add Article 5, comprising Sections 16400 to 16405, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and to repeal Section 13923 of the Government Code, relating to revolving funds and advances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—55.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2355—An act to add Section 17007 to the Government Code, relating to the designation of funds by code number, letter, or combination thereof, on all warrants issued by the Controller, and on all reports furnished by the Controller and Treasurer to each other.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 35 TO HOLD PLACE ON FILE

By unanimous consent, Assembly Constitutional Amendment No. 35 will hold its place on file, on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2030—An act to add Section 13926 to the Government Code, relating to powers of the State Board of Control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Nicholse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3120 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 3120 be withdrawn from the Committee on Transportation and Commerce, and be re-referred to the Committee on Public Utilities and Corporations.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2219 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Kilpatrick asked for, and was granted, unanimous consent that Assembly Bill No. 2219 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1205

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1205, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1205

Assembly Bill No. 1205—An act to amend Sections 502.1, 511.5, and 516.1 of the Military and Veterans Code, relating to the California Cadet Corps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott,

Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2197—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 25, of the printed bill, strike out "$5 00", and insert "$10.00".

Amendment No. 2

On page 1, line 26, of said bill, strike out "15.00", and insert "20.00".

Amendment No. 3

On page 1, line 27, of said bill, strike out "25 00", and insert "30.00".

Amendment No. 4

On page 2, line 2, of said bill, strike out "$35.00", and insert "$40.00".

Amendment No. 5

On page 2, line 3, of said bill, strike out "45.00", and insert "50.00".

Amendment No. 6

On page 2, line 4, of said bill, strike out "55.00", and insert "60.00".

Amendment No. 7

On page 2, line 5, of said bill, strike out "65.00", and insert "70.00".

Amendment No. 8

On page 2, line 19, of said bill, insert
"(1) 2,000 lbs. to and including 3,000 lbs.----------$8.00".

Amendment No. 9

On page 2, line 20, of said bill, strike out "(1)", and insert "(2)".

Amendment No. 10

On page 2, line 21, of said bill, strike out "$10.00", and insert "15.00".

Amendment No. 11

On page 2, line 22, of said bill, strike out "(2)", and insert "(3)".

Amendment No. 12

On page 2, line 23, of said bill, strike out "25.00", and insert "30.00".

Amendment No. 13

On page 2, line 24, of said bill, strike out "(3)", and insert "(4)".

Amendment No. 14

On page 2, line 25, of said bill, strike out "40.00", and insert "45.00".

Amendment No. 15

On page 2, line 26, of said bill, strike out "(4)", and insert "(5)".

Amendment No. 16

On page 2, line 27, of said bill, strike out "55.00", and insert "60.00".

Amendment No. 17

On page 2, line 28, of said bill, strike out "(5)", and insert "(6)".

Amendment No. 18

On page 2, line 29, of said bill, strike out "70.00", and insert "75.00".

Amendment No. 19

On page 2, line 30, of said bill, strike out "(6)", and insert "(7)".

Amendment No. 20

On page 2, line 31, of said bill, strike out "85.00", and insert "90.00".

Amendment No. 21

On page 2, line 32, of said bill, strike out "(7)", and insert "(8)".

Amendment No. 22

On page 2, line 33, of said bill, strike out "100.00", and insert "105.00".

Amendment No. 23

On page 2, line 34, of said bill, strike out "(8)", and insert "(9)".

Amendment No. 24

On page 2, line 35, of said bill, strike out "(9)", and insert "(10)".

Amendment No. 25

On page 2, line 36, of said bill, strike out "(10)", and insert "(11)".

Amendment No. 26

On page 2, line 37, of said bill, strike out "(11)", and insert "(12)".

Amendment No. 27

On page 2, line 38, of said bill, strike out "(12)", and insert "(13)".

Amendment No. 28

On page 2, line 39, of said bill, strike out "(13)", and insert "(14)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1358—An act to amend Section 1772 of the Welfare and Institutions Code, relating to the discharge of parolees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2744—An act to amend Section 6627 of the Business and Professions Code, relating to barbers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin,

Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, and Way—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 433—An act to add Section 625b to the Penal Code, relating to wilful or malicious injury to aircraft and providing a penalty therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 699—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 213 HOLD PLACE ON FILE

Mr. Thomas asked for, and was granted, unanimous consent that Assembly Bill No. 213 be passed on file, and hold its place on file, on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 41

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 41, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 41

Senate Concurrent Resolution No. 41—Relative to the observance of Army Day.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 620—An act to add Section 531.1 to the Vehicle Code, relating to overtaking and passing on a grade.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on March 21, 1949, strike out "fifteen", and insert "ten".

Amendment read, and refused adoption.

Consideration of Further Amendments
Motion to Amend

Mr. Evans moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on March 21, 1949, strike out "fifteen", and insert "twelve".

Amendment read, and refused adoption.

The question being on the passage of Assembly Bill No. 620.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1859—An act to amend Sections 621, 625, 627, 633, 640, and 646 of the Vehicle Code, respecting the mounting height, use of certain lamps and testing fees for lamps and devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McColli-

ster, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.
NOES—George D. Collins, Heisinger, and Lowrey—3.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 18
Assembly Bill No. 1460
Assembly Bill No. 1461
And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 18 re-referred to Committee on Military Affairs.

Assembly Bills Nos. 1460 and 1461 re-referred to Committee on Fish and Game.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 1501, by request of Mr. Dunn.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 65

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 65, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 65

Assembly Concurrent Resolution No. 65—Relative to approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of March, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 588

Mr. Burkhalter asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 588, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 588

Assembly Bill No. 588—An act to amend Sections 6511 and 6617 of the Business and Professions Code, relating to barbers.

Bill read third time.

Motion to Amend

Mr. Bennett moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "styptic pencil,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "or", and insert a comma

Amendment No. 3

On page 1, line 11, of said bill, after "puff", insert "or used styptic pencil".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 537—An act to amend Section 8552 of the Water Code, relating to the Reclamation Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Holl-baugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Gaffney asked for, and was granted, unanimous consent that his name be placed upon the roll call of Senate Bill No. 537, and that he be recorded as voting, "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 21

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 21, temporarily passed on file, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 21

Senate Joint Resolution No. 21—Relative to memorializing the Federal Department of Interior and the Bureau of Reclamation of the Federal Government in relation to reimbursing the State of California and the reconstruction of flood control works on the Sacramento River.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Mr. Speaker—62.

NOES—None.

Resolution ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.41 a.m., Mr. Levering asked for, and was granted, unanimous consent that Mr. Reagan be excused, for the balance of the legislative day, as he is attending to legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 7—Relative to memorializing the Congress of the United States to enact legislation relating to the disposal of temporary war housing.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 37—An act to amend Section 12973.7 of the Insurance Code, relating to documents and publications.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 31, 1949, strike out lines 9 to 21, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 148—An act to amend Section 750.2 of the Agricultural Code, relating to the effective period of Chapter 14 of Division 4 of said code, relating to the California Dairy Industry Advisory Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—Anderson, and George D. Collins—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 390—An act to amend Section 626 of the Agricultural Code, relating to skim milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 43—An act to amend Section 27380 of the Government Code, relating to filing fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 79—An act to amend Section 27640 of the Government Code, relating to the appointment of county counsels in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Landsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister,

McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.
NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 195—An act to amend Section 28127 of the Government Code, relating to compensation for public service in counties of the twenty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65
NOES—George D. Collins and Heisinger—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 299—An act to amend the title of, and to add Section 4 to, "An act making an appropriation to the Regents of the University of California for establishing and operating an institute of transportation and traffic engineering," approved July 19, 1947, relating to the expenses of certain state, county, city and county, city or district officers and employees attending and participating in meetings of such institute.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 273—An act to amend Section 28114 of the Government Code, relating to compensation of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—60.
NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 471—An act to amend Section 28135 of the Government Code, relating to compensation for public service in counties of the thirty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 750—An act to add Title 4 and Sections 500041 to 500045, inclusive, to the Government Code, to consolidate and revise the law, relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 753—An act to amend Section 29741 of the Government Code, relating to the audit and allowance of claims against counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 765—An act to add Title 5 and Sections 500046 and 500047 to the Government Code, to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government, and to repeal acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 766—An act to add Section 1226 to the Government Code, and to repeal an act entitled "An act providing for the issuance of duplicate certificates, where certificates issued under authority of law have been lost or destroyed by conflagration or other public calamity," approved June 16, 1906, (Chapter 53 of the Statutes of the Extra Session of 1906), relating to the issuance of duplicate certificates, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 767—An act to add Article 6.5, comprising Sections 1170 to 1176, inclusive, to Chapter 1, Division 4 of Title 1 of the Government Code, and to repeal an act entitled "An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of Internal Revenue Laws of the United States, declaring the urgency of this act, to take effect immediately," approved February 10, 1943 (Chapter 48 of the Statutes of 1943), relating to withholding taxes from wages, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 768—An act to add Chapter 5, comprising Sections 6500 to 6547, inclusive, to Division 7 of Title 1 of the Government Code, and to repeal an act entitled "An act providing for the joint exercise of powers by counties, by municipalities, or by municipalities and counties," approved May 20, 1921 (Chapter 363 of the Statutes of 1921), and an act entitled "An act authorizing certain indebtedness to be incurred in connection with joint exercise of powers by public agencies," approved July 2, 1947 (Chapter 1044 of the Statutes of 1947), relating to the joint exercise of powers by cities and counties and the incurring of indebtedness therefor, and to consolidate and revise the law relating to the organization, operation, and maintenance of a System of State and Local Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 269

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 269, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 269

Senate Bill No. 269—An act to amend Section 1 of, and to add Section 1.5 to, an act entitled "An act providing that the State of California enter into a compact with the States of Oregon and Washington, one or both, to promote the better utilization of the fisheries, marine, shell, and anadromous of the Pacific Seaboard, and to create the Pacific Marine Fisheries Commission; providing for the members of such commission from the State of California; providing for the administration of the provisions of said compact; and making an appropriation," approved July 17, 1947, relating to the termination of a Pacific Marine Fisheries compact, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman,

Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.
NOES—Heisinger—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.
NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 24

Mr. Lindsay asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 24, passed on file, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 24

Senate Joint Resolution No. 24—Relative to memorializing the President of the United States, the Vice President of the United States and the Third Assistant Postmaster General at Washington, D. C., in relation to issuing special stamp commemorating heroism and self-sacrifice of Manly and Jayhawker parties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—58.
NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1512—An act to amend Section 28139 of the Government Code, relating to compensation for public service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE ORDERED REFERRED TO THE COMMITTEE ON RULES

Mr. McCollister asked for, and was granted, unanimous consent that the Report of the California Commission on Interstate Cooperation be ordered referred to the Committee on Rules.

Speaker Pro Tempore Presiding

At 12.20 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 24—An act to add Sections 9105 and 9106 to the Government Code, relating to the State Capitol Building, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets:

[AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On May 26, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, passed Senate Bill No. 24; and permission to correct the Journal of this date, as approved, was granted on the same date. (Assembly Journal, pages 3669 and 3707.)) (Senate was requested to return Senate Bill No. 24 to the Assembly on May 25, 1949 (page 3638); bill returned to the Assembly on May 26, 1949 (page 3669).)

Senate Bill No. 601—An act to add Sections 170, 171, and 172 to the Government Code, relating to the boundary of the State of California along the Pacific Coast and to the inland waters of California in coastal areas, giving greater precision thereto by declaring the lines thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills,

Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 895—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class.

Bill read third time, and ordered temporarily passed on file.

CHIEF CLERK INSTRUCTED TO CONTACT SECRETARY OF THE SENATE

Speaker pro Tempore Maloney instructed the Chief Clerk to contact the Secretary of the Senate and ask him to recommend to the Senators that they speak to the Assemblymen whom they have chosen to present their bills, and request them to take them up so the Senate third reading file may be cleared today, if possible.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 223—An act to amend Section 813.5 of the Agricultural Club, relating to standards for celery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 895

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 895, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 895

Senate Bill No. 895—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following action is indicated by being enclosed within brackets.

[AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney,

Geddes, Hagen, Hawkins, Hollibaugh, Kirkwood, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Stewart, Tomlinson, and Weber—45.

NOES—Burkhalter, George D. Collins, Evans, Grant, Hahn, Heisinger, Hoffman, Levering, Luckel, Morris, and Smith—11.]

[Notice of Motion to Reconsider Senate Bill No. 895]

~~Mr. Brown gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 895 was this day passed.~~

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 895

Mr. Lindsay asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 895.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Notice of Motion to Reconsider Senate Bill No. 895

Mr. Brown asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby he gave notice of motion to reconsider Senate Bill No. 895.

Bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 34—An act to add Section 13320.5 to the Government Code, relating to budgets of state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Waters, and Weber—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 40—Relative to "The Miracle of the Trees," pageant at Santa Cruz.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—62.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 257—An act to amend Section 812.4 of the Agricultural Code, relating to standard containers for carrots.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 71—An act to amend Section 827 of the Agricultural Code, relating to apple standards, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—59

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 44—An act to repeal Section 27378 of the Government Code, relating to the fee for recording marks or brands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Clarke, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Weber—62.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1572

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1572, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1572

Senate Bill No. 1572—An act to amend Section 26826 of the Government Code, relating to the appearance of defendant, intervenor, respondent, corespondent, or adverse party.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, Way, and Weber—60

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 895 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Lindsay asked for, and was granted, unanimous consent that Senate Bill No. 895 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 6 11 of the Alcoholic Beverage Control Act, relating to organizations, associations, and clubs, and providing for the issuance of on-sale licenses thereto.

Respectfully submitted.

RICHARD H. McCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McCollister:

An act to amend Section 6 11 of the Alcoholic Beverage Control Act, relating to organizations, associations, and clubs, and providing for the issuance of on-sale licenses thereto.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3122: By Mr. McCollister—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations, and clubs, and providing for the issuance of on-sale licenses thereto.

Referred to Committee on Public Morals.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1171

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1171, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1171

Assembly Bill No. 1171—An act to amend Section 806 of the Agricultural Code, relating to plum standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—None.

Motion to Amend Title

Mr. Lindsay moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, after "plum", insert "and fresh prune".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3102

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3102, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3102

Assembly Bill No. 3102—An act to amend the title of Chapter 5.5 of, and to amend Section 2426 of, the Health and Safety Code, relating to mosquito and gnat control, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "5.5 of", insert "Division 3 of".

Amendment No. 2

On page 1, line 1, of said bill, after "5 5", insert "of Division 3".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1950

Mr. Beck asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1950, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1950

Assembly Bill No. 1950—An act relating to the State Allocation Board and providing for the allocation by said board of public funds appropriated for allocation to local agencies for public works projects and incidental expenses.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on March 25, 1949, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 3, line 11, of said bill, strike out "6", and insert "8".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 44, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 5 of Article XI thereof, relating to compensation of officers.

Resolution read.

Motion to Amend

Mr. Hagen moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 19, of the printed measure, strike out "therein", and insert "herein".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1643

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1643, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1643

Assembly Bill No. 1643—An act to amend Section 26524 of the Government Code, relating to duties of district attorney.

Bill read third time.

Motion to Amend

Mr. Hagen moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, after "26524.", strike out "Representation of court or judge."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2348

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2348, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2348

Assembly Bill No. 2348—An act to amend Section 29610 of the Government Code, relating to county charges.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on April 1, 1949, after "association", insert ", not to exceed one hundred dollars ($100) for each such officer and each such deputy,".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

The following resolution was offered:

By Messrs. Brady, Meyers, Berry, Gaffney, Connolly, Maloney, McCarthy, and Elliott:

RESOLUTIONS

House Resolution No. 156

Congratulating George D. Collins, Jr., upon his birthday

WHEREAS, This eighth day of April, 1949 is the anniversary of the natal day of George D. Collins, Jr., who has long and vigorously represented the people of the Twenty-second Assembly District; and

WHEREAS, This Assembly is greatly indebted to George D. Collins, Jr., in that for years, without benefit of judicial robe or wig and relying wholly upon the depth and dignity of his sonorous tones, he has furnished great erudition to this Assembly in his exposition of the British Constitution and parliamentary system; and

WHEREAS, This Assembly is further indebted to him for the note of classic form lent to deliberations, which he has achieved also without benefit of the senatorial toga but purely by his emulation of the great ones of Rome's Republic; and

WHEREAS, In his great devotion to his duties in this Assembly and his indefatigable efforts in behalf of the people of his district and of the State of California, which he had maintained on nearly a 24 hour a day schedule for many years, he recently suffered a break in health; now, therefore, be it

Resolved by the Assembly of the State of California, That all his many friends in this Assembly heartily congratulate George D. Collins, Jr., upon his recovery from his illness, and extend to him warm felicitations and good wishes upon this his birthday anniversary; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to George D. Collins, Jr, as an expression of the esteem and good wishes of his colleagues.

Request for Unanimous Consent

Mr. Brady asked for, and was granted, unanimous consent to take up House Resolution No. 156, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 240
Senate Bill No. 558
Senate Bill No. 624
Senate Bill No. 699
Senate Bill No. 738
Senate Bill No. 826
Senate Bill No. 1129
Senate Bill No. 1169
Senate Bill No. 1271
Senate Bill No. 1275
Senate Bill No. 1509

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 240—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Referred to Committee on Judiciary.

Senate Bill No. 558—An act to add Section 16.5 to the Fish and Game Code, relating to the taking of deer in game refuges.

Referred to Committee on Fish and Game.

Senate Bill No. 624—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Referred to Committee on Industrial Relations.

Senate Bill No. 699—An act to add Section 16.4 to the Fish and Game Code, relating to the taking of female deer.

Referred to Committee on Fish and Game.

Senate Bill No. 738—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Referred to Committee on Judiciary.

Senate Bill No. 826—An act to amend Section 951 of the Streets and Highways Code, relating to side paths.

Referred to Committee on Transportation and Commerce

Senate Bill No. 1129—An act to validate the formation, organization, boundaries, acts, proceedings and bonds of fire protection districts in unincorporated areas.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1169—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties of the thirty-first class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1271—An act to add Section 31553.5 to the Government Code, relating to the membership of elective officers in county retirement associations, and to the rights and privileges of such members.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1275—An act to amend Section 441 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Referred to Committee on Agriculture.

Senate Bill No. 1509—An act to add Section 2620 to the Revenue and Taxation Code, relating to payments to taxing agencies.

Referred to Committee on Revenue and Taxation.

RESOLUTIONS

The following resolution was offered:

By Mr. Burkhalter, Mrs. Niehouse, Messrs. Cooke, and Rumford:

House Resolution No. 157

Relative to the creation of the Assembly Committee on Public Hospitals and Similar Institutions

WHEREAS, The unprecedented increase in population of this State has placed a strain upon hospitals and similar institutions maintained or operated in whole or part with public funds; and

WHEREAS, From time to time complaints are made to the Legislature and through the public newspapers which, if substantiated, might indicate that the public health, safety and welfare is jeopardized by improper maintenance or operation of such institutions; and

WHEREAS, It is essential that this Assembly have complete information concerning such institutions in order to enable it to ascertain what, if any, legislation is needed on this subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1. The Assembly Committee on Public Hospitals and Similar Institutions is hereby created and authorized and directed to ascertain, study and analyze all facts relating to state, county and other public hospitals and similar institutions, other than those of a custodial or correctional nature, including, but not limited to hospitals and similar institutions devoted in whole or in part to the care of mentally irresponsible persons, inebriates and psychopaths, and the maintenance, operation, administration and government thereof, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951

Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 67: By Messrs. Burkhalter, Cooke, and Smith—Relative to highway guard rails along state highways and freeways.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 414	Assembly Bill No. 1732
Assembly Bill No. 471	Assembly Bill No. 1827
Assembly Bill No. 916	Assembly Bill No. 2177
Assembly Bill No. 1709	Assembly Bill No. 2501

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 22—Relative to reimbursing counties for the loss of revenue caused by federal ownership of lands within the counties;

Assembly Joint Resolution No. 26—Relative to the participation of the United States in a World Federal Government;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eighth day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 260—An act to amend Section 16271 of the Education Code, relating to the transportation of public school pupils and employees, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 462—An act to amend Sections 1595 and 1663 of the Labor Code, relating to employment agencies, including artists' managers, the transfer of an interest in an employment agency, and the applicability of various Labor Code sections to artists' managers;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of April, 1949, at 11 a m

HUYCK, Chairman

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 624
Assembly Bill No. 635
Assembly Bill No. 2175
Assembly Bill No. 2326

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No 1858

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1139

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 390
Assembly Bill No. 2450

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 623
Assembly Bill No. 668
Assembly Bill No 1477
Assembly Bill No. 1635
Assembly Bill No 2135

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 627
Assembly Bill No. 629

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No 2056

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

CRAMER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 2043
Assembly Bill No. 2045
Assembly Bill No. 2052
Assembly Bill No 2057
Assembly Bill No. 2058
Assembly Bill No. 2063
Assembly Bill No 2064
Assembly Bill No. 2065
Assembly Bill No. 2651

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CRAMER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR SPEAKER Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No 2038

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRAMER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No 671

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CRAMER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1836
Assembly Bill No. 1900
Assembly Bill No. 1910
Assembly Bill No 2059

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CRAMER, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2799

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1943
Assembly Bill No. 1944

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1032

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR SPEAKER Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No 1198
Assembly Bill No. 1976
Assembly Bill No. 2002
Assembly Bill No 2025
Assembly Bill No. 2244
Assembly Bill No. 3035

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred·

Assembly Bill No. 1197
Assembly Bill No. 1199
Assembly Bill No. 2003
Assembly Bill No 2026
Assembly Bill No. 2602
Assembly Bill No. 2603
Assembly Bill No. 2604
Assembly Bill No. 2605
Assembly Bill No 2849

Has had the same under consideration, and reports the same back with the recommendation · Do pass

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 6, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 970

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 90
Assembly Bill No. 2650

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 2241
Assembly Bill No. 1683

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 7, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 595

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which were referred

Assembly Bill No. 933
Assembly Bill No. 3086

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FLETCHER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 160
Assembly Bill No. 113
Assembly Bill No. 949
Assembly Bill No. 1731

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

FLETCHER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred

Assembly Bill No. 326

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FLETCHER, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 28

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 28—Relative to the construction of flood control works for the Lower Klamath and Tule Lake Federal Waterfowl Refuges.

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 92	Assembly Bill No. 1402
Assembly Bill No. 952	Assembly Bill No. 1566
Assembly Bill No. 974	Assembly Bill No. 1580
Assembly Bill No. 1132	Assembly Bill No. 1710
Assembly Bill No. 1280	Assembly Bill No. 1784
Assembly Bill No. 1368	Assembly Bill No. 2016

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bills Nos. 92, 974, and 2016 ordered re-referred to Committee on Agriculture.

Assembly Bills Nos. 952 and 1402 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos. 1132 and 1710 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 1280, 1368, and 1784 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1566 ordered re-referred to Committee on Livestock and Dairies.

Assembly Bill No. 1580 ordered re-referred to Committee on Public Health.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold meeting:

Next Thursday, April 14th, at 3 p.m.—

Subcommittee on Finance and Insurance. Subject: State Banking Act. Assembly Bill No. 994

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. W. H. Mobley of San Leandro.

On request of Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman Crowell D. Eddy of San Diego.

On request of Messrs. Clarke and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bessie DeWitt of Atwater.

On request of Messrs Stewart and Waters, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Evelle J. Younger and Eric "Butch" Younger of Pasadena.

On request of Mr Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Jack Foote and Horace Hampton of the University of California College of Agriculture, at Davis

On request of Messrs. Kirkwood and Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Lawrence C Curtis, district superintendent, Miss Betty Jean Merritt, Mrs. Elda Lindsay, and Robert Muscio, teachers, Tony Silveira, bus driver, and the following pupils of the Jefferson School of Santa Clara: Marvin Baker, Janet Bennett, Charles Bissell, Leroy Brown, Amy Barber, Wayne Bay, Dolly Bettencourt, Sylvia Belli, Eric Bracher, Nancy Collett, Bobby Costa, Eleanor Cabral, Eunice Coelho, Marie Diatte, Pauline Dias, Joe Downard, Gretchen Ewig, Wanda Faught, Alton Faught, Lorraine Faria, Joseph Franca, Bobby Gonzales, Janet Gibson, Warren Hayashi, Jennie Hernandez, Shirley Hirose, Darla Howard, Ann Head, Lora Hudson, Bob Johnsen, Eugene Lawrence, Malcolm Lepas, Lloyd Matsumoto, Nadine Martin, Donald Machado, Johnnie Medeiros, Joe Mello, Bob Pettigrew, Helen Parsons, Caroline Powell, Lorraine Simas, Eugene Smiley, Jacqueline Smith, June Smith, Mary Jane Riley, Reba Rogers, Rosaline Rocha, Betty Wheatley, Jerry Williams, Geraldine Witham, Hazel Williams, Pauline Butterfield, Donald Huse, and Jimmie Curtis.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Dan Rolli of San Diego.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mayor and Mrs. Ernest Dixon of Inglewood.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Edith L. Gallup, Teacher of the Laugenour School at Woodland, and the following pupils: Ann Dunham, Mary Lou Buchignani, Charlotte Van Dalsem, James Lawson, Allen Roberts, Bobby Carlton, Leon Larson, Arnold Bradley, Rollie Smotherman, and Dick Criste.

On request of Mrs. Niehouse, Mr. Butters, and the San Diego Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Harley Knox of San Diego.

On request of Mr. Waters and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to John Quinn of Los Angeles.

ADJOURNMENT

At 1.05 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m , Monday, April 11, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-FIFTH LEGISLATIVE DAY

NINETY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 11, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—74

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Almighty God: We begin this week in which two figures, whose names are household words are about to die—Judas upon the suicidal tree, and Jesus upon the Cross.

Judas in remorse hanged himself because greed for worldly fame and riches enticed him to betray His Master.

Jesus persecuted because He would not use His genius to become a King and support the obsolete system of the Pharisees and Temple rites of the Sadducees.

May Easter remind us that "man cannot live by Bread alone" and that only ideals and principles offer us abiding wealth and security.

God grant that we emulate the example of the Man of Galilee, who chose the self-sacrificing career of devotion to truth rather than selfish ease, and who preferred loneliness and a Cross rather than surrender His principles and His Faith.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Maloney, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Cooke, on motion of Mr. Grant.

Mr. Price, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Hahn

Mr. Condon, on motion of Mr. Hagen.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Cramer, on motion of Mrs Niehouse.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag

COMMUNICATIONS

By the Chief Clerk:

A communication from Marie Le Pleux of San Francisco, was received, ordered noted in the Journal, and ordered filed with the Secretary of State.

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

THE UNIVERSITY OF CALIFORNIA, April 4, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
State Capitol
Sacramento 14, California

DEAR MR OHNIMUS: Your letter of March 23d, with enclosed copy of Assembly Concurrent Resolution No 47, came to my desk during the Charter Celebration of the University, and it has taken me some time to get around to its acknowledgment.

This resolution reminds me, of course, of the resolution adopted by the Regents of the University of California on October 11, 1940, a copy of which is enclosed for your information.

With kindest personal regards,

Yours sincerely,

ROBERT G SPROUL

Enclosure

COPY

The regents, on October 11, 1940, made public the following statement of policy toward members of the Communist Party

The regents believe that the Communist Party gives its first loyalty to a foreign political movement and, perhaps, to a foreign government, that by taking advantage of the idealism and inexperience of youth and by exploiting the distress of underprivileged groups, it breeds suspicion and discord, and thus divides the democratic forces upon which the welfare of our Country depends They believe, therefore, that membership in the Communist Party is incompatible with membership in the faculty of a state university *Tolerance must not mean indifference to practices which contradict* the spirit and the purposes of the way of life to which the University of California as an instrument of democracy is committed

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Inter-departmental Communication

STATE OF CALIFORNIA, SACRAMENTO, April 8, 1949

To Hon Arthur A. Ohnimus
Chief Clerk, Assembly
State Capitol, Sacramento, California

From: State Board of Equalization
Dixwell L. Pierce, Secretary

Subject: REPORT ON RIVERSIDE COUNTY ASSESSOR'S OFFICE

Pursuant to Section 3693 of the Political Code, we are happy to transmit to you for filing with the Assembly, a copy of the Survey on Property Tax Assessment in Riverside County just completed by this board in conformity with that section.

Because of their special interest in the subject, we are forwarding additional copies to each member of the Assembly Committee on Revenue and Taxation, and to Hon. John D. Babbage, who represents Riverside County. A copy is also being sent to Speaker Collins.

DIXWELL L. PIERCE

Enclosure

Above mentioned survey ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 116	Assembly Bill No. 1873
Assembly Bill No. 223	Assembly Bill No. 1874
Assembly Bill No. 226	Assembly Bill No. 1936
Assembly Bill No. 272	Assembly Bill No. 2275
Assembly Bill No. 728	Assembly Bill No. 2388
Assembly Bill No. 782	Assembly Bill No. 2709
Assembly Bill No. 900	Assembly Bill No. 2775
Assembly Bill No. 1787	Assembly Bill No. 3017
Assembly Bill No. 1804	Assembly Bill No. 3097
Assembly Bill No. 1870	Assembly Bill No. 3103

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2388 ordered re-referred to Committee on Judiciary.

Assembly Bills Nos. 2775 and 3103 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 1936 ordered re-referred to Committee on Social Welfare.

Assembly Bills Nos. 223, 226, and 1804 ordered re-referred to Committee on Municipal and County Government.

Assembly Bills Nos. 272, 1870, 1873, 1874, 2709, 2275, and 3097 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bills Nos. 782, 900, 1787, and 3017 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 116 and 728 ordered re-referred to Committee on Elections and Reapportionment.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No. 38

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Constitutional Amendments Nos. 22 and 38 ordered re-referred to Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 25
Assembly Constitutional Amendment No. 44

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 588
Assembly Bill No. 1643
Assembly Bill No. 1950
Assembly Bill No. 2197
Assembly Bill No. 2348
Assembly Bill No 3102

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Constitutional Amendment No. 33

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 341
Assembly Bill No. 1275
Assembly Bill No. 2791

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 459
Assembly Bill No. 578
Assembly Bill No. 580
Assembly Bill No. 678
Assembly Bill No. 713
Assembly Bill No. 890
Assembly Bill No. 977
Assembly Bill No. 1642
Assembly Bill No. 1672
Assembly Bill No. 1845
Assembly Bill No. 1847
Assembly Bill No 1848
Assembly Bill No. 1849
Assembly Bill No. 1850
Assembly Bill No. 1851
Assembly Bill No. 1852
Assembly Bill No. 2344
Assembly Bill No. 2898

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENTS

Mrs. Niehouse announced that she has requested the office of the Legislative Counsel to prepare an urgency clause for Assembly Bill No. 1687, which was passed a few days ago. This is the "Septic Tank" Bill and Mrs. Niehouse announced that, had this bill had an urgency clause in it in January, perhaps the tragic San Marino accident, of recent date, might have been averted.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 623—An act to add Sections 585.4 and 585.5 to the Vehicle Code, relating to the removal of vehicles from highways by peace officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 668—An act to amend Section 476 of the Vehicle Code, relating to traffic signals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1477—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1635—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2135—An act to amend Section 304 of the Vehicle Code, relating to revocation of drivers' licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1197—An act to add Section 251 to the Revenue and Taxation Code, relating to the time of payments due taxing agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1199—An act to amend Sections 534 and 2922 of the Revenue and Taxation Code, relating to penalty on delinquent taxes on unsecured tax roll.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2003—An act to amend Sections 4371, 4372, 4373, and 4374 of the Revenue and Taxation Code, relating to real property taxation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2026—An act to add Chapter 3.3, comprising Sections 2851 to 2862, inclusive, to Division 1, Part 5 of the Revenue and Taxation Code, relating to the collecting of taxes on real property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2602—An act to amend Section 3513 of the Revenue and Taxation Code, relating to the contents of deed.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2603—An act to amend Sections 3353, 3354, 3355, 3358, 3359, 3511, 4653, and to repeal Chapter 3 of Part 6, consisting of Sections 3476, 3477, 3478, 3479, 3480, and 3481, and Sections 3490, 3491, 3492, 3493, 4654, of the Revenue and Taxation Code, relating to the sale and deeding of tax-sold property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2604—An act to amend Sections 4916 and 4925 of, and add Section 5097.1 to the Revenue and Taxation Code, relating to the refund of duplicate and excess payments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2605—An act to amend Sections 4653, 4653.1, to repeal Section 4655 and to add Chapter 1.3 to Part 8, Division 1, consisting of Sections 4670, 4671, 4672, and 4673 to the Revenue and Taxation Code, relating to distribution of proceeds from sale of tax-deeded property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2849—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 90—An act to add Sections 19564, 19565, and 19566 to the Business and Professions Code, relating to horse racing, providing for quarter horse races during horse racing meetings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2650—An act to amend Section 20013 of the Government Code, and to add Sections 20014.6, 20017.8, and 20017.9 thereto, relating to the State Employees' Retirement System, establishing the classification of alcoholic beverage control enforcement members, and making the provisions applicable to patrol members of the system applicable thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 933—An act to add Section 2751 to the Labor Code, relating to minimum wages.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3086—An act to add Section 1197.5 to the Labor Code, relating to wages for women.

Bill read second time, and ordered engrossed.

Assembly Bill No. 390—An act to amend Sections 704 and 705 of the Vehicle Code, relating to axle loading and spacing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 14, 1949, strike out lines 3 to 22, inclusive.

Amendment No. 2

On page 2 of the printed bill, as amended, strike out lines 1 to 52, inclusive.

Amendment No. 3

On page 3 of the printed bill, as amended, strike out lines 1 to 52, inclusive

Amendment No. 4

On page 4 of the printed bill, as amended, strike out lines 1 to 12, inclusive, and insert

"704. Axle Weight Limits The gross weight imposed upon the highway by the wheels on any one axle of a vehicle shall not exceed 18,000 pounds and the gross weight upon any one wheel, or wheels, supporting one end of an axle, and resting upon the roadway shall not exceed 9,500 pounds

SEC. 2 Section 705 of said code is amended to read

705. Ratio of Weight to Length Every vehicle whether operated singly or in a combination of vehicles, and every combination of vehicles must comply with both subdivisions (a) and (b) of this section The limitations imposed by this section are in addition and supplemental to all other provisions of this code imposing limitations upon the size and weight of vehicles.

(a) The total gross weight with load imposed on the highway by any group of two or more consecutive axles of a vehicle or of a combination of vehicles where the distance between the first and last axles of said two or more consecutive axles is 18 feet or less, shall not exceed that given for the respective distance in the following table:

Distance in feet between first and last axles of group	*Allowed load in pounds on group of axles*
4	32,000
5	32,000
6	32,200
7	32,900
8	33,600
9	34,300
10	35,000
11	35,700
12	36,400
13	37,100
14	43,200
15	44,000
16	44,800
17	45,600
18	46,400

(b) The total gross weight with load imposed on the highway by any vehicle or combination of vehicles where the distance between the first and last axles is more than 18 feet shall not exceed that given for the respective distances in the following table:

Distance in feet	*Allowed load in pounds*
18	46,400
19	47,200
20	48,000
21	48,800
22	49,600
23	50,400
24	51,200
25	55,250
26	56,100
27	56,950
28	57,800
29	58,650
30	59,500

Distance in feet	*Allowed load in pounds*
31	60,350
32	61,200
33	62,050
34	62,900
35	63,750
36	64,600
37	65,450
38	66,300
39	67,150
40	68,000
41	68,000
42	68,000
43	68,000
44	68,000
45	68,000
46	68,800
47	69,600
48	70,400
49	71,200
50	72,000
51	72,800
52	73,600
53	74,400
54	75,200
55	76,000
56 or over	76,800

(c) The distance between axles shall be measured to the nearest even foot. When a fraction is exactly one-half foot the next larger whole number shall be used."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2450—An act to amend Section 592.1 of the Vehicle Code, relating to stopping, standing, or parking of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Commitee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended on March 28, 1949, after "construction," insert "operation,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Erwin asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 627—An act to add Section 599.6 to the Vehicle Code, relating to installation of television receiving screen in motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "at any"; and in line 7, strike out "point forward of the back of the driver's seat, or which", and insert "in such a position that it".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 629—An act to amend Sections 700.5 and 709 of, and to add Section 604 to the Vehicle Code, and to amend Section 731 of the Streets and Highways Code, relating to the use of and damage to highways

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 35, of the printed bill, after "such", insert "proposed".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2056—An act to amend Sections 18023, 18100, 18700, 18709, 18806, and 19140 of the Government Code, to add Section 18800.5 to, and repeal Sections 19200 and 19366 of said code, relating to state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 1

In the title of the printed bill, after "[18100]", insert "18575,".

Amendment No. 2

On page 3 of the printed bill, below line 7, insert

"*SEC. 7. Section 18575 of the Government Code is amended to read:*

18575. Whenever any notice, paper, or other document, except a subpena, is directed to be given to or served upon any person or state agency, such notice, paper, or document may be personally served or it may be served by mail to the last known residence or business address of the addressee. *Unless otherwise specifically provided in this part the giving of notice of matters to be heard or considered by the board shall be governed by board rule.*

Service by mail of the charges in a disciplinary proceeding, the notice of an employee's suspension, and the notice of a probationer's rejection is made by the enclosure of such charges or notice in a sealed envelope, addressed to the last known address of the person to be served, registered with return receipt requested, and the depositing of it in the United States mail with postage fully prepaid. Service is complete on mailing. Service by mail of any other notice, paper, or document is made in

the manner provided by Sections 1012 and 1013 of the Code of Civil Procedure Proof of service, either personal or by mail, shall be made by affidavit."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 2043—An act to amend Section 18950 of the Government Code, relating to promotional eligible lists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 9, of the printed bill, after "*Examination*", insert "*on an open competitive basis only*"; and after "be", strike out "restricted to", and insert "given".

Amendment No. 2

On page 1, line 10, of the printed bill, before "when", strike out "open competition", after "finds", insert "that".

Amendment No. 3

On page 1, line 11, of the printed bill, after "est", insert "s"; after "State", insert "service".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2045—An act to amend Sections 19173 and 19175 of the Government Code, relating to the rejection during probationary period of state employees.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "*19170,*".

Amendment No. 2

In line 2 of the title of the printed bill, after the comma, insert "*and to add Section 19175.5,*"; and after "the", strike out "rejection during".

Amendment No. 3

On page 1, line 7, of the printed bill, after "responsibility", strike out the period, and insert a comma and "*but he shall not be rejected for any cause constituting prohibited discrimination as set forth in Sections 19700 to 19703, inclusive.*"

Amendment No. 4

On page 2 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"*(a) Affirm the action of the appointing power; or*

(b) Restore the name of the rejected probationer to the eligible list for certification to any position within the class, provided that his name shall not be certified to the agency by which he was rejected, except with the concurrence of the appointing power thereof; or

(c) Restore him to the position from which he was rejected, but this shall be done only if the board determines, after hearing, that there is no substantial evidence to support the reason or reasons for rejection, or that the rejection was made in fraud or bad faith

SEC. 3. Section 19175.5 is added to the Government Code, to read:

19175.5 Subject to board rule an appointing power may cancel or withdraw a notice of rejection of a probationer."

Amendment No. 5

On page 2 of the printed bill, below line 8, insert

"SEC. 4. Section 19170 of the Government Code is amended to read.

19170. An appointment from an eligible list or promotional eligible list is not permanent until after the expiration of a probationary period. The probationary period shall be six months unless the board establishes a longer period of not more than one year for the class in which the appointment is made

The board may provide by rule for increasing the length of individual probationary periods by adding thereto periods of time during which an employee while serving as a probationer is absent from his position"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2052—An act to add Section 19369 to the Government Code, relating to transfers of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "add Section 19369 to the Government Code", and insert "amend Section 19142 of the Government Code and to add Section 19369,".

Amendment No. 2

On page 1, line 1, of the printed bill, after "Section", strike out "19369 is added to the Government Code", and insert "19142 of the Government Code is amended".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 8, inclusive, and insert

"19142 Every person accepts and holds a position in the state civil service subject to reinstatement of another person thereto: *(a)* in accordance with Section 19141, *or Section 19369, or (b)* from leave of absence, *or (c)* by the board or by order of a court of competent jurisdiction The status of the person displaced shall be determined by the board, but he shall not be deprived of his earned position on the eligible list from which he was certified.

SEC. 2. Section 19369 is added to the Government Code, to read:

19369. The board may prescribe rules governing the temporary assignment or loan of employees between agencies for not to exceed one year for the purpose of training. Such temporary assignments or loans shall be deemed to be in accord with the provisions of this part limiting employees to duties consistent with their class. An employee participating in such an arrangement shall have the absolute right to return to his previous position."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2057—An act to amend Section 19251 of the Government Code, relating to incompatible employment of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 4, of the printed bill, before "*employment*", strike out "other"; and after "enterprise", insert "which has been determined to be"

Amendment No. 2

On page 1, line 5, of the printed bill, after "patible", insert a comma; and after "employee", strike out the period, and insert "*or with the duties, functions or responsibilities of his appointing power or the agency by which he is employed.*"

Amendment No. 3

On page 1 of the printed bill, strike out lines 6 to 22, inclusive, and insert

"Each appointing power shall determine and prescribe, subject to approval of the board, those activities which, for employees under his jurisdiction, will be considered inconsistent, incompatible or in conflict with their duties as state officers or employees. In making this determination the appointing power shall give consideration to employment, activity or enterprise which, (a) involves the use for private gain or advantage of state time, facilities, equipment and supplies; or the badge, uniform, prestige or influence of one's state office or employment or, (b) involves receipt or acceptance by the officer or employee of any money or other consideration from anyone other than the State for the performance of an act which the officer or employee, if not performing such act, would be required or expected to render in the regular course or hours of his state employment or as a part of his duties as a state officer or employee or, (c) involves the performance of an act in other than his capacity as a state officer or employee which act may later be subject directly or indirectly to the control, inspection, review, audit or enforcement by such officer or employee or the agency by which he is employed.

Each state officer and employee shall during his hours of duty as a state officer or employee and subject to such other laws, rules or regulations as pertain thereto, devote his full time, attention and efforts to his state office or employment."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2058—An act to amend Section 19368 of the Government Code, relating to rights of state employees, replaced by machinery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

On page 1, line 19, of the printed bill, after 'given", insert "reasonable"; and strike out "the"; and after "opportunity", strike out "for a period of three months to be deter-", and insert *"without change in class, status or salary to learn to do the work with the new machine or process and to qualify for status in the different class of position required for such work, provided that an employee may not be promoted to a higher class under the provisions of this section. An employee who qualifies for appointment in the different class shall be deemed to possess the specific education, experience or other requirements for such class and shall be appointed thereto with the same status and seniority which he last had in his previous class.*

The board may prescribe rules and procedures and make determinations for carrying out the provisions of this section including provisions for such examinations and tests of fitness as are deemed appropriate."

Amendment No. 2

On page 1, line 20, of the printed bill, strike out "mined by the board to learn to [operate it,] do the work with the".

Amendment No. 3

On page 1, line 21, of the printed bill, strike out "new machine or process, without interruption in pay. [During the]".

Amendment No. 4

On page 1 of the printed bill, strike out lines 22 to 27, inclusive.

Amendment No. 5

On page 2 of the printed bill, strike out lines 1 to 11, inclusive.

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2063—An act to amend Section 18803 of the Government Code, relating to the reclassification of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "Reasonable opportunity to be heard shall", and insert

"Reasonable opportunity to be heard shall be provided by board rule to any employee affected by the allocation or reallocation of his position"

Amendment No. 2

On page 1 of the printed bill, strike out lines 6 to 14, inclusive.

Amendments read, and adopted
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2064—An act to amend Sections 18850 and 18851 of the Government Code, relating to the adjustment of salary ranges in the state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "s" after "Sections"; and after "18850", strike out "and 18851".

Amendment No. 2

On page 1, line 13, of the printed bill, after the period, insert "The board may make a".

Amendment No. 3

On page 1, line 14, of the printed bill, insert "change in salary range retroactive to the date of application"

Amendment No. 4

On page 1, line 15, of the printed bill, insert "for such change".

Amendment No. 5

On page 1 of the printed bill, strike out lines 16 to 24, inclusive.

Amendments read, and adopted.
Bill ordered reprinted, and engrossed

Assembly Bill No. 2065—An act to amend Section 18901 of the Government Code, relating to duration of civil service eligible lists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"18901. (a) The board may remove all names from open and promotional eligible lists after they have remained thereon for more than one year from the date of the adoption of the lists that created their eligibility, and shall remove all names from lists of eligibles not later than four years after the adoption of the lists that created their eligibility."

Amendment No. 2

On page 1 of the printed bill, strike out lines 10 to 23, inclusive, and insert

"(b) When a list of eligibles becomes exhausted for temporary or permanent employment before the legal expiration of the list, and a new list of eligibles for the same class is created by examination to supply the demands of the service, such new list shall become a part of the list of eligibles to be certified to the positions covered by the list. Those holding places on the prior list shall be given preference for appointment until such time as the prior list may automatically expire or all names are removed therefrom by action of the board. When the prior list has expired by reason of limitation of time, or the names have been removed therefrom by order of the board, then certification shall be made solely from the latter list."

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 4, inclusive.

Amendment No. 4

On page 2 of the printed bill, between lines 4 and 5, insert

"(c) Employment lists established at different times for the same class may be combined when in the judgment of the board the examinations given were comparable. When lists are so combined the relative rank of all eligibles on the resultant list shall be determined by examination score including veterans preference. Lists of eligibles may be so combined regardless of the provisions of subparagraph (b) of this section and lists in existence on the effective date of this act may be combined as herein provided."

Amendment No. 5

On page 2 of the printed bill, at the beginning of line 5, strike out "(c)", and insert "(d)".

Amendment No. 6

On page 2 of the printed bill, strike out lines 9 to 18, inclusive, and insert

"(e) The board may make changes in its records to correct clerical errors both before and after the announcement of an eligible list, provided that any changes of rank, or addition or subtraction of names, made on lists of eligibles because of clerical errors or reratings, shall not change the date of the adoption of such lists, nor give to any persons the right to claim beginning date of eligibility other than the date of the adoption of the original eligible list that created their eligibility."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2651—An act to amend Sections 18523 and 18801 of the Government Code, and to add Sections 18523.5, 18802.5, and 18955 to said code, relating to classes and grades in the state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "18523", strike out "and", and insert a comma; after "18801", insert "and 19052"; and in line 2 of the title of said bill, after "and", strike out "18955", and insert "19052.5".

Amendment No. 2

On page 1, line 12, of the printed bill, after "work", strike out "to which is assigned a common salary range"; and insert "common to positions within a class."

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "A "class" may include more than one "grade.", and insert "A class may include more than one grade and each grade shall be assigned a separate salary range."

Amendment No. 4

On page 1, line 17, of the printed bill, after "class", insert "and grade".

Amendment No. 5

On page 2, line 7, of the printed bill, after "into", strike out "two or", and insert "not", and after "more", insert "than three".

Amendment No. 6

On page 2 of the printed bill, strike out lines 11 to 17, inclusive, and insert

"SEC. 5. Section 19052 of the Government Code is amended to read:

19052. Whenever a vacancy in any position is to be filled and not by transfer, *reassignment*, demotion, or reinstatement, the appointing power shall submit to the board, in accordance with board rules, a statement of the duties of the position, the necessary and desired qualifications of the person to be appointed, and a request that the names of persons eligible for appointment to the position be certified.

SEC. 6. Section 19052.5 is added to the Government Code, to read:

19052.2. Whenever grades are created within a class, employees may be assigned to the various grades only in accordance with rules and standards established by the board. Such assignments shall not be termed promotions and demotions. The rules and standards shall, in addition, govern all matters relating to the appointment, salary, status, tenure and performance of incumbents in the grades including, but not limited to:

(a) Standards of merit, efficiency and fitness to be observed in making assignments to the grades.

(b) Provisions for trial periods to be served by employees upon assignment to a grade.

(c) Provisions for separations, reemployment, and transfers."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1198—An act to amend Sections 2605, 2701, and 2917 of the Revenue and Taxation Code, relating to due dates of installment payments on the secured tax roll and to collection on unsecured roll.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "2701," strike out "and 2917", and insert "2801, 2803, 2917, 4151, and 4152".

Amendment No. 2

In line 3 of the title of the printed bill, after "roll", insert ", payment on a portion of a parcel"

Amendment No. 3

On page 1 of the printed bill, between lines 13 and 14, insert

"SEC. 3. Section 2801 of the code is amended to read:

2801. The taxes on any parcel of real property, except possessory interests, contained in an assessment and having a separate valuation on the roll, may be paid separately from the whole assessment, by paying the amount which bears the same proportion to all taxes which are a lien on the whole assessment as the valuation of this parcel bears to the valuation of all real property, except possessory interests, in the assessment [, together with a fee of one dollar ($1), for the preparation, posting and issuance of each separate tax statement].

SEC. 4. Section 2803 of the code is amended to read:

2803. Any person, [other than the assessee,] showing evidence by presentation of a duly executed and recorded deed, purchase contract, deed of trust, mortgage, or final decree of court of an interest in any parcel of real property, except possessory interests, which does not have a separate valuation on the roll, and who is not the owner or contract purchaser of the entire [piece separately] *parcel as* assessed, may apply to the officer having custody of the roll to have the parcel separately valued on the roll for the purpose of paying current taxes."

Amendment No. 4

On page 1, line 14, of the printed bill, strike out "3", and insert "5".

Amendment No. 5

At the end of the printed bill, insert

"SEC. 6. Section 4151 of the code is amended to read:

4151. Any person, other than a person whose name appears as assessee for any year for which the property is delinquent, claiming an interest, evidenced by presentation of a duly executed and recorded deed, purchase contract, deed of trust, mortgage, or final decree of court, in any parcel of tax-sold or tax-deeded property which does not have a separate valuation on the roll for the year of sale to the State or any subsequent roll, *and who is not the owner or contract purchaser of the entire parcel as assessed,* may apply to the redemption officer to have the parcel separately valued in order that it may be redeemed under this chapter.

SEC. 7. Section 4152 of the code is amended to read:

4152. At the time of the application, the applicant shall pay a fee of one dollar ($1) for each *parcel to be separately valued including the parcel remaining* [request], which shall be placed in the county general fund."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1976—An act to amend Sections 2611, 3355, and 4992 of, add Section 3731 to, and repeal Sections 3637 and 4101.5 of the Revenue and Taxation Code, relating to the collection of taxes generally.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "2611", strike out ", 3355,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 12 to 24, inclusive.

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 19, inclusive.

Amendment No. 4

On page 2, line 20, of the printed bill, after "Sec.", strike out "3", and insert "2".

Amendment No. 5

On page 2, line 30, of the printed bill, after "Sec.", strike out "4", and insert "3".

Amendment No. 6

On page 2, line 38, of the printed bill, after "Sec.", strike out "5", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2002—An act to amend Sections 3351 and 3439 of the Revenue and Taxation Code, relating to real property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "by", and insert "be".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2025—An act to amend Sections 3442 and 3807 5 of the Revenue and Taxation Code, relating to real property taxation and the termination of the right of redemption of tax-deeded property reconveyed to the State of California.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 19, of the printed bill, after "State", insert "and the privilege of redemption is thereby restored".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2244—An act to amend Section 14797 of the Revenue and Taxation Code, relating to the commissions payable for inheritance tax collections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "twenty-five thousand dollars ($25,000)", and insert "forty thousand dollars ($40,000)".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3035—An act to add Section 3522 to the Revenue and Taxation Code, relating to deeds to the State for taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 7, of the printed bill, after "office", insert "or within one year after June 1, 1949, whichever is later".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 970—An act to add Sections 4874, 4901.1, 4901.2, 4901.25, 4901.26, 4901.3, 4901.4, 4902.05, 4902.06, 4902.02, 4905, 4905.1, 4906, 4907, 4908, 4909, 4910, 4912.05, 4915.05, 4917.05, 4931.1, 4954, 4955, 4965.1, and 4985 to, to amend Sections 4873, 4885, 4886, 4887,

4901, 4902, 4902.1, 4903, 4904, 4911, 4912, 4912.1, 4914, 4915, 4915.1, 4917, 4917.1, 4918, 4919, 4919.1, 4920, 4941, 4942, 4943, 4946, 4962, 4963, and 4964 and the heading of Article 4 of Chapter 16, Division 2 of, and to repeal Sections 4883 and 4884 and Article 3 of Chapter 16, Division 2 of the Education Code, relating to the reorganization and unification of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 11, inclusive, and insert

"An act to add Sections 4874, 4901.1, 4901.2, 4901.3, 4901.4, 4901.5, 4901.6, 4902.1, 4902.2, 4902.4, 4905, 4905.1, 4906, 4907, 4908, 4909, 4910, 4911.1, 4912.1, 4915.1, 4917.1, 4931.1, 4954, and 4965.1 to the Education Code; to amend Sections 4873, 4885, 4886, 4887, 4901, 4902, 4903, 4904, 4911, 4912, 4914, 4915, 4917, 4918, 4919, 4919.1, 4920, 4931, 4932, 4941, 4942, 4943, 4946, 4962, 4963, and 4964 of said code; to amend and renumber Sections 4902.1, 4912.1, 4915.1, and 4917.1 of said code; to amend the headings of Articles 2, 4, and 5 of Chapter 16 of Division 2 of said code; to repeal Sections 4881, 4882, 4883, 4884, 4886, and 4887 of said code; and to repeal Article 3 of Chapter 16 of Division 2 of said code, all relating to the reorganization of school districts."

Amendment No. 2

On page 1 of said bill, after line 8, insert

"SEC. 2.1. The heading of Article 2 of Chapter 16 of Division 2 of said code is amended to read:

Article 2 [State Commission on School Districts] *Powers and Duties of State Board of Education*".

Amendment No. 3

On page 2 of said bill, strike out lines 4 to 13, inclusive

Amendment No. 4

On page 2, line 14, of said bill, strike out "(d)", and insert "(b)".

Amendment No. 5

On page 2, line 19, of said bill, strike out "(e)", and insert "(c)".

Amendment No. 6

On page 2 of said bill, strike out lines 22 to 24, inclusive.

Amendment No. 7

On page 2, line 25, of said bill, strike out "(g)", and insert "(d)".

Amendment No. 8

On page 2, line 27, of said bill, strike out "It shall be the"; and strike out lines 28 to 52, inclusive, and insert

"SEC. 6. Section 4886 of said code is repealed."

Amendment No. 9

On page 3 of said bill, strike out lines 1 to 14, inclusive, and insert

"SEC. 7. Section 4887 of said code is repealed."

Amendment No. 10

On page 3, line 50, of said bill, strike out "fewer", and insert "less".

Amendment No. 11

On page 4 of said bill, strike out lines 1 to 7, inclusive, and insert "county, the number in each county to be determined by the representatives of the school trustees of the county or the county superintendent of schools, as hereinafter provided. In the event the representatives of the school trustees fail to elect a county committee as provided in this article, the county superintendent of schools of such county shall determine the number of members to constitute the county committee within the limitation above prescribed and shall appoint such members."

Amendment No. 12

On page 4, line 10, of said bill, strike out "or", and insert "nor".

Amendment No. 13

On page 4 of said bill, strike out lines 15 to 26, inclusive, and insert "mittee are caused by the happening of any of the events specified in Section 1770 of the Government Code and shall be filled by representatives of the school trustees charged with the duty of electing the members of the committee, or by the county superintendent of schools having jurisdiction over the county in the event the representatives fail to fill such vacancies with qualified electors within one year, or in the event the vacancies occur in a county having less than six (6) school districts; provided, that members of the county committee may fill vacancies in its membership pending action by the representatives of the school trustees or the county superintendent of schools."

Amendment No. 14

On page 4 of said bill, strike out lines 28 to 47, inclusive, and insert

"4901.2. Every county having six (6) or more elementary school districts shall elect a county committee composed of the number of members as shall be determined by a majority of the representatives of the school trustees at a meeting called by the county superintendent of schools having jurisdiction over the county. Notice of such meeting shall be deemed sufficient and complete when deposited in the United States registered mail with postage prepaid, addressed to the clerk or secretary of the governing board of each school district.

The governing board of each elementary school district shall annually select one of its members as its representative who shall have one vote in determining the number of members, and one vote for each member to be elected to the county committee. The county superintendent of schools shall be furnished with a certificate from the secretary or clerk of each governing board which shall name the representative selected by the board. The first meeting to be called by the county superintendent of schools for the purpose of electing members to the county committee shall be held within ninety (90) days after the effective date of this chapter, and an annual meeting shall thereafter be called for that purpose by the county superintendent of schools which shall be held between the first day of October and the first day of December. The qualified electors of the county receiving the highest number of votes cast by the representatives of the school trustees shall be declared elected to membership of the county committee if a quorum of the representatives are present."

Amendment No. 15

On page 4, line 48, of said bill, strike out "4901.25", and insert "4901.3".

Amendment No. 16

On page 4, line 49, of said bill, strike out "4901.25", and insert "4901.3".

Amendment No. 17

On page 4, line 50, of said bill, strike out "counties which have five (5) or fewer", and insert "a county which has less than six (6) elementary".

Amendment No. 18

On page 5, line 1, of said bill, strike out "4901.26", and insert "4901.4".

Amendment No. 19

On page 5, line 2, of said bill, strike out "4901.26", and insert "4901.4".

Amendment No. 20

On page 5, line 4, of said bill, strike out "five (5) or fewer districts Section 4901.25", and insert "less than six (6) districts, then Section 4901.3".

Amendment No. 21

On page 5, line 6, of said bill, strike out "five (5) or fewer", and insert "less than six (6)".

Amendment No. 22

On page 5, line 10, of said bill, strike out "4901.3", and insert "4901.5".

Amendment No. 23

On page 5, line 11, of said bill, strike out "4901.3", and insert "4901.5".

Amendment No. 24

On page 5, line 11, of said bill, strike out "members", and insert "each member".

Amendment No. 25

On page 5, line 13, of said bill, strike out "their successors are", and insert "his successor is".

Amendment No. 26

On page 5, line 19, of said bill, strike out "4901 4", and insert "4901.6".

Amendment No. 27

On page 5, line 20, of said bill, strike out "4901.4", and insert "4901.6".

Amendment No. 28

On page 5, line 36, of said bill, strike out "its school district organization", and insert "the school district organization of the county".

Amendment No. 29

On page 5, line 43, of said bill, strike out "4902 05", and insert "4902.1".

Amendment No. 30

On page 5, line 44, of said bill, strike out "4902.05", and insert "4902.1".

Amendment No. 31

On page 5, line 50, of said bill, strike out "4902 06", and insert "4902.2".

Amendment No. 32

On page 5, line 51, of said bill, strike out "4902.06", and insert "4902.2".

Amendment No. 33

On page 6, line 2, of said bill, strike out "an open", and insert "a public".

Amendment No. 34

On page 6, line 5, of said bill, after "amended", insert "and renumbered".

Amendment No. 35

On page 6, line 6, of said bill, strike out "4902.1", and insert "4902.3".

Amendment No. 36

On page 6, line 13, of said bill, strike out "4902.2", and insert "4902 4".

Amendment No. 37

On page 6, line 14, of said bill, strike out "4902 2", and insert "4902.4".

Amendment No. 38

On page 6 of said bill, beginning in line 39, strike out "from the general funds of the county".

Amendment No. 39

On page 6, line 41, of said bill, after "duties.", insert "The expenses shall be allowed by the board of supervisors, and be paid out of the county general fund."

Amendment No. 40

On page 6, line 44, of said bill, strike out "prior to October 1, 1949, or pursuant to this code".

Amendment No. 41

On page 7, line 25, of said bill, strike out "rearrange the"; and strike out lines 26 and 27, and insert "establish trustee areas in any unified school district formed under the provisions of this chapter or may propose to eliminate the trustee areas".

Amendment No. 42

On page 7 of said bill, beginning in line 29, strike out "in order to correct inequalities in representation".

Amendment No. 43

On page 7, line 37, of said bill, strike out "trustee's", and insert "trustee".

Amendment No. 44

On page 7 of said bill, beginning in line 37, strike out "each schoolhouse door of the school district", and insert "a prominent place in each schoolhouse".

Amendment No. 45

On page 7 of said bill, beginning in line 44, strike out "an election to be held between July 1st and July 31st", and insert "the next succeeding trustee election. The election provided for in this section shall be called by the governing board of the district and shall be held and conducted in as nearly the same manner as may be practical as are elections for members of boards of school trustees. The words to appear on the ballot shall be: "For the establishment of trustee areas in _____ (Insert Name) Unified School District—Yes" and "For the establishment of trustee areas in _____ Unified School District—No". In the event the election is called for the (Insert Name) purpose of eliminating trustee areas, then there shall appear upon the ballot the word "eliminating" in lieu of the word "establishment"."

Amendment No. 46

On page 7 of said bill, strike out lines 47 to 51, inclusive; and on page 8, strike out lines 1 to 5, inclusive, and insert

"4909. If a proposal for the establishment of trustee areas is approved by a majority of the electors voting at such election, any affected incumbent board member shall serve out his term of office and succeeding board members shall be nominated and elected in accordance with Section 4905. In the event two or more trustee areas are established at such election which are not represented in the membership of the governing board of the unified school district, the county committee shall determine by lot the trustee area from which the nomination and election for the next vacancy on the governing board shall be made."

Amendment No. 47

On page 8 of said bill, after line 28, insert

"SEC. 31.1. The heading of Article 5 of Chapter 16 of Division 2 of said code is amended to read:

Article 5. [Election for] Approval of Recommendations

SEC. 31.2. Section 4911.1 is added to said code, to read:

4911.1. In the event the county committee transmits plans and recommendations to the State Board of Education, pursuant to Section 4902, for the reorganization of the school districts in the county other than the formation of a unified school district, the proposed reorganization, if approved by the State Board of Education, shall be deemed to be the filing of a petition with the appropriate board of supervisors or with the county superintendent of schools. Thereupon the State Board of Education shall notify the board of supervisors and the county superintendent of schools having jurisdiction over the school districts affected thereby and the proceedings for the proposed reorganization of the school districts shall then be held and conducted in accordance with the applicable provisions of this code as though such petition had been originally filed with such board of supervisors or with the county superintendent of schools."

Amendment No. 48

On page 8, line 39, of said bill, after "hold", insert ", following the approval by the State Board of Education of the recommendations of the county committee,".

Amendment No. 49

On page 8, line 40, of said bill, strike out "in each", and insert "within the".

Amendment No. 50

On page 8, line 41, of said bill, strike out "or other reorganization".

Amendment No. 51

On page 9, line 1, of said bill, strike out "4912.05", and insert "4912.1"

Amendment No. 52

On page 9, line 2, of said bill, strike out "4912.05", and insert "4912.1".

Amendment No. 53

On page 9, line 11, of said bill, after "amended", insert "and renumbered".

Amendment No. 54

On page 9, line 12, of said bill, strike out "4912.1", and insert "4912.2".

Amendment No. 55

On page 9, line 41, of said bill, strike out "authorizing", and insert "calling".

Amendment No. 56

On page 9, line 47, of said bill, strike out "is to", and insert "shall"

Amendment No. 57

On page 9, line 49, of said bill, strike out "4915 05", and insert "4915 1".

Amendment No. 58

On page 9, line 50, of said bill, strike out "4915.05", and insert "4915.1".

Amendment No. 59

On page 9 of said bill, beginning in line 50, strike out "largest area affected", and insert "county in which the largest portion of the area affected is located".

Amendment No. 60

On page 10, line 1, of said bill, strike out "the pros and cons of the issue, each to be"; and strike out line 2, and insert "arguments for and against the recommendations of the county committee. Such arguments shall not exceed 500 words. The argument in favor of the recommendations shall be prepared by the chairman of the county committee, or by a proponent of the recommendations designated by the chairman. The argument against the recommendations shall be prepared by a member of the county committee who voted against the recommendations, or, if there be none, by an elector designated by the county superintendent of schools who has appeared before the committee or at a public hearing in opposition to the recommendations."

Amendment No. 61

On page 10, line 3, of said bill, after "amended", insert "and renumbered".

Amendment No. 62

On page 10, line 4, of said bill, strike out "4915.1", and insert "4915.2".

Amendment No. 63

On page 10, line 5, of said bill, strike out "of pros and cons and the recommendations of"; and strike out lines 6 to 13, inclusive, and insert "setting forth the arguments in favor of, and those opposed to, the recommendations of county committees and the cost of any election held hereunder shall be a charge against the general fund of the county in which the elementary school district or unified district is situated If such district is situated in more than one county, the cost shall be prorated against each county in the same proportion as the area of the district lying in such county bears to the total area of the district."

Amendment No. 64

On page 10 of said bill, after line 13, insert

"SEC. 38 5. Section 4915.3 is added to said code to read.

4915 3 The county committee shall prior to submitting a recommendation to the State Board of Education for the unification of any school district or school districts notify, in writing, the board of supervisors of each county affected. If such notice is not given on or before April 1st, the board of supervisors of any such county may require the county superintendent of schools charged with the duty of holding the election on such plans and recommendations in the event of their approval by the State Board of Education, to postpone the holding of such election until on or after July 1st of the following year."

Amendment No. 65

On page 10, line 20, of said bill, strike out "4917 05", and insert "4917 1".

Amendment No. 66

On page 10, line 21, of said bill, strike out "4917 05", and insert "4917.1".

Amendment No. 67

On page 10, line 27, of said bill, after "amended", insert "and renumbered".

Amendment No. 68

On page 10, line 28, of said bill, strike out "4917.1", and insert "4917.2".

Amendment No. 69

On page 10, line 30, of said bill, strike out "4902.1", and insert "4902 3".

Amendment No. 70

On page 10 of said bill, strike out line 36, and insert "unification of school districts shall be "Unification of".

Amendment No. 71

On page 10, line 37, of said bill, strike out "Reorganization", and insert "Unification".

Amendment No. 72

On page 10, line 42, of said bill, strike out "4902.2", and insert "4902.4".

Amendment No. 73

On page 10, line 48, of said bill, strike out "4902.1", and insert "4902.3".

Amendment No. 74

On page 10, line 49, of said bill, strike out "reorganization", and insert "unification".

Amendment No. 75

On page 11, line 15, of said bill, strike out "or other reorganization".

Amendment No. 76

On page 11, line 17, of said bill, after "them", insert "and the absentee ballots".

Amendment No. 77

On page 11 of said bill, beginning in line 19, strike out "or other reorganization".

Amendment No. 78

On page 11, line 23, of said bill, strike out "or other reorganization".

Amendment No. 79

On page 11, line 40, of said bill, strike out "or other reorganization,".

Amendment No. 80

On page 11, line 41, of said bill, after "district", insert ", or portion of a district"

Amendment No. 81

On page 11, line 43, of said bill, after "district," insert "or portion of a district,".

Amendment No. 82

On page 11, line 46, of said bill, strike out "or other reorganization".

Amendment No. 83

On page 11, line 47, of said bill, after "supervisors", insert "of the county".

Amendment No. 84

On page 11, line 49, of said bill, strike out "or other reorganization".

Amendment No. 85

On page 12, line 5, of said bill, strike out "reorganization", and insert "unification".

Amendment No. 86

On page 12, line 11, of said bill, strike out "were", and insert "are".

Amendment No. 87

On page 12 of said bill, after line 21, insert

"SEC. 45.1. Section 4931 of said code is amended to read:

4931. The unification [or other reorganization] of school districts under this chapter on or before December 31st of any school year shall become effective on the next succeeding first day of July, except as herein otherwise provided.

SEC. 45.2. Section 4932 of said code is amended to read:

4932. For the following purposes, such unification [or other reorganization] of school districts shall be effective as of the date the county superintendent of schools notifies the board of supervisors thereof:

(a) The determination of the assessed valuation of the district and any other districts affected.

(b) The election of members of the governing board of the district or districts affected.

(c) The preparation and submission of school district budgets

(d) The election or appointment of employees for the school year in which the unification [or reorganization] becomes effective for all purposes.

(e) The calling and conducting of elections for and the issuance and sale of school district bonds

(f) The exercise by the governing board of the school districts affected of other powers and duties vested in governing boards of school districts of the same type or class and not inconsistent with other provisions of this code"

Amendment No. 88

On page 13 of said bill, beginning in line 13, strike out "or otherwise reorganized district".

Amendment No. 89

On page 13, line 40, of said bill, strike out the colon, and insert a comma.

Amendment No. 90

On page 13, line 41, of said bill, strike out "The term", and insert "the terms"

Amendment No. 91

On page 13, line 42, of said bill, strike out ". And the term", and insert ", the terms".

Amendment No. 92

On page 13 of said bill, strike out lines 47 to 51, inclusive; and on page 14, strike out lines 1 to 22, inclusive, and insert

"4954. The governing board of a unified school district established under this chapter may discontinue an elementary school by order or resolution unless within thirty days of such order or resolution a petition is filed with the governing board requesting the continuance of the school signed by at least one-third of the parents or guardians of pupils residing within the boundaries of the component elementary school district which maintained the school prior to the establishment of the unified school district and attending elementary school in the unified school district as shown by elementary school registers of the unified school district for the year in which the petition is filed. If a school is discontinued as herein provided, the governing board of the unified school district may maintain the building for community and civic center and other lawful purposes"

Amendment No. 93

On page 14, line 23, of said bill, strike out "SEC 53", and insert "SEC. 52".

Amendment No. 94

On page 14, line 33, of said bill, strike out "SEC 54", and insert "SEC. 53".

Amendment No. 95

On page 14, line 42, of said bill, strike out "SEC 55", and insert "SEC. 54".

Amendment No. 96

On page 15, line 1, of said bill, strike out "SEC. 56", and insert "SEC. 55".

Amendment No. 97

On page 15 of said bill, strike out lines 12 to 18, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2241—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 2 of the printed bill, strike out lines 12 to 15, inclusive

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1683—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations

and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1 of the printed bill, strike out lines 22 to 24, inclusive, and insert "(d) Any yacht club which is a nonprofit organization and is a regular member of a regional yachting association of such clubs which regional association is a member of a recognized national nonprofit yachting organization having a membership of not less than ten such regional yachting associations nor less than two hundred member yacht clubs, and which has more than one hundred bona fide regular members more than 25 percent of whom are the owners of small boats, and which owns, maintains or operates a clubhouse adjacent to regular facilities for the mooring of small boats and which has operated such clubhouse adjacent to such facilities for not less than one year For the purposes of this section, a small boat is defined as a vessel designed for navigating in the water and regularly designed for or equipped with a sail or an inboard marine engine"

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "are not a violation of this section.", and insert "in effect on the effective date of this section are not a violation of this section during the then existing term of such agreement but not for any extension or renewal thereof."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 113—An act to amend Section 923 of the Labor Code, dealing with collective bargaining.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 22, of the printed bill, strike out "municipally", and insert "publicly".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 949—An act to add Section 227 to the Labor Code, relating to wages

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "227", and insert "1197.5".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert
"SECTION 1. Section 1197.5 is added to the Labor Code, to read:".

Amendment No. 3

On page 1, line 3, of said bill, strike out "227", and insert "1197.5".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1731—An act to add Section 4903.2 to the Labor Code, relating to liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In the title of the printed bill, strike out "add Section 4903.2 to", and insert "amend Section 4903 of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 12, inclusive, and insert
"SECTION 1. Section 4903 of the Labor Code is amended to read:
4903. The commission may determine, and allow as a lien against any amount to be paid as compensation:
(a) Attorney's Fee and Disbursements. A reasonable attorney's fee for legal services pertaining to any claim for compensation either before the commission or before any of the appellate courts, and the reasonable disbursements in connection therewith.
(b) Medical and Hospital Expenses. The reasonable expense incurred by or on behalf of the injured employee, as provided in Article 2 of Chapter 2 of Part 2 of this division.
(c) Living Expenses of Employee or Dependents. The reasonable value of the living expenses of an injured employee or of his dependents, subsequent to the injury.
(d) Burial Expenses. The reasonable burial expenses of the deceased employee, not to exceed the amount provided for by Section 4701.
(e) Living Expenses of Wife or Minor Children. The reasonable living expenses of the wife or minor children of the injured employee, or both, subsequent to the date of the injury, where such employee has deserted or is neglecting his family. Such expenses shall be allowed in such proportion as the commission deems proper, under application of the wife or guardian of the minor children.
(f) Unemployment Compensation Disability Benefits. The amount of unemployment compensation disability benefits which have been paid under or pursuant to the Unemployment Insurance Act in those cases where, pending a determination under Division 4 of this code, there was uncertainty whether such benefits were payable under that act or payable hereunder.
(g) Unemployment Compensation Benefits. The amount of unemployment compensation benefits paid erroneously to the injured employee for a period for which he was unable to work and for which he received temporary total disability payments under this division."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 326—An act to amend Section 800 of the Labor Code, relating to midday meals of employees in the lumber industry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on March 21, 1949, after "meal", insert ", between the third and fifth hours of each day's shift after the start thereof".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1858—An act to add Sections 51 and 58 to the Vehicle Code, defining an armored car and inflammable liquid.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on March 21, 1949, and insert

"An act to amend Section 576 of, to add Sections 51, 58 and 59 to, and to amend and renumber Section 684 of, the Vehicle Code, relating to vehicles and vehicular traffic including definitions of terms used in that code"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 12, inclusive, and insert "any liquid having a flash point (closed cup test) below 200 degrees Fahrenheit and a vapor pressure not exceeding 26 pounds per square inch at a temperature of 100 degrees Fahrenheit.

SEC. 3 Section 59 is added to said code, to read:

59. Liquefied Petroleum Gas. "Liquefied petroleum gas" is defined and limited to petroleum hydrocarbons or mixtures thereof in liquid or gaseous state having a vapor pressure in excess of 26 pounds per square inch at a temperature of 100 degrees Fahrenheit.

SEC. 4. Section 576 of said code is amended to read:

576. Certain Vehicles Must Stop at All Railway Grade Crossings. (a) The driver of any motor vehicle carrying passengers for hire, or of any school bus carrying any school child, or of any motor truck carrying explosive substances [or inflammable liquids in quantities in excess of 100 gallons] as a cargo or part of a cargo, *or of any motor tank truck, tank trailer or tank semitrailer, used in the transportation of inflammable liquids or liquefied petroleum gas as a cargo or part of a cargo, whether loaded or empty,* before crossing at grade any track or tracks of a steam railway, interurban or suburban electric railway, shall stop such vehicle not less than ten nor more than fifty feet from the nearest rail of such track and while so stopped shall listen, and look in both directions along such track, for any approaching railway train, interurban car or other vehicle using such rails before traversing such crossing, except as hereinafter provided.

(b) No stop need be made at any such crossing where an officer is on duty and directs traffic to proceed nor where a stop and go signal is in operation and indicates that traffic may proceed.

(c) No stop need be made at street railway tracks within a business or residence district.

(d) The driver of any motor vehicles carrying passengers for hire need not stop, unless a railway train is approaching at any spur track or industrial track, where, with the approval of the Public Utilities Commission, distinctive signs are displayed indicating that no stop need be made

(e) Failure of the driver of a motor vehicle carrying any passenger for hire to stop as required in this section shall not be imputed to any bona fide passenger for hire in such vehicle.

(f) The violation of any of the provisions of this section is a misdemeanor.

SEC. 5. Section 684 of the Vehicle Code as added by Chapter 1429 of the Statutes of 1947, is renumbered and amended to read.

[684.] *684.5.* Shut-off Valves on Vehicles Carrying Dangerous Substances. No person shall transport any explosive substance, inflammable liquid *having a flash point of 70 degrees Fahrenheit or below*, or poisonous gas in a tank truck, trailer, or semitrailer which is equipped with an external shut-off valve unless the vehicle is also equipped with a shut-off valve inside each tank which is so constructed and placed that any damage, displacement, or removal of the external shut-off valve, whether by accident or otherwise, will not of itself release or cause the escape of any part of the contents of the tank truck, trailer or semitrailer.

The provisions of this act shall only apply to new tank trucks, trailers or semitrailers first purchased or acquired after July 1, 1948."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce

Assembly Bill No. 1139—An act to amend Sections 142 and 251 of the Vehicle Code, relating to vehicles exempted from registration and operators' and chauffeurs' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Amend Sections 142 and 251 of", and insert "add Section 459.6 to"

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 47 inclusive, and insert

"SECTION 1. Section 459.6 is added to the Vehicle Code, to read:

459.6. Local Regulation of Self-Propelled Wheel Chairs and Invalid Tricycles

The provisions of this code shall not be deemed to prevent local authorities, within the reasonable exercise of the police power, from adopting rules and regulations, by ordinance, which require the registration with the local authority of self-propelled wheel chairs or invalid tricycles which are otherwise exempt from registration under this code; nor shall the provisions of this code be deemed to prevent local authorities from adopting rules and regulations, by ordinance, which require that the operator of such a vehicle shall obtain a license from the local authority to operate such vehicle and in connection therewith procure a motor vehicle liability policy."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1836—An act to add Section 119.1 to the Welfare and Institutions Code, and to add Sections 18598, 20302.1, 20302.2, and 20302.3 to the Government Code, relating to employees of the Department of Social Welfare, and retirement rights of employees performing functions assumed by the State, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 119.1 to", and insert "amend Section 107 of".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "20302 1, 20302 2 and 20302.3", and insert "18599, and 31700.5".

Amendment No. 3

In line 5 of the title of said bill, strike out "of", and insert "in county retirement systems of former county".

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 107 of the Welfare and Institutions Code is amended to read.

107. *(a)* Subject to the State Civil Service Act, the director shall appoint such assistants and other employees as are necessary for the administration of the affairs of the department, shall prescribe their duties, and fix their salaries subject to the approval of the Department of Finance, and shall require them to execute to the State such official bonds as may be required.

(b) In connection with the assumption pursuant to Article XXV of the Constitution of functions heretofore performed by the counties relating to the administration of old age security and blind security and in connection with the assumption of any other welfare functions theretofore performed by the counties and involving persons whose employment falls within the class described in subsection (10) of subdivision (a) of Section 4 of Article XXIV of the Constitution, pursuant to any law now in effect or hereafter enacted, the director, pursuant to the constitutional provision last mentioned, but subject to the approval of and in accordance with rules adopted by the State Personnel Board, shall employ, in such number as may be required, the personnel with probationary or permanent county civil service or departmental merit system status, as certified to the State Personnel Board by the county civil service commissions and the departmental merit system, respectively, who were engaged in performing such functions immediately prior to the assumption of direct administration thereof by the department in the county.

SEC. 2. Section 18598 is added to the Government Code, to read:

18598. In connection with the assumption by the State Department of Social Welfare pursuant to Article XXV of the Constitution of functions heretofore performed by the counties relating to old age security and blind security or in connection with the assumption by that department of any other functions theretofore performed by the counties in relation to other welfare activities involving persons whose employment falls within the class described in subsection (10) of subdivision (a) of Section 4 of Article XXIV of the Constitution, the State Personnel Board, in addition to any other powers or duties, shall:

(a) Investigate, determine, and certify to the State Department of Social Welfare the name, classification, and employment status of each employee of any county who, immediately prior to the assumption by the department of direct administration of such function in a county, was employed by the county under county civil service or under the departmental merit system in a classification utilized in the performance of such function

(b) Adopt and administer, with respect to the county employees so certified, merit system rules which shall (1) provide for such employees reasonable assurance of opportunity, equal with employees of the Department of Social Welfare having civil service status, to accept employment with the Department of Social Welfare and preserve in the service of the department the rights and status acquired by such employees as probationary or permanent employees under county civil service or under the departmental merit system; (2) conform with present federal requirements; and (3) contain provisions the same as the State Civil Service Act and rules thereunder as far as practicable.

(c) Determine the rights of each county employee so certified to seniority credits and, upon his employment by the State Department of Social Welfare, to accumulated sick leave and vacation credits, as determined by the employment record of such employee while employed by the county in county civil service or departmental merit system status; but in no event shall such credits exceed the credits to which the employee would be entitled if he had rendered like service to the State.

SEC. 3. Section 18599 is added to the Government Code, to read:

18599. The state civil service shall include state officers and employees, formerly employed by the counties under county civil service or under the departmental merit system of the State Department of Social Welfare, who have been employed by the State Department of Social Welfare pursuant to subdivision (b) of Section 107 of the Welfare and Institutions Code and Section 18598 of the Government Code and have continued in such employment for six months.

SEC. 4. Section 31700.5 is added to the Government Code, to read:

31700.5. Any member, whether over or under the minimum age of voluntary service retirement, and irrespective of the amount of county service with which he is entitled to be credited, who leaves county service as the result of the assumption by the State of a governmental function theretofore exercised by the county may elect in writing to leave his accumulated contributions in the retirement fund and be granted

a deferred retirement allowance to become effective, upon the option of the member, at any time after he attains the minimum age of voluntary service retirement. The effective date of such deferred retirement allowance shall not be later than the first of the month following that in which he attains age 70."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 20, inclusive; and on page 2, strike out lines 1 to 48, inclusive.

Amendment No. 6

On page 2, line 49, of said bill, strike out "SEC. 6", and insert "SEC. 5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 5 of the title of the printed bill, after "therefrom", insert ", and providing for the refund or other disposition of certain optional contributions by state members of said system".

Amendment No. 2

On page 1 of said bill, strike out line 3, and insert

"20024.1. For a local member who is an employee of a contracting agency which, by the provisions of its contract with the board, is subject to the provisions of Section 20025 of this code, and for no other member, "final compensation", as defined in Section".

Amendment No. 3

On page 1 of said bill, strike out lines 9 to 14, inclusive, and insert

"20025. For a local member who is an employee of a contracting agency which, by the provisions of its contract with the board, is subject to the provisions of this section, and for no other member, there shall be excluded from the".

Amendment No. 4

On page 2, line 23, of said bill, after "any", insert "state member; nor shall it apply to any".

Amendment No. 5

On page 3 of said bill, following line 14, insert

"SEC. 6. Any optional contributions made prior to the effective date of this act by any state member of the State Employees' Retirement System pursuant to Section 20025 of the Government Code (as that section existed prior to the effective date of this act) shall be disposed of as follows:

(a) If the member who made such optional contributions is a member of the State Employees' Retirement System on the effective date of this act, such contributions as remain to his credit on said date, together with accrued interest thereon, shall be refunded to him upon his application therefor at any time prior to June 30, 1950, or, if the member does not apply for such refund prior to June 30, 1950, such optional contributions, together with accrued interest thereon, shall be credited to his account as additional contributions under Section 20630 of the Government Code.

(b) If the member who made such optional contributions is on retirement, such optional contributions as remain to his credit on said date, together with accrued interest thereon, shall be refunded to him.

(c) If the member or retired person who made such optional contributions is dead, such optional contributions as remain to his credit on said date, together with accrued interest thereon, shall be paid to his beneficiary, if he designated one, and if not, to his estate.

SEC. 2. Any benefits payable by the State Employees' Retirement System for time commencing on the effective date of this act as a result of the retirement or industrial death prior to said date of a person who was a state member of said system on or before October 1, 1947, and who made optional contributions pursuant to Section 20025 of the Government Code (as said section existed immediately prior to the effective date of this act) shall not be reduced because of the disposition of such optional contributions pursuant to Section 1 of this act. Any benefits payable by said system for time commencing on the effective date of this act as a result of the retirement or industrial death prior to said date of a person who was a member of said system on or before October 1, 1947, and who did not make such optional contributions shall be recalculated in accordance with the provisions of Section 20025 of the Government Code (as said section existed immediately prior to the effective date of this act) in the same manner that said benefits would have been calculated or recalculated for time commencing on and after October 1, 1947, had such person elected to make the optional contributions pursuant to Section 20025 of the Government Code (as said section existed immediately prior to the effective date of this act), and such adjustments shall be made therein as are necessary to give to the person to whom they are payable the benefit of such recalculation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1910—An act to amend Section 20981 of the Government Code, relating to the compulsory retirement age for state miscellaneous members, in connection with the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill; and in line 3, strike out "members, in connection with", and insert

"An act to amend Sections 20023, 20024, 20920, 20921, 20922, 21253, and 21362 of, to repeal Section 21255 of, and to add Sections 20334.1, 20654.6, 20654.7, 20654.8, 20654.9, 20654.95, and 21251.3 to, the Government Code, relating to".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, and insert

"SECTION 1. Section 20023 of the Government Code is amended to read.

20023. "Compensation earnable" by a member means the average monthly compensation as determined by the board upon the basis of the average time put in by members in the same group or class of employment and at the same rate of pay. The computation for any absence of a member shall be based on the compensation [of the position held] *earnable* by him at the beginning of the absence and that for time prior to entering state service shall be based on the compensation [of] *earnable by him in* the position first held by him in such service

SEC. 2. Section 20024 of the Government Code is amended to read:

20024 "Final compensation" means the *highest* average annual compensation earnable by a member during [the five years immediately preceding his retirement] *any period of five consecutive years during his membership in the system. For the purposes of this section, periods of service separated by breaks in service may be aggregated to constitute a period of five consecutive years, if the periods of service are consecutive except for such breaks. If a break in service did not exceed six months in duration, time included in the break and compensation earnable during such time shall be included in computation of final compensation. If a break in service exceeded six months in duration, the first six months thereof and the compensation earnable during those six months shall be included in computation of final compensation, but time*

included in the break which is in excess of six months and the compensation earnable during such excess time shall be excluded in computation of final compensation.

SEC. 3. Section 20920 of the Government Code is amended to read:

20920. As used in this article, "federal service" means (a) Civilian service rendered as an employee or officer of an agency of the Government of the United States which performed [employment service] functions the same as or substantially similar to those performed by this State prior to January 1, 1942, *and* (b) Military service in any branch of the armed forces of the United States performed by an individual on military leave of absence from a position in "federal service" as defined in subdivision (a) of this section.

[(c)] For the purposes of this part a person shall be considered as being in the "federal service" only while he is receiving compensation from the Government of the United States.

As used in this article, "federal service" does not include service as defined in subdivisions (a) or (b) of this section with respect to which an employee became a member of any other retirement or pension system supported wholly or in part by funds of the United States Government, any state government, or political subdivision thereof and with respect to which he continues to receive credit in such other system for such service after the date of his return to state service

SEC. 4. Section 20921 of the Government Code is amended to read:

20921. Upon compliance [of] *with* the provisions of Section 20922, a member shall be credited with state service in the amount of time during which he was in federal service, and for the purposes of this part federal service so credited shall be considered state service, if the member comes within all of the following descriptions

(a) Prior to performing the federal service, he was employed by the State. [in an agency performing employment service functions financed in whole or in part by federal funds made available for the performance of such functions]

(b) He was laid off from state service or would have been so laid off if he had not been absent in military service, because of the transfer of [such] functions by the State to an agency of the United States Government.

(c) Subsequent to his layoff from state service he was employed by the United States Government in an agency performing [employment service] functions the same as or substantially similar to those of the state agency from which he was laid off

(d) Within 30 days after his separation from federal service, he was [reemployed] *employed* by [the] *a* state agency [from which he was formerly laid off]

SEC. 5 Section 20922 of the Government Code is amended to read:

20922. Any member eligible to be credited with state service for time during which he was in federal service, as provided in Section 20921, may, prior to [January 1, 1948] *July 1, 1950*, file with the board such information relative to his federal service as the board may require, and may contribute to the Retirement Fund, at times and in a manner fixed by the board, amounts equal to *(1)* the contributions which he would have made to the fund during the time he was in federal service, excluding the time he was absent in military service, [if] *assuming* he had then been in state service, on the basis of his compensation earnable at the time he was laid off from state service, *and (2) an amount equal to the additional interest that would have been credited to his account under such assumption, and (3) in the case of members who make payment by other than lump-sum payment, interest on the unpaid balance of the amount payable into the Retirement Fund pursuant to this section, beginning on the date of his reemployment by the State, at the rate of interest currently being used from time to time under the system* When any such contributions have been made, the State shall thereupon contribute an amount equal to that which it would have contributed under Chapter 6 of this part if the contributions had been deducted from compensation to the member from state funds [, and for] *For* the purposes of Chapter 6 the compensation on which the member's contributions were based shall be deemed to have been paid from the support fund of the state agency from which he was laid off, *if the member, within thirty days after his separation from federal service, was reemployed by the state agency from which he was formerly laid off; and in all other cases, the State's contribution shall be paid from the General Fund* The State shall contribute as for other members under Section 20894.5, on account of that portion of federal service during which the member was absent in military service *; and in such case, the fund from which the State's contribution is payable shall be determined in the manner provided in this section*.

SEC. 6. Section 21253 of the Government Code is amended to read:

21253. The prior service pension for a state miscellaneous member [retiring at or over age 60], *or for a local miscellaneous member who is an employee of a contracting agency which is subject to the provision of this section*, is an annual pension *derived from the contributions of the State, or of the contracting agency*, equal to the sum of the following:

(a) *The fraction of* one-sixtieth of [the average annual compensation earnable by him during the three years ending December 31, 1931, in other than Highway Patrol service or warden service, multiplied by the number of years of prior service, other than Highway Patrol service or warden sevice, credited to him] *his final compensation set forth opposite his age at retirement, taken to the preceding completed quarter*

year, in the following table in the column applicable to his sex, multiplied by the number of years of prior service other than Highway Patrol service, warden service, or forestry service, with which he is entitled to be credited at retirement:

Age of retirement	*Fraction*	
	Men	*Women*
55	.6879856	.7215644
55¼	.7005907	.7330584
55½	.7131958	.7445523
55¾	.7258010	.7560463
56	.7384061	.7675403
56¼	.7523068	.7800926
56½	.7662075	.7926449
56¾	.7801082	.8051973
57	.7940089	.8177496
57¼	.8094005	.8315137
57½	.8247922	.8452778
57¾	.8401839	.8590419
58	.8555755	.8728060
58¼	.8726676	.8879249
58½	.8897597	.9030438
58¾	.9068518	.9181627
59	.9239439	.9332817
59¼	.9429579	.9499612
59½	.9619720	.9666408
59¾	.9809860	.9833204
60	1.0000000	1.0000000
60¼	1.0143189	1.0144384
60½	1.0286377	1.0288769
60¾	1.0429566	1.0433153
61	1.0572754	1.0577538
61¼	1.0726679	1.0733538
61½	1.0880603	1.0889539
61¾	1.1034527	1.1045539
62	1.1188451	1.1201540
62¼	1.1354716	1.1370926
62½	1.1520981	1.1540313
62¾	1.1687245	1.1709699
63	1.1853510	1.1879086
63¼	1.2032919	1.2063002
63½	1.2212328	1.2246919
63¾	1.2391737	1.2430836
64	1.2571146	1.2614752
64¼	1.2764797	1.2814969
64½	1.2958448	1.3015185
64¾	1.3152099	1.3215402
65 and over	1.3345750	1.3415618

The fractions herein set forth at ages other than age 60 are based on the interest rate and mortality tables used under the State Employees' Retirement System with respect to state miscellaneous members on January 1, 1947, and shall be adjusted by the board in accordance with such interest and mortality tables as the board may adopt with respect to such members.

(b) In respect to prior service consisting of Highway Patrol service [or], warden service, *or forestry service*, the pension computed pursuant to subdivision (b) of Section 21256, [and Section] *Section* 21256.1, *or Section 21256.2*, respectively.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

SEC. 7. Section 21362 of the Government Code is amended to read:

21362. *(a)* A member [or his beneficiary, after death of the member,] may elect by a writing filed with the board to have the basic death benefit paid in [monthly installments, fixed in number or amount, subject to such rules as the board may adopt. Regular interest shall be credited on the unpaid balance of such benefit.] *accordance with either of the following subsections:*

(1) In monthly installments, fixed in number or amount and not involving life contingency, subject to such rules as the board may adopt. Regular interest shall be credited on the unpaid balance of benefits payable.

(2) In equal monthly installments for the life of the beneficiary, with 120 installments certain.

(b) If a member dies without having made an election under subdivision (a) of this section, his beneficiary, after the death of the member and prior to the payment to him of the basic death benefit or any part thereof, may elect by a writing filed with the board to have the basic death benefit paid to him in the manner provided in subsection (1) of subdivision (a) of this section.

(c) When an election has been made to have the basic death benefit paid in accordance with subsection (1) or subsection (2) of subdivision (a) of this section, the first of such installments shall be paid on the first day of the month next following the date when the basic death benefit would otherwise be payable, and one of such installments shall be paid on the first day of each month thereafter. Such monthly installments shall be the actuarial equivalent of the basic death benefit on the date that such basic death benefit would otherwise be payable.

No installments shall be commuted and paid in one sum unless the death of the beneficiary occurs during the period certain for which payments of the monthly installments are guaranteed; and in that event only payments due monthly during the remainder of the period certain shall be commuted, and such commutation shall be based on the rate of interest then being used under the Retirement System, and the commuted value shall be paid to the estate of the beneficiary.

The board may provide that any election by a member or by a beneficiary under the provisions of this section is void if the amount of the monthly installment is less than the minimum amount fixed by the board.

SEC. 8. Section 21255 of the Government Code is hereby repealed.

SEC. 9. Section 20334.1 is added to the Government Code, to read:

20334.1. The provisions of Section 20334 do not apply, and shall be deemed not to have applied at any time prior to the effective date of this section, to any person:

(a) Who is eligible to elect, or who, prior to the effective date of this section, has elected, to become a member of this system under the provisions of Sections 20360 or 20361 of this code; and

(b) Who renders state service for which the established rate of compensation, without regard to the basis on which such compensation is payable, is equivalent to not less than seventy-five dollars ($75) per month.

Notwithstanding any other provisions of this section, any such person shall not be credited with state service under this system, pursuant to an election under the provisions of Sections 21360 and 21361, for any period of time during which he rendered state service for which the established rate of compensation, without regard to the basis on which such compensation was payable, was less than the minimum rate set forth in subdivision (b) of this section, at the time the service was rendered.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

SEC. 10. Section 20654.6 is added to the Government Code, to read:

20654.6. Notwithstanding any other provisions of this article, every person who is a member on the effective date of this section and who, at any time prior to said date has withdrawn his accumulated normal contributions, and who, upon his subsequent return to state service, has not elected to redeposit such contributions, shall have the right, not later than ninety days after the date upon which notice of said right is mailed by the system to the member's latest address on file in the office of the system, to elect, by written notice filed in the office of the board, to pay into the Retirement Fund by lump-sum payment or by pay roll deductions, (1) the amount of all of such previously withdrawn accumulated normal contributions, and (2) an amount equal to the additional interest that would have been credited to his account had such contributions not been withdrawn, and (3) in the case of members electing to make repayment by other than lump-sum payment, interest on the unpaid balance of the amount payable into the Retirement Fund pursuant to such election, beginning on the effective date of such election, at the rate of interest currently being used from time to time under the system.

SEC. 11. Section 20654.7 is added to the Government Code, to read:

20654.7. Notwithstanding any other provisions of this article, every person who becomes a member of the system prior to January 1, 1953, and who at any time prior to the effective date of this section has withdrawn his accumulated normal contributions, shall have the same right, pursuant to the provisions of Section 20654.6, as he would have had, had he been in state service on the said effective date.

SEC. 12. Section 20654.8 is added to the Government Code, to read:

20654.8. Any pay roll deductions made pursuant to an election made under the provisions of Section 20654.6 shall be equal in amount, and no such deduction shall be less than ten dollars ($10) per month or 5 percent of the member's gross monthly compensation earnable, whichever is higher.

SEC. 13. Section 20654.9 is added to the Government Code, to read:

20654.9 If a member makes the election as provided in Section 20654.6, his normal rate of contribution for future years shall be based on an age determined by adding the number of completed years of his absence from membership in the system after the earliest termination of his membership included in such election and payment to the age upon which his normal rate of contribution, as it was prior to such termination, was based.

SEC. 14. Section 20654.95 is added to the Government Code, to read:

20654.95 The provisions of Sections 20654.6 to 20654.9, inclusive, shall not affect the right of any member to elect to make a redeposit of contributions under the provisions of any other sections of this code with the same effect as if Sections 20654.6 to 20654.9, inclusive, had not been enacted.

SEC. 15 Section 21251.3 is added to the Government Code, to read:

21251.3. Every current service pension, prior service pension, and disability retirement pension payable for time commencing on the effective date of this section to any member who was retired prior to said effective date is hereby increased to the amount it would be if the provisions of this part, as they exist on said effective date, had been in effect on the date of the actual retirement of the member; but this section does not authorize any decrease in any such pension, nor does this section give any such retired member, or his successors in interest, any claim against the State for any increase in any pension paid or payable for time prior to its effective date. Calculation of pensions under this section shall be made on the basis of current interest rate and mortality tables.

This section shall not apply to any contracting agency with respect to its employees who have retired under this system prior to the effective date of this section unless and until the agency elects to be subject to the provisions of this section, with respect to such employees, by amendment to its contract made in the manner prescribed for approval of contracts; except that an election among the employees is not required.

SEC 16. Nothing in this act shall affect the validity of any election to make contributions pursuant to Section 20922 of the Government Code filed prior to the effective date of this act, or the amount of contributions payable pursuant to any such election.

SEC. 17. This act shall become effective on the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1949 Regular Session of the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19577, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal Sections 19501 and 19577, and to add Section 19583.5 of the Government Code, relating to disciplining state employees.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 4 of the title of the printed bill, after "Section", insert "s", and "19583.1, 19575.5, and".

Amendment No. 2

On page 1, line 5, of the printed bill, after "action", strike out the comma and "including the removal of a person's name from any employment list.", and insert a period.

Amendment No. 3

On page 2, line 25, of the printed bill, after "acts", insert "either during or outside of duty hours".

Amendment No. 4

On page 2, line 35, of the printed bill, after the period, strike out "The appointing".

Amendment No. 5

On page 2 of the printed bill, strike out lines 36 to 49, inclusive, and insert

"19574. *The appointing power, or any person authorized by him, may take punitive action against an employee for one or more of the causes for discipline specified in this article by notifying the employee of the action, pending the service upon him of a written notice. Punitive action is valid only if a written notice is served on the employee and filed with the board not later than fifteen calendar days after the date of such action. The notice shall be served upon the employee either personally or by mail and shall include: (a) a statement of the nature of the punitive action; (b) the effective date of the action; (c) a statement of the causes therefor; and (d) a statement advising the employee of his right to answer the notice and the time within which that must be done if the answer is to constitute an appeal*"

Amendment No. 6

On page 3, line 7, of the printed bill, after the period, strike out "*Within* fifteen calendar", and insert "*Not later than*".

Amendment No. 7

On page 3 of the printed bill, strike out lines 8 to 15, inclusive, and insert "*fifteen calendar days after service of the notice of punitive action, the employee may file with the board a written answer to the notice, which answer shall be deemed to be a request for hearing or investigation as provided in this article. If the employee fails to answer within the time specified the punitive action taken by the appointing power shall be final. A copy of the employee's answer shall promptly be given by the board to the appointing power.*"

Amendment No. 8

On page 3, line 26, of the printed bill, after "*ever*", strike out "*a request for hearing or investigation is filed by an*", and insert "*an answer is filed by an employee who has been suspended without pay for 10 days or less the board shall make an investigation with or without a hearing as it deems necessary; however, in the event an employee is suspended in more than three instances in any calendar year, he shall upon each additional suspension be afforded a hearing if he files an answer to the action.*"

Amendment No. 9

On page 3 of the printed bill, strike out lines 27 to 30, inclusive

Amendment No. 10

On page 3, line 40, of the printed bill, after "*an*", strike out "*employee requests a hearing or investi-*", and insert "*answer is filed to a punitive action, other than a suspension without pay for 10 days or less, the board or its authorized representative shall within a reasonable time hold a hearing. The board shall notify the parties of the time and place of the hearing. Such hearing shall be conducted in accordance with the provisions of Section 11513 of the Government Code and the parties may submit all proper and competent evidence against or in support of the causes, but it shall be a presumption that the statement of causes is true.*"

Amendment No. 11

On page 3 of the printed bill, strike out lines 41 to 49, inclusive.

Amendment No. 12

On page 4, line 8, of the printed bill, after "*employee*", strike out "*to answer the charges and*", and insert "*to appear at the hearing shall be deemed a withdrawal of his answer and the action of the appointing power shall be final.*"

Amendment No. 13

On page 4 of the printed bill, strike out lines 9 to 12, inclusive.

Amendment No. 14

On page 4, line 33, of the printed bill, after the period, strike out "*If the board finds that*", and insert "*The punitive action taken by the appointing power shall stand unless modified or revoked by the board. If the board finds that the cause or causes for which the punitive action was imposed were insufficient or not sustained, or that the employee was justified in the course of conduct upon which the causes were based, it may modify or revoke the punitive action and it may order the employee returned to his position either as of the date of the punitive action or as of such later date as it may specify. The decision of the board shall be entered upon the minutes of the board and the official roster.*"

Amendment No. 15

On page 4 of the printed bill, strike out lines 34 to 42, inclusive.

Amendment No. 16

On page 4, line 47, of the printed bill, after "against", strike out "any", and insert "an"; after "employee", strike out "for", and insert "requesting that"; and after "action", insert "be taken".

Amendment No. 17

On page 4, line 48, of the printed bill, after "discipline", strike out "defined", and insert "specified"; and after the period, strike out "Any", and insert "The".

Amendment No. 18

On page 4, line 49, of the printed bill, after "answer", strike out "and", and insert "as".

Amendment No. 19

On page 4, line 50, of the printed bill, before "provided", strike out "request a hearing as"; and after the period, strike out "If the board finds", and insert "In all such cases".

Amendment No. 20

On page 5 of the printed bill, strike out lines 1 and 2, and insert "*the board shall conduct a hearing and if it finds that the charges are true it shall have the power to take such punitive action as in its judgment is just and proper.*"

Amendment No. 21

On page 5, line 14, of the printed bill, after the period, strike out "*Whenever the board shall order that*", and insert "*Whenever the board revokes or modifies a punitive action and orders that the employee be returned to his position it shall direct the payment of salary to the employee for such period of time as the board finds the punitive action was improperly in effect.*"

Amendment No. 22

On page 5 of the printed bill, strike out lines 15 to 25, inclusive, and insert "*Salary shall not be authorized or paid for any portion of a period of punitive action that the employee was not ready, able, and willing to perform the duties of his position, whether such punitive action is valid or not or the causes on which it is based state facts sufficient to constitute cause for discipline.*"

Amendment No. 23

On page 6 of the printed bill, below line 12, insert

"SEC. 18. Section 19575.5 is added to the Government Code, to read:

19575.5 At any time before an employee's appeal is submitted to the board for decision, the appointing power may serve on the employee and file with the board an amended or supplemental notice of punitive action. If the amended or supplemental notice presents new causes the employee shall be afforded a reasonable opportunity to prepare his defense thereto, but he shall not be entitled to file a further answer unless the board or its authorized representative so orders. Any new causes shall be deemed controverted and any objections to the amended or supplemental causes may be made orally at the hearing or investigation and shall be noted in the record.

SEC. 19. Section 19583.1 is added to the Government Code, to read:

19583.1. Dismissal of an employee from the service shall, unless otherwise ordered by the board:

(a) Constitute a dismissal as of the same date from any and all positions which the employee may hold in the state civil service.

(b) Result in the automatic removal of the employee's name from any and all employment lists on which it may appear.

(c) Terminate the salary of the employee as of the date of dismissal except that he shall be paid any unpaid salary, and paid for any and all unused and accumulated vacation and any and all accumulated compensating time off or overtime to his credit as of the date of dismissal."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2799—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "two thousand dollars ($2,000)", and insert "one thousand dollars ($1,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1943—An act to amend Sections 1, 4, 5, 8, 9, 12, 13, 24, 24.1, 25, 31, and 34.1, and to repeal Section 8.2 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, after "by", strike out "the act of March 25, 1926,"

Amendment No. 2

On page 14, lines 26 and 27, of the printed bill, after "to", strike out "Section 5219 of the Revised Statutes of the United States,".

Amendment No. 3

On page 15, line 19, of the printed bill, after "(1)", strike out "(A)"

Amendment No. 4

On page 15 of the printed bill, strike out from line 24 to line 29, inclusive

Amendment No. 5

On page 15, line 51, of the printed bill, after "persons", strike out ", corporations or banks".

Amendment No. 6

On page 22, line 19, of the printed bill, after "(k)", insert "(l)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1944—An act to amend Sections 2, 7, 8, 15, 16, 18.1, 19, and 24, and to repeal Section 7 2 of the Corporation Income Tax Act, relating to the levy and collection of taxes upon the income of corporations, associations, and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 13, line 20, of the printed bill, after "(1)", strike out "(A)".

Amendment No. 2

On page 13, line 24, of the printed bill, after "stock", strike out ", or", and insert a period.

Amendment No. 3

On page 13 of the printed bill, strike out lines 25 to 29, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1484—An act to add Section 4964.1 to the Education Code, relating to the reorganization and unification of school districts.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to add Sections 4902.5, 4902.6, 4902.7, 4902.8, 4902.9, 4963.1, 4963.2, 4963.3, and 7431.1 to the Education Code and to amend Sections 4962 and 4963 of said code, all relating to school districts"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive, and insert

"SECTION 1. Section 4902.5 is added to the Education Code, to read

4902.5. The county committee may propose plans and recommendations which include either one or both of the following provisions: (a) Plans for the use of the school property of the component districts as provided in Sections 4902.6, 4963, 4963.1, 4963.2, and 4963.3 of this code; (b) Plans for dividing the school property of a single existing elementary school district, high school district, junior college district, or unified district as provided in Sections 4902.7, 4902.8, and 4963.3.

SEC. 2. Section 4902.6 is added to said code, to read:

4902.6. When the county committee includes in its plans and recommendations proposals for the use of the school property of the component districts as provided in Sections 4902.5 and 4963 of this code, such proposal shall be deemed to be an integral part of the plans and recommendations, and a favorable vote on the question of reorganization, as provided in Article 5, Chapter 16 of this code, shall be deemed to be a favorable vote upon the plans and recommendations as a whole.

SEC. 3. Section 4902.7 is added to said code, to read:

4902.7. In the formulation of plans of the county committee providing for the division of the school property of a single existing elementary school district, high school district, or junior college district among two or more unified or otherwise reorganized school districts, the county committee shall consider the equalized assessed valuation of each portion of the existing district, the number of children of school age residing in each portion of such district, the value and location of the school property of such district, and such other matters as the members of the county committee deem important and pertinent.

SEC. 4. Section 4902.8 is added to said code, to read:

4902.8. When the county committee includes in its plans and recommendations proposals for the division of the school property of an existing district under Sections 4902.5 and 4902.7, such proposal shall be deemed to be an integral part of the plans and recommendations and a favorable vote by a majority of the voters on the question of reorganization, as provided in Article 5, Chapter 16 of this code, shall be deemed to be a favorable vote upon the plans and recommendations as a whole, provided, however, that if the plans and recommendations require the incurring of a bonded indebtedness in any district or portion of a district remaining upon the unification or other reorganization in order to provide funds to equalize the division of the school property among the newly organized districts, then the proposition for the incurring of such bonded indebtedness shall be submitted as a separate proposition to the electors of the district or portion thereof which is to incur such indebtedness at the same election at which the proposition of approving the plans and recommendations is submitted to vote of the electors of the proposed unified or otherwise reorganized districts.

The plans and recommendations shall not be deemed to have been approved unless the proposition of incurring such indebtedness is approved by two-thirds (⅔) vote of the voters of the district or portion thereof which is to incur such indebtedness voting on such proposition at said election. The proceedings for the issuance and sale of said bonds shall be taken in substantial conformity with the provisions of Division 3, Chapter 17 of this code except that said bond election shall be called and canvassed by the county superintendent of schools and the proposition submitted thereat shall be

"Shall _____ district incur a bonded indebtedness in the aggregate principal amount of $_____ for the purpose of paying its share of the equitable adjustment resulting from the reorganization of said school district?"

The county superintendent of schools shall certify to the board of supervisors of the county whose superintendent of schools has jurisdiction over the district, all proceedings had in the premises and said board of supervisors shall cause said bonds to be issued and sold as provided in Division 3, Chapter 17 of this code except that the proceeds of sale of said bonds shall be deposited to the credit of the reorganized district entitled to such proceeds pursuant to said plans and recommendations.

SEC. 5. Section 4902.9 is added to said code, to read

4902.9. When the county committee includes in its plans and recommendations proposals for the division of the school property of an existing district under Sections 4902.5, 4902.7, and 4902.8, the total amount of bonds required may be in excess of the limitation provided in Sections 7431 and 7431.1 of this code.

SEC. 6. Section 4962 of said code is amended to read.

4962. [All] *Except as provided in Section 4963 of this code all* property, funds, and obligations of a component district included in whole in a unified school district, other than the bonded indebtedness thereof as provided in this article, and other than funds derived from the sale of bonds issued by the component district, shall become the property, funds, and obligations of the unified school district *Any funds derived from such bonds issued by the component district shall be expended by the governing board of the unified district either for the retirement of said bonds or for the acquisition of school property only in the area comprising said component district*

SEC. 7 Section 4963 of said code is amended to read:

4963. [When the whole or a portion of the territory of any district is made a part of a unified school district, all real property of the district located in such portion shall become the real property of the unified school district in which the property is located, and the unified school district shall pay to the district for such property an amount equal to such portion of the bonded indebtedness of the district as was incurred for on account of such real property]

Any unified or otherwise reorganized district which includes at the time of unification or other reorganization any component district or districts having any outstanding bonded indebtedness, shall pay, in accord with proposals made under Sections 4902.5 and 4902.6 of this code, for the use of the school property of such district acquired or constructed from the proceeds of its own bonds, an annual charge to the account of such component district or districts, to be administered as a trust fund by or under the direction of the county superintendent of schools. The annual charge shall be equal to the annual amount required for the interest and redemption of such bonds. The county superintendent of schools is authorized to apply the annual charge to the interest and bond redemption of the component district, or to use it for any other lawful purpose for the use and benefit of the area comprising the component district. Any unified or otherwise reorganized district acquiring the use of school property under the provisions of this section shall fully maintain and keep in repair such property during the period of the use thereof by the unified district and the cost of such maintenance shall be a lawful charge against the funds of the unified district. Any school property acquired or constructed by any component district as a result of the sale of its own bonds shall remain the property of such component district until such time as the bonds are retired.

SEC. 8. Section 4963.1 is added to said code to read:

4963.1. The governing board of any unified school district shall include in its annual budget an amount equal to the annual charge provided in Section 4963; provided, however, that if the governing board of the district fails to include such annual charge in its budget, it shall be the duty of the county superintendent of schools to add it to the budget submitted by the governing board.

SEC. 9. Section 4963.2 is added to said code to read:

4963.2 The board of supervisors of any county shall include in the annual tax to be levied upon the assessed valuation of any unified district a tax sufficient to provide for any annual charge required under Section 4963. Such tax may be at a rate over and above the maximum rate provided in Section 6357 of this code; provided that during the period that such annual charge is in effect, the board of supervisors need not levy a tax on the assessed valuation of the component district for interest and bond redemption of such component district, so long as the amount of the annual charge upon the unified district is sufficient for and is actually used for such interest and bond redemption of such component district.

SEC. 10 Section 4963.3 is added to said code to read:

4963.3. The annual charge provided in Section 4963 shall continue for the entire period during which any bonded indebtedness is outstanding against any component

district or districts; provided, that upon the retirement of the entire bonded indebtedness of such component district or districts such charge shall cease to accrue, and the school property of such component district or districts shall become the property of the unified district.

SEC. 11. Section 7431.1 is added to said code to read.

7431.1. In computing the limitation of indebtedness of any union, joint union, or unified school district of any kind or class heretofore or hereafter formed or organized, the outstanding indebtedness of any previously existing district forming a component part of such union, joint union, or unified school district shall be excluded and shall not be deemed, for the purposes of computing the limitation of indebtedness under this section or of Section 4714 of this code, to constitute outstanding indebtedness of such union, joint union, or unified school district, except only when such outstanding indebtedness of any component district has been expressly assumed by such union, joint union, or unified school district by vote of not less than two-thirds of the electors of such union, joint union, or unified school district voting at an election at which the proposition of assuming such indebtedness of such component district is voted upon. Nothing herein contained shall operate to release any property from liability for taxes to pay the principal and interest of indebtedness incurred by any component district in which such taxable property is located at the time of the incurring of such indebtedness. It is the intent of the Legislature to provide in this section a special method of computing the limitation of indebtedness of union, joint union, or unified school districts irrespective of liability of the area embraced within such union, joint union, or unified school district for the payment of any bonded indebtedness."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education

Assembly Bill No. 595—An act to amend Section 18711 of, and to add Sections 18711.5 and 18753 to, the Business and Professions Code, relating to boxing and wrestling.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 2 of the printed bill, strike out lines 4 to 13, inclusive

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Public Morals.

SECOND READING OF SENATE BILLS

Senate Bill No. 671—An act to amend Section 18102 of the Government Code, relating to sick leave.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 29—Relative to the work of Dr. Ralph Johnson Bunche in bringing about a peaceful settlement of the Arabian-Israeli dispute;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eleventh day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2387—An act to amend Section 5 of the Public Utility District Act, relating to hearings on petitions for organization of public utilities districts,

Assembly Bill No. 2425—An act to amend Section 3641 of the Corporations Code, relating to the identification of provisions of the articles of incorporation;

Assembly Bill No. 2426—An act to amend Section 4300f of the Political Code, relating to jurors' fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1413—An act to repeal Section 995.3 of the Fish and Game Code, relating to taking sheepshead and eel;

Assembly Bill No. 1640—An act to amend the title of Article 1 of Chapter 4 of Division 3, and Section 3805.1 of the Agricultural Code, relating to swine;

Assembly Bill No. 2370—An act to add Section 5½ to the County Water Authority Act, relating to powers of county water authorities,

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1253—An act to amend Section 5 of the Public Utility District Act of 1921, relating to public utility districts,

Assembly Bill No. 1408—An act to repeal Section 692 of the Fish and Game Code, relating to District 22,

Assembly Bill No. 1411—An act to add Section 976 to the Fish and Game Code, relating to mudsuckers,

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 158—An act to amend Section 29142 of the Government Code, relating to county and district budgets,

Assembly Bill No. 696—An act to amend Section 412 of the Code of Civil Procedure, relating to commencement of actions;

Assembly Bill No. 817—An act to amend Section 511.3 of the Vehicle Code, relating to speed limits and the operation of vehicles upon the highways,

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of April, 1949, at 10 a.m.

HUYCK, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1863—An act to amend Sections 750 and 752 of the Vehicle Code, permitting members of the California Highway Patrol to make certain arrests of Division 9 while not in full uniform.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1865—An act to amend Sections 675.5, 676, and 697 of the Vehicle Code, regarding safety glass, windshield wipers and height of loads on vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1866—An act to add Section 645.5 to the Vehicle Code, relating to specifications for lamps and devices requiring approval.

Bill read third time, and ordered temporarily passed on file.

Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation to give postal employees civil service credit for time spent in military service.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—68.

NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2041—An act to amend Section 18932 of the Government Code, relating to age requirements for civil service examinations.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—Ralph C. Dills, Dunn, and Hawkins—3.

Bill ordered transmitted to the Senate

Assembly Bill No. 2042—An act to amend Section 18938 of the Government Code, relating to state civil service examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hinckley, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—54.

NOES—Anderson, Ralph C. Dills, Doyle, Elliott, Geddes, Hahn, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, and Thomas—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2044—An act to amend Section 19300 of the Government Code, relating to establishment of performance standards for state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—Anderson and Crowley—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2047—An act to amend Section 19140 of the Government Code, relating to reinstatement of state employees.

Bill read third time, and ordered temporarily passed on file

Assembly Bill No. 2048—An act to amend Section 19055 of the Government Code, relating to certification of state employment lists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—67

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2050—An act to amend Section 18021 of the Government Code, relating to overtime work in state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith,

Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—Anderson, Ralph C. Dills, Elliott, Hawkins, Heisinger, and Lewis—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2066—An act to amend Section 18902 of the Government Code, relating to civil service eligible lists.

Bill read third time.

Demand for Previous Question

Messrs. Doyle, Geddes, Smith, Lincoln, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2066.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—47.

NOES—Anderson, Burkhalter, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dunn, Elliott, Evans, Fletcher, Gaffney, Hahn, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Rosenthal, Rumford, and Thomas—21.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE
ASSEMBLY CHAMBER, SACRAMENTO, March 15, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Pursuant to House Resolution No. 234 of the 1947 California Legislative Session, your Interim Committee for the Promotion of Youth Welfare and the Prevention of Juvenile Delinquency herewith submits its report.

The committee desires to express its appreciation to all persons who appeared before it for their cooperation and assistance.

Respectfully submitted,

RICHARD J. DOLWIG, Chairman
JOHN B. COOKE
EDWARD ELLIOTT

Above mentioned report ordered filed with the Secretary of State.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 155

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 155, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 155

Assembly Bill No. 155—An act to amend Section 4650 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2431, on request of Mr. Condon.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 93—An act to amend Section 2930 of the Streets and Highways Code, relating to the withdrawal of protests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 94—An act to amend Sections 5221 and 5222 of the Streets and Highways Code, relating to the withdrawal of protests and the time within which proceedings may be reinstituted after majority protest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 95—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—68

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 634—An act to add Section 685 to, and amend Section 701 of, the Vehicle Code, relating to the operation of vehicles on highways.

Bill read third time

Motion That Assembly Bill No. 634 Be Withdrawn From File, and Be Re-referred

Mr. Ralph C. Dills moved that Assembly Bill No. 634 be withdrawn from the file, and be re-referred to the Committee on Transportation and Commerce.

Mr. Sherwin seconded the motion.

Motion carried

Assembly Bill No. 1995—An act to amend Section 444 of, to add Section 513 to, and to repeal Section 530 of, the Streets and Highways Code, relating to state highway routes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 231—An act to amend Section 4455 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan,

Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 312 HOLD PLACE ON FILE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 312 be passed on file, and hold its place on file on the next legislative day.

MEMBER EXCUSED

At 12 m., Mr. McCollister asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 412—An act to amend Section 5804 of the Labor Code, relating to workmen's compensation awards

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2508—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to licenses

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—Heisinger and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1712—An act to amend Sections 11004 and 11005 of the Revenue and Taxation Code, relating to the disposition of motor vehicle license fees ("in-lieu" tax).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—73

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2046—An act to add Section 19143 to the Government Code, relating to counting of prior state service for layoff, sick leave and vacation purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59

NOES—Anderson, George D. Collins, Condon, Davis, Ralph C. Dills, Elliott, Heisinger, Kilpatrick, and Lewis—9.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1723

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1723, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1723

Assembly Bill No. 1723—An act to add Section 16302.1 to the Government Code, relating to the disposition of amounts not exceeding one dollar paid to state agencies and determined to constitute overpayments of taxes, penalties, interest, license or other fees, or other revenues due the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2049—An act to amend Section 19058 of the Government Code, relating to temporary appointments in state service

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—Anderson, Davis, Heisinger, and Lewis—4.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1768, on request of Mr Huyck.

ANNOUNCEMENTS

Speaker Sam L Collins announced, on behalf of Mr. Stanley, a breakfast meeting and Republican caucus, tomorrow morning, Tuesday, April 12th, at 7 30 a.m , at the Hotel Sacramento

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2051—An act to amend Section 18024 of the Government Code, relating to attendance and overtime work in state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—68

NOES—Crowley—1

Bill ordered transmitted to the Senate

Assembly Bill No. 2053—An act to amend Sections 18101 and 18103 of the Government Code, relating to sick leave.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy,

McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2055—An act to add Section 18714 to the Government Code, relating to adjustment of state employee grievances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2061—An act to amend Section 19361 of the Government Code, relating to intra-department transfer of civil service employees.

Bill read third time.

Demand for Previous Question

Messrs. Hahn, Hoffman, Silliman, Burke, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2061.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Erwin, Grant, Grunsky, Hagen, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—43.

NOES—Anderson, Beck, Bennett, Berry, George D. Collins, Condon, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Evans, Fletcher, Gaffney, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, McCarthy, McMillan, Morris, Rumford, Thomas, and Way—27.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT EXPLANATION OF ABSENCE BE NOTED

Mr. Collier asked for, and was granted, unanimous consent that it be noted in the Journal that he was ill last Friday, and that it be noted in the Corrected Journal for Friday, April 8th, that he was excused for the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS BE ELIMINATED FROM BILL FOLDERS

Mr. Dickey asked for, and was granted, unanimous consent that the bills appearing on the second reading file be eliminated from the

bill folders each morning, in the interest of saving space, time, and expense.

REQUEST FOR UNANIMOUS CONSENT THAT CHANGES BE NOTED IN JOURNAL

Mr. Stewart asked for, and was granted, unanimous consent that two changes be made in the Assembly Daily Journal of March 25th, as follows:

On page 1392 in paragraph 6, on line 6, it should read "the employee is *now* out of service."

On page 1391 of said Journal, in the sixth paragraph, it should read *"$202,474."*

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 68: By Messrs. Burke, Maloney, Dickey, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—Relative to the death of Kathy Fiscus.

Request for Unanimous Consent That Members Present Be Co-Authors of Assembly Concurrent Resolution No. 68

Mr. Burke asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 68, as co-authors.

Request for Unanimous Consent

Mr. Burke asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 68, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 68

Assembly Concurrent Resolution No. 68—Relative to the death of Kathy Fiscus.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered printed, and transmitted to the Senate.

Motion to Place Rush Order on Printing of Assembly Concurrent Resolution No. 68

Mr. Burke moved that a rush order be placed upon the printing of Assembly Concurrent Resolution No. 68.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grunsky:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 2981 and 2982 of the Civil Code, relating to the sale of personal property by conditional sales contract, providing a maximum price differential, providing a credit on the contract in the event of prepayment and penalties for violation of said sections.

Respectfully submitted,

DONALD L GRUNSKY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Grunsky:

An act to amend Sections 2981 and 2982 of the Civil Code, relating to the sale of personal property by conditional sales contract, providing a maximum price differential, providing a credit on the contract in the event of prepayment and penalties for violation of said sections.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3123: By Mr. Grunsky—An act to amend Sections 2981 and 2982 of the Civil Code, relating to the sale of personal property by conditional sales contract, providing a maximum price differential, providing a credit on the contract in the event of prepayment and penalties for violation of said sections.

Referred to Committee on Finance and Insurance.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Grunsky:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 2982 of the Civil Code, relating to the conditional sale of personal property

Respectfully submitted,

DONALD L. GRUNSKY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Grunsky:

An act to amend Section 2982 of the Civil Code, relating to the conditional sale of personal property.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—71

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3124: By Mr Grunsky—An act to amend Section 2982 of the Civil Code, relating to the conditional sale of personal property.

Referred to Committee on Finance and Insurance.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Coats:

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 13.6 to the Construction and Employment Act, relating to allocations to counties for repair, restoration, and repair and restoration of county roads, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Respectfully submitted,

ARTHUR W. COATS, JR

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Coats:

An act to add Section 13.6 to the Construction and Employment Act, relating to allocations to counties for repair, restoration, and repair and restoration of county roads, making an appropriation, and declaring the urgency hereof, to take effect immediately.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3125: By Mr Coats—An act to add Section 13.6 to the Construction and Employment Act, relating to allocations to counties for repair, restoration, and repair and restoration of county roads, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Referred to Committee on Municipal and County Government

RESOLUTIONS

The following resolution was offered:

By Messrs. Kilpatrick, Bennett, Burke, Babbage, and Hahn:

House Resolution No. 158

Relating to the continuance of the Assembly Interim Committee on Crime and Corrections

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Crime and Corrections, (created by House Resolution No. 164 of the 1947 Regular Session and renamed and continued as an Assembly committee by House Resolutions Nos. 16 and 36 of the 1949 Regular Session) is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the adoption of this resolution. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1255 ON UNFINISHED BUSINESS FILE

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1255 on the unfinished business file, at this time.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1255—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1255?

Amendment No. 1

On page 3, line 7, of the printed bill, after "property", strike out ", the assessed value of which is in", and in line 8, strike out "excess of one-half of the assessed value of all of the property".

Amendment No. 2

On page 3, line 10, of the printed bill, as amended in the Assembly on March 24, 1949, strike out "may", and insert "shall".

Amendment No. 3

On page 3 of said bill, strike out line 14, and insert "such hearing, the board of supervisors may, if they find and".

Amendment No. 4

On page 3, line 15, of said bill, after "will", insert "not"

Amendment No. 5

On page 3 of said bill, strike out lines 16 and 17, and insert "substantially benefited by annexation to the said district, notify the board of directors of said district that such".

Amendment No. 6

On page 3, line 18, of said bill, after "district", insert a comma.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1255 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—62

NOES—None

Assembly Bill No 1255 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 111 ON UNFINISHED BUSINESS FILE

Mr. Lipscomb asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 111, on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 111—An act to amend Sections 1, 2, 3, 4, and 5 of an act entitled "An act establishing a four-year state institution of higher education in the City of Los Angeles, County of Los Angeles,"

approved July 2, 1947, relating to the establishment, government and maintenance of a four-year state institution of higher education in the City of Los Angeles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 111?

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 6, inclusive, and insert

"An act to provide for the expansion of publicly supported higher education by the establishment of a state college in the City of Los Angeles; and to repeal Chapters 1082 and 1089 of the Statutes of 1947, all relating to the system of publicly supported higher education."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive; and on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. There is hereby established a state college to be located in the City of Los Angeles to be known as the Los Angeles State College of Applied Arts and Sciences.

SEC. 2. The purposes and functions of the college shall be those which serve the needs of the community and of the State and primarily include, but shall not be limited to, the training of students for gainful occupations in the arts and sciences as related to business and industry, and in furtherance of such purposes, the college shall initiate the establishment of cooperative relationships with industry and business looking toward the development of programs of training which will relate practical experience with classroom instruction.

SEC. 3. There is hereby established an advisory board for the college to consist of seven members, all of whom shall be residents of the County of Los Angeles and three of whom shall be members of the Board of Education of the City of Los Angeles. Six members of the board shall be appointed by the Director of Education by and with the advice and consent of the State Board of Education and the Board of Education of the City of Los Angeles and the six members so appointed shall appoint the seventh member. The term of office of each member shall be four years except that of the first members appointed to said board, the member appointed by the members appointed by the Director of Education shall be appointed for one year, and of the members appointed by the Director of Education, two shall be appointed for two years, two shall be appointed for three years, and two shall be appointed for four years. A vacancy shall be filled by appointment by the Director of Education, subject to confirmation by the State Board of Education and the Board of Education of the City of Los Angeles, but the appointee shall serve only for the balance of the unexpired term. The term of a member who is a member of the Board of Education of the City of Los Angeles shall become vacant upon his ceasing to be a member of the Board of Education of the City of Los Angeles, but the person appointed to succeed him shall be a member of said board of education

SEC. 4. The State Board of Education shall, before adopting any regulation respecting the curricula of the college, status and qualifications of faculty members, or entrance requirements for students, secure the recommendation of the advisory board. The advisory board shall meet at such times as it may determine and advise and consult with the president of the college with respect to the curricula, improvement, and development of the college

SEC. 5. The provisions of Chapter 2 of Division 10 of the Education Code and all other laws relating to state colleges are applicable to the Los Angeles State College of Applied Arts and Sciences insofar as said laws are not inconsistent with this act.

SEC. 6. The Director of Education and the Board of Education of the City of Los Angeles are directed to enter into an agreement for the use of physical facilities at the Los Angeles Junior College, also known as Los Angeles City College, necessary for the conduct and maintenance at the Los Angeles State College of Applied Arts and Sciences of courses of instruction In order to insure desirable integration and continuity of administration and educational program between said state college and said Los Angeles Junior College located on the same site, the Director of Education and the Board of Education of the City of Los Angeles are directed to enter into an agreement for the joint use of such services, faculty, and administrative officers (including the president) as may be mutually agreed upon. The Director of Education, subject to the approval of the State Board of Education, and of the advisory board, shall appoint a president for said college.

SEC. 7. The Department of Education shall succeed to all the duties, powers, purposes, responsibilities, and jurisdiction of the four-year institution of higher education established by Chapter 1082 of the Statutes of 1947

SEC. 8. The Los Angeles State College of Applied Arts and Sciences established by this act shall be open for the admission of students upon the establishment thereof.

SEC. 9. Chapter 1082 and 1089 of the Statutes of 1947 are repealed and the institution established by Chapter 1082 of the Statutes of 1947 is abolished."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 111 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 111 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO RECONSIDER BE CONTINUED

Mr. Dunn asked for unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 1501 be continued until the next legislative day.

Mr. Thompson withheld unanimous consent.

Motion That Notice of Motion to Reconsider Be Continued

Mr. Beck moved that Mr. Dunn's notice of motion to reconsider the vote on Assembly Bill No. 1501 be continued until the next legislative day.

Mr. Ralph C. Dills seconded the motion.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1845

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1845, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1845

Assembly Bill No. 1845—An act to amend Sections 7140, 7142, and 7231 of, and to repeal Section 7143 of, Division 8 of the Streets and Highways Code, relating to street improvement proceedings.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "7321", and insert "7231".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 341

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 341, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 341

Assembly Bill No. 341—An act to add Section 5082.2 to the Business and Professions Code, relating to the registration of public accountants.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment offered by Mr. McCollister:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on April 8, 1949, strike out "act", and insert "section".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 25, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 25

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain.

Resolution read.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed measure, as amended in the Assembly on April 8, 1949, after "reservoir purposes", strike out the comma, and insert "or".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1032

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1032, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1032

Assembly Bill No. 1032—An act to amend Sections 17813, 17817, and 18172.7 to the Revenue and Taxation Code, relating to personal income taxes.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on March 28, 1949, before "of", insert "17813".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 33, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof relating to regular sessions of the Legislature designated as Budget Sessions.

Resolution read.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 18, of the printed measure, as amended in the Assembly on April 8, 1949, after "cities, counties," insert "and".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bill No. 352 re-referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 187 re-referred to Committee on Education.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Agriculture.

Public Utilities and Corporations.

Ways and Means. Subject: Budget, Department of Mental Hygiene.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. John L. Strickland, Jr., and Janice and Edgar Strickland of Fullerton.

On request of Messrs. Geddes and Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Harold C. Wire, Hugh Wire, and Jeremy Wire of Laguna Beach.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Arthur Carlson, Former Assemblyman of Oakland, and Mrs. Carlson.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Jack Dunn of Oakdale.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John W. Dunlap of Santa Ana.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marilyn Helen Holloman, and daughter Sheryl Lynn Holloman of Alameda.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. O. B. Anderson of Forest City, Iowa, and Jerald Anderson of Sacramento.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to United States Attorney James Carter of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. M. Carman, teacher of the Applegate School, and the following pupils: Joan Roberts, Romola Shepherd, Meredith Emerson, Richard Fisher, and Joe Griffin; Mrs. Kate Williams, teacher of the Clipper Gap School, and the following pupils: Rudy Wagner and Jerry Temple.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Chet Crain, Rusty Crain, and Connie Crain of Compton

On request of Mr. Luckel and Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lillian Johnson and Mrs. Florence Petty of San Diego.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Miss Bernice Campbell and Miss Dorothy Trachiotis, teachers of the Edison High School of Stockton, and the following pupils: Don Newton, Catherine Tacal, Ted Obenshain, Nancy Hirsch, Jose Fidel, Jose Ballogdajan, Lillian Iwamoto, Lucille Teves, Gertrude Rodriquez, Nat Crider, Athena Youlas, Dem Trachiotis, Helen Fatinas, Spica Millis, Beverly La Mattina, Betty Foley, Lillian Larry, Lola Miller, Colleen Wyman, Ruby Brown, Barbara Rowden, Wilma Cassidy, Lorraine Mazza, Marjorie Grangood, Dorothy Meder, Nancy May, Shirley Little, Ruth Cassidy, Marilyn Netz, Claudeen Preedin, Doris Bogan, Lois Williams, Loretta Bigsby, John Brewer, Theodore Gabales, Roy Alvarez, John Kniss, Bernard Dominguez, John Perez, Angelo Saineros, Robert Mareno, Gerald Reynolds, Genson Wong, Oscar Clipper, and Vern Swanson.

On request of Messrs. Sherwin and Condon, the usual courtesies of the Assembly for this day were unanimously extended to John Nichols, teacher of the Danville School; Mrs. Nichols, Arthur Carlson, Jr., Mrs. Louis Tromp, Mrs. Harold Root, and George Wood, parents, and the following pupils: Joyce Barrett, Joyce Battaglini, Kenneth Birdsell, Richard Carlson, Lila May Coons, Muriel De Mousett, Tom Edwards, Ann Evans, Macy Gamboa, Louise Gibson, Tom Grady, Ann Graham, Richard Gruesbeck, Richard Handley, Betty Lynn Harless, Patricia Kelly, Joan Kerley, Robert Kerley, Mette Knudsen, Laura Macedo, Loren

Ongman, Phillip Parmetee, Nancy Rasmussen, Marilyn Root, Terry Taylor, Keith Thompson, Gene Tromp, Donald Wood, and Patsy Nichols.

On request of Mr. Hinckley, the usual courtesies of the Assembly for this day were unanimously extended to James L. King and Jimmie of San Bernardino.

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Jens P. Jensen of Vineland.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to members of the Girls Band of Linden Union High School of Linden: Alida Field, Alice Meyn, Eleanor Metzler, Ellen Patterson, and Joan Marciano.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Anna Neilson of San Jose.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Lieutenant Commander and Mrs. James Gleason, and Danny Gleason of San Lorenzo.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. H. Allen Smith, Steve and Lauren Smith, of Glendale.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to John McIntosh, James McGlynn, and Mrs. A. S. Paysen, teachers of the Manteca School, and the following pupils: Lerona Adams, Barbara Alves, Elvira Borges, Betty Asivido, Margrite Aufdermaur, Jeanne Bludworth, Josephine Copeland, Lupe Cruz, Areline Fehrer, Anna Gobel, Lois Hiles, Marline Lines, Frances Moore, Wanda Robertson, Doretha Rose, Janet Valdez, Norman Allen, Raul Carvalho, Larry Conterno, Edward Cozens, Robert Guiterrez, Richard Gustin, Donald Hawke, Charles Howze, Donald Johnson, Ronald Lacey, Alfred Limas, Duane McAdam, Johnny Pappas, Bill Rhoads, Tommie Spor, Danny Triglia, Bobbie Turk, and Blaz Vielma.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Capis, Mrs. Merdinger, Mrs. Coe, Mrs. Welsh, Mrs. Jowers, Mrs. Grey, Mrs. Mitchell, Mrs. Burnett, Mrs. Jenzen, Mrs. Hawkes, Mrs. McGill, and Mrs. Neill, guardians of the Camp Fire Girls of Lodi, and the following members: Sharon Schramn, Janice Miller, Shirley Nichols, Lilybelle Snyder, Carol Ann Hawkes, Marlene Putnan, Pat Cathcort, Audrey Shook, Judy Young, Kathy Stevens, Lydna Draper, Norma Havel, Joan Dawson, Marlene Manna, Mary Mettler, Judy Stemler, Arlene Mayers, Darolyn Emery, Nancy Marshall, Patty Coe, Arlene Zimbelman, Nancy Jacobsen, Caryl Holderbein, Dorothy Weltzin, Joyce Hearth, Vicki Abrahamson, Jackie Meckler, Diane Marquardt, Marilyn Felton, Jeane Moore, Charleen Mettler, Collette Christofkerson, Marlene Bieber, Sally Burnett, Gloria Cook, Crystal Evans, Beulah Douglas, Nora Norton, Shirley Maddox, Dolores Douglas, Delaine Vosler, Melva Roby, Thelma Evans, Aleane McCoy, Bonnie Cooper, Marie Shiusako, Billie Huber, Terry Avila, Jeanette Shiusako, Marlene Hops, Jeanette Wakefield, Sharon Rowell, Sandra Capis, Connie Utterbacks, Judy Rupert, Mary Grey, Violet Mettler, Rosemary Neill, Joan Donadro, Betty Prudhel, Jeanette Freshour, Barbara Barembach, Arlene Triechel, Wanda Chandler, Karen Jack, Patrica Swafford, Dolores McBurnett, Judy

Davelny, Shiela Wesbek, Alice Mellor, Leone Clancy, Peggy Rummel, Leslie Cowell, Cecilia Fernandez, Hazel Frei, Imagean Meeks, Jerry Lou Chresteson, Myrtle Bridges, and Dorothy Meeks.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Alice Lebedeff of Hollywood.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. R. J. Griffeth, Mrs. William Wentworth, Mrs. George Wagner, Mrs. R. J. La Rue, Jack La Rue, Mrs. Marvin McCormick, and Mrs. James Wyman of Napa.

On request of Messrs. McMillan and Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Purcell Mayer of La Crescenta.

On request of Messrs. Evans and Rosenthal and the Los Angeles delegation, the usual courtesies of the Assembly for this day were unanimously extended to Sam Zirlin and Judge Ben Rosenthal of Los Angeles.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Mildred Watson of Orange.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Sally Halstead of San Mateo and Curtis O. Beacock of Half Moon Bay.

ADJOURNMENT

At 1.34 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, April 12, 1949 out of respect to the memory of the late Kathy Fiscus.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SIXTH LEGISLATIVE DAY

ONE HUNDREDTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, April 12, 1949

The Assembly met at 9.30 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Childhood

We pray this morning for the children who are present, for the innocence and joy of all children who fill our homes with light and happiness

We rejoice in their bright hopes and their ambition to make America the Paradise for childhood, where every youthful dream can be fulfilled.

We pray that parents may be able to provide their young with homes of beauty and with the interests that will make home that enduring attraction that never loses its charm.

May we as the guardians of their destiny do our utmost to assure them of a world free from fear and want and war.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Levering, further reading of the Journal of the previous legislative day was dispensed with.

COMMUNICATIONS

By the Chief Clerk:

The following communication and opinion of the Legislative Counsel were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 11, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: I have prepared and transmit herewith my opinion in response to the question propounded by you on behalf of the Assembly whether or not a legislative bill after passage by the Senate and Assembly may be presented to the Governor after final adjournment of the session

Yours very sincerely,

FRED B. WOOD,
Legislative Counsel

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SAN FRANCISCO 3, CALIFORNIA, April 11, 1949

THE TIME WITHIN WHICH A LEGISLATIVE BILL, AFTER PASSAGE BY THE SENATE AND ASSEMBLY, MAY BE PRESENTED TO THE GOVERNOR—No. 4654

The question propounded is whether or not a legislative bill, after passage by the Senate and Assembly, may be presented to the Governor after final adjournment.

The controlling provisions of the State Constitution appear in Section 16 of Article IV:

> "Every bill which may have passed the Legislature shall, before it becomes a law, be presented to the Governor.
>
> If he approves it, he shall sign it; but if not, he shall return it, with his objections, to the house in which it originated, which shall enter such objections upon the Journal and proceed to reconsider it. * * *
>
> If any bill shall not be returned within 10 days after it shall have been presented to him (Sundays excepted), the same shall become a law in like manner as if he had signed it,
>
> unless the Legislature, by adjournment, prevents such return,
>
> in which case it shall not become a law, unless the Governor, within 30 days after such adjournment (Sundays excepted), shall sign and deposit the same in the Office of the Secretary of State, in which case it shall become a law in like manner as if it had been signed by him before adjournment."

"Adjournment" as here used means final adjournment of the session, not an adjournment for a recess during a session (*Harpending* vs. *Haight* (1870), 39 Cal. 189).

The words quoted seem to require that each bill be presented to the Governor while the Legislature is in session. He may sign it, veto it, or let it become a law without his signature. He has but 10 days (Sundays excepted) after presentation, within which to sign it or return it, unless

final adjournment cuts that period short, in which case he has 30 days (Sundays excepted) after adjournment (not after presentation of the bill to him) within which to sign it or let it die.

There does not seem to be any room here for presentation after adjournment. The only adjournment that brings the 30-day period into play is one that "prevents" the "return" of a bill to the house of origin within the prescribed 10-day period. How can adjournment prevent the return of something the Governor has not yet received?

If we attempt to read into these words an implied power upon the part of the Legislature to present a bill to the Governor after final adjournment, we are at once confronted with the questions (1) how long after adjournment may a bill be presented to him, and (2) within what period of time must he act upon a bill presented to him after adjournment?

We find nothing in Section 16 of Article IV expressly to guide us. If we infer that the bill must be presented and the Governor must act upon the bill within 30 days after adjournment, Sundays excepted, then the result is that he will have less time (possibly but a single day or part of a day) for consideration of a bill presented after adjournment than with respect to a bill presented prior to adjournment and at any time less than ten days prior to adjournment. We have an alternative of inferring a bill may be presented to him within 30 days (Sundays excepted) after adjournment and that he will have 10 days after such presentation within which to act upon the bill. We have the further alternative that there is no time limit within which a bill may be presented to the Governor, save perhaps, the dates fixed by the Constitution for the commencement of the next regular session. We find ourselves in the realm of pure speculation. It is hardly reasonable to infer that the framers of the Constitution, when they so meticulously prescribed the time element in respect to presentation of a bill while the Legislature is in session, intended to authorize presentation after the session without prescribing any time limit in respect thereto. The only reasonable inference seems to be that they intended to authorize presentation of a bill to the Governor only during the session, that is prior to final adjournment.

This is the interpretation entertained for many years by the legislative officers and by the Governor as lawmaker, probably ever since the decision in *Fowler* vs. *Peirce* (1852), 2 Cal. 165. Our search, fairly extensive though not exhaustive, does not indicate a single enrolled bill on file in the Office of the Secretary of State which bears evidence of presentation to the Governor after final adjournment. This interpretation of the provisions of Section 16 of Article IV of the Constitution, by the officials charged with the observance and administration of those provisions, is indeed persuasive and would be accorded great weight by the courts.

The history of these provisions lends support to this view. They are derived from Section 17 of Article IV of our Constitution of 1849, substantially the same as Section 17, down to the words "in which case it shall not become a law, unless * * *," Section 17 having ended with the words "unless the Legislature, by adjournment, prevents such

return." In 1852 our Supreme Court held that the Governor had no authority to sign a bill after final adjournment. Said the court:

> "In fact, there is really no limit to the time within which the executive must approve an act, conceding that it may be done after the adjournment of the Legislature; so that it might be approved one day or one month afterwards. The executive is, by the Constitution, a component part of the law-making power. In approving a law, he is not supposed to act in the capacity of the executive magistrate of the State, whose duty it is to see that the laws are properly executed, but as a part of the legislative branch of the government. This power is a *unit*, though distributed; and the parts can only act in unison. Whenever a part ceases to act, the whole becomes inoperative. The executive act owes its vitality to the existence of the legislative body. Upon the adjournment of that body, the power ceases, and all acts of a legislative nature are void." *(Fowler* vs. *Peirce* (1852), 2 Cal. 165, 172)

It would seem implicit from that holding that presentation could not occur after final adjournment.

The only significant change which occurred when the text of Section 17 was carried over into Section 16 of Article IV of the Constitution of 1879 was simply the addition of the following words:

> "in which case it shall not become a law, unless the Governor, within 10 days after such adjournment (Sundays excepted), shall sign and deposit the same in the Office of the Secretary of State, in which case it shall become a law in like manner as if it had been signed by him before adjournment."

The reasonable intendment of that addition was to permit the Governor to act upon a bill after adjournment, that is, a bill which had been presented to him prior to adjournment and less than ten days prior to adjournment.

The only significant subsequent change in Section 16 was the extension of the postsession bill signing period from 10 to 30 days, effected by an amendment made in 1908. That would not seem to change the requirement as to the time for presentation of a bill to the Governor.

We have not found anything in the judicial decisions of other jurisdictions that seems persuasive of a different view.

In the Florida case of *Amos* vs. *Gunn* (1922), 94 So. 615, three of the justices held that a bill must be presented to the Governor prior to adjournment; two, that the Governor might receive a bill after adjournment, by waiving a part of the time allowed him, under a constitutional provision which required the Governor to return a bill within five days unless prevented by adjournment, in which case it would become law unless within 10 days after adjournment he filed the bill, with his objections, in the Office of the Secretary of State.

Maryland, by taking a different view, has arrived at an odd result. The Constitution of that state declares that if a bill is not returned by the Governor within six days (Sundays excepted) after presentation to him, it shall be a law in like manner as if he signed it unless the Legislature by adjournment prevented its return in "which case it shall not be a law."

In 1890 it was held, as to a bill the Governor did sign and file with the Secretary of State, that presentation could be made after final adjournment, the Governor having implied power to sign and file within six days after such presentation (*Lankford* vs. *County Commissioners,* 20 Atl. 1017). In a dissenting opinion attention was directed to the fact that this Maryland constitutional provision was in 1867 taken verbatim from the Federal Constitution, that the federal practice since 1790 had been that a bill must be presented and signed before adjournment, and that such practice had obtained in Maryland until 1880 (22 Atl. 412). The majority ruling was followed in *Johnson* vs. *Luers* (Md. 1916), 99 Atl. 710.

In 1942 the Maryland court held it permissible for the legislative officers to present and the Governor to sign a bill 56 days after final adjournment (*Robey* vs. *Broersma,* 26 Atl. 2d. 820). Upon rehearing (29 Atl. 2d 827) the court observed that it had been generally supposed at the State Constitutional Convention and until 1880 that the Constitution required both presentation and signing before adjournment, but that after 50 years under a different interpretation the validity of thousands of laws would be disturbed by a change of decision, concluding:

> "There is, therefore, no constitutional or statutory limit to the time, after passage, within which a bill must be presented to the Governor. It is a practical question, depending for its answer in each case on the circumstances of that particular case." (p. 830)

Illinois seems to have arrived at about the same result as Maryland under a constitutional provision substantially the same as that of Maryland. Presentation 11 days after adjournment was upheld in *People* vs. *Rose* (1897), 47 N. E. 547; followed in *People* vs. *Hughes* (1939), 25 N. E. 2d 75, holding effective the veto of two bills, one of which was presented 20 days and the other 26 days after adjournment, each having been vetoed within 10 days of presentation to the Governor.

The Arkansas Constitution provides that a bill not returned by the Governor within five days of presentation shall be a law unless the Legislature by adjournment prevents its return, in which case it shall become a law unless he shall file it with his objections in the Office of the Secretary of State within 20 days after adjournment. In 1887 the court of that state held that a bill might be presented to the Governor either before or after adjournment (*Dow* vs. *Beidleman,* 5 S. W. 297); followed in *Monroe* vs. *Green* (1903), 76 S. W. 199, holding that presentation later than 20 days after adjournment was ineffective. In the latter case the Chief Justice made the following significant observation:

> "In my opinion (if it were a new question), no bill that has not been presented to the Governor for his examination before the final adjournment of the General Assembly can ever become a law, under the Constitution of this state." (p. 204)
>
> "But I am reminded that since the rendition of that decision in 1887 every legislature has taken this court at its word * * * and so has every Governor, down to this good day, and adopted a custom or contracted a habit of passing bills and leaving them to be presented * * * to the Governor, for his action after the adjournment * * *; that, if the validity of this custom is now to

be broken in upon * * * many bills passed within the last sixteen years would be called in question * * * the greatest injustice would prevail." (p. 206)

In 1925 the Arkansas court upheld the validity of a statute which provided for a committee of the Legislature charged with the duty of enrolling bills and presenting them to the Governor after final adjournment *(Russell* vs. *Cone,* 272 S. W. 678).

Vermont under a constitutional provision requiring the Governor to sign or return a bill within five days unless adjournment within three days after presentation prevents its return, "in which case it shall not become a law," held valid certain bills that were presented one day after final adjournment, one signed the same day and the other, four days later *(Hartness* vs. *Black* (1921), 114 Atl. 44). The court relied in part upon the Maryland case of *Lankford* vs. *County Commissioners,* 20 Atl. 1017.

The Constitution of the United States contains a clause in respect to the presentation and signing of bills which is substantially the same as was Section 17 of Article IV of the California Constitution of 1849. The Supreme Court of the United States holds (contrary to the holding of our court in *Fowler* vs. *Peirce,* 2 Cal. 165) that the President may effectively approve and sign a bill after final adjournment of Congress if he does so within the prescribed 10 days after its presentation to him *(Edwards* vs. *United States* (1932), 286 U. S. 482). It appeared in that case that there had been no long, continued practical construction of the Constitution which could be accepted as controlling. The state of the precedents appeared to be such that the question was an open one, to be resolved by a consideration of the constitutional provision nor was there any suggestion, expressed or implied, that it would be competent for the Congress to present a bill to the President after final adjournment.

The conclusion would seem inescapable, both upon reason and upon precedent, that the provisions of Section 16 of Article IV of our Constitution require that a bill which has passed both houses be presented to the Governor prior to final adjournment. If at a particular session, as the adjournment date draws near, it appears impossible or impracticable to present all of the bills prior to that date, it would seem quite competent for the Senate and Assembly to consider and adopt a new adjournment resolution fixing a suitable later date for final adjournment.

FRED B. WOOD, Legislative Counsel

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 90	Assembly Bill No. 2026
Assembly Bill No. 623	Assembly Bill No. 2135
Assembly Bill No. 668	Assembly Bill No. 2602
Assembly Bill No. 933	Assembly Bill No. 2603
Assembly Bill No. 1197	Assembly Bill No. 2604
Assembly Bill No. 1199	Assembly Bill No. 2605
Assembly Bill No. 1477	Assembly Bill No. 2650
Assembly Bill No. 1635	Assembly Bill No. 2849
Assembly Bill No. 2003	Assembly Bill No. 3086

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 1241

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 691

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 3114

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 65

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1078
Assembly Bill No. 1720
Assembly Bill No. 1721
Assembly Bill No. 1722
Assembly Bill No. 1766
Assembly Bill No 2541
Assembly Bill No. 2780
Assembly Bill No 2840

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 11, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 26
Senate Bill No 28
Senate Bill No. 80
Senate Bill No. 147
Senate Bill No. 150
Senate Bill No. 152
Senate Bill No. 267
Senate Bill No. 363
Senate Bill No. 897
Senate Bill No. 1171
Senate Bill No. 1492

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 26—An act to amend Section 6341 of the Business and Professions Code, relating to the establishment of branch law libraries.

Referred to Committee on Judiciary.

Senate Bill No. 28—An act to amend Section 6363 of the Business and Professions Code, relating to the effect of Division 3, Chapter 5 of the Business and Professions Code on law libraries formed under prior laws.

Referred to Committee on Judiciary.

Senate Bill No. 80—An act to amend Sections 810, 828.35, and 829.25 of the Agricultural Code, relating to artichoke standards.

Referred to Committee on Agriculture.

Senate Bill No. 147—An act to amend Section 470 of the Agricultural Code, relating to market milk.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 150—An act to add Section 332.1 to the Vehicle Code, relating to impounding of vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 152—An act to repeal Section 1881.3 of the Civil Code, relating to the period during which the chapter of said code relating to private bulk storage of grain shall remain in effect.

Referred to Committee on Agriculture.

Senate Bill No. 267—An act to amend Section 7314 of the Labor Code, relating to fees for elevator inspection.

Referred to Committee on Industrial Relations.

Senate Bill No. 363—An act to add Section 460.6 to the Agricultural Code, relating to milk and milk products.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 897—An act to amend Section 526 of the Agricultural Code, relating to milk products plant and packaging therein.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 1171—An act to repeal Chapter 3.3 of Article 1, Division 1, Part 6, comprising Sections 3490 to 3494, inclusive, of the Revenue and Taxation Code, relating to the disposition of tax delinquent property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1492—An act to amend Sections 2, 27, 28, and 30 of the Water Conservation Act of 1927, relating to the power and authority of water conservation districts.

Referred to Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 42

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 42—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, Members of the Board of Equalization, and the Members of the Senate and Assembly.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Dunn:

House Resolution No. 159

Relative to the continuance of the Assembly Interim Committee on Public Education

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Public Education created by House Resolution No 236 of the 1947 session and continued as a committee of this session by House Resolutions No. 16 and 113 of the 1949 session is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the adoption of this resolution. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of final adjournment

3 The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as such rules are adopted at this session or amended from time to time, are applicable to this committee and its members.

4. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1447
Assembly Bill No. 1633

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1557

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1451
Assembly Bill No. 1452

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1445
Assembly Bill No 1448
Assembly Bill No. 1450
Assembly Bill No. 2389
Assembly Bill No. 2738

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 1630

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2388

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2791 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Weber asked for, and was granted, unanimous consent that Assembly Bill No. 2791 be withdrawn from the file, and be re-referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 632—An act to amend Sections 671 and 672 of the Vehicle Code, relating to the use of horns and warning devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, and Weber—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 191—An act to add Section 122 5 to the Labor Code, relating to medical assistance of the Industrial Accident Commission under the Workmen's Compensation Act.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 236—An act to amend Section 1394 of the Labor Code, relating to activities of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, and Way—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1967—An act to amend Section 6359 of the Revenue and Taxation Code, relating to food products exempt from sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, and Thomas—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT POEM BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that the following poem be ordered printed in the Journal, in 10-point type:

ODE TO KATHY AT SAN MARINO

By Howard Thomas Mitchell

O Master, on high, see Thy child below
Entombed, helpless in this grasping hold;
Holy Christians, toiling at life's release
The love of fellow-men, shall now increase.
O California, hail thy heroes' souls
More precious than your stately mountains' gold;
Promote not wealth or earthly vanity
Ever hold high this loving humanity.
O America, to valiant hearts in faith
On Palm Sunday, grant thine own kindly grace;
O Savior, Thy servants emulate well
To merit life eternal, with Thee dwell.
O World, turn thy eyes to San Marino
See this devotion mankind here bestows;
Now shines like stars and beaming Sun above
Glows for God and Kathy in Divine Love.

Subsequent rights reserved to the author.

HOWARD T. MITCHELL
P. O. Box 75, Valley of the Moon
Kenwood, California, April 10, 1949

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1319—An act to amend Sections 3.06 and 5.02 of the Building and Loan Association Act, relating to shares and investment certificates as legal investments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Huckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1793—An act to amend Sections 822, 823, 827, 839, 857, and 858 of the Insurance Code, relating to the issue of securities by insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 31—Relative to provision for public recreation, fish and wildlife development in flood, irrigation and power projects involving construction of dams.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—66
NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1035—An act to add Title 2, comprising Sections 15001 to 15700, inclusive, and Section 100002 to the Corporations Code, relating to partnerships and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain acts and parts of acts specified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1036—An act to add Title 4, comprising Sections 25000 to 26104, and Section 100005 to the Corporations Code, thereby codifying and repealing the Corporate Securities Act, and consolidating and revising the law relating to securities as defined therein, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in

relation thereto by the Commissioner of Corporations and the Division of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1037—An act to add Division 2, comprising Sections 27000 to 27203, inclusive, to Title 4 of, and Section 100006 to the Corporations Code, thereby codifying, consolidating, and revising the law relating to solicitation and collection of funds from security owners and holders for the protection, enforcement, or representation of their rights, providing for regulation and supervision by the Commissioner of Corporations of the solicitation, collection, and application of such funds, and requiring persons and organizations to obtain certificates from him prior to engaging in such solicitation and collection, and repealing the act codified therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1039—An act to add Division 4, comprising Sections 29000 to 29201, inclusive, to Title 4 of, and Section 100008 to the Corporations Code, thereby codifying and revising the law relating to certain transactions in respect to securities and commodities defined therein as bucketing and bucket shopping, prohibiting the keeping of bucket shops, making or offering to make contracts or sales constituting bucketing, and other acts preliminary or incidental thereto, requiring the keeping of records or books of account and the furnishing of statements of facts by persons making purchases or sales of securities or commodities, and fixing penalties for violations thereof, and repealing the act so codified.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1040—An act to amend Section 25154 of the Corporations Code, relating to acts permitted to be performed by or in behalf of corporations prior to the issue of any shares.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—65.
NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1501 WAIVED

Mr. Dunn waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1501 was passed.

Assembly Bill No. 1501 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 507—An act to amend Section 395.1 of the Military and Veterans Code, relating to reemployment rights of persons who leave or have left employment to join the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1201—An act to amend Section 987 of the Military and Veterans Code, relating to farm and home purchase.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Way, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1470—An act to amend Sections 1672 and 1673 of the Insurance Code, relating to the licensing of nonresident brokers or agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1794—An act to amend Section 12400 of the Insurance Code, relating to title insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 660

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 660, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 660

Assembly Bill No. 660—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes.

Bill read third time.

Motion to Amend

Mr. Butters moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on March 28, 1949, after "assessments", insert "and taxes and assessments of other districts which are levied on an ad valorem basis for the same general purposes".

Amendment No. 2

On page 1, lines 24 and 25, of said bill, strike out "shall not be deemed to be", and insert "are not".

Amendment No. 3

On page 1, line 26, of said bill, after "(e)", insert "of this section and shall be allowed as a deduction".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Maloney announced the appointment of Mr. Lipscomb as a Select Committee to escort Mr. Harold Peary, well known radio star, to the rostrum.

RECESS

At 10.22 a.m., on motion of Mr. Lipscomb, the Assembly recessed until 10.27 a.m. to hear remarks by Mr. Harold Peary, "the Great Gildersleeve," popular radio star.

REASSEMBLED

At 10.27 a. m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2349—An act to amend Sections 1703.91, 1703.92, 1703.94, 1703.95, and 1703.96 of the Insurance Code, relating to joint firm life agents' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse,

Reagan, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2350—An act to amend Sections 10953.3 and 10953.4 of the Insurance Code, relating to legal reserve capital stock insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2352—An act to amend Sections 11521 and 11523 of the Insurance Code, relating to grants and annuity societies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—66
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2353—An act to add Section 1153.5 to, and to amend Section 1154 of the Insurance Code, relating to assets required to be maintained by insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 232—An act to amend Section 799 of the Code of Civil Procedure, relating to partition of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—66.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1045—An act to amend Sections 25009, 25101, and 26003 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, Way, and Weber—62
NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Added to Roll Call

Mr. Burkhalter asked for, and was granted, unanimous consent that his name be added to the roll call on Assembly Bill No. 1045, and that he be recorded as having voted, "Aye."

Assembly Bill No. 1046—An act to amend Section 26104 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, Way, and Weber—62.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2351—An act to amend Sections 1649, 1679, 1706, 1709, 1808, and 1810.5 of the Insurance Code, relating to the licensing of insurance agents, brokers, solicitors and life agents, and to bail agents, permittees and solicitors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 35 HOLD PLACE ON FILE

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 35 be passed on file, and hold its place on file on the next legislative day.

Hon. Ralph C. Dills Presiding

At 11 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 588—An act to amend Sections 6511 and 6617 of the Business and Professions Code, relating to barbers.

Bill read third time.

Demand for Previous Question

Messrs. Lincoln, Rosenthal, Heisinger, Morris, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 588.

Request for Unanimous Consent to Pass Bill on File

Mr. Burkhalter asked for unanimous consent that Assembly Bill No. 588 be temporarily passed on file.

Mr. Cooke withheld unanimous consent.

The question being on the passage of Assembly Bill No. 588.

The roll was called, and the bill refused passage by the following vote:

AYES—Burkhalter, Clarke, Condon, Crichton, Ralph C. Dills, Fletcher, Huyck, Lincoln, Luckel, McMillan, Rumford, Smith, and Way—13.

NOES—Berry, Brown, Butters, Caldecott, Collier, Connolly, Conrad, Cooke, Crowley, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lindsay, Lowrey,

McCarthy, Meyers, Morris, Reagan, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Waters—37.

Notice of Motion to Reconsider Assembly Bill No. 588

Mr. Burkhalter gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 588 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 191 HOLD PLACE ON FILE

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that Assembly Bill No. 191 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2197

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2197, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2197

Assembly Bill No. 2197—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately.

Bill read third time.

Demand for Previous Question

Messrs. McCollister, Silliman, Burke, Evans, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2197.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 11.27 a.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brady, Sam L Collins, Dickey, Doyle, Dunn, Hawkins, Hollibaugh, Lipscomb, Maloney, McMillan, Price, and Silliman—13.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Brown asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1123—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2674

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2674, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2674

Assembly Bill No. 2674—An act to amend Section 1850.4 of the Insurance Code, relating to the definition of "Casualty Insurance" under Chapter 9, relating to rates and ratings and other organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—68.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 11.38 a.m., on motion of Mr. Geddes, the Assembly recessed until 11.45 a.m. to hear songs presented from the balcony by the famous a capella choir of the Arcadia-Monrovia-Duarte Union High School.

REASSEMBLED

At 11.45 a.m., the Assembly reconvened.

Hon. Ralph C. Dills, Member of the Assembly from the Sixty-Ninth District, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2197

At 11.46 a.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2197 passed by the following vote:

AYES—Berry, Brown, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Lewis, Lindsay, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—44.

NOES—Anderson, Babbage, Beck, Burke, Caldecott, Collier, Connolly, Conrad, Elliott, Fleury, Gaffney, Grant, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Maloney, McCarthy, Moss, Reagan, Rumford, Sherwin, Smith, Stewart, and Waters—28.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 11.47 a.m., Mr. Reagan asked for, and was granted, unanimous consent that Mr. Price be excused for the balance of the legislative day because of illness.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 213 HOLD PLACE ON FILE

Mr. Thomas asked for, and was granted, unanimous consent that Assembly Bill No. 213 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2348—An act to amend Section 29610 of the Government Code, relating to county charges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—Anderson, George D. Collins, Dunn, and Heisinger—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1866 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Tomlinson asked for, and was granted, unanimous consent that Assembly Bill No. 1866 be withdrawn from the file, and be re-referred to the Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 244—An act to amend Sections 459 and 459.4 of the Vehicle Code, relating to the adoption of local ordinances affecting traffic on state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Weber—72

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 312—An act to add Section 54.1 to the Unemployment Insurance Act, relating to the benefits payable thereunder.

Bill read third time.

Demand for Previous Question

Messrs. Grunsky, Morris, Connolly, Hoffman, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 312.

Speaker Presiding

At 12.15 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thomas moved a call of the Assembly.

Roll Call Demanded

Messrs. George D. Collins, Gaffney, and Berry demanded a roll call.

The roll was called, and the motion by Mr. Thomas carried by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, and Waters—60.

NOES—Burke and Cramer—2.

Time 12.18 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Cooke, Crowley, Dickey, Kilpatrick, and Way—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 702—An act to add Section 6007 to the Business and Professions Code, relating to membership in the State Bar.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2666 HOLD PLACE ON FILE

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 2666 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 375—An act to add Chapters 3 and 4 to Part 2, Division 2 of the Military and Veterans Code, relating to the creation and organization of a security force and a reserve force, the authority for the organization of military forces when the National Guard is absent in federal service or Congress has consented thereto, the rules and regulations for the government of such forces and reserves, the pay, allowances, expenses, supply, equipment, maintenance, training, discipline and administration of such security and reserve forces, the use of armories and buildings, the use of the forces without the State, the authority to use the forces of other states within this State, federal service, civil groups, disqualifications, oaths of office, articles of war, freedom from arrest, jury duty, unemployment, exemption from civil service, workmen's compensation, removal from service and the employment of such forces in the service of the State.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 31, 1949, strike out "Chapters 3 and 4", and insert "Chapter 3".

Amendment No. 2

On page 5 of said bill, strike out lines 1 to 52, inclusive; and strike out page 6.

Amendments read.

Point of Order

Mr. Clayton A. Dills arose to the following point of order: That Mr. McCollister is speaking on the bill and not on the amendments.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. McCollister to Assembly Bill No. 375.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Dickey, Dolwig, Elliott, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—48.

NOES—Brown, Burkhalter, Butters, Caldecott, George D. Collins, Cooke, Cramer, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Erwin, Fleury, Hollibaugh, Lewis, Lindsay, Moss, Niehouse, Reagan, Rosenthal, Stanley, Stewart, and Thompson—24.

Notice of Motion to Reconsider Amendments to Assembly Bill No. 375

Mr. Clayton A. Dills gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered to Assembly Bill No. 375 were this day adopted.

THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 22—Relative to memorializing the President, Secretary of State, and Congress of the United States and condemning the Communist persecution of Cardinal Mindszenty and other Roman Catholic prelates in Hungary, the espionage trial of Protestant pastors in Bulgaria and the persecution of religion in all Communist-dominated countries behind the iron curtain.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin,

Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—73.

NOES—None.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Rumford asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Joint Resolution No. 22, and that he be recorded as voting, "Aye."

RESOLUTIONS

The following resolutions were offered:

By Messrs. Maloney, Sam L. Collins, Gaffney, McCarthy, and Brady:

House Resolution No. 160

Relative to adjournment on Good Friday, April 15, 1949

WHEREAS, It is the custom among Christians throughout the world to devote three hours on the afternoon of Good Friday to commemorative services and meditation upon the passion and death of our Saviour; and

WHEREAS, All Members of this Assembly desiring to participate in these religious observances should be free to do so; now, therefore, be it

Resolved by the Assembly of the State of California, That an adjournment be taken from 12 noon on Friday, April 15, 1949, until Monday, April 18, 1949, at 10 a.m., in respect to observance of Holy Week.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 160, at this time, without reference to committee or file.

Resolution read, and adopted.

By Messrs. Hawkins, Elliott, and Anderson:

House Resolution No. 161

Relative to memorializing the Senate of the United States to curb the practice of filibustering in order to prevent the undermining of democratic processes and the neglect of state needs

WHEREAS, The present Senate Rules have led to an abuse of free speech by those who have engaged in long speeches known as "filibusters" for the sole purpose of blocking action on vital legislation; and

WHEREAS, This practice is an anti-parliamentary device which nullifies democratic processes and violates the principle of majority rule and is a procedure unknown to the Constitution; and

WHEREAS, This device has been used from time to time to block the passage of legislation desired by an overwhelming majority of the people and has on occasion resulted in endangering national security; and

WHEREAS, There are at present the guarantees of free speech and adequate debate in that every bill is fully discussed in committee and on the floor of both houses of Congress; and even after cloture is invoked, each of the 96 Senators is allowed an additional hour of debate which ordinarily would consume four to six weeks of debate; and

WHEREAS, The filibuster has become a serious national problem and a matter of vital concern to the respective states of the Union and important to relationships and legislation affecting their interests; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly respectfully memorializes the Senate of the United States to change its rules in order to prevent this practice of filibustering by allowing cloture to be invoked by a simple majority of the elected members; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Vice President of the United States and to each Senator from California in the Congress of the United States.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. McCarthy, Ralph C. Dills, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber:

House Resolution No. 162

Relative to adjournment in respect to the anniversary of the death of Franklin Delano Roosevelt

Four years ago today, a great American died. The sense of shock which stunned the Nation at that time is gone; in its place is profound regret that the man was deprived of his hour of triumph, that he died on the eve of victory; and that the Nation, and the world, were deprived of a statesman whose leadership was an inspiration to all.

Today we affirm the fact that the name of Franklin Delano Roosevelt lives in the hearts of all freedom-loving men; and, therefore, be it most solemnly

Resolved by the Assembly of the State of California, That when we this day adjourn, we shall do so in respect to the memory of Franklin Delano Roosevelt, thirty-first President of the United States.

Request for Unanimous Consent That Members Present Be Co-authors of House Resolution No. 162

Mr. McCarthy asked for, and was granted, unanimous consent that the names of all members present be placed on House Resolution No. 162, as co-authors.

Request for Unanimous Consent

Mr. McCarthy asked for, and was granted, unanimous consent to take up House Resolution No. 162, at this time, without reference to committee or file.

Resolution read, and adopted unanimously by a rising vote.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2047 HOLD PLACE ON FILE

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 2047 be passed on file, and hold its place on file on the next legislative day.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Brown:

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 1509.5 to the Elections Code, relating to initiative measures.

Respectfully submitted,

RALPH M. BROWN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Brown:

An act to add Section 1509.5 to the Elections Code, relating to initiative measures.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3126: By Mr. Brown—An act to add Section 1509.5 to the Elections Code, relating to initiative measures.

Referred to Committee on Constitutional Amendments.

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Assembly Journals for Monday, April 4, 1949; Tuesday, April 5, 1949; Wednesday, April 6, 1949; Thursday, April 7, 1949; and Friday, April 8, 1949, were approved as corrected by the Minute Clerk.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 312

At 12.58 p.m., on motion of Mr. Thomas, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 312 refused passage by the following vote:

AYES—Anderson, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Thomas, and Tomlinson—36.

NOES—Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Morris, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Waters, Weber, and Mr. Speaker—40.

Notice of Motion to Reconsider Assembly Bill No. 312

Mr. McCollister gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 312 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 251

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 249
Assembly Bill No. 948
Assembly Bill No 2546

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 22
Assembly Bill No. 2299

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1962
Assembly Bill No. 1421

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 34
Assembly Bill No 1324
Assembly Bill No. 1467
Assembly Bill No. 1593
Assembly Bill No. 1594
Assembly Bill No. 1711
Assembly Bill No. 1759
Assembly Bill No. 2309

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 313

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1923

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 974
Senate Bill No. 977

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 679
Assembly Bill No. 807
Assembly Bill No. 2036

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 2218

Has had the same under consideration, and reports the same back with the recommendation: Amend, and be re-referred to Committee on Military Affairs.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 18

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 547
Assembly Bill No. 1207

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ANNOUNCEMENTS

Mr. Beck announced a luncheon meeting and Democratic caucus at the Hotel Sacramento, upon adjournment.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1858
Assembly Bill No. 1943
Assembly Bill No. 1944

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 1858 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bills Nos. 1943 and 1944 ordered re-referred to Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 921—An act to amend Section 809 of the Agricultural Code, relating to walnut standards;

Assembly Bill No. 3114—An act to amend Section 5 of, and to add Section 24.5 to, the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twelfth day of April, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 595	Assembly Bill No. 1900
Assembly Bill No 1139	Assembly Bill No. 1910
Assembly Bill No. 1484	Assembly Bill No. 2059
Assembly Bill No. 1836	Assembly Bill No 2799

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1139 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bills Nos. 1836, 1900, 1910, and 2059 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2799 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1484 ordered re-referred to Committee on Education.

Assembly Bill No. 595 ordered re-referred to Committee on Public Morals.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Agriculture.
Public Health.
Social Welfare.
Livestock and Dairies after adjournment of the Committee on Agriculture.

Tonight at 8 p.m.—

Fish and Game.
Interim Committee on Education.

Tomorrow, Wednesday, April 13th, at 9 a m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. L. Finley and Mrs. Everett Person of Santa Rosa.

On request of Messrs. Waters and Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Patrick J. Hillings and William F. Price of Los Angeles.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Margaret Hill of Santa Barbara.

On request of Messrs. Reagan, Stewart, Erwin, McMillan, and Collier, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ray Haworth and Donny and Dougie Haworth of Pasadena.

On request of Mr. Heisinger, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Grace Heisinger, Duane Heisinger, Douglas Heisinger, and Gary Heisinger of Fresno.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ella Ryan, teacher, of the Galileo of San Francisco and the following pupils: Paul Hom, Loring Jensen, Norman Folden, Marcella Chow, and Haroldine Wong.

On request of Messrs. Lipscomb and Morris, the usual courtesies of the Assembly for this day were unanimously extended to Blanche E. Simmons, Walter F. Martin, Mrs. Walter F. Martin, Mary E. Frick, Mrs. Margaret Hill, and Lyman La Tourrette of Los Angeles.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Russell E. Parsons of Los Angeles.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Rex W. Perkins and Ila E. Perkins of Alhambra.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Gordon Murchie of North Hollywood.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Bert Loomis of Chico, former Assemblyman.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Avis S. Paysen, John McIntosh, and James McGlynn, teachers of the Lincoln School in Manteca, and the following pupils: Hugh Bauer, Charles Bennett, Eldon Buck, Gilbert Calderon, Jack Colldeweih, Dickie Fells, Raymond Frank, Jerry Grieve, Clark Ide, Jimmy Lagier, J. R. Long, Delbert McKenzie, Samuel Mendonca, Leon Okerson, Keith Grieve, Mariano Valenzuela, L. D. Ward, Bill Bradley, Dolores Belt, Darlene

Cottengim, Carolyn deSimas, Jamie Dunbar, Marilyn Fitzwater, Cornelia Galt, Evelyn Goings, Carola Henry, Joyce Hinton, Shirley Jackson, Mary Kelley, Anna Mae Kajer, Antonette Marchitelli, Lois Mundt, Lupe Payan, Dlane Sanders, Delores Schleim, Shirley Stewart, Irma Telles, Betty Thompson, Duella Thompson, Shirley Young, Shirley Wisw, Patricia Covington, Mary Jean Waterman, and Marilyn Breitenbucher.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Ruth Dolson and Citizenship Class from Modesto: Mr. and Mrs. Frank Silva, Mrs. Tom Bright, Mrs. Gower, Mrs. Angela Casozza, Mrs. Renee Tomson, Mrs. Jean Laskowsky, Mrs. Agnes Semone, Mrs. Joan Colby, Mrs. Olive Reicherts, Miss Gernerts, Mrs. Giambanco, Mrs. Shadella, Mrs. Sabala, Mrs. Demeizian, Mrs. Zagaris, Mrs. Rebeiro, Alex Kamaripolis, John Anades, Mrs. Michos, Raymond Gong, Chas. Barr, Mr. Loch, Calvin Bippus, Nich Karas, Mr. Morris, Mr. G. Lunde, Paul Peralta, and G. D. Acardo.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Chester Ullom, Director, a capella choir of Arcadia Monrovia-Duarte Union High School, and the following members: Mary Lou Armstrong, Shirley Nute, Della Hummer, Barbara De Hahn, Jean Lockwood, Phylis Turner, Ann Brown, Judy Pierce, Diane Minard, Joane Lawson, Sharyne Spero, Patricia Edwards, Evelyn Kresick, Katherine Blount, Dorothy Daniels, Marilyn Hall, Caroline Foddrell, Lou Ray Seaman, Doris Weber, Douglas Black, Bruce Black, Walter Jones, Benny Vance, Forrest Snedden, Harry Hufford, David Galloway, John Peck, Bob Chrisman, Tommy Lewis, Robert Blain, Robert Stanford, Richard Keck, Don Carruthers, Richard De More, Norman Wetmore, Arthur Lee, Harry Fagg, and Morton O'Grady.

On request of Mr. George D. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the P. T. A. of San Francisco: Mrs. Keplar Johnson, Mrs. W. L. Houweling, Mrs. Laderman, Mrs. E. M. Hood, Mrs. Dorothy Comer, Mrs. Morris Singer, Mrs. Robb, Mrs. McCloskey, Mrs. Kovacs, Mrs. George A. Hindley, Miss Graydon Hindley, Mrs. Ralph Doscher, Mrs. Dean Parker, Mrs. Horros, Gwendolyn Horros, Mrs. De Graff, Mrs. John Olsen, Mrs. Lloyd Piercy, Mrs. Geo. Chambers, Mrs. Newby, Mrs. Meyer Miller, Mrs. Val Franz, Mrs. Squier, Mrs. Marquardt, Mrs. Schroder, and Mrs. Van der Sterre.

On request of Messrs. Gaffney, Meyers, Berry, and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. L. S. Culbertson and the following members of Kilade Camp Fire Group, San Francisco: Roberta Eckenrod, Dixie Oliver, Leonce Goebel, Beverly Hilldge, Judy Brooks, Jean Martin, Elaine Jung, Naomi Carter, Pamela Gillespie, Barbara Gibbs, Sharon Smythe, and Parialee Culbertson.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Harold C. Johnsen, Dorothy M. Johnsen, and Mrs. Doris Lingo of Downey, Herbert Gill of South Gate, and K. L. Stockton of Huntington Park.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Joe Martinez, Mrs. Ralph Bangsberg, Mrs. Beulah Van Landingham, and Kenneth Moore of Stonyford; Mrs. Dayton Nordyke of Ladoga; Mrs. Thelma Snyder, Mrs. Virgil P. Riley, Kyle K. Coleman of Williams, and Edward C. Britton of Colusa, parents, and the following pupils of the Stonyford School: Rose McDaniel, Richard Cushman, LaVern Sutliff, Bernell Huttman, Wilda LaRue, Margaret Sutliff, Leon Griffin, Larry Walkup, Bert Bangsberg, Bruce Sutliff, Nathan LaRue, Paul Griffin, Shirley Wright, and Janet Degville; and the following pupils of Lodoga School: Jack Barker, Jim Barker, Cora Guinn, Joe Nordyke, Robert Tappin, Skippy Barker, Laverne Nordyke, Louise Tanner, Ada Barker, Mary Snyder, Sara Snyder, Arthur Hulsizer, Jr., and Gerald Wayne White.

On request of Messrs. Hawkins and Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Oliver Thornton and Robert Thornton of Los Angeles.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Helen M. Conser and Dick and Paula Conser.

On request of Messrs. Fleury and Coats, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Wilder V. Immel, minister of the First Methodist Church of Sacramento, and the following Sunday School pupils: Dan Immel, Dick Immel, Richard Brunner, Dick Biggs, Ted Thiery, Betty Jo Immel, James Haug, Herbert Deardorff, Marilyn E. Biggs, Harry Bennett, Lora Cate, Betty Kovack, Mrs. Mary Immel, Virginia Adams, Clarice Immel, Carol Anne Collins, Willa McKenzie, and Phyllis Adams.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. C. E. McIrvin, Mrs. C. D. Boles, Mrs. Lester Dixon, Mrs. Russ Lewis, Mrs. F. Butterworth, and Mona Gaughran, sponsors of the Girl Scouts of East Oakland, and the following members: Barbara Jones, Margaret Smith, Betty Phariss, Shirley Salmela, Ann Cortner, Joanne Helhle, Lorraine Correia, Carol Backlund, Nancy Brooks, Patricia Cook, Sara Wittlinger, Jackie Daeckel, Annette Vassallo, Joyce Cosby, Joanne Butterworth, Joan Stiles, Earleen Boehmer, Lenore Peterson, Lois Hauck, Lorraine De Nicole, Marcia Boles, Arlene McIrvin, Carol Farley, Marcia Rehfuss, Winifred McChesney, Lu Ann Nilson, Patty Lu Smith, Joan Hartley, Joy Lewis, Mary Dixon, June Dixon, Chrisalyn Mangels, Kathleen Banks, Carol Hanavan, Joyce Wills, Edna Wills, Carolyn Poulsen, Joan Nelson, Barbara Kent, Judy Rawlins, and Grace Redman.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Harold Peary of Los Angeles,

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Evelyn Morris of Sacramento and Mrs. Valine Brown of Modesto.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to George Finch, Cabell Finch, Robert Heifetz, and Braden Finch, of Corona Del Mar.

ADJOURNMENT

At 1.02 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 13, 1949, out of respect to the memory of the late Franklin D. Roosevelt, former President of these United States.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, April 13, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—76.

Names Placed on Morning Roll Call by Unanimous Consent

By unanimous consent, the names of the following members who are attending a subcommittee meeting on Capital Outlay, were ordered placed upon the morning roll call:

Messrs. Caldecott, Clarke, Kirkwood, Silliman, and Stewart.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal God: May we recall that upon this Wednesday long ago, the Christ was at a feast in the home of Simon, when Mary broke the alabaster box over His feet.

As an expression of last devotion, she offered a costly gift, the perfume filled the room, and the fragrance of the deed still touches human hearts.

May this story of gratitude remind us that young and old should express their appreciation to the members of their family and to their friends, while they are alive and hear them.

Let us not wait to break our alabaster boxes over their stiff cold bodies.

May we remember that "they would rather have a tribute while they are alive to hear, than have the costliest flowers laid on their silent bier."

May we today "say it with flowers."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Dolwig, on motion of Mr. Connolly.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2651

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 326
Assembly Bill No. 341
Assembly Bill No. 390
Assembly Bill No. 1032
Assembly Bill No. 1845
Assembly Bill No. 2056
Assembly Bill No. 2450

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 25
Assembly Constitutional Amendment No. 33

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 113
Assembly Bill No. 160
Assembly Bill No. 627
Assembly Bill No. 629
Assembly Bill No. 949
Assembly Bill No. 1198
Assembly Bill No. 1683
Assembly Bill No. 1731
Assembly Bill No. 1976
Assembly Bill No. 2002
Assembly Bill No. 2025
Assembly Bill No. 2043
Assembly Bill No. 2045
Assembly Bill No. 2052
Assembly Bill No. 2057
Assembly Bill No. 2058
Assembly Bill No. 2063
Assembly Bill No. 2064
Assembly Bill No. 2065
Assembly Bill No. 2241
Assembly Bill No. 2244
Assembly Bill No. 3035

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 1566

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 392

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 7

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1815
Assembly Bill No. 1816
Assembly Bill No. 1817
Assembly Bill No. 1818
Assembly Bill No. 1820
Assembly Bill No. 1821

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1814
Assembly Bill No. 1819
Assembly Bill No. 1822
Assembly Bill No. 1823

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that it was called to his attention yesterday, that a bill listed on the second reading file was not in its proper place on file; and that this error has been corrected, so that when the bill appears on the third reading file it will be properly placed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 193
Assembly Bill No. 2298
Assembly Bill No. 2428

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 34
Senate Bill No. 390

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 309
Assembly Bill No. 373

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 68

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 270
Senate Bill No. 281
Senate Bill No. 294
Senate Bill No. 295
Senate Bill No. 317
Senate Bill No. 410
Senate Bill No. 557
Senate Bill No. 603
Senate Bill No. 730
Senate Bill No. 946
Senate Bill No. 947
Senate Bill No. 952
Senate Bill No. 957
Senate Bill No. 958
Senate Bill No. 995
Senate Bill No. 1253
Senate Bill No. 1488

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 270—An act to amend Section 4905 of the Business and Professions Code, relating to fees charged by the Board of Examiners in Veterinary Medicine, to take effect immediately.

Referred to Committee on Public Health.

Senate Bill No. 281—An act to amend the Building and Loan Association Act by amending Section 2.02 thereof, relating to restrictions on corporate name, Section 2.04 thereof, relating to approval of articles of incorporation by the Building and Loan Commissioner, Section 2.07 thereof, relating to branches, Section 4.01 thereof, relating to guarantee stock, Section 8.03 thereof, relating to minors and married women, Section 10.03a thereof, relating to federal insurance reserve account, Section 11.04 thereof, relating to licenses for agents and salesmen, Section 12.04 thereof, relating to foreign associations, Section 12.06 thereof, relating to restrictions on advertising, Section 13.02 thereof, relating to appointees, employees and offices of the Building and Loan Commissioner, Section 13.05 thereof, relating to general duties of such commissioner, Section 13.07 thereof, relating to appraisements, Section 13.17 thereof, relating to assessments by such commissioner for salaries and expenses, and Section 15.16 thereof, relating to supervision and control of borrowers' mutual building and loan associations; repealing Section 5.03 of said act, relating to investment certificate reserve; and adding to said act Section 2.10, relating to investment certificate and withdrawable share reserve, and Section 8.13, relating to authorization to execute certificates, all relating to building and loan associations.

Referred to Committee on Finance and Insurance.

Senate Bill No. 294—An act to add Sections 1503.4 and 6357.1 to the Education Code, relating to the education of pupils in kindergartens.

Referred to Committee on Education.

Senate Bill No. 295—An act to amend Sections 18051 and 18057 of the Education Code, relating to the letting of contracts by school districts.

Referred to Committee on Education.

Senate Bill No. 317—An act declaring all buildings or places, other than private dwellings, used or resorted to for purposes of public gambling to be nuisances, and providing for the abatement and prevention of such nuisances by injunction and otherwise.

Referred to Committee on Public Morals.

Senate Bill No. 410—An act to amend Section 737*l* of the Political Code, relating to the salary of Superior Judges in and for the County of Humboldt.

Referred to Committee on Judiciary.

Senate Bill No. 557—An act to amend Section 737h of the Political Code, relating to salaries of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 603—An act to add Section 6962 to the Education Code, relating to the education of adults.

Referred to Committee on Education.

Senate Bill No. 730—An act to add Section 11021 to the Business and Professions Code, relating to subdivided lands.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 946—An act to amend Section 2008 of the Business and Professions Code, relating to professional rights, privileges or powers, and charitable institutions.

Referred to Committee on Public Health.

Senate Bill No. 947—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Referred to Committee on Public Health.

Senate Bill No. 952—An act to amend Section 2145 of the Business and Professions Code, relating to physicians and surgeons visiting the State.

Referred to Committee on Public Health.

Senate Bill No. 957—An act to amend Section 2326 of the Business and Professions Code, relating to practice of chiropody.

Referred to Committee on Public Health.

Senate Bill No. 958—An act to amend Section 2377 of, and to repeal Sections 2378, 2379, 2380, 2380.5, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2391.5, 2392, 2393, 2394, 2395, 2396, 2397, 2398, and 2399 of, the Business and Professions Code, all relating to the grounds for denial, suspension or revocation of certificates to practice medicine and surgery, drugless practitioner certificates, chiropody certificates, or certificates to practice midwifery.

Referred to Committee on Public Health.

Senate Bill No. 995—An act to amend Sections 19302 and 19303 of the Education Code, relating to school cafeterias.

Referred to Committee on Education.

Senate Bill No. 1253—An act to amend Section 701 of the Agricultural Code, relating to containers for milk or milk products.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 1488—An act to amend Section 737pp of the Political Code, relating to the compensation of superior court judges in and for the County of Santa Barbara.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1447—An act to amend Section 3301 of the Corporations Code, relating to the service of process on corporations and the designation of officers, agent and address of principal officer of corporations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1633—An act to amend Section 1143 of the Penal Code, relating to juror's fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 679—An act to add Sections 21253.2 and 21253.3 to the Government Code, relating to crediting "prior service," under certain conditions, to persons who were absent from state service on military service prior to January 1, 1932, and revising the benefits payable with respect to certain classes of members, including those who have retired prior to the effective date hereof, in connection with the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 807—An act to add Section 130 to the Military and Veterans Code, prohibiting segregation and discrimination in the Militia.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2036—An act to amend Section 18975 of the Government Code, relating to credit in state examinations for service in the armed forces.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1962—An act to amend Section 16374 of the Government Code, relating to the reversion of unclaimed trust money.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1421—An act to add Section 9095 to the Insurance Code, relating to fraternal fire insurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1451—An act to amend Sections 12184, 12185, and 12186 of the Government Code, relating to fees of the Secretary of State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "12185", strike out "and"; and after "12186", insert "and 12192".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, following line 20, insert

"SEC. 4. Section 12192 of the Government Code is hereby amended to read:

12192. The fee for filing claim to trade-mark and issuing certificate of filing is [five] *ten* dollars [($5)] *($10).*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1452—An act to amend Sections 24201, 24205, and 24211 of the Education Code, relating to the incorporation and powers of colleges and seminaries of learning.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 2 of the printed bill, strike out lines 5 to 29, inclusive, and insert

"24205. The power to issue certificates or diplomas evidencing the completion of any course of instruction in medicine, surgery, chiropody, drugless practice, dentistry, pharmacy, optometry, veterinary medicine, chiropractic, osteopathy, public accountancy, law, architecture, nursing, or civil engineering, or to confer degrees of any kind or character whatsoever, is limited to corporations incorporated pursuant to this article, whose articles of incorporation, or amended articles [or incorporation,] confer such authority, *and other corporations whose articles have been amended to conform to the applicable provisions of this article and to confer such authority*, and which comply with Sections 24202 to 24204, inclusive. This section shall not apply to any university, college, or seminary of learning which prior to September 19, 1939, has been given, or whose trustees have been given, the right to exercise corporate powers and privileges by special legislative act or which has been chartered under existing laws as an educational institution with the power to confer degrees and *which has* continuously offered and (except for normal vacation periods) conducted, from the first day of January, 1939, to September 19, 1939, regular resident courses of instruction in [such] subjects *in which degrees have been so authorized to be conferred.*"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Erwin asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2388—An act to amend Sections 69, 73, and 74 of the Civil Code and Section 10029 of the Health and Safety Code, relating to documents required in connection with marriage, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on April 7, 1949, strike out "and Section 10029 of the Health and Safety Code".

Amendment No. 2

In lines 5 and 6 of the title of said bill, strike out ", and making an appropriation".

Amendment No. 3

On page 2 of said bill, between lines 21 and 22, insert

"4. A statement that the person solemnizing the marriage is over 21 years of age."

Amendment No. 4

On page 2 of said bill, strike out lines 27 to 44, inclusive.

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 547—An act to amend Section 18973 of the Government Code, relating to veterans' preference in state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 4, of the printed bill, after "service", insert "or veteran who was discharged due to a service connected disability within 30 days".

Amendment No. 2

On page 1, line 5, of the printed bill, after "lists", insert "by attaining the passing mark established for the examination".

Amendment No. 3

On page 1 of the printed bill, strike out lines 12, 13, 14, and 15.

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1207—An act to amend Section 20894.5 of the Government Code and Section 14702 of the Education Code, relating to contributions of members of retirement system absent in military service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2, line 46, of the printed bill, after "member", insert "of the State Teachers' Retirement System, or".

Amendment No. 2

On page 3, line 20, of the printed bill, after "Contributions", insert "by the State or".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 18—An act to amend Sections 985, 986.3, 986.5, 986.6, and 986.9 and to repeal Section 986.4 of the Military and Veterans Code, relating to farm and home purchases for veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 3, line 4, of the printed bill, strike out "any sum", and insert "all sums".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 22—An act to add Article 4, comprising Sections 11615 and 11616 to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704, of said code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 9, of the printed bill, after "application", insert "in writing".

Amendment No. 2

On page 1, line 17, of said bill, strike out "or its agent".

Amendment No. 3

On page 1, line 19, of said bill, strike out "five hundred dollars ($500)", and insert "one hundred dollars ($100)".

Amendment No. 4

On page 2, line 14, of said bill, strike out "two or more such violations", and insert "five or more such violations committed in one calendar year".

Amendment No. 5

On page 2, line 2, of said bill, strike out "commission", and insert "commissioner".

Amendment No. 6

On page 2, line 3, of said bill, strike out "insured", and insert "insurer".

Amendment No. 7

On page 2, line 7, of said bill, strike out "contract", and insert "contracts".

Amendment No. 8

On page 2 of said bill, strike out lines 20 to 23, inclusive, and insert "The proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted therein."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2299—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the semicolon, and insert "on a farm;".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1241—An act to add Section 3½ to an act entitled: "An act regulating the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation; conferring powers upon the Railroad Commission with respect thereto; providing penalties for the violations of this act and repealing

all acts inconsistent with the provisions of this act,'' approved June 11, 1935, relating to city carriers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1, line 7, of the printed bill, after "more", strike out the comma, and insert "or in any city contiguous to such city or city and county having a population of 150,000 or more,".

Amendment No. 2

On page 1, line 10, of said bill, after "operating", insert "in any city or city and county having a population of 150,000 or more, or in any city contiguous to such city or city and county,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1445—An act to amend Sections 113, 304, 307, 310, 1101, 1102, 1713, 1908, 2402, 3602, 3632, 3671, 3672, 3700, 4102, 4105, 4106, 4107, 4110, 4114, 4118, 4119, 4120, 4600, 4603, 4606, 5200, and 6404 of the Corporations Code, and to add thereto Section 4124, all relating to the General Corporation Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, after "113," insert "301,".

Amendment No. 2

In line 2 of the title of said bill, after "2402," insert "3601,".

Amendment No. 3

Strike out lines 4 and 5 of the title of said bill, and insert "and 6404 of the Corporations Code, to add Sections 4124 and 5201.5 thereto, and to add Article 5, comprising Sections 3800 and 3801 to Chapter 1 of Part 8 of Division 1 of Title 1 thereof, all relating to corporations."

Amendment No. 4

On page 1 of said bill, between lines 5 and 6, insert

"SEC. 1.5. Section 301 of the Corporations Code is amended to read:

301. Articles of incorporation shall [state] *set forth:*

(a) The name of the corporation.

(b) The *specific and primary* purposes *or business* for which it is formed. *This requirement shall not be deemed to preclude a statement of general purposes or powers or to restrict the right of the corporation to engage in any other lawful business or activity.*

(c) The county in this State where the principal office for the transaction of the business of the corporation is located.

(d) The number of its directors, which shall be not less than three; and the names and addresses of the persons who are appointed to act as the first directors. The number so stated constitutes the authorized number of directors until changed by amendment of the articles or, unless the articles provide otherwise, by a by-law duly adopted by the shareholders."

Amendment No. 5

On page 1, line 20, of said bill, after "fix", insert "or alter".

Amendment No. 6

On page 2, line 15, of said bill, after "articles," insert "including certificates of determination of preferences,".

Amendment No. 7

On page 2, lines 23 and 24, of said bill, strike out "provided such officer", and insert "who".

Amendment No. 8

On page 3 of said bill, between lines 30 and 31, insert

"After any certificate has been filed pursuant to this section, the board of directors may alter or revoke any right, preference, restriction, or other matter fixed or determined by the resolution set forth therein by the adoption of another resolution appropriate for that purpose and the execution and filing of a certificate setting forth (a) the time and place of such action, (b) whether or not any shares of the class or series affected have been issued, and if so, the number of such shares which have been issued, and (c) a copy of the resolution; but no right, preference, restriction, or other matter may be altered or revoked after the issue of any shares of the class or series specifically affected, other than by amendment to the articles pursuant to Chapter 1 of Part 8 of Division 1 of this title, except that the number of shares constituting any series may be increased or decreased as authorized in Section 304. The certificate shall be executed and filed in the manner provided in this section for the execution and filing of original certificates of determination of preferences."

Amendment No. 9

On page 3, line 31, of said bill, strike out "shall be", and insert "is".

Amendment No. 10

On page 3, line 33, of said bill, after "shares of that", strike out "issue", and insert "series".

Amendment No. 11

On page 3, line 52, of said bill, strike out "and a", and insert "and if all of the shares of any class or series authorized by the articles be so acquired and retired, the articles shall also be amended to eliminate therefrom any statement of preferences, privileges, or restrictions relating solely to the class or series wholly retired. A".

Amendment No. 12

On page 4, line 2, of said bill, after "Part 8", insert "of Division 1 of this title".

Amendment No. 13

On page 4, lines 35 and 36, of said bill, strike out "as fixed by any resolution and certificate of the board of directors", and insert "by any certificate of determination of preferences".

Amendment No. 14

On page 4, lines 40 and 41, of said bill, strike out "of the board of directors", and insert "of determination of preferences".

Amendment No. 15

On page 4 of said bill, after line 50, insert

"SEC. 9.5. Section 3601 of the Corporations Code is amended to read:

3601. By complying with the provisions of this chapter, a corporation may amend its articles for any or all of the following purposes:

(a) To increase or decrease the authorized number of its shares of any class, issued or unissued, or the par value thereof; or to increase or decrease the authorized number of shares of any series, issued or unissued

(b) To provide for the classification of its shares, or for the subdivision of any class or classes of shares into series, in which event there shall be set forth a statement of the number of shares of each class or series and of the preferences, rights, privileges, and restrictions granted to or imposed upon the respective classes or series of shares or the holders thereof.

(c) To change the statement, as to shares issued or unissued, of the classification of shares or of the subdivision of any class of shares into series, or of the preferences, rights, privileges, or restrictions of the shares of any class or series, or to repeal the statement of classification of shares, or of the subdivision of any class of shares into series.

(d) To authorize the board of directors, within limitations and restrictions stated in the amendment, to fix or alter [, from time to time,] the ***dividend rights***, dividend rate, conversion rights, voting rights, ***the rights and terms of redemption (including sinking fund provisions)***, the redemption price ***or prices***, or the liquidation preferences

of any wholly unissued class or of any wholly unissued series of any class of shares, or the number of shares constituting any unissued series of any class *and the designations of such series*, or all or any of them[.] *; or to increase or decrease (but not below the number of shares of such series then outstanding) the number of shares constituting any outstanding series the number of shares of which was fixed by the directors.*

(e) To change shares having par value into the same or a different number of shares without par value; to increase or reduce the par value of shares; to change shares without par value into the same or a different number of shares with or without any par value.

(f) To create classes of par value shares together with classes of shares without par value, or to create classes of shares of different par values, or to restrict, limit, create, or enlarge the voting rights of certain classes of shares, or to grant to any class or classes of shares preemptive rights to subscribe for shares, or to enlarge or restrict or revoke existing preemptive rights of any class or classes of shares."

Amendment No. 16

On page 5, lines 11 and 12, of said bill, strike out "; provided, however," and insert ", except that".

Amendment No. 17

On page 6, lines 43 and 44, of said bill, strike out "provided, however," and insert "except".

Amendment No. 18

On page 10 of said bill, strike out line 50, and insert "majority of the directors, or by one or more shareholders or members authorized to do so by shareholders or members holding or repre-".

Amendment No. 19

On page 11 of said bill, strike out lines 11 and 12, and insert "bers as such, that the subscribing shareholders or members were authorized to execute the certificate by shareholders or members holding or representing 50 percent or more of the voting power."

Amendment No. 20

On page 13 of said bill, after line 23, insert

"SEC. 30. Section 5201.5 is added to the Corporations Code, to read:

5201.5. Whenever the business and affairs of a corporation have been wound up following dissolution resulting from expiration of its term of existence, a majority of the directors or trustees shall execute and file a certificate conforming to the requirements of this chapter applicable to certificates of voluntary dissolution without court proceedings, and such certificate shall be executed and filed in the same manner.

SEC. 31. Article 5, comprising Sections 3800 and 3801, is hereby added to Chapter 1, Part 8, Division 1, Title 1 of the Corporations Code, to read:

Article 5. Consolidation of Amendments

3800. At any time after articles of incorporation have been amended the board of directors may, by resolution and certificate, and without approval of shareholders, consolidate the amendments theretofore made with the original articles or previously consolidated articles so as to constitute the articles as amended a single instrument.

The resolution shall state the purpose thereof, shall identify the amendments to be consolidated by appropriate reference, and shall set forth in full the articles as amended, except that the execution data on the original articles need not be included

The certificate shall set forth a copy of the resolution, the time and place of its adoption, and shall be executed and filed in the same manner as a certificate of amendment.

3081. Certificates of determination of rights and preferences of shares filed pursuant to Chapter 1 of Part 4 of Division 1 of this title and other certificates which do not expressly amend articles of incorporation shall not be deemed to amend the articles within the meaning of this article."

Amendment No. 21

In line 1 of the title of said bill, after "310," insert "802,".

Amendment No. 22

On page 2 of said bill, between lines 24 and 25, insert

"SEC 3 5. Section 802 of the Corporations Code is amended to read:

802. Every corporation may also.

(a) Acquire, hold, lease, encumber, convey, or otherwise dispose of real and personal property within or without the State, and take real and personal property by will, gift, or bequest.

(b) Assume any obligations, enter into any contracts, or do any acts incidental to the transaction of its business or to the issue or sale of its securities, or expedient for the attainment of its corporate purposes.

(c) Borrow money and issue bonds, debentures, notes, and evidences of indebtedness, and secure the payment or performance of its obligations by mortgage or otherwise.

(d) Acquire, subscribe for, hold, own, pledge, and otherwise dispose of and represent shares of stock, bonds, and securities of any other corporation, domestic or foreign.

(e) Purchase or otherwise acquire its own bonds, debentures, or other evidences of its indebtedness or obligations, and, subject to the provisions of this division, purchase or otherwise acquire its own shares.

(f) Subject to the provisions of its articles, redeem shares thereby made subject to redemption.

(g) Make donations for the public welfare or for charitable, scientific, or educational purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1448—An act to amend Sections 3302, 3303, 3305, 3306, 6501, 6502, 6503, and 6504 of the Corporations Code and to repeal Section 3304 of the Corporations Code, relating to the service of process on corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 14, of the printed bill, after "defendant", insert "to be served".

Amendment No. 2

On page 1, line 23, of said bill, after "process.", insert "If the only address disclosed by the records of the Secretary of State for the principal office is the county in which it is located, then the process shall be mailed to the county seat addressed to the corporation in care of the county clerk, or it may be mailed to any address for the corporation specified in the court order. If the process is mailed in care of the county clerk, the county clerk shall promptly send it to the corporation at its address within the county, if known to him, and if unknown, he shall cause the process to be posted at the courthouse of the county for 30 days."

Amendment No. 3

On page 2, line 29, of said bill, after "process.", insert "If the only address disclosed by the records of the Secretary of State for the principal office is the county in which it is located, then the process shall be mailed to the county seat addressed to the corporation in care of the county clerk, or it may be mailed to any address for the corporation specified in the court order If the process is mailed in care of the county clerk, the county clerk shall promptly send it to the corporation at its address within the county, if known to him, and if unknown, he shall cause the process to be posted at the courthouse of the county for 30 days."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1450—An act to amend Sections 9301, 9303, 9304, 9305, 9400, 9402, 9600, and 9602 of the Corporations Code, relating to nonprofit corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "9200, 9300,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9200 of the Corporations Code is hereby amended to read:

9200. A nonprofit corporation may be formed by three or more persons for any lawful purposes which do not contemplate the distribution of *accumulations*, gains, profits, or dividends to the members thereof and for which individuals lawfully may associate themselves, such as religious, charitable, social, educational, or cemetery purposes, or for rendering services, subject to laws and regulations applicable to particular classes of nonprofit corporations or lines of activity. Carrying on business at a profit as an incident to the main purposes of the corporation and the distribution of assets to members on dissolution are not forbidden to nonprofit corporations [.] , *but no corporation formed or existing under this part shall distribute any accumulations, gains, profits, or dividends to any of its members as such except upon dissolution or winding up.*

SEC. 2. Section 9300 of the Corporations Code is hereby amended to read:

9300. The articles of incorporation shall [state] *set forth*:

(a) The name of the corporation.

(b) The *specific and primary* purposes for which it is formed. *This requirement shall not be deemed to preclude a statement of general purposes or powers or to restrict the right of the corporation to engage in any other lawful activity.*

[(c) That it is a corporation which does not contemplate the distribution of gains, profits, or dividends to the members thereof.]

(c) That the corporation is organized pursuant to the General Nonprofit Corporation Law or pursuant to Part 1 of Division 2 of Title 1 of the Corporations Code.

(d) The county in this State where the principal office for the transaction of the business of the corporation is located.

(e) The names and addresses of three or more persons who are to act in the capacity of directors until the selection of their successors. These persons may be given such titles as are deemed appropriate, but they shall be subject to all laws of this State relating to directors except as otherwise provided in this part. The number of persons so named constitutes the number of directors of the corporation, until changed by an amendment to the articles or, unless the articles otherwise provide, by a by-law adopted by the members.

(f) If an existing unincorporated association is being incorporated, the name of the existing unincorporated association.

SEC. 3. Section 9301 of the Corporations Code is".

Amendment No. 3

On page 2, line 5, of said bill, strike out "SEC. 2.", and insert "SEC. 4."

Amendment No. 4

On page 2, line 12, of said bill, strike out "SEC. 3.", and insert "SEC. 5."

Amendment No. 5

On page 2, line 42, of said bill, strike out "SEC. 4.", and insert "SEC. 6."

Amendment No. 6

On page 3, line 1, of said bill, strike out "SEC. 5.", and insert "SEC. 7."

Amendment No. 7

On page 3, line 18, of said bill, strike out "SEC. 6.", and insert "SEC. 8."

Amendment No. 8

On page 3, line 37, of said bill, strike out "SEC. 7.", and insert "SEC. 9."

Amendment No. 9

On page 3, line 43, of said bill, strike out "SEC. 8.", and insert "SEC. 10."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2389—An act to amend Section 1057a of the Code of Civil Procedure and Section 12070 of the Insurance Code, relating to sureties on bonds or undertakings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 10, of the printed bill, after "corporation", insert ", except that in the case of an alien-admitted surety insurer, such financial statement may be verified by the oath of the principal officer thereof, or manager, residing within the United States".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2738—An act to amend Section 1239 of the Code of Civil Procedure, relating to the taking of property for public use.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, insert a period after "lands", and strike out ", or when".

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 15, inclusive.

Amendment No. 3

On page 1 of said bill, strike out line 16, and insert

"2. Except as provided in subsections 3 and 4, an easement, when taken for any other use".

Amendment No. 4

On page 1, line 17, of said bill, strike out "cases".

Amendment No. 5

On page 2 of said bill, after line 23, insert

"4. When the property is taken by any mutual water system, county, city and county, or incorporated city or town, or a municipal water district, or other political subdivision, regardless of the use, a fee simple may be taken if the legislative or other governing body of such mutual water system, county, city and county, or incorporated city or town, or municipal water district, or other political subdivision, shall, by resolution, determine the taking thereof in fee to be necessary. Such resolution shall be conclusive evidence of the necessity for the taking of the fee simple. Where the fee is taken, the decree of condemnation shall specifically provide for the taking of a fee simple estate.

The provisions of this subsection shall not be applicable where the property is taken under the authority conferred by subsection 1 hereof."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1630—An act to amend Sections 1187 and 1190 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 17, of the printed bill, as amended in the Assembly on March 16, 1949, strike out "Paragraph 2,".

Amendment No. 2

On page 3, line 26, of said bill, strike out "provided, that as to any person acquir-".

Amendment No. 3

On page 3 of said bill, strike out lines 27 to 33, inclusive.

Amendment No. 4

On page 3 of said bill, after line 42, insert

"*As against any purchaser or encumbrancer for value and in good faith whose rights are acquired subsequent to the expiration of the 90-day period following the filing of such lien, no giving of credit or extension of the lien or time to enforce the same shall be effective unless evidenced by a notice or agreement filed for record in the office of the county recorder prior to acquisition of the rights of such purchaser or encumbrancer, and no proceedings to enforce the lien which include a personal action and issuance of attachment as provided in Section 1197 of this code shall be effective unless a notice of pendency of such proceedings is filed for record in the office of the county recorder, as provided in Section 409 of this code, prior to acquisition of the rights of such purchaser or encumbrancer.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2218—An act to amend Sections 18541, 18543, 18974.5, 19390, 19392, 19393, 19394, 19395, 19397, 19398, 19399, 19401, 19402, 19403, and 19404 of, to repeal Sections 18540, 18970, 19391, and 19393.5 of, and to add Sections 18540, 18540.1, 18540.2, 18540.3, 18540.4, and 19401.1 to, the Government Code, relating to civil service rights of veterans and widows of veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections 18541, 18543," insert "18973,".

Amendment No. 2

On page 1, line 4, of said bill, after "United States", insert "Air Force".

Amendment No. 3

On page 1, line 7, of said bill, after "Cross", insert "during World War I".

Amendment No. 4

On page 1, line 14, of said bill, after "State military emergency", insert ", as used in this part,".

Amendment No. 5

On page 1, line 16, of said bill, after "during", insert ", but not limited to,".

Amendment No. 6

On page 1, line 16, of said bill, strike out "or the State".

Amendment No. 7

On page 2, line 4, of said bill, after "emergency", insert "or during any expedition of the armed forces".

Amendment No. 8

On page 2 of said bill, between lines 28 and 29, insert

"SEC. 9 5. Section 18973 of said code is amended to read:

18973. In the case of all other entrance examinations, a veteran with 30 days or more of service and widows of veterans who become eligible for certification from eligible lists by attaining the passing mark established for the examination, shall be allowed one of the following additional credits:

(a) Disabled veterans, 15 points.

(b) All other veterans and widows of veterans, 10 points.

(c) In promotional examinations, three points, irrespective of physical condition.

In order for a person to be entitled to veterans' preference credits, he must have served 30 days or more in the armed forces prior to January 1, 1947."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 2 of said bill, strike out lines 44 to 52, inclusive; and on page 3, strike out lines 1 to 16, inclusive, and insert

"19390 [Whenever the United States is engaged in war or during the existence of an emergency in preparing for the national defense found and proclaimed by the Governor,] Any permanent or probationary state civil service employee in good standing who enters [the] *recognized* military service of the United States [, whether voluntarily or otherwise,] has an absolute right to be restored to his former position and civil service status or a position in his former class, such reinstatement to be made to the same office, board, commission, agency, or institution, and in the same locality with the same civil service status formerly had by him, upon application by him to the board within six months after the termination of such military service, but not later than six months [after the end of the war or] after the Governor [finds and proclaims for the purpose of this section the national] *terminates the state military* emergency [no longer exists], or within six months after any rehabilitation afforded by the United States [Government] *or the State* following such military service. If no position exists in the same locality, [the employer may request reinstatement] *the board may reinstate the employee on his request*, to a position in the same class in the same office, board, commission, agency, or institution, in some other locality.

Where such employee resigns from state service to enter recognized military service, he shall have full reinstatement rights if that entry is made within 90 days from date of resignation."

Amendment No. 10

On page 6, lines 50 and 51, of said bill, insert "No such leave shall remain in effect for longer than four years and three months."

Amendment No. 11

On page 7, line 2, of said bill, after "who", strike out "is", and insert "was".

Amendment No. 12

On page 7, line 2, of said bill, after "leave", insert "from a state civil service position that he held under duration appointment, or".

Amendment No. 13

On page 7, line 10, of said bill, after "was", insert "in the military service, or".

Amendment No. 14

On page 7, line 15, of said bill, after "made", insert "not later than six months after his release from military service or six months after the effective date hereof, whichever is the later date"

Amendment No. 15

On page 7, line 18, of said bill, strike out "prior to the expiration of his military leave."

Amendment No. 16

On page 7, line 43, of said bill, after "had he", insert "continued to hold the position last held prior to entrance into recognized military service and".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Military Affairs.

Assembly Bill No. 1923—An act to add Section 10180 to the Insurance Code, relating to group life and disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on March 9, 1949, after "year", insert "*A dividend shall not be construed as a readjustment of rate of premium.*"

Amendment No. 2

On page 1, line 18, of said bill, after "applied", insert "*as follows:*

(a) In the absence of any representation or agreement by the master policyholder to share a definite portion of the cost of such group insurance, such dividends or reduction may be applied".

Amendment No. 3

On page 1 of said bill, after line 24, insert

"*(b) If the master policyholder by representation or agreement has undertaken to bear a certain share of the cost of such group insurance, the master policyholder may recover from such dividends or reduction only such portion thereof as his share of the original contribution bore to the total contribution and the remainder shall be applied by him for the sole benefit of the group of persons insured thereunder.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 34—An act to amend the title, and Sections 17, 19.5, 20, and 23 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, and to amend the title, and Sections 17, 19.5, 20, and 24 of the Personal Property Brokers Act as revised by Chapter 1044 of the Statutes of 1939, relating to limitations on loans and charges by personal property brokers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "4,".

Amendment No. 2

Strike out lines 3 and 4 of the title of the printed bill; and in line 5 of the title, strike out "Brokers Act as revised by chapter".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 21 inclusive; and strike out pages 2, 3, and 4; and on page 5, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. The title of the Personal Property Brokers Act,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 5 of said bill, between lines 35 and 36, insert

"SEC. 2. Section 4 of the Personal Property Brokers Act as revised by Chapter 1044 of the Statutes of 1939 is amended to read:

Sec. 4. Exemptions. (a) This act shall not apply to any person, association, copartnership, trust or corporation doing business under any law of this State

or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions or licensed pawnbrokers.

(b) Nothing contained in this act shall apply to any of the following:

1. Any nonprofit cooperative association organized under Title 23 of Part 4 of Division 1 of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division 6 of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein;

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, livestock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business; or

3. Any corporation securing money or credit from any federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended, in loaning or advancing money or credit so secured.

(c) This act shall not apply to bona fide conditional contracts of sale involving the disposition of personal property, when such forms of sales agreements are not used for the purpose of evading this act.

(d) The following provisions of this act shall not apply to any bona fide loan of a principal amount of five thousand dollars ($5,000) or more, or to a duly licensed personal property broker in connection with any such loan, provided the provisions of this paragraph are not used for the purpose of evading this act: The fourth paragraph of Section 16; [the third paragraph of] Section 17; Section 18; the fifth and seventh paragraphs of Section 20; the second paragraph of Section 21."

Amendment No. 5

On page 5, line 36, of said bill, strike out "SEC. 7", and insert "SEC. 3".

Amendment No. 6

On page 5, line 47, of said bill, strike out "three hundred dollars ($300)", and insert "five hundred dollars ($500)".

Amendment No. 7

On page 5, line 49, of said bill, strike out "three hundred dollars ($300)", and insert "five hundred dollars ($500)".

Amendment No. 8

On page 6, lines 2 and 3, of said bill, strike out "three hundred dollars ($300)", and insert "five hundred dollars ($500)".

Amendment No. 9

On page 6, line 5, of said bill, strike out "three hundred dollars ($300).", and insert "five hundred dollars ($500)."

Amendment No. 10

On page 6, line 41, of said bill, strike out "SEC. 8.", and insert "SEC. 4."

Amendment No. 11

On page 7, line 9, of said bill, strike out "SEC. 9.", and insert "SEC. 5."

Amendment No. 12

On page 8, line 30, of said bill, strike out "SEC. 10.", and insert "SEC. 6."

Amendments read, ~~and adopted.~~

~~Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.~~

(On April 14th the above record was expunged, and the action rescinded, whereby the Assembly, on this day, adopted the above amendments to Assembly Bill No. 34. See Assembly Journal, page 2088.)

Assembly Bill No. 1324—An act to amend Section 1706.9 of the Insurance Code, relating to life insurance agents.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, after the period, insert "Forty-five days after such failure by the holder of a certificate of convenience, all privileges under any certificate of convenience shall terminate."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1467—An act to amend Section 22 of the Personal Property Brokers Act, as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to rules and regulations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 6, 14, and".

Amendment No. 2

In line 2 of the title of said bill, strike out "Chapters 952 and", and insert "Chapter".

Amendment No. 3

Strike out line 3 of the title of said bill, and insert "1939, and to repeal Chapters 952 and 953 of the Statutes of 1939, relating to the regulation of loans and lenders."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 6 of the Personal Property Brokers Act as revised by Chapter 1044 of the Statutes of 1939 is amended to read:

Sec. 6. Application and Fee. Applications for such license shall be in writing, under oath, and in the form prescribed by the commissioner, and shall contain the name, [and] the address (both of the residence and place of business) *and the fingerprints* of the applicant, and if the applicant is a copartnership or association, of every member thereof, and if a corporation, of each officer and director thereof, *and of persons who are to make loans and persons who are to be in charge of the place of business of applicant*; also the county and municipality with street and number, if any, where the business is to be conducted and such further information as the commissioner may require. Such applicant at the time of making such application shall pay to the commissioner the sum of one hundred dollars ($100) as a fee for investigating the application and the additional sum of two hundred dollars ($200) as an annual license fee for a period terminating on the last day of the current calendar year; provided, that if the application is filed after June 30th in any year such additional sum shall be only one hundred dollars ($100). In addition to the said annual license fee, every licensee hereunder shall pay to the commissioner the actual costs of each examination as provided for in Section 14 of this act.

The fingerprints required by this section shall be taken by the commissioner or as otherwise prescribed by him.

SEC. 2. Section 14 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, is amended to read:

Sec. 14. Examinations. For the purpose of discovering violations of this act or securing information lawfully required by him hereunder, the commissioner may at any time, either personally or by a person or persons duly designated by him, investigate the loans and business and examine the books, accounts, records and files used therein, of every licensee and of every person who shall be engaged in the business of a personal property broker or broker, whether such person shall act or claim to act as principal or agent, or under or without the authority of this act. For that

purpose the commissioner and his duly designated representatives shall have free access to the offices and places of business, books, accounts, papers, records, files, safes and vaults of all such persons *In making any such examination or investigation the commissioner may, for a reasonable time, not exceeding thirty days, take possession of the books, records, accounts and other papers pertaining to the business and place a keeper in exclusive charge and custody of the same in the office or place where the same are usually kept. During such possession it shall be unlawful for any person to remove or attempt to remove any of said books, accounts, papers, records, files, safes and vaults, or any part thereof, except in compliance with a court order or written consent of the commissioner; provided, however, that the officers, employees, partners, directors and stockholders shall have the right to inspect and examine the same and that employees shall be permitted to make entries therein reflecting current operations or transactions Such power shall not be terminated by the surrender, expiration, suspension or revocation of any license issued by him. Whenever, in the opinion of the commissioner it is deemed necessary for the general welfare of the public, the commissioner shall have continuous authority to exercise the powers as set forth in this act regardless of whether any application for a license has been filed with the commissioner, any license has been issued, or if issued, has been suspended or revoked, or has expired* The commissioner shall have authority to require the attendance of witnesses and to examine under oath all persons whomsoever whose testimony he may require relative to such loans or such business or to the subject matter of any examination, investigation, or hearing

Annual Examination. The commissioner shall make such an examination of the affairs, business, office and records of each licensee at least once each year The actual cost of every examination shall be paid to the commissioner by every licensee so examined, and the commissioner may maintain an action for the recovery of such costs in any court of competent jurisdiction.

Whenever, after an examination, investigation or hearing under this act, the commissioner deems it of public interest or advantage, he may certify a record to the proper prosecuting official of the county, city and county, or city in which the act or acts complained of, examined or investigated, occurred."

Amendment No. 5

On page 1, line 9, of said bill, strike out "SEC 2", and insert "SEC 3."

Amendment No. 6

On page 1 of said bill, after line 16, insert

"SEC 4. Chapters 952 and 953 of the Statutes of 1939 are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1593—An act to amend Section 151 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, after line 16, insert

"(e) An individual who is disqualified from receiving unemployment compensation benefits under subdivision (a) 3 of Section 58 of this act shall be presumed to be ineligible to receive unemployment compensation disability benefits under this article for the same period or periods unless the individual establishes to the satisfaction of the commission that he is suffering a bona fide illness or injury and the commission finds that there is good cause for paying such benefits."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1594—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability payments.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out the period, and insert "; provided, however, that in no case shall more than eight times the weekly benefit amount be paid in any injury or illness caused by or arising in connection with pregnancy"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1711—An act to amend Section 10490.1 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 24, inclusive, and insert

"10490.1. Any nonprofit incorporated or unincorporated mutual benefit association in existence prior to January 1, 1945, which confines its membership to officers and employees of a common employer or group of affiliated or related employers including persons who were such officers or employees at the time of becoming members and which pays death benefits only to nominees or the estates of deceased members, *or pays disability benefits in amounts not exceeding (except in the case of unemployment compensation disability benefits under the provisions of the Unemployment Insurance Act) fifteen hundred dollars ($1,500) in the aggregate in any one calendar year on account of the disability of any one person, or which pays both such benefits* is exempt from the provisions of this code relating to such life insurance in respect to such members *and to such disability insurance in respect to such members and their dependents.*"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1759—An act to amend Section 1 of Chapter 189 of the Statutes of 1933, relating to the deposit of public moneys with banks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1", and insert "Sections 1 and 9a".

Amendment No. 2

On page 2 of the printed bill, following line 23, insert

"SEC. 2. Section 9a of Chapter 189 of the Statutes of 1933 as added by Chapter 710 of the Statutes of 1935 is amended to read:

Sec. 9a. A treasurer, with the consent of the bank depositing with any such treasurer such notes or bonds, as security, may authorize any trust company or trust department of any state or national bank authorized to conduct in this State the business of a trust company (other than the bank depositing with any such treasurer such notes or bonds) *or with the Federal Reserve Bank of San Francisco or any branch thereof within this State* to act as agent for the purpose of receiving and to receive for such treasurer from such depositing bank the deposit of any notes and bonds that are approved as security under the provisions of this act.

A treasurer, with the consent of the bank owning such notes or bonds, may place and maintain for safe-keeping as a trust deposit with any trust company or trust department of any state or national bank authorized to conduct in this State the business of a trust company (other than the bank owning such notes or bonds) *or with the Federal Reserve Bank of San Francisco or any branch thereof within this State* any notes and bonds that have been received by such treasurer as security under the provisions of this act.

Any bank or trust company, to which any notes or bonds are delivered, either as agent or depositary for a treasurer, under any provision of this section, shall make such disposition of such notes and bonds as the treasurer shall direct and shall be responsible only for a strict compliance with the instructions given to it in writing by such treasurer and all such notes and bonds shall at all times be subject to the order of such treasurer.

A treasurer shall take from such bank or trust company a receipt for any notes and bonds delivered to it, under any provision of this section, and such treasurer shall not be responsible for any notes or bonds so delivered to and receipted for by any bank or trust company nor shall the county, city and county, city, town, municipality or other public or municipal corporation be responsible for the custody and safe return thereof, until such notes or bonds are withdrawn from such bank or trust company by the treasurer.

The charges for the handling and safe-keeping of any such notes or bonds shall not be a charge against the treasurer but shall be paid by the bank owning the notes or bonds."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2309—An act to amend the title and Sections 17, 18, 19.5, 20, and 23 of the Personal Property Brokers Act, as revised by Chapter 952 of the Statutes of 1939, and to amend the title and Sections 17, 18, 19.5, 20, and 24 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of personal property brokers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "4, 15,".

Amendment No. 2

On page 1, lines 10 and 11, of said bill, strike out "in the amount of three hundred dollars ($300) or less".

Amendment No. 3

On page 1, line 14, of said bill, strike out "in the amount of three hundred dollars ($300) or less".

Amendment No. 4

On page 1, line 16, of said bill, after the semicolon, insert "to provide for exemption of loans of five thousand dollars ($5,000) or more from portions of this act;".

Amendment No. 5

On page 2, lines 10 and 11, of said bill, strike out "in the amount of three hundred dollars ($300) or less".

Amendment No. 6

On page 2, line 14, of said bill, strike out "in the amount of three hundred dollars ($300) or less".

Amendment No. 7

On page 2, line 16, of said bill, after the semicolon, insert "to provide for exemption of loans of five thousand dollars ($5,000) or more from portions of this act;".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 2 of said bill, between lines 21 and 22, insert

"SEC. 2.1. Section 4 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, as amended, is amended to read:

Sec. 4. Exemptions. (a) This act shall not apply to any person, association, copartnership, trust or corporation doing business under any law of this State or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions or licensed pawnbrokers

(b) Nothing contained in this act shall apply to any of the following:

1. Any nonprofit cooperative association organized under Title 23 of Part 4 of Division 1 of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division 6 of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein;

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, livestock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business; or

3. Any corporation securing money or credit from any federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended, in loaning or advancing money or credit so secured.

(c) This act shall not apply to bona fide conditional contracts of sale involving the disposition of personal property, when such forms of sales agreements are not used for the purpose of evading this act.

(d) The following provisions of this act shall not apply to any bona fide loan of a principal amount of five thousand dollars ($5,000) or more, or to a duly licensed personal property broker in connection with any such loan, provided the provisions of this paragraph are not used for the purpose of evading this act: The fourth *and last paragraphs* [paragraph] of Section 16; [the third paragraph of] Section 17; Section 18; [the fifth and seventh paragraphs of] Section 20; the second paragraph of Section 21.

SEC. 2.2. Section 4 of the Personal Property Brokers Act as revised by Chapter 1044 of the Statutes of 1939, as amended, is amended to read:

Sec. 4. Exemptions (a) This act shall not apply to any person, association, copartnership, trust or corporation doing business under any law of this State or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions or licensed pawnbrokers.

(b) Nothing contained in this act shall apply to any of the following:

1. Any nonprofit cooperative association organized under Title 23 of Part 4 of Division 1 of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division 6 of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein;

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, livestock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business; or

3. Any corporation securing money or credit from any federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended, in loaning or advancing money or credit so secured.

(c) This act shall not apply to bona fide conditional contracts of sale involving the disposition of personal property, when such forms of sales agreements are not used for the purpose of evading this act.

(d) The following provisions of this act shall not apply to any bona fide loan of a principal amount of five thousand dollars ($5,000) or more, or to a duly licensed personal property broker in connection with any such loan, provided the provisions of this paragraph are not used for the purpose of evading this act: The fourth *and last paragraphs* [paragraph] of Section 16; [the third paragraph of] Section 17; Section 18; [the fifth and seventh paragraphs of] Section 20; the second paragraph of Section 21.

SEC. 2.3. Section 15 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, as amended, is amended to read:

Sec. 15. Books and Records. The licensee shall keep and use in his business such books, accounts and records as will enable the commissioner to determine whether such licensee is complying with the provisions of this act and with the rules and regulations lawfully made by the commissioner hereunder Every licensee shall preserve

such books, accounts and records, including cards used in the card system, if any, for at least two (2) years after making the final entry on any loan recorded thereon.

Each licensee shall annually on or before the fifteenth day of March file a report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee within the State. *The commissioner shall require that the information pertaining to loans of less than five thousand dollars ($5,000) shall be stated separately from the information pertaining to any other business conducted by the licensee including the business of making loans of five thousand dollars ($5,000) or more* Such report shall be made under oath and shall be in the form prescribed by the commissioner, who shall annually make and file with the Division of Corporations as a public record a composite of such reports and any comments thereon that he may deem to be in the public interest.

The commissioner may require the production for examination in the State of California of all books, records and supporting data used by the licensee in the preparation of reports to the commissioner. Such books, records and supporting data shall be made available for examination by the commissioner in the State of California within ten days after written demand therefor.

SEC. 2.4. Section 15 of the Personal Property Brokers Act as revised by Chapter 1044 of the Statutes of 1939, as amended, is amended to read:

Sec. 15. Books and Records. The licensee shall keep and use in his business such books, accounts, and records as will enable the commissioner to determine whether such licensee is complying with the provisions of this act and with the rules and regulations lawfully made by the commissioner hereunder. Every licensee shall preserve such books, accounts, and records, including cards used in the card system, if any, for at least two years after making the final entry on any loan recorded therein.

Each licensee shall annually on or before the fifteenth day of March file a report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee within the State. *The commissioner shall require that the information pertaining to loans of less than five thousand dollars ($5,000) shall be stated separately from the information pertaining to any other business conducted by the licensee including the business of making loans of five thousand dollars ($5,000) or more* Such report shall be made under oath and shall be in the form prescribed by the commissioner, who shall annually make and file with the Division of Corporations as a public record a composite of such reports and any comments thereon that he may deem to be in the public interest.

The commissioner may require the production for examination in the State of California of all books, records and supporting data used by the licensee in the preparation of reports to the commissioner. Such books, records and supporting data shall be made available for examination by the commissioner in the State of California within ten days after written demand therefor."

Amendment No. 9

On page 2, lines 26 and 27, of said bill, strike out "not to exceed three hundred dollars ($300) in amount".

Amendment No. 10

On page 2, line 30, of said bill, after "loan", insert "up to, including, but".

Amendment No. 11

On page 2, line 31, of said bill, strike out "and", and insert a comma.

Amendment No. 12

On page 2, line 31, of said bill, after "month", insert "on that portion of the unpaid principal balance in excess of one hundred dollars ($100) up to, including, but not in excess of seven hundred fifty dollars ($750), and five-sixths of 1 percentum (⅚ of 1%) per month".

Amendment No. 13

On page 2, line 32, of said bill, after "balance", insert "in excess of seven hundred fifty dollars ($750)".

Amendment No. 14

On page 2, line 32, of said bill, after "If", insert ", however,".

Amendment No. 15

On page 2, line 36, of said bill, after "on", insert "that portion of the unpaid principal balance up to, including but not in excess of seven hundred fifty dollars ($750) and five-sixths of 1 percentum per month on that portion of".

Amendment No. 16

On page 2, line 36, of said bill, after "balance", insert "in excess of seven hundred fifty dollars ($750)".

Amendment No. 17

On page 2, lines 44 and 45, of said bill, strike out "paid, deducted, or received in advance, or compounded. All", and insert "compounded. The maximum".

Amendment No. 18

On page 2, lines 46 and 47, of said bill, strike out "and paid only".

Amendment No. 19

On page 3, line 2, of said bill, after "installments", insert "provided, however, that in the event the total charges paid shall exceed the maximum provided by this section, by reason of payment of the loan or any installment thereof prior to maturity, such excess shall be refunded to the borrower at the time the loan is paid in full".

Amendment No. 20

On page 3, line 16, of said bill, after "received," insert "except as the result of an accidental and bona fide error in computation,".

Amendment No. 21

On page 3, lines 24 and 25, of said bill, strike out "not to exceed three hundred dollars ($300) in amount".

Amendment No. 22

On page 3, line 28, of said bill, after "loan", insert "up to, including, but".

Amendment No. 23

On page 3, line 29, of said bill, strike out "and", and insert a comma.

Amendment No. 24

On page 3, line 29, of said bill, after "month", insert "on that portion of the unpaid principal balance in excess of one hundred dollars ($100) up to, including, but not in excess of seven hundred fifty dollars ($750), and five-sixths of 1 percentum per month".

Amendment No. 25

On page 3, line 30, of said bill, after "balance", insert "in excess of seven hundred fifty dollars ($750)".

Amendment No. 26

On page 3, line 30, of said bill, after "If", insert ", however,".

Amendment No. 27

On page 3, line 34, of said bill, after "on", insert "that portion of the unpaid principal balance of the loan up to, including but not in excess of seven hundred fifty dollars ($750) and five-sixths of 1 percentum (5/6 of 1%) per month on that portion of".

Amendment No. 28

On page 3, line 34, of said bill, after "loan", insert "in excess of seven hundred fifty dollars ($750)".

Amendment No. 29

On page 3, line 42, of said bill, strike out "paid,"; and strike out line 43, and insert "compounded. The maximum charges".

Amendment No. 30

On page 3, lines 44 and 45, of said bill, strike out "and paid only".

Amendment No. 31

On page 3, line 52, of said bill, after "installments", insert ", provided, however, that in the event the total charges paid shall exceed the maximum provided by this section, by reason of payment of the loan or any installment thereof prior to maturity, such excess shall be refunded to the borrower at the time the loan is paid in full."

Amendment No. 32

On page 4, line 14, of said bill, after "received," insert "except as the result of an accidental and bona fide error in computation,".

Amendment No. 33

On page 4, line 24, of said bill, after "made," insert "a copy of the note and any instrument evidencing the security therefor or, in lieu thereof,".

Amendment No. 34

On page 4, lines 48 and 49, of said bill, strike out ", and stating the unpaid principal balance, if any, of such loan".

Amendment No. 35

On page 5, line 40, of said bill, after "made," insert "a copy of the note and any instrument evidencing the security therefor, or in lieu thereof,".

Amendment No. 36

On page 6, lines 12 and 13, of said bill, strike out ", and stating the unpaid principal balance, if any, of such loan".

Amendment No. 37

On page 7, lines 4 and 5, of said bill, strike out "of three hundred dollars ($300) or less".

Amendment No. 38

On page 7, lines 24 and 25, of said bill, strike out "of three hundred dollars ($300) or less".

Amendment No. 39

On page 7, line 49, of said bill, strike out "any".

Amendment No. 40

On page 7, lines 50 and 51, of said bill, strike out "of the amount or value of three hundred dollars ($300) or less".

Amendment No. 41

On page 8, lines 7 and 8, of said bill, strike out "of the amount or value of three hundred dollars ($300) or less,".

Amendment No. 42

On page 8, lines 14 and 15, of said bill, strike out "of the amount or value of three hundred dollars ($300) or less,".

Amendment No. 43

On page 8, lines 49 and 50, of said bill, strike out "of three hundred dollars ($300) or less,".

Amendment No. 44

On page 9, line 20, of said bill, strike out "any".

Amendment No. 45

On page 9, lines 22 and 23, of said bill, strike out "of the amount or value of three hundred dollars ($300) or less".

Amendment No. 46

On page 9, lines 30 and 31, of said bill, strike out "of the amount or value of three hundred dollars ($300) or less,".

Amendment No. 47

On page 9, lines 37 and 38, of said bill, strike out "of the amount or value of three hundred dollars ($300) or less,".

Amendment No. 48

On page 10, lines 22 and 23, of said bill, strike out "of three hundred dollars ($300) or less,".

Amendment No. 49

On page 10, line 42, of said bill, after "paragraph", insert a comma.

Amendment No. 50

On page 10, line 46, of said bill, after "thereafter.", insert "The Legislature hereby declares that it would have passed this act, and every clause, sentence, section, paragraph, provision or part thereof irrespective of the fact that any one or more other clauses, sentences, sections, paragraphs, provisions or parts be declared unconstitutional."

Amendment No. 51

On page 10, line 51, of said bill, after "paragraph", insert a comma.

Amendment No. 52

On page 11, line 4, of said bill, after "thereafter.", insert "The Legislature hereby declares that it would have passed this act, and every clause, sentence, section, paragraph, provision or part thereof irrespective of the fact that any one or more other clauses, sentences, sections, paragraphs, provisions or parts be declared unconstitutional."

Request for Unanimous Consent That Amendments Be Corrected

Mr. Geddes asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 2309, which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Amendments read as corrected, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1557—An act to amend Section 690.16 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 14 and 15, of the printed bill, strike out "or city and county", and insert "city and county, or public district".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 691—An act to amend Section 5012.1 to the Public Resources Code, relating to public utility structures and easements across state park lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 974—An act to add Section 755.2 to the Insurance Code, relating to life, disability and surety insurance and the payment of commissions thereon.

Bill read second time, and ordered to third reading.

Senate Bill No. 977—An act to amend Section 1690 of the Insurance Code, relating to the issuance of restricted licenses to transact insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 313—An act to amend Section 39 of the Unemployment Insurance Act, relating to employer's contributions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 3, line 11, of the printed bill, strike out "January", and insert "July".

Amendment No. 2

On page 3, line 15, of the printed bill, strike out "January", and insert "July".

Amendment No. 3

On page 3, line 17, of the printed bill, strike out "such", and insert "the immediately subsequent".

Amendment No. 4

On page 4, line 17, of the printed bill, strike out "January", and insert "July".

Amendment No. 5

On page 4, line 22, of the printed bill, strike out "January", and insert "July".

Amendment No. 6

On page 4, line 23, of the printed bill, strike out "such", and insert "the immediately subsequent".

Amendment No. 7

On page 5, line 25, of the printed bill, strike out "1", and insert "31".

Amendment No. 8

On page 5, line 26, of the printed bill, strike out "January", and insert "July".

Amendment No. 9

On page 5, line 31, of the printed bill, strike out "January", and insert "July".

Amendment No. 10

On page 5, line 32, of the printed bill, strike out "such", and insert "the immediately subsequent".

Amendment No. 11

On page 6 of the printed bill, strike out lines 23 to 33, inclusive, and insert "balance of reserve is 12 percent or more of his average base pay roll, .5 percent"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND PARTIAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON JUDICIAL PROCESS BE PRINTED IN JOURNAL

Mr. Brown asked for, and was granted, unanimous consent that the following letter of transmittal, and the Partial Report of the Assembly Interim Committee on Judicial Process, be ordered printed in the Journal, in 10-point type:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA, April 11, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MR. SPEAKER: Pursuant to House Resolution No. 226 of the 1947 California Legislative Session, your Interim Committee on Judicial Process herewith submits its first partial report.

Respectfully submitted,

RALPH M. BROWN, Chairman
THOMAS W. CALDECOTT
GEORGE D. COLLINS, JR.
JULIAN BECK
WM. ROSENTHAL.
B. SHERIDAN

Above mentioned report will appear prior to the motion to adjourn.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 183—An act to add Section 10c to the Municipal Court Act of 1925, relating to bail in municipal courts in cities or cities and counties of the second and one-half class.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Conrad moved a call of the Assembly.

Motion carried. Time, 9.55 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Brady, Brown, Caldecott, Clarke, Coats, Collier, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Evans, Fletcher, Geddes, Hawkins, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Maloney, McCollister, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, and Weber—37.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Butters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No. 1565
Assembly Bill No. 1567
Assembly Bill No. 2968

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 1564

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following opinion of the Legislative Counsel was received, read, and ordered printed in the Journal:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA, OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 12, 1949

Hon. Sam L. Collins
Assembly Chamber

Horse Racing Local Option—No. 5816

DEAR MR. COLLINS:

Question

You have asked us whether Assembly Constitutional Amendment No. 35, as amended March 25, 1949, has the effect of requiring local action before horse racing and wagering thereon will be permitted in counties or whether it would allow such to be conducted unless local action is taken to prohibit it.

Opinion

It is our opinion that this amendment proposes to allow horse racing and wagering on horse races to be conducted throughout the State as at present unless a particular county takes action to prohibit it within its boundaries.

Analysis

The measure in question, as amended March 25, 1949, would add Section 25b to Article IV of the Constitution. It is to be noted that the terms of the amendment as introduced would have instituted basic changes in Section 25a of Article IV which at present provides the constitutional authorization whereby horse racing and wagering may be conducted in this State. Had the amendment as introduced become part of the Constitution, the Legislature would have no power to permit wagering on horse races and all laws in effect on the subject would stand repealed.

With the amendment of March 25th, however, an entirely different approach is seen with an entirely different effect. Section 25a would be left in the Constitution in precisely the same form as it now stands. The position of Section 25b, coexistent as it would be with Section 25a, is merely that of an exception to Section 25a and legislation enacted pursuant to it. As is the case with all exceptions, the main principle retains its force except in those circumstances specified in the exception. To come into effect at all, the terms of the exceptions must be met.

Applied to this problem, the circumstances specified under which the provisions of law enacted pursuant to Section 25a would become inapplicable are where the governing body of a county by ordinance or the people of that county by the initiative process act to prohibit horse racing and wagering. Until that time, however, it would seem very clear that Section 25a and statutes enacted in accordance with it remain in effect.

We are therefore of the opinion that the power which would be granted to subdivisions of the State with respect to horse racing and wagering by Assembly Constitutional Amendment No. 35 is no more than an option to prohibit. If no action is taken to prohibit, horse racing and wagering on the results thereof could be conducted as provided by the present law.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By PHILIP J. O'DONNELL, Deputy

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 183

At 10.02 a m., on motion of Mr. Conrad, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 183 passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Tomlinson, Waters, Way, Weber, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 703—An act to amend Section 1080 of the Probate Code, relating to distribution of estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.

NOES—None.

Motion to Amend Title

Mr. Brown moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Court", and insert "Code".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1643—An act to amend Section 26524 of the Government Code, relating to duties of district attorney.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3102—An act to amend the title of Chapter 5.5 of Division 3 of, and to amend Section 2426 of, the Health and Safety Code, relating to mosquito and gnat control, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 939—An act to amend Section 497 of the Fish and Game Code, relating to closures to fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 941—An act to amend Section 1158 of the Fish and Game Code, relating to hunting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher,

Fleury, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Stanley, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 943—An act to repeal Sections 1040, 1041, and 1042 and to amend Section 1043, of the Fish and Game Code, relating to fish breeding.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1295—An act to amend Section 2 of Chapter 1276, Statutes of 1947 and Section 1015.5 of the Fish and Game Code, relating to fish, providing for a privilege tax in relation thereto, establishing a Marine Research Committee and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.

NOES—None.

Motion to Amend Title

Mr. Erwin moved the adoption of the following amendment to the title:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "and making an"; and in line 5 of the title, strike out "appropriation".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2001—An act to amend Sections 1018 and 1073 of the Fish and Game Code, relating to commercial fishing reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.27 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2075—An act to amend Section 875.5 of the Fish and Game Code, relating to gill nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—54.

NOES—None.

Motion to Amend Title

Mr. Davis moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "gill".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 471—An act to amend Section 6029 of the Penal Code, relating to the Board of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1827—An act to add Section 6103.5 to the Government Code, relating to filing fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Lewis Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 916—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for medical and hospital services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Burke, Butters, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1732—An act to amend Section 254 of the Unemployment Insurance Act, relating to medical records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Butters, Coats, Collier, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2501—An act to amend Section 13368 of the Health and Safety Code, relating to construction of the roof of a hazardous building of a clothes cleaning establishment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1709—An act to amend Section 1278 of the Fish and Game Code, relating to deer tags, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grunsky, Hagen,

Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

The Report of the California Commission on Interstate Cooperation

Has had the same under consideration, and reports the same back with the recommendation: That 500 copies be printed as separate documents.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF THE CALIFORNIA COMMISSION ON INTERSTATE COOPERATION BE PRINTED IN THE JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the Report of the California Commission on Interstate Cooperation be ordered printed in the Journal, in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND 500 COPIES BE PRINTED

Mr. Dickey asked for, and was granted, unanimous consent that the Report of the California Commission on Interstate Cooperation be printed as a separate document, and that 500 copies be printed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1947

Mr. Hoffman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1947, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1947

Assembly Bill No. 1947—An act to amend Section 132.5 of the Agricultural Code, relating to the control and eradication of pests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Thomas, Thompson, Waters, Way, and Weber—58

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 35 HOLD PLACE ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 35 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2177

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2177, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2177

Assembly Bill No. 2177—An act to amend Section 1184e of the Code of Civil Procedure, relating to claims of laborers or materialmen on public contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2666—An act to amend Section 301 of, and to add Sections 318.1, 318.2, 318.3, and 318.4 to, the Agricultural Code, relating to meat inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dunn, Erwin, Evans, Fletcher, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, Meyers, Moss, Niehouse, Reagan, Smith, Stanley, Thomas, and Way—45.

NOES—None.

Notice of Motion to Reconsider Assembly Bill No. 2666

Mr. Fletcher gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2666 was this day passed.

Assembly Bill No. 250—An act to amend Section 31526 of the Government Code, relating to retirement of county employees, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley,

Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—58.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 378—An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, and 14525.1 to, and to amend Sections 14401, 14406, 14450.5, 14451, and 14510 of, the Health and Safety Code, relating to county fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—60.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 422—An act to add Sections 3a, 16a, 16b, 16c, 16d, 16e, and 16¾ to the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Smith, Stanley, Thomas, Thompson, Waters, and Way—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 521—An act to repeal Sections 4136, 4137, 4138, and 4139 of, and to add Sections 4136, 4137, 4138, and 4139 to, the Health and Safety Code, relating to garbage disposal districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis,

Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—59
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 200—An act to add Article 5 to Chapter 1, Part 5, Division 11, of the Water Code, relating to flood control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 21—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 23b of Article IV thereof, relating to expenses of Members of the Legislature while attending sessions of the Legislature.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—58.
NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 5 of Article XI thereof, relating to compensation of officers.

Resolution read, and ordered placed on the inactive file.

Assembly Bill No. 1950—An act relating to the State Allocation Board and providing for the allocation by said board of public funds appropriated for allocation to local agencies for public works projects and incidental expenses declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel,

Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 578—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 977—An act to amend Sections 1631, 2311, and 5709 of the Welfare and Institutions Code, relating to the local control and regulations of certain institutions, boarding homes and other places caring for children, the aged and the insane.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2898—An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Way, and Weber—61

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1917

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1917, temporarily passed on file, at this time.

Request for Unanimous Consent That Assembly Bill No. 1917 Be Withdrawn From File, and Be Re-referred

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 1917 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 678—An act to amend Section 7056 of the Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi-public corporations, bodies or agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2556 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 2556 be withdrawn from the Committee on Public Morals, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 713

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 713, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 713

Assembly Bill No. 713—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Thompson, Waters, and Weber—58

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 580—An act to amend Section 1361 of the Government Code, relating to oaths of office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Smith, Thomas, Thompson, Tomlinson, Way, and Weber—51.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 890, *on motion of Mr. Babbage.*

Speaker Presiding

At 11.44 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on amendments to the following bill was continued until the next legislative day:

Assembly bill No. 375, on request of Mr. Clayton A. Dills.

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 312, on request of Mr. McCollister.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 341—An act to add Section 5082.2 to the Business and Professions Code, relating to the registration of public accountants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dunn, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—55.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 635—An act to add Section 697.1 to the Vehicle Code, relating to the length of passenger busses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—58

NOES—None

Bill ordered transmitted to the Senate

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 129, on request of Mr. Dickey.

MEMBER EXCUSED

At 11.50 a.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Brady be excused for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 624—An act to amend Section 586 of, and to add Section 585.6 to the Vehicle Code, relating to the parking of vehicles adjacent to railroad tracks.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Brown, Burke, Butters, Collier, Conrad, Cramer, Clayton A. Dills, Doyle, Erwin, Fleury, Grant, Heisinger, Huyck, Luckel, Moss, Stanley, Tomlinson, and Mr. Speaker—19.

NOES—Anderson, Beck, Bennett, Berry, Burkhalter, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Ralph C. Dills, Elliott, Geddes, Grunsky, Hagen,

Hahn, Hawkins, Hoffman, Levering, Lewis, Lincoln, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Rosenthal, Rumford, Smith, Waters, Way, and Weber—36.

Notice of Motion to Reconsider Assembly Bill No. 624

Mr. Fleury gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 624 was this day refused passage.

Assembly Bill No. 2326—An act to amend Sections 776 and 777 of the Vehicle Code, relating to moneys of the Departments of Motor Vehicles and California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1032—An act to amend Sections 17813, 17817, and 18172.7 to the Revenue and Taxation Code, relating to personal income taxes

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Huyck, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—53.

NOES—George D. Collins, Condon, Hagen, Heisinger, and Lewis—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 623—An act to add Sections 585.4 and 585.5 to the Vehicle Code, relating to the removal of vehicles from highways by peace officers.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 623 Be Withdrawn From File, and Be Re-referred

Mr. Luckel asked for unanimous consent that Assembly Bill No. 623 be withdrawn from the file, and be re-referred to the Committee on Transportation and Commerce.

Mr. Hinckley withheld unanimous consent.

The question being on the passage of Assembly Bill No. 623.

Point of Order

Mr. Cramer arose to the following point of order: That Mr. Levering is not in order because Mr. Luckel has closed his debate.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 623.

The roll was called, and the bill refused passage by the following vote:

AYES—Grant, Heisinger, Hollibaugh, Lewis, Lindsay, and Luckel—6.
NOES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Levering, Lincoln, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Way, Weber, and Mr. Speaker—52.

Assembly Bill No. 1477—An act to amend Section 356 of the Streets and Highways Code, relating to state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dunn, Elliott, Erwin, Evans, Fletcher, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, Way, and Weber—56.
NOES—Cramer—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2175

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2175, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2175

Assembly Bill No. 2175—An act to amend Sections 303, 346, 444, and 460 of, to add Section 513 to, and to repeal Section 530 of the Streets and Highways Code, relating to state highway routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1275

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1275, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1275

Assembly Bill No. 1275—An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Hinckley, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Way, and Weber—52.

NOES—Butters, Collier, and Smith—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 12.20 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 33, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33

Assembly Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to regular sessions of the Legislature designated as budget sessions.

Resolution read.

Demand for Previous Question

Messrs. Waters, Cramer, Conrad, Berry, and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 33.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dickey moved a call of the Assembly.

Motion carried. Time, 12.53 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Caldecott, Clarke, Gaffney, Kirkwood, and Silliman—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Speaker Presiding

At 12.58 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

RESOLUTIONS

The following resolution was offered:

By Mr. Geddes:

House Resolution No. 163

Relating to the continuance of the Assembly Fact-Finding Committee on Highways, Streets and Bridges

Resolved by the Assembly of the State of California, That the Assembly Fact-Finding Committee on Highways, Streets and Bridges, created by House Resolution 221, 1947 Regular Session, and continued by House Resolutions 16 and 118, 1949 Regular Session, is hereby authorized to file its final report on or before April 30, 1949

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 163

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 163

By Mr. Geddes:

House Resolution No. 163

Relating to the continuance of the Assembly Fact-Finding Committee on Highways, Streets and Bridges

Resolved by the Assembly of the State of California, That the Assembly Fact-Finding Committee on Highways, Streets and Bridges, created by House Resolution 221, 1947 Regular Session, and continued by House Resolutions 16 and 118, 1949 Regular Session, is hereby authorized to file its final report on or before April 30, 1949.

Resolution read, and adopted.

ANNOUNCEMENTS

Mr. Ralph C. Dills announced his luncheon meeting for members today, upon adjournment, in the Jubilee Room of the Hotel Sacramento.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 33

At 1.05 p.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No. 33 refused adoption by the following vote:

AYES—Babbage, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Crowley Dickey, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—51.

NOES—Anderson, Beck, Bennett, Berry, Coats, George D. Collins, Condon, Cooke, Crichton, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Lewis, Lowrey, McCarthy, Meyers, Moss, Rosenthal, and Thomas—25.

RECESS

At 1.07 p. m., on motion of Mr. Dickey, the Assembly recessed until 1.10 p.m., so that Superior Court Judge O. K. Morton of Riverside, after being introduced by the Hon. Philip Boyd, former Member of the Assembly from Riverside County, could present an award to Assemblyman John D. Babbage, representing the Seventy-sixth District. This award was given to Mr. Babbage by the Junior Chamber of Commerce of Riverside County, for being acclaimed "the most outstanding young man of the year in Riverside."

REASSEMBLED

At 1.10 p.m., the Assembly reconvened.

Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 80: By Messrs. Dunn, Geddes, Ralph C. Dills, Huyck, Beck, Kirkwood, Lincoln, Maloney, McCollister, Mrs. Niehouse, and Mr. Rumford—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 14 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1398

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1937
Assembly Bill No. 2029
Assembly Bill No 2632

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1936

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1460
Assembly Bill No. 1461

Has had the same under consideration and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 869
Assembly Bill No. 2742

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR SPEAKER: Your Committee on Fish and Game, to which were referred.

Assembly Bill No. 42
Assembly Bill No. 44
Assembly Bill No. 884
Assembly Bill No. 885
Assembly Bill No. 1497

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 883

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 919
Assembly Bill No. 3103

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1651
Assembly Bill No. 2193

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1547

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 252
Assembly Bill No. 766
Assembly Bill No. 2080

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 692

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER Your Committee on Public Health, to which were referred.

Senate Bill No 31
Senate Bill No 381

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1287

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1626
Assembly Bill No. 1629
Assembly Bill No. 2764

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 660

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR SPEAKER: Your Committee on Rules, to which was referred.

Senate Concurrent Resolution No. 42

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 159

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 158
House Resolution No. 161

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 65—Approving a certain amendment to the charter of the City of Pasadena, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of March, 1949;

Assembly Concurrent Resolution No. 68—Relative to the death of Kathy Fiscus;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the thirteenth day of April, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2840—An act to amend Section 1 of an act entitled "An act to provide for the classification of municipal corporations," approved March 2, 1883, as amended, and to amend Section 34112 of, and to add Section 34112.4 to, the Government Code, creating new classes of cities to be known as cities of the four and seven-eighths class and cities of the four and five-eighths class, and to provide for their organization, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1766—An act to amend Section 4 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans;

Assembly Bill No. 2541—An act to amend Section 5 of "An act to provide for the formation of districts within municipalities for the acquisition, construction or extension of waterworks, water systems or water distribution systems; for the issuance, sale and payment of bonds of such districts to meet the cost of such waterworks, water systems or water distribution systems; and for the acquisition, construction or extension of such waterworks, water systems or water distribution systems," approved April 26, 1935, to remove the limitation on the amount of the principal of indebtedness;

Assembly Bill No. 2780—An act to amend Section 9320 of the Government Code, relating to the compensation of officers and employees of the Senate and Assembly and making an appropriation for the payment of such compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1720—An act to amend Section 17 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans;

Assembly Bill No. 1721—An act to amend Section 18 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions and applications for loans;

Assembly Bill No. 1722—An act to amend Section 10 of an act entitled "An act defining credit unions, providing for their incorporation, powers, management, and supervision," approved March 31, 1927, relating to powers of credit unions;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 111—An act to provide for the expansion of publicly supported higher education by the establishment of a state college in the City of Los Angeles; and to repeal Chapters 1082 and 1089 of the Statutes of 1947, all relating to the System of Publicly Supported Higher Education;

Assembly Bill No. 1078—An act providing for the compilation, publication, and distribution of a State Blue Book;

Assembly Bill No. 1255—An act to amend Section 51a of the Public Utility District Act of 1921, relating to public utility districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of April, 1949, at 12 m.

HUYCK, Chairman

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider votes on the following bill was continued until the next legislative day:

Assembly Bill No. 588, on request of Mr. Burkhalter.

PARTIAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON JUDICIAL PROCESS

To the Honorable Sam L. Collins, Speaker, and the Members of the Assembly:

The Interim Committee on Judicial Process was created by House Resolution No. 226 to study into all questions affecting judicial process and the need for any changes in the various laws of the State of California.

One of the problems brought to the attention of the committee by its members and reports of the press, was the question of gambling in California, and whether there is need for any changes in the present law.

Our funds have been limited. We have not hired any full time investigators, but have relied on the activities of the members to personally examine into the present situation about which there has been so much discussion.

Our committee has not gone into the fields of organized crime for various obvious reasons, one of which being our lack of funds, and another because this commission has been more than active in this field.

However, we have given everyone desiring to appear before our committee an opportunity to advise us as to the needed changes in present gambling laws as well as present situations now existing.

Bookmaking

Bookmaking is a popular subject. Everyone talks about it like the weather, but no one does anything about it.

We believe that the public is confused about bookmaking, that it cannot understand how it is illegal to bet on horses outside of a legal fence drawn around certain race tracks in California, but perfectly legal to bet on the same horse within this legal fiction. This does have a moral aspect.

While the voters legalized pari-mutuel betting within the confines of certain tracks, nevertheless, the same bettor no doubt, feels that, if he loses a dollar within the tracks, he has lost it just the same as if he had bet through a bookie.

Because of this belief, we find that the bookies exist to take care of the public's demands.

The committee finds that many newspapers, including *Racing Form,* in the State are helpful in furnishing information to the potential bettor. These papers—some of which, by the way, are generally fighting the bookies on the front page—print the entries for tracks all over the United States, and not just the California tracks. Selections and tips are furnished by the papers' own sport writers, plus advertisements by concerns who guarantee to furnish winners. The results of the races for the day before are likewise printed, and if the newspaper is published in the afternoon, the results of the latest races are printed on the front page of that paper.

One question arises: Do the newspapers actually expect that the readers of the sports page are either going to visit the tracks in the East on the day the entries are printed, or to make a bet with some bookie? The answer is obvious. In other words, the Southern California papers, running entries of Northern California tracks know that no reader will visit any tracks, but must furnish the information to bettors for the bookies.

Now, the committee realizes that quick results of races are important to the bettor. Those bettors in the horse parlors naturally want the results immediately. These persons bet on whatever horse they believe may be a winner without much previous knowledge, and want the results of the race as soon as possible so that they can rebet their winnings, if any, on the next race. This is, in effect, a lottery.

While the existence of such parlors is important to certain groups of bettors, yet the number of bookies arrested in the various cities for making books on the street and in the bars is very much greater than the arrest of the operators of the so-called parlors or central clearing offices. In other words, in most towns the bets are placed by bettors over the phone or on the street, based on information they have picked up elsewhere than in a parlor. This information must either come from tips or from the newspapers or racing forms, because the bookie on the street certainly is no fountainhead of information as to the various track entries for that day.

Bookies are being arrested in great numbers. In Los Angeles our committee discussed this problem, after it was brought to our attention by the statement of Judge T. L. Ambrose that bookies were being released too rapidly by writ of habeas corpus.

In testimony before the committee it was apparent that the Los Angeles Police Force was extremely busy in arresting men for making book on the streets. However, as fast as these bookies were arrested and taken to jail, they were released on writ of habeas corpus on the grounds that there would be no complaint filed by the district attorney.

There then appeared a situation with the police arresting the bookie, the district attorney refusing to file a complaint because of lack of evidence, and the judge releasing the bookie

We found that a certain few attorneys and bail bond brokers were appearing for the bookie, furnishing the writ of habeas corpus and the bail bond, receiving anywhere from $25 to $50 per case, and handling from 10 to 20 cases per day.

We quote from the testimony of Judge Ambrose:

CHAIRMAN: Are they (bookies) held for a period of time?

JUDGE AMBROSE: Not if they can get away with it. The writ is filed in the police station before the defendant is brought in. Develops into a competitive contest, once they had two writs on the same man, the same defendant.

Another thing, attorneys petition for writs who are not attorneys for the defendant at all, but for some bail bond company. They file petition and we have granted them where petition shows on face the man was not in custody.

CHAIRMAN: Do they (attorneys) use a preprint writ?

AMBROSE: Yes, these attorneys carry them partially filled out in brief cases_____. Either license bookmaking or make it a misdemeanor.

CHAIRMAN: That would bring some revenue into the State.

AMBROSE: Certainly, I understand that race tracks oppose making it a misdemeanor. I don't know why.

GEORGE COLLINS: In San Francisco they prosecute them under a felony.

AMBROSE: How many do they actually prosecute?

COLLINS: The real bookies just don't come in. It is just foolishness to say the police don't know where they are.

AMBROSE: My suggestion would be that the police department and judges follow the law and not make any arrangement until it is proven that the person is in custody.

Concerning the active campaign of the Los Angeles Police Force in arresting bookies, the problem appearing is the inability to obtain sufficient evidence to warrant the district attorney in issuing a complaint. In many instances, the plain clothes officers would make a bet with the bookie, and arrest him while he would be writing down the information. In other cases, the arrest would be made while the bookie would be taking a bet from a bettor. In no cases did we find any effort to arrest any bettors.

We quote from testimony on this phase:

CHIEF OF POLICE HORRELL OF LOS ANGELES: The whole thing hinges on Penal Code Section 337a, states that it is a felony. Majority of the people are in the same corner that Volstead Act was during prohibition. We have a lot of curbstone bookies. It is extremely difficult to get evidence that is required for a complaint. The officer sees money change hands. There is no question in his mind what it is. Is he going to pass it up? The police officer knows that a felony has been committed.

ASSEMBLYMAN SHERIDAN: But he doesn't have enough evidence at the time. He prejudges the case.

ASSEMBLYMAN ROSENTHAL: Why not arrest man who places bet and not only the bookmaker if you are ever going to break this up.

This system used in Los Angeles is to continually arrest these men, more or less on a nuisance basis. However, it does little good with the activities of attorneys and bail bond brokers who are always ready to file a writ and issue a bail bond, even before the arrested bookie gets to the police station; the use of alias names in the arrests by the bookies; the immediate release because of lack of evidence, puts these bookies back in circulation again. Those who are unfortunate to get a jail term, if convicted, are quickly replaced by others on the streets and in the bars to receive the bets again. No noticeable effort seems to be made to cut off telephones and to reduce local bookmaking above the bookie class.

Other Forms of Gambling

As long as the Constitution and laws of California make gambling illegal, excluding the pari-mutuel race tracks, then it is just as illegal for an organized group to violate the law as for an unorganized group to do so. The picture in the State appears to be that the law enforcement agencies want to wink at what their friends want to do, but put in jail anybody else from outside their own territory.

It is poor policy to say that the local group can do it but no one else. The person who likes to gamble loses the same money to either group. Of course, there is bound to be political corruption if an outside group is permitted certain favors, but this differs little with the situation which allows the home-towners certain rights merely because they are local. The principle is the same, only the payoff is different. It would be similar to electing a gambler sheriff. He just wouldn't enforce the anti-gambling laws regardless of payoffs.

Every member of the committee, as well as the Members of the Legislature, has been aware of the lotteries being operated throughout the State by various charitable and unofficial governmental groups who sell tickets on homes, automobiles, blankets, and other objects. These are lotteries under the law, even if the price of the ticket is supposed to be a donation.

We have found slot machines throughout the State. We have not been in every county in the State, but have been in sufficient numbers to see the one armed bandits either pay off in cash or over the counter with the free play machines.

The public apparently wants slot machines. Many private clubs use them to pay off the debts of the organization and for other purposes.

The public's desire can be debated from a moral standpoint as to whether a majority wants such machines or not. If such are not desired, the opponents usually make little to-do about it, as indicated by the failure of law agencies to do much in enforcing present laws.

We do not know who owns the slot machines in California, but we know that the United States Internal Revenue Department has a list of the locations of all machines which pay a federal tax. These lists have been available for years to the enforcement agencies. No local groups seem to avail themselves of this information.

Penal Code Section 335 sets forth the law as to the duties of local officials as follows:

> Every district attorney, sheriff, constable or police officer must inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions of this chapter and every such officer refusing or neglecting so to do is guilty of a misdemeanor.

The existence of slot machines, bookies, and other forms of known gambling is within the province of every law enforcement officer in the State. No one need worry about any other problem than to enforce the law in his own area, to rid the various counties of gambling problems or any other law violation.

There are many clean counties in the State. In many counties the district attorneys absolutely keep out slot machines by enforcing the present law, regardless of court interpretations that mere possession is not illegal, but only illegal where the machines actually pay off when operated.

District Attorney John Quincy Brown of Sacramento County appeared before our committee to discuss the operation of the county's slot machines ordinance, which makes possession illegal. This law has been adopted in several other counties.

The difficulty with such an ordinance is that it does not affect the operation of slot machines within incorporated areas in the county. The result is that slot machines exist within those cities, and the district attorney and sheriff get blamed for not enforcing the laws. The committee has observed slot machines being played within the shadow of the Capitol dome.

Our committee has heard a great deal about pay-offs to public officials. Whether such exists or not is hard to say. We do say, however, that if there is any question of a single pay-off to any official, that matter should be brought out in the open. The public is entitled to know of such facts. But we may conclude that much protection money is collected, although it may never reach any public official's hands.

Confidence in public officials is the most valued asset of our government. Any actual or implied pay-offs have a bad effect on the citizen, as well as on the person who is making what he thinks is a pay-off.

While the general public has a tendency to believe that all public officials, including the Members of the Legislature, are corrupt, we feel that the only way to offset this attitude is to have strict enforcement of all laws, repeal of those laws that the public does not want, and the passage of the necessary laws to give the law enforcement officials the tools with which to work. Then these men, the officials, should either resign or enforce the law.

There are several counties in the State wherein all forms of gambling exist, just like Nevada. There is no pretense to hide the roulette, dice, blackjack, and slot machines by entrances to secret rooms or private clubs. One county is very popular with tourists, and even Members of the Legislature and lobbyists.

In this county in particular, the condition has existed long before any thought was given to organized crime. This situation is one within

the entire province of local officials and the local public, who seem to want it.

In cases of this nature, efforts of outsiders to go in to prevent such activity results in little success.

To quote from testimony on this phase:

ASSEMBLYMAN SHERIDAN: I think that if you attempt to have a prosecution you will find out that all of the local boys go scot free and the boys from out of town will be convicted, irrespective of the merits of the case.

ASSEMBLYMAN COLLINS: In _____ County, I went up there one Sunday morning and the children and everybody else were playing the slot machines right in the open. In fact there are slot machines right now in San Francisco. It has been a violation of the law and as I say, I saw a Sheriff's deputy in _____ watching a crap game up there in uniform.

In one county, two members of the committee found that there was an agreement between the operators of the gambling houses within the city and those outside, to keep slot machines out of the city. This would give the houses on the edge of town the advantage from a competitive standpoint.

Conclusions

The committee does hereby recommend to the Assembly that it adopt a bill making it a misdemeanor to have a slot machine in a person's possession. Such legislation would clear up the court's decision on this subject that mere possession is not illegal, but only when the machine makes a payoff, or there is a payoff by someone.

The committee has introduced two bills on this subject. Assembly Bill No. 437 amends Penal Code Section 330a by making mere possession of a slot machine illegal. Assembly Bill No. 2556 has also been introduced to likewise make possession a crime, and is based on the county ordinance now in effect in Sacramento County.

As far as bookmaking is concerned, we feel that the law should not be changed or reduced from a felony to a misdemeanor. Though some counties charge the bookies with a misdemeanor, other counties have success with a charge of felony. We feel that the retention of the crime as a felony is good, and is a serious detriment to this racket where the prosecution attempts to stop bookmaking.

The laws of the State on gambling should be enforced and none repealed. There has been discussion of the repeal of the lottery laws, which would make gambling legal, but our committee feels that such is not wise.

Better prosecution of present laws against bookmaking, including the arrest and prosecution of the bettor, would likewise slow down the betting process. We have noted that the bettor is hardly ever charged with any offense, or if so, only a minor fine is levied against him. The bettor and the bookie are forming a conspiracy, which is punishable under the present conspiracy law.

The gambling, legally allowed within certain areas, is not available to the average citizen, and the arbitrary demarcation point as to what is

legal horserace betting, and what is not, is demoralizing to the enforcement of present gambling laws.

The fact that some counties have slot machines and others do not, some allow raffles on new homes, cars, blankets, and other articles, while the same is illegal in the next county, causes a mistrust of our government and its officials.

The hypocrisy of some gambling being legal while other forms are not, can be the potential ruination of good government.

Our citizens must not be taught to evade the laws that the Legislature passes. The public generally leaves the enforcement problems to its proper agencies, who usually are short in funds. We feel that these public officials should be given more moral support and paid adequate salaries.

The grand juries should tackle these responsibilities, the district attorneys, sheriffs, and police officers should strictly enforce all laws, although this is not the popular way. This enforcement will take care of the present problems now before the counties in the State of California.

We commend the public officials who are taking their work seriously, and find that many counties are in excellent shape.

Respectfully submitted,

RALPH M. BROWN, Chairman
JULIAN BECK
THOMAS W. CALDECOTT
BERNARD A. SHERIDAN
WILLIAM H. ROSENTHAL
GEORGE D. COLLINS, JR.

REPORT OF THE CALIFORNIA COMMISSION ON INTERSTATE COOPERATION

March 25, 1949

To the Honorable Earl Warren, Governor
And to the Legislature of the State of California

The California Commission on Interstate Cooperation, in accordance with the legislation establishing said commission, respectfully submits its report, covering the period from January 1, 1948, to this date. This report is also presented by the Senate and Assembly Committees on Interstate Cooperation as their report.

GOODWIN J. KNIGHT, Chairman

Membership of the Commission on Interstate Cooperation

1948

HON. EARL WARREN, Governor, Ex Officio Member

Officers

HON. GOODWIN J. KNIGHT, Chairman
SENATOR JESSE M. MAYO, Vice Chairman
HON. W. C. JACOBSEN, Executive Secretary

Senate Members	Assembly Members
SENATOR CHARLES BROWN	HON. JAMES G. CRICHTON
SENATOR RANDOLPH COLLIER	HON. RALPH C. DILLS
SENATOR R. R. CUNNINGHAM	HON. RICHARD McCOLLISTER
SENATOR JESSE M. MAYO	HON. VINCENT THOMAS
SENATOR JAMES J. McBRIDE	HON. JOHN F. THOMPSON

Administrative Members

HON. JAMES S. DEAN
HON. WARREN T. HANNUM
HON. FRED N. HOWSER
HON. GOODWIN J. KNIGHT
HON. CHARLES PURCELL

Creation of the Commission

The California Commission on Interstate Cooperation was established in 1939 (Cal. Stats. 1939, Chap. 376). This act makes this State a participating member of the Council of State Governments, and is substantially identical to the uniform act under which similar commissions have been established in 47 other states. The present statutory authority of the commission is found in Title 2, Division 1 of the Government Code (Secs. 8000-8011).

Field of Activity of the Commission

The primary function of the California Commission on Interstate Cooperation is to furnish a means whereby California can join with the 47 other states now having like commissions in dealing with interstate problems not coming within the purview of federal jurisdiction, and which are so broad in scope as to not lend themselves to as effectual solutions if dealt with by the states individually. These involve: Interstate compacts contemplated by Article I, Section 10 of the Constitution of the

United States, the adoption of uniform and model legislation by the various states and the promotion of regional programs beneficial to the states within the area or the development of reciprocal administrative acts or agreements, some of the objectives of which in many instances find no other specific statutory means or procedures for being accomplished except through the media of such commissions. Participation in, and acting upon, such matters are among the goals which this commission seeks to accomplish in order to develop interstate unity among the states. In addition, this commission has aided in promoting a clearer understanding of many federal-state problems.

Chronological Record of Interstate Conferences

The commission, in addition to its five regular meetings within California, participated in 15 interstate conferences during the past year. Some idea of the importance and variety of interstate problems considered is indicated by the group of conferences.

January 3, 1948—Salt Lake City, Utah.
Western Interstate Committee on Agriculture.
January 9-10, 1948—Washington, D. C.
Annual Meeting of Board of Managers of the Council of State Governments.
February 16, 1948—Denver, Colorado.
Western Interstate Committee on Institutional Care.
February 16, 1948—Denver, Colorado.
Western Interstate Committee on Agriculture.
February 17-18, 1948—Denver, Colorado.
Western Regional Conference of the Council of State Governments.
April 22, 1948—Sacramento, California.
Meeting of Pacific Coast Board of Intergovernmental Relations.
August 28-29, 1948—Salt Lake City, Utah.
Western Interstate Committee on Institutional Care.
September 16, 1948—Seattle, Washington.
Meeting of Pacific Coast Board of Intergovernmental Relations.
September 17-18, 1948—Seattle, Washington.
Western Regional Conference of the Council of State Governments.
September 18, 1948—Seattle, Washington.
Western Interstate Committee on Agriculture.
October 7-8, 1948—Washington, D. C.
Meeting of Drafting Committee of the Council of State Governments.
October 18, 1948—San Francisco, California.
Meeting of Western Industrial Development Committee.
December 1, 1948—Detroit, Michigan.
Annual Meeting of Board of Managers of the Council of State Governments.
December 2-4, 1948—Detroit, Michigan.
Ninth General Assembly of the States.
December 14, 1948—San Francisco, California.
Western Interstate Committee on Institutional Care.

Activities of the California Commission on Interstate Cooperation

During the past year the California Commission on Interstate Cooperation has actively participated in numerous interstate activities of prime importance to California and all of the western states.

Western Industrial Development

At its meeting in Sacramento, California, April 1948, the Western Governors' Conference, by resolution, requested the Commission on Interstate Cooperation of the Eleven Western States, "To jointly determine upon a program for advancing the industrial expansion of the West, to be presented to the next meeting of the Conference of Western Governors."

In accordance with this request the California Commission on Interstate Cooperation considered the field to be discussed at its June 11, 1948, meeting in Los Angeles. The matter was further considered at the commission's meeting on September 7, 1948, and the commission approved a report prepared by its Executive Secretary, Mr. W. C. Jacobsen, outlining the views of the State of California with regard to a program of industrial development in the West.

The commission directed its executive secretary to serve on the Interstate Committee which would prepare a final draft of the report for submission to the Western Governors' Conference. Meetings of this Interstate Committee were subsequently held in Seattle on September 18th, and in San Francisco on October 18th. In its final report the committee suggested that the Western Governors' Conference give consideration to a three-point program:

(1) "That each of the states in the area consider the advisability of stimulating a program of basic research to discover the economic strengths, weaknesses, needs, potentialities, and prospects of each state; and that the Western Governors' Conference give consideration to the need for a clearing house and central library for basic information and industrial research. The economies of the several western states are closely intertwined. A project designed to utilize the resources of any one of the states will involve related activities in several or all of the others then. Funds for the establishment of such a clearing house and central library should be provided on a pro rata basis.

(2) "That the states consider the appointment of a research advisory council in each state, representative of important segments of the economic structure of the state such as manufacturers, labor, chambers of commerce, universities, industrial development agencies, agriculture, mining, fisheries, lumbering, etc. Such a council should act as a sifting committee or clearing house at a state level on all proposals—particularly in regard to industrial research—and make recommendations on all matters which should be called to the attention of the Western Governors' Conference. Such a committee would also be in a position to bring to the attention of the Governor and the State Legislature matters deserving of consideration, and to refer back to local agencies those items of a particularly local nature. It would be in a position to recommend research work, industrial surveys, or investigations.

(3) "That each state carefully review the need for a state development agency. It is suggested that such agencies be engaged primarily in promotional activities, including the collection, analysis and dissemination of basic information about the state. It is also suggested that, in the operation of such an agency, provision be made for the closest cooperation with all existing agencies, both public and private."

The complete report of the committee to the Western Governors' Conference is found at the end of this report. (Appendix-Exhibit A)

Western Institutional Care

The Western Interstate Committee on Institutional Care was established at the direction of the Western Regional Conference of the Council of State Governments in Salt Lake City, Utah, 1946. It is composed of one official appointed by the chairman of each State Commission on Interstate Cooperation of the Eleven Western States. California has been represented on this commission by Assemblyman Ralph C. Dills.

Over the period of the committee's existence the states have been able to help each other in connection with the education, care, and treatment of children afflicted with cerebral palsy. The committee has also been instrumental in the promotion of sight-saving books, and the promotion of their use in public schools. The committee is currently engaged in promoting a vocational school for the deaf at the high-school level.

The Subcommittee on Institutions for Women Criminals surveyed the several state penitentiaries in the area. It was found that states in the western region had, at the time of the survey, approximately the following population of women criminals:

Arizona	22	
California	224	
Colorado	29	
Idaho	4	
Montana	8	
Nevada	3	
New Mexico	13	
Oregon	24	
Utah	5	(Incarcerated in Colorado)
Washington	35	
Wyoming	2	(Incarcerated in Colorado)

In practically every case, these populations have markedly increased since that time.

Inasmuch as it was found that California—presently the only state in the western area which maintains a separate institution for women—has made plans for abandonment of its present Institution for Women at Tehachapi, accordingly, the committee conceived an interstate compact leading to the use, in cooperation with California, of the new structure essentially as Western Institution for Women.

Following the consideration of the compact by the committee, the Department of Corrections of the State of California suggested the possibility of effecting the desired result through simpler means. It was proposed by the Department of Corrections that California enact a statute admitting women prisoners from outside the State on a "tuition" basis,

and that the other states in the area enact statutes permitting them to send their women prisoners outside their states for incarceration. The adoption of such parallel statutes would obviate the necessity for the more cumbersome machinery involved in the interstate compact.

A suggested amendment to accomplish this purpose has been submitted to the 1949 Regular Session of the California Legislature. (See Assembly Bill No. 1796; Ralph C. Dills, Thomas, Thompson, Crichton, and McCollister.)

Each of the Members of the Legislature of California has been furnished with a printed copy of the report of the Western Interstate Committee on Institutional Care * for the years 1946-1948. In it is fully reported the work of the committee in regard to the deaf, the blind, the cerebral palsied, juvenile delinquents, and the mentally deficient.

Pacific Coast Fisheries

The commission calls attention to the continuing cooperative work with regard to the important Pacific marine fisheries among the States of California, Oregon, and Washington, working through the Pacific Marine Fisheries Commission. This agency was sponsored by the Commissions on Interstate Cooperation of the three states, leading to the formation of a compact for the purpose of joint operation. A representative of the Fisheries Commission presented a complete report to the Seattle meeting of the western commissions last September. Coordination with the fisheries work of Alaska and British Columbia is well under way.

Among the studies and recommendations which have been made by the Pacific Commission in the past year, are those concerning: Salmon fisheries, otter trawl fisheries, the soupfin shark, tuna, crab, anchovies, sardines, shad, striped bass, and oysters.

The First Annual Report of the Pacific Marine Fisheries Commission has been distributed to the Congress of the United States and to the Governors and legislators of the States of Washington, Oregon, and California.

The California statute embracing the Pacific Marine Fisheries Compact is being amended to remove the limitation on this State's membership. (See Senate Bill No 269 (Mayo) and Assembly Bill No. 866 (Thomas).)

Lake Tahoe Problems

Upon suggestion of the Governor of Nevada, the California Commission on Interstate Cooperation is undertaking, at the request of Governor Warren, a study of certain problems with relation to sanitation suppression of diseases transmissible to humans from wild rodents, adequacy of good water supplies, real estate subdivision practices, and pollution of the waters of Lake Tahoe and the Truckee River, in cooperation with the Nevada Committee on Interstate Cooperation. At its meeting on January 25, 1949, the nature of the problems involved were presented and at its March 25, 1949, meeting the commission instructed its executive secretary to set a date for a conference with the Nevada committee to discuss ways and means of coordinating activities by compact or agreement.

* Issued by Western Regional Office, Council of State Governments, San Francisco, California.

Agriculture

At the Regional Meeting of the Council of State Governments held in San Francisco on September 9-10, 1947, the eleven western Commissions on Interstate Cooperation recommended the establishment of a Western Interstate Committee on Agriculture, to be composed of the Director or Commissioner of Agriculture and a member of the Commission on Interstate Cooperation of each of the Eleven Western States. Accordingly, Mr. A. A. Brock and Assemblyman John F. Thompson (succeeding Assemblyman James E. Thorp) represent the State of California on this committee.

Meetings of the committee were held in 1948 on January 3d in Salt Lake City, Utah; February 16th in Denver, Colorado; and September 18th in Seattle, Washington. Among the matters helpful to the welfare of the agricultural industry of the western states, which received consideration by the committee were: The prosecution of a vigorous cooperative program for the eradication of foot-and-mouth disease by the Federal Government in Mexico; the establishment of proper inspection of airplanes arriving from outside the continental United States to prevent the importation of foreign agricultural pests; the Oriental fruit fly and other destructive fruit flies which have caused damage in Hawaii and other areas; basic functions and organization of state agencies doing agricultural regulatory work; migratory agricultural labor; status of cooperation with federal authorities; the most desirable relationships between the state departments or commissions of agriculture and state legislators; the promotion of a vigorous weed control program in the western area, particularly with reference to publicly owned or controlled areas; common problems in marketing agricultural products; transportation rates and excise taxes on transportation charges which placed the long hauls from the western area at a distinct disadvantage in costs of getting products to market.

Ninth General Assembly of the States

Officials from 45 states met at the Ninth General Assembly of the Council of State Governments in Detroit, Michigan, on December 2-4, 1948. California was represented by Senator Jesse M. Mayo, Senator James J. McBride, Assemblyman James G. Crichton, Assemblyman Ralph C. Dills, Assemblyman Richard McCollister, Assemblyman Vincent Thomas, and Assemblyman John F. Thompson. Among the resolutions adopted were:

Legislative Processes and Procedures

Two years ago, the Eighth General Assembly of the States, at its meeting in Chicago, Illinois, approved and endorsed the Report of the Committee on Legislative Processes and Procedures of the Council of State Governments and urged the legislatures of the several states to consider the specific recommendations contained in the report.

The Committee on Legislative Processes and Procedures was directed to, and has, continued its work in order to keep abreast of developments in this field and to stimulate consideration of the recommendations by all the states.

During the past two years there have been significant developments in many states leading to improved and strengthened legislative bodies

and methods of operation. The committee has reviewed these developments; has brought up to date its earlier report and again has recommended desirable and feasible methods for improving the organization, processes, and procedures of state legislatures.

Therefore, the Ninth General Assembly of the States heartily commends the Committee on Legislative Processes and Procedures for its excellent work and endorses and approves the revised and amended committee report. The several states are urged to give careful consideration to and make every use of the specific recommendations contained in the report.

Airport Construction

The states have recommended consistently that the development and construction of a national airport system should follow the long established and demonstratedly effective pattern of federal-state cooperation. The Federal Airport Act, in operation now for more than two years, has clearly illustrated the impracticability of a federal agency attempting to deal with thousands of political subdivisions without reference to the states.

More than half of the states have taken action to insure that their political subdivisions will deal with and through appropriate state aviation agencies in applying for federal airport grants. The Council of State Governments' program of suggested state legislation for 1949 provides model legislation to achieve this purpose.

Therefore, the Ninth General Assembly of the States strongly urges all states, which have not taken previous action, to adopt the model State Channeling of Federal Airports Funds Act at the 1949 sessions of their legislatures.

The Ninth General Assembly of the States also urges that the Congress take action to amend the Federal Airport Act to provide that all airport plans and programs affecting the several states be developed in cooperation with the states, that plans and programs within the several states be approved by the states, and that funds allocated for airports be channeled to and through state governments. It is further recommended that a proper proportion of available funds be allocated for the advance planning of airport projects.

Interstate Activities

Many governmental problems which transcend state lines require common solutions by the states working together within regions and throughout the Country. Failure to do so can result only in the transfer to the Federal Government of powers, duties, and functions which always have been the responsibilities of the states. This does violence to the principle that to every extent possible and feasible governmental services should be provided and administered by those levels of government which are closest to the people.

The states increasingly are establishing joint cooperative programs for institutional care, educational facilities, water resources, pollution control, crime control, conservation of coastal fisheries, and forest fire protection. By such action the states are demonstrating that they can, on their own initiative, effectively administer activities which concern large areas of the nation.

The Ninth General Assembly of the States strongly approves recent developments in the field of interstate cooperative activities, and recommends that this method of handling common problems be used by the states even more extensively in the future. The Council of State Governments is hereby requested to promote and foster compacts and joint agreements among the states in fields where such action is necessary.

Highway Safety

The President's Highway Safety Conference and the several states have undertaken nation-wide campaigns to reduce the appalling loss of life and the enormous economic waste caused annually by motor vehicle accidents. The regulation and control of motor vehicles on our highways lies peculiarly within the province of the states, and there is an immediate challenge to the states to develop and maintain uniform laws, regulations, and requirements governing registration, highway markings, speed, traffic signals, and rules of the road.

For many years groups interested in highway safety have promoted a uniform vehicle code. Highway and motor vehicle officials in a number of states have developed to a high degree the method and techniques involved in making careful and detailed comparisons of their laws with the uniform vehicle code. Much progress has been made, but by no means enough, and here is an opportunity for the individual states and states working together to demonstrate that they can and will solve this problem efficiently and expeditiously. Therefore, be it

Resolved by the Ninth General Assembly of the States, That the several states be urged to carry forward this vital program by utilizing methods and techniques that have proven to be sound and successful. Be it further

Resolved, That the Council of State Governments be requested to review the progress made by the states in developing uniform vehicle laws; to study the need for further uniformity among the states; and to work with all the states, through the auspices of the drafting committee of state officials and otherwise in promoting the adoption of uniform vehicle codes, and in promoting safety education in the schools of the states.

Crime Control

The Interstate Compact for the Supervision of Parolees and Probationers, now ratified by 44 states, has provided a most effective instrument for the control of crime and the rehabilitation of offenders.

The supervision of parolees has readily adapted itself to adequate interstate control and regulation primarily because this function is one with respect to which state governments have immediate responsibility; however, the interstate control and supervision of probationers has not generally been as adequate because of decentralized probation supervision. Therefore, be it

Resolved by the Ninth General Assembly of the States, That the administrator of the compact for each of the states be urged to become the central agent for channeling probationers as well as parolees. Be it further

Resolved, That the Governors and Legislatures of the States of Georgia, Nevada, North Carolina, and Texas be requested to enact the necessary enabling legislation to ratify this interstate compact, thereby

effecting a completely unanimous operating agreement among all of the states.

Civilian Defense

The establishment and effective operation of an adequate civilian defense program is an all important part of the first line of security for the Nation and the states. The exigencies of the world today make such a program vitally necessary.

Experience during the last war emphasized the need for adequate civil defense measures, as contrasted with operations and activities which fall under the military establishment. It has also been demonstrated that a properly conceived civilian defense program must follow administrative channels which operate from the Federal Government to and through the state governments, and from the states to their political subdivisions.

The Ninth General Assembly of the States recommends that careful consideration be given to the model State Civilian Defense Act as carried in the Council of State Governments' program of suggested state legislation for 1949, and urges that all the states enact legislation which will implement an adequate civilian defense program.

Employment Security Administration

The existing system of financing the entire cost of administering state employment security programs through federal appropriations is inadequate and results in federal interference in state practices, procedures and policies.

In spite of the fact that more than sufficient funds for administration are now being collected by the Federal Government under the unemployment tax act, this system has failed to supply the states with the moneys needed for efficient administration and progressive planning, thus endangering state trust funds set aside for unemployment benefits.

Therefore, the Ninth General Assembly of the States hereby urges the Congress to take such action as may be necessary to amend the federal social security laws for the purpose of providing a more satisfactory method of financing the administration of employment security.

Water Pollution

The maintenance of reasonable standards of purity in streams, rivers, lakes, and other water resources is vital to the public interest. Effective control of water pollution is essential to public health and welfare, conservation, and industrial development. Primary responsibility for the prevention and abatement of stream pollution rests with the states, and this principle is recognized in the Federal Water Pollution Control Act of 1948. Important aspects of interstate cooperation are involved in any comprehensive approach to this problem.

Therefore, the Ninth General Assembly of the States recommends:

1. That all the states review the laws, regulations, and standards applicable to the prevention, treatment, and abatement of water pollution within their borders and that they develop adequate state-wide programs for maintaining the purity of their waters;

2. That each state give careful consideration to the proposals carried in the Council of State Governments' program of suggested state legislation for 1949 which deal with federal-state cooperation in

pollution control and the construction and financing of sewerage facilities; and

3. That groups of states develop compacts or other interstate agreements designed to control and abate pollution of waters common to more than one state.

Tax and Fiscal Policy

During 1947 and 1948, a number of conferences were held in Chicago and Washington at which representatives of the Congress and the Governors' Conference met jointly to develop a federal-state cooperative approach to tax and fiscal policies. These conferences have evidenced a new spirit and a new method for solving joint problems in this field.

A number of objectives, both specific and general, have been agreed upon by the conferences, the purpose being to develop ways and means of strengthening state and local governments in their efforts to provide our citizens with necessary services. Consideration was given to (1) tax fields which can best be used by state and local governments, (2) federal taxes which may be reduced for the purpose of providing more adequate tax sources for state and local governments, (3) readjustments necessary in the federal grant-in-aid structure, and (4) other tax and fiscal policies which would serve to strengthen all levels of government.

The Council of State Governments is now completing a comprehensive study of federal grants-in-aid. A factual report and policy recommendations are expected to be made available in the near future. This report is designed to suggest ways in which a more rational federal-aid system can be developed in the future.

The Ninth General Assembly of the States heartily commends these developments leading to improved federal-state cooperation in the field of tax and fiscal policy and grants-in-aid. The Congress and the Governors' Conference are urged to continue their joint activities and to develop specific proposals for coordinating intergovernmental fiscal policies. It is recommended that the Federal Government take immediate steps to reduce certain excise taxes most suitable for state and local use. State and federal officials, legislators and administrators are urged to give careful consideration to the report and findings of the Council of State Governments' Committee to Study Grants-in-Aid.

Regional Highway and Motor Vehicle Conferences

For a number of years the Council of State Governments, in conjunction with Commissions on Interstate Cooperation, has sponsored conferences on highway and motor vehicle problems. There have developed from these conferences suggested legislation and administrative principles which have been most useful and helpful to the states participating in such conferences. The development of similar conferences in additional regions would be of benefit to the states of those regions, as well as to all of the states. Therefore, be it

Resolved by the Ninth General Assembly of the States, That the Council of State Governments be requested: (1) To assist in the establishment and development of regional highway and motor vehicle conferences of states in the several regions of the country; (2) to distribute the findings, recommendations, reports, and resolutions of recent regional conferences to all Commissions on Interstate Cooperation and other

appropriate state officials in all the states; and (3) to review and summarize the actions and accomplishments of the several regional conferences for the purpose of correlating and coordinating the efforts of the states in this field.

Municipal Finance

Our national government, our states, and particularly our local units are finding it increasingly difficult to secure the tax resources necessary to meet the growing demands upon government. This year, the Governors' Conference at Portsmouth, New Hampshire, recommended the extension of local powers of taxation in order to strengthen the capacity of local government to meet the needs and requirements of its people.

The Ninth General Assembly of the States urged that all the states give careful consideration to legislation providing more freedom for localities in levying taxes which will enable them to secure additional revenue to meet local demands for new and expanded services.

Title to Lands Beneath Navigable Waters

WHEREAS, The United States of America has recognized that all of the separate states have, since July 4, 1776, or since their formation and admission to the Union, exercised full powers of ownership of all lands beneath navigable waters within their boundaries and of all natural resources within these lands and waters; and

WHEREAS, The separate states have maintained full control of these natural resources, with the full acquiescence and approval of the United States and in accordance with many decisions of the Supreme Court and of the Executive Departmnets of the Federal Government that these lands and resources were vested in the respective states as an incident to state sovereignty, and that the exercise of these powers of ownership and control did not nor will not impair nor interfere with the exercise by the Federal Government of its constitutional powers in relation to the lands and navigable waters and to the control and regulation of commerce, navigation, national defense, and international relations; and

WHEREAS, The several states, their subdivisions and persons lawfully acting pursuant to state authority have expended large sums of money on improving and reclaiming lands and in developing the natural resources in lands and waters in full reliance upon the recognized rule of state ownership; and

WHEREAS, A recent decision of the Supreme Court of the United States held that the Federal Government has certain paramount powers in respect to a portion of these lands and natural resources without reaffirming or settling the ultimate question of their ownership and control; and

WHEREAS, This recent decision of the Supreme Court recognizes that the question of the ownership and control of these lands and natural resources is within the "Congressional area of national power" and that Congress will not execute its powers in such way as to bring about injustices to the states, their subdivisions or persons acting pursuant to their permission. Now, therefore, be it

Resolved by the Ninth General Assembly of the States:

1. That it is in the public interest that title and ownership of the lands beneath navigable waters within the boundaries of the states be confirmed in these states by the Congress of the United States;

2. That the Congress of the United States recognize, confirm, and establish title to these lands in the states so concerned;

3. That the Congress of the United States release and relinquish to these states all right, title, and interest of the United States which it has in these lands; and

4. That the Executive Director of the Council of State Governments transmit a copy of this resolution to the President, the Vice President, and the Speaker of the House of Representatives of the United States.

Foot-and-Mouth Disease

The Eighth General Assembly of the States in 1947 urged that steps be taken to prevent, control, and eradicate foot-and-mouth disease in the United States and in Mexico. Much has been done since that time to institute measures necessary for the accomplishment of this purpose, but the problem still requires close attention and prompt action to control further outbreaks of the disease.

Therefore, the Ninth General Assembly of the States hereby expresses its whole-hearted approval of steps already taken, and respectfully memorializes and requests the President and the Congress of the United States to take such action as may be necessary; and, with the cooperation of the Mexican Government, by legislation or otherwise, to prevent, control, and eradicate foot-and-mouth disease in the United States and in the Republic of Mexico.

Participation in Study on the Organization and Operation of the Federal Government

At the March 30, 1948, meeting of the commission at Sacramento, California, Mr. Frank Bane, Executive Director, Council of State Governments, Chicago, Illinois, commented on the topic "Federal-State Relations Study." He advised that the Seventy-ninth Congress had authorized a study on the organization and operation of the Federal Government; that a Commission of Twelve had been appointed to make this study, four to be appointed by the President pro Tempore of the Senate; four by the Speaker of the House of Representatives, and four by the President. Former President Herbert Hoover had been selected to serve as chairman of this commission and he in turn had requested the Council of State Governments to take over one phase of the problem representing about one-fourth of the job. This phase involved *one* of the *four* main subjects, namely, Federal-State Relations. The fact that the Board of Governors of the Council had approved the undertaking of this study was one of the factors making necessary an increase in the contributions of the states to the support of the Council.

In commenting upon the problem of Federal-State Relations, Mr. Bane advised that prior to 1900 the setup of governmental levels was relatively simple and the problems of each the local, state, and federal governments were fairly well established. The Federal Government had

a fairly definite policy and program and paid for it out of a budget based upon normal federal revenues.

During 1913 and 1914 appreciable change in precedent was brought about when grants-in-aid or subventions were first made and a policy established which has since grown appreciably with increasing amounts of federal aid to the states each succeeding Congress.

There is an increasing feeling on the part of the states that this feature is going too far and, as a result of the financial participation in the costs of operation of state and local governments, the Federal Government is usurping more and more control of governmental functions formerly administered strictly on a state or local basis. This leads to the invasion of fields of taxation and overlapping of taxing by the federal and state governments, hence, to an important question—Which fields of taxation shall be reserved to (a) the federal and (b) the state governments?

One solution suggested is that a complete study be made to determine *where* the dividing line shall be in the occupation and utilization of areas of taxing source. If the Federal Government stops taxing in certain fields so that the state can again resume its place in such taxing fields, which of the functions now supported and supervised by the Federal Government shall be dropped?

One line of thinking has been that the Federal Government, in exercising its power of taxation, not make specific grants to the states for old age, for highways, for hospitals, etc., but rather let the Federal Government collect the entire amounts within the specific taxable field; for example, tobacco taxes, liquor taxes, etc., and without any strings make an over-all allocation to the states for the use of the General Fund of that state, then let the state budget its expenditures out of the allocations thus made in the fields and categories considered equitable.

In this connection a question has arisen as to whether or not the states would be willing to put into the hands of the Federal Government by agreement some form of allocation of funds without a rather definite formula. Unless there were some definite basis for the allocation, it has been argued that the Federal Government might be enabled to curtail the activity of an entire state setup unless a specific basis for allocation were established. The other alternative, of course, is continuing the grants-in-aid program as now.

Another main question that has been propounded is: Do the states want more or less of the grants-in-aid program? If we want less, from which of the fields can the Federal Government withdraw? In spite of the increasing trend toward curtailment, there were three more grants-in-aid programs adopted by the Eightieth Congress. Two of these were large ones involving airports and hospitals. The third is a smaller one with reference to the school lunch program.

There had developed at the Governors' Conference a suggestion that the states go along with the general feature that the moneys allocated through grants-in-aid be expended in accordance with the standards established by the states in the state law authorizing the acceptance of grants-in-aid. Further, that standards be specified by law and not be left to confusing administrative determination.

In the last analysis, two basic questions remain—suggested by Mr. Bane:

(a) Shall the grants-in-aid program of the Federal Government be increased or decreased?

(b) In the event there is a continuation or expansion of grants-in-aid programs, shall it be on a matching basis with federal allocations being made on an over-all allocation basis to the state and the state budgeting same as it does its own funds after allocation has been made?

Angel Island

The progress and early history of the Angel Island Project, referred to the commission by the 1947 Regular Session of the Legislature, was reported by the Assembly Committee on Interstate Cooperation in the Assembly Journal of March 8, 1948. Assembly Joint Resolution No. 2 of the 1948 Session referred same to further study and action by the State Park Commission. On January 27, 1949, the commission's special subcommittee (Assemblyman McCollister, Chairman) asked to be relieved of further duty in connection with the project. Legislation had been prepared to protect the interests of the State and its political subdivisions (Assembly Bill No. 349; Assembly Bill No. 350, McCollister). If the island were to serve a public use, the cost should be half of the original appraised value of $700,000.

The War Assets Administration had put the area up for auction. San Francisco and Marin County now have manifested an interest in purchasing same under conditions available to public agencies, since the State Park Commission gave up any idea of making it part of the Beaches and Parks System of the State. San Francisco and Marin County have views on the possibility of the island serving ultimately as a recreational area and have asked for same to be considered in the category of an historical monument. In this latter instance it is possible that same may be acquired for a much smaller token payment than the appraised price above stated.

The work of the commission had been completed through the activities of Mr. McCollister's committee and it was now thoroughly possible that either San Francisco or Marin County would have an opportunity to negotiate for final acquisition of the island on the "historical monument basis." Certain areas will probably be reserved for federal use. Since the War Assets Administration appears to be going out of business the end of February, the negotiations in the future will have to be conducted with the United States Department of the Interior.

Foreign Trade Zones

It will be recalled that largely due to the especial activity of the Commission's Committee on Federal Relations, the No. 3 Foreign Trade Zone license in the United States was granted to the Port of San Francisco after same had been pending for 10 years. (No. 1 is at New York; No. 2 at New Orleans.) The preliminary detail on this service is found in the Assembly Journal, March 8, 1948.

The commission, at its meeting September 11, 1948, at Los Angeles, California, asked its Committee on Federal Relations to continue its exploration of the development of foreign trade zones and to inspect the

possibility of same for Los Angeles and Long Beach and to assist those communities on such matters.

Assemblyman Vincent Thomas made a comprehensive report on the advantages of foreign trade zones to the Pacific Coast area at Seattle, Washington, to the regional meeting of Commissions on Interstate Cooperation in September at the request of the California commission. There the California commission was complimented because of having pressed through to obtain the zone for San Francisco.

The committee has continued to participate in fostering the application for Los Angeles and expects in time that a permit would be granted. The Assembly Interstate Cooperation Committee and Senator McBride appeared at a hearing before the Federal Foreign Trade Zone Board in behalf of the Los Angeles application, pointing out the value to San Francisco and the need for a similar area in Los Angeles as a benefit for the back country in the southern part of the State.

The executive secretary had obtained further information on the volume of business going through Foreign Trade Zone No. 3 at San Francisco and reported that the variety of materials was far in excess of anticipation with a total value approaching one million dollars from June 10, 1948, to December 31, 1948, as follows:

Foreign Trade Zone No. 3

List of Commodities Received From June 10, 1948, to December 31, 1948

Lot No.	*Commodity*	*Origin*	*Tonnage*	*No pkgs.*	*Value*
1	Rum	Puerto Rico	17	1,000	$5,500 00
2	Scrap brass and copper	Philippines	8	67	800 00
3	Cocoanut oil	Siam	56	279	24,200 00
4	Cocoanut oil	Siam	56	281	23,800 00
5	Cocoanut oil	Siam	56	271	24,136 00
6	Cocoanut oil	Siam	56	267	24,080 00
7	Cocoanut oil	Siam	34	167	14,280 00
8	Canadian Club whiskey	Canada	32	1,600	44,912 00
9	Canadian Club whiskey	Canada	32	1,600	44,912 00
10	Heinekens beer	Holland	9	498	1,270 00
11	Heinekens beer	Holland	9	500	1,270 00
12	Scrap brass and copper	Philippines	32	124	6,141 00
13	Glassware	Czechoslovakia	2	4	946 00
14	Glassware	Czechoslovakia	1	1	165 00
15	Glassware	Czechoslovakia	1	2	343 00
16	Glassware	Czechoslovakia	2	4	518 90
17	Glassware	Czechoslovakia	11	20	1,216 28
18	Glassware	Czechoslovakia	1	1	165 00
19	Fire extinguishers	England	15	65	No value shown
20	Packard engines	U.S.A.	497	194	14,700 00
21	Seagrass rugs	China	5	200	341 40
22	Black direct dye	U.S.A.	1	40	1,645 00
23	Martini vermouth	Italy	10	390	4,680 00
24	Cotton seed flakes	Mexico	162	2,511	81,374 00
25	Cloisonware	China	2	4	7,550 00
26	Wool hooked rugs	China	126	555	163,725 00
27	Drawn window glass	Belgium	17	300	3,778 00
28	Wool hooked rugs	China	3	16	4,640 00
29	Chinese wool carpets	China	1	1	500 00
30	Bamboo rakes	Japan	935	1,997	27,000 00
31	Canned clams	Mexico	20	599	9,600 00
32	Jewelry and personal effects	France	1	1	16,000 00
33	Corned beef	Paraguay	25	1,000	12,500 00
34	Canned crab meat	Japan	6	250	9,100 00
35	Westminster gin	England	1	140	1,400 00
36	Bamboo rakes	Japan	452	946	13,055 00
37	Aircraft engines	Japan	3	2	3,000 00
38	Dunnage	Japan	2	35	175 00
39	Earthenware	China	2	29	1,372 00

Foreign Trade Zone No. 3—Continued

List of Commodities Received From June 10, 1948, to December 31, 1948

Lot No.	*Commodity*	*Origin*	*Tonnage*	*No. pkgs.*	*Value*
40	Wine	Italy	1	140	$920 00
41	Champagne	France	1	50	400 00
42	Puerto Rican rum	Puerto Rico	4	250	1,080 00
43	Glassware	Czechoslovakia	2	2	153 40
44	Glassware	Czechoslovakia	2	2	170 50
45	Glassware	Czechoslovakia	8	30	2,197 89
46	Glassware	Czechoslovakia	1	3	494 40
47	Road graders	Philippines	55	5	33,000 00
48	Road graders	Philippines	88	8	52,000 00
49	Watch movements	Switzerland	--	1	6,000 00
50	Wool hooked rugs	China	26	108	30,000 00
51	Perfume	France	--	2	661 00
52	Rayon fabric	China	4	26	9,518 00
53	Hooked rugs	China	2	8	2,461 84
54	Silverware Gold and silver jewelry	Denmark	1	12	12,398 00
55	Bamboo rakes	Japan	2	335	4,522 50
56	Jewelry—curios	China	--	3	100 00
57	Rayon fabric	China	--	1	353 00
58	Barcadi rum	Puerto Rico	21	1,000	12,000 00
59	Rum—gin	Cuba	--	1	5 50
60	Cigarette lighters	Japan	--	2	702 50
61	Cigars	Java	--	--	500 00
62	Gin	Java	--	2	60 00
63	Linen	China	2	13	11,574 32
64	Ceramics	Austria	--	1	235 80
65	Curios	China	1	8	656 00
66	Silk goods	Japan	1	8	7,808 27
67	Personal effects	Peru	2	1	6,000 00
90	Gloves	U S A	14	253	12,743 50
91	Rattan furniture	Philippines	--	2	175 00
92	Hooked rugs	China	34	153	52,588 00
93	Opera glasses	Japan	--	1	565 00
94	Plain silk	Japan	(5,000 yds.)	2	1,410 00
95	Rugs	China	2	5	1,300 00
			2,970	19,578	$859,545 00

Foreign Trade Zone No. 3

List of Commodities Received for Regular Commercial Handling June 10, 1948, to December 31, 1948

Lot No.	*Commodity*	*Origin*	*Tonnage*	*No. pkgs.*	*Value*
68	Scrap iron	Philippines	423	--	$8,365 00
69	Sheet metal	Japan	159	90	19,493 79
70	General merchandise	China	--	1	10 00
71	Earthenware	China	2	39	4,000 00
72	Bambooware	China	1	8	1,000 00
73	U.S. engines (surplus)	Guam	39	26	2,400 00
74	Personal effects	China	--	4	200 00
75	Curios	China	--	1	5 00
76	Curios	China	--	1	5 00
77	Curios	China	--	1	5 00
78	Curios	China	--	1	5 00
79	Curios	China	--	1	5 00
80	Curios	China	--	1	5 00
81	Curios	China	--	1	5 00
82	Curios	China	--	1	5 00
83	Curios	China	--	1	5 00
84	Tea	China	--	1	5 00
85	Tea	China	--	1	5 00
86	Tea	China	--	1	5 00
87	Handkerchiefs	China	--	1	5 00
88	Baggage	China	--	3	100 00
89	Cement	U.S A.	4,420	94 R.R. cars	95,000 00
			5,044	184	$130,633 79

Cooperation With California State Commission on Uniform State Laws

While it has been the practice for the commission to meet periodically with the State Uniform State Laws Commission, since 1940 there has been no formal arrangement, although it has been the practice to invite Mr. Fred B. Wood, Legislative Counsel and member of the latter commission, to attend all of our meetings. In other states more direct association between these two agencies of state governments has been negotiated in a variety of ways. At the suggestion of Governor Warren, an improved liaison was recommended. This came within the realm of actuality when Dean William L. Prosser of the University of California Law School and Mr. Fred B. Wood, both members of the Commission on Uniform State Laws, met with the Commission on Interstate Cooperation on January 27, 1949. Specific action was taken to have a member of the former body to become an ex officio member of the latter organization whenever such member has been appointed by the Governor to so serve. (See Assembly Bill No. 2414, Ralph C. Dills, McCollister, Thompson, Thomas, and Crichton.)

The long-term research and basic legal analysis work of the State Commission on Uniform State Laws is not to be confused with the work of the Council of State Governments through its Drafting Committee (Ralph C. Dills, California representative) in recommending "Suggested Legislation" of a more current character. The latter is characterized by two measures introduced into the 1949 Session by the Assembly members of the commission, to wit:

Assembly Bill No. 1797 (Ralph C. Dills et al.) "The Small Business Commission Act" developed by the Council's Drafting Committee in cooperation with the United States Departments of Agriculture and Commerce, the Federal Trade Commission, and the Reconstruction Finance Corporation. Assembly Bill No. 1798 (Ralph C. Dills et al.) "The State Civil Defense Agency Act" prepared by the Drafting Committee of the Council of State Governments in cooperation with the Office of Civil Defense Planning under the United States Secretary of Defense.

Interstate Trade Barriers

When the commission was first established, one of the most pressing problems was to gain the elimination of interstate trade barriers, involving discriminatory statutes and those affecting movement of automotive equipment and agricultural products. Important among the supplies moving for export out of California were winery products. The barriers affecting these were thoroughly reviewed in 1942, and some steps were taken about that time to negotiate with the Commissions on Interstate Cooperation and Legislatures of other states for their modification or removal. Changes of administration in the several states brought these negotiations to a close temporarily.

The 1949 Legislature of the State of Washington enacted a law placing further limitations of the sales of wines, produced outside that state, in taverns and other licensed places. The chairman and members of the California Commission on Interstate Cooperation learned of the enactment having reached the Governor of Washington for his final consideration and requested that he not approve same in the interest of

preventing a further interstate trade barrier. As this report is being prepared, word has been received that Governor Arthur B. Langlie has vetoed the measure purely on the grounds that an unwarranted trade barrier would be established should he have approved the limiting bill.

Contracts for Services

The commission has continued its contribution under contract with the Council of State Governments for the many valuable services rendered both by its Chicago headquarters and regional office at San Francisco, managed by Mr. Stewart Wilson. This association of the states continues to be the most effective and forceful agency to aid the states in maintaining their intended autonomy in the areas reserved to the states by the National Constitution. Most of the budget for the commission is represented by the amount of this contribution to the council and is in keeping with the amounts contributed by many other states.

Similarly, the commission receives fiscal and clerical services under contract ($300) with the State Department of Agriculture, in addition to housing the files and office of the executive secretary.

Committee Assignments of the California Commission on Interstate Cooperation
March 25, 1949

Agriculture

John F. Thompson, Assemblyman, Chairman
Senator R. R. Cunningham
Assemblyman James G. Crichton
Attorney General Fred N. Howser
Director of Agriculture A. A. Brock
Ralph Taylor, Agricultural Council of California
Jess Tapp, Vice President, Bank of America
W. C. Jacobsen, Secretary of Committee, Assistant to the Director, California Department of Agriculture

Conservation

General Warren T. Hannum, Director of Natural Resources, Chairman
Assemblyman Vincent Thomas
Attorney General Fred N. Howser
Senator R. R. Cunningham
Senator Randolph Collier.
Senator Charles Brown
Assemblyman James G. Crichton
Assemblyman John F. Thompson
Edward Hyatt, State Engineer

Crime and Correction

Fred N. Howser, Attorney General, Chairman
Lieutenant Governor Goodwin J. Knight
Assemblyman James G. Crichton
Assemblyman Ralph C. Dills
Karl Holton, Director, Youth Authority
Carl Applegate, Assistant Director of Mental Hygiene
Carley V. Porter, Member Norwalk State Hospital Board of Trustees

Federal Relations

Ralph C. Dills, Assemblyman, Chairman
Lieutenant Governor Goodwin J. Knight
James S. Dean, Director of Finance
Senator Randolph Collier
Assemblyman Richard McCollister
Assemblyman Vincent Thomas
Assemblyman James G. Crichton
General Warren T. Hannum, Director of Natural Resources
Charles Purcell, Director of Public Works

Interstate Trade Barriers

James J. McBride, Chairman, Senator
Senator Jesse M. Mayo
Assemblyman Richard McCollister
Assemblyman Vincent Thomas
Assemblyman John F. Thompson
Charles Purcell, Director of Public Works

Legislative

Charles Brown, Senator, Chairman
Lieutenant Governor Goodwin J. Knight
James S. Dean, Director of Finance
(All legislator members of the commission, by vote of the commission, have membership on this committee.)

Economic and Social Planning

Senator R. R. Cunningham, Chairman
Lieutenant Governor Goodwin J. Knight
Assemblyman Ralph C. Dills
Senator Jesse M. Mayo
Assemblyman Vincent Thomas
Senator Randolph Collier

Taxation and Fiscal Problems

Assemblyman James G. Crichton, Chairman
Senator Randolph Collier
James S. Dean, Director of Finance
Rolland A Vandegrift, Legislative Auditor
Professor Malcolm M. Davisson, Chairman, Department of Economics, University of California, Berkeley
Dixwell L. Pierce, Executive Secretary, State Board of Equalization
Frank Thille, California Taxpayers Association
Fred Alexander, County Supervisors Association

Transportation

Senator Randolph Collier, Chairman
Assemblyman James G. Crichton
Charles Purcell, Director of Public Works
Senator Charles Brown
Senator James J. McBride
General Warren T. Hannum, Director of Natural Resources
Assemblyman John F. Thompson
Colonel Warren Carey, Director, California Aeronautics Commission

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The Council of State Governments
Central Office
1313 East 60th Street, Chicago 37, Illinois
Frank Bane, Executive Director
Regional Office
Hewes Building, 995 Market Street, San Francisco 3, California
Stewart Wilson, Western Representative
for the Eleven Western States
Betty Burke, Secretary

APPENDIX

EXHIBIT "A"

Western Industrial Expansion
A Suggested Long-term Program

Submitted to the Western Governors' Conference at Its Request by a Committee Established for That Purpose by the Commissions on Interstate Cooperation of the Western States

Prepared by: Western Regional Office, The Council of State Governments, October, 1948

RESOLUTION ADOPTED BY THE WESTERN GOVERNORS' CONFERENCE

Sacramento, California, April 23, 1948

WHEREAS, The industrial expansion of the West is essential to the economic prosperity of the Nation, and

WHEREAS, The Commissions on Interstate Cooperation of the Eleven Western States are functioning organizations, representing both the legislative and executive departments of those states; be it hereby

RESOLVED by the Conference of Western Governors assembled in Sacramento, California, on the 23d day of April, 1948, That the State Commissions on Interstate Cooperation of the Eleven Western States be requested to jointly determine upon a program for advancing the industrial expansion of the West, to be presented to the next meeting of the Conference of Western Governors; and be it further

RESOLVED, That copies of this resolution be transmitted to Mr. Frank Bane, Executive Director of the Council of State Governments, to each member of the Commission on Interstate Cooperation from each of the 11 western states, and to each of the governors of said states.

Following the meeting of the Western Governors' Conference in Sacramento, California, on April 23-24, 1948, the several State Commissions on Interstate Cooperation in the Western States held meetings, to which representatives of the various economic interests of each state were invited, and at which the problems involved were discussed.

At the Regional Conference of the Council of State Governments in Seattle, Washington, on September 17-18, 1948, the several State Commissions on Interstate Cooperation presented their separate suggestions for a long-term industrial development program. The Western Regional Conference directed that each State Commission on Interstate Cooperation designate one individual to serve as a member of a committee to synthesize the several state recommendations, and to formulate a specific program.

The following is the report of that committee.

WESTERN INDUSTRIAL EXPANSION

A Suggested Long-term Program

The problem of perfecting a long-term program for western industrial expansion would appear to be primarily one of organization directed to finding the fundamental and basic needs, developing the basic and pertinent facts and exploring fully the ways and means to gainfully utilize the potential manpower which comes with rapidly increasing population. There has already been a more rapid industrial expansion in the western area, with a higher rate of productivity attained and continued, than could be foreseen. With this development and the persons seeking residence in the western area have come state and local problems too manifold and detailed to be discussed here.

Each of the several states has an agency, or there are organizations, public and private, which have at their disposal detailed information on many features for those interested in new industrial ventures, or in establishing branches of their plants and facilities, or desiring further expansions in locations already chosen.

Our primary concern is not to duplicate those features, but to coordinate on a rational regional basis the basic and fundamental problems of the western region so that a representative regional group—whether it be the Western Governors' Conference itself, or a particular council, congress, or committee which may be ultimately suggested by them—can give expression to a western viewpoint in a formidable and telling manner whether it be directed to the Congress of the United States or to operators of industrial enterprises or to the holders of investment capital.

There are certain outstanding needs to be met before the western region will find itself in a position to fulfill the promises and guarantees expected from a large segment of those planning to participate in and become a part of the industrial expansion of this great western region.

Generally speaking, there is little disagreement with the idea that the following factors are paramount:

(1) Water
(2) Power
(3) Transportation
(4) Availability of Natural Resources

(5) Information and Publicity
(6) Housing

(1) Water. It is well established that there is an enormous supply of water in our western area, but has there been a regionally coordinated viewpoint or expression directed towards its conservation and development for the entire West? Are we as fully prepared as we should be to answer such questions as: "Are the waters now available for use?" "To what extent are the western water resources in the process of development for use?" "How soon can they be developed so that they can be used?" "Are there any legal limitations on the allocation of such waters for use?" Many manufacturing industries require greater volumes of water than any of our rapidly growing areas have contemplated and conversion of residential use to manufacturing use frequently multiplies the demand many times. We recommend the handling of this problem on a river basin basis by the interstate compact method.

(2) Power. Whether power be developed from hydro-electric sources or from other natural resources, such as oil, coal or gas, for how long can a consistent supply be guaranteed? Our anticipated developments are many, but we have had severe warnings directed to us by those who are specialists in the field to indicate that, sometimes when most needed, it just is not there.

Although the power producing capacity of the western area has increased tremendously since 1925, exceedingly difficult questions in this regard have arisen within the last year, and continue to threaten.

As to what policy should be promulgated in integrating the development of power resources for the western region, we leave to those who well recognize the procedures necessary in order to bring about and finance a maximum development in the shortest possible time. Notwithstanding the importance of hydro-electric power in the industrial development of the West, the following factors must be considered: Irrigation, flood control, pollution, drainage, salinity control, fish and wildlife, and navigation. In our opinion, federal policy should be established taking all these factors into consideration.

(3) Availability of Natural Resources. There is an immense amount of information and source data available on the tangible supplies of minerals and metals, building materials, fuel deposits, fisheries, agricultural products, etc. Attempts have been made to catalog their volume by governmental agencies, chambers of commerce, research institutes, and industrial development groups. To date unavailable are pertinent and coordinated summaries which would be of great value, if only as an index to the more complete data which is ready for use and being constantly compiled.

(4) Transportation. The older means of transportation, by rail, sea, and land have generally taken expansion in stride where definite need and demand have appeared.

From the point of view of the states, the desirability of integrating through interstate highway systems, and approaching uniformity in the regulation and taxation of motor vehicles, has come to the attention of our Commissions on Interstate Cooperation on several occasions. These are well recognized problems.

It is generally conceded that there are sufficient cargo-carrying bottoms available to adjust sea transportation as demand arises. The western area must better recognize the potentiality of maritime traffic expansion for the entire Pacific Basin.

Rail carriers have committed themselves to expansion programs for many years, and their ability during wartime to meet excessive demand indicates to us their ability to meet any necessary expansion as the need arises. The rate problem, however, has an important bearing upon industrial expansion. The present federal excise tax on public utility charges should either be abolished or applied on a basis which is not discriminatory to the West. Because of the great distances involved, application on a percentage basis penalizes the West.

In terms of cargo transport, the problem is primarily one of equitable load distribution in both directions traversed. In the case of air transport more feeder lines may be needed to equalize the slack haul eastward so far as our continental problem is concerned. Regionally, therefore, consideration should be directed to a fundamental analysis of feeder line development and reasonable regulation.

(5) Information and Publicity. In many fields information and publicity must continue to be of a local or state character. Nevertheless, there are important factors of general concern and interest in the western area which can intelligently be exploited without interference in the localized region or area programs.

We do not elaborate on the problem of integrated research on the needs for industrial expansion. Much of this has been done and is being done within each of the several states. However, there is a desirability that the entire western region gain some advantage from that data which is of basic consequence to the entire region, and steps should be taken to make the information available to all the states.

(6) Housing. Housing is a most important element in any industrial expansion. Local and state efforts to expedite housing can well be directed toward modernizing building codes and related regulations and eliminating made-work practices.

A question of importance in housing is the decentralization of some of the industrial development into less congested areas—even into more rural locations—where those who must be employed can reach their work with dispatch in the light of modern traffic congestion, availability of public conveyance, and for security reasons This policy would lend stability to the economic fabric of the less populated areas and the entire west.

In considering the necessary industrial expansion, it is important to insure the proper integration of these needs with the phases vital to agriculture. The western region still must rate agriculture as its primary industry. There is already a Western Interstate Committee on Agriculture associated with the Council of State Governments through the Western Commissions on Interstate Cooperation, which is ready at all times to cooperate on problems of mutual interest.

A highly important consideration, at least for the future, in connection with a program for industrial development in the west is some assurance for the gainful utilization of surplus in manpower. The distribution and service fields for employment will expand with population increase, but greater industrialization must provide other fields of employment to

take care of the skilled and unskilled increasing in number with the expanding population trend.

New frontiers of enticement to tourists are opening with modern transportation urging them to visit new recreation and vacation grounds. Unless we develop more diversity in employment opportunities by greater industrialization, sooner or later public funds may be needed in order to care for those employables who would appear in increasing numbers should any recession in business development occur.

The basic problems need to be dealt with intelligently and concertedly on a coordinated western area basis if the progress being made is to be retained for the regional and national welfare.

Having considered these and the many other large problems involved, this committee respectfully suggests to the Western Governors' Conference the consideration of a three-point program:

(1) It is suggested that each of the states in the area consider the advisability of stimulating a program of basic research to discover the economic strengths, weaknesses, needs, potentialities, and prospects of each state.

It is suggested that the Western Governors' Conference give consideration to the need for a clearing house and central library for basic information and industrial research. The economies of the several western states are closely intertwined. A project designed to utilize the resources of any one of the states will involve related activities in several or all of the others then. Funds for the establishment of such a clearing house and central library should be provided on a pro rata basis.

(2) It is suggested that the states consider the appointment of a research advisory council in each state, representative of important segments of the economic structure of the state such as manufacturers, labor, chambers of commerce, universities, industrial development agencies, agriculture, mining, fisheries, lumbering, etc. Such a council should act as a sifting committee or clearing house at a state level on all proposals—particularly in regard to industrial research—and make recommendations on all matters which should be called to the attention of the Western Governors' Conference. Such a committee would also be in a position to bring to the attention of the governor and the state legislature matters deserving of consideration, and to refer back to local agencies those items of a particularly local nature. It would be in a position to recommend research work, industrial surveys, or investigations.

(3) It is suggested that each state carefully review the need for a state development agency. It is suggested that such agencies be engaged primarily in promotional activities, including the collection, analysis and dissemination of basic information about the state. It is also suggested that, in the operation of such an agency, provision be made for the closest cooperation with all existing agencies, both public and private.

Because of the fact that regional development programs are generally new and somewhat experimental in nature, many techniques must be tried, revised, and discarded before effective methods and techniques are finally discovered. A regional central library and clearing house will provide for the interchange of techniques and methods, and should prove most helpful.

It is suggested that any necessary organization or coordination among the state developmental agencies or research advisory councils

might well be effected through the offices of the Council of State Governments.

Approved, October 18, 1948, San Francisco, California, by:

Committee	*Representing*
W. C. JACOBSEN	California Commission on Interstate Cooperation
ELTON K. MCQUERY	Colorado Commission on Interstate Cooperation
ALVIN H. READING	Idaho Committee on Interstate Cooperation
GUS P. BACKMAN	Utah Legislative Council
E. R. FETTEROLF	Washington Committee on Interstate Cooperation
H. C. ANDERSON	Wyoming Commission on Interstate Cooperation

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Governmental Efficiency and Economy.
Conservation, Planning, and Public Works.

Tonight at 8 p.m.—

Constitutional Amendments.
Education, in Room 432.
Municipal and County Government.

Tomorrow, Thursday, April 14th, at 9 a.m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Miss Sue Erwin and Mrs. Alfred Fuller Clark of Whittier.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Bea Ferraris and Bob Martens of San Francisco.

On request of Mr. Evans and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Harry C. Westover of Los Angeles.

On request of Mr. Collier, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Fred Rupp of Los Angeles.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to K. L. Stockton of Huntington Park.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Thomas Mecca and Mrs. Versho Lester, leaders of the Arroya Viejo Girl Scouts of Oakland, and the following girls: Carol Ann Mecca, Della Gay Lester, Eileen Carmichael, Gale Merriman, Elaine Werner, Margaret Felton, Joan Geneva, and Carol Dempsey; Mrs. Martin G. Illgen, leader, and the following Girl Scouts: Janet Illgen, Barbara Illgen, Joan Dodson, Patty Bogue, Virginia Carsten, Barbara Ashford, and Rosalee Cox; Mrs. William H.

Starling and Mrs. C. R. Burnett of Frick Junior High School, and the following Girl Scouts: Carmeleta Tovar, Claudia Clark, Claudette Wallace, Barbara Lortie, Helen Starling, Helen Weine, Babbie Cullar, Mary Dias, Marion Newstrong, Rhoda Katz, Carolyn Loos, Jacquline Lewis, Carolyn Lewis, Adeline Caswell, Roberta Evans, Sally Smathers, Sally Stumpff, and Elizabeth Beach; Mrs. Milo Arnett, leader, and the following Girl Scouts: Carol De Dio, Connie Kesler, Edith Arnett, Lorraine Sullivan, Arlene Koernig, Yvonne Langlois, Jo Ann Turner, Jo Ann Langley, Beverly Rasmussen, Marion Johnson, and Diana Simpson.

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to John V. Spencer and Alvie S. Coughlin, sponsors of the Bear Springs Boys' Camp, and the Los Amigos Boys' Club of Bel Air, of Los Angeles, and the following members: Jack Roberts, Stephen Coughlin, Steven Wilson, Ricky Wilson, Jim Fadiman, Ricky Siegel, Sandy Booth, Peter Harbach, John Plimpton, Tony Glassman, Eric Jacobson, and Martin May.

On request of Mr. Collier and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Lydia A. McNichols, director of the Los Angeles Pacific College A Cappella Choir, and the following members: Grace Adams, Lenore Ashinhust, Benjalyn Cederquist, Henry Challe, Rhoma Collett, Norma Jean Collins, Blanche Curtis, Archie Edwards, Jacqueline Edwards, Dorothy Ellenwood, Dorothy Fine, Arthur Franklin, Marge Gifford, Marian Hornberger, Roderick Hulet, Virginia King, Wesley Lingren, Earl Magnusson, Lily Mayo, Danny Mesiroff, Carol Minkler, Mary Ellen Petcher, Beverlee Platt, William Rearick, Ida Mae Rearick, Verna Rice, Duane Rock, and Lynn Stites.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Nelson C. Price, and Mrs. Barbara Geddes Price, of Glendora.

On request of Messrs Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Prof. Sidney Post Simpson of New York.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Robert Clarke and Mrs. Moses Lasky, guardians of the Fire Makers of the San Francisco Camp Fire Girls, Morelle Lasky and Marshall Lasky, guests, and the following Camp Fire Girls: Ruth Bachman, Susan Benjamin, Darlene Deutscher, Carol Elvin, Idella Hill, Joan Kenny, Wanda Koshkin, Nancy Langley, Marilyn Parker, Alta Picchi, Barbara Warnock, and Joan Warnock.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bedeau, guardian, Camp Fire Group of the Kit Carson School of Sacramento, and the following members: Barbara Baker, Muriel Livingston, Deanna Bedeau, Antoinette Pulati, Elizabeth Koch, Carol Bernardino, Nancy Hunt, and Sharon MacKinlay.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. George Jones, Leader, and Mrs. Morris S. Daggett, Sponsor of Wa-Hon-Ka Camp Fire Girls of Sacramento, and the following members: Barbara Hansen, Carol La

Franco, Betty Philbrook, Lydia Cisneros, Marlene Ott, Connie Dannis, Beverly Galli, Carol Stapp, Carol Mendonsa, Marcia Wenzel, Morris S. Daggett, Jr., Gilbert E. Daggett, and Marian Repanich.

On request of Mr. Hahn and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to George Kalionzes of Los Angeles.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Walter J. Zamecnik of Los Angeles.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Sally Butler of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. A. C. Donnenwirth, and Ray and Ann Donnenwirth of Portola.

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Byron J. Walters, Harry Whitmore, and Henry L. Terry of Los Angeles.

On request of Mr. Reagan, the usual courtesies of the Assembly for this day were unanimously extended to Durward Howes, E. Richard West, and Mrs. E. R. West of Los Angeles.

On request of Messrs. Babbage and Hinckley, the usual courtesies of the Assembly for this day were unanimously extended to former Assemblyman Philip Boyd, Harold Backstrand, and Glen Gurtner of Riverside.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mansel P. Shiner, teacher of the Surprise Valley school of Cedarville, Mrs Shiner, and Pete Laxaque, guests, and the following pupils: Harry B. Wilson, Darrell Vermillion, Loren Bucker, Bill Laxaque, Willard Jones, Howard Allen, Bob Cockrell, Art Daniels, Ervin Hill, Buddie Laxaque, Cecil Vermillion, Bud Rook, and Eddie Briles.

On request of Mr. Huyck, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Kenneth Mitchell of Los Angeles.

ADJOURNMENT

At 1.15 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 14, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 14, 1949

The Assembly met at 9.30 a.m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Shelwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—78.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Youth: The eyes of youth look up today with awe to the majestic dome that over-arches us, and to the historic mementos about us.

May the famous scenes in the stately halls, and the resplendent figures who have made our history remind them of our debt to the heroic past.

Let the venerable past inspire them with great ambition to follow in the steps of our illustrious great and maintain this State as the paradise of opportunity.

May they realize that the tasks of future years in the Atomic Age will require more wisdom and devotion than even the pioneers displayed.

God grant they may have strength equal to their day and give to it the glory past has given us.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Grunsky, further reading of the Journal of the day dispensed with.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
SACRAMENTO, April 14, 1949

Hon. Arthur A. Ohnimus
Chief Clerk, The Assembly,
Sacramento, California

DEAR MR. OHNIMUS: The Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for press card:

John Keyes, San Francisco Call-Bulletin

Sincerely,

EARL C. BEHRENS, President

Ratification of Press Credentials

By unanimous consent, the Assembly ratified the above action as taken by the Capitol Correspondents Association.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 679
Assembly Bill No. 807
Assembly Bill No. 1421
Assembly Bill No. 1447
Assembly Bill No. 1633
Assembly Bill No. 1962
Assembly Bill No. 2036

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 35

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 8
Senate Bill No. 135
Senate Bill No. 296
Senate Bill No. 633
Senate Bill No. 634
Senate Bill No. 648
Senate Bill No. 649

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 8—An act to amend Section 9 of the [illegible] County Flood Control and Water Conservation District [illegible] flood control.

Referred to Committee on Conservation [illegible] Works.

Senate Bill No. 135—An act to amend Section 22500 of, and to add Section 22505 to, the Water Code, relating to disposition of irrigation district property.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 296—An act to add Section 1503.5 to the Education Code, relating to payments for the education of pupils residing in one district and attending in another.

Referred to Committee on Education.

Senate Bill No. 633—An act to repeal Chapter 1083 of the Statutes of 1931, approved June 19, 1931, relating to the impounding and utilization of the waters of the American River.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 634—An act to repeal Chapter 413 of the Statutes of 1935, approved July 9, 1935, relating to the Rector Dam Authority.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 648—An act to repeal Chapter 101 of the Statutes of 1929, approved April 12, 1929, relating to the impounding and utilization of the waters of the American River.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 649—An act to repeal Chapter 569 of the Statutes of 1927, approved May 17, 1927, relating to the impounding and utilization of the waters of the American River.

Referred to Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 44

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 44—Relative to approving an amendment to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the fifth day of April, 1949.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 13, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 25—Relative to a highway between Altamont Pass and Grapevine.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1565—An act to amend Section 360.5 of the Agricultural Code, relating to penalties for delinquencies in obtaining slaughterer's license.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1567—An act to amend Sections 339.1, 339.3, and 339.4 of the Agricultural Code, relating to brand fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2968—An act to amend Sections 380.54 and 380.55 of the Agricultural Code, relating to the slaughter and inspection of horses and burros.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1815—An act to repeal Sections 159 and 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1816—An act to amend Section 144 of the Code of Civil Procedure, relating to courtrooms.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1817—An act to amend Section 26203 of the Government Code, relating to census.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1818—An act to amend Section 77a of the Code of Civil Procedure and Section 1469 of the Penal Code, relating to appeals to superior courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1820—An act to amend Sections 1425 and of, and to add Sections 1462.1 and 1462.2 to, the Penal Code, to municipal and justice courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 42—An act to amend Section 730 of the Fish and Game Code, relating to California halibut.

Bill read second time, and ordered engrossed.

Assembly Bill No. 44—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 884—An act to amend Section 974 of the Fish and Game Code, relating to sand crabs and shrimps.

Bill read second time, and ordered engrossed.

Assembly Bill No. 885—An act to add Section 869 to the Fish and Game code, relating to bait nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1497—An act to add Section 171 to the Fish and Game Code, relating to game refuges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1287—An act to amend Sections 2135 and 2287 and to repeal Sections 2230 and 2231 of, and to add Sections 2191.6 and 2232 to, the Business and Professions Code, relating to drugless practitioners and relating to applications to the Board of Medical Examiners of the State of California for physicians and surgeons certificate.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1651—An act to repeal the act known as Chapter 807, Statutes of 1937, entitled "An act to regulate the distribution of moneys received from the United States Government under the provisions of the act of Congress of June 28, 1934, known as the Taylor Grazing Act and any act amendatory thereof".

Bill read second time, and ordered engrossed.

Assembly Bill No. 2193—An act to repeal Section 6 of an act entitled "An act to authorize the Department of Finance to acquire surplus housing facilities for resale to farmers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately," approved July 10, 1947 (Chapter 1352, Statutes of 1947), relating to the expiration date thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1821—An act to amend Sections 89, 112, and 396a, and to repeal Section 81, of the Code of Civil Procedure, relating to municipal and justice courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1814—An act to amend Section 1770 of the Government Code, relating to vacancies in office.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 14, of the printed bill, after "discharged", insert "; provided, however, that the office of judge of a municipal or justice court shall not become vacant when, as a result of a change in the boundaries of a judicial district during an incumbent's term, said incumbent ceases to be an inhabitant of the district for which he was elected or appointed to serve".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1819—An act to amend Sections 1457 and 1463 and to repeal Section 1570 of the Penal Code, and to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 16, of the printed bill, strike out the blank, and insert "seventy-five (75)".

Amendment No. 2

On page 2, line 24, of said bill, strike out the blank, and insert "twenty-five (25)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Dolwig asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1822—An act prescribing the regulation, government, procedure and jurisdiction of municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 5 of the printed bill, strike out lines 48 to 52, inclusive; and on page 6, strike out lines 1 to 3, inclusive, and insert

"SEC. 13. The judges, officers and attaches of a municipal or justice court shall be electors of the judicial district or city and county in which they are elected or appointed."

Amendment No. 2

On page 7, line 9, of said bill, strike out "county", and insert "district".

Amendment No. 3

On page 7, line 14, of said bill, strike out "at a place or"; and strike out lines 15 and 16, and insert "in any district of the county wherein a justice court is established for the purpose of hearing cases above the jurisdiction of justice courts."

Amendment No. 4

On page 12 of said bill, between lines 21 and 22, insert

"In addition to their salaries, judges and clerks of justice courts shall be allowed their necessary traveling expenses at the rate fixed by the board of supervisors when the business of the court shall require their attendance at any session thereof held at a greater distance than 12 miles from the principal office or place designated for holding regular sessions of the court, and the board of supervisors may allow the judges, officers and attaches of justice courts other expenses incurred in the actual performance of their duties."

Amendment No. 5

On page 4 of the printed bill, strike out line 34, and insert "court shall be filled by appointment by the Governor and any vacancy in the office of judge of a justice court shall be filled by appointment by the board of supervisors of the county in which the justice court is situated,".

Amendment No. 6

On page 7, line 16, of the printed bill, after the period, insert "The board of supervisors shall provide in such ordinance for the holding of sessions of the justice's court in every incorporated city not included within a judicial district in which there is a municipal court."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1823—An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, after "district", insert ", and no two or more cities, each of which has a population in excess of 40,000 according to the last preceding Federal Census, shall be included in one district".

Amendment No. 2

On page 1, line 16, of said bill, after "another," insert "and in every county wherein two or more cities, each having a population in excess of 40,000 according to the last preceding Federal Census, are included in a single township,".

Amendment No. 3

On page 2 of said bill, strike out line 10, and insert "the Government Code, or (3) as may have been found to be the fact in any proceeding in mandamus brought in a court having jurisdiction thereof, whichever may be later. Any enumeration of the population of a".

Amendment No. 4

On page 2, line 11, of said bill, after "when", insert "officially announced and certified and".

Amendment No. 5

On page 2, line 22, of the printed bill, strike out the blank, and insert "1".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 883—An act to add Section 977 to the Fish and Game Code, relating to sharks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, after "to", insert "skates, rays, and".

Amendment No. 2

On page 1, line 3, of said bill, strike out "and harpoons", and insert ", harpoons, and bows and arrows".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1398—An act to amend Sections 3 and 16 and to repeal Sections 26, 27, and 28 of the Relief Act of 1945, relating to relief of hardship and destitution.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1 of the printed bill, between lines 16 and 17, insert "an amount which, when added to the income of the recipient from all other sources (including the value of currently used resources, but excepting casual income and inconsequential resources) is".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1626—An act to amend Sections 18100, 18102, 18105, 18200, 18300, 18302, 18408, 18460, 18461, 18464, 18466, 18467, 18625, 18650, 18652, 18656, and Chapter 6 of; and to add Sections 18104.5, 18106.5, 18107.1, 18400 5, 18401, 18401.1, 18401.2, 18401.3, 18432.5, 18432.6, 18432.7, Article 2.5 of Chapter 4, Section 18440, Article 2.6 of Chapter 4, Sections 18450, 18451, Article 2.7 of Chapter 4, Sections 18455.5, 18460.4, 18466 5, 18466.6, 18466.7, 18466 8, 18467.5, 18470.5, 18600, 18600.5, 18625 5, 18625.6, 18625.7, 18650.2, 18656.71, 18710.5, Article 1 of Chapter 6, Sections 18715, 18715.1, Article 2 of Chapter 6, Sections 18717, 18717.5, 18717.6, 18717.7, 18718, Chapter 6.5 and Section 18720.7 to; and to repeal Sections 18302.5, 18600, and 18601 of, the Health and Safety Code, relating to auto courts, resorts, and motels and auto and trailer parks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 2 of the title of the printed bill, after "18467," insert "18470,".

Amendment No. 2

In line 3 of the title of the printed bill, strike out "18656," and insert "18654, 18656, 18658,".

Amendment No. 3

In the title of the printed bill, strike out lines 11 to 13, inclusive, and insert "Chapter 6.5, and Section 18720.7 to; and to repeal Sections 18302.5 and 18600 of, the Health".

Amendment No. 4

On page 3, line 30, of the printed bill, after "moved", insert ", and provided however, that no fee greater than twenty-five dollars ($25) shall be required".

Amendment No. 5

On page 3, line 32, of the printed bill, after "site", insert ", provided however, that no fee greater than twenty-five dollars ($25) shall be required".

Amendment No. 6

On page 6 of the printed bill, between lines 41 and 42, insert

"SEC. 38.5. Section 18470 of said code is amended to read:

18470. Every gas water heater, and every other gas-fire appliance used for the purpose of heating a building, except gas plates and gas ranges, in every auto court and resort apartment shall be *an approved vented type appliance and shall be* [effectively] *so* vented [so] as to *effectively* discharge [at least 90 per cent of] the flue gases therefrom through a sheet metal or other approved vent pipe not less than the area of the vent outlet on the appliance but in no case less than [three] *two and one-half* inches in internal diameter, which vent pipe shall be connected to a vertical, or substantially vertical flue or chimney leading to the outer air above the roof. *A model or sample of every such gas water heater and every other gas-fire appliance used for the purpose of heating a building, except gas plates and gas ranges, shall have been tested and approved by a nationally recognized standard or nationally recognized testing laboratory and such appliance shall have attached thereto an insignia of approval by such standard or testing laboratory.* The flue or chimney shall be either terra cotta, brick, fire clay, or other approved product, having a wall thickness of adequate insulating value, and which will not disintegrate from the effects of the products of combustion. The internal area of the flue or chimney shall be at least twelve square inches.

All gas appliances subject to the provisions of this section and all gas plates and gas ranges shall be rigidly connected with metal piping directly to the gas service outlet."

Amendment No. 7

On page 8 of the printed bill, strike out line 3.

Amendment No. 8

On page 8, lines 42 and 43, of the printed bill, strike out "one hundred fifty", and insert "two hundred".

Amendment No. 9

On page 9 of the printed bill, between lines 7 and 8, insert

"SEC. 50.5. Section 18654 of said code is amended to read:

18654. In every auto and trailer camp, shower baths or other bathing facilities with hot and cold running water shall be installed in separate compartments for every [10] *15*, or fractional part of [10] *15* camp sites for each sex. Every compartment shall be provided with a self-closing door or otherwise equipped with a waterproofed draw curtain. All shower baths or other bathing facilities provided herein shall not be farther than 200 feet from each camp site."

Amendment No. 10

On page 9, line 24, of the printed bill, strike out "an adequate space adjacent", and insert "a space convenient".

Amendment No. 11

On page 9 of the printed bill, between lines 25 and 26, insert

"SEC. 52.5. Section 18658 of said code is amended to read:

18658. [In every building in an auto and trailer camp every plumbing fixture affecting the sanitary drainage system shall be separately and effectively trapped and vented and the vent pipe shall extend to the outer air above the roof.]

All plumbing fixtures in every building in an auto and trailer park which affect its sanitary drainage system shall be installed and maintained as provided in Sections 18466.6, 18466.7, and 18466.8 of this part."

Amendment No. 12

On page 10 of the printed bill, strike out lines 30 to 50, inclusive; and on page 11, strike out lines 1 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1629—An act to amend Section 18109 of the Health and Safety Code, relating to auto and trailer camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 6, of the printed bill, after "cities", strike out the comma, and insert "and".

Amendment No. 2

On page 1, line 7, of said bill, strike out "and counties".

Amendment No. 3

On page 1 of said bill, strike out lines 11, 12, and 13; and in line 14, strike out "local ordinances."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2764—An act to amend Section 28380 and Section 28411, of the Health and Safety Code, and to add Section 28411.5 to the Health and Safety Code, relating to canneries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, strike out lines 1 to 3, inclusive, and insert "board. The applicant shall be deemed to be in compliance with such sanitary regulations unless the applicant has been given written notice by the state board not less than sixty (60) days prior to the expiration of the existing license that the cannery does not comply with such sanitary regulations, and the applicant has subsequently failed to bring the cannery into compliance therewith."

Amendment No. 2

On page 2 of the printed bill, strike out lines 6 to 8, inclusive, and insert "license provided in this chapter may obtain a hearing by the state board by mailing a written request therefor to said board. The state board shall give the applicant at least ten (10) days notice of such hearing and shall hold such hearing within thirty (30) days of the receipt of such request."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out the period, and insert ", San Mateo Police Deparmtent, Escondido Police Department, Coronado Police Department, Plumas County Sheriff's Office, Monterey County Sheriff's Office Substation at Monterey, Lassen County Sheriff's Office, Portola Police Department, Watsonville Police Department, San Bernardino Sheriff's Office Substations at Needles and Barstow, Brawley Police Department, Tulare Police Department, Long Beach Police

Department, Del Norte County Sheriff's Office, Nevada County Sheriff's Office, Sierra County Sheriff's Office, Palo Alto Police Department, Lake County Sheriff's Office, and Alpine County Sheriff's Office."

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "eight hundred forty-six", and insert "thirty-one thousand three hundred seventy-nine".

Amendment No. 3

On page 1, line 6, of the printed bill, after "lars", insert "and four cents".

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "($846)", and insert "($31,379.04)".

Request for Unanimous Consent That Amendments Be Corrected

Mr. Dickey asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 7, which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Amendments read, as corrected, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1937—An act to amend Sections 1504, 1510, 1511, 1526, 1527, 1550, 1551, 1552, 1552.5, 1553, 1557, 1559, and 1560 of the Welfare and Institutions Code, to repeal Sections 1512, 1528, 1554, 1555, 1556, and 1556.5 thereof, and to add Section 1554 thereto, relating to aid to needy children, providing for full state administration thereof, eliminating county participation in the administration thereof, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 2, line 19, of the printed bill, after "sums," insert "on an annual basis,".

Amendment No. 2

On page 2, line 31, of said bill, after "children.", insert "For each child placed in boarding homes or institutions there shall be paid a sum not to exceed sixty dollars ($60) per month."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Social Welfare.

Assembly Bill No. 2029—An act to add Sections 125, 126, 127, and 128 to the Welfare and Institutions Code, relating to the payment of allowances for Old Age Security and Security for the Blind authorized by Article XXV of the State Constitution, creating the Social Welfare Disbursement Fund, making an appropriation, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In the title of the printed bill, strike out lines 3 to 5, inclusive; and in line 6, strike out "tion", and insert "ances for old age security and security for the blind, creating the Social Welfare Disbursement Fund, providing for the use thereof".

Amendment No. 2

On page 1, line 4, of said bill, strike out the semicolon; and strike out line 5, and insert ", which fund may be utilized for the pay-".

Amendment No. 3

On page 1, line 7, of said bill, strike out "Article XXV of the State Constitution", and insert "law".

Amendment No. 4

On page 1 of said bill, strike out lines 13 and 14, and insert "for the blind authorized by law shall be paid by Controller's warrants drawn against the".

Amendment No. 5

On page 2, line 13, of said bill, after the comma, insert "the Controller shall notify the Department of Finance, and".

Amendment No. 6

On page 2, line 33, of said bill, strike out "Section 17070 of the Government Code", and insert "law".

Amendment No. 7

On page 3, line 2, of said bill, after the period, insert

"This bill authorizes the State Controller to include in one warrant both the state and federal shares of such security payments made to any recipient thereof."

Amendment No. 8

On page 3 of said bill, strike out lines 3 to 8, inclusive, and insert

"Because of the large number of warrants of equal or approximately equal amounts that will be issued each month for old age security and security for the blind, the issuance of such warrants against a special fund for that purpose, instead of from the General Fund, will greatly increase the speed and efficiency with which reconciliations of outstanding warrants can be made.

In order to provide a speedy and efficient procedure for making all disbursements for old age security and security for the blind from one fund, and to avoid the needless confusion to the recipients of such security which would result from the receipt by them of separate warrants covering the state and federal shares of such security, it is necessary that this act take effect immediately."

Request for Unanimous Consent That Amendments Be Corrected

Mrs. Niehouse asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 2029, which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Amendments read, as corrected, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Social Welfare.

Assembly Bill No. 2632—An act to add Section 141 to the Welfare and Institutions Code, relating to security payments to the aged and needy blind under Article XXV of the Constitution, and providing a procedure for the issuance of duplicate warrants therefor, in case of loss or destruction of original warrants issued by the State Controller, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 5, inclusive; and in line 6, strike out "the State Controller", and insert

"An act to add Sections 141 and 141.5 to the Welfare and Institutions Code, relating to warrants issued by the State Controller for old age security and security for the blind".

Amendment No. 2

On page 1 of said bill, strike out lines 5 and 6, and insert "of old age security or security for the blind has been lost, the State Con-".

Amendment No. 3

On page 1 of said bill, between lines 13 and 14, insert

"SEC. 2. Section 141.5 is added to the Welfare and Institutions Code, to read:

141.5 Any warrant issued by the State Controller in payment of old age security or security for the blind is void if not presented to the State Treasurer for payment within six months after its date, and shall be canceled and the face amount shall revert and be credited in the manner provided by Sections 17071 and 17072 of the Government Code. Each such warrant shall bear on its face a statement that the warrant shall be void if not presented to the State Treasurer for payment within six months after the date of issuance thereof."

Amendment No. 4

On page 1, line 14, of said bill, strike out "2", and insert "3".

Amendment No. 5

On page 2, line 7, of said bill, after the period, insert "Section 29802 of the Government Code, which provides that warrants for such security payments are void if not presented for payment within six months from the date thereof, likewise applies only in the case of county warrants."

Amendment No. 6

On page 2, line 9, of said bill, strike out "make such available", and insert "provide such a procedure".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Social Welfare.

Assembly Bill No. 252—An act to add Section 7114 to the Health and Safety Code, relating to authorizations for the performance of autopsies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5, 6, and 7, and insert "required by Section 7113 of this code is guilty of a misdemeanor, except that this shall not be applicable to the performance of an autopsy by the coroner or other officer authorized by law to perform autopsies."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 766—An act to amend Section 2116 of the Business and Professions Code, relating to investigators for the Board of Medical Examiners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 5, of the printed bill, after "employ", insert "inspectors, special agents, and investigators,".

Amendment No. 2

On page 1, line 11, of said bill, strike out "employ", and insert "select".

Amendment No. 3

On page 1, line 13, of said bill, strike out "employed", and insert "selected".

Amendment No. 4

On page 1, line 14, of said bill, after "experience", insert "in investigative activities pertaining to the administration and enforcement of legislative acts".

Amendment No. 5

On page 1, line 16, of said bill, after "board", insert "and shall be employees of the board".

Amendment No. 6

On page 1 of said bill, strike out line 17, and insert "The board shall select two supervising investigators from the investigators employed by it."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code, and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse meat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 16, inclusive, and insert "premises or building in which horses are slaughtered or in which horse meat is stored, packed, prepared, offered for sale or sold shall meet all the food sani-".

Amendment No. 2

On page 1 of the printed bill, strike out lines 22 and 23, and insert "in which other uncooked meat, or meat food products prepared from the flesh of cattle, calves, sheep, lambs, swine or goats is stored, packed, cooked, offered for sale or sold. Exception to this shall be made where the horse meat is stored in direct connection with canning plants, for use in cooking in hermetically sealed containers under state or federal inspection"

Amendment No. 3

On page 2 of the printed bill, strike out lines 4 to 13, inclusive; and in line 14, strike out "(c)", and insert

"(a)".

Amendment No. 4

On page 2 of the printed bill, strike out lines 21 to 29, inclusive.

Amendment No. 5

On page 2, lines 30 and 31, of the printed bill, strike out "28006", and insert "28005".

Amendment No. 6

On page 2, lines 39 and 40, of the printed bill, strike out "28007", and insert "28006".

Amendment No. 7

On page 2, lines 44 and 45, of the printed bill, strike out "28008", and insert "28007"; and in line 46, between "and" and "shall", insert "said unit"; and in line 49, after "reads", strike out the remainder of the line and all of line 50, and insert " "Horse Meat Not Inspected. For animal consumption only." "

Amendment No. 8

On page 3, line 2, of the printed bill, strike out "Unin-", and all of line 3 except "printed", and insert " "Horse Meat Not Inspected. For animal consumption only." "

Amendment No. 9

On page 3, line 4, of the printed bill, after "height", insert "Each package and/or container in which inspected horsemeat is sold shall bear a tag or label with the words "Inspected Horsemeat", "U. S. Government Inspected Horsemeat", "State Inspected Horsemeat", or "municipally inspected horsemeat", depending upon the type of inspection made of said product, with letters printed thereon not less than one-half (½) inch in height."

Amendment No. 10

On page 3, line 13, of the printed bill, after "Packed with Gravy," strike out the remainder of paragraph "c", and insert

"Horse Meat Loaf," and/or "Horse Meat Stew," or any other term, phrase or statement from which it might be inferred or implied that said product is or could be used for human consumption. Labeling for all products referred to in this subsection shall be approved by the State Department of Public Health prior to use."

Amendment No. 11

On page 3 of the printed bill, strike out lines 16 to 29, inclusive, and insert

"SEC. 10. Section 28008 is added to said code, to read

28008. Where signs are displayed on the outside of the premises of any wholesale or retail establishment offering for sale uninspected horse meat, wherever the words "horse meat", "pet food" and/or "pet meat" or any other words intended to describe or signify horse meat or pet food containing meat products, appear, there shall also be added a sign in equal size "Horse Meat Not Inspected" On any vehicle delivering uninspected horsemeat, whether retail or wholesale, the words "Not Inspected" shall be included on any sign containing the words "Horse Meat", "Pet Meat", "Pet Food" or any other words intended to describe or signify horse meat, and shall appear in equal prominence with such words."

Amendment No. 12

On page 3 of the printed bill, strike out lines 47 to 49, inclusive, and insert "have free access at all reasonable times to premises where horses are slaughtered, and/or horse meat is processed, prepared, packed, kept, offered for sale or sold, for purposes of inspection. Exception shall be made, however, to those premises where federal, state or state-approved municipal inspection is maintained".

Amendment No. 13

On page 3, line 52, of the printed bill, strike out "slaughter", and insert "slaughtering of horses and/or the".

Amendment No. 14

On page 4, lines 1 and 3, of the printed bill, strike out "permit", and insert "license".

Amendment No. 15

On page 4 of the printed bill, between lines 12 and 13, insert "Any person, firm or corporation holding a license issued under the provision of this chapter shall keep complete and full records of all horses and/or horse meat received, covering the live and/or dressed weight of same, from whom received and the date of receipt Also in the case of those slaughtering horses and/or wholesalers of horse meat, a full and complete record of the sales made shall be kept showing the name and address, of each and every customer and the amount and the date sold to each. Retailers shall keep a full and complete record of all horse meat received including the amount, date and name of the person, firm or corporation from whom received When requested by the State Department of Public Health or an agent thereof, any licensee shall submit a report setting forth in itemized particulars information relating to the receipts and sales of horses and/or horse meat covering a period of time not to exceed the preceding four months "

Amendment No. 16

On page 4 of the printed bill, strike out lines 14 to 16, inclusive, and insert

"28014. Any person whether as principal or agent, employer or employee, who shall unlawfully adulterate other meats or meat food products with horse meat or who shall fraudulently keep, offer for sale or sell as beef, veal, pork, lamb or mutton,

which is so adulterated shall be guilty of a misdemeanor punishable upon conviction by a fine of not less than twenty-five dollars ($25) nor more than five hundred dollars ($500) or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment."

Amendment No. 17

On page 4 of the printed bill, strike out lines 17 to 26.

Amendment No. 18

On page 4 of the printed bill, after line 26, insert

"SEC. 17. Section 28015 is added to said code, to read:

28015. If any clause, sentence, paragraph, or part of this act shall for any reason be adjudged by any court of competent jurisdiction to be invalid, such judgment shall not affect, impair or invalidate the remainder of this act, but shall be confined in its operation to the clause, sentence, paragraph, or part thereof directly involved in the controversy in which such judgment has been rendered."

Amendment No. 19

"SEC. 18. Section 28016 is added to said code, to read:

28016. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The amount of uninspected horse meat that has been sold in recent weeks in this State for beef and other edible meats has reached prodigious proportions This horse meat has been sold to public eating places and markets and resold to the unsuspecting public as beef. The sale of such uninspected horse meat not only constitutes a fraud, but such horse meat may be and often is secured from diseased animals, and the consumption thereof constitutes a real danger to the public health. The present law pertaining to the sale of horse meat is entirely inadequate, the violation is not defined as a misdemeanor nor is there any penalty stated which could be applied in case of a conviction. Therefore it is necessary in the public interest that this act take immediate effect."

Request for Unanimous Consent That Amendments Be Corrected

Mr. Dickey asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 2080 which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Amendments read, as corrected, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 869—An act to amend Section 330 of the Fish and Game Code, relating to public shooting grounds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out the period, and insert ", Federal Aid in Wildlife Restoration Funds, or other funds at their disposal."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 2742—An act to add Section 1185 to the Fish and Game Code, relating to birds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert "possession the carcass, in such condition that the sex or species cannot be easily determined, of any game bird while in the field or forest".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1018—An act to amend Section 762.5 of, and to add Section 768 to, the Agricultural Code, relating to the inspection of tomatoes delivered for canning and tomato inspection certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 6, of the printed bill, after "established", insert "or designated".

Amendment No. 2

On page 2, line 7, of the printed bill, after the period, insert "After November 1st of any year and not less than thirty days before the same date in the preceding year when inspection began at any station, the director may review the operation of any such inspection station not located at a cannery. If the director determines that the interest and economy and efficient operation of the inspection service would be served he may, with the consent of the canner or canners involved, terminate inspection at such place. In the event the canner or canners fail to consent to such termination prior to the date set forth above, the director may hold a hearing to consider the termination of inspection at such place at which hearing testimony of the canners and growers using such station shall be heard. If the director finds that termination of inspection at such station will satisfactorily accomplish the objectives of the inspection service and tend to provide economical and efficient operation and finds further that no unreasonable burden will be imposed upon canners or growers and that tomatoes normally inspected at such stations will not have to be hauled an unreasonable distance to be inspected at another point, then the director may announce to all parties of record who will be affected thereby, that inspection is terminated at such place for the ensuing season. The director shall not be required to perform inspection at any place where adequate inspection facilities are not provided."

Amendment No. 3

On page 2, line 37, of the printed bill, strike out "Section 762, 762.5, and 763", and insert "this chapter".

Amendment No. 4

On page 2, line 39, of the printed bill, strike out "Section 762", and insert "this chapter".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Agriculture.

Assembly Bill No. 1547—An act to add Section 136.5 to the Agricultural Code to provide more effective and expeditious abatement of pests.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 24, 1949 strike out "in".

Amendment No. 2

On page 2, line 18, of said bill, after "Whenever", insert "such nuisance exists and notice thereof has been served as hereinbefore provided, and".

Amendment No. 3

On page 2 of said bill, strike out lines 20 to 22, inclusive, and insert "nearby property, and that great or irreparable injury would result from delay until expiration of the time required by law for constructive notice, he may".

Amendment No. 4

On page 2, lines 24 and 25, of said bill, strike out ", without personal service of notice".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

SECOND READING OF SENATE BILLS

Senate Bill No. 31—An act to repeal Chapter 3, Part 2, Division 12, of the Health and Safety Code, and to add a new Article 9, Sections 9598 and 9607, both inclusive, to, and amend Section 9575 of Chapter 18, of, the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments.

Bill read second time, and ordered to third reading.

Senate Bill No. 381—An act to amend Sections 7406, 10375, and 10453 and to repeal Section 10377 of the Health and Safety Code, relating to death certificates.

Bill read second time, and ordered to third reading.

Senate Bill No. 392—An act to amend Sections 737.5 and 737.7 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "736.11,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 736.11 of the Agricultural Code is amended, to read:

736.11. The director shall, as soon as possible after the effective date hereof, in all marketing areas wherein a stabilization and marketing plan for fluid milk or fluid cream is in effect under the provisions of this chapter, designate and prescribe or provide methods for designating and prescribing minimum wholesale and minimum retail prices for fluid milk or fluid cream.

(a) Minimum wholesale prices, as used herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores including the prices at which fluid milk or fluid cream shall be sold by distributors to retail stores, restaurants, confectioneries and other places for consumption on the premises but excluding, however, the prices at which fluid milk or fluid cream, or both, shall be sold by distributors to retail stores owned or operated by such distributor. *Minimum wholesale prices, as used herein, includes prices at which fluid milk or fluid cream, or both,*

shall be sold by distributors to other distributors, other than in bulk, which prices may vary from the minimum prices established for sales by distributors to other wholesale customers.

(b) Minimum retail prices herein, shall mean prices at which fluid milk or fluid cream, or both, shall be sold by distributors and retail stores to consumers.

At the time any stabilization and marketing plan is hereafter established under the provisions of this chapter, the director shall designate and prescribe, or provide methods for designating and prescribing, such minimum wholesale prices and such minimum retail prices; provided, however, that all prices established under the terms of this article shall be such prices as are determined by the director pursuant to the provisions of Section 736.12.

SEC. 2. Section 737.5 of said code is".

Amendment No. 3

On page 3, line 8, of said bill, after "cream", insert ", except that the provisions hereof shall not apply to a place or structure or building used for the purpose of receiving, weighing, or testing fluid milk or fluid cream which is to be diverted or delivered to the milk plant of the distributor receiving fluid milk or fluid cream which milk plant is licensed and bonded under the provisions of this section."

Amendment No. 4

On page 3, line 16, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 692—An act to amend Sections 4741, 4762, and 4788 of, add Section 4742.1 to, and to repeal Sections 4797 and 4798 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 18, 1949, after "4762", insert ", 4781".

Amendment No. 2

In line 2 of the title of said bill, strike out "Section 4742.1", and insert "Sections 4801 and 4843".

Amendment No. 3

On page 1, lines 25 and 26, of said bill, strike out "district board", and insert "board of supervisors".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2, line 4, of said bill, insert

"SEC. 3. Section 4781 of the Health and Safety Code is amended to read:

4781. The resolution shall state all of the following:

(a) The general objects and purposes for which it is proposed to incur an indebtedness.

(b) A reference to the report filed with the district board for particulars.

(c) The amount of the bonds proposed to be issued.

(d) [The part of the principal to be paid each year, which part shall not be less than the part specified in this chapter.] *The number of years not to exceed which the whole of the bonds are to run.*

(e) The rate of interest or a maximum rate of interest to be paid, which rate shall not be more than the rate specified in this chapter, payable at the time specified in this chapter.

(f) The date of the election

(g) The election precincts, polling places, and election officers.

SEC. 4 Section 4788 of the Health and Safety Code is amended to read:

4788. The district board shall prescribe by resolution the form of the bonds, and interest coupons. The bonds shall be payable [substantially in the following manner: A part to be determined by the district board, which shall not be less than one-fortieth part of the whole amount of the indebtedness shall be payable each and every year on a day and date,] *at such times* and at a place to be fixed by the board, and designated in the bonds, together with interest on all sums unpaid on that date until the whole of the indebtedness has been paid. *The term of bonds issued shall not exceed forty years.*

SEC. 5. Section 4801 is added to the Health and Safety Code, to read:

4801 (1) An issue of bonds is hereby defined to be the aggregate principal amount of all of the bonds authorized to be issued in accordance with a proposal submitted to and approved by the electors of the district, but no indebtedness will be deemed to have been contracted until bonds shall have been sold and delivered and then only to the extent of the principal amount of bonds so sold and delivered.

(2) The board of directors of any district issuing any bonds heretofore or hereafter authorized may, in its discretion, divide the aggregate principal amount of such issue into two or more divisions or series and fix different dates for the bonds of each separate division or series. In the event any authorized issue is divided into two or more divisions or series, the bonds of each division or series may be made payable at such time or times as may be fixed by the legislative body of the district separate and distinct from the time or times of payment of bonds of any other division or series of the same issue.

SEC. 6. Section 4843 is added to the Health and Safety Code, to read:

4843. The district may contract with the Federal Government of the United States or any branch thereof, or with any county, city and county, municipal corporation, district or other public corporation or with any person, firm or corporation, for the joint acquisition or construction or use of any sewer or sewers or other works or facilities for the handling, treatment or disposal of sewage from the district and such other area as may be designated in said contract, when in the judgment of the legislative body of said district it is for the best interests of the district so to do. Any such contract may provide for the construction and maintenance of such sewer or sewers, or such other works or facilities, and for the payment by or for the parties thereto of such proportionate part of the cost of the acquisition, construction or maintenance of such sewer or sewers or other works or facilities as may be stated in said contract, the payments to be made at such times and in such amounts as may be provided by said contract Any such contract may provide for the joint use of any sewer or sewers, works or facilities for the handling, treatment or disposal of sewage upon such terms and conditions as may be agreed upon by the parties thereto, and for the flowage, treatment or disposal of sewage from such area for each of the parties thereto as may be described in the contract.

Any district which has acquired or constructed or which proposes to acquire or construct, any sewer or sewers, or works or other facilities for the handling, treatment or disposal of sewage, may contract with the Federal Government of the United States or any branch thereof, or with any county, city and county, municipal corporation, district or other public corporation or with any person, firm or corporation for the use of any such sewer or sewers, works or facilities by any such county, city and county, municipal corporation, district or other public corporation, or for the flowage, treatment or disposal of sewage from any area designated by such person, firm or corporation so contracting, upon such terms and conditions as may be provided in said contract.

SEC. 7. Sections 4797 and 4798 of the Health and Safety Code are repealed."

Amendment No. 5

On page 2 of said bill, strike out lines 6 to 31, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 588

In compliance with a notice given on a previous day, Mr. Burkhalter moved that the vote whereby Assembly Bill No. 588 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 588 reconsidered by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury,

Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Tomlinson, Waters, and Weber—53.

NOES—None.

Further Consideration of Assembly Bill No. 588

Assembly Bill No. 588—An act to amend Sections 6511 and 6617 of the Business and Professions Code, relating to barbers.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 8, 1949, strike out "Sections 6511 and 6617", and insert "Section 6511".

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 312, on request of Mr. McCollister.

NOTICE OF MOTION TO RECONSIDER AMENDMENTS TO ASSEMBLY BILL NO. 375 WAIVED

Mr. Clayton A. Dills waived his notice of motion to reconsider the vote whereby the amendments to Assembly Bill No. 375 were adopted.

Assembly Bill No. 375 ordered reprinted, and re-engrossed.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 373—An act to amend Section 7026 and repeal Section 7027 of, and add Sections 7050, 7051, 7052, and 7053 to, the Business and Professions Code, relating to contractors.

The question being: Shall the Assembly concur in the following amendment to Assembly Bill No. 373?

Amendment No. 1

On page 1, line 25, of the printed bill, following "civil", insert "or professional".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 373 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 373 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 624, on request of Mr. Fleury.

Hon. Randal F. Dickey Presiding

At 9 50 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1635—An act to amend Sections 44 and 44.1 of the Vehicle Code, relating to authorized emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Tomlinson, Way, and Weber—47.

NOES—Anderson, Brown, Davis, Dunn, Elliott, Heisinger, Kilpatrick, Lewis, and Lowrey—9.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.53 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2204 FROM COMMITTEE

Mr. McMillan gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2204 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 309 ON UNFINISHED BUSINESS FILE

Mr. Crichton asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 309, on the unfinished business file, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 309—An act to amend Sections 790 and 828.15 and to add Section 803.5 to the Agricultural Code, relating to nectarines, prescribing standards of quality and regulating the packing thereof, declaring the emergency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 309?

Amendment No. 1

In line 1 of the title of the printed bill as amended, strike out "Section 790", and insert "Sections 790 and 828.15".

Amendment No. 2

On page 1 of said bill, strike out lines 17 and 18, and insert "split pits which are open at the stem end, and from mold, brown rot, and decay which has affected the edible portion; and free from serious damage due to skin breaks or cuts,".

Amendment No. 3

On page 2 of said bill, strike out lines 2, 3, and 4, and insert "time of picking (a) an aggregate area of at least one-half inch in diameter of the surface of the individual fruit has broken from green or dark green to a distinct flecking of light green or a light green indicating equivalent maturity, or (b) the".

Amendment No. 4

On page 2 of said bill, between lines 42 and 43, insert

"SEC. 3. Section 828.15 of the Agricultural Code is amended to read:

828.15.	4	Standard 12-basket crate	2⅞	13½	18
	5	Standard crate	4	16	16⅛
	6	Standard crate	4¼	16	16⅛
	7	Standard crate	4½	16	16⅛
	8	Standard crate	4¾	16	16⅛
	9	Standard crate 5, 5¼ or	5¼	16	16⅛
	9A	Standard crate	5½	16	16⅛
	9B	Special crate	4¾	14½	14½"

Amendment No. 5

On page 2, line 43, of said bill, strike out "SEC. 2", and insert "SEC. 4."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 309 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, and Way—62.

NOES—None.

Assembly Bill No. 309 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1197—An act to add Section 251 to the Revenue and Taxation Code, relating to the time of payments due taxing agencies.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2522 FROM COMMITTEE

Mr. Elliott gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 2522 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1396

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1396, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1396

Assembly Bill No. 1396—An act to amend Sections 6877, 6878, and 6915 of the Business and Professions Code, relating to collection agency licenses.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "agency licenses", and insert "agencies".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "partner, director, trustee or authorized employee", and insert "person".

Amendment No. 3

On page 1, line 15, of said bill, after "director," insert "or".

Amendment No. 4

On page 1, line 16, of said bill, after "or", insert ", in the case of application for license for a branch office, by the".

Amendment No. 5

On page 1, line 16, of said bill, after "employee", insert "to be in active charge thereof,".

Amendment No. 6

On page 1, lines 23 and 24, of said bill, strike out "by the managing partner, director, trustee or authorized employee".

Amendment No. 7

On page 1, line 25, of said bill, after "association," insert "by the managing partner, director, or trustee, or, in the case of a branch office, by the authorized employee of the licensee in charge thereof,".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1199—An act to amend Sections 534 and 2922 of the Revenue and Taxation Code, relating to penalty on delinquent taxes on unsecured tax roll.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2003—An act to amend Sections 4371, 4372, 4373, and 4374 of the Revenue and Taxation Code, relating to real property taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF ASSEMBLY BILL NO. 2666

Mr. Lowrey asked for unanimous consent that he be permitted to take up the reconsideration of Assembly Bill No. 2666, temporarily passed on file, at this time.

Mr. Waters withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2026—An act to add Chapter 3.3, comprising Sections 2851 to 2862, inclusive, to Division 1, Part 5 of the Revenue and Taxation Code, relating to the collecting of taxes on real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2602—An act to amend Section 3513 of the Revenue and Taxation Code, relating to the contents of deed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2603—An act to amend Sections 3353, 3354, 3355, 3358, 3359, 3511, 4653, and to repeal Chapter 3 of Part 6, consisting of Sections 3476, 3477, 3478, 3479, 3480, and 3481, and Sections 3490, 3491, 3492, 3493, 4654, of the Revenue and Taxation Code, relating to the sale and deeding of tax-sold property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2604—An act to amend Sections 4916 and 4925 of, and add Section 5097.1 to the Revenue and Taxation Code, relating to the refund of duplicate and excess payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2605—An act to amend Sections 4653, 4653.1, to repeal Section 4655 and to add Chapter 1.3 to Part 8, Division 1, consisting of Sections 4670, 4671, 4672, and 4673 to the Revenue and Taxation Code, relating to distribution of proceeds from sale of tax-deeded property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF ASSEMBLY BILL NO. 2666

Mr. Lowrey asked for unanimous consent that he be permitted to take up the reconsideration of Assembly Bill No. 2666, temporarily passed on file, at this time.

Messrs. Fletcher and Hinckley withheld unanimous consent until Mr. Dickey is present.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2849—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Bill read third time.

Demand for Previous Question

Messrs. Lewis, Hoffman, Silliman, Lincoln, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2849.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Hollibaugh's time for debate has expired.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 2849.

Question of Personal Privilege

Mr. Heisinger arose to a question of personal privilege.

The question being on the passage of Assembly Bill No. 2849.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Gaffney, Grant, Grunsky, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—54.

NOES—Babbage, Beck, Caldecott, Coats, George D. Collins, Condon, Fleury, Hagen, Heisinger, Levering, Lewis, Moss, Rosenthal, Stewart, and Waters—15.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 2666 WAIVED

Mr. Fletcher waived his notice of motion to reconsider the vote whereby Assembly Bill No. 2666 was passed.

Assembly Bill No. 2666 ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2650—An act to amend Section 20013 of the Government Code, and to add Sections 20014.6, 20017.8, and 20017.9 thereto, relating to the State Employees' Retirement System, establishing the classification of alcoholic beverage control enforcement members, and making the provisions applicable to patrol members of the system applicable thereto.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 3086—An act to add Section 1197.5 to the Labor Code, relating to wages for women.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 390—An act to amend Sections 704 and 705 of the Vehicle Code, relating to axle loading and spacing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—68.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2450—An act to amend Section 592.1 of the Vehicle Code, relating to stopping, standing, or parking of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONCURRENT RESOLUTION BE INTRODUCED

Mr. Dickey asked for, and was granted, unanimous consent that the introduction of an Assembly Concurrent Resolution be permitted out of order, at this time.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 69: By Messrs. Cooke, Dickey, McCollister, Weber, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—Relative to congratulating the Veterans of Foreign Wars on the Fiftieth Anniversary of their organization.

Request for Unanimous Consent That All Members Present Be Co-authors of Assembly Concurrent Resolution No. 69

Mr. Cooke asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 69, as co-authors.

Request for Unanimous Consent

Mr. Cooke asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 69, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 69

Assembly Concurrent Resolution No. 69—Relative to congratulating the Veterans of Foreign Wars on the Fiftieth Anniversary of their organization.

Resolution read, and adopted unanimously.

Resolution ordered printed, and transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Silliman asked for, and was granted, unanimous consent that the Committee on Livestock and Dairies be permitted to use the Assembly Chamber on Tuesday, April 26th, at 8 p.m., for the purpose of considering the "Oleomargarine Bill."

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON ADOPTION OF AMENDMENTS TO ASSEMBLY BILL NO. 34

Mr. Grunsky moved to expunge the record, and rescind the action whereby the Assembly on Wednesday, April 13, 1949, adopted the amendments offered by the Committee on Finance and Insurance, on second reading to Assembly Bill No. 34.

Motion Withdrawn

Mr. Grunsky withdrew his motion.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 193—An act to amend Sections 20452, 20481, and 20482 of the Education Code, relating to the granting of master degrees by state colleges;

Assembly Bill No. 2298—An act to add Section 5943 to the Education Code, relating to temporary transfers from county school service fund;

Assembly Bill No. 2428—An act to add Section 500017.5 to the Government Code, repealing an act entitled "An act in relation to clerks in the office of the Secretary of State and to provide for their pay," approved April 14, 1853;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of April, 1949, at 10 a.m.

HUYCK, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 44

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Dolwig asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 44, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 44

Senate Concurrent Resolution No. 44—Relative to approving an amendment to the charter of the City of San Mateo, a municipal corporation in the County of San Mateo, State of California, voted for and ratified by the qualified electors of said city at a regular municipal election held therein on the fifth day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—67

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2056—An act to amend Sections 18023, 18575, 18700, 18709, 18805, and 18806, of the Government Code, and repeal Section 19366 of said code, relating to state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 627

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 627, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 627

Assembly Bill No. 627—An act to add Section 599.6 to the Vehicle Code, relating to installation of television receiving screen in motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2043—An act to amend Section 18950 of the Government Code, relating to promotional eligible lists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—72.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2045—An act to amend Sections 19170, 19173, and 19175 of the Government Code, and to add Sections 19175.5, relating to the probationary period of state employees.

Bill read third time.

Motion to Amend

Mr. Stewart moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "are", and insert "is".

Amendment read, and adopted.

Consideration of Further Amendments (By Unanimous Consent)

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 23, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "It shall be a presumption that the state-".

Amendment No. 2

On page 2, line 1, of the printed bill, strike out "ment of the reasons for rejection are true."

Amendments read, and adopted.

Bill ordered reprinted; and re-engrossed.

Assembly Bill No. 2052—An act to amend Section 19142 of the Government Code and to add Section 19369, relating to transfers of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cramer, Crichton, Dickey, Dolwig, Erwin, Fleury, Grunsky, Hagen, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—44.

NOES—Anderson, George D. Collins, Condon, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Evans, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Lewis, Lowrey, Maloney, McMillan, Morris, and Thomas—21.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Silliman announced that the cans of sardines placed upon the desks of the members this morning were packed by the Monterey Packers, and given to the members with best Easter wishes.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT OF ASSEMBLY INTERIM COMMITTEE ON PUBLIC MORALS BE PRINTED IN JOURNAL

Mr. Thompson asked for, and was granted, unanimous consent that a letter of transmittal, and the Report of the Assembly Interim Committee on Public Morals be ordered printed in the Journal, in 10-point type.

(Above mentioned letter of transmittal, and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND PART ONE OF REPORT ON PETROLEUM PRODUCTION BE PRINTED IN JOURNAL

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that a letter of transmittal, and Part One of the Report of the California State Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum, be ordered printed in the Journal, in 10-point type.

(Above mentioned letter of transmittal, and report will appear in the Journal of a later date.)

MEMBER EXCUSED

At 11.50 a.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Price be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2057—An act to amend Section 19251 of the Government Code, relating to incompatible employment of state employees.

Bill read third time.

Demand for Previous Question

Messrs. Reagan, Cramer, Levering, McCollister, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2057.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—55.

NOES—Condon, Doyle, Elliott, Fletcher, Morris, and Thomas—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2058—An act to amend Section 19368 of the Government Code, relating to rights of state employees, replaced by machinery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—53.

NOES—Anderson, Condon, Ralph C. Dills, Elliott, Fletcher, and Thomas—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2063—An act to amend Section 18803 of the Government Code, relating to the reclassification of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—57.

NOES—Anderson, Fletcher, and Thomas—3

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 34

Mr. Grunsky asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Wednesday, April 13th, adopted amendments offered by the Committee on Finance and Insurance to Assembly Bill No. 34, on second reading.

Request for Unanimous Consent That Assembly Bill No. 34 Be Withdrawn From File, and Be Re-referred

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Bill No. 34 be withdrawn from the file, and re-referred to the Committee on Finance and Insurance.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2064—An act to amend Section 18850 of the Government Code, relating to the adjustment of salary ranges in the state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—63.

NOES—Fletcher and Thomas—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT OF ASSEMBLY INTERIM COMMITTEE ON FISH AND GAME BE PRINTED IN JOURNAL

Mr. Erwin asked for, and was granted, unanimous consent that a letter of transmittal, and the Report of the Assembly Interim Committee on Fish and Game be ordered printed in the Journal, in 10-point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

MOTION THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 1,500 COPIES BE PRINTED

Mr. Erwin moved that the letter of transmittal, and the Report of the Assembly Interim Committee on Fish and Game be printed as a separate document, and that 1,500 copies be printed.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—71.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2992 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that Assembly Bill No. 2992 be withdrawn from the Committee on Judiciary, and be re-referred to the Committee on Crime and Correction.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2065—An act to amend Section 18901 of the Government Code, relating to duration of civil service eligible lists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Cramer, Crichton, Dickey, Dolwig, Doyle, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—47.

NOES—Anderson, Beck, Burkhalter, Cooke, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Fletcher, Geddes, Hawkins, Heisinger, Lewis, Lowrey, Luckel, Rosenthal, and Thomas—17.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2651—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to add Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thompson, Waters, Way, and Weber—52.

NOES—Anderson, Crowley, Ralph C. Dills, Elliott, Fletcher, Heisinger, Kilpatrick, Rosenthal, and Thomas—9.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2038

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2038, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2038

Assembly Bill No. 2038—An act to amend Sections 18935, 18936, and 18937 of the Government Code, relating to state civil service examinations.

Bill read third time.

Motion to Amend

Mr. Stewart moved the adoption of the following amendment:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 4, 1949, after "of", insert ", and to add Section 18939 to,".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1198—An act to amend Sections 2605, 2701, 2801, 2803, 2917, 4151, and 4152 of the Revenue and Taxation Code, relating to due dates of installment payments on the secured tax roll, payment on a portion of a parcel and to collection on unsecured roll.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Waters, Way, and Weber—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1976—An act to amend Sections 2611 and 4992 of, add Section 3731 to, and repeal Sections 3637 and 4101.5 of the Revenue and Taxation Code, relating to the collection of taxes generally.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2002—An act to amend Sections 3351 and 3439 of the Revenue and Taxation Code, relating to real property taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—70

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2025—An act to amend Section 3442 and 3807.5 of the Revenue and Taxation Code, relating to real property taxation and the termination of the right of redemption of tax deeded property reconveyed to the State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2244—An act to amend Section 14797 of the Revenue and Taxation Code, relating to the commissions payable for inheritance tax collections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3035—An act to add Section 3522 to the Revenue and Taxation Code, relating to deeds to the State for taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck,

Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1683—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Brady, Butters, Condon, Connolly, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hinckley, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—41

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Davis, Clayton A. Dills, Ralph C. Dills, Elliott, Grant, Hahn, Heisinger, Hollibaugh, Kirkwood, Lewis, Lowrey, Luckel, Morris, Niehouse, Rumford, Silliman, Tomlinson, and Way—32.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 164

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same:

Commencing April 11, 1949	*Per day*
Jimmy Babbage, Page	$3.00
Julie Anne Beck, Page	3.00
Mary Lou Cecchettini, Page	3.00
Dona Doyle, Page	3.00
Sally Fleury, Page	3.00
James Gleason, Page	3.00
Ed Labowitch, Page	3.00
Fred Links, Jr., Page	3.00
Dianna Lipscomb, Page	3.00
Joyce Lipscomb, Page	3.00
Carol Norton, Page	3.00
Orrin Olson, Page	3.00
Gary Queale, Page	3.00
Randolf Rumford, Page	3.00
Larry Smith, Page	3.00
Lauren Smith, Page	3.00
Steve Smith, Page	3.00
Lynn Thorsteinson, Page	3.00
Rodney Tomlinson, Page	3.00
Hugh Wire, Page	3.00
Jeremy Wire, Page	3.00
Commencing April 12, 1949	*Per day*
Bart Cerini, Page	$3.00
Commencing April 13, 1949	*Per day*
Karalyn Fitzpatrick, Page	$3.00
Jack Jahlstrom, Page	3.00
Jerry Lincoln, Page	3.00
Kenneth Till, Page	3.00

Commencing April 14, 1949 *Per day*

Patricia Ann Flynn, Page $3.00

Resolved, That the above named persons be and they are hereby stricken from the roll upon completion of work on April 16, 1949.

Commencing April 11, 1949 *Per day*

Mark Halcombs, Page $3.00

Resolved, That the above named person be and he is hereby stricken from the roll upon completion of work on April 11, 1949.

Commencing April 12, 1949 *Per day*

Constance Crain, Page $3.00

John Russell Crain, Page 3.00

Resolved further, That the above named persons be and they are hereby stricken from the roll upon completion of work on April 12, 1949.

Commencing April 11, 1949 *Per day*

Anne Kirkwood, Page $3.00

Robert C. Kirkwood, Page 3.00

Resolved further, That the above named persons be and they are hereby stricken from the roll upon completion of work on April 12, 1949.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 164, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—70.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 158

Mr. Dickey asked for, and was granted, unanimous consent that House Resolution No. 158 be taken up, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 158

By Messrs. Kilpatrick, Bennett, Burke, Babbage, and Hahn:

House Resolution No. 158

Relating to the continuance of the Assembly Interim Committee on Crime and Corrections

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Crime and Corrections (created by House Resolution No. 164 of the 1947 Regular Session and renamed and continued as an Assembly Committee by House Resolutions Nos. 16 and 36 of the 1949 Regular Session), is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the adoption of this resolution. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as soon as such rules are adopted at this session or amended from time to time, become applicable to this committee and its members.

4. The sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it

may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Weber—72.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 159

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 159, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 159

By Mr. Dunn:

House Resolution No. 159

Relative to the continuance of the Assembly Interim Committee on Public Education

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Public Education created by House Resolution No. 236 of the 1947 Session and continued as a committee of this session by House Resolutions Nos. 16 and 118 of the 1949 Session is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the adoption of this resolution Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as such rules are adopted at this session or amended from time to time, are applicable to this committee and its members.

4 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed on page 1937 of the Assembly Journal of April 12, 1949, in paragraph 4, line 1, after "of", insert "six thousand six hundred thirty-one dollars and sixty-six cents ($6,631 66)".

Amendment read, and adopted.

Consideration of House Resolution No. 159, as Amended

By Mr. Dunn:

House Resolution No. 159

Relative to the continuance of the Assembly Interim Committee on Public Education

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Education created by House Resolution No. 236 of the 1947 Session and continued as a committee of this session by House Resolutions Nos. 16 and 118 of the 1949 Session is continued as an Assembly committee at this session, with the membership and with all the rights, powers and duties possessed by the committee and its members immediately prior to the adoption of this resolution. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature including any recess, but not after final adjournment, with authority to file its final report not later than the date of final adjournment.

3. The provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly, as such rules are adopted at this session or amended from time to time, are applicable to this committee and its members

4. The sum of six thousand six hundred thirty-one dollars and sixty-six cents ($6,631.66) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Weber—72.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 35

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 35, out of order, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 35

Assembly Joint Resolution No. 35—Relative to the establishment of an open hunting season on wild pigeons.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

MOTION TO PRINT 500 ADDITIONAL COPIES OF ASSEMBLY BILL NO. 2337

Mr. Ralph C. Dills moved that 500 additional copies of Assembly Bill No. 2337, as amended, be ordered printed.

Motion carried unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—73.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 949—An act to add Section 227 to the Labor Code, relating to wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 113 HOLD PLACE ON FILE

Mr. Fletcher asked for, and was granted, unanimous consent that Assembly Bill No. 113 be passed on file, and hold its place on file on the next legislative day.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1038, on request of Mr. Sherwin.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 22

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 22, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO 22

Assembly Bill No. 22—An act to add Article 4, comprising Sections 11615 and 11616 to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704, of said code, relating to insurance.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1949, strike out "4", and insert "3 5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "4", and insert "3 5".

Amendment No. 3

On page 1, line 5, of said bill, strike out "4", and insert "3 5".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burkhalter:

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to authorize counties to establish and maintain retirement, disability and death benefit plans for peace officers, foresters, fire wardens and firemen; to authorize the levy of taxes to fund the county's share of the cost and expense of any such plan; and in connection therewith, to add Chapter 6 to Part 3, Division 4, Title 3, of the Government Code.

Respectfully submitted,

EVERETT BURKHALTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Burkhalter:

An act to authorize counties to establish and maintain retirement, disability and death benefit plans for peace officers, foresters, fire wardens and firemen; to authorize the levy of taxes to fund the county's share of the cost and expense of any such plan; and in connection therewith, to add Chapter 6 to Part 3, Division 4, Title 3, of the Government Code.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3127: By Mr. Burkhalter—An act to authorize counties to establish and maintain retirement, disability and death benefit plans for peace officers, foresters, fire wardens and firemen; to authorize the levy of taxes to fund the county's share of the cost and expense of any such plan; and in connection therewith, to add Chapter 6 to Part 3, Division 4, Title 3, of the Government Code.

Referred to Committee on Municipal and County Government.

RESOLUTIONS

The following resolution was offered:

By Messrs. Geddes, Rosenthal, Burke, Ralph C. Dills, and Dunn:

House Resolution No. 165

Relating to adjournment in honor of Dr. Ralph W. Rice

WHEREAS, It has come to our attention that in September of 1948, Dr. Ralph W. Rice, esteemed and prominent member of the osteopathic profession, passed suddenly from this life; and

WHEREAS, The passing of this nationally known osteopath brings to our minds some of the details of the life which he devoted to the service of mankind.

Born in Magnolia, Iowa, he came early to California where he distinguished himself in elementary school in Hanford, became Student Body President and Valedictorian at Hanford High School, and maintained a high level of scholastic achievement at Pomona College and in the American School of Osteopathy.

The professional career of Dr. Rice was especially noteworthy for the many positions of trust and responsibility which his admiring fellow osteopaths conferred upon him. He occupied successively the offices of Trustee, Vice President, and President of the California Osteopathic Association and served on the executive committee of that body. His recognition was not limited to the State of California for he was made a Trustee in the American Osteopathic Association, in the Academy of Applied Osteopathy, and in the College of Osteopathic Physicians and Surgeons at various times in his illustrious practice.

Dr. Rice was also a valued member of many social and honorary groups. His friends and associates honored him for his devotion to the osteopathic science, his sincerity, and his unflagging energy. His death came, to the sorrow of all, on September 13, 1948; therefore, be it

Resolved by the Assembly of the State of California, That when we adjourn today, we shall do so in honor of the memory of Dr. Ralph W. Rice; and be it further

Resolved, That the Chief Clerk is directed to send a copy of this resolution to the bereaved family of Dr. Ralph W. Rice, The American Osteopathic Society, The California Osteopathic Society and The Los Angeles College of Osteopathic Physicians and Surgeons.

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1896 FROM COMMITTEE

Mr. Evans gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1896 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 891

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 646
Assembly Bill No. 848
Senate Bill No. 217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 465
Assembly Bill No. 1509
Assembly Bill No. 1510
Assembly Bill No. 1511
Assembly Bill No. 2899
Assembly Bill No. 2980
Senate Bill No. 268

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1508
Assembly Bill No. 1760
Assembly Bill No. 2264
Assembly Bill No. 2265
Assembly Bill No. 2266

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 956

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1493

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 5

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 777

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CROWLEY, Chairman

Above reported bill re-referred to Committee on Ways and Means.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1873
Assembly Bill No. 1874

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1870
Assembly Bill No. 2275

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2712

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1011
Assembly Bill No. 3095

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 874

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 573
Assembly Bill No. 1775
Assembly Bill No. 3104

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred.

Senate Bill No. 654
Senate Bill No. 704
Senate Bill No. 1082
Senate Bill No. 1083
Senate Bill No. 1084
Senate Bill No. 1085
Senate Bill No. 1086
Senate Bill No. 1087
Senate Bill No. 1088
Senate Bill No. 1089
Senate Bill No. 1090
Senate Bill No. 1091
Senate Bill No. 1094
Senate Bill No. 1095
Senate Bill No. 1280
Senate Bill No. 1379

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 28

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 116

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 859

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 18
Assembly Bill No. 2388

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 22

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 970

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 409
Assembly Bill No. 1788
Assembly Bill No. 2982
Assembly Bill No. 963
Assembly Bill No. 2783
Assembly Bill No. 767
Assembly Bill No. 1268
Assembly Bill No. 1196
Assembly Bill No. 1974
Assembly Bill No. 736
Assembly Bill No. 1334
Assembly Bill No. 1376
Assembly Bill No. 3041

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 144
Senate Bill No. 550
Senate Bill No. 552
Senate Bill No. 855

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 247
Assembly Bill No. 1028
Assembly Bill No. 1240
Assembly Bill No. 2345

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1941

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 265

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1946
Assembly Bill No. 2524
Assembly Bill No. 470
Assembly Bill No. 2358
Assembly Bill No. 362

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1484

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 33
Senate Bill No. 38
Senate Bill No. 78
Senate Bill No. 82
Senate Bill No. 219
Senate Bill No. 780
Senate Bill No. 782
Senate Bill No. 1111

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 784

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2664

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1555
Assembly Bill No. 3112

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 74
Senate Bill No. 382
Senate Bill No 567

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 13, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1923

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 1923 ordered re-referred to Committee on Finance and Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1630

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No 1630 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1241
Assembly Bill No 1324
Assembly Bill No. 1448
Assembly Bill No 1450
Assembly Bill No 1467
Assembly Bill No. 1593
Assembly Bill No 1594
Assembly Bill No 1711
Assembly Bill No 1759
Assembly Bill No 2389
Assembly Bill No. 2738

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No 1241 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bills Nos. 1448, 1450, 2389, and 2738 ordered re-referred to Committee on Judiciary.

Assembly Bills Nos. 1324, 1467, 1593, 1594, 1711, and 1759 ordered re-referred to Committee on Finance and Insurance.

RE-REFERENCE OF SENATE BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 313 re-referred to Committee on Finance and Insurance.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced that it may be necessary for one or more of the interim committee reports ordered printed in today's Assembly Journal, to be printed in the Journal of next Monday, April 18th, because of the mechanical impossibility of printing such a volume of work over the Easter week-end.

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON PUBLIC MORALS

Pursuant to Provisions of House Resolution No. 213,

1947 Regular Session

LETTER OF TRANSMITTAL

Hon. Sam L. Collins
Speaker of the Assembly, California State Legislature
Sacramento, California

DEAR MR. SPEAKER: The chairman and members of this committee point with pride to the attached report, and believe that it is an excellent example of the benefits that may be derived from interim committee work.

In order for the committee to procure the facts that are the basis for the findings and recommendations contained in the report, it was necessary for each member to take considerable time from his own business or profession at a great financial loss to himself and his family. It should be remembered by the readers of this report that the per diem recompense allowed a legislator for serving on such a committee is much less than he would ordinarily earn at his own business. It should also be remembered that often the committee meetings are called at a time quite inconvenient to individual members of the committee and in various parts of the State far from his home or place of business. The time is dictated by the circumstances of the occasion rather than the convenience of the members.

Each member of this committee not only gave unselfishly and liberally of his time, but contributed his ingenuity, experience and intelligence, without which this report would have been impossible of accomplishment.

The chairman and committee members are pleased that their efforts have been rewarded and the money appropriated to this committee has been justified by their opportunity to:

(a) Make a considerable number of concrete recommendations to the California Athletic Commission;

Present several pieces of legislation to the Legislature for its consideration;

Recommend several phases of this study to future Public Morals Committees for their further study and consideration.

All of this should result in an improvement in the boxing sport and help prevent future injuries and deaths to boxing contest participants, which, in the final analysis, was the purpose of the committee's hearings on this subject.

(b) Study various aspects of horse racing resulting in several recommendations for increasing the revenue to the State and to help eliminate conditions that might lend themselves to criminal situations.

(c) Study various aspects of the alcoholic beverage industry;

Make recommendations to various county boards of supervisors looking to the eradication of certain unsavory circumstances surrounding the consumption of alcoholic beverages in taverns and night clubs, especially in the Los Angeles area;

Cooperate with the State Board of Equalization and local law elimination of certain vice-breeding establishments through revocation of licenses.

For the foregoing reasons, aside from the personal pleasure derived from serving with such outstanding men, the chairman wishes to compliment each member of the committee and thank the Speaker for his wisdom in their selection.

The Assembly Interim Committee on Public Morals created pursuant to House Resolution No. 213 during the 1947 Regular Session has concluded its labors and attaches hereto a copy of its findings pursuant to that resolution.

Respectfully submitted,

JOHN F. THOMPSON, Chairman

Members of the Committee

JAMES G. CRICHTON	THOMAS A MALONEY
RANDAL F. DICKEY	RICHARD H. McCOLLISTER
CARL FLETCHER	LESTER A. McMILLAN

INTRODUCTION

On October 10, 1947, the Assembly Interim Committee on Public Morals met in San Francisco for the purpose of organizing its committees.

Those present were the Chairman, John F. Thompson, Carl Fletcher, Lester A. McMillan, Thomas A. Maloney, and James Thorpe.

Assemblyman Lester A. McMillan was elected vice chairman, and Assemblyman James G. Crichton was elected secretary.

The chairman was empowered to appoint such subcommittees as seemed necessary from time to time, and Assemblymen McMillan and Fletcher were appointed as a subcommittee of the State to determine the order in which the work of the committee might be undertaken.

According to its instructions, the committee has concluded extensive investigations and hearings in the following fields important to the moral well-being of the people of the State of California:

A. Boxing
B. Horse racing
C. Alcoholic beverage industry

A. BOXING

The investigation into boxing in California was primarily caused by the untimely deaths of five boxers in the California rings within a period of 12 months—a total far exceeding deaths within the past 10 years.

In general, the committee felt that the scope of its investigation was to determine whether:

1. The cause of these deaths could have been avoided with the stricter adherence to the present laws and regulations:

2. Additional regulations by the Athletic Commission are needed; or

3. Additional legislation by the California Legislature is needed to assist the commission in preventing the further occurrence of deaths in the California rings.

The committee members were properly cognizant that this study concerned itself with many and varied complicated legal and human problems, not the least of which were:

1. The flow of boxers across state lines into and away from California.
2. A wide scale of earnings among the boxers.
3. Student, amateur, and professional boxers.
4. The wide range of ages of boxers.
5. Regulations and laws in other states.
6. The nature of the boxing audience.
7. The theory under which boxing is legal in California.
8. Many other incidental and vexing problems.

In order to reduce to the minimum the possibility of error in its findings and recommendations, the committee summoned to appear before it witnesses in every phase and level of the boxing profession, as well as those offices called upon to render a public service in case of a death. In this connection, qualified coaches, promoters, managers, trainers, doctors, timekeepers, referees, matchmakers, members of the Athletic Commission, supervisors, inspectors and members of the staff of the State Athletic Commission were extensively queried in their respective fields and in light of the foregoing problems.

A list of the names and titles of the persons appearing before the committee will be found in the addendum of this report.

Committee meetings for the purpose of studying boxing were held as follows:

1. March 2, 1948, at Los Angeles
2. March 4, 1948, at Los Angeles
3. March 10, 1948, at Sacramento
4. May 3, 1948, at Los Angeles
5. May 4, 1948, at Los Angeles
6. May 15, 1948, at Los Angeles
7. July 13, 1948, at Stockton

A summary of the findings and recommendations of this section of the report will be divided into three parts:

1. Recommendations to the commission
2. Recommended legislation
3. Recommendations for further study

1. Recommendations to the Commission

1. Although the committee feels the evidence points to the need for extensive improvement in the conduct of the duties of the commission, the committee is unanimous in its opinion that the California Athletic Commission was not negligent in the administration of its duties insofar as the deaths of any of the deceased boxers is concerned.

2. The committee wishes to make the following *recommendations to the Athletic Commission,* as it believes that the observance of these recommendations will help to improve the sport of boxing, tend to reduce accidents, injuries, and deaths to the participants, and eliminate criticism of the commission, Governor, and Legislature.

NOTE: *The three figure section numbers refer to Title 4 of the Business Regulations of the Department of Professional and Vocational Standards revised as of August 21, 1948. The five figure section numbers refer to Deering's Business and Professions Code.*

School for Referees and Judges

The committee feels that the boxing profession would profit materially from the establishment and continuance of a school for referees and judges similar to those maintained by other sports. Referees and judges would be required to attend this school for a definite period once each year. Among other things, the school might incorporate a course on first aid, dangerous symptoms to be observed in boxers while participating in a fight, uniform methods of scoring, etc.

a. Section 262 provides that: "All applicants for a referee's license must first take and successfully pass a written examination given by the commission * * *." "All referees must take an annual physical examination similar to that given to all applicants for boxers' and wrestlers' licenses and they shall be examined before officiating in any contest by the club physician before entering the ring * * *."

There does not appear to be anything in either the law or the rulings of the commission to indicate the nature of the written examination that must be passed by all applicants for a referee's license. A further recommendation of the committee is that the essence of this examination be put in writing and be contained in the rules under Section 262.

A well-qualified witness who testified before the committee pointed out that there is nothing in the present referee's examination to indicate what that applicant would do when he got in the ring as the referee, and that there is no way of knowing how the individual referee assesses the points on which he bases his decision. No member of the commission nor any of its employees have any idea how the decision is arrived at. For this reason, it is difficult for the commission or anyone else to rate the ability of a referee.

This witness further recommended that the commission: "get a couple of very good boys and have them in a contest. Have four cameras by the ring and let them go into a series of rounds and then competent people can take those films afterwards and judge them round by round from each side of the ring in slow motion and score every point. Then later that can be shown for referees and the referees will be asked to fill in their card round by round."

This same witness also testified concerning a particular bout in which he said: "We had a referee and two judges give a unanimous decision and the press went unanimous the other way."

Semi-annual Inspection of the Premises

The committee recommends that the chief inspector make a semi-annual inspection of the premises used or to be used for boxing or

sparring contests to see that the premises are maintained in accordance with the foregoing, and that the commission hold the *chief inspector responsible at all times for cleanliness and sanitary conditions* of the dressing rooms which this committee believes are presently inadequate in size and are very often poorly maintained and in a very unsanitary condition.

Section 18732 provides that: "All buildings or structures used or intended to be used for holding or giving boxing contests * * * shall be properly ventilated and provided with fire exits and fire escapes and shall in all manner conform to the laws, ordinances and regulations pertaining to buildings in the city or town where the building or structure is situated."

Section 18731 provides: "All boxing contests, sparring matches or exhibitions may be held in any building for which the commission in its discretion may issue a license. Where the contest, exhibition or match is authorized to be held in a state- or city-owned armory the provisions of the military law in respect thereto must be complied with."

Section 547 provides that: "All clubs are directed to set aside a room on their club premises to be known as the 'Emergency Room,' the same to be kept comfortably warm, containing among other things the following articles: One set blankets, one stretcher, a rubber pillow, an electric pad, bottle of smelling salts, bandages, surgeon's tape, bottle of collodium, bottle of adrenalin, splints, artery forceps, pair of scissors, Johnson's special aid kit."

Dr. Kidder testified as follows: "In a majority of the arenas the physician does not have a suitable room. (Pursuant to Section 459.) I mean suitable in this sense—many people are admitted to the room while the doctor makes his examination and considerable noise and confusion results from same. There are no means of sterilization. In some dressing rooms there is no water or place to sterilize water. There is no suitable couch or bed in some of the dressing rooms to place an injured contestant on." This violates Section 547. While the doctor later testified that following these deaths conditions have improved somewhat, the evidence points to the fact that the commission has been negligent in its enforcement of the foregoing rules and proves the necessity of including on the inspector's report a notation as to the condition of the conditions heretofore mentioned.

Evidence before the commission indicates that while the foregoing conditions have not contributed to the death of any boxing participant, they should be cleaned up and that the commission has not been as careful in its inspection and enforcement thereof as it might have been. Such conditions could result in serious public criticism and bring the Governor, Legislature, and the commission considerable embarrassment.

Towel Throwing

The following rules against "towel throwing" were written several years ago when there was no bribery statute, and the regulations governing seconds and managers were much less stringent. The committee feels that perhaps the manager or trainer knows the condition of his boxer better than anyone else, and that the rule on "towel throwing" is obsolete and should be abrogated.

The fact that the chief second may ask the referee to have his boy examined by the club physician is of slight benefit because there is no indication in the rules or statutes that such a person has or is required to have any special training to qualify him in this type of matter.

Section 18745 provides that: "The referee shall stop the contest or match when either of the contestants shows a marked superiority or is apparently outclassed." Section 18763 deals with the same subject for amateur boxing contests.

Section 421 provides: "Managers and seconds are forbidden to toss a towel into the ring in token of defeat of their principal or in any other way to acknowledge that he is beaten. The chief second may ask the referee to request that the club physician examine his boxer if the second feels that he is hurt or taking too much punishment to continue. The referee shall stop the bout if the physician so recommends. Should either the manager or second enter the ring during the progress of a around he or they shall be ejected and his or their license may be revoked and the referee may order the bout to continue."

Mr. Genshlea, Secretary to the Commission, testified in response to a question by Assemblyman McMillan that: "We have an automatic rule (276) that when a boy receives a serious or fatal injury in the ring we automatically suspend the referee until a hearing is held in the matter."

It will be observed from the above that the referee has almost the sole burden of deciding when, if at all, the bout should be stopped. While there was testimony to the effect that many referees have either been boxers or have been intimately connected with boxing for a number of years, there is no indication in the commission rulings or statutes that the referee is acquainted with medical signs that would put him on notice. In other words, his qualifications for his license are not commensurate with his responsibilities.

Stopping the Bout

The committee recommends that it shall be the duty of the ringside physician to recommend to the referee that the bout be stopped whenever the physician feels that by continuing the bout a contestant might suffer serious and unreasonable injury.

Section 421 provides: "* * * the chief second may ask the referee to request that the club physician examine his boxer if the second feels that he is hurt or is taking too much punishment to continue. The referee shall stop the bout if the physician so recommends * * *."

Section 18742 provides in part: "* * * Every club shall have * * * in attendance at every boxing contest * * * a licensed physician who has had not less than three years' medical practice, who shall observe the physical condition of the boxers * * * and advice the referee with regard thereto."

It is apparent that while the physician *may* advise the referee with regard to the physical condition of the boxers, it is not mandatory that he do so even though he might notice some harmful condition.

Extra Bout

The committee has evidence to indicate that some clubs are not adhering to the following rule and *recommends* that an extra bout should be advertised as a part of the card, and that the commission should take strict steps to assure itself that the foregoing rule is complied with.

Section 549 provides: "Licensed clubs shall not schedule less than 26 rounds nor more than 40 rounds of boxing for any one program. An emergency bout must be provided in case the arranged card breaks down and if it is necessary to put on another bout. The emergency bout should not be paid for unless used, but the boxers must then be given a preliminary bout at the following boxing show held by the club, or shall be reimbursed by the club for training expenses and transportation."

Inspection of Ring Padding

The committee recommends that the commission adopt a uniform padding for the ring. By "uniform" is meant some one type of substance. It also recommends that it be the duty of the inspector to inspect the ring padding prior to each program, and include a comment thereon in his report.

Section 232 provides: "* * * the ring floor shall be padded with felt, corrugated paper, matting or other soft material to a thickness of not less than two inches * * *." "Material that tends to gather in lumps or ridges must not be used."

The committee fails to find any specific evidence that anyone under the control of the commission makes it his duty to inspect the padding before every fight. Reports on ring injuries and fatalities point to the preponderance of head injuries. While most injuries to the head do not originate with the contact with the ring floor, all evidence points to the seriousness of such an injury—especially following another heavy blow.

The committee feels that in view of the seriousness of head injuries and the constant fear of the boxer that he will be knocked down and injure his head of the ring floor, this is a very important recommendation. It is observed that on January 31, 1949, in Florida, an opponent of Joe Louis was out for more than 10 minutes as the result of hitting his head on an unpadded floor.

Inspection of Dressing Rooms

The committee recommends that the inspector include a report on the following conditions with his other reports submitted the night of the fight or exhibition. The chief inspector must assume the ultimate responsibility for correcting this situation.

Evidence submitted to the committee indicates that many of the club dressing rooms, training quarters, etc., are in a deplorable condition, both from the lack of adequate sanitary facilities such as showers, toilets, space, etc., and from lack of proper maintenance. Many were found to be filthy. This type of criticism as well as the existence of the conditions could have a very serious effect on the morale of the participants as well as bring the sport into public disrepute.

Shaving of Boxers

The committee recommends that the inspectors be instructed to not permit a boxer to weigh in unless and until that boxer has a clean-shaven face.

Section 334 provides: "Contestants must be clean and present a tidy appearance and be cleanly shaved."

Testimony before the committee as well as individual investigation by the members reveals that in many of the smaller clubs the inspectors have been negligent on this point.

Knockdowns

The committee recommends that the eight-count knockdown rule be applied to main events as well as to preliminary bouts, and that the referee be instructed to resolve all doubt in favor of the knocked-down contestant.

Section 274 provides: "When a contestant is knocked down the referee shall order the opponent to retire to the farthest corner of the ring, pointing to the corner, and immediately begin the count over the boxer who is down. * * * should the opponent fail to stay in the farthest corner the referee shall cease counting until he has returned to it, and then go on with the count * * *."

"If the boxer who is down arises during the count the referee may if he deems it advisable, step between the contestants long enough to assure himself that the boxer just arisen is in fit condition to continue * * *."

"*Except in main events* any contestant who is knocked down shall not be allowed to resume boxing until after the referee has finished counting to eight. The contestant may take this count either on the floor or standing if he has not been struck hard enough to keep him down."

Dr. Abraham Waxman, a licensed examining physician for the commission who testified before the committee, was asked by Assemblyman McMillan whether he had any specific recommendations to make concerning avoiding serious injuries or deaths. Dr. Waxman replied that of the eight deaths occurring during the last 10 years (five within the last year) five were due to head injuries (cerebral damage).

From the foregoing it would appear that the referee should record and call for the advice of the physician in cases of repeated knockdowns or severe knockdowns requiring a genuine count of eight or more, but less than a knockout or a series of knockdowns in one fight.

Knockouts

The committee recommends:

1. In those cases where the boxer has been knocked down and saved by the bell, the referee must call the physician for the purpose of examining the boxer. The doctor shall determine whether or not the boxer shall be permitted to continue the bout.

2. In all cases of knockouts, the boxer shall be suspended from further participation in any boxing contest or sparring match for a period of not less than thirty days and may thereafter participate in a boxing contest only after he has been satisfactorily examined by a commission physician and has successfully passed an examination by electroacephalogram, electrocardiogram and by a neuro-specialist as well as the usual and customary examination.

Section 278 provides: "All referees must fully and explicitly describe the circumstances in which any bout is stopped on account of a technical knockout. The referee's report must contain the exact reason for his actions in awarding the decision to the winner as a result of a technical knockout" Section 362 provides that: "Boxers who have been knocked out shall be kept in a prone position until they shall have recovered." Section 371 provides: "* * * nor shall a boxer's license be issued to any boxer who has suffered cerebral hemorrhage or any other serious head injury."

Section 717 provides: "Except in regularly sanctioned tournaments requiring more than two days to complete, no novice, amateur boxer shall be permitted to participate in boxing contests oftener than once every 10 days * * * no senior or open amateur boxers shall be allowed to compete in any boxing contest oftener than twice in every seven days and in such cases at least sixty-eight hours must elapse between contests."

Section 336 provides: "A boxer competing in a bout of four rounds or less cannot box again until after three days have elapsed; in a six-round bout after four days have elapsed; in an eight-round bout after five days have elapsed; in a 10-round bout after seven days have elapsed."

The physicians who testified before the committee were in agreement that a boxer should be suspended for not less than thirty days immediately following a knockout and be reinstated only after a thorough physical examination, including an electroacephalogram, the only known means for determining the effects of brain concussions similar to those suffered by boxers.

In response to questions by Assemblymen McMillan and Fletcher, Dr. Lloyd R. Mace, an examining physician for the Athletic Commission, testified that: "When there is a knockout and the boy has been out for several seconds and is in a wobbly condition when he leaves the ring, he should be immediately put under observation. The club physician should recommend that on the report he makes out on the night of the show * * *."

Dr. Mace also testified that: "After the show I go over and see the boys in the dressing room. I go over and see how they feel, especially when they have been knocked out."

In response to questions by Assemblyman McMillan, Dr. Kidder testified as follows: "I think it should be divided into three classes. In the first place, the doctors should see the knockout. He can't decide by just hearing about it. If a man was fighting a good fight and he happened to be hit on the chin and was knocked out and he got up immediately after 10 was counted, it seems to me that a week's layoff would be sufficient for him. Secondly, if he was beaten around the head, possibly he should be laid off a longer time. Thirdly, if he was put in a state of unconsciousness which lasted several hours, I think he should be laid off for at least six months, and then he should be examined again thoroughly by a board of physicians before he is allowed to go in the ring."

Assemblyman Doyle asked the doctor whether he thought the doctor should examine a boxer between rounds who has been knocked down and saved from a knockout by the bell. The doctor said "Yes, he should be, that it was not now the practice." As a matter of fact, the doctor would not be permitted to examine the men unless he were called upon to do so by the referee at the request of the chief second pursuant to Section 421.

As a matter of fact, Assemblyman McMillan pointed out that even if the doctor noticed that one of the boxers was obviously incapacitated and it would be dangerous for him to proceed with the fight, the doctor would still have no authority under the present rules to stop the bout.

In response to questions by Assemblyman Fletcher, Mr. Genshlea testified that there is a place on the referee's report for the referee to note whether a boxer's license should be picked up, or whether he should be suspended for taking too much punishment.

Dr. Abraham Waxman testified that there have been eight deaths in the California rings in the past 10 years of which five have occurred within the last year. Of the eight deaths, five were professionals, and three were amateurs. Five deaths were due to cerebral hemorrhages, two from the heart, and one undetermined. Under examination by Assemblyman Thompson, the doctor testified: "When a boy gets knocked out in the ring, it means there is a concussion ordinarily * * * repeated blows in the head are bound to cause some cerebral damage, minute hemorrhages or some other trauma."

Assemblyman Fletcher asked the doctor: "How long in your opinion after a boy is knocked unconscious in the ring should he be barred from participating?" The doctor replied: "Give the boy at least 30 days, during which time he should be thoroughly checked neurologically (nervous system). There should be an X-ray of the skull and an electroachephalogram should be made. This electroachephalogram is similar to the cardiogram of the heart. It shows the vibrations, etc. We do know that neurologically you will not find a darn thing. There are no possible findings, yet the boy has symptoms of amnesia, we will say, headaches, dizziness and the acephalogram will show the abnormal findings. Those things are positive and the boy should be barred until they are negative. The trouble is getting the boys to tell the truth about the symptoms. They are 'wised up' before coming to the doctor."

Assemblyman McMillan asked Dr. Abraham Waxman if he could definitely recommend that in the case of a knockout that a boy be laid off for 30 days. The doctor answered: "Automatically, without even an examination, during which time he should be examined by these methods I have suggested."

Assemblyman McMillan asked: "Are they laid off at all now if they are knocked out?" The doctor replied: "If they don't complain, no."

Assemblyman McMillan asked: "If a boy is knocked out in the ring tonight, in 48 hours he can be back in the ring?" The answer to the Assemblyman's question is that an amateur cannot fight more than twice in every seven days, nor more often than 48 hours apart. There is no special regulation for professionals who, it seems, may fight every night in the week if the commission would approve it.

Assemblyman McCollister asked Willie Ritchie, former Lightweight Champion of the World and now Chief Inspector of the Southern District for the Athletic Commission, what he thought about regulations with regard to layoffs following a knockout. Mr. Ritchie replied: "Any boxer failing to regain consciousness within 10 minutes after being knocked out in the ring contest should be retired. Boxers recovering normally after a knockout should be forced to rest for not less than thirty days."

Dr. E. I Robinson testified under questioning by Chairman John F. Thompson that: "After an individual in the prize fighting ring has been knocked out and has become unconscious over a period of 10 or 15 minutes before he regains consciousness that individual should be barred forever." He testified further that: "If the period of time is shorter, say for five or more minutes, and he regains consciousness, the same type of examination that he got his license on should be given, plus an X-ray picture of the head and then to have a brain specialist to be the one to

read and interpret the findings of the X-ray picture." He further stated: "I think that the length of time that is elapsed between professional fights is too short. There could be more time because it is an awful strain on a physical being to condition themselves to be in a proper fit form."

Every witness who testified on this subject was in substantial agreement that there should be a compulsory layoff period after a knockout.

The committee notices that there is no requirement concerning the type of examination nor any provision requiring that a given time elapse between bouts in which a fighter has been knocked out. Testimony was also given by several doctors that there was often no examination the hour before the fighter went into the ring.

Doctors Fee Schedule

The committee recommends that the commission make a careful and detailed study with regard to increasing the compensation for doctors making the examination for a boxer applying for his license. The doctors were unanimous in their conclusion that the present fee schedule was definitely unfair and might in some instances work to the detriment of the boxers undergoing the examination.

Mr. Genshlea testified: "There is nothing in the rules that says the doctor should get $3, but it was an agreed price at the time the annual examinations were instituted * * * the boy ordinarily pays $7 a year for this medical examination—$3 for the physical examination, $1 for the Wasserman and $3 more for the eye examination. Some of the doctors around the State—some of the eye men—charge $5, that is around San Francisco and Oakland."

The law requires that each boxer be examined an hour before ring time, and that a physician be present during the bouts. These physicians are paid by the club and, in response to questions by Assemblyman McMillan, Dr. Mace testified that the amount paid the physician "varies with different clubs." The doctor further stated that: "I think there should be a standard price for the physician, per man, per examination." It now appears that the doctor is asked to examine the full card of 10 to 14 men for as little as $10 or any other amount the club can induce the physician to accept. This fee also includes any post-bout examination the doctor cares to make.

While the committee is satisfied that the small amount of money actually paid the physician for work at the club during the night of the fight does not impair the quality of the examination or the interest of the physician in his work, a man is worthy of his hire and the physician should receive a standard compensation in excess of the present amount usually received.

Number of Doctors Required at Ring

The committee recommends that beginning at the earliest possible moment the commission should require the presence of two doctors at each fight.

Section 18742 provides: "Every club holding a license to conduct boxing contests * * * shall have at its own expense in attendance at every boxing contest * * * a licensed physician who has had not less than three years medical practice who shall observe the physical condition of the boxers and wrestlers and advise the referee with regard

thereto." Section 458 provides: "Club physicians shall sit at the immediate ringside at all boxing and wrestling bouts. No bout shall be allowed to proceed unless the physician is in his seat. The physician shall not leave until after the decision in the final bout * * *."

Dr. Mace testified: "The doctor should be at the ringside at all times, especially in boxing because in a second—a 'split second'—the referee may stop the bout and call for the physician * * *." He further testified under examination by Assemblyman McMillan that: "Another thing I don't approve is that the club physician is called upon to take care of various people in the audience. They may faint and there are drunks very often. While I am away from the ringside, anything can happen."

Assemblyman Fletcher testified that while he and his colleagues were attending a bout in Sacramento on a subcommittee investigating call that: "The doctor was called away. I imagine he was gone five or seven minutes. Like you say, anything could happen in that length of time."

The testimony of the witnesses before the committee was complete with examples of the necessity for the doctor to leave the ring contrary to law. The doctors were excused on the grounds that their own professional ethics provide that they treat a sick person, and all who testified on the point were unanimously of the opinion that the club should have a second physician whose sole duty it would be to take care of those cases that would ordinarily require the ringside physician to leave his position. The witnesses were unanimous in their opinion that the fee for this second physician could quite certainly be made very reasonable to the club.

Glove Inspection

The committee recommends that the commission require the referee to inspect the gloves of the boxers several times during the course of each bout to be sure that there has been no tampering with the gloves.

Section 237 provides: "Gloves shall be examined by the inspector and the referee. If padding is found to be misplaced or lumpy or if gloves are found to be imperfect they shall be changed before the contest starts."

Section 238: "No breaking, roughing or twisting of gloves shall be permitted."

While there is no proof, it was indicated that in a certain instance a small bolt was inserted in the padding of the grip in the glove. In another case, an examination by the referee disclosed that a glove used in one of the fights at the Hollywood Legion Stadium had had the padding in the glove removed. The boy who was questioned concerning the same said that he preferred to fight without padding in the glove. There was no positive evidence that any foreign object had been inserted in the place occupied by the padding.

The committee recommends that the commission make a thorough investigation and report back to this committee with regard to the desirability of eliminating or changing the present regulations for wrapping the hands prior to the bout. The present regulation is contained within Section 243.

Dr. Waxman testified: "I think another factor which would eliminate certain injuries—some of the boys have been telling me this and I have not had experience with it myself * * * would be the elimination of the use of tape on their hands (we presume he also meant to include

bandages). They don't seem to like it. As a matter of fact, of all of the injuries I have taken care of with broken hands, I do not believe I have seen any broken hands as the result of an accident in training. It always happens in the ring during the fight. They tell me in the gym they use elastic bandages. There seems to be something to it. Tape is like putting plaster on your hands. There is no give or elasticity."

Boxer Availability List

The committee recommends that the commission investigate the possibility of establishing a boxer availability list that would be available to matchmakers who want to know which boxers are in training and are available.

William H. Ryan testified in response to questions from Assemblyman McMillan that: "Take for example the possibility of somebody not turning up and the promoter is on the spot. He has to try to get a substitute. He will phone down to a gymnasium and make a lot of contacts. He might be lucky if he gets them. He doesn't know. He has no list or no way of knowing whether those boys have the necessary training to go in. There is no reason why some sort of supervision couldn't be had over boys in training, so they will know at a short notice the boys who are well enough to go in. They ought to have a man go around and visit the gymnasiums and make a list of the boys who are training and are well, and he should have that sent to the promoters. Then if they are short, they will have a list of boys who are well. It gives the promoter or matchmaker something to go on. As it is, he is in the dark. He has to look around and see if he sees somebody and make a quick contact. Half the time he can't find them. He has no phone number. But if he had a list of boys in condition and it was made available to these promoters, he could see that list when making his card up and it would be a guide for him."

Other Recommendations to the Commission

The committee is of the definite opinion that the commission has been very remiss in its enforcement of the various laws and rules, and the committee is extremely critical of the poor personnel relations within the staff of the commission that has resulted in dissension and a general breakdown of employee morale.

The committee believes that the commission should make a detailed report to this committee or the Standing Committee on Public Morals before the end of the 1949 Session of the Legislature. This report should show what the commission has done or intends to do to remove the cause of criticism indicated in this report.

1. The committee recommends that the reports required to be filed by the inspector, referee, club physician, etc., be completed and filed at the proper time, instead of being prematurely completed and delayed as is now often the case. Testimony indicates that there is a definite need for closer supervision in this respect.

2. The committee recommends that the inspectors be given their annual vacation with pay and that the commission notify the inspectors of its intentions at the earliest possible moment.

3. The committee recommends that the salary of the inspectors be commensurate with their duties, and that the commission recognize the experience and high degree of skill and knowledge required of a well-qualified inspector.

4. The committee recommends that the commission pay its inspectors mileage in those cases where the distance from the inspector's home or place of origin is in excess of ten miles one way.

5. The committee recommends that an organization chart and enumeration of duties be prepared showing the line of authority and the duties required of each employee of the commission.

The evidence given to this committee is a sad commentary on the commission's efficiency. We have taken the trouble to provide quotations from several of the witnesses who appeared before the committee. In this connection, the committee expresses its hope that no discriminatory or retaliatory action be taken by the commission or its employees against any of the witnesses who were sufficiently interested in the welfare of boxing to provide this committee with testimony.

The evidence points to the lack of cooperation and coordination in the office of the commission in Southern California. Mr. Ritchie repeatedly testified that the Assistant Secretary, Mr. Frye, had consistently failed to notify Mr. Ritchie of meetings of the regular inspectors, who were responsible to him as their immediate superior—Chief Inspector. The situation has become so badly fouled up that Mr. Ritchie took the opportunity of this committee meeting to ask that his responsibilities and duties under Mr. Frye be clarified. It would appear that office politics has played a major part in disrupting the smooth functioning of the commission's program.

In a letter to Mr. Genshlea, dated March 7, 1948, Mr. Ritchie wrote as follows: "Will greatly appreciate written notice exactly what my status is since Frye arrived at our office. Do not wish to be held responsible for anything over which I do not have full control under the law and rules as written in rule book and/or law. As I have had during past 11 years starting February 15, 1937 to date when Frye came into office last year. Believe this should be cleared up at once. Please look into it. I will gladly work with anyone sent to office but should know exact status to prevent mishandling by either of us of our duties. Smith, Assistant Chief, should also know his status under Frye. He has not told me of any change as far as he knows to date. Winston told me he was told at a local commission meeting * * * that Frye was in charge of office. Smith stated yesterday he does not know what it is all about. I know Frye attempted to direct Winston months ago about his amateur status and handling of this branch of our office work and Winston took it up with Chairman Haughton. Winston told me Haughton told Frye to let Winston alone, to allow him to continue his work as supervisor amateur boxing in Southern District. Winston formerly contacted me on all matters of policy in his work, but not since as learned above noted that Frye is in charge of office."

Up to the date of this hearing, May 14, 1948, Mr. Ritchie had not had a response to his letter clarifying his status and responsibilities. As a matter of fact, Assemblyman McMillan asked Mr. Ritchie: "Are you still in the dark as to your duties and responsibilities in office?", to which Mr. Ritchie replied: "Definitely and absolutely so. There is a meeting of referees and inspectors I believe in this room. I learned about it in the office. I was not invited to attend." Assemblyman McMillan

then said: "Well, in my opinion, it signifies something as there is dissension within the office and people in important position, such as chief inspectors for the southern district are unable to get a clear definition of their duties and responsibilities and to know where they stand."

It appears that, under the law and rules, the chief inspector has such supervisory powers over his district subject to the approval of the commission, but they have been seriously impaired due to this dissension and poor organization.

Mr. Ritchie testified further that he had drafted instructions to his inspectors, and asked that they be approved by Mr. Frye and mailed to the inspectors. Some time later Mr. Ritchie found that the letter had not been mailed, nor had he been contacted by Mr. Frye or anyone else with regard to the reasons for not mailing. It also appears that a Mrs. Kurtz, either acting on her own or on instruction, had failed, if not refused, to cooperate with Mr. Ritchie.

Mr. Genshlea testified: "I have no objection at all if funds were available to put people in both offices. It is a triplicate of effort. There will be boxers' records kept in three different places."

6. The committee recommends that the commission make an immediate and thorough study of its requirements for providing personnel adequate to bring and keep the boxers' records up to date (both amateur and professional). In this connection, the committee recommends that the commission, if necessary, retain outside engineering talent for the purpose of establishing a quick and positive method of accomplishing this objective.

Section 18630 provides: "The commission may also appoint necessary clerical employees."

In order to enforce the provisions with regard to the elapsed time between bouts for any one fighter, and the provisions with regard to physical condition, etc., it is necessary that either each principal office, such as Los Angeles, San Francisco and Sacramento, keep records of the performance of all amateur and professional boxers, or that a central system be established and the records be easily and quickly available. The indications are that at the present time such records are not easily and quickly available to those whose duties and responsibilities require them. The testimony before the committee indicates that the records are not only not quickly and easily available, due to understaffing and poor organization, but that there is a considerable lack of cooperation between various personnel. Some of the testimony by employees of the staff of the commission is as follows:

"Professional records have been kept for several years past, but shortage of help in the office makes it impossible to keep the same up to a reasonable date."

"When the professional records are not up to date—a few months behind, a boy could lose five or six times or more in three months," without the knowledge of the person responsible for approving the matches.

"Insofar as the office help and records are concerned, we are dealing with the very lives of boys Five have been killed within the last 12 months from 1947 to 1948 and one prior to that in 11 years * * *. I might say the secretary of the commission has tried to get that help but the budget wouldn't allow for it."

"We had a part-time stenographer-clerk in the office who helped clean the records up but they have never been brought up to date. We have a large volume of work in our southern office here."

The record with regard to the death of Joe Nunis indicates that this fighter had violated the rule providing a layoff of 48 hours between bouts. While in this particular case there was no negilgence on the part of the commission, nor was the system particularly to blame, conditions point to the need to overhaul the present system in order to prevent the recurrence of such a situation. Perhaps it would be advisable for the inspector who witnesses a bout to make it his duty to have a report in to each commission office the morning following the bout.

Due to the fact that there are many more amateur bouts than professional, the indications are that the records for the amateurs, who need more protection than the professionals, are even further behind.

Mr. Ritchie testified that: "The reason is nothing else but the lack of one office stenographer-clerk, not a temporary one either, but a full-time position." The commission, through its representatives, has been frequently notified of this condition, but the situation has not been corrected as of the date of this report.

2. Recommended Legislation

Ring Size

The committee recommends that, in order to live within the spirit of the present law permitting boxing contests, the ring size be increased to a minimum of twenty feet square within the ropes.

Section 232 provides that the ring "be not less than sixteen feet square nor more than twenty-four feet square within the ropes." Assemblyman Fletcher asked Mr. Genshlea whether or not the "size of the ring has been changed? Was the minimum of sixteen feet changed in a recent ruling of the commission?" Mr. Genshlea replied that it had not been changed. Assemblyman Fletcher asked him: "Do you think that minimum should be raised a little?" Mr. Genshlea replied: "I am kind of from the old school. I like to watch boxers. The bigger ring you have the better boxers you have." Assemblyman Fletcher stated: "My opinion is that 16 feet is at least four feet too small."

Weight of Gloves

The committee recommends that the following section be written into law.

The present Section 18737 provides that: "During every boxing contest or sparring match other than amateur boxing contest or sparring match each contestant shall wear gloves weighing not less than five ounces if such contestant weighs in ring attire 147 pounds or less and six ounces if such contestant weighs more than 147 pounds."

Section 241 provides: "Each contestant shall wear gloves weighing not less than six ounces if such contestant weighs 147 pounds or less and not less than eight ounces if each such contestant weighs more than 147 pounds.

Section 241 is a new regulation adopted by the commission for the purpose of reducing injury, both to the fighter's hands and to his opponent's body. The question arises as to whether or not this additional padding will result in greater damage, due to the soaking up of perspiration of the fighter's hands.

Corrupt Practices Act

The committee recommends that a new act be written into the law to provide:

1. The commission shall not license for any purpose any person who has been convicted of a felony involving moral turpitude.

2. No employee or licensee of the commission or other state employee shall receive any compensation of any kind whatsoever, gift or other emolument from any club, association, or person with whom said employee must conduct commission business in the course of his official duties.

The evidence points to the common practice that inspectors are currently being paid their mileage by the various clubs. This provision also anticipates that those sections of the law now referring to doctors as club doctors will be amended to provide that the physicians who conduct examinations as commission doctors, and who are required by the commission to be at ringside, will be paid and retained by the State as employees of the commission.

Dressing Room Requirements

The committee recommends that a new section shall be added to the law providing that the dressing rooms for boxers and wrestlers shall include adequate shower and toilet facilities for the exclusive use of the athletes participating in the show, and that said showers have both hot and cold water available.

Physicians Employed by Commission

The committee recommends that a new section be written into the law to provide that all physicians licensed to examine boxers and wrestlers be paid by and as employees of the commission when their services are required for the purpose of making any examination or serving at the ringside, other than that required by the athlete in obtaining his original or annual license or the validation of his license after a suspension.

All witnesses were in accord with the idea as expressed above, that is, that the physician should be the employee of the commission.

The committee wishes to make itself clear that neither it nor anyone else has been critical of the standard of service rendered by the physicians. The purpose of this proposed legislation is to clarify the status of the physicians under specified conditions.

Boxer Performance Card

The committee recommends that this license card be used for and designed as a "Performance Card" to show the date, place and outcome of each fight in which the licensee has participated. This information is to be endorsed upon the card by the inspector after the licensee has completed his bout for that particular time. This card must be in the possession of the licensee and shown to the inspector before the licensee is permitted to appear as a contestant for that particular program.

All of the witnesses who appeared before the committee were unanimous in endorsing this idea. As a matter of fact, Mr. Genshlea testified that such a card was being given consideration at this time. The committee, however, believes that this item is of sufficient importance to be written into the law of the State of California. If such a law had been in force and effect during 1948 it may have saved the life of Mr. Nunis, who,

as indicated previously in the report, fought two nights running, and died as the result of his second fight.

Under the present rulings of the commission, each boxer who is licensed to participate in the sport is provided with an identification card bearing his photograph and license number.

Amateur Boxing Age

The committee recommends that the present law be changed to permit the licensing of applicants to box at the age of 17 as amateurs, but that said licensee shall not box professionally until he has reached the age of 18.

Under the present law, the minimum age requirement for both amateurs and professionals is 18 years.

It is interesting to note that Commissioner Entenza was the only witness to be opposed to this change in the law. He was opposed to reducing the age to 16 years. George Tolson, boxing coach, testified in response to a question from Assemblyman Fletcher: "Since the age for both amateur and professionals is 18, it may be that some boys leave amateur boxing and go into professional boxing a little too soon. It if were 16, a boy would still be required to go in and spend a couple of years before he could fight professionally. When a boy is 18, he knows he can get a professional license."

The theory behind this proposed change is in substance that, by permitting an athlete to box one year as an amateur, he will gain some of the experience that is necessary to protect himself as a professional when he has reached the age of 18. This again is a protective measure to help eliminate unfortunate circumstances in the boxing profession of California.

Physical Examinations for Licensees to Box

The committee recommends that there be a new section in the law entitled "Physical Examination for Applicants to Box" and intend that said examination shall apply to the annual examination as well as the original examination.

This new section shall also require an electrocardiogram and an electroacephalogram. The form for this examination is as follows:

STATE ATHLETIC COMMISSION OF CALIFORNIA
REPORT OF PHYSICAL EXAMINATION OF APPLICANT FOR BOXER'S/WRESTLER'S LICENSE

Name _____Ring Name_____
Age_____ Race_____ Weight_____ Class_____

History: Have you ever had any of the following sicknesses? If yes, mark X.

Swollen joints_____Pneumonia_____Typhoid fever_____Rheumatism_____ Frequent headaches_____Chronic cough_____Spitting of blood_____Shortness of breath_____Convulsions (fits)_____Fainting spells_____Tonsillitis_____ Sore on penis_____Syphilis_____Rupture (hernia)_____Operations (tonsillectomy, appendectomy, hernia, other)_____Have you worn or do you wear glasses?_____Do you have blurring of vision?_____Dizzy spells?_____How long have you been a boxer/wrestler?_____How many knockouts have you received?_____Date of last knockout_____Longest duration of unconsciousness_____Military service—Yes_____No_____If rejected, give reason_____ _____Medical discharge—Yes_____No_____If yes, give reason_____

Examination:

General appearance—(robust—Yes/No)_____Height_____Weight_____
Scars (abdominal, neck, head, chest, arms, legs)_____Temperature_____
Pulse (at rest)_____Pulse, after 100 hops_____2 minutes later_____
Blood pressure_____Systolic_____Diastolic_____Eyes: Vision (without glasses) Right_____Left_____Pupils equal—Yes_____No_____React to light—Yes_____No_____Mouth_____Teeth_____Tonsils_____
Neck_____Enlarged glands—Yes_____No_____Goitre—Yes_____No_____
Heart_____Pulse rhythm—Regular_____Irregular_____
Apical impulse—heaving_____Normal_____Enlargement—Yes_____
No_____ Murmurs—Yes_____No_____
Lungs_____ Dullness_____ Rales_____
Abdomen _____
Enlargement of liver—Yes_____No_____Enlargement of spleen—Yes_____
No_____Hernia_____ Inguinal_____ Ventral_____
Genitalia_____ Discharge—Yes_____ No_____
Ulcers_____ Varicocele_____
Hands (evidence of recent injury, fracture, painful swellings)_____
Unhealed wounds_____
Reflexes—Pupils_____Knee jerks_____
Romberg_____Babinski_____
Skin—Rash_____ Boils_____
Blood test _____
X-ray chest _____

All the witnesses were unanimous in their recommendation that the foregoing examination be required of all licensees to box in the State of California.

3. Recommendations for Further Study

The committee recommends that the following subjects be studied further by subsequent Interim Committees on Public Morals.

1. *Revision of the Athletic Commission.* In view of the importance of athletics in California and the testimony presented before this committee, there is a possibility that the present time and salary arrangement for the Athletic Commissioner is insufficient and in need of revision. Under the present arrangement the commissioners now receives no pay except usual hotel, meals, and actual travel expense. An engineering study by both the committee and an outside firm specializing in procedural engineering might be used to determine whether or not there was justification for a full-time commission on a full-time salary basis.

2. *Licensing Schedules.* It is also recommended that the committee make a further study of the licensing schedules and examinations therefor. By this it is meant all licenses issued by the commission, whether they be for boxers, managers, promoters, etc. From a further study would come recommendations for an apparently much needed improvement and codification.

3. *Enforcement of Sanitary and Safety Measures.* The committee feels that there has been a considerable laxness in the enforcement of certain safety laws, rules and regulations and that further rules and regulations in connection with sanitary conditions will be necessary. Further investigation by another committee on this subject would have a very salutary effect.

4. *General Committee Functions.* It is recommended that the committee pursue the recommendations made to the commission to determine the extent to which the commission is complying therewith and the extent to which the recommendations are in need of modification or amendment.

The committee wishes to make particular commendation of Mr. J. M. Genshlea, Secretary of the State Athletic Commission, for his cooperation with the committee in pursuing its investigations.

The committee feels that Mr. Genshlea has ably performed the duties of his office as efficiently as is possible under the direction of the State Athletic Commission members. His ability to do a far better job was handicapped by the lack of sufficient funds to employ adequate personnel to perform various functions for the stricter enforcement of various commission regulations for the betterment of the boxing profession in California.

In connection with the foregoing, we cite the following named persons who appeared and testified before this committee:

Harry Atwood, referee
Dr. Alexander Barron
Marin Cano, matchmaker
Walter Champreux, Deputy Coroner, Stockton
Archie M. Closson, Chairman of the State Athletic Commission
Juanita Decatur, wife of deceased
A. P. Entenza, Commissioner
Harry Fine, manager
Arthur Garrett, attorney
J. M. Genshlea, Secretary to the Commission
Michael A. Grealis, citizen
John Griffin, matchmaker
Roy Higa, boxer
John Horan, Inspector, Athletic Commission
William Hunefeld, promoter
Dr. Caryl E. Kidder
Tom Lenahan, Inspector for Athletic Commission
Dr. Lloyd R. Mace
Billy McGowan, physio-therapy technician
Dr. H. R. Nesburn
W. Lee Reveau, timekeeper
Joseph Rhodes, manager and trainer of Mr. Decatur, deceased boxer
Willie Ritchie, Chief Inspector, Southern District of the Athletic Commission
Dr. E. I. Robinson
William H. Ryan, retired manager, promoter, referee, and trainer
Dr. Harry J. Schneider
Donn Shields, Chief Inspector, Northern District, State Athletic Commission
George Tolson, coach
Dr. Abraham Waxman
Victor L. Wallace, Chief Deputy Coroner, Los Angeles
Mr. Winston, Supervisor of Amateur Boxing, Southern District Athletic Commission

B. HORSE RACING

The committee held meetings on this subject on the following dates and places to consider such important problems as charity days and recipients thereunder, licensing "book making," race track concessions,

ownership of California tracks, policing of the tracks, entry of horses, penalties for horses not ridden to win, and power of cities to tax races. The dates are December 19 and 20, 1947, and January 9 and 10, 1948.

The following persons testified before the committee:

Alfred B. Fiske, Secretary, California Horse Racing Board
Mr. Haney, Hollywood Turf Club
Kenneth Lynch, Deputy Attorney General
Dwight Murphy, Member, Horse Racing Commission
Nion R. Tucker, Member, Horse Racing Commission
Lloyd Wright, Chairman, Horse Racing Commission

Charity Days

At the present time, the commission sets the number of days and dates to be known as "charity days" The charity requesting to benefit from the charity day proceeds submits its request to the track running the charity day from which they would like to benefit. The track in turn refers the request to the commission for its approval or disapproval. Should the commission approve, the money is actually paid to the recipient by a foundation, such as the Santa Anita Foundation (each track has its own). Only those applicants are considered who are approved by the Department of Internal Revenue.

Assemblyman Stewart pointed out that the tracks use the donations to these charities for public relations purposes.

Assemblymen Thompson, Fletcher, McMillan, Stewart, Collins, Maloney, and Dickey were of the opinion that the charities receiving donations were for the most part already receiving money from the Community Chest, etc., and that it might be better to eliminate the charity day and turn the proceeds over to the State of California for general purposes of financing the State.

Mr. Fiske testified that there would be a total contribution to charities of about two and one-half million dollars a year.

Mr. Wright testified that there is a movement on foot now to provide a program for the disbursing of charities that will be the same in the 23 states allowing horse racing. As it is at the present time, some states provide that the charity fund shall be turned over to the Governor to be disbursed at his pleasure Up to the date of the writing of this report, no information is available regarding the result of the meeting mentioned by Mr. Wright.

Licensing "Book Making"

It was anticipated by members of the committee that additional taxes would be requested for the purpose of financing the State of California during the year of 1949. It was suggested that the committee further investigate the possibility of recommending a constitutional amendment for the purpose of licensing "book making," the revenue from which would go into the General Fund for the purpose of financing the State.

Race Track Concessions

The committee investigated the disposition of funds received by the track from parking and other concessions. It was informed by Mr. Fiske that the State did not receive any direct profits from the parking concession, nor from the liquor concession, other than through the Board of

Equalization through the liquor concession The committee felt that further investigation should be made with regard to the race track concessions with the view in mind of recommending additional sources of taxable income to the Revenue and Taxation Committee of the Legislature.

In this connection, the committee took cognizance of reports that Dr. Charles H. Strub and others had taken over the parking concession at Santa Anita, and that income from this source was not being paid to the State.

Lake Arrowhead

Assemblyman Dickey developed the fact that Santa Anita Track owns the hotel and shore line. He expressed concern that the State was not informed of the amount or conditions of the investment. He asserted that, if the track makes considerable money, it would be natural to go out and invest it in property which, at the present time, might not be the property which would pay, so that, as a result, they could take certain deductions and later dispose of the property to replenish the coffers. If the State had knowledge of such investments, it might be possible to have participated in one way or another.

Ownership of California Tracks

Assemblyman Sam L. Collins expressed the opinion that if it were possible to do so, legislation should be passed to provide that the stock ownership for California tracks be entirely in the hands of residents of California. After some investigation, it was decided by the committee that such legislation might prove unconstitutional.

Policing of Tracks

The commission employs five or six detectives for the purpose of policing the tracks and preventing a successful invasion of gangsters and other undesirables. The committee was in accord with this program of the commission on the ground that the individual tracks could not effectively carry on this policing without subjecting itself to possible lawsuits nor with nearly such good effect.

Entry of Horses

Assemblyman Dickey inquired into the procedure for the entry of horses at the track, and was advised that the matter of approving the entry of a horse at a track was determined by the track and usually by the steward. From the nature of the testimony, it appears that considerable discretion is used by the steward in approving horses, in order that the public be protected from unproven or unreliable horses. It also appears that there are not sufficient quarters available to house the horses that would like to race in California.

Penalties for Horses Not Ridden to Win

Assemblymen Maloney and Thompson were of the opinion that legislation should be introduced to make it a felony to fail to ride a horse to win. It was agreed that violation of such legislation would be difficult to prove, but that it might have a good effect on the riders and owners of horses, who would be fearful that proof could be obtained.

Power of Cities to Tax Races

The law now provides that no cities or municipalities shall tax a race track in excess of $100. Evidence adduced before the committee indicates that most of the tracks are being taxed in excess of this sum by the cities, and are paying the tax without protest.

The committee is of the opinion that the voters of California did not legalize horse racing in order that one individual would be enabled to command an income of approximately $1,000,000 a year. Horse racing was legalized for the development of horse breeding and to provide certain revenues to the State of California, and not for the aggrandizement of personal fortunes of race track operators.

C. ALCOHOLIC BEVERAGE INDUSTRY

A committee meeting was held in San Francisco on February 16, 1948, at which a subcommittee, consisting of Assemblymen Fletcher and McMillan, was appointed to investigate certain moral aspects of "on-sale" liquor establishments.

As a result of this committee's work, several of such establishments in the Los Angeles area were closed and their licenses revoked for permitting indecent and unmoral entertainment, as well as for permitting the regular attendance of unmoral customers.

As a further result of this committee's work, it was recommended to the boards of supervisors of the State of California that "on-sale" liquor licensees providing entertainment for their customers be under the direction of the county welfare commission, or other county body performing that type of function.

In addition to the foregoing, this committee investigated the possibility of recommending prohibition for California and in its report, a copy of which is attached hereto, recommended against such a program. It was determined that the benefits derived by the State and its people from the manufacture and sale of spiritous liquors far exceed the possible harmful effects thereof.

It should be noted that voters of California overwhelmingly defeated the proposed initiative constitutional amendment (Proposition No. 12 on the ballot at the November 1948 General Election) which would have prohibited alcoholic beverages in this State. No other issue in California history ever attracted more public attention. Results of the election clearly indicate that the voters of the State desired no change in the laws relating to alcoholic beverages.

REPORT OF THE SUBCOMMITTEE

Your subcommittee on Public Morals for Southern California has conducted extensive inquiries and held numerous hearings relative to morality in Southern California. We have directed our investigation into conditions surrounding the sale and consumption of alcoholic beverages in various taverns, night clubs, and other establishments where alcoholic beverages are dispensed and consumed.

Among those who were subpenaed and who gave testimony were numerous licensees, members of the clergy, representatives of chambers of commerce, service clubs, city councils, police officers, sheriff's office, and members of the Social Welfare Commission of Los Angeles County.

Because of reports in the daily press that conditions surrounding the sale and consumption of alcoholic beverages have been unwholesome, and not in accordance with public morals and welfare, there has been sentiment that the sale and consumption of alcoholic beverages should be prohibited.

Your committee felt that prohibition would result in the loss of tremendous revenue to the Federal Government, the State of California, and to the various county and city governments.

Such prohibition would throw out of employment upwards of 830,000 persons who depend on this industry for the livelihood of themselves and their families.

Such prohibition would bring virtual ruin to California agriculture. California vineyards would be uprooted. Our hop growers would be forced to destroy their hop vines. Our grain growers would find a diminishing market for their crops. California now ranks as the greatest agricultural state in the Union and this pre-eminence would be destroyed. California would be the loser of hundreds of millions of dollars in farm crop values.

Such prohibition would devaluate real estate holdings and peril the investments of hundreds of thousands of citizens.

Your subcommittee felt that it should do all in its power to ascertain if moral conditions were such as to justify the drastic loss of revenue to federal, state, and local governments; to justify widespread unemployment; to justify the economic chaos from depressed property values; to justify the bringing about of an economic depression of major proportions, which would affect the continued prosperity and growth of California and bring poverty and hardship to many hundreds of thousands of California citizens; to justify the destruction of California agriculture.

We are loath to believe that the mere sale and consumption of alcoholic beverages, in itself, was immoral, or that the consumption of spirits in well-conducted premises did result in the breakdown of the morals of our citizens.

At the outset, let us make it very clear, and stress emphatically, that our investigations and hearings developed no instances of licensees serving drinks to minors, serving drinks to already intoxicated persons, illegal sales after hours, or other violations of the Alcoholic Beverage Control Act.

Your subcommittee did find that there were instances in which tavern management was responsible for a disregard of public welfare and morals and types of entertainment which did not come under the direct jurisdiction of liquor enforcement agencies of the State Board of Equalization. And here we want to stress that where such conditions existed it was because either local police authorities did not exercise their police powers to correct them, or there was a lack of local legislation which permitted such conditions to exist.

We have in mind certain establishments, particularly in the Hollywood area, commonly known as "the strip", which were staging indecent, lewd and lascivious entertainment, and in which tavern managements were permitting their premises to be used as the gathering place for perverts and other immoral persons.

We have in mind, also, certain establishments where it was virtually impossible to ascertain the individual responsible for the management.

Your subcommittee commends without reservation the honesty, integrity, and conscientiousness of the various individuals of the enforcement division of the State Board of Equalization. Your subcommittee deplores, however, the fact that funds of the Liquor Division of the Board of Equalization are not sufficient to provide an adequate force of investigators to report on, and control, instances of unmoral conditions in connection with the consumption of alcoholic beverages.

Your subcommittee cites the provision of the Alcoholic Beverage Control Act, Section 66.5, which makes it the duty of every peace officer and every district attorney in the State to enforce provisions of the act. Your subcommittee also cites the fact that counties and cities are reimbursed with the entire amount paid by alcoholic licensees in the community. These funds can be, and should be, used by local communities to enforce and supervise conditions which do or might tend to create a violation of public morals.

Your subcommittee heartily commends the action of Los Angeles County District Attorney William Simpson in bringing abatement proceedings against certain establishments for violation of public morals and welfare. We urge that he move to abate similar establishments whenever in his judgment such action is deemed desirable.

It is recommended by your subcommittee that local police exercise greater control in issuing entertainment permits, and that such permits be immediately revoked when licensees allow their premises to become obnoxious to good morals.

Your subcommittee recommends that, in the case of establishments in county territory of Los Angeles County, the Board of Supervisors of Los Angeles County immediately empower the County Social Welfare Commission to issue and exercise control over permits for entertainment. We recommend that other boards of supervisors throughout the State take similar action.

Your subcommittee recommends that city councils and boards of supervisors adopt ordinances providing for adequate lighting of all places where alcoholic beverages are sold at retail.

Your subcommittee was completely unable to ascertain the individual or individuals responsible for the management of the Flamingo Club, 1027 North LaBrea Street. The license for these premises has been issued in the name of a corporation (John-nie's Cafe, Inc.) but neither the president of the corporation nor the secretary-treasurer or other officers would assume responsibility for the proper conduct of the premises. Your subcommittee found, through public hearing and a thorough investigation, that these premises were frequented by unescorted women and moral perverts, and that the entertainment provided there was lewd and lascivious, and a flagrant violation of good morals. Your subcommittee recommends that the Board of Equalization immediately and forthwith revoke this license.

Your subcommittee recommends legislation be enacted at the next regular session of the Legislature to clearly define exactly what will be required in the way of proper food, equipment for preparing food, and facilities for serving food which will apply to every place where alcoholic beverages are sold for consumption on the premises. This in accordance with Section 22 of Article XX of the California State Constitution.

Your subcommittee recommends legislation be enacted which will forbid the serving of alcoholic beverages to unescorted women in any tavern, and to clearly define exactly what is meant by an unescorted woman.

Your subcommittee recommends legislation be enacted providing that local authorities must issue entertainment permits for every tavern which provides music or entertainment of any nature in connection with the sale and consumption of alcoholic beverages.

Your subcommittee recommends legislation be enacted to provide that all corporations, associations, companies, and partnerships holding an alcoholic beverage license issued by the State Board of Equalization must file notarized affidavits at least three times a year (every four months) setting forth the exact ownership and the name of the individual and/or individuals responsible for the conduct of the business.

Your subcommittee recommends that the compensation of all members of the State Board of Equalization, the Secretary of the Board, the California State Liquor Administrator, and the State Sales Tax Administrator be increased to sums comparable to those paid similar officials in other states. It is felt that the payment of such increased salaries will tend to relieve these state officers of political influence, and induce them to devote their thoughts and energies to a more complete interest in their careers.

Your subcommittee recommends the enactment of legislation providing for the employment of additional liquor enforcement officers to make a career of their employment and give them assurance of economic security for themselves and their families.

Because production and marketing of California wines are of such great importance to the economy of the State and the welfare of those engaged in viticulture and the wine industry, your subcommittee made a study of various aspects of this industry.

We found that disorderly marketing of California wines were having a deleterious effect upon the grape-growing segment of our agricultural industry.

We also found that vintners and growers were cooperating in the solution of these programs and we recommend that the Legislature give favorable consideration to the various measures designed to correct and ameliorate existing conditions.

We understand that the industry is endeavoring to correct disorderly marketing conditions through a "Wine Marketing Order." *We recommend* that the Director of Agriculture issue the order in accordance with industry recommendations, and that the wine industry of the State give its complete assent to the order.

We earnestly urge the enactment of legislation designed to place a premium on California bottled wines by placing a special state-approved seal upon such bottled wines so that they may be readily identified by wine consumers throughout the world.

We also urge the enactment of legislation which will permit aged wines to carry a state-approved stamp which will set forth the year the wine has been produced.

We believe that these measures will serve to identify our fine California wines and create real confidence in the wine-consuming public that our wines are the finest in the world—which they are.

It is hereby recommended that this committee be continued to consider the subjects outlined above; also a thorough investigation into the inception of the Los Angeles Turf Club (Santa Anita Race Track) with reference to the original ownership of the stockholders, their names, addresses, etc. To be included also, the present broadened stock structure, including the number of shares each stockholder now owns in the present company or other subsidiary companies. The committee should also investigate all contracts entered into by the Los Angeles Turf Club and/or its subsidiary companies with individuals, corporations or partnerships, and to report its findings back to this Legislature.

JOHN F. THOMPSON, Chairman
J. G. CRICHTON
CARL FLETCHER
THOMAS A. MALONEY
RANDAL F. DICKEY
LESTER A. McMILLAN
R. H. McCOLLISTER

REPORT OF ASSEMBLY INTERIM COMMITTEE ON FISH AND GAME

Pursuant to House Resolution No. 204 California Legislature, 57th Session

LETTER OF TRANSMITTAL

ASSEMBLY CHAMBER, SACRAMENTO, CALIFORNIA

Mr. Speaker and Members of the Assembly:

Pursuant to House Resolution No. 204, adopted by the California State Legislature on June 20, 1947, and continued by House Resolution No. 16, adopted on January 6, 1949, your Interim Committee on Fish and Game submits herewith its report.

Respectfully submitted,

THOMAS M. ERWIN, Chairman
GEORGE R. BUTTERS
LESTER T. DAVIS
VINCENT THOMAS

House Resolution No. 204

Relative to the Creation of the Assembly Interim Committee on Fish and Game

WHEREAS, It is important that the pertinent facts bearing upon the fish and game problems of the State of California be ascertained, assembled, and analyzed to the end that the Assembly shall have the facts and information to enable it to act advisedly upon legislation to meet and solve said problems, and

WHEREAS, Said facts can best and most expeditiously be ascertained and analyzed for the Assembly by a committee of the Assembly charged with the study of every phase of the subject of fish and game; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fish and Game is hereby created and authorized and directed to ascertain, study and analyze all facts relating to fish and game, including specifically: Game farms, game and management areas, game refuges, fish hatcheries, the opening and closing of waters around Catalina Island, netting in the inland waters of the State, the utilization of the public domain for the propagation of fish and wild life, and all other matters dealing with, relating to or otherwise pertaining to fish and game including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker hereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1949 Regular Session, with authority to file its final report not later than March 15, 1949.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable to fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

The Interim Committee on Fish and Game has investigated the activities of the Division of Fish and Game and this report will deal with the several bureaus of the division in the order set forth as follows:

I. Bureau of Fish Conservation
II. Bureau of Game Conservation
III. Bureau of Marine Fisheries
IV. Bureau of Patrol
V. Bureau of Licenses

I. BUREAU OF FISH CONSERVATION

A. Hatcheries and Rearing Ponds

The Bureau of Fish Conservation has presently some 27 rearing ponds and fish hatcheries, some of which are complete and operating and some of which are in the process of building. Circumstances were such that the committee was able to visit only approximately twelve or fifteen of the hatcheries. The following list covers all the hatcheries and the estimated output of each according to the Division of Fish and Game,

Bureau of Fish Conservation, together with recommendations in some cases.

1. Fall Creek Hatcheries, Siskiyou County

The output of this station is estimated to be approximately six thousand pounds of trout. The committee recommends that this hatchery be continued in operation and modernized.

2. Shasta Hatcheries, Siskiyou County

This station is one of the largest hatcheries in the State and probably the oldest. The output is estimated to be approximately twenty-seven thousand pounds. The committee recommends that the hatchery be completely remodeled and modernized and that the ponds be enlarged and brought up to date. It is felt that this can be done at a reasonable cost to either the Fish and Game Preservation Fund of the Wildlife Restoration Fund, if state equipment is used. The ponds should be constructed along similar lines as those in the Black Rock Hatchery.

3. Parie Creek Hatchery, Humboldt County

The bureau estimated that the output of this hatchery was approximately three thousand five hundred pounds.

4. Burney Hatchery, Shasta County

The output of this station is estimated at about four thousand five hundred pounds. The committee recommends that this hatchery be abandoned since it is old and in a serious state of disrepair.

5. Crystal Lake Hatchery, Shasta County

This station is new and when completed is estimated to cost about five hundred thousand dollars. To date about ninety thousand dollars has been spent and the committee recommends that no further expenditures be made on completion and expansion until the disease which has killed several million trout during the last year is cleared up. It is further recommended that in the future small inexpensive experiments be run for a period of one or two years to determine whether trout will grow and develop free from disease in the water of a proposed new area before large sums of money are needlessly expended.

6. Darrah Spring Hatchery, Shasta County

The committee recommends that an attempt be made to lease the property for a period of one or two years during which time experiments can be continued to determine whether trout will grow and develop in this water. The lease should contain an option to extend the lease for as long a period as possible in the event that experimentation proves the site to be suitable.

7. Cedar Creek Hatchery, Mendocino County

The committee investigated this site and has concluded that it is suitable for a hatchery. Therefore, the committee recommends that this station be bought and put into service as soon as possible to serve the northern rivers emptying into the Pacific.

8. Almanor Hatchery, Lassen County

The bureau has estimated the output of this station at approximately eight thousand pounds. Heretofore, only fingerlings have been planted. It is recommended that experiments be continued to determine the possibility of planting trout larger than fingerlings, for the benefit of the lakes in this great recreational area in Lassen County.

9. Feather River Hatchery, Plumas County

The bureau has estimated the output of this hatchery at approximately two thousand seven hundred pounds consisting entirely of fingerlings.

10. Yuba River Hatchery, Sierra County

The output of this station is estimated to be only about nine hundred pounds consisting entirely of fingerlings. In the opinion of the committee this station is not suitable for further development and it is recommended that it be abandoned.

11. Tahoe Hatchery, Placer County

The output of this station is estimated to approximate two thousand eight hundred pounds consisting entirely of fingerlings. It is the opinion of the committee that the water temperature is too low and that a new source of water should be developed possibly by pumping from a point a few feet under the surface of the lake where water of a uniform temperature throughout the year might be available. The committee is of the opinion that larger trout could be planted in Lake Tahoe and the surrounding area.

12. Tallac Hatchery, El Dorado County

The output of this station is estimated to approximate six thousand pounds consisting entirely of fingerlings. This hatchery is located near Lake Tahoe and the committee recommends that the rearing ponds be enlarged and that some arrangement be made to procure different source of water, possibly from the lake, in the same manner as suggested for the Tahoe Hatchery. It is also recommended that the Tahoe and Tallac Hatcheries could be combined into one, resulting in a saving of considerable amount of money for the State.

13. Alpine Hatchery, Alpine County

This station was established in 1932 and no record is available of the trout raised here. The committee is of the opinion that this site should be abandoned.

14. Central Valley Hatchery, Sacramento County

This station comprises about forty acres of state-owned land and is devoted to the production of spiny ray fish. The bureau has estimated that this site produces, annually, approximately one hundred fifty thousand small-mouth black bass. The facilities comprises 19 rearing ponds and 19 daphne tanks. The committee recommends that more effort be expended in rescue work on spiny ray fish and that they be put into the rearing ponds at this hatchery for subsequent planting.

15. Basin Creek Hatchery, Tuolumne County

The output of this station is estimated to be about two thousand seven hundred pounds consisting entirely of fingerlings.

16. Brookdale Hatchery, Santa Cruz County

The output of this station is estimated to be approximately seven thousand pounds of steelhead. The committee recommends that this hatchery be continued. Steelhead fingerlings, after they are planted, can migrate to the sea where food for them is available in abundance.

17. Yosemite Hatchery, Mariposa County

The output of this station is estimated to be approximately two thousand pounds, annually, and consist entirely of fingerlings. The committee is of the opinion that this hatchery is being operated at a substantial loss each year and that very little good is being accomplished. However, it appears that a lease has been agreed to between the United States National Park Service and the California Division of Fish and Game under the terms of which the division is required to plant trout in the park In the past the park service has asked for the planting of fingerlings.

18. Madera Hatchery, Madera County

This station is operated on a seasonal basis for the rearing of fingerlings and very few trout are produced.

19. Hot Creek Hatchery, Mono County

This station is one of the bureau's warm water hatcheries, with an average water temperature of 59 degrees. Last year about one hundred nineteen, eight hundred eighty-seven pounds were produced at this site. The committee recommends that this station be expanded to the fullest possible capacity.

20. Huntington Lake Hatchery, Fresno County

The output of this station is estimated at about five hundred pounds on the basis of a seasonal operation. This is a very small site.

21. Kings River Hatchery, Fresno County

The output of this station is estimated to be about two thousand five hundred pounds. It is the opinion of this committee that this site is not suitable for further enlargement and that if warm water cannot be found in sufficient quantities, it is recommended that it be abandoned.

22. Sequoia Hatchery, Tulare County

The output of this station is estimated to be about six thousand five hundred pounds. In the opinion of this committee the water available at this site is ideal and if a large tower for water aeration is built, this hatchery could be expanded to produce many times the volume that it now produces.

23. Kawahe Hatchery, Tulare County

No estimate of the quantity produced at this station is available. However, only fingerlings are produced.

24. Morehouse Springs Hatchery, Tulare County

This station is one of those that the committee had the opportunity to investigate. It was found to be under the close supervision of the Porterville Sportsmen Association which has done a great deal of work in developing it. The trout grow about an inch per month and with a very small expenditure of money this station has been able to produce about eight to twelve tons of fish annually.

25. Black Rock Hatchery, Inyo County

The output of this station is estimated to be about eighty thousand pounds. In the opinion of this committee this site has the best rearing ponds in the State. They were found to be free from disease and were built at a very nominal cost to the State, estimated about six thousand dollars. The ponds were recommended by former commissioner, Nate Milnor. It is recommended that these ponds be enlarged to the fullest possible capacity.

26. Mount Whitney Hatchery, Inyo County

This station produces approximately nine thousand pounds of fingerlings and is the second largest hatchery in the State. Many loch leaven fingerlings are raised here and planted in the lakes and streams, in addition to rainbow fingerlings, which are hatched here and planted in the Black Rock rearing ponds. This committee recommends that the station be continued.

27. Kern River Hatchery, Kern County

The output of this station is estimated to be about twenty-seven thousand five hundred pounds. The committee recommends that this site be entirely modernized and expanded to the fullest possible capacity to serve the 1,000 miles of fishable streams in this area.

28. Fillmore Hatchery, Ventura County

The output of this station is estimated at about ninety thousand pounds. This site is one of the very good hatcheries in this State. The water temperature averages close to 60 degrees throughout the year and trout thrive and grow rapidly in this water. The main problem at this station has been the shortage of water, but the committee is of the opinion that this has been overcome by the drilling of a new well. An unfortunate accident occurred here several years ago when one of the pumps failed and over 100,000 trout died as a result. A dependable water supply is of paramount importance. It is recommended that this station be maintained at its present level.

29. Mohave Hatchery, San Bernardino County

This station has already had about twenty-three thousand dollars spent in its development. At the time the committee made its investigation, it was found that between forty thousand and fifty thousand trout ranging in size from six to eight to the pound were in a very overcrowded condition. The committee recommended that the trout be placed as quickly as possible and was informed that they were going to be planted in Lake Arrowhead. The committee further recommended that a portion of the trout be planted immediately in the Bishop area. This recommendation

was not carried out and about four nights later, the power failed and all the trout, with the exception of about one thousand, died. The committee is of the opinion that in the future more care must be taken of available facilities to prevent reoccurrences of this nature. The committee is also of the opinion that the experimental stage at this site has been passed and recommends that the hatchery be expanded to produce at least one hundred tons of fish.

30. Whittier Hatchery, Los Angeles County

This station has had about eight thousand dollars expended on it to date and last year approximately eight to twelve tons of trout were produced. In the opinion of this committee, the water is ideal and very little disease is encountered. This station is definitely past the experimental stage. When the Whittier Narrows Dam is completed, the committee recommends that another site can be located immediately below it on Whittier city-owned property and that the hatchery can then be completed as soon as possible so that at least one hundred tons of trout can be produced annually There are several commercial hatcheries producing large quantities of trout immediately north of this station

The committee recommends also that the Fish and Game Commission investigate the advisability of purchasing size trout from some of the commercial hatcheries in the State on a contract basis. The Director of Finance and the Legislative Auditor both are in accord with the committee on this recommendation Attached, is a letter from the Valley Trout Hatchery quoting prices of size trout, etc. There is attached, also, a map showing the locations of the fish hatcheries and rearing ponds in the State.

VALLEY TROUT HATCHERY

Office
1206 MAPLE AVENUE
ROOM 616
LOS ANGELES 15
RI-5585-WY-1191

Hatchery
3219 VALLEY BOULEVARD
PUENTE, CALIF.
ROUTE 1, BOX 49

February 10, 1949

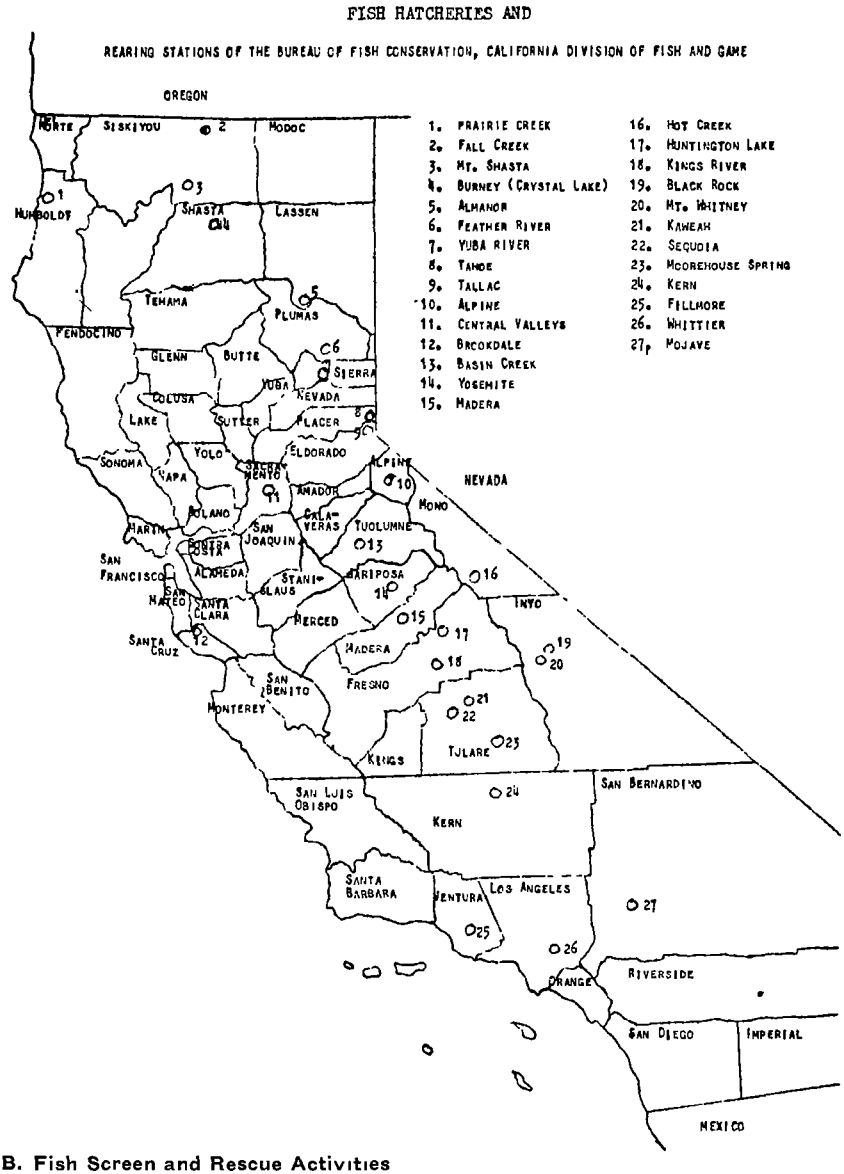
Mr. Tom Erwin
1136 Willow Avenue
Puente, California

DEAR SIR: Please be advised that the Valley Trout Hatchery has available for sale rainbow trout ranging in size from five to fourteen inches. In the event the Fish and Game Commission of the State of California is interested in purchasing trout to stock streams, we would be glad to furnish its requirements.

Our present price is at the rate of $1.05 per pound f.o.b. hatchery. We invite your inspection.

Very truly yours,

VALLEY TROUT HATCHERY
By JOHN B. GOSTOVICH



B. Fish Screen and Rescue Activities

The committee investigated a considerable number of irrigation ditches leading out of rivers and streams. One of these is the Shasta, which empties into the Klamath and is one of the most important steelhead spawning streams in the State.

It was found that when the young steelhead started migrating down the Shasta to the Klamath, that great numbers would follow the creeks into the irrigation ditches and subsequently into the fields where the farmers were irrigating, causing the destruction of millions of these

young fish. In the past, the Division of Fish and Game has placed screens in some of the irrigation ditches at a point about one hundred fifty feet from where they branch off from the main stream. This caused the young steelhead to follow the current in the ditch to the screen and since they do not turn back against the current, they beat themselves against the screen until they are destroyed. In one instance, it was found that in one night as many as five thousand small steelhead had congregated in back of one of these fish screens which had been placed downstream in the ditch as described above, where they subsequently were destroyed.

In the opinion of this committee, legislation is necessary in order to insure that a small percentage of the water can be by-passed in front of the screen and back into the river. Legislation for this purpose has been introduced but it is anticipated that it will meet with violent opposition from ranchers, cattle and sheep men and all people interested in irrigation in connection with agriculture. Therefore, the committee recommends that a new kind of screen be devised which can be placed close to the point at which the water leaves the river to enter the irrigation ditches, and thus the young fish will be prevented from entering the ditches and instead will continue on their journey downstream. The committee investigated types of electric screens which are being used, apparently with great success, in other states and in some of the commercial hatcheries in this State.

The committee in its investigation also found a similar problem with respect to the salmon, which go up our inland rivers and streams to spawn and often follow the irrigation ditches into the fields where they eventually are lost by the thousands before they spawn. The correct kind of screens, either electric or otherwise, properly placed, could save a great number of these fish, not only salmon, but steelhead, striped bass or other spiny ray fish. The committee also investigated some of the new screens being manufactured by the Division of Fish and Game but, in its opinion, these screens will be useless if placed, as in the past, 100 or 150 feet down the irrigation ditches from the point where it branches into the river or stream. Unfortunately, migratory fish, which are bound towards the ocean, will not go back upstream and losses will continue as long as present practices are maintained.

The committee noted another practice which is contributing to the loss of fish. This is the uneven flow of water released from dams, such as one on Klamath River. During the large flow, the young steelhead often migrate downstream along the edges, where they are left stranded when the flow is reduced. Subsequently, thousands of these stranded fish die either from lack of water or by falling victim to many kinds of predators. It is recommended that some arrangement be made whereby an even flow of water could be released from the dams which would result in the saving of millions of young steelhead that would comprise a valuable addition to an important natural resource and would be available for fishing by the sportsmen of the State. This same condition is true of many of the rivers and streams in the Central Valley of California.

In connection with the stranding of many fish either by fluctuating flows in the rivers and streams or by the drying up of some streams and ponds during the summer months, this committee recommends that one or two rescue groups be established within the correctional schools of the Youth Authority. These rescue groups should be in the form of mobile

units which could salvage many of the bass and spiny ray fish when they become stranded as described above. This activity would not only provide very helpful recreational employment for many of the boys in the correctional schools but could result in the saving of a great many fish which would be to the benefit of the sport fishermen of the State.

II. BUREAU OF GAME CONSERVATION

The activities of the Bureau of Game Conservation are treated in this report in three sections as follows: A. Game Farms; B. Migratory Water Fowl Problems; C. Game Management Areas and Game Depredations.

A. Game Farms

The Bureau of Game Conservation is currently operating approximately sixteen game farm units. The committee was unfortunately not able to visit all of these units, however, following is a list covering every one of them together with pertinent information as to their size and facilities and in the case of those units visited by the committee recommendations and comments.

1. Bakersfield Game Farm, Kern County

This unit has 16 batteries, 20 brooders and 87 pens.

2. Porterville Game Farm, Tulare County

This unit has 24 brooders and 100 pens with 96 pens under construction. The committee was able to visit this farm and is pleased to report that it is being operated with a high degree of efficiency, and that the birds found here are among the finest and healthiest of any in the State. Much credit is due the Porterville Sportsmens' Association for the excellence of the work performed at this farm. The association has displayed a commendable cooperative spirit in assisting the caretaker in his work and generally keeping a watchful eye on the activities of the project.

3. Los Serranos Game Farm, Chino, Riverside County

This unit is one of the older game farms in this State and is located on the Los Serranos Country Club property on the northwest corner. Its facilities consist of nine incubators, with 40 batteries, 90 brooders and 272 pens. Birds from this unit are planted throughout Southern California and some are furnished to the pens in Brawley and the Palos Verdes Valley. This committee is of the opinion that this game farm can be increased to produce at least twenty thousand birds. This opinion is based on the experience of a very small game farm operated by one of the farm game management areas which brooded and raised over ten thousand pheasants to maturity.

4. Los Banos Game Farm, Merced County

This station has under construction 24 brooders and 150 pens and is being very carefully watched by the Los Banos sportsmen's organizations. The committee is of the opinion that this unit should be able to produce enough birds to service this great area of very fine pheasant territory in the grasslands.

5. Fresno Game Farm, Fresno County

This station has four incubators, 24 batteries and 48 brooders and was one of those visited by the committee. In the opinion of the committee this farm is doing a fairly good job but that nevertheless it could greatly expand its production of birds.

6. Brawley Game Farm, Imperial County

This site has two incubators, 24 brooders and is increasing its pens to 150 by the construction of 40 additional at a new site. The Bureau of Game Conservation estimates that this farm will produce about five thousand birds. However, the committee is of the opinion that at least ten thousand birds can be raised here and recommends that the necessary steps be taken to increase production to the larger amount.

7. Castaic Game Farm, Los Angeles County

This station has 36 brooders, 96 pens and 18 separate pens. The Bureau of Game Conservation has estimated that some five thousand six hundred birds will be raised at this farm.

8. Valley Center Game Farm, Escondido, San Diego County

The facilities at this station consist of 24 brooders and 48 pens. The bureau estimates that 2,600 birds can be raised for liberation in this area. It is the recommendation of this committee that this farm remain at its present level of capacity.

9. Yountville Game Farm, Napa County

This unit is one of the older game farms in the State and is also one of the largest. The Bureau of Game Conservation has estimated that 20,000 birds can be raised at this point. The committee is of the opinion that the size of the farm and its equipment are such that the bureau could easily raise 30,000 birds on it, and it is recommended that the necessary steps be taken to assure the raising of that many birds.

10. Marysville Game Farm, Yuba County

This station has 24 brooders and 150 pens under construction and is located in the center of some of the best pheasant hunting lands in the State. The committee recommends that at least ten thousand birds be reared in the pens annually and that such enlagement of the pens as is necessary to insure the raising of this number of birds should be undertaken.

11. Redding Game Farm, Shasta County

The facilities of this station consist of 24 brooders, 97 pens and some 55 separate pens The bureau has estimated that approximately five thousand birds are being raised here annually.

12. Chico Game Farm, Butte County

The facilities of this unit consist of three incubators, 16 batteries, 24 brooders and 200 pens. The bureau has estimated that approximately five thousand birds are reared here annually. The committee is of the opinion that this could easily be increased to ten thousand and recommends that the necessary steps be taken to insure the raising of the larger amount.

13. Willows Game Farm, Glenn County

This station has 16 batteries, 24 brooders, 96 pens and 80 separate pens. The bureau has estimated that some seven thousand birds are raised here annually. This farm is also located in one of the finest pheasant hunting areas in the State and it is the recommendation of the committee that its production be increased to the fullest possible capacity in order to properly take care of the large number of hunters in the area.

14. Stockton Game Farm, San Joaquin County

This unit is used for holding purposes and its 48 pens usually contain approximately two thousand birds.

15. Ukiah Game Farm, Mendocino County

This unit is also used for holding purposes and its 48 pens generally have about one thousand two hundred birds per year.

16. Sacramento Game Farm, Sacramento County

The facilities at this site consist of 40 brooders, 104 pens and 96 separate pens. The estimate of the bureau is that seven thousand birds are being raised here annually. In the opinion of the committee, production of this unit should be increased to at least ten thousand birds, as the farm is also located in an area which is considered to provide some of the best shooting in the State.

In addition to the game farms listed above there are between twenty and thirty holding pens throughout the State, among which are the following: Merced holding pens, Contra Costa County holding pens, Bishop holding pens, San Francisco holding pens, Elmira holding pens, Tulare holding pens, Pomona holding pens, Blythe holding pens, Oroville holding pens, Santa Paula holding pens, Red Bluff holding pens, Fall River Mills holding pens, Susanville holding pens. This committee is of the opinion that many additional holding pens could be established throughout the State under the supervision of the Bureau of Game Conservation, Division of Fish and Game. Many sportsmen's organizations have expressed the willingness and ability to assist in the care and rearing of the birds in those additional holding pens which might be established by the bureau.

In the course of its investigation the committee has ascertained that approximately eighty-seven thousand birds were liberated last year by the Bureau of Game Conservation. The estimated cost of the birds was $2.35 each in accordance with the figures submitted to the committee by the Legislative Auditor, Mr. Rolland A Vandegrift. Mr. Ben Gladding of the Bureau of Game Conservation has stated to the committee that only between 5 and 20 percent of the birds liberated actually reached the sportsman's bag. The committee is of the opinion that the majority of the unrecovered birds became victims of predators with possibly a very small percentage of hens remaining as brood stock for the following year. It might be noted here that the cost of the birds actually recovered amounts to some ten dollars each based on the assumption that the cost of each bird liberated is approximately two dollars and that only one of five so liberated is actually recovered.

The committee is of the opinion that it would be a much better practice on the part of the Bureau of Game Conservation to liberate mature birds about a week before the opening of the pheasant season. This would permit a much larger percentage of the birds to be harvested by the sportsmen of the State, and a correspondingly lesser percentage would fall prey to predators. The committee recommends to the bureau that the foregoing practice be undertaken.

The committee was fortunate in having the opportunity to inspect some of the farm game management areas of the State where the private citizens handle the management area and provide food, shelter and water for the birds and control predators. It is the opinion of the committee that the farm game management area system should be continued until a better method of producing birds is found by the Bureau of Game Conservation. This can only be accomplished by the bureau's liberating birds after the farmers crops have been harvested, and by providing food, water and shelter on public shooting grounds.

B. Migratory Waterfowl Problems

The problem of our migratory waterfowl is now quite serious and this committee has made several inspection trips together with a considerable amount of intensive investigation with the view to ascertaining the extent of damage caused by waterfowl to rice and vegetable fields in Northern California and to the lettuce fields in Imperial Valley. In addition its investigations have led the committee to the conclusion that a more careful management of our waterfowl should be followed and in support of that conclusion there follows a detailed analysis as to the refuges and their location in the State, the location of gun clubs, the harvest of migratory waterfowl, in cooperation with the Bureau of Fish and Wildlife, together with specific recommendations concerning the securing of additional lands for game management areas, where the unattached hunters may harvest some of the surplus crop of waterfowl.

The "grasslands" of the San Joaquin Valley, California, as defined by the Bureau of Reclamation, comprises approximately one hundred forty-five thousand acres along both sides of the San Joaquin River, some forty-five thousand of these acres are located east of the San Joaquin River. However, for the purposes of this report, the "grasslands" consist only of the area west of the river which was involved in the Federal Government's 1939 purchase of grasslands water rights. This area comprises 98,234 acres which is the figure used as the basis for evaluation. It extends northerly a distance of approximately thirty-five miles beginning a few miles south of the town of Dos Palos to the border of Newman and lies in Merced, Fresno and Stanislaus Counties. The area varies in width from less than a mile to about ten miles, and lies within the secondary flood plain of the San Joaquin River which embodies a series of ponds and shallow drain channels surrounded by native grass areas.

Provision to store these waters was made by construction of the Friant Dam on the upper reaches of the San Joaquin River. The various land owners in the "grasslands", both livestock men and duck hunters, realized that their water supply would soon be cut off and several livestock and duck hunter organizations were started. All these associations were merged into the Grasslands Water Association on August 2, 1944

and incorporated under the state laws as a nonprofit mutual water company.

Upon completion of the initial features of the Central Valley Project, all available water stored by Friant Dam will be delivered to lands served by the Friant-Kern and Madera Canals and any surplus will be used on the lands to be served by the Delta-Mendota Canal under the terms of the socalled "exchange contract".

Soils and Vegetation

Generally, the lands which contain a high concentration of salts are classified as nontillable crop lands.

Ownership

The Grasslands Water Association in 1947 consisted of 53,747 acres distributed among 139 duck clubs and livestock companies together with 54 tracts comprising some 7,623 acres for grazing use only. Many of the duck clubs lease lands to local dairymen or cattlemen, who in turn rent hunting rights to sportsmen for waterfowl shooting on their property. Most of the lands not within the control of the association are dry although some of the owners have developed an independent water supply through wells or pumping of return flow. The entire grasslands area would probably be divided into over two hundred holdings, although the number varies from year to year.

Summary of Land Ownerships of Grasslands Water Association

Size group	*Number of groups*	*Total acreage*	*Percent of area*
40 acres or less	7	248	0.4
41 to 80	21	1,325	2.2
81 to 120	19	1,842	3.0
121 to 160	33	4,818	7.8
161 to 320	59	13,995	22.8
321 to 640	32	12,993	21.2
641 to 1,280	16	13,761	22.4
Over 1,280	6	12,388	20.2
Totals	193	61,370	100.0

Average size—318 acres.

Present Land Uses

The lands are presently being used as resting and feeding grounds for waterfowl, the hunting of waterfowl, the production of range beef cattle and in the replacement of dairy stock. The areas are being used on a multiple purpose basis with probably less than 10 percent of the lands being farmed, principally for forage.

Increase in Land Values

Several tracts were sold for from fifty dollars to fifty-five dollars per acre in 1946. The following year grazing lands located adjacent to the dairy farms and with no improvements were selling for an average of seventy-five dollars per acre. In the years between 1920 and 1936, Miller and Lux sold some forty-four thousand two hundred acres without water rights for an average price of $23.61 per acre. Adjustment on this price was made on the basis of value of Miller and Lux bonds accepted as part payment in many of these transactions, which brought the value down to about fifteen dollars per acre or about thirty dollars per acre with a water supply.

Water Distribution

Records indicate that the grasslands received an annual average of 113,411 acre feet of water during the 39-year period between 1909 and 1947. Since the time when Miller and Lux sold the water rights on the grasslands together with some riparian water rights to the Government in 1939, a nine-year average has been 78,181 acre feet.

The Miller and Lux water records indicate that in 1948 the "grasslands" received 41,453 acre feet by September 30th and will have been given an additional 53,650 acre feet by December 31st, or a total of 95,103 acre feet.

Water Areas

Data made available from 108 duck clubs indicate that 15,944 acres were flooded at the end of the first half of the 1947-48 hunting season, making an average of 148 acres per club. Extending this figure to the remaining 31 duck clubs within the 61,370-acre area of the Grasslands Water Association, on which data were not obtainable, the maximum water surface area at that time of the year would approximate 20,500 acres. In November and December of 1947, the Bureau of Reclamation provided 8,000 additional acre feet of water which made the total water surface about twenty-eight thousand acres during the late November and December period when heavy waterfowl concentrations occurred.

Grasslands Duck Clubs

In addition to the 139 clubs of the Grasslands Water Association which hunt within the 61,370 acres controlled by the association, there were about eleven small private hunting clubs to be found on the remaining 36,864 acres of the total area. The area also contained seven commercial clubs with a capacity for 638 shooters.

Hunter Take

Records of waterfowl harvest are based on the nine-year average from 1939-40 season through the 1947-48 season, and indicate an average of 21 shooting days per season.

The total average annual take for all hunters in this area is 231,000 ducks and 5,800 geese for the nine-year period. Records of the Division of Fish and Game for the 1940 and 1941 season which might be considered about average years, indicate a state-wide average annual take of 1,549,929 ducks and 139,554 geese. Consequently, "the grasslands" take would then represent 14 percent of the ducks and 4 percent of the geese harvested in the entire State. The average hunter bagged 3.8 ducks per hunter day or a total of 42.43 waterfowl for the season.

Survey of Hunters' Expenditures

The groups personally interviewed indicated a unit expenditure of approximately $7.61 per waterfowl as against a unit expenditure of $8.16 for the groups which mailed in returns. Together this made an average of $7 85 for ducks and geese taken in the grasslands. Approximately $606,000 was spent during the 1947-48 season by hunters in the grasslands with an average of 10.59 days spent in hunting.

Physical Changes in Areas

Records for January and February of the year 1892 indicate that market hunters shipped some 475 sacks of ducks and geese weighing

29,550 pounds, or nearly fifteen tons from the Los Banos area. This figure would indicate a very large population of waterfowl during the hunting seasons of those years.

The 1940 census indicated that of 2,667,194 acres of land in California drainage enterprises, drains had been installed on 1,509,832 acres. For the same year records show that drains had been installed on 1,213,686 acres in the Sacramento-San Joaquin area which means that 80 percent of the lands in the State in which drains have been installed lie in the central valley. Thus it can be seen that lands which were historically highly valuable wintering areas for waterfowl have now been drained and made useless for this purpose

This reduction in natural wintering areas for waterfowl has led to considerable depredations to rice and other crops, and in 1941, '42 and '43 the value of crops so damaged in California amounted to over $2,200,000. Consequently adequate provision must be made for suitable and sufficient habitat if California and the Pacific flyway are to continue having substantial flights of waterfowl and if we are to reduce the depredation losses encountered every year The resource of migratory waterfowl and the part played by the grasslands region actually have national and even international significance. Reclaiming of marsh lands at the mouth of the Colorado River has further reduced waterfowl habitat along the Pacific flyway and increased depredation problems.

Waterfowl population records show an eight-year average peak of 1,380,000 ducks and 172,300 geese in the Sacramento wildlife refuge and a twelve-year average peak of 2,030,000 ducks and 20,000 geese in the Gray Lodge state refuge.

Table 1. National Wildlife Refuges in California

Name	*County*	*Year established*	*Acres*
Lower Klamath	Siskiyou	1908	20,928 (in Calif.)
Tule Lake	Siskiyou	1928	37,337
Clear Lake	Modoc	1911	34,617
* Sacramento	Glenn, Colusa	1937	10,776
* Colusa	Colusa	1945	2,385
* Sutter	Sutter	1945	1,278
† Havasu	San Bernardino	1941	14,472
Salton Sea	Imperial	1930	35,407
Imperial	Imperial	1941	18,080
Total			175,280

* Refuges in the Sacramento Valley. There are no federal refuges in the San Joaquin Valley

† Refuges partly in Arizona.

Table 2. State Waterfowl Refuges—California

Name	*County*	*Acres*
‡ Madeline Plains	Lassen	4,776
‡ Honey Lake	Lassen	3,519
* Gray Lodge	Butte	2,541
* Suisun	Solano	1,887
Richardson's Bay	Marin	
Lake Merritt	Alameda	155
San Leandro Bay	Alameda	
† Los Banos	Merced	3,000
‡ Imperial	Imperial	2,064
	Total	17,942

* Refuges in the Sacramento Valley

† Refuges in the San Joaquin Valley

‡ Open to public shooting

Table 3. Comparison of Areas in California

	Square miles	*Acres*
State of California	156,803	100,353,920
San Joaquin Valley Floor	13,000	8,320,000
Sacramento Valley Floor	4,800	3,072,000
Federal Refuges	269	172,160
Grasslands	150	96,000
* State Waterfowl Refuges	28	17,920
Federal Refuges, Sacramento Valley	36.8	23,552
State Refuges, Sacramento Valley	8.1	5,184
State Refuges, San Joaquin Valley	4.7	3,008

* Not including Richardson's Bay and San Leandro Bay, data on which are not at hand.

Conclusions and Recommendations

In the opinion of this committee and in the opinion of those who are interested in conservation there seems to be no question regarding the need for various types of duck areas in the San Joaquin Valley. "Grasslands" studies indicate a necessity for 35,000 water surface acres during the period of heaviest use in November, December, January and early February. This represents about 35 percent of the 98,234 acres comprising the grasslands study area. Presently there is only one 3,000-acre state refuge in that area.

The Bureau of Game Conservation has indicated that it will recommend an area of 15,000 acres. In this they are apparently quite inconsistent since all other units, either State or federal, located in areas similar to San Joaquin Valley do not exceed three thousand acres with the possible exception of the Sacramento Wildlife refuge which contains 10,776 acres.

It is the recommendation of this committee that three areas of 5,000 acres each be established instead of one single unit of 15,000 acres. In support of this recommendation, it might be pointed out that some of these refuges and resting places for migratory waterfowl are needed immediately, and to undertake the establishment of one 15,000 acre area which would depend upon getting water from reclamation in sufficient quantity might possibly delay action on this project for many years. In the meantime, the duck flight is being lost and depredations are increasing.

The committee recommends that one area could be placed in the San Luis Island area, one in the Best Lake-Crane Ranch area, one near the Mendota Pool, and one near Buena Vista Lake. The latter area could be used principally for a resting place for ducks on their migration south. Dependency on San Luis Island alone might possibly be a bad mistake. Best Lake can immediately supply water, part of Mendota Pool could supply some water, and possibly water could be supplied in sufficient quantity at Buena Vista Lake. At least one more area should be put in immediately in the northern part of the valley and another one in the extreme southern part. The balance of the developments could be established later.

C. Game Management Areas and Game Depredations

In order to investigate reports of deer damage and over-grazing, the committee made one trip through some of the state game refuges.

Complaints had been coming in that state game refuges were overgrazed and that as a consequence deer were coming down out of the mountains onto ranch property and destroying deciduous fruit trees,

ornamental shrubs and other types of crops. At the conclusion of its investigation, the committee is of the opinion that it is unable to agree with the reports made. It is true that in some areas the refuges were somewhat over-grazed, but many were not. In the opinion of the committee some form of controlled burning could be practiced in certain areas which would result in new growth on shrubbery and which would certainly offer additional browsing for the deer. Since 90 percent of deer food consists of browse, this should materially assist in keeping the deer herds off the farmers' properties.

Of the many complaints being made to the Fish and Game Commissioners and to the Committee on Fish and Game relative to damage done by deer, the committee found that certain of these were considerably exaggerated and it is recommended that no damages be paid. In any case, it would be almost impossible to come to an agreement as to the extent of the damage, and should this practice ever be started, the Fish and Game Preservation Fund would be depleted almost overnight.

This interim committee was requested by members of the Standing Committee on Fish and Game to investigate the problem of entrance to public domain. Investigation discloses that legislation introduced along this line would meet with the serious objections of cattlemen, sheepmen and other interests, and it would be virtually impossible to secure the necessary number of votes to enact legislation of this sort. This committee realizes that it is one of the problems that must be faced by the Fish and Game Commission and all other parties interested in fish and game in all its phases.

The commissioners are worthy of high commendation for the fine work that they are doing in administering fish and game regulations and in arriving at their equitable opening and closing seasons along conservation lines. Many of the monthly meetings of the commissioners were attended by this committee to its great benefit and pleasure.

The activities of the state trappers were studied and investigated quite thoroughly, and it is the opinion of this committee that it would be wise for the Division of Fish and Game to make a thorough study of the advisability of, and to formulate a plan for moving the trappers from place to place as predator concentrations follow the congregation of game birds and animals in order to rectify the unbalanced ratio now prevailing between game and predators.

In one instance a trapper went into the Santa Barbara forest to trap coyotes which were preying upon the deer herds about three or four years ago. At that time the trapper counted six does and one fawn. Some two years later after trapping about one hundred sixty coyotes, six does and 11 fawns were counted. Testimonies and reports given to this committee by interested sportsmen and hunters indicate that the coyotes are following the deer herds as they migrate from range to range and from the mountains into the valleys and back again with changes in season. The testimony also indicates that a very large portion of unharvested birds fall prey to coyotes and in one instance one coyote was killed which was found to contain 38 pheasant bands in its stomach.

The evidence is such that the committee must conclude that more vigorous and intelligent action should be taken with regard to controlling predators together with an improved system of liberating birds in order

to insure a greater harvest for the sportsman and a smaller harvest for the predator.

III. BUREAU OF MARINE FISHERIES

The commercial fishing industry of California is one of the larger extractive industries of the State and by reason of dollar value and number of physical units of fish processed for the domestic and foreign markets, it is one of the largest fishing industries in the United States.

This division of the report is divided into three major sections covering (A) The California Sardine and Mackerel, (B) Abalone, and (C) Inland fisheries (Salmon).

A. Sardine and Mackerel

One of the most important fishery products of the State is the California Sardine, which, in the past three years, has developed a serious crisis because of the great reduction in the number of available fish, almost to the point of extinction. There seems to be no agreement among either the sections of the industry itself or among the various fishery biologists as to the exact cause of the loss of availability of this important fish. It is the opinion of this committee that definite conclusions on the subject should be held in abeyance pending further progress of the research work on the subject, authorized by the 1947 Session of the Legislature, which is being carried on by the Bureau of Marine Fisheries, the Scripps Institute of Oceanography of the University of California and the Federal Fish and Wildlife Service. The research is being coordinated with the work of the various fish and wildlife services of the states of Oregon and Washington.

Measures of an ill-advised or hasty nature formulated in the hope of solving the serious sardine problem should be avoided. Various sections of the industry have made recommendations and suggestions on methods of alleviating the shortage and it is the recommendation of this committee that the Legislature follow the suggestions of the majority of the industry in enacting such legislation as may appear necessary.

The commercial industry is facing a number of difficult problems among which is the steadily increasing foreign competition, particularly in the last few months. Frozen tuna and albacore, in increasing volume, is being brought in from Japan together with other canned fishery products which are being dumped on the American market, thus placing the California product at a serious competitive disadvantage.

The problem is further complicated by the imposition of additional taxes on fishing vessels by the countries of Central America and Mexico, making it more difficult for the fisherman to continue operations in those waters. It is quite likely that those countries are beginning to develop processing facilities within their own borders which will result in a serious curtailment of the livelihood of thousands of Southern California fishermen and cannery workers

The unfortunate antagonism which has been created against the commercial fisherman is due entirely to a misunderstanding by the people of the State and of the Legislature of the problems facing the industry. Unlike other industries which have received a sympathetic approach and aid in their development, the fishing industry has been somewhat of a "step-child."

This committee has held a number of meetings at San Pedro, Santa Barbara, Monterey and San Francisco for the purpose of studying the opinions, comments and proposals of the various interested groups in the fishing industry. These hearings were approached with the idea in mind that assistance should be granted the industry in the solution of its various problems and with a view to offering corrective legislative measures. The committee found that the industry was extremely cooperative and willing to discuss its problems with such frankness as to give the

committee a definite and valuable insight into the numerous problems facing the industry. Presented, herewith, are a number of recommendations and proposals submitted to this committee by the various sections of the industry and the Bureau of Marine Fisheries of the California Division of Fish and Game.

A. *Recommendations of Bureau of Marine Fisheries, California Division of Fish and Game.*

The Bureau of Marine Fisheries, California Division of Fish and Game, recommends that the Legislature delegate certain regulatory powers to the State's conservation agency, the Fish and Game Commission, in order to rehabilitate the fisheries for sardines and Pacific mackerel, as well as to maintain the other fisheries of California. To manage any fishery in a satisfactory manner, it is desirable for the management agency to have broad regulatory powers. Although the members of the Fish and Game Commission may not be anxious to assume regulatory powers over commercial fishing activities, and although the staff does not welcome the added burden and responsibility so entailed, no really flexible program of management can be effective until such a move is made. Under this system it is possible to amend regulations to meet changing conditions, which often change so rapidly as to be emergencies. Not only can restrictions be imposed, but they can be lifted when conditions so warrant.

Any such system of regulatory powers would have to be surrounded with statutory checks and balances so that the Legislature can be sure that abuses would not occur. Not only must outrageously severe restrictions be prevented, but ridiculously impotent regulations must be avoided. At the start there should be a two-year limitation, so that the regulatory powers could be withdrawn if they have resulted in abuses. There should be some statutory limitations beyond which the commission could not go. And there should also be a statutory advisory committe with wide representation to consult with the commission.

Legislation to delegate regulatory powers would not be complicated. Section 14 of the Fish and Game Code could be amended to delete the sentences which limit the regulations to sport fishing and hunting Sections 14.2, 15, 15.1, 15.2, and 15.3 could be amended to include provisions for annual and special meetings of the commission to establish or amend regulations for commercial fishing and to provide for the advisory committee which would be consulted prior to the adoption of any regulations.

The advisory committee, insofar as sardines and mackerel are concerned, should consist of five members as follows: One representative each of labor (fishermen and cannery workers), boat owners, management (plant owners), organized sportsmen, and a member of one of the legislative committees on fish and game. Provisions should also be made for similar advisory committees for other fisheries because the people most conversant with sardine and mackerel problems might not be as well qualified to advise on such diverse fisheries as salmon and tuna.

If these regulatory powers were granted to the Fish and Game Commission, the Bureau of Marine Fisheries would recommend the following program to the commission. In the case of sardines and mackerel, all that is necessary is to set seasonal catch limits or quotas based on our knowledge of the fishery. The limits would be set to afford maximum

utilization of the fish without endangering the supply. When the amount that can be taken safely has been caught, fishing stops and the fishermen and plants can turn to another fishery without dragging the season on and on with everyone operating at a loss. Furthermore, there is no need for a troublesome size limit to harass the fishermen. The method of control by seasonal quotas has been successful in other fisheries and is the only practical way of regulating the fishery so it will recover.

To safeguard the industry from fears that the Fish and Game Commission would set an unreasonable limit or method of allocation, it is important that there be a statutory advisory committee to offer guidance.

There should also be statutory minimum seasonal limits below which the commission could not cut the allotments. To rehabilitate the sardine fishery quickly, initial limits should be no higher than fifty thousand tons. However, this figure would be so low as to hamstring the industry. To set everyone's mind at rest on this point we recommend that the law specify that the California sardine processing industry not be cut below one hundred thousand tons per year. This may result in a delay in recuperation but would be less harsh on the fishery. For Pacific mackerel the minimum figure above which the commission could set limits would be 15,000 tons (this compares with a state-wide catch in 1947-48 of a little less than twenty thousand tons). A minimum figure for jack mackerel is not as easily set. We know very little about this species. Last year's record catch was 71,000 tons; previously landings were but a fraction of that figure.

The opening date for all three species should be identical and should also be uniform through the State to avoid confusion. Unless the industry wishes a definite date of determination to plan for closing their operations, there need be no end date. Fishing would continue until the quota for any one species is reached, and would then cease as far as that species is concerned. In order to avoid interference with fishing for the species for which limits had not been attained, it would be necessary to make allowances for mixed loads. It should be provided that mixed loads containing less than 15 percent by weight of any species for which the limit has been reached may be taken.

There are several ways to allot quotas under a seasonal limit system:

(a) A state-wide industry-wide quota with all boats and plants starting simultaneously on a first-come, first-served basis. This sort of plan has been satisfactory in the halibut fishery.

(b) Regional allotments, with each area receiving its own quota.

(c) Each plant given a specific seasonal quota, under permit, based on previous operations. This would be the most equitable method.

(d.) Each vessel given a specific seasonal quota, under permit, based on size of boat.

(e.) Combinations of any of the above.

As far as we are concerned, the details of allotments can be worked out with the proposed advisory committee, and should offer no serious obstacle once the principle of regulation by seasonal limit is adopted.

To be entirely successful, a seasonal catch limit should be coastwide, including allotments to California, Oregon, Washington, Canada, and Mexico. However, inasmuch as California accounts for nearly 90 percent of the coastwide catch, California should take the lead in adopting a wise management program. If California initiates a system of seasonal

limits, it is quite likely that Washington and Oregon, as fellow members of the Pacific Marine Fisheries Commission, will follow suit, and probably Canada and Mexico could be induced to enter into such a program. Even if California pursues a lone course, the maximum benefit of its conservation program would inure to the California industry.

The total bag limit system can be expected to aid the recovery of the sardine and mackerel fisheries with a minimum of dislocation to the industry. Other methods of control which have been recommended to your committee by various persons will not do so. Some are not truly remedies, they are panaceas. Our recommendations on these follow:

Closed Seasons

As far as conservation of a pelagic migratory fish is concerned, a closed season offers little protection. The principal protection needed by such fish when faced with overfishing is a reduction in the fishing intensity. To effect this, a closed season would have to be so long that little time would be allowed for fishing. If the open season were cut down enough to help the sardine or mackerel, it would have to be so short that adverse weather could conceivably prevent any fishing in some years. Only a seasonal limit system can insure a season both short enough to protect the fish and long enough to permit a maximum safe catch.

In these days of trucking fish from region to region it is necessary to have the season open on the same date throughout the State.

Prohibition of "Summer Pack"

If a closed season were the principal type of control, it would be necessary to have a complete closure except during the short open season. This would mean there could be no so-called "summer" or "specialty" pack.

With a seasonal catch limit allotted to individual plants, those processors who wished to provide year-around employment for their fishermen and cannery workers could save some of their plant allotment and utilize it during the off season.

Closed Areas

Closing areas to protect pelagic migratory fish is not an effective control measure. The principal help is to protect nursery grounds where the young fish gather. However, there are other reasons for maintaining some closed areas.

We recommend retaining the closed area at Santa Catalina Island. This is an important and historical sport fishing reserve. Because bluefin tuna cannot be taken on hook and line in any area where they are harassed by nets, this is the one and only place that sportfishermen can catch these fine fish. Furthermore, Catalina is a very important nursery ground for young Pacific mackerel which would be subjected to undue fishing pressure if the area were opened.

We also recommend that Santa Monica Bay be retained as a closed area. This is a very important sport fishing district, close to large population centers and subjected to heavy party-boat fishing. It also constitutes a resting area for sardines and mackerel. The law should be revised, however, to make the closure complete and eliminate the use of bait nets for everything except live bait. The law should provide that no fish, except live bait, may be taken or possessed on any boat carrying a net. This would correct present abuses whereby asserted bait is diverted

to canning, which means that so-called bait boats fish in the bay while purse seine boats must stay outside.

We recommend that District 118A along the coasts of San Luis Obispo and Santa Barbara Counties be abolished. This closed area serves no useful purpose whatsoever, either as a conservation measure or as a sport fishing reserve.

Size Limits

During the present season the size limit, imposed as an emergency measure, has afforded some protection to small sardines in Monterey Bay. However, the size limit caused hardship and ill feeling, and it was obvious that there was little desire on the part of a large segment of the industry to cooperate in making the measure effective. It is a difficult regulation to observe on the part of the fishermen, and is practically impossible to enforce.

A size limit on such fish as sardines and mackerel attempts to serve two purposes. Its principal objective is to provide larger fish for the processor. The small fish require more labor to pack, produce a lower case pack, yield less oil, and result in a product of poor appearance and quality. In this connection, conservation is not involved. To meet this objective, all that is necessary is for the processors to refuse to accept small fish. There is no reason why the state's conservation agency should have to insure that the canners receive the kind of fish they prefer.

The other purpose is to protect the young fish until they are mature and until they are large enough so that a given number of individual fish will produce the maximum tonnage. When no other type of control is available, it is necessary to resort to a size limit, such as during the present season, even though it is all but unworkable.

The same results would be obtained under a seasonal limit system. No processor having a definite allotment would accept small fish because it would result in a lower total case pack at increased cost.

A size limit will work only if all members of the industry are in wholehearted support of the measure. More than any other type of regulation, a size limit requires complete cooperation of all concerned.

Increased Case Pack Requirement

The present statutory requirement that a canner must pack 13½ cases per ton of sardines is inadequate in that it permits him to place more than half of every ton in the reduction pit. In effect, a canner can be a reductionist without a reduction permit. An increase in the requirement to at least sixteen cases per ton is recommended. In actual practice most canners pack twenty or more cases to the ton. A higher requirement would mean that processors would not accept over-loads of mushy fish or loads containing too many small fish. In the long run this would mean better utilization of the resource. However, as long as canneries have reduction permits they can credit as much fish to their permits as they wish and thus ostensibly meet their pack requirement. Unless reduction permits are divorced entirely from cannery operations there is not much point in increasing the pack requirement.

Prohibition of Fish Trucking

We recommend that there be no prohibition of transportating sardines and mackerel from one region to another. There is no valid reason, from a conservation standpoint, for prohibiting this practice as long as

spoilage and waste do not result. Other fish such as albacore, salmon, sole, crabs, and lobsters are shipped back and forth the length and breadth of California to promote their better utilization.

However, there should be uniform state-wide open seasons to obviate the difficulties and confusion arising from hauling fish to and from open area.

Exclusion of Out-of-state Boats

The West Coast purse seine fleet is over-built as far as the sardine and mackerel fisheries are concerned. When vessels from Oregon, Washington, and Alaska move into the Southern California fishery it means that there are more boats operating than the reduced supply of fish warrants. From some standpoints it may be desirable to limit the total number of boats fishing, perhaps by issuing annual permits.

However, the United States Constitution guarantees equal rights to all citizens and residents of the Nation regardless of the state of residence. It is doubtful if California could exclude out-of-state fishermen even if it were desirable, and permits would have to be issued to residents and nonresidents on an equal basis. Furthermore, what constitutes an out-of-state boat—port of registry, state of crew's residence, or state of owner's residence, especially if a local cannery owns a share of the vessel?

If the seasonal quota system to be adopted includes individual boat limits, then tonnages caught in Oregon or Washington would apply against the northern boats and would not be available in California. Such a system of boat-by-boat allocation would be difficult to administer and would be subject to all sorts of abuses, however.

A Separate Fisheries Commission

We understand that your committee has under consideration the establishment of a separate fisheries commission. The Bureau of Marine Fisheries has no recommendations one way or the other in this connection, but wishes to call several points to your attention.

Any separate commission should have jurisdiction over both commercial and sport fisheries of marine and anadromous fish. It is impossible to differentiate between barracuda taken by sportsmen or by market fishermen, or between anchovies taken for bait or for canning. Any agency would be unable to function if its research, management or enforcement were limited to only part of any fishery. If sport and commercial fisheries commissions are independently regulated two parts of the fishery for the same fish, conflicts will inevitably result.

The membership of a marine fisheries commission should be composed of men who have no financial interest in the fishing industry. Otherwise there would be everlasting bickering over appointments and policies by all segments of the industry which were not given representation. The outstanding fisheries commission is the Oregon Fish Commission. Much of its success is due to the fact that its members are sympathetic to but not part of the fishing industry.

A separate fisheries commission would be neither more nor less successful than a combined fish and game commission unless it were given broad regulatory powers. Only with some degree of discretion could it serve the fisheries' best interests. Again we refer to the Oregon Fish Commission which has considerable plenary authority and which has operated consistently in such manner as to beneft the fisheries.

B. *Recommendations of Committees Representing Monterey Fish Processors Association, Monterey Purse Seine Association, Monterey A.F.L. Fishermen and Cannery Workers, and San Pedro Fishermen and Cannery Workers*

Amend 1065 to provide as follows:

(a) Sardine season in Northern California to start August 1st and terminate December 15th.

(b) Sardine season in Southern California to start September 1st and terminate January 15th.

(c) There shall be no fishing on Saturday and Sunday nights.

(d) No fishing during full moon two days before and two days after full moon.

Provide further for a summer season which shall:

(a) In Northern California begin May 15th and end July 15th.

(b) In Southern California begin May 15th and end July 15th.

(c) In Northern California between December 16th and May 15th and between July 16th and July 31st there shall be no fishing for sardines for any purpose, and in Southern California between January 16th and May 15th and between July 16th and August 31st there shall be no fishing for sardines for any purpose.

Provide further that during the *closed sardine seasons* when fishing for species not prohibited, a load of mixed fish containing 25 percent or less by weight of sardines shall be considered a *legal load.*

All of the above legislation to terminate on July 31, 1951, and present 106's to go back into effect.

Repeal any code section which provides for the catching of sardines for bait, unless caught during the legal sardine season or summer sardine season.

Repeal Section 1063.

Repeal Section 741.

C. *Recommendations of the California Fish Canners Association, Inc.*

1. The Legislature appropriated $300,000 to the University of California to be expended through the Scripps Institute on Fishery Research. This money is being expended carefully by the Scripps Institute in cooperation with the Bureau of Marine Fisheries and the Fish and Wildlife Service to obtain the greatest possible result from the use of this money. The program which has been developed must continue for several years in order to produce a verified conclusion. We, therefore, recommend an additional appropriation of $300,000 for the next biennium to the University of California for use through the Scripps Institute in the same manner as the appropriation made by the last Legislature.

2. The last Legislature created by law, a research committee, appointed by the Governor, to expend a fund to be accumulated by an added 50 cents per ton tax on sardines. This committee is working with the Scripps Institute, the Fish and Wildlife Service and the Bureau of Marine Fisheries so that all of the research work can be properly coordinated. We recommend the continuance of the tax and the committee, although we understand the recommendation will be made by the Bureau of Marine Fisheries for a slight change in the law assessing the tax so that it will conform in language to the section assessing another 50 cents per ton for the support of the Fish and Game Commission.

3. The sardine season in California, historically, has been different in the various districts. At present, the season opens in Monterey and San Francisco on August 1st, and closes January 15th. The season in Southern California opens October 1st, and closes February 15th. We recommend a uniform season for the whole of the State and believe it should open September 1st, and should end February 15th.

4. Section No. 1065 of the Fish and Game Code, permits the packing of sardines in quarter square cans at any time during the year, restricting the use of sardines for any other purpose except during the season set by law. We believe there should be no differentiation between the type of can and that the section referred to should be amended so that there shall be no canning or other use of sardines except during the season set by the Legislature.

5. There have been continuous controversies in the Legislature and between various interested people in the matter of closing areas to net fishing. We believe this whole problem should be carefully considered either by your committee or by some subcommittee especially appointed for the purpose of making the study so that a general policy may be adopted with respect to this matter. It is the considered opinion of those who know, that closed areas to net or other types of fishing does not promote conservation and is bad fishery management, but there are other factors to be considered in this problem besides conservation.

6. We believe the program recommended to the Fish and Game Commission by the Sardine Advisory Committee, appointed by it from industry for the current year has been extremely beneficial to the fishery and should be continued. This program includes the following:

a. A Fishery Advisory Committee appointed by the Fish and Game Commission from industry. We believe this committee should be given some legislative sanction so that it has more official standing.

b. A regulation on the size of sardines which may be taken from the ocean. Legislation should be adopted to make the power of the commission greater in the matter of fixing size limits on fish.

c. A two-day rest period in each week of the season so that fishing is carried on only during five nights of each week, which, of course, reduces the total number of days fishing during the legal season. This practice should be continued; the right to the commission to increase or decrease the number of days fishing permitted in each calendar week, depending upon the circumstances then existing.

d. The commission reduced the tonnage permitted for reduction to less than one thousand tons per permit. This practice is being followed and the tonnage kept within the limits which will make certain that no more than a reasonable tonnage of fish be taken from the ocean each year.

D. *Recommendations of the Fishermen's Co-operative Association and the Federated Boat Owners' Association.*

1. That the Fish and Game Commission should not be given plenary powers.

2. That size limit should not be established by law.

3. That there should be a uniform sardine season throughout the State—to begin September 1st, and end January 15th—however the closing date should be left open.

4. No summer pack.

5. There should be no bag limit established by law.

6. There should be a separate commercial Fish and Game Commission.

7. There should be no closed areas because closed areas contribute nothing to conservation.

8. A resolution should be adopted banning the lobbyist for the Fish and Game Commission.

E. *The recommendations of the International Fishermen and Allied Workers of America, Local 33:*

The IFAWA feels that a comprehensive program for the conservation of the sardine and mackerel industries is indicated. The union is anxious to cooperate with the regulatory agency and the rest of the industry on such a program. In the absence of an agreement on what a comprehensive program should consist of, the union makes the following recommendations which are in the form of a two-year trial program.

At the conclusion of the two years, if there is no improvement in the sardine and mackerel fisheries, the union believes the entire program should be reviewed and additional measures taken

1. In order to reduce the amount of the fishing effort, the union proposes shortening of the season and making the season uniform throughout the State. The season should be from September 1st to December 31st.

Such shortening of the season and making it uniform will assure equal distribution of fishing boats throughout the entire fishery. The elimination of the concentration of vessels in an area will tend to reduce the total fishing effort.

2. Elimination of the so-called summer pack.

3. Granting of authority to the Fish and Game Commission to regulate the case pack in order to assure best utilization of the sardine resource.

4. No size limit. The union believes that if a further reduction of the fishing effort is indicated, a better way of accomplishing it would be through the imposition of total tonnage limitation rather than a size limit.

5. Establishment of the commercial fisheries commission in order to:

a. Regulate the commercial fisheries in California; and

b. Promote the development of the commercial fisheries.

In case the Legislature fails to establish a commercial fisheries commission, as a minimum the union believes that an advisory committee on the sardine and mackerel fisheries should be established, with authority to review the work of the Fish and Game Commission in that field and make recommendations for effective utilization of those fisheries.

6. In order to assure accurate determination of the amount of fish landed by commercial fishermen, the Fish and Game Commission should employ weighmasters to be assigned on a rotation basis to the various buyers of fish. The cost of such weighmasters should be assessed on the industry on the basis of a tax per ton of fish delivered.

7. In order to stabilize the economic condition of the California fishing industry, the price support program similar to the one granted

agriculture should be enacted by Congress. In that connection, the union recommends that the Legislature memorialize Congress to that effect.

B. Abalones

The Fish and Game Commission has apparently shown very little interest in the conservation of the California abalones. In the opinion of this committee, the situation is such that within several years there will be a marked depletion of this important resource unless a sound and intelligent program is adopted by the State Legislature for the conservation of the abalone in the waters of this State. Attention is directed to Section 802 of the Fish and Game Code which reads as follows:

> "Abalones may not be taken for commercial purposes except under a revocable permit issued by the commission, and under such rules and regulations as the commission may prescribe. Diving apparatus may be used to take abalones in water not less than 20 feet in depth in those portions of Districts 18, 19, 20, and 20A as may be designated by the commission, and in District 10 only in water lying south of Point Lobos. It is unlawful to take abalones for commercial purposes, the shell of which, measured in the greatest diameter, is less than the following specifications: Red abalone, eight inches; green abalone, seven and one-quarter inches; pink abalone, six inches; black abalone, six inches."

The authority contained in this section is such that the Fish and Game Commission can establish pack limits and prescribe minimum sizes greater than those indicated in the above section. Since the California State Legislature has delegated this authority to the commission, it is the opinion and recommendation of this committee that the commission immediately undertake a survey on this subject in California and act accordingly.

C. Inland Fisheries (Salmon)

The committee presents the following excerpts from a report by the Northern California fishing industry on inland fisheries covering arguments and significant evidence against closure to commercial fishing of the Sacramento and San Joaquin Rivers, San Francisco Bay, and various tributaries to commercial fishing.

a. Economic Effects

Significance of Closing this Fishery to Commercial Fishing

Closing of these waters to commercial fishing would wipe out an important section of one of California's most important industries. California supplies one-third of all fish caught in the United States. The Sacramento and San Joaquin river fishery supplies between 35 and 50 percent of the California salmon catch, one of the most important catches in the California fishery. New legislation which would deny the use of any part of this vital resource to all of the people of the state must be regarded with alarm particularly since the benefits alleged for such legislation in the form of "conservation" are declared by impartial fishery scientists to be utterly without basis in fact. In this connection, it would be well to remember that the people of California, who normally vote "Yes" on legislation for constructive conservation, defeated this measure by a margin of nearly two to one.

Effect on the Economy

It would be an error to consider closure of these waters to commercial fishing as affecting only the areas in question. The operations of the fishing industry are highly interdependent. Closure of these waters would ostensibly affect the 80 miles of river and bay now open to commercial fishing. Actually, many other state-wide operations of the fishing industry are dependent on the catch within these waters for their margin of profit.

Just as important is the fact that closure of these waters under political pressure from sportsmen's groups would set a precedent for closure of other important water areas under similar circumstances. This would result in a type of "ballot box biology" management of California's fishery resources through political rather than scientific methods.

The Sacramento-San Joaquin River,
San Francisco Bay Area-Salmon Center

The greatest importance of this area is its leadership in the production of salmon. Salmon is one of the most important food fishes in the world and the area under discussion produces between 35 and 50 percent of the entire California salmon catch varying from year to year. This catch would be entirely eliminated by closure of the area to commercial fishing.

It has been argued that the river and bay fishing fleet could go outside the rivers and pay for their catch—into the open ocean. The fact that the river and bay fishing boats, their equipment, the methods used by river and bay fishermen, and the physical circumstances of the catch are entirely unsuited to ocean fishing. Closure of the area to commercial fishing would mean scrapping of the river and bay fishing fleet and the total elimination of its important salmon catch.

Not only would the fleet itself be scrapped, but so also would be the jobs of the fishermen, and the profits and sales of many industries dependent on the fishing industry. Among these are boat builders, net makers, gasoline and oil suppliers and others who directly or indirectly service the fishing fleet, together with the employees of the wholesale and retail fish dealers, the transportation concerns which haul the fish and the retailers who sell to the workers in the fishing industry.

Pittsburg—A Typical Sacramento River Fishing Town

All along the shores of the Sacramento and San Joaquin Rivers, within the area open to commercial fishing, are towns whose principal industry is fishing or whose economy is dependent in large part on fishing.

One of the more important of such towns is the thriving City of Pittsburg. While not a one-industry town, Pittsburg's prosperity depends to a very great extent on its highly important fishing industry. Pittsburg's fishing industry is one of the oldest on the Pacific Coast. The first commercial fishing done was to supply the gold miners in the days of the '49ers.

Many Pittsburg families have fished on the river for generations. They are steeped in the special skills and lores of fishermen. Their way of life is based on the industry.

Pittsburg is one of the river towns which would be seriously damaged by closure of these waters to commercial fishing. An investment of approximately five million dollars in the industry would be wiped out.

An annual income of approximately two millions dollars from the industry and allied industries would be eliminated. Many retail stores and business establishments in the City of Pittsburg would have to close their doors.

More than one hundred eighty fishing boats, which with their gear represent an investment of between five thousand and fifteen thousand dollars apiece, would be laid up in boat graveyards. More than five hundred Pittsburg residents, employed in the industry, would be thrown out of the occupations they learned from their fathers and from their father's fathers. The danger to the community during the campaigning against Proposition 6 was considered so grave that the mayor, the city council and the heads of every organization in the city made a special appeal to the voters of the State to vote "No" on the measure.

The story of Pittsburg would be the story of every other river and bay fishing community if these waters were closed to commercial fishing.

Effect of Closure on the Total Fishery in the Waters Affected

While salmon would be the principal catch affected, there are other important species which would be similarly affected.

1. Effect on landings in the San Francisco region:

By far the most important catch of the Sacramento-San Joaquin River, San Francisco Bay area is salmon. This catch would be entirely eliminated. In addition, the entire catch of San Francisco Bay shrimp, most of the anchovies, herring, smelt and whitebait and all carp landings would be eliminated, since these species are caught wholly or largely in the waters which would be affected.

2. Effect on landings in the Sacramento region:

Closure would have a drastic effect on landings in the Sacramento region, eliminating almost all landings, exclusive of sardines.

3. Combined effect for both Sacramento and San Francisco regions:

The following table will graphically show the effect of closure of these waters on the catch landings in both the San Francisco and Sacramento regions.

Effect of the Proposed Law on Commercial Catch in Sacramento and San Francisco Regions Combined
Based on 1947 Catch
(Thousands of pounds)

	Catch			*Elimination*			
Species	*Sacto.*	*S. F.*	*Total*	*Sacto.*	*S. F.*	*Total*	*Percent*
Salmon	3323.9	1485.7	4809.6	3323.9	--	3323.9	69.1
Anchovies	--	390.2	390 2	--	390.2	390.2	Almost all
Carp	121.5	115.6	237.1	121.5	115.6	237.1	Almost all
Catfish	281.9	17.0	298.9	281.9	17.0	298.9	100.
Herring, Pacific	--	662.3	662 3	--	533.7	533 7	80.6
Perch	--	69 3	69.3	--	24.9	24.9	35.9
Shad	305.1	--	305.1	305.1	--	305.1	100.
Shrimp	--	841.1	841.1	--	841.1	841.1	100.
Smelt	--	433.2	433 2	--	386 9	386.9	89.3
Whitebait	--	73 7	73 7	--	54.0	54.0	73.3

Source: Bureau of Marine Fisheries, letter dated June 30, 1948, from Richard S. Croker, Chief, Bureau of Marine Fisheries, to Lloyd Turnacliff, Manager of Meredith Fish Company.

Effect of Proposed Law on Salmon Catch

As indicated, salmon is by far the most important catch in the San Francisco and Sacramento regions. The entire Central Valley salmon catch, amounting to 75 percent and 69 percent respectively, of the 1946 and 1947 salmon catch for these two regions, would be eliminated by closure of these water areas.

Even on the basis of the total state catch of salmon (including the substantial Eureka catch and a small Monterey catch) the effect would be substantial, amounting to 47.5 percent of the poundage and 38.8 percent of the value on the basis of the 1946 California catch. In other words, almost half the 1946 salmon catch would have been eliminated had closure been in effect at that time.

However, the effect of such closure would be even more far-reaching than the figures indicate, since the anticonservation aspects of closure would also probably cut down the future ocean catch of salmon attributable to the Sacramento and San Joaquin Rivers.

A very large portion of the ocean catch of salmon represents salmon originating and spawning in the two rivers. The closure of the rivers to commercial fishing may, paradoxically, result in an adverse effect on the size of the population in these rivers because of overcrowding of the spawning areas. This in turn would ultimately reduce the size of the ocean catch of salmon originating in these rivers.

The following will indicate the importance of these rivers in the California salmon supply:

"In 1946, the total commercial salmon catch in California exceeded all previous years of record amounting to 13,649 pounds. The Sacramento-San Joaquin River gillnet fishery landed 6,462,050 pounds and 7,187,623 pounds were landed from the ocean troll fishery. Results of analysis of the offshore tagging experiments demonstrate that approximately 92 percent of the troll catches south of Point Arena and 55 percent north of that point are chinook salmon attributable to Sacramento and San Joaquin Rivers. Applying these percentages to the total troll fishery landings, it is found that 4,928,534 pounds of chinook salmon of Sacramento-San Joaquin River origin were taken. The total catch attributable to these stream systems is then 11,390,584 pounds."

Source: Unpublished data of the U. S Fish and Wildlife Service, based on tagging experiments of the Division of Fish and Game of California.

b. Protection of the Fishery

In February, 1948, marine fishery biologists of the three Pacific Coast States met in San Francisco, at the request of the Pacific Marine Fisheries Commission to consider the development of plans for management of the fisheries of the Pacific Coast.

As a result of these sessions, a joint report has been prepared by the biologists and submitted to the Pacific Marine Fisheries Commission in April of this year.

Basic Requirements of Conservation

In the introduction to their report, here is what the biologists have said:

"It should be understood that the problems regulating the harvest of any fishery must be based on certain fundamental knowledge. It is necessary, when a coordinated conservation program for widely separate

areas is considered, to not only thoroughly understand the inter-relationships of the separate and contiguous fisheries but to obtain basic knowledge necessary throughout the range of the fishery to properly regulate the yield. Before any fishery can be properly managed to obtain constantly the maximum yearly harvest, a number of fundamental concepts must be evaluated:

1. The life history of the fish including the knowledge of the growth, age and maturity;
2. The habits of the fish, including the range of migration;
3. The effects of the existing fishery on the populations, which includes the loss due to fishing;
4. The losses due to natural causes throughout the life of the fish.

Conservation Must Be Based on Facts

"Woven into this pattern must be a knowledge of the young and effects of environmental conditions such as ocean currents, foods, and temperatures on the migrations and availability of the fish. Many times levels of abundance most suitable from a scientific standpoint are not in harmony with the economic levels of harvest. Then adjustments must be made to allow the most economic utilization of the resource by diverting the catch into channels yielding the greatest benefit. Thus it can be seen that for adequate control and fisheries conservation, considerable effort must be expended to base regulations on facts."

In other words, a sound program of conservation must be based on facts and not on the opinions of amateur biologists or other self-styled conservation experts.

Salmon Conservation

In regard to salmon conservation the following pertinent statements appear in the Tri-State report:

> "The inside fisheries have borne the brunt of conservation measures for the salmon runs. Some of the regulations on these fisheries and chiefly those concerning river fisheries have been formulated with very little consideration of the basic principles of fisheries management."
>
> "* * * Some rivers have been closed entirely to commercial fishing with disappointing results to the proponents of such measures."

Overpopulation of Spawning Beds

> "A few experiments on some species of salmon indicate that there is an optimum number of spawners that each stream can accommodate. More than that number overpopulates the spawning beds and the resultant production of young fish is reduced. Less than this number results in an underutilization of the spawning areas, producing also a reduced number of young fish."

Recreational Fishing in the Bay and Rivers Is Already Protected

In proposing a recreational area for the bay and rivers, the promoters of Proposition No. 6 actually posed a false issue. By law, 1,120 miles of the rivers affected are already set aside for sport fishing only. Only 80 miles of river are now fished commercially and that fishing is

under stringent regulation as to size of net, species which can be caught, closed seasons, and days of the week in which no commercial fishing can be done. For example, salmon and shad nets are allowed to operate only from Sunday night to Saturday morning and only in certain sections of the river areas so that sports fishing will be interfered with as little as possible.

Striped Bass Prohibited to Commercial Fishing

Striped bass, a popular sports fish, is already set aside for recreational purposes only. It is prohibited to commercial fishing. It should be noted that approximately one hundred thirty-five striped bass were transplanted into the Sacramento River from the Hudson River around 1879 at which time salmon nets were in operation. Today there are millions of pounds of striped bass on the river. It is hardly logical to say that *netting* has *reduced* the number of striped bass available to sportsmen. What is really remarkable is that in spite of a tremendous increase in angling licenses and striped bass anglers, the striped bass population is still increasing.

Sportsmen Resisted Bag Limit on Striped Bass

Moreover, it should be noted that when an amendment was introduced at the January 9th and 10th, 1948, meeting of the Fish and Game Commission to reduce the bag limit on striped bass, it was vigorously opposed by sportsmen's representatives, who state *that there is no shortage of striped bass.*

Fish Expert Discounts Connection Between Netting and Striped Bass

Dr. Richard Van Cleve, acting director of the University of Washington School of Fisheries, former chief of the Bureau of Marine Fisheries, California State Division of Fish and Game, writes:

"It is difficult for me to see the connection between the net fishery and food for striped bass unless the proponents of this theory are contemplating using young salmon and shad for the food. In either case, this looks like expensive food to me and very uneconomical, to say the least, even if it has been proved that salmon and shad form a major part of the striped bass diet."

Danger to Striped Bass Population From Removal of Netting

Dr. Van Cleve goes on to say:

"Has anyone considered carefully from the viewpoint of competition between populations, what might happen if the fishing pressure is lifted from the shad? Common sense would dictate that the possible consequences on salmon as well as striped bass of this factor alone should be considered before any action is taken. The prohibition of net fishing in the bay would turn the shad loose and whether this would be a benefit to the two principal sport species is still unknown. Certainly the striped bass would receive little more protection than they do right now. In fact, the sports fishing pressure might be increased. The shad would not be taken at all and would be free to increase. They have shown already that in other words, protection of the shad will probably provide no more feed for other species (since the food of those other species has not been found to include large numbers of shad), but it might even result harmfully to the bass."

Netting is an Efficient Way to Harvest Salmon

The scientific evidence points to the conclusion that actually netting in the bay and river is a major contributing factor to sound conservation and sensible use of the salmon supply. For example, Dr. Van Cleve writes:

"* * * Loss of the net fishery would probably mean a net loss in the annual harvest and also a net loss to conservation, principally through a reduced control of escapement. In my opinion the sports fishery is not capable of taking the optimum salmon harvest from the river at least by legal means."

Tremendous Increase in Sport Fishing Licenses

A factor ignored by the promoters of closure are the much greater numbers of Californians turning to sports fishing as recreation and the effect of this increase on the amounts of sport fish available to anglers.

The records of the Fish and Game Commission show the following increases:

1944	441,920
1945	560,330
1946	776,750
1947	950,000

Even with this tremendous increase in anglers, the sport catch in the 1948 fishing season on the river, in the bay and in the ocean off the mouth of the bay was very good.

Fishing Industry Recognizes Joint Interest of Industry and Sportsmen

The dealers and the unions of employees within the industry have long recognized the joint interest of sportsmen and commercial fishermen in maintaining *and increasing* the supply of all varieties of fish. The very important problems of water pollution, fish ladders, etc., are the true conservation problems in the area affected by the proposed legislation. The dealers and the unions within the industry have a record of initiating conferences and action to meet these problems.

Fishermen's Union and Dealers Ahead in Conservation

For years the Fishermen's Union and the dealers have recognized that the pollution of the rivers and the dams on the river streams are extremely destructive to the salmon fishery.

In 1945, when the U. S. Corps of Engineers planned to construct the Table Mountain Dam the active campaign and expose of the ill-conceived plans of the engineers, which the dealers and the union conducted, brought about the shelving of the Table Mountain Dam project (see Table Mountain Dam report of the Salmon Conservation League of California).

Furthermore, the commercial fish dealers and the unions of employees in the industry have done more than any sportsmen's groups to encourage scientific management of the fisheries.

1. The commercial fishing industry has paid a 50 cents per ton tax since 1917 for fish research and patrol. The Twenty-fifth Biennial Report of the State Fish and Game Commission (1916-1918) notes: "This bill became law in 1917, and its passage by the Legislature was in large part due to the approval and support of the majority of the persons who were to be taxed."

2. The commercial fishing industry has thus paid more than five million dollars to help support the Fish and Game Commission which serves the interests of all fishermen, commercial and sportsmen.

3. In 1947 the fishing industry caused the State Assembly to add another tax of 50 cents per ton to help provide additional funds for fish research.

The fish dealers and the unions of employees of that industry *have to be interested* in conservation of fish. If the fish supply disappears or grows substantially smaller, they lose their investments and their jobs.

The fishing industry recognizes that the purpose of conservation is to *increase* the value of the fisheries for the general benefit of the entire population. The industry seeks to *increase* the fish population and consequent harvest of fish for all groups.

IV. BUREAU OF PATROL AND ENFORCEMENT

The Bureau of Patrol is one of the bureaus in the Division of Fish and Game to which little criticism has been directed in the past, and the committee is of the opinion that a splendid job is being performed by all concerned. The wardens in the field appear to be men of high integrity and apparently must have an unusually great liking for their work to continue their employment at their present low rate of pay.

The committee recommends that dwelling places be constructed on our refuges and game farms wherever possible in order to house as many of the wardens and other Fish and Game employees as is practicable. It is further recommended that a considerable amount of money should be allocated for this purpose from the Fish and Wildlife Preservation Fund. In the opinion of the committee the homes should be constructed in a uniform manner so that household furnishings can be readily moved from one location to another without difficulty when wardens and other employees are transferred from one part of the State to another.

Investigation leads the committee to conclude that additional jeeps should be furnished to the wardens who are on patrol in rugged and inaccessible terrain. This type of conveyance is virtually the only one which can be operated economically in very rough country in contrast to regular automobiles which in many instances are severely damaged leading to unusually high maintenance and repair costs. The committee further recommends that one or two additional airplanes be secured to augment the facilities available to the Bureau of Patrol in its work. The planes now in use have definitely proven their value many times over in dollars and cents.

V. BUREAU OF LICENSES

The committee's report on the activities of this bureau is brief as it is felt that a very fine and efficient job is also being done here. There are no indications that this bureau is in any way overstaffed, and in fact, they are to be commended on the manner in which the staff has been held to a minimum.

The committee has made certain recommendations with regard to the Bureau of Licenses in the form of legislation which is now in the process of being considered at this session of the Legislature.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—at 3 p.m.

Transportation and Commerce.

Public Morals, in Room 332.

Ways and Means. Subject: Budget, Department of Corrections.

Subcommittee on Finance and Insurance. Subject: State Banking Act.

Tonight—at 8 p.m.

Civil Service and State Personnel.

Revenue and Taxation.

Industrial Relations.

Tomorrow, Friday, April 15th, at 9 a.m.

Subcommittee on Ways and Means. Subject: Capital outlay.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Larry Huss of Los Angeles.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Winifred Blalock of San Marino.

On request of Mr. Huyck, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Herbert Freston of Beverly Hills.

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Joe Lewis, Miss Patty Lewis, and Miss Dixie Jo Lewis, of Buttonwillow.

On request of Mr. Heisinger, the usual courtesies of the Assembly for this day were unanimously extended to Lois Riggins, Phyllis Audrain, Sue Quibell, Ellen Quibell, Alice Chaddock, Eric L. Mitchell, and Mr. and Mrs. Robert Clark of Fresno.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Allan Woodson, teacher, and the following Sunday School pupils of the First Methodist Church of Sacramento: Douglas Barth, Donald Bryant,

Brenda Buckner, Carol Callahan, Claudett Mason, Kathleen Mulcahy, Jane Takahashi, Charles Tanner, Robert Wharton, Marline Davis, Larry Wray, Joan Barth, and Earlane Wharton.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. John A. Webb, Jr., and Rosie Pitman, of Davis.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Lawrence C. Smith, Mrs. Lawrence C. Smith, Glenn Cunnison, and Mrs. Glenn Cunnison, of Pomona.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to William Milano of Pittsburg, and Ray Johnson and William Raynolds of Richmond.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Joe Herman and C. W. Hutchinson of San Francisco.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Juanita Macdonald, guardian, Koda Group of Camp Fire Girls of Napa; Mrs. Ruth F. Haven, guardian, Woplasi group; Mrs. W. Harold Reams and Mrs. Lois Ferran, guardians, Latou group, Mrs. Verna Sakman, assistant, and the following members: Barbara Macdonald, LaRae Olive, Gnella Lollis, Kay Griffin, Judy Solman, Beverly Colvin, Clayla Clifft, Marlene Flaherty, Troyena Frazier, JoAnn White, Nita McPhee, Carolyn May Bynum, Margaret Land, Betty Langstaff, Jackie Larsen, Lucille Faulk, Barbara Salsman, Peggy McClung, Patsy Wayne, Norma Reames, Marilyn Mendelssohn, Dolores Piva, Patty Fitzgerald, Carole Stuebner, Betty McClung, Patty Cox, Ruby Munds, Norma Keegan, Margie Park, Betty Ann Van Sant, Margaret Gould, Janice Owen, Joan Bush, and Margaret Cable.

On request of Mr. Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Verdon Garner, guardian, of the Girl Scouts of Albany, Mrs. Gilson, Mrs. Cleveland, Mrs. Hagan, and Mrs. Garner, sponsors, and the following members: Raymond Garner, Barbara Garner, Sherry Anderson, Nancy Cleveland, Martha Arnold, Barbara Barker, Nada Cook, Nancy Geering, Carol Meyer, Julie Tick, Laura Winters, Sue Niemi, Jane Niemi, Elaine Hagan, Denise Bylund, Patty Gann, Eleanor Rosburg, Carol Garner, Helen Sherry, and Dianne Gilson.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Louis A. Gretz of Los Angeles.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lucille Derr Fitts, and son, Bob, of Los Angeles.

On request of Messrs. Hoffman and Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to Doris Hodgson of Oakland.

On request of Messrs. Anderson, Hahn, Clayton A. Dills, and Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Charley Antis of Los Angeles.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Miss Anna Henriksen and Miss Mary Staack of Los Angeles.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Wilton L. Halverson and Miss Lina Lo Schiavo of San Francisco.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to W. E. Coombs of Burbank, and Dan Kingman of North Hollywood.

ADJOURNMENT

At 1.10 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 15, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FORTY-NINTH LEGISLATIVE DAY

ONE HUNDRED THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 15, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—73.

Request for Unanimous Consent That Names Be Placed Upon Morning Roll Call

Mr. Sherwin asked for, and was granted, unanimous consent that the following members of the Subcommittee on Ways and Means, now meeting to consider Capital Outlay, be placed upon the morning roll call: Messrs. Stewart, Clarke, Lowrey, and Kirkwood.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal God: Upon this Friday let us recall how the sky darkened and how the earth shuddered at the dreadful ingratitude of men to their greatest Benefactor and Saviour.

Let us behold the fickle crowd who on the Palm Sunday welcomed Him with palm branches and shouted "Hosanna", and now cry, "Crucify Him; crucify Him."

May this spectacle remind us that the world has often crucified its benefactors, and we too may be abused or defamed for our labors for the public welfare and reap only in posterity our recompense.

May this day teach us every step of progress has come from the vicarious spirits, ready to abhor fortune and life itself, whether in the realm of history or science, or religion.

Let the Cross shine before us as the symbol of that sublime devotion which inspires the advance of mankind from the caveman to the pinnacle of civilization.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lewis, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Brady, on motion of Mr. George D. Collins.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Way, on motion of Mr. Condon.

Mr. Coats, on motion of Mr. Lewis.

ANNOUNCEMENTS

Mr. Doyle announced that Mr. Geddes will be temporarily delayed this morning, because of illness.

COMMUNICATIONS

By the Chief Clerk:

A communication and a resolution from the 1949 Grand Jury, County of Los Angeles, signed by Harry A. Lawson, Foreman, and Martha I. Johnson, Secretary, relative to the need for additional Judges of the Superior Court in Los Angeles County were received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 42	Assembly Bill No. 1567
Assembly Bill No. 44	Assembly Bill No. 1651
Assembly Bill No. 547	Assembly Bill No. 1815
Assembly Bill No. 884	Assembly Bill No. 1816
Assembly Bill No. 885	Assembly Bill No 1817
Assembly Bill No. 1207	Assembly Bill No. 1818
Assembly Bill No. 1451	Assembly Bill No. 1820
Assembly Bill No. 1452	Assembly Bill No. 1821
Assembly Bill No. 1497	Assembly Bill No. 2193
Assembly Bill No. 1557	Assembly Bill No. 2299
Assembly Bill No. 1565	Assembly Bill No. 2968

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 63

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 442
Assembly Bill No. 2424

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 3107

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 69

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1605

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 320
Senate Bill No. 635
Senate Bill No. 1081
Senate Bill No. 1393
Senate Bill No. 1526
Senate Bill No. 1528
Senate Bill No 1534
Senate Bill No. 1542

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 320—An act to repeal Sections 6309 and 6360 of the Education Code, and to amend Sections 6301, 6302, 6303, 6304, 6305, 6306, and 6361 of said code, relating to school district budgets.

Referred to Committee on Education.

Senate Bill No. 635—An act to repeal "An act in relation to the act of Congress known as the Carey Act, and all acts amendatory thereof and supplemental thereto, and giving authority to a commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof," approved June 4, 1915.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1081—An act to amend Sections 28478, 28479, and 28480 of the Health and Safety Code, relating to olive oil.

Referred to Committee on Public Health.

Senate Bill No. 1393—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Monterey, State of California.

Referred to Committee on Judiciary.

Senate Bill No. 1526—An act authorizing the gift of certain real property in Tuolumne County which is not required for existing state functions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1528—An act authorizing the sale of certain real property in the County of Madera not required for existing state functions and providing for the disposition of the proceeds of such sale.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1534—An act to add Sections 13370.1 and 13370.2 to the Government Code, relating to the control of specifications for bids.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1542—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 315
Senate Bill No. 388
Senate Bill No. 596
Senate Bill No. 1277
Senate Bill No. 1460
Senate Bill No. 1527
Senate Bill No. 1543

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 315—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies.

Referred to Committee on Municipal and County Government.

Senate Bill No. 388—An act to amend Section 483 of the Vehicle Code, relating to striking an unattended vehicle.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1277—An act adding Section 12.5 to the State Aeronautics Commission Act, relating to the operation of helicopters and similar aircraft.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1460—An act to add Section 19b to the Penal Code, relating to prisoners, authorizing county sheriffs to transfer prisoners in county jails to industrial road camps.

Referred to Committee on Judiciary.

Senate Bill No. 1527—An act authorizing the grant, without cost of certain real property, in the City of Porterville, not required for existing state functions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1543—An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2712—An act to amend Section 75 of the Streets and Highways Code, relating to highway planning

Bill read second time, and ordered engrossed.

Assembly Bill No. 409—An act to add Section 1028 to the Government Code, relating to disqualification from office or employment as peace officers for persons convicted of felonies and prescribing fingerprint records to be made of peace officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1788—An act to amend Section 861 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read second time, and ordered engrossed

Assembly Bill No. 2982—An act to add Article 14, comprising Sections 14594 to 14599, inclusive, to Chapter 2 of Part 3 of Division 12 of the Health and Safety Code, relating to the powers of the governing board of a county fire protection district.

Bill read second time, and ordered engrossed.

Assembly Bill No. 963—An act to add Section 25252.5 to the Government Code, relating to probationer's loan funds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2783—An act to amend Section 13 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a state interest, and providing the procedure for making such allocations,

and for assignment of such allocations," passed over Governor's veto February 13, 1946; otherwise known as "Construction and Employment Act"; relating to projects in which there is a state interest.

Bill read second time, and ordered engrossed.

Assembly Bill No. 767—An act to amend Sections 16 and 27 of the Vehicle Parking District Act of 1943, relating to motor vehicle parking facilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1268—An act to amend Section 1106 of the Fish and Game Code, relating to registration of boats.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1196—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1974—An act to amend Section 29907 of the Government Code, relating to elections on county bonds.

Bill read second time, and ordered engrossed.

Assembly Bill No. 736—An act amending Section 5838 of the Streets and Highways Code, relating to the annexation of territory to county maintenance districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1334—An act to add Chapter 9.5, comprising Sections 27175 to 27175.4, inclusive to Part 3, Division 16, of the Streets and Highways Code, relating to the acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds for such purposes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1376—An act to amend Section 27164 of the Streets and Highways Code, relating to bridge and highway districts, and the acquisition and construction of property thereby.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3041—An act to add Section 6915 to the Health and Safety Code, relating to sanitary districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 465—An act to amend Section 1752.2 of the Welfare and Institutions Code and to add Section 5058.1 to the Penal Code, relating to leaves of absences of employees required by the State Personnel Board to possess teaching certificates, to attend educational sessions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1509—An act to amend Section 14702 of the Education Code, relating to school district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1510—An act to amend Section 16255 of the Education Code, relating to the transportation of pupils.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1511—An act to amend Section 16252 of the Education Code, relating to the letting of contracts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2899—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2980—An act to amend Section 24402 of the Education Code, relating to community recreation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1555—An act to add Section 6 to an act entitled "An act providing for the joint exercise of powers by public agencies," approved May 20, 1921, relating to privileges and immunities of officers and employees while acting under the joint exercise of powers by public agencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3112—An act to establish the line of ordinary high tide in Avalon Bay, in Los Angeles County, California, in conformity with a certain decree of the Superior Court of the State of California, in and for the County of Los Angeles, establishing said line of ordinary high tide.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1011—An act to amend Section 5425 of the Public Resources Code, relating to recreation, park and parkway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "5", and insert "1".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "5", and insert "1".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3095—An act to amend Section 3453 of the Political Code, relating to reclamation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "or, where"; strike out line 10; and in line 11, strike out "eligible persons,".

Amendment No. 2

On page 1 of said bill, between lines 15 and 16, insert

"The by-laws of a district may be amended, as provided by Section 3452, to provide for a board of trustees consisting of five members instead of three members. In such case five eligible persons shall be elected as trustees at the next district election held subsequent to the date of amendment of the by-laws, and at each such election held thereafter."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Erwin asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1941—An act to amend Sections 4740, 4741, 4742, 4744, 4760, and 4761 of the Health and Safety Code, relating to refuse collection and disposal by county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title, of the printed bill, as amended in the Assembly on April 1, 1949, strike out "Section", and insert "Sections", and after "4744," insert "4748,".

Amendment No. 2

On page 2, line 7, of said bill, strike out "effiuent", and insert "effluent".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 247—An act to amend Section 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "_____", and insert "five thousand four hundred dollars ($5,400)".

Amendment No. 2

On page 1, line 9, of said bill, strike out "_____", and insert "eight thousand dollars ($8,000)".

Amendment No. 3

On page 1, line 14, of said bill, strike out "_____", and insert "one thousand eight hundred dollars ($1,800)".

Amendment No. 4

On page 1, line 16, of said bill, strike out "fifty dollars ($50)", and insert "seventy-five dollars ($75)".

Amendment No. 5

On page 1, line 26, and page 2, line 1, of said bill, strike out "one dollar ($1) only in case of hotel bills", and insert "two dollars ($2)".

Amendment No. 6

On page 2 of said bill, strike out lines 36 and 37.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1028—An act to add Section 4025 to the Penal Code, relating to the management of county and city detention facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", and before the comma, insert "and to repeal Section 25360 of the Government Code".

Amendment No. 2

On page 1 of said bill, strike out lines 15 to 18, inclusive, and insert "fund 10 percent of all gross sales of inmate hobbycraft"

Amendment No. 3

On page 2 of said bill, after line 7, insert

"SEC. 2. Section 25360 of the Government Code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1240—An act to amend Section 27122 of the Streets and Highways Code, relating to bridge and highway districts, and the number of directors thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out ", five directors, or".

Amendment No. 2

On page 1, line 16, of said bill, strike out ", whichever is greater".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2345—An act to amend Sections 26821, 26822, 26823, 26824, 26826, 26827, 26828, 26829, 26830, 26831, 26832, 26833, 26837, 26838, 26839, 26840, 26841, 26842, 26843, 26844, 26845, 26846,

26847, 26848, 26849, 26850, 26851, and 26852 of the Government Code, relating to fees of county clerks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "a probate proceeding or".

Amendment No. 2

On page 1, line 5, of the printed bill, after "eight dollars ($8)", insert "; provided, however, in each civil action in which the demand is for $1,000 or less, the filing fee shall be five dollars ($5)"

Amendment No. 3

On page 1, line 12, of the printed bill, strike out "a probate proceeding or".

Amendment No. 4

In line 3 of the title of the printed bill, strike out "26840,".

Amendment No. 5

On page 3 of the printed bill, strike out lines 14 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 956—An act to amend Sections 14267, 14479, 14521, 14601, 14606, 14631, 14632, 14635, 14636, 14637, and 14640 of, to repeal Section 14608 of, and to add Article 10.1 to, Chapter 14 of Division 7 of, the Education Code, relating to the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on April 1, 1949, after the period, insert

"The increased rates of contribution required by the reduction of the age at which the annuity is to be provided, shall be applied to the salary of the member not to exceed the maximum herein provided, for each school year after June 30, 1949. No adjustment shall be included in said increased rates for time prior to July 1, 1949."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 646—An act to amend Section 7408 of the Education Code, relating to school district bond elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "have pre-", and insert "mail to each registered voter with the sample ballot a brief statement of the purposes of the election. Such statement shall contain only the following information:

(a) A brief statement of the district's needs.

(b) A brief statement of the method of making the proposed expenditures."

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 848—An act to add Section 13841.3 to the Education Code, relating to leaves of absence for employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "in excess of the"; and strike out lines 10 and 11, and insert a period.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 5—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 2a to Article IV thereof, relating to sessions of the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 12, of the printed measure, strike out "or", and insert "but not".

Amendment No. 2

On page 1, line 14, of said measure, after "acts," insert "and only such of those as are recommended for consideration by a joint legislative committee established for the purpose,".

Amendment No. 3

On page 1 of said measure, after line 17, insert

"If the regular sessions of the Legislature as provided in Article IV, Sec. 2 of this Constitution shall at any time be changed to biennial sessions this section shall become inoperative."

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 859—An act to amend Sections 2600, 2609, 2621, 2897, 2898, 3043, 3044, and 3084 of the Elections Code, relating to elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "2600, 2609, 2621, 2897, 2898, 3043, 3044, and 3084", and insert "9756, 9760, and 11121".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9756 of the Elections Code is amended to read:

9756. Candidates may be nominated for any of the elective offices of the city in the manner following:

Not earlier than the sixtieth day nor later than 12 o'clock noon on the fortieth day before a municipal election, the voters may nominate candidates for election by signing a nomination paper *except that not later than 12 o'clock noon on the fifteenth day before an election, the voters may nominate, by signing a nomination paper, candidates for election to fill a vacancy in office caused by a recall* Each candidate shall be proposed by not less than five nor more than 10 voters, but only one candidate may be named in any one nomination paper. No voter may sign more than one nomination paper for the same office and in the event he does so his signature shall count only on the first nomination paper filed which contains his signature. Nomination papers subsequently filed and containing his signature shall be considered as though his signature does not appear thereon. Each seat on the governing body is a separate office. Any person registered to vote at the election may circulate a nomination paper. Where there are full terms and short terms to be filled, the term shall be specified.

SEC. 2 Section 9760 of said code is amended to read:

9760. All nomination papers shall be filed with the city clerk not later than 12 o'clock noon on the fortieth day before the election *except that nomination papers for a candidate for election to fill a vacancy caused by a recall shall be filed not later than 12 o'clock noon on the fifteenth day before the election.*

SEC 3. Section 11121 of said code is amended to read:

11121. If a majority of the legislative body is recalled at the same election, the members recalled shall retain their offices until their successors are elected and qualified. Immediately after the canvass of votes, the clerk shall call a special election to fill the vacancies arising as a result of the recall election, which special election shall be held within 45 days after the canvass of votes of the election at which they were recalled. [Nomination papers proposing candidates to fill the vacancies shall be circulated and filed within 15 days after the clerk issues his call.] The duties of the governing body of the city with respect to the holding of such special election shall be performed by the clerk. The vote of the special election shall be canvassed by the clerk, who shall declare the result If the clerk has also been recalled, then the board of supervisors shall perform his duties."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive, and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 116—An act to amend Sections 2799, 2800, 2802, 2804, 2805, 2815, 2816, 2831, 2832, 2840, 2841, 2842, and 2843 of the Elections Code, relating to political parties, and including provisions relating to the selection, organization, meetings, and functions of state conventions and state and county central committees thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on April 8, 1949, strike out lines 41 and 42

Amendment No. 2

On page 4, line 43, of said bill, strike out "sion 5 of this code", and insert "the direct primary election in 1952 and every second year thereafter".

Amendment No. 3

On page 7, line 41, of said bill, strike out "not later than 10 days after the third Tuesday in".

Amendment No. 4

On page 7 of said bill, strike out lines 42 to 45, inclusive

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment

Assembly Bill No. 1873—An act to amend Section 8401 of the Water Code, relating to flood control.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 8, 1949, strike out lines 17 to 23, inclusive, and insert

"8402.1. Any such statement filed with the board shall not be admissible as evidence in any court action brought against the local agency, its governing body or any member thereof, nor shall the failure of the local agency, its governing body, or any member thereof, to comply with anything which may be specified as necessary in any such statement, be construed as negligence in any such action"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1874—An act to amend Sections 3454, 3457, 3476a, and 3479 of the Political Code, relating to reclamation districts

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 10 of the printed bill, as amended in the Assembly on April 8, 1949, strike out lines 28 to 31, inclusive, and insert

"The provisions of this section shall not apply to any assessment or part of an assessment if any bonds based thereon and secured thereby have been issued and remain unpaid or provision has not been made for the payment thereof."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 573—An act to amend Sections 9000, 9016, 9041, 9042, 9060, 9062, 9160, 9164, 9252, and 9261 of the Public Resources Code; to repeal Sections 9022, 9024, 9025, 9026, 9061, 9255, and 9280 of said code; to repeal Articles 2, 3, 4, 5, 6, 11, and 12 of Chapter 3, Article 1 of Chapter 4, and Articles 1, 2, and 3 of Chapter 5 of Division 9 of said code; to add Sections 9027 and 9041.5 to said code; and to add Articles 2, 3, 4, 5, and 12 to Chapter 3 of Division 9, Article 1 to Chapter 4 of Division 9; and to add Chapter 8 to Division 9, all relating to soil conservation and soil conservation districts

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out the balance of line 1; and strike out lines 2 to 10, inclusive, and insert "repeal Division 9 of and to add Division 9 to the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, establishing County Soil Conservation District Boundary Committees and prescribing their functions, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts"

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Division 9 of the Public Resources Code is repealed.

SEC. 2. Division 9 is added to the Public Resources Code, to read:".

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 18, inclusive; and strike out pages 2 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1775—An act to add Chapter 2.1, comprising Sections 4406 to 4411, inclusive, to Division 4 of the Public Resources Code, relating to the controlled use of fire and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 4, inclusive, and insert

"An act to amend Section 4883 of, and to add Section 4880 to, the Public Resources Code, relating to burning of brush covered lands."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4880 is added to Chapter 9 of Division 4 of the Public Resources Code, to read:

4880. *The cooperation by the State, as provided in this chapter, with the owners* of brush-covered lands in the clearance of such lands by controlled burning and the revegetation thereof, which has as its objective fire prevention and protection, watershed protection and conservation, or range and forage improvement, is declared to be for a public purpose.

This chapter shall be administered by the Department of Natural Resources acting through the Division of Forestry.

In furtherance of the provisions of this chapter, the Division of Forestry shall provide advisory service regarding methods of land clearance and revegetation of cleared lands and shall provide stand-by fire protection, to such extent as personnel, fire crews, and fire fighting equipment are available

Any person, firm, or corporation who burns brush pursuant to a permit issued under this chapter, without exercising due diligence to control such fire is liable for damages caused thereby

SEC. 2. *Section 4883 of said code is amended to read:*

4883. If the division determines that the proposed burning of brush can be conducted at a time and in a manner that will reasonably avoid damage to property of others, it shall issue to the applicant a permit for the burning of the brush-covered lands. The permit shall describe the lands which are authorized to be burned, the period of time during which burning may be conducted, and shall specify the precautions to be taken by the applicant to prevent damage to the property of others by reason of such burning including, if deemed necesary, the advance preparation of firebreaks and the fire fighting equipment and personnel required to be present during such burning. *The issuance of a permit by the division shall not be construed to relieve*

the holder thereof from the duty of exercising due diligence to avoid damage to property of others in conducting the burning of brush as authorized by such permit."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive; and on page 2, strike out lines 1 to 8, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3104—An act to amend Section 106 of the Water Code, relating to the use of water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In the title of the printed bill, strike out line 1, and insert

"An act to add Sections 1240.5, 1243, and 1254.5 to the Water Code, relating to appropriations and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 1240.5 is added to the Water Code, to read:

1240.5 Nothing contained in this article shall be construed as implying that any use of water not expressly referred to, is not a beneficial use of water.

SEC. 2. Section 1243 is added to said code, to read.

1243 Subject to its use for higher uses, the use of water for industrial purposes, for the generation of power, for mining, for the propagation, conservation and protection of fish and wild life and for recreational purposes, pursuant to appropriations therefor, are beneficial uses of water.

SEC. 3. Section 1254.5 is added to said code, to read:

1254.5 The department may issue permits and licenses for the appropriation and use of water for the propagation, conservation and protection of fish and wild life subject to such conditions as it may determine to be necessary to assure an adequate supply of water for higher uses in the future."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1946—An act to provide that every county and every city furnish emergency hospital service for urgent cases of injury, poisoning or disease.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "provide that every county and every city furnish", and insert "add Section 50026 to the Government Code and to add Section 216 to the Civil Code, relating to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 50026 is added to the Government Code, to read:

50026. Every county and every city shall provide".

Amendment No. 3

On page 1 of said bill, after line 3, insert

"SEC. 2. Section 216 is added to the Civil Code, to read:

216. In the absence of a parent, guardian, or other person to whom custody of a minor has been granted by court order, the written authorization of any person in whose care the minor actually is, or with whom the minor is living, is sufficient authority to any public or private hospital to admit any minor who is in need of immediate hospital, medical, and surgical care, or any of them, and to provide such care as may be necessary to preserve the life and health of the minor. Such written authorization of such a person shall relieve the hospital from liability for the care which it provides to the same extent as if given by a parent, guardian, or other person to whom custody has been granted by court order."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2524—An act to amend Section 5424, and to repeal Sections 5425 and 5426 of, the Public Resources Code, relating to recreation park and parkway districts, and annexations thereto and withdrawals therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 5424, and to repeal Sections 5425 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "5426 of," and insert "to amend Section 5425 of".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 15, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 15, insert

"SECTION 1. Section 5425 of the Public Resources Code is amended to read:

5425. If it determines to annex to or withdraw from the district any territory it shall so declare by resolution. To be effective, the resolution shall be approved by a majority vote of the [taxpayers] *qualified electors* of the existing district in case of a proposed withdrawal of territory, or by a majority vote of the [taxpayers of the entire new proposed district] *qualified electors of the territory proposed to be annexed* in case of a proposed annexation of territory. An election shall be called for that purpose by the governing body not later than sixty days after the adoption of the resolution. If so approved, the territory is annexed or withdrawn, as the case may be."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 470—An act to add Section 4007.5 to the Penal Code, relating to unfit, unsanitary, and overcrowded county jails.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4007.5", and insert "Sections 4007.5 and 4007.7".

Amendment No. 2

On page 1, line 12, of said bill, strike out "of a contiguous county", and insert "of a county within the State".

Amendment No. 3

On page 1, line 13, of said bill, strike out "the", and insert "sentenced"

Amendment No. 4

On page 1 of said bill, after line 14, insert

"Confinement of prisoners in a place other than the county jail of the county in which they were committed pursuant to such order shall not affect the jurisdiction of the parole board of the county of commitment of such prisoners, nor the jurisdiction of the committing judge in the case of prisoners committed as a condition of probation, but such jurisdiction shall be the same as if such prisoners were confined in the county jail of the county in which they were committed during the time they are actually confined in the place designated in the order. The county of commitment shall pay the cost of transportation of such prisoners to and from the place designated in the order.

SEC. 2. Section 4007.7 is added to said code, to read

4007.7. Whenever pursuant to any provision of this title prisoners are confined in a jail or other place of detention maintained by a county other than the county in which they were committed, the county of commitment shall reimburse the county in which the prisoners are confined for the costs necessarily incurred by that county by reason of their confinement therein in such amounts and at such rates as may be agreed upon by the respective boards of supervisors of the respective counties."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2358—An act to amend Sections 5400 and 5404 of the Public Resources Code, relating to recreation, park and parkway districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, before "and", insert ", 5402"

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 14, of said bill, strike out "The consolidated district" and strike out lines 15 to 20, inclusive, and insert "The governing body of a consolidated recreation, park and parkway district is a board of directors of not less than three members. One member of the board of directors shall be appointed by the mayor of each city the whole or part of which is included in the district.

If unincorporated territory and territory of but one city is included in the district, two members of the board of directors shall be appointed by the board of supervisors of the county in which the district is formed, unless the population of the city or part in the district exceeds that of the unincorporated territory included in the district, in which event two members of the board of directors appointed by the mayor

of the city and one member appointed by the board of supervisors of the county in which the district is formed shall constitute the district board of directors

Whenever unincorporated territory and all or parts of two or more cities are included in the district one director shall be appointed by the board of supervisors

If the district contains no unincorporated territory, the district board of directors shall consist of one director appointed by the mayor of each city wholly or partly within the district; and if only two cities or parts thereof are in the district, one additional district board member shall be appointed by the mayor of each of the cities.

If the whole of the district is unincorporated territory, the board of supervisors of the county in which the district is formed shall constitute the district board of directors.

SEC. 3 Section 5402 of said code is amended to read:

5402. Any city or portion thereof, or any portion of the unincorporated area of any county not included in any other park, recreation, and parkway district and lying entirely outside of any national forest may be formed into a park, recreation, and parkway district.

The district may acquire all necessary and proper lands and do all necessary and proper construction and work, including the planting of trees and shrubs, to secure, [and] maintain *and operate* an adequate system of parks, recreation grounds, and parkways within the district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 362—An act amending Sections 31672 and 31700 of the Government Code, relating to retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

Strike out line 2 of the title of the printed bill, and insert "Code, and adding Section 31700.5 thereto, relating to rights of members of county employees' retirement systems"

Amendment No. 2

On page 1 of said bill, after line 23, insert

"SEC. 3 Section 31700.5 is added to the Government Code, to read:

31700.5. Any member, whether over or under the minimum age of voluntary service retirement, and irrespective of the amount of county service with which he is entitled to be credited, who leaves county service as the result of the assumption by the State of a governmental function theretofore exercised by the county may elect in writing to leave his accumulated contributions in the retirement fund and be granted a deferred retirement allowance to become effective, upon the option of the member, at any time after he attains the minimum age of voluntary service retirement. The effective date of such deferred retirement allowance shall not be later than the first of the month following that in which he attains age 70"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 265—An act to add Section 3456a½ to the Political Code, relating to the raising of money for reclamation districts by means of taxation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "any", and insert "a".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 12, inclusive, and insert "in which the real property is assessed to 500 or more different individual joint or corporate owners and which is located entirely within a single county, may furnish to the board of supervisors of the county in which the district is situated, on or before the date set for consideration of the budget, an estimate in writing of the amount of money needed for payment of maintenance, repair, operation, supplemental construction and replacement expenses by the district during the ensuing fiscal year. Thereupon, it is the duty of the board of supervisors to levy a special tax on all taxable land and improvements thereon of the county lying within the district, sufficient in amount to raise the sum so estimated"

Amendment No. 3

On page 1, line 15, of said bill, strike out "(exclusive of improvements) within the district," and insert "and improvements thereon within the district"

Amendment No. 4

On page 1 of said bill, strike out lines 16 to 18, inclusive, and insert "The tax upon the land and improvements thereon shall be computed, entered upon the tax".

Amendment No. 5

On page 2, line 5, of said bill, strike out 'any reclamation district", and insert "such reclamation district, but shall not be used to raise funds for the payment of the principal or interest of any bonded indebtedness of the district, liquidated as of December 31, 1949".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 891—An act to add Section 20975 to the Education Code, relating to the education of blind children and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "It", and insert "With the consent of the parents of any blind child of pre-school age it".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "their blind", and insert "said".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2664—An act to amend Section 1156 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo, and Suisun.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1156", and insert "Sections 1156 and 1159".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 8, insert

"SEC. 2 Section 1159 of the Harbors and Navigation Code is amended to read:

1159 All moneys received by the board pursuant to the provisions of any law, shall be accounted for at the close of each month to the State Controller in such form as the Controller may prescribe and, at the same time on the order of the Controller, all these moneys shall be paid into the State Treasury to the credit of the Board of Pilot Commissioners' Special Fund, which fund is continued in existence.

The moneys deposited in the State Treasury to the credit of the Pilot Commissioners' Special Fund are appropriated without regard to fiscal years for the payment of the compensation and expenses of the board and its officers and employees

[Any cash] *The unencumbered balance* in excess of six thousand five hundred dollars ($6,500) in the Pilot Commissioners' Special Fund, according to the records of the State Controller, at the close of business on the thirtieth day of June of each year, shall, on order of the State Controller, be transferred to the General Fund"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1508—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, after the first "the", insert "Auxiliary".

Amendment No. 2

On page 1, line 6, of said bill, strike out ", and the", and insert "in the State Treasury, which fund is hereby created The".

Amendment No. 3

On page 1 of said bill, beginning in line 7, strike out "ninety one hundred-twentieths (90/120) of said funds", and insert "said fund to the several school districts of the State".

Amendment No. 4

On page 1, line 10, of said bill, strike out "The Superintendent of Public Instruction", strike out lines 11 to 16, inclusive; and in line 17, strike out "school, and junior college foundation programs"

Amendment No. 5

On page 1, line 23, of said bill, after the second "the", insert "Auxiliary".

Amendment No. 6

On page 2 of said bill, between lines 6 and 7, insert

"The state equalization aid allowed a school district under Chapter 15 of Division 3 of this code during any fiscal year shall be reduced by an amount equal to the amount apportioned to the school district under this section during the same fiscal year"

Amendment No. 7

On page 1, line 5, of the printed bill, after "states", insert "and the disposition of said funds is not otherwise provided for by or under said act of Congress or by or under any other law of this State".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 1760—An act to amend Sections 4714, 4965, and 7431 of the Education Code, relating to school district bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 4965,"

Amendment No. 2

In line 2 of the title of said bill, strike out the comma, and insert "and to repeal Section 4965 of said code, all"

Amendment No. 3

On page 1, line 3, of said bill, strike out the second "of", and insert "issued by".

Amendment No. 4

On page 1 of said bill, beginning in line 6, strike out "issued after authorization at elections called by the governing board of the district"

Amendment No. 5

On page 1, line 8, of said bill, strike out "taxable property ", and insert "assessed valuation".

Amendment No. 6

On page 1, line 11, of said bill, strike out the second "of", and insert "issued by".

Amendment No. 7

On page 1 of said bill, beginning in line 12, strike out "issued after authorization at elections called by the governing board of the district".

Amendment No. 8

On page 1, line 14, of said bill, strike out "taxable property", and insert "assessed valuation".

Amendment No. 9

On page 1 of said bill, strike out lines 21 to 27, inclusive; and on page 2, strike out lines 1 to 12, inclusive.

Amendment No. 10

On page 2, line 13, of said bill, strike out "3", and insert "2"

Amendment No. 11

On page 2, line 16, of said bill, after "not", insert ", except as otherwise provided in Section 4714,".

Amendment No. 12

On page 2 of said bill, after line 18, insert
"SEC. 3. Section 4965 of said code is repealed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 2264—An act to amend Section 13502 of the Education Code, as amended by Statutes 1947, Chapter 1356, and to repeal the same section as amended by Statutes 1947, Chapter 271, relating to reemployment of certificated employees after resignation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "or on any leave of"; and strike out line 11.

Amendment No. 2

On page 1, line 13, of said bill, after "period", insert "; and provided further, that any such employee who has engaged in active military service subsequent to his last paid service and who resigned more than thirty-nine months prior to the effective date of this act shall be deemed to have complied with all requirements of this section if he is or has been reemployed before July 1, 1950"

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 2265—An act to change the title of Article 6 of Chapter 11 of Division 7 of the Education Code and to add thereto Section 13653, relating to the rights of probationary employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "change", and insert "amend Section 13582 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 6, insert

"SEC. 3. Section 13582 of said code is amended to read:

13582. On or before the fifteenth day of May in any year the governing board may give notice in writing to a probationary employee that his services will not be required for the ensuing year *; provided, that if the reason for the notice is a reduction* in attendance or the discontinuance of a particular kind of service, the employee shall not be dismissed but his services shall be terminated as provided in Section 13651.

The notice shall be deemed sufficient and complete when delivered in person to the employee by the clerk or secretary of the governing board [of the school district] or deposited in the United States registered mail with postage prepaid, addressed to the employee at his last known place of address."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 2266—An act to amend Section 13652 of the Education Code, relating to rights of permanent employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 25, inclusive; and strike out all of page 2, and insert

"SECTION 1. Section 13652 of the Education Code is amended to read:

13652. Any permanent employee whose services have been terminated as provided in Section 13651 shall have the following rights:

1. For the period of [three years] *39 months* from the date of such termination, any employee who in the meantime has not attained the age of 65 years shall have the preferred right to reappointment, in the order of original employment as determined by the board in accordance with the provisions of [Sections 13004.1 and 13004.2 of this code] *Article 1 of Chapter 8 of this division*, if the number of employees is increased or the discontinued service is re-established, with no requirements that were not imposed upon other employees who continued in service; provided, that no probationary or other employee with less seniority shall be employed to render a service which said employee is certificated and competent to render.

2. The aforesaid right to reappointment may be waived by the employee, without prejudice, for not more than one school year, unless the board extends this right, but such waiver shall not deprive the employee of his right to subsequent offers of reappointment.

3. As to any such employee who is reappointed, the period of his absence shall be treated as a leave of absence and shall not be considered as a break in the continuity of his service, he shall retain the classification and order of employment he had when his services were terminated, and credit for prior service under any state or district retirement system shall not be affected by such termination, but the period of his absence shall not count as a part of the service required for retirement.

4. During the period of his preferred right to reappointment, any such employee shall, in the order of original employment, be offered prior opportunity for substitute service during the absence of any other employee who has been granted a leave of absence or who is temporarily absent from duty; porvided, that his services may be terminated upon the return to duty of said other employee, that the compensation he receives *shall* [not] be *not* less than [that which he was receiving at the time his services were terminated] *the amount he would receive if he were being reappointed*, and that said substitute service shall not affect the retention of his previous classification and rights.

4a. During the period of the employee's preferred right to reappointment, the governing board of the district if it is also the governing board of one or more other districts, may assign him to service, which he is certificated and competent to render, in said other district or districts; provided, that the compensation he receives therefor may be the same as he would have received had he been serving in the district from which his services were terminated, that his service in the said other district or districts shall be counted toward the period required for both state and local retirement, as defined by Section 14269 of this code, as though rendered in the district from which his services were terminated, and that no permanent employee in said other district or districts shall be displaced by him.

It is the intent of this subsection that the employees of a school district, the governing board of which is also the governing board of one or more other school districts, shall not be at a disadvantage as compared with employees of a unified school district

5. At any time prior to the completion of one year after his return to service, he may continue or make up, with interest, his own contributions to any state or district retirement system, for the period of his absence, but it shall not be obligatory on State or district to match such contributions.

6. Should he become disabled or reach retirement age at any time before his return to service, he shall receive, in any state or district retirement system of which he was a member, all benefits to which he would have been entitled had such event occurred at the time of his termination of service, plus any benefits he may have qualified for thereafter, as though still employed."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 654—An act to amend and renumber Section 6210.3 of the Public Resources Code, added to said code by an act entitled "An act to add Sections 6210.3, 6210.4, and 6220 to the Public Resources Code, relating to reservations of easements for convenient access, in sale, lease or rental of state-owned lands, and to acceptance of quitclaim deeds by the State Lands Commission," approved May 20, 1943, and to amend and renumber Sections 6210.4 and 6210.5 of the Public Resources Code, relating to public lands.

Bill read second time, and ordered to third reading

Senate Bill No. 704—An act to add Part 6.5 to Division 11, and Article 2.5 to Chapter 3, Part 8, Division 11, of the Water Code, and to add Section 25803.5 to said code, relating to distribution districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1082—An act to add Division 12 to the Water Code, thereby revising and consolidating the law relating to county water districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal certain acts specified herein

Bill read second time, and ordered to third reading.

Senate Bill No. 1083—An act to add Section 30063 to the Water Code, relating to publication of notices in connection with county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1084—An act to amend Section 30762 of the Water Code, relating to nominations of county water district directors.

Bill read second time, and ordered to third reading.

Senate Bill No. 1085—An act to amend Sections 30295, 30364, 30700, 31406, and 31412 of the Water Code, relating to county water districts and their elections.

Bill read second time, and ordered to third reading.

Senate Bill No. 1086—An act to repeal Chapter 6, comprising Sections 30360 to 30365, inclusive, of Part 2 of Division 12, and to amend Sections 30291, 30292, 30294, 30295, and 30501 of the Water Code, relating to county water districts, their formation and elections.

Bill read second time, and ordered to third reading.

Senate Bill No. 1087—An act to amend Sections 30296, 30365, 30702, 31411, and 32696 of the Water Code, relating to county water districts and the canvass of election returns

Bill read second time, and ordered to third reading.

Senate Bill No. 1088—An act to amend Section 30061 of the Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1089—An act to add Section 30706 to the Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1090—An act to add Section 31793.5 to the Water Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1091—An act to amend Sections 30701 and 30702 of the Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1094—An act to repeal Sections 31303 and 31304 of, and to add Section 31303 to, the Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1095—An act to amend Sections 31701 and 31790 of the Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1280—An act to revise Article 2, Chapter 1, Division 5 of the Public Resources Code, by repealing Sections 5020, 5021, 5022, and 5023 of, and adding Sections 5020, 5021, 5022, and 5023 to, said code, to authorize the appointment of an Historical Landmarks Advisory Committee and defining the powers and duties of said committee, the State Park Commission and the Director of Natural Resources with reference to historical buildings and landmarks.

Bill read second time, and ordered to third reading.

Senate Bill No. 1379—An act to add Section 7.5 to an act entitled "An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts," approved June 8, 1931, relating to eminent domain.

Bill read second time, and ordered to third reading.

Senate Bill No. 144—An act to amend Section 4433 of the Public Resources Code, relating to state payments to counties in lieu of taxes on land acquired for state forests.

Bill read second time, and ordered to third reading.

Senate Bill No. 550—An act to amend Section 28152 of the Government Code, relating to compensation for public services in counties of the fifty-second class.

Bill read second time, and ordered to third reading.

Senate Bill No. 552—An act to add Section 25562 to the Government Code, relating to county participation in centennial celebrations, declaring the urgency thereof, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 855—An act to amend Section 28113 of the Government Code, relating to compensation for public service in counties of the thirteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 268—An act to amend Section 4629 of the Education Code, relating to unified school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 33—An act to add Section 11010 to the Government Code, relating to charges made by state agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 38—An act to add Section 1062 5 to, and amend Section 11032 of, the Government Code, relating to absences of state officers and employees from the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 78—An act authorizing the State Director of Finance to sell, exchange, or otherwise dispose of certain state property located in San Mateo County, and dispose of the proceeds thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 82—An act authorizing the State Director of Finance to sell, exchange, or otherwise dispose of certain state property located in Stanislaus County.

Bill read second time, and ordered to third reading.

Senate Bill No. 219—An act to amend Section 13600 of the Government Code, relating to publications and documents.

Bill read second time, and ordered to third reading.

Senate Bill No. 780—An act to add Section 12425 to the Government Code, relating to duties of the Controller.

Bill read second time, and ordered to third reading.

Senate Bill No. 782—An act to amend Section 13924 of the Government Code, relating to the valuation of maintenance furnished to state employees.

Bill read second time, and ordered to third reading.

Senate Bill No. 1111—An act to amend Section 13145 of the Government Code, relative to retention of refunds by state agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 874—An act to repeal Section 52 of, and to add Section 52 to, the County Water District Act, relating to inclusion of lands.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, after "Act", insert "and to repeal Section 30062 of, and to add Section 30062 to, the Water Code".

Amendment No. 2

On page 1, line 1, of said bill, strike out "act cited in the title hereof", and insert "County Water District Act".

Amendment No. 3

On page 1 of said bill, after line 12, insert

"SEC. 2. Section 30062 of the Water Code is repealed and a new section is added to said code, to be numbered 30062 and to read as follows.

30062. All land which is now privately owned and situate within the exterior boundaries of any district, but which was public land of the United States or of this State at the time of the formation of the district and has not heretofore been added to the district is hereby added to the district. The Legislature hereby finds and determines that all of the land is and will be benefited by the formation, existence and operation of the district.

SEC. 3. Section 2 of this act becomes operative only if Division 12 of the Water Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Division 12 takes effect; at which time Section 52 added to the County Water District Act by this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 217—An act to add Section 3720.1 to the Political Code, relating to the creation, and changes of boundaries, of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and to add Section 54903 1 to the Government Code".

Amendment No. 2

On page 1 of said bill, after line 12, insert

"SEC. 2. Section 54903 1 is added to the Government Code, to read:

54903 1. When a statement of the creation or change of boundaries of a school district and a map or plat thereof is required to be filed with the State Board of Equalization, the authority required to file the statement and map or plat shall, at the same time, file a copy of the statement and map or plat with the Superintendent of Public Instruction.

SEC. 3. Section 2 of this act becomes operative only if Title 5 of the Government Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Title 5 takes effect, at which time Section 3720.1 of the Political Code is hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, as amended in the Senate on March 16, 1949, and insert

"An act to amend Sections 13108 and 13370 of the Government Code, relating to the powers and duties of the Department of Finance and the Director thereof."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, after line 6, insert

"SEC. 2. Section 13370 of the Government Code is amended to read:

13370. All contracts entered into by any state agency for *(a)* the hiring or purchase of equipment, supplies, materials, *or of* textbooks for use in the day and evening elementary schools of the State, [or for services,] *(b) services, whether or not the same involve the furnishing or use of equipment, materials or supplies or are performed by an independent contractor, (c) the construction, alteration, improvement, repair or maintenance of property, real or personal, or (d) the performance of work or services by such state agency for or in cooperation with any person, or public body,* **are of no** effect unless and until approved by the Department of Finance. Every such contract shall be transmitted with all papers, estimates, and recommendations concerning it to the department and, if approved by the department, shall be effective from the date of such approval *This section shall not apply to any contract let by the Department of Public Works under the State Contract Act, nor to any contract of a type specifically mentioned and authorized to be entered into by said department under the Streets and Highways Code.*"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 382—An act to authorize the Director of Finance to convey all right, title and interest of the State of California in and to certain real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on March 16, 1949, after line 16, insert

"SEC. 5. The Director of Finance is authorized to sell that certain parcel of property situated in the City of Los Angeles, Los Angeles County, California, described as follows: Lot 16, Block 4, of Hammel and Denker Tract as per map in Book 53, P 63, Miscellaneous Records, City of Los Angeles, California."

Amendment No. 2

On page 1, line 23, of the printed bill, before the period, insert ", saving and excepting therefrom the portions thereof now within the right of way of the state highway adjacent thereto".

Amendments read, and adopted.

Bill ordered reprinted and to third reading.

Senate Bill No. 567—An act to amend Section 12 and to repeal Section 13 of "An act to provide a unified program of construction, improvement, and equipment for state agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," relating to reports of the State Public Works Board.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 5 of the title of the printed bill, following the quotation marks, insert "approved March 13, 1946,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 95—An act to repeal Article 4 of Chapter 1 of Division 20, consisting of Sections 24150 and 24151, of the Health and Safety Code, and to add Sections 267 and 268 to the Harbors and Navigation Code, relating to regulation of power boats and motor boat races.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, between lines 16 and 17, insert

"The provisions of this section shall apply to all waters which are in fact navigable regardless of whether they are declared navigable by this code."

Amendment No. 2

On page 1 of said bill, after line 24, insert

"The provisions of this section shall apply to all waters which are in fact navigable regardless of whether they are declared navigable by this code"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No 1943
Assembly Bill No. 1944

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to third reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1836
Assembly Bill No. 1900

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CRAMER, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 453
Assembly Bill No. 1503
Assembly Bill No. 1903

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CRAMER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 330

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CRAMER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 1910

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CRAMER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 26
Assembly Bill No. 1502
Assembly Bill No 1889
Assembly Bill No. 2128

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

CRAMER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER. Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No 1482

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

CRAMER, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1713

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER. Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1034
Assembly Bill No. 2459
Assembly Bill No. 2461
Assembly Bill No 2836
Assembly Bill No. 3122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 49
Assembly Bill No. 1005
Assembly Bill No 1227
Assembly Bill No. 2207
Assembly Bill No. 2455
Assembly Bill No. 2489
Assembly Bill No. 3023

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1139

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No 1519
Assembly Bill No. 1860
Assembly Bill No. 1864
Assembly Bill No. 1867
Assembly Bill No. 2004
Assembly Bill No. 2019
Assembly Bill No. 2083
Assembly Bill No 2191
Assembly Bill No. 2226
Assembly Bill No. 2612

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No. 667

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 3032

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1858

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 14, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 443
Assembly Bill No. 1869

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2711

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1287

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER. Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 1371
Assembly Bill No. 1616

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FLETCHER, Chairman

Above reported bills ordered to second reading.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following committee report is indicated by being enclosed within brackets.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 21
Assembly Bill No. 2832
Assembly Bill No. 1190
Assembly Bill No. 2645
Assembly Bill No. 2646
[Senate Bill No. 1066]

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FLETCHER, Chairman

Above reported bills ordered to second reading.

~~Senate Bill No. 1066 ordered to third reading.~~

(On April 18, 1949, the above record was expunged, and the action rescinded whereby Senate Bill No. 1066 was reported out of the Committee on Industrial Relations (with amendments) and ordered to second reading. (Assembly Journal, page 2246.))

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2617
Assembly Bill No. 2618
Assembly Bill No. 2619

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
RECONSIDERATION OF ASSEMBLY BILL NO. 624

In compliance with a notice given on a previous day, Mr. Fleury moved that the vote whereby Assembly Bill No. 624 was refused passage be reconsidered.

The roll was called, and Assembly Bill No. 624 reconsidered by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Mr. Speaker—57.

NOES—None.

Request for Unanimous Consent That Assembly Bill No. 624 Be Withdrawn From File, and Be Re-referred

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Bill No. 624 be withdrawn from the file, and be re-referred to the Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 113 HOLD PLACE ON FILE

Mr. Fletcher asked for, and was granted, unanimous consent that Assembly Bill No. 113 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1731—An act to amend Section 4903 of the Labor Code, relating to liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 326—An act to amend Section 800 of the Labor Code, relating to midday meals of employees in the lumber industry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thompson, and Waters—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2431—An act to amend Section 315 of the Municipal Utility District Act, relating to nomination papers.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "twenty", and insert "four hundred and fifty".

Amendment No. 2

On page 1, line 6, of said bill, strike out "thirty", and insert "six hundred".

Amendments read.

Point of Order

Mr. Condon arose to the following point of order: That Mr. Dickey is speaking on the bill instead of the amendments, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of the amendments offered by Mr. Moss to Assembly Bill No. 2431.

The roll was called, and the amendments adopted by the following vote:

AYES—Brown, Burke, Butters, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Thompson, Tomlinson, Weber, and Mr. Speaker—39.

NOES—Beck, Bennett, Berry, Burkhalter, George D. Collins, Condon, Cooke, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Geddes, Hagen, Lewis, McCarthy, McMillan, Meyers, and Rumford—20.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1768—An act to amend Section 9 of the Franchise Act of 1937, relating to franchises and the filing of bond.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan,

Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 249—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Thompson, Waters, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Dunn moved that Assembly Bill No. 970 be made a special order of business for Tuesday, April 19, 1949, at 10 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Tomlinson, and Weber—54.
NOES—None

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2546—An act to amend Section 1676 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brown, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Lewis, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Thompson, and Tomlinson—41.
NOES—Beck, Burke, Burkhalter, Davis, Doyle, Hoffman, Kilpatrick, Luckel, Niehouse, Reagan, Smith, Stanley, and Weber—13

Bill ordered transmitted to the Senate.

STATEMENT RE REPORT OF ASSEMBLY INTERIM COMMITTEE ON PUBLIC MORALS

In signing the Report of the Interim Committee on Public Morals, may I state that there is a provision in the report recommending that boxers be allowed to participate in amateur bouts when they are over the age of 17 years. I am opposed to this provision of the report, and also to any personal reference to Dr. Charles H. Strub.

THOMAS A. MALONEY

April 15, 1949

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON WAYS AND MEANS BE PRINTED IN THE JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that the report of the Assembly Interim Committee on Ways and Means be printed in the Journal, in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 948

Mr. Hawkins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 948, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 948

Assembly Bill No. 948—An act to add Article 5, comprising Sections 11628, 11629, and 11629.5 to Chapter 1, Part 3, Division 2, of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—54.

NOES—Butters and Reagan—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SECRETARIAL STAFF BE EXCUSED

Mr. Dickey asked for, and was granted, unanimous consent that the secretaries on the Assembly secretarial staff be excused at noon, for the balance of the legislative day.

RESOLUTIONS

The following resolution was offered:

By Mr. Rosenthal:

House Resolution No. 166

Relating to the continuance of the Assembly Interim Committee on Fire Hazards and Prevention

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fire Hazards and Prevention, created by House Resolution 260, 1947 Regular Session, and continued by House Resolutions 16 and 118, 1949 Regular Session, is hereby authorized to file its final report on or before May 15, 1949.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 166

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 166

By Mr. Rosenthal:

House Resolution No. 166

Relating to the continuance of the Assembly Interim Committee on Fire Hazards and Prevention

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Fire Hazards and Prevention, created by House Resolution 260, 1947 Regular Session, and continued by House Resolutions 16 and 118, 1949 Regular Session, is hereby authorized to file its final report on or before May 15, 1949

Resolution read, and adopted.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE

STATE CAPITOL, SACRAMENTO, CALIFORNIA, April 15, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

Pursuant to House Resolution No. 236, adopted by the Assembly of the California State Legislature on June 20, 1947, your Interim Committee on Public Education transmits herewith its second report

Respectfully submitted,

FRANCIS DUNN, JR., Chairman
KATHRYN T. NIEHOUSE, Vice Chairman
RALPH C. DILLS
ERNEST R. GEDDES
WILLARD M. HUYCK
ROBERT C. KIRKWOOD
RAYMOND W. BLOSSER (Former Member)

Above mentioned report ordered printed as a separate document, and distributed to the members.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 167

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

The Pacific Telephone & Telegraph Company (tolls)	$226 35
Department of Finance (typewriter service)	7 41
Department of Finance (6 Remington Rand typewriters)	1,200 60
Department of Finance (supplies)	14 35
H. S. Crocker Company, Inc. (supplies)	296 19
Wilkie Ogg (page cards)	3 69
Department of Finance (mimeograph service)	4 80

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 167, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—62.

NOES—None.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burke:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 6364 of the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Respectfully submitted,

MONTIVEL A. BURKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Burke:

An act to amend Section 6364 of the Revenue and Taxation Code, relating to exemptions from sales and use taxes

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3128: By Mr. Burke—An act to amend Section 6364 of the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 679—An act to add Sections 21253.2 and 21253.3 to the Government Code, relating to crediting "prior service", under certain conditions, to persons who were absent from state service on military service prior to January 1, 1932, and revising the benefits payable with respect to certain classes of members, including those who have retired prior to the effective date hereof, in connection with the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 807—An act to add Section 130 to the Military and Veterans Code, prohibiting segregation and discrimination in the Militia.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thompson, Tomlinson, and Weber—58

NOES—None.

Bill ordered transmitted to the Senate.

Statement of Vote

I was appearing before a Senate committee at the time Assembly Bill No. 807 was considered, and, therefore, was recorded as not voting.

Had I been present, I would have voted "Aye."

LAUGHLIN E. WATERS

ANNOUNCEMENTS

Mr. Hoffman announced that the gifts of fresh asparagus which have been placed upon the desk of each member and desk attache have been given with best Easter wishes by Mr. Lindsay Cochran, well known shipper and packer of Tracy.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER

Mr. Beck asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter to Mr. Lindsay Cochran, and express appreciation on behalf of the Members of the Assembly for his gifts of asparagus.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1962—An act to amend Section 16374 of the Government Code, relating to the revision of unclaimed trust money.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2388—An act to amend Sections 69, 73, and 74 of the Civil Code, relating to documents required in connection with marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hoffman, Huyck, Kilpatrick, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—50.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1207—An act to amend Section 20894.5 of the Government Code and Section 14702 of the Education Code, relating to contributions of members of Retirement System absent in military service.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 13, 1949, strike out "Section 14702", and insert "Sections 14702 and 14495.2".

Amendment No. 2

On page 2 of said bill, beginning in line 46, strike out "of the state teachers retirement system, or".

Amendment No. 3

On page 3, line 21, of said bill, strike out "by the State or"

Amendment No. 4

On page 3 of said bill, after line 25, insert

"SEC. 3. Section 14495.2 of said code is amended to read:

14495.2 Notwithstanding anything contained in this article, members of this system shall not be required to contribute to the Permanent and Retirement Annuity Funds on the basis of service credited under Section 14449, provided they return or have returned to an employment required for membership in this system within six months after the effective date of this section, or within six months after the termination of such service, whichever is later.

If the member was also a member of a local retirement system, the Retirement System shall pay, from the Retirement Annuity Fund, to the member, at the time of his retirement, or to the local district maintaining the local system if the local district made local system contributions on the basis of service credited under the local system for time included under Section 14449, an amount equal to the annuity contributions which except for this section would be required of said member under Section 14495 on account of said service credited under the local retirement system, but not to exceed contributions made by him or the local district to the local system on account of such service. Regular interest from the effective date of this section to the time of such payment, shall be included in such payment The State shall contribute annually to the Retirement Annuity Fund the amounts required to be paid from said fund to local districts under this paragraph.

Any such member who exercises or did exercise the right to contribute to the system for the period of such service shall have such contributions refunded with credited interest on annuity contributions.

Any employing agency which made the contributions for the member either during his absence or after his return to employment shall have such contributions refunded with credited interest on annuity contributions

This section shall be retroactively applied to extend its benefits to all members of this system whose absence on military service, in the service of such auxiliary, or in the service of the Red Cross commenced on or after September 16, 1940, and who return, or have returned to an employment required for membership in this system within six months after the effective date of this section, or within six months after the termination of such service, whichever is later

Contributions by the State and payments by the Retirement System pursuant to, or as a result of, this section shall not be made for any period of time after January 1, 1950, for any member who has not returned to an employment required for membership in this system prior to that date"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 18—An act to amend Sections 985, 986.3, 986.5, 986.6, and 986 9 and to repeal Section 986.4 of the Military and Veterans Code, relating to farm and home purchases for veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sullman, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1460—An act to amend Section 252.1 of the Fish and Game Code, relating to and defining the boundaries of the Mendota Pool Game Refuge and Public Shooting Ground.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, and Weber—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1461—An act to amend Section 169 of the Fish and Game Code, relating to the Mendota Pool Game Refuge and defining the boundaries of Mendota Pool.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, and Weber—56

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 312 WAIVED

Mr. McCollister waived his notice of motion to reconsider the vote whereby Assembly Bill No. 312 was refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2299

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2299, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2299

Assembly Bill No. 2299—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Grant, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—49.

NOES—George D. Collins and Elliott—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 129—An act to add Article 4, comprising Sections 9220 to 9222, inclusive, to Chapter 2, Part 1, Division 2, Title 2 of the Government Code, relating to the powers and duties of the Speaker of the Assembly.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "9222", and insert "9223".

Amendment No. 2

On page 1, line 1, of said bill, strike out "9222", and insert "9223".

Amendment No. 3

On page 2 of said bill, after line 6, after the period, insert "Claims for such allowances and compensation shall be paid by warrants drawn by the State Controller upon the State Treasurer, after certification by the Speaker.

9223. Whenever the Speaker incurs expenses in connection with the work of an Assembly interim committee of which he is a member, whether an ex officio or otherwise, the Controller shall draw his warrant in payment of the claim for such expenses when it is certified either by the chairman or the committee or by the Speaker. The amount so paid shall be charged against the money allocated to the committee from the Contingent Fund of the Assembly."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, and Waters—53.

NOES—None.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 919—An act to amend Sections 1064 and 1071.2 of, and to add Section 1064.2 to, the Agricultural Code, relating to economic poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, George D. Collins, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—51

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3103—An act to amend Section 810 5 of the Agricultural Code, relating to asparagus.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, and Waters—52

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 161

By Messrs. Hawkins, Elliott, and Anderson:

House Resolution No. 161

Relative to memorializing the Senate of the United States to curb the practice of filibustering in order to prevent the undermining of democratic processes and the neglect of state needs

WHEREAS, The present Senate Rules have led to an abuse of free speech by those who have engaged in long speeches known as "filibusters" for the sole purpose of blocking action on vital legislation; and

WHEREAS, This practice is an antiparliamentary device which nullifies democratic processes and violates the principle of majority rule and is a procedure unknown to the Constitution; and

WHEREAS, This device has been used from time to time to block the passage of legislation desired by an overwhelming majority of people and has on occasion resulted in endangering national security; and

WHEREAS, There are at present the guarantees of free speech and adequate debate in that every bill is fully discussed in committee and on the floor of both houses of Congress; and even after cloture is invoked, each of the 96 Senators is allowed an additional hour of debate which ordinarily would consume four to six weeks of debate; and

WHEREAS, The filibuster has become a serious national problem and a matter of vital concern to the respective states of the Union and important to relationships and legislation affecting their interests; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Assembly respectfully memorializes the Senate of the United States to change its Rules in order to prevent this practice of filibustering by allowing cloture to be invoked by a simple majority of the elected members; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Vice President of the United States and to each Senator from California in the Congress of the United States.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Collier, George D Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Luckel, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Thompson, Tomlinson, Waters, and Weber—48.

NOES—None

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1287—An act to amend Sections 2135 and 2287 and to repeal Sections 2230 and 2231 of, and to add Sections 2191 6 and 2232 to, the Business and Professions Code, relating to drugless practitioners and relating to applications to the Board of Medical Examiners of the State of California for physicians and surgeons certificate.

Bill read third time

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, strike out "cians and surgeons", and insert "cian's and surgeon's".

Amendment No. 2

On page 2, line 15, of said bill, strike out "2231", and insert "2232".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

THIRD READING OF SENATE BILLS

Senate Bill No. 37—An act to amend Section 12973.7 of the Insurance Code, relating to documents and publications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, and Weber—58.

NOES—None.

Motion to Amend Title

Mr. Sherwin moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 8, 1949, strike out "and 12922".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Senate Bill No. 819—An act to add Section 17500.1 to the Business and Professions Code, relating to regulation of advertising.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on March 18, 1949, after "commission", insert "within the Department of Professional and Vocational Standards".

Amendment read, and adopted:

Bill ordered reprinted, and to third reading.

Senate Bill No. 4—An act to amend Section 28125 of the Government Code, relating to compensation for public services in counties of the twenty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Geddes, Grant, Grunsky, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thompson, Waters, and Weber—43

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 20013, 20014, 20600, 20604, 20950, 20980, 21020.5, 21208, 21257, 21292, 21295, and 21363 of, and to add Sections 20017.7, 20602.9, 20602.95, 20603.3, 20750.5, 20803.7, 21252.4, and 21256.3 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Respectfully submitted,

JOHN W. EVANS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Evans:

An act to amend Sections 20013, 20014, 20600, 20604, 20950, 20980, 21020.5, 21208, 21257, 21292, 21295, and 21363 of, and to add Sections 20017.7, 20602.9, 20602.95, 20603.3, 20750.5, 20803.7, 21252.4, and 21256.3 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3129: By Mr. Evans—An act to amend Sections 20013, 20014, 20600, 20604, 20950, 20980, 21020.5, 21208, 21257, 21292, 21295, and 21363 of, and to add Sections 20017.7, 20602.9, 20602.95, 20603.3, 20750.5, 20803.7, 21252.4, and 21256.3 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Referred to Committee on Civil Service and State Personnel.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1455

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred

Assembly Bill No. 1272
Assembly Bill No. 1273
Assembly Bill No. 3001
Assembly Bill No. 3002

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 39
Assembly Bill No. 445
Assembly Bill No. 808
Assembly Bill No. 1893
Assembly Bill No. 3106

Has had the same under consideration, and reports the same back with the recommendation: Do pass

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 309—An act to amend Sections 790 and 828.15 and to add Section 803.5 to the Agricultural Code, relating to nectarines, prescribing standards of quality and regulating the packing thereof, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 373—An act to amend Section 7026 and repeal Section 7027 of, and to add Sections 7050, 7051, 7052, and 7053 to, the Business and Professions Code, relating to contractors;

Assembly Bill No. 3107—An act authorizing the Director of Finance to acquire real property in the City of Long Beach, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 22
Assembly Bill No. 375
Assembly Bill No. 588
Assembly Bill No. 2038
Assembly Bill No. 2045

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 252
Assembly Bill No. 766
Assembly Bill No. 869
Assembly Bill No. 1018
Assembly Bill No. 1937
Assembly Bill No. 2029
Assembly Bill No. 2742

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 252 and 766 ordered re-referred to Committee on Public Health.

Assembly Bills Nos. 869 and 2742 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 1018 ordered re-referred to Committee on Agriculture.

Assembly Bills Nos. 1937 and 2029 ordered re-referred to Committee on Social Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 7
Assembly Bill No. 1547

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 7 re-referred to Committee on Ways and Means.
Assembly Bill No. 1547 re-referred to Committee on Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1445
Assembly Bill No. 2218

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1445 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2218 ordered re-referred to Committee on Military Affairs.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 286—An act to amend Section 13 of the Ventura County Flood Control Act, relating to flood control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Waters, and Weber—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 560—An act to amend Section 27264 of the Government Code, relating to the recordation of land patents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 472—An act to amend Section 13 of the County Waterworks District Act, relating to property and obligations of county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 671—An act to amend Section 18102 of the Government Code, relating to sick leave.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Smith, Stanley, Thompson, Tomlinson, Waters, and Weber—60.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 251—An act to amend Sections 16505, 16551, 16552, 16553, 16554, and 16581, and to repeal Section 16524 of, the Government Code, relating to deposits of state money in banks, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—65.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—65.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 656

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 656, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 656

Senate Bill No. 656—An act to amend Section 6303 of the Public Resources Code, relating to state lands, granting privileges with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—60

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS BE PRINTED IN THE JOURNAL

Mr. Kilpatrick asked for, and was granted, unanimous consent that the letter of transmittal, and the Report of the Assembly Interim Committee on Crime and Corrections, be printed in the Journal, in 10-point type.

(Above letter of transmittal and report will appear prior to the motion to adjourn)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 658

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 658, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 658

Senate Bill No. 658—An act to authorize and validate sales of state land made by the State Lands Commission during the calendar year, 1948.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Weber—59

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 660

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 660, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 660

Senate Bill No. 660—An act to amend Section 7704 of the Public Resources Code, relating to unapproved applications for purchase of state lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Weber—59

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 661

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 661, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 661

Senate Bill No. 661—An act to amend Section 7406 of the Public Resources Code, relating to public land selections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, and Weber—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 663

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 663, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 663

Senate Bill No. 663—An act to amend Section 7729 of the Public Resources Code, relative to the issuance of patents for state lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lipscomb, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Smith, Stewart, Thompson, Tomlinson, Waters, and Weber—56.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 664

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 664, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 664

Senate Bill No. 664—An act to amend Section 7705 of the Public Resources Code, relating to state lands open and closed to purchase.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Smith, Stewart, Thompson, Tomlinson, Waters, and Weber—56
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 665

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 665, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 665

Senate Bill No. 665—An act to amend Section 7706 of the Public Resources Code, relating to applications for the purchase of state lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Smith, Stewart, Thompson, Tomlinson, Waters, and Weber—56
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 27

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 27—Relative to provision for public recreation, fish and wildlife development in flood, irrigation and power projects involving construction of dams.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 15, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 61
Senate Bill No. 204
Senate Bill No. 525
Senate Bill No. 527
Senate Bill No. 632
Senate Bill No. 755
Senate Bill No. 869
Senate Bill No. 1282

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, providing for the establishment of special accounts for certain appropriations for expenses of the Legislature.

Referred to Committee on Rules.

Senate Bill No. 204—An act to add Sections 31553.5, 31645.5, and 31648.5 to the Government Code, relating to the membership in county retirement associations, and to the rights and privileges of members.

Referred to Committee on Municipal and County Government.

Senate Bill No. 525—An act to amend Section 954 of the Streets and Highways Code, relating to the abandonment of county highways, including the creating and designating of stock trails.

Referred to Committee on Municipal and County Government.

Senate Bill No. 527—An act to amend Section 943 of the Streets and Highways Code, relating to the abandonment of county highways, including the authorizing of boards of supervisors to create and designate stock trails.

Referred to Committee on Municipal and County Government.

Senate Bill No. 632—An act to amend Sections 20126, 20362, 20894.5, 21028, 21251.1, 21253, 21452, and 21453 of the Government Code and to add Section 20337 to Article 2 of Chapter 3 and Section 21371 to Article 5 of Chapter 9 of Part 3 of Division 5 of Title 2 thereof, all relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 755—An act to amend Sections 37103, 37426, 38742, 43069, and 43671 of the Government Code, relating to the organization, government, and powers of cities.

Referred to Committee on Municipal and County Government.

Senate Bill No. 869—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Referred to Committee on Judiciary.

Senate Bill No. 1282—An act to repeal Sections 2071 and 2072 of, to add Sections 2071 and 2072 to, and to amend Sections 2073 and 2074 of, the Insurance Code, relating to insurance and the standard form fire insurance policy.

Referred to Committee on Finance and Insurance.

MEMBER EXCUSED

At 11 58 a.m., Mr. Hawkins asked for, and was granted, unanimous consent that Mr. Thomas be excused, for the legislative day, because of illness.

ANNOUNCEMENTS

Speaker pro Tempore Maloney expressed best birthday wishes to Mr Hahn on behalf of the Members of the Assembly.

Messrs. Sam L. Collins, Maloney, Dickey, and Beck expressed happy Easter greetings to all members, officers, and attaches, on behalf of the Republican and Democratic parties.

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON WAYS AND MEANS

April 15, 1949

To the Hon. Sam L. Collins, Speaker and to the Members of the Assembly:

Your Interim Committee on Ways and Means presents this report of its work since the adjournment of the Fifty-eighth Session of the Legislature.

No meetings of the interim committee were held prior to the Fifty-eighth Session of the Legislature. During the months of December, 1948, and January, 1949, the Finance Department and the Office of the Legislative Auditor were concentrating upon the problems incidental to changes affected by the adoption of Article 25 to the Constitution. The budget was presented to the Legislature on January 21st. Except for this constitutional amendment, the budget would have been presented in final form at a much earlier date, and the report of the Legislative Auditor would have been available earlier to the Ways and Means Committee. It was deemed inadvisable for the interim committee to attempt to hold any hearings on the budget until after the Legislative Auditor should have ample time to prepare his analysis.

During the constitutional recess, and on February 5th and 6th, a committee visited the State Hospitals at Patton, Pacific Colony, and Camarillo. Invitations had been extended to all other Members of the Legislature to accompany the committee on these inspection trips, but unfortunately only members of the committee were present. These inspections were considered of value in providing information required in considering the budget of each institution.

The interim committee planned to hold hearings on the budget for a period of two weeks during the constitutional recess, and it was believed that this would be adequate time for the subcommittees to complete all such hearings. This period of time proved to be insufficient. In the future it is recommended that a period of three weeks prior to the convening of the session be set aside for such subcommittee hearings Such time should enable the committee to give full hearings and present the budget to the session much earlier than by attempting to have such subcommittee hearings during the session of the Legislature when the time of the members must also be devoted to other committee hearings and the press of other business.

MANNER OF CONSIDERATION OF BUDGET

The committee was divided into subcommittees as set forth on the schedule attached hereto as an appendix During the interim two, three, and sometimes four, subcommittees were meeting simultaneously. This necessarily resulted in conflicts so that frequently members were required to choose which session of the committee they would attend. This resulted in an average of four to five members conducting hearings of each item of the budget under consideration During the interim these subcommittees started their sessions at nine in the morning and frequently worked through until 10 and 11 in the evening

During the constitutional recess the Senate Finance Committee was not conducting hearings and the Assembly Ways and Means Committee had the undivided assistance of the Department of Finance and the Legislative Auditor and his staff in the conduct of these hearings.

As in the previous year, the committee was informed that the Legislative Auditor and his staff had been invited by the Director of Finance to be present at the budget hearings, and to participate as if they were a part of the budget making process, in this way they learned how the budgets for the several state agencies had been made and their content. The committee concurs with the opinion of the Legislative Auditor that the budget this year is better prepared than in previous years.

At the date of the making of this report, hearings on the budget have not been completed. The reports of most of the subcommittees have been rendered and considered by the entire Ways and Means Committee, but some of the hearings by some of the subcommittees have not been completed, for this reason no effort will be made in this report to list the various amendments that will ultimately be recommended to the Legislature when the Budget Bill is presented.

This report, however, will list those recommendations of the subcommittee which have been approved by the Ways and Means Committee. They are as follows:

1. That a study be made of the state printing of textbooks by an interim committee.

2. That the California Historical Association be abolished by statute This recommendation is in line with the previous recommendation of the Ways and Means Interim Committee in 1948.

3. That the function of the Department of Social Welfare in inspecting and licensing private schools created by the 1947 Legislature be abolished. The Legislature in 1948, approved the recommendation of this committee, that instead of allowing the amount requested in the budget for performing this function, the sum of $10,000 was allowed for investigation of manner and means performance of such function, or the amendment of this legislation. The committee is now of the opinion that the cost of this function is far too much for any good that would be accomplished. It, therefore, recommends that legislation be enacted to abolish the function, and that the amount requested in the budget for its performance be deleted.

4. *Capital Outlay:* In the present year and in the past few years accumulated reserves have provided financing for necessary capital outlay. This has made the problem of selecting the most necessary expenditures relatively easy. In the future these expenditures will be made from current income and the Legislature should have more exact knowledge of the relative necessity of different proposals.

It would appear desirable that subcommittees of the Ways and Means Committee and Senate Finance Committee should during the year keep in touch with this problem as it is presented to the Director of Finance. The importance of this problem and the size of necessary appropriations to meet the needs of a growing State cannot adequately be determined in the short time which this committee has had for their consideration.

5. *Department of Social Welfare.* This committee recommends that caution should be exercised in the expansion of a state program of administering aid to the needy aged, but without sacrificing any services that have to be performed in this administration, that no additional district or regional offices be set up by the Department of Social Welfare, until a pilot study be made of one district of sufficient size to be a true test case, and *it is in satisfactory operation.* This recommendation was made by the subcommittee and approved by the entire committee after a full hearing and discussion with the Director of Social Welfare, Director of Finance, Legislative Auditor and members of their staffs. The committee wishes to commend the cooperation which has been manifested by the Department of Finance and the State Controller in assisting the Department of Social Welfare in performing its new functions created by the recent amendment of the Constitution. By means of contracts with the counties, the State performed its duty toward the needy aged with a minimum of inconvenience to them. It is true that there is a considerable backlog of applications which have not been processed. This will undoubtedly result in considerable expense to the State, due to the fact that no federal contribution is made to payment of aid retroactive for more than the first sixty days required to process the application. This loss is due in large part to the numerous changes in the rules promulgated by the Department of Social Welfare in the first months of its operation under the new amendment. This committee has been less critical of the budget of this department than of others. The reasons for this attitude is that we realize that it is without the benefit of past experience, and we deem it of the utmost importance that adequate provision be made for sufficient examination of initial applications, and the annual review thereof.

CONCLUSION

The budget was considered by this committee in light of the fact that as presented it will require additional taxes for its financing, and any new or additional expenditures by the Legislature will require additional taxes This report is signed by the chairman only, but a list of members, and their respective subcommittees, is attached.

MARVIN SHERWIN, Chairman
Interim Committee on Ways and Means

Ways and Means Committee Members

SHERWIN, MARVIN, Chairman
LOWREY, LLOYD W., Vice Chairman
ANDERSON, GLENN M.
BUTTERS, GEORGE R.
CALDECOTT, THOMAS W.
CLARKE, GEORGE A.
COLLIER, JOHN L. E.
COLLINS, GEORGE D.
CONNOLLY, ARTHUR H.
CROWLEY, ERNEST C.
ELLIOTT, EDWARD E.
ERWIN, THOMAS M.
GAFFNEY, EDWARD M.
GRUNSKY, DONALD L.
HAWKINS, AUGUSTUS F.
HINCKLEY, L. STEWART
KILPATRICK, VERNON
KIRKWOOD, ROBERT C.
LIPSCOMB, GLENARD P.
MCCOLLISTER, RICHARD H.
MCMILLAN, LESTER A.
PRICE, R. FRED
SILLIMAN, JAMES W.
STEWART, ALBERT I.
WEBER, CHARLES M.

Ways and Means Subcommittees—January, 1949

1. Legislative, Executive, and General Administration
   - Silliman, Chairman
   - Anderson
   - Caldecott
   - Collier
   - Erwin
   - Gaffney
   - Hawkins
   - Hinckley
   - Lowrey
   - McMillan
   - Stewart

2. Fiscal Affairs, Capital Outlay, Miscellaneous
   - Stewart, Chairman
   - Anderson
   - Caldecott
   - Clarke
   - Collier
   - Gaffney
   - Hawkins
   - Kirkwood
   - Lowrey
   - McCollister
   - Silliman

3. Agriculture, Natural Resources, Military Affairs
   - Clarke, Chairman
   - Butters
   - Caldecott
   - Collier
   - Crowley
   - Erwin
   - Grunsky
   - Lowrey
   - Price
   - Silliman
   - Weber

4. Motor Vehicles, Public Works, Highway Patrol, Highway Budget
   - Butters, Chairman
   - Anderson
   - Clarke
   - Connolly
   - Elliott
   - Grunsky
   - Hinckley
   - Kilpatrick
   - Lipscomb
   - Stewart
   - Weber

5. Mental Hygiene, Veterans Affairs
   - Erwin, Chairman
   - Butters
   - Clarke
   - Connolly
   - Crowley
   - Gaffney

5. Mental Hygiene, Veterans Affairs—Continued
   - Kirkwood
   - McCollister
   - Price
   - Silliman
   - Weber

6. Corrections, Youth Authority
   - Collier, Chairman
   - Butters
   - Collins
   - Elliott
   - Grunsky
   - Hawkins
   - Hinckley
   - Kilpatrick
   - Lipscomb
   - McCollister
   - McMillan
   - Price

7. Education
   - Lowrey, Chairman
   - Anderson
   - Caldecott
   - Collins
   - Crowley
   - Grunsky
   - Hawkins
   - Hinckley
   - Kirkwood
   - McCollister
   - McMillan
   - Silliman

8. Judicial, Justice, Investments, Professional and Vocational Standards, Public Utilities
   - Collins, Chairman
   - Collier
   - Connolly
   - Elliott
   - Hinckley
   - Kilpatrick
   - Kirkwood
   - Lipscomb
   - McMillan
   - Stewart
   - Weber

9. Public Health, Industrial Relations, Social Welfare, Employment
   - Kirkwood, Chairman
   - Collins
   - Connolly
   - Crowley
   - Erwin
   - Gaffney
   - Grunsky
   - Kilpatrick
   - Lipscomb
   - Lowrey
   - Price

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS

LETTER OF TRANSMITTAL

April 15, 1949

To the Speaker and Members of the Assembly

GENTLEMEN: On behalf of this committee, recreated by House Resolutions No. 164 of the 1947 Session and 16 and 36 of the 1949 Session, we have the pleasure of submitting our further report.

This report deals with our investigations of California custodial institutions and parole methods as they are presently operated and some of their points of merit and deficiencies.

We have attempted to point out the probable trends which we believe the Legislature should give heed to in giving consideration to capital outlay and expansion of programs, thus indicating the transitional stages both as to facilities and administrative requirements.

Need for training of personnel in the more advanced methods should be considered. There seem to be definite reasons to challenge the "closed session" procedure in parole hearings and meet the lead of other states where records are open to the public.

Our final report is being delayed due to an arrangement with a state agency which has litigation pending.

Your committee is very appreciative of the many courtesies extended to it by various department heads and personnel of the departments.

Respectfully submitted,

VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE, Vice Chairman
ELWYN S. BENNETT, Secretary
GORDON R. HAHN, Member
JOHN B. BABBAGE, Member

INTRODUCTION

The members of this committee believe that an interim committee has but one function, and that is to bring back information to the Legislature, information which will enable the members to more thoroughly understand the problem for which the interim committee was set up. We trust that the following account of our activities will enable this and succeeding Legislatures to more thoroughly understand the complex problems of the little understood subjects of crime and correction.

THE PRISON SYSTEM

The Assembly should understand that the Prison System of California is in a transitional stage This is true not only of prison structures but, and this is of far more importance, of the thinking and approach to the problem of those who administer our system.

Guidance Center at San Quentin

It would be easy enough to criticise many things one observes were it not for the fact that the change in thinking has far outpaced the

change in prison structures. One is confronted with this thought when the Guidance Center at San Quentin is considered. At the time the Guidance Center came into being, about 1944, there was no place to house it, and it was, therefore, necessary to set aside a good portion of the office space of San Quentin Hospital which had housed the medical and psychiatric departments. A cell block was set aside for the inmates who were being processed by the Guidance Center. At the time we visited San Quentin there were about 650 inmates in the Guidance Center.

Need for Psychiatric Services in the Prison

The function of the Guidance Center, which reflects the new thinking mentioned above, is a forward step wherein the scientist assumes a very definite part in the penological system. It is here that the human mind of the nonconformist is probed into in order to try to understand how he may be rehabilitated. Imagine the difficulties of trying to do a scientific job under such conditions.

Society may look forward to the time when the scientist, that is the psychiatrist, the doctor, the psychologist, and the social worker, will take over an ever increasing load of prison work. We were very much impressed with what we saw of the classification center in San Quentin Prison but were appalled when it was explained to us that, due to an insufficient number of psychiatrists, it was only possible to devote about 15 minutes per inmate per year, and that for only 1,200 of the 4,800 prisoners.

Because of the ever increasing prison population, if for no other reason, the Legislature is going to be called upon for increasing amounts of money to carry on this type of work and while it shall probably be necessary to do a large amount of educational work in order to understand the necessity for psychiatric treatment in connection with crime, the day will come when a far larger proportion of money will be spent for this type of service with a corresponding decrease in the number of gun towers and the guards to man them. It is interesting to note that in connection with these gun towers it costs the State approximately $10,000 a year to man one gun tower.

The need for additional psychiatric service in our prisons is brought very sharply into focus when one considers the large number of persons in prison who are not mentally normal On the day we visited San Quentin we were told that there were approximately 1,300 defectives, ranging from definite psychotic to the less, and nonviolent, types such as homosexuals and sex offenders, who need hospitalization rather than prison.

There is a crying need for a program for training prison psychiatrists and people qualified in medical psychology which, it would appear, should be facilitated and augmented at the earliest possible time in correlation with the university and medical schools of California.

In connection with the above, it should be borne in mind that at the present time there are only about 1,500 neuropsychiatrists and something less than 4,000 psychiatrists in the United States, except for those who were in this practice before the present standards were set up.

To repeat, Legislatures are going to be confronted with this problem in the future because of the extremely constructive work which qualified psychiatrists are equipped to do toward the curing of criminal tendencies.

The members of this committee are not trained penologists, and do not pretend to know all the answers. However, we have endeavored, through our public hearings covering a four-year period, to enlist the aid of the most outstanding authorities of all fields of thought having to do with "crime and correction."

Los Angeles Meeting of the Committee

Early in December, 1948, a four-day public hearing was held in Los Angeles to which we invited members of the federal, state and municipal courts, the district attorney's office, the public defender's office, the sheriff's office, the Bar associations, educational and religious groups, as well as some of the most outstanding leaders in medicine and psychiatry. We also called upon taxpayers groups and various women's organizations, and we believe that we learned a great deal as a result of listening to the views of these people, some of whom came long distances in order to give us the benefit of their knowledge.

In our effort to understand the work in which we were engaged we asked for and received information from the authorities of practically every state in the Union, as well as some very interesting information from some foreign experts. Therefore, when we speak to the Assembly on this subject, we are reflecting the views of some of the best minds in the Country. Up until the time that we engaged in our present study last July we had confined ourselves more or less to the jails and detention homes of California and we are happy to report that a great many of the recommendations which we have made to the Assembly as a result of our studies have been written into law. We felt that, as a preparation for the study which we are at present engaged in, we should solicit the advice of experts, and prepare our minds so that we could evaluate what was offered us and what we saw.

We were very pleased to discover that we have within our own system one of the best qualified medical authorities on the penal system in the country, Dr. Justin K. Fuller. Dr. Fuller has a lengthy background with the United States Public Health Service and the Federal Bureau of Prisons In the federal system, all medical services are the responsibility of the United States Public Health Service. This agency also is charged with the maintenance of food and sanitary standards, providing check and balance which contributes to a model system.

Paper by Dr. Justin K. Fuller

Because of the fact that Dr. Fuller has given so much thought and attention to the study of the mental pattern of those who become involved in crime, we asked him to provide us with a paper setting forth an approach to the problem of better understanding of the minds of those who make up our penal population. We present Dr. Fuller's views in the following:

"In accordance with your request there is given below a brief resume of the general medical problem as I believe it exists in our modern prison situation.

"Offenders are imprisoned for three major purposes: First, for the protection of society, by removing from society persons who are dangerous to its peace and good order. In the second place, offenders are sent to

prison 'as punishment'. The fear of arrest, trial, sentence, and incarceration is a tremendous deterrent to criminal action on the part of mentally normal persons: It is not so much a deterrent to the psychopathic or compulsive individual who, as a peculiarity of his mental condition, is unable to profit by past experience, cannot resist temptation, and repeats acts 'today' for which he was punished 'yesterday'. It is important to differentiate between sending persons to prison 'as punishment' and 'for punishment'. The latter implies that a prison is a place where an inmate is to be punished—perhaps mistreated or even tortured—rather than rehabilitated. This is, of course, incompatible with the obvious and logical common-sense wish to return a prisoner to society as a better and more law-abiding person than when sentenced.

"Therefore, the third purpose of imprisonment is for rehabilitation. Rehabilitation includes such measures as the correction of remediable physical and mental disabilities, the provision of schooling to correct defects in basic education, occupational training where indicated to provide for legitimate employment, and so on, all to the end that correctible defects will no longer constitute an excuse for extra-legal activity—will no longer be a crutch upon which a person may lean and upon which he may blame his derelictions.

"It is apparent from the above that in reality many prisoners are not sent to prison even 'as' punishment, since they are creatures of circumstance over which they have no control—the results of accidents of heredity or environment—pawns in the game of life who need help if they are ever to outgrow their delinquent patterns.

"The great majority of prisoners *are* released from prison back into society. Therefore, the prison should be a place where the erring persons who are sent there are prepared for re-entry into society at large, as better, more law-abiding, less troublesome members thereof—rather than worse. This is no simple matter. Indeed, the complexities of such a program are in places apparently insurmountable. For instance, with available physical facilities, how are fundamentally 'good' and well-intentioned inmates to be separated from fundamentally 'bad' inmates so that the prison will not become a 'school of crime' rather than a 'place of rehabilitation'?

"The mere fact of incarceration, undiluted by specific and effective rehabilitative measures—the mere restriction of liberty without intelligent guidance—is not of itself a permanent reformative force in most cases. Prisoners vary in their characteristics and responses to their environment. The causes of adverse behavior, especially delinquent behavior, are multiple and complex. For these reasons, every available facility should be called upon to assist in the rehabilitation and training of prisoners. Such facilities should include the resources of social, educational, occupational, psychological, religious, medical, psychiatric, and other special services.

"A modern medical service is, then, an essential part of a modern penological program. It serves three major purposes: The first purpose is the protection of the health of the institution, of the community surrounding the institution, and of the community at large. The health of the institution proper must be protected by the provision of proper sanitation, the control of communicable diseases, etc. The community immediately surrounding the institution is in constant indirect contact with

the inmates thereof through prison employees who live in the adjacent community and who might transmit communicable diseases and sanitary hazards and who would endanger the community if the institution's sanitation and communicable disease hazards were not controlled. The community at large is exposed to health hazards which might be carried to it by released prisoners.

"The second purpose of a medical penological program is the treatment of diseases and the correction of remediable disabilities suffered by inmates.

"The third purpose is investigation into the causes and cures of conduct disorder, delinquency, and crime—the development of ways to control conduct disorder, to affect delinquency, and to reduce the incidence of crime.

"It is very certain from public utterances, newspaper articles, and so on, that the American way of life assumes as a matter of course that reasonable medical safeguards will be maintained in its prisons, for the protection both of inmates and of the community at large. It is taken pretty much for granted that enlightened society expects its penologists to discharge this responsibility in reasonably full measure. This involves the provision of reasonable programs dealing with rehabilitation, education, physical and mental examination, the treatment of diseases, the correction of remediable defects, and researches into the causes and cures of delinquency.

"Perhaps the greatest direct contribution that a medical service may make to this problem is through the specialty of psychiatry. Psychiatry may be defined as that specialty of the art and science of medicine which deals with abnormal mental reactions. Psychiatry, in turn, may be divided into several branches, one being concerned with 'mental hygiene' and another with 'delinquency.' Mental hygiene is a broad subject which has to do with the prevention of all forms of abnormal mental reaction, including delinquency. Delinquency is a more limited or specific subject, having to do with the prevention, treatment, and cure of delinquency and other forms of conduct disorders.

"It would seem to be apparent that modern American civilization has placed something of a premium on the survival of certain types of the mentally unfit; and that this plays a definite part in determining the incidence of conduct disorder, delinquency, and crime; and that the resultant group of individuals is composed of many who may be called psychopathic, or who are compulsively neurotic, or borderline psychotic, or prepsychotic, or borderline defective; and that this group is largely responsible for crime; and that very little is known, scientifically, about this group, principally because members of the group rarely apply to a psychiatrist for treatment, particularly outside of the prison environment, and because members of the group are inclined to be slick, cunning, and commonly able to outsmart a considerable portion of the persons with whom they come in contact. It may be safely concluded that unless society finds some answer to the rising tide of delinquency, a saturation point and an explosion of major proportions may be anticipated.

"This situation would indicate that penal psychiatry is the branch of psychiatry best able to do something constructive in this matter. Indeed, it perhaps is the only branch that can be looked to for action

within the foreseeable future. For instance, state hospitals refuse to accept the 'non-insane' psychopath or neurotic, except in a very few special cases. Private psychiatric practitioners find this group unprofitable to deal with and shun them in preference to more satisfying and tractable cases. Private and semi-private institutions and clinics are prone to carefully select their patients and to accept only the ones most amenable to the type of treatment the institution or clinic has to offer, which, of course, usually bars the troublesome psychopathic group. Penology, then, is squarely confronted with a problem that is being evaded in most other quarters. Penology must alone shoulder most of this burden, unless institutions of learning with their compelling background of prestige, staff and laboratory facilities, sponsor a more energetic attack on the problem in penal and correctional institutions.

"Some immediate research problems are:

"(a) The detailed study of a group of some 200 castrates, who elected to undergo this operation as a means of treatment for 'sex psychopathy';

"(b) Biochemical and endocrine researches on innate homosexuals with reversed secondary sexual characteristics;

"(c) Researches on therapeutic techniques and criteria of improvement or cure of sex delinquents;

"(d) Studies into further refinements in the group therapy of psychopaths and neurotics.

"In its present state of development, a prison medical program should include a careful physical and psychiatric examination of every prisoner within 30 to 60 days after he begins the service of a sentence. The purpose of a psychiatric examination is '* * *' to discover the origin and evolution of such personality disorders as may be interfering with the happiness, satisfaction, efficiency, or social adjustment of the patient.' While no penologist is likely to disagree with the theory of this proposition, few institutions are able to adequately effectuate it in practice. A psychiatric examination takes a great deal of time—an hour or two at the very least; there is a scarcity of psychiatrists, even if an institution's budget were sufficiently liberal to provide salaries for a sufficient number to keep abreast of the above suggested program.

"More specifically, there are a considerable number of California prisoners who obviously need psychiatric examination and a certain number who by law must be psychiatrically examined (sex offenders, for instance).

"In still a third class, it is the common wish of everyone concerned that 'mental patients' be examined and treated. This desire, of course, obviously, in the light of the above brief discussion, raises the question of how the determination of who are mental patients is to be made. Certainly without routine psychiatric examinations, only inmates with gross mental abnormality obvious to anyone, be he layman, suregon, or psychiatrist, will be included in this part of the psychiatric program.

"It would seem, then, that the only hope for achieving a routine psychiatric examination program, for the time being at least, is in the development of a screening program, the meshes of which could be so adjusted as to hold back a majority of inmates most badly in need of psychiatric help and to pass on the majority of those who are nearest the normal mental level. Such a program is in the process of being

developed at the San Quentin Guidance Center, and it is hoped that it will prove to be increasingly effective as experience is gained with it. This does not mean that insistent effort should not continue to be made to improve the psychiatric program by recruiting more and better trained penological psychiatrists and psychologists.

(Signed)

"JUSTIN K. FULLER, M.D., Medical Consultant."

Dr. Fuller, because of his lengthy background with the United States Public Health Service and the Federal Bureau of Prisons, is a recognized authority on penological psychiatry and it is because of his profound knowledge on the subject that his paper should be of the utmost value to the Legislature.

Castaic Farm

Viewed today, our jails and penal institutions are relics of an era which is very definitely coming to an end. A great many of our California jails are deplorably inadequate, some are unsanitary to a disgraceful degree. A forward step would be to require the State Health authorities to examine the jails of the State and to bring action in the courts compelling the responsible authorities to maintain at least the same standards of sanitation that other citizens are required to follow.

There are in the State some instances of intelligent and far reaching thinking in the operation of county jail facilities, one being the farm and rehabilitation program which has been put into operation by Sheriff Biscailuz of Los Angeles County. The program of handling juvenile delinquents is especially commendable, and the gradual expansion of the farm and other out of doors programs reflects the thinking of an intelligent group of people to whom the sheriff has entrusted this activity. They are doing a unique selling job to industry, the churches and the labor unions.

The farm at Castaic is an amazing project. This facility dates back to Sheriff Traeger's time and stands as a monument to the ingenuity and foresight of the staffs of Sheriff Traeger and his successor Sheriff Biscailuz.

Developed from comparatively poor unimproved land without housing or other facilities, today it stands out as one of the finest institutions of its kind in the Country.

Practically all of the buildings have been constructed by inmate labor, with materials salvaged from every source which an alert group of deputies had knowledge.

Currently, a plant for making concrete blocks for use on county projects is in operation.

Through cooperation with industry, equipment and training courses are being developed under the leadership of the training personnel of some of the largest firms in the Country. This will result in many of the inmates who have no special skills, learning useful trades, which should materially improve their social and economic outlook.

The road camps and the work done on fire breaks and trails demonstrate that prisoners who would otherwise sit in idleness in the county jail, can be usefully employed, and that in the case of alcoholics they are benefited to a remarkable degree.

Santa Rita Industrial Program

Sheriff Gleason of Alameda County has also instituted a fine industrial program at Santa Rita. This institution, which was acquired from the United States Navy and can be made to accommodate 1,500 people, comprises 3,300 acres, most of which is good farm land on which is produced food which would otherwise have to be purchased by the taxpayers for the Alameda County institutions. It is believed that hospital and relief programs will be supplied the larger part of their food needs from the jail farm program when developed to its maximum. The county prisoners in this institution, living and working in the open, not only are being rehabilitated physically but mentally as well, and at a less cost to the taxpayers than if they were maintained in idleness, caged in fortresses of steel and concrete.

It may be argued that only the populous and wealthy counties can afford such programs, but we believe that it points to a trend of utilizing such institutions by a group of counties. Such planning should result in a considerable saving of money. A number of states follow this plan very successfully. This committee believes that the experiences of these other states should be studied and investigated.

The Sheriff's View

In our inspections of jails throughout the State we have had the opportunity of meeting with and listening to the views of a great many sheriffs. It should be borne in mind that the sheriff of the county is very close to the people and the conditions prevailing in his county. The sheriff is quite responsive to the thinking of the people and we think it only fair to report to the Legislature that, while the majority of sheriffs are quite willing to admit that such state legislation as minimum standards is along the right lines, they nevertheless feel that the tendency of the State to assume dictator powers over the counties is unfair and might lead to too much one-man rule. The points of view of some of the sheriffs are very sound and they tried to impress us with the thought that they were wholeheartedly in favor of running their own counties without too much interference from the State. In fairness to the sheriffs of California whom we have met, we present the above points of view in this report in order that the Legislature in future legislation may be cognizant of the views of these men.

Crime is costly, how costly no one knows exactly, but when we stop and reflect that it costs about $150,000,000 a year to protect life and property in the State of California we must admit that crime is Big Business and important to the people of this State.

ADULT AUTHORITY

In developing the material which we now set before you, we have, during and following the constitutional recess, attempted to make a comprehensive study of parole. In carrying out this work, we spent several days in the Los Angeles County Jail, interviewing parolees who were incarcerated as parole violators, or were there on new charges, or held for investigation.

The time available was altogether too brief to bring the study to a practical conclusion Furthermore, due to pending litigation in which

Adult Authority and the Parole Bureau are engaged, it would be quite improper to disclose some important phases of our study.

The Parolee Problem

We were surprised to learn that as of the week ending January 31, 1949, the weekly census of parolees held in custody in the Los Angeles County Jail, amounted to 94 men, or approximately 3 percent of all of the parolees under the jurisdiction of the Adult Authority in California

We, particularly, wanted to know why these men were in jail, because it seemed to us that the case histories of these men should reflect the true picture of just what the treatment of our penal institutions had done for them, also we reasoned that here, indeed, should lie a most fertile field of study of the parolee who had failed.

We questioned these men at length about their relationship with their parole officers, and we learned that the approach of the parole officer to the parolee varied widely from man to man. It did not seem, from the stories we heard, that the parole officers followed fixed rules, and that very wide discretion was allowed them in the handling of their charges.

We ran into one situation, which we investigated at great length; that of a man who had completed about thirty-five months of successful parole before he became involved in a situation for which he was arrested, charged with sale of narcotics and of "ex-con with a gun." On examination of the records at the Bureau of Parole, we discovered that their records showed that this man had been freed after a jury trial in the Superior Court of Los Angeles County on the dope charge, but no mention was made on the Bureau of Parole's records to show that he had also been freed on the second charge of "ex-con with a gun." When this fact was disclosed to the supervising parole officer, he was very much surprised, and ordered an investigation of the records of his office, and the report corrected to show that the man had been vindicated on both charges.

We believe, in the interest of simple justice, that extreme care should be exercised in the maintenance of these records. This committee has sat in at hearings of the Adult Authority in various prisons, and has observed that the board relies solely on the man's record for their decision in setting his term of sentence or for parole. We have noted instances at these hearings where the man disagreed with the board's record of his case, and in these instances the man was advised by the board that all the board had to go on was the "record" and the closer he would agree to the record, the better it would be for him. Incidentally, we may add that this man's parole was suspended, and he has been returned to Folsom as a parole violator, "for failure to cooperate with his parole officer."

In the course of our investigations, we interviewed several other parolees who were being or had been supervised by the parole officer in the above man's case, who told us that this parole officer had a very quick temper When one considers the difficulty which confronts the parolee, of fitting himself back into society, of getting and keeping a job where it is often known that he is a parolee, one begins to realize the far sightedness of the New York Parole Law, which specifically directs the use of

social case methods, and which results in virtually all parole officers being trained as social workers.

It would seem, from the results of the interviews which we had with so many parolees, that the keystone in the arch of success in this field, depends upon the type of person the parole officer is, and of his training and background. A successful parole officer is a social worker, possessing the special talents which would enable him to work with men who have broken the laws of society, have been tried and convicted, have been removed from the community, have been imprisoned and returned to society, not as free men, but as freed convicts, men who because of their experiences, are handicapped in an unlimited number of ways.

The Parole Officer

We have found that the majority of parole officers in California consider themselves to be peace officers. They feel that they should carry guns and handcuffs and have full powers of arrest. And yet the more one studies parole, and delves into the vast literature concerning parole, the more one becomes convinced that the basic philosophy behind parole is built upon sociological and psychological principles. The policeman is one of society's inventions. He fills a necessary place, and if he is to be a successful policeman, he must possess special abilities and a suitable mental approach to his job. One thing is certain, God Almighty for His own good reasons, did not combine with the characteristics which make for a good policeman those of a sociologist or the psychologist. Perhaps, if He had, there would be no crime, no jails, no Adult Authority, no Parole Bureau.

Parole officers are another of society's inventions. They also fill an existing need. Certainly, the calling is an honorable one. The parole officer can do an immense amount of good to society in the field of rehabilitation in fitting back into society that end product of the penal institution, the parolee, after he has undergone the so-called treatment in which our institutions specialize. The parole officer is also of great economic value to the State, and the way he does his job may result in the savings of millions of dollars in fixed and other charges to the State.

At this point, this committee wishes to point out a fact that few people seem to realize:

That the entire population of our penitentiaries in California, numbering some 10,000 persons, are tax consumers. Imagine what would happen if someone appeared before this Legislature, asking it to appropriate the taxpayer's money to feed, clothe, house, and provide free medicine and care for a community of 10,000 healthy, able-bodied, and fairly intelligent free citizens. Nor do many seem to realize that the prime purpose behind parole is to reduce the prison population just as soon as it is thought that further incarceration would no longer serve the State or the inmate. Few also seem to realize that the parolee under the very terms of his parole becomes a taxpayer. He is still a convict under supervision of his parole officer but he must pay his own way, earning wages and paying taxes.

From the above, it can be readily seen how important the work of a parole officer is, and how beneficial his work can be to the State. And, from this, it should follow that parole officers should be exceptionally trained and well-balanced people.

Committee Recommendations

This committee, as a result of its work, feels that the strongest possible protection to these agencies and to those engaging in carrying out the activities of these agencies would require that full, complete, and accurate statistical data, together with complete copies of all rules, resolutions, and regulations promulgated by the Adult Authority and the Bureau of Paroles be made available to the Legislature and on file in the public library in the form of reports covering their activities. The State of Pennsylvania even goes so far as to require that its Parole Board's action shall be filed of record in the offices of the board, and shall be at all reasonable times open to public inspection.

This committee feels that the closed hearings and authoritative attitude of the Adult Authority and its agency, the Bureau of Paroles, is unwholesome and should be corrected at once.

The only defense of the policy of closed hearings that we know of is the "welfare" of the prisoners or parolees, a defense which we do not accept because the possibility of harm inherent in secrecy far outweighs the good.

The fact that a man has been convicted of a crime and has been imprisoned is a matter of record and public knowledge, and we can think of no valid reason why it should suddenly become so necessary to shroud in secrecy the fact of his release on parole.

We believe the public should know these facts, not only for its own protection, but also because secrecy in any governmental agency is abhorrent to the American mind.

It is conceivable that such secret methods could lead to abuses if unscrupulous men were to find their way into even a minor position in these agencies.

It is so easy to see—a system operating in such a secret fashion, a system which permits a parole officer to throw a man into jail under the pretext that he "needs a little more treatment", or to "violate him" for a good reason or a bad reason, or for no reason, when he knows that his actions and his records never will be scrutinized by anyone outside his own department, is a bad system and could lead, and has led, to abuse.

The Illinois law governing parole requires that all sessions of the Division of Correction shall be open to the public, and said division shall keep a public record of all persons appearing for or against any application for parole The Illinois law further states:

"On the first day of the respective sessions of the subcommittees and the day immediately following if so designated by the members of the Division, relatives, friends and counsel for the prisoners may attend and be heard in behalf of the prisoners whose names appear on the docket, as well as persons who desire to protest the release of the prisoners." The Illinois law further provides that: "No subsequent oral arguments will be heard in cases appearing on that particular docket, but attorneys or other persons may submit in writing to the Division of Correction any brief or statement of fact in behalf of or in opposition to the parole of any inmate whose name appears on the docket."

This committee has agreed, for the reasons stated above, that any further report pertaining to parole personnel or policies of the administration must be held for a future release.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to T. Stanley Warburton and Lloyd A. Riutcel of Fullerton.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marilyn Nickel of Arcadia.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Virginia Lipscomb, Diane Marie Lipscomb, and Joyce Elaine Lipscomb of Los Angeles.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Robert Hedstrom and Hugh P. Donnelly, Jr. of Turlock.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. George R. Jansen, and son Richard, of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Frank Fenley, Scoutmaster; Lawrence Bradley, Driver; Ronnie Jewell, Junior Assistant Scoutmaster; and Jack Peters, Senior Patrol Leader; Bishop Boy Scout Troop No. 259, sponsored by Bishop Rotary Club, on six-day centennial tour, and the following members: Raymond Rudolph, John Fischer, Leon Bryant, Jack Mahony, Robert Marcellin, Lyle Bundy, Elmore Salisbury, Tommy Brooks, Larry Laphan, Bobby Summers, Richard Blackmore, Billy Greenlee, Eddie Summers, Roy Falconer, Curtis Peeler, Joe Grosshadt, Don Johnson, Clive Chapin, Harry Wentworth, Sid Wentworth, Ralph Clark, Bill Peters, Ronnie Reagan, Kenny Lloyd, Barry Burkhalter, Bob Engel, Frank Hill, Ronnie Watkins, Bobby Boyer, Scotty Harn, Dick Jones, Jerry Heinsen, Bob Watkins, Dewey Kiner, Bob Kinmont, Joe Warlie, Lee Shirley, Billy Cook, Jimmy Meckel, Richard Kelso, Bill Flaxa, Delbert Tucker, Norman Rollins, Charles Handzel, Glen Singleton, Joe Faulkner, Jimmy Gunter, and David Rudolph.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. William Sweigert of San Francisco, Denise Desmond, Clare Desmond, and Michael Desmond of Sacramento.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Miss Penny Riede of Antioch.

On request of Messrs. Burkhalter and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Gordon Murchie of North Hollywood.

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Herman Lewis, David Lewis, and Miss Betty May Lewis of Buttonwillow, and Mr. and Mrs. Earl Williams and Miss Norma Dale Williams of Modesto.

On request of Mr. Ralph C. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Evelyn Johnson of El Monte.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. A. C. Fleury of Sacramento.

ADJOURNMENT

At 12 m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 18, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTIETH LEGISLATIVE DAY

ONE HUNDRED SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 18, 1949

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Eternity: May the Eastertide confirm our belief in the Life Everlasting.

May we see the intimations of immortality in the spectacle of nature rising out of its grave of winter, and of the seeds out of dead shells, and the butterfly out of its chrysalis.

If an atom of energy or of matter can be destroyed, let us believe that the psychic energy of man must also be indestructible.

How universal is the belief in a future, from the savage who entered his heaven by the grapevine trail of the forest, to the Esquimaux, who looks for his Hereafter by the shining path of the aurora borealis.

If the Eternal God gives to the atom an eternity and to the seed another spring time, let us believe that the human soul has a career in the Beyond.

Above all may we live the kind of life that is worth living forever.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Caldecott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Evans, on motion of Mr. McMillan.

Mr. Price, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Rosenthal, on motion of Mr. Beck.

Mr. Huyck, on motion of Mr. Smith.

Mr. Thomas, on motion of Mr. Fletcher.

Mr. Way, on motion of Mr. Condon.

CORRECTIONS AUTHORIZED BY UNANIMOUS CONSENT

By unanimous consent, Speaker pro Tempore Maloney ordered that an incorrect report by the Committee on Municipal and County Government, printed on page 2103 of the Assembly Journal for Thursday, April 14, 1949, be corrected to show that Assembly Bill No. 2524, instead of Assembly Bill No. 2624, was reported out of committee in the corrected Journal of that date.

By unanimous consent, Speaker pro Tempore Maloney ordered that an incorrect report by the Committee on Industrial Relations, printed on page 2204 of the Assembly Journal for Friday, April 15, 1949, be corrected to show that Assembly Bill No. 1371, instead of Assembly Bill No. 1370, was reported out of committee, in the corrected Journal of that date.

MOTION TO EXPUNGE RECORD AND RESCIND ACTION ON SENATE BILL NO. 1066

Mr. Fletcher moved to expunge the record, and rescind the action whereby the Committee on Industrial Relations reported Senate Bill No. 1066 out of committee, and it was ordered to second reading.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, and Waters—58.

NOES—None.

Request for Unanimous Consent That Senate Bill No. 1066 Be Withdrawn From File, and Be Re-referred

Mr. Fletcher asked for, and was granted, unanimous consent that Senate Bill No. 1066 be withdrawn from the file, and be re-referred to the Committee on Industrial Relations.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 129
Assembly Bill No. 956
Assembly Bill No. 1207
Assembly Bill No. 1287
Assembly Bill No. 1941
Assembly Bill No. 2431

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 883
Assembly Bill No. 1398
Assembly Bill No. 1629
Assembly Bill No. 1814
Assembly Bill No. 1819
Assembly Bill No. 1822
Assembly Bill No. 1823
Assembly Bill No. 2764

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1396

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 409
Assembly Bill No. 465
Assembly Bill No. 736
Assembly Bill No. 767
Assembly Bill No 963
Assembly Bill No. 1196
Assembly Bill No. 1268
Assembly Bill No. 1334
Assembly Bill No. 1376
Assembly Bill No. 1509
Assembly Bill No. 1510
Assembly Bill No. 1511
Assembly Bill No. 1555
Assembly Bill No. 1788
Assembly Bill No. 1974
Assembly Bill No. 2712
Assembly Bill No. 2783
Assembly Bill No. 2899
Assembly Bill No. 2980
Assembly Bill No. 2982
Assembly Bill No. 3041
Assembly Bill No. 3112

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2080
Assembly Bill No. 2309
Assembly Bill No. 2632

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2309 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2632 ordered re-referred to Committee on Social Welfare.

Assembly Bill No. 2080 ordered re-referred to Committee on Public Health.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 95 re-referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced, on behalf of Mr. Dunn, that a bill prepared at some legislator's request, and given to Mr. Dunn for introduction, does not belong to Mr. Dunn, and will be held at the Speaker's rostrum for a few minutes; and if not claimed, will be returned to the Office of the Legislative Counsel.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 113 HOLD PLACE ON FILE

Mr. Fletcher asked for, and was granted, unanimous consent that Assembly Bill No. 113 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1519—An act to add Section 502.5 to the Vehicle Code, relating to driving a vehicle while under the influence of liquor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1860—An act to amend Sections 484, 488, and 488.5 of the Vehicle Code, relating to accident reports and defining their use.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1864—An act to add Section 717 to the Vehicle Code, relative to closing highways by peace officers in emergencies.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1867—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice, instruction and contests by members of the California Highway Patrol

Bill read second time, and ordered engrossed.

Assembly Bill No. 2004—An act to add Section 642 to the Vehicle Code, relating to the mounting height of lamps and reflectors on vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2019—An act to amend Sections 139.51, 139.52, and 139.53 of the Vehicle Code, relating to members of the California Highway Patrol.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2083—An act to amend Section 257 of the Vehicle Code, relating to operators' licenses for minors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2191—An act amending Section 50 of the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2226—An act to add Section 160.1 to the Vehicle Code, relating to the renewal of the registration of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2612—An act to amend Division 9, Chapter 3 of the Vehicle Code by adding Section 459.6 thereto, regarding the regulation of traffic on private roads in housing projects or within the site of housing owned or operated by housing authorities, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed

Assembly Bill No. 1371—An act to repeal Sections 3352, 3358.5, 4250, 4251, 4252, 4253, 4255, and 4256 of the Labor Code, dealing with workmen's compensation

Bill read second time, and ordered engrossed.

Assembly Bill No. 1034—An act to amend Sections 101 and 18620, and to repeal Section 18629 of the Business and Professions Code, relating to the State Athletic Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2459—An act to amend Section 19433 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2461—An act to add Sections 18626.5 to the Business and Professions Code, relating to the salary of the Secretary to the State Athletic Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2836—An act to amend Section 18734 of the Business and Professions Code, relating to boxing and wrestling.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3122—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations, and clubs, and providing for the issuance of on-sale licenses thereto.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1616—An act to amend Section 56 of the Unemployment Insurance Act, relating to trade dispute disqualifications.

Bill read second time, and ordered engrossed.

Assembly Bill No. 453—An act to amend Section 18852 of the Government Code, relating to salaries of state employees

Bill read second time, and ordered engrossed.

Assembly Bill No. 1503—An act to amend Section 18705 of the Government Code, relating to days, hours and conditions of work for state employees.

Bill read second time, and ordered engrossed

Assembly Bill No. 1903—An act to add Section 20334.1 to the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 39—An act to add Article 4, comprising Sections 17390 to 17394, inclusive, to Chapter 4, Part 10, Division 2, of the Revenue and Taxation Code, relating to the personal income tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 445—An act to add Section 6361 to the Revenue and Taxation Code, relating to retail sales and use taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 808—An act to add Part 2, comprising Sections 23001 to 26481a, inclusive, to Division 2 of, and to add Sections 50016 and 50017 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Bank and Corporation Franchise Tax Act and the Corporation Income Tax Act, and repealing acts and parts of acts specified herein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1893—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from taxation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3106—An act to add Section 6368 to the Revenue and Taxation Code, relating to the exemption of watercraft used in interstate or foreign commerce or in commercial deep sea fishing operations and property and charges used and incurred in the construction or repair of such watercraft from the sales and use taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1858—An act to add Sections 51 and 58 to the Vehicle Code, defining an armored car and inflammable liquid.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2, line 47, of the printed bill, strike out "act", and insert "section".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2617—An act to amend the Sanitation and Sewer Revenue Bond Act of 1941 in relation to the collection of revenue.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out ". In such case", and insert ", which agreement shall establish the terms and conditions upon which such collections shall be made. Such agreement, in the discretion of such department or agency or public utility owner making the collections, also may provide that".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2618—An act to amend the Sewer Revenue Bond Act of 1939 in relation to public corporations and the collection of revenues.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 24, of the printed bill, strike out ". In such case", and insert ", which agreement shall establish the terms and conditions upon which such collections shall be made. Such agreement, in the discretion of such department or agency or public utility owner making the collections, also may provide that".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2619—An act to amend Chapters 5 and 6, Part 3 of Division 5 of the Health and Safety Code, relating to the collection of sewer revenue charges.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 20, of the printed bill, strike out ". In such case", and insert ", which agreement shall establish the terms and conditions upon which such collections shall be made. Such agreement, in the discretion of such department or agency or public utility owner making the collections, also may provide that".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1910—An act to amend Sections 20023, 20024, 20920, 20921, 20922, 21253, and 21362 of, to repeal Section 21255 of, and to add Sections 20334.1, 20654.6, 20654.7, 20654.8, 20654.9, 20654.95, and 21251.3 to, the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on April 11, 1949, strike out "20334.1,".

Amendment No. 2

On page 6 of said bill, strike out lines 26 to 52, inclusive; and on page 7, strike out lines 1 to 4, inclusive.

Amendment No. 3

On page 7, line 5, of said bill, strike out "10", and insert "9".

Amendment No. 4

On page 7, line 27, of said bill, strike out "11", and insert "10".

Amendment No. 5

On page 7, line 36, of said bill, strike out "12", and insert "11".

Amendment No. 6

On page 7, line 43, of said bill, strike out "13", and insert "12".

Amendment No. 7

On page 8, line 1, of said bill, strike out "14", and insert "13"

Amendment No. 8

On page 8, line 8, of said bill, strike out "15", and insert "14".

Amendment No. 9

On page 8, line 30, of said bill, strike out "16", and insert "15".

Amendment No. 10

On page 8, line 35, of said bill, strike out "17", and insert "16"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 26—An act to add Section 20894.2 to the Government Code, relating to employees of contracting agencies in the State Employees' Retirement System, declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out ", declaring the urgency hereof, to take effect immediately".

Amendment No. 2

On page 1, line 3, of said bill, strike out "shall", and insert "may".

Amendment No. 3

On page 1 of said bill, strike out lines 13 to 25, inclusive; and on page 2, strike out lines 1 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1502—An act to amend Section 18020 of the Government Code, relating to hours of work for state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "(2)", and insert "(4)"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1889—An act to add Section 19258 to the Government Code, relating to state employees completing 25 years or more of state service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1925S", and insert "19259".

Amendment No. 2

On page 1, line 1, of said bill, strike out "1925S", and insert "19259".

Amendment No. 3

On page 1, line 3, of said bill, strike out "1925S ", and insert "19259 "

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2128—An act to add Section 11154.5 to the Government Code, relating to leaves of absence for state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 7, of the printed bill, after "or changing", insert "knowledges,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1455—An act to amend Sections 164.5, 373, and 776 of the Vehicle Code and to add Section 373.1 thereto, relating to registration and registration and license fees for trailer coaches and disposition of the funds received therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill as amended in the Assembly on March 14, 1949, strike out "Sections 164.5, 373, and 776", and insert "Section 776".

Amendment No. 2

In line 2 of the title of said bill, after "thereto," insert "and to amend Section 10758 of the Revenue and Taxation Code,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

Amendment No. 4

On page 2, line 10, of said bill, strike out "SEC. 3.", and insert "SECTION 1".

Amendment No. 5

On page 2 of said bill, strike out lines 12 to 16, inclusive, and insert
"373.1 Fees for Trailer Coaches."

Amendment No. 6

On page 2, lines 17 and 18, of said bill, strike out "three dollars ($3)", and insert "six dollars ($6)".

Amendment No. 7

On page 2, line 46, of said bill, strike out "SEC. 4", and insert "SEC. 2."

Amendment No. 8

On page 3, line 4, of said bill, strike out "registration and".

Amendment No. 9

On page 3 of said bill, after line 9, insert

"SEC. 3. Section 10758 of the Revenue and Taxation Code is amended to read:

10758. The license fee imposed under this part is in lieu of all taxes according to value levied for state or local purposes on vehicles of a type subject to registration under the Vehicle Code whether or not the vehicles are registered under the Vehicle Code *except that any trailer coach, as defined in the Vehicle Code, which is not registered on the first Monday in March of any year shall be subject to local taxes according to value in the same manner as other personal property.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 443—An act to amend Sections 45 and 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 45 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive, and on page 2, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 142 of the Vehicle Code is amended to read:".

Amendment No. 3

On page 2, line 24, of said bill, after "*not*", insert ", *which is only incidentally*

operated or moved over a highway. The following shall be deemed to be implements of husbandry and shall be exempt from registration:

(1) A lift-carrier or other vehicle designed and used exclusively for the lifting and carrying of implements of husbandry, when operated or moved upon a highway.

(2) A two-wheeled trailer having no bed, and designed and used solely for transporting a hay loader.

(3) A spray rig designed and used exclusively for spraying in the conduct of agricultural operations.

(4) A nurse rig or equipment auxiliary to the use of a spray rig.

(5) A row duster.

(6) A wagon or van used exclusively for carrying products of farming from one part of a farm to another part thereof, or from one farm to another farm, and used solely for agricultural purposes, including any van used in harvesting alfalfa, which is only incidentally operated or moved on a highway as a trailer

(7) A wagon or portable house on wheels used solely by shepherds as a permanent residence in connection with sheep-raising operations and moved from one part of a ranch to another part thereof or from one ranch to another ranch, which is only incidentally operated or moved on a highway as a trailer

(8) A trap wagon moved from one part of a ranch to another part of the same ranch or from one ranch to another, which is only incidentally operated or moved on a highway.

(9) A two-wheeled trailer of the tip-bed type when used exclusively in the transportation of other implements of husbandry.

The foregoing list shall be deemed as illustrative and not a list of limitations".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1869—An act to amend Sections 61, 124.5, 131, 379, 454.2, 681, and 750.5, and to add Sections 62.1, 449, and 617 to the Vehicle Code, relating to the powers and duties of the Departments of Motor Vehicles and the California Highway Patrol.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 4 of the printed bill, strike out lines 4 and 5.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3032—An act to amend Section 469 of the Vehicle Code, relating to railroad warning approach signs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "Every", and strike out lines 18, 19, 20, and 21, and insert "Every such sign erected after January 1, 1951, shall consist of a metal disc and shall conform approximately to the specifications hereinafter set forth. Said disc shall be 24 inches in diameter The face of said disc shall have a yellow enameled background upon which there shall be placed an enameled black border line one-half inch wide and an enameled black 90-degree crossbuck "X" two and three-eighths inches wide. In each of the side quarters thus formed there shall appear in black enamel the letter "R" five and five-eighths inches high and four and three-eighths inches wide, drawn in lines of one inch stroke Every sign shall contain reflecting elements set into the face of the sign Said signs may be made of larger dimensions in which event the size and stroke of letters and lines shall be increased in the proper proportion."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 667—An act to amend Section 314 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2 of the printed bill, strike out lines 14 to 19, inclusive, and insert "(d) In applying the provisions of this section the department shall give due consideration to the more frequent use of motor vehicles by chauffeurs."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2711—An act to add Article 10, comprising Sections 8001 to 8021, inclusive, to Chapter 4 of Part 3 of Division 6 of the Public Resources Code, relating to surveys and maps, creating the office of State Supervisor of Maps and Surveys, and prescribing his powers and duties, making an appropriation therefor, and repealing "An act to provide for basic topographic mapping of the State of California and making an appropriation therefor," approved July 17, 1945.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 21, 1949, strike out "8021", and insert "8025".

Amendment No. 2

Strike out lines 5 to 8, inclusive, of the title of said bill, and insert "prescribing his powers and duties."

Amendment No. 3

On page 1, line 5, of said bill, strike out "8021", and insert "8025".

Amendment No. 4

On page 1, line 18, of said bill, strike out "with the"; and strike out lines 19 and 20, and insert "to the provisions of Chapter 1307 of the Statutes of 1947."

Amendment No. 5

On page 3 of said bill, strike out lines 49 to 51, inclusive; and on page 4, strike out lines 1 to 5, inclusive, and insert

"8022. No part of any money appropriated or otherwise made available to carry out the provisions of this article shall be expended for the original production of maps unless and until an equal or greater amount of money shall"

Amendment No. 6

On page 4, lines 11 and 12, of said bill, strike out "this appropriation", and insert "money appropriated or otherwise made available to carry out the provisions of this article"

Amendment No. 7

On page 4, line 23, of said bill, strike out "Money", and insert

"8023 All money"

Amendment No. 8

On page 4, line 25, of said bill, strike out "or"; and strike out lines 26 to 29, inclusive, and insert a period

Amendment No. 9

On page 4 line 30, of said bill, strike out "Moneys", and insert

"8024 All money".

Amendment No. 10

On page 4, line 32, of said bill, before "The", insert

"8025."

Amendment No. 11

On page 4 of said bill strike out lines 38 to 51, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 49—An act to add Section 59.3 to the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "8 o'clock", and insert "10 o'clock"

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 1005—An act to provide for the regulation and licensing of tournaments, competitions and exhibitions of the Spanish-Basque game known variously as Jai Alai, Hi Li, or Pelota, played in conjunction with pari-mutuel wagering; appointing and prescribing the powers and duties of a California Jai Alai Board for the regulation, licensing and supervision of such tournaments, competitions and exhibitions; providing penalties for violation of the provisions hereof; and making an appropriation for the support of the California Jai Alai Board for administration of the terms hereof and appropriating the balance of moneys derived hereunder, after appropriation for the support of the California Jai Alai Board, to provide a source of income to be applied to the rehabilitation of the veterans of all wars.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "appointing and".

Amendment No. 2

In line 5 of the title of said bill, strike out "a California Jai Alai", and insert "the California Horse Racing"

Amendment No. 3

In line 9 of the title of said bill, strike out "Jai Alai", and insert "Horse Racing".

Amendment No. 4

In line 12 of the title of said bill, strike out "Jai Alai", and insert "Horse Racing".

Amendment No. 5

Strike out line 14 of the title of said bill, and insert "support of Veterans Claims and Rights Service as provided for in Section 699.5 of the Military and Veterans Code."

Amendment No. 6

On page 2, line 7, of said bill, strike out "Jai Alai", and insert "Horse Racing".

Amendment No. 7

On page 2, line 9, of said bill, strike out "Jai Alai", and insert "Horse Racing".

Amendment No. 8

On page 8, line 32, of said bill, strike out ", and", and insert a period

Amendment No. 9

On page 8 of said bill, strike out lines 33 and 34, and insert "all such moneys so collected and".

Amendment No. 10

On page 8, line 37, of said bill, strike out "Jai Alai", and insert "Horse Racing".

Amendment No. 11

On page 8, line 40, of said bill, strike out "Rehabilitation"; and strike out line 41, and insert "support of Veterans Claims and Rights Service as provided for in Section 699.5 of the Military and Veterans Code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 1227—An act to amend Section 64 of the Alcoholic Beverage Control Act, relating to the possession, consumption, sale, giving, and delivery of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "or in or any any other buildings or grounds"; strike out lines 7 and 8; and in line 9, strike out "are participating".

Amendment No. 2

On page 1, line 9, of said bill, after the period, insert "Every person who at any athletic event in which public elementary or secondary schools are participating, consumes, sells, gives or delivers to any other person any alcoholic beverage in or on any portion of any premises not public school property and being used by the participants or spectators of such athletic event, shall be guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 2207—An act to amend Sections 18679 and 18679.5 of the Business and Professions Code, relating to boxing and wrestling licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "not less than one-fourth of".

Amendment No. 2

On page 1 of said bill, strike out lines 17 to 22, inclusive, and insert

"The total annual fee shall be paid for any license issued between January 1st and March 31st, both dates inclusive; three-fourths of the annual fee shall be paid for any license issued between April 1st and June 30th, both dates inclusive; one-half the total annual fee shall be paid for any license issued between July 1st and September 30th, both dates inclusive; one-fourth of the total annual fee shall be paid for any license issued betwen October 1st and December 31st, both dates inclusive. Every license shall expire at midnight on December 31st of the year in which such license is issued."

Amendment No. 3

On page 1, line 26, of said bill, strike out "If the license".

Amendment No. 4

On page 1 of said bill, strike out lines 27 and 28.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 2455—An act to amend Section 6 and to add Section 59.6 to the Alcoholic Beverage Control Act, relating to license privileges and hours of sale.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to amend Section 6 and ".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 26 and pages 2 to 8, inclusive, and insert

"SECTION 1. Section 59.6 is added to the Alcoholic Beverage Control Act, to read as follows:

Sec. 59.6. (a) No off-sale licensee shall sell, give or deliver any alcoholic beverages other than beer to any person except between the hours of 8 o'clock a.m. and 8 o'clock p.m. of the same day on any day other than Saturday and except between the hours of 8 o'clock a.m. and midnight on Saturday.

(b) No off-sale licensee shall sell, give or deliver any beer to any person between the hours of 2 o'clock a.m. and 6 o'clock a.m.

(c) Any person violating the provisions of this section is guilty of a misdemeanor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 2489—An act to repeal Section 67.5 of the Alcoholic Beverage Control Act, relating to sale of alcoholic beverages to common carriers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 2, of the printed bill, strike out "repealed.", and insert "is hereby amended to read:

67.5. No tax under this act shall be imposed upon the sale of alcoholic beverages by a licensee in this State to a common carrier or to a person licensed to sell alcoholic beverages on boats or trains operated by a common carrier when such alcoholic beverages are to be used without this State, nor in such case need such common carrier procure a license under this act for purposes of purchasing such alcoholic beverages from a licensed [manufacturer,] wine grower, rectifier, [importer] or wholesaler.

Whenever distilled spirits are sold by [manufacturers,] rectifiers, [importers] or wholesalers to common carriers engaged in interstate or foreign passenger service for use or sale by such carriers partly within the State and partly without the State on board boats or trains, or to persons licensed to sell distilled spirits on board such boats or trains, the tax imposed by Section 24 of this act shall not be levied on the sales made by [manufacturers,] rectifiers, [importers] or wholesalers.

An excise tax is hereby levied on sales of distilled spirits made by common carriers on board boats and trains, or by persons licensed to sell distilled spirits on board such boats and trains, in California at the same rates as set forth in Section 24. On or before the first day of each month such common carriers and such other licensed persons shall forward to the board a verified report of the sales of distilled spirits made by such common carriers, or by such other licensed persons, on board boats and trains in California in the calendar month preceding the previous calendar month, in such detail and form as the board may prescribe, together with a payment sufficient to pay the distilled spirits excise tax at the rate set forth in Section 24 on such sales made in said month.

The board shall from time to time make examinations to determine the accuracy of the reports of sales submitted by common carriers, and by persons licensed to sell distilled spirits on board boats and trains operated by common carriers. The board shall have the power and is hereby authorized to make such rules and regulations for

the enforcement of the provisions of this section as it shall deem necessary to adequately insure the collection of the excise tax."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 3023—An act to amend Sections 19484 and 19538 of, and to add Sections 19538.1, 19538.2, and 19485.5 to the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 3, line 17, of the printed bill, after "Board", insert "Such beneficiaries, in addition, must be approved by the California Horse Racing Board. Each charity day licensee, within such 12-month period and prior to payment of any contribution to any beneficiary, shall submit to the California Horse Racing Board the names of each of such beneficiaries for the approval of such board. If the board shall not disapprove such listed beneficiaries within 30 days after the submittal to such board of the names of the proposed beneficiaries, then the approval of such board shall be deemed to have been given."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 21—An act to amend Section 2 of, to add the heading to Part 1 thereof, and to add Part 2, comprising Sections 25 to 46, inclusive, to the limited dividend Housing Corporations Act, relating to state assistance through the Department of Industrial Relations in financing of mass residential housing and other facilities incidental or appurtenant thereto and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on March 23, 1949, strike out "46", and insert "45"

Amendment No. 2

In line 10 of the title of said bill, strike out "mass".

Amendment No. 3

In line 12 of the title of said bill, strike out "and making an appropriation therefor".

Amendment No. 4

On page 5, line 14, of said bill, strike out the period, and insert ", and in addition, the Legislature declares that such corporations are corporations organized and operated for charitable purposes, not conducted for profit and no part of the net earnings of which inures to the benefit of any private stockholder or individual and the property of which is used exclusively for charitable purposes within the meaning of Section 1c of Article XIII of the Constitution."

Amendment No. 5

On page 5, line 16, of said bill, strike out "mass".

Amendment No. 6

On page 7 of said bill, strike out lines 14 to 27, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 2832—An act to add Part 7 to Division 5 of the Labor Code, relating to the motion picture industry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 and 10, and insert "intake and exhaust ventilating fans sufficient in size to provide a complete circulation of air within a minimum of seven minutes and a maximum of 15 minutes"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 1190—An act to add Section 6604 to the Labor Code, relating to effect of refusal to work where order of Division of Industrial Safety is violated.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"6604 No employer shall require any employee, to perform any work which is in violation of any safety order of the Division of Industrial Safety and no employee shall be laid off or discharged for refusing to perform such work.

Nothing in this section shall be construed to require an employer to pay an employee who contracts to perform a hazardous task and then refuses, so long as in the performance of such work any provision of the Labor Code or any safety order of the Division of Industrial Safety is not or will not be violated."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 2645—An act to amend Section 6506 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "person", and insert "employer".

Amendment No. 2

On page 1, line 8, of said bill, after "employment", insert "provided that said order, decision, direction, rule, or regulation is contained in this code or has been

published in the Administrative Code, or has been communicated to every employer charged with notice thereof".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 2646—An act to amend Section 4650 and to repeal Section 4652 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "first", and insert "eighth".

Amendment No. 2

On page 1, line 6, of said bill, after the first "injury", insert "provided that in case the injury results in disability of more than forty-two days, the compensation shall be allowed from the date of disability".

Amendment No. 3

On page 1, line 8, of said bill, strike out "first", and insert "eighth".

Amendment No. 4

On page 1, line 9, of said bill, after "permanent", insert "provided that in case the injury results in disability of more than forty-two days, the compensation shall be allowed from the date of disability".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 1482—An act to add Section 20608.5 to the Government Code, relating to the State Employees' Retirement System, and providing for adjustment in rates of contribution by and in respect to local safety members.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20608.5", and insert "Sections 20607.5 and 21252.4".

Amendment No. 2

Strike out lines 3 and 4 of the title of said bill, and insert "for contribution rates by and in respect to local safety members, and for the benefits payable to such members."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 20607.5 is added to the Government Code, to read:

20607.5. For each local safety member who became a member of this system, or, if entitled to credit for prior service, who entered fire, police, or county peace officer service at or below age 45, the normal rate of contribution shall be such as will provide, on the average, a service retirement annuity at age 55, or upon completion of 20 years of service at an age higher than 55 years, equal to one-fourth of his final compensation less one-half of his prior service pension (assumed for this purpose to be based on the full prior service formula applicable to his classification), it being the intention that the retirement allowances of such members, upon retirement at age 55 or such higher age, shall be, on the average, one-half of their final compensations, respectively.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section.

Whenever this section becomes applicable to the employees of any contracting agency, as to those members to whom it applies it shall supersede the provisions of Section 20607.

SEC. 2. Section 21252.4 is added to said code to read:

21252.4 The current service pension for local safety members is a pension derived from the contributions of the employer, which, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member, shall equal the same percentage of his final compensation, regardless of his age at retirement, for each year of fire, police, or county peace officer service, as the contributions of the member and the employer are calculated to provide upon retirement for service at age 55, or upon completion of 20 years of service at an age higher than 55, or upon retirement with less than 20 years service at age 65, for each year of fire, police, or county peace officer service after the effective date of the contract under which he became a member.

This section shall not apply to any contracting agency nor to the employees of any contracting agency unless and until the agency elects to be subject to the provisions of this section by amendment to its contract made in the manner prescribed for approval of contracts, except that an election among the employees is not required, or, in the case of contracts made after the date this section takes effect, by express provision in such contract making the contracting agency subject to the provisions of this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1272—An act to amend Section 108 of the Revenue and Taxation Code, and to add Article 6 to Chapter 5 of Part 2 of Division 1 thereof, comprised of Section 1151, relating to state assessed property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 and 10, and insert

"(b) Aircraft not operated exclusively by an air carrier as defined in subdivision (2) of Section 2 of Chapter 601 of the Statutes of the Seventy-fifth United States Congress, Second Session (1938), engaged in air transportation as defined in subdivision (10) of the same section while there is in force a certificate by the Civil Aeronautics Board of the United States, or its successor, authorizing such air carrier to engage in such transportation."

Amendment No. 2

On page 1 of said bill, strike out lines 16 to 19, inclusive, and insert

"1151. Aircraft not operated exclusively by an air carrier as defined in subdivision (2) of Section 2 of Chapter 601 of the Statutes of the Seventy-fifth United States Congress, Second Session (1938), engaged in air transportation as defined in subdivision (10) of the same section while there is in force a certificate by the Civil Aeronautics Board of the United States, or its successor, authorizing such air carrier to engage in such transportation, are state assessed property and shall be assessed by the board and subject to local taxation."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1273—An act to add a new article, numbered 7, consisting of Section 1200, to Chapter 5 of Part 2 of Division 1 of the Revenue and Taxation Code, relating to the assessment of aircraft.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "used in interstate"; strike out lines 8 to 12, inclusive; and in line 13, strike out "Civil Aeronautics", and insert "operated exclusively by an air carrier as defined in subdivision (2) of Section 2 of Chapter 601 of the Statutes of the Seventy-fifth United States Congress, Second Session (1938), engaged in air transportation as defined in subdivision (10) of the same section while there is in force a certificate by the Civil Aeronautics Board of the United States, or its successor, authorizing such air carrier to engage in such transportation".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 3001—An act to add certain administrative provisions to the Revenue and Taxation Code, relating to state revenues and taxes and the administration thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, after "Code,", insert "to amend Section 10 of the Bank and Corporation Franchise Tax Act and to amend Section 6714 of the Revenue and Taxation Code,".

Amendment No. 2

On page 2 of said bill, strike out line 2, and insert "appellate powers, duties and functions of the State Board of Equalization".

Amendment No. 3

On page 2 of said bill, after line 31, insert

"SEC. 5. Section 10 of the Bank and Corporation Franchise Tax Act is amended to read:

Sec. 10 When the income of the bank or corporation is derived or attributable to sources both within and without the State, the tax shall be measured by the net income derived from or attributable to sources within this State. Such income shall be determined by an allocation upon the basis of sales, purchases, expenses of manufacture, pay roll, value and situs of tangible property or by reference to any of these or other factors or by such other method of allocation as is fairly calculated to determine the net income derived from or attributable to sources within this State. Income from business carried on partly within and partly without this State shall be allocated in such a manner as is fairly calculated to apportion such income among the states or countries in which such business is conducted. Income attributable to isolated or occasional transactions in states or countries in which the taxpayer is not doing business shall be allocated to the state in which the taxpayer has its principal place of business or commercial domicil. Income derived from or attributable to sources within this State includes income from tangible or intangible property located or having a situs in this State and income from any activities carried on in this State, regardless of whether carried on in intrastate, interstate or foreign commerce.

If the commissioner reallocates net income upon his examination of any return, he shall, upon the written request of the taxpayer, disclose to him the basis upon which his reallocation has been made.

Nothing in this section shall prevent a taxpayer from using an adequate system of direct accounting.

SEC. 6. Section 6714 of the Revenue and Taxation Code is amended to read:

6714 In the action a certificate by the board showing the delinquency shall be prima facie evidence of the determination of the tax or the amount of tax, of the delinquency of the amounts set forth, and of the compliance by the board with all the provisions of this part in relation to the computation and determination of the amounts.

This section shall not be applicable to the determination of the amount of the tax if the books and records of the taxpayer have been so kept as to adequately show, or permit determination of, such amount and there is no finding of fraud on the part of the taxpayer."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 3002—An act to add Section 5108 to the Revenue and Taxation Code, relating to suits for tax refunds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, after "5108 to", insert ", to amend Section 6933 of, and to repeal Section 19088 of,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 6, insert

"SEC. 2 Section 6933 of said code is amended to read:

6933 Within 90 days after the mailing of the notice of the board's action upon a claim filed pursuant to Article 1 of this chapter, the claimant may bring an action against the board on the grounds set forth in the claim in a court of competent jurisdiction in the [County of Sacramento] *State of California* for the recovery of the whole or any part of the amount with respect to which the claim has been disallowed.

Failure to bring action within the time specified constitutes a waiver of any demand against the State on account of alleged overpayments.

SEC. 3. Section 19088 of said code is hereby repealed "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

SECOND READING OF SENATE BILLS

Senate Bill No. 330—An act to amend Sections 20017, 20021.5, 20023, 20025, 20060, 20203, 20208, 20333, 20335, 20393, 20461.5, 20532, 20563, 20580, 20583, 20630, 20654, 20655, 20656, 20750.1, 20750.2, 20750.3, 20750.4, 20867, 20894.1, 21029, 21032, 21033, 21250, 21251, 21257, 21257.1, 21258, 21295, 21364, 21366, and 21454 of the Government Code, to repeal Sections 20654.5, 20750, 21455, and Article 2.5, comprising Sections 21000 to 21002, inclusive, of Chapter 8 of Part 3 of Division 5 of Title 2 thereof, and to add Sections 20609.1, 20685, 20750.5, and 21262 thereto, all relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 6, line 42, of the printed bill, after "districts", insert "existing on July 1, 1949, or thereafter formed,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 573
Assembly Bill No. 1760
Assembly Bill No 1775

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 573 and 1775 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1760 ordered re-referred to Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 5

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Constitutional Amendment No. 5 ordered re-referred to Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 362	Assembly Bill No. 2265
Assembly Bill No. 470	Assembly Bill No. 2266
Assembly Bill No. 859	Assembly Bill No. 2358
Assembly Bill No. 891	Assembly Bill No. 2524
Assembly Bill No. 1508	Assembly Bill No. 2664
Assembly Bill No. 1946	Assembly Bill No. 3104

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 362, 470, 1946, 2358, and 2524 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 859 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 891 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos. 1508, 2265, and 2266 ordered re-referred to Committee on Education.

Assembly Bill No. 3104 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2664 ordered re-referred to Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 116	Assembly Bill No 1873
Assembly Bill No. 265	Assembly Bill No. 1874

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 116 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 265 ordered re-referred to Committee on Municipal and County Government.

Assembly Bills Nos. 1873 and 1874 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 247	Assembly Bill No. 1028
Assembly Bill No. 646	Assembly Bill No. 1240
Assembly Bill No. 848	Assembly Bill No 2345
Assembly Bill No. 1011	Assembly Bill No. 3095

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 63—An act to amend Section 19.6 of the Fish and Game Code, relating to the Fish and Game Commission and extending the period during which its general regulatory powers shall continue in existence;

Assembly Bill No. 442—An act to add Section 512.6 to the Vehicle Code, relating to speed limits;

Assembly Bill No. 2424—An act to amend Section 1331 of the Streets and Highways Code, relating to the county road commissioner;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of April, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 69—Relative to congratulating the Veterans of Foreign Wars on the fiftieth anniversary of their organization;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the eighteenth day of April, 1949, at 3 p.m

HUYCK, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2204 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. McMillan moved that Assembly Bill No. 2204 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

Point of Order

Mr. Doyle arose to the following point of order: That the bill carries an appropriation, and should have been re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

The question being on the motion by Mr. McMillan that Assembly Bill No. 2204 be withdrawn from committee.

Request for Committee Hearing

Mr. McMillan requested that the Committee on Governmental Efficiency and Economy consent to grant another committee hearing on Assembly Bill No. 2204.

Request granted by Chairman of Committee on Governmental Efficiency and Economy

Motion Withdrawn

Mr. McMillan withdrew his motion to withdraw Assembly Bill No. 2204 from committee.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2522 FROM COMMITTEE CONTINUED

Mr. Elliott asked for, and was granted, unanimous consent that his notice of motion that on the second legislative day he would move to withdraw Assembly Bill No. 2522 from committee be continued until the next legislative day.

ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 35 HOLDS PLACE ON FILE BY UNANIMOUS CONSENT

By unanimous consent, Assembly Constitutional Amendment No 35 will be passed on file, and will hold its place on file on the next legislative day.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 660, on motion on Mr. Butters.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2047—An act to amend Section 19140 of the Government Code, relating to reinstatement of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—61

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No 191, on request of Mr Ralph C. Dills

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 449—An act to amend Sections 117 and 117r of the Code of Civil Procedure, relating to small claims actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1396—An act to amend Sections 6877, 6878, and 6915 of the Business and Professions Code, relating to collection agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1407, on motion of Mr. Butters.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 718—An act to amend Sections 7372 and 7396 of the Business and Professions Code, relating to the practice of cosmetology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Clayton A Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grunsky, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, and Weber—51.

NOES—Anderson, Beck, Cooke, Dickey, Ralph C Dills, Fletcher, Geddes, Hagen, and Lowrey—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1707—An act to add Section 7409 to the Welfare and Institutions Code, relating to the qualifications of the superintendent of a psychiatric hospital clinic in the City of Los Angeles under the control of the Department of Mental Hygiene.

Bill read third time.

Motion to Amend

Mr. Stewart moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, after "Neurology", insert "or the American Osteopathic Board of Neurology and Psychiatry"

Amendment No. 2

On page 1, line 22, of the printed bill, after "School", insert "at Los Angeles".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 414—An act to add Section 246 to the Penal Code, relating to the discharging of firearms or throwing of missiles at dwelling houses or occupied buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, and Weber—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 375

Mr. Clayton A. Dills asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 375, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 375

Assembly Bill No. 375—An act to add Chapters 3 and 4 to Part 2, Division 2 of the Military and Veterans Code, relating to the creation and organization of a security force and a reserve force, the authority for the organization of military forces when the National Guard is absent in federal service or Congress has consented thereto, the rules and regulations for the government of such forces and reserves, the pay, allowances, expenses, supply, equipment, maintenance, training, discipline and administration of such security and reserve forces, the use of armories and buildings, the use of the forces without the State, the authority to use the forces of other states within this State, federal service, civil groups, disqualifications, oaths of office, articles of war, freedom from

arrest, jury duty, unemployment, exemption from civil service, workmen's compensation, removal from service and the employment of such forces in the service of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1642 TO HOLD PLACE ON FILE BY UNANIMOUS CONSENT

Speaker pro Tempore Maloney, by unanimous consent because Mr. Price has been excused because of illness, ordered Assembly Bill No. 1642 passed on file, and that it hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1672—An act to amend Sections 2 and 3 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, and Weber—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2344—An act to amend Sections 4850, 4851, 4852, and 4854 of, and to repeal Section 4853 of, the Labor Code, relating to leave of absence with pay in lieu of disability payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan,

Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—67
NOES—None

Bill ordered transmitted to the Senate

Assembly Bill No. 1845—An act to amend Sections 7140, 7142, 7231 of, and to repeal Section 7143 of, Division 8 of the Streets and Highways Code, relating to street improvement proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1847—An act to amend Section 8322 of the Streets and Highways Code, relating to notices of street vacation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1848—An act to amend Section 3222 of the Streets and Highways Code, relating to street opening proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1849—An act to amend Section 4141 of the Streets and Highways Code, relating to street opening proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1850—An act to amend Sections 5181, 5241, 5242, 5254, 5258, 5369, and 6420 of the Streets and Highways Code, relating to improvement proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1851—An act to amend Section 18071 of the Streets and Highways Code, relating to street lighting proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1852—An act to amend Section 5871 of the Streets and Highways Code, relating to the construction of gutters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 459—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1642

Mr. Heisinger asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1642, temporarily passed on file, for Mr. Price, excused because of illness, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1642

Assembly Bill No. 1642—An act to amend Section 31553 of the Government Code, relating to membership in County Employees' Retirement Association.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2038—An act to amend Sections 18935, 18936, and 18937 of, and to add Section 18939 to, the Government Code, relating to state civil service examinations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger,

Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—62.

NOES—Crowley and Lowrey—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1900

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1900, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1900

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund or other disposition of certain optional contributions by state members of said system.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 42, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "2.", and insert "7."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 668—An act to amend Section 476 of the Vehicle Code, relating to traffic signals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Waters, and Weber—67

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 629 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Luckel asked for, and was granted, unanimous consent that Assembly Bill No. 629 be withdrawn from the file, and be re-referred to the Committee on Transportation and Commerce.

CERTIFICATE FROM SECRETARY OF STATE

The Chief Clerk read the following certificate of duly elected Member of the Assembly of the 1949-1950 Regular Sessions of the Legislature of the State of California:

Certificate of Election

STATE OF CALIFORNIA
OFFICE OF THE SECRETARY OF STATE

I, FRANK M. JORDAN, Secretary of State of the State of California, do hereby certify that

SAMUEL WILLIAM YORTY

was elected to the office of Member of the Assembly—Sixty-fourth Assembly District of the State of California at the special election held in said district on the fifth day of April, 1949, as appears by the official returns of said election and statement thereof on file in my office.

WITNESS *my hand and official seal* this fifteenth day of April, A.D. 1949.

FRANK M JORDAN, Secretary of State

(SEAL)

APPOINTMENT OF COMMITTEE OF ESCORT

Speaker pro Tempore Maloney appointed Messrs. Beck, Cooke, and Burkhalter as a Select Committee to escort Assemblyman-elect Hon. Samuel William Yorty to the bar of the Assembly.

OATH OF OFFICE ADMINISTERED

Upon arriving at the bar of the Assembly, Mr. Samuel William Yorty took and subscribed to the following oath, administered by Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly:

I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and that I will faithfully discharge the duties of the office of Member of the Assembly for the 1949 and 1950 Regular Sessions of the Legislature of the State of California, according to the best of my ability.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 168

Resolved by the Assembly of the State of California, That the State Controller be and he is hereby directed to draw his warrant on the proper fund in favor of the following Member of the Assembly for the amount set opposite his name, and the State Treasurer is hereby directed and ordered to pay the same:

District	Name	Address	Distance from county seat	Distance from county seat, more	Distance from county seat, less	Mileage one way	Total mileage	Amount at 5 cents per mile
64	Samuel William Yorty	Los Angeles	Los Angeles County	447	--	--	447	894	$44 70

Request for Unanimous Consent

Mr. Crowley asked for, and was granted, unanimous consent to take up House Resolution No. 168, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—72.

NOES—None.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication, and a resolution, from the Pauma Valley Community Association of Pala, signed by Emerson B. Morse, Secretary, relative to protesting passage of Assembly Bill No. 2217, were received, ordered noted in the Journal, and referred to the Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2241—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thompson moved a call of the Assembly.

Motion carried. Time, 11.48 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Davis, Lindsay, Sherwin, Waters, and Yorty—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Hon. Ralph C. Dills Presiding

At 11.50 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2431—An act to amend Section 315 of the Municipal Utility District Act, relating to nomination papers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott,

Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sillman, Smith, and Tomlinson—56.

NOES—Butters, Conrad, Erwin, Reagan, and Stanley—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1447—An act to amend Section 3301 of the Corporations Code, relating to the service of process on corporations and the designation of officers, agent and address of principal officer of corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Yorty—68

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2045

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2045, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2045

Assembly Bill No. 2045—An act to amend Sections 19170, 19173, and 19175 of the Government Code, and to add Section 19175.5, relating to the probationary period of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Yorty—66

NOES—Crowley and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1633—An act to amend Section 1143 of the Penal Code, relating to juror's fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan,

Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Weber, and Yorty—64.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2036—An act to amend Section 18975 of the Government Code, relating to credit in state examinations for service in the armed forces.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 12.10 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1421—An act to add Section 9095 to the Insurance Code, relating to fraternal fire insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Weber, and Yorty—65
NOES—Stanley—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 90

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 90, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 90

Assembly Bill No. 90—An act to add Sections 19564, 19565, and 19566 to the Business and Professions Code, relating to horse racing, providing for quarter horse races during horse racing meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln,

Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—67.

NOES—Collier, George D. Collins, and Hahn—3

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2241

At 12.24 p.m., on motion of Mr. Thompson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2241 passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Butters, Coats, Condon, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Gaffney, Geddes, Grant, Hagen, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Silliman, Stanley, Thompson, Tomlinson, Weber, and Yorty—43.

NOES—Anderson, Babbage, Bennett, Burke, Burkhalter, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Ralph C. Dills, Erwin, Fleury, Grunsky, Hahn, Heisinger, Levering, Lewis, Lipscomb, Lowrey, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stewart, and Waters—29

Bill ordered transmitted to the Senate.

Statement of Vote

I am recorded as voting "Aye" upon Assembly Bill No. 2241. My intent was to vote "No".

FRANK LUCKEL

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1451—An act to amend Sections 12184, 12185, 12186, and 12192 of the Government Code, relating to fees of the Secretary of State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1452—An act to amend Sections 24201, 24205, and 24211 of the Education Code, relating to the incorporation and powers of colleges and seminaries of learning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan,

Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—67.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 547—An act to amend Section 18973 of the Government Code, relating to veterans' preference in state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1207—An act to amend Section 20894.5 of the Government Code and Section 14702 of the Education Code, relating to contributions of members of retirement system absent in military service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 22—An act to add Article 3.5, comprising Sections 11615 and 11616 to Chapter 1, Part 3, Division 2, of the Insurance Code, and to amend Section 704, of said code, relating to insurance.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 14, 1949, strike out lines 15 to 26, inclusive.

Amendment read.

Roll Call Demanded

Messrs. Beck, Silliman, and Lowrey demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Grunsky, Hagen, Levering, Lipscomb, Meyers, Reagan, Silliman, Smith, and Thompson—10.
NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin,

Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Waters, Weber, and Yorty—53

The question being on the passage of Assembly Bill No. 22.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Tomlinson, Waters, Weber, and Yorty—62.

NOES—Grunsky, Lipscomb, Reagan, and Smith—4.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Dickey, Beck, and Hollibaugh:

House Resolution No. 169

Commemorating the rebuilding and growth of San Francisco

WHEREAS, Forty-three years have flown since that April 18th of 1906, when the people of San Francisco awakened just before dawn to find their beloved city rocked by a catastrophe and during the four days which followed, ravaged by fire and dynamite, until it seemed only ash and ruins remained; and

WHEREAS, On this Easter Sunday, one day before the forty-third anniversary of that disaster, thousands of San Franciscans and visitors to the city, gathered for sunrise services on Mt Davidson, could see the rebuilt city reaching beyond sight of eye on all sides, greater and more beautiful than any could have dreamed on that morning of devastation; and

WHEREAS, With great courage and faith the rebuilding of the city began at once and through the 43 years since it has remained the greatest port and Queen City of the Pacific Coast, through which poured the vast flow of men and material to bring victory in the Pacific, and has retained the same golden spirit of adventure and joy of life which characterized its earlier days, has been the site of the magnificent Panama Pacific Exposition of 1915 and the World's Fair of 1939 and 1940 commemorating completion of the Golden Gate and the San Francisco-Oakland Bay Bridge, and is honored as the birthplace of the United Nations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate the people of the City and County of San Francisco upon the rebuilding of their city and express the pride of all Californians in the magnificent and world famous City by the Golden Gate, for 100 years mecca of argonaut and artisan, built by the sinews of commerce and industry and crowned by the arts, one of the truly great cities of the world

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 169, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 170

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of twenty-five dollars ($25), said amount being for the purchase of postage stamps to be used by Honorable Samuel William Yorty, Member of the Assembly from the Sixty-fourth District for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase twenty-five dollars ($25) in United States postage stamps for the use of Honorable Samuel William Yorty.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 170, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—69.

NOES—None.

By Mr. Sam L. Collins:

House Resolution No. 171

WHEREAS, On Thursday night, April 14, 1949, a new endurance flight record was established by two California pilots, Dick Riedel and Bill Barris, of Fullerton; and

WHEREAS, By remaining aloft in their single-engine Aeronica plane, "Sunkist Lady", for 727 hours these two intrepid airmen eclipsed the former record of 726 hours, set October 29, 1939 by two other Californians, Wes Carroll and Clyde Schleiper, of Long Beach; and

WHEREAS, This successful attempt at the endurance record was the fourth attempt by Dick Riedel and Bill Barris, the previous attempts ending in heartbreaking failure due to mechanical failures and icing conditions; and

WHEREAS, By their inspiring feat Dick Riedel and Bill Barris have indelibly written their names in aviation history, and has captured the hearts and imagination of air-minded persons all over the world, and have brought further fame and glory to the City of Fullerton and the State of California; and

WHEREAS, Not content with merely breaking the record, Dick Riedel and Bill Barris are still winging their way through the skies over Southern California and are determined to remain in the air until they have established a new record of 1,000 hours of continuous flying; now, therefore, be it

Resolved, by the Assembly of the State of California, That heartiest congratulations be extended to Dick Riedel and Bill Barris for their amazing feat of courage and stamina in setting their endurance flight record, and that best wishes for good luck in their attempt to extend this record to 1,000 hours be extended to them; and be it further

Resolved, That the Chief Clerk is directed to send copies of this resolution to Dick Riedel and Bill Barris, of Fullerton.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Thompson:

House Resolution No. 172

Relating to the granting to inspectors employed by the State Athletic Commission of travel expenses and paid vacations

WHEREAS, It appears that inspectors employed by the State Athletic Commission do not receive annual vacations with pay as do other state employees; and

WHEREAS, Such inspectors are required to travel long distances at late hours in the performance of their duties and receive no travel expenses such as other employees of the State receive; and

WHEREAS, Such conditions tend to lower the morale of the inspectors and to prevent men of the caliber required to perform such important duties from seeking employment as inspectors; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Athletic Commission be, and it is, requested and directed to grant its inspectors annual vacations with pay to the same extent as other state employees, and to pay the necessary travel expenses of its inspectors; and be it further

Resolved, That the Chief Clerk is directed to send a copy of this resolution to the State Athletic Commission.

Resolution read, and ordered referred to the Committee on Rules.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO DELIVER LARMAC INDEX AND A SET OF BANCROFT-WHITNEY CODES

Mr. Dickey moved that the Chief Clerk be instructed to deliver a copy of the Larmac Index and a set of the Bancroft-Whitney Codes to Mr. Yorty.

Motion carried unanimously.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION BE CONTINUED

Mr. Brady, on behalf of Mr. Evans, asked for, and was granted, unanimous consent that the notice of motion, by Mr. Evans, to withdraw Assembly Bill No 1896 from committee, be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1398

Mr. Hawkins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1398, out of order, for purpose of making a motion.

CONSIDERATION OF ASSEMBLY BILL NO. 1398

Assembly Bill No. 1398—An act to amend Sections 3 and 16 and to repeal Sections 26, 27, and 28 of the Relief Act of 1945, relating to relief of hardship and destitution.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 1398 Be Withdrawn From File, and Be Re-referred

Mr. Hawkins asked for, and was granted, unanimous consent that Assembly Bill No. 1398 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO PLACE ASSEMBLY BILL NO. 654 AND SENATE BILL NO. 295 ON LIST OF BILLS TO BE HEARD IN COMMITTEE

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to place Assembly Bill No. 654 and Senate Bill No. 295 on the list of bills scheduled for hearing at the meeting of the Committee on Education on next Wednesday, April 20th.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 81: By Messrs. Lindsay, Thompson, Dickey, Clarke, Coats, Cramer, Crichton, Crowley, Davis, Erwin, Grunsky, Hagen, Maloney, Mrs. Niehouse, and Mr. Way—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 5 of Article XI thereof, relating to compensation of officers.

Referred to Committee on Constitutional Amendments.

PART ONE
of the
REPORT OF THE CALIFORNIA STATE ASSEMBLY COMMITTEE ON "STATE-FEDERAL COOPERATION IN THE DISCOVERY, PRODUCTION, TRANSPORTATION, REFINING, AND USE OF PETROLEUM"

Created by Assembly House Resolution No. 219, June 20, 1947

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, April 14, 1949

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol Building, Sacramento, California

DEAR SPEAKER COLLINS: Attached hereto is Part One of The Report of The California State Assembly Committee On "State-Federal Cooperation In The Discovery, Production, Transportation, Refining, And Use of Petroleum" created by House Resolution No. 219—1947 Session.

Respectfully submitted,

RALPH C. DILLS, Chairman
J. G. CRICHTON, Member
CARL FLETCHER, Member
JONATHAN J. HOLLIBAUGH, Member
SAM L. COLLINS, Member
FRANCIS DUNN, JR., Member

TEXT OF RESOLUTION CREATING COMMITTEE

The text of the resolution creating the Assembly Committee of the California State Legislature on *State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum* follows:

House Resolution No. 219

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created; and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas, and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and six Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1949 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twelve thousand five hundred dollars ($12,500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur

under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

(Resolution read, as amended

The roll was called, and the resolution adopted by the following vote:

AYES: 57
NOES: 1

—The Assembly Journal, June 20, 1947)

PERSONNEL OF THE COMMITTEE

Pursuant to the resolution creating the committee the committee was established with the following membership:

HON. RALPH C. DILLS, Chairman, Compton, California
HON. CARL FLETCHER, Long Beach, California
HON. SAM L. COLLINS, Fullerton, California
HON. FRANCIS DUNN, JR., Oakland, California
HON. JOE HOLLIBAUGH, Huntington Park, California
HON. JOHN C. LYONS, Los Angeles, California (Deceased)
HON. JAMES G. CRICHTON, Fresno, California

NECESSITY OF FACTUAL SURVEY

The presence of valuable petroleum deposits beneath tide, submerged, and reclaimed lands and the current controversy between state and federal authorities as to the ownership of such lands has made it imperative that all the facts as to these lands be gathered and made available. The committee authorized Chairman Dills to communicate with every political subdivision to which grants of lands have been made since 1851 and to gather data of significance on the administration, use, development, or leasing of such lands.

It has been the practice of the State of California for almost one hundred years to grant marsh, tide, submerged, and reclaimed lands to municipal corporations and other political subdivisions in trust in order to promote or advance navigation, harbor development, and other proper public purposes. No adequate survey of the scope, desirability, or worthwhile results of this practice of granting state lands has ever been made. The committee has had neither the time nor the technical assistance to complete such a survey and therefore recommends that this matter deserves further, intensive study on the part of the Legislature. The need of such information in order to protect the State's resources in petroleum and to safeguard other paramount public interests is obvious.

CHRONOLOGICAL TABLE OF ALL GRANTS OF TIDE, SUBMERGED, AND RECLAIMED LANDS

Year of statutory grant	*Statute chapter number*	*Page number (bound statutes)*	*Political subdivision*
1851	37	305	Martinez
1851	41	307	San Francisco
1855	187	239	Benicia
1857	82	76	Eureka
1857	132	155	Sacramento

Year of statutory grant	*Statute chapter number*	*Page number (bound statutes)*		*Political subdivision*
1867–8	210	202		Monterey
1867–8	299	335		Crescent City
1869–70	137	131	(Amends 1867 Act)	Crescent City
1871–2	263	362		San Bernardino
1871–2	490	722		San Francisco
1871–2	564	825		Marysville
1873–4	113	132		Oakland
1893	24	42		San Mateo County
1893	195	277		Sonoma County
1909	390	665		Oakland
1911	654	1254		Oakland
1911	656	1256		Los Angeles
1911	657	1258		Oakland
1911	676	1304		Long Beach
1911	700	1357		San Diego
1913	77	77	(Amends 1911 Act)	San Diego
1913	310	575		Vallejo
1913	317	605		Richmond
1913	344	699		Arcata
1913	345	701		So. San Francisco
1913	347	705		Berkeley
1913	348	707		Alameda
1915	57	62		Redondo Beach
1915	438	724		Eureka
1915	534	901	(Amends 1913 Act)	Berkeley
1915	535	904		Burlingame
1915	536	906		San Mateo
1915	676	1323	(Amends 1911 Act)	San Diego
1917	28	18		National City
1917	59	63	(Amends 1911 Act)	Oakland
1917	77	89		Venice
1917	78	90		Santa Monica
1917	115	159	(Amends 1911 Act)	Los Angeles
1917	542	708		Arcata
1917	594	907	(Amends § 1, Repeals § 2, 1913 Act)	Alameda
1917	596	915	(Repeals § 2, 1913 Act)	Berkeley
1917	598	916	(Amends 1911 Act)	San Diego
1919	89	133	(Authorizing Lease of Prior Grants)	Richmond
1919	211	310		Albany
1919	479	941		Hermosa Beach
1919	494	1011		Newport Beach
1919	515	1087		Emeryville
1919	516	1088	(Amends 1911 and 1917 Acts)	Oakland
1919	517	1089	(Amends 1913 Act)	Berkeley

Year of statutory grant	*Statute chapter number*	*Page number (bound statutes)*		*Political subdivision*
1919	526	1138		Orange County
1919	669	1359		Monterey
1921	768	1327		Los Angeles City
1923	46	81		National City
1923	49	85		Coronado
1923	83	158		San Rafael
1923	178	416		Oakland
1923	359	743		San Francisco
1925	50	112	(Amends 1923 Act)	National City
1925	56	129		South San Francisco
1925	78	181		Santa Barbara
1925	102	235		Long Beach
1925	120	268		Chula Vista
1925	417	848		Vallejo
1927	70	125		Newport Beach
1927	187	343		Eureka
1929	50	117		Laguna Beach
1929	137	254		Carmel Sanitary District
1929	442	807		Martinez
1929	574	974		Newport Beach
1929	575	975	(Amends 1919 Act)	Orange County
1929	651	1085		Los Angeles
1929	681	1172	(Amends 1923 Act)	Coronado
1929	778	1550		San Diego (City and County)
1929	813	1704		Newport Beach
1929	820	1742		San Diego
1931	621	1346		Oakland
1931	627	1352		San Francisco
1931	690	1428		Pacific Grove
1931	846	1742		Santa Barbara County
1931	937	1943		San Diego
1933	245	774		San Mateo
1933	688	1765		San Diego
1933	849	2217	(Amends 1923 Act)	Coronado
1933	912	2366		San Francisco
1935	158	793	(Amends 1925 Act)	Santa Barbara
1935	213	869		San Buenaventura
1935	231	910		Pacific Grove
1935	379	1330		Richmond
1935	437	1484		San Francisco
1935	687	1876		Santa Cruz
1937	13	74	(Amends 1925 Act)	Santa Barbara
1937	45	115		Oakland

Year of statutory grant	*Statute chapter number*	*Page number (bound statutes)*		*Political subdivision*
1937	96	335	(Adds Section to 1911 Act)	Oakland
1937	214	510		City of Pittsburg
1937	343	752		Oakland
1937	365	783	(Amends 1925 Act)	Santa Barbara
1937	908	2500	(Amends 1931 Act)	Oakland
1939	143	1258	(Amends 1909 Act)	Oakland
1940 (5th Ex. Sess.)	4	379	(Amends and Adds to 1933 Act)	San Francisco
1941	9	390	(Amends 1925 Act)	Santa Barbara
1941	590	1974		Oakland
1941	720	2236		Oakland
1942 (2nd Ex Sess.)	3	101	(Amends 1933:912)	San Francisco
1943	70	309	(Amends 1911 Act)	San Diego
1943	119	820	(Amends 1939 Act)	San Diego
1943	218	1120		Sonoma County
1943	303	1294		Avalon
1943	607	2189		Oakland
1943	987	2901		San Francisco
1945	218	686		Oakland
1945	222	689	(Amends 1911 Act)	San Diego
1945	225	692		Eureka
1945	693	1377	(Amends 1929 Act which amended 1911 Act)	San Diego
1945	1359	2549		Redwood City
1945	1513	2826	(Amends 1917 Act granting land to *Venice*)	Los Angeles
1947	183			National City
1947	184			Chula Vista
1947	197			San Diego
1947	434			San Francisco
1947	483			Vallejo
1947	872			San Francisco
1947	1076			San Luis Obispo
1947	1394			Redwood City

TEXT OF "TYPICAL" RECENT GRANT BY STATE TO POLITICAL SUBDIVISION

The language of the different grants of tide and submerged lands varies greatly, and it is perhaps not correct to speak of a "typical" grant. In order, however, for the Legislature to have a specific example of the text of a recent grant in mind, the language of Chapter 45, Statutes of 1937, is reproduced below. Provisions similar to those in this act are found in many other grants.

Senate Bill No. 45

Chapter 45

An act granting certain salt marsh, tide and submerged lands of the State of California to the City of Oakland, including the management, use and control thereof.

(Approved by the Governor April 15, A D 1937)

The people of the State of California do enact as follows:

SECTION 1. There is hereby granted to the City of Oakland, a municipal corporation of the State of California, and to its successors, all of the right, title and interest of the State of California held by said State by virtue of its sovereignty in and to all lands, tidelands, salt marsh and submerged lands, whether filled or unfilled, included within that portion of the City of Oakland described as follows:

Bounded on the west by the southerly production of the easterly line of Webster Street; on the north by the line of ordinary low tide; on the east by a line drawn parallel with and distant 250 feet eastwardly from the said southerly production of the easterly line of Webster Street; on the south by the southerly boundary line of said City of Oakland.

To be forever held by said city, and its successors, in trust for the uses and purposes and upon the express conditions following, to wit:

(a) That said lands shall be used by said city, and its successors, only for the establishment, improvement and conduct of a harbor, and for the construction, maintenance and operation thereon of wharves, docks, piers, slips, quays and other utilities, structures and appliances necessary or convenient for the promotion and accommodation of commerce and navigation, and said city, or its successors, shall not, at any time, grant, convey, give or alien said lands, or any part thereof, to any individual, firm or corporation for any purposes whatever, provided, that said city, or its successors, may grant franchises thereon for limited periods (but in no event exceeding fifty years), for wharves and other public uses and purposes and may lease said lands, or any part thereof, for limited periods (but in no event exceeding fifty years), for purposes consistent with the trusts upon which said lands are held by the State of California, and with the requirements of commerce and navigation at said harbor.

(b) That said harbor shall be improved by said city without expense to the State, and shall always remain a public harbor for all purposes of commerce and navigation, and the State of California shall have at all times, the right to use, without charge, all wharves, docks, piers, slips, quays, and other improvements constructed on said lands, or any part thereof, for any vessel or other water craft, or railroad, owned or operated by the State of California

(c) That in the management, conduct or operation of said harbor, or of any of the utilities, structures or appliances mentioned in paragraph (a), no discrimination in rates, tolls, or charges or in facilities for any use or service in connection therewith shall ever be made, authorized or permitted by said city or its successors.

(d) There is hereby reserved, however, in the people of the State of California the absolute right to fish in the waters of said harbor with the right of convenient access to said waters over said lands for said purposes.

(e) There is hereby excepted and reserved to the State of California all deposits of minerals, including oil and gas, in said land, and to the State of California, or persons authorized by the State of California, the right to prospect for, mine, and remove such deposits from said land.

REQUEST OF CHAIRMAN DILLS

On July 26, 1948, Chairman Dills sent the following communication to the executive officer of every political subdivision in the State of California to which grants of tide and submerged lands had previously been made:

July 26, 1948

DEAR SIR: The enclosed list of questions has been prepared by the Assembly Interim Committee on Petroleum Problems created by House Resolution No. 219 of the 1947 Session of the California Legislature.

According to Resolution No. 219, the Assembly Interim Committee is authorized and directed to ascertain, study, and analyze all facts relating to:

> The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

In view of the legislative directive, we request an early and complete answer to the questions propounded. Your attention or that of the appropriate official to this matter is respectfully requested.

Very truly yours,

RALPH C. DILLS, Chairman
Interim Committee on Petroleum Problems

RCD/ed
Encl:

TEXT OF QUESTIONNAIRE ON TIDE AND SUBMERGED LANDS SENT TO EACH POLITICAL SUBDIVISION

The following questions were submitted to each political subdivision on grants of tide and submerged lands made to it by the State of California:

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?
2. What action has been or is being taken for the development and improvement of the granted lands?
3. Have public funds been expended for such purposes, and, if so, approximately in what amount?
4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

5. What franchises or leases of such lands are currently in effect?

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

8. Has the local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

9. Have any judicial proceedings been commenced against the local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

LIST OF POLITICAL SUBDIVISIONS THAT DID NOT RESPOND TO THE QUESTIONNAIRE

The administrative or executive officials of the following political subdivisions did not respond to the questionnaire. The committee is endeavoring to obtain information from these officials, and if the data is secured, it will be incorporated in a supplemental report.

City of Albany
City of Arcata
City of Burlingame
Carmel Sanitary District
City of Chula Vista
City of Coronado
City of Crescent City
City of Emeryville
City of Eureka
City of Hermosa Beach
City of Laguna Beach
City of Los Angeles
City of Martinez
City of Newport Beach
City of Redondo Beach
City of Redwood City
City of Richmond
City of San Buenaventura (Ventura)
City of San Diego
City and County of San Francisco
City of Venice (Now part of Los Angeles)

LIST OF POLITICAL SUBDIVISIONS THAT ANSWERED THE QUESTIONNAIRE

The following political subdivisions responded to the questionnaire on the administration, use, and development of tide and submerged lands granted to them by the State of California.

City of Alameda
City of Avalon
City of Berkeley
City of Long Beach
City of Monterey
City of National City
City of Oakland
County of Orange
City of Pacific Grove
City of Pittsburg
County of San Luis Obispo
City of San Mateo
City of San Rafael
County of Santa Barbara
City of Santa Monica
City of South San Francisco
City of Vallejo

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF ALAMEDA

CITY OF ALAMEDA

CALIFORNIA

OFFICE OF
CARL FROERER
CITY MANAGER

August 9, 1948

The Honorable Ralph C. Dills
Assemblyman, Sixty-ninth District
Chairman, Interim Committee on
Petroleum Problems
State Capitol
Sacramento 14, California

Dear Sir:

In response to your inquiry of July 26, 1948, bearing on the subject of tide, submerged and reclaimed lands - we are returning to you the questionnaire submitted with your letter, together with the answers to all questions propounded therein.

We trust this information may be of service to you in your investigation.

Very truly yours,

CARL FROEHER
City Manager

JPC:ST
Enclosure

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   City Council of the City of Alameda.

2. What action has been or is being taken for the development and improvement of the granted lands?

   Portions of these tidelands are included in the City's Master Plan of Shoreline Development currently before the State Park Commission.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

   No public funds have been expended for improvements; expenditures made for planning use of these lands approximates $1,500.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

   None.

5. What franchises or leases of such lands are currently in effect?

   No franchises or leases of such lands are currently in effect, but the city has granted a license for the dredging of shells on such lands.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

   One thousand two hundred dollars per annum from the Pacific Portland Cement Company for the shell dredging license aforementioned which revenues go into the general fund of the city

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

   No such use is being made of the lands under the jurisdiction of the City of Alameda.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

   The United States Navy has acquired possession of approximately one thousand acres in the expansion of its facilities

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment

   No.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF AVALON

ALFRED H BOMBARD MAYOR

CITY COUNCIL
CHARLES L CROW
HUGH F SMITH
ROY E TAYLOR
ERIC P WILCOX

ELIZABETH SMITH
CITY CLERK
T M POLHAMUS
CITY TREASURER

GEORGE SHAW
CITY MANAGER
ROLAND THOMPSON
CITY ATTORNEY
ERNEST WINDLE
CITY JUDGE
ROBERT F MAHON
CHIEF OF POLICE
W M BOWNE
CHIEF OF FIRE DEPT
J C WEGMANN
HARBOR MASTER

August 6th, 1948.

Assemblyman Ralph C. Dills,
123 North Tamarind Street,
Compton, California.

My dear Assemblyman:

This will acknowledge your letter of July 26th, addressed to Roy E. Taylor in his former capacity as Mayor, with which was enclosed a questionnaire regarding tidelands. The City Council requested me to reply to your letter, and the answers have been prepared with the assistance of the City Attorney.

1. City Council.

2. The lands are used for piers, bathing beaches, boats, yachts, vessels, transportation facilities, clubs, bath house and commercial fishing.

3. Yes, whenever necessary. The exact amount annually over a period of years is not readily ascertainable, but probably amounts to $12,000 or $15,000 a year.

4. Improvements were made prior to the legislative act granting these lands to the City of Avalon, other than the city pier.

5. Currently existing leases on bath house, steamer pier and two clubs.

6. Approximately $41,000 annually from leases, dockage and wharfage fees (head tax), booth rentals, business licenses and mooring fees. Revenue used generally for harbor and city pier.

7. Small portion (perhaps 5%) under lease as in Par. 5 above.

8 and 9. No.

I trust that this information satisfies your requirements, but if additional data is needed, I'll be happy to get it for you.

Very truly yours,

George Shaw

GEORGE SHAW
City Business Manager.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF BERKELEY

CITY OF BERKELEY
CALIFORNIA

ROSS MILLER City Manager

September 1, 1948

Honorable Ralph C. Dills, Chairman
Interim Committee on Petroleum Problems
State Capitol, Zone 14, Sacramento, California

Dear Sir:

I am setting forth below the answers to the questions regarding tidelands and submerged lands granted by the State, which you recently forwarded to the Mayor.

1. Administration of tidelands and submerged lands in this City is by the Council through the City Manager.

2. In 1935-37 a Yacht Harbor was developed in Berkeley on the City-owned tidelands. Prior to that time there existed a municipally-owned dock and warehouse and the pier of the Golden Gate Ferry Co. The municipal dock and warehouse still are being operated under lease from the City. The ferries have not run for some years and the pier is used as a fishing pier to provide recreation for persons in this area.

3. Public funds have expended for the Yacht Harbor improvements and equipment amounting to approximately $227,500. During the War, the U. S. Navy used portions of the Yacht Harbor and installed an additional pier therein. This pier has recently been acquired by the City and while we do not have any cost figures on it, our best estimate would be an additional $50,000.

4. The only improvement made on the tidelands pursuant to a lease was the construction of the Golden Gate Ferry Pier. This pier is approximately three miles long and it is estimated that the cost was approximately $34.00 per lineal foot. Due to long years of service the present value is questionable.

5. There are no franchises currently in effect on such lands. There are two leases. The first grants certain concessions at the Yacht Harbor for the repair of boats, pier, or chandlery, the operation of a marine gas and oil service station, and the warehouse and dock. There is a second lease also covering the lifting and repair of boats.

6. The annual revenue from the Yacht Harbor and the leases for the fiscal year ending June 30, 1948, total $31,151.78. These are derived from charges for anchorage, berths, storage, special services, and the leases.

7. The Berkeley tidelands are used and occupied by industries and corporations only to the extent of two leases as mentioned above.

8. The City of Berkeley has not been divested of title, right, possession or of any of the granted tidelands, in any manner whatsoever. No judicial proceedings have been commenced against the City of Berkeley affecting tidelands or right to possession of any such lands.

If there is any additional information which you desire, I shall be glad to send it.

Sincerely,

ROSS MILLER, City Manager

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF LONG BEACH

CITY OF LONG BEACH

Long Beach 2, California

CARL B WIRSCHING
City Manager

October 11, 1948

Honorable Ralph C. Dills, Assemblyman
69th District, California Legislature
State Capitol
Sacramento 14, California

Dear Sir:

On August 11, you forwarded to Mayor Chace, City of Long Beach, a questionnaire requesting information regarding tidelands and submerged lands granted by the State. This questionnaire has been answered in full and is attached herewith.

You will note that a portion of the questionnaire has been answered by including certain material identified as Exhibits A, B, C and D, these being a statement, under oath, made by Irving M. Smith, City Attorney, and certain letters received in this office in regard to revenues since January 1, 1948.

We have made every effort to give complete answers to your questions, and hope that this information will meet with your satisfaction.

Yours very truly,

Carl B. Wirsching
City Manager

McH:lr
Enclosure

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

QUESTION: Which office or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

ANSWER. The tidelands and submerged lands within the Harbor District are administered by the Board of Harbor Commissioners and the Port Manager of the city. The tidelands and submerged lands within the city limits outside the Harbor District are administered by the City Manager subject to policy determined by the City Council.

QUESTION: What action has been or is being taken for the development and improvement of the granted lands?

QUESTION: Have public funds been expended for such purposes, and, if so, approximately in what amount?

ANSWER: Attached herewith marked "Exhibit A" is a statement entitled, "Statement of Irving M. Smith, City Attorney, on Behalf of the City of Long Beach, California, to the Committee on the Judiciary of the United States Senate in Support of S. 1988," which fully answers Questions 2 and 3, for the period prior to January 1, 1948. Also attached herewith marked "Exhibits B, C, and D," are copies of letters addressed to the City Manager submitting statements for the period January 1, 1948, to the present time.

QUESTION: What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

ANSWER: The only lease is that held by Neptune Pier Company which was granted May 29, 1914, expiring December 1, 1948, pursuant to which said pier company constructed the Neptune Pier and improvements thereon.

QUESTION: What franchises or leases of such lands are currently in effect?

ANSWER: Under an agreement entered into with said company April 2, 1942, the city receives $1,000 a year.

QUESTION: What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which said revenues are used?

ANSWER: See Exhibits A, B, C, and D.

QUESTION: To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

ANSWER: The City of Long Beach occupies, maintains, and controls all the subject lands Under contractual agreements, portions of said lands are used by Long Beach Oil Development Company, a corporation; and Richfield Oil Company, a corporation, for oil development. Except for the franchise-lease to Neptune Pier Company, above referred to, and two minor leases on short term bases to catering companies, there are no other leaseholds. As to port facilities, a number of steamship companies maintain offices under revocable permits.

QUESTION: Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

ANSWER: The answer is "no."

QUESTION: Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment

ANSWER: Although the city is not a party to the case of *United States of America* v. *California*, No. 12 Original, that litigation affects all the tidelands and submerged lands within the city limits and three miles from shore, granted to the city by the State of California by the grant of May 1, 1911 (1911 Statutes, p. 1304), as amended by the 1925 and 1935 grants (1925 Statutes, p. 235, and 1935 Statutes, p. 794). There are 13.027 acres of tidelands and submerged lands, including reclaimed tide and submerged lands within the corporate limits of the city, which have been conveyed to the city by said state grants. The city's interest in said litigation is set forth in the accompanying statement above referred to at pages 14 and 15.

A suit is pending, i.e., *Long Beach Bath House and Amusement Company, a corporation, and Continental Southern Corporation, Plaintiffs,* v. *City of Long Beach*, No. 530211, in the Superior Court of the State of California, in and for the County of Los Angeles. In this suit the plaintiffs claim title to the accretions between Rainbow Pier and Silver Spray Pier. The city has filed an answer therein claiming ownership of said accretions. This case has not yet been set for trial.

Another suit is pending, i.e., *Albert V. Abrams, Leona E. Abrams, Vaughn M. Abrams and Gwenwyne Abrams, Plaintiffs,* v. *City of Long Beach et al.,* No. 546583, in the Superior Court of the State of California, in and for the County of Los Angeles. In this suit plaintiffs claim some rights in the tidelands and submerged lands within the Harbor District and those outside of and east of the Harbor District up to a line running north and south approximating the line of Pine Avenue projected seaward. Plaintiffs claim that said tide and submerged lands are owned by the Federal Government and their rights therein are based upon certain applications filed with the Federal Government for oil and gas leases covering said lands. Plaintiffs seek to enjoin the city and its oil drilling contractors from drilling oil wells and operating the same and for an accounting of all moneys received by the city from its tideland oil development. The city has filed its answer denying that said tidelands and submerged lands are owned by the Federal Government and asserting that title thereto is vested in the City of Long Beach. This case has not yet been set for trial.

There are no other suits or judicial proceedings now pending affecting the city's title or right to possession of the tidelands and submerged lands conveyed to it by state grants.

Exhibit A

Statement of Irving M. Smith, City Attorney, on Behalf of the City of Long Beach, California, to the Committee on the Judiciary of the United States Senate in Support of S. 1988

Mr. Chairman and Members of the Committee:

My name is Irving M. Smith, City Attorney of the City of Long Beach, California. I appear on behalf of the City of Long Beach to urge favorable action on and adoption by the Congress of Bill No. S. 1988, now being considered by your committee, whereby the Federal Government shall recognize, confirm, establish and vest in the respective states and their respective grantees and all persons lawfully entitled thereto title to and ownership of all lands beneath navigable waters within the boundaries of the respective states, and the natural resources within such lands and waters, and the right and power to control, develop and use said natural resources in accordance with applicable state law, to the end that by said legislation the City of Long Beach shall not be disturbed in its rights, title and possession in and to lands beneath navigable waters within its corporate limits conveyed to it by the State of California, and the right and power to control, develop and use the natural resources within such lands.

INTEREST OF CITY OF LONG BEACH IN PENDING LEGISLATION

The City of Long Beach is a municipal corporation, organized and existing under and by virtue of Sections 6 and 8 of Article XI of the Constitution of the State of California, and operating under a freeholders' charter (California Statutes 1921, page 2054). The southerly boundary of the City of Long Beach since prior to 1911, as established by its city charter, is fixed as extending three miles from the line of ordinary high tide into San Pedro Bay, bordering upon the Pacific Ocean, between the easterly and westerly boundaries of the city. The waterfront of the city consists of 8.11 miles and thereon is located one of the major municipally owned harbors and ports of the Pacific Coast.

On May 1, 1911, the State of California granted to the City of Long Beach "all of the right, title and interest of the State of California, held by said State by virtue of its sovereignty, in and to all of the tidelands and submerged lands, whether filled or unfilled, bordering upon, under and situated below the mean high tide line of the Pacific Ocean, or of any harbor, estuary, bay or inlet, which are within the corporate limits of said city," (1911 Statutes, page 1304) in trust, to be used by the city solely for the establishment, improvement and conduct of a harbor and for the construction of wharves, docks, piers and structures necessary or convenient for the promotion and accommodation of commerce and navigation. This legislative grant was amended by the 1925 and 1935 Legislatures (1925 Statutes, page 235, and 1935 Statutes, page 794). These amendments authorized the use of said tide and submerged lands, in addition to the purposes previously noted, for public parks, parkways, highways and playgrounds. Since May 1, 1911, the City of Long Beach has exercised proprietary control and jurisdiction over said tide and submerged lands by appropriate procedure for the uses authorized and in the public interest.

There are 13,027 acres of tide and submerged lands, including reclaimed tide and submerged lands, within the corporate limits of the city which have been conveyed to the city by state grants. The city has filled and reclaimed 580 acres of said submerged lands, at considerable public expense to the taxpayers of the city, and plans for future harbor development by the city call for the filling and reclaiming of an additional 570 acres. The city has made vast and costly improvements upon these lands underlying navigable waters. I will summarize briefly the nature and extent of these improvements.

HARBOR FACILITIES

Harbor facilities of the City of Long Beach have been constructed entirely upon reclaimed submerged lands granted to the city by the State of California, at a cost to the city in an amount in excess of $15,500,000, with additional new port facilities in process of construction under existing contracts at an additional cost of $7,575,641 Projected harbor improvements planned by the city call for an additional expenditure of $97,498,000, a great portion of which will be expended for development or harbor facilities upon reclaimed tide and submerged lands.

In excess of 12,000 lineal feet of wharves and docks, accommodating approximately 25 berths, have been constructed or are under construction by the city upon reclaimed tide and submerged lands. Over 17 miles of railroad trackage has been installed by the city on reclaimed tide and submerged lands. Three hundred thirty-two acres have been filled and

reclaimed on said lands, 127 acres of which have been improved for open storage of cargo, and in excess of seven acres improved with transit sheds on piers and docks. An additional area consisting of 40 acres is in the course of being reclaimed and filled, together with in excess of five acres of additional covered storage area in the form of transit sheds on piers and docks.

Projected harbor development plans call for the filling of 570 acres of submerged lands upon which will be constructed approximately 50,000 lineal feet of wharves, which will accommodate 75 additional berths; 445 acres thereof will be improved for open storage of cargo and 120 acres thereof improved with transit sheds on piers and docks. In excess of 58 miles of railroad trackage will be installed thereon.

One million one hundred forty-four thousand thirty-five tons of cargo, including both imports and exports, were handled over city's municipal docks during the twelve-month period ending December 31, 1947. For said period the city received $697,500.45 as revenue for dockage, wharfage, fees and rentals, exclusive of oil income, incidental to the use of port facilities heretofore mentioned constructed by the municipality on reclaimed tide and submerged lands.

In addition to these harbor installations made by the city, the Federal Government expended in excess of $5,000,000 for the construction of pier facilities upon approximately 30 acres of submerged lands granted to the city by the State of California, under the terms of a lease entered into by the United States with the city on October 8, 1943. Said pier extends out into San Pedro Bay, bordering the Pacific Ocean, a distance of approximately 4,690 feet Under the terms of paragraph 15 of said lease the city agreed, upon termination thereof, to purchase from the government all permanent improvements constructed by the government, at a price and upon terms to be negotiated. A supplemental agreement was entered into between the city and the Federal Government on April 18, 1947, whereby said lease was terminated and the Federal Government transferred to the city title to said improvements in consideration of the payment of $1,000,000 by the city to the Federal Government. Concurrently with the execution of said supplemental agreement the city paid to the Federal Government the sum of $1,000,000 for said improvements.

RAINBOW PIER—PARK—MUNICIPAL AUDITORIUM

During the years 1928, 1929, and 1930 the city, out of revenues provided by bonds voted by the electorate and at a cost of $1,067,343.37, constructed a pier known as Rainbow Pier, semicircular in design, 3,802 feet in length and extending into the submerged lands granted to the city by the State of California approximately 1,400 feet from mean high tide line, thereby enclosing approximately 47 acres, within which an 8-acre fill was made and developed into a park and upon which was constructed a municipal auditorium, at a total cost to the city of an additional sum of $1,664,371.49.

BEACHES—RECREATION AREAS

In addition to the installations heretofore mentioned, more than five miles of public beaches, parks and recreational areas have been constructed and improved upon approximately 200 acres of reclaimed submerged lands, at cost to the city in the sum of $1,115,946.

In furtherance of this program of municipal beach recreation development, the city has acquired in excess of 70 percent of all the upland parcels of land bordering the ocean along the entire beach frontage within the city, in order to guarantee the use of said reclaimed submerged areas for recreational use of the public and at additional cost to the city in the sum of $666,493.

OIL DEVELOPMENT

Oil was discovered in privately owned uplands adjacent to the tide and submerged lands conveyed to the city by the State in the Harbor District of the city in 1936, and, in order to protect the municipality's property rights in said tide and submerged lands from drainage by petroleum development on adjacent upland areas by private interests, on March 15, 1939, the city entered into four drilling and operating contracts with the Long Beach Oil Development Company, covering parcels containing approximately 1,143 acres of submerged and reclaimed tide and submerged lands in the Long Beach Harbor. Except as to description of parcels, these contracts are identical as to terms and provisions. For convenience, these parcels were described as "W," "X," "Y" and "Z." A certified copy of said contract covering Parcel "W" will be filed with your honorable committee. A similar contract was entered into between the city and said company on January 2, 1942, covering an additional parcel containing approximately 95 acres of submerged and reclaimed tide and submerged lands, described as "Z-1," and a sixth contract was entered into between the same parties on August 3, 1944, covering an additional parcel containing approximately 231 acres of submerged and reclaimed tide and submerged lands, described as Parcel "J."

All of the area covered by said contracts consists entirely of submerged and reclaimed tide and submerged lands and extends southerly into San Pedro Bay, bordering the Pacific Ocean, approximately one-half mile from the line of ordinary high tide prior to reclamation. Under the terms of each of said drilling and operating contracts the development company becomes an independent contractor and agrees to supervise and manage development work for and on behalf of the city, and as compensation therefor receives 14.45 percent of the proceeds derived from the sale of oil and gas produced under said contracts. The city receives 85.55 percent of the proceeds from the sale of oil and gas produced, out of which all drilling and maintenance and operation costs are paid, subject to certain limitations constituting ceilings upon maximum drilling and operating costs under the terms of said contracts. The city receives a net minimum of 30 percent revenue from the sale of oil and gas, whether or not 55.55 percent of the revenue derived from the sale of oil and gas is sufficient to pay the costs of development and operations Furthermore, the city receives all the dry gas (excepting the amount necessary for development operations), delivered to its gas department for distribution by the city to consumers in and adjacent to the city. Under these contracts, from March 15, 1939, to November 30, 1947, 348 wells have been drilled and placed on production and have produced 53,056,037 barrels of oil. 85.55 percent of the gross revenue received from the sale of oil was paid to the city in the sum of $59,142,-390.36. The net revenue received by the city after payment of all costs

for drilling, maintenance and operation of said wells was in the sum of $31,509,589.87, plus tangible oil field equipment of the estimated value of $11,500,000. In addition to said revenue received by the city from the sale of oil, dry gas has been delivered to the city's gas department in the total amount of 29,715,684 MCF, which in turn has been delivered to consumers within and adjacent to the city, at considerable profit to the city. A summary of these operations and returns by years to November 30, 1947, will be filed with this honorable committee.

On March 12, 1947, the city entered into a drilling and operating contract, pursuant to public bidding procedure, with Richfield Oil Corporation, covering approximately 234 acres of submerged and reclaimed tide and submerged lands within the City of Long Beach and adjacent to Parcel "J" heretofore referred to. The terms and provisions of said drilling and operating contract are similar to those entered into with Long Beach Oil Development Company previously referred to, except under the drilling and operating contract with Richfield, said contractor receives 5.9 percent of the proceeds derived from the sale of oil and gas produced thereunder and the city receives 94.1 percent of the proceeds of the sale of said oil and gas produced, out of which drilling and maintenance and operations costs are paid. Under this latter contract the city receives a net minimum of 60.1 percent of the revenue derived from the sale of all oil and gas, whether or not 34 percent of the revenue from the sale of oil and gas is sufficient to pay the costs of development and operations. Under this latter contract, from March 12, 1947, to November 30, 1947, 13 wells have been drilled and placed on production, which have produced 116,927 barrels of oil. 94.1 percent of the gross revenue received from the sale of oil was paid to the city in the sum of $201,312.86. The net revenue paid to the city over and above all costs of drilling, maintenance and operation was in the sum of $128,575.58, plus tangible oil field equipment of a very substantial value. In addition to said revenue received by the city from the sale of oil, dry gas has been delivered to the gas department of the city in the total amount of 52,175MCF. A summary of these operations will be filed with this honorable committee.

Under the provisions of Section 229x of the city charter, as amended, all revenues derived by the city from the proceeds of oil produced from the tide and submerged lands are required to be deposited in the Harbor Revenue Fund and the Harbor Bond Redemption and Interest Fund and used exclusively for harbor development and maintenance and other harbor purposes consistent with the uses specified in the grants made by the State of California to the city and for the payment of principal and interest on the 1924 and 1926 harbor bonds issued by the city for harbor improvements. All of the funds thus derived have been devoted exclusively for such uses and purposes

Under the provisions of the first six drilling and operating contracts entered into by the city for the development of petroleum deposits contained in tide and submerged lands, the city receives a minimum net cash return of 30 percent of all revenues derived from the sale of oil produced from said lands. To November 30, 1947, the actual net cash received by the city under one of said contracts exceeded 54 percent, and the smallest amount under any of said contracts exceeded 41 percent of all revenue derived from the sale of oil produced thereunder, plus millions of dollars worth of oil field equipment, in addition to 100 percent of the resulting

dry gas (excepting the amount required in the development operations), sold at additional profit to the city. The average net cash received by the city to November 30, 1947, under said six contracts was 46 percent of all revenue derived from the sale of oil produced thereunder. Under the drilling and operating contract entered into with Richfield Oil Corporation the actual net cash received by the city amounted to 61.1 percent of all revenue derived from the sale of oil and gas produced thereunder.

It has been reported and it is believed that in no other instance anywhere in these United States have oil development contracts or leases been made returning to the landowner such a large percentage of the revenue received from the oil produced. It is customary for such contracts and leases to provide for the return to the landowner ranging from 12½ percent to 16⅔ percent, whereas the City of Long Beach receives 85.55 percent to 94.1 percent, less the cost of drilling and maintenance, and guaranteed minimum net cash of 30 percent to 60.1 percent, with actual net cash received as of November 30, 1947, averaging 46 percent under six contracts and 60.1 percent under another, plus millions of dollars worth of dry gas and capital inventory of oil field equipment. All revenues received by the city under the provisions of law are expended for the development of a great public harbor, in addition to other valuable benefits and services to the general public.

CITY'S TITLE SETTLED BY SUPREME COURT

The expenditure of many millions of dollars of public funds by the City of Long Beach in the development of the tide and submerged lands heretofore mentioned has been made in good faith and in reliance on the rule of property that the title to such lands is vested in the states and their grantees, as confirmed throughout the past 100 years by more than 50 decisions of the Supreme Court of the United States, 244 decisions of federal and state courts, 31 rulings by Secretaries of the Interior, and 49 opinions of Attorneys General of the United States. Our own State Supreme Court in 1937, in the case of *City of Long Beach* v. *Marshall*, 11 Cal (2d), page 609, held that the City of Long Beach received the fee title to all the tide and submerged lands within its city boundaries from the State of California under the grant from the State Legislature of May 1, 1911. The California Supreme Court in that decision cited and relied upon decisions of the Supreme Court of the United States upon the subject matter, and at page 614 therein stated:

> "It is established law that the State became the owner of tidelands in fee simple upon its admission to the union, holding them subject to the public trusts for navigation, commerce and fishing (*Shively* v. *Bowlby*, 152 U. S. 1 * * *; *Borax Consolidated* v. *Los Angeles*, 296 U. S. 10 * * *); that it likewise became owner of the minerals therein (*Boone* v. *Kingsbury*, 206 Cal. 148, 170 * * *); and it should reasonably follow that it has the power to grant these lands to municipalities, subject to those same trusts."

In this case the Supreme Court had before it all the tide and submerged lands lying seaward from the mean high tide line three miles within the city limits—that is, all that had been granted to the city by the State. When the court said it was established law that the tidelands belonged in the first instance to the State, the meaning of the word

"tidelands" was not limited to the narrow strip between high and low tide which is subject to the daily ebb and flow of the tide. On the contrary, the word "tidelands" was deliberately used to describe all the lands conveyed to the city which, as heretofore stated, extend three miles seaward from the mean high tide line.

FEDERAL RECOGNITION OF CITY'S TITLE

Although oil has been produced from tide an dsubmerged lands of the Pacific Ocean off the coast of California for more than 50 years (Summerland—1894; Bulletin No. 118, California Department Natural Resources), the title of the State of California (and the City of Long Beach, as grantee of the State) to the tide and submerged lands within three miles from shore of the Pacific Ocean was not questioned by any federal official or private citizen until oil was discovered in the Harbor District of the City of Long Beach in the year 1936. In fact, public records are replete with instances wherein the Federal Government and its officials recognized that the City of Long Beach held the title to its tide and submerged lands. As an example of one such instance of recognition of title, the Secretary of the Interior, Harold L. Ickes, under date of December 22, 1933, wrote a letter to a Long Beach citizen by the name of Olin S. Proctor rejecting an application for an oil and gas lease or permit covering a parcel of submerged land lying within the city limits of the City of Long Beach, and a part of the tide and submerged lands conveyed to the city by the State of California in 1911 Said letter reads as follows:

"THE SECRETARY OF THE INTERIOR
WASHINGTON

December 22, 1933

"*Mr. Olin S. Proctor,*
521 East Ocean Boulevard,
Long Beach, California.

"MY DEAR MR. PROCTOR: I have received, by reference from the Department of State, copies of your letters of October 15 and November 22.

"As to the jurisdiction of the Federal Government over lands bordering on tide water, the Supreme Court of the United States has held in the case of *Hardin* v. *Jordan* (140 U. S. 371), as follows:

" 'With regard to grants of the government for lands bordering on tide water, it has been distinctly settled that they only extend to high-water mark, and that the title to the shore and lands under water in front of lands so granted enures to the state within which they are situated, if a state has been organized and established there. Such title to the shore and lands under water is regarded as incidental to the sovereignty of the state—a portion of the royalties belonging thereto and held in trust for the public purposes of navigation and fishery—and cannot be retained or granted out to individuals by the United States.'

"The foregoing is a statement of the settled law, and therefore no rights can be granted to you either under the leasing act of February 25, 1920 (41 Stat. 437), or under any other public land law

to the bed of the Pacific Ocean either within or without the three-mile limit. Title to the soil under the ocean within the three-mile limit is in the State of California, and the land may not be appropriated except by authority of the State. A permit would be necessary to be obtained from the War Department as a prerequisite to the maintenance of structures in the navigable waters of the United States, but such a permit would not confer any rights to the ocean bed.

"I find no authority of law under which any right can be granted to you to establish your proposed structures in the ocean outside the three-mile limit of the jurisdiction of the State of California, nor am I advised that any other branch of the Federal Government has such authority.

"Sincerely yours,

HAROLD L. ICKES, Secretary of the Interior."

A photostatic copy of the letter referred to will be filed with this honorable committee.

SPECULATORS AND PROMOTERS FILE ON TIDE AND SUBMERGED LANDS WITH DEPARTMENT OF INTERIOR

Following the discovery of oil in the submerged lands granted to the city by the State of California in the Harbor District of the city in 1936, as of July 7, 1947, 90 oil and gas lease applications under the Federal Mining Leasing Act of 1920, as amended, have been filed by speculators and promoters in the General Land Office of the Department of Interior, covering the greater portion of the 13,027 acres of said tide and submerged lands conveyed to the city, and 25 certificates of location under an Act of Congress of April 5, 1872, commonly known as the Valentine Scrip Act, and two certificates of location under an Act of Congress of February 10, 1855, commonly known as the Gerard Scrip Act, have likewise been filed with the General Land Office and Department of Interior covering portions of said lands. Said filings are made upon the theory that said tide and submerged lands are public lands of the Federal Government. These applications are made by private citizens and corporations and cover parcels of tide and submerged lands and reclaimed tide and submerged lands title to which the city contends was conveyed to it by the State of California. These filings are located upon the entire 8.11 miles of water front of the City of Long Beach and extend seaward several miles, and likewise cover all of the municipality's harbor facilities, recreation and park improvements heretofore referred to, constructed by the city at a cost exceeding $25,000,000. Many of these applications have been held pending in the Department of Interior for years. However, it is believed that approximately 58 of said 90 oil and gas lease applications were denied by a decision of the Department of Interior dated September 8, 1947. A list of these applications will be filed with this honorable committee.

An outstanding example of the locations selected by one of the speculator-promoters making application for oil and gas leases as aforesaid are two such filings made by Robert E. Lee Jordan, Applications No. 052975 and No. 052976, both filed April 6, 1937. The first mentioned covers a large submerged area including within its boundaries portions

of the federal breakwater, and the latter covers a large area including therein extensive harbor improvements constructed by the city at the cost of millions of dollars. To the best of our knowledge these two applications have not been denied by action of the Department of Interior and the applicant has been and is now vigorously prosecuting said applications in an effort to obtain rights through the Federal Government to the lands covered therein, and thereby evict the City of Long Beach from the port improvements constructed by it and from possession of all the lands covered by said applications conveyed to the city by grant from the State. A U. S. Coast and Geodetic Survey map of Los Angeles and Long Beach Harbors upon which has been portrayed the areas covered by said two filings will be filed with this honorable committee.

UNITED STATES OF AMERICA V. STATE OF CALIFORNIA

The United States Supreme Court, in the case of *United States of America* v. *California,* No. 12 Original, on June 23, 1947, rendered a decision holding that the Federal Government has certain paramount powers with respect to the "three-mile marginal belt" lying seaward of the ordinary line of the low-water mark on the coast of California and outside inland waters of the State of California and that the State of California has no title thereto or any property interest therein. The entire 13,027 acres of tide and submerged lands within the city limits of the City of Long Beach conveyed to it by grants from the State of California lie within San Pedro Bay, an inland water of the State of California. In the case of *United States* v. *Carrillo,* 13 Fed. Supp. 121, the Federal District Court held that San Pedro Bay was demarked from the open sea by a line drawn from Point Fermin to Point Lasuen; all of said tide and submerged lands conveyed to the city are located landward of said line. However, in said pending suit against the State of California the Department of Justice does not concede such to be the case, and said matter has not been determined by the Supreme Court in said litigation. The Attorney General for the Federal Government has filed with the Supreme Court a Petition for Entry of a Supplemental Decree, together with a form of proposed Supplemental Decree, in which it is sought to have the court establish a line demarking San Pedro Bay from the "three-mile marginal belt." Said proposed Supplemental Decree, if adopted by the court, will place all but a very small portion of San Pedro Bay in the "three-mile marginal belt" and thereby the City of Long Beach will lose its title, ownership, possession and control of all but a small portion of the 13,027 acres of tide and submerged lands within its city limits, conveyed to it by grants from the State of California.

The executive departments of the Federal Government are unwilling to recognize San Pedro Bay as inland waters of the State of California as determined by judicial precedent, and as established by geographical, physical and historical evidence. The city cannot be secure in its title and ownership of such of said lands which may be finally determined to be within inland waters. In the government's brief in said case the theory of ownership of inland navigable waters and tide waters is attacked as "erroneous," "unsound," "wrong," "fallacy," and a "legal fiction." The theory announced by the majority opinion of the Supreme Court as the basis for its decision can be equally applied to the title and ownership of all lands underlying inland navigable waters. A map of San Pedro

Bay, published by the Long Beach Harbor Department, entitled, "California Coast Line—Point Fermin to Newport Beach," on which has been portrayed the Justice Department's proposed line demarking San Pedro Bay from the "three-mile marginal belt," the headland to headland line of San Pedro Bay as fixed by the Federal District Court in *U. S.* v. *Carrillo,* and the line demarking San Pedro Bay from the open sea as referred to by the Board of Rivers and Harbors, Deep Water Harbor Report, Senate Doc. 18-551, will be filed with this honorable committee.

CONCLUSION

In conclusion, may I repeat that the City of Long Beach has expended many millions of dollars of public funds in the improvement and development of the tide and submerged lands conveyed to it by grant from the State of California in good faith and in reliance upon what has long been recognized to be the settled rule of property law that title to such lands is vested in the states and their grantees. A great public harbor has been created by the city consisting of most modern port facilities for accommodation of the waterborne commerce of the nation, and large submerged areas have been converted into park and recreational facilities for the pleasure and enjoyment of millions of people throughout each year. The city's harbor facilities were entirely devoted during World War II to uses by the Federal Government in its activities in successfully prosecuting the war. These port facilities are most efficiently and economically managed by the municipality in peace times and will be of inestimable value to the Federal Government in the event of any future emergency challenging the security of our Nation.

The city now stands to lose its title, ownership, possession and control of these tide and submerged lands, save and except possibly a very small portion thereof, unless the Congress of the United States adopts appropriate legislation that will safeguard to the city its just and equitable rights in said lands.

The Supreme Court, in its decision rendered June 23, 1947, recognizes that the question of ownership and control of said lands and natural resources in the "three-mile marginal belt" is within the "congressional area of national power" and that the Congress will not execute its powers "in such way as to bring about injustices to states, their subdivisions, or persons acting pursuant to their permission."

It is submitted that facts contained in this statement pertaining to the City of Long Beach are but an example of that pertaining in all states and municipalities throughout the nation wherein navigable waters are included within their borders, and each is now faced with a disaster of tremendous proportions unless the Congress of the United States adopts appropriate legislation to prevent confiscation by the Federal Government of these long established property rights in the states and their grantees and quiet the title, possession and control of all lands beneath navigable waters

On behalf of the City of Long Beach, California. I urge favorable action on and adoption by the Congress of Bill S. 1988, or similar legislation, whereby the Federal Government shall recognize, confirm, establish and vest in the respective states and their respective grantees and all persons lawfully entitled thereto title to and ownership of all lands beneath navigable waters within the boundaries of the respective states

and their natural resources within such lands and waters, and the right and power to control, develop and use such natural resources in accordance with applicable state law. A certified copy of Resolution No. C-11117, adopted by the City Council of the City of Long Beach at its meeting held on February 10, 1948, together with a certified copy of Resolution No. HD-333, adopted by the Board of Harbor Commissioners of the City of Long Beach at its meeting held on February 9, 1948, petitioning the Congress of the United States to act favorably upon and adopt S. 1988 pending before this committee, will be filed with the committee.

COPY

Exhibit B

CITY OF LONG BEACH, CALIFORNIA

INTER-DEPARTMENTAL COMMUNICATION

Date October 6, 1948
From B. W. Tarwater
Dep't Harbor

To J. R. McHenry
Dep't City Manager
Subject Communication and Questionnaire from Ralph C. Dills—Assembly, California Legislature—re tidelands and submerged lands granted by the State.

DEAR SIR: The following is in answer to your communication of October 1, 1948, regarding questions numbers 2, 3, and 6.

No. 2. Capital Expenditures since January 1, 1948, for development and improvement of the granted lands have been made from revenues to the Harbor Revenue Fund prior to January 1, 1948, and have been made in the approximate of $4,525,000 from January 1, 1948, to September 30, 1948.

No. 3. All Capital Expenditures in the Harbor Department have been from revenues in the Harbor Revenue Fund prior to January 1, 1948.

No. 6. Revenues to the Harbor Department for the fiscal year from July 1, 1947, to June 30, 1948, were as follows:

Harbor Revenue Fund

Interest, refunds, etc.	$313,279.89
Tideland Oil Income—	
Long Beach Oil Development Contract	19,466,848.53
Richfield Oil Corporation Contract	1,245,650.42 *
Reserve accounts as per agreements	(12,478,977.19)
Active Funds	(8,546,801.65)
Total	$21,025,778.84

* Revenues in the Harbor Revenue Fund are expended for development and improvement of Harbor Department lands, facilities and maintenance. Revenues from the Richfield Oil Corporation contract are deposited in the Harbor Revenue Fund but are not a part of the Harbor Department Revenues

Harbor Operating Fund

Receipts from the operation of port facilities $779,097.87

Revenues in the Harbor Operating Fund are expended for the operation of port facilities.

Yours very truly,

B. W. TARWATER
Acting Port Manager

COPY

Exhibit C

CITY OF LONG BEACH, CALIFORNIA

INTER-DEPARTMENTAL COMMUNICATION

Date October 4, 1948
From Helen F. Luckey
Dep't City Accountant

To Mr. J. R. McHenry
Dep't City Manager
Subject Communication and questionnaire from Ralph C. Dills—re tidelands and submerged lands granted by the State

DEAR SIR: In accordance with your request of October 1, 1948, I am submitting the following:

2. Unknown to me.

3. No expenditures since January 1, 1948 (groins constructed on East Beach at a cost of $36.315 in 1945-46 according to Planning Dept. Marina Survey Report)

6. Revenues Auditorium, 1947-48 ..... $53,158.01
Expenses Auditorium, 1947-48 ..... 82,065.11
Estimated Revenue, 1948-49 ..... 60,000.00
Budget, 1948-49 ..... 91,598.00

Harbor Tideland Oil Revenues to Harbor Department could be best furnished by Mr. Tarwater

(Oil Revenues from Palm Beach Park and ocean adjoining park)

Neptune Pier Franchise

Belmont Pier Fishing Boat Franchises
(Included in our Miscellaneous Franchises and detail could be furnished by Bureau of Franchises)

Recreation (Belmont Recreation Center) and others.

Yours very truly,

OFFICE OF CITY ACCOUNTANT
By HELEN F. LUCKEY, Accountant

COPY

Exhibit D

CITY OF LONG BEACH, CALIFORNIA

INTER-DEPARTMENTAL COMMUNICATION

Date October 8, 1948
From J. H. Mixner
Dep't Bureau of Franchises and Public Utilities

To Mr. Carl B. Wirsching
Dep't City Manager
Subject Revenues received from revocable boat permits.

DEAR SIR: In accordance with your request we are furnishing information with regards to the revenues received from the use and operation of boat permits issued by the City of Long Beach from August 1946 to date, the total amount of revenues received amounting to $13,602.20.

Yours truly,

J. H. MIXNER, Engineer

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF MONTEREY

CITY OF MONTEREY
MONTEREY, CALIFORNIA

OFFICE OF
CITY MANAGER

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

September 11, 1948

1. The City Manager has, under the charter, "general supervision over all city property, including public buildings, parks and playgrounds."

2. In 1868 the State of California granted to the City of Monterey the tidelands and submerged lands to a depth of 20 feet. Subsequently the City of Monterey was granted the submerged lands to a depth of 60 feet. For many years the city has owned and operated Fisherman's Wharf at the foot of Alvarado Street. The original cost of this wharf to the city was about $18,000. It was built by a steamship company, and sold to the city. Since its acquisition, the area has been extended. This has been done a little at a time, and there are no records of the cost of construction. It would cost approximately $150,000 to replace this structure.

   Municipal Wharf No. 2 was built in 1926-27 at a total cost of $298,000. The money was raised by a bond issue. This issue will be fully paid in 1964.

   The breakwater was built by the Federal Government at no cost to the city except the cost of the approaches to said breakwater. The city did participate in the capping of said breakwater to the extent of $10,000. This was done as a joint project by the Federal Government and the City of Monterey.

   Extensive improvements in the bay and on shore are contemplated if and when the proposed breakwater project (now being studied by Army Engineers) is completed. The improvements in mind are recreational and commercial.

3. Public funds have been expended for development and improvement of granted lands as indicated above. In addition to the amounts shown, many thousands of dollars have been spent in the maintenance of the structures described.

4. Almost the entire perimeter of Fisherman's Wharf is occupied by buildings of lessees. These buildings front on the wharf and extend into the water at right angles thereto for a distance of from 30 to 135 feet. In addition, two of the oil companies, Standard and Shell, have built finger wharves for the servicing of boats. The total value of the improvements of said lessees is estimated to be in excess of $250,000.

   The warehouse on Wharf No. 2 has been converted to the use of wholesale fish concessionnaires. The total value of the improvements and equipment of said concessionnaires is estimated to be in excess of $100,000.

   There are currently 32 fish canneries and reduction plants in Monterey. In almost every instance the main plant is so constructed that a portion of the building extends into the submerged land area on piling. In many instances from 50 to 90 percent of the building is over tidelands or submerged lands. The total value of said improvements is estimated to be in excess of $1,600,000

5. Franchises and leases covered in No. 4

6. Local agency receives approximately $40,000 annually from the canneries and concessionnaires. This money and more is used to maintain the facilities for the leasees.

7. Less than 1 percent of the granted lands are occupied or used by private individuals or corporations.

8. Local agency has not been divested of title or right to possession of granted lands.

9. The only judicial proceedings affecting title of local agency is the recent decision of the United States Supreme Court

DATA FURNISHED TO THE COMMITTEE BY THE
CITY OF NATIONAL CITY

THE CITY OF NATIONAL CITY

NATIONAL CITY, CALIFORNIA

OFFICE OF THE
ADMINISTRATIVE OFFICER

August 6, 1948

Assemblyman Ralph C. Dills
Chairman, Interim Committee on
Petroleum Problems
California State Legislature
Sacramento 14, California

Dear Assemblyman Dills:

Your letter to Mayor Gilbert E. Fritz, of this City, has been referred to my office for reply. In answering the questionnaire which you enclosed in your letter, I shall not repeat the questions but shall answer them in the same numerical order as you have them listed.

1. The City Council, City of National City, is charged with the duty of administering tidelands, and submerged lands that have been granted by the State.

2. The City Council has made application to the Federal Government for assistance in a flood control and small boat harbor development, which has received preliminary approval. A complete study has been authorized by the Federal Government. The City Council has, also, made tentative plans for a progressive development of the tidelands which would include dredging, quay wall construction, road development, and possibly some pier construction.

3. To date the amount of public funds that have been spent in making these plans would probably not exceed a thousand dollars.

4. The only lease now in effect is with the Santa Fe Railroad for a wye track. The value of which is approximately $25,000.00.

5. I believe question number 5 is answered in question number 4.

6. The annual revenue received is somewhat variable due to several beach right leases for salvaging purposes this year. The amount of the revenue was approximately $1,500.00. It came from leases, and is deposited in a Harbor Improvement Fund to be used for harbor development.

7. About one per cent of the grant lands are being used at this time.

8. In answering question number 8, it might be well to explain, the Federal Government through Eminent Domain Proceedings, took 135 acres of our tidelands during the war period. Prior to that time in 1938, the City of National City, voted 96 acres to the Federal Government for the enlargment of the U. S. Naval Station, formerly known as the Destroyer Base. The agreement made between the government and National City at the time this land was obtained, was that the Federal Government would fill the remainder of our tidelands. Approximately 135 acres were filled, and several substantial leases were made by the City on this property. During the war the navy found it necessary to expand and condemn the 135 acres. However, in the development of this land, they filled the balance of National City tidelands. The final settlement in this case was affected last year, so the tidelands which National City had developed, was taken by the government, and we now have undeveloped tidelands in our possession.

9. I believe question number 9 is answered in the foregoing question number 8.

If you desire further information concerning these tidelands, I will be glad to cooperate in any way that I can. I trust the foregoing answers will adequately serve your purpose.

Sincerely yours,

DJD/tp

Delavan J. Dickson
Administrative Officer

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF OAKLAND

PORT OF OAKLAND BOARD OF PORT COMMISSIONERS

GENERAL OFFICES: GROVE STREET PIER
OAKLAND 7, CALIFORNIA

CLAIRE V GOODWIN, PRESIDENT
CLIFFORD D ALLEN VICE PRESIDENT STANLEY A BORGHAFF VICE PRESIDENT
DUDLEY W FROST JAMES F GALLIANO
A H ABEL PORT MANAGER CHIEF ENGINEER AND SECRETARY
W REGINALD JONES, PORT ATTORNEY

August
18th
1948

Ralph C. Dills, Chairman,
Assembly Interim Committee
on Petroleum Problems,
123 North Tamarind Street,
Compton, California.

Dear Mr. Dills:

This is in reply to the questionnaire you sent the Mayor of the City of Oakland.

The waterfront of the City of Oakland has had a peculiar history and, consequently, would not be typical of the lands fronting on the harbors of the State. In 1852, when the Town of Oakland was organized, the legislative charter granted to the Town all the lands within its borders between high tide and ship channel. Immediately upon its organization the Town granted all of these lands to one Horace W. Carpentier. The phrase "ship channel" was defined to mean the line of low tide. Consequently, all tidelands proper, that is, lands lying between high and low tide within the original limits of Oakland, have been in private ownership, and no estimate of the improvements thereon or their value can be made; regardless to say, it runs into many millions of dollars.

It is therefore to be understood that the following replies to your questions relate only to lands that have been reclaimed below the original line of low tide.

(1) The Board of Port Commissioners of the City of Oakland is the agency having jurisdiction and control over the reclaimed and submerged lands along Oakland's waterfront.

(2) Commencing in 1910 a desultory development took place with the erection of minor structures on these lands, but the real development did not begin until the formation of the Board of Port Commissioners in 1927. Since that time approximately 19,900 linear feet of berthing space has been provided along modern wharves and piers.

(3) A bond issue of $9,960,000 has been used in the development of these facilities together with, perhaps, a like sum derived from earnings which have been plowed back in the provision of new facilities.

(4) Approximately 7,400 linear feet of berthing space has been provided by private capital operating under franchises. The Southern Pacific Mole, together with part of its extensive freight yard, is located on such a franchise. It is impossible to obtain information as to the value of these improvements.

(5) Approximately 118 leases and franchises are currently in effect on lands of this character.

(6) From these leases and franchises the Board of Port Commissioners derives an annual revenue of approximately $750,000. These revenues are used for the maintenance of existing harbor facilities and the construction of additional ones.

(7) See Nos. (4) and (5) and explanatory introductory paragraph.

(8) Approximately 400 acres of these lands situate in the Middle Harbor were granted by the City to the federal government for the development of the Oakland Naval Supply Depot. Approximately 322 acres of these lands were granted to the federal government for the development of Oakland Army Base. The lands were conveyed under compulsion because of the filing of eminent domain proceedings as to part of such lands and to part of the facilities already established by the City and which were deemed necessary for the maintenance of the commercial harbor. The conveyance was made reluctantly and by way of compromise to secure the return of part of such facilities.

(9) In United States of America v. Certain parcels of land in the County of Alameda, etc. et al., No. 21930-L, in the District Court of the United States, in and for the Northern District of California, Southern Division, and in United States of America v. Certain land in the County of Alameda etc. et al., No. 22084-S, in the same Court, the federal government asserted the right to take such lands granted by the State to the City of Oakland without compensation, including improvements thereon, for the use of the Army on the theory that such taking was within the right of the government to provide aids to navigation under the commerce power. It was argued that the Army and Navy existed to protect and foster commerce and that, consequently, any facility provided for the use of either was an aid to navigation within the meaning of the admitted right of the government to provide aids to navigation such as lighthouses, jetties, etc. The District Court

rejected this contention in 53 Fed. Supp. 150. See also United States v. 412.715 acres of land, Contra Costa County, Cal., 53 Fed. Supp. 143, which was a companion case and consolidated with the Oakland case for the determination of this point.

As a general observation under this point, it is the belief of the writer that the case of United States v. California, purportedly involving only those lands outside of harbors and lying below the line of low tide out to the three-mile limit, definitely presents a threat to the lands under the control of the Board of Port Commissioners of the City of Oakland. The writer can validate no line of reasoning based on any precedent which differentiates between the ownership of the lands along the coast and lands within bays or harbors. The theory of sovereign ownership commenced with lands under the seas and it has advanced into harbors and up navigable waters to the point where the tides cease to ebb and flow. This was the result of the conclusion that the latter waters partook of the nature of the sea because of the presence of the tides. The writer is fearful that the doctrine of United States v. California may in some future case be extended to cover all lands under navigable waters.

In conclusion, may I compliment the Committee for making this study. In preparation for hearings before committees of Congress, those of us who have been directing it have had difficulty in compiling data such as you are now doing. It will be invaluable when the tideland legislation comes up in the next Congress.

Very truly yours,

W. Reginald Jones
Port Attorney

WRJ
w

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF ORANGE

BOARD OF SUPERVISORS

FRED C ROWLAND
Santa Ana
First District
WILLIS H WARNER
Huntington Beach
Second District
JAMES A BAKER
Anaheim
Third District

WILLARD SMITH, Chairman
Orange
Fourth District
IRVIN GEO GORDON
Newport Beach
Fifth District
B J SMITH, Clerk
Santa Ana

Orange County, California

Santa Ana, California
September 13,1948

Mr.Ralph C.Dills, Chairman,
Interim Committee on
Petroleum Problems,
California Assembly,
Sacramento 14, Calif

Dear Sir:

In reply to your questionnaire regarding tidelands and submerged lands granted by the State to Orange County, our investigation developed the following answers to your questions, by number:

1--County Board of Supervisors, through the Orange County Harbor Commission.
2--Development of Newport Harbor by dredging, filling, etc., and construction of county docks.
3--Yes. Orange County voted $640,000 bond issue in 1934. Has supplied annual harbor budget since. Expenditures for fiscal year 1947-8 were $43,065. Budget for 1948-9 is $201,860, including $70,000 reserve.
4--None.
5--None .
6--Approximately $2500 per year from mooring and docking rentals.
7--None.
8--No.
9--No.

We trust this will provide satisfactory information.

Yours Sincerely,

George E. Hart

GEORGE E. HART
Administrative Assistant

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF PACIFIC GROVE

CITY OF PACIFIC GROVE

MONTEREY COUNTY

PACIFIC GROVE, CALIFORNIA

CITY COUNCIL
W R LAPORTE, MAYOR
J HAROLD HARPER
FRED W WORKMAN
E J BOLLINGER
C I COOK
ROGER MATTHEWS
HAROLD W WILDMAN

ALFRED D COONS, CITY MANAGER
JOHN D IRWIN, CLERK AND TREASURER
REGINALD E FOSTER, CITY ATTORNEY

August 9, 1948

The Honorable Ralph C. Dills
Interim Committee on
Petroleum Problems
California State Legislature
State Capitol
Sacramento, 14, Calif.

Dear Mr. Dills:

In response to your questionnaire of July 26th and in the same order are the answers to your questions.

1. The City Manager is charged with the duty of administering tidelands and submerged lands that have been granted by the state.

2. We are contemplating the development of a yacht harbor.

3. About $300.00.

4. A Pier has been constructed at about a cost of $20,000.

5. A concessionaire has a lease for renting boats and taking glass bottom boat trips.

6. $759.00 were paid the City during last fiscal year. The source was from the above mentioned boat concession. The revenues were expended for maintenance of the beach and waterfront.

7. None of the lands are occupied or used by individuals or corporations.

8. No.

9. No.

Sincerely yours,

A. D. COONS
City Manager

ADC/bjv

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF PITTSBURG

CITY OF PITTSBURG
PITTSBURG, CALIFORNIA

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

City Council.

2. What action has been or is being taken for the development and improvement of the granted lands?

No action (No money).

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

$50,000.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

Buildings and wharfs, $75,000.

5. What franchises or leases of such lands are currently in effect?

22 leases.

6 What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

Approximately $3,138.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

90 percent.

8. Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

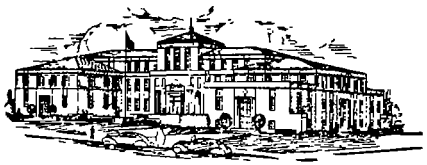
No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

No.

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SAN LUIS OBISPO

REGULAR MEETINGS
Fourth Wednesday
of Each Month



Ben D. Conrad,
ENGINEER-SECRETARY

COUNTY OF SAN LUIS OBISPO
Office of
PLANNING COMMISSION
SAN LUIS OBISPO, CALIFORNIA

August 31, 1948

Assemblyman Ralph C. Dills,
State Capitol,
Sacramento 14, California.

Dear Sir:

The following is the information requested in your letter to the San Luis Obispo County Board of Supervisors dated July 26, 1948;

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the state?

A. County Board of Supervisors, San Luis Obispo County.

2. What action has been or is being taken for the development and improvement of the granted lands?

A. An access road is being developed along waterfront. Development of property by lessees.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

A. For access road - approximately $1,000.00.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

A. None.

5. What franchises or leases of such lands are currently in effect?

A. Ten leases in effect - approximately 1600 ft. of frontage plus upland area between embarcadero and access road.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used.

A. Annual revenues received on above leases amount to $2,086.40. Revenues are received from the rental of the land only, at present.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

A. All of the above land leased is occupied by individuals.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

A. No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

A. No.

Trusting that this information will be of assistance to you, we remain

Yours very truly,

Ben D. Conrad

BEN D. CONRAD,
Engineer-Secretary

BDC/cs

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN MATEO

OFFICE OF THE
CITY MANAGER
CITY ENGINEER

CITY OF SAN MATEO
CALIFORNIA

August 30, 1948

Ralph C. Dills, Chairman
Interim Committee on Petroleum Problems
Sacramento, California

Dear Mr. Dills:

Mayor Creed Haberlin has asked this office to reply to your questionaire, dated July 26, 1948, relative to tidelands and submerged and reclaimed lands, lying within the City, which have been deeded to the City by the State of California. We will answer the questions in numerical order as they are listed on the questionaire:

1. The City Manager, City of San Mateo, is the officer charged with the duty of administering tidelands and submerged lands that have been granted by the State. The City has deed to approximately 1300 acres which were deeded to the City in 1930. Over 1200 acres are located in the San Francisco Bay, and are under water at the present time.

2. A portion of this acreage, is being utilized at the present time as a municipal dump and approximately 4½ acres have been reclaimed to this date by "dump refuse" fill.

3. Approximately $1,000.00 have been expended for the improvement of this area, the major portion of the expenditure being for fencing.

4. No additional improvements have been made pursuant to franchises or leases.

5. No leases or franchises are in effect at the present time.

6. The total annual revenue received is $600.00 from the City of Hillsborough, who have been authorized to use the dumping facilities.

7. No individual or corporation occupies these lands at the present time.

8. The City of San Mateo has not been divested of title on right of possession for any reason.

9. No Judicial proceedings have been commenced affecting title nor have any judgements been rendered.

We trust this information will be of help to your committee.

Very truly yours,

ARTHUR B. SULLIVAN
City Manager

By: F.W. Sharp
F.W. SHARP
Assistant Manager

FWS:vt

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SAN RAFAEL

ROBERT F. AUSTIN
MAYOR

COUNCILMEN
HARRY ALBERT
PHILIP F. BROWN
EDWARD CULVER
HOMER H. WOOD

R. A. BOEGE
CITY MANAGER AND ENGINEER

E. W. SMITH
CITY CLERK AND ASSESSOR

C. C. WEBB
CITY TREASURER AND TAX COLLECTOR

JORDAN L. MARTINELLI
CITY ATTORNEY

FRED J. SCHEUER
FIRE CHIEF

CITY OF SAN RAFAEL

CALIFORNIA

TELEPHONE 800

August 28, 1948

Ralph C. Dills
State Capitol
Sacramento 14, Calif.

Dear Sir:

Your letter of July 26, 1948 addressed to the ex Mayor William S. Nook has been referred to this office for reply.

The following are the answers to your questionnaire regarding tidelands and submerged lands granted by the state:

1. The City Council is charged with the duty of administering tidelands and submerged lands that have been granted by the state.

2. No action has been or is being taken for the development and improvement of the granted lands.

3. No public funds have been expended for such purposes.

4. No improvements have been made pursuant to franchises or leases.

5. The "goose neck" canal lease is the only lease of such lands currently in effect.

6. No annual revenues are received from this lease.

7. The "goose neck" lease includes a very small portion of the total area of granted lands.

8. The City of San Rafael has not been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise.

9. No judicial proceedings have been commenced against our local agency affecting title or right to possession of any such granted lands.

Respectfully submitted,

R. A. Boege

R.A. BOEGE
City Manager

DATA FURNISHED TO THE COMMITTEE BY THE COUNTY OF SANTA BARBARA

COUNTY OF SANTA BARBARA

CALIFORNIA

BOARD OF SUPERVISORS

C W BRADBURY CHAIRMAN CARPINTERIA
PAUL E STEWART SANTA BARBARA
J MONROE RUTHERFORD R F D NO 1 GOLETA
R B MCCLELLAN LOMPOC
T A TWITCHELL SANTA MARIA

J E LEWIS COUNTY CLERK AND EX OFFICIO CLERK OF THE BOARD OF SUPERVISORS

COURT HOUSE SANTA BARBARA CALIFORNIA

August 19, 1948

Mr. Ralph C. Dills, Chairman
Interim Committee on Petroleum
State Capitol
Sacramento, California

Dear Sir:

In answer to the questionnaire in your letter of July 26th in regard to tide land and submerged land extending from Sandy Land Point to Rincon Point granted by the state to the County of Santa Barbara, are as follows:

1. Board of Supervisors of Santa Barbara County is the administrating acency.

2. A pier or wharf has been built in the area and is being used for fishing and recreational purposes.

3. Public funds have been expended by the State Beach and Park Commission for repair and maintenance on the above improvement.

4. Certain portions of the above area above the high-tide line have been acquired by the State Beach and Park Commission through a cooperative agreement with the County of Santa Barbara. The value of the improvements made to the above mentioned pier is approximately $8,000.00; the original cost was somewhat in excess of $20,000.00. The State Beach and Park Commission contemplate the expenditure of approximately $176,000.00 in improvements of the area for recreational purposes. A large portion of the area is included in the master beach development plans of Santa Barbara County.

5. None

6. None

7. None

8. No, only that area above the high-tide mark as mentioned above to the State Beach and Park Commission.

9. No

I trust the above information will meet with your requirements.

Sincerely yours,

CWB:vg

C. W. BRADBURY
Chairman

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SANTA MONICA

OFFICE OF THE CITY MANAGER

CITY OF SANTA MONICA CALIFORNIA

August 10, 1948

Hon. Ralph C. Dills, Chairman
Interim Committee on Petroleum Problems
123 North Tamarind Street
Compton, California

Dear Mr. Dills:

Your letter of July 26, 1948, addressed to former Mayor R. E. Schafer has been referred to me for reply.

I shall attempt to answer your questionnaire regarding tide land and submerged lands granted by the State of California to the City of Santa Monica in the order in which your questions were put.

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the state?

   ANSWER: Recreation Department

2. What action has been or is being taken for the development and improvement of the granted lands?

   ANSWER: There have been built two pleasure piers, an auditorium, breakwater, and other improvements made by the Recreation Department for the benefit of the people using the beaches.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

   ANSWER:

Municipal Wharf	1919 Bond Issue	$ 75,000.00)	
Breakwater	1931 " "	690,000.00)	
Auditorium	1920 " "	325,000.00(	$1,155,000.00
		)	
Dredging		65,000.00)	

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

   ANSWER:

S. M. Pleasure Pier (I. D. Loof)	$ 75,000.00)	
Ocean Park Pier	1,500,000.00(	$2,275,000.00
Lick Pier	25,000.00)	Approx.

5. What franchises or leases of such lands are currently in effect?

ANSWER:

1.	S. M. Pier - Walter D. Newcomb	Expires 6/7/57
2.	O. P. Amusement Pier	Expires 6/30/66
3.	Charles Lick	Expires 6/28/66

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

ANSWER:
1. 2% of Gross - Approx. $1,500.00 per year
2. $5,300.00 per year
3. $600.00 per year

In addition thereto, the Municipal Pier, Harbor and Auditorium produce gross revenues of approximately $45,000.00 per year. Revenues from the three franchises listed in (6) are taken into the General Fund, as is also the revenue from the Municipal Pier and Harbor, less operating costs. Revenue derived from rental of the Auditorium is taken into the Park Fund. Total gross revenues received by the City from its own and leased or franchised operations are approximately $52,400.00 annually.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

ANSWER: Only to the extent indicated by the answers to (5) above.

8. Has your local agency been divested of title or right to possession of any of the granted lands by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

ANSWER: No.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

ANSWER:

Carpenter vs. City of Santa Monica
(1944) 63 Cal Ap 2d, 772,

wherein it was determined that the state or its successor in interest, which in this instance would be the city, is the owner of artificial accretions formed below the mean high tide line. Such accreted land does not belong to the upland owner. This is true whether such artificial accretions were added rapidly and perceptible or gradually and imperceptibly. The artificial accretions in this instance were caused by the erection of the breakwater.

Los Angeles Athletic Club vs. City of Santa Monica
(1944) 63 Cal Ap 2d 795,

wherein it was determined also that artificial accretions caused by the breakwater as in the Carpenter case, belong to the state or its successor in interest. It further pointed out that the littoral rights of an upland owner who owns no title to tidelands adjoining his property are subject to termination by whatever disposition of the tidelands the state or its grantees, in the exercise of their trust, choose to make.

Muchenberger vs. City of Santa Monica
(1929) 206 Cal 635,

wherein it was determined that a municipality may, by agreement, determine the boundary line of its property even when such boundary line is to determine the line of ownership between uplands and tidelands held by the city in trust.

It should be noted that in the first two cases hearings were denied by the State Supreme Court.

In addition to the foregoing cases, of course, the Santa Monica tidelands are involved in the case of United States vs. State of California, better known as the Tideland Case.

We trust the above information is complete and satisfactory, and if there are any further questions, please feel free to submit them to this office.

Yours very truly,

R. M. DORTON
City Manager

RMD:fp

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF SOUTH SAN FRANCISCO

CITY OF SOUTH SAN FRANCISCO
SAN MATEO CO. CALIF.

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

No officer or agency in South San Francisco.

2. What action has been or is being taken for the development and improvement of the granted lands?

None.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

None.

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

None.

5. What franchises or leases of such lands are currently in effect?

None.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

None.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

None.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Not to our knowledge.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

None.

DATA FURNISHED TO THE COMMITTEE BY THE CITY OF VALLEJO

NAVAL CAPITOL OF THE WEST

"HOME OF MARE ISLAND NAVY YARD"

GEORGE C. DEMMON
MAYOR

OFFICE OF THE MAYOR

City of Vallejo

VALLEJO, CALIFORNIA

August 13, 1948

Honorable Ralph C. Dills, Chairman
Interim Committee on Petroleum Problems
Assembly, California Legislature
State Capitol
Sacramento 14, California

Dear Sir:

I am in receipt of your communication of July 26, 1948, enclosing a list of questions which have been prepared by your committee on petroleum problems.

The attachment is submitted in reply to your questionnaire.

I am indeed pleased to see your committee study this important subject matter, and if we can be of further assistance in submitting additional data to you kindly notify us.

Yours very truly,

GEORGE C. DEMMON
Mayor

GCD/egm

QUESTIONNAIRE REGARDING TIDELANDS AND SUBMERGED LANDS GRANTED BY THE STATE, AND ANSWERS THERETO BY THE CITY OF VALLEJO

1. Which officer or agency is charged with the duty of administering tidelands and submerged lands that have been granted by the State?

   The administering of tideland matters is a function of the Vallejo City Council and City Manager's Office. The City Manager is the Chief Administrator of the city. All leases or contracts require the approval of the legislative body.

2. What action has been or is being taken for the development and improvement of the granted lands?

   In 1914, the city began the reclamation of the major part of such lands by the construction of timber and rock bulkheads and earthen retaining levees located along or closely paralleling the bulkhead lines established in the harbor by the War Department, followed

by the filling of the areas between such retaining structures and the shore line with earth dredged from the harbor and hauled from the upland.

The improvement of such reclaimed areas has proceeded intermittently by construction of the following:

(1) Streets and highways.
(2) Railroad.
(3) Sanitary sewers
(4) Storm sewers.
(5) Water distribution pipes.
(6) Fuel gas mains.
(7) Electric power pole lines.
(8) Telephone pole lines.
(9) Wharves.
(10) Piers.
(11) Concrete seawall.
(12) Pier sheds.
(13) Commercial and industrial buildings.
(14) Automobile parking lots.
(15) Parks.
(16) Veterans' memorial park.
(17) Recreation fields, buildings and piers.
(18) Federal housing.
(19) Municipal bus terminal.
(20) Ferry terminals.
(21) War balloon anchorages.
(22) Lumber yard.
(23) Petroleum products tankage and storage.
(24) Concrete aggregate bunkers.
(25) Heavy construction storage yard.
(26) Automobile service stations.
(27) Ice house.
(28) U. S. Naval Barracks.
(29) U. S. Naval Shipyard office building.
(30) Dwellings.
(31) U. S. rail and highway causeway to Mare Island.
(32) Pacific Gas & Electric gas house and yard.

3. Have public funds been expended for such purposes, and, if so, approximately in what amount?

Public funds of the Federal Government, the State Government, and the municipal government have been expended for the improvement of such lands in the following approximate amounts:

Federal Government	$4,000,000
State Government	150,000
Municipal Government	850,000

4. What improvements have been made pursuant to franchises or leases and what is the approximate value thereof?

Railroad.	Bus Terminals.
Electric power pole lines.	Wharves.
Telephone pole lines.	Piers.
Fuel gas mains.	Recreation fields.
U. S. Naval Barracks.	

The approximate value of all the improvements under this heading is $1,250,000.

5. What franchises or leases of such lands are currently in effect?

(1) Electric railroad franchise and lease.
(2) Electric power pole lines.
(3) Telephone pole lines.
(4) U. S. Naval Reserve barracks.

6. What are the present annual revenues received by the local agency from such lands, the sources thereof, and the purposes for which such revenues are used?

The city has purchased from the Federal Government approximately ten war-time barracks and associated structures situated on the tidelands. This area is used for the location of small industries which do not have plants of their own. Presently, nine industries have been located in this area, the monthly rental from same totaling $721. The California National Guard has leased one building from the city, for which rental is paid in the amount of $150 per month.

7. To what extent, if at all, are any of the granted lands occupied or used by individuals or corporations?

The public service corporations, as listed above, all have lines on the granted lands. Three large corporate petroleum product distributors have holdings of relatively small areas. About one-half dozen individuals and commercial corporations have small holdings on the lands.

8. Has your local agency been divested of title or right to possession of any of the granted land by reason of conveyance thereof by the local agency, eminent domain proceedings, agreements to determine boundaries, or otherwise?

Yes. Approximately one-half of such lands have been, or are about to be partitioned by agreement. Private individuals and corporations obtained part of the tideland areas by patents or state grants, prior to the city's obtaining from the state its remaining interest in the tidelands.

9. Have any judicial proceedings been commenced against your local agency affecting title or right to possession of any such granted lands? If so, list the names of the cases and state the effect of each judgment.

U. S. Federal Government has taken certain portions of the tidelands for purposes of constructing facilities needed during war-time. Proceedings are as follows:

(1) *United States* vs. *Certain parcels of land in the City of Vallejo, County of Solano, State of California,* T. M. Ormont, et al, Civil No. 4608. Amendment to Complaint later filed.

(2) *United States* vs. *Certain parcels of land in the City of Vallejo, County of Solano, State of California,* Lange and Daniels, et al, Civil No. 22277-G.

For further data, consult City Attorney.

RECOMMENDATIONS

The Committee Recommends that:

1. In all grants of state-owned lands made to political subdivisions the State should retain a greater degree of control over the lands granted and should provide for periodic audits of moneys accruing from the development of the granted lands.

2. All future grants should provide that revenues derived from the granted lands or structures placed thereon shall be devoted to the purposes for which the lands were granted

3. All future grants should include a provision that unless certain specified acts are performed by the grantee within a stated period the grant shall be canceled with title reverting to the State of California, such specified acts to be set forth in detail and to be related to the beneficial use and development of the lands granted.

4. All future grants should include a provision requiring that the State be made a party defendant in any action involving title to the granted lands.

5. The feasibility of suits to quiet title in favor of the State of California or of other appropriate legal action should be studied in the cases of land transfers by grantees in apparent violation of said grants in trust.

6. This committee be continued with sufficient funds and personnel to complete an intensive, thorough investigation of land grants to the end that the paramount rights of the State of California in these lands be protected and preserved.

ANNOUNCEMENTS

Mr. Stanley announced a breakfast meeting and Republican caucus at 7.30 a.m., at the Hotel Sacramento, tomorrow morning, Tuesday, April 19th.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 3 p.m.

Public Utilities and Corporations, in Room 432.

Subcommittee on Agriculture. Subject: Assembly Bill No. 2779, and Fairs.

Ways and Means.

Tonight—At 8 p.m.

Finance and Insurance. Subject: 33 bills.

Tomorrow, Tuesday, April 19th, at 9 a.m.

Rules, in Room 430.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John F. Fixa, Judy Ann, Mr. and Mrs. George Higgins, Joan Egan, and Mrs. Irene Schultz of San Francisco.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Former Assemblyman Don A. Allen of Los Angeles.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Harry Sham of Hughson.

ADJOURNMENT

At 1.10 p.m., on motion of Mr Dickey, the Speaker declared the Assembly adjourned until 9.30 a m , Tuesday, April 19, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIRST LEGISLATIVE DAY

ONE HUNDRED SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, April 19, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—76

Names Placed Upon Morning Roll Call by Unanimous Consent

By unanimous consent, Speaker Sam L Collins ordered that the names of the following members, who are attending committee meetings at this time, be placed upon the morning roll call, as follows:

Messrs. Caldecott, Clarke, Kirkwood, Silliman, and Stewart, attending the meeting of the Subcommittee on Ways and Means relative to capital outlay.

Messrs. Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Fletcher, Geddes, Hollibaugh, Maloney, McCollister, Thompson, and Waters, attending the meeting of the Committee on Rules.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Liberty: Let us glorify this day when in 1775 the Minute Men at Lexington fired the first shot in our War for Independence.

May we never forget the awful curse of oligarchies, and dictatorships that grasped for power, subjugated nations, and reached out for world dominion

Let us resolve to get rid of the undemocratic forces whose lust for power and privilege is the prolific source of strife and makes more certain another holocaust.

Almighty God, forbid that the leaders of the nations should tolerate the old effete dynasties, feudal systems, and imperialisms, which have drenched the earth with blood.

May history remind us that the guarantee of security is a world in which the authority of governments rests upon the consent of the governed.

Let this Land, which has demonstrated the efficiency and prosperity of Democracy, sound out a slogan which will ring around the world and echo like thunder in the skies—"Let the people govern."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lincoln, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Evans, on motion of Mr. Stanley.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Way, on motion of Mr. Condon.

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from the Board of Governors of the Lawyers Club of San Francisco, relative to opposing passage of Senate Bills Nos. 131, 1370, 183, and 819, and Assembly Bill No. 318, was received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 39
Assembly Bill No. 445
Assembly Bill No. 453
Assembly Bill No. 808
Assembly Bill No. 1034
Assembly Bill No. 1371
Assembly Bill No. 1503
Assembly Bill No. 1519
Assembly Bill No. 1616
Assembly Bill No. 1860
Assembly Bill No. 1864
Assembly Bill No. 1867
Assembly Bill No. 1893
Assembly Bill No. 1903
Assembly Bill No. 2004
Assembly Bill No. 2019
Assembly Bill No. 2083
Assembly Bill No. 2191
Assembly Bill No. 2226
Assembly Bill No. 2459
Assembly Bill No. 2461
Assembly Bill No. 2612
Assembly Bill No. 2836
Assembly Bill No. 3106
Assembly Bill No. 3122

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1626

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 18, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 88
Senate Bill No. 314
Senate Bill No. 332
Senate Bill No. 386
Senate Bill No. 415
Senate Bill No. 416
Senate Bill No. 426
Senate Bill No. 427
Senate Bill No. 570
Senate Bill No. 675
Senate Bill No. 893
Senate Bill No. 1279
Senate Bill No. 1357
Senate Bill No. 1412

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 88—An act to add Chapter 4 to Part 2, Division 8 of the Harbors and Navigation Code, relating to the power of a harbor improvement district to improve, develop or protect any harbor or harbors within the district.

Referred to Committee on Municipal and County Government.

Senate Bill No. 314—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Municipal and County Government.

Senate Bill No. 332—An act to add Article 4, comprising Sections 21100 to 21103, inclusive, to Chapter 8 of Part 3 of Division 5 of Title 2 thereof, and to add Section 21251.15 and Section 21261 thereto, all relating to the State Employees' Retirement System.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 386—An act to amend Sections 451, 452, 455.7, 456, 459, and 460 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 415—An act to amend Section 2724 of the Penal Code, relating to prison made goods, and making the resale for personal profit by a purchaser thereof a misdemeanor.

Referred to Committee on Judiciary.

Senate Bill No. 416—An act to amend Section 5005 of the Penal Code, relating to the maintenance of canteens in prisons and institutions.

Referred to Committee on Judiciary.

Senate Bill No. 426—An act to amend Section 2726 of the Penal Code, relating to prison made goods.

Referred to Committee on Judiciary.

Senate Bill No. 427—An act to amend Section 2870 of the Penal Code, relating to marking of prison made goods.

Referred to Committee on Judiciary.

Senate Bill No. 570—An act to add Section 2703 to the Penal Code, relating to employment of prisoners, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 675—An act to amend Section 281111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 893—An act to amend Sections 795.1 and 795 5 of the Agricultural Code, relating to standards for citrus fruits, declaring the urgency of this act, to take effect immediately.

Referred to Committee on Agriculture.

Senate Bill No. 1279—An act to amend Section 5531 of the Public Resources Code, relating to regional park districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1357—An act to amend Section 19806 of Chapter 5 of Division 8 of the Business and Professions Code, relating to bread.

Referred to Committee on Public Health.

Senate Bill No. 1412—An act relating to quiet title to actions against the State of California to lands heretofore abandoned by the State and conveyed by an agency of the State.

Referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 26

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 26—Relative to memorializing Congress to refuse passage of H. R. 2394, creating a Franklin Delano Roosevelt Memorial Redwood Forest in the Counties of Del Norte, Humboldt, Mendocino, and Sonoma, State of California.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2624

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2626

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No. 451	Assembly Bill No. 1653
Assembly Bill No. 962	Assembly Bill No. 2110
Assembly Bill No. 1627	Assembly Bill No 2158
Assembly Bill No 1628	Assembly Bill No. 2915

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 428	Assembly Bill No 749
Assembly Bill No. 687	Assembly Bill No. 2975

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 747

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 1462
Assembly Bill No. 3024

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 2540

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 2264

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2264 ordered re-referred to Committee on Education.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1605—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1605?

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 and 21, and insert "Notice is hereby given that on _____ (date) the justice (judge or clerk) of the justice's court (city court or police court) of _____ intends to dispose".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1605 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—45.

NOES—None.

Assembly Bill No. 1605 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1822

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1822, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1822

Assembly Bill No. 1822—An act prescribing the regulation, government, procedure and jurisdiction of municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments.

Amendment No. 1

On page 8, line 7, of the printed bill, as amended in the Assembly on April 14, 1949, strike out "26600-02", and insert "26600-26602".

Amendment No. 2

On page 8, line 8, of said bill, strike out "26606-9", and insert "26606-26609"

Amendment No. 3

On page 8, line 8, of said bill, strike out "26660-4, 26680-4", and insert "26660-26664, 26680-26684".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1822 Ordered to Inactive File

Assembly Bill No. 1822 ordered withdrawn from file, when returned from the printer, and placed upon the inactive file.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bills Nos. 1815, 1816, 1817, 1818, and 1820, on motion of Mr. Brown.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 42—An act to amend Section 730 of the Fish and Game Code, relating to California halibut.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Elliott, Erwin, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 44—An act to amend Section 788 of the Fish and Game Code, relating to crabs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Elliott, Erwin, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—46.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 884—An act to amend Section 974 of the Fish and Game Code, relating to sand crabs and shrimps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 885—An act to add Section 869 to the Fish and Game Code, relating to bait nets.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer,

Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Weber, and Mr Speaker—51.

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On May 26, 1949, the Governor was requested to return Assembly Bill No. 885 for further consideration (Assembly Journal, page 3700.) On May 27, 1949, the bill was returned by the Governor, recalled from enrollment, and the Senate was requested to expunge the record, and rescind the action whereby it passed the bill. (Assembly Journal, page 3784.) On May 31, 1949, the Senate requested the return of the bill, and it was returned to the Senate. (Assembly Journal, page 3872.) On June 1, 1949, the Senate returned the bill. (Assembly Journal, page 3938.)

(On June 2, 1949, the record was expunged, and the action rescinded, whereby the Assembly, on this day, passed Assembly Bill No. 885. (Assembly Journal, page 3988.))

REQUEST FOR UNANIMOUS CONSENT THAT REASON FOR EARLY ABSENCE BE NOTED IN JOURNAL

At 9.55 a.m., Mr. Burkhalter asked for, and was granted, unanimous consent that it be noted in the Journal that he was appearing before the Committee on Rules at the time the morning roll call was taken, and for this reason was not present to respond when his name was called.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bills Nos. 1821, 1814, 1819, and 1823, on motion of Mr. Brown.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1497—An act to add Section 171 to the Fish and Game Code, relating to game refuges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—53

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that Assemblyman Price of Upland, who has been ill, is now in the Loma Linda Sanitarium, and improving. It is doubted, however, that he will be able to return to Sacramento for some time.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 883—An act to add Section 977 to the Fish and Game Code, relating to sharks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman Kilpatrick, Levering, Lewis, Lindsay Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Thomas, Tomlinson, Weber, Yorty, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1629—An act to amend Section 18109 of the Health and Safety Code, relating to auto and trailer camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Collier, George D Collins Condon, Connolly, Conrad, Cooke, Cramer, Davis, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Thomas, Tomlinson, Weber, Yorty, and Mr Speaker—51

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1651

Mr. Heisinger asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1651, temporarily passed on file, for Mr Price, excused because of illness, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1651

Assembly Bill No. 1651—An act to repeal the act known as Chapter 807, Statutes of 1937, entitled "An act to regulate the distribution of moneys received from the United States Government under the provisions of the act of Congress of June 28, 1934, known as the Taylor Grazing Act and any act amendatory thereof".

Bill read third time, and ordered passed on file

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 588—An act to amend Section 6511 of the Business and Professions Code, relating to barbers.

Bill read third time.

The roll was called, and the bill passed by the following vote

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter Butters, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Levering Lewis,

Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1870—An act to amend Section 3480 of the Political Code, relating to reclamation districts

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Weber, Yorty, and Mr Speaker—60

NOES—None.

Bill ordered transmitted to the Senate

MEMBER EXCUSED

At 10.12 a.m., Mr. Lincoln asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative duties elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2275—An act to amend an act entitled "An act to amend Section 5032 of the Public Resources Code, relating to Mission Bay State Park, and making an appropriation to the State Division of Beaches and Parks, Department of Natural Resources, for development, and improvement of Mission Bay Park, to take effect immediately," approved July 17, 1945, relating to the Mission Bay State Park in San Diego County, California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1038—An act to add Division 3, comprising Sections 28000 to 28501, inclusive, to Title 4 of, and Section 100007 to the Corporations Code, thereby codifying and repealing the Retirement Systems Act, and consolidating and revising the law relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—61.

NOES—None

Bill ordered transmitted to the Senate.

STATEMENT OF POLICY

Mr. Dickey stated that both the Republicans and Democrats, in caucus, have agreed upon a policy of procedure relative to the introduction of guests. In the future, the names of the guests of all members are to be taken to the Speaker, or to the Speaker pro Tempore if he is presiding, for approval. This procedure, as adopted, is in the interest of time and fair play. Dignitaries to be introduced will be so stipulated by the Speaker and clearance indicated to the floor leader. Thus members will not be embarrassed when the Standing House Rules are enforced and unanimous consent is withheld that guests be introduced.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2712—An act to amend Section 75 of the Streets and Highways Code, relating to highway planning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Weber, Yorty, and Mr. Speaker—58

NOES—Butters—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1287

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1287, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1287

Assembly Bill No. 1287—An act to amend Sections 2135 and 2287 and to repeal Sections 2230 and 2231 of, and to add Sections 2191.6 and 2232 to, the Business and Professions Code, relating to drugless practitioners and relating to applications to the Board of Medical Examiners of the State of California for physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 409—An act to add Section 1028 to the Government Code, relating to disqualification from office or employment as peace officers for persons convicted of felonies and prescribing fingerprint records to be made of peace officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—62.

NOES—Dickey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1788—An act to amend Section 861 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—61.

NOES—Butters and Geddes—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 963—An act to add Section 25252.5 to the Government Code, relating to probationer's loan funds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse,

Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2783—An act to amend Section 13 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties for the prevention or alleviation of unemployment through the construction of public works in which there is a state interest, and providing the procedure for making such allocations, and for assignment of such allocations," passed over Governor's veto February 13, 1946; otherwise known as "Construction and Employment Act"; relating to projects in which there is a state interest.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Luckel, McCollister, McMillan, Moss, Niehouse, Rosenthal, Thompson, Weber, and Yorty—42.

NOES—Brady, Burkhalter, Condon, Doyle, Dunn, Geddes, Grant, Maloney, McCarthy, Meyers, Morris, Reagan, Rumford, Sherwin, Thomas, and Tomlinson—16

Notice of Motion to Reconsider Assembly Bill No. 2783

Mr. Geddes gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2783 was this day passed.

Assembly Bill No. 767—An act to amend Sections 16 and 27 of the Vehicle Parking District Act of 1943, relating to motor vehicle parking facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1268—An act to amend Section 1106 of the Fish and Game Code, relating to registration of boats.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss,

Reagan, Rumford, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—53.

NOES—George D. Collins, Doyle, and Geddes—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1196—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1974—An act to amend Section 29907 of the Government Code, relating to elections on county bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.05 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 21
Assembly Bill No. 667
Assembly Bill No. 2711

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 21 ordered re-referred to Committee on Industrial Relations.

Assembly Bill No. 667 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2711 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 49
Assembly Bill No. 3001
And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 49 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 3001 ordered re-referred to Committee on Revenue and Taxation.

CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No 970 was taken up

Assembly Bill No. 970—An act to add Sections 4874, 4901.1, 4901.2, 4901.3, 4901.4, 4901 5, 4901.6, 4902.1, 4902.2, 4902.4, 4905, 4905.1, 4906, 4907, 4908, 4909, 4910, 4911 1, 4912.1, 4915.1, 4917 1, 4931.1, 4954, and 4965 1 to the Education Code; to amend Sections 4873, 4885, 4886, 4887, 4901, 4902, 4903, 4904, 4911, 4912, 4914, 4915, 4917, 4918, 4919, 4919.1, 4920, 4931, 4932, 4941, 4942, 4943, 4946, 4962, 4963, and 4964 of said code; to amend and renumber Sections 4902.1, 4912.1, 4915.1, and 4917 1 of said code; to amend the headings of Articles 2, 4, and 5 of Chapter 16 of Division 2 of said code; to repeal Sections 4881, 4882, 4883, 4884, 4886, and 4887 of said code; and to repeal Article 3 of Chapter 16 of Division 2 of said code, all relating to the reorganization of school districts.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 11, 1949, strike out lines 12 to 27, inclusive, and insert

"An act to amend Section 4601 of the Education Code, relating to the Public School System."

Amendment No. 2

On page 2 of said bill, strike out lines 1 and 2, and insert

'SECTION 1. Section 4601 of the Education Code is amended to read:

4601. Any provision of this code to the contrary notwithstanding, there is in each county a unified school district whose boundaries are coterminous with the boundaries of the county. There shall be no other type of school district.

Every school district created under the provisions of this chapter shall be given the name selected for it by the governing board of the district and shall be designated as the "_____ (using the name of the district) Unified School District." In the name by which the district is designated the governing board of the district may sue and be sued, and hold and convey property for the use and benefit of the school district. A number shall not be used as a part of the designation of any school district."

Amendment No. 3

On page 2 of said bill, strike out lines 3 to 46, inclusive; and strike out pages 3 to 17, inclusive

Amendments read.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Lowrey has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr George D. Collins to Assembly Bill No. 970.

Demand for Previous Question

Messrs Kirkwood, Silliman, Burke, Morris, and Hinckley demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr George D. Collins to Assembly Bill No. 970.

Roll Call Demanded

Messrs. Heisinger, Silliman, and George D Collins demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Babbage, Berry, Brady, George D Collins, Connolly, Doyle, Gaffney, Heisinger, Maloney, McCarthy, Meyers, Rosenthal, Thomas, and Weber—14.

NOES—Anderson, Beck, Bennett, Burke, Burkhalter, Butters, Caldecort, Coats, Collier, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, and Yorty—47.

The question being on the passage of Assembly Bill No. 970.

Consideration of Further Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 16, line 34, of said bill, strike out "parents or guardians of pupils", and insert "registered voters."

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lowrey moved a call of the Assembly.

Motion carried. Time, 11.45 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Sam L. Collins, Connolly, Cooke, Cramer, Grant, Grunsky, Huyck, Kilpatrick, Lipscomb, Rosenthal, Stanley, and Weber—13.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 736—An act amending Section 5838 of the Streets and Highways Code, relating to the annexation of territory to county maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Weber, and Yorty—60

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1334—An act to add Chapter 9.5, comprising Sections 27175 to 27175.4, inclusive, to Part 3, Division 16, of the Streets and Highways Code, relating to the acquisition, construction, maintenance, and operation of toll roads by bridge and highway districts, and the issuance and sale of revenue bonds for such purposes.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 1334 Be Passed on File

Mr. McCarthy asked for unanimous consent that Assembly Bill No. 1334 be passed on file.

Mr. McCollister withheld unanimous consent.

The question being on the passage of Assembly Bill No. 1334.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCarthy moved a call of the Assembly.

Motion carried. Time, 12.09 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Sam L. Collins, Hawkins, Huyck, Lipscomb, Luckel, McMillan, Rosenthal, and Thompson—9

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCarthy asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 970

At 12.10 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment offered by Mr. Lowrey to Assembly Bill No. 970 ~~refused adoption by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Berry, Brady, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Davis, Doyle, Fletcher, Fleury, Gaffney, Hagen, Heisinger, Hinckley, Hoffman, Levering, Lindsay, Lowrey, McCarthy, McMillan, Meyers, Moss, Reagan, Silliman, Stewart, Thompson, and Tomlinson—30.

NOES—Anderson, Babbage, Beck, Brown, Caldecott, Condon, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Geddes, Hahn, Hawkins, Hollibaugh, Kirkwood, Lewis, Luckel, Maloney, McCollister, Morris, Niehouse, Rumford, Sherwin, Smith, Thomas, Waters, and Yorty—33.]

Request for Unanimous Consent to Expunge Record, and Rescind Action on Amendment Offered by Mr. Lowrey to Assembly Bill No. 970

Messrs. Dunn and Lowrey asked for, and were granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to the amendment offered by Mr. Lowrey to Assembly Bill No. 970.

The question being on the adoption of the amendment offered by Mr. Lowrey to Assembly Bill No. 970.

Amendment Withdrawn

Mr. Lowrey withdrew his amendment.

The question being on the passage of Assembly Bill No. 970.

Demand for Previous Question

Messrs. Silliman, Burke, Morris, Reagan, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 970.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Yorty—64.

NOES—Butters, Clarke, Cramer, Crowley, Lowrey, and Silliman—6.

Bill ordered transmitted to the Senate.

Statement of Vote

My vote on Assembly Bill No. 970 was not recorded on Assembly Bill No. 970 because I had been called to the telephone. Had I been present, I would have voted "Aye."

JOHN F. THOMPSON

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2764

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2764, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2764

Assembly Bill No. 2764—An act to amend Section 28380 and Section 28411, of the Health and Safety Code, and to add Section 28411.5 to the Health and Safety Code, relating to canneries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—66

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1557

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1557, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1557

Assembly Bill No. 1557—An act to amend Section 690.16 of the Code of Civil Procedure, relating to exemption from execution or attachment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1707

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1707, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1707

Assembly Bill No. 1707—An act to add Section 7409 to the Welfare and Institutions Code, relating to the qualifications of the superintendent of a psychiatric hospital clinic in the City of Los Angeles under the control of the Department of Mental Hygiene

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2522 FROM COMMITTEE WAIVED

Mr. Elliott waived his notice of motion to withdraw Assembly Bill No. 2522 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

MEMBER EXCUSED

At 12.50 p.m., Mr. Smith asked for, and was granted, unanimous consent that Mr. Huyck be excused for the balance of the legislative day, because he is attending to legislative business elsewhere.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCollister:

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 46.5 to the Unemployment Insurance Act, relating to the collection of delinquent contributions, interest and penalties, and prescribing the powers and duties of the Commission and of the State Board of Control in connection therewith.

Respectfully submitted,

RICHARD H. McCOLLISTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. McCollister:

An act to add Section 46.5 to the Unemployment Insurance Act, relating to the collection of delinquent contributions, interest and penalties, and prescribing the powers and duties of the Commission and of the State Board of Control in connection therewith.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills,

Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3130: By Mr. McCollister—An act to add Section 46.5 to the Unemployment Insurance Act, relating to the collection of delinquent contributions, interest and penalties, and prescribing the powers and duties of the commission and of the State Board of Control in connection therewith.

Referred to Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1011

Mr. Bennett asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1011, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1011

Assembly Bill No. 1011—An act to amend Section 5425 of the Public Resources Code, relating to recreation, park and parkway districts.

Bill read third time.

Motion to Amend

Mr. Bennett moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 15, 1949, after "5425", insert "and Section 5426"

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "taxpayers", and insert "voters".

Amendment No. 3

On page 1, line 10, of the printed bill, strike out "taxpayers", and insert "voters".

Amendment No. 4

On page 1, line 13, of the printed bill, strike out "taxpayers", and insert "voters".

Amendment No. 5

On page 1, lines 15 and 16, of the printed bill, strike out "taxpayers", and insert "voters".

Amendment No. 6

On page 1, line 17, of the printed bill, strike out "taxpayers", and insert "voters".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 1 of the printed bill, following line 22, insert

"SEC. 2. Section 5426 of said code is amended to read

5426. The election shall be so conducted and shall be held at such place and during such hours of the day as will in the judgment of the governing body best serve the

needs and convenience of a majority of the [taxpayers] *voters* of the existing or proposed district."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1519

Mr. Hahn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1519, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1519

Assembly Bill No. 1519—An act to add Section 502.5 to the Vehicle Code, relating to driving a vehicle while under the influence of liquor.

Bill read third time.

Motion to Amend

Mr. Hahn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, after "502.5", insert "Standards for Examinations to Determine Intoxication."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 74

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 74, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 74

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 15, 1949, following "13108", insert ", 13297".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, following line 6, insert

"SEC. 2. Section 13297 of the Government Code is hereby amended to read:

13297. The money in the Treasury shall be counted by the director at least once every [month] *three months*, without giving the Treasurer any previous notice of the day or hour of counting.

At any counting the director may place any sum in bags or boxes and mark and seal them with a seal adopted and kept by him At any subsequent counting he may count each sealed bag or box separately and credit at the value stamped thereon the contents of the bags or boxes as part of the money counted without making a detailed count of the contents."

Amendment No. 3

On page 1, line 7, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2612

Mr. Kilpatrick asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2612, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2612

Assembly Bill No. 2612—An act to amend Division 9, Chapter 3 of the Vehicle Code by adding Section 459.6 thereto, regarding the regulation of traffic on private roads in housing projects or within the site of housing owned or operated by housing authorities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "amend Division 9, Chapter 3 of the Vehicle Code by adding Section 459.6 thereto, regarding", and insert "add Section 459.6 to the Vehicle Code, relating to".

Amendment No. 2

On page 1, lines 1, 2, and 3, of said bill, strike out "There is hereby added to Division 9, Chapter 3 of the Vehicle Code a new section numbered 459.6 and reading as follows:", and insert "Section 459.6 is added to the Vehicle Code, to read:".

Amendment No. 3

On page 1, line 4, of said bill, after "459.6", insert "Local Regulation of Traffic in Housing Projects."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 213, on request of Mr. Thomas.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1334

At 1 p.m., on motion of Mr. McCarthy, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1334 passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Elliott, Fletcher, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Maloney, McCarthy, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, and Yorty—43.

NOES—Burke, Butters, Caldecott, Clarke, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, McCollister, Morris, Moss, Rumford, Silliman, Stanley, and Weber—29

Notice of Motion to Reconsider Assembly Bill No. 1334

Mr. McCollister gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1334 was this day passed

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION BE CONTINUED

Mr. Brady, on behalf of Mr Evans, asked for, and was granted, unanimous consent that the notice of motion, by Mr Evans, to withdraw Assembly Bill No 1896 from committee, be continued until the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered

Assembly Concurrent Resolution No. 70: By Mr. McCollister—Relative to the creation of the Joint Investigating Committee on Motor Vehicle Registration.

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER SACRAMENTO, April 19, 1949

MR. SPEAKER. Your Committee on Rules, to which was referred.

Assembly Joint Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Joint Resolution No. 34

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred

House Resolution No. 165

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 371
Senate Bill No. 467
Senate Bill No. 861
Senate Bill No. 859
Senate Bill No. 862

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred.

Senate Bill No. 1330

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1824
Assembly Bill No. 1825

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 787

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1093
Assembly Bill No. 2073

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 789
Senate Bill No. 1283

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1593
Assembly Bill No. 1923

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 61

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 25

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER. Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 313

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FLETCHER, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR SPEAKER Your Committee on Military Affairs, to which was referred:
Assembly Bill No. 2218

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER Your Committee on Military Affairs, to which was referred:
Senate Bill No. 736

Has had the same under consideration, and reports the same back with the recommendation: Do pass

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1707

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1455
Assembly Bill No. 1858
Assembly Bill No. 1900
Assembly Bill No. 1910

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1005
Assembly Bill No. 1190
Assembly Bill No. 1227
Assembly Bill No. 1272
Assembly Bill No. 1273
Assembly Bill No. 1482
Assembly Bill No. 2207
Assembly Bill No. 2455
Assembly Bill No. 2489
Assembly Bill No. 2645
Assembly Bill No. 2646
Assembly Bill No. 2832
Assembly Bill No. 3002
Assembly Bill No. 3023
Assembly Bill No. 3032

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 1005, 1227, 2207, 2455, 2489, and 3023 ordered re-referred to Committee on Public Morals.

Assembly Bills Nos. 1190, 2645, 2646, and 2832 ordered re-referred to Committee on Industrial Relations.

Assembly Bills Nos. 1272, 1273, and 3002 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1482 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 3032 ordered re-referred to Committee on Transportation and Commerce.

ANNOUNCEMENTS

Mr. Beck announced a Democratic caucus upon adjournment.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Agriculture.

Upon adjournment of the Committee on Agriculture, Livestock and Dairies.

Social Welfare.

Tonight—At 8 p.m.—

Fish and Game.

Elections and Reapportionment, in Room 432.

Tomorrow, Wednesday, April 20th, at 9 a.m.—

Subcommittee on Ways and Means. Subject: Capital Outlay.

It was announced that the Committee on Rules will not meet at 9 a.m. tomorrow morning.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Grant and Fletcher, the usual courtesies of the Assembly for this day were unanimously extended to John Mead of Long Beach.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. C. Parks of Burbank.

On request of Mr. Burke, the usual courtesies of the Assembly for this day were unanimously extended to Frederic H. Vercoe of San Gabriel and Paul W. Brown of Alhambra.

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward H. Heller of Atherton.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Edward I. Beck of Los Angeles.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Louis F. Erb, former Assemblyman, from San Francisco, and Dennis Carey of San Francisco.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Robert H. Corbett, teacher of the Placer Union High School of Auburn and the following pupils: Joan Amlin, Barbara Billing, Claire Cherry, David Day, Jeanette Del Carlo, Terry Duclos, Paul Eckard, Earle Eisley, Donald Miller, Clifford Frazier, Robert Ford, Dorretta Greenslate, Oran Holder, David Juarros, Jerry Kindice, Alice Klingensmith, Laura Micheli, Marjorie Timmons, Carmen Triano, Colleen Hinz, James McKinney, Ray Olson, Jane Owens, Melba Ridolfi, Barbara Waters, Shirlie Yeo, Antonia Arellano, Bill Beach, Bert Crosthwaite, Paul Dickey, Ethel Dunbar, Duane Frink,

Dolores Harpham, Juleen Herrington, Joan Kirby, Teresa Malensek, Henry Perales, Douglas Ritchie, Bob McSavaney, and James Seibold.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to W. B. Ellis, district superintendent; H. F. Smith and Mrs. Helen Cory, teachers of the Lafayette School, and the following pupils: Joan Allen, Sidney Ames, Phyllis Anderson, Carol Linn Baldwin, Jerry Ball, Howard Barber, Irene Barrett, Dale Beck, Billy Bedard, Jack Bickerdike, David Bridges, Janet Cary, Diane Christiansen, Lester Conklin, Don Davis, Marilyn Davis, Ned Davis, Wallace Donaghue, Joan Dezzani, Vance Fisher, Katherine Flynn, Don Garrett, Jerry Gray, Richard Gerow, Gordon Grigg, Gary Hacker, Tom Hall, Eric Hansen, Janet Harkness, Richard Harris, Shirley Hoffman, Dale Isaacs, Bonnie Jeffreys, Karen Johanson, Rae Johnson, Don Kennedy, Richard Knoble, Dolores Landes, Sally Langren, Arthur Lassagne, Richard Lee, Joan Linsley, Joan Lucas, Elizabeth Lyser, John Maas, Shirley Mahl, Marlene Maier, Ester Meuniet, Pat Miles, Ed Neighbor, Howard Nemir, Tony Oliveira, Stanley Olsen, Dick Ong, Bob Peterson, Fred Ravazza, Roberta Shirling, Charles Steward, Verna Steward, Allen Stewart, Joanne Taylor, William Tinay, Buddy Turner, Carole Van Cleave, Ada Vittaly, Don Weidlein, Margery Welch, Douglas White, Michael White, Gregory Williams, Nancy Williamson, Kenneth Wise, Stanley Wise, Robert Maihlo, Richie Mason, Moreland Mienz, David Grieves, Carol Griffith; and Mrs. Maas and Mrs. Landes, parents.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Felicia Diaz and James C. Boynton, sponsors of Winters High School, Winters, and the following pupils: Rose Amrine, Pat Biasi, Barbara Boyce, Kathy Clark, James DeWitt, Kieth Farnsworth, Isabel Fernandez, Julia Fernandez, Laura Frisbee, Barbara Gregg, Marlene Hague, Roger Henley, James Hightower, Willie Lawrence, Rudy Lopez, Gale McClish, John Martin, Joe Mayes, Bob Mayhew, Alvin Morgan, Beverly Norton, Larry Owings, Dwain Partain, Delores Ramos, Gregory Ramos, Herman Ramos, Jean Ramos, Anna Reiff, Phil Snow, Thaya Turner, and Gerry Cole.

ADJOURNMENT

At 1.02 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, April 20, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SECOND LEGISLATIVE DAY

ONE HUNDRED EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 20, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—76.

Names Placed Upon Morning Roll Call by Unanimous Consent

By unanimous consent, Speaker Sam L. Collins ordered that the names of the following members, who are attending the Subcommittee on Ways and Means, relative to capital outlay, be placed upon the morning roll call:

Messrs. Anderson, Caldecott, Clarke, Gaffney, Hawkins, Kirkwood, Lowrey, and Silliman.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: We pause in reverence to contemplate Thy infinite and timeless Being.

Thou art of eternity. Before the stars were brought forth, or ever Thou didst form the mountains and the sea, from everlasting art Thou

And yet Thou art not very far from any one of us. In Thee we live and move and have our being.

Thou art speaking to each one of us in the desire for the good and in our undying aspirations.

May we encourage every noble impulse, so the Divine may arise within and direct us.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following members were granted leave of absence for the day, because of legislative business elsewhere:

Mr. Way, on motion of Mr. Yorty.

Mr. Lincoln, on motion of Mr. Rumford.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Stewart, on motion of Mr. Waters.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, April 7, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MY DEAR MR. SPEAKER: Inasmuch as I expect to resign from the Legislature by the end of April it is my desire to resign from all committees to which you appointed me in order that I may devote all of my time to clearing up my legislative business prior to the effective date of my resignation.

Sincerely yours,

HOWARD K. CRAMER

COMMITTEE RESIGNATIONS ACCEPTED

Speaker Sam L. Collins announced the acceptance of the resignation of Mr. Cramer from committee memberships with regret.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA STATE COMMUNICATIONS ADVISORY BOARD
SACRAMENTO 14, CALIFORNIA, April 4, 1949

His Excellency, Earl Warren
Governor, State of California
Sacramento, California
The Legislature, State of California
Sacramento, California

This, the First Annual Report of the California State Communications Advisory Board, has been prepared in compliance with the provisions of Section 7a of the California State Communications Act (Chapter 1071, Statutes of 1947). The act became effective September 19, 1947, and this report is for the portion of the Ninety-ninth Fiscal Year from that date to June 30, 1948.

The nine months' period covered by the report has been primarily an organizational period. While considerable progress has been made in the establishment of board policies, and recommendations of more or less minor importance have been made, broad recommendations have been held in abeyance pending completion of a statewide study.

An independent consultant had been employed by the Director of Finance to make an objective study of California communications systems and requirements prior

to the effective date of the legislation The study has now been completed, the engineer's report has been analyzed by the board, and comments thereon are made in the appropriate subsection of this report.

The California State Communications Act, which created the board, also established the Division of Communications within the Department of Finance and, insofar as the activities of the division are interrelated to those of the board, they are reviewed in this report.

With the foregoing information as a background, this report is respectfully submitted.

CALIFORNIA STATE COMMUNICATIONS ADVISORY BOARD
By JAMES S. DEAN, Chairman

Above mentioned report ordered referred to the Committee on Governmental Efficiency and Economy.

COMMITTEE APPOINTMENTS BY SPEAKER

Speaker Sam L. Collins announced the appointment of Mr. Yorty to membership on the following committees, vice Mr. Cramer:

Civil Service and State Personnel.

Conservation, Planning, and Public Works.

Military Affairs.

Public Utilities and Corporations.

Speaker Sam L. Collins announced the appointment of Mr. Caldecott as Chairman of the Committee on Civil Service and State Personnel, vice Mr. Cramer.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1289
Assembly Bill No. 1767
Assembly Bill No. 2779

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2775

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 80
Senate Bill No. 1275

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1547

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred.

Assembly Bill No. 444
Assembly Bill No. 2090

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Senate Bill No. 206
Senate Bill No. 363
Senate Bill No. 897

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred.

Assembly Bill No. 2195

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 26
Assembly Bill No. 443
Assembly Bill No. 1502
Assembly Bill No. 1869
Assembly Bill No. 1889
Assembly Bill No. 2128
Assembly Bill No. 2617
Assembly Bill No. 2618
Assembly Bill No. 2619

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1011
Assembly Bill No. 1519
Assembly Bill No. 1822
Assembly Bill No. 2612

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1605—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records;

And reports the same has been correctly enrolled, and presented to the Governor on the twentieth day of April, 1949, at 10 a.m

HUYCK, Chairman

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Senate Bill No. 215
Senate Bill No. 216
Senate Bill No. 754

Has had the same under consideration, and reports the same back with the recommendation. Do pass

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No 116

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER. Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No 107

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 928
Assembly Bill No. 1657
Assembly Bill No. 2691
Assembly Bill No. 3036
Assembly Bill No. 3037
Assembly Bill No. 3038
Assembly Bill No. 2668

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 65

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 910
Assembly Bill No. 912

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2755

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1524

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred.

Assembly Bill No. 934
Assembly Bill No 935
Assembly Bill No. 937
Assembly Bill No. 938
Assembly Bill No. 1296

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1951
Assembly Bill No. 2015
Assembly Bill No. 2361

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 869

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER. Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 2632

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1938

Has had the same under consideration, and reports the same back with the recommendation · Do pass

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No 32
Senate Bill No. 1278

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1059
Assembly Bill No. 1560

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER. Your Committee on Public Health, to which were referred:

Assembly Bill No. 528
Assembly Bill No. 1954

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER. Your Committee on Public Health, to which were referred:

Senate Bill No. 682
Senate Bill No. 796
Senate Bill No. 1130
Senate Bill No. 1162

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 800

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 37
Senate Bill No. 472

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 123
Assembly Bill No. 159
Assembly Bill No. 601
Assembly Bill No 764
Assembly Bill No. 842
Assembly Bill No. 844
Assembly Bill No. 845
Assembly Bill No. 846
Assembly Bill No. 901
Assembly Bill No. 1807

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 188
Assembly Bill No. 843
Assembly Bill No. 1015
Assembly Bill No. 1266
Assembly Bill No 1945

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 419

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 419—An act to repeal Section 2728 of, and to amend Section 2055 of, the Penal Code, relating to insuring prison made goods and the materials and equipment used in the production thereof.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 249
Senate Bill No. 353
Senate Bill No. 1238
Senate Bill No. 1246
Senate Bill No. 1545

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 249—An act to amend Section 4165 of the Public Resources Code, relating to fire protection and regulating the disposal of waste material.

Referred to Committee on Municipal and County Government.

Senate Bill No. 353—An act to amend Section 21 of the Fish and Game Code, relating to powers and duties of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 1238—An act to amend Section 21828 of the Government Code and Section 428 of the Education Code, relating to compensation for public services in counties of the twenty-eighth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1246—An act to amend Section 110.5 of the Business and Professions Code, relating to the Division of Administrative Procedure.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1545—An act to repeal Section 1620 of the Welfare and Institutions Code, relating to the inspection and licensing of boarding homes, day nurseries and schools.

Referred to Committee on Social Welfare.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1462—An act to amend Sections 631 and 631.5 of the Code of Civil Procedure, to amend Sections 28111, 28134, and 28149 of the Government Code and to add Sections 28100 and 29619 to the Government Code, relating to juries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3024—An act to amend and renumber Section 1882.5 of the Revenue and Taxation Code, relating to property taxation, and providing for the equalization of property values.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1093—An act to amend Section 45.11 of the Unemployment Insurance Act, relating to claims for refund and authorizing civil action against the commission for recovery.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2073—An act to amend Section 3209.3 of the Labor Code, relating to workmen's compensation and insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 747—An act to amend Section 2877 of the Penal Code, relating to prisons and prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, after "public", insert "at the state prisons or at fairs supported in whole or in part by state funds".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Doyle asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2540—An act to add Sections 4025, 4026, and 4027 to the Penal Code, relating to county jails.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill as amended in the Assembly on March 30, 1949, strike out "and 4027", and insert "4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, and 4035"

Amendment No. 2

On page 2 of said bill, between lines 15 and 16, insert
"SEC. 4 Section 4028 is added to said code, to read ".

Amendment No. 3

On page 2 of said bill, between lines 29 and 30, insert
"SEC. 5. Section 4029 is added to said code, to read:".

Amendment No. 4

On page 3 of said bill, between lines 13 and 14, insert
"SEC. 6 Section 4030 is added to said code, to read."

Amendment No. 5

On page 3 of said bill, between lines 24 and 25, insert
"SEC. 7. Section 4031 is added to said code, to read:".

Amendment No. 6

On page 3 of said bill, between lines 30 and 31, insert
"SEC. 8. Section 4032 is added to said code, to read.".

Amendment No. 7

On page 3 of said bill, between lines 34 and 35, insert
"SEC 9 Section 4033 is added to said code, to read:".

Amendment No. 8

On page 3 of said bill, between lines 43 and 44, insert "SEC. 10 Section 4034 is added to said code, to read:".

Amendment No. 9

On page 3 of said bill, between lines 47 and 48, insert "SEC 11 Section 4035 is added to said code, to read:".

Amendment No. 10

On page 1, line 22, of said bill, strike out "having a combined population"; and strike out lines 23 and 24, and insert "by the adop-".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 787—An act to amend Section 7 2 of the Unemployment Insurance Act, relating to employment.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 25, of the printed bill, as amended in the Assembly on March 30, 1949, after "employe.", insert "*The contributions so made shall be considered contributions paid on his own behalf but shall not be credited to the employer's separate account for the purpose of determining a reduced contribution rate*"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2218—An act to amend Sections 18541, 18543, 18973, 18974 5, 19390, 19392, 19393, 19394, 19395, 19397, 19398, 19399, 19401, 19402, 19403, and 19404 of, to repeal Sections 18540, 18970, 19391, and 19393.5 of, and to add Sections 18540, 18540.1, 18540.2, 18540.3, 18540.4, and 19401.1 to, the Government Code, relating to civil service rights of veterans and widows of veterans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 13, 1949, strike out "19393,".

Amendment No. 2

In line 4 of the title of said bill, after "19391," insert "19393,"

Amendment No. 3

On page 1, line 5, of said bill, after "Corps," insert "Coast Guard,".

Amendment No. 4

On page 2, line 12, of said bill, after "any veteran", insert "as defined in Section 18540 4".

Amendment No. 5

On page 2, line 44, of said bill, after "qualifies", insert "for veteran's preference as provided for in Section 18973".

Amendment No. 6

On page 2, line 44, of said bill, strike out "as a veteran under Sec-".

Amendment No. 7

On page 2, line 45, of said bill, strike out "tion 18540 or as a disabled veteran under Section 18541".

Amendment No. 8

On page 4, line 14, of said bill, strike out "amended to read", and insert "hereby repealed."

Amendment No. 9

On page 4 of said bill, strike out lines 15 through and including line 33.

Amendment No. 10

On page 4, line 39, of said bill, after "to a", strike out "full-time".

Amendment No. 11

On page 5, line 17, of said bill, after "rights to", strike out "automatic", and insert "normal".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 313—An act to add Section 4664 to the Labor Code, relating to workmen's compensation benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 7, of the printed bill, after "each", insert "of the first two."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2624—An act to amend the title and Sections 1a, 1b, 5, 15, and 19, the repeal of Sections 1c and 3a, and to add Sections 2a, 2b, 4a, 5a, 8a, 18a, 18b, 18c, and 18d, to the Municipal Improvement Act of 1913, relating to the acquisition or construction of sanitary sewers and other local improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 1, 1949, after "1a," insert "1c,".

Amendment No. 2

In line 2 of the title of said bill, strike out "Sections 1c and", and insert "Section".

Amendment No. 3

In line 5 of the title of said bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, line 16, of said bill, strike out "main-tenance", and insert "maintenance".

Amendment No. 5

On page 1, line 22, of said bill, strike out "municapility", and insert "municipality".

Amendment No. 6

On page 2 of said bill, strike out line 33.

Amendment No. 7

On page 2, line 34, of said bill, strike out "SEC. 4a.", and insert "SEC. 4."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2626—An act to amend Sections 6484, 6485, 6611, and 6647, and to add Sections 6497, 6531, 6629, and 6654 to the Health and Safety Code, relating to sanitary districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 451—An act to amend Section 69 of the Civil Code and to repeal Section 60 thereof, relating to marriage.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "to amend Section 69 of the Civil Code and to repeal Section 60 thereof", and insert "to repeal Section 60 of the Civil Code".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 2, line 6, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 962—An act to amend Section 3060 of the Penal Code, relating to parole.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "parole", insert "for cause upon the written order of the parole officer in charge and".

Amendment No. 2

On page 1 of said bill, strike out line 7, and insert "process. The Adult Authority may direct the hearing to be had in a local court. After such hearing the Adult Authority may order the parolee returned to prison upon a finding to that effect. For this purpose the".

Amendment No. 3

On page 1, line 8, of said bill, strike out "parole. The".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1627—An act to add Section 834 to the Welfare and Institutions Code, relating to procedure in the juvenile court concerning minors alleged to have committed violations of law.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, after "basis of the", insert "report of the probation officer, the".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1628—An act to add Sections 578.2, 760, 761, 762, 763, and 764 to, and to amend Sections 826 and 827 of, and to repeal Section 826.5 of the Welfare and Institutions Code, relating to juvenile court procedures with respect to traffic misdemeanors committed by minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, after "peace," insert "police officers,".

Amendment No. 2

On page 2, line 36, of said bill, after "762", insert "and other than those cases where the arrested person lives in the county where the offense charged is alleged to have occurred".

Amendment No. 3

On page 2, line 40, of said bill, strike out "charge", and insert "charged".

Amendment No. 4

On page 3, lines 21 and 22, of said bill, strike out "a violation", and insert "that the person comes within the provisions".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1653—An act to add Section 703 to the Welfare and Institutions Code, to amend Section 1504 of the Penal Code, and to amend Sections 166, 259, and 259a of the Code of Civil Procedure, relating to writs of habeas corpus by or on behalf of minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out the period, and insert ", except that if the custody or guardianship of the minor is an issue in any case then pending in any other court, the judge of the juvenile court may, in his discretion, transfer the matter for hearing by the judge of the court in which such case is pending"

Amendment No. 2

On page 1, line 11, of said bill, strike out the period, and insert ", except that if the custody or guardianship of the minor is an issue in any case then pending in any other court, the judge of the juvenile court may, in his discretion, transfer the matter for hearing by the judge of the court in which such case is pending"

Amendment No. 3

On page 2, line 18, of said bill, strike out the semicolon, and insert 'unless the matter is transferred by the judge of the juvenile court for hearing by the judge of another court in which a case is pending in which the custody or guardianship of the minor is an issue,"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2110—An act to amend Sections 8, 13, and 19 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the establishment of municipal courts in cities of the second class

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Amend the title of Assembly Bill No 2110 to read as follows

"An act to amend Sections 8 and 23 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, and to add Sections 8 1, 8 2, 8 3 and 8 4 to said act, relating to the establishment of municipal courts in cities of the second class"

Amendment No. 2

Amend Section 1 of said bill to read as follows:

"SECTION 1 Section 8 of the act cited in the title hereof is hereby amended to read as follows:

SEC. 8. *Cities of Second Class: Judges.* The municipal court in cities of the second class shall be constituted, and the judges thereof shall receive compensation as follows:

There shall be seven judges, each of whom shall receive such compensation per annum, payable in equal monthly instalments, as now or hereafter prescribed by law for municipal judges in a city or city and county of the first class"

Amendment No. 3

Amend Section 2 of said bill to read as follows:

"SEC. 2. Section 8.1 is hereby added to the act cited in the title hereof, to read as follows.

SEC 8 1. *Clerk, deputies and attaches.* The judges of the municipal court in a city of the second class shall appoint one clerk who shall act as secretary to the

judges of said court and who shall receive a monthly salary of five hundred dollars ($500). Such clerk, when directed by the court, shall also act as jury commissioner.

(a) The clerk of the municipal court in a city of the second class shall appoint the following deputies and attaches who shall each receive as monthly compensation the sum set opposite the title of their respective offices or positions

Criminal Departments

Four deputy clerks, each four hundred dollars ($400);
Three assistant clerks, each three hundred five dollars ($305);
Four assistant clerks, each two hundred seventy-five dollars ($275);
One typist clerk, one hundred eighty dollars ($180).

Office of Bails and Fines

One senior clerk, three hundred fifteen dollars ($315);
Two clerks, each two hundred forty-five dollars ($245);
One clerk, two hundred fifteen dollars ($215);
One bail office teller, two hundred seventy-five dollars ($275);
Five bail officer tellers, each two hundred sixty-five dollars ($265);
One bail office teller, two hundred forty-five dollars ($245);
One typist clerk, two hundred thirty dollars ($230);
Six typist clerks, each one hundred ninety dollars ($190);
One typist clerk, one hundred eighty dollars ($180).

Civil Departments

Two senior clerks, each of whom shall receive a minimum salary of two hundred ninety-one dollars ($291) monthly, with annual increments of seventeen dollars ($17), sixteen dollars ($16) seventeen dollars ($17) and nineteen dollars ($19) to a maximum of three hundred sixty dollars ($360) monthly;

Five clerks, each of whom shall receive a minimum salary of two hundred sixty-one dollars ($261) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), seventeen dollars ($17), and sixteen dollars ($16) to a maximum of three hundred twenty-four dollars ($324) monthly;

One stenographer who shall receive a minimum salary of one hundred ninety-six dollars ($196), with annual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10) and twelve dollars ($12), to a maximum of two hundred thirty-eight dollars ($238) monthly,

One junior stenographer who shall receive a minimum salary of one hundred seventy-nine dollars ($179) with annual increments of nine dollars ($9), eight dollars ($8), ten dollars ($10) and ten dollars ($10) to a maximum salary of two hundred sixteen dollars ($216) monthly.

(b) The appointing authority, which appointing authority, within the meaning of this section, is hereby defined to be the person having the power in the first instance to select the employee from an eligible list provided for that purpose, may fix the compensation of such employee, within the limits hereinbefore set forth for the position to which appointment is made, and may thereafter grant increases in compensation within such limits upon the basis of efficiency and seniority records, all in strict conformity with existing rules and regulations of the appropriate civil service commission. The appointing authority shall further have the power to lay off and suspend any employee or employees because of lack of work requiring the service of the existing personnel of such office or department.

All persons permanently appointed in any of the aforesaid positions at the time such municipal court is established shall continue to hold the same or the substantially equivalent positions, respectively, with credit for prior service in such positions, but without further examination or appointment. They shall receive, however, the compensation provided for by this section, and shall receive in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate.

Whenever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render prompt and efficient service to the public, it shall be the duty of each deputy clerk or attache to perform such service as may be directed by the clerk, whether the work so directed to be done be within the scope of the special designation or not

Except as otherwise in this act provided, persons appointed to any of the aforesaid positions upon the establishment of such municipal court shall remain members of the classified civil service systems of the city or county of which they were members immediately prior thereto, and all persons hereafter appointed to positions in the criminal departments of such court shall upon being appointed become members of the classified civil service of such city, and persons appointed to the civil departments of the court shall become members of the classified civil service of such county. Provided, that either the governing body of such city or county may by the adoption of an ordinance, and with the consent of the other governing body, expressed by an ordinance,

provide for the inclusion by the city or county, as the case may be, of all such persons in its classified civil service system.

For purposes of determining vacations, leaves of absence, sick benefits, compensation for death or injuries, including benefits under workmen's compensation laws, and other benefits and privileges, such officers and attaches shall be deemed employees of the city or county to which civil service systems they respectively belong.

Any appointive officer or employee of the municipal court who becomes a candidate for election by the people to any other public office or position shall automatically forfeit such office or employment.

(c) *Membership in retirement systems.* All officers and attaches of such municipal court shall remain members of the retirement system in which they respectively were members immediately preceding the date at which the municipal court began to function That is to say, that all officers and employees who at that time were members of the retirement system of the city in which a municipal court is established shall remain as members thereof; and all officers and attaches who were members of a retirement system established under the "County Employees Retirement Law of 1937" shall remain as members thereof Or, at its option, the council of such city may arrange with the county in which such court is established to take the officers and attaches of said court who were members of the city retirement system into the retirement system applicable to county employees, without loss to such members of their retirement compensation, death and other benefits, and may reimburse the county for the costs thereof. Each person who after that date enters the employ of such court shall become a member of the retirement system of the county on the first day after his entrance into the service of such court."

Amendment No. 4

Amend Section 3 of said bill to read as follows:

"SEC. 3. Section 8.2 is hereby added to the act cited in the title hereof to read as follows:

Sec. 8.2 *Deputy and assistant marshals* When a municipal court is established in a city of the second class, the sheriff of the county in which such municipal court is established may assign constables or deputy sheriffs to attend on the civil departments of such court as ex officio deputy and assistant marshals thereof, and the chief of police of the city in which such court is established may assign officers and members of the police department of such city to attend on the departments of the court acting in the exercise of criminal jurisdiction in misdemeanor cases as ex officio deputy and assistant marshals of such criminal departments Such deputy and assistant marshals shall perform all the duties imposed and exercise all the powers conferred upon deputy and assistant marshals of the municipal court. Neither the county nor the city in such case shall be reimbursed for any cost or charge incurred in connection with assigning such officers, deputies and constables to such service with said court, or for the payment of their salaries."

Amendment No. 5

Add Section 4 to said bill to read as follows:

"SEC. 4. Section 8.3 is hereby added to the act cited in the title hereof to read as follows:

Sec. 8.3. *City Prosecutors.* All proceedings in the municipal court of a city of the second class in behalf of the people, whether for the violation of any statute of the State or ordinance of the city, shall be prosecuted by the district attorney of the county in which such city is located, through such assistants and deputies as he may appoint. Such assistants and deputies shall be known as and deemed to be city prosecutors of such city. They shall prosecute all misdemeanors committed within the city which are within the jurisdiction of the municipal court of the city and handle all appeals therefrom They shall draw all complaints for such misdemeanors, and shall prosecute all recognizances or bail bond forfeitures and all actions for the recovery of fines, penalties, and forfeitures arising or resulting from the commission of such offenses In addition, they shall perform such other duties as may be prescribed by law. All complaints drawn by such district attorney, his assistants or deputies, while acting as such city prosecutors and filed in such court, shall be deemed drawn and filed by officers or other persons employed by such city within the meaning of the Penal Code and any other applicable law All fines and forfeitures and any other revenue collected in such court belonging to the city, except as otherwise in Section 8.4 provided, shall be paid by such county to the city as provided by law The council of such city shall have authority to enter into appropriate agreement with such county for the purpose of carrying into effect the provisions of this section."

Amendment No. 6

Add Section 5 to said bill to read as follows:

"SEC. 5 Section 8.4 is hereby added to the act cited in the title hereof to read as follows:

Sec. 8.4 *Payment of expenses. Reimbursement of County. Quarters, etc.* Whenever a municipal court is established in a city of the second class, the salaries of the judges, clerks and other attaches, and the cost of all supplies, books, furniture, and

suitable quarters, except as hereinafter otherwise provided, for carrying out their duties, including supplies and equipment for the preparation and maintenance of duplicate records of the court, or a division thereof, when sessions are held at more than one place within the city wherein the court is established, shall be paid by the county in which the court is situated out of its municipal court fund, if there be one, or if there be no such fund, out of the general fund.

The city in which the court is established shall provide and maintain suitable quarters for such departments of the court as shall exercise criminal jurisdiction in misdemeanor cases, but not to exceed four departments in all, including heat, light and janitorial services, free of cost or charge to the county, or upon such rental, if any, as may be agreed upon with the county

The city, in addition to furnishing quarters as hereinabove provided, shall reimburse the county monthly from such municipal court fines and forfeitures as by law would otherwise become the property of the city for the costs upon the county of paying the salaries of the judges, clerks, deputies and other attaches of such criminal departments of the court, excepting the salaries of the district attorney, or any of his assistants, deputies and clerks who shall act as city prosecutors or be employed by the district attorney in the city prosecutor's office, and shall also reimburse the county for any additional costs or charges, including rental, if any, incurred by it in maintaining and operating such criminal departments of the court in connection with the handling and disposition of misdemeanor cases involving fines and forfeitures which become the property of the city. The amount of such additional costs or charges for which the county shall be so reimbursed shall be determined annually in advance by agreement between the city and the county, acting through their governing bodies or authorized officers, in accordance with such budget as may be prepared therefor and agreed upon In the absence of such agreement and budgetary allowances, the county shall be entitled to reimbursement in the amount of its actual costs and charges so incurred in the operation and maintenance of such criminal departments, but not to exceed in the aggregate the total amount actually expended for the previous fiscal year for such criminal departments. Settlement in this connection between said city and county shall, so far as practicable, be made monthly, and the county shall be entitled to retain the amount to which it is entitled in paying the balance of such municipal court revenues to the treasurer of the city by warrants drawn upon the county auditor.

All fines, forfeitures, deposits in court, and unclaimed bail shall be disposed of as provided in Sections 1463 and 1570 of the Penal Code and Sections 770 and 771 of the Vehicle Code, so far as they are applicable, and all revenue collected in such court belonging to the city shall be paid to it by the county

The city and county, acting through their respective governing bodies or authorized officers, shall have authority to enter into suitable agreements to carry out the foregoing and other provisions of this act.

If any portion of Sections 8, 8.1, 8.2, 8 3, and 8.4 of this act shall be declared unconstitutional, it is the express intent of the Legislature that the remainder of the provisions thereof shall remain in full force and effect "

Amendment No. 7

Add Section 6 to said bill to read as follows

"SEC. 6 Section 23 of the act cited in the title hereof is hereby amended to read as follows

Sec 23. *Judicial Townships.* Whenever a municipal court is established for any city which lies partly within and partly without one or more judicial townships, the board of supervisors of the county within which the municipal court is established shall immediately by ordinance divide such county into judicial townships as public convenience may require *In the event the boundaries of any such city within which a municipal court is established, wholly or partly surround another and distinct city or town, the board of supervisors in forming such judicial townships may include such other city or town in a judicial township lying without and adjacent to the city in which the municipal court is established.* Such redistricting shall not be effected in such a manner as to effect the tenure of any judge or justice in the county, but such judge or justice may be required to serve in a court other than the one to which he was elected."

Amendments read, ~~and adopted~~

~~Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary~~

(On April 22, 1949, the above record was expunged and the action rescinded whereby the Assembly, on this day, adopted the above committee amendments to Assembly Bill No 2110 (See Assembly Journal, page 2519))

Assembly Bill No. 2158—An act to add Section 559g to the Penal Code, relating to dogs and cats used for experimental purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "or other agency".

Amendment No. 2

On page 1, line 6, of said bill, after "purposes," insert "and any person who receives any dog or cat for experimental purposes from any public pound,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2915—An act to add Section 89.1 to the Civil Code and to repeal Article 2, Chapter 1, Title 11a of Part 3 of the Code of Civil Procedure, relating to conciliation.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert
"An act to repeal Section 1733 of the Code of Civil Pro-"

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
"SECTION 1 Section 1733 of the Code of Civil Procedure is repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1824—An act to add Section 751.1 to, and to amend Section 763 of, the Insurance Code, relating to rebates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on March 30, 1949, after "classification", but before the period, insert "*for dividend or refund purposes*"

Amendment No. 2

On page 1, line 20, of said bill, after "payment", and before "of", insert ", *after such declaration,*".

Amendment No. 3

On page 1 of said bill, after line 26, insert
"*Nothing in this section shall confer upon a participating policyholder any right to institute or maintain a cause of action against an insurer issuing participating policies to compel the payment or distribution of dividends or refunds.*"

Amendment No. 4

On page 2, line 9, of said bill, after "policy", insert "*or on any anniversary date or renewal date thereof*".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1825—An act to amend Section 11738 of the Insurance Code, relating to participating workmen's compensation insurance policies and refunds thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on March 30, 1949, after "classification", but before the period, insert "*for dividend or refund purposes*".

Amendment No. 2

On page 1, line 14, of said bill, after "payment", and before "of", insert "*, after such declaration,*".

Amendment No. 3

On page 2 of said bill, after line 6, insert

"*Nothing in this section shall confer upon a participating policyholder any right to institute or maintain a cause of action against an insurer issuing participating policies to compel the payment or distribution of dividends or refunds.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS

Senate Bill No. 371—An act to add Section 10953.95 to the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 467—An act to amend Section 45 12 of the Unemployment Insurance Act, relating to the release or subordination of liens.

Bill read second time, and ordered to third reading.

Senate Bill No. 861—An act to amend Section 1858 6 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 859—An act to amend Sections 736 and 12903.5 of the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 862—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Bill read second time, and ordered to third reading.

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code,

providing for the establishment of special accounts for certain appropriations for expenses of the Legislature.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Butters asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 736—An act to amend Sections 1195, 1196, and 1197 of the Military and Veterans Code, relating to officers of memorial districts and their election.

Bill read second time, and ordered to third reading.

Senate Bill No. 789—An act to amend Sections 10170 and 10375 of the Insurance Code, relating to life and disability policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "named", and insert "designated".

Amendment No. 2

On page 2, line 14, of the printed bill, strike out "named", and insert "designated".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1283—An act to add Section 725 to the Insurance Code, relating to the regulation of interlocking directors of insurance companies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on March 24, 1949, strike out "admitted".

Amendment No. 2

On page 1, line 18, of said bill, strike out "upon such hearing", and insert "after a hearing in accordance with the procedure provided in Section 704".

Amendment No. 3

On page 2, line 2, of said bill, following "may", insert ", after a hearing in accordance with the procedure provided in Section 704,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1330—An act to add Section 450.1 to the California Unemployment Insurance Act, relating to disability insurance, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Senate on March 18, 1949, after "agent", insert ", or a majority of workers regularly paid through such central place or places, or both,".

Amendment No. 2

On page 2, line 44, of said bill, strike out "rotational", and insert "interchangeable".

Amendment No. 3

On page 2, line 46, of said bill, strike out "rotational", and insert "interchangeable".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2982

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2982, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2982

Assembly Bill No. 2982—An act to add Article 14, comprising Sections 14594 to 14599, inclusive, to Chapter 2 of Part 3 of Division 12 of the Health and Safety Code, relating to the powers of the governing board of a county fire protection district.

Bill read third time.

Motion to Amend

Mr. Lewis moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 16, of the printed bill, strike out "Section 3720 of the Political Code.", and insert "Sections 54900, 54901, and 54902 of the Government Code."

Amendment No. 2

On page 2, lines 18 and 19, of said bill, strike out "Section 3720 of the Political Code," and insert "Sections 54900, 54901, and 54902 of the Government Code.".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1376—An act to amend Section 27164 of the Streets and Highways Code, relating to bridge and highway districts, and the acquisition and construction of property thereby.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—52.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 3041—An act to add Section 6915 to the Health and Safety Code, relating to sanitary districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—53.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1509—An act to amend Section 14702 of the Education Code, relating to school district retirement plans, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1510—An act to amend Section 16255 of the Education Code, relating to the transportation of pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb,

Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Waters, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1511—An act to amend Section 16252 of the Education Code, relating to the letting of contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2899—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 465

Mr. Kilpatrick asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 465, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 465

Assembly Bill No. 465—An act to amend Section 1752.2 of the Welfare and Institutions Code and to add Section 5058.1 to the Penal Code, relating to leaves of absences of employees required by the State Personnel Board to possess teaching certificates, to attend educational sessions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers,

Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—57.
NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3112—An act to establish the line of ordinary high tide in Avalon Bay, in Los Angeles County, California, in conformity with a certain decree of the Superior Court of the State of California, in and for the County of Los Angeles, establishing said line of ordinary high tide.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3095—An act to amend Section 3453 of the Political Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, Weber, Yorty, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.15 a.m., Mr. Moss asked for, and was granted, unanimous consent that Mr. Davis be excused for the balance of the legislative day, because he is attending to legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 247—An act to amend Section 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Erwin, Fletcher, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy,

McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, Weber, Yorty, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1028—An act to add Section 4025 to the Penal Code and to repeal Section 25360 of the Government Code, relating to the management of county and city detention facilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, Weber, Yorty, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 646—An act to amend Section 7408 of the Education Code, relating to school district bond elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Weber, and Yorty—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1139—An act to add Section 459.6 to the Vehicle Code, relating to vehicles exempted from registration and operators' and chauffeurs' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, Weber, Yorty, and Mr. Speaker—55.
NOES—None.

Motion to Amend Title

Mr. Grant moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on April 11, 1949, strike out "vehicles exempted from registration and operators' and chauffeurs' licenses.", and insert "local regulation of self-propelled wheel chairs and invalid tricycles."

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1626

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1626, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1626

Assembly Bill No. 1626—An act to amend Sections 18100, 18102, 18105, 18200, 18300, 18302, 18408, 18460, 18461, 18464, 18466, 18467, 18470, 18625, 18650, 18652, 18654, 18656, 18658, and Chapter 6 of; and to add Sections 18104.5, 18106.5, 18107.1, 18400.5, 18401, 18401.1, 18401.2, 18401.3, 18432.5, 18432.6, 18432.7, Article 2 5 of Chapter 4, Section 18440, Article 2.6 of Chapter 4, Sections 18450, 18451, Article 2.7 of Chapter 4, Sections 18455.5, 18460.4, 18466 5, 18466.6, 18466.7, 18466.8, 18467.5, 18470.5, 18600, 18600.5, 18625.5, 18625.6, 18432.7, Article 2.5 of Chapter 4, Section 18440, Article 2.6, Sections 18715, 18715.1, Chapter 6.5, and Section 18720.7 to; and to repeal Sections 18302.5 and 18600 of, the Health and Safety Code, relating to auto courts, resorts, and motels and auto and trailer parks.

Bill read third time.

Motion to Amend

Mr. Ralph C. Dills moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 14, 1949, strike out lines 3 to 14, inclusive, and insert "18625, 18650, 18652, 18654, 18656, 18658; and to add Sections 18104 5, 18106 5, 18107.1, 18203, 18400 5, 18401, 18401 1, 18401 2, 18401 3, 18432 5, 18432 6, 18432 7, Article 2 5 (comprising Section 18440), Article 2 6 (comprising Sections 18450 and 18451), and Article 2 7 (comprising Section 18455 5) to Chapter 4, Part 2, Division 13, Sections 18460 4, 18466 5, 18466 6, 18466.7, 18466 8, 18467 5, 18470.5, 18600, 18600 5, 18625 5, 18625.6, 18625 7, 18650 2, 18656 8, 18710 5, Chapter 5 5 (comprising Sections 18715 and 18715 1) to Part 2, Division 13, and Section"

Amendment No. 2

On page 2 of said bill, between lines 43 and 44, insert

"SEC. 8. Section 18203 is added to said code, to read:".

Amendment No. 3

On page 2, line 44, of said bill, strike out "SEC 8", and insert "18203."

Amendment No. 4

On page 4 of said bill, strike out lines 38 to 42, inclusive, and insert

"SEC. 21. Article 2.5 is added to Chapter 4, Part 2, Division 13, of said code, to read.

Article 2.5 Air Ducts".

Amendment No. 5

On page 5 of said bill, strike out lines 1 to 5, inclusive, and insert

"SEC. 22. Article 2 6 is added to Chapter 4, Part 2, Division 13, of said code, to read:

Article 2 6. Garages".

Amendment No. 6

On page 5 of said bill, strike out line 8.

Amendment No. 7

On page 5 of said bill, strike out lines 16 to 20, inclusive, and insert

"SEC. 23 Article 2.7 is added to Chapter 4, Part 2, Division 13 of said code, to read:

Article 2.7 Masonry Construction".

Amendment No. 8

On page 9, line 11, of said bill, strike out "18656.71", and insert "18656 8".

Amendment No. 9

On page 9 of said bill, strike out lines 29 to 38, inclusive, and insert "SEC. 54. Chapter 5.5 is added to Part 2, Division 13 of said code, to read:

CHAPTER 5.5. AUTO COURTS AND RESORTS, MOTELS, AND AUTO AND TRAILER PARKS

Article 1. Liquefied Petroleum Gases".

Amendment No. 10

On page 10 of said bill, strike out line 20

Amendment No. 11

On page 11 of said bill, strike out lines 1 to 3, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 1626 Hold Place on File

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that when Assembly Bill No. 1626 is returned from the printer that it hold its place on file on the next legislative day.

Hon. Randal F. Dickey Presiding

At 10.35 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1713—An act to add Section 55.65 to and to amend Sections 40 and 55.6 of the Alcoholic Beverage Control Act, relating to the sale of wine, requiring the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine

Bill read third time.

Speaker Presiding

At 10.50 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Doyle, Morris, Burke, Conrad, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1713.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Grunsky moved a call of the Assembly.

Motion carried. Time, 11 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Bennett, Brady, Brown, Caldecott, Clarke, Collier, Crowley, Clayton A. Dills, Dunn, Elliott, Evans, Gaffney, Geddes, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lowrey, McMillan, Rosenthal, Silliman, Thompson, and Waters—27.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2980

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2980, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2980

Assembly Bill No. 2980—An act to amend Section 24402 of the Education Code, relating to community recreation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Dickey, Ralph C. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2345

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2345, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2345

Assembly Bill No. 2345—An act to amend Sections 26821, 26822, 26823, 26824, 26826, 26827, 26828, 26829, 26830, 26831, 26832, 26833, 26837, 26838, 26839, 26840, 26841, 26842, 26843, 26844, 26845, 26846, 26847, 26848, 26849, 26850, 26851, and 26852 of the Government Code, relating to fees of county clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hollibaugh, Kirkwood, Levering, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rumford, Sillman, Stanley, Thompson, Tomlinson, and Weber—41

NOES—Anderson, Beck, Bennett, Brown, Burkhalter, George D. Collins, Condon, Cooke, Ralph C. Dills, Erwin, Evans, Geddes, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Luckel, McMillan, Morris, Rosenthal, Sherwin, Smith, Thomas, Way, and Yorty—26

Motion to Amend Title

Mr. Dolwig moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 15, 1949, strike out "36839", and insert "26839".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 956

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 956, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 956

Assembly Bill No. 956—An act to amend Sections 14267, 14479, 14521, 14601, 14606, 14631, 14632, 14635, 14636, 14637, and 14640 of, to repeal Section 14608 of, and to add Article 10.1 to, Chapter 14 of Division 7 of, the Education Code, relating to the State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—70.

NOES—None.

Bill ordered transmitted to the Senate

Statement of Vote

I was temporarily absent from the chamber on legislative business when Assembly Bill No. 956 was passed

If I had been present, I would have voted for this bill.

EDWARD E. ELLIOTT

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1713

At 11.41 a.m., on motion of Mr. Grunsky, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1713 passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—Anderson, Beck, Burkhalter, Coats, George D. Collins, Condon, Doyle, Dunn, Hagen, Heisinger, Hoffman, Levering, Luckel, McCarthy, Sherwin, Thomas, and Yorty—17.

Notice of Motion to Reconsider Assembly Bill No. 1713

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1713 was this day passed.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1896 FROM COMMITTEE CONTINUED

Mr. Evans asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 1896 from committee be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1836—An act to amend Section 107 of the Welfare and Institutions Code, and to add Sections 18598, 18599, and 31700.5 to the Government Code, relating to employees of the Department of Social Welfare, and retirement rights in county retirement systems of former county employees performing functions assumed by the State, declaring the urgency thereof, to take effect immediately

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.
NOES—Brady—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.
NOES—Brady—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund of other disposition of certain optional contributions by state members of said system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1943—An act to amend Sections 1, 4, 5, 8, 9, 12, 13, 24, 24.1, 25, 31, and 34.1, and to repeal Section 8.2 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2650

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2650, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2650

Assembly Bill No. 2650—An act to amend Section 20013 of the Government Code, and to add Sections 20014.6, 20017.8, and 20017.9 thereto, relating to the State Employees' Retirement System, establishing the classification of alcoholic beverage control enforcement members, and making the provisions applicable to patrol members of the system applicable thereto.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20013", and insert "Sections 20013 and 20604".

Amendment No. 2

In line 2 of the title of said bill, strike out "and 20017.9 thereto, relat-", and lines 3 to 6, inclusive, of the title, and insert "20602.9, 20602.95, 20603.3, 20750.7, 20803.7, 20950.7, 20980.7, 21020.7, 21210, 21252.4, 21256.3, 21257.2, 21290.7, 21292.7, 21294.5, and 21363.6 thereto, relating to the State Employees' Retirement System in respect to the Alcoholic Beverage Control Act enforcement personnel of the State Board of Equalization."

Amendment No. 3

On page 1 of said bill, strike out line 12, and insert

"(6) Beverage Control Members".

Amendment No. 4

On page 1, line 18, of said bill, strike out "alcoholic"; and in line 19, strike out "enforcement".

Amendment No. 5

On page 1 of said bill, strike out line 21; and in line 22, strike out "ber", and insert

"20017.8. Beverage Control Member".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of said bill, strike out lines 8 to 13, inclusive, and insert

"SEC. 4. Section 20602.9 is added to said code, to read:

20602.9. The normal rate of contribution for each beverage control member shall be based on his age at his entrance into this system in a status in the alcoholic beverage control service which would have made him such a member, and, if he is entitled to credit for prior service, his age when he entered alcoholic beverage control enforcement service, both ages being taken to the preceding completed quarter year.

The age at entrance into alcoholic beverage control enforcement service, if prior to July 1, 1949, shall be determined by deducting the total of such service credited to him at July 1, 1949, from his age at that date.

SEC. 5. Section 20602.95 is added to said code, to read:

20602.95 The rates of contribution provided for in Sections 20603.3 and 20604 for beverage control members shall apply on and after July 1, 1949.

SEC. 6 Section 20603.3 is added to said code, to read:

20603.3 For each beverage control member who became a member of this system, or if entitled to credit for prior service, who entered alcoholic beverage control enforcement service, at or below age 45, the normal rate of contribution shall be such as will provide, on the average, a service retirement annuity at age 55, or upon completion of 20 years of alcoholic beverage control enforcement service at an age higher than 55 years, equal to one-fourth of his final compensation less one-half of his prior service pension, it being the intention that the retirement allowances of such members, upon retirement at age 55, or such higher age, shall be, on the average, one-half of their final compensations, respectively.

SEC 7. Section 20604 of said code is amended to read:

20604. For each patrol [or], warden, *or beverage control member* who entered highway patrol [or], warden, *or alcoholic beverage control enforcement* service at an age greater than 45 years, the normal rate of contribution shall be such as will provide on the average an annuity at age 65 equal to one-eightieth of his final compensation for each year of highway patrol [or], warden, *or alcoholic beverage control enforcement* service after the date as of which his age at entrance into this system is taken under Section 20602, in the case of a patrol member, [or] Section 20602.5 in the case of a warden member, *or Section 20602.9 in the case of a beverage control member.*

SEC. 8 Section 20750.7 is added to said code, to read:

20750.7. The State's contribution to the Retirement Fund in respect to beverage control members is a sum equal to 25.31 percent of the compensation paid beverage control members.

As used in this section, "compensation paid" includes the compensation a member absent on military service would have received were it not for his absence in such service, if the normal contributions for the period of absence are made. The rate of his compensation shall be his compensation at the commencement of his absence.

SEC. 9. Section 20803.7 is added to said code, to read:

20803.7. "Alcoholic beverage control enforcement service" means service rendered as a beverage control member only while receiving compensation for such service, except as provided in Article 4.

It includes service that would have qualified a person as such a member had that classification of members existed at the time the service was rendered.

SEC 10. Section 20950.7 is added to said code, to read:

20950.7. A beverage control member shall be retired for service upon his written application to the board if he has attained age 50 and is entitled to be credited with 20 years of continuous state service.

SEC. 11. Section 20980.7 is added to said code, to read:

20980.7. Every beverage control member shall be retired on the first day of the calendar month succeeding that in which he attains age 70 during the year ending June 30, 1950; age 69 during the following year; age 68 during the next following year; age 67 during the next following year; age 66 during the next following year; age 65 during any year after June 30, 1954.

SEC. 12. Section 21020.7 is added to said code, to read:

21020.7. The provisions of this article applicable to patrol members are also applicable to beverage control members.

SEC 13. Section 21210 is added to said code, to read:

21210. Except as otherwise provided in this chapter, the provisions of this chapter applicable to patrol members are applicable to beverage control members. "Highway patrol service" means "alcoholic beverage control enforcement service" as applied to beverage control members.

SEC. 14. Section 21252.4 is added to said code, to read:

21252.4. The current service pension for beverage control members is a pension derived from the contributions of the employer which, when added to the service retirement annuity that is derived from the accumulated normal contributions of the member, shall equal the same percentage of his final compensation, regardless of his age at retirement, as the contributions of the member and the employer are calculated to provide upon retirement for service at age 55, or upon completion of 20 years of service at an age higher than 55, or upon retirement with less than 20 years service at age 65, for each year of alcoholic beverage control enforcement service after January 1, 1932.

SEC. 15. Section 21256.3 is added to said code, to read:

21256.3. The prior service pension for a beverage control member is a pension equal to the sum of the following:

(a) In respect to prior service other than alcoholic beverage control enforcement service, a prior service pension computed pursuant to subdivision (a) of Section 21253.

(b) In respect to prior service consisting of alcoholic beverage control enforcement service, the same percentage of his final compensation, regardless of age at retirement, for each year of such service as the contributions of the member and the State are calculated to provide upon retirement for service at age 55 or upon completion of 20 years of service at an age higher than 55 or upon retirement with less than 20 years of service at age 65, for each year of alcoholic beverage control enforcement service after January 1, 1932.

SEC. 16. Section 21257.2 is added to said code, to read:

21257.2. If a beverage control member retires for service before attaining age 55, his prior service pension shall be reduced to that amount which the value of the pension as deferred to age 55 will purchase at the actual age of retirement.

SEC. 17. Section 21290.7 is added to said code, to read:

21290.7 Upon retirement for nonindustrial disability, a beverage control member who has attained age 55 shall receive his service retirement allowance.

SEC. 18. Section 21292.7 is added to said code, to read:

21292.7. Upon retirement of a beverage control member for industrial disability he shall receive a disability retirement allowance of 50 percent of his final compensation plus an annuity purchased with his accumulated additional contributions, if any, or, if qualified for service retirement, he shall receive his service retirement allowance if such allowance, after deducting such annuity, is greater.

SEC. 19 Section 21294.5 is added to said code, to read:

21294.5. Every beverage control member retired for nonindustrial disability shall receive a disability retirement allowance which shall consist of:

(a) An annuity which is the actuarial equivalent of his accumulated contributions at the time of retirement.

(b) If, in the opinion of the board, his disability is not due to intemperance, wilful misconduct or violation of law on his part, a disability retirement pension derived from the contributions of the State.

SEC. 20. Section 21363.6 is added to said code, to read:

21363.6. The special death benefit is also payable if the deceased was a beverage control member, if his death was industrial, as determined by the Industrial Accident Commission using the same procedure as in workmen's compensation hearings, and if there is a wife or child who qualifies under subdivision (b), Section 21364."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF ASSEMBLY BILL NO. 1334

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up the reconsideration of Assembly Bill No. 1334, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 1334

In compliance with a notice given on a previous day, Mr. McCollister moved that the vote whereby Assembly Bill No. 1334 was passed be reconsidered.

Point of Order

Mr. McCollister arose to the following point of order: That Mr. McCarthy is speaking on the bill and not on the motion to reconsider.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr. McCollister that the vote whereby Assembly Bill No. 1334 was passed be reconsidered.

Request for Unanimous Consent That Mr. Geddes Be Permitted to Again Speak on the Motion

Mr. Weber asked for unanimous consent that Mr. Geddes be permitted to speak again on the motion by Mr. McCollister to reconsider the vote whereby Assembly Bill No. 1334 was passed.

Mr. Cooke withheld unanimous consent.

The question being on the motion by Mr. McCollister to reconsider the vote whereby Assembly Bill No. 1334 was passed.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried. Time, 12.30 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Burkhalter, Collier, Conrad, Cramer, Elliott, Huyck, Kilpatrick, Lewis, Lowrey, McMillan, Smith, and Waters—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2555

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 911

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:
Assembly Bill No. 2080

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2617

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2617, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2617

Assembly Bill No. 2617—An act to amend the Sanitation and Sewer Revenue Bond Act of 1941 in relation to the collection of revenue.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1949, strike out "amend", and insert "add Section 3.1 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "in relation", and insert "relating".

Amendment No. 3

In line 2 of the title of said bill, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 4

On page 1, line 3, of said bill, strike out "district", and insert "municipality".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2618

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2618, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2618

Assembly Bill No. 2618—An act to amend the Sewer Revenue Bond Act of 1939 in relation to public corporations and the collection of revenues.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1949, after "amend", insert "Section 1 of, and to add Section 10.1 to".

Amendment No. 2

In line 1 of the title of said bill, after "Sewer", insert "District".

Amendment No. 3

In line 2 of the title of said bill, after "revenues", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1, line 1, of said bill, strike out "code", and insert "act".

Amendment No. 5

On page 1, line 7, of said bill, strike out "constituting", and insert "constructing".

Amendment No. 6

On page 1, line 16, of said bill, strike out "code", and insert "act".

Amendment No. 7

On page 2, lines 23 and 24, of said bill, strike out "The provisions of this bill has as its purpose making", and insert "The purpose of the provisions of this bill is to make".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2619

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2619, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2619

Assembly Bill No. 2619—An act to amend Chapters 5 and 6, Part 3 of Division 5 of the Health and Safety Code, relating to the collection of sewer revenue charges.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1949, strike out "Chapters 5 and 6, Part 3 of Division 5 of", and insert "Section 5053 of, and to add Section 5742 to".

Amendment No. 2

In line 3 of the title of said bill, after "charges", insert ", declaring the urgency thereof, to take effect immediately".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 33

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 33, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 33

Senate Bill No. 33—An act to add Section 11010 to the Government Code, relating to charges made by state agencies.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on March 16, 1949, after "collect", insert "from any person, firm, or corporation".

Amendment No. 2

On page 1, lines 7 and 8, of said bill, strike out "for any activity other than that performed exclusively for state purposes", and insert ", inspection, or audit".

Amendment No. 3

On page 1, line 10, of said bill, after "included", insert "in".

Amendment No. 4

On page 1 of said bill, strike out lines 12 and 13, and insert "engaged in providing such services, inspection, or audit."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1455

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1455, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1455

Assembly Bill No. 1455—An act to amend Sections 164.5, 373, and 776 of the Vehicle Code and to add Section 373.1 thereto, relating to registration and registration and license fees for trailer coaches and disposition of the funds received therefrom.

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Assembly on April 18, 1949, after "($6)", insert "for each trailer coach".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2461

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2461, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2461

Assembly Bill No. 2461—An act to add Sections 18626.5 to the Business and Professions Code, relating to the salary of the Secretary to the State Athletic Commission.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "twelve thousand dollars ($12,000)", and insert "ten thousand dollars ($10,000)".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 82: By Mr. Rosenthal—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23a of Article IV thereof, relating to legislative expenses and employees.

Referred to Committee on Constitutional Amendments.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF MAINE
HOUSE OF REPRESENTATIVES
SPEAKER'S OFFICE, AUGUSTA, April 16, 1949

Hon. Arthur A. Ohnimus, Chief Clerk,
Assembly, California Legislature
State Capitol, Sacramento 14, California.

DEAR MR. OHNIMUS: Receipt is acknowledged of your kind letter and enclosure of April 12, 1949.

I have read with interest the copy of Assembly Joint Resolution No. 26, which was adopted by the California Legislature on April 6, 1949.

In passing may I comment that the Maine Legislature is expected to approve a somewhat similar resolution. The Judiciary Committee has given the resolution a favorable report and the report of the committee already has approval of the House.

Thanking you for the interest shown in forwarding the matter to me, and expressing the hope that your Assembly and your Legislature are having a most successful session, I remain,

Very truly yours,

NATHANIEL M. HASKELL

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

NINETEENTH LEGISLATIVE ASSEMBLY
HOUSE OF REPRESENTATIVES, STATE OF NEW MEXICO
SANTA FE, NEW MEXICO, April 18, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: Thank you very much for your letter of April 12th and the copy of the California Assembly Joint Resolution No. 26.

I report to you that a similar joint resolution was introduced in the recent session of the New Mexico Legislature which was Senate Joint Resolution No. 12 and was generally an endorsement of the World Federalists movement.

Regrettably, this joint resolution never did pass the Senate and consequently was not brought before the lower house for action.

I am sure you will be interested in knowing that the measure caused considerable debate and our present Federal District Judge, Carl Hatch, who was formerly a distinguished Member of the United States Senate from this State, spoke to a committee of the whole House and Senate endorsing this resolution. Nevertheless, it failed and therefore will not be the subject of any legislative action in New Mexico until the second Tuesday of January, 1951, unless a special session is sooner called for that specific purpose.

Yours very truly,

JOHN F. SIMMS, JR., Speaker of the House

RESOLUTIONS

The following resolution was offered:

By Messrs. Yorty and Waters:

House Resolution No. 173

Extending sympathy to John D. McCarthy

WHEREAS, The Members of this Assembly are grieved to learn of the death in Los Angeles, California, of Georgiana Randall McCarthy, wife of John D McCarthy, a Member of this Assembly from 1933 to 1937, representing the Sixty-fourth Assembly District; and

WHEREAS, John D. McCarthy is well remembered here for his distinguished public service to the people of his district and of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their deep regret and kindest sympathy to their friend and former colleague, John D. McCarthy, in the loss of his beloved wife and companion for more than forty years; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to John D. McCarthy, 181 Loma Drive, Los Angeles, California, as an expression of the sympathy and esteem of his friends in the Assembly of California.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1941

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1941, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1941

Assembly Bill No. 1941—An act to amend Sections 4740, 4741, 4742, 4744, 4748, 4760, and 4761 of the Health and Safety Code, relating to refuse collection and disposal by county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 848

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 848, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 848

Assembly Bill No. 848—An act to add Section 13841.3 to the Education Code, relating to leaves of absence for employees of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Thomas, Waters, Way, and Yorty—56

NOES—Cooke, Lowrey, Sherwin, Smith, Stanley, Tomlinson, and Mr. Speaker—7.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1519—An act to add Section 502.5 to the Vehicle Code, relating to driving a vehicle while under the influence of liquor.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 22, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Correction in Amendment Be Authorized

Mr. Sherwin asked for, and was granted, unanimous consent that numerical corrections be authorized in the amendment just placed across the desk, so that it may appear correctly printed in the Journal of today.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 171
House Resolution No. 173

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 173

By Messrs. Yorty and Waters:

House Resolution No. 173

Extending sympathy to John D. McCarthy

WHEREAS, The Members of this Assembly are grieved to learn of the death in Los Angeles, California, of Georgiana Randall McCarthy, wife of John D. McCarthy, a Member of this Assembly from 1933 to 1937, representing the Sixty-fourth Assembly District; and

WHEREAS, John D. McCarthy is well remembered here for his distinguished public service to the people of his district and of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their deep regret and kindest sympathy to their friend and former colleague, John D McCarthy, in the loss of his beloved wife and companion for more than forty years; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to John D McCarthy, 181 Loma Drive, Los Angeles, California, as an expression of the sympathy and esteem of his friends in the Assembly of California.

Resolution read, and adopted.

Speaker Pro Tempore Presiding

At 1.14 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 171

By Mr. Sam L. Collins:

House Resolution No. 171

WHEREAS, On Thursday night, April 14, 1949, a new endurance flight record was established by two California pilots, Dick Riedel and Bill Barris, of Fullerton; and

WHEREAS, By remaining aloft in their single-engined Aeronica plane, "Sunkist Lady," for 727 hours these two intrepid airmen eclipsed the former record of 726 hours, set October 29, 1939, by two other Californians, Wes Carroll and Clyde Schleiper, of Long Beach; and

WHEREAS, This successful attempt at the endurance record was the fourth attempt by Dick Riedel and Bill Barris, the previous attempts ending in heartbreaking failure due to mechanical failures and icing conditions; and

WHEREAS, By their inspiring feat Dick Riedel and Bill Barris have indelibly written their names in aviation history, and have captured the hearts and imagination of air-minded persons all over the world, and have brought further fame and glory to the City of Fullerton and the State of California; and

WHEREAS, Not content with merely breaking the record, Dick Riedel and Bill Barris are still winging their way through the skies over Southern California and are determined to remain in the air until they have established a new record of 1,000 hours of continuous flying; now, therefore, be it

Resolved by the Assembly of the State of California, That heartiest congratulations be extended to Dick Riedel and Bill Barris for their amazing feat of courage and stamina in setting their endurance flight record, and that best wishes for good luck in their attempt to extend this record to 1,000 hours be extended to them; and be it further

Resolved, That the Chief Clerk is directed to send copies of this resolution to Dick Riedel and Bill Barris, of Fullerton.

Resolution read, and adopted unanimously.

Speaker Presiding

At 1.16 p.m., Hon Sam L. Collins, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON RECONSIDERATION OF ASSEMBLY BILL NO. 1334

At 1.17 p.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1334 reconsidered by the following vote:

AYES—Babbage, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Geddes, Grant, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Morris, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, and Weber—42

NOES—Anderson, Beck, Bennett, Berry, Brady, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Dunn, Elliott, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hunck, Lewis, Maloney, McCarthy, Meyers, Moss, Niehouse, Rosenthal, Sherwin, Thompson, and Yorty—31.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.15 p.m.—

Interim Committee on Tidelands and Related Problems, in Room 430.

At 3 p.m.—

Governmental Efficiency and Economy.
Conservation, Planning, and Public Works.
Manufacturing, Oil, and Mining Industry.

Tonight, at 8 p.m.—

Municipal and County Government, in Room 436.
Education, in Room 432.

Tomorrow, Thursday, April 21st, at 9 a.m.—

Rules.

It was announced that the Committee on Constitutional Amendments will not meet tonight.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mesdames Florence Stevens of Tustin and Mildred Prince of San Francisco.

On request of Speaker Sam L. Collins and Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Morgan Lowrey of Fullerton.

On request of Messrs. Conrad, Levering, McCarthy, and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Miss Melba Montrose, Young Republican National Committeewoman for California, of San Francisco.

On request of Speaker Sam L. Collins and Messrs. Stanley and Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Gordon X. Richmond of Orange.

On request of Messrs. McMillan and Hawkins, the usual courtesies of the Assembly for this day were unanimously extended to Isaac Kushner, Irene and George Cowell of Los Angeles.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Congressman Norris Poulson of Los Angeles, former Assemblyman.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Helen True of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Adeline Mitchell and Mrs. Mildred Barry, teachers of the Lincoln Union School of Lincoln, and the following pupils: Marceil Aguiar, George Ahart, Jr., Lupe Avila, Gloria Bettencourt, Walter Brown, Bernadine Cardoza, Jean Coffin, Aurelia Costa, Robert Culbertson, Shirley Farnsworth, Rudolph Fazil, Albert Fleming, Jr., Ruben Goin, Joseph Grassi, Eva Hall, Wanda Hewitt, James Hopper, Mabel Huff, Anna Lee Hutchison, Theodore Josue, Freda McClary, Aldene Murch, Margaret Ann Newcomb, Ronald Parscale, Elaine Perry, Dale Pingree, Donald Postell, Betty Solis, Mancel Spoor, Chris Wallace, Frances Williams, Lawrence Pacheco, Bill Smith, James Sewell, James Richardson, Diane Schmidt, James Sorensen, Wayne Vineyard, Lyle Wyatt, Marie Eagan, Carlene Fox, Patricia Andre, Mary Ann Bachman, Barbara Bradley, Melvin Butler, Annie Carranza, Eileen Conger, Franklin Costa, David Dowd, Theodore French, Rosemarie Fernandes, Charles Friend, John Gomez, Audrey Herron, Dennis Huff, Herbert Hughes, Bonnie Jackson, Carol Jones, Maxine Laurenti, Jennie Martinez, Mary Martinez, Gordon Nakagawa, Fumie Nii, Mitsuru Okamota, Dale Petersen, and Gerald Phelps.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Lena B. Everett, teacher of the Stanford Jr. High School of Sacramento and the following pupils: Stanley Collis, Harold Ohlendorf, Garna White, Jim Koozin, Jimmie McNeil, Jack Hawley, Lee Roberson, Bruce Baker, April Pettijohn, Janet Riter, Judy Anater, Donald MacClanahan, Taylor Simmons, John Giordano, Carole Hulbert, Noel Smelzer, Bill Wilson, Carol Pritchard, Gene Mabry, Nancy Fisher, Connie Pruitt, Diana Lions, Kathleen Devine, Jack Hawley, Yvonne Colby, Shirley Hicks, Kay Ansters, Donald Gour, Carol Utt, Shirley Evans, Ada Fassett, Peggy Alm, and Judy Kilwig.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Louis W. Cevcirulo, teacher of the Houston School of Acampo, and the following pupils: Delores Douglas, Billie Huber, Alton Johnson, Jackie Lamb, Shirley Maddox, Sam Matsumoto, Joe Avilla, Richard Cooper, Donald Dulmage, Nora Norton, Jackie Reiman, Gerald Seibel, Marie Shinsako, Kazuso Matsura, Aleane McCoy, Terrance Bender, Doris Cooper, Stephen Douglas, Patricia Frangotis, Noah Hackworth, Marlene Haps, Joseph Huber, Ruby Isbill, James Kammerer, Jurine Kipumura, Maxine Mason, Kenji Matsuda, Kunio Matsumoto, Charles McCoy, George Namba, Margaret Powers, Zelma Ray, Ramona Richenberg, Sharon Rowell, Thomas Sanchez, Patricia Schueler, Lenna Selles, Jeanette Wakefield, and Delaine Vossler.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Wm. R. Manning, teacher of the Galt Union School, and the following pupils: John Azevedo, Clayton Bonar, Robert Boyd, Gerald Fleishman, John B. Girard, Bob Jacobsen, Dale Kaehler, Dick Keim, Phillip Keim, John Lavagnino, Lindell Koehn, Curtis McEnerney, John Nicholson, Helmuth Otto, Rodney Parker, Calvin Stanley, Ardella Ziller, Nellie Patton, Patricia Prather, Connie Skinner, Barbara Smith, Robert Sienega, Anthony Scherry, Ralph Vinyard, Joe Walker, Jim Weathers, Jerry Witherspoon, Cecil Carr, Ronn Connerly, Shelby Flemming, Paul Gomez, David Harper, Sydney Johnson, John Martin, John Olivieri, James Wood, Dessie Starnes, Clarabelle Fullerton, Betty Jo Gates, Janice McKenzie, Luabelle Mertz, Easther Morales, Florence Ackerman, Elizabeth Azevedo, Donna Bachman, Dorothy Bachman, Margie Bender, Joyce Caldwell, Mardell Christesen, Alice Mae Engel, Darlene Farrell, Dolores Gaub, Dixie Hinks, Bessie Jaynes, Lavina Laizure, Rita Doll, and Luella McCorey.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Colonel Nelson Holderman of Yountville, Milo Passalaqua, E. W. Crozer, Thomas A. Reeves, and Jack McCart of Benicia.

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to George Cowell and Isaac Kushner of Los Angeles.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Blanche Palmer, teacher of the Modesto Union Academy, and the following pupils: Jacqueline Addison, Dorothy Baker, Sally Edminister, Beverly Ellis, Barbara De Hart, Melvin Hamp, Robert Homer, William Jacobson, Shirley Reed, George Samios, Norma Schonert, Delmar Tonge, Mary West, Marvin Wissner, Jay Deiss, Marna Frye, and Daisy Utter.

ADJOURNMENT

At 1.20 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 21, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-THIRD LEGISLATIVE DAY

ONE HUNDRED NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 21, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—**73.**

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal God: As we begin this morning, we offer a prayer for the spiritual welfare of the people in the Gallery and the representatives of the business and professional interests here.

We pray that they may unselfishly put the interests of the entire State above merely personal benefit, and remember that their own private prosperity depends upon the prosperity and soundness of every interest, big or small

May their patriotism always prevent them from seeking a selfish advantage at the expense of the total welfare and progress of the State.

Almighty God, keep before our business and labor leaders, who are essential to the prosperity of the State, the ruinous results of political corruption

May they remember that the ruin of Germany began with the illicit greed of selfish leaders, and France collapsed because of the ruthless preying upon the national resources

May we, the Members of this great Assembly, have the moral stamina to stand like a rock against any pressure that would harm the welfare and stability of this wonderful State.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Connolly, on motion of Mr. Dolwig.

Mr. Brady, on motion of Mr. George D. Collins.

Mr. Davis, on motion of Mr. Lowrey.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Stewart, on motion of Mr. Waters.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF NORTH CAROLINA
LIEUTENANT GOVERNOR'S OFFICE, RALEIGH, April 15, 1949

Hon. Arthur A. Ohnimus, Chief Clerk
Assembly Chamber, State Capitol
Sacramento 14, California

DEAR MR. OHNIMUS: Receipt is acknowledged of your kind favor enclosing copy of Assembly Joint Resolution No. 26 which was adopted by the California Legislature on April 6, 1949.

The subject of this resolution is very interesting and intriguing and will be brought to the attention of the State Senate of North Carolina.

Our session of the General Assembly will adjourn sine die next week and it is seriously doubted that any similar action may be taken by our body at this session

Cordially yours,

HOYT PATRICK TAYLOR, Lieutenant Governor

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 1093	Assembly Bill No. 2073
Assembly Bill No. 1462	Assembly Bill No. 3024

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 728

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Senate Bill No. 51

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 294
Assembly Bill No. 548
Assembly Bill No. 1777
Assembly Bill No. 1967

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No. 251

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 20, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 45

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 45—Relative to approving amendments to the charter of the City of Porterville, a municipal corporation, in the County of Tulare, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1949.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 20, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 25

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 25—An act to add Section 1905 to the Government Code, relating to the State Capitol Building.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 132
Senate Bill No. 218
Senate Bill No. 435
Senate Bill No. 496
Senate Bill No. 1032
Senate Bill No. 1381
Senate Bill No. 1382
Senate Bill No. 1383
Senate Bill No. 1431

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 132—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declarations of candidacy.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 218—An act to amend Sections 8909, 8916, 8920, 8937, 8938, 8968, 8970, 8971, and 8975 of, to repeal Sections 8954, 8955, and 8974 of, and to add Sections 8938.1, 8938.2, 8942, 8943, 8954, 8955, 8971.5, and 8972.1 to the Business and Professions Code, relating to the regulation of yacht and ship brokers and salesmen.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 435—An act to add Section 29 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair and maintenance and the assessment of property benefited by those works.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 496—An act to amend Sections 608, 609, 613, 614, 619, 620, and 620.5 of the Agricultural Code and to add Section 612.5, relating to cheese.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 1032—An act to add Section 9607.2 to the Education Code, relating to the education of minors with cerebral palsy.

Referred to Committee on Education.

Senate Bill No. 1381—An act to amend Sections 4918, 4919, 4961.1, and 4962, and to repeal Sections 4902.1, 4917.1, 4919.1, 4961, and 4963, of the Education Code, relating to the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 1382—An act to amend Section 4901 of the Education Code, relating to the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 1383—An act to amend Section 4941 of the Education Code, relating to the reorganization of school districts.

Referred to Committee on Education.

Senate Bill No. 1431—An act to amend Sections 7621, 7622, 7623, 7624, 7650, 7654, 7681, 7682, 7691, 7692, 7720, and 7721 of the Labor Code; to amend and renumber Sections 7722, 7723, and 7724 of said code; and to add Sections 7722, 7724, and 7725 to said code; all relating to regulation of and inspection of tanks and boilers.

Referred to Committee on Industrial Relations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 389
Senate Bill No. 422

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 389—An act to add Section 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 422—An act to amend Section 2722 of the Penal Code, relating to the sale of jute goods.

Referred to Committee on Judiciary.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1651, on request of Mr. Heisinger.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2195—An act to add Sections 364.7 and 364.8 to the Agricultural Code, relating to public livestock sales yards.

Bill read second time, and ordered engrossed.

Assembly Bill No. 444—An act to add Section 7.3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2090—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for and regulating the appropriation and expenditure of money in said fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2755—An act to amend Section 142 of the Code of Civil Procedure and Section 24254 5 of the Government Code, relating to sessions of the superior court.

Bill read second time, and ordered engrossed.

Assembly Bill No. 934—An act to amend Section 427 of the Fish and Game Code, relating to hunting licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 935—An act to amend Section 407 of the Fish and Game Code, relating to licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 937—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 938—An act to amend Section 430 of the Fish and Game Code, relating to fishing licenses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1296—An act to add Section 622 5 to the Fish and Game Code, relating to taking fish for use as bait.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1938—An act to amend Sections 2011, 2016, 2020, 2024, 2140, 2160, 2160.5, 2160.6, 2163, 2163.2, 2163.6, and 2180 of the Welfare and Institutions Code, to repeal Sections 2008 5, 2025, 2181, and 2224 thereof, and to add Section 2181 thereto, relating to old age security, and revising the code provisions relative thereto in accordance with the provisions of Article XXV of the State Constitution.

Bill read second time, and ordered engrossed.

Assembly Bill No. 528—An act to amend Section 6509 of the Business and Professions Code, relating to the inspection of barber shops and barber colleges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1954—An act to amend Section 1601 of the Health and Safety Code, relating to biologics.

Bill read second time, and ordered engrossed

Assembly Bill No. 2555—An act to add Section 226a to the Civil Code, relating to consent of natural parents to adoption

Bill read second time, and ordered engrossed.

Assembly Bill No. 1018—An act to amend Section 762.5 of, and to add Section 768 to, the Agricultural Code, relating to the inspection of tomatoes delivered for canning and tomato inspection certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 14, 1949, strike out lines 19 to 23, inclusive, and insert "except as hereinafter provided. The director may review the operation of any inspection station not located at a cannery during a period beginning November 1st of any year and ending not less than thirty days before the date inspection began at such station in the preceding year and if the director determines that the interest".

Amendment No. 2

On page 2, line 17, of said bill, strike out "on the written request"; and strike out lines 18 to 43, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Beck asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1524—An act to amend Section 5047 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 14 and 15, of the printed bill, as amended in the Assembly on March 24, 1949, strike out "When requested by any of the above mentioned persons the", and insert "The".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 911—An act to amend Section 226m of the Civil Code, relating to adoption proceedings.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 226m", and insert "Section 226a".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 226a is added to the Civil Code.

226a. No person, other than the natural parent or parents signing a consent to an adoption, shall write or otherwise inscribe on the form for consent the name of the adoptive parent or parents."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code, and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse meat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 14, 1949, after "meat", insert ", declaring the urgency hereof, to take effect immediately"

Amendment No. 2

On page 2, line 3, of said bill, strike out "place", and insert "establishment"

Amendment No. 3

On page 2, line 10, of said bill, after the period, insert "The public cold storage of horse meat in licensed warehouses is permissible, provided the horse meat is in original sealed containers, recorded as such in the warehouse records and the storage pile is readily distinguishable as consisting of horse meat, and provided further that it shall not be stored, commingled with or maintained directly in contact with fresh or other meat used for human consumption."

Amendment No. 4

On page 2 of said bill, strike out line 30

Amendment No. 5

On page 3, lines 6 and 7, of said bill, strike out "and said unit shall be painted a red color, with white", and insert "with".

Amendment No. 6

On page 3, line 22, of said bill, after "height", insert ", provided that the letters may be less than one-half (½) inch in height where the horse meat is processed, packaged, and sealed at the point of inspection and bears the label required by the inspection agency".

Amendment No. 7

On page 4, line 19, of said bill, strike out "28010", and insert "28009".

Amendment No. 8

On page 4, line 20, of said bill, strike out "28010", and insert "28009".

Amendment No. 9

On page 4 of said bill, between lines 22 and 23, insert

"SEC. 12.5. Section 28011 is added to said code, to read:

28011. Horse meat shall not be imported into the State of California for use within the State except in sealed packages weighing not more than five pounds per package. Exception to this shall be made where the horse meat is consigned and delivered direct to a cannery under federal or state inspection for cooking in hermetically sealed containers.

The policy of the Legislature is that there is no control over the plants selling and transporting horse meat from other states and therefore bulk horse meat entering the State for distribution to dealers or distributors for further resale to stores and the public would make the possibility of fraud practically uncontrollable."

Amendment No. 10

On page 4 of said bill, strike out lines 36 to 38, inclusive, and insert "sale or sold, for purposes of inspection."

Amendment No. 11

On page 4, line 47, of said bill, after the period, insert "An annual fee of fifty dollars ($50) shall accompany each application for a license. Such fee shall be paid into the General Fund in the State Treasury."

Amendment No. 12

On page 5, line 27, of said bill, strike out "misdemeanor", and insert "felony".

Amendment No. 13

On page 5, line 28, of said bill, strike out "twenty-five", and insert "ten thousand dollars ($10,000)".

Amendment No. 14

On page 5, line 29, of said bill, strike out "($25) nor more than five hundred dollars ($500)".

Amendment No. 15

On page 5, line 30, of said bill, strike out "county jail for not more than six months", and insert "state prison for not less than one year".

Amendment No. 16

On page 5, of said bill, after line 31, insert

"SEC. 17. Section 28015 is added to said code, to read:

28015 Any person, whether as principal or agent, employer or employee, who violates any of the provisions in this chapter except as provided in Section 28013 is guilty of a misdemeanor punishable upon conviction by a fine of not more than five hundred dollars ($500) or by imprisonment in the county jail for not more than six months or by both such fine and imprisonment."

Amendment No. 17

On page 5 of said bill, strike out line 42; and in line 43, strike out "28015.", and insert

"SEC. 18."

Amendment No. 18

On page 5 of said bill, strike out line 50; and in line 51, strike out "28016.", and insert

"SEC. 19."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1289—An act to add Section 87.7 to the Agricultural Code, relating to buildings and grounds of district agricultural associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 87.7", and insert "Sections 87.7 and 97".

Amendment No. 2

In line 2 of the title of said bill, after "of", insert "county fairs and".

Amendment No. 3

On page 1, line 5, of said bill, strike out "Article 2,".

Amendment No. 4

On page 1, line 8, of said bill, strike out "and", and insert a comma.

Amendment No. 5

On page 1, line 9, of said bill, after "fair," " insert "and where "county or special school funds for the respective school districts" is used it shall mean "funds available for the support of the agricultural fair of a district agricultural association" ".

Amendment No. 6

On page 1, of said bill, after line 10, insert

"SEC. 2. Section 97 is added to said code to read.

97. There is a civic center at each building and surrounding grounds of every county fair.

All the provisions of Chapter 9, Division 9 of the Education Code apply to this section, except that when "governing board of a school district" is used it shall mean "board of supervisors," except that when a county fair is conducted through a county fair association it means the "board of directors of the county fair association," when "school" is used, it shall mean "agricultural fair," and where "county or special school funds for the respective school districts" is used it shall mean "funds available for the support of the county agricultural fair," for the purposes of this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 1767—An act to repeal Sections 92, 92.1, and 92.4 of, and to add Sections 92, 92.1, 92.2, 92.3, and 92.4 to, the Agricultural Code, relating to county and district agricultural association fairs, providing for the classification of such fairs, creating an Agricultural Fairs Committee, prescribing its powers and duties and the powers and duties of the Department of Finance in relation to agricultural fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out Sections 92, 92.1, and 92.4 of, and to add Sec-", and insert "Section 92.1 of, and to add Section 92.2 to, the Agricultural Code, and to amend Sections 19622 and 19624 of, and to add Section 19622.1 to, the Business and Professions Code, relating to the appropriation and allocation of funds to fairs"

Amendment No. 2

In the title of the printed bill, strike out lines 2 to 7, inclusive.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 92.1 of the Agricultural Code is repealed.

SEC. 2. Section 19622 of the Business and Professions Code is amended to read:

19622. There is hereby annually appropriated out of the fund the following: (i) [one hundred twenty-five thousand dollars ($125,000)] *three hundred thousand dollars ($300,000)* for the support of the California State Fair; (ii) [one hundred twenty-five thousand dollars ($125,000)] *three hundred thousand dollars ($300,000)* for the support of the Los Angeles County Fair; (iii) [one hundred thousand dollars ($100,000)] *one hundred fifty thousand dollars ($150,000)* for the support of 1A District Agricultural Association; and (iv) [fifteen thousand dollars ($15,000)] *sixty thousand dollars ($60,000)* to the Sixth District Agricultural Association of the State of California, for the purpose of holding a permanent exposition and exhibition of all citrus products and of all the industries and industrial enterprises, resources, and products of every kind and nature of the State of California, with a view of improving, exploiting, encouraging, and stimulating such industries, resources, and products, and for the support of the buildings and grounds and other property of the Sixth District Agricultural Association. No admission fee shall be charged by such exposition.

The money heretofore or hereafter apportioned to the Los Angeles County Fair under this section may be expended for the payment of premiums and, with the approval of the Department of Finance, for capital outlay, including purchase of land, construction, improvements, equipment, support, and maintenance for such fair.

All money heretofore or hereafter appropriated to the California State Fair, the Los Angeles County Fair, the Sixth District Agricultural Association, citrus fruit fairs as defined in Section 94 of the Agricultural Code, and the 1A District Agricultural Association under the provisions of this article except money allocated by the Director of Finance for fair purposes under the provisions of Section 19626 of the Business and Professions Code, shall be exempt from the provisions of Section 16304 of the Government Code and Section 435 of the Political Code, and shall remain available for expenditure from year to year until expended.

SEC. 3. Section 19624 of the Business and Professions Code is amended to read:

19624. The first balance of the fund is hereby annually appropriated as follows:

(a) Five percent for payment to and use of those certain fruit fairs defined in Section 94 of the Agricultural Code, but not to district agricultural associations, district or county fairs, for the purpose of conducting and carrying on annually citrus fruit fairs and expositions to promote and encourage the citrus fruit industry of this State

Of said 5 percent [one hundred thousand dollars ($100,000)] *one hundred fifty thousand dollars ($150,000)* thereof is appropriated and allocated annually to those certain citrus fruit fairs and expositions defined in Section 94 of the Agricultural Code held in counties having a population in excess of 160,000 as shown by the last Federal Census, according to population, and if there be but one of such fairs held in counties having a population in excess of 160,000 then the whole of said [one hundred thousand dollars ($100,000)] *one hundred fifty thousand dollars ($150,000)* is appropriated and allocated to and for the use of such citrus fruit fair. The balance of said 5 percent is appropriated and allocated to the citrus fruit fairs defined in Section 94 of the Agricultural Code (if any there be), held in counties having a population of less than 160,000 and to these other citrus fruit fairs and expositions in such counties having a population of less than 160,000 which have been conducted and carried on annually for not less than twenty years by nonprofit associations or corporations for the purpose of promoting and encouraging the citrus fruit industry of California; each such citrus fruit fair held in counties having a population of less than 160,000 shall receive [five thousand dollars ($5,000)] *ten thousand dollars ($10,000)* each year. The balance of the 5 percent remaining after the foregoing appropriations and allocations shall revert to and become a part of said first balance of the fund.

(b) Forty percent for the encouragement of county, district, or combined county and district agricultural fairs (exclusive of the State Fair, the Los Angeles County Fair, the Sixth District Agricultural Association and citrus fruit fairs) to be apportioned by and expended under the supervision of the Department of Finance in the manner and for the purpose prescribed by Section 92 of the Agricultural Code and other applicable provisions of law but no such county, district or combined county and district agricultural fair shall receive a sum greater than [sixty-five thousand dollars ($65,000)] *eighty-five thousand dollars ($85,000)* under Section 92 of the Agricultural Code in any one year.

If in any year the sum appropriated to county, district or combined county and district agricultural fairs under this section is less than two hundred twelve thousand one hundred seventy-two dollars and seventy-nine cents ($212,172.79), then during that year the apportionment to all fairs shall be made in the manner and upon the basis prescribed by Section 13 of Chapter 769 of the Statutes of 1933, and by Section 92 of the Agricultural Code.

SEC. 4. Section 19622.1 is added to the Business and Professions Code, to read:

19622.1. There is hereby appropriated annually out of the fund four hundred fifty thousand dollars ($450,000) to be allocated to district and county agricultural fairs as merit awards in the manner and for the purpose prescribed by Section 92.2 of the Agricultural Code. The allocation of such merit awards shall not be considered in the application of the eighty-five thousand dollars ($85,000) maximum allocation under Section 92 of the Agricultural Code, which is contained in subdivision (b) of Section 19624 of the Business and Professions Code.

When the maximum allocation to any county, district, or combined county and district agricultural fair under the provisions of Section 92 of the Agricultural Code from moneys appropriated in Section 19624 of the Business and Professions Code will be less than sixty-five thousand dollars ($65,000) in any calendar year, the amount set forth in this section shall be reduced for such calendar year to zero.

In any year in which the total amount of the merit awards allocated is less than the amount appropriated herein, the amount appropriated in excess of the amount of such awards shall be transferred to and become a part of the funds available for allocation for capital outlay for fairs under the provisions of Section 19626 of the Business and Professions Code.

SEC. 5. Section 92.2 is added to the Agricultural Code, to read:

92.2. The Director of Finance shall allocate any moneys appropriated by the State for merit awards for district and county agricultural fairs receiving apportionments under Section 92 of the Agricultural Code, and may prescribe rules and regulations for determining merit awards.

In allocating the merit awards, consideration shall be given to the following:

(a) The type, class, and quality of agricultural, livestock, natural resources and industrial products exhibited, and the amount of premiums paid in accordance with the approved premium list of such fair;

(b) The population of the county or district in which the fair is held and the community interest in such fair;

(c) The efficiency of management, including records, condition of buildings and grounds, and general maintenance of entire plant;

(d) The extent and nature of interim utilization of fair property, as provided by the fair management.

On or before January 15th of each year the chief of the Division of Fairs and Expositions in the Department of Finance shall submit a written recommendation to the Director of Finance for merit awards to be allocated to district and county agricultural fairs held in the preceding calendar year. The director shall consider these recommendations and the written recommendations of any other individuals, organizations, or groups submitted on or before said January 15th and shall make such merit awards in such amounts as he deems suitable.

The money so allocated as merit awards under this section shall be paid to the several counties and district agricultural associations as soon as such awards are made

The money paid to the counties and district agricultural associations under this section shall be deposited in the special bank accounts provided for the deposit of funds apportioned to said counties and district agricultural associations under Section 92 of the Agricultural Code and may be expended for the same purposes and under the same restrictions as the funds apportioned under the provisions of said Section 92 of the Agricultural Code."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 20, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2779—An act to amend Section 80 of the Agricultural Code, relating to agricultural districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 80 of", and insert "Sections 80 and 92 of, and to add Section 92.3 to,".

Amendment No. 2

In line 2 of the title of said bill, after "districts", insert ", creating new agricultural districts, and providing for the distribution of funds and assets, and making an appropriation".

Amendment No. 3

On page 1, line 15, of said bill, strike out "and", and insert a comma.

Amendment No. 4

On page 1, line 15, of said bill, after "51", insert ", Agricultural District 54, and Agricultural District 55".

Amendment No. 5

On page 1, line 26, of said bill, strike out "District 15a", and insert "Agricultural District 15a and Agricultural District 15b".

Amendment No. 6

On page 2 of said bill, after line 5, insert

"District 15b. All that portion of Kern County included within the Fourth Supervisorial District of said county as said supervisorial district was constituted on March 15, 1949."

Amendment No. 7

On page 2, line 21, of said bill, strike out "The County of San Bernardino.", and insert "All that portion of San Bernardino County lying north of a line drawn east and west through the highest point of the summit of Cajon Pass.

District 28a All that portion of San Bernardino County not included in Agricultural District 28."

Amendment No. 8

On page 3, line 13, of said bill, after "beginning", insert ", excepting therefrom the area included in Agricultural District 54."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 3 of said bill, after line 39, insert

"District 54. All that portion of Los Angeles County described as follows:

Beginning at the point where Firestone Boulevard crosses the southerly bank of the Los Angeles River; thence southeasterly along said Firestone Boulevard to the Orange County line; thence westerly and southerly along said Orange County line to the Pacific Ocean; thence westerly and northerly along the shore of said ocean to the Los Angeles River; thence northerly and easterly along said south bank of the Los Angeles River to the point of beginning.

District 55. All of that portion of Los Angeles County included within the city limits of Pasadena.

District 56. All of that portion of Los Angeles County included within the city limits of Inglewood.

SEC 2. Section 92 of said code is amended to read:

92. The Department of Finance shall apportion any money appropriated by the State for the encouragement of county, district or combined county and district fairs to the various agricultural fairs on the basis of the amount which each fair actually paid in premiums for agricultural, horticultural, mineral and livestock exhibits, and exhibits of domestic arts and agricultural mechanics made or manufactured for other than commercial purposes in each year. The money so apportioned shall be paid to the several counties and district agricultural associations as soon as such apportionment is determined.

The Department of Finance, out of any money on hand to be apportioned, may advance to any county or district agricultural association, for the purpose of paying premiums, at any time during the year, any portion of the money to which, in the opinion of the Director of Finance, the county or district agricultural association will become entitled for that year. The county or district agricultural association shall deposit such money in a separate bank account approved by the Director of Finance in accordance with the provisions of Section 10 of an act entitled "An act to authorize and control the deposit in banks of money belonging to or in the custody of the State and to repeal all acts or parts of acts in conflict with this act," approved April 12, 1923, as amended. Such money may be expended for premiums, capital outlay, including purchase of land, construction, improvements, equipment, for the acquisition, installation, maintenance, and operation of recreational facilities at fairgrounds of the county or district agricultural associations or other purposes for the encouragement of county or district agricultural association fairs pursuant to a budget submitted to, and approved by, the Department of Finance subject to the provisions of Section 677.5 of the Political Code.

All sums expended from such moneys for construction and improvements by counties shall be subject to the provisions of Section 4041.18 of the Political Code. The county auditor or secretary of any such fair desiring to share in any such appropriation shall file with the Department of Finance on or before December 31st, of each year, a sworn statement setting forth the actual amount paid for premiums by such fair held in that year.

Six thousand dollars ($6,000) shall be the maximum base of allocation paid any fair for its first year of operation, and thereafter in each subsequent year in which a fair is held the maximum base of allocation shall increase by 10 percent over the maximum base for the year in which a fair was last held.

In the event the premiums paid during any year in which a fair is held are less than the maximum base of allocation for that year, the base of allocation for that year shall be the premiums so paid during such year. For any fair operated prior to 1933 which received, or was qualified to receive, money from appropriations for the support of agricultural fairs, the basis may be increased 10 percent for each year in which a fair was held from the time the fair was first held, except that if no fair was held by the county or district for a period of five or more years the percentage of increase shall apply only from the first fair held after said period. Any fair may pay premiums in an amount greater than that used as the base of apportionment to it.

The Department of Finance shall prescribe rules and regulations for the judging of exhibits, and the maximum amount of premiums which may be offered and paid for all classes, sections, and types of exhibits. No fair shall receive any apportionment of funds under this section unless it complies with such rules and regulations.

No allotment from the apportionment herein provided shall be made for more than one fair in any one year in any county or district. The fact that a county or district contracts one with the other or with a county fair association, to hold an agricultural fair shall not bar it from receiving a proper proportion of the moneys herein appropriated, except that no county or district may hold a joint or combined fair and receive an allotment of money under the provisions of this section. No fair for which a separate appropriation is made by the State shall participate in the apportionment of any money appropriated for the encouragement of county and district agricultural fairs.

[On or after January 1, 1943, allotments from the appropriation herein provided shall be made only to district agricultural associations or counties which received allotments under this section on the basis of the premiums paid at fairs held during the calendar year 1941 except that. (1) A district agricultural association which did not receive an allotment under this section on the basis of the premiums paid at a fair held during the calendar year 1941 may receive an allotment as provided in this section unless a county whose area lies in whole or in part within the boundaries of the agricultural district received an allotment under this section on the basis of the premiums paid at a fair held during the calendar year 1941; (2) Solano County may receive an allotment although that county held no fair in the calendar year 1941 and the agricultural association of the agricultural district comprising Solano County received an allotment during the calendar year 1941; (3) Marin County may receive an allotment although that county held no fair in the calendar year 1941 and the agricultural association of the agricultural district of which Marin County is a part received an allotment during the calendar year 1941; (4) Santa Cruz County may receive an allotment although that county held no fair in the calendar year 1941 and the agricultural association of the agricultural district comprising Santa Cruz County received an allotment during the calendar year 1941; (5) Merced and Madera Counties may each receive an allotment although those counties held no fairs in the calendar year 1941 and the agricultural associations of the agricultural districts comprising Merced and Madera Counties each received an allotment during the calendar year 1941; (6) a district agricultural association which did not receive an allotment under this section on the basis of the premiums paid at a fair held during the calendar year 1941, may receive an allotment as provided in this section; provided, the board of supervisors of each county, whose area lies in whole or in part within the boundaries of the agricultural district and which received an allotment under this section on the basis of the premiums paid at a fair held during the calendar year 1941, shall by resolution announce its intention to permanently discontinue the holding of fairs for which the county would be eligible to participate in the allocation from the appropriation herein provided. A certified copy of said resolution shall be filed with the Department of Finance. Upon adoption of said resolution by the board of supervisors, and the filing thereof as herein provided, the county referred to shall no longer be eligible to receive allotments under this section and the district agricultural association which becomes eligible to receive an allotment due to the adoption of said resolution shall, for the purpose of determining the maximum base of allocation for said association, be entitled to receive credit for the fairs previously held by said county and said fairs shall be considered as fairs held by the association in calculating the maximum base for said association as provided herein. Within one year from and after the date said resolution is adopted, the county shall pay to said district agricultural association the unexpended balance of any moneys previously apportioned to said county under this section. Notwithstanding the foregoing provisions of this paragraph a district agricultural association of a district created subsequent to January 1, 1943, may receive an allotment as provided in this section.]

The Department of Finance, in its discretion, may at any time examine the books and records of any fair to determine the correctness of any statement or report filed with the Department of Finance

SEC 3 Section 92 3 is added to said code, to read

92.3 The fairs of agricultural associations or counties which received allotments under Section 92 on the basis of the premiums paid at fairs held during the calendar year 1948 shall be known as Class A fairs. All other district or county agricultural fairs desiring to share in the apportionment of funds under Section 92 shall be known as Class B fairs

Notwithstanding any other provision of law, no Class B fair shall receive a sum greater than ten thousand dollars ($10,000) under Section 92 in any one year

SEC. 4. The amendment of Section 92 of the Agricultural Code made by this act shall not affect the maximum base of allocation of any district agricultural association which become entitled to receive credit for fairs previously held by a county pursuant to said sections as amended by Chapter 646, Statutes of 1943, and no such county shall be entitled to credit for fairs held by it prior to discontinuing its county fair pursuant to said section as amended by Chapter 646, Statutes of 1943.

SEC. 5. The money and assets belonging to the Twenty-eighth District Agricultural Association upon the effective date of this act shall be equally divided between said association and the District Agricultural Association of District 28a The Department of Finance shall supervise the division of said money and assets

SEC 6 There is hereby appropriated out of the money allocated from the second balance of the Fair and Exposition Fund to district or county agricultural associations for fair purposes, the sum of ten thousand dollars ($10,000) to Agricultural District No 10a to be expended with the approval of the Director of Finance for support of a fair; purchase or construction of buildings and equipment for fair purposes; and for the acquisition or purchase of real property to be used as sites for permanent improvements"

Amendment No. 10

On page 1, line 19, of said bill, strike out "The County of Siskiyou", and insert "All that portion of Siskiyou County not included in Agricultural District 10a.

District 10a. All that portion of Siskiyou and Modoc Counties described as follows:

Beginning at the intersection of the first range line east of the Mt. Diablo Meridian with the Oregon-California boundary line; thence southerly along said range line to the ninth Standard Parallel North; thence easterly along said Parallel to the point where it intersects the fifth range line east of the Mt. Diablo Meridian; thence northerly along said range line to the Oregon state line; thence westerly along said state line to the point of beginning."

Amendment No. 11

On page 2, line 27, of said bill, strike out "The County of Modoc", and insert "All that portion of Modoc County not included in Agricultural District 10a".

Amendment No. 12

On page 1, line 15, of said bill, strike out "and", and insert a comma

Request for Unanimous Consent That Amendments Be Corrected

Mr. Geddes asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 2779, which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Amendments read, as corrected, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2775—An act to amend Sections 86, 87, and 96 of, and to add Section 97 to, of the Agricultural Code, relating to the use of property for fair purposes by counties and district agricultural associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 7, 1949, strike out "Section", and insert "Sections 86.1 and".

Amendment No. 2

In line 3 of the title of said bill, following "to", insert "the powers of district agricultural associations and to".

Amendment No. 3

On page 1, line 12, of said bill, strike out "private indi-", and insert "any person or public body"

Amendment No. 4

On page 1, line 13, of said bill, strike out "viduals or associations".

Amendment No. 5

On page 2, line 1, of said bill, strike out "the holding of", and insert "purposes beneficial to the agricultural industry, including but not limited to the holding of sales or auctions of cattle or other livestock"

Amendment No. 6

On page 2 of said bill, strike out lines 2 and 3.

Amendment No. 7

On page 2 of said bill, between lines 9 and 10, insert

"SEC. 2. Section 86.1 is added to said code, to read:

86.1. A district agricultural association may pay membership fees, join, and participate in affairs of associations having for their purpose the interchange of information relating to livestock, poultry and other agricultural animals and products,

the conduct and management of fairs, the conducting of horse racing meetings and similar associations dealing with subjects related to powers and duties of the district agricultural association."

Amendment No. 8

On page 2, line 10, of said bill, strike out "2", and insert "3".

Amendment No. 9

On page 2, line 32, of said bill, strike out "3", and insert "4".

Amendment No. 10

On page 3, line 4, of said bill, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 928—An act to amend Section 737x of the Political Code, relating to salaries of Superior Court Judges in the County of Merced.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 737*t* and".

Amendment No. 2

In line 2 of the title of said bill, strike out "County of Merced", and insert "Counties of Madera and Merced".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, before line 1, insert

"SECTION 1. Section 737*t* of the Political Code is amended to read:

737*t*. The annual salary of the Judge of the Superior Court in and for the County of Madera is [eight thousand seven hundred fifty dollars ($8,750)] *ten thousand dollars ($10,000).*"

Amendment No. 4

On page 1, line 1, of said bill, strike out "SECTION 1", and insert "SEC. 2".

Amendment No. 5

On page 1, line 5, of said bill, strike out "_____($_____)", and insert "ten thousand dollars ($10,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1657—An act to add Article 7.5, comprising Section 770, to Chapter 2 of Part 1 of Division 2 of the Welfare and Institutions Code, relating to the protection of minors, authorizing peace officers to take minors into temporary custody under circumstances specified therein, providing for the detention of such minors, requiring notice thereof to be given to the parents or guardians of such minors, and prescribing the procedures to be followed in bringing minors before the juvenile court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Article 7.5, comprising Section 770, to Chapter 2 of Part 1 of Division 2 of", and insert "Section 729.5 to".

Amendment No. 2

In line 3 of the title of said bill, strike out ", authorizing", and insert a period.

Amendment No. 3

Strike out lines 4 to 9, inclusive, of the title of said bill.

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 729.5 is added to the Welfare and Institutions Code, to read:

729.5. Whenever a minor under the age of 18 years is taken into custody by any peace officer or probation officer, such minor shall be forthwith released unless within 48 hours, excluding Sundays and nonjudicial days, a petition in accordance with subdivision (a) of Section 720 concerning him is filed with the clerk of the superior court or a criminal complaint against him is filed in a court of competent jurisdiction.

If the minor is not released, within 24 hours, excluding Sundays and nonjudicial days, after the filing of the petition, the judge of the juvenile court shall conduct a hearing for the purpose of determining the reasons for and the necessity of the detention of the minor."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 19, inclusive, and on page 2, strike out lines 1 to 20, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2691—An act to add Section 736c to the Political Code, relating to salaries of judges of the superior courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "eighth", and insert "fourth".

Amendment No. 2

On page 1, line 5, of said bill, strike out "ninth to twenty-seventh", and insert "fifth to twenty-third".

Amendment No. 3

On page 1, line 8, of said bill, strike out "twenty-eighth", and insert "twenty-fourth".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 3036—An act to add Section 1245.2 to the Code of Civil Procedure, relating to actions to determine title to property appearing upon the recorded maps as a "square" or other open space.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "or other lesser estate therein or easement thereunder", and insert ", easement or other estate therein".

Amendment No. 2

On page 1 of the printed bill, commencing in line 14, strike out "and against the inhabitants of the city in which the land is located".

Amendment No. 3

On page 1, line 16, of the printed bill, following "California", insert "and the people thereof".

Amendment No. 4

On page 1, line 21, of the printed bill, following the period, insert "In any such action the Attorney General shall represent the State of California in its sovereign and in its proprietary capacity and also the people of the State of California as the beneficiaries of any trust under which said land is, or is alleged to be, held."

Amendment No. 5

On page 1, line 21, of the printed bill, strike out "In any such".

Amendment No. 6

On page 1 of the printed bill, strike out lines 22 to 26, inclusive.

Amendment No. 7

On page 2 of the printed bill, strike out line 1.

Amendment No. 8

On page 2, line 2, of the printed bill, strike out "dents and inhabitants of said city."

Amendment No. 9

On page 2 of the printed bill, commencing in line 4 thereof, strike out "and upon the inhabitants and residents of the city in which said land is located", and insert "and upon the county in which said land is located and the inhabitants thereof, if said county is made a party to said proceedings".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 3037—An act to add a new section to the Code of Civil Procedure, to be numbered 1245.1, relating to proceedings in eminent domain.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "as such", and insert "in that manner".

Amendment No. 2

On page 1, line 11, of the printed bill, strike out "known", and insert "dead or is believed by plaintiff".

Amendment No. 3

On page 1, line 25, of the printed bill, strike out "as such", and insert "in that manner, and if it is alleged that any such person is believed by plaintiff to be dead, such person may also be named as a defendant".

Amendment No. 4

On page 1 of the printed bill, commencing in line 25, strike out "In any such case a copy of the summons shall be posted on the property", and insert "If it appears to the satisfaction of the court by affidavit that after due diligence the plaintiff is unable to ascertain the identity and whereabouts of any person or persons sued as the heirs and devisees of a deceased claimant or one believed to be dead or the identity

and whereabouts of any person or persons sued as persons claiming by, through or under said deceased claimant or one believed to be dead or the identity and whereabouts of any person or persons sued as persons unknown claiming any title or interest in the property, the court may make its order directing that process be served upon such persons by posting a copy of the summons on the property within ten days after the making of the order and by publication of the same in some newspaper of general circulation published in the county in which the property is located and designated by the court as most likely to give notice to such persons once a week for four successive weeks."

Amendment No. 5

On page 2 of the printed bill, strike out lines 1 to 7, inclusive.

Amendment No. 6

On page 2, line 9, of the printed bill, strike out "known", and insert "whom it is alleged is dead or believed by plaintiff".

Amendment No. 7

On page 2, line 11, of the printed bill, after "unless", insert "such person".

Amendment No. 8

On page 2, line 19, of the printed bill, following the period, insert "Any person claiming any title or interest of any character in or to said property, whether legal or equitable, may appear in said action."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 3038—An act to add Section 1244.5 to the Code of Civil Procedure, relating to eminent domain proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to authorize cities and counties to use public squares for the erection of public buildings and to add Article 8, comprising Sections 50530 to 50533, inclusive, to Chapter 2, Part 1, Division 1, Title 5 of the Government Code, relating to the use of public squares for the erection of public buildings."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Whenever there has heretofore been filed or recorded in the office of the county clerk or county recorder of any county a map or plat purporting to be the plat or map of a town, city or village showing thereon any area or open space designated on said map as a "square" or by other similar designation and no other words or insignia appear on said map or in the office of the county recorder of said county showing the purposes for which the same may have been dedicated and said map has been on file or on record for more than fifty years, the city in which the same is located or, if not located in a city, the county in which the same is located, after acquiring by purchase, condemnation or otherwise all outstanding titles, reversions, easements or other interests in or to said land, may erect thereon a city hall, county courthouse or other public building with appurtenances and any city in which the same may be located may grant or lease the same to the county in which the same is located for the erection thereon of a county courthouse or other public building if the governing body of the city or of the county, as the case may be, finds that the highest and best use to which the land can be put is that of erecting thereon the public building proposed The governing body of the city in which the land is located, if located in a city, otherwise the governing body of the county in which the land is located, shall first adopt a resolution declaring its intention to erect thereon the public building proposed or its intention, if such is the case, to grant or lease the land to the county for the erection thereon by the county of the public building proposed The resolution shall then be referred to the city planning commission or the county planning commission, as the case may be, for a report and recommendation thereon pursuant to Section 74 of the Conservation and Planning Act, which report and recommendation shall only be made after a public hearing held as provided in said section. Thereafter the governing board of the city or of the county, as the case may be, if it finds that the highest and

best use to which the land may be put is the erection thereon of the public building proposed, may provide by ordinance that said land may be used as a site for the public building proposed or, if located in a city and it is the intention of the city to grant or lease the same to the county, that it may be granted or leased to the county for the erection thereon by the county of the public building proposed

SEC. 2 Article 8, comprising Sections 50530 to 50533, inclusive, is added to Chapter 2, Part 1, Division 1, Title 5 of the Government Code, to read

Article 8. Public Buildings

50530. As used in this article, "public square" means any area or open space showing on a map or plat of a city, town, or village which has been filed or recorded in the office of the county clerk or county recorder of any county for more than fifty years and which is designated on the map or plat as a "square" or by other similar designation, and no other words or insigma appear on the map or plat or in the office of the county recorder showing the purposes for which the square was dedicated

50531. Pursuant to this article, after acquiring by purchase, condemnation, or otherwise all outstanding titles, reversions, easements, or other interest in or to the public square, the city in which the public square is located, or if it is not located in a city, the county in which it is located, may erect upon the public square a city hall, county courthouse, or other public building with appurtenances or the city in which the public square is located may grant or lease it to the county in which the city is located for the erection thereon of a county courthouse or other public building.

50532. The legislative body of the local agency in which the land is located shall first adopt a resolution declaring its intention to erect a public building on the public square or the legislative body of the city shall adopt a resolution declaring its intention to grant or lease the land to the county for the erection of a public building. The resolution shall be referred to the city or county planning commission, as the case may be, for a report and recommendation thereon pursuant to Section 74 of the Conservation and Planning Act. The report and recommendation shall be made only after a public hearing held pursuant to Section 74.

50533. If the legislative body of the local agency in which the public square is located finds that the highest and best use to which the land may be put is the erection thereon of the proposed public building, it may provide by ordinance that the public square may be used as a site for the proposed public building or, if located in a city and it is the intention of the city to grant or lease the public square to the county, that it may be granted or leased to the county for the erection hereon by the county of the proposed public building.

SEC. 3. Section 2 of this act becomes operative only if Title 5 of the Government Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Title 5 takes effect; at which time Section 1 of this act is repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 28, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2668—An act to add Sections 24002a, 26510, and 26511 to the Government Code, and to repeal any statute or part thereof in conflict with these sections, relating to qualifications and salaries of district attorneys, and providing for payment thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "and in all", and insert "excepting therefrom those counties wherein district attorneys are allowed to engage in the private practice of the law and in all other'.

Amendment No. 2

On page 1, line 14, of said bill, strike out "and all", and insert "excepting therefrom those counties wherein district attorneys are allowed to engage in the private practice of the law and in all other".

Amendment No. 3

On page 1, line 16, of said bill, strike out "90 percent of".

Amendment No. 4

On page 2, line 11, of said bill, strike out "ninety percent (90%) of".

Amendment No. 5

On page 2 of said bill, strike out lines 13 to 17, inclusive, and insert "vided, however, no contribution shall be made where the salary fixed by the board of supervisors exceeds the salary paid the judge or judges of the superior".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1951—An act to amend Section 461 of the Fish and Game Code, relating to fishing and hunting contests.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, after "inducement", insert "exceeding a value of twenty-five dollars ($25.)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 2015—An act to repeal Sections 860, 861, 865, 879, 880, 881, 882, 903, 949, 950.5, and 955 of, and to add Section 860 to, the Fish and Game Code, relating to the use and possession of nets, traps, and other appliances for taking fish in the waters of San Francisco Bay and waters connected therewith or tributary or contributary thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 860, 865, 880, and 903 of, and to repeal Sections 861 and 881 of, the Fish and Game Code, relating to fish netting."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 through 21, and on page 2, strike out lines 1 through 12, and insert

"SECTION 1. Section 860 of the Fish and Game Code is amended to read:

860 In District 12B, *except that portion thereof consisting of the San Joaquin River upstream from Broad Slough* and all tributary and connected waters and the Sacramento River *above the confluence thereof with Broad Slough,* salmon may be taken with nets allowed to be used in said district, as follows:

(a) Between November 15th and June 15th.

(b) Between August 10th and sunrise on September 26th.

SEC. 2 Section 865 of said code is amended to read:

865. Unless otherwise provided, it is unlawful to use any net except a gill net or a trammel net to take shad Such nets may be used to take shad only as follows:

(1) They may be used in District 12B, [excluding all sloughs except Broad Slough] , *except that portion thereof consisting of the San Joaquin River upstream from Broad Slough and all tributary and connected waters and the Sacramento River above the confluence thereof with Broad Slough,* between March 15th and May 31st.

[(2) Until May 16, 1941, they may be used in District 12C, excluding all sloughs, between February 15th and May 15th.

(3)] *(2)* They may not be used between sunrise Saturday and sunset of the following Sunday.

SEC. 3. Section 880 of said code is amended to read:

880. In District 12B, *except that portion thereof consisting of the San Joaquin River upstream from Broad Slough and all tributary and connected waters and the Sacramento River above the confluence thereof with Broad Slough*, drift gill nets may be used, subject to the restrictions contained in this chapter, and the following restrictions:

(a) The cork line must not be submerged more than two fathoms below the surface of the water, the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length, and the points of attachment of said lines on the cork line must not be more than 10 fathoms apart.

(b) The meshes of any gill net must be at least seven and one-half inches in length, except that between March 15th and May 31st the meshes of such nets may be not less than five and one-half inches in length.

SEC. 4. Section 903 of said code is amended to read:

903. In District 12B, *except that portion thereof consisting of the San Joaquin River upstream from Broad Slough and all tributary and connected waters and the Sacramento River above the confluence thereof with Broad Slough*, and district 12C trammel nets may be used subject to the provisions of this chapter, and the following restrictions:

(a) The cork lines must not be submerged more than two fathoms below the surface of the water; the lines attaching the buoys or floats to the cork line must not be more than two fathoms in length; and the points of attachment of said lines on the cork line must not be more than ten fathoms apart.

(b) The meshes of any trammel net must be at least seven and one-half inches in length except that between February 15th and May 15th the meshes of such nets may be not less than five and one-half inches in length.

SEC. 5. Sections 861 and 881 of said code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 2361—An act to amend Section 843 of the Fish and Game Code, relating to nets.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "any", and insert "Except in Districts 6 and 7, any".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 107—An act to amend Section 2600 of the Elections Code, relating to primary elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 2600 of", and insert "add Section 2600.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 2600.5 is added to the Elections Code, to read:

2600.5. During such time as the direct primary is held on the first Tuesday in June in even-numbered years and regular sessions of the Legislature convene on the first day of March in even-numbered years, a candidate who is a State Senator or Member of the Assembly may file his declaration of candidacy and nomination papers may be circulated and filed on behalf of his candidacy not more than 119 nor less than 60 days prior to the direct primary."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1059—An act to add Section 4606 to the Labor Code, relating to workmen's compensation including medical treatment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "may", and insert "shall".

Amendment No. 2

On page 1, line 4, of said bill, strike out "if it determines that"; and strike out lines 5 and 6, and insert "provided that the employee has requested a change of physicians in accordance with Section 4601 and has notified, in writing, both the employer and the commission that he is dissatisfied with the treatment received from the physician or physicians tendered in accordance with Section 4601."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1560—An act to amend Sections 452 and 504 of the Health and Safety Code, relating to the duties of health officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 504", and insert ", 476, 504, and 936".

Amendment No. 2

In line 2 of the title of said bill, strike out "duties of health officers", and insert "regulation of public health".

Amendment No. 3

On page 1 of said bill, between lines 10 and 11, insert

"SEC. 2. Section 476 of the Health and Safety Code is amended to read:

476. When the governing body of a city in the county consents by resolution or ordinance, the county health officer shall enforce and observe in the city all of the following:

(a) Orders, quarantine *and other* regulations, and rules prescribed by the state department.

(b) Statutes relating to the public health."

Amendment No. 4

On page 1, line 11, of said bill, strike out "SEC. 2.", and insert "SEC. 3."

Amendment No. 5

On page 1 of said bill, after line 20, insert

"SEC. 4. Section 936 of the Health and Safety Code is amended to read:

936. A district may do any or all of the following:

(a) Have and use a corporate seal and alter it at pleasure.

(b) Sue and be sued in all actions and proceedings.

(c) Purchase, receive, have, take, hold, lease, use, and enjoy property of every kind and description, both within and without the limits of the district, and control, dispose of, convey, and encumber it and create a leasehold interest in it for the benefit of the district.

(d) Acquire, construct, maintain, and operate all works and equipment necessary for the inspection of water, milk, meat, and other foods.

(e) Acquire, construct, maintain, and operate all works and equipment necessary for the extermination of rodents.

(f) Acquire, construct, maintain, and operate all works and equipment necessary for the disposal of garbage and waste.

(g) Employ public health nurses and health visitors and cooperate with educational authorities in health inspection in public or private schools in the district.

(h) Exercise the right of eminent domain for the purpose of acquiring real or personal property of every kind necessary to the exercise of any of the powers of the district.

(i) Enforce all statutes relating to the public health and vital statistics, and all orders, quarantine *and other* regulations, and rules prescribed by the State Department of Public Health.

(j) Enforce such local orders and ordinances pertaining to health and sanitary matters within the district as may be authorized by the appropriate local authorities.

(k) Unite with any other local health district in the exercise of any of the powers granted to and vested in the district, the cost to be paid by each district in such proportion as may be agreed upon by the respective district boards.

(l) Exercise all other needful powers for the preservation of the health of the inhabitants of the district, whether the powers are expressly enumerated in this chapter or not.

The powers granted in this chapter shall be liberally construed for the purpose of securing the well-being of the inhabitants of the district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 206—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Bill read second time, and ordered to third reading.

Senate Bill No. 363—An act to add Section 460.6 to the Agricultural Code, relating to milk and milk products.

Bill read second time, and ordered to third reading.

Senate Bill No. 897—An act to amend Section 526 of the Agricultural Code, relating to milk products plant and packaging therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 80—An act to amend Sections 810, 828.35, and 829.25 of the Agricultural Code, relating to artichoke standards.

Bill read second time, and ordered to third reading.

Senate Bill No. 1275—An act to amend Section 441 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Bill read second time, and ordered to third reading.

Senate Bill No. 65—An act to amend an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, by adding Sections 48.1 to 48.9, inclusive, thereto, relating to the withdrawal of land from registry under the said act, said amendment to take effect

upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time, and ordered to third reading.

Senate Bill No. 32—An act to amend Section 7211 of the Business and Professions Code, relating to the Guide Dog Fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 1278—An act to add Section 3332 and to repeal Sections 3259, 3304, and 3304.5 of, the Welfare and Institutions Code, relating to institutions for the blind under the jurisdiction of the Department of Education.

Bill read second time, and ordered to third reading.

Senate Bill No. 215—An act to amend Section 1512 of the Elections Code, relating to voters' pamphlets.

Bill read second time, and ordered to third reading.

Senate Bill No. 216—An act to add Section 1509.5 to the Elections Code, relating to ballot pamphlets.

Bill read second time, and ordered to third reading.

Senate Bill No. 754—An act to amend Sections 9704 and 9705 of the Elections Code, relating to the general municipal election in cities of the fifth and sixth classes.

Bill read second time, and ordered to third reading.

Senate Bill No. 682—An act to amend Section 2559.5 and to add Sections 2559.6, 2600.5, and 2203 to the Health and Safety Code, relating to the control of tuberculosis and providing penalties for the violation thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 796—An act to add Section 125 to the Business and Professions Code, prohibiting certain practices by persons licensed under said code and providing penalties for violations thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1130—An act to renumber the heading of Division 15 of the Health and Safety Code, relating to venereal disease.

Bill read second time, and ordered to third reading.

Senate Bill No. 1162—An act to amend Section 1415 of the Health and Safety Code, and Sections 112 and 121 of the Welfare and Institutions Code, relating to licensing of hospitals.

Bill read second time, and ordered to third reading.

Senate Bill No. 1248—An act to amend Sections 11501 and 11519 of the Government Code, relating to administrative adjudication.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Senate on April 4, 1949, strike out "Institutions", and insert "Mental Hygiene".

Amendment No. 2

On page 2, line 25, of said bill, strike out "Division of Registration,".

Amendment No. 3

On page 2, line 35, of said bill, following "probationary", insert "or conditional".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 800—An act to add Section 162 to the Business and Professions Code, and to repeal Section 7080.1 of said code, and to amend Section 7080 of said code, relating to certificates of certain officers of boards within the Department of Professional and Vocational Standards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "and to amend Section 7080 of said code,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 13 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bills Nos. 1564, 1565, 1567, 2968, and 2193, on request of Mr. Lowrey.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1896 FROM COMMITTEE CONTINUED

Mr. McCollister asked for, and was granted, unanimous consent that the notice of motion, by Mr. Evans, to withdraw Assembly Bill No. 1896 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1015—An act to amend Section 92 of the Fish and Game Code, relating to District 22.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1015?

Amendment No. 1

On page 1, lines 18 and 19, of the printed bill, strike out "discharge a firearm within one-quarter", and insert "take legal game within one-eighth".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1015 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—51.

NOES—Cooke, Heisinger, and Lewis—3.

Assembly Bill No. 1015 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 843 ON UNFINISHED BUSINESS FILE

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 843, on the unfinished business file, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 843—An act to amend Sections 470 and 474 of the Agricultural Code, relating to milk and cream.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 843?

Amendment No. 1

On page 1 of the printed bill, as amended, strike out lines 9 and 10, and insert "or goat to 50 degrees Fahrenheit or less and maintained in transit at not to exceed the following temperatures upon arrival at the milk products plant, viz. 52 degrees Fahrenheit if transported by tanker, 60 degrees Fahrenheit if transported in cans; provided, however,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 843 by the following vote:

AYES—Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Waters, Way, Yorty, and Mr. Speaker—49.

NOES—Cooke, Cramer, Elliott, and Heisinger—4.

Assembly Bill No. 843 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 819—An act to add Section 17500.1 to the Business and Professions Code, relating to regulation of advertising.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Hahn, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—53.

NOES—George D. Collins, Condon, Heisinger, and Lewis—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1945 ON UNFINISHED BUSINESS FILE

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1945, on the unfinished business file, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1945—An act to amend Section 600 of the Agricultural Code, relating to scoring of butter.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1945?

Amendment No. 1

On page 1 of the printed bill, after line 4, insert

"The adoption, repeal or rescission of any regulation referred to in this section shall be in accordance with the provisions of Article 4, Chapter 4, Part 1, Division 3, Title 2 of the Government Code."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1945 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1945 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 321—An act to amend Section 28157 of the Government Code, relating to compensation for public services in counties of the fifty-seventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Critchton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin,

Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1099—An act to amend Section 13 of an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, as amended (Chapter 47, Statutes of 1944), relating to the submission of plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1118—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 691—An act to amend Section 5012.1 to the Public Resources Code, relating to public utility structures and easements across state park lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers,

Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 974—An act to add Section 755.2 to the Insurance Code, relating to life, disability and surety insurance and the payment of commissions thereon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.
NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 977—An act to amend Section 1690 of the Insurance Code, relating to the issuance of restricted licenses to transact insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 42—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read.

Motion to Amend

Mr. Clarke moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 24, of the printed measure, after "Charles M. Weber", insert ", Samuel William Yorty".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 392—An act to amend Sections 737.5 and 737.7 of the Agricultural Code, relating to marketing of fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—58.
NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 692—An act to amend Sections 4741, 4762, and 4788 of, add Section 4742.1 to, and to repeal Sections 4797 and 4798 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—62.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1082—An act to add Division 12 to the Water Code, thereby revising and consolidating the law relating to county water districts, including provisions for the supervision, regulation, and conduct of such districts, and to repeal certain acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 28

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 28, temporarily passed on file, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 28

Senate Joint Resolution No. 28—Relative to the construction of flood control works for the Lower Klamath and Tule Lake Federal Waterfowl Refuges.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1083—An act to add Section 30063 to the Water Code, relating to publication of notices in connection with county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10 36 a.m , Mr. Butters asked for, and was granted, unanimous consent that Mr. Rosenthal be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1084—An act to amend Section 30762 of the Water Code, relating to nominations of county water district directors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1085—An act to amend Sections 30295, 30364, 30700, 31406, and 31412 of the Water Code, relating to county water districts and their elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1086—An act to repeal Chapter 6, comprising Sections 30360 to 30365, inclusive, of Part 2 of Division 12, and to amend Sections 30291, 30292, 30294, 30295, and 30501 of the Water Code, relating to county water districts, their formation and elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1087—An act to amend Sections 30296, 30365, 30702, 31411, and 32696 of the Water Code, relating to county water districts and the canvass of election returns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1088—An act to amend Section 30061 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1089—An act to add Section 30706 to the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1090—An act to add Section 31793.5 to the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1091—An act to amend Sections 30701 and 30702 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1094—An act to repeal Sections 31303 and 31304 of, and to add Section 31303 to, the Water Code, relating to county water districts.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMil-

lan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.
NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On May 5, 1949, the Assembly requested the Senate to return Senate Bill No. 1094 to the Assembly for further consideration (Assembly Journal, page 2917). On May 6, 1949, the Senate returned the bill (Assembly Journal, page 2963)).

(On May 9, 1949, the above record was expunged, and the action rescinded, whereby the Assembly on this day, passed Senate Bill No. 1094. (Assembly Journal, page 3023.)).

Senate Bill No. 1095—An act to amend Sections 31701 and 31790 of the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 31

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 31, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 31

Senate Bill No. 31—An act to repeal Chapter 3, Part 2, Division 12, of the Health and Safety Code, and to add a new Article 9, Sections 9598 and 9607, both inclusive, to, and amend Section 9575 of Chapter 18, of, the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1379—An act to add Section 7.5 to an act entitled "An act to provide for the organization, government, powers and functions of flood control and flood water conservation districts," approved June 8, 1931, relating to eminent domain.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—65.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1280

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1280, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1280

Senate Bill No. 1280—An act to revise Article 2, Chapter 1, Division 5 of the Public Resources Code, by repealing Sections 5020, 5021, 5022, and 5023 of, and adding Sections 5020, 5021, 5022, and 5023 to, said code, to authorize the appointment of an Historical Landmarks Advisory Committee and defining the powers and duties of said committee, the State Park Commission and the Director of Natural Resources with reference to historical buildings and landmarks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.
NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 188 ON UNFINISHED BUSINESS FILE

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 188, on the unfinished business file, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 188—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 188?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended March 16, 1949, strike out "board", and insert "department".

Amendment No. 2

On page 1, line 6, of said bill, strike out "board", and insert "department".

Amendment No. 3

On page 1, line 7, of said bill, strike out "board", and insert "department".

Amendment No. 4

On page 1, lines 9 and 10, of said bill, strike out "educational institutions, approved by the board, which are located in".

Amendment No. 5

On page 1, line 11, of said bill, strike out "board", and insert "department".

Amendment No. 6

On page 1, line 14, of said bill, after the period, insert "The department may assist any eligible veteran who may apply for a short intensive post graduate or training or refresher course in any professional field where the purposes of such course are to prepare the veteran for a state examination which he must pass as a prerequisite to practice his profession in the State of California or where said course or courses will acquaint the veteran in professional techniques developed in private practice during the time that he was in the service."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 188 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 188 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 144—An act to amend Section 4433 of the Public Resources Code, relating to state payments to counties in lieu of taxes on land acquired for state forests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 550—An act to amend Section 28152 of the Government Code, relating to compensation for public services in counties of the fifty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—56.

NOES—Heisinger and Luckel—2

Bill ordered transmitted to the Senate.

Request for Unanimous Consent to Change Vote on Senate Bill No. 550

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to change his vote on Senate Bill No. 550, and that he be recorded as voting "Aye."

Senate Bill No. 552—An act to add Section 25562 to the Government Code, relating to county participation in centennial celebrations, declaring the urgency thereof and providing that this act shall take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanely, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.

NOES—Geddes and Levering—2

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.

NOES—Geddes and Levering—2

Bill ordered transmitted to the Senate.

Senate Bill No 855—An act to amend Section 28113 of the Government Code, relating to compensation for public service in counties of the thirteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Collier, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—57

NOES—Burkhalter, Heisinger, Levering, and Luckel—4.

Bill ordered transmitted to the Senate.

Senate Bill No. 268—An act to amend Section 4629 of the Education Code, relating to unified school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick Kirkwood Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT CHANGES IN PRINTED AMENDMENTS BE AUTHORIZED

Mr. Sherwin asked for, and was granted, unanimous consent that authorization be given that Amendment No. 4, of Senate Bill No. 33,

as adopted and printed on page 2404 of the Assembly Daily Journal for Wednesday, April 20, 1949, be changed to read, in the Corrected Journal, "lines 12 and 13" instead of "lines 11 and 12".

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 33—An act to add Section 11010 to the Government Code, relating to charges made by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Sherwin, Sillman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 38—An act to add Section 1062.5 to, and amend Section 11032 of, the Government Code, relating to absences of state officers and employees from the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 78—An act authorizing the State Director of Finance to sell, exchange, or otherwise dispose of certain state property located in San Mateo County, and dispose of the proceeds thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 780—An act to add Section 12425 to the Government Code, relating to duties of the Controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes,

Grant, Grunsky, Hagen, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 782—An act to amend Section 13924 of the Government Code, relating to the valuation of maintenance furnished to state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Conrad, Cramer, Crichton, Dickey, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1111—An act to amend Section 13145 of the Government Code, relative to retention of refunds by state agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cramer, Crichton, Dickey, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 382—An act to authorize the Director of Finance to convey all right, title and interest of the State of California in and to certain real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 567—An act to amend Section 12 and to repeal Section 13 of "An act to provide a unified program of construction, improvement, and equipment for state agencies, creating a State Public Works Board, and making an appropriation to carry out the provisions of this act," relating to reports of the State Public Works Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Randal F. Dickey Presiding

At 11.30 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

Senate Bill No. 371—An act to add Section 10953.95 to the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Conrad, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 861—An act to amend Section 1858.6 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 859—An act to amend Sections 736 and 12903.5 of the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 862—An act to amend Section 1020 of the Insurance Code, relating to insolvency and delinquency proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 736—An act to amend Sections 1195, 1196, and 1197 of the Military and Veterans Code, relating to officers of memorial districts and their election.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 467

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 467, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 467

Senate Bill No. 467—An act to amend Section 45.12 of the Unemployment Insurance Act, relating to the release or subordination of liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 61

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 61, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 61

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, providing for the establishment of special accounts for certain appropriations for expenses of the Legislature

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On April 25, 1949, the Assembly requested the Senate to return Senate Bill No. 61 to the Assembly for further consideration (Assembly Journal, page 2565). On April 26, 1949, the Senate returned the bill (Assembly Journal, page 2582)).

(On April 26, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, passed Senate Bill No. 61 (Assembly Journal, page 2585)).

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1484

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1484, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1484

Senate Bill No. 1484—An act to amend Sections 12440 and 16002 of the Government Code, relating to presentation of claims against the State and drawing warrants therefor

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 82

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 82, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 82

Senate Bill No. 82—An act authorizing the State Director of Finance to sell, exchange, or otherwise dispose of certain state property located in Stanislaus County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.49 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 704

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 704, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 704

Senate Bill No. 704—An act to add Part 6.5 to Division 11, and Article 2.5 to Chapter 3, Part 8, Division 11, of the Water Code, and to add Section 25803.5 to said code, relating to distribution districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent to Change Vote on Senate Bill No. 704

Mr. Heisinger asked for, and was granted, unanimous consent that he be permitted to change his vote on Senate Bill No. 704, and that he be recorded as voting "Aye."

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1283—An act to add Section 725 to the Insurance Code, relating to the regulation of interlocking directors of insurance companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Mr Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1860—An act to amend Sections 484, 488, and 488.5 of the Vehicle Code, relating to accident reports and defining their use.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1864—An act to add Section 717 to the Vehicle Code, relative to closing highways by peace officers in emergencies.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "dangerous articles,".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Kilpatrick, Lewis, Maloney, McCollister, McMillan, Meyers, Morris, Rumford, Thomas, Way, Yorty, and Mr. Speaker—35.

NOES—Butters, Collier, Fleury, Hahn, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Moss, Niehouse, Reagan, Silliman, Smith, Stanley, and Tomlinson—20.

Bill ordered reprinted, and re-engrossed.

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Assembly Journals for Monday, April 11, 1949; Tuesday, April 12, 1949; Wednesday, April 13, 1949; Thursday, April 14, 1949; and Friday, April 15, 1949, were approved as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 165

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 165, out of order, for purpose of amendment, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 165

By Messrs Geddes, Rosenthal, Burke, Ralph C. Dills, and Dunn:

House Resolution No. 165

Relating to adjournment in honor of Dr. Ralph W. Rice

WHEREAS, It has come to our attention that in September of 1948, Dr. Ralph W. Rice, esteemed and prominent member of the osteopathic profession, passed suddenly from this life; and

WHEREAS, The passing of this nationally known osteopath brings to our minds some of the details of the life which he devoted to the service of mankind.

Born in Magnolia, Iowa, he came early to California where he distinguished himself in elementary school in Hanford, became Student Body President and Valedictorian at Hanford High School, and maintained a high level of scholastic achievement at Pomona College and in the American School of Osteopathy.

The professional career of Dr. Rice was especially noteworthy for the many positions of trust and responsibility which his admiring fellow osteopaths conferred upon him. He occupied successively the offices of Trustee, Vice President, and President of the California Osteopathic Association and served on the executive committee of that body His recognition was not limited to the State of California for he was made a Trustee in the American Osteopathic Association, in the Academy of Applied Osteopathy, and in the College of Osteopathic Physicians and Surgeons at various times in his illustrious practice.

Dr Rice was also a valued member of many social and honorary groups His friends and associates honored him for his devotion to the osteopathic science, his sincerity, and his unflagging energy. His death came, to the sorrow of all, on September 13, 1948; therefore, be it

Resolved by the Assembly of the State of California That when we adjourn today we shall do so in honor of the memory of Dr. Ralph W. Rice; and be it further

Resolved, That the Chief Clerk is directed to send a copy of this resolution to the bereaved family of Dr Ralph W. Rice, The American Osteopathic Society, The California Osteopathic Society and The Los Angeles College of Osteopathic Physicians and Surgeons.

Resolution read.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

In the second "*Resolved*", in the second line following "Dr Ralph W Rice," strike out "The American Osteopathic Society, The California Osteopathic Society and The Los Angeles College of Osteopathic Physicians and Surgeons" and insert "The American Osteopathic Association, The California Osteopathic Association and The College of Osteopathic Physicians and Surgeons".

Amendment read, and adopted.

Consideration of House Resolution No. 165, as Amended

By Messrs. Geddes, Rosenthal, Burke, Ralph C. Dills, and Dunn:

House Resolution No. 165

Relating to adjournment in honor of Dr Ralph W Rice

WHEREAS, It has come to our attention that in September of 1948, Dr Ralph W Rice, esteemed and prominent member of the osteopathic profession, passed suddenly from this life; and

WHEREAS, The passing of this nationally-known osteopath brings to our minds some of the details of the life which he devoted to the service of mankind.

Born in Magnolia, Iowa, he came early to California where he distinguished himself in elementary school in Hanford, became Student Body President and Valedictorian at Hanford High School, and maintained a high level of scholastic achievement at Pomona College and in the American School of Osteopathy.

The professional career of Dr. Rice was especially noteworthy for the many positions of trust and responsibility which his admiring fellow osteopaths conferred upon him. He occupied successively the offices of Trustee, Vice President, and President of the California Osteopathic Association and served on the executive committee of that body His recognition was not limited to the State of California for he was made a Trustee in the American Osteopathic Association, in the Academy of Applied Osteopathy, and in the College of Osteopathic Physicians and Surgeons at various times in his illustrious practice.

Dr. Rice was also a valued member of many social and honorary groups. His friends and associates honored him for his devotion to the osteopathic science, his sincerity, and his unflagging energy. His death came, to the sorrow of all, on September 13, 1948; therefore, be it

Resolved by the Assembly of the State of California, That when we adjourn today, we shall do so in honor of the memory of Dr Ralph W. Rice; and be it further

Resolved, That the Chief Clerk is directed to send a copy of this resolution to the bereaved family of Dr. Ralph W. Rice, The American Osteopathic Association, The California Osteopathic Association, and the College of Osteopathic Physicians and Surgeons

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1943

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1943, out of order, as it has held its place on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1943

Assembly Bill No. 1943—An act to amend Sections 1, 4, 5, 8, 9, 12, 13, 24, 24.1, 25, 31, and 34.1, and to repeal Section 8.2 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1944

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1944, out of order, as it has held its place on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1944

Assembly Bill No. 1944—An act to amend Sections 2, 7, 8, 15, 16, 18.1, 19, and 24, and to repeal Section 7.2 of the Corporation Income Tax Act, relating to the levy and collection of taxes upon the income of corporations, associations, and Massachusetts or business trusts, and to provide that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF ABSENCE FROM ASSEMBLY

Immediately after answering the morning roll call, I was called to the Senate to attend to Assembly bills awaiting Senate action. I was detained in the Senate until noon which accounts for my absence from the Assembly during this time.

KATHRYN T. NIEHOUSE

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1867—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice, instruction and contests by members of the California Highway Patrol.

Bill read third time, and ordered passed on file.

Assembly Bill No. 2004—An act to add Section 642 to the Vehicle Code, relating to the mounting height of lamps and reflectors on vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2019—An act to amend Sections 139.51, 139.52, and 139.53 of the Vehicle Code, relating to members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—52.

NOES—Anderson, Butters, Caldecott, Elliott, Geddes, Lindsay, Lowrey, Silliman, and Mr. Speaker—9.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Sherwin:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to establish a Commission on Reorganization of the State Government, prescribing its powers and duties, and making an appropriation.

Respectfully submitted,

MARVIN SHERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Sherwin:

An act to establish a Commission on Reorganization of the State Government, prescribing its powers and duties, and making an appropriation.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3131: By Mr. Sherwin—An act to establish a Commission on Reorganization of the State Government, prescribing its powers and duties, and making an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products.

Respectfully submitted,

LAUGHLIN E. WATERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Waters:

An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3132: By Mr. Waters—An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 174

MR. SPEAKER: Your Committee on Rules respectfully begs to report that it has carefully considered the applications for the various positions and desires to submit the following resolution:

Resolved, That the following named persons be and they are hereby appointed to the positions hereinafter set forth as provided by law, with the compensation set opposite their respective names payable weekly, and the Controller is hereby directed to draw his warrants in favor of the respective persons in the said amounts and the Treasurer is hereby directed to pay the same:

Commencing April 18, 1949	*Per day*
Peter J. Gaffney, Page	$3 00
Edward M. Gaffney, Jr. Page	3 00

Resolved, That the above named persons be and they are hereby stricken from the roll upon completion of work on April 23, 1949.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 174, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke,

Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

By Messrs. Gaffney, Maloney, Geddes, Waters, Dunn, Brady, George D. Collins, McCarthy, Doyle, Berry, Meyers, and Crowley:

House Resolution No. 175

Congratulating the Irish people upon the establishment of the Republic of Ireland

WHEREAS, In the capital City of Dublin on Easter Monday 1916 a valiant band of Irishmen, under the leadership of Pearse, Connolly, de Valera and 13 other brave men, raised the Irish Tri-color over the post office and the independence of the Irish Republic was proclaimed; and

WHEREAS, Despite the crushing of the revolution and the execution of all the leaders, with the exception of the New York born son of an American citizen, Eamon de Valera; and

WHEREAS, A prolonged civil war ensued that culminated in the setting up of the Irish Free State and the latter Government of Eire, with only nominal political ties binding it to Britain after 780 years; and

WHEREAS, On Easter Monday 1949, 33 years after the Rising, the last vestige of political bonds with Britain were formally removed by a proclamation of the independence of the Republic of Ireland; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly congratulates the President, the Premier, the Parliament and the people of the Republic of Ireland on their natal day and rejoices with them in their newly attained freedom; and be it further

Resolved, That this Assembly wishes the people of the Republic of Ireland lasting peace, happiness and prosperity and hopes that some day the ancient boundaries of the "Island of Saints and Scholars" will know but one sovereignty in harmony with her one history and one tradition, and be it further

Resolved, That suitably prepared copies of this resolution be forwarded to the President of the Republic of Ireland, the United Irish Societies of San Francisco, and the Irish Freedom League of San Francisco and that this resolution be printed in the Assembly Journal.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Gaffney, Maloney, Berry, George D. Collins, Meyers, McCarthy, Brady, and Fletcher:

House Resolution No. 176

Relative to Frank MacDonald, late President of the San Francisco Building Trades Council

WHEREAS, The State of California has lost one of its most well known and able citizens in the death of Frank MacDonald, in San Francisco, California; and

WHEREAS, Frank MacDonald was born in Denver, Colorado, on September 22, 1880, came to San Francisco as a boy and there learned his trade and obtained an education study at night; and

WHEREAS, As business agent of Local 19, San Francisco Tile Layer Helpers' Union, and business representative of the San Francisco Building Trades Council, Frank MacDonald began the long career devoted to the interests of laboring men and women throughout the State, which led him to the presidency of the State Building Trades Council, a post he held at the time of his death on September 2, 1948; and

WHEREAS, Long recognized by those in organized labor as one of their most influential and able officials and spokesmen, he was also called upon to fill high public office from time to time, having been named State Labor Commissioner in 1933, and having been a member of the State Industrial Accident Commission, and one of the first Directors of the Golden Gate Bridge and Highway District; and

WHEREAS, The loss of Frank MacDonald is keenly felt and deeply regretted by all who knew him and by all in the ranks of organized labor; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the loss of Frank MacDonald to the labor movement and of his outstanding public service to the people of the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the State Building Trades Council, and to Mrs. Esther MacDonald, widow of Frank MacDonald, as an expression of the sympathy and esteem of the Members of this Assembly.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 71: By Mr. Smith—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1949.

Referred to Committee on Rules.

Assembly Joint Resolution No. 36: By Messrs. Caldecott, Kirkwood, Lowrey, Sherwin, and Silliman—Relative to securing funds from the Federal Security Agency to pay for an adequate annual audit of the Department of Employment.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 74

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 74, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 74

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Bill read third time.

Motion to Amend

Mr. Hinckley moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on April 19, 1949, after "Code", insert ", nor to any contract let by the Legislature".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1713 WAIVED

Mr. Hagen waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1713 was passed.

Assembly Bill No. 1713 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1825
Assembly Bill No. 2624

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 1825 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2624 ordered re-referred to Committee on Municipal and County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 123—An act to amend Section 4661 of the Labor Code, dealing with workmen's compensation;

Assembly Bill No. 159—An act to amend the title of Part 5, Division 2 of the Labor Code, relating to housing;

Assembly Bill No. 601—An act to add Sections 37.1 and 670.6 to, and to amend Section 141 of the Vehicle Code, relating to auxiliary dollies, the registration thereof, and brakes thereon;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 764—An act to amend Section 1944 of the Labor Code, relating to the employment of aliens;

Assembly Bill No. 842—An act to amend Section 500 of the Agricultural Code, relating to milk and milk products inspection;

Assembly Bill No. 844—An act to amend Sections 260, 260.2, and 261.4 of the Agricultural Code, relating to bovine brucellosis;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1949, at 12 m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 845—An act to amend Section 617 of the Agricultural Code, relating to cheese and cheese products;

Assembly Bill No. 846—An act to amend Section 681 of the Agricultural Code, relating to license for testers and pasteurizers;

Assembly Bill No. 901—An act to amend Sections 3854, 3856, and 3861 of, and to add Section 3863 to, the Labor Code, relating to attorney's fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1807—An act to add Section 104.65 to the Streets and Highways Code, relating to income from rental of properties acquired for highway purposes;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-first day of April, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2461
Assembly Bill No. 2540
Assembly Bill No. 2617
Assembly Bill No. 2618
Assembly Bill No. 2619
Assembly Bill No. 2650
Assembly Bill No. 2982

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 313
Assembly Bill No. 747

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 787
Assembly Bill No. 1455
Assembly Bill No. 1519
Assembly Bill No. 1626
Assembly Bill No. 2218

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 451
Assembly Bill No. 962
Assembly Bill No. 1627
Assembly Bill No. 1628
Assembly Bill No. 1653
Assembly Bill No. 2626
Assembly Bill No. 2915

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 451, 962, 1627, 1628, 1653, and 2915 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2626 ordered re-referred to Committee on Municipal and County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1824

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 1824 ordered re-referred to Committee on Finance and Insurance.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 47
Senate Bill No. 349
Senate Bill No. 1129
Senate Bill No. 1169
Senate Bill No. 1271

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 223

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 225
Assembly Bill No. 226

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 361
Assembly Bill No 2270
Assembly Bill No. 2900

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 360
Assembly Bill No. 366
Assembly Bill No. 369
Assembly Bill No. 929
Assembly Bill No. 978
Assembly Bill No. 979
Assembly Bill No. 980
Assembly Bill No. 981
Assembly Bill No. 1846

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 895

Has had the same under consideration, and reports the same back with the recommendation: Be referred to Committee on Judiciary.

STANLEY, Chairman

Above reported bill ordered referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 259

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 220
Senate Bill No. 1245

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman
By HINCKLEY, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 653
Assembly Bill No. 1304
Assembly Bill No. 1888
Assembly Bill No. 2414

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman
By HINCKLEY, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2269

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman
By HINCKLEY, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 531
Assembly Bill No. 2040
Assembly Bill No. 2062

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman
By HINCKLEY, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to were referred:

Assembly Bill No. 2715
Assembly Bill No. 2901

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman
By HINCKLEY, Vice Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 983

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman
By HINCKLEY, Vice Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 25

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 45

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Constitutional Amendment No. 6

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 26

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 542
Assembly Bill No. 573
Assembly Bill No. 3104

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 401
Assembly Bill No. 2104
Assembly Bill No. 2714

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 20, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1873
Assembly Bill No. 1874
Assembly Bill No. 2709

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1116
Assembly Bill No. 1117

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1918 Assembly Bill No. 2088
Assembly Bill No. 2020 Assembly Bill No. 2121

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 60 Senate Bill No. 1354
Senate Bill No. 598 Senate Bill No. 1355

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 972

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 67

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2122

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.15 p.m.—

Interim Committee on Tidelands and Related Problems, in Room 430.

At 3 p.m.—

Transportation and Commerce, in Room 432.
Public Morals.
Ways and Means.

Today Upon Adjournment—

Conservation, Planning, and Public Works, at desk of Mr. Weber.

Tonight, at 8 p.m.—

Industrial Relations.
Revenue and Taxation.
Civil Service and State Personnel.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Assemblyman J. W. Estes of Phoenix, Arizona.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs George Cowell of Hollywood and Isaac Kushner of Los Angeles.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Vernon Chamberlain, Barton Hengy, Don Hobbie, Bernard Richter, and Jack Conner of Oroville.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Goodwin, teacher of the Penryn School, and the following pupils: Paul Wong, Frances Ann Corral, Jean Sakawpe, Harvey Yoshizuka, Joan Rhoads, Mae Delle Jeter, Ruiko Tanimoto, Paul Nakashima, Susumu Yokota, Shiro Maeda, Robert Harrison, George Kostenko, Nellie Wong, Koji Watanabe, Joe Ramos, Takayuki Seo, Lily Yoshikawa, Amy Maeda, Chester Yamada, Donald Sasabuchi, Helen Rhoads, Ronald Johnson, Edward Horton, Shirley Temple, Marjorie Baker, Russel Baker, Akio Seo, Bobby McAllister, Norman Van Zandt, Clarence Sanderson, Buddy Spurgeon, Wayne Page, Eddie Duarte, Patty Smith, Norman Carr, Pete Bailey, and June Yoshikawa.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Ian Mensinger and Kennon Beard of Modesto, Abner Crowell of Turlock, C. A. Talbott and R. Layton of Keyes.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Iona Booth and C. P. Greerty of Martinez, and Miss Marjorie Griffiths of Richmond.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the California Manufacturers Association: Fred B. Ortman of Los Angeles, Edgar B. Jessup of Oakland, Dr. R. K. Cutter of Berkeley, T. T. Arden of Lynwood, Burton N. Arnds, Sr., of Los Angeles, James Mayer of Fresno, F. B. DeLong of San Francisco, William A. DeRidder of Los Angeles, F. O. Fernstrom of Pomona, W Keith McAffee of Redlands, K. T. Norris of Los Angeles, John Parker of San Francisco, L. D. Pratt of San Diego, and William B. Tyler and George A. Davidson of San Francisco.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to the members of St. Ives Law

Club of the University of San Francisco, including: Richard Gravelle, Roderick Martinelli, Edmond Ward, Lawrence Driscoll, Herb Brown, Murville Abelo, John Crocker, Gerald Carrerras, John Hale, Frank Vorsatz, James MacAdam, John Pollera, Frank Shaw, and Charles H. Roach.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to Archie Walters, Floyd Jolley, and Howard Stites of Burbank.

ADJOURNMENT

At 12.40 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, April 22, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED TENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, April 22, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal Spirit: May we open our eyes today to the vari-colored forms of beauty that adorn earth and sky.

The beauty in the luminous sunlight, in the silver mist of the morning and the starry night.

May we marvel at the symmetry of the trees, that lift their leafy arms to pray, and the common grass which seeks to hide the unlovely clay.

The loveliness of the flowers, of the cherry and orange blossoms, and of the flaming wild flowers that bedeck the road sides.

The white bridal wreath and sweet scented lily of the valley, the rainbow tints of the tulips and gorgeous roses which beautify many a family garden.

May the universal beauty of nature be reflected in our spirit and nobility of manner.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cramer, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Levering.

Mr. Reagan, on motion of Mr. Levering.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Connolly, on motion of Mr. Dolwig.

Mr. George D. Collins, on motion of Mr. Meyers.

Mr. Davis, on motion of Mr. Lipscomb.

Mr. Smith, on motion of Mr. Lipscomb.

MEMBERS EXCUSED

Mr. Clarke asked for, and was granted, unanimous consent that he be excused, beginning tomorrow, Saturday, and that he waive his per diem, for the purpose of attending to legislative business outside of the State of California, for a few days.

At 9.40 a.m., Mr. Erwin asked for, and was granted, unanimous consent that he and Messrs. Heisinger and Lowrey be excused for the balance of the legislative day, for the purpose of attending a meeting of the Wildlife Conservation Board in the Public Works Building, at this time.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following letter of transmittal was received, read, and ordered printed in the Journal:

Letter of Transmittal

January 1, 1949

To His Excellency, Earl Warren
Governor of California
and to the Members of the Legislature

The California Code Commission, created in 1929 to revise all the laws of the State (Government Code, Secs. 10300-10351), herewith submits this report of its transactions during the years 1947 and 1948.

GERALD H. HAGAR, Chairman
A. M. KIDD, Vice Chairman
WILLIAM G. HALE, Vice Chairman
WILLIAM W. CLARY
AGLER B. ELLIS
SAYRE MACNEIL
WILLIAM A. O'BRIEN
WILLIAM B. OWENS
THOMAS E. STANTON, JR.

Above mentioned report ordered filed with the Secretary of State.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

OFFICE OF THE PRESIDENT, MASSACHUSETTS SENATE
STATE HOUSE, BOSTON, April 18, 1949

Mr. Arthur A. Ohnimus
Chief Clerk, Assembly, California Legislature
State Capitol, Sacramento, California

DEAR SIR: This will acknowledge receipt of a copy of Assembly Joint Resolution No. 26 as adopted by the California Legislature on April 6, 1949.

I am enclosing for your information a copy of a resolution adopted by the Massachusetts General Court several years ago.

Sincerely yours,

CHESTER A. DOLAN, JR.
President of the Senate

Enclosure

Receipt of above mentioned resolution ordered noted in the Journal.

By the Chief Clerk:

A communication from Mrs. Clarence E. Bowell of Calistoga, relative to opposing passage of Assembly Bill No. 114, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 38

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1227
Assembly Bill No. 2207

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2711

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Conservation, Planning, and Public Works.

SHERWIN, Chairman

Above reported bill ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1364

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 667
Assembly Bill No. 3032

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 421
Assembly Bill No. 1284
Assembly Bill No. 2031
Assembly Bill No. 2843

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 150

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 596

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2080

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 444
Assembly Bill No. 528
Assembly Bill No. 934
Assembly Bill No. 935
Assembly Bill No. 937
Assembly Bill No. 938
Assembly Bill No. 1296
Assembly Bill No. 1938
Assembly Bill No. 1954
Assembly Bill No. 2090
Assembly Bill No. 2195
Assembly Bill No. 2555
Assembly Bill No. 2755

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2158

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2158 ordered re-referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 379
Assembly Bill No. 563
Assembly Bill No. 606
Assembly Bill No. 610
Assembly Bill No. 724
Assembly Bill No. 1349
Assembly Bill No. 1538
Assembly Bill No. 2141
Assembly Bill No. 2143
Assembly Bill No. 2144
Assembly Bill No. 2285
Assembly Bill No. 2422
Assembly Bill No. 2502
Assembly Bill No. 3094
Assembly Bill No. 3101

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 325
Assembly Bill No. 618
Assembly Bill No. 720

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 19, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1001

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1001—An act to amend Section 13252.1 of the Labor Code, relating to hours of labor for women.

Referred to Committee on Industrial Relations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 11
Senate Bill No. 956
Senate Bill No. 1132
Senate Bill No. 1133
Senate Bill No. 1172

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 11—An act to amend Sections 3041 and 3042 of the Business and Professions Code, relating to the practice of optometry.

Referred to Committee on Public Health.

Senate Bill No. 956—An act to repeal Section 2315 of, and to amend Sections 2321 and 2322 of, the Business and Professions Code, relating to reciprocity under the chapter on medicine and surgery.

Referred to Committee on Public Health.

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313 and to add Section 28340 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Referred to Committee on Public Health.

Senate Bill No. 1133—An act to repeal Sections 28214, 28231, and 28232 and to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation

Referred to Committee on Public Health.

Senate Bill No. 1172—An act to add Section 566 to the Vehicle Code, relating to skiing and tobogganing on or across state highways.

Referred to Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 360—An act amending Section 24005 of the Government Code, relating to vacations of county officers and employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 366—An act to amend Section 24260 of the Government Code, relating to office hours of county offices.

Bill read second time, and ordered engrossed.

Assembly Bill No. 369—An act to amend Section 31679 of the Government Code, relating to retirement allowances.

Bill read second time, and ordered engrossed.

Assembly Bill No. 929—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 978—An act to amend Section 34080 of the Government Code, relating to proceedings altering city organization.

Bill read second time, and ordered engrossed.

Assembly Bill No. 979—An act to repeal an act entitled "An act to provide for the incorporation of towns," approved April 19, 1856

(Chapter 133 of the Statutes of 1856), relating to the incorporation of towns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 980—An act to repeal Section 34610 of the Government Code, relating to the reorganization of cities of the sixth class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 981—An act to repeal Article 3, comprising Sections 35900 to 35914, inclusive, of Chapter 3, Part 2, Division 2, Title 4, of the Government Code, relating to consolidation of cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1846—An act to amend Section 4 of the Municipal Improvement Act of 1913, relating to improvement proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 653—An act to amend Section 10242 of the Government Code, relating to duties of the Legislative Counsel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1304—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1888—An act to amend Section 18712 of the Government Code, relating to reports of the Personnel Board.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2414—An act to add Section 8004.5 to the Government Code, relating to the Commission on Interstate Cooperation and members thereof.

Bill read second time, and ordered engrossed

Assembly Bill No. 1918—An act to add Section 13205 to the Education Code, relating to the maintenance of discipline in public schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2020—An act to repeal "An act to provide for the licensing, visitation and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto," approved May 31, 1943.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2088—An act to amend Section 20651 of the Education Code, relating to the California Polytechnic School.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2121—An act to amend Sections 3432 and 3462 of, and to add Sections 3432 1, 3432 2, 3432.3, 3462.1, 3462.2, and 3462.3 to, the Education Code, all relating to the formation of high school districts.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Babbage asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 361—An act adding Sections 31681 and 31738 to the Government Code, relating to retirement allowances.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 4, of the printed bill, after the comma, insert "to a beneficiary who retired prior to September 20, 1947,".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "exist at the time such payment is made, regardless of the retirement date.", and insert "existed on September 20, 1947."

Amendment No. 3

On page 1, line 10, of said bill, after the comma, insert "to a beneficiary who retired prior to September 20, 1947,".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "exist at the time such payment is made, regardless of the retirement date.", and insert "existed on September 20, 1947."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2270—An act to amend Section 862 27 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, after "1883," insert "and to amend Section 37113 of the Government Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 7, insert

"SEC. 2. Section 37113 of the Government Code is amended to read:

37113. In addition to other powers, a legislative body may perform all acts [necessary or proper to carry out the provisions of this title] *and exercise any and all*

other powers deemed necessary, convenient, or desirable by it and relating to local or municipal affairs.

SEC. 3. Section 2 of this act becomes operative only if Title 4 of the Government Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Title 4 takes effect; at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2900—An act to amend Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "six thousand six hundred dollars ($6,600)", and insert "six thousand nine hundred dollars ($6,900)".

Amendment No. 2

On page 1, lines 16 and 17, of said bill, strike out "four thousand two hundred fifty dollars ($4,250)", and insert "four thousand two hundred dollars ($4,200)".

Amendment No. 3

On page 1 of said bill, strike out lines 28 and 29.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 225—An act to amend Section 28145 of the Government Code, relating to compensation for public service in counties of the forty-fifth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on January 24, 1949, strike out lines 6 and 7, and insert

"(a) The auditor, eight hundred dollars ($800) a year."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 226—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 8, 1949, strike out lines 17 and 18.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 531—An act to amend Section 18006 of the Government Code, relating to moving expenses of state officers, agents and employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the printed bill, after "expenses", insert "not to exceed four hundred dollars ($400)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2040—An act to amend Sections 18802 and 18804 of the Government Code, relating to the reclassification of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, insert a comma after "alter".

Amendment No. 2

On page 1, line 5, of the printed bill, after the period, strike out "When classes are divided or combined", and insert "When such actions are taken".

Amendment No. 3

On page 1 of the printed bill, strike out lines 6 to 11, inclusive, and insert "*the board shall determine in each instance whether positions affected are to be reallocated to another class or classes after taking into account the duties and responsibilities, qualifications, performance standards, and other related criteria before and after the change and shall determine the status of the probationary and permanent employees affected.*"

Amendment No. 4

On page 1, line 19, of the printed bill, after "reallocated.", insert "In such event his salary shall be reduced to not less than the maximum prescribed for the class to which his position is reclassified or reallocated. In addition he is eligible for transfer to a vacant position in the class to which his position formerly was allocated, if this class is retained or in a comparable class if it is not retained. If no such position is vacant his name shall be placed on the departmental, general and subdivisional reemployment lists for the class to which his position formerly was allocated, if this class is retained or for a comparable class if it is not retained."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2062—An act to amend Section 226 of the Labor Code, relating to wage deduction statements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "amend Section 226 of the Labor Code", and insert "add Section 18002.5 to the Government Code".

Amendment No. 2

On page 1, line 1, of the printed bill, after "Section", strike out "226 of the Labor Code is amended", and insert "18002.5 is added to the Government Code".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 10, inclusive, and insert "18002.5. Each state agency shall at the time of each payment of salary or wages furnish each employee an itemized statement in writing showing all deductions made from such salary or wages."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 972—An act to add Sections 3822.1 and 3822.2 to the Education Code, relating to the inclusion of certain elementary school districts in high school districts or in unified districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on April 1, 1949, strike out "established under this chapter", and insert "to which an elementary school district has been annexed under this article".

Amendment No. 2

On page 2, line 26, of said bill, after "school", insert "in the elementary school district".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 728—An act to add Section 4652 to the Elections Code, relating to campaign expenditures for a candidate without authorization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 8, 1949, strike out "require written authorization", and insert "apply to".

Amendment No. 2

On page 1, line 9, of said bill, strike out "from".

Amendment No. 3

On page 1, line 9, of said bill, strike out "before contributions may be made to such", and insert a period.

Amendment No. 4

On page 1 of said bill, strike out lines 10 and 11.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 2174—An act to add Section 6a to the Metropolitan Water District Act, relating to water districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "Provided, however, that", and insert "Notwithstanding any other provisions of this act".

Amendment No. 2

On page 1, line 5, of the printed bill, after "individually", insert "and personally".

Amendment No. 3

On page 1, line 7, of the printed bill, after "district", insert "and a majority vote of the representatives entitled to vote shall determine whether or not the application for annexation or inclusion shall be granted".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 401—An act relating to local water and power projects, authorizing and providing for the acquisition, construction, and operation of water projects, power projects, or water and power projects by counties or groups of counties, providing for the financing of such projects, including provision for the issuance of bonds payable from the revenues derived from the sale and distribution of water, power, or water and power, authorizing the creation of local water project authorities, prescribing their powers and duties and the powers and duties of boards of supervisors in connection with such projects and authorities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, after "Act", insert "to amend Section 25690 of the Government Code,".

Amendment No. 2

In line 1 of the title of said bill, strike out ", authorizing", and strike out lines 2 to 11, inclusive, of the title, and insert a period.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 25690 of the Government Code is amended to read:

25690. The board of supervisors may acquire, develop, distribute, and sell water [to the county and its inhabitants] for domestic, irrigation, agricultural, *power development* and other beneficial uses."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2104—An act to add Sections 1416, 1417, and 1418 to the Water Code, relating to permits to appropriate water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out the title, and insert

"An act to add Sections 1410.5 and 1675.5 to the Water Code, relating to permits and licenses to appropriate water."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27; and on page 2, strike out lines 1 to 20, and insert

"SECTION 1. Section 1410.5 is added to the Water Code, to read:

1410.5. When a state agency as defined in Section 11102 of this code is the holder of a permit issued pursuant to this chapter, in addition to the written notice required by Section 1410, the notice of the hearing shall be published not less than once a week for three consecutive weeks in a newspaper having a general circulation and published within the county where, according to the latest information furnished the department by the state agency, the office of the state agency is located, or in case there is no newspaper published within such county such publication shall be made in a newspaper having a general circulation within such county. Proof of publication shall be made as provided in Section 1316 of this code."

"SEC. 2. Section 1675.5 is hereby added to the Water Code, to read:

1675.5. When a state agency as defined in Section 11102 of this code is the holder of a license issued pursuant to this chapter, in lieu of the notice required by Section 1675, the notice of the hearing shall be furnished in writing to said state agency at its address according to the latest information furnished the department by the state agency, and shall be published not less than once a week for three consecutive weeks in a newspaper having a general circulation and published within the county where, according to the latest information furnished the department by the state agency, the office of the state agency is located, or in case there is no newspaper published within such county such publication shall be made in a newspaper having a general circulation within such county. Proof of publication shall be made as provided in Section 1316 of this code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2714—An act to amend Section 100.1 of the Streets and Highways Code, relating to freeways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, strike out line 1 of the title, and insert "An act to add Section 146 to the Streets and Highways".

Amendment No. 2

On page 1, line 2, of the title of said bill, after "to", insert "planning of service roads as parts of".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert "SECTION 1. Section 146 is added to the Streets and Highways Code, to read: 146. Within a period of _____ years after the effective date of this section, service roads shall be planned as a part of every state freeway except when the California Highway Commission finds that the topography on a particular section of freeway would render such service road unnecessary, and except when in a highly developed urban area such commission finds that there are adequate alternate routes to service roads. When acquired and constructed such service roads shall be a part of the state highway. The provisions of Article 4 of Chapter 3 of Division 1 of this code restricting the use of property within the lines of mapped state highways shall be applicable to service roads upon the filing of a precised plan showing such service roads as a part of the right of way of such highways."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 542—An act to establish a Capital Planning Commission, prescribing its organization, powers and duties, transferring to the commission certain functions of the Department of Finance, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 1, 1949, strike out ", and making an appropriation".

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 5, inclusive.

Amendment No. 3

On page 2, line 6, of said bill, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 4

On page 2, line 8, of said bill, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 5

On page 2, line 10, of said bill, strike out "SEC. 7.", and insert "SEC. 6."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 573—An act to repeal Division 9 of and to add Division 9 to the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, establishing county soil conservation district boundary committees and prescribing their functions, and regulating the organization,

operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2 of the printed bill as amended in the Assembly on April 15, 1949, between lines 2 and 3, insert

"DIVISION 9 SOIL CONSERVATION

CHAPTER 1. GENERAL PROVISIONS

Article 1 Policy of State

9000 The Legislature hereby declares that the conservation of the soil is of fundamental importance to the prosperity and welfare of the people of this State. Severe pressure has been placed upon the state's soil resources in order to supply the basic food requirements of a greatly expanded population, and the productivity of agricultural, range and forest lands must be preserved and increased if the present standard of living is to be maintained under continuing population increases Special effort must be made to speed up the present program of soil and water conservation in order to provide for permanent productive use of all remaining resources. To promote such effort, the Legislature believes that the State must assume leadership in formulating and putting into effect a state-wide program of soil and water conservation and hereby declares that the provisions of this division of this code are enacted to accomplish the following purposes:

(a) To provide a means by which the State may cooperate with the United States and with soil conservation districts organized pursuant to this division in securing the adoption in this State of farm, range, and woodland practices and land use best adapted to save the soil resources of the State from unreasonable and economically preventable waste

(b) To provide for the organization and operation of soil conservation districts comprising such nonurban lands of the State, and such urban areas deemed necessary as hereinafter provided, for the purposes of soil and water conservation, including the improvement of farm irrigation and land drainage, and to provide means for conserving and supplying water for district lands Such districts, in addition to their other powers, shall have legal authority:

(1) To cooperate with the United States, this State, counties, public districts, other soil conservation districts, persons, associations, and corporations in matters relating to the control of run-off and to soil conservation through the prevention and control of soil erosion.

(2) With the consent of the owner, to construct on privately or publicly owned lands necessary works for the control of run-off and the prevention and control of soil erosion.

9001 It is hereby declared as a matter of legislative determination:

(a) That the construction and maintenance on privately or publicly owned land of works for the control of run-off and the prevention and control of soil erosion caused by the action of water or wind or otherwise is in the general public interest and for the general public benefit.

(b) That the expenditure of state, county, district or other public funds for the construction or maintenance of such control or preventive works on privately or publicly owned land constitutes expenditure for the general public benefit

Article 2 Definitions

9010 As used in this division the following terms have the meanings attributed to them in this article, unless the context otherwise requires.

9011 "Commission" means the State Soil Conservation Commission.

9012 "District" means a soil conservation district

9013. "Public district" means a district established under the law of this State, other than a soil conservation district.

9014 "Directors" means the board of directors of a district, and when powers are conferred or duties are imposed upon directors in this division the powers shall be exercised and the duties performed by the directors acting as a body and not as individuals

9015 "Board" means the county board of supervisors

9016 "Principal county" means the county of which the board of supervisors has jurisdiction over the proceedings on organization of a district, and is the county in which the land described in the petition for organization of a district is situated, or, if the land is in more than one county, the county in which the greatest portion of the area of the land described in the petition is situated The principal county remains the same regardless of any change in boundaries.

9017. "Landowner" or "owner of land" means the person having legal title to the land in question. The person to whom the land is assessed for county taxes is presumed to be the owner of the land, in the absence of a showing to the contrary. The owner of an undivided interest in land is a landowner as to such proportion of the parcel as his interest bears to the whole

9018. "Land occupant" or "occupant of land" means a person in possession of land within a district whether as owner, lessee, tenant, or otherwise. A person legally entitled to possession of land is a land occupant as to that land whether in actual possession or not. A person in actual possession of land is a land occupant regardless of his right of possession.

9019. "Elector" means a registered and qualified elector of the county who resides in the district.

9020. "Voter" means a person entitled to vote at an election held pursuant to this division.

9021. "Proxy" means a written authorization to vote or sign a petition. Landowners only may vote or sign petitions under this division by proxy. The proxy of an individual landowner shall be acknowledged by him The proxy of a corporation shall contain a statement by the secretary or manager of the corporation that the proxy was authorized by the corporation A corporation owning land may vote or sign a petition only by proxy.

9023. "Person" includes person, association, or corporation.

9024. "Assessment roll" means the entire assessment roll upon the basis of which real property is taxed for county purposes

9025. "Assessment records" includes the assessment roll and all maps and other records relating to the assessment, levy, and collection of taxes, whether in the custody of the assessor or not.

9026. "Assessor" means the assessing officer of a county, by whatever title he may be known.

CHAPTER 2 THE STATE SOIL CONSERVATION COMMISSION

Article 1 Organization

9030. There is in the Department of Natural Resources the State Soil Conservation Commission. It shall consist of five members. The State Engineer, the Director of Agriculture Extension of the University of California, serving ex officio, and three members who shall be appointed by the Governor, subject to the confirmation of the Senate, and shall be appointed for a term of four years. The commission shall be responsible to the Director of Natural Resources for the proper carrying out of its functions under this division

9031. The other three members to be appointed shall be directors and in making such appointments, the Governor shall provide for equal representation from the northern, central and southern portions of the State.

9032. Within 30 days after his appointment the appointed member shall take and file his oath of office as member of the commission.

9033. The members of the commission shall receive no compensation for their services as such members but each shall be allowed reasonable and necessary expenses incurred in attendance at meeting of the commission or when otherwise engaged in the work of the commission at its direction.

9034. Three members of the commission shall constitute a quorum for any purpose, including organization.

9035. The commission shall elect a chairman from their number who shall serve as chairman for one year and until his successor is elected.

9036. The commission shall appoint a secretary. The secretary shall be a paid employee of the commission The secretary shall be allowed his reasonable and necessary expenses incurred in the performance of his official duties as such secretary.

9037. The official headquarters of the commission shall be at Berkeley, California.

Article 2 Powers and Duties

9040. The State Soil Conservation Commission is the state agency charged with carrying out the purposes and policy of this division.

9041. The commission shall assist in the formation, organization and operation of soil conservation districts, and shall prepare a state-wide soil conservation plan, which shall include suggested future soil conservation district boundaries, including changes in present district boundaries, for each county, based on physical land and water factors, practicability and feasibility. This district boundary phase of the plan shall be prepared as soon as possible and shall be developed cooperatively with the county boundary commissions, if such exist, or if no such commissions exist, with the county board of supervisors, and when completed shall be used by the commission and boards of supervisors as a guide in considering petitions for soil conservation district organization, but shall not be held binding in determining the final boundaries of any soil conservation district

9042. It may investigate any proposed new soil conservation district or addition of land to a district and report its findings and conclusions to the proponents of such district, or to the county boundary commission or if none exists to the board of supervisors with which a petition for the formation of a district is filed.

9043. It may advise with organized soil conservation districts as to plans and proposals relating to soil conservation activities, and, when such plans or proposals are presented to it, approve, disapprove, or suggest modifications of such plans or proposals.

9044. It may cooperate with the United States, any soil conservation district, county, public district, or person in the furtherance of the purposes of this division, and to that end may receive and use contributions of funds or services or both for the investigating of, or planning works for, the control of run-off or the control or prevention of soil erosion.

9045. In so far as consistent with the duties, obligations, and responsibilities of other public agencies, the commission may promote coordination of the activities of such agencies in furtherance of the control of run-off and the prevention and control of soil erosion.

9046. The commission may employ such clerical, technical, or other assistants as it deems necessary.

Article 3. Funds and Expenditures

9050. The commission may receive contributions from the United States, public districts, soil conservation districts, counties, public agencies, or persons and may use such contributions for the purposes for which they are made.

9051. The commission is authorized on behalf of the State to accept grants from the United States for the control of run-off and the prevention or control of soil erosion and to administer such grants pursuant to the terms thereof.

9052. Any county may contribute money of the county to the commission.

9053. All money contributed to the commission shall be paid into the State Treasury to the credit of the Soil Conservation Commission Fund, which fund is hereby created. Such money shall be paid out upon the order of the chairman and secretary of the commission.

CHAPTER 3. SOIL CONSERVATION DISTRICTS

Article 1. Lands Included

9060. Any proposal for the formation of a new district, or a change in the boundaries of an existing district shall be submitted to the county boundary commission, or if none exists, to the board of supervisors of the county in which such proposal originates.

9061. In the event the proposed district boundaries differ materially from those suggested in Section 9041, the county boundary commission, or if none exists, the board of supervisors, shall request the commission to investigate the proposal, particularly with reference to the location of boundaries and the practicability and feasibility for effecting a soil and water conservation program within the provisions of this division.

9062. The commission shall make the requested investigation and report thereon as soon as practicable. The commission may coordinate such information as may be available from federal, state, and local agencies, make surveys, conduct hearings, and utilize any other means to determine the practicability and feasibility of a soil conservation district in the area.

9063. Upon submission of the commission's report, the county boundary commission, or if none exists, the board of supervisors, shall proceed with respect to time, and actions taken, as though said report were the proposal, in accordance with the procedure for county boundary commissions. Upon submission of the commission's report, the county boundary commission, or if none exists, the board of supervisors shall consider the matter and shall hold a public hearing with respect thereto if one is requested or if, in the discretion of the chairman or of a majority of the members of the county boundary commission, or if none exists, of the board of supervisors, a hearing would be in the public interest.

9064. Upon consideration of such a proposal, the county boundary commission, or if none exists, the board of supervisors, shall compare the proposed boundaries of the district with those of other districts within the county and shall ascertain the extent to which overlapping or conflicting boundaries may result from the proposal, as well as other factors that the county boundary commission, or if none exists, the board of supervisors, may regard inimical to the public interest.

9065. Within 30 days after the submission of the report of the commission on such proposal, the county boundary commission, or if none exists, the board of supervisors, shall make its report and recommendation with respect thereto. This report shall include the report of the commission and such other reports or testimony and exhibits presented, and shall be filed with the clerk of the board of supervisors, and copies furnished to the proponents and to the commission. On proposals relating to additions of land to existing districts, this report shall also be filed with the secretary of the district.

9066. Following receipt of this report, the proponents shall give consideration to the recommendations of the county boundary commission, or if none exists, the board of supervisors, modifying the proposal accordingly if they are so advised. In the event that the recommendations of the county boundary commission, or if none

exists, the board of supervisors, are not accepted, the proponents must file a statement of reasons for not doing so with the board of supervisors and furnish a copy thereof to the county boundary commission and to the commission. Thereafter, but not prior thereto, the circulation of the proposal may be made.

9067. The lands included in any one district need not be contiguous but they shall be susceptible of the same general plan or system for the control of runoff or the prevention or control of soil erosion. No lands may be included in more than one district.

9068. The lands included in any one district may be situated in one or more counties.

9069. The lands included in a district may be publicly owned or privately owned.

Article 2. Petition

9070. A petition for the organization of a district shall be presented to the board of supervisors of the county in which is situated all or the greatest portion of the land in the proposed district.

9071 The petition shall describe the boundaries of the proposed district and shall propose a name for the district. The number of directors to be elected or appointed to govern the district shall be five (5).

9072. The petition shall be signed and valid by either of the following:

(a) Not less than one hundred landowners or 51 percent if there are less than two hundred landowners in the proposed area;

(b) If 51 percent of the total landowners within the proposed district sign the petition, and the board of supervisors finds it is in the public interest and welfare to form such a district, it shall, by an order entered on its minutes, declare that to be its finding, and shall further declare and order that the territory within the boundaries fixed by the board shall be organized as a district and declared duly formed. The order shall name the district and appoint the first board of directors; said board of directors shall then proceed to organize and shall be governed by all the rest of the provisions of this act.

9073. The petition shall state the approximate number of acres calculated to be in the proposed district and the approximate number of acres for which each signer signs as owner.

9074. The petition may be comprised of sections which shall be identical except as to signatures and acreages. Each paper in the petition which bears signatures shall have attached thereto an affidavit of a qualified elector that he saw written the signatures thereon and each was written by the person whose signature it purports to be.

9075. The proxies shall accompany the petition or appropriate section thereof.

9076. If a signer is other than the person to whom the land for which he purports to sign is assessed according to the assessment records of the county in which the land is situated, the petition or appropriate section shall be accompanied by a statement of the signer as to the source of his title

9077. The petition shall be presented to the clerk of the board of supervisors of the principal county.

9078. The clerk shall submit the petition and any accompanying papers to the assessor for examination. If the proposed district lies in more than one county the clerk shall submit appropriate sections to the assessors of the several counties, or submit the entire petition to the several assessors successively

9079. Upon receipt of the petition and any accompanying papers each assessor shall compare the names signed thereto with the names of landowners in the district according to the assessment records and evidence of title available to him.

9080. The assessor shall certify to the clerk of the principal county all of the following:

(a) The total acreage of the proposed district situated in his county.

(b) The total number of persons who are owners of lands in the proposed district and in his county according to the assessment records and to evidence of title available to him.

(c) The total number of acres in the proposed district in his county owned by the United States, this State, any public district, or any city or county

(d) The number of persons the names of whom are signed to the petition who are owners of land in the district and in his county

9081. Upon the completion of certification by the assessor or assessors the clerk shall present the petition to the board of supervisors of the principal county at its next regular meeting or at any special meeting called prior thereto.

9082. The board shall consider and pass upon the sufficiency of the petition. In considering the sufficiency of the petition the board shall establish the finding of fact that the petition is signed by the required number of landowners, and that the boundary as described in the petition conforms with the recommendations of the county boundary commission, or if none exists, the board of supervisors.

9083. If the boundary as described in the petition does not conform with the recommendations of the county boundary commission, or if none exists, the board of supervisors, the board shall defer action on the petition and request reconsideration

of the proposal by the county boundary commission, or if none exists, the board of supervisors, and report at its next regular meeting.

9084. If said report is not favorable to the formation of the district as described in the petition, the board shall deny the petition.

9085. No new proceeding for the formation of a soil conservation district shall be commenced within one year from the date of dismissal if any portion of the same land is included in the proposed district, unless the commission recommends that such subsequent proceeding be permitted

Article 3. Hearing

9100. If the petition is found to be sufficient, the board shall set a time and place for a public hearing on the petition.

9101. Notice of the time and place of hearing shall be given by publication in a newspaper of general circulation published in each of the counties in which some part of the proposed district is situated. The cost of publication of the notice shall be paid by the principal county and is a county charge.

9102. The published notice shall state that the petition has been received and will be heard at the time and place specified in the notice or at such time and place to which the hearing may be adjourned. The published notice shall set forth the petition in full with accompanying signatures; or it shall describe the petition and the location of the proposed district in general terms and refer to the petition on file with the clerk of the board for further particulars.

9103. The notice of the hearing shall be published at least once a week for two successive weeks in a newspaper of general circulation in the principal county and also in some newspaper of general circulation in each county in which a part of the proposed district lies.

9104. Following this hearing the board will make such final adjustments between district boundaries and changes in district names as are considered to be in the public's interest. As to those districts which include areas in adjoining counties, the final determination of boundaries shall be made by the board of the principal county upon agreement with the board of any such other county.

9105. At the hearing the board shall hear and consider all relevant testimony and evidence in support of or in opposition to the petition. The hearing may be adjourned from time to time and from place to place.

9106. Any owner of land may appear and object to the inclusion of his land in the proposed district.

9107. Any owner of land may appear and request the inclusion of his land in the proposed district.

9108. If, after hearing, the board finds from all the evidence that the formation of the district would not be in the public interest it shall deny the petition.

9109 If, after hearing, the board finds that the formation of the district would be in furtherance of soil conservation and in the public interest the board shall determine the boundaries of the district and grant the petition.

9110. In fixing the boundaries the board shall include all land not within the boundaries set forth in the petition the inclusion of which has been requested by the owner if the inclusion will, in the opinion of the board, be beneficial to the land so included.

9111. The board shall exclude from the boundaries of the district such lands as the owner thereof has requested to be excluded if the inclusion of such land in the district would not, in the opinion of the board, be beneficial to such land.

9112. In its final determination of the boundaries the board shall not include within the district any land which, in the opinion of the board, will not be benefited by such inclusion.

9113. The determination of the boundaries of a district by the board shall be final.

9114. After the boundaries are established and the petition granted, the board shall make and enter an order to that effect, which shall describe the boundaries, designate a name for the district.

Article 5. Election on Formation and of First Directors

9120. Upon the making of an order granting a petition for formation and establishing the boundaries of a district the board shall forthwith call an election in the district upon the question of formation of the district and for the election of the first board of directors of the district, excepting those districts formed under Article 2, Section 9072, subsection (b) of this act

9121. Directors shall be elected at large and each shall be an owner of land in the district.

9122. Candidates for office of director shall be nominated at least 10 days prior to the date of election.

9123 Nomination of candidates shall be in writing and signed by at least five qualified electors residing within the district. Nominations shall be filed with the clerk of the board of supervisors of the principal county.

9124. Notice of election shall be given at least 15 days prior to the election.

9125. The notice shall describe the boundaries of the district as established by the board; designate the name of the proposed district; and specify the number of directors.

9126. Notice of election shall be published in a newspaper of general circulation published in the principal county and, if a portion of the district lies in any other county, also in a newspaper of general circulation published in such other county. The cost of publication of the notice in the principal county shall be paid by the principal county and shall be a county charge. The cost of publication of notice in any other county shall be paid by such other county and shall be a county charge.

9127 If the notice is published in a weekly newspaper it shall appear on at least three different days prior to the day of election, and the first publication shall be at least 15 days prior to the election.

9128. If the notice is published in a newspaper published more often than once a week it shall appear on three different days prior to the election, the first publication shall be at least 15 days prior to the election, and there shall be at least five days between the days of publication. In computing the five-day period both the first and last days shall be included.

9129. The board shall establish a convenient number of precincts, define their boundaries, and designate a polling place in each.

9130. The county clerk of any county in which an election under this division is to be held, may provide separate ballots for such election. The separate ballots shall be sufficient if they conform to the requirements of this division and they need not conform to the provisions of the Elections Code relating to the form of ballots.

Election officers shall be appointed, ballots and supplies provided, and the election conducted as prescribed by the provisions of this division relating to general soil conservation district elections, except that the board of supervisors shall act in place of the directors and the clerk of the board in place of the secretary of the directors.

9131 Except as otherwise provided, the general election laws shall apply to elections under this article.

9132. No irregularity or informality shall invalidate any election under this article or the result thereof if notice has been given substantially as provided in this article and the election is fairly conducted.

9133. On the ballots at such election shall be printed a proposition substantially as follows: "Shall the proposed _____ Soil Conservation District be organized?" followed by the words "Yes" and "No," with voting space thereafter, together with the names of the candidates for directors.

9134. The names of candidates for director shall be arranged alphabetically with a voting square after each. Above the names of the candidates shall appear the words "Vote for _____ (inserting the proper number)." Blank spaces shall be provided below the printed names of candidates wherein electors may write in names of persons whose names are not printed on the ballot and vote for them for directors.

9135. Any qualified elector residing in the district may vote at an election under this article.

9136. The board of supervisors of each county in which a part of the district is situated shall meet on the second Monday following the election and canvass the votes. The results of the canvass of the votes of each county shall be certified to the board of the principal county.

9137 If upon the canvass it appears that a majority of all of the votes cast are in favor of the formation of the district, the board shall, by an order entered in its minutes, declare the territory duly organized as a soil conservation district under the name designated. The organization of the district is complete when the order is entered on the minutes of the board.

9138 If it appears that the majority of all of the votes cast are against the formation of the district the board shall declare the election lost.

9139. If the majority is in favor of the formation of the district the board shall canvass the returns of the election for directors. The board shall determine the persons receiving the highest number of votes to the number required to fill the offices. A tie vote upon which election depends shall be decided by lot. Upon the ascertainment of the persons elected the board shall, by an order entered in its minutes, declare them duly elected. Certificates of election shall be issued to the elected directors by the clerk of the board.

9140 An election under this article may be contested by any landowner in the proposed district.

9141. Such contest shall be brought within twenty days after the canvass of the vote and declaration of the result by the board of supervisors.

9142. The directors elected at the election shall be the parties defendant in the contest.

9143. The contest shall be brought in the superior court in the principal county and if more than one contest as to the same election is pending they shall be consolidated and tried together.

9144. The court shall speedily try the contest and determine whether the election was fairly conducted and in substantial compliance with the requirements of this division and shall enter judgment accordingly.

9145. Either party may appeal from such judgment and such appeal shall be given the same preference as other contested election cases in the Supreme Court and in the district court of appeal when transferred thereto.

Article 6. Proceedings Supplemental to Organization

9150. The board of supervisors of the principal county shall, within 10 days after the entry of an order declaring a district organized, cause a certified copy of the order to be filed for record in the office of the county recorder of each county in which any portion of the district is situated.

9151. The board shall also forward certified copies of said order to the State Soil Conservation Commission, the Secretary of State, and the clerk of the board of supervisors of each county, other than the principal county, in which any portion of the district is situated.

9152. No board of supervisors of any county in which any part of the lands embraced within a district is situated shall allow another soil conservation district to be formed which includes any portion of the lands within an existing district.

Article 7. District Directors

9160. The directors first elected shall take office immediately upon qualifying.

9161. Each director shall take the oath of office.

9164. After all have qualified the directors first elected shall meet and classify themselves by lot into two classes as nearly equal in number as possible. The term of office of those in the class having the least number shall expire at noon on the first Tuesday in March of the next odd-numbered year after the year in which the meeting is held. The term of office of those in the other class shall expire at noon on the first Tuesday in March of the second odd-numbered year after the year in which the meeting is held.

9165. After such classification the directors shall organize and elect a president from their number who shall serve as such at the pleasure of the directors.

9166. The directors shall appoint a secretary who shall serve at the pleasure of, and whose compensation shall be fixed by, the directors.

9167. The president and secretary shall each give a bond in the sum of two thousand dollars ($2,000) for the faithful performance of his duties.

9167.5. The bonds shall be recorded in the office of the county recorder of the principal county and filed with the county clerk of that county.

9167.6. The bonds shall be in the form prescribed for bonds of county officers and the premiums on the bonds shall be paid by the district.

9168. The directors shall select a date, time, and place at which regular monthly meetings of the directors shall be held.

9169. The directors may, by resolution, change the time or place of regular meeting but no such change shall be effective until after the publication of a notice of the change in a newspaper of general circulation published in the principal county and also in some newspaper of general circulation published in each other county in which any portion of the district lies.

9170. Special meetings of the directors may be held as required when ordered by a majority of the directors. The order shall be entered in the records of the district and five days notice of the meeting shall be given by mail by the secretary to each director not joining in the order.

9171. The order for a special meeting shall specify the business to be transacted. No other business shall be transacted at a special meeting unless all of the directors are present, in which case matters not specified may be considered by unanimous consent and acted upon.

9172. A majority of the directors shall constitute a quorum but on all questions requiring a vote there shall be a concurrence of at least the number constituting a quorum, except that a number less than a quorum may adjourn or adjourn to a stated time.

9173. All meetings of the directors shall be open to the public. All records of the district shall be open to public inspection during business hours.

9174. The term of office of directors, except those first elected shall be four years The expiration of the term of any director shall not constitute a vacancy and he shall hold office until his successor has qualified.

9175. In case of a vacancy in the office of director it shall be filled by appointment for the unexpired term by the board of supervisors of the principal county.

Article 8. General District Elections

9200. An election to be known as the general soil conservation district election shall be held in each district on the second Tuesday after the first Monday in February in each odd-numbered year, at which a successor shall be chosen for each director whose term of office expires in March thereafter.

9201. Not less than thirty days prior to the election, any five or more electors in the district may file with the board of supervisors of the county in which is situated all or the greatest portion of the land in the district a petition requesting that the names of ceram persons specified in the petition be placed upon the ballot as candidates for the office of director. Each person nominated shall be an owner of land within the district.

9202. Any candidate nominated for director may withdraw his name within five days after nominations officially close. When a candidate withdraws his name within the time specified above, his name shall not be printed on the ballot.

9203. The election shall be conducted by the board of supervisors and county clerk of the county in which is situated all or the greatest portion of the land in the district, the votes cast, and returns made to such board as nearly as practicable in conformity with the general election laws of this State, including but not limited to those relating to local elections, except that the register used may be that prepared for any other election, and except as otherwise provided.

9203.5. If on the twentieth day prior to the day fixed for the general soil conservation district election it appears that one person but not more than one, has been nominated for each of the positions of director, which are to be filled at that election and a petition, signed by 5 percent of the qualified electors in the district requesting that the general soil conservation district election in the district be held, has not been presented to the board of directors of the district, an election shall not be held, but the board of supervisors of the county in which the district is situated, or the board of supervisors of the principal county at a regular, adjourned, or special meeting held prior to the day fixed for said election shall appoint to the said position those persons who have been nominated for such positions. The said persons shall qualify and take office and serve exactly as if elected at a general soil conservation district election.

In such instances a notice that no election is to be held but that the board of supervisors will appoint those nominated for the said positions of director, shall be published at least 10 days prior to the date upon which said election would have been held.

9205. The board of supervisors of the county in which is situated all or the greatest portion of the land in the district shall canvass the returns of the election.

9206. Such board of supervisors shall provide for the appointment of precinct boards and the formation of precincts for such elections, and shall pay the expenses of the election. Such county clerk shall furnish each precinct board with a map showing the boundaries of the district.

9211. Any qualified elector residing in the district may vote at an election under this article.

9216. The county clerk of the county in which is situated all or the greatest portion of the land in the district as soon as the result is declared shall certify to the district for its records a statement of the result which shall show (a) the whole number of votes cast in the district, (b) the names of the candidates voted for, (c) the number of votes given in each precinct for each candidate.

9218. Such county clerk shall immediately make out, sign, and deliver to each person elected a certificate of election.

9219. The election of any director may be contested on the grounds and in the manner provided by the Elections Code for contests at general elections.

9220. The directors elected shall qualify within 20 days after receiving their certificates of election by taking the oath. The president and the secretary of the board shall file an official bond in the sum of two thousand dollars ($2,000) approved by a judge of the superior court of the principal county. The premiums on such bonds shall be paid by the district.

9221. The directors so elected and qualified shall take office at noon on the first Tuesday in March next following their election.

The term of office of all directors in districts in existence on the effective date of the amendment to this section in 1945 shall expire at noon on the first Tuesday in March in 1947. Directors elected at the February election in 1947 shall at their first meeting classify themselves by lot into two classes as nearly equal in number as possible. The terms of office of those in the class having the least number shall expire at noon on the first Tuesday in March in the next odd-numbered year after the year in which the meeting is held. The term of office of those in the other class shall expire at noon on the first Tuesday in March of the second odd-numbered year after the year in which the meeting is held.

Article 9. General Powers of District

9250. The board of directors of a district shall manage and conduct the business and affairs of the district.

9251. The directors may execute all necessary contracts. They may employ such agents, officers, and employees as may be necessary, prescribe their duties, and fix their compensation.

9252. The directors may acquire by purchase, lease, contract, or other legal means all lands and property necessary to carry out the plans and works of the district.

9253. The directors may take conveyances, leases, contracts, or other assurances for all property acquired by the district, in the name, and for the uses and purposes, of the district.

9254. The directors may sue and be sued in the name of the district and may appear in person or by counsel.

9256. The directors may cooperate and enter into contracts or agreements with the State, the United States, any county, any other soil conservation or other public district in this State, any person, or the commission, in furtherance of the provisions of this division, and to that end may accept and use contributions of labor, money, supplies, materials, or equipment useful for accomplishing the purposes of the district.

9257. The directors may make improvements or conduct operations on public lands, with the cooperation of the agency administering and having jurisdiction thereof, and on private lands, with the consent of the owners thereof, in furtherance of the prevention or control of soil erosion, including but not limited to terraces, ditches, levees, and dams or other structures, and the planting of trees, shrubs, grasses, or other vegetation.

9258. The directors may operate and maintain, independently or in cooperation with the United States or this State or any state agency or political subdivision or any person, any and all works constructed by the district.

9259. The directors may disseminate information relating to soil conservation, and may conduct demonstrational projects within the district on public land, with the consent of the agency administering or having jurisdiction thereof, or on private lands, with the consent of the owners thereof, independently or in cooperation with the United States, this State or any political subdivision or public district thereof, or any person.

9260. When in the judgment of the directors it is for the benefit of the district so to do, they may give assistance to private landowners or land occupants within the district in seeds, plants, materials and labor, and may loan to any such private landowner or land occupant agricultural machinery or other equipment. No such assistance shall be given or any such loans made unless the landowner or land occupant receiving such aid or assistance agrees to devote and use same on his lands within the district in furtherance of objectives of the district and in accordance with district plans or regulations. Notwithstanding the fact that he is also a director any landowner is qualified to and may receive assistance or loans under this section.

9261. The directors shall develop district-wide comprehensive plans of soil and water conservation, including the improvement of farm irrigation and land drainage within the district.

9262. The directors may take over, by purchase, lease, or otherwise, and administer any soil-conservation, erosion-control, or erosion-prevention project located within the district undertaken by the United States or any of its agencies, or by this State or any of its agencies.

9263. The directors may manage, as agent of the United States or any of its agencies, or of this State or any of its agencies, any soil-conservation, erosion-control, or erosion-prevention project within the district; and may act as agent for the United States, or any of its agencies, or for this State or any of its agencies, in connection with the acquisition, construction, operation, or administration of any soil-conservation, erosion-control, or erosion-prevention project within the district.

9264. The directors may establish standards of cropping and tillage operations and range practices on private land as a condition to expenditure by the district of district or other funds, or to the doing by the district of any work of any nature, on private lands.

9264.5. The directors of any district may cooperate with the directors of any other district in respect to matters of common interest or benefit to the districts. An association of soil conservation districts may be organized to facilitate such cooperation, to provide for the loan of equipment and tools by one district to another, and for the making of investigations and studies and the carrying out of projects of joint interest to the districts participating therein.

9265. The directors shall have and may exercise such other powers as may be necessary to carry out the purposes of this division and to comply with the procedure outlined in this division.

Article 10. Property of District

9275. The legal title to all property acquired by a district under the provisions of this division shall immediately and by operation of law vest in such district, and shall be held by such district for its uses and purposes under this division.

9276. The directors are hereby authorized and empowered to hold, use, acquire, manage, occupy and possess property of any kind, and may lease or sell it as provided in this article.

9277. The directors may determine by resolution entered upon their minutes that any property, real or personal, held by such district is no longer necessary to be retained for the uses and purposes of the district, and may thereafter sell or lease such property.

9278. A sale or conveyance of any property held by a soil conservation district, executed by the president and secretary thereof, in accordance with a resolution of the directors of the district, when the property is sold for a valuable consideration, shall convey good title to the property so conveyed.

9279. The proceeds of any such sale shall be paid into the county treasury of the principal county for the use of the district.

Article 11. Inclusion of Lands

9290. A majority of landowners of any tract of land, who own more than one-half of the total acreage of the tract, may petition the directors requesting the inclusion of the tract in the district.

9290.1. In computing the percentage of acreage, land of the United States, this State, any public district, or any city or county shall be excluded.

9290 2. Any state of federal officer, agency, or other instrumentality in charge of any public land, if authorized to do so, may petition or request the directors to include such land within the district.

9291. The petition shall describe the boundaries of the tract proposed to be included.

9292. The directors shall consider and pass upon the sufficiency of the petition. If the directors find that the petition is signed by the requisite number of landowners, they shall approve the petition and make an order to that effect The directors shall forward certified copies of the petition and of the order to the commission

9293. The commission shall report on the petition for inclusion in the manner provided for a report on a petition for organization of a district, except said report shall be to the directors

9294. The board of directors shall dismiss the petition if the report of the commission is not favorable.

9295. Upon the making of an order approving the petition, the directors shall fix a time and place of hearing on the petition and shall cause notice of the hearing to be published in the manner and for the time provided for publication of notice of hearing on formation of the district.

9296. The notice shall state the purpose of the petition, the time and place of hearing, and describe the boundaries of the tract or tracts proposed to be included in the district. The notice shall state that the report of the commission is favorable and shall notify all interested persons to appear at the hearing and state their objections.

9297. The time of hearing shall be the time of the next regular meeting of the directors following the expiration of the time required for publication of the notice. The place of hearing shall be the place of regular meeting of the directors

9298. The directors shall hear the petition and objections thereto at the time and place specified or at such other time or place to which the directors may adjourn the hearing.

9299 Any person may appear and ask that his lands be excluded from the proposed addition to the district Any person may appear and ask that his lands be included if those lands be outside of but within the general area of the proposed addition to the district

9300. The directors may grant such exclusions and additions to the proposed district as are warranted without jeopardizing a sound soil and water conservation program

9304. If the petition is granted the directors shall make and enter in their minutes an order changing the boundaries of the district A copy of the order shall be filed with the county recorder of each county in which any portion of the district is situated and certified copies of the order shall be transmitted to the commission and to the Secretary of State.

9305 From and after the entry of the order in the minutes of the directors the district with its new boundaries constitutes the district for all purposes.

9306. In addition to the authority granted in Section 9290 to request the inclusion of a tract in the district, 25 percent of the landowners of any tract of land, who own 50 percent or more of the total acreage of the tract, may petition the board of supervisors of the principal county requesting the inclusion of the tract in the district The petition shall describe the boundaries of the tract proposed to be included

9307. The provisions of Sections 9292 to 9298, inclusive, shall apply whenever a petition is presented pursuant to Section 9306 except that the board of supervisors shall act in the place of the directors.

9308 If the board of supervisors determines that the inclusion of the lands sought to be included is for the best interest of the district and will be of benefit to the lands included, the board shall approve the petition and transmit it and a copy of the resolution of approval to the directors.

9309. Upon receipt of the approved petition from the board, the directors shall call a special election in the area proposed to be included on the question of inclusion. The provisions of Sections 9301 to 9305, inclusive, shall apply to the special election and subsequent action on the petition.

Article 12 Dissolution

9310 A district may be dissolved by the board of supervisors of the principal county as provided in this article

9311 A petition requesting dissolution of a district and signed by not less than one hundred landowners of the district, or 51 percent if there are less than two hundred landowners in the district, may be presented to the board

9312 The board shall determine the sufficiency of the petition and may refer it for certification to the assessor or assessors, who shall certify it in the manner provided for in proceedings on organization

9313 If the board determines that the petition is insufficient it shall deny it Otherwise it shall fix a time and place for hearing on the petition.

9314 If the petition is found sufficient, the board shall cause to be published a notice of the time and place of hearing on the petition The time of hearing shall be the time of the next regular meeting of the board after the completion of publication of the notice and the date shall be specified in the notice.

9315. The notice shall be published at least once a week for two successive weeks in a newspaper of general circulation published in the principal county and also in some newspaper of general circulation published in each other county in which any part of the district lies.

9316 The board shall transmit to the commission a notice of the receipt of the petition and a copy of the notice of hearing on the petition The commission shall advise the board as to the judgment of the commission regarding the proposed dissolution

9317. At the hearing the board shall hear and consider all evidence and testimony in favor of or in opposition to dissolution, and shall consider the advise of the commission

9318 If the board denies the petition its action is final

9319. If the board does not deny the petition it shall cause an election to be held in the district on the question of dissolution. The election shall be noticed, conducted, and the results determined in the manner provided for elections on formation of districts, except that the ballot shall contain the propositions "For dissolution of district" and "Against dissolution of district" or words equivalent thereto.

9320 Any qualified elector residing in the district may vote at an election under this article.

9321. If at the election less than 51 percent of the votes cast are in favor of dissolution the board shall declare the election lost and enter an order to that effect and denying the petition

9322. If at the election 51 percent or more of the votes cast are in favor of dissolution the board shall make and enter an order declaring the district dissolved and thereupon the district is dissolved

9323. The board of supervisors of the principal county shall wind up the affairs of a dissolved district and may do anything necessary to accomplish that purpose.

9324 If, upon dissolution, there are any outstanding obligations of the district the board of supervisors of the principal county shall determine the amount of the assessments required to be levied to pay such outstanding obligations. The boards of supervisors of each county in which any part of the district lies shall levy assessments sufficient to pay the outstanding obligations

9325 Upon the completion of the winding up of the affairs of a district the real property of a district shall become the property of the county in which it is situated. The personal property belonging to the district shall be sold by the board of supervisors of the principal county and the proceeds of such sale and any other money of the district remaining after the payment of all of the obligations of the district shall be paid to the general funds of each of the counties in which any part of the district lies in the proportion which the assessed value of the land in the county bears to the total assessed value of all of the land within the district as determined by the assessment rolls

CHAPTER 4. DISTRICT FINANCE

Article 1. Regular Assessments

9350 The directors, on or before the fifteenth day of August of each year, shall furnish the auditor and the board of supervisors an estimate in writing of the amount of money to be raised by assessment which is needed for the purposes of the district for the next ensuing fiscal year.

9351 If the district lies in more than one county the directors shall divide the amount of the estimate in the proportion to the value of the land in the district lying in each county. The value shall be determined from the last assessment rolls of the counties. The directors shall furnish the auditors and boards of supervisors of each of the respective counties a statement of the part of the estimate apportioned to the county

9352 The total amount of the estimate shall be sufficient to raise the amount of money necessary during the ensuing year to pay the incidental expenses of the district, the costs of the work which the directors may deem advisable to be done during the ensuing year, the estimated costs of repairs to and maintenance of the property and works of the district, and the estimated expenses of any action or proceeding to which the district is or may be a party, including the cost of employing engineers and attorneys

9353 Assessments levied pursuant to this article shall be known as regular assessments.

9354. The regular assessment in any one year shall not exceed two cents ($0.02) on each one hundred dollars ($100) of assessed valuation of the land, exclusive of improvements and mineral rights, within the district The valuation shall be determined according to the last assessment roll, reduced proportionately when mineral rights are involved

9355 The board of supervisors of each county in which there lies any portion of the district shall, annually, at the time of levying county taxes, levy an assessment on the land exclusive of improvements, within the county and within the district to be known as the "_____ (name of district) soil conservation district assessment," sufficient to raise the amount reported to them in the estimate of the directors.

9356. The board shall determine the rate of assessment by deducting 15 percent for anticipated delinquencies from the total assessed value of the land in the district

and in the county and then dividing the sum required to be raised by the remainder of the total assessed value. If a fraction of a cent occurs in a valuation of one hundred dollars ($100) it shall be taken as a full cent.

9357. If the board fails to levy the assessment the auditor of the county shall do so, providing the directors have requested the assessment.

9358. The assessment shall be computed and entered on the assessment roll by the auditor.

9359. The provisions of law relating to the levy and collection of county taxes and the duties of county officers with respect thereto, in so far as they are applicable and not in conflict with this chapter, are hereby adopted and made part of this chapter. Said officers are liable on their several official bonds for the faithful discharge of their duties under this chapter.

9360. The treasurers of each of the counties, other than the principal county, shall, not less than twice a year or upon order of the directors, settle with the directors and pay to the treasurer of the principal county all money belonging to the district and in their possession.

9361. If during the current fiscal year the directors are not, by reason of the fact that no assessment has been levied, collecting a regular assessment levied during the year immediately preceding, then notwithstanding other provisions of this code, the board of supervisors in each county in which a soil conservation district, or a portion thereof is located shall, upon a showing by the directors that funds are needed for the purposes of the district for the current year, appropriate money from the general fund of the county for the use of said district in an amount equal, during any one year, to the amount which said district could have raised by assessment, as limited by this code, in said current year, or so much thereof as may be required. This provision shall not be deemed to prohibit the board of supervisors from appropriating to such districts sums in excess of these amounts.

Article 3. District Fiscal Procedure

9400. The treasury of the principal county is the depository of all of the funds of the district.

9401. The treasurer of the principal county shall receive and receipt for all money of the district and place the same to the credit of the district. He is responsible on his official bond for the safekeeping and disbursement, in the manner provided in this article, of the money of the district held by him.

9402. The treasurer shall pay out money of the district only upon warrants of the county auditor, drawn upon order of the board of directors signed by the president and attested by the secretary.

9403. The treasurer shall report in writing at each regular meeting of the directors and as often at other times as the directors may request the amount of money on hand, and the receipts and disbursements since his last report. The report shall be verified and filed with the secretary.

9404. The directors or other officers or employees of a district shall have no power to incur any indebtedness or liability in excess of the amount of money available under the provisions of this division. Any debt or liability incurred in excess of the express provisions of this division is void.

9405. The directors at their regular monthly meeting in January of each year shall make and file with the secretary a verified statement of the financial condition of the district showing particularly the receipts and disbursements of the preceding calendar year together with the source of the receipts and the purposes of the disbursements.

9406. The annual financial statement shall be posted or published as the directors may determine. Such posting or publication shall be commenced within ten days after the financial statement is filed with the secretary. If it is posted it shall be posted at the place of regular meeting of the directors and copies thereof shall be made available for delivery to any landowner in the district upon his request to the secretary. If the statement is published, it shall be published at least once a week for two successive weeks in a newspaper of general circulation in the principal county and also in some newspaper of general circulation published in each other county in which any part of the district lies.

CHAPTER 6. CONSOLIDATION OF DISTRICTS

9500. Any two or more contiguous districts, or districts situate within the same geophysical area, organized under this division may consolidate in the manner prescribed in Chapter 1, Division 4 of the "District Organization Act" of the State of California.

CHAPTER 7. CHANGING NAME OF DISTRICT

Article 1

9600. A district may change its name by action of the board of supervisors of the principal county as provided by this article.

9601. Whenever in the judgment of the board of directors it is for the best interest of a district that its name be changed to a stated name, it may pass a resolution reciting such fact.

9602. A copy of the resolution shall be forwarded to the board of supervisors of the principal county with the request that the name of the district be changed to the stated name.

9603. The board of supervisors of the principal county shall consider this request at their next regular meeting and may grant or deny the request. Their action shall be officially recorded in their minutes.

9604. If the action of the board of supervisors on this request is negative, they shall forward a copy of the resolution to the board of directors initiating the request.

9605. If the action of the board of supervisors on this request is favorable, they shall cause certified copies of the resolution to be forwarded to the board of directors initiating the request, the boards of supervisors of all the other counties in which any portion of the district lies, the State Soil Conservation Commission, and the Secretary of State.

9606. On acknowledgment of the change of name by the Secretary of State, the name of the district shall be considered changed."

Request for Unanimous Consent That Amendments Be Corrected

Mr. Weber asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 573, which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Amendments read, as corrected, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3104—An act to amend Section 106 of the Water Code, relating to the use of water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works.

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in the Assembly on April 15, 1949, and insert "An act to add Section 1243 to".

Amendment No. 2

On page 1 of said bill, strike out lines 10 to 26, inclusive, and insert

"SECTION 1. Section 1243 is added to the Water Code, to read:

1243. The storage or diversion of unappropriated water pursuant to appropriations therefor, and the use thereof for recreational purposes, or for the preservation and propagation of fish and wild life, are beneficial uses of water."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2269—An act to amend Sections 15002, 15003, 15004, 15007, 15015, 15016, 15020, 15029, 15154, 15250, 15251, 15253, 15254, 15255, 15351, 15353, 15354, 15355, 15380, 15381, 15382, 15383, 15384, 15387, 15388, 15687, 15689, 15730, 15735, 15736, 15737, 15747, 15750, 16000, 16001, 16054, 16056, 16058, 16062, 16100, 16105, 16201, 16223, 16225, 16227, 16231, 16266.5, 16400, 16401, 16402, 16403, 16403.5, 16405, 16406, 16408, 16409, 16410, 16411, 16413, 16414, 16415, 16417, 16418, 16423, 16432, 16433, 16434, 16437, 16441, the heading of Chapter 14, Part 1, Division 13, Sections: 16501, 16504, 16520, 16521, 16523, 16527, 16600, the heading of Article 8, Chapter 14, Part 1, Division 13, Sections: 16670, 16672, 16677, 16678, 16679, the heading of Article 9 of Chapter 14, Part 1, Division 13, Sections: 16690, 16692, 16693, 16694, 16711, 16711.2, 16742, 16771, 16772, 16800, 16820, 16827, 16833,

the heading of Chapter 20, Part 1, Division 13, Sections: 16900, 16901, 16904, 16906, 16950, 16953, 16959, 17000, 17001, 17002, 17080, 17088, 17152, 17154, 17157, the heading of Chapter 24, Part 1, Division 13, the heading of Article 1 of Chapter 24, Part 1, Division 13, Sections: 17250, 17251, 17254, 17255, 17260, 17261, 17262, 17263, 17264, 17265, 17267, heading of Article 2, Chapter 24, Part 1, Division 13, Sections: 17280, 17281, 17282, 17283, 17284, heading of Article 3, Chapter 24, Part 1, Division 13, Sections 17300, 17301, 17303, 17304, heading of Article 4, Chapter 24, Part 1, Division 13, Sections: 17320, 17321, 17324, 17324.5, 17340, 17452, 17453, 17455, 17456, 17457, 17459, 17465, 17466, 17482, 17483, 17484, 17503, 17507, 17509, 17531, 17532, 17580, 17581, 17584, 17701, 17702, 17704, 17704.1, 17705, 17800, 17801, 17809, 17810, 17814, 17815, and 17901 of the Health and Safety Code; to add Sections 15004.2, 15015.7, 15015.8, 15016 3, 15016.7, 15017.8, 15019.5, 15023.2, 15023 4, 15024.5, 15027.3, 15027.5, 15029.5, 15030.5, 15031.3, 15031.5, 15031 7, 15152.5, 15159, 15160, 15251.5, 15253.5, 15254.5, 15256, 15290.5, 15320, 15363, 15364, 15365, 15366, 15367, 15384 1, 15384.2, 15384.3, 15384.4, 15384.5, 15389, 16227.5, 16500.5, 16528, Article 7.5 (comprising Section 16660) to Chapter 14, Part 1, Division 13, Sections 16679.5, 16711.3, Article 5 (comprising Section 16714), Chapter 14 5, Part 1, Division 13, Sections: 16777, 16778, 16801, Article 1, Chapter 20, Part 1, Division 13, Sections 16900.1, 16900.2, 16900.3, 16900.4, 16902.1, 16902 2, Article 2 (comprising Section 16910) to Chapter 20, Part 1, Division 13, Chapter 20 5 (comprising Sections 16930 and 16931) to Part 1, Division 13, Sections 16959 5, 17000.1, 17000 2, 17000 3, 17000.4, 17080.1, 17080.2, 17085.5, 17258 5, 17260 1, 17260.2, 17260.5, 17260.7, 17260.8, 17260.9, 17267.3, 17267.5, 17270, 17270 3, 17270.5, Article 1(B) (comprising Section 17276), to Chapter 24, Part 1, Division 13, Sections 17283.5, 17285, 17286, 17287, 17288, 17289, 17290, 17291, 17300.5, 17306, 17307, 17308, 17309, 17310, 17311, 17312, 17313, 17325, 17326, 17327, 17328, 17329, 17330, 17455.5, 17457.5, 17486, 17502.5, 17513, 17533.5, 17554, 17704.2, 17704.3, 17705.1, 17705.2, 17708, 17709, 17710, 17711, 17712, 17713, 17801 5, 17809.5, 17811.1, 17811.2, 17811.3, 17811.4, 17814.1, 17814.2, 17814.3, 17815.1, 17815.2, 17815.3, 17815.4, and 17831 to said code, and to repeal Sections 15021, 15252, 15315, 15316, 15317, 15318, 15319, 16057, 16224, 16412, 16412.5, 16419, Article 7 (comprising Sections: 16650 to 16655, inclusive) of Chapter 14, Part 1, Division 13, Chapter 15 (comprising Sections: 16720 and 16720 5,) of Part 1, Division 13, Sections 16773, 16774, 16951, 16952, 16954, 16955, 16956, 16957, 16958, Article 2 (comprising Sections 17020 to 17023, inclusive) of Chapter 22, Part 1, Division 13, Article 3 (comprising Sections: 17040 to 17045, inclusive) of Chapter 22, Part 1, Division 13, Article 4 (comprising Sections, 17060 to 17062, inclusive) of Chapter 22, Part 1, Division 13, Sections: 17081, 17082, 17083, 17084, 17086, 17087, 17266, 17322, 17454, 17460, 17464, and 17502 of said code, relating to the State Housing Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 6 of the title of the printed bill, strike out "16225,".

Amendment No. 2

In line 7 of the title of said bill, after "16231," insert "16265,"

Amendment No. 3

In line 9 of the title of said bill, strike out "16423,".

Amendment No. 4

In line 27 of the title of said bill, strike out "17321,".

Amendment No. 5

In line 28 of the title of said bill, after "17466," insert "17481,"

Amendment No. 6

In the title of said bill, strike out line 29, and insert "17501, 17503, 17504, 17506, 17507, 17509, 17531, 17532, 17551, 17552, 17580, 17581, 17584,".

Amendment No. 7

In line 30 of the title of said bill, after "17702," insert "17702.5,"

Amendment No. 8

In line 32 of the title of said bill, after "15004.2," insert "15007.5,".

Amendment No. 9

In line 33 of the title of said bill, after "15016.7," insert "15016.8,".

Amendment No. 10

In line 36 of the title of said bill, after "15367," insert "15383.5,".

Amendment No. 11

In line 41 of the title of said bill, strike out "16801,"

Amendment No. 12

In line 46 of the title of said bill, strike out "16959.5,"

Amendment No. 13

In line 47 of the title of said bill, after "17080.2", insert "17080.3".

Amendment No. 14

In line 59 of the title of said bill, strike out "16412, 16412.5", and insert "16225, 16412".

Amendment No. 15

In line 70 of the title of said bill, strike out "17322,".

Amendment No. 16

On page 3 of said bill, between lines 26 and 27, insert

"SEC. 5.5. Section 15007.5 is added to said code, to read.

15007.5. Class "A", "B", "C", "D", "E" or "F" fire doors or windows mean those bearing the label or other identification of the Underwriters' Laboratories, Inc., or other approved testing agency showing the classification of the door or window."

Amendment No. 17

On page 3, line 35, of said bill, strike out "fire escapes".

Amendment No. 18

On page 4 of said bill, between lines 4 and 5, insert

"SEC. 11.5. Section 15016.8 is added to said code, to read

15016.8. "Fire-resistive construction" or "protection" means meeting the requirements of Sections 15004, 15004.2 or Sections 15159 or 15160 of this part or meeting the repective requirements for rating of "four-hour", "three-hour", "two-hour" or "one-hour" fire-resistive construction or protection as specified in "Standard Specifications for Fire Tests of Building Construction and Materials" (C19-41) as published by the American Society for Testing Materials."

Amendment No. 19

On page 5, line 31, of said bill, strike out "Any structural addition," and insert "In any structural addition or any".

Amendment No. 20

On page 5, line 33, of said bill, after "building," insert "such new work".

Amendment No. 21

On page 5, line 40, of said bill, after "any", insert "sanitary facility, fire protection equipment, device, safeguard, installation,".

Amendment No. 22

On page 6, line 6, of said bill, strike out "and safety", and insert "safety and for the protection of life and health".

Amendment No. 23

On page 6, line 46, of said bill, after "15251 5.", insert "(a)".

Amendment No. 24

On page 7 of said bill, between lines 3 and 4, insert

"(b) In any county where the building department does not have jurisdiction over plumbing, the plumbing inspector shall enforce all of the provisions of this part pertaining to the installation of plumbing or gas equipment or plumbing or gas fixtures or appliances for apartment houses or hotels.

(c) In any county where the building department does not have jurisdiction over electrical installations, the electrical inspector shall enforce all of the provisions of this part pertaining to the installation of electric wiring, fixtures or appliances for apartment houses or hotels."

Amendment No. 25

On page 7, line 35, of said bill, strike out "may", and insert "shall".

Amendment No. 26

On page 8, line 46, of said bill, strike out "sets", and insert "copies".

Amendment No. 27

On page 8, line 48, of said bill, strike out "sets", and insert "copies".

Amendment No. 28

On page 8, line 50, of said bill, strike out "and specifications".

Amendment No. 29

On page 11 of said bill, between lines 24 and 25, insert

"SEC. 60 5. Section 15383 5 is added to said code, to read:

15383 5. The permit shall be subject to the written approval of the fire department and of the building department. Where there is no organized fire department, the permit shall be subject to the approval of the Division of Housing in the Department of Industrial Relations."

Amendment No. 30

On page 15, line 30, of said bill, after "sloping", insert "or offset".

Amendment No. 31

On page 15, line 32, of said bill, after the second "of", strike out "the room", and insert "a room with a sloping ceiling".

Amendment No. 32

On page 15, line 33, of said bill, after "feet", insert "(5′)".

Amendment No. 33

On page 15, line 36, of said bill, after the period, insert "No portion of a room with an offset ceiling shall measure less than six feet nine inches (6′ 9″) from the finished floor to the finished ceiling."

Amendment No. 34

On page 16, line 3, of said bill, after "than", strike out "35 thirty-six inches", and insert "thirty-five inches (35″)".

Amendment No. 35

On page 16, line 4, of said bill, after "inches", insert "(79″)".

Amendment No. 36

On page 16, line 14, of said bill, strike out "an apartment".

Amendment No. 37

On page 16, line 15, of said bill, strike out "house or hotel", and insert "any building".

Amendment No. 38

On page 16, line 19, of said bill, after "with", insert "openings aggregating at least twice the required window area of the room".

Amendment No. 39

On page 16, line 20, of said bill, strike out "at least two sides 50 percent open".

Amendment No. 40

On page 16, line 29, of said bill, after "feet", insert "(7')".

Amendment No. 41

On page 16, line 30, of said bill, after "feet", insert "(7')".

Amendment No. 42

On page 16, line 31, of said bill, after "window", insert "and with no required window more than seven feet (7') from the opening in the porch".

Amendment No. 43

On page 16, line 33, of said bill, strike out "amended to read.", and insert "repealed"

Amendment No. 44

On page 16 of said bill, strike out lines 34 to 43, inclusive.

Amendment No. 45

On page 17, line 9, of said bill, strike out "proper and"

Amendment No. 46

On page 17 of said bill, strike out lines 10 to 12, inclusive, and insert "quate natural light for the kitchen The standard of natural light shall be deemed an average illumination equal to six (6) foot candles as uniformly distributed as practical on every part of the room area at a height of thirty inches (30") above the floor level"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 47

On page 17 of said bill, between lines 15 and 16, insert

"SEC. 935 Section 16265 of said code is amended to read:

16265. Each window shall be so placed at either the end of or at some other location in the hallway as to secure a maximum of light into the hallway [and shall be so made and arranged that at least one-half of it may be opened without obstruction] *Natural ventilation equivalent to at least one-half of the aggregate window area in the hallway shall be provided*"

Amendment No. 48

On page 17 of said bill, between lines 23 and 24, insert

"(a) Floor area includes all the area inside the exterior walls of a building, excluding any area occupied by vent shafts and courts"

Amendment No. 49

On page 17, line 37, of said bill, before "Occupant", insert

"(b)".

Amendment No. 50

On page 18 of said bill, strike out lines 28 to 31, inclusive

Amendment No. 51

On page 19, line 8, of said bill, strike out "or fire escape (where permitted as".

Amendment No. 52

On page 19, line 9, of said bill, strike out "a required exit),".

Amendment No. 53

On page 19, line 11, of said bill, strike out the first "a", and insert "an enclosed".

Amendment No. 54

On page 19, line 23, of said bill, after "project", insert "not more than a total of".

Amendment No. 55

On page 19 of said bill, strike out lines 29 and 30, and insert "a stairway or to a smokeproof tower."

Amendment No. 56

On page 19, line 44, of said bill, after "project", insert "not more than a total of".

Amendment No. 57

On page 20 of said bill, strike out lines 13 to 17, inclusive, and insert

"16406. Each exit shall be either a stairway, or a smokeproof tower constructed in accordance with this part."

Amendment No. 58

On page 20 of said bill, strike out lines 25 to 27, inclusive, and insert

"16409 No furnace, boiler, or gas heater shall".

Amendment No. 59

On page 21 of said bill, strike out line 15.

Amendment No. 60

On page 21 of said bill, strike out line 22, and insert "treads."

Amendment No. 61

On page 21, line 46, of said bill, strike out "building", and insert "apartment house or hotel".

Amendment No. 62

On page 21, line 51, of said bill, strike out "building", and insert "apartment house or hotel".

Amendment No. 63

On page 22, line 3, of said bill, after "structure", insert "of an apartment house or hotel".

Amendment No. 64

On page 22 of said bill, strike out lines 8 to 12, inclusive.

Amendment No. 65

On page 22, line 41, of said bill, strike out the second "a", and insert "an approved"

Amendment No. 66

On page 22 of said bill, strike out lines 49 and 50, and insert

"16500.5. A Type 1 or Type 2 fire escape shall not be recognized as a required exit on any apartment house or hotel hereafter erected."

Amendment No. 67

On page 23 of said bill, strike out lines 3 to 10, inclusive, and insert "stories in height, shall have at least one fire escape or smokeproof tower."

Amendment No. 68

On page 23, line 11, of said bill, strike out "building".

Amendment No. 69

On page 23 of said bill, strike out lines 16 to 23, inclusive, and insert

"16504. Any fire escape or smokeproof tower required by this part in an apartment house or hotel shall be one of the following types:

(a) Type 1 fire escape.
(b) Type 2 fire escape.
(c) Smokeproof tower—balcony type
(d) Smokeproof tower—vestibule type."

Amendment No. 70

On page 24 of said bill, strike out lines 16 to 24, inclusive.

Amendment No. 71

On page 25, line 16, of said bill, strike out "balonev", and insert "balcony".

Amendment No. 72

On page 25 of said bill, strike out lines 24 to 28, inclusive, and insert "six inches (36") wide by seventy-nine inches (79") high, and shall be equipped with an approved self-closing Class "B" fire door, swinging in the direction of travel from the building to the tower."

Amendment No. 73

On page 26, line 38, of said bill, after "All", insert "fire alarm systems, fire escapes, smokeproof towers,".

Amendment No. 74

On page 26 of said bill, strike out lines 47 to 52, inclusive, and insert

"16742 One standpipe shall be placed on or in the exterior walls of the building at one fire escape or smokeproof tower, and each of its outlet valves shall be readily accessible from one end of the fire escape balcony on the story on which the valve is located."

Amendment No. 75

On page 27 of said bill, strike out lines 1 to 4, inclusive

Amendment No. 76

On page 27 of said bill, strike out lines 13 to 16, inclusive, and insert "two-hour fire resistive construction."

Amendment No. 77

On page 27 of said bill, strike out lines 32 and 33, and insert

"16778 A parapet wall or guard rail at least forty-two inches (42") in height above the roof shall be provided around all".

Amendment No. 78

On page 28, line 5, of said bill, strike out "side", and insert "size".

Amendment No. 79

On page 28 of said bill, strike out lines 17 to 24, inclusive

Amendment No. 80

On page 28 of said bill, strike out line 37, and insert

"16827. A parapet or guard rail at least forty-two inches (42") in height"

Amendment No. 81

On page 29 of said bill, strike out lines 15 to 23, inclusive, and insert "gas-fired appliance which is used for the purpose of heating a room or a building except gas plates, shall be an approved vented type appliance and shall be so vented as to effectively discharge the flue gases therefrom. The appliance shall be provided with a vent pipe, not smaller than the vent connection on the appliance nor less than two and one-half inches (2½") in internal diameter and which shall be connected to a vertical or substantially vertical, flue, vent, or chimney leading to the outer air. The appliance shall have attached thereto an insignia of approval of an approved agency. Every gas vent shall".

Amendment No. 82

On page 29, line 31, of said bill, strike out "one inch (1")", and insert "one-half inch (½")".

Amendment No. 83

On page 29 of said bill, strike out lines 39 to 43, inclusive

Amendment No. 84

On page 30 of said bill, strike out line 7, and insert "bathroom or closet."

Amendment No. 85

On page 30 of said bill, strike out lines 10 and 11, and insert "16900 shall be either a terra cotta or an approved patent chimney; or shall be constructed of brick, fire clay, or a similar approved product,"

Amendment No. 86

On page 30, line 14, of said bill, after "terra cotta", insert "or an approved"

Amendment No. 87

On page 30, line 41, of said bill, after second "piping", insert "which shall be standard wrought iron, or steel, or brass, or copper pipe of iron pipe size. Non-ferrous tubing shall not be run through walls or floors and shall not be concealed within the building structure"

Amendment No. 88

On page 30 of said bill, strike out lines 49 to 51, inclusive, and insert "the standards of the Liquefied Petroleum Gases Safety Orders of the Division of Industrial Safety in the Department of Industrial Relations."

Amendment No. 89

On page 31 of said bill, strike out lines 1 and 2.

Amendment No. 90

On page 32 of said bill, strike out lines 19, 20, and 21

Amendment No. 91

On page 32 of said bill, strike out lines 50, 51, and 52, and insert a period.

Amendment No. 92

On page 33 of said bill, between lines 42 and 43, insert

"SEC. 198.5. Section 17080.3 is added to said code, to read:

17080.3. Any person in charge of a building or garage in which a mechanical exhaust system of ventilation is installed and used pursuant to this article, who fails, neglects, or refuses to operate and maintain the sytem in good order and repair so that the air in the garage for which it is provided is not completely changed within the specified interval is guilty of a misdemeanor."

Amendment No. 93

On page 35, line 17, of said bill, strike out "public", and insert "protection of health."

Amendment No. 94

On page 35, line 21, of said bill, strike out "Public", and insert "protection of health".

Amendment No. 95

On page 36 of said bill, between lines 12 and 13, 16 and 17, and 20 and 21, insert horizontal lines

Amendment No. 96

On page 37, line 25, of said bill, after "cleat", insert "not"

Amendment No. 97

On page 37 of said bill, strike out lines 31 and 32, and insert "not less than one inch (1") from any chimney and not less than two inches (2") from the back of any fireplace."

Amendment No. 98

On page 40, line 15 of said bill, strike out "27-0", and insert "27-10".

Amendment No. 99

On page 41, line 23, of said bill, after "or for", insert "approved".

Amendment No. 100

On page 47, line 34, of said bill, strike out "under pressure".

Amendment No. 101

On page 47 of said bill, strike out lines 42 to 47, inclusive

Amendment No. 102

On page 48 of said bill, strike out lines 1 to 16, inclusive

Amendment No. 103

On page 48 of said bill, strike out lines 39, 40, and 41, and insert "tions may have a single top plate, and except that for non-bearing partitions two-inch by three-inch (2" x 3") studs".

Amendment No. 104

On page 50, line 43, of said bill, after "shall be", insert "non-absorbent and be"

Amendment No. 105

On page 50 of said bill, strike out lines 44 to 46, inclusive, and insert "in good repair."

Amendment No. 106

On page 50 of said bill, after line 51, insert

"SEC. 290.5. Section 17481 of said code is amended to read

17481. At least one water-closet shall be installed *and maintained* in a separate compartment on a public hallway in an apartment house for every three, or fractional part of three, apartments on the same floor as the hallway which are not provided with private water-closets."

Amendment No. 107

On page 51, line 4, of said bill, after "installed", insert "and maintained"

Amendment No. 108

On page 51, line 11, of said bill, after "installed", insert "and maintained".

Amendment No. 109

On page 51, line 30, of said bill, after "installed", insert "and maintained"

Amendment No. 110

On page 51 of said bill, between lines 31 and 32, insert

"SEC. 294.5. Section 17501 of said code is amended to read:

17501. One water-closet shall be installed *and maintained* in a separate compartment, or in a compartment with a bathtub, shower, or lavatory, within each apartment in an apartment house for the exclusive use of the occupants of the apartment."

Amendment No. 111

On page 51 of said bill, strike out line 32

Amendment No. 112

On page 51, line 35, of said bill, after "installed", insert "and maintained".

Amendment No. 113

On page 51 of said bill, between lines 40 and 41, insert

"SEC. 296.5. Section 17504 of said code is amended to read.

17504. If there are more than one hundred guest rooms on a floor of a hotel, at least one water-closet shall be installed *and maintained* in a separate compartment on a public hallway on the floor for every 10, or fractional part in excess of 10, guest rooms on the floor which are not provided with private water-closets."

Amendment No. 114

On page 51, line 42, of said bill, after 'provided", insert "and maintained'

Amendment No. 115

On page 52, line 9, of said bill, after "installed" insert "and maintained".

Amendment No. 116

On page 52, line 15, of said bill, after "installed", insert "and maintained".

Amendment No. 117

On page 52 of said bill, between lines 25 and 26, insert

"SEC. 302.3. Section 17551 of said code is amended to read

17551. One bathtub or shower with hot and cold running water shall be installed *and maintained* in a separate compartment on each floor of an apartment house for every three, or fractional part of three, apartments on the floor which are not provided with private baths or showers. The bathtub or shower shall be accessible from each apartment it serves through the public hallway.

SEC. 302.5. Section 17552 of said code is amended to read:

17552. At least one bathtub or shower provided with hot and cold water shall be installed *and maintained* in a separate compartment on a public hallway in an hotel for every 10 or fractional part of 10, guest rooms on the same floor as the hallway which are not provided with private baths. Each bathtub or shower shall be accessible from each guest room it serves through the public hallway."

Amendment No. 118

On page 52, line 28, of said bill, after 'provided", insert "and maintained".

Amendment No. 119

On page 52, line 32, of said bill, after "installed", insert "and maintained"

Amendment No. 120

On page 52, line 36, of said bill, after "installed", insert "and maintained"

Amendment No. 121

On page 53 of said bill, between lines 10 and 11, insert

"SEC. 308.5. Section 17702.5 of said code is amended to read.

17702.5. Every partition in a building separating a kitchen from a room used for sleeping purposes shall extend to the ceiling or, if there is no ceiling, to the roof. Any opening in the partition shall [be provided with a standard door] not exceed three feet (3') in width nor seven feet (7') in height."

Amendment No. 122

On page 55 of said bill, strike out lines 38, 39, and 40

Amendment No. 123

On page 56, line 25, of said bill, after "repair", insert "and in accordance with the provisions of this part".

Amendment No. 124

On page 57, line 16, of said bill, strike out "infected", and insert "infested".

Amendment No. 125

On page 57, line 18, of said bill, after "renovated", insert "by the occupant or tenant of a dwelling, by the owner or person in charge of an apartment house or hotel,".

Amendment No. 126

On page 57, line 49, of said bill, after "junk," insert "debris,".

Amendment No. 127

On page 58 of said bill, strike out lines 13 to 16, inclusive, and insert

"17815.2. Every person is guilty of a misdemeanor who, in smoking, lighting, or attempting to light, or attempting to smoke any cigar, pipe, or tobacco, or other material used in smoking, in any form for which lighters, matches, or other glowing or flammable material is or may be used, or in the use of flammable liquids, or other material, sets fire to any bedding, furniture, curtain, drape, rug, carpet, or any house or household furnishing or article in any building."

Amendment No. 128

On page 58, line 22, of said bill, strike out "exist", and insert "remain".

Amendment No. 129

On page 58 of said bill, following line 39, insert

"SEC. 343. No provision of this bill shall be construed to require a structural addition, structural alteration or a structural change in or on an existing building where such is not required by a present provision of this part."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1116—An act making an appropriation for the state college established in the area of Orange County and the southeastern part of Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "_____ ($_____)", and insert "three million dollars ($3,000,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means

Assembly Bill No. 1117—An act making an appropriation for the state college established in the area of Orange County and the southeastern part of Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "_____ ($_____)", and insert "one hundred twenty-five thousand dollars ($125,000)".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 67—An act to add Chapter 10.5, comprising Sections 6401 to 6406, inclusive, to Division 3 of, and Section 5026.3 to, the Education Code, relating to state payments to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on March 18, 1949, after "State", insert "and is housed in housing provided for employees of the State or a department thereof".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education

Assembly Bill No. 2217—An act creating the San Luis Rey Water Authority, providing for its organization and government, and defining its duties and powers relating to the preparation and adoption of plans for and the acquisition, construction, operation and maintenance of a system of works, designated as the San Luis Rey Project, for the appropriation, diversion, storage, conservation, development, distribution and utilization of water of San Luis Rey River for flood control, domestic use, irrigation of lands, and drainage and reclamation connected therewith, and for any beneficial use; providing that certain state agencies may contract or cooperate with said San Luis Rey Water Authority for the purposes of the act; providing that the San Luis Rey Water Authority may cooperate and contract with the United States and its agencies for any of the purposes of the act; defining the manner of providing funds and the issuance, sale and redemption of bonds to carry out the purposes of the act; repealing the San Luis Rey Project Act, which became a law June 6, 1939, without the Governor's approval, and declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2 of the printed bill, after the comma at the end of line 10, insert "county water authority,".

Amendment No. 2

On page 2 of the printed bill, strike out lines 18 to 22, inclusive, and insert "sites, reservoirs and reservoir sites, pumps, pipes, pipe lines, motors, generators, conduits and all other works, equipment and facilities of any kind useful in the control, conservation, diversion, transportation or delivery of water and all land, property, franchises, easements, rights of way and privileges necessary or useful to construct, operate, maintain, repair, renew or enlarge any or all of the foregoing;".

Amendment No. 3

On page 2 of the printed bill, strike out lines 24 to 27, inclusive, and insert "becomes a member unit in the manner provided by Section 4 of this act;".

Amendment No. 4

On page 2, lines 36 and 37, of the printed bill, strike out "a majority of"

Amendment No. 5

On page 2, line 39, of the printed bill, strike out "or", and insert "and in a member unit which is a mutual water company means".

Amendment No. 6

On page 2 of the printed bill, strike out line 40, and insert "vote or written consent of shareholders holding a majority of the voting rights of".

Amendment No. 7

On page 2, line 41, of the printed bill, strike out "a member unit which is a", and insert "such".

Amendment No. 8

On page 4 of the printed bill, strike out lines 1 to 9, inclusive, and insert

"SEC. 4 The privilege and option to become a member unit of the San Luis Rey Water Authority is hereby extended to the following state agencies:

City of Oceanside;
Fallbrook Public Utility District;
Vista Irrigation District;
Carlsbad Mutual Water Company;
Escondido Mutual Water Company;
San Luis Rey Heights Mutual Water Company

The election of any of said state agencies to exercise such option and become a member unit of the San Luis Rey Water Authority shall be by ordinance of the City of Oceanside and resolution of any other of said state agencies, adopted within six (6) months after the effective date of this act, declaring the election of such state agency and the exercise of such option Upon the effective date of such ordinance or resolution, such state agency declaring such election and exercising such option shall become a member unit of the San Luis Rey Water Authority but not otherwise. The first of the state agencies specifically named in this section which shall adopt an ordinance or resolution electing to become such member unit shall, within ten (10) days after the effective date thereof, notify in writing each of the other state agencies specifically named in this section of its election to become a member unit of the authority. Thereafter each of such other state agencies which shall adopt an ordinance or resolution electing to become such member unit shall, within ten (10) days after the effective date of such ordinance or resolution, certify the proceedings had with respect thereto to the first of said state agencies to adopt such ordinance or resolution. Within ten (10) days after the organization of the board of directors of the authority, as provided in Section 6 hereof, the first of said state agencies to elect to become such member unit shall certify to the secretary of the authority the proceedings had in such state agency and shall transmit to the secretary of said authority the certifications of the proceedings had in each of such other state agencies."

Amendment No. 9

On page 4, line 10, of the printed bill, strike out "other".

Amendment No. 10

On page 4, line 11, of he printed bill, after "agree", insert ", in the manner and subject to all the terms and conditions provided by this act,".

Amendment No. 11

On page 5, line 14, of the printed bill, after "unit", insert "within ten (10) days after becoming such member unit".

Amendment No. 12

On page 5, line 15, of the printed bill, strike out "four-fifths (4/5)", and insert "two-thirds (2/3)".

Amendment No. 13

On page 5 of the printed bill, strike out lines 17 to 20, inclusive.

Amendment No. 14

On page 5 of the printed bill, strike out lines 21 to 27, inclusive, and insert

"SEC. 6. The representatives so designated and appointed shall convene as the board of directors of the authority at the time and place fixed by the chief executive officer of the member unit which first adopted an ordinance or resolution electing to become a member unit, as provided in Section 4, and immediately upon convening, such board of directors shall elect from its membership a chairman and a vice chairman, and shall elect a secretary, who may, but need not, be a member of said board; each of such officers shall serve for a period of two (2) years, or until their respective successors shall be elected and qualified. Notice of the time and place of such meeting shall be delivered personally or sent by registered mail to the representative of each member unit at least ten (10) days prior to the date thereof; such meeting shall be held not less than thirty (30) days, nor more than sixty (60) days, after each of the state

agencies specifically designated in Section 4 hereof shall have elected to become a member unit, in the manner provided in said Section 4, and shall have appointed its representative, provided that if one or more of said state agencies does not elect to become such member within the six (6) months period provided in said Section 4, such meeting shall be held not less than thirty (30) nor more than sixty (60) days after the expiration of said six (6) month period Within twenty (20) days after the organization of said board and the election of its officers, the chairman and secretary of the board shall certify to the Secretary of State the proceedings had, as shown by the certifications filed as required by Section 4 hereof, stating the names of the state agencies which have elected to become member units of said authority as herein provided The Secretary of State, within ten (10) days after the receipt of such certificate, shall issue a certificate reciting that the authority has been duly formed according to the laws of the State of California and naming the state agencies constituting the member units, as shown by the certification of the chairman and secretary of the authority, and shall transmit to each such state agency a copy of said certificate, and shall transmit four copies of said certificate to the secretary of the authority, who shall cause one copy to be recorded in the office of the county recorder and one copy to be filed in the office of the county clerk, and one copy to be filed with the State Board of Equalization. The formation of said authority shall be effective from and after the date of the issuance of such certificate, and the authority thereupon shall be vested with all the rights, privileges and powers in this act provided.

No failure by the authority or any state agency or by the Secretary of State to take any action required by this act within the time herein specified shall affect the validity of the organization of the authority. The validity of the formation of such authority shall be incontestable in any suit or proceeding which shall not have been commenced within three (3) months from the date of the issuance of such certificate by the Secretary of State, and no invalidity or irregularity in any proceeding which does not substantially and adversely affect the interests of the electors or citizens of the member units shall be held to invalidate the formation of said authority or the inclusion therein of any member unit."

Amendment No. 15

On page 5, line 28, of the printed bill, strike out "The", and insert "Excepting as in this section otherwise provided, the".

Amendment No. 16

On page 5, line 39, of the printed bill following "authority", insert "; provided, further, that no tax shall be levied by said authority prior to the determination of the respective proportions of the entire cost of acquisition or construction, unless such levy shall be authorized by vote of a majority of the representatives of all the member units, including the affirmative vote of the representative of the member unit having the largest assessed valuation of property taxable by the authority".

Amendment No. 17

On page 5 of the printed bill, strike out lines 48 to 52, inclusive, and insert "sented at such meeting "

Amendment No. 18

On page 6 of the printed bill, strike out lines 1 to 6, inclusive

Amendment No. 19

On page 7, lines 10 and 11, of the printed bill, strike out "five thousand dollars ($5,000)", and insert "two thousand five hundred dollars ($2,500)"

Amendment No. 20

On page 7 of the printed bill, strike out lines 15 to 22, inclusive, and insert "further, that when the board of directors, by resolution or ordinance adopted by two-thirds (⅔) vote, shall find and determine that any repairs, alterations or other work, or the purchase of materials, supplies, equipment or other property is of urgent necessity, said board, by such two-thirds (⅔) vote, may order that such repairs, alterations or other work shall be made or done by contract or otherwise, or such materials, supplies equipment or other property shall be purchased without advertising for or inviting bids "

Amendment No. 21

On page 7 of the printed bill, between lines 22 and 23, insert

"(8) The authority shall require of the contractor on any contracts let good and sufficient bonds to be approved by the authority conditioned upon the faithful performance of such contracts and upon the payment of his claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 2 of Division 5 of Title 1 of the Government Code and to be subject to the provisions of that chapter "

Amendment No. 22

On page 7 of the printed bill, strike out line 32, and insert "of sufficient funds from any source, said contributions by member"

Amendment No. 23

On page 7 of the printed bill, between lines 38 and 39, insert

"Pending receipt of funds from any source mentioned in this section, the authority shall have power to borrow, on such terms and conditions as to interest and repayment as the board of directors may determine, such money as, in the opinion of said board, is necessary to enable it to carry on its operations prior to receipt of funds from any of the sources mentioned in this section."

Amendment No. 24

On page 8 of the printed bill, strike out lines 11 to 13, inclusive, and insert "without limiting the generality of the foregoing, municipal, domestic, commercial, industrial fire protection, irrigation, recreational, and all other beneficial uses"

Amendment No. 25

On page 8, line 16, of the printed bill, after "within", insert "the member units of"

Amendment No. 26

On page 8 of the printed bill, strike out lines 47 to 51, inclusive, and insert "sarily their usefulness."

Amendment No. 27

On page 9, line 8, of the printed bill, after "outside", insert "the"

Amendment No. 28

On page 9 of the printed bill, strike out lines 40 to 43, inclusive, and insert "authority

Anything in this act contained to the contrary notwithstanding, the authority shall not have the power to acquire by purchase or condemnation any land or water right appurtenant to any land lying in the watershed of the San Luis Rey River east of the range line between ranges 2 west and 3 west, as established by United States Government surveys."

Amendment No. 29

On page 11, line 3, of the printed bill, after "water", insert "under such contract"

Amendment No. 30

On page 11, line 15, of the printed bill, strike out "water", and insert "any water or water right".

Amendment No. 31

On page 11, line 24, of the printed bill, strike out "of"; and strike out lines 25 to 29, inclusive, and insert "as may be necessary to enable the board to make an estimate of the works necessary and the cost of the works necessary for"

Amendment No. 32

On page 12 of the printed bill, strike out lines 12 and 13.

Amendment No. 33

On page 12, line 18, of the printed bill, strike out "named in this act".

Amendment No. 34

On page 12, line 32, of the printed bill, strike out "schedules", and insert "schedule".

Amendment No. 35

On page 12, line 36, of the printed bill, strike out "schedules" in both places in which it appears in said line, and insert "schedule".

Amendment No. 36

On page 12, line 39, of the printed bill, following the period, insert "Water to which any vested right exists shall not, to the extent of such vested right, be construed to be water conserved, developed and made available by said project, excepting to the extent that the owner or holder of such vested right, or rights, shall by contract agree that they shall be so construed and treated."

Amendment No. 37

On page 12, line 46, of the printed bill, strike out the period, and insert "voting on such proposition at an election called and held as in this section provided; provided that if by the Constitution of this State a larger percentage of votes is required to authorize the incurring of an indebtedness by any such member unit or units, then,

as to such member unit or units, the vote required to authorize the execution of such contract shall be the vote required by such constitutional provision"

Amendment No. 38

On page 13, line 5, of the printed bill, after "conserved", insert ", developed".

Amendment No. 39

On page 13, line 9, of the printed bill, strike out ", which proportion of"; and strike out lines 10 and 11, and insert a period.

Amendment No. 40

On page 13 of the printed bill, strike out lines 20 and 21, and insert "In event the electors of any member unit authorize the execution of such contract at an election called and held as in this section provided, such contract".

Amendment No. 41

On page 13, line 24, of the printed bill, after "thereto", insert "and said member unit may levy and collect any tax or assessment necessary to pay its obligations under said contract without regard to any tax limit affecting such member unit imposed by law or by its Articles of Incorporation or By-laws".

Amendment No. 42

On page 13, line 25, of the printed bill, strike out "the majority of"

Amendment No. 43

On page 13, line 26, of the printed bill, following the comma at the end of the line, insert "by the vote required by this section.".

Amendment No. 44

On page 14, line 1, of the printed bill, strike out "which pro-"; and strike out lines 2 and 3, and insert "and, subject to the".

Amendment No. 45

On page 14, line 20, of the printed bill, after the comma following "thereon", insert "and all amounts necessary to establish a sinking fund for redemption of said bonds, if such sinking fund be established,"

Amendment No. 46

On page 14, line 41, of the printed bill following the period, insert "Each such contract shall further provide that if any such default shall not be remedied within a period of six (6) months after notice of such default and demand for such performance made by the authority or by any holder of bonds issued by the authority, the authority may, and, upon demand in writing made by holders of 25 percent in par value of the outstanding bonds issued by the authority shall, cancel and terminate such contract and all rights of the member unit thereunder. In event of such cancellation and termination of any contract, all rights and privileges of the member unit whose contract has been terminated shall revert to and be vested in the authority and the authority shall have the power, and it shall be its duty, to enter into a similar contract, or contracts, in the manner herein provided, with some other state agency, or agencies, which is or becomes a member unit and which desires to acquire the right to use all or part of the water and the other rights covered by the contract so terminated, and to assume such part of the obligations provided by the contract so terminated as pertain to the water and other rights so acquired by it. The member units existing at the time of such termination shall have a prior right for a period of ninety (90) days, to acquire the water rights and other rights covered by such contract so terminated. If more than one such member unit desires to acquire the rights and assume the obligations covered by said contract so terminated, such rights and obligations shall be apportioned among such member units in the same proportion that their respective shares of the water conserved, developed and made available by the construction of said project bears to the entire amount of water so conserved, developed and made available. Any member unit so defaulting, and whose contract is terminated as herein provided, shall remain liable for such portion of its obligations under such contract as are not assumed or paid by any successor or successors to its rights under such contract"

Amendment No. 47

On page 14, line 42, of the printed bill, strike out "herein named"

Amendment No. 48

On page 14, line 46, of the printed bill, after "assigning", insert "for a period of fifty (50) years".

Amendment No. 49

On page 15 of the printed bill, strike out lines 8, 9, and 10, and insert "Excepting as provided in Section 9 hereof, the liability of each member unit shall be limited to that".

Amendment No. 50

On page 15, line 16, of the printed bill, strike out "Whenever", and insert "Except as in Section 9 hereof provided, whenever".

Amendment No. 51

On page 15 of the printed bill, between lines 25 and 26, insert

"The authority shall have the power, by writ of mandate or other appropriate judicial proceedings, to compel any member unit which is or threatens to become delinquent in any payment due to the authority, to levy assessments, taxes, tolls or charges against the property in such member unit taxable for district purposes, or, in the case of a member unit which is a mutual water company, against the shareholders of such mutual water company, sufficient to enable such member unit to make payments due to the authority.

The remedies provided by this section are cumulative"

Amendment No. 52

On page 15, line 28, of the printed bill, after "is", insert ", or threatens to become,"

Amendment No. 53

On page 15, line 31, of the printed bill, after "delinquent", insert ", or which threatens to become delinquent".

Amendment No. 54

On page 16 of the printed bill, strike out lines 10 to 13, inclusive, and insert "and made a part hereof. Such officers shall be liable".

Amendment No. 55

On page 19 of the printed bill, strike out lines 6 and 7, inclusive, and insert "of bonds, nor to the incurring of any".

Amendment No. 56

On page 19, line 38, of the printed bill, strike out "forty (40)", and insert "fifty (50)".

Amendment No. 57

On page 19 of the printed bill, between lines 41 and 42, insert "The board, in its discretion, may determine and fix a date for the earliest maturity of the principal of such bonds not more than ten (10) years from the date thereof, but in such event the whole amount of the indebtedness shall be payable in equal annual installments within the period specified in this section"

Amendment No. 58

On page 20, line 24, of the printed bill, after the comma following "value", insert "plus accrued interest,"

Amendment No. 59

On page 20 of the printed bill following line 31, insert

"The board shall have the power in connection with the issuance of bonds to appoint, provide for the powers, duties, functions and compensation of, and to prescribe a method for the resignation or removal of a fiscal agent, and for the appointment of a successor to such fiscal agent and the transfer of the rights and properties to such successor.

The board also shall have the power to establish a depositary, or depositaries, within or without the State of California at which the principal and interest of its bonds may be payable"

Amendment No. 60

On page 21, line 23, of the printed bill, strike out "The", and insert "Subject to the conditions and limitations imposed by this act, the"

Amendment No. 61

On page 21, line 24, of the printed bill strike out "authority", and insert "member units".

Amendment No. 62

On page 21 of the printed bill, between lines 40 and 41, insert

"If the maturity of the indebtedness created by the issue of bonds be made to begin more than one (1) year after the date of the issuance of such bonds, such tax shall be levied and collected at the time and in the manner each year sufficient to pay the interest on such indebtedness as it falls due and to constitute a sinking fund for the payment of the principal thereof on or before maturity"

Amendment No. 63

On page 23 of the printed bill, between lines 13 and 14, insert

"The aggregate of indebtedness incurred pursuant to the provisions of this act authorizing the issuance of bonds, the levying of special assessments and the execution of contracts, shall not exceed a sum equal to: (1) That amount which can be repaid and liquidated as to both principal and interest in not to exceed fifty (50) years by an annual tax at the rate of fifteen cents ($0.15) on each one hundred dollars ($100) of the assessed valuation of all property within the member units taxable for authority purposes, measured by the assessment roll last equalized prior to the incurring of such indebtedness, plus (2) the amount of all capital obligations underwritten by member units of the authority."

Amendment No. 64

On page 23 of the printed bill, strike out line 19, and insert

"SEC. 52. The authority shall have power to negotiate with, and, upon securing the written approval and consent evidenced by ordinance or resolution duly and regularly adopted, or upon vote of the electors, of each and all of the member units, the authority shall have power to cooperate"

Amendment No. 65

On page 24 of the printed bill, strike out line 34, and insert "Sections 25, 26, 27, 28 and 52 hereof."

Amendment No. 66

On page 24 of the printed bill, strike out line 47, and insert

"SEC. 55. The authority shall have power to negotiate with, and, upon securing the written approval and consent evidenced by ordinance or resolution duly and regularly adopted, or upon vote of the electors, of each and all of the member units, the authority shall have the power to cooperate.".

Amendment No. 67

On page 25 of the printed bill, at the end of line 18, insert "extent and".

Amendment No. 68

On page 25, line 28, of the printed bill, after the period, insert "The establishment of the authority or anything in this act contained shall not affect, restrict nor supersede the existence, property, right or power of any municipality, public district, public agency or any corporation now or hereafter established for the purpose or purposes in whole or part of flood control or for the purpose or purposes in whole or part of reclamation, conservation, storage, distribution, sale, use or development of water. The Legislature because of conditions special to the county hereby expressly declares its intent to permit the existence of more than one district or municipality having similar powers over similar territory in regard to flood control, reclamation, water conservation, storage, distribution, sale, use and development."

Amendment No. 69

On page 26 of the printed bill, strike out lines 19 to 51, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Conservation, Planning, and Public Works.

SECOND READING OF SENATE BILLS

Senate Bill No. 51—An act to amend Section 2316 of the Public Resources Code, relating to fees for recording affidavits of labor or improvements on mining claims.

Bill read second time, and ordered to third reading.

Senate Bill No. 47—An act to repeal Sections 27206, 27207, 27208, and 27209, and to add Chapter 13.5, comprising Sections 26250, 26251, 26252, and 26253, to Part 2, Division 2, Title 3, of the Government Code, relating to duties of county recorders.

Bill read second time, and ordered to third reading.

Senate Bill No. 349—An act to amend Section 25305 of the Government Code, relating to county-owned automobiles.

Bill read second time, and ordered to third reading.

Senate Bill No. 1129—An act to validate the formation, organization, boundaries, acts, proceedings and bonds of fire protection districts in unincorporated areas.

Bill read second time, and ordered to third reading.

Senate Bill No. 1169—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties of the thirty-first class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1271—An act to add Section 31553.5 to the Government Code, relating to the membership of elective officers in county retirement associations, and to the rights and privileges of such members.

Bill read second time, and ordered to third reading.

Senate Bill No. 25—An act to add Section 1905 to the Government Code, relating to the State Capitol Building.

Bill read second time, and ordered to third reading.

Senate Bill No. 220—An act to add Section 11090 to, and to amend Section 11091 of, the Government Code, relating to state agency reports.

Bill read second time, and ordered to third reading.

Senate Bill No. 1245—An act to amend Sections 11371, 11380, 11382.5, 11421, 11422, and 11423 of the Government Code, relating to administrative regulations.

Bill read second time, and ordered to third reading.

Senate Bill No. 60—An act to add Section 6904 to the Education Code, relating to the crediting of average daily attendance, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 598—An act to add Article 5 to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, and to amend Section 3325 of said code, relating to institutions for the blind under the jurisdiction of the Department of Education

Bill read second time, and ordered to third reading.

Senate Bill No. 1354—An act to amend Section 184 of the Education Code and Section 3253 of the Welfare and Institutions Code, relating to gifts, donations, bequests, and devises to the Department of Education and to schools, colleges, and other institutions under the jurisdiction of the Department of Education.

Bill read second time, and ordered to third reading.

Senate Bill No. 1355—An act to add Article 6 to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, relating to the

sale of products of institutions under the jurisdiction of the Department of Education.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Waters asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 6—Proposed amendment to Article XXIV, Section 4, of the Constitution, relative to exemptions from state civil service.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 2 of the printed measure, as amended in the Senate on April 5, 1949, following line 36, insert "Hereafter, no exception shall be revived with respect to any person or group of persons heretofore or hereafter included in the state civil service under this subdivision The Legislature made, however, provide that any officer included in the state civil service pursuant to this program may be appointed by the Governor, and in such case the provisions of paragraph (2) shall apply."

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 259—An act to amend Section 2010 of the Streets and Highways Code, relating to mileage allowances for supervisors' official road duties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Senate on March 31, 1949, strike out "Highway", and insert "Highways".

Amendment read, and adopted

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS TO ASSEMBLY BILL NO. 2110

Mr. Sherwin asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Wednesday, April 20th, adopted, on second reading, the amendments offered by the Committee on Judiciary to Assembly Bill No. 2110

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2110

Assembly Bill No. 2110—An act to amend Sections 8, 13, and 19 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the establishment of municipal courts in cities of the second class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8, 13 and 19 of", and insert "8 and 23 of, and to add Sections 8.1, 8.2, 8.3, and 8.4 to,".

Amendment No. 2

On page 1 of said bill, between lines 5 and 6, insert

"There shall be seven judges, each of whom shall receive such compensation per annum, payable in equal monthly installments, as now or hereafter prescribed by law for municipal court judges in a city or city and county of the first class.

SEC. 2. Section 8.1 is added to the act cited in the title hereof, to read:

Sec. 8.1. The judges of the municipal court in a city of the second class shall appoint one clerk who shall act as secretary to the judges of said court and who shall receive a monthly salary of five hundred dollars ($500). Such clerk, when directed by the court, shall also act as jury commissioner.

(a) The clerk of the municipal court in a city of the second class shall appoint the following deputies and attaches who shall each receive as monthly compensation the sum set opposite the title of their respective offices or positions.

CRIMINAL DEPARTMENTS

Four deputy clerks, each four hundred dollars ($400);
Three assistant clerks, each three hundred five dollars ($305);
Four assistant clerks, each two hundred seventy-five dollars ($275);
One typist clerk, one hundred eighty dollars ($180).

OFFICE OF BAILS AND FINES

One senior clerk, three hundred fifteen dollars ($315);
Two clerks, each two hundred forty-five dollars ($245);
One clerk, two hundred fifteen dollars ($215);
One bail office teller, two hundred seventy-five dollars ($275);
Five bail office tellers, each two hundred sixty-five dollars ($265);
One bail office teller, two hundred forty-five dollars ($245);
One typist clerk, two hundred thirty dollars ($230);
Six typist clerks, each one hundred ninety dollars ($190);
One typist clerk, one hundred eighty dollars ($180)

CIVIL DEPARTMENTS

Two senior clerks, each of whom shall receive a minimum salary of two hundred ninety-one dollars ($291) monthly, with annual increments of seventeen dollars ($17), sixteen dollars ($16), seventeen dollars ($17), and nineteen dollars ($19), to a maximum of three hundred sixty dollars ($360) monthly;

Five clerks, each of whom shall receive a minimum salary of two hundred sixty-one dollars ($261) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), seventeen dollars ($17), and sixteen dollars ($16), to a maximum of three hundred twenty-four dollars ($324) monthly;

One stenographer who shall receive a minimum salary of one hundred ninety-six dollars ($196), with annual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10), and twelve dollars ($12), to a maximum of two hundred thirty-eight dollars ($238) monthly;

One junior stenographer who shall receive a minimum salary of one hundred seventy-nine dollars ($179), with annual increments of nine dollars ($9), eight dollars ($8), ten dollars ($10), and ten dollars ($10), to a maximum salary of two hundred sixteen dollars ($216) monthly.

(b) The appointing authority, which appointing authority, within the meaning of this section, is hereby defined to be the person having the power in the first instance to select the employee from an eligible list provided for that purpose, may fix the

compensation of such employee, within the limits hereinbefore set forth for the position to which appointment is made, and may thereafter grant increases in compensation within such limits upon the basis of efficiency and seniority records, all in strict conformity with existing rules and regulations of the appropriate civil service commission. The appointing authority shall further have the power to lay off and suspend any employee or employees because of lack of work requiring the service of the existing personnel of such office or department.

All persons permanently appointed in any of the aforesaid positions at the time such municipal court is established shall continue to hold the same or the substantially equivalent positions, respectively, with credit for prior service in such positions, but without further examination or appointment. They shall receive, however, the compensation provided for by this section, and shall receive in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate.

Whenever a special assignment or branch of work is indicated herein for a particular deputy or position, the assignment so designated is not intended to be exclusive, but merely to designate the principal work incident to such deputy or position. However, in order to equalize the work of the office of the clerk and to render prompt and efficient service to the public, it shall be the duty of each deputy clerk or attache to perform such service as may be directed by the clerk, whether the work so directed to be done be within the scope of the special designation or not.

Except as otherwise in this act provided, persons appointed to any of the aforesaid positions upon the establishment of such municipal court shall remain members of the classified civil service systems of the city or county of which they were members immediately prior thereto, and all persons hereafter appointed to positions in the criminal departments of such court shall upon being appointed become members of the classified civil service of such city, and persons appointed to the civil departments of the court shall become members of the classified civil service of such county. Provided, that either the governing body of such city or county may by the adoption of an ordinance, and with the consent of the other governing body, expressed by an ordinance, provide for the inclusion by the city or county, as the case may be, of all such persons in its classified civil service system.

For purposes of determining vacations, leaves of absence, sick benefits, compensation for death or injuries, including benefits under workmen's compensation laws, and other benefits and privileges, such officers and attaches shall be deemed employees of the city or county to which civil service systems they respectively belong.

Any appointive officer or employee of the municipal court who becomes a candidate for election by the people to any other public office or position shall automatically forfeit such office or employment.

(c) All officers and attaches of such municipal court shall remain members of the retirement system in which they respectively were members immediately preceding the date at which the municipal court began to function. That is to say, that all officers and employees who at that time were members of the retirement system of the city in which a municipal court is established shall remain as members thereof; and all officers and attaches who were members of a retirement system established under the "County Employees Retirement Law of 1937" shall remain as members thereof. Or, at its option, the council of such city may arrange with the county in which such court is established to take the officers and attaches of said court who were members of the city retirement system into the retirement system applicable to county employees, without loss to such members of their retirement compensation, death and other benefits, and may reimburse the county for the costs thereof. Each person who after that date enters the employ of such court shall become a member of the retirement system of the county on the first day after his entrance into the service of such court.

SEC. 3. Section 8.2 is added to the act cited in the title hereof, to read:

Sec. 8.2. When a municipal court is established in a city of the second class, the sheriff of the county in which such municipal court is established may assign constables or deputy sheriffs to attend on the civil departments of such court as ex officio deputy and assistant marshals thereof, and the chief of police of the city in which such court is established may assign officers and members of the police department of such city to attend on the departments of the court acting in the exercise of criminal jurisdiction in misdemeanor cases as ex officio deputy and assistant marshals of such criminal departments. Such deputy and assistant marshals shall perform all the duties imposed and exercise all the powers conferred upon deputy and assistant marshals of the municipal court. Neither the county nor the city in such case shall be reimbursed for any cost or charge incurred in connection with assigning such officers, deputies and constables to such service with said court, or for the payment of their salaries.

SEC. 4. Section 8.3 is added to the act cited in the title hereof to read:

Sec. 8.3. All proceedings in the municipal court of a city of the second class in behalf of the people, whether for the violation of any statute of the state or ordinance of the city, shall be prosecuted by the district attorney of the county in which such city is located, through such assistants and deputies as he may appoint. Such assistants and deputies shall be known as and deemed to be city prosecutors of such city. They shall prosecute all misdemeanors committed within the city which are

within the jurisdiction of the municipal court of the city and handle all appeals therefrom They shall draw all complaints for such misdemeanors, and shall prosecute all recognizances or bail bond forfeitures and all actions for the recovery of fines, penalties, and forfeitures arising or resulting from the commission of such offences In addition, they shall perform such other duties as may be prescribed by law. All complaints drawn by such district attorney, his assistants or deputies, while acting as such city prosecutors and filed in such court, shall be deemed drawn and filed by officers or other persons employed by such city within the meaning of the Penal Code and any other applicable law. All fines and forfeitures and any other revenue collected in such court belonging to the city, except as otherwise in Section 8.4 provided, shall be paid by such county to the city as provided by law The council of such city shall have authority to enter into appropriate agreement with such county for the purpose of carrying into effect the provisions of this section

SEC. 5. Section 8.4 is added to the act cited in the title hereof, to read:

Sec. 8.4. Whenever a municipal court is established in a city of the second class, the salaries of the judges, clerks and other attaches, and the cost of all supplies, books, furniture, and suitable quarters, except as hereinafter otherwise provided, for carrying out their duties, including supplies and equipment for the preparation and maintenance of duplicate records of the court, or a division thereof, when sessions are held at more than one place within the city wherein the court is established, shall be paid by the county in which the court is situated out of its municipal court fund, if there be one, or if there be no such fund, out of the general fund

The city in which the court is established shall provide and maintain suitable quarters for such departments of the court as shall exercise criminal jurisdiction in misdemeanor cases, but not to exceed four departments in all, including heat, light and janitorial services, free of cost or charge to the county, or upon such rental, if any, as may be agreed upon with the county.

The city, in addition to furnishing quarters as hereinabove provided, shall reimburse the county monthly from such municipal court fines and forfeitures as by law would otherwise become the property of the city for the costs upon the county of paying the salaries of the judges, clerks, deputies and other attaches of such criminal departments of the court, excepting the salaries of the district attorney, or any of his assistants, deputies and clerks who shall act as city prosecutors or be employed by the district attorney in the city prosecutor's office, and shall also reimburse the county for any additional costs or charges, including rental, if any, incurred by it in maintaining and operating such criminal departments of the court in connection with the handling and disposition of misdemeanor cases involving fines and forfeitures which become the property of the city. The amount of such additional costs or charges for which the county shall be so reimbursed shall be determined annually in advance by agreement between the city and the county, acting through their governing bodies or authorized officers, in accordance with such budget as may be prepared therefor and agreed upon. In the absence of such agreement and budgetary allowances, the county shall be entitled to reimbursement in the amount of its actual costs and charges so incurred in the operation and maintenance of such criminal departments, but not to exceed in the aggregate the total amount actually expended for the previous fiscal year for such criminal departments Settlement in this connection between said city and county shall, so far as practicable, be made monthly, and the county shall be entitled to retain the amount to which it is entitled in paying the balance of such municipal court revenues to the treasurer of the city by warrants drawn upon the county auditor.

All fines, forfeitures, deposits in court, and unclaimed bail shall be disposed of as provided in Sections 1463 and 1570 of the Penal Code and Sections 770 and 771 of the Vehicle Code, so far as they are applicable, and all revenue collected in such court belonging to the city shall be paid to it by the county.

The city and county, acting through their respective governing bodies or authorized officers, shall have authority to enter into suitable agreements to carry out the foregoing and other provisions of this act.

If any portions of Sections 8 8 1, 8 2, 8 3, and 8 4 of this act shall be declared unconstitutional, it is the express intent of the Legislature that the remainder of the provisions thereof shall remain in full force and effect.

SEC. 6 Section 23 of the act cited in the title hereof is amended to read

Sec. 23. Whenever a municipal court is established for any city which lies partly within and partly without one or more judicial townships, the board of supervisors of the county within which the municipal court is established shall immediately by ordinance divide such county into judicial townships as public convenience may require. *In the event the boundaries of any such city within which a municipal court is established, wholly or partly surround another and distinct city or town, the board of supervisors in forming such judicial townships may include such other city or town in a judicial township lying without and adjacent to the city in which the municipal court is established.* Such redistricting shall not be effected in such manner as to affect the tenure of any judge or justice in the county, but such judge or justice may be required to serve in a court other than the one to which he was elected."

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 18, inclusive; and strike out pages 2, 3, and 4

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2083—An act to amend Section 257 of the Vehicle Code, relating to operators' licenses for minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2191—An act amending Section 50 of the Vehicle Code, relating to definitions of vehicles and equipment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Condon, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—58.

NOES—Hagen—1.

Motion to Amend Title

Mr. Huyck moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "definitions of vehicles and equipment.", and insert "definition of unladen weight of vehicles."

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2226—An act to add Section 160.1 to the Vehicle Code, relating to the renewal of the registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis Landsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.05 a.m., Mr. Gaffney asked for, and was granted, unanimous consent that Mr Brady be excused for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2612—An act to add Section 459 6 to the Vehicle Code, relating to the regulation of traffic on private roads in housing projects or within the site of housing owned or operated by housing authorities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Burkhalter moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 19, 1949, strike out "459.6", and insert "459 7".

Amendment No. 2

On page 1, line 3, of said bill, strike out "459 6", and insert "459 7"

Amendment No. 3

On page 1, line 4, of said bill, strike out "459 6", and insert "459.7".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1266 ON UNFINISHED BUSINESS FILE

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1266 on the unfinished business file, temporarily passed on file, at this time.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1266—An act to add Sections 31454.5, 31676.1, 31676.2, 31676.3, 31676.4, 31676.5, and 31676.6 to, and to amend Section 31627 of, the Government Code, relating to service retirement of county employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1266?

Amendment No. 1

In line 1 of the title of the printed bill, after "Section", insert an "s" and "31454.5,".

Amendment No. 2

In line 1 of the title of said bill, strike out "to", and insert a comma and "31676 2, 31676.3, 31676 4, 31676.5, and 31676 6, to, and to amend Section 31627 of,"

Amendment No. 3

On page 1, line 1, of said bill, after "SECTION 1", insert "Section 31454.5 is added to the Government Code, to read:

31454 5 In any county subject to the provisions of Section 31676 1 the board of supervisors may make an additional appropriation sufficient to fund over a period of 30 years any deficit which may result to the system because of the adoption of Section 31676.1. The board of supervisors may make such additional appropriation whether recommended by the board or not and is not required to make such additional appropriation even if such additional appropriation is recommended by the board.

SEC. 2. Section 31627 of the Government Code is amended to read:

31627. Subject to the regulations prescribed by the board, any member *who is not subject to the provisions of Section 31676.1* may elect to make additional contributions at rates in excess of his normal contributions, for the purpose of providing additional benefits. The exercise of this privilege by a member does not require the county or district to make any additional contributions. Upon application, the board shall furnish to the member information concerning the nature and amount of additional benefits to be obtained by the additional contributions.

SEC. 3."

Amendment No. 4

On page 2, line 2, of said bill, after "Retirement", insert a comma and "but in no event shall the total retirement allowance exceed one-half of the member's final compensation".

Amendment No. 5

On page 2, between lines 31 and 32, of said bill, insert "Contributions shall not be made by members having credit for 30 years of continuous service".

Amendment No. 6

On page 2 of said bill, following line 35, insert

"SEC. 4. Section 31676.2 is added to the Government Code, to read:

31676.2. When the compensation of a member subject to the provisions of Section 31676.1 is a factor in any computation to made under this chapter, there shall be excluded from such computation, for any period of county service prior to the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1949 Regular Session of the Legislature, any compensation earned since the establishment of the retirement system in such county upon which compensation the member has not paid contributions into the retirement fund because of the provisions of Sections 31383 or 31624, unless, prior to July 1, 1950 such member shall elect, by written notice filed with the board, to pay into the retirement fund, by lump-sum payment or by pay roll deductions over a period not exceeding thirty-six months and prior to effective date of his retirement, and thereafter pays into the retirement fund within the period specified, (1) such additional amount as he would have contributed as a part of his normal contributions, assuming the entire compensation earnable by him was subject to normal contributions during the entire period of his membership in the system since its establishment in such county; and (2) an amount equal to the additional interest which would have been credited to his account under such assumption. At the time of filing the notice of election, as herein provided, any such member may elect to apply toward the additional amount payable by him pursuant to such election, any additional accumulated contributions with which he is entitled to be credited.

The entire compensation of a member shall be included in any computation to be made under Section 31676.1 for any period of county service on and after the first day of the first month next succeeding the ninetieth day after the final adjournment of the 1949 Regular Session of the Legislature. If a member subject to the provisions of Section 31676.1 makes the election and payment as provided in this section, his entire compensation shall be included in any computation to be made under this chapter for the entire period of service with which he is entitled to be credited at retirement.

SEC. 5. Section 31676.3 is added to the Government Code, to read:

31676.3. A member shall receive no credit for prior service subsequent to June 30, 1921, in calculating a retirement allowance pursuant to Section 31676.1 unless, within ninety days after the effective date of this section, he files with the board his written election to pay into the retirement fund six dollars ($6) for each month of prior service subsequent to June 30, 1921, for which he claims credit, and unless he makes such payments as provided in this article.

SEC. 6. Section 31676.4 is added to the Government Code, to read:

31676.4. If a member in a system subject to the provisions of Section 31676.1 who has any accumulated additional contributions to his credit, whether made pursuant to Section 31504 or Section 31627, or both, within ninety days of the effective date of this section files a written election with the board not to come under Section 31676.1, then Sections 31676.1, 31676.2, 31676.3, 31676.5, 31676.6 and this section shall not apply to such member and he shall be entitled upon retirement to his service retirement annuity, his current service pension and his prior service pension, if any, as if this section and Sections 31676.1, 31676.2, 31676.3, 31676.5, and 31676.6 had not been added to this chapter.

SEC. 7. Section 31676.5 is added to the Government Code, to read:

31676.5. If a member files an election pursuant to Section 31676.3 and does not file an election pursuant to Section 31676.4, all accumulated additional contributions shall be applied to any payments due in order to obtain credit for prior service subsequent to June 30, 1921. If the accumulated additional contributions exceed the amount necessary to make such payments, the treasurer shall refund the balance to such member. If the member does not claim credit for any prior service subsequent to June 3, 1921, the treasurer shall refund to him all of his accumulated additional contributions

SEC. 8 Section 31676 6 is added to the Government Code, to read·

31676 6. If a member files an election pursuant to Section 31676.3 and does not file an election pursuant to Section 31676 4, and either he has no accumulated additional contributions to his credit or the accumulated contributions to his credit are less than payments due for credit for prior service subsequent to June 30, 1921, the amount due or balance thereof shall be paid by additional salary deductions in the amounts specified by the member but in no case less than six dollars ($6) per month. The total amount due shall be paid prior to the effective date of his retirement."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1266 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 1266 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2461—An act to add Section 18626.5 to the Business and Professions Code, relating to the salary of the Secretary to the State Athletic Commission

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Berry, Brown, Burke, Butters, Caldecott, Coats, Condon, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Grant, Hawkins, Hoffman, Huyck, Kirkwood, Lewis, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—42.

NOES—Beck, Burkhalter, Cramer, Clayton A. Dills, Dunn, Hagen, Hahn, Lowrey, and Luckel—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3122—An act to amend Section 6 11 of the Alcoholic Beverage Control Act, relating to organizations, associations, and clubs, and providing for the issuance of on-sale licenses thereto.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Berry, Butters, Cooke, Cramer, Crichton Dickey, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Geddes, Hoffman, Huyck, Kilpatrick, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Thomas, Thompson, Way, Weber, and Yorty—29

NOES—Beck, Brown, Burke, Coats, Collier, Condon, Conrad, Crowley, Clayton A. Dills, Elliott, Evans, Grant, Grunsky, Hahn, Hollibaugh, Kirkwood, Levering, Lowrey, Luckel, Morris, Niehouse, Rosenthal, and Tomlinson—23

Notice of Motion to Reconsider Assembly Bill No. 3122

Mr. McCollister gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3122 was this day refused passage.

REMARKS ON CONDITION OF THE FILE

Mr. Evans spoke on the condition of the file.

MOTION THAT OPINION OF LEGISLATIVE COUNSEL BE READ

Mr. Evans moved that an opinion of the Legislative Counsel, relative to Senate Bill No. 34, be read, at this time.

Mr. Beck seconded the motion.

Motion carried.

Above mentioned opinion read.

Motion to Print Opinion in Journal

Mr. Evans moved that the opinion of the Legislative Counsel, which has just been read, be ordered printed in the journal.

Mr. Beck seconded the motion.

Motion carried.

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 21, 1949

Hon. Vernon Kilpatrick
Assembly Chamber

SENATE BILL NO. 34, AS ENROLLED, RELATING TO BUDGETS OF STATE AGENCIES—No. 6173

DEAR MR. KILPATRICK: You have asked us whether Senate Bill No. 34, now before the Governor for approval, will, if enacted, jeopardize the continued receipt by this State of federal grants-in-aid for public assistance.

In our opinion the enactment of this bill will probably render the state plans for old age assistance, aid to the needy blind, and aid to needy children out of conformity with the requirements of the Federal Social Security Act, and will therefore, jeopardize the continued receipt of such grants-in-aid by this State.

The Federal Social Security Act requires that a state plan for old age assistance must, among other things, either provide for the establishment or designation of a single state agency to administer the plan, or provide for the establishment or designation of a single state agency to supervise the administration of the plan (subsection (3) of subdivision (a) of Section 2). An identical requirement is made by the federal act in respect to a state plan for aid to the blind (subsection (3) of subdivision (a) of Section 1002) and in respect to dependent children (subsection (3) of subdivision (a) of Section 402)

The State Department of Social Welfare has been designated in each instance as the single state agency to supervise every phase of the administration of the plan (Welfare and Institutions Code, Sections 103.5 and 103.6).

Senate Bill No. 34 adds to the Government Code a new Section 13326 which provides:

> "13326. Every state agency, when making requests or preparing budgets to be submitted to the Federal Government for funds, equipment, material or services, other than for highway purposes, shall, upon completion of such request or budget, first submit it to the department. The department shall have authority to approve, disapprove, modify, or amend any such request or budget before it is submitted to the proper federal authority."

Under Section 13001 of the Government Code "the department," as used in the bill refers to the Department of Finance.

This proposed section not only requires that every state agency making a request or preparing a budget to be submitted to the Federal Government for funds, etc., other than for highway purposes, shall first submit it to the Department of Finance, but also expressly authorizes the Department of Finance to approve, disapprove, modify, or amend any such request or budget before it is submitted to the proper federal authority. It appears to us that this gives the Department of Finance the final power to determine the request or budget which is to be submitted to the proper federal authority and thus gives it actual control thereof.

In these instances where the Department of Social Welfare has been designated as the "single state agency" to administer a state plan, it seems inescapable that the administration will no longer be solely in that agency, but will be divided between that agency and the Department of Finance. This may well result in a determination by the Federal Security Administrator that the state plan is no longer in compliance with the requirement of the federal law that the plan be administered by a single state agency, and may well result in the loss of federal grants-in-aid to the State for that plan.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By (Mrs.) HARRIETT R. BUHLER, Deputy

Copy to author of S. B. 34 pursuant to Joint Rule 34.

MOTION TO RECALL SENATE BILL NO. 34 FROM THE GOVERNOR

Mr. Beck moved that the Chief Clerk be instructed to request the Governor to return Senate Bill No. 34 for further consideration

Mr. Rosenthal seconded the motion.

Motion to Set Special Order

Mr Sherwin moved that the motion by Mr. Beck that the Governor be requested to return Senate Bill No. 34 be made a special order of business for Tuesday, April 26, 1949, at 10 a.m.

Mr. Waters seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Crowley, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—Elliott—1.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1503—An act to amend Section 18705 of the Government Code, relating to days, hours and conditions of work for state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cooke, Cramer, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1893—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sullivan, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3106, on motion of Mr. Maloney.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1858—An act to add Sections 51 and 58 to the Vehicle Code, defining an armored car and inflammable liquid.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—60.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2617—An act to add Section 3.1 to the Sanitation and Sewer Revenue Bond Act of 1941, relating to the collection of revenues, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Way, Weber, Yorty, and Mr. Speaker—58.
NOES—None

The roll was called, and the bill was passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Way, Weber, Yorty, and Mr. Speaker—58.
NOES—None

Bill ordered transmitted to the Senate

MEMBER EXCUSED

At 11.10 a.m., Mr. Kirkwood asked for, and was granted, unanimous consent that Mr. Ralph C. Dills be excused for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2618—An act to amend Section 1 of, and to add Section 10.1 to the Sewer District Revenue Bond Act of 1939, in relation to public corporations and the collection of revenues, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2619—An act to amend Section 5053 of, and to add Section 5742 to the Health and Safety Code, relating to the collection of sewer revenue charges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Motion to Amend Title

Mr. Dolwig moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 20, 1949, strike out "5742", and insert "5472".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 72: By Messrs. Thomas and Maloney—Relative to adjournment in respect to the memory of R. L. Puccinelli.

Request for Unanimous Consent

Mr. Thomas asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 72, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 72

Assembly Concurrent Resolution No. 72—Relative to adjournment in respect to the memory of R. L. Puccinelli.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 453

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 453, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 453

Assembly Bill No. 453—An act to amend Section 18852 of the Government Code, relating to salaries of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Cramer, Crichton, Crowley, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—52.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1502—An act to amend Section 18020 of the Government Code, relating to hours of work for state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thompson, Waters, Way, Weber, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

REMARKS ON CONDITION OF THE FILE

Mr. Sherwin spoke on the condition of the file.

REQUEST FOR UNANIMOUS CONSENT THAT TELEGRAM BE ORDERED PRINTED IN JOURNAL

Mr. Sherwin asked for unanimous consent that a telegram from Minnesota, relative to a matter under discussion be ordered printed in the Journal.

Mr. Beck withheld unanimous consent.

Objections Withdrawn

Mr. Beck withdrew his objection.

Telegram

April 21, 1949
ST PAUL, MINNESOTA

Fred Links
Budget Director, State of California, Sacramento, California

Minnesota 47 Laws Chapter 582, Section 25 "budget requests submitted to Federal Government; submission to Commissioner of Administration. All state departments bureaus agencies or divisions operating under Laws 1939 Chapter 431 financed by funds appropriated or receipts or fees of any nature whatsoever when making requests or preparing budgets to be submitted to the Federal Government in support of or in request of funds equipment materials or services from the Federal Government shall upon completion of such requests or budget first submit it to the Commissioner of Administration. The Commissioner of Administration shall have authority to approve disapprove modify or amend any such requests or budget before submitting it to the proper federal authority When such federal authority has approved such requests or budget the state agency shall resubmit it to the Commissioner of Administration for recording before any allotment or encumberance of the federal funds can be made" No complaints from Federal Social Security Board because of compliance by Minnesota Social Welfare Division.

EARL L. BERG, Commissioner of Administration

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 22, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 819—An act to add Section 17500.1 to the Business and Professions Code, relating to regulation of advertising;

And appointed Senators Brown, Hugh M. Burns, and Mayo as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 819

The Speaker announced the appointment of Messrs Dolwig, Caldecott, and Condon as a Committee on Conference concerning Senate Bill No. 819.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 42

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No 42, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 42

Senate Concurrent Resolution No. 42—Relative to leaves of absence of the Governor, Lieutenant Governor, Secretary of State, Attorney General, Controller, Treasurer, Superintendent of Public Instruction, members of the Board of Equalization, and the Members of the Senate and Assembly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—64

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1889—An act to add Section 19259 to the Government Code, relating to state employees completing 25 years or more of state service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Waters, Way, Weber, and Yorty—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 443—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read third time.

Motion to Amend

Mr. Butters moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 43, of the printed bill, as amended in the Assembly on April 18, 1949, after "alfalfa", insert "or cotton".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 808

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 808 temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 808

Assembly Bill No. 808—An act to add Part 2, comprising Sections 23001 to 26481a, inclusive, to Division 2 of, and to add Sections 50016 and 50017 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Bank and Corporation Franchise Tax Act and the Corporation Income Tax Act, and repealing acts and parts of acts specified herein.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT OF INVITATION

Mr. Davis extended an invitation, on his behalf, and that of Senator Regan, the Redding Chamber of Commerce, and the Bureau of Reclamation, to all members that they visit Shasta Dam on Friday, May 6th. Mr. Davis announced that the above mentioned parties will take their legislative guests on an inspection tour of California's largest power plant, for a boat ride on Shasta Lake, and will provide luncheon, dinner, and complimentary rooms for overnight visitors. A special train will leave Sacramento at 8 a.m.

ANNOUNCEMENTS

Supplementing the remarks of Mr Davis, Mr. Dickey announced that members will pay $5 each for round trip tickets on the special train for the Shasta Dam tour; and that members should give thought over the week-end to the advisability of adjourning the Assembly on next Thursday evening, for the purpose of giving all members an equal opportunity to avail themselves of the invitation offered by Mr Davis.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1896 FROM COMMITTEE CONTINUED

Mr Evans asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No 1896 from committee be continued until the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 73: By Messrs. Babbage, Brown, Rosenthal, and Maloney—Relative to a study by the Judicial Council of the Juvenile Court of the State and the feasibility of the establishment of a family and children's court.

Referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2249

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 1190
Assembly Bill No. 106
Assembly Bill No. 2480

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

FLETCHER, Chairman

Above reported bills ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER. Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2068

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1057

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred.

Assembly Bill No 1664

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 481

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Judiciary

HOLLIBAUGH, Chairman

Above reported bill ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 405
Senate Bill No. 406
Senate Bill No. 1013
Senate Bill No 1171
Senate Bill No. 1509

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 198

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 472
Assembly Bill No. 2799

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 261

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 2481
Assembly Bill No. 996

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FLETCHER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 21

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FLETCHER, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 931

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1018
Assembly Bill No. 1524
Assembly Bill No. 1864

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 911

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 188—An act to amend Section 981.1 of the Military and Veterans Code, relating to educational assistance to veterans, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 843—An act to amend Sections 470 and 474 of the Agricultural Code, relating to milk and cream;

Assembly Bill No. 1015—An act to amend Section 92 of the Fish and Game Code, relating to District 22;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1777—An act to amend the heading of Article 3 of Chapter 2 of Division 8 of, and to amend Section 16291 of, the Education Code, relating to the transportation of pupils;

Assembly Bill No. 1945—An act to amend Section 600 of the Agricultural Code, relating to scoring of butter;

Assembly Bill No. 1967—An act to amend Section 6359 of the Revenue and Taxation Code, relating to food products exempt from sales and use taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of April, 1949, at 11 a.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 33
Senate Bill No. 382
Senate Bill No. 692
Senate Bill No. 1484

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

RESOLUTIONS

The following resolutions were offered:

By Messrs. Rosenthal, Hawkins, and Anderson

House Resolution No. 177

Relating to commemorating the passing of Rabbi Stephen S. Wise, President of the American Jewish Congress, statesman, and outstanding leader of Jewish affairs in the United States

WHEREAS, The majority of mankind constantly seek to comprehend the moral laws and ethical principles which give a deeper meaning to human experience; and

WHEREAS, In each generation the wisdom and understanding required to perceive the true nature of man's immediate and ultimate problems and their relation to these moral and ethical principles is given but to a select few; and

WHEREAS, Rabbi Stephen S. Wise possessed, in our time, not only these rare qualities as a man, citizen, and religious and social leader, but possessed also the equally rare ability to communicate effectively his ideals to contemporaries throughout the civilized world; and

WHEREAS, Rabbi Stephen S. Wise devoted his life to four objectives, (1) to a facilitation of mankind's understanding of the spiritual crisis underlying the basic problems of Jew and Gentile alike, and (2) to the creation of a Jewish homeland in Palestine, and (3) to the expansion of cooperative spiritual endeavors among Christian and Jewish spiritual forces in America, and (4) championing freedom of the pulpit, and social and political reform; and

WHEREAS, Rabbi Stephen S. Wise was eminently successful both in achieving these objectives and, moreover, in arousing in his contemporaries a realization of the constant and ever growing need for a sustained and concerted effort by free men to defend these objectives if they are to remain free; and

WHEREAS, The world has lost this man at a time when its need for his sagacious counsel is perhaps more sorely needed than ever before, and when its need for his assertion of the moral law within which alone the remedy of our present economic, social, and political ills may well lie is perhaps greatest, now, therefore, be it

Resolved by the Assembly of the State of California, That its members hereby express their sincere sympathies and profoundest regrets over the passing of Rabbi Stephen S. Wise on April 19, 1949, to the members of his bereaved family and to his many friends and followers; and be it further

Resolved, That when the Assembly adjourns today it does so in commemoration of, and in respect for, Rabbi Stephen S. Wise; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution, suitably prepared, to members of the immediate family of Rabbi Stephen S. Wise.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Dunn, Beck, Coats, Moss, Burkhalter, Crowley, Lowrey, Hagen, Fletcher, Gaffney, Cooke, Meyers, McCarthy, Clayton A. Dills, Davis, Hawkins, Condon, Crichton, Yorty, Ralph C. Dills, George D. Collins, Brady, Rumford, Berry, Brown, Elliott, McMillan, Anderson, Thomas, Rosenthal, Doyle, Kilpatrick, Bennett, Lewis, and Heisinger:

House Resolution No. 178

Relative to the creation of the Assembly Interim Committee on Economic Equality

WHEREAS, Recent events have demonstrated that a need exists for a complete, fair and impartial investigation and survey of the extent to which citizens of this State are denied economic equality and equal economic opportunity because of race, color or creed; and

WHEREAS, In order to determine what action should be taken to guarantee economic equality to all citizens of this State it is necessary that the Legislature be fully informed on all phases of this subject, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Economic Equality is hereby created and authorized and directed to ascertain, study and analyze all facts relating to conditions involving economic discrimination against citizens of this State and all facts relating to or in any way bearing upon the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 175

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No 175, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 175

By Messrs. Gaffney, Maloney, Geddes, Waters, Dunn, Brady, George D Collins, McCarthy, Doyle, Berry, Meyers, and Crowley:

House Resolution No. 175

Congratulating the Irish people upon the establishment of the Republic of Ireland

WHEREAS, In the capital City of Dublin on Easter Monday, 1916, a valiant band of Irishmen, under the leadership of Pearse, Connolly, de Valera, and 13 other

brave men, raised the Irish Tri-color over the post office and the independence of the Irish Republic was proclaimed; and

WHEREAS, Despite the crushing of the rebellion and the execution of all the leaders, with the exception of the New York born son of an American citizen, Eamon de Valera; and

WHEREAS, A prolonged civil war ensued that culminated in the setting up of the Irish Free State and the later Government of Eire, with only nominal political ties binding it to Britain after 780 years; and

WHEREAS, On Easter Monday, 1949, 33 years after the Rising, the last vestige of dependence on Britain was formally removed by a proclamation of the independence of the Republic of Ireland, now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly congratulates the President, the Premier, the Parliament and the people of the Republic of Ireland on their natal day and rejoices with them in their newly attained freedom; and be it further

Resolved, That this Assembly wishes the people of the Republic of Ireland lasting peace, happiness and prosperity and hopes that some day the ancient boundaries of the "Island of saints and scholars" will know but one sovereignty in harmony with her one history and one tradition; and be it further

Resolved, That suitably prepared copies of this resolution be forwarded to the President of the Republic of Ireland, the United Irish Societies of San Francisco and the Irish Freedom League of San Francisco and that this resolution be printed in the Assembly Journal

Resolution read, and adopted

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 45

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 45, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 45

Senate Concurrent Resolution No. 45—Relative to approving amendments to the charter of the City of Porterville, a municipal corporation, in the County of Tulare, State of California, voted for and ratified by the qualified electors of said city at the general municipal election held therein on the fifth day of April, 1949.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Waters, Way, Weber, Youtz, and Mr. Speaker—58

NOES—None.

Resolution ordered transmitted to the Senate

CORRECTION AUTHORIZED BY UNANIMOUS CONSENT

Mr. Geddes asked for, and was granted, unanimous consent that page 2417 of the Assembly Corrected Journal for Thursday, April 21st, show that Senate Bill No. 389 was referred to the Committee on Finance and Insurance, instead of Industrial Relations

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 22, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No 144
Assembly Bill No 190
Assembly Bill No 611
Assembly Bill No 612
Assembly Bill No 908
Assembly Bill No 1351

J. A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Concurrent Resolution No. 72

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No 1180
Assembly Bill No 2212

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 687—An act to add Sections 6348.2 and 6348.4 to the Business and Professions Code, relating to the powers and duties of boards of law library trustees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 749—An act to add Section 9414 to the Government Code, relating to production of prisoners as witnesses in legislative proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Lewis, Lincoln, Lindsay, Luckel,

Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr Speaker—53
NOES—Geddes and Waters—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2975—An act relating to the powers, duties, and functions of committees created by either or both houses of the Legislature, and for that purpose amending Section 9410 of the Government Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Collier, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—56
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 34—Relative to memorializing the President and the Congress of the United States in relation to securing the release of film industry assets frozen in foreign countries.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—62
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1923

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1923, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1923

Assembly Bill No. 1923—An act to add Section 10180 to the Insurance Code, relating to group life and disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Landsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—58
NOES—None.

Bill ordered transmitted to the Senate

ANNOUNCEMENTS OF INVITATIONS

Mr. Clarke invited all members to attend the May Festival and Country Fair, at Los Banos, which will be held on April 28th, 29th, 30th and May 1st.

Mr. Stanley, on behalf of the organization known as the California Republican Assembly, invited all members, and interested Republicans, to attend meetings being held at the El Rancho Hotel on Saturday, April 23d, and Sunday, April 24th The Saturday afternoon meeting will be held at 2 p m., the dinner Saturday night at 7 p m in the Fiesta Room; and the breakfast at 9 a m Sunday morning.

Mr. Dunn invited all Democratic members to attend a dinner being sponsored by the Democrats of the Third Congressional District tomorrow night, Saturday, April 23d, at the Hotel Senator, at $10 per plate.

COMMUNICATIONS

By the Chief Clerk:

A communication from W. Broughton Johnston, President of the Senate of West Virginia, relative to acknowledging receipt of Assembly Joint Resolution No. 26, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from Horace E. Flack, Director of the Department of Legislative Reference, City Hall, Baltimore, relative to Joint Resolution No. 23 introduced by the Senate of the State of Maryland, was received, and ordered filed, with above mentioned resolution, with the Secretary of State.

By the Chief Clerk:

A communication and a Florida House joint memorial resolution from Newman C. Brackin, President of the Florida State Senate, relative to the contents of Assembly Joint Resolution No. 26, were received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 1560	Assembly Bill No. 2668
Assembly Bill No. 1767	Assembly Bill No. 3037
Assembly Bill No 2015	Assembly Bill No 3038

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 1560 ordered re-referred to Committee on Public Health.

Assembly Bill No. 1767 ordered re-referred to Committee on Agriculture.

Assembly Bill No. 2015 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 2668, 3037, and 3038 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 107
Assembly Bill No. 928
Assembly Bill No. 1059
Assembly Bill No. 1289
Assembly Bill No. 1657
Assembly Bill No. 1951
Assembly Bill No. 2361

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 107 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bill No. 1059 ordered re-referred to Committee on Public Health.

Assembly Bill No. 1289 ordered re-referred to Committee on Agriculture.

Assembly Bills Nos. 1951 and 2361 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 928 and 1657 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2691
Assembly Bill No. 3036

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 2691 and 3036 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, April 22, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2775

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2775 ordered re-referred to Committee on Agriculture.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Silliman, the usual courtesies of the Assembly for this day were unanimously extended to Les Dewar, J. D. Thorne and Douglas Bradburn, representing the Monterey businessmen who financed the excursion; Mrs. Alice Ayres, stewardess; Reuben Johnson, business manager of the city schools; and Miss Eileen Brereton, teacher of Monterey School, and the following students: Vic Ferranti, Charles Wilmarth, Philip Mirabelli, Barbara Downey, Lucille Ray, Carol Case, Norma Hale, June Wheat, Dorothy Balestere, Ben Dew, Frank A. Lucido, William Stensland, Pete McKay, Matilda Monte, Mary Morena, Gwen Thompson, David Gaudio, Bob Aurnerd, and Ann Rigdon.

On request of Messrs. Conrad, Morris, Lipscomb, and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mesdames Mildred Beddick, Nina Dodsworth, Dorothy Hall, and Jean Haley of Los Angeles.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. John J. Albarian of Glendale, Gordon Hampton of San Marino, and Oliver Smith of Los Angeles.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Robert W. Rhee of Los Angeles

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to L. A. Woodward of Los Angeles.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Margaret Geddes Boyd of Pomona

ADJOURNMENT

At 12.30 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, April 25, 1949, out of respect to the memory of the late R L. Puccinelli.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED THIRTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, April 25, 1949

The Assembly met at 10 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Our Fathers: We pray this morning for the discontented individuals and classes in this land of abundance and opportunity.

The discontented who slander American institutions and the American way which has given them their unrivalled liberty, their homes and luxuries

The malcontents whom America has given every chance to rise from the depths and who turn against the mother who nursed them

The discontented whom America has given freedom of speech and who blindly use it to praise and propagate systems that would enslave them

May they look around the world, upon all the troubled destitute lands and see that only in America is the highest degree of welfare for all

And the last best hope for the human race to fulfill its dream of plenty and peace —AMEN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Crowley, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Cooke, on motion of Mr. Burkhalter.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Dunn, on motion of Mr. Rumford.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

Mr. Ralph C. Dills, on motion of Mr. Weber.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CALIFORNIA WATER & TELEPHONE COMPANY
SAN GABRIEL VALLEY DIVISION
SAN MARINO 9, CALIFORNIA, April 22, 1949

Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: We hereby gratefully acknowledge receipt of the two illuminated copies of Assembly Concurrent Resolution No. 68 and two copies of page 1940 of the Assembly Journal of April 12th in which is printed the "Ode to Kathy". We will personally deliver a copy of each to Mr. Raymond Hill, who also lives in San Marino.

We hope that Mrs. Fiscus and I may, through you, send our heartfelt gratitude to Assemblyman Montivel A. Burke and all Members of the California Legislature for this tribute to Kathy. Many thousands of letters of sympathy, and particularly this action of the Legislature, have made our sorrow much more easy to bear. We thank you most sincerely.

Very truly yours,

DAVID H. FISCUS

By the Chief Clerk:

A communication and a resolution from the Motor Hotel Association of California, relative to the State Highway Department's construction of freeways and its detrimental effect on the motor court industry in the State of California, were received, and ordered referred to the Committee on Transportation and Commerce.

By the Chief Clerk:

A communication from the Hon. C. P. Dahl, Lieutenant Governor of the State of North Dakota, acknowledging receipt of a copy of Assembly Joint Resolution No. 26, and interest in said resolution, was received, and ordered filed with the Secretary of State.

By the Chief Clerk:

A communication from the Hon. Joseph M. Montoya, Lieutenant Governor of New Mexico, expressing congratulations to the Assembly for the adoption of Assembly Joint Resolution No. 26, was received, and ordered filed with the Secretary of State

By the Chief Clerk:

A communication from the Hon. George M. Smith, Lieutenant Governor of the State of Wisconsin, acknowledging receipt of Assembly Joint Resolution No. 26, was received, and ordered filed with the Secretary of State

By the Chief Clerk:

A communication and a resolution from the Hon. James E. Berry, Lieutenant Governor of Oklahoma, acknowledging receipt of Assembly Joint Resolution No. 26, and inclosing a resolution introduced by the Legislature of Oklahoma, containing similar contents as those in Assembly Joint Resolution No. 26, were received, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 225
Assembly Bill No. 226
Assembly Bill No. 443
Assembly Bill No. 972
Assembly Bill No 2612

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2779

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 361
Assembly Bill No 531
Assembly Bill No. 2040
Assembly Bill No. 2062
Assembly Bill No. 2270
Assembly Bill No 2900

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 360	Assembly Bill No. 1304
Assembly Bill No. 366	Assembly Bill No. 1846
Assembly Bill No. 369	Assembly Bill No. 1888
Assembly Bill No. 653	Assembly Bill No. 1918
Assembly Bill No. 929	Assembly Bill No. 2020
Assembly Bill No. 978	Assembly Bill No. 2088
Assembly Bill No. 979	Assembly Bill No. 2121
Assembly Bill No. 980	Assembly Bill No. 2414
Assembly Bill No. 981	

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 573

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 573 ordered re-referred to Committee on Conservation, Planning, and Public Works.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 22, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature

Assembly Bill No. 1253, entitled: "An act to amend Section 5 of the Public Utility Districts Act of 1921, relating to public utility districts."

My objections to this bill are as follows:

This bill and Assembly Bill No. 2387 both amend Section 5 of the Public Utility District Act. Assembly Bill No. 2387 amends the section in the same particular as does this bill, and makes a further amendment. Since Assembly Bill No. 2387 is the more comprehensive bill and accomplishes all that would be accomplished by this bill, I am signing Assembly Bill No. 2387 and returning this bill without my approval, as being unnecessary.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, April 25, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to Assembly Bill No. 1253, entitled, "An act to amend Section 5 of the Public Utility Districts Act of 1921, relating to public utility districts."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5:15 o'clock p.m. on the twenty-second day of April, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 421—An act to add Section 959.1 to, and to amend Section 960 of, the Streets and Highways Code, relating to the reservation of easements on the abandonment of county highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1284—An act to add Section 603 to the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2031—An act to amend Section 428.5 of the Vehicle Code, relating to sale of certain vehicles by lienholder.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2843—An act to add Section 604 to, and to amend Section 540 of, the Vehicle Code, relating to traffic laws.

Bill read second time, and ordered engrossed

Assembly Bill No. 2481—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 996—An act to amend Section 72 of the Labor Code, relating to the Industrial Welfare Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2068—An act to amend Section 8101 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes.

Bill read second time, and ordered engrossed

Assembly Bill No. 2249—An act to amend Section 1272 of the Agricultural Code, relating to report of sale by commission merchant, remittances, retention of records, payment by dealer, claims or credits.

Bill read second time, and ordered engrossed

Assembly Bill No. 931—An act to amend Section 13676 of the Education Code, relating to employees' leaves of absence.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1364—An act making an appropriation in augmentation of the appropriation in Item 341 of the Budget Act of 1948, for educational assistance to veterans, Department of Veterans Affairs, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "two hundred twenty-nine thousand five hundred dollars ($229,500)", and insert "three hundred ninety-six thousand two hundred ninety-six dollars ($396,296)"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Waters asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1664—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of cities, counties and school districts from sales and use taxes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 2 of the title of the printed bill, after "cities", strike out the comma and "counties"

Amendment No. 2

On page 1, line 5, of said bill, after "cities", strike out the comma and "counties".

Amendment No. 3

On page 1, line 9, of said bill, after "city", strike out the comma and "county or", and insert "and".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1190—An act to add Section 6604 to the Labor Code, relating to effect of refusal to work where order of Division of Industrial Safety is violated.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 18, 1949, strike out lines 10 to 18, inclusive, and insert

"6604. No employee shall be laid off or discharged for refusing to perform work which is in violation of any safety order of the Division of Industrial Safety."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 106—An act to add Section 1630.1 to the Labor Code, relating to employment agencies

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "conditions", and insert "wages, hours and conditions required for securing and retaining employment contained therein".

Amendment No. 2

On page 1 of the printed bill, strike out line 7.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2480—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 16, of the printed bill, after "employment", strike out "unless there is evidence to the contrary".

Amendment No. 2

On page 1 of said bill, between lines 16 and 17, insert "; provided, however, that the member of the police department or State Highway Patrol shall have served five years or more in such capacity before the presumption shall arise as to the compensability of heart trouble so developing or manifesting itself".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 38—An act to amend Section 59.5 of the Alcoholic Beverage Control Act, relating to the hours of sale of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "or off-".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 1227—An act to amend Section 64 of the Alcoholic Beverage Control Act, relating to the possession, consumption, sale, giving, and delivery of alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on April 18, 1949, strike out "Every person who at any"; strike out lines 10 to 14, inclusive; and in line 15, strike out "of a misdemeanor"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 2207—An act to amend Sections 18679 and 18679.5 of the Business and Professions Code, relating to boxing and wrestling licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 2 of the printed bill, strike out lines 6, 7, 8, and 9

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 261—An act to add Article 4 to Chapter 2 of Division 9 of the Public Resources Code, relating to soil conservation, providing for a Special Fund for the Acquisition of Soil Conservation Machinery and Equipment and the rental thereof to soil conservation districts, making an appropriation, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 13, of the printed bill as amended in the Assembly on January 27, 1949, after "purchase", insert ", or loan money on a rental purchase agreement from the Soil Conservation Equipment Revolving Fund to a soil conservation district to purchase,".

Amendment No. 2

On page 2, line 2, of said bill, after "purchase", insert ", or loan money from the Soil Conservation Equipment Revolving Fund to a soil conservation district to purchase,".

Amendment No. 3

On page 2, line 3, of said bill, strike out "and transporting", and insert ", transporting, and housing".

Amendment No. 4

On page 2, line 4, of said bill, strike out "and machinery", and insert ", machinery, and housing".

Amendment No. 5

On page 2, line 11, of said bill, strike out "district, a group of dis-", and insert "soil conservation district, a group of soil conservation dis-".

Amendment No. 6

On page 2, line 12, of said bill, after "tricts," insert "and for emergency use in fire, storm, flood or disaster ro,".

Amendment No. 7

On page 2, line 13, of said bill, strike out "district", and insert "soil conservation district, or loan sufficient funds to one soil conservation district to purchase equipment,".

Amendment No. 8

On page 2, line 16, of said bill, after the period, insert "It shall be the policy of the commission to establish or make funds available for the establishment of major equipment pools wherever possible"

Amendment No. 9

On page 2, line 17, of said bill, after "rent", insert "or loan amortization".

Amendment No. 10

On page 2, line 18, of said bill, strike out "of equipment and the charges for services rendered to", and insert "of, or repayment for, equipment and the charges for services rendered to or by".

Amendment No. 11

On page 2, line 24, of said bill, after "in", insert "supervising,".

Amendment No. 12

On page 2, line 28, of said bill, after the period, insert "There shall be an equipment supervisor responsible to the commission in charge of all equipment purchased by the commission and rented to the districts for the purpose of supervising the maintenance and use of such equipment. The equipment supervisor shall further be charged with checking and reporting upon, at least once each six months, all equipment purchased by the soil conservation districts with funds loaned by the commission. The commission shall have the power to repossess such equipment which it finds to be improperly operated, cared for or used, or which is in default of payment if such use or default cannot be satisfactorily corrected after due notification to the district by the commission."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1057—An act to add Sections 14307 and 14308 to the Revenue and Taxation Code, relating to the lien of inheritance tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In the title of the printed bill, after "14307", insert a comma, and strike out "and".

Amendment No. 2

In the title of said bill, after "14308", insert "and 14309".

Amendment No. 3

On page 1, line 6, of said bill, after "that", insert "the real property has been appraised by a qualified inheritance tax appraiser and that".

Amendment No. 4

On page 1, line 6, of said bill, after "due", insert "which would be a lien on said property".

Amendment No. 5

On page 1 of said bill, between lines 11 and 12, insert

"14308. The Controller, the Inheritance Tax Attorney or a subordinate inheritance tax attorney may at any time release all or any portion of the real property subject to any lien imposed by this part from such lien or subordinate such lien to other liens and encumbrances if he determines that the taxes are sufficiently secured by a lien on other property belonging to the decedent at the time of his death or that the release or subordination of such lien will not endanger or jeopardize the collection of said taxes.

SEC. 3. Section 14309 is added to the Revenue and Taxation Code, to read.".

Amendment No. 6

On page 1, line 12, of said bill, strike out "14308", and insert "14309".

Amendment No. 7

On page 1, line 14, of said bill, strike out "interest in".

Amendment No. 8

On page 1, line 14, of said bill, after "property", insert "or interest therein".

Amendment No. 9

On page 1, line 15, of said bill, strike out ", is", and insert "or that such lien has been subordinated to other liens shall be".

Amendment No. 10

On page 1, line 15, of said bill, after "evidence", insert "as to any bona fide purchaser, encumbrancer or lessee of said property".

Amendment No. 11

On page 1, line 16, of said bill, strike out ", as to any bona fide purchaser," and insert "or that such lien has been subordinated as provided in the certificate."

Amendment No. 12

On page 1 of said bill, strike out lines 17 and 18.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

SECOND READING OF SENATE BILLS

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes.

Bill read second time, and ordered to third reading.

Senate Bill No. 405—An act to amend Section 14191 of, and to add Article 6.5, comprising Sections 14195 to 14195.4, inclusive, to Chapter 8, Part 8, Division 2 of, the Revenue and Taxation Code, relating to the compromise of death taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 406—An act to add Article 6.7, comprising Sections 14197 to 14197.13, inclusive, to Chapter 8, Part 8, Division 2, of the Revenue and Taxation Code, relating to the interstate arbitration of death taxes.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Maloney asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1013—An act to add Section 7057 to the Revenue and Taxation Code, relating to registration of employers under the California Unemployment Insurance Act by officers and employees of the Board of Equalization.

Bill read second time, and ordered to third reading.

Senate Bill No. 1171—An act to repeal Chapter 3.3 of Part 6, Division 1, comprising Sections 3490 to 3494, inclusive, of the Revenue and Taxation Code, relating to the disposition of tax delinquent property.

Bill read second time, and ordered to third reading.

Senate Bill No. 1509—An act to add Section 2620 to the Revenue and Taxation Code, relating to payments to taxing agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 150—An act to add Section 332.1 to the Vehicle Code, relating to impounding of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on April 7, 1949, following the period, insert "Regardless of the foregoing, any motor vehicle impounded pursuant to this section which is subject to a chattel mortgage, conditional sale contract, or lease contract shall be released by the court to the legal owner upon the filing of an affidavit by the legal owner that the chattel mortgage, conditional sale contract, or lease contract is in default and shall be delivered to the legal owner upon payment of the accrued cost of keeping such motor vehicle."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 198—An act to add Chapter 3 to Part 8, Division 1 of the Revenue and Taxation Code, relating to the distribution of property tax levies and collections on the secured roll.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 6 of the printed bill, as amended in the Senate on March 24, 1949, after line 17, insert

"4715 This chapter shall have no application to tax levies made by counties on behalf of public districts for which the county treasury is not the legal depositary unless agreed to by a resolution of the governing board of such public district, adopted not later than July 15th of the fiscal year in which this procedure is to apply to such public district."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 401	Assembly Bill No. 2110
Assembly Bill No. 1116	Assembly Bill No. 2174
Assembly Bill No. 1117	Assembly Bill No. 2217
Assembly Bill No. 2104	Assembly Bill No. 2714

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2110 ordered re-referred to Committee on Judiciary.

Assembly Bills Nos. 1116 and 1117 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos. 401, 2104, 2217, and 2714 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2174 ordered re-referred to Committee on Municipal and County Government.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 67	Assembly Bill No. 728
Assembly Bill No. 542	Assembly Bill No. 3104

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No 67 ordered re-referred to Committee on Education.

Assembly Bill No. 728 ordered re-referred to Committee on Elections and Reapportionment.

Assembly Bills Nos 542 and 3104 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 294—An act to amend Section 373 of, and to add Section 373.5 to, the Elections Code, relating to indexes of registration;

Assembly Bill No. 379—An act to amend Section 1588 of the Labor Code, and to add Section 1588.2 thereto, relating to license fees of employment agencies and labor contractors;

Assembly Bill No. 548—An act to add Article 4.5, comprising Sections 4330 and 4331, to Chapter 13 of Division 2 of the Education Code, relating to the boundaries of high school and junior college districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 563—An act to amend Section 695 of the Elections Code, relating to election officer's right of absence from employment;

Assembly Bill No. 606—An act to amend Sections 146, 175, and 185 of the Vehicle Code, relating to registration and transfer of vehicles;

Assembly Bill No. 610—An act to add Section 378.2 to, and to amend Sections 379 and 381 of the Vehicle Code, relating to fees for registration of motor vehicles and for issuance of operator's and chauffeur's licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 724—An act to amend Sections 1296, 1301, 1305, 1306, 1311, 1398, and 1776 of the Labor Code, and Sections 16687 and 16732 of the Education Code, relating to the Division of Labor Law Enforcement;

Assembly Bill No. 1349—An act to add Section 7964.5 to the Elections Code, relating to precinct boards;

Assembly Bill No. 1538—An act to add Section 132.5 to the Elections Code, relating to registration of members of the armed forces;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2141—An act to amend Section 4533 of the Elections Code, relating to campaign statements;

Assembly Bill No. 2143—An act to amend Section 8007 of the Elections Code, relating to recount of ballots;

Assembly Bill No. 2144—An act to amend Section 3305 of the Elections Code, relating to affidavits of registration;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2285—An act to amend Sections 7015, 7016, and 7020 of the Elections Code, relating to canvass of ballots;

Assembly Bill No. 2422—An act to amend Section 19611 of the Education Code, relating to child care centers;

Assembly Bill No. 2502—An act to amend Section 6050 of the Elections Code, relating to voting machines;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 10 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3094—An act amending Section 5 of an act entitled "An act to define and officially adopt a State-wide System of Plane Coordinates, to provide for uniformity in the orientation of land surveys and maps within the State of California, and permitting, but not requiring, the use thereof in surveying and mapping operations," approved July 10, 1947, relating to the State-wide System of Plane Coordinates;

Assembly Bill No. 3101—An act to add Section 26733.5 to the Water Code, relating to irrigation districts and declaring the urgency thereof, to take effect immediately,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 10 a.m.

HUYCK, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1896 FROM COMMITTEE CONTINUED

Mr. Evans asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 1896 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 325—An act to amend Sections 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2750, 2753, 2795, 2798, and 2804 of the Elections Code, relating to elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 325?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 21, 1949, after "of", insert ", and to add Section 2797.5 to"

Amendment No. 2

On page 9 of said bill, after line 33, insert

"SEC. 11. Section 2797.5 is added to said code, to read

2797.5. A county central committee may authorize its chairman to appoint delegates to fill vacancies in the membership of party state conventions which the county central committee has power to fill."

Amendment No. 3

On page 9, line 35, of said bill, strike out "11", and insert "12".

Amendment No. 4

On page 9, line 39, of said bill strike out "_____".

Amendment No. 5

On page 9, line 41, of said bill, strike out "making", and insert "which has the power to make"

Amendment No. 6

On page 10, line 1, of said bill, strike out "12", and insert "13".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 325 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McMillan, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 325 ordered enrolled.

Assembly Bill No. 618—An act to amend Sections 511.3, 515, and 601.5 of, and to repeal Section 511.6 of the Vehicle Code, relating to speed regulations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 618?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 21, 1949, strike out ", 515,".

Amendment No. 2

On page 2 of said bill, strike out lines 8 to 30, inclusive; and in line 31, strike out "SEC. 4", and insert

"SEC. 3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 618 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None

Assembly Bill No. 618 ordered enrolled.

Assembly Bill No. 720—An act to amend Section 5931 of, and to add Section 5931.5 to, the Elections Code, relating to absentee voting.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 720?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 5911, 5930, and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 5911 of the Elections Code is amended to read:

5911. The identification envelope shall have printed on its face [an affidavit] *a declaration* substantially in the following form

IDENTIFICATION ENVELOPE

State of_____)
County of_____) ss.

_____ [deposes and says] *declares:* I am a resident of and a voter in _____, Precinct _____, in the City or Town of _____, County of _____, State of California, and I herein enclose my ballot in compliance with Chapter 5, Division 8, of the Elections Code *I declare under the penalty of perjury that the above declarations are to the best of my knowledge and belief true and correct*

_____
(Signature)

_____
(Residence Address)

[(SEAL)]

Subscribed [and sworn] to before me this _____ day of _____, 19____; and I hereby certify *under the penalty of perjury* that in my presence this [affiant] *declarant* enclosed said ballot and handed me this envelope sealed, that ___he signed this [affidavit] *declaration and I* [acknowledge the same all] *witnessed his signature thereto* in accordance with law.

_____
([Official's signature] *Signature of Witness*)

_____
([Title of officer] *Address of Witness*)

Notice—After receiving this sealed envelope from the person [taking] *witnessing* your [affidavit] *declaration*, when voting outside the office in which this ballot was issued, you must immediately return it by mail, postage prepaid, to the officer from whom it was received.

MARKED BALLOT ENCLOSED TO BE OPENED ONLY BY CANVASSING BOARD

Sec. 5909, second sentence, Elections Code. "No officer of this State may make any charge for services rendered to any voter under the provisions of this chapter."

Any person making the declaration provided for in this section who wilfully states as true any material matter which he knows to be false is punishable by imprisonment in the state prison for not less than one nor more than fourteen years.

SEC. 2. Section 5930 of said code is amended to read

5930. Any voter applying for and receiving an absent voter's ballot may, on any day prior to the day of election for which the ballot is to be voted, appear at the office of the clerk of the county, municipality or district in which he resides and stamp *or mark with pen or pencil*, and seal his ballot under the scrutiny of that officer, and in the following manner: (a) The voter shall first display the ballot to the clerk as evidence that it is not marked, and shall then proceed to mark the ballot in the presence of the clerk, but in such manner that the officer is unable to see how it is being marked. The voter shall then fold the ballot and enclose it in the identification envelope.

(b) The voter shall then make out or cause to be made out and [swear] *sign* to the [affidavit] *declaration* printed on the face of the envelope and deliver it properly sealed to the officer before whom the ballot is marked.

(c) The officer shall then [certify] *sign as a witness* to the [affidavit] ***declaration*** printed on the identification envelope and after writing or stamping his name across the seal shall deposit the envelope in a safe place in his office, to be kept by him and delivered to the proper canvassing board.

SEC. 3. Section 5931 of said code is amended".

Amendment No. 3

On page 2, line 3, of said bill, strike out "2", and insert "4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 720 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 720 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 3122, on request of Mr. McCollister.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2212—An act to amend Section 402 of the Fish and Game Code, relating to licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2212?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 31, 1949, strike out lines 7 and 8.

Amendment No. 2

On page 1, line 9, of said bill, strike out "(d)", and insert "(c)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2212 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 2212 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1180 ON UNFINISHED BUSINESS FILE

Mr. Hoffman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1180, on the unfinished business file, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1180—An act to add Section 975 to the Fish and Game Code, relating to carp traps.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1180?

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "carefully".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1180 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 1180 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1253—An act to amend Section 5 of the Public Utility District Act of 1921, relating to public utility districts.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1253 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1462—An act to amend Sections 631 and 631.5 of the Code of Civil Procedure, to amend Sections 28111, 28134, and 28149 of the Government Code and to add Sections 28100 and 29619 to the Government Code, relating to juries.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, strike out lines 42 and 43.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1093—An act to amend Section 45.11 of the Unemployment Insurance Act, relating to claims for refund and authorizing civil action against the commission for recovery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2073—An act to amend Section 3209.3 of the Labor Code, relating to workmen's compensation and insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury,

Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3024

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3024, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3024

Assembly Bill No. 3024—An act to amend and renumber Section 1882.5 of the Revenue and Taxation Code, relating to property taxation, and providing for the equalization of property values.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—71.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 747—An act to amend Section 2877 of the Penal Code, relating to prisons and prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Yorty—64.

NOES—Collier, Fletcher, and Thomas—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 787—An act to amend Section 7.2 of the Unemployment Insurance Act, relating to employment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood,

Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 869—An act to amend Section 330 of the Fish and Game Code, relating to public shooting grounds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO RECALL SENATE BILL NO. 61 FROM THE SENATE

Mr. Dickey moved that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 61 for further consideration.

Mr. Butters seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Speaker Pro Tempore Presiding

At 11 05 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1547

Mr. Hoffman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1547, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1547

Assembly Bill No. 1547—An act to add Section 136.5 to the Agricultural Code to provide more effective and expeditious abatement of pests.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin,

Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—62.
NOES—Beck, Dickey, and Geddes—3.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.15 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 444—An act to add Section 7.3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor.

Bill read third time.

Speaker Pro Tempore Presiding

At 11.28 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Maloney announced the appointment of Mrs. Niehouse and Messrs. Gaffney, McCarthy, Meyers, and Hollibaugh as a Select Committee to escort the Hon. Sean MacBride, Minister of External Affairs of the Republic of Ireland, the Hon. Sean Nunan, Minister to the United States, and their party to the rostrum.

RECESS

At 11.29 a.m., on motion of Mr. Maloney, the Assembly recessed until 11.43 a.m., to hear remarks from the Hon. Sean MacBride, Minister of External Affairs of the Republic of Ireland.

REASSEMBLED

At 11.43 a.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 444

Assembly Bill No. 444—An act to add Section 7.3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Butters moved a call of the Assembly.

Motion carried. Time, 11.45 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent member:

Waters—1.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1351—An act to amend Section 117p of the Code of Civil Procedure, relating to fees in the small claims court;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 612—An act to add Section 383.2 to the Vehicle Code, relating to the refund of fees;

Assembly Bill No. 908—An act to repeal Sections 215.8, 215.9, 215.10, 215.11, 215.12, and 215.17 of the Agricultural Code, relating to the licensing of swine salesyards;

Assembly Bill No. 1266—An act to add Sections 31454.5, 31676.1, 31676.2, 31676.3, 31676.4, 31676.5, and 31676.6 to, and to amend Section 31627 of, the Government Code, relating to service retirement of county employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 144—An act to add Section 27265 to the Government Code, relating to destroying temporary index sheets by county recorders;

Assembly Bill No. 190—An act to amend Section 587b of the Penal Code, relating to trespass upon railroad equipment;

Assembly Bill No. 611—An act to amend Section 383 of the Vehicle Code, to amend Section 10901 of the Revenue and Taxation Code, and to amend Section 11, Chapter 788, Statutes of 1937, as amended, relating to the refund of fees collected thereunder;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2269

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2269 ordered re-referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2540

Mr. Kilpatrick asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2540, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2540

Assembly Bill No. 2540—An act to add Sections 4025, 4026, 4027, 4028, 4029, 4030, 4031, 4032, 4033, 4034, and 4035 to the Penal Code, relating to county jails.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Way, Weber, and Yorty—67.

NOES—None.

Motion to Amend Title

Mr. Kilpatrick moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 20, 1949, after "to", insert "joint".

Amendment read, and adopted

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2090, on motion of Mr. Silliman.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2755—An act to amend Section 142 of the Code of Civil Procedure and Section 24254.5 of the Government Code, relating to sessions of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 934—An act to amend Section 427 of the Fish and Game Code, relating to hunting licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 935—An act to amend Section 407 of the Fish and Game Code, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 937—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 938—An act to amend Section 430 of the Fish and Game Code, relating to fishing licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1296—An act to add Section 622.5 to the Fish and Game Code, relating to taking fish for use as bait.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss,

Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1938, on motion of Mr. Evans.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2195

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2195, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2195

Assembly Bill No. 2195—An act to add Sections 364.7 and 364.8 to the Agricultural Code, relating to public livestock sales yards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 528—An act to amend Section 6509 of the Business and Professions Code, relating to the inspection of barber shops and barber colleges.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, between lines 10 and 11, insert

"The provisions of this subdivision shall not apply to barber shops operated in connection with hotels and resorts.

"Hotel," as used in this section, means any building or structure maintained, advertised, or held out to the public as a place where sleeping or rooming accommodations are furnished to the whole or any part of the public.

"Resort," as used in this section, means any building or group of buildings maintained, advertised, or held out to the public as a place for vacationing and recreation."

Amendment read.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Waters is not speaking to the amendment.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Doyle to Assembly Bill No. 528.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burkhalter, Collier, Condon, Connolly, Crichton, Dickey, Clayton A. Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Hawkins, Heisinger, Kilpatrick, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Rosenthal, Rumford, Sherwin, Silliman, Thomas, Thompson, Way, and Weber—37.

NOES—Burke, Butters, Caldecott, Conrad, Cramer, Erwin, Grant, Grunsky, Hagen, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Moss, Reagan, Smith, Stewart, Waters, and Yorty—20.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1954—An act to amend Section 1601 of the Health and Safety Code, relating to biologics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2555—An act to add Section 226a to the Civil Code, relating to consent of natural parents to adoption.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, after "by", insert "the person or persons to whose adoption of the child the consent was given or by".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "The court may give its approval only after a hearing on notice to the parents and petitioner.", and insert "If an adoption proceeding has been commenced, request for such approval may be made by motion, or, if there is no such proceeding pending, a natural parent seeking to withdraw such consent may file with the clerk of the superior court a petition for approval of withdrawal thereof, without the necessity of payment of any fee for the filing of such petition. The petition shall be in writing, and shall set forth the reasons for withdrawal of consent, but otherwise may be in any form

The clerk of the court shall set the matter for hearing, and shall give notice thereof to the State Department of Social Welfare, to the persons to whose adoption of the child the consent was given, and to the natural parent or parents, in the manner provided in Section 1200 of the Probate Code.

At the hearing, the parties may appear in person or with counsel. The hearing may be had in chambers or in open court, but the court reporter shall report the proceedings and his fee therefor shall be paid from the county treasury on order of the court. If the court finds that withdrawal of the consent to adoption is reasonable in view of all the circumstances, and that withdrawal of the consent will be for the best interests of the child, the court shall approve the withdrawal of the consent; otherwise the court shall withhold its approval.

Any order of the court granting or withholding approval of a withdrawal of a consent to an adoption may be appealed from in the same manner as an order of the juvenile court declaring any person to be a ward of the juvenile court."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 910

Mr. *Smith* asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 910, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 910

Assembly Bill No. 910—An act to amend Section 224 of the Civil Code, relating to the adoption of children.

Bill read third time.

Motion to Amend

Mr. Smith moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on March 30, 1949, strike out the period, and insert "; or where such father or mother has relinquished said child for adoption to a licensed or authorized child placing agency in another jurisdiction pursuant to the law of that jurisdiction."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1524—An act to amend Section 5047 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 911—An act to amend Section 226a of the Civil Code, relating to adoption proceedings.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "amend Section 226a", and insert "add Section 226b".

Amendment No. 2

On page 1, line 10, of said bill, strike out "226a", and insert "226b".

Amendment No. 3

On page 1, line 11, of said bill, strike out "226a.", and insert "226b."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse meat, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 21, 1949, strike out lines 11 to 14, inclusive.

Amendment No. 2

On page 3, line 15, of said bill, strike out "(c)", and insert "(b)".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Brown, Caldecott, Dolwig, Grunsky, Heisinger, Huyck, Luckel, McCollister, Sherwin, Smith, Stanley, Thompson, and Way—13.

NOES—Anderson, Beck, Berry, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Morris, Moss, Niehouse, Reagan, Rosenthal, Silliman, Stewart, Thomas, Tomlinson, Weber, and Yorty—46.

Consideration of Further Amendments

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 21, 1949, after "horse", insert ", mule and burro".

Amendment No. 2

On page 3, line 48, of said bill, strike out "28011", and insert "28010"

Amendment No. 3

On page 3, line 49, of said bill, strike out "28011 ", and insert "28010."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 444

At 12.35 p.m., on motion of Mr. Butters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 444 refused passage by the following vote:

AYES—Babbage, Beck, Brown, Burke, Butters, Coats, Connolly, Conrad, Cramer, Dolwig, Erwin, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, McCollister, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Weber, and Mr. Speaker—35.

NOES—Anderson, Bennett, Berry, Brady, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lincoln, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way, and Yorty—39.

Notice of Motion to Reconsider Assembly Bill No. 444

Mr. Butters gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 444 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2459

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2459, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2459

Assembly Bill No. 2459—An act to amend Section 19433 of the Business and Professions Code, relating to horse racing.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "twelve thousand dollars ($12,000)", and insert "ten thousand dollars ($10,000)".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1867

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1867, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1867

Assembly Bill No. 1867—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice, instruction and contests by members of the California Highway Patrol.

Bill read third time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "Such shooting competition may be par-", and strike out lines 18 and 19.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1555

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1555, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1555

Assembly Bill No. 1555—An act to add Section 6 to an act entitled "An act providing for the joint exercise of powers by public agencies," approved May 20, 1921, relating to privileges and immunities of officers and employees while acting under the joint exercise of powers by public agencies.

Bill read third time.

Motion to Amend

Mr. Lincoln moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, before "relating", insert "and to add Section 6513 to the Government Code,".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 6513 is added to the Government Code, to read:

6513. All of the privileges and immunities from liability, exemptions from laws, ordinances and rules, all pension, relief, disability, workmen's compensation, and other benefits which apply to the activity of officers, agents or employees of any such public agency when performing their respective functions within the territorial limits of their respective public agencies, shall apply to them to the same degree and extent while engaged in the performance of any of their functions and duties extraterritorially under the provisions of this article.

SEC 3 Section 2 of this act becomes operative only if Chapter 5, Division 7 of Title 1 of the Government Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Chapter 5 takes effect; at which time Section 1 of this act is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 129

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 129, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 129

Assembly Bill No. 129—An act to add Article 4, comprising Sections 9220 to 9222, inclusive, to Chapter 2, Part 1, Division 2, Title 2 of the Government Code, relating to the powers and duties of the Speaker of the Assembly.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1011

Mr. Bennett asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1011, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1011

Assembly Bill No. 1011—An act to amend Section 5425 and Section 5426 of the Public Resources Code, relating to recreation, park and parkway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—70.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Lowrey:

House Resolution No. 179

Relative to adjournment in respect to the memory of Mrs. Maude Billiou Sehorn

WHEREAS, The death of Mrs Maude Billiou Sehorn on April 15, 1949, has taken from Willows, California, one of its most loved and respected citizens; and

WHEREAS, Born of pioneer parents, Mr and Mrs. Joseph Billiou of Glenn County, she became the wife of Ed. M. Sehorn and mother of two sons, Ed. M., Jr., and J. W. Sehorn; and

WHEREAS, Upon her husband's appointment as postmaster at Willows in 1932, Mrs Sehorn became editor of The Willows Journal, a daily newspaper published by the Sehorn family for over fifty years; and

WHEREAS, In addition to her full life as a wife, mother, and newspaper editor, Maude Billiou Sehorn enjoyed leadership in many civic, fraternal, and church organizations, having been a member of the Glenn County Democratic Central Committee for many years, and was a Past President of the Sacramento Valley Allied Newspapers Association, the Young Ladies Institute, Willows Soroptimist Club, and the Glenn County Parlor of the Native Daughters of the Golden West; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their profound sorrow and regret that a sudden and untimely death has closed the life of this fine and capable woman in whose death her family and her community have sustained a great loss; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Ed M Sehorn of Willows, surviving son of Maude Billiou Sehorn; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Mrs. Maude Billiou Sehorn.

Resolution read, and ordered referred to the Committee on Rules.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO PURCHASE BRIEF CASE

Mr. Dickey moved that the Chief Clerk be instructed to purchase a combination brief case for Mr. Yorty, similar to the ones purchased for the new members this session.

Mr. Butters seconded the motion.

Motion carried unanimously, there being more than a quorum present.

MOTION TO PRINT ADDITIONAL COPIES OF PAMPHLETS

Mr. Dickey moved that 4,000 additional copies of the pamphlet of entitled, "Information Relating to the Legislature," be printed.

Mr. Cramer seconded the motion.

Motion carried.

ANNOUNCEMENTS

Mr. Stanley announced a breakfast and Republican Caucus tomorrow morning, Tuesday, April 26th, at the Sacramento Hotel at 7.30 a.m.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 72—Relative to adjournment in respect to the memory of R. L. Puccinelli;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-fifth day of April, 1949, at 3 p.m.

HUYCK, Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Subcommittee on Fairs, Committee on Agriculture, in Room 430.

Public Utilities and Corporations.

Crime and Correction.

Ways and Means. Subject: Capital outlay.

Tonight, at 8 p.m.—

Finance and Insurance. Subject: Small loan bills.

Tomorrow, Tuesday, April 26th, at 9 a.m.—

Rules, in Room 430.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Misses Khani Ling and Evelyn Fong Wan of Stockton and Oakland.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Frank Karl Etter of San Francisco.

On request of Messrs. Hawkins and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Leon M. Giles of Los Angeles.

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Perry B. Arnold of Glendale.

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Dolores Clapp of Oakland.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Frank Troost of Los Angeles.

On request of Mr. Kilpatrick, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Henry Hayden and Mr. and Mrs. Richard J. Neutra of Los Angeles.

On request of Messrs. George D. Collins, Gaffney, Maloney, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the Honorable Sean MacBride, Minister of External Affairs of the Republic of Ireland; the Honorable Sean Nunan, Minister to the United States; and the following members of the Irish Freedom League of San Francisco: John J. Tahaney, president; Michael Riordan, Jim Cummins, Frank McGrath, M. Riordan, Molly Callanan, Ann Kearns, Malachy Ruane, John Murray, Bud Duggan, Frank Bowen, and Sean Judge; and Terrance Mulligan of Sacramento.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Robert Arganbright, advisor of the Ripon Union High School, and the following pupils of Chapter 157C of the California Scholarship Federation: Mary Beth Moore, Joan Kingery, Mary Ann Franscella, Mary Ellen Hargrove, Mary Azevedo, Bill Van Wyk, Angie Gomes, Sadie Mae Williams, Ted Barkley, Dale Tornell, Duane Siggins, Janet Owens, Doris Ann Kovak, Frances Silva, Josie Ballatore, Frances Martini, Mary Furtado, Ben Tsuchimoto, Dolores Gomes, Ruth Sanford, Mervyn Stouffer, Pansy Gregory, Joyce Schoonhoven, Darlene Wassink, Carolyn Manz, Katherine Sanford, Genevieve Vrieling, Marian Vieira, Veronica Mulholand, Nellie Kuil, Diane Pearson, and Barbara Gerbing.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Pylman and Eleanor Bunnell, teachers, of the Bates Union School of Courtland, and the following pupils: Luis Macias, Irene Lopez, Ray Batten, Cruz Garcia, Johnny Oropesa, Alfred Moreno, Robert Schmidt, Robert White, Anna Gozzi, Tommy Stubbs, Danny Medina, Tina Vigil, Jack Fautt, Bill Baber, Ted Fukushima, Dolores Herzog, Jean Cole, Joseph Werlinger, June Houston, Mercedes Luna, Frances Dolinski, Mary Jane Collier, Raymond King, Billy Cortopasse, Norman Wong, Robert Burch, Clyde King, Sybel Young, Marjorie Cantrell, Robert Rufenacht, Edward Valdez, Marina Rajo, Barbara Callaway, Jane Hemley, Sheron Gentner, Jay Long, George Smith, Kenneth Grimes, Crystal Peterson, Connie Tolman, Tressa Lee, Gloria Diaz, Mary Helen Dominguez, Marshall Pylman, Ben Yabu, Rosa Carpio, Eiko Nakata, Ana Nunez, Mary Sanchez, Jeanne Wilson, Dudley Smith, Ronald Vierra, Marylin Cave, Doris Ellington, Joyce Fowler, Clyde Gregg, Rosemarie Parkhurst, Jeanne Barauck, Jack Carmany, Robert Russell, Roselyn Wong, Graham Connor, Alex Macias, Charles Rosales, Thomas Sakata, James Sullivan, and Loretta Wilkinson.

ADJOURNMENT

At 12.52 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Tuesday, April 26, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED FOURTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, April 26, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Davis suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Davis moved a call of the Assembly.

Motion carried. Time, 9.32 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Berry, Brady, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Price, Rosenthal, Thomas, Thompson, and Waters—43.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 9.47 a.m., on motion of Mr. Rumford, further proceedings under the call of the Assembly were dispensed with.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: May we remember this month the great men born in April, whose writings and ideals helped to form our language and create the American Spirit.

Let us honor Washington Irving (born April 3d) whose stories of Sleepy Hollow and Columbus began the illustrious history of American literature.

General Lew Wallace (born April 10th) who began an era with his religious books and Ben Hur, and made the story of the Gospel attractive and romantic

Bancroft and Ridpath whose histories of America made youth proud of our country, and stirred them to emulate the brave deeds of our heroes

James Monroe (April 28th) whose doctrine protected the Western Hemisphere from foreign invasion.

Above all, Thomas Jefferson (April 13th) whose slogan was democracy; and Ulysses S. Grant (April 27th) whose genius won the Civil War and established our national unity.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Grant, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Condon, on motion of Mr. Way.

Mr. Price, on motion of Mr. Reagan.

Mr. Cooke, on motion of Mr. Beck.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Silliman.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

Mr. Ralph C. Dills, on motion of Mr. Erwin.

COMMUNICATIONS

By the Chief Clerk:

A communication from Alvin F. Kime, Department Commander, Veterans of Foreign Wars, Department of California, relative to expressing enthusiastic support of Assembly Concurrent Resolution No. 69, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 421
Assembly Bill No. 931
Assembly Bill No. 996
Assembly Bill No. 1284
Assembly Bill No. 2031
Assembly Bill No. 2068
Assembly Bill No. 2249
Assembly Bill No. 2481
Assembly Bill No. 2843

And reports the same correctly engrossed.

HUYCK, Chairman

Above bills ordered to third reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1753

Has had the same under consideration, and reports the same back with the recommendation: Do pass

SHERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No 1344

Has had the same under consideration, and reports the same back with the recommendation, Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 38
Assembly Bill No. 1057

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 38 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 1057 ordered re-referred to Committee on Revenue and Taxation.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 261
Assembly Bill No. 1227
Assembly Bill No 2207

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 261 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos. 1227 and 2207 ordered re-referred to Committee on Public Morals.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 498
Assembly Bill No. 792
Assembly Bill No. 793
Assembly Bill No 796
Assembly Bill No 1523
Assembly Bill No 1585
Assembly Bill No. 1684
Assembly Bill No 1754
Assembly Bill No 3096

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 392
Senate Bill No. 567
Senate Bill No. 1283

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns

Senate Bill No. 61

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 827

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended.

Assembly Joint Resolution No. 30

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 47

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 47—Relative to the Mother of the Year.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 574
Senate Bill No. 972
Senate Bill No. 975
Senate Bill No. 1041
Senate Bill No. 1203
Senate Bill No. 1261
Senate Bill No 1262

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 574—An act to add Chapter 3.5, comprising Sections 26880 to 26885, inclusive, to Part 3, Division 2, Title 3 of the Government Code, relating to the county controller.

Referred to Committee on Municipal and County Government.

Senate Bill No. 972—An act to add Section 704.7 to the Insurance Code, relating to the denial, suspension and revocation of certificates of authority to insurers.

Referred to Committee on Finance and Insurance.

Senate Bill No. 975—An act to add Sections 922.1, 922.2, 922.3, 922.4, and 922.5 to the Insurance Code, relating to the credits which may be taken by an insurer against loss and unearned premium reserves as the result of reinsuring the whole or a portion of its business and the allowance as admitted assets of certain accounts receivable from reinsurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1041—An act to amend Sections 465.8 and 465.9 of the Vehicle Code, relating to highway name signs.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1203—An act to amend Section 19437 of the Education Code, relating to civic centers.

Referred to Committee on Education.

Senate Bill No. 1261—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Referred to Committee on Judiciary.

Senate Bill No. 1262—An act to add Section 274e to the Code of Civil Procedure, relating to phonographic reporters for certain municipal courts; fees.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.

THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 25—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 14 of Article I thereof, relating to eminent domain.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Luckel,

McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—Elliott—1.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that the Senate cleared its Assembly third reading file yesterday, but that, in many cases, Assembly Members had failed either to ask Senators to take up their bills, or did not have their explanations in the hands of the Senators planning to discuss them; and urged full cooperation on the part of all members in the interest of expediting legislative work.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2135—An act to amend Section 304 of the Vehicle Code, relating to revocation of drivers' licenses.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2650 HOLD PLACE ON FILE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 2650 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT SPECIAL ORDER BE CONTINUED

Mr. Beck asked for, and was granted, unanimous consent that his motion that Senate Bill No. 34 be recalled from the Governor, heretofore set as a special order of business for today at 10 a.m., be continued until 10 a.m., Thursday, April 28th. (More than 54 members were present.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 113—An act to amend Section 923 of the Labor Code, dealing with collective bargaining.

Bill read third time.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Levering has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 113.

Point of Order

Mr. Hahn arose to the following point of order: That Mr. Dunn has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 113.

Demand for Previous Question

Messrs. Rosenthal, Silliman, Connolly, Hahn, and Burke, demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 113.

Point of Order

Mr. Thomas arose to the following point of order: That Mr. Fletcher's time has expired.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 113.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Bennett, Berry, Burkhalter, George D. Collins, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hawkins, Hollibaugh, Lewis, Maloney, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Thomas, Weber, and Yorty—28

NOES—Babbage, Beck, Brown, Burke, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cramer, Davis, Dolwig, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Morris, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Mr. Speaker—42.

Explanation of Vote

My failure to vote on Assembly Bill No. 113 was due to a long distance telephone call while debate was on the bill. Had I been present I would have voted for Assembly Bill No. 113.

VERNON KILPATRICK

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2969 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 2969 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Conservation, Planning, and Public Works.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 61

Mr. Dickey asked for, and was granted, unanimous consent to expunge the record, and rescind the action, whereby the Assembly, on Thursday, April 21st, passed Senate Bill No. 61. (See page 2455 of the Assembly Journal for that date.)

Senate Bill No. 61 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY JOINT RESOLUTION NO. 30

Mr. McCollister asked for, and was granted, unanimous consent to take up consideration of Senate amendments to Assembly Joint Resolution No. 30, out of order, at this time.

CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Joint Resolution No. 30—Relative to the assistance to veterans in borrowing funds from established lending institutions for the acquisition of homes and other purposes.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Joint Resolution No. 30?

Amendment No. 1

On page 1, line 4, of the printed measure, strike out "at a discount".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Joint Resolution No. 30 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Joint Resolution No. 30 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 819—An act to add Section 17500.1 to the Business and Professions Code, relating to regulation of advertising;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in.

HUGH M. BURNS	DOLWIG
BROWN	CALDECOTT
MAYO	CONDON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Connolly, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1936 HOLD PLACE ON FILE

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 1936 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2982—An act to add Article 14, comprising Sections 14594 to 14599, inclusive, to Chapter 2 of Part 3 of Division 12 of the Health and Safety Code, relating to the powers of the governing board of a county fire protection district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1555—An act to add Section 6 to an act entitled "An act providing for the joint exercise of powers by public agencies," approved May 20, 1921, relating to privileges and immunities of officers and employees while acting under the joint exercise of powers by public agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1864—An act to add Section 717 to the Vehicle Code, relative to closing highways by peace officers in emergencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1867—An act to amend Section 139.31 of the Vehicle Code, relating to shooting practice, instruction and contests by members of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2612—An act to add Section 459.7 to the Vehicle Code, relating to the regulation of traffic on private roads in housing projects or within the site of housing owned or operated by housing authorities, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Weber, and Yorty—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2459—An act to amend Section 19433 of the Business and Professions Code, relating to horse racing.

Bill read third time.

Motion to Re-refer Assembly Bill No. 2459 to Committee on Governmental Efficiency and Economy

Mr. Collier moved that Assembly Bill No. 2459 be re-referred to the Committee on Governmental Efficiency and Economy.

Mr. Burkhalter seconded the motion.

Substitute Motion

Mr. Babbage moved, as a substitute motion, that Assembly Bill No. 2459 be re-referred to the Committee on Ways and Means.

Motion died for lack of a second.

The question being on the motion that Assembly Bill No. 2459 be re-referred to the Committee on Governmental Efficiency and Economy.

Roll Call Demanded

Messrs. Collier, Luckel, and Coats demanded a roll call.

The roll was called, and the motion that Assembly Bill No. 2459 be re-referred to the Committee on Governmental Efficiency and Economy lost by the following vote:

AYES—Babbage, Burkhalter, Coats, Collier, George D. Collins, Connolly, Hahn, Heisinger, Hinckley, Kirkwood, Lowrey, Luckel, McCarthy, and Moss—14.

NOES—Anderson, Berry, Brady, Brown, Burke, Butters, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Maloney, McMillan, Meyers, Morris, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—41.

The question being on the passage of Assembly Bill No. 2459.

Point of Order

Mr. Hinckley arose to the following point of order: That further consideration of Assembly Bill No. 2459 is not in order, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 2459.

Motion to Re-refer Assembly Bill No. 2459 to Committee on Ways and Means

Mr. Hinckley moved that Assembly Bill No. 2459 be re-referred to the Committee on Ways and Means.

Mr. Babbage seconded the motion.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Babbage is not in order because Mr. Hinckley has closed his debate.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion that Assembly Bill No. 2459 be re-referred to the Committee on Ways and Means.

The roll was called, and the motion by Mr. Hinckley that Assembly Bill No. 2459 be re-referred to the Committee on Ways and Means lost by the following vote:

AYES—Babbage, Burkhalter, Coats, Collier, George D Collins, Cramer, Hahn, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Luckel, Silliman, and Weber—15.

NOES—Anderson, Berry, Brady, Brown, Burke, Butters, Crichton, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hawkins, Kilpatrick, Lewis, Lincoln, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—38.

The question being on the passage of Assembly Bill No. 2459.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, George D. Collins, Cramer, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—47.

NOES—Anderson, Burkhalter, Coats, Dunn, Geddes, Hahn, Heisinger, Hinckley, Levering, Lewis, Lowrey, Luckel, McCarthy, and Silliman—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2836—An act to amend Section 18734 of the Business and Professions Code, relating to boxing and wrestling.

Bill read third time.

Point of Order

Mr. McMillan arose to the following point of order: That Mr. Clayton A. Dills is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 2836.

Speaker Pro Tempore Presiding

At 12.05 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Dunn, Silliman, Geddes, Morris, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2836.

The roll was called, and the bill refused passage by the following vote:

AYES—Conrad, Cramer, Fletcher, Lipscomb, McMillan, Thomas, and Thompson—7.

NOES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Assembly Bill No. 2836

Mr. Hoffman asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2836, and that he be recorded as voting "No."

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1903, on motion of Mr. Fleury.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 39 HOLD PLACE ON FILE

Mr. Butters asked for, and was granted, unanimous consent that Assembly Bill No. 39 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1910—An act to amend Sections 20023, 20024, 20920, 20921, 20922, 21253, and 21362 of, to repeal Section 21255 of, and to add Sections 20654.6, 20654.7, 20654.8, 20654.9, 20654.95, and 21251.3 to, the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—73.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 61

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 61, temporarily passed on file, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 61

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, providing for the establishment of special accounts for certain appropriations for expenses of the Legislature.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended in the Senate on April 13, 1949; and in line 3, strike out "ing", and insert

"An act to amend Section 9744 of, to add Section 9704 to, and to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of, the Government Code, relating to legislative expense moneys and providing".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 24, insert

"SEC. 2. Section 9744 of the Government Code is amended to read:

9744. The remainder shall be sold at a price to be fixed by the Department of Finance. The price shall be sufficient to cover the cost of printing and binding the manual. [The amount received from sales shall be deposited in the State treasury to the credit of the Legislative Printing Fund.]

SEC. 3. Section 9704 is added to said code, to read:

9704. Proceeds from sales of all documents, the cost of publication of which is or has been paid from any appropriation for legislative printing, shall be credited to the legislative printing account provided for in Section 9126 of this code and are hereby continuously appropriated for legislative printing purposes, without regard to fiscal years."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Senate Bill No. 61 Be Withdrawn From File When Returned From Printer, and Be Re-referred

Mr Dickey asked for, and was granted, unanimous consent that Senate Bill No. 61 be withdrawn from the file, when returned from the printer, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 445

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 445, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 445

Assembly Bill No. 445—An act to add Section 6361 to the Revenue and Taxation Code, relating to retail sales and use taxes.

Bill read third time.

Demand for Previous Question

Messrs. Weber, Lincoln, Levering, Luckel, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 445.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Cramer, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Stanley, Thomas, Way, Weber, and Yorty—41.

NOES—Babbage, Brown, Butters, Caldecott, Conrad, Crichton, Davis, Dickey, Fleury, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lowrey, McCarthy, Rumford, Sherwin, Smith, Tomlinson, and Waters—23

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 26—An act to add Section 20894.2 to the Government Code, relating to employees of contracting agencies in the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO APPROVE JOURNALS

On motion of Mr. Dickey, the Assembly Journals for Monday, April 18, 1949; Tuesday, April 19, 1949; Wednesday, April 20, 1949; Thursday, April 21, 1949; and Friday, April 22, 1949, were approved as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2156, 2034, 1934, 1589, 1933, 1935, 2033, 2802, 2803, AND 2804 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bills Nos. 2156, 2034, 1934, 1589, 1933, 1935, 2033, 2802, 2803, and 2804 be withdrawn from the Committee on Municipal and County Government, and be re-referred to Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1397, 1492, AND 2157 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bills Nos. 1397, 1492, and 2157 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1496 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Lewis asked for, and was granted, unanimous consent that Assembly Bill No. 1496 be withdrawn from the Committee on Municipal and County Government, and be re-referred to the Committee on Industrial Relations.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2128—An act to add Section 11154.5 to the Government Code, relating to leaves of absence for state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 443—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 180

Relating to the continuance of the Assembly Legislative Process Committee

Resolved by the Assembly of the State of California, As follows:

1. In order to effectuate and complete the functions and duties imposed upon it, and in order to enable it to coordinate and assist in the work of any interim committee which may be created or continued at this session of the Legislature, the Assembly Legislative Process Committee created by House Resolution No. 13 of the 1949 Regular Session, is continued as an Assembly interim committee, and is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

2. The committee shall have the membership and all the rights, powers, and duties possessed by the committee and its members pursuant to House Resolution No. 13.

3. The committee may make available to any Assembly or joint committee or any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit.

4. The committee shall make available to and shall furnish to the Assembly investigating committees created at this regular session and to each of the members

thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Assembly Legislative Process Committee may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe amounts, times and methods of payment of their compensation.

5. The provisions of the Joint Rules of the Senate and Assembly, and of the Standing Rules of the Assembly, as such rules are adopted at this session or amended from time to time, are hereby made applicable to this committee and its members.

6. In addition to any money heretofore made available, the sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution and the balance of all the money appropriated for contingent expenses of the Assembly and which has not been made available for the expenses of interim committees or for other purposes, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Waters:

House Resolution No. 181

Congratulating Colonel Frank R. McReynolds

WHEREAS, Colonel Frank R. McReynolds is about to retire from his position as State Personal Income Tax Administrator for the 12 southern counties of California, a position he has held since 1936, the year following enactment of the California Personal Income Tax Law; and

WHEREAS, Colonel McReynolds' service in this position was preceded by a long, varied, and capable career in the public service as one of the original members of the staff of the United States Collector of Internal Revenue for the Sixth District of California and as Federal Prohibition Administrator for Southern California, and a distinguished military service which he began with service in the Philippines during the Spanish-American War and continued as a Major in World War I, commanding the 53d and 57th Ammunition Trains Coast Artillery Corps, and thereafter for many years as commander of the 626th Coast Artillery Regiment of the harbor defense forces, now, therefore, be it

Resolved by the Assembly of the State of California, That Colonel Frank R. McReynolds is heartily congratulated and commended upon his long and distinguished career as a Soldier and in the public service; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitable copy of this resolution to Colonel Frank R. McReynolds as an expression of the esteem of the Members of this Assembly conveying to Colonel McReynolds their warm good wishes for many happy years of enjoyment of his retirement.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 182

Relative to attendance at funerals and purchase of floral pieces

Resolved by the Assembly of the State of California, That the Speaker of the Assembly may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or in lieu of such expenses the same allowance for accommodations and meals, and mileage as is provided by the Joint Rules for members of investigating committees

The Speaker or any Member of the Assembly designated by him may incur such expenses as may be necessary for the purchase on behalf of the Assembly of suitable floral pieces for any such funeral.

All expenses incurred pursuant to this resolution, after approval by the Speaker, are hereby ordered to be paid out of the money allocated from the Contingent Fund

of the Assembly to the Assembly Legislative Process Committee by House Resolution No. 180 of the 1949 Regular Session or any other money available for expenditure by said committee, and disbursed, after certification by the chairman or vice chairman of said committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 181

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 181 (BY UNANIMOUS CONSENT)

By Mr. Waters:

House Resolution No. 181

Congratulating Colonel Frank R. McReynolds

WHEREAS, Colonel Frank R. McReynolds is about retire from his position as State Personal Income Tax Administrator for the 12 Southern Counties of California, a position he has held since 1936, the year following enactment of the California Personal Income Tax Law; and

WHEREAS, Colonel McReynolds' service in this position was preceded by a long, varied, and capable career in the public service as one of the original members of the staff of the United States Collector of Internal Revenue for the Sixth District of California and as Federal Prohibition Administrator for Southern California, and a distinguished military service which he began with service in the Philippines during the Spanish-American War and continued as a Major in World War I, commanding the 53d and 57th Ammunition Trains Coast Artillery Corps, and thereafter for many years as commander of the 626th Coast Artillery Regiment of the harbor defense forces; now, therefore, be it

Resolved by the Assembly of the State of California, That Colonel Frank R. McReynolds is heartily congratulated and commended upon his long and distinguished career as a Soldier and in the public service; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitable copy of this resolution to Colonel Frank R. McReynolds as an expression of the esteem of the Members of this Assembly conveying to Colonel McReynolds their warm good wishes for many happy years of enjoyment of his retirement.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 176
House Resolution No. 177
House Resolution No. 179

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

CONSIDERATION OF HOUSE RESOLUTION NO. 176 (BY UNANIMOUS CONSENT)

By Messrs. Gaffney, Maloney, Berry, George D. Collins, Meyers, McCarthy, Brady, and Fletcher:

House Resolution No. 176

Relative to Frank MacDonald, late President of the San Francisco Building Trades Council

WHEREAS, The State of California has lost one of its most well known and able citizens in the death of Frank MacDonald, in San Francisco, California; and

WHEREAS, Frank MacDonald was born in Denver, Colorado, on September 22, 1880, came to San Francisco as a boy and there learned his trade and obtained an education studying at night; and

WHEREAS, As business agent of Local 19, San Francisco Tile Layer Helpers' Union, and business representative of the San Francisco Building Trades Council, Frank MacDonald began the long career devoted to the interests of laboring men and women throughout the State, which led him to the presidency of the State Building Trades Council, a post he held at the time of his death on September 2, 1948; and

WHEREAS, Long recognized by those in organized labor as one of their most influential and able officials and spokesmen, he was also called upon to fill high public office from time to time, having been named State Labor Commissioner in 1933, and having been a member of the State Industrial Accident Commission, and one of the first directors of the Golden Gate Bridge and Highway District; and

WHEREAS, The loss of Frank MacDonald is keenly felt and deeply regretted by all who knew him and by all in the ranks of organized labor; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the loss of Frank MacDonald to the labor movement and of his outstanding public service to the people of the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution to the State Building Trades Council, and to Mrs. Esther MacDonald, widow of Frank MacDonald, as an expression of the sympathy and esteem of the Members of this Assembly.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of April 21, 1949 at pages 2463-2464, on page 2464, first paragraph, line 1, after "transmit", strike out "suitably prepared".

Amendment read, and adopted.

Consideration of House Resolution No. 176, as Amended

By Messrs. Gaffney, Maloney, Berry, George D. Collins, Meyers, McCarthy, Brady, and Fletcher:

House Resolution No. 176

Relative to Frank C. MacDonald, late President of the San Francisco Building Trades Council

WHEREAS, The State of California has lost one of its most well known and able citizens in the death of Frank C. MacDonald, in San Francisco, California; and

WHEREAS, Frank MacDonald was born in Denver, Colorado, on September 22, 1880, came to San Francisco as a boy and there learned his trade and obtained an education studying at night; and

WHEREAS, As business agent of Local 19, San Francisco Tile Layer Helpers' Union, and business representative of the San Francisco Building Trades Council, Frank MacDonald began the long career devoted to the interests of laboring men and

women throughout the State, which led him to the presidency of the State Building Trades Council, a post he held at the time of his death on September 2, 1948; and

WHEREAS, Long recognized by those in organized labor as one of their most influential and able officials and spokesmen, he was also called upon to fill high public office from time to time, having been named State Labor Commissioner in 1933, and having been a member of the State Industrial Accident Commission, and one of the first directors of the Golden Gate Bridge and Highway District; and

WHEREAS, The loss of Frank MacDonald is keenly felt and deeply regretted by all who knew him and by all in the ranks of organized labor; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the loss of Frank MacDonald to the labor movement and of his outstanding public service to the people of the State of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the State Building Trades Council, and to Mrs. Esther MacDonald, widow of Frank MacDonald, as an expression of the sympathy and esteem of the Members of this Assembly.

Resolution read, as amended, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 177 (BY UNANIMOUS CONSENT)

By Messrs. Rosenthal, Hawkins, and Anderson:

House Resolution No. 177

Relating to commemorating the passing of Rabbi Stephen S. Wise, President of the American Jewish Congress, statesman, and outstanding leader of Jewish affairs in the United States

WHEREAS, The majority of mankind constantly seek to comprehend the moral laws and ethical principles which give a deeper meaning to human experience; and

WHEREAS, In each generation the wisdom and understanding required to perceive the true nature of man's immediate and ultimate problems and their relation to these moral and ethical principles is given but to a select few; and

WHEREAS, Rabbi Stephen S. Wise possessed, in our time, not only these rare qualities as a man, citizen, and religious and social leader, but possessed also the equally rare ability to communicate effectively his ideals to contemporaries throughout the civilized world; and

WHEREAS, Rabbi Stephen S Wise devoted his life to four objectives, (1) to a facilitation of mankind's understanding of the spiritual crisis underlying the basic problems of Jew and Gentile alike, and (2) to the creation of a Jewish homeland in Palestine, and (3) to the expansion of cooperative spiritual endeavors among Christian and Jewish spiritual forces in America, and (4) championing freedom of the pulpit, and social and political reform; and

WHEREAS, Rabbi Stephen S Wise was eminently successful both in achieving these objectives and, moreover, in arousing in his contemporaries a realization of the constant and ever growing need for a sustained and concerted effort by free men to defend these objectives if they are to remain free; and

WHEREAS, The world has lost this man at a time when its need for his sagacious counsel is perhaps more sorely needed than ever before, and when its need for his assertion of the moral law within which alone the remedy of our present economic, social, and political ills may well lie is perhaps greatest; now, therefore, be it

Resolved by the Assembly of the State of California, That its members hereby express their sincere sympathies and profoundest regrets over the passing of Rabbi Stephen S. Wise on April 19, 1949, to the members of his bereaved family and to his many friends and followers; and be it further

Resolved, That when the Assembly adjourns today it does so in commemoration of, and in respect for, Rabbi Stephen S Wise; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution, suitably prepared, to members of the immediate family of Rabbi Stephen S. Wise.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the printed resolution, as it appears in the Assembly Journal of April 22, 1949, at page 2538, in paragraph 9, line 2, after "resolution", strike out ", suitably prepared,".

Amendment read, and adopted.

Consideration of House Resolution No. 177, as Amended

By Messrs. Rosenthal, Hawkins, and Anderson:

House Resolution No. 177

Relating to commemorating the passing of Rabbi Stephen S Wise, President of the American Jewish Congress, statesman, and outstanding leader of Jewish affairs in the United States

WHEREAS, The majority of mankind constantly seek to comprehend the moral laws and ethical principles which give a deeper meaning to human experience; and

WHEREAS, In each generation the wisdom and understanding required to perceive the true nature of man's immediate and ultimate problems and their relation to these moral and ethical principles is given but to a select few; and

WHEREAS, Rabbi Stephen S. Wise possessed, in our time, not only these rare qualities as a man, citizen, and religious and social leader, but possessed also the equally rare ability to communicate effectively his ideals to contemporaries throughout the civilized world; and

WHEREAS, Rabbi Stephen S. Wise devoted his life to four objectives, (1) to a facilitation of mankind's understanding of the spiritual crisis underlying the basic problems of Jew and Gentile alike, and (2) to the creation of a Jewish homeland in Palestine, and (3) to the expansion of cooperative spiritual endeavors among Christian and Jewish spiritual forces in America, and (4) championing freedom of the pulpit, and social and political reform; and

WHEREAS, Rabbi Stephen S Wise was eminently successful both in achieving these objectives and, moreover, in arousing in his contemporaries a realization of the constant and ever growing need for a sustained and concerted effort by free men to defend these objectives if they are to remain free; and

WHEREAS, The world has lost this man at a time when its need for his sagacious counsel is perhaps more sorely needed than ever before, and when its need for his assertion of the moral law within which alone the remedy of our present economic, social, and political ills may well lie is perhaps greatest; now, therefore, be it

Resolved by the Assembly of the State of California, That its members hereby express their sincere sympathies and profoundest regrets over the passing of Rabbi Stephen S. Wise on April 19, 1949, to the members of his bereaved family and to his many friends and followers; and be it further

Resolved, That when the Assembly adjourns today it does so in commemoration of, and in respect for, Rabbi Stephen S. Wise; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to members of the immediate family of Rabbi Stephen S Wise.

Resolution read, as amended, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 179 (BY UNANIMOUS CONSENT)

By Mr. Lowrey:

House Resolution No. 179

Relative to adjournment in respect to the memory of Mrs. Maude Billiou Sehorn

WHEREAS, The death of Mrs. Maude Billiou Sehorn on April 15, 1949, has taken from Willows, California, one of its most loved and respected citizens; and

WHEREAS, Born of pioneer parents, Mr. and Mrs. Joseph Billiou of Glenn County, she became the wife of Ed M. Sehorn and mother of two sons, Ed. M., Jr., and J. W. Sehorn; and

WHEREAS, Upon her husband's appointment as Postmaster at Willows in 1932, Mrs. Sehorn became editor of The Willows Journal, a daily newspaper published by the Sehorn family for over fifty years; and

WHEREAS, In addition to her full life as a wife, mother, and newspaper editor, Maude Billiou Sehorn enjoyed leadership in many civic, fraternal, and church organizations, having been a member of the Glenn County Democratic Central Committee for many years, and was a Past President of the Sacramento Valley Allied Newspapers Association, the Young Ladies Institute, Willows Soroptimist Club, and the Glenn County Parlor of the Native Daughters of the Golden West; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their profound sorrow and regret that a sudden and untimely death has closed the life of this fine and capable woman in whose death her family and her community have sustained a great loss; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Ed. M. Sehorn of Willows, surviving son of Maude Billiou Sehorn; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Mrs. Maude Billiou Sehorn.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the printed resolution, as it appears in the Assembly Journal of April 25, 1949, at page 2576, in paragraph 6, line 1, after "a", strike out "suitably prepared".

Amendment read, and adopted.

Consideration of House Resolution No. 179, as Amended

By Mr. Lowrey:

House Resolution No. 179

Relative to adjournment in respect to the memory of Mrs. Maude Billiou Sehorn

WHEREAS, The death of Mrs. Maude Billiou Sehorn on April 15, 1949 has taken from Willows, California, one of its most loved and respected citizens; and

WHEREAS, Born of pioneer parents, Mr. and Mrs. Joseph Billiou of Glenn County, she became the wife of Ed. M. Sehorn and mother of two sons, Ed. M., Jr., and J. W. Sehorn; and

WHEREAS, Upon her husband's appointment as Postmaster at Willows in 1932, Mrs. Sehorn became editor of The Willows Journal, a daily newspaper published by the Sehorn family for over fifty years; and

WHEREAS, In addition to her full life as a wife, mother, and newspaper editor, Maude Billiou Sehorn enjoyed leadership in many civic, fraternal, and church organizations, having been a member of the Glenn County Democratic Central Committee for many years, and was a Past President of the Sacramento Valley Allied Newspapers Association, the Young Ladies Institute, Willows Soroptimist Club, and the Glenn County Parlor of the Native Daughters of the Golden West; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their profound sorrow and regret that a sudden and untimely death has closed the life of this fine and capable woman in whose death her family and her community have sustained a great loss; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Ed. M. Sehorn of Willows, surviving son of Maude Billiou Sehorn; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Mrs. Maude Billiou Sehorn.

Resolution read, as amended, and adopted.

RESOLUTIONS

The following resolution was offered:

By Messrs. Stanley, Tomlinson, Sherwin, Way, Burke, Thompson, Grunsky, Reagan, Dolwig, Weber, Conrad, Kirkwood, Huyck, Connolly, Caldecott, Waters, Silliman, Lincoln, and Babbage:

House Resolution No. 183

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study and investigate building laws and regulations and the administration and effect thereof

WHEREAS, Statements in the press and communications to Members of the Assembly indicate a growing feeling that the costs of building construction and the time and difficulty encountered in such construction is increased because of overlapping and uncoordinated regulations by state agencies; and

WHEREAS, The laws administered by such agencies and the numerous regulations adopted pursuant thereto affect the regulation of building construction by city and county governments; and

WHEREAS, It appears that in the construction of some types of buildings the architect must anticipate all the requirements of the State Fire Marshal, the Division of Industrial Welfare, including those set forth in the Labor Code, the Health and Safety Code, and the regulations adopted thereunder, and in addition must satisfy the requirements of the city or county relating thereto; and

WHEREAS, Such overlapping regulation may force departments of the cities and counties into conflict and duplication of functions because of duties delegated to them with respect to enforcement of state laws; and

WHEREAS, It is necessary that the Assembly be fully informed as to all facts relating to any phase of this subject, in order that it may determine what, if any, legislative action is needed; and

WHEREAS, The ascertainment of such facts and the investigation of such subject falls within the scope of the powers and duties conferred and imposed upon the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy be, and it hereby is, requested to study and investigate all laws and regulations of the State of California or its agencies in any way affecting building construction, including but not limited to those relating to buildings, exits, ventilation, sanitation and safety, and all other matters relating to or in any way bearing upon the recitals of this resolution including the operation, effect, administration, enforcement and need revision of any and all laws or regulations relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Mr. Silliman announced that each member will find a bag of fine artichokes on his desk, at this time.

Mr. Beck announced a Democratic caucus upon adjournment.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 37: By Messrs. Lewis, Heisinger, Crichton, and Babbage—Relative to memorializing the Congress of the

United States to give the State of California due consideration in proposed national legislation respecting cotton production.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No. 73

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 36

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1627
Assembly Bill No. 1653
Assembly Bill No. 1657

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1327

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR SPEAKER Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1628
Assembly Bill No. 1630

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER Your Committee on Judiciary, to which was referred:

Assembly Bill No. 131

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 42
Senate Bill No. 1218
Senate Bill No. 1421

Has had the same under consideration, and reports the same back with the recommendation Do pass

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No 976
Assembly Bill No. 1655
Assembly Bill No. 1659
Assembly Bill No. 1667
Assembly Bill No. 1668
Assembly Bill No. 2084

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 781
Assembly Bill No. 991
Assembly Bill No. 2606
Assembly Bill No 2607

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 25, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2007

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER. Your Committee on Crime and Correction, to which were referred

Senate Bill No. 459
Senate Bill No. 460

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BENNETT, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 768
Assembly Bill No. 2992

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Crime and Correction.

BENNETT, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred.

Assembly Bill No. 1673

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BENNETT, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred.

Assembly Bill No. 1674

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

BENNETT, Vice Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 1466

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 2309

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 345

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 911
Assembly Bill No. 1190
Assembly Bill No. 2080

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 71
Assembly Concurrent Resolution No 73

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 36

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 106
Assembly Bill No. 1364
Assembly Bill No. 1664
Assembly Bill No. 2480

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 528
Assembly Bill No. 910
Assembly Bill No. 1462
Assembly Bill No. 1555
Assembly Bill No. 1867
Assembly Bill No. 2459
Assembly Bill No. 2555

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 325—An act to amend Sections 2609, 2611, 2614, 2621, 2631, 2702, 2705, 2750, 2753, 2795, 2798, and 2804 of, and to add Section 2797.5 to, the Elections Code, relating to elections;

Assembly Bill No. 618—An act to amend Sections 511.3 and 601.5 of, and to repeal Section 511.6 of the Vehicle Code, relating to speed regulations;

Assembly Bill No. 720—An act to amend Sections 5911, 5930, and 5931 of, and to add Section 5931.5 to, the Elections Code, relating to absentee voting;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1180—An act to add Section 975 to the Fish and Game Code, relating to carp traps;

Assembly Bill No. 2212—An act to amend Section 402 of the Fish and Game Code, relating to licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of April, 1949, at 3 p.m.

HUYCK, Chairman

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Agriculture.
Social Welfare, in Room 430.
Public Health, in Room 426.

Tonight at 8 p.m.

Fish and Game.
Livestock and Dairies. Subject: Assembly Bill No. 30.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mrs. Niehouse, Messrs. Luckel and Cramer, and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to members of the Chamber of Commerce of San Diego, including: Captain Leslie E. Gehres, U. S. N., the hero of the U. S. S. *Ben Franklin;* Major General Leo D. Hermle, Commanding General of the Marine Corps Recruit Depot, and the most decorated Marine in the Corps; J. Don Keller; General H. M Smith (Howlin' Mad), author of "Coral and Brass"; Admiral William H. Standley, former Chief of Naval Operations, and former Ambassador to Russia; Willis H Fletcher, Ewart W. Goodwin, Jack Hanna, Harold B. Starkey, Charles B. Wincote, Lorenz Koester, Dean Howell, and Fred Rhodes.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Barsotti, Lane DeLara, and Mr. Reiteman, Teachers of the Marina Junior High School of San Francisco; Mrs. Theodora Rathjens, Mrs. A. Cameron Ball, and Mrs.

Joseph H. Dwilla, members of the Parent-Teacher Association, and the following pupils: Henry Dosdarian, Milton Esposto, Richard Faria, Kermit Gates, Melvyn Hall, Jimmy Harper, Bill Jensen, John Lodmell, Neil Malloch, Sidney Hoffman, Cynthia Jones, Magnolia Jackson, Kathleen Kelley, Cecile Landry, Toni Omar, Julie Pearl, Shirley Rathjens, Sam Allen, Joe Alioto, Donald Ball, Jim Bryson, Alfred Cortese, Phillip Chan, Sally Jo Dwilla, Sally Day, Marjorie Dineen, Richard Myers, Gerald Ng, Elliott Shapiro, Clifford Woodward, Doris Basco, Margaret Bennett, and Doris Devincinzi.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mayor Michael Fitzgerald, Walter Kamb, Ernest Gallardo, Steve De Benedetti, Frank Bernardo, Judge Hartley Russell of Benicia, E. G. Merrill of San Diego, and Barney Russell of Vallejo.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James B. Smith of San Francisco.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Frank Lunnell and J. B. McNally of Newport Harbor.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Isaac Hawkins of Redondo Beach, and Sam Greene, former Assemblyman, of Inglewood.

On request of Mr. Burkhalter, the usual courtesies of the Assembly for this day were unanimously extended to C. P. V. Herzen and E. Briggs Howorth of Los Angeles.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. Loucks of Los Angeles.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Maxwell O. Johnson of Wahiawa, Hawaii.

On request of Mr. George D. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Ivan Slavich and Frank A. Lawrence of San Francisco.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Rolland Pope and Melvin Brooks of Vallejo.

ADJOURNMENT

At 12.48 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned, until 9.30 a.m., Wednesday, April 27, 1949, out of respect to the memory of the late Rabbi Stephen S. Wise and the late Mrs. Maude Billiou Sehorn.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED FIFTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, April 27, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—75.

Names Placed on Morning Roll Call by Unanimous Consent

By unanimous consent, Speaker Sam L. Collins ordered that the names of Messrs. Sherwin, Brown, and Smith, be placed upon the morning roll call as they are present and attending a meeting of the Subcommittee on Governmental Efficiency and Economy.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of the Undiscovered: May we approach this day with the eager spirit of the explorer who sought for a new world and who had the courage to start out alone for the Great West.

Like the gold seekers, who expected treasures beyond the hills and the rainbow, and who found their Eldorado was a new commonwealth of knowledge and happiness.

May we have the spirit of adventure to discover methods to make this planet a more livable place for humans like the scientist who seeks new remedies to cure the ills of mankind.

Let us realize the multitude of secrets in the arcanum of the universe that still await us, and may we be able to open a door that leads to the blessing of many.

May we see that now is the time to build a better world, to strive for it, and may our purpose hold to sail "beyond the sunset and all the western stars until our goal is won."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hawkins, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Cooke, on motion of Mr. Burkhalter.

Mr. Berry, on motion of Mr. Gaffney.

The following members were granted leaves of absence for the balance of the legislative day, because of legislative business elsewhere:

Mr. Dickey, on motion of Mr. Dolwig.

Mr. Clayton A. Dills, on motion of Mr. Dolwig.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

Mr. Ralph C. Dills, on motion of Mr. Erwin.

COMMUNICATIONS

By the Chief Clerk:

A communication and a notice of hearing from the Public Utilities Commission of California, relative to an initial hearing which will be held in Los Angeles on May 11th, on the matter of the proposed creation of a transportation district, were received, and ordered referred to the Committee on Public Utilities and Corporations.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 252
Assembly Bill No. 766

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 946

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 6
Senate Bill No. 270

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 551
Assembly Bill No. 590
Assembly Bill No. 973
Assembly Bill No. 1004
Assembly Bill No. 1009
Assembly Bill No. 1010
Assembly Bill No. 1492
Assembly Bill No. 1589
Assembly Bill No. 1761
Assembly Bill No. 1934
Assembly Bill No. 1935
Assembly Bill No. 2034
Assembly Bill No. 2156
Assembly Bill No. 2157
Assembly Bill No. 2804

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 819—An act to add Section 17500.1 to the Business and Professions Code, relating to regulation of advertising.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Concurrent Resolution No. 42

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2841

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1073

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 26, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 32
Senate Joint Resolution No. 20

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 32—Relative to the cessation until January 1, 1950, of expenditure for a new site for the California Institution for Women.

Referred to Committee on Rules.

Senate Joint Resolution No. 20—Relative to memorializing the Congress of the United States to modify the classification of items subject to tax as luxuries.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 134
Senate Bill No. 475
Senate Bill No. 551
Senate Bill No. 577
Senate Bill No. 711
Senate Bill No. 791
Senate Bill No. 851
Senate Bill No. 1489

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 134—An act to amend Section 16484 of the Education Code, relating to school health reports.

Referred to Committee on Education.

Senate Bill No. 475—An act to amend Section 1023 of, and to add Section 1023.1 to, the Agricultural Code, relating to fertilizing materials.

Referred to Committee on Agriculture.

Senate Bill No. 551—An act to amend Sections 446, 450, 452, 453, and 457 of the Education Code, relating to the salaries of the county superintendents of schools of counties of the forty-sixth, fiftieth, fifty-second, fifty-third, and fifty-seventh classes respectively.

Referred to Committee on Municipal and County Government.

Senate Bill No. 577—An act to amend Section 5003.5 of the Public Resources Code, relating to highway and road easements across state park lands.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 711—An act to amend Sections 10310, 10270.95, and 10291.5 of, to repeal Section 12957 of, and to add Section 10310.5 to the Insurance Code, relating to disability insurance policies.

Referred to Committee on Finance and Insurance.

Senate Bill No. 791—An act to add Chapter 19 to Division 3, to amend Sections 10074 and 1046 of, and repeal Chapter 5 of Part 1 of Division 4, and Sections 10009, 10020, 10021, 10022, 10084, and 10085 of, the Business and Professions Code, relating to cemeteries, including the regulation of cemetery brokers and salesmen and cemetery corporations.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 851—An act to amend the title and Sections 1, 2, 3, 15, and 16 of the Sanitation and Sewer Revenue Board Act of 1941, relating to the financing of revenue-producing enterprises by municipalities.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 1489—An act to amend Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1344—An act to amend Section 44 of the Public Utilities Act, approved April 23, 1915, relating to public utilities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 976—An act to amend Section 103g of the Code of Civil Procedure, relating to justices of the peace in cities of the second class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1655—An act to add Section 1752.1 to the Welfare and Institutions Code, relating to contracts for the extension of services by the Youth Authority to counties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1659—An act to add Section 1752.15 to the Welfare and Institutions Code, relating to contracts for the extension of services by counties to the Youth Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1667—An act to amend Section 726 of the Welfare and Institutions Code, relating to the issuance of a citation to appear.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1668—An act to amend Section 17 of the Penal Code, relating to the determination of the degree of offense upon commitment to the Youth Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2084—An act to amend Section 1048 of the Penal Code, relating to priority of trial of cases when a minor is detained as a material witness.

Bill read second time, and ordered engrossed.

Assembly Bill No. 781—An act to amend Section 690.24 of the Code of Civil Procedure, relating to the value of motor vehicle exempt from execution.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 4, and insert "two hundred fifty dollars ($250).

One house trailer actually occupied by debtor and his family of a value not exceeding five hundred dollars ($500)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Stewart asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 991—An act to amend Section 2943 of the Penal Code, relating to discharge of prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 10, of said bill, after "with", insert "not to exceed".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2606—An act to amend Section 6729 of the Welfare and Institutions Code, relating to persons discharged from a state hospital.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "as recovered".

Amendment No. 2

On page 1, line 5, of said bill, strike out "Institutions", and insert "Mental Hygiene".

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 17, inclusive, and insert "Code, a certificate of discharge as recovered or a certificate of recovery issued under the provisions of this article, and the filing of a duly certified copy thereof with the clerk of the court shall have the same legal force and effect as a judgment".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2607—An act to amend Section 1664 of the Probate Code, relating to the discharge of a person from a facility of the Veterans Administration.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 17, and insert "and the filing of such certificate or a duly certified copy thereof with the clerk of the court shall have".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1628—An act to add Sections 578.2, 760, 761, 762, 763, and 764 to, and to amend Sections 826 and 827 of, and to repeal Section 826.5 of the Welfare and Institutions Code, relating to juvenile court procedures with respect to traffic misdemeanors committed by minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on April 20, 1949, strike out ", and to repeal Section 826.5 of".

Amendment No. 2

On page 1, line 4, of said bill, strike out "police officers", and insert "peace officers and members of the California Highway Patrol".

Amendment No. 3

On page 4 of said bill, strike out lines 29 and 30.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1630—An act to amend Sections 1187 and 1190 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4, line 4, of the printed bill, as amended in the Assembly on April 13, 1949, strike out ", prior to acqui-", and insert a period.

Amendment No. 2

On page 4 of said bill, strike out line 5.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1673—An act to amend Section 1731.5 of the Welfare and Institutions Code, relating to referral of juvenile offenders to the Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1731.5", and insert "Sections 1731.5 and 1732".

Amendment No. 2

On page 1, line 4, of said bill, strike out "1950," and insert "1952,".

Amendment No. 3

On page 1, line 15, of said bill, strike out "1950," and insert "1952,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 25, insert

"SEC. 2. Section 1732 of said code is amended to read:

1732. Except as otherwise provided in this chapter the court shall commit to the authority every person convicted of a public offense after January 1, [1950,] *1952*, who

(a) Is found to be less than 21 years of age at the time of apprehension, and

(b) Is not sentenced to death, imprisonment for life, imprisonment for 90 days or less, or the payment of a fine or who, after having been directed to pay a fine, defaults

in the payment thereof, and is subject to imprisonment for more than ninety days under the judgment, and

(c) Is not granted probation."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2309—An act to amend the title and Sections 4, 15, 17, 18, 19.5, 20, and 23 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, and to amend the title and Sections 17, 18, 19.5, 20, and 24 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of personal property brokers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 6 of the printed bill, as amended in the Assembly on April 13, 1949, strike out lines 1 to 4, inclusive, and insert "No charges on loans made under this act shall be paid, deducted, or received in advance, or compounded. All charges on loans made under this act (a) shall be computed and paid only as a percentage per month".

Amendment No. 2

On page 6 of the printed bill, strike out lines 12 to 16, inclusive, and insert "ments. In addition to the charges".

Amendment No. 3

On page 7 of the printed bill, strike out lines 13 to 16, inclusive, and insert "No charges on loans made under this act shall be paid, deducted, or received in advance, or compounded. All charges on loans made under this act (a) shall be computed and paid only as a percentage per".

Amendment No. 4

On page 7 of the printed bill, strike out lines 24 to 28, inclusive, and insert "ments. In addition to the charges"

Amendment No. 5

Strike out pages 8 and 9 of the printed bill; and on page 10, strike out lines 1 to 38, inclusive.

Amendment No. 6

On page 10, line 39, of the printed bill, strike out "7", and insert "5".

Amendment No. 7

On page 11, line 7, of the printed bill, strike out "8", and insert "6".

Amendment No. 8

On page 11, line 27, of the printed bill, strike out "9", and insert "7".

Amendment No. 9

On page 13, line 1, of the printed bill, strike out "10", and insert "8".

Amendment No. 10

On page 14, line 25, of the printed bill, strike out "11", and insert "9".

Amendment No. 11

On page 14, line 38, of the printed bill, strike out "12", and insert "10".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1466—An act to amend Section 17 of the Personal Property Brokers Act, as revised by Chapters 952 and 1044 of the Statutes of 1939, relating to rates of charge when property is insured against loss.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 17 of the Personal Property Brokers"; and strike out lines 2 to 4, inclusive, of the title, and insert "repeal Chapters 952 and 953 of the Statutes of 1939, relating to the regulation of loans and lenders."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Chapters 952 and 953 of the Statutes of 1939 are repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 131—An act relating to mistreatment or brutality committed by city law enforcement officers or agencies, establishing citizens' review boards and creating a Division of Metropolitan Police Inspection in the Department of Justice.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 15, of the bill, as amended in the Assembly on March 23, 1949, after "over", insert ", as of the 1940 Census,".

Amendment No. 2

On page 2 of said bill, between lines 9 and 10, insert
"The Citizens' Review Board shall have the same powers regarding investigations and hearings as are given to state departments under Article 2, Chapter 2, Part 1, Division 3, of the Government Code."

Amendment No. 3

On page 2 of said bill, after line 37, insert
"SEC. 6. Cities of less than 200,000 population, as of the 1940 census, may establish Citizens' Review Boards subject to the provisions of this act.
SEC. 7. Every review board established pursuant to this act shall refer all matters regarding prosecutions of law enforcement officers, investigations, and inspections of law enforcement agencies of the local community it serves, to the State Department of Justice."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2007—An act to amend Section 8201 of the Government Code, relating to notaries public.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 8201", and insert "Sections 8200, 8201, 8203.1, 8207, 8209, 8212 and 8213".

Amendment No. 2

On page 1, line 1, of said bill, strike out "8201", and insert "8200".

Amendment No. 3

On page 1 of said bill, strike out line 2, and insert "amended to read:

8200. The Governor may appoint and commission such number of notaries public for the [several counties and cities and counties of the] State as he shall deem necessary for the public convenience [, except that in counties of the second class the number shall not exceed 222].

SEC. 2. Section 8201 of said code is amended to read:".

Amendment No. 4

On page 1, line 6, of said bill, strike out "county for", and insert "State of California."

Amendment No. 5

On page 1 of said bill, strike out line 7, and insert

"SEC. 3. Section 8203.1 of said code is amended to read:

8203.1. The Governor may appoint and commission notaries public for the military and naval reservations of the Army, Navy, Coast Guard, and Marine Corps of the United States, wherever located in the State [, without regard to any limitation upon the number that may be appointed for any one county].

SEC. 4. Section 8207 of said code is amended to read:

8207. A notary public shall provide and keep an official seal, upon which shall be engraved the State Seal [,] *and* the words "Notary Public [,]" [and the name of the county for which he is commissioned]. He shall authenticate with his official seal all official acts.

SEC. 5. Section 8209 of said code is amended to read:

8209. If any notary public dies, resigns, is disqualified, *or* removed from office, [or removes from the county for which he is appointed,] his records and all his public papers shall be delivered, *within 30 days*, to the clerk of the county [within 30 days] *wherein he resides or, if he has no residence within any county, to the clerk of the county in which such records and papers are maintained.* The clerk shall deliver them to the notary's successor, when qualified.

SEC. 6. Section 8212 of said code is amended to read:

8212. Every person appointed a notary public shall execute an official bond in the sum of five thousand dollars ($5,000). Unless the bond is executed by an admitted surety insurer, it shall be approved by a judge of [the] *any* superior court *within the State* [of the county in which the person is commissioned to act as notary public].

SEC. 7. Section 8213 of said code is amended to read:

8213. Within 20 days from the date of his commission, every person appointed a notary public shall deposit with the county recorder of [the] *any* county [in which he was commissioned to act], the fee payable for recording his official bond and shall file his official bond, and take, subscribe, and file his oath of office in the office of the county clerk of the county *in which he paid his fee.* Upon filing the oath and bond, the county clerk shall forthwith transmit to the Secretary of State his certificate setting forth the fact of such filing and containing a copy of the official oath, signed

by the notary with his own proper signature, and shall forthwith deliver the bond to the county recorder. Upon receipt of the bond, the recorder shall record it and then return it to the county clerk"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1654—An act to add Section 13625 to the Government Code, relating to the publication and distribution of a compilation, and biennial supplements thereto, of laws concerning minors and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, strike out line 17, and insert "fifteen thousand dollars ($15,000) to be used during the 1949-1950 Fiscal Year for the purposes specified in Section 13625".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 768—An act to amend Section 1755 of the Welfare and Institutions Code, relating to the care of persons committed to the Youth Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1755", and insert "956".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "persons committed to the Youth Authority", and insert "wards of the juvenile court in juvenile homes or camps, and making an appropriation therefor".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "1755", and insert "956".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 4

On page 1 of the printed bill, between lines 2 and 3, insert

"956. No juvenile home or camp established pursuant to the provisions of this article shall receive or contain more than one hundred children at any one time, and no county shall receive any contribution from the State pursuant to this article for more than [six] *eight* such homes or camps.

SEC. 2. Out of any money in the State Treasury not otherwise appropriated, the sum of fifty-one thousand dollars ($51,000) is hereby appropriated in augmentation of the appropriation made by Item 378 of the Budget Act of 1949."

Amendment No. 5

On page 2 of the printed bill, strike out lines 3 to 13, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Crime and Correction.

Assembly Bill No. 2992—An act relating to custody and detention in state or county prisons, jails or other detention facilities of persons committed or detained by process or order issued under the authority of the United States including, but not limited to, an amendment of Section 4005 of the Penal Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 4005 of the Penal Code and Section 660 of the Welfare and Institutions Code,".

Amendment No. 2

In the title of said bill, strike out lines 4 and 5, and insert "authority of the United States."

Amendment No. 3

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 660 of the Welfare and Institutions Code is amended to read:

660. The board of supervisors in every county shall provide and maintain, at the expense of the county, in a location approved by the judge of the juvenile court, a suitable house or place for the detention of wards of the juvenile court and of persons alleged to come under the provisions of Section 700 *and persons under the age of 21 years who have been committed to county authorities by process or order issued under the authority of the United States, until he is discharged according to law, as if he had been committed under process issued under the authority of this State; provision being made by the United States for the support of such prisoner.*

Such house or place shall be known as the "juvenile hall" of the county. Wherever in any provision of law reference is made to detention homes for juveniles, such reference shall be deemed and construed to refer to the juvenile halls provided for in this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Crime and Correction.

Assembly Bill No. 345—An act to amend Section 2071 of the Insurance Code, relating to the standard form of fire insurance policy.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the title of the printed bill, strike out line 1, and insert

"An act to repeal Section 6010 of, to add Sections 6010 and 6010.5 to, and to amend Section 6011, 6013, 6018, and 1620 of, the Insurance Code, relating to insurance and".

Amendment No. 2

In line 2 of the title of the printed bill, after "policy", insert "for county mutual fire insurers".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "2071", and insert "6010".

Amendment No. 4

On page 1, line 1, of the printed bill, strike out "amended", and insert "repealed."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of the printed bill, strike out lines 2 to 27, inclusive; and strike out pages 2 to 7, inclusive, and insert

"SEC. 2. Section 6010 is added to said code, to read:

6010. The following is adopted as the standard form of county mutual fire insurer's policy for this State:

CALIFORNIA STANDARD FORM OF COUNTY FIRE INSURANCE POLICY

No.

(Space for insertion of name of company or companies issuing the policy and other matter permitted to be stated at the head of the policy.)

(Space for listing amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and for additional coverages or perils insured under endorsements attached.)

In consideration of the provisions and stipulations herein or added hereto and of _____ dollars premium this company, for the term of _____ from the _____ day of _____ 19___ } at noon, standard to the _____ day of _____ 19___ } time, at location of property involved, to an amount not exceeding _____ dollars, does accept as a member and insure _____ and legal representatives, to the extent of the actual cash value of the property at the time of loss, but not exceeding the amount which it would cost to repair or replace the property with material of like kind and quality within a reasonable time after such loss, without allowance for any increased cost of repair or reconstruction by reason of any ordinance or law regulating construction or repair, and without compensation for loss resulting from interruption of business or manufacture, nor in any event for more than the interest of the insured, against all LOSS BY FIRE, LIGHTNING AND BY REMOVAL FROM PREMISES ENDANGERED BY THE PERILS INSURED AGAINST IN THIS POLICY, EXCEPT AS HEREINAFTER PROVIDED, to the property described hereinafter while located or contained as described in this policy, or pro rata for five days at each proper place to which any of the property shall necessarily be removed for preservation from the perils insured against in this policy, but not elsewhere.

This policy is made and accepted subject to the foregoing provisions and stipulations and those hereinafter stated, which are hereby made a part of this policy, together with such other provisions, stipulations and agreements as may be added hereto, as provided in this policy.

IN WITNESS WHEREOF, This company has executed and attested these presents; but this policy shall not be valid unless countersigned by the duly authorized secretary of this company at

_____Secretary. _____President.

Countersigned this _____ day of _____, 19___.

_____Secretary.

Concealment, Fraud

This entire policy shall be void if, whether before or after a loss, the insured has wilfully concealed or misrepresented any material fact or circumstance concerning this insurance or the subject thereof, or the interest of the insured therein, or in case of any fraud or false swearing by the insured relating thereto

Uninsurable and Excepted Property

This policy shall not cover accounts, bills, currency, deeds, evidences of debt, money or securities; nor, unless specifically named hereon in writing, bullion or manuscripts.

Perils Not Included

This company shall not be liable for loss by fire or other perils insured against in this policy caused, directly or indirectly, by : (a) enemy attack by armed forces, including action taken by military, naval or air forces in resisting an actual or an immediately impending enemy attack; (b) invasion; (c) insurrection; (d) rebellion; (e) revolution; (f) civil war; (g) usurped power, (h) order of any civil authority except acts of destruction at the time of and for the purpose of preventing the spread of fire, provided that such fire did not originate from any of the perils excluded by this policy; (i) neglect of the insured to use all reasonable means to save and preserve the property at and after a loss, or when the property is endangered by fire in neighboring premises; (j) nor shall this company be liable for loss by theft

Other Insurance

Other insurance may be prohibited or the amount of insurance may be limited by endorsement attached hereto.

Conditions suspending or restricting insurance. Unless otherwise provided in writing added hereto this company shall not be liable for loss occurring

(a) While the hazard is increased by any means within the control or knowledge of the insured; or

(b) While a described building, whether intended for occupancy by owner or tenant, is vacant or unoccupied beyond a period of sixty consecutive days; or

(c) As a result of explosion or riot, unless fire ensue, and in that event for loss by fire only.

Any other perils to be insured against or subject of insurance to be covered in this policy shall be by endorsement in writing hereon or added hereto.

Added Provisions

The extent of the application of insurance under this policy and of the contribution to be made by this company in case of loss, and any other provision or agreement not inconsistent with the provisions of this policy, may be provided for in writing added hereto, but no provision may be waived except such as by the terms of this policy or by statute is subject to change.

Waiver Provisions

No permission affecting this insurance shall exist, or waiver of any provision be valid, unless granted herein or expressed in writing added hereto. No provision, stipulation or forfeiture shall be held to be waived by any requirement or proceeding on the part of this company relating to appraisal or to any examination provided for herein.

Cancellation of Policy

This policy may be canceled and the insured as a member of this company may withdraw therefrom by the insured surrendering his policy for cancellation at any time during the life of the policy and while the company continues the business for which it was organized, by giving notice in writing to the company and by paying such obligations as may have accrued against him on the day of cancellation. This policy may be canceled at any time by this company by giving to the insured five days' written notice of cancellation with or without tender of the excess of paid premium above the pro rata premium for the expired time, which excess, if not tendered, shall be refunded on demand. Notice of cancellation shall state that said excess premium (if not tendered) will be refunded on demand.

Assignment

This company may give its consent in writing allowing the assignment of this policy upon the bona fide sale of the property insured herein; provided, within 30 days from the transfer of the title to the within property and upon the assignment thereof such purchaser or his agent signs an agreement becoming a member and accepting the conditions of the within policy; otherwise this policy to be null and void, except as to holders of a mortgage or deed of trust.

Mortgagee Interests and Obligations

If loss hereunder is made payable, in whole or in part, to a designated mortgagee not named herein as the insured, such interest in this policy may be canceled by giving to such mortgagee a 10 days' written notice of cancellation.

If the insured fails to render proof of loss such mortgagee, upon notice, shall render proof of loss in the form herein specified within sixty (60) days thereafter and shall be subject to the provisions hereof relating to appraisal and time of payment

and of bringing suit. If this company shall claim that no liability existed as to the mortgagor or owner, it shall, to the extent of payment of loss to the mortgagee, be subrogated to all the mortgagee's rights of recovery, but without impairing mortgagee's right to sue; or it may pay off the mortgage debt and require an assignment thereof and of the mortgage. Other provisions relating to the interests and obligations of such mortgagee may be added hereto by agreement in writing.

Pro Rata Liability

This company shall not be liable for a greater proportion of any loss than the amount hereby insured shall bear to the whole insurance covering the property against the peril involved, whether collectible or not.

Requirements in Case Loss Occurs

The insured shall give written notice to this company of any loss without unnecessary delay, protect the property from further damage, forthwith separate the damaged and undamaged personal property, put it in the best possible order, furnish a complete inventory of the destroyed, damaged and undamaged property, showing in detail quantities, costs, actual cash value and amount of loss claimed; and within sixty days after the loss, unless such time is extended in writing by this company, the insured shall render to this company a proof of loss, signed and sworn to by the insured, stating the knowledge and belief of the insured as to the following; the time and origin of the loss, the interest of the insured and of all others in the property, the actual cash value of each item thereof and the amount of loss thereto, all encumbrances thereon, all other contracts of insurance, whether valid or not, covering any of said property, any changes in the title, use, occupation, location, possession or exposures of said property since the issuing of this policy, by whom and for what purpose any building herein described and the several parts thereof were occupied at the time of loss and whether or not it then stood on leased ground, and shall furnish a copy of all the descriptions and schedules in all policies and, if required and obtainable, verified plans and specifications of any building, fixtures or machinery destroyed or damaged. The insured, as often as may be reasonably required, shall exhibit to any person designated by this company all that remains of any property herein described, and submit to examinations under oath by any person named by this company, and subscribe the same; and, as often as may be reasonably required, shall produce for examination all books of account, bills, invoices and other vouchers, or certified copies thereof if originals be lost, at such reasonable time and place as may be designated by this company or its representative, and shall permit extracts and copies thereof to be made

Appraisal

In case the insured and this company shall fail to agree as to the actual cash value or the amount of loss, then, on the written demand of either, each shall select a competent and disinterested appraiser and notify the other of the appraiser selected within twenty days of such demand. The appraisers shall first select a competent and disinterested umpire; and failing for 15 days to agree upon such umpire, then, on request of the insured or this company, such umpire shall be selected by a judge of a court of record in the state in which the property covered is located. The appraisers shall then appraise the loss, stating separately actual cash value and loss to each item; and, failing to agree, shall submit their differences, only, to the umpire. An award in writing, so itemized, of any two when filed with this company shall determine the amount of actual cash value and loss. Each appraiser shall be paid by the party selecting him and the expenses of appraisal and umpire shall be paid by the parties equally.

Company's Options

It shall be optional with this company to take all, or any part, of the property at the agreed or appraised value, and also to repair, rebuild or replace the property destroyed or damaged with other of like kind and quality within a reasonable time, on giving notice of its intention so to do within 30 days after the receipt of the proof of loss herein required.

Abandonment

There can be no abandonment to this company of any property.

When Loss Payable

The amount of loss for which this company may be liable shall be payable 60 days after proof of loss, as herein provided, is received by this company and ascertainment of the loss is made either by agreement between the insured and this company expressed in writing or by the filing with this company of an award as herein provided.

Suit

No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless all the requirements of this policy shall have been complied with, and unless commenced within 12 months next after inception of the loss.

Subrogation

This company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment therefor is made by this company.

Assessment for Deficiency

When the amount of any loss shall have been ascertained, which exceeds in amount the cash funds of the company, the president shall convene the directors of this company, who shall proceed in the manner provided by Article 8 of Chapter 5 of Part 1 of Division 2 of the Insurance Code of the State of California.

Notice of Assessment

It shall be the duty of the secretary, whenever assessment shall have been made, to immediately notify every person holding a risk in this company, personally, by an agent, or by letter directed to his usual post-office address, of the amount of such loss, *and the sum due from him, as his share thereof, and of the time and to whom such* payment is made, but such time shall not be less than thirty days, nor more than ninety days from date of such notice. No assessment or assessments can be levied under this policy in excess of three times the premium named herein.

Action for Neglect or Refusal to Pay Assessments

An action may be brought against the member whose property is insured herein and this policy is automatically suspended if the insured shall not have paid, before it is delinquent, his portion of any assessment levied or other liability due this company for a period in excess of ninety days. The directors of this company who shall wilfully refuse or neglect to perform the duties imposed upon them by law or the by-laws of the company, shall be liable in their individual capacity to the person sustaining such loss. An action may also be brought and maintained against this company by members thereof for losses sustained if payment is withheld after the amount of such losses have *been determined and is due by the terms of the policy.*

SEC. 3. Section 6010.5 is added to said code, to read:

6010.5 The policy is not required to be used for reinsurance between insurers.

SEC. 4. Section 6011 of said code is amended to read.

6011 [The blanks in said standard form shall be appropriately filled.] *Either the blanks in the standard form or those in an endorsement attached thereto shall be appropriately filled. The first page of the policy or an endorsement attached thereto may be arranged to show in schedule form the amounts of insurance, rates and premiums for the basic coverages insured under the standard form of policy and additional coverages or perils insured under endorsements attached, and such other data as may be conveniently included for duplication on daily reports for office records.*

If such a schedule clearly shows the amount at risk, the rate, and the premium in respect of fire insurance, the words, "the above specified" may be inserted in the blanks preceding the word "dollars" in the two places in which "dollars" appears in that portion of the standard form which precedes the countersignature clause, or in identical blanks in an endorsement attached to the standard form and containing the paragraph in the standard form in which the blanks appear.

SEC. 5. Section 6013 of said code is amended to read:

6013 The standard form of policy shall be plainly printed. [No portion thereof shall be in type smaller than 11 point, subheads shall be in type larger than 12 point, and the lines of the policy shall be numbered consecutively.] *The type shall be not smaller than small pica and subheads shall be in type larger than pica. The lines of the policy following the countersignature clause shall be numbered consecutively.*

SEC. 6. Section 6018 of said code is amended to read

6018 No clause shall be inserted nor rider attached affecting the standard form liability of the insurer for loss or damage by fire occasioned either directly or indirectly by earthquake, hurricane, volcanic action or other disturbance of nature, unless such rider or clause is printed in red ink in [12-point type,] *type larger than pica or in capital letters measuring not less than eight one-hundredths (8/100's) of an inch in height,* and unless there is printed at the head of the policy **in red ink and in** large bold-faced type the words "This policy contains limitations of liability not permitted in the California standard form."

SEC. 7. Section 6020 of said code is amended to read:

6020 Except as otherwise provided by this article, clauses may be attached, by separate riders in type larger than [12-point.] *pica or in capital letters measuring*

not less than eight one-hundredths (8/100's) of an inch in height, to the policy, imposing specified duties and obligations upon the insured and limiting the liability of the insurer.

SEC. 8. Sections 1 to 7, inclusive, of this act shall become effective July 1, 1950, but any insurer may use the form of policy provided for by this act prior to said date, in lieu of the form provided for by the Insurance Code prior to the effective date of said sections of this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1175

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER. Your Committee on Agriculture, to which was referred:

Senate Bill No. 893

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Acting Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 152

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Acting Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 92
Assembly Bill No. 1767
Assembly Bill No. 2779

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Acting Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1577
Assembly Bill No. 1894

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Acting Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS

Senate Bill No. 42—An act to amend Section 27288 of the Government Code, relating to the recording of documents.

Bill read second time, and ordered to third reading.

Senate Bill No. 1218—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Bill read second time, and ordered to third reading.

Senate Bill No. 1421—An act to amend Section 10337 of the Government Code, relating to the California Code Commission and legislative committees on revision of the law.

Bill read second time, and ordered to third reading.

Senate Bill No. 459—An act to add Section 1755 5 to the Welfare and Institutions Code, relating to the placement of persons under the jurisdiction of the Youth Authority in certain institutions under the jurisdiction of the Department of Corrections for study, diagnosis, and treatment, authorizing the Director of Corrections to receive and keep such persons therein, and providing for the status and rights of persons so placed.

Bill read second time, and ordered to third reading.

Senate Bill No. 460—An act to add Article 10, comprising Sections 1250 to 1257, inclusive, to Chapter 3 of Part 1 of Division 2 of the Welfare and Institutions Code, providing for the establishment of the California Youth Training School and the commitment and transfer of youthful offenders thereto and therefrom, declaring escape or attempted escape therefrom a crime.

Bill read second time, and ordered to third reading.

Senate Bill No. 1327—An act to amend Section 1094.5 of the Code of Civil Procedure, relating to the review of administrative orders or decisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Senate on March 30, 1949, following "court," insert "or until the filing of a notice of appeal from the judgment or until the expiration of the time for filing such notice whichever occurs first;".

Amendment No. 2

On page 2, line 25, of said bill, following the period, strike out the remainder of the line; and strike out lines 26 to 36, inclusive, and insert "if an appeal is taken

from a denial of the writ, the order or decision of the agency shall not be stayed except upon the order of the court to which such appeal is taken, provided that, in cases where a stay is in effect at the time of filing the notice of appeal, such stay shall be continued by operation of law for a period of twenty (20) days from the filing of such notice. If an appeal is taken from the granting of".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Judiciary.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1869—An act to amend Sections 61, 124.5, 131, 379, 454.2, 681, and 750.5, and to add Sections 62.1, 449, and 617 to the Vehicle Code, relating to the powers and duties of the Departments of Motor Vehicles and the California Highway Patrol.

Bill read third time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on April 18, 1949, strike out "is added to the Vehicle Code," and insert "of the Vehicle Code is amended"

Amendment No. 2

On page 4, lines 16 and 17, of said bill, strike out "the Motor Vehicle Fund", and insert "any appropriation for the support thereof"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 191 HOLD PLACE ON FILE

Mr. Hawkins asked for, and was granted, unanimous consent that Assembly Bill No. 191 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 428—An act to add Section 834 to the Corporations Code, relating to derivative actions by shareholders.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Smith moved a call of the Assembly.

Motion carried Time, 10.09 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Coats, Dunn, Evans, Geddes, Grant, Hinckley, Kilpatrick, Lincoln, Meyers, Rosenthal, and Weber—12

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO RECONSIDER BE RETURNED TO FILE

Mr. McCollister asked for, and was granted, unanimous consent that his notice of motion to reconsider the vote on Assembly Bill No. 3122, which was removed from file, be returned to the active file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1593—An act to amend Section 151 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 10 24 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Caldecott, Crowley, Evans, Geddes, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McMillan, Morris, Rosenthal, Sherwin, Silliman, Smith, Thompson, Waters, and Yorty—22

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Condon asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1593

At 10.25 a.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1593 passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burkhalter, Coats, Collier, George D Collins, Condon, Connolly, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Way, Weber, and Yorty—43.

NOES—Burke, Butters, Caldecott, Conrad, Cramer, Erwin, Grant, Grunsky, Hahn, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Morris, Reagan, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, and Mr. Speaker—25.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Assembly Bill No. 1593

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1593, and that he be recorded as voting, "Aye."

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 213—An act to amend Section 1015 of the Fish and Game Code, relating to privilege taxes.

Bill read third time.

Speaker Pro Tempore Presiding

At 10.43 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Tomlinson, Reagan, Babbage, Yorty, and McMillan demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 213.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burkhalter, Butters, Coats, George D. Collins, Condon, Conrad, Crichton, Crowley, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Lindsay, Lowrey, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—45.

NOES—Collier, Connolly, Cramer, Dolwig, Dunn, Luckel, McCollister, Niehouse, and Silliman—9

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 791 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Thompson asked for, and was granted, unanimous consent that Senate Bill No. 791 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Public Health.

Speaker Presiding

At 10.58 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1462—An act to amend Sections 631 and 631.5 of the Code of Civil Procedure, to amend Sections 28111, 28134, and 28149 of the Government Code and to add Sections 28100 and 29619 to the Government Code, relating to juries.

Bill read third time.

Speaker Pro Tempore Presiding

At 11.08 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Weber, Lindsay, Morris, Burke, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1462.

Speaker Presiding

At 11.25 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Caldecott, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Lewis, Lipscomb, McCarthy, McCollister, Moss, Niehouse, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—42

NOES—Bennett, Burkhalter, Butters, Coats, Collier, George D Collins, Davis, Dunn, Erwin, Evans, Grant, Hahn, Hoffman, Hollibaugh, Levering, Lincoln, Lindsay, Lowrey, Luckel, McMillan, Meyers, Morris, Reagan, Tomlinson, and Weber—25.

Notice of Motion to Reconsider Assembly Bill No. 1462

Mr. Tomlinson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1462 was this day passed.

Statement of Vote

I was appearing before a committee of the Senate when Assembly Bill No 1462 was considered. Had I been present, I would have voted, "No."

MARVIN SHERWIN

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 428

At 11.27 a m., on motion of Mr. Smith, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 428 passed by the following vote:

AYES—Babbage, Brown, Burke, Butters, Caldecott, Connolly, Conrad, Cramer, Crichton, Dolwig, Doyle, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—45.

NOES—Anderson, Beck, Bennett, Burkhalter, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dunn, Elliott, Fletcher, Gaffney, Hagen, Hawkins, Heisinger, Lewis, Maloney, Rumford, Sherwin, Way, and Yorty—23

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L. Collins called to the attention of the members that recently, when an author can't get a bill out of a committee, he gets the chairmen of two committees to agree that the bill may be re-referred; and announced that after trouble and study to re-refer the bills fairly and to their proper committees, it will be appreciated if committee chairmen will cooperate with House procedure before a bad precedent is started, and bills, in increasing numbers, are heard in committees unrelated to the contents of said bills.

REMARKS ON CONDITION OF THE FILE

The following members spoke on the condition of the file:

Messrs. Stewart, Hinckley, Thomas, Lowrey, Cramer, Weber, and Maloney.

MOTION

Mr. Hinckley moved that, before two committee chairmen agree that an author may have permission to withdraw a bill from committee, and re-refer it to another committee, that the Speaker be first consulted by the two committee chairmen

Statement by Speaker

Speaker Sam L. Collins stated that, having assumed the responsibility of referring bills to proper committees to the best of his ability, he prefers that the committee chairmen assume further responsibility relative to such bills.

Point of Order

Mr. Lowrey arose to the following point of order: That motions are not properly before the House, at this time, and Mr. Hinckley is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because Mr. Hinckley's motion died for lack of a second.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2218—An act to amend Sections 18541, 18543, 18973, 18974.5, 19390, 19392, 19394, 19395, 19397, 19398, 19399, 19401, 19402, 19403, and 19404 of, to repeal Sections 18540, 18970, 19391, 19393, and 19393.5 of, and to add Sections 18540, 18540.1, 18540.2, 18540.3, 18540.4, and 19401.1 to, the Government Code, relating to civil service rights of veterans and widows of veterans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 827

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 827, temporarily passed on file, for purpose of considering Senate amendment, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 827—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 827?

Amendment No. 1

In line 8 of the printed bill, after "disqualification", strike out the comma, and insert "from the employer whom the claimant voluntarily quit or from whose employment he was discharged for misconduct under the disqualification, and upon wages paid by any employer during any calendar quarter prior to the date of the occurrence of the cause of the disqualification.".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 827 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Weber, Yorty, and Mr. Speaker—60

NOES—None.

Assembly Bill No. 827 ordered enrolled.

Speaker Pro Tempore Presiding

At 11.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MOTION TO SET SPECIAL ORDER

Mr. McCollister moved that Assembly Bill No. 313 be made a special order of business for Thursday, April 28, 1949, at 11 a m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—63.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 910—An act to amend Section 224 of the Civil Code, relating to the adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. William H. Rosenthal Presiding

At 11.50 a.m., Hon. William H. Rosenthal, Member of the Assembly from the Fortieth District, presiding.

Assembly Bill No. 912—An act to amend Section 226 of the Civil Code, relating to adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Sherwin, Smith, Stewart, Thomas, Thompson, Waters, Way, and Yorty—60.

NOES—Stanley—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.53 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2632—An act to add Sections 141 and 141.5 to the Welfare and Institutions Code, relating to warrants issued by the State Controller for old age security and security for the blind, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 116—An act to amend Sections 2799, 2800, 2802, 2804, 2805, 2815, 2816, 2831, 2832, 2840, 2841, 2842, and 2843 of the Elections Code, relating to political parties, and including provisions relating to the selection, organization, meetings, and functions of state conventions and state and county central committees thereof.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Babbage, Burke, Butters, Caldecott, Collier, Connolly, Conrad, Crichton, Elliott, Erwin, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, Morris, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, and Waters.—33.

NOES—Beck, Bennett, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cramer, Crowley, Davis, Doyle, Dunn, Evans, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Rosenthal, Rumford, Silliman, Thomas, Way, and Yorty—34.

Notice of Motion to Reconsider Assembly Bill No. 116

Mr. Conrad gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 116 was this day refused passage.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1334, on motion of Mr. McCarthy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1018—An act to amend Section 762.5 of, and to add Section 768 to, the Agricultural Code, relating to the inspection of tomatoes delivered for canning and tomato inspection certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—56

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 911—An act to add Section 226b of the Civil Code, relating to adoption proceedings

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Waters, Way, and Yorty—60.

NOES—Stanley—1.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Luckel:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 1138 of the Revenue and Taxation Code, relating to assessment of vessels.

Respectfully submitted,

FRANK LUCKEL

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it

By Mr. Luckel:

An act to amend Section 1138 of the Revenue and Taxation Code, relating to assessment of vessels.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3133: By Mr. Luckel—An act to amend Section 1138 of the Revenue and Taxation Code, relating to assessment of vessels.

Referred to Committee on Revenue and Taxation.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lewis:

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions

Respectfully submitted.

JOE C. LEWIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lewis:

An act to repeal an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended

pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3134: By Mr. Lewis—An act to repeal an act entitled "An act relating to institutions under the jurisdiction of the Department of Corrections, making an appropriation to be expended pursuant to the Property Acquisition Act for the acquisition of a new site for the California Institution for Women, authorizing the Director of Corrections to transfer the California Institution for Women from its present location near Tehachapi to the new site, and authorizing the disposition of the Tehachapi property," approved July 2, 1947, relating to institutions.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Fletcher asked for, and was granted, unanimous consent that the Committee on Industrial Relations be permitted to use the Assembly Chamber on Thursday, April 28th, at 8 p.m., for the purpose of holding a meeting to consider Senate Bill No. 1066.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 74: By Mr. Evans—Relative to approving five certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a primary nominating election held therein on the fifth day of April, 1949.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1651—An act to repeal the act known as Chapter 807, Statutes of 1937, entitled "An act to regulate the distribution of

moneys received from the United States Government under the provisions of the act of Congress of June 28, 1934, known as the Taylor Grazing Act and any act amendatory thereof''.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Cramer, Crichton, Crowley, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12 28 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENTS

Mr. Davis again announced that the proposed trip to Shasta Dam, formerly planned for Friday, May 6th, will take place on Saturday, May 7th, and requested that all members and attaches desiring to go, see him at once as he must complete reservations and arrangements immediately. Members are invited to include their wives.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1664

Mr. Hollibaugh asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1664, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1664

Assembly Bill No. 1664—An act to add Sections 6381.1 and 6404 to the Revenue and Taxation Code, relating to the exemption of cities and school districts from sales and use taxes.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 25, 1949, strike out "6404", and insert "6405".

Amendment No. 2

On page 1, line 7, of said bill, strike out "6404", and insert "6405".

Amendment No. 3

On page 1, line 8, of said bill, strike out "6404.", and insert "6405."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2799

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2799, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2799

Assembly Bill No. 2799—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Bill read third time.

Motion to Amend

Mr Anderson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "not".

Amendment No. 2

On page 1 of said bill, strike out line 9, and insert "to property held by any one person only to the extent of".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 223—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lapscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1564

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1564, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1564

Assembly Bill No. 1564—An act to amend Sections 359, 359.3, 359.5, and 360.4, and to add Chapter 8, comprising Section 438, to Division 3, of the Agricultural Code, relating to licensed slaughterers and to injunctive remedy.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on March 31, 1949, after "Agricultural", insert "Code".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1565

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1565, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1565

Assembly Bill No. 1565—An act to amend Section 360.5 of the Agricultural Code, relating to penalties for delinquencies in obtaining slaughterer's license.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1567

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1567, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1567

Assembly Bill No. 1567—An act to amend Sections 339.1, 339.3, and 339.4 of the Agricultural Code, relating to brand fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2968

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2968, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2968

Assembly Bill No. 2968—An act to amend Sections 380 54 and 380 55 of the Agricultural Code, relating to the slaughter and inspection of horses and burros.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2193

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2193, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2193

Assembly Bill No. 2193—An act to repeal Section 6 of an act entitled "An act to authorize the Department of Finance to acquire surplus housing facilities for resale to farmers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately,"

approved July 10, 1947 (Chapter 1352, Statutes of 1947), relating to the expiration date thereof.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 6 of the act cited in the title hereof is amended to read:

Sec 6. This act shall remain in effect until [the ninety-first day after adjournment of the 1949 Regular Session of the Legislature] *June 30, 1951.*"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1873—An act to amend Section 8403 of, and to add Section 8402.1 to, the Water Code, relating to flood control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1874—An act to amend Sections 3454, 3457, 3476a, and 3479 of the Political Code, relating to reclamation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2709—An act relating to the use and occupation of real property lying within the lines of public improvements adopted as precised plans under the Conservation and Planning Act, restricting the use of property within such lines, and prescribing the powers and duties of certain public officers in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—Beck and Coats—2.

Bill ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from A. Veitch, Consul, for H. M., Consul-General at Los Angeles, requesting an authenticated signature of the Secretary of State, the Hon. Frank M. Jordan, was received, and ordered referred to the Chief Clerk.

Request for Unanimous Consent That Chief Clerk Be Instructed to Write Letter

Mr. Weber asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter in answer to the communication just read.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 983—An act authorizing the Director of Finance, with the approval of the Director of the Department of Mental Hygiene, successor in interest of Norwalk State Hospital, to exchange certain lands with the Atchison, Topeka and Santa Fe Railway Company, a corporation, in the County of Los Angeles, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 360—An act amending Section 24005 of the Government Code, relating to vacations of county officers and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 366—An act to amend Section 24260 of the Government Code, relating to office hours of county offices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 369—An act to amend Section 31679 of the Government Code, relating to retirement allowances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2122

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2122, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2122

Assembly Bill No. 2122—An act to amend Sections 3492, 3593, 3594, 3595, 3597, 3598, 3662, 3663, and 3665 of; to add Sections 3593.1, 3593.2, 3594.1, 3661.2, and 3661 3 to; and to repeal Sections 3599 and 3660 of, the Education Code, all relating to high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—63.

NOES—Lowrey and Silliman—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dolwig asked for, and was granted, unanimous consent that the Committee on Reclamation and Tidelands Relative to Traffic Problems, be permitted to use the Assembly Chamber on Friday, May 6th at 2 p.m., and on Saturday, May 7th, at 9.30 a.m., and for subsequent weekends, for the purpose of considering matters relating to bridges.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 6

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 6, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 6

Senate Constitutional Amendment No. 6—Proposed amendment to Article XXIV, Section 4, of the Constitution, relative to exemptions from state civil service.

Resolution read.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 37, of the printed measure, as amended in the Assembly on April 22, 1949, strike out "made", and insert "may".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 31 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Sherwin asked for, and was granted, unanimous consent that Senate Bill No. 31 be withdrawn from the file, and be re-referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. McMillan asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1960

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1132
Assembly Bill No. 2361
Assembly Bill No. 2742
Assembly Bill No. 3108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 138
Assembly Bill No. 1109
Assembly Bill No. 1563
Assembly Bill No. 1136

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 873
Assembly Bill No. 2079

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2562

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 437
Assembly Bill No. 2556
Assembly Bill No. 2558
Assembly Bill No. 2559
Assembly Bill No. 2561
Assembly Bill No. 2563
Assembly Bill No. 2564
Assembly Bill No. 2565
Assembly Bill No. 2566
Assembly Bill No. 2567
Assembly Bill No. 2568
Assembly Bill No. 2571
Assembly Bill No. 2574
Assembly Bill No. 2575

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 2576
Assembly Bill No. 2599

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 18
Senate Bill No. 19

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 279
Assembly Bill No. 332

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 26, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2570
Assembly Bill No. 2572

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 3090

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 498—An act to amend Section 6140 of the Business and Professions Code, relating to fees payable by members of the State Bar;

Assembly Bill No. 792—An act to amend Section 7329 of the Business and Professions Code, relating to cosmetology;

Assembly Bill No. 793—An act to amend Section 7380 of, and to add Section 7385 to, the Business and Professions Code, relating to cosmetology;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 796—An act to amend Section 7320 of the Business and Professions Code, relating to cosmetology;

Assembly Bill No. 1523—An act to repeal Article 4, comprising Sections 4600 to 4611, inclusive, of Chapter 1, Division 7 of the Elections Code, relating to campaign expenditures;

Assembly Bill No. 1585—An act to amend Sections 1562, 2190, and 3091.5 of the Welfare and Institutions Code, relating to the destruction of records of needy persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1684—An act to amend Section 1772 of the Elections Code, relating to municipal referendum,

Assembly Bill No. 1754—An act to add Sections 6660.1 and 6660.2 to the Welfare and Institutions Code, relating to the investment of funds held by the Department of Mental Hygiene as guardian or other fiduciary;

Assembly Bill No. 3096—An act to add Section 2876 to the Health and Safety Code, relating to pest abatement districts, the power and authority of boards of supervisors and the levy of pest abatement district taxes; providing that this act shall not be deemed to be a declaration of the intention of the Legislature concerning the meaning of Section 3720 of the Political Code or any statutory successor thereto; declaring the urgency thereof and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of April, 1949, at 2 p.m.

HUYCK, Chairman

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 61 ordered re-referred to Committee on Ways and Means.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Subcommittee on Ways and Means, in Room 430. Subject. Assembly Bill No. 2120.

At 3 p.m.—

Governmental Efficiency and Economy.
Conservation, Planning, and Public Works.
Subcommittee on Education, in Room 430. Subject: Senate Bill No. 229.

Tonight at 8 p.m.—

Constitutional Amendments, in Room 432.
Education.
Municipal and County Government.

Tomorrow, Thursday, April 28th—

At 8.45 a.m.—

Rules.

At 2.30 p.m.—

Judiciary. (Special meeting), in Room 430.

It was announced that the following committee would hold no meeting today:

Manufacturing, Oil, and Mining Industry.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Vance of Bakersfield.

On request of Mr. Hollibaugh and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Leonard J. Roach of Los Angeles.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Martha Mae Rosensweig of Lennox.

On request of Messrs. Geddes and Price, the usual courtesies of the Assembly for this day were unanimously extended to Don Adams of Upland, A. T. Richardson, Mrs. Frances P. Quire, and Alan G. Wheeler of Pomona, and Stuart Wheeler and Stanley Barnes of Claremont.

On request of Messrs Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Doris Stump, Mollie Joyce, and Ida Doose, teachers of the Fruit Ridge school, and the following pupils: John Andrews, Dean Austin, Robert Baker Richard Barkell, William Bryant, Marjorie Cherry, Richard Domingo, Richard Dow, Robert Duval, Sandra Hendon, Barbara Howard, Leon Jackson, Edward Jerke, Wilma London, Liddie Martin, Shirley Mathieson, Ronald Miller, Marlene Ott, Patricia O'Reilly, Theodora Perez, Larry Ringle, Shirley Santin, John Scheid, Dorene Shaw, Donald Briggs, Joan Buno, Diane Cecchettini, Jack Devault, LeRoy De Witt, Naomi Gage, Marian Kozial, Sharon Lopez, James Madison, Wayne Martin,

Patricia Moreno, Girard Oliphant, Emil Pendleton, Ralph Perez, Betty Philbrook, Nancy Pittman, Gayle Renner, Marian Repanich, James Reynolds, Shirley Scheid, Helen Snelling, Harry Steele, Roger Swan, Mary Abbott, Buckley Barnes, Michael Beals, Larry Black, Maysie Carder, Joanne Caselli, Wanda Chapman, Virginia Dunavan, Gary Egan, Frances Fabres, Albert Ford, Gay Gallacher, Carnation George, Stanley Goulding, Stanley Gray, Eleanor Haskett, Martha Houtman, John Hughes, Joan Jackson, Jerry Jarvis, Elaine Krueger, Homer Maier, James Marchand, Shirley Pendleton, Shirley Persinger, Patricia Pratt, Barbara Rickard, Keiji Takagi, Harold Woods, Hazel Sybrandy, David Thielen, Maritta Vlardi, Edward Wieand, Lavinnia Turley, Carolyn Vest, Norris Walery, and Norio Yasuda.

On request of Messrs. Weber and Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Marvin McDow and Warren Smith, teachers of the Stockton College, and the following pupils: Dale Bartles, Blanche Benko, Albert Chan, Lesley Clark, Dean Coleman, Georgia Dale, Joanne Davis, Jim Duncan, Marjorie Eckstein, Carol Faight, Marlene Fetzer, Shyrl Feaver, Joan Franco, Mark Gee, Ronald Higday, Claire Holmes, Corienne Howell, Edward Jacobs, Hugh Jessup, Bob Kraetsch, Marlene Larry, Helen Louie, Betty Low, Dolores Mohle, Marie Moresco, Arlene Morgan, Joanne Morrill, Gloria Murphy, Sharon Nauman, Beverly Podesto, Norma Polk, Doreen Pontoon, Donald Pratt, Ronald Pratt, Barbara Pugh, Willa Sanford, Carol Sweet, Joe Stephenson, Grace Storer, Marie Teunisson, Donna Tillery, John Tyrell, Evelyn Vallin, Marion VanVranken, Dolores Wilson, Joycelyn Wong, Betty Ring, and Jimmy Uyemura.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Bonar, teacher of the Pacheco School, Mrs. Dutra, Mrs. Tompkins, Mrs. Valach, Mrs. Hills, and Mrs. Rutherford, mothers, and the following pupils: Joan Rutherford, Janet Tompkins, Jeanette Vollman, Edith Valach, Delone Chapman, Eddie Holland, Gaylon Cox, Tommy Rieves, Bill Edelman, Jerry Harpman, Henry Traulson, Sammy Cluck, Harry Hills, Ray Tompkins, Chuck Maker, and Johnny Dutra.

On request of Speaker Sam L. Collins, Messrs. Stanley, and Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Fred R. Dukes of Buena Park and Carl H. Hankey of San Juan Capistrano.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to John D. Hahn of Los Angeles.

On request of Speaker Sam L. Collins and Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Pete Cooey of Santa Ana.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to George E. Shelden of San Francisco.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Helen Chapman, teacher of the Nevada City High School and the following pupils: Audrey Foote, Mary

Hartell, Allan Hewitt, Roberta Hurst, Glenda Judd, Gordon Lageson, Jenny Lamson, Douglas Atkins, Jewell Barker, Bill Beverage, Jerry Coleman, Bud Deschwanden, Githa Dorris, Roy Draper, Phyllis Lewis, Joyce Moore, Paul Peterson, Diane Poulsen, Diana Rankin, Ray Steck, Joyce Synder, Bob Thompson, Robert Walkington, and Cora Williams.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Harold Behneman of Palm Springs and Mrs. Robert Merrill of Hemet.

ADJOURNMENT

At 1.12 p.m., on motion of Mr. Butters, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, April 28, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED SIXTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, April 28, 1949

The Assembly met at 9 30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—76.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by the Chaplain of the day, Rev. Samuel F. Pugh:

Almighty God: We begin the deliberations of this day by recognizing Thy presence, and Thy concern with all things that concern us, Thy children.

Grant that the day may never come when we neglect to acknowledge the centrality of Thy divine self in the affairs of man.

We rejoice that we can begin this day, and every day, by expressing our awareness of Thy nearness as we bow our heads before Thee in prayer.

Our prayer is not so much to request Thy blessing upon our procedures and decisions as to ask that our procedures and decisions be worthy of Thy blessing.

May the spirit of what is right be the only criterion of our actions this day, so that our work may be unmarred by any selfish motive or evil interest, as we consider those things which are for the common welfare and the public good.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Elliott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Berry, on motion of Mr. Gaffney.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Clarke, on motion of Mr. Erwin.

Mr. Ralph C. Dills, on motion of Mr. Erwin.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Senate Bill No. 1135

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SILLIMAN, Acting Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 976
Assembly Bill No. 1344
Assembly Bill No. 1655
Assembly Bill No. 1659
Assembly Bill No. 1667
Assembly Bill No. 1668
Assembly Bill No 2084

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 74

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 49

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 8

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 214
Assembly Bill No 243
Assembly Bill No. 871
Assembly Bill No. 872
Assembly Bill No. 876
Assembly Bill No. 881
Assembly Bill No. 882
Assembly Bill No. 1319
Assembly Bill No. 2295

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 874
Assembly Bill No. 1470

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 48
Senate Joint Resolution No. 4

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 48—Relative to approving amendments to the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fifth day of April, 1949.

Referred to Committee on Rules.

Senate Joint Resolution No. 4—Relative to establishing a nine county area to be known as the San Francisco Bay area.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 742
Senate Bill No. 801
Senate Bill No. 804
Senate Bill No. 808
Senate Bill No. 812
Senate Bill No. 814
Senate Bill No. 815
Senate Bill No. 816
Senate Bill No. 817
Senate Bill No. 1131
Senate Bill No. 1617

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 742—An act to amend Section 423 of, and to add Section 458.1 to, the Fish and Game Code, relating to transportation of fish and game.

Referred to Committee on Fish and Game.

Senate Bill No. 801—An act to amend Sections 8706, 8710, 8712, 8714, 8741, 8761, 8762, 8764, and 8784 of the Business and Professions Code, relating to the practice of land surveying.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 804—An act to add Section 105 to, and to repeal Sections 2103, 2705, 4003, 5517, 6713, 7004, and 7304 of the Business and Professions Code, relating to certificates of appointment and oaths of office of members of boards within the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 808—An act to amend Section 9011 of the Business and Professions Code, relating to the Board of Social Work Examiners.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 812—An act to amend Sections 2701 and 2736.5, and to repeal Sections 2727.5, 2735, 2825, and 2826 of the Business and Professions Code, relating to the practice of nursing the sick or afflicted.

Referred to Committee on Public Health.

Senate Bill No. 814—An act to amend Sections 7514, 7522, 7526, 7527, 7531, 7538, 7547, 7551, 7565, and 7582 of, and to add Sections 7529.5, 7529.6, 7540, 7541, 7542, 7543, and 7549 to, the Business and Professions Code, relating to private detectives.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 815—An act to amend Section 403 of the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 816—An act to amend Section 2554 of the Business and Professions Code, relating to funds of the Board of Medical Examiners.

Referred to Committee on Public Health.

Senate Bill No. 817—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Referred to Committee on Public Health.

Senate Bill No. 1131—An act to amend Sections 26472, 26541, 26542, and 26586 of the Health and Safety Code, and to add Sections

26606 and 26625 to said code, relating to the California Pure Food Act and its administration.

Referred to Committee on Public Health.

Senate Bill No. 1617—An act to add Section 42.1 to an act entitled Drainage District Act of 1903, relating to drainage districts.

Referred to Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 946—An act to repeal Article 4 of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, consisting of Sections 350 to 354, inclusive, and to add Article 4 to Chapter 2 of Part 1 of Division 1, consisting of Sections 350 to 356, inclusive, relating to a Division of Dental Health.

Bill read second time, and ordered engrossed.

Assembly Bill No. 873—An act to amend Sections 651, 659, 660, 663, 666.5, and 667 of the Fish and Game Code, relating to salmon.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2079—An act to amend Section 802 of the Fish and Game Code, relating to taking of abalones.

Bill read second time, and ordered engrossed.

Assembly Bill No. 437—An act to amend Section 330a of the Penal Code, relating to slot and card machines and similar devices.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2556—An act to prohibit the possession, use or operation of slot machines or like devices, prescribing the penalty for violations of this act, and providing for the confiscation of such machines.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2558—An act to amend Section 1338 of the Penal Code, relating to notice of conditional examination of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2559—An act to add Section 5002 to the Welfare and Institutions Code, relating to examination of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2561—An act to amend Section 283 of the Penal Code, relating to punishment for bigamy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2563—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2564—An act to amend Section 3051 of the Penal Code, relating to persons sentenced for petty theft after felony conviction.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2565—An act to amend Sections 157 and 1192 of the Penal Code, relating to the degree of crime.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2566—An act to amend Section 4550 of the Penal Code, relating to rescues.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2567—An act to amend Section 3704 of the Penal Code, relating to insane persons sentenced to death.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2568—An act to amend Section 1476 of the Penal Code, relating to writs of habeas corpus, and the manner of indicating presentation thereof and the action of the court thereon.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2571—An act to amend Section 489 of the Penal Code, relating to the punishment for the crime of grand theft.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2574—An act to repeal Section 681 of the Penal Code as added by Chapter 583 of the Statutes of 1913 and to add Section 2654a to the Penal Code, relating to the punishment and treatment of persons in state, county and city institutions.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2575—An act to amend Section 1260 of the Penal Code, relating to appeals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1960—An act to add Section 597 to the Fish and Game Code, relating to kelp.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 4, of the printed bill, after the period, insert "This provision of this section shall have no force and effect after September 30, 1953."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Cramer asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2570—An act to amend Section 405 of the Penal Code, relating to punishment for riot.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or in the state prison not exceeding two years".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2572—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying, receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out ", is guilty of a felony, and"

Amendment No. 2

On page 1, line 10, of said bill, strike out "ten", and insert "five".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2576—An act to amend Sections 27700, 27703, 27705, 27706, 27708, 27709, and 27710, of the Government Code, to add Sections 27705.1 and 27711 thereto, and to repeal Sections 27702 and 27707 thereof, relating to public defenders.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on March 30, 1949, strike out the first "The", and insert "In counties of the first, second and third classes, the"

Amendment No. 2

On page 2, line 51, of said bill, after "printing", insert "or typewriting".

Amendment No. 3

On page 2, line 52, of said bill, strike out "the defendant", and insert "a defendant represented by a public defender".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2599—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 995, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the headings of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690 and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, and 1167 to said code, relating to proceedings in criminal cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 28 of the title of the printed bill, as amended in the Assembly on March 30, 1949, strike out "and 1167", and insert "1167 and 1467"

Amendment No. 2

On page 3 of said bill, between lines 2 and 3, insert

"6 The word "county" includes county, city and county, and city "

Amendment No. 3

On page 3, line 5, of said bill, strike out "Section", and insert "Sections"

Amendment No. 4

On page 3, line 41, of said bill, after "person", insert "is".

Amendment No. 5

On page 4, line 42, of said bill, strike out "and".

Amendment No. 6

On page 5, line 6, of said bill, after "child", insert a comma

Amendment No. 7

On page 9, line 50, of said bill, after "complaint", insert "except as otherwise provided by law".

Amendment No. 8

On page 18, line 50, of said bill, strike out ", except that no", and insert " No"

Amendment No. 9

On page 19, line 2 of said bill, after the second "any", insert "other".

Amendment No. 10

On page 21, line 9, of said bill, after "in which", insert "the".

Amendment No. 11

On page 27, line 31, of said bill, strike out the period, and insert a semicolon.

Amendment No. 12

On page 28, line 8, of said bill, strike out "arrested judgment may be found", and insert "arrest of judgment may be founded".

Amendment No. 13

On page 29, line 47, of said bill, strike out "designating", and insert "(designating".

Amendment No. 14

On page 31, line 27, of said bill, strike out "all".

Amendment No. 15

On page 32, line 18, of said bill, strike out "effecting", and insert "affecting".

Amendment No. 16

On page 35, line 13, of said bill, strike out "the"

Amendment No. 17

On page 35, lines 21 and 22, of said bill, strike out "of the peace or police justice".

Amendment No. 18

On page 38 of said bill, between lines 7 and 8, insert

"SEC. 162 Section 1467 is added to said code, to read

1467. An appeal to the superior court from a judgment of conviction does not stay the execution of the judgment in any case unless the trial or superior court shall so order. The granting or refusal of such order shall rest in the discretion of the court"

Amendment No. 19

On page 38, line 8, of said bill, strike out "162", and insert "163".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 551—An act to add Section 216 to the Agricultural Code, relating to certain diseases of swine, to prevent their spread and transmission by requiring processing of garbage fed to the swine.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture.

Amendment No. 1

On page 1, line 17, of the printed bill, after "food", insert ", provided that the term "garbage" shall not include animal and vegetable waste matter originating on farms or in farm homes".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 590—An act to amend Section 18109 of the Health and Safety Code, relating to auto courts and resorts, and auto and trailer camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 18109 of", and insert "Sections 15015, 15020, and 16900 of, and to add Sections 15016.3 and 15019.5 to".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "relating to the State Housing Act."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 19, inclusive, and insert

"SECTION 1. Section 15015 of the Health and Safety Code is amended to read:

15015. "Enforcement agency" means the building department, the [housing] *health* department, *the fire department,* or the *Division of Housing in the* Department of Industrial Relations, as the case may be.

SEC. 2. Section 15016.3 is added to said code, to read:

15016.3. "Fire department" means the chief of a city, county or fire district fire department or his regularly authorized deputy.

SEC. 3. Section 15019.5 is added to said code, to read:

15019.5. "Health department" means the health officer of a city or county or health district or his regularly authorized deputy.

SEC. 4. Section 15020 of said code is amended to read:

15020. "Hotel" means any structure, or any portion of a structure, including any *motel, motor court,* lodging house, rooming house, dormitory, turkish bath, bachelor hotel, studio hotel, public club, or private club, containing six or more guest rooms and which is occupied, or is intended or designed for occupation, by six or more guests, whether rent is paid in money, goods, labor or otherwise. It does not include any [jail,] hospital [,] *or* sanitarium, *nor shall it include any* orphanage, *asylum, jail,* prison, detention, or other building in which human beings are housed and detained under legal restraint.

SEC. 5. Section 16900 of said code is amended to read:

16900. Every gas water heater, and [, except as otherwise permitted in this chapter in the case of a kitchen gas range, every gas-fired appliance which is designed to be a vented appliance, as shown by the presence of a vent collar to which a vent may be attached, shall be provided with a vent pipe, which may be of sheet metal not smaller than the vent connection on the appliance nor less than two and one-half inches in internal diameter, and which shall be connected to a vertical, or substantially vertical, flue, vent, or chimney leading to the outer air.] *every other gas-fire appliance used for the purpose of heating a building, except gas plates and gas ranges, in every auto court and resort apartment shall be an approved vented type appliance and shall be so vented as to effectively discharge the flue gases therefrom through a sheet metal or other approved vent pipe not less than the area of the vent outlet on the appliance but in no case less than two and one-half inches in internal diameter, which vent pipe shall be connected to a vertical or substantially vertical flue or chimney leading to the outer air above the roof. A model or sample of every such gas water heater and every other gas-fire appliance used for the purpose of heating a building, except gas plates and gas ranges, shall have been tested and approved by a nationally recognized standard or nationally recognized testing laboratory and such appliance shall have attached thereto an insignia of approval by such standard or testing laboratory. The flue or chimney shall be either terra cotta, brick, fire clay, or other approved product, having a wall thickness of adequate insulating value, and which will not disintegrate from the effects of the products of combustion. The internal area of the flue or chimney shall be at least twelve square inches.*

All gas appliances subject to the provisions of this section and all gas plates and gas ranges shall be rigidly connected with metal piping directly to the gas service outlet."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 973—An act to amend Sections 28111, 28133, 28142, and to repeal Section 28134 of the Health and Safety Code, relating to the preservation of the public health, including the sanitation and regulation of establishments where food used for human consumption is stored, prepared, kept, manufactured or distributed.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to amend Sections 28111, 28116, 28126, 28133, 28142, 28146, and 28149, and to repeal Sections 28123, 28124, 28125, and 28134 of the Health and Safety Code, relating to".

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 7, inclusive, and insert "erated to a temperature above zero of 45 degrees Fahrenheit or below. It does not include any such place where food which is privately owned and not held for resale is stored inside of lockers or compartments which are not more than fifteen cubic feet in capacity, and which lockers or compartments are leased to private individuals for their exclusive use."

Amendment No. 3

On page 1 of said bill, between lines 7 and 8, insert

"SEC. 2. Section 28116 of said code is amended to read:

28116. This chapter does not apply to any cold storage or refrigerating plant or warehouse which is maintained or operated by a restaurant, hotel, [or] exclusively wholesale or retail establishment [not storing articles of food for other persons], *cannery or other food processing place which is used for the storage of food and which place is owned by or is for the exclusive use of the occupant owner or maintainer thereof, and said food is not stored for other persons.*

SEC. 3. Section 28126 of said code is amended to read:

28126. For each cold storage or refrigerating warehouse or plant [having a capacity of 100,000 cubic feet or more] operated by an applicant for a license, the fee is fifty dollars ($50)."

Amendment No. 4

On page 1, line 8, of said bill, strike out "SEC. 2", and insert

"SEC. 4".

Amendment No. 5

On page 1 of said bill, strike out line 16, and in line 17, strike out "SEC. 4", and insert

"SEC. 5".

Amendment No. 6

On page 1 of said bill, after line 24, insert

"SEC. 6. Section 28146 of said code is amended to read:

28146. No person shall keep any article of food in cold storage for more than twelve calendar months, except with the consent of the board. *Thirty days prior to the expiration of the 12 month period, the licensee shall send notice to the board advising them of this fact. Duplicate notice shall be sent to the owner of the food.*

SEC. 7. Section 28149 of said code is amended to read:

28149. [Unless otherwise permitted by this article, it is unlawful to sell, or to offer or expose for sale, uncooked articles of food which have been cold stored without notifying persons purchasing, or intending to purchase, the same that they have been kept in cold storage by the display, in a conspicuous place and upon the articles of food, of a sign marked, "These are cold stored goods," in type at least two inches high.] *For the purpose of determining whether or not food locker plants come under the provision of this act, the operators or owners of all such frozen food locker plants shall make available, upon request to any agent of the State Department of Public Health,*

the names and addresses of any and all persons, firms, or corporations renting, leasing or occupying such lockers or compartments.

SEC. 8 Sections 28123, 28124, 28125, and 28134 of said code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1004—An act to add Section 303 5 to the Agricultural Code, relating to meat.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "be identified", and insert "identify each such animal".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1009—An act to add Section 1626 1 to the Business and Professions Code, relating to persons authorized to practice dentistry under the Department of Corrections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"1626 1. Subject to the provisions of the State Civil Service Act, any person who is licensed to practice dentistry in any other state, who is a graduate of a dental school approved by the Board of Dental Examiners, and who has applied for a license to practice dentistry in this State, may be appointed to a dental staff within a state institution under the Department of Corrections and, under supervision of a licensed dentist, may treat persons under the jurisdiction of any such state institution for a period not exceeding one year. At the end of such year he must have secured a license in order to continue as a member of the staff. Until such person has secured his license he shall not engage in the practice of dentistry in this State except to the extent expressly herein provided."

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 13, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1010—An act to add Section 2175.1 to the Business and Professions Code, relating to persons authorized to practice medicine and surgery under the Department of Corrections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"2175.1. Subject to the provisions of the State Civil Service Act, any person who is licensed to practice medicine in any other state and who complies with each and

all of the requirements of Section 2147.5 with respect to registration with the board and graduation from a school approved by the board, may be appointed to a medical staff within a state institution under the Department of Corrections and, under supervision of a licensed physician and surgeon, may treat persons under the jurisdiction of any such state institution for a period not exceeding one year. At the end of such year he must have secured a physician's and surgeon's certificate in order to continue as a member of such medical staff. Until such person has obtained a physician's and surgeon's certificate he shall not engage in the practice of medicine and surgery in this State except to the extent expressly herein permitted."

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1492—An act providing for loans to municipalities and districts for sewerage facilities, prescribing the conditions under which such loans shall be made, creating the State Pollution Control Fund, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, after "State", insert "Water".

Amendment No. 2

On page 1, line 3, of said bill, after "State", insert "Water".

Amendment No. 3

On page 1, line 4, of said bill, after "State", insert "Water".

Amendment No. 4

On page 1, line 6, of said bill, after "sewerage", insert "and storm drainage".

Amendment No. 5

On page 1 of said bill, strike out line 11, and insert "posed facilities and showing that funds of the municipality or district are not available for financing such facilities and that the sale of revenue or general obligation bonds through private financial institutions is impossible or would impose an unreasonable burden on the municipality or district."

Amendment No. 6

On page 1, line 13, of said bill, after "State", insert "Water".

Amendment No. 7

On page 1, line 14, of said bill, after "Board", insert ", and after consultation with the State Board of Health,".

Amendment No. 8

On page 1, line 15, of said bill, strike out "and welfare of the applicant," and insert "or welfare of the applicant, and".

Amendment No. 9

On page 1, line 16, of said bill, after "applicant", insert ", that funds of the municipality or district are not available for financing such facilities and that the sale of revenue or general obligation bonds through private financial institutions is impossible or would impose an unreasonable burden on the municipality or district,".

Amendment No. 10

On page 2, line 10, of said bill, after "act.", insert "Whenever, in the judgment of the State Pollution Control Board, the amount of funds accumulated to the credit of the State Pollution Control Fund exceeds the reasonable requirements of the State

Pollution Control Board for making loans under the provisions of this act, the board shall determine the amount of such excess and certify same to the State Controller. Excess funds, so certified, shall revert to the General Fund in the State Treasury."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1589—An act to amend Sections 3, 8, and 14 of "The Sanitation and Sewer Revenue Bond Act of 1941," relating to sanitation and sewer enterprises.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on *Municipal and County Government*:

Amendment No. 1

On page 1, line 6, of the printed bill, after "any", insert "sanitation or sewer".

Amendment No. 2

On page 1, line 7, of said bill, strike out "any", and insert "such".

Amendment No. 3

On page 2, line 32, of said bill, after "water", insert ", other than reclaimed waste water,".

Amendment No. 4

On page 3, line 5, of said bill, strike out "and", and insert "or".

Amendment No. 5

On page 3, lines 6 and 7, of said bill, strike out "whether long term or short term", and insert "not to exceed a term of 25 years".

Amendment No. 6

On page 3, line 11, of said bill, after "periodically", insert "or otherwise".

Amendment No. 7

On page 3, line 16, of said bill, after "establishment", insert ", or such portion of such cost as the governing body determines is fair and equitable".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1761—An act to repeal Sections 4845.20, 4545.21, 4845.22, 4845.23, 4845.24, 4845.25, 4845.26, 4845.27, and 4845.28 of, and to add Sections 4845.30, 4845.31, 4845.32, 4845.33, 4845.34, 4845.35, and 4845.36 to, the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out lines 1 to 4, inclusive, of the title of the printed bill, and insert

"An act to amend Sections 4845 20 and 4845.21; to repeal Sections 4845.26 and 4845.27; and to add Sections 4845 31, 4845 32, 4845.33, and 4845.34 to the Health and Safety Code, relat-".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 4845.20 of the Health and Safety Code is amended to read:

4845.20. All or any portion of the unincorporated territory within a district, *or all or any portion of territory within a district which territory was, subsequent to the formation of the district, annexed to a city,* may [withdraw] *be withdrawn* from the district when all of the following conditions exist:

(a) The district has been in existence for [more than ten years] *at least one year;*

(b) [An election has been held on the question whether a bonded indebtedness should be incurred by the district, which proposition has failed at the election to receive the number of votes required to authorize the existence of bonds;

(c)] The district has no indebtedness evidenced by bonds or otherwise, exclusive of indebtedness or expense, if any, previously incurred under Sections 4815, 4816, 4817, 4748, or 4749; and in *the* event such indebtedness or expense is outstanding and owing on the date of the election authorized in this article, the property within any territory withdrawing from the district shall nevertheless be liable for assessment and payment of the tax for its pro rata share thereof.

Provided, however, that no portion of a city shall be withdrawn from a sanitation district under the provisions of this article if such city is in its entirety within one or more sanitation districts.

SEC. 2. Section 4845.21 of said code is amended to read:

4845.21. The withdrawal [shall] *may either* be effected by the vote of majority of the qualified electors of the territory seeking to withdraw [,] voting at an election on the proposition to withdraw [ ], *in which case the election procedure as hereafter provided in Sections 4845.22 to and including Section 4845.28 shall be followed, or by verified petition presented to the board of supervisors in the manner as hereafter provided in Sections 4845.31 to and including Section 4845.34.*

SEC. 3. Sections 4845.26 and 4845.27 of said code are repealed."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 9, inclusive, and insert

"SEC. 4. Section 4845.31 is added to said code, to read:".

Amendment No. 4

On page 2, line 10, of said bill, strike out "4", and insert "5".

Amendment No. 5

On page 2, line 20, of said bill, strike out "5", and insert "6".

Amendment No. 6

On page 2, line 27, of said bill, strike out "6", and insert "7".

Amendment No. 7

On page 2 of said bill, strike out lines 45 to 50, inclusive; and on page 3, strike out lines 1 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1934—An act to add Sections 229, 230, 231 to, and Chapter 7 to Division 4 of, the Water Code, relating to investigation of water quality and the reclamation and use of polluted water and to water wells.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "available", and insert "allocated".

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 11, inclusive, and insert "thereon to the Legislature and to the appropriate Regional Water Pollution Control Board annually, and may recommend any steps".

Amendment No. 3

On page 1, line 17, of said bill, strike out "available", and insert "allocated".

Amendment No. 4

On page 1, lines 23 and 24, of said bill, strike out "any state pollution control authority", and insert "the appropriate Regional Water Pollution Control Board".

Amendment No. 5

On page 2 of said bill, strike out lines 9 and 10, and insert "report to the appropriate Regional Water Pollution Control Board its recom-".

Amendment No. 6

On page 2, line 12, of said bill, after "to", insert "protection of".

Amendment No. 7

On page 2 of said bill, strike out line 21, and insert "water well, or who deepens or reperforates any such well, shall file with the appropriate Regional Water Pollution Control Board a".

Amendment No. 8

On page 2, line 23, of said bill, after "construction", insert "or repair".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1935—An act to add Section 481.5 to the Fish and Game Code, relating to pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 and 6, and insert "mission shall report such condition to the appropriate Regional Water Pollution Control Board, and shall cooperate with and act through such board in".

Amendment No. 2

On page 1, line 8, of said bill, strike out "authorities", and insert "board".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, after line 26, insert

" "Sewage" means any and all waste substance, liquid or solid, associated with human habitation, or which contains or may be contaminated with human or animal excreta or excrement, offal, or any feculent matter.

"Industrial Waste" means any and all liquid or solid waste substance, not sewage, from any producing, manufacturing or processing operation of whatever nature.

"Waters of the State" means any waters, surface or underground, within the boundaries of the State including saline waters thereof, both coastal and those within the State.

"Contamination" means an impairment of the quality of the waters of the State by sewage or industrial waste to a degree which creates an imminent hazard to the public health through poisoning or through the spread of disease. "Contamination" shall include any equivalent effect resulting from the disposal of sewage or industrial waste, whether or not waters of the State are affected

"Pollution" means an impairment of the quality of the waters of the State by sewage or industrial waste to a degree which does not create an imminent hazard to the public health but which does adversely and unreasonably affect such waters for domestic, industrial, agricultural, navigational, recreational or other beneficial use.

"Nuisance" means damage to any community by odors or unsightliness resulting from unreasonable practices in the disposal of sewage or industrial wastes."

Amendment No. 2

On page 2, line 7, of said bill, strike out "seven".

Amendment No. 3

On page 2, line 8, of said bill, strike out "seven".

Amendment No. 4

On page 2 of said bill, strike out line 15.

Amendment No. 5

On page 2 of said bill, strike out lines 17 to 19, inclusive, and insert "receive his actual necessary".

Amendment No. 6

On page 2 of said bill, between lines 40 and 41, insert

"(f) Allocate to the regional boards from funds appropriated to the state board such part thereof as may be necessary for the administrative expenses of such boards"

Amendment No. 7

On page 2, line 41, of said bill, strike out "Four", and insert "Seven"

Amendment No. 8

On page 2 of said bill, between lines 42 and 43, insert "The board shall take no action which is not approved by four or more members who are chairmen of regional boards."

Amendment No. 9

On page 2, line 43, of said bill, strike out "one regular meeting twice", and insert "two regular meetings".

Amendment No. 10

On page 2, line 46, of said bill, after "board.", insert "The regular meetings shall be held alternately in the southern and northern portions of the State."

Amendment No. 11

On page 3, line 8, of said bill, strike out "other", and insert "federal or".

Amendment No. 12

On page 3, line 9, of said bill, after "person", insert "or public or private organization".

Amendment No. 13

On page 3, lines 12 and 13, of said bill, strike out "a direct and immediate menace to public health or".

Amendment No. 14

On page 3, line 14, of said bill, after "waters," insert "or upon a finding that a contamination exists and is not being corrected,".

Amendment No. 15

On page 3 of said bill, strike out lines 28 to 30, inclusive, and insert

"(e) Santa Ana;
(f) San Diego;
(g) Central Valley;
(h) Lahontan Basin;
(i) Colorado River Basin."

Amendment No. 16

On page 3 of said bill, strike out lines 34 and 35, and insert

"(a) One representative of organizations dealing with water supply, conservation, or production;".

Amendment No. 17

On page 3, line 39, of said bill, after "an", insert "executive or".

Amendment No. 18

On page 3 of said bill, strike out line 42, and insert a semicolon

Amendment No. 19

On page 3, lines 43 and 44, of said bill, strike out "who is a registered civil engineer".

Amendment No. 20

On page 4 of said bill, strike out lines 6 to 8, inclusive, and insert "entitled to receive his actual necessary expenses while on official business of the board"

Amendment No. 21

On page 4 of said bill, strike out lines 16 to 19, inclusive, and insert

"(e) Appoint an executive officer and fix his salary at a sum not to exceed _____ dollars ($_____)."

Amendment No. 22

On page 4, line 20, of said bill, strike out "stenographic assistance", and insert "other assistants".

Amendment No. 23

On page 4, line 21, of said bill, strike out "secretary", and insert "officer".

Amendment No. 24

On page 4, line 27, of said bill, after "pollution", insert "and nuisance".

Amendment No. 25

On page 4 of said bill, strike out line 30, and insert "programs for industry, and upon application of any person shall advise the applicant of the condition to be maintained in any disposal area or receiving waters into which the waste is being discharged;".

Amendment No. 26

On page 4, line 32, of said bill, after "pollution", insert "or nuisance"

Amendment No. 27

On page 4, line 34, of said bill, after "tion", insert "or nuisance".

Amendment No. 28

On page 4 of said bill, strike out lines 37 to 39, inclusive, and insert "dition or nuisance in the region."

Amendment No. 29

On page 4 of said bill, strike out lines 46 to 49, inclusive, and insert

"(h) Report to the state board and appropriate local health officer any case of contamination in its region which is not being corrected."

Amendment No. 30

On page 4, line 52, of said bill, after "pollution", insert "or nuisance".

Amendment No. 31

On page 5, line 1, of said bill, after "pollution", insert "and Nuisance".

Amendment No. 32

On page 5, line 4, of said bill, after "or", insert "industrial".

Amendment No. 33

On page 5 of said bill, strike out lines 17 and 18, and insert "as to whether pollution or nuisance exists which can be reasonably corrected. If the board finds affirmatively, it shall thereupon order correction."

Amendment No. 34

On page 5 of said bill, strike out lines 19 to 24, inclusive, and insert

"13063. Upon failure of any person or persons to comply with any such order of the regional board, it shall certify the facts to the district attorney for the county in which the pollution or nuisance exists, whereupon such district attorney shall petition the superior court in and for that county for the issuance of an injunction restraining such person or persons from continuing any activity causing the pollution or nuisance The court shall thereupon issue an order".

Amendment No. 35

On page 5, line 31, of said bill, after "the", insert "design, type of construction or".

Amendment No. 36

On page 5, line 32, of said bill, after "which", insert "an operation causing".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2156—An act to repeal Articles 2 and 3 of Chapter 6, Part 3, Division 5 of, to add Articles 2 and 3 to Chapter 6, Part 3, Division 5 of, and to amend Sections 4024, 4451, 4452, and 4475 of, to add Sections 4025, 4458, 4459, 4460, and 4461 to, the Health and Safety Code, relating to contamination and pollution of waters and the regulation, abatement, and correction of such conditions, the disposal of sewage and industrial wastes, and the supply of water for domestic and other purposes, all relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 14, of the printed bill, after "any", insert "producing".

Amendment No. 2

On page 2 of said bill, between lines 19 and 20, insert

"(h) "Regional Board" means any Regional Water Pollution Control Board created pursuant to Section 13041 of the Water Code."

Amendment No. 3

On page 2 of said bill, strike out lines 24 to 38, inclusive.

Amendment No. 4

On page 2, line 39, of said bill, strike out "5414", and insert "5412".

Amendment No. 5

On page 2 of said bill, strike out lines 43 to 52, inclusive; and on page 3, lines 1 to 8, inclusive, and insert

"5413 Whenever the state department finds that a pollution or nuisance does, in fact, exist, such condition shall be immediately referred by the department to the proper regional board for action, together with any recommendations for correction. Upon request of a regional board the state department shall inspect and report to the board on any technical factors involved in any condition of pollution or nuisance."

Amendment No. 6

On page 3, line 9, of said bill, strike out "5417", and insert "5414".

Amendment No. 7

On page 3, line 11, of said bill, strike out "local", and insert "State, county, or municipal officer or".

Amendment No. 8

On page 3, line 15, of said bill, strike out "local agency", and insert "regional board".

Amendment No. 9

On page 3, line 24, of said bill, after "department", insert "or local health officer".

Amendment No. 10

On page 3, line 26, of said bill, after "director", insert "or local health officer".

Amendment No. 11

On page 3, lines 27 and 28, of said bill, strike out "with the director shall", and insert "with, shall".

Amendment No. 12

On page 3, line 28, of said bill, strike out "ex parte".

Amendment No. 13

On page 3 of said bill, strike out lines 31 to 43, inclusive.

Amendment No. 14

On page 3, line 44, of said bill, strike out "5463", and insert "5461".

Amendment No. 15

On page 3, lines 45 and 46, of said bill, strike out ", pollution, or a nuisance".

Amendment No. 16

On page 3 of said bill, strike out lines 49 to 51, inclusive, and insert "system, and the contributors to the system whose waste in and of itself contaminates waters of the State."

Amendment No. 17

On page 4 of said bill, strike out lines 10 to 12, inclusive, and insert "4025. The board, or any member of the department designated by the board to act in its behalf, or any local health officer may issue a permit for any water system supplying less than two hundred service connections or for any system supplying an industrial camp, hotel, or temporary or permanent resort."

Amendment No. 18

On page 4, line 33, of said bill, after "construct", insert ", maintain".

Amendment No. 19

On page 4, lines 40 and 41, of said bill, strike out "for that purpose and has been used or which may be", and insert "and is being".

Amendment No. 20

On page 4, lines 43 and 44, of said bill, strike out "more than ten feet in depth,".

Amendment No. 21

On page 5 of said bill, strike out lines 27 and 28, and insert "easement, license or otherwise, is guilty of a misdemeanor"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2157—An act making an appropriation to the State Pollution Control Board for administrative expenses and providing for the allocation of any portion thereof to the several regional pollution control boards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, after "State", insert "Water".

Amendment No. 2

In line 3 of the title of said bill, after "regional", insert "water".

Amendment No. 3

On page 1, line 3, of said bill, after "State", insert "Water".

Amendment No. 4

On page 1, line 5, of said bill, after "State", insert "Water".

Amendment No. 5

On page 1, line 6, of said bill, after "regional", insert "water".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2804—An act to amend Section 6695 of the Health and Safety Code, relating to tax limitation for sewerage facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 6695 of", and insert "add Sections 4819 and 6702 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "tax limitation for sewerage facilities", and insert "sanitation and sanitary district taxes".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 4819 is added to the Health and Safety Code, to read:

4819. The tax shall not be levied on underground mineral reserves underlying the surface of the land included within the district where an industry producing minerals therefrom has constructed and is continuously maintaining and operating a system disposing of waste water therefrom as its own expense or where special fees or charges are currently imposed by the district for disposal of waste water from such underground operations, except for taxes levied for the payment of bonded obligations outstanding on the effective date of this section

SEC. 2. Section 6702 is added to said code, to read:

6702. Taxes shall not be levied on underground mineral reserves underlying the surface of the land included within the district where an industry producing minerals therefrom has constructed and is continuously maintaining and operating a system disposing of waste water therefrom at its own expense or where special fees or charges are currently imposed by the district for disposal of waste water from such underground operations, except for taxes levied for the payment of bonded obligations outstanding on the effective date of this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1175—An act to add Part 2, comprising Chapter 1, Section 4000 to 4225, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 4, line 7, of the printed bill, strike out "seventy-five dollars ($75)", and insert "forty dollars ($40)".

Amendment No. 2

On page 4, line 9, of said bill, strike out "seventy-five dollars ($75)", and insert "forty dollars ($40)".

Amendment No. 3

On page 4, lines 10 and 11, of said bill, strike out "seventy-five dollars ($75)", and insert "forty dollars ($40)".

Amendment No. 4

On page 4 of said bill, after line 52, insert

"4025 This section and Section 4024 shall become operative when this chapter takes effect. The provisions of this chapter other than this section and Section 4024 shall become operative only if and when grants-in-aid as assistance to disabled persons are provided or made available to this State by the Government of the United States."

Amendment No. 5

On page 5, line 9, of said bill, after the period, insert "No rule or regulation shall be adopted or continued in force the operation of which results in discrimination against practitioners of any type of therapy, treatment by prayer or spiritual means, or other treatment recognized as a branch of the healing arts, in favor of the practitioners of any other branch of the healing arts."

Amendment No. 6

On page 7, line 18, of said bill, after the period, insert "No physical examination more than is necessary to determine the fact of total disability shall be required. Any of the following permanent disabilities shall be conclusively presumed to be total in character.

(a) Loss of both eyes or the sight thereof

(b) Loss of both hands or the use thereof.

(c) An injury resulting in a practically total paralysis

(d) An injury to the brain resulting in incurable imbecility or insanity.

In all other cases, permanent total disability shall be determined in accordance with the facts."

Amendment No. 7

On page 7, line 24, of said bill, after "which", strike out the comma.

Amendment No. 8

On page 7 of said bill, strike out lines 25 and 26, and insert "exceeds five hundred dollars ($500)."

Amendment No. 9

On page 7 of said bill, strike out lines 27 to 33, inclusive, and insert "Premiums paid on insurance policies shall".

Amendment No. 10

On page 8 of said bill, strike out lines 10 and 11, and insert "which, as assessed by the county assessor, exceeds two thousand five hundred dollars ($2,500) at".

Amendment No. 11

On page 14, line 9, of said bill, strike out "one-half", and insert "three-fourths".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Social Welfare.

Assembly Bill No. 92—An act to add Article 2.5, consisting of Sections 1045 to 1049, inclusive, to Chapter 7 of Division 5 of the Agricultural Code, establishing a California Board of Plant Food Investigation, providing for its support and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 7, 1949, strike out lines 18 to 22, inclusive, and insert

"1046. There is in the Government of the State of California a California Board of Plant Food Investigation composed of nine members appointed by the Governor, three of whom shall be persons who are, or officers of corporations who are, registered under the provisions of Section 1030, three of whom shall be engaged in agriculture as a livelihood, and three of whom shall be persons who are or have been engaged in agricultural research. The".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 1767—An act to repeal Section 92.1 of, and to add Section 92.2 to, the Agricultural Code, and to amend Sections 19622 and 19624 of, and to add Section 19622.1 to, the Business and Professions Code, relating to the appropriation and allocation of funds to fairs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 21, 1949, strike out "sixty thousand dollars ($60,000)", and insert "one hundred thousand dollars ($100,000)".

Amendment No. 2

On page 1, line 13, of said bill, strike out "one hundred fifty thousand dollars ($150,000)", and insert "two hundred thousand dollars ($200,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2779—An act to amend Sections 80 and 92 of, and to add Section 92.3 to, the Agricultural Code, relating to agricultural districts, creating new agricultural districts, and providing for the distribution of funds and assets, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 5, line 7, of the printed bill, as amended in the Assembly on April 21, 1949, strike out "other purposes for the encouragement", and insert "for support"

Amendment No. 2

On page 7, line 19, of said bill, strike out "1948", and insert "1949".

Amendment No. 3

On page 7 of said bill, following line 49, insert
"SEC. 7. This act shall become effective on January 1, 1950."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 1577—An act to add Section 797.5 to the Agricultural Code, relating to citrus fruits subjected to freezing temperatures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, strike out lines 3 to 15, inclusive, and insert "until such time as the extent of damage to such fruits can be determined To effectuate such purpose, whenever he determines that temperatures low enough to cause serious freezing damage to citrus fruits have occurred in any area of this State, the director by emergency regulation adopted pursuant to the provisions of Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code may order all citrus fruits or any variety or varieties thereof in such area to be held for a period of seven days The director shall immediately investigate conditions within the area affected and, based upon his findings, may either terminate or modify the order and/or extend the period from time to time until the extent of damage to such citrus fruits can be determined

Any such emergency regulation shall establish (1) provisions for the immediate release of any citrus fruits harvested and stored previous to the time temperatures low enough to cause serious freezing damage have occurred; (2) procedure for the release of any citrus fruits which the director upon reasonable evidence may determine have not been subjected to temperatures likely to cause serious damage; (3) conditions under which citrus fruits which have been subjected to temperatures likely to cause serious freezing damage may be transported or delivered to the destinations and for the purposes set forth in Section 830; and (4) the manner in which the identity of citrus fruits subject to such regulation shall be maintained at all times until released."

Amendment No. 2

On page 2 of said bill, between lines 18 and 19, insert "or from".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 1894—An act to amend Section 80 of, and to add Sections 80.5 and 92.9 to, the Agricultural Code, relating to agricultural districts, creating new agricultural districts and regulating the conduct of agricultural fairs therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 80 of, and to add Sections 80.5 and", and insert "add Section 91 6 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "92.9 to,".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out ", creating new agricultural districts and regulating the conduct of agricultural fairs therein", and insert "and the power and duties of district agricultural associations".

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 91 6 is added to the Agricultural Code, to read:

91 6. The Sixth District Agricultural Association may contract with not to exceed two associations conducting flower shows within the district for the purpose of cooperating with such associations in conducting not to exceed two flower shows each year.

Premiums paid at such flower shows shall be included in computing the amount of premiums paid by the Sixth District Agricultural Association and the Sixth District Agricultural Association may allocate to each such association conducting a flower show a portion of the money allocated to it under the provisions of Section 92, provided that no association shall receive more than three-fifths of the money allocated to the Sixth District Agricultural Association which is attributable to premiums paid at such flower shows.

Notwithstanding any provision of Section 19624 of the Business and Professions Code or Section 92 of this code, the Sixth District Agricultural Association shall be entitled to receive an allocation from the first balance of the Fair and Exposition Fund for such flower shows on the same basis as if no specific appropriation were made from said fund to said district."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 25, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 138—An act to amend Section 404 of the Fish and Game Code and to repeal Section 432 thereof, relating to licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, following line 9, insert

"SEC. 3. The provisions of this act shall become effective January 1, 1950."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1109—An act to amend Sections 715, 716, 717, 717.5, and 731, and to repeal Sections 732 and 735.5 of the Fish and Game Code, relating to marine fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to repeal Sections 713, 731, 732, and 733 5 of, and to add Sections 713, 714, 714.5 to, and to amend Sections 715, 716, and 717 of the Fish and Game Code,"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

Strike out lines 1 to 26, inclusive, of said bill, and insert

"SECTION 1. Sections 713, 731, 732, and 733.5 of the Fish and Game Code are repealed.

SEC. 2. Section 713 is added to said code, to read

713. Barracuda, white sea bass, and yellowtail not less than 28 inches in length may be taken with hook and line at any time

SEC. 3. Section 714 is added to said code, to read:

714. Not more than five barracuda of less than 28 inches in length may be taken or possessed during any day.

SEC. 4. Section 714.5 is added to said code, to read:

714.5. Not more than five yellowtail of less than 28 inches in length may be taken or possessed during any day.

SEC. 5. Section 715 of said code is amended to read:

715. *Not* [M] *m*ore than five white sea bass of less than 28 inches in length may [not] be taken or possessed during any day

SEC. 6. Section 716 of said code is amended to read:

716. White sea bass, *barracuda, and yellowtail* shall be measured from the tip of the lower jaw to the end of the longest lobe of the tail

SEC. 7. Section 717 of said code is amended to read:

717. No white sea bass, [or sea trout] *barracuda, or yellowtail* less than 28 inches in length may be sold or purchased."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1563—An act to repeal Chapter 5, Division 1, and Article 7, Chapter 3, Part 3, Division 4, of the Fish and Game Code and to enact Article 7, Chapter 3, Part 3, Division 4, of said code, relating to hunting clubs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 51 and 54 of the Fish and Game Code, relating to game management."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 51 of the Fish and Game Code is amended to read:

51. (a) If the commission is satisfied, after investigation, that the tract is suitable for the purpose of a game management area and that the establishment of such an area will not conflict with the public interest, the commission may issue a game management area license upon the payment of a license fee of ten dollars ($10). Such license shall be issued for a term of one year from January 1st, to December 31st, or, if issued after the beginning of such term, for the remainder thereof.

(b) The license shall authorize the licensee to shoot, or permit to be shot, legally propagated birds of the species mentioned in the application, upon the premises for which the license is issued. The licensee shall fix a daily bag limit, not to exceed [six birds of the species released on such area] *the maximum daily bag limit* set by the commission *for pheasants and quail for the State generally.*

(c) The licensee shall propagate and rear, or otherwise acquire, and release upon the premises birds of the species referred to in the license in such numbers as the commission shall determine. Such birds at the time of release shall be full-winged and otherwise in condition to go wild.

(d) The licensee may release mature breeding stock of game birds after the close of the designated game management area shooting season and not later than April 1st, and shall have the right to take, or permit to be taken, during the next succeeding game management area shooting season [three] pheasants [for each hen pheasant released,] and [two] quail [for each quail released] *in compliance with subsection (b) of this section;* provided,

(1) The licensee releases mature pheasants in the ratio of three hen pheasants for each cock pheasant released; and

(2) The licensee releases mature quail in the ratio of one hen quail for each cock quail released.

SEC. 2. Section 54 of said code is amended to read:

54. The [commission shall fix the] season during which shooting is to be permitted upon the premises [, which season] shall be [within the period from October 1st to January 31st] *the same as the season established by the commission for pheasant and quail for the State generally.* [The commission shall fix the total number of birds of the species referred to in the license which may be shot upon the premises during the season, which number shall not exceed 80 per cent of a total number, which total shall be computed by adding the number of birds released pursuant to subdivision (c) of Section 51 to the number of birds that may be taken pursuant to subdivision (d) of said Section 51.]"

Amendment No. 3

On page 1 of said bill, strike lines 2 to 23, inclusive, and strike out pages 2 to 4, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1136—An act to repeal Sections 535, 536, 536.5, 536.6, 536.7, 536.8, 536.9, 537, 538, 539, 540, and 541 of, and to add Sections 535, 536, 537, 538, 539, and 540 to the Fish and Game Code, relating to fish screens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "grant to", and insert "provide".

Amendment No. 2

On page 1, line 13, of said bill, after "commissioner", insert "with an easement for".

Amendment No. 3

On page 1, line 18, of said bill, after "channel", before the period, insert "; provided, however, that said easement shall not require the acquisition or leasing of additional lands by the owner No water for a bypass shall be required if the channel from which the water is diverted is dry or incapable of supporting fish life below the point of diversion".

Amendment No. 4

On page 2, line 10, of said bill, strike out "thirty", and insert "sixty".

Amendment No. 5

On page 2, line 16, of said bill, after "installed", insert "In the event the commission and the owner of the conduit cannot agree upon the type, size, mesh or location of the screen, or the amount of water required for a bypass, or the time within which the same shall be installed such matter shall be submitted to the Chief of the Division of Water Resources of the State of California whose decision thereon shall be final and

conclusive. The Chief of the Division of Water Resources shall render his decision within sixty days after either the commission or the owner has submitted such matters in writing and requested a decision."

Amendment No. 6

On page 2, line 22, of said bill, following "operating", insert "as provided in this article".

Amendment No. 7

On page 2, line 34, of said bill, following "devices", insert "and provide a bypass and water therefor".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1132—An act to add Sections 1201.1, 1201.2, 1201.3, 1201.4, 1201.5, 1201.6, 1201.7, 1201.8, 1201.9, 1201.10, and 1201.11, to the Fish and Game Code, relating to pheasants.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 7, 1949, after line 31, insert

"SEC. 13. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall, therefore, go into immediate effect. A statement of the facts constituting such necessity is as follows:

The provisions of this act are designed to facilitate the enforcement of existing regulations relating to pheasant hunting, and in general to improve conditions during the season. Unless the act is given immediate effect, it will not apply to this year's season thereby postponing its benefits until next year."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 2361—An act to amend Section 843 of the Fish and Game Code, relating to nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "Section 843 of the Fish and Game Code, relating to nets", and insert "Sections 669, 791, 808, and 843 of the Fish and Game Code, and to add Section 651.5 thereto, relating to nets and fishing".

PRINTER'S NOTE.—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 651.5 is added to the Fish and Game Code, to read:

651.5. It is unlawful to sell, or offer for sale, any salmon taken in Districts 8 or 9. Salmon lawfully taken in Districts 6, 7, 10, 11, 15, 16, 17, and 18 may be transported through Districts 8 or 9 and may be sold.

Notwithstanding the provisions of this section or any other provisions of law, fishermen shall be allowed to fish in districts enumerated in this section for bait for commercial fishing, or to take clams or oysters.

SEC 2 Section 669 of said code is amended to read:

669. The commission may designate salmon spawning areas. It is unlawful to take salmon on any spawning bed or area, or within ten miles of any salmon spawning station, or in [State waters] *Districts 6 and 7* at the mouth of [any interstate stream] *Smith, Klamath and Eel Rivers* within three miles north and south of a line drawn due west *for three miles* from the center of the mouth of *each of* said streams

SEC. 3. Section 791 of said code is amended to read:

791 It is unlawful to sell any crab taken in any of the following waters:

(a) The waters of Eel River and its tributaries between the Pacific Ocean and the west line of Sec. 35, T. 3 N., R 1 W., H. B. & M.

(b) The waters of the Pacific Ocean within a radius of [one] *three* miles from the mouth of Eel River.

(c) The waters of Humboldt Bay, including the entrance of said bay, and of the Pacific Ocean within a radius of [one] *three* miles from the extreme western point of the north jetty at the entrance of said bay and for a radius of [one] *three* miles from the extreme western point of the south jetty at the entrance of said bay.

(d) The waters of Trinidad Bay, said bay being the body of water within the area inclosed by a line running southeasterly from the westernmost point of Trinidad Head to the mouth of Luftenholtz Creek.

It is unlawful to possess during any day more than ten crabs taken in said waters It is unlawful to take any crab from said waters between one-half hour after sunset and one-half hour before sunrise of the following day

The violation of any provision of this section is a misdemeanor and punishable by a fine of not more than five hundred dollars ($500), or by imprisonment in the county jail for not more than six months, or by both such fine and imprisonment

SEC. 4. Section 808 of said code is amended to read:

808 The bag limit on razor clams (Siliqua patula) is 30 per day Not more than one daily bag limit of said clams may be possessed by any person during one day. *No such clams may be sold, provided that razor clams taken outside the State and brought within the State may be possessed, transported, and sold without restriction.*"

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"SEC 5. Section 843 of said code is amended to read:".

Amendment No. 4

On page 1, line 4, of said bill, strike out "a boat".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game

Assembly Bill No. 2742—An act to add Section 1185 to the Fish and Game Code, relating to birds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 14, 1949, strike out "game bird", and insert "pheasant"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 3108—An act to add Section 38 5 to the Fish and Game Code, relating to power of the Fish and Game Commission to conserve migratory wild fowl.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 31, 1949, strike out "Section 38.5", and insert "Sections 38.5 and 38.6".

Amendment No. 2

In the title of said bill, strike out line 3, and insert "fish and wild life"

Amendment No. 3

On page 1 of said bill after line 21, insert

"SEC. 2. Section 38.6 is added to said code, to read:

38.6 The commission may acquire by appropriation of unappropriated waters pursuant to Part 2, Division 2 of the Water Code, or otherwise, water for the beneficial purpose of storage or diversion and use thereof for preservation and propagation of fish and wild life"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 279—An act to amend Section 737s of the of the Political Code, relating to the salaries of Superior Court Judges in and for the County of Los Angeles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "737s.", and insert "736b"

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "in and for the county of Los Angeles".

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "737s." and insert "736b."

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 6, inclusive, and insert

"736b. The annual salary of each of the judges of the superior court of the State of California shall be such as has been or may be fixed by the Legislature of which amount the State shall pay *one half thereof or* the sum of five thousand seven hundred fifty dollars ($5,750), *whichever is greater*, and the remainder thereof shall be paid by the county or city and county in and for which the judge is elected or appointed.

One half of the salary, including regular and extra compensation, of a judge of a municipal court, justice of the peace or other court of lower jurisdiction, assigned by the Judicial Council to temporarily sit in the superior court shall, for the period of such assignment be paid by the State and the remainder thereof shall be paid by the county or city and county in and for which is held the superior court to which the assignment is made.

The minimum annual salary of each judge of the superior court is the amount prescribed therefor as of January 1, 1947, plus the sum of one thousand five hundred dollars ($1,500)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 332—An act to amend Sections 5501, 5502, 5511, 5512, 5514, and to repeal Section 5512.5 of the Welfare and Institutions Code, and to amend and renumber Section 5502 5 thereof to be Section 5517, relating to sexual psycopaths and providing for their commitment and discharge.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 2 of the title of the printed bill, after "of", insert "and to add Section 5518 to,".

Amendment No. 2

On page 2, line 35, of the printed bill, strike out "may", and insert "shall".

Amendment No. 3

On page 3 of the printed bill, strike out lines 5 and 6, and insert "is a sexual psychopath and that the person could benefit by treatment in a state hospital which is not available in a penal institution to which the person would otherwise go, the court shall proceed with the case and make such".

Amendment No. 4

On page 3, line 10, of the printed bill, strike out "and recommendation".

Amendment No. 5

On page 3, line 13, of the printed bill, strike out "and recommendation".

Amendment No. 6

On page 3 of the printed bill, strike out lines 31 to 36, inclusive, and insert "for placement in a state hospital as a sexual psychopath (a) has recovered from his sexual psychopathy to such an extent that in the opinion of the superintendent the person is no longer a menace to the health and safety of others, or (b) has been treated to such an extent that in the opinion of the superintendent the person will not benefit by further care and treatment in the hospital and is not a menace to the health and safety of others, or (c) has not recovered from his sexual psychopathy, and in the opinion of the superintendent the person is still a menace to the health and safety of others, the superintendent of the hospital and the Director of Mental Hygiene shall certify to the committing court their opinion under (a), (b) or (c), as the case may be, including therein a report, diagnosis and recommendation concerning the person's future care, supervision or treatment. If the opinion so certified is under (a) or (b), and unless within 30 days after the receipt of such opinion and certification".

Amendment No. 7

On page 4 of the printed bill, strike out lines 1 to 5, inclusive, and insert "If the opinion so certified is under (a) or (b) and the committing court orders the return of the person to await further action with reference to the criminal charge against him, the court shall cause the person to be returned to the court in which the case originated. Such court shall resume the proceedings, and after considering all the evidence before it may place the person on probation for a period of not less than five years if the criminal charge permits such probation and the person is otherwise eligible for probation."

Amendment No. 8

On page 4 of the printed bill, after line 5, insert

"SEC. 8. Section 5518 is added to said code, to read:

5518. If the opinion so certified is under subdivision (c) of Section 5517, the committing court shall forthwith order the return of the person to await further action with reference to the criminal charge against him, and shall cause the person to be returned to the court in which the case originated. Such court shall resume the proceedings and after considering all the evidence before it, if satisfied that the person has not recovered from his sexual psychopathy and is still a menace to the health and safety of others, the court shall make an order re-committing the person for an indeterminate period to the Department of Mental Hygiene for placement in a state institution or institutional unit for the care and treatment of such sexual psychopaths.

The Director of Mental Hygiene, with the approval of the Director of Corrections and the Director of Finance, *may provide on the grounds of a state institution or* institutions under the jurisdiction of the Department of Corrections or the Department of Mental Hygiene one or more institutional units to be used for the custodial care and treatment of sexual psychopaths. Each such unit shall be administered in the manner provided by law for the government of the institution in which such unit is established.

The court shall cause the person so re-committed to be delivered to the state institution or the institutional unit so designated. The person shall remain therein or in any other such institution or institutional unit to which he may be transferred by the Director of Mental Hygiene until the person is no longer a menace to the health and safety of others Thereupon the proceedings set forth in Section 5517 shall be followed *with respect to the certifying of an opinion to the committing court and the release of* the person thereby."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 3090—An act to amend Section 736.12 of the Agricultural Code, referring to the determination of minimum prices on fluid milk in marketing area.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies:

Amendment No. 1

Strike out the title of the printed bill following the comma in line 1 of said title, and insert "relating to the determination of minimum wholesale or retail prices for fluid milk or fluid cream, or both, in marketing areas."

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 6 from and including "Determination", to and including "Inspection.)"

Amendment No. 3

On page 1 of said bill, strike out lines 23, 24, and 25, from and including "such" in line 23.

Amendment No. 4

On page 2, line 1, of said bill, strike out "thereon shall be".

Amendment No. 5

On page 2, line 3, of said bill, strike out "(Factors to Be Considered.)".

Amendment No. 6

On page 2, line 7, of said bill, strike out "(Quantities Distributed.)"

Amendment No. 7

On page 2, line 10, of said bill, strike out "(Quantities Required)".

Amendment No. 8

On page 2, line 13, of said bill, strike out "(Cost of Distributors and Retail Stores.)".

Amendment No. 9

On page 2, line 19, of said bill, strike out "(Cost of Handling.)".

Amendment No. 10

On page 2 of said bill, strike out lines 30 to 33, and insert "*tively, in such marketing area.*

Such reasonable cost of handling fluid milk or fluid cream, or both, incurred by distributors and retail stores in processing, selling and delivering fluid milk or fluid

cream, or both, shall be determined separately for each of the following classifications of sales and deliveries existing in such marketing area:

(i) Sales and deliveries made to individual consumers at their homes or similar places of residence, by means of vehicles or other methods of delivery.

(ii) Sales and deliveries made to restaurants, confectioneries, hotels, boarding houses, institutions and similar establishments for service to and consumption by customers or inmates from the original containers upon the premises.

(iii) Sales and deliveries made to retail stores and other business establishments for sale and delivery to consumers upon the premises and consumption off the premises.

(iv) Sales and deliveries made by retail stores to customers upon the premises for consumption off the premises.

In determining the minimum prices for sales or deliveries of fluid milk or fluid cream, or both, made by distributors or retail stores, according to the foregoing classifications, the director shall consider only those costs and other factors which exist or are applicable to the separate classification for which such minimum prices are to be determined."

Amendment No. 11

On page 2, line 34, of said bill, strike out "(Cost of Doing Business: Presumption.)".

Amendment No. 12

On page 2 of said bill, strike out lines 46 to 50, inclusive.

Amendment No. 13

On page 3 of said bill, strike out lines 1 to 20, inclusive.

Amendment No. 14

On page 3 of said bill, strike out lines 21, 22, 23, 24, and 25, and insert "(5) The amount of the available capacity for processing, and distributing fluid milk, or fluid cream, or both, of all distributors in such marketing area and the estimated extent to which such available".

Amendment No. 15

On page 3, line 27, of said bill, strike out "(Purchasing Power.)".

Amendment No. 16

On page 3, line 29, of said bill, strike out "(Establishment of Prices: Declaration of Effectiveness:".

Amendment No. 17

On page 3, line 30, of said bill, strike out "Findings.)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Livestock and Dairies.

SECOND READING OF SENATE BILLS

Senate Bill No. 6—An act to add Section 2333.5 to the Health and Safety Code, relating to annexation of cities to mosquito abatement districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 270—An act to amend Section 4905 of the Business and Professions Code, relating to fees charged by the Board of Examiners in Veterinary Medicine, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 893—An act to amend Sections 795.1 and 795.5 of the Agricultural Code, relating to standards for citrus fruits, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 18—An act to amend Section 4852.17 of the Penal Code, relating to the restoration of certain rights to persons who are granted full and unconditional pardons.

Bill read second time, and ordered to third reading.

Senate Bill No. 19—An act to amend Sections 2051 and 2065 of the Code of Civil Procedure, relating to examination and impeachment of witnesses.

Bill read second time, and ordered to third reading

Senate Bill No. 152—An act to repeal Section 1881.3 of the Civil Code, relating to the period during which the chapter of said code relating to private bulk storage of grain shall remain in effect.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1881.3 of the Civil Code is amended to read:

1881.3. The provisions of this chapter shall have no force or effect after December 31, [1949] *1951.*"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT SPECIAL ORDER BE DISPENSED WITH

Mr. McCollister asked for, and was granted, unanimous consent that the special order of business set for 11 a.m., today, on Assembly Bill No. 313 be dispensed with.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 313, on motion of Mr. McCollister.

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.

Assembly Bill No. 3122, on request of Mr. McCollister.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 116 WAIVED

Mr. Conrad waived his notice of motion to reconsider the vote whereby Assembly Bill No. 116 was refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1073

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1073, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1073—An act to add Section 1304.1 to the Education Code, relating to superintendents of schools of unified school districts, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1073?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on March 14, 1949, strike out lines 1 and 2, and insert

"An act to add Sections 4941.1 and 4941.2 to, and to amend Section 4951 of the Education Code, relating to government of unified school districts and the election of superintendents of schools for such districts, declar-".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 4941.1 is added to the Education Code, to read:

4941.1. Notwithstanding the provisions of this article, any unified school district coterminous with the boundaries of a county shall be governed by an elective board of trustees. The board shall consist of one member from each supervisorial district in the county.

SEC. 2. Section 4941.2 is added to said code, to read:

4941.2. When a unified school district coterminous with the boundaries of a county is formed, the county superintendent of schools shall appoint a board of school trustees of five members for it, one from each supervisorial district. The three members appointed from the odd-numbered districts shall hold office until the election of their successors.

At the first election for members of the board, which shall be held at the next general election, there shall be three trustees elected by the electors of the county at large, one of whom shall be a resident of each odd-numbered supervisorial district, whose terms shall begin at noon on the first Monday after the first day of January following the election, and they shall hold office for four years, or until their successors are qualified. Two years after the first election the remaining trustees shall be elected by the electors of the county at large, one trustee from each of the even-numbered supervisorial districts, each trustee being a resident of the district he represents. Their terms of office shall begin at noon on the first Monday after the first day of January following their election, and they shall hold office for four years, or until their successors are qualified. Four years from the date of each of these elections, and in a similar manner subsequently, there shall be elected in a like manner a sufficient number of trustees to replace those trustees whose terms expire the following January.

Except as otherwise provided in this section, all of these elections shall be called, held, and conducted as are elections for members of boards of trustees of elementary school districts.

SEC. 3. Section 4951 of said code is amended to read:

4951. The members of the governing board of each unified school district shall elect a superintendent of schools, for a term of four years, who shall be executive officer and secretary of said governing board. *Where a unified school district is coterminous with the boundaries of a county, the county superintendent of schools shall be the superintendent of schools of the district.*"

Amendment No. 3

On page 1, line 8, of said bill, strike out "2", and insert "4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1073 by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—50.
NOES—Dunn—1.

Assembly Bill No. 1073 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 929—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, and Mr Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 978—An act to amend Section 34080 of the Government Code, relating to proceedings altering city organization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 979—An act to repeal an act entitled "An act to provide for the Incorporation of Towns," approved April 19, 1856 (Chapter 133 of the Statutes of 1856), relating to the incorporation of towns.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky,

Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 980—An act to repeal Section 34610 of the Government Code, relating to the reorganization of cities of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 981—An act to repeal Article 3, comprising Sections 35900 to 35914, inclusive, of Chapter 3, Part 2, Division 2, Title 4, of the Government Code, relating to consolidation of cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1304—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Brown, Burke, Butters, Caldecott, Collier, George D. Collins, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—52.

NOES—Burkhalter, Coats, Cooke, and Gaffney—4

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 653

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 653, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 653

Assembly Bill No. 653—An act to amend Section 10242 of the Government Code, relating to duties of the Legislative Counsel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2414—An act to add Section 8004.5 to the Government Code, relating to the Commission on Interstate Cooperation and members thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1888

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1888, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1888

Assembly Bill No. 1888—An act to amend Section 18712 of the Government Code, relating to reports of the Personnel Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS OF THE OREGON LEGISLATURE BE EXTENDED PRIVILEGES OF FLOOR

Mr. Dickey asked for, and was granted, unanimous consent that the members of the Oregon Legislature, now visiting the Assembly Chamber, be extended the privileges of the floor.

DISTINGUISHED GUESTS INVITED TO ROSTRUM

Speaker Sam L. Collins invited the Honorable Frank J. Van Dyke, Speaker of the House of Representatives of Oregon, and Senator William E. Walsh, President of the Senate of Oregon, to the rostrum.

Speaker Sam L. Collins invited the members of the Oregon Legislature to take seats, on the floor, with Members of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1918—An act to add Section 13205 to the Education Code, relating to the maintenance of discipline in public schools.

Bill read third time.

Question of Personal Privilege

Mr. Babbage arose to a question of personal privilege.

Ruling by Speaker

Speaker Sam L. Collins ruled the question of personal privilege not well taken.

Speaker Pro Tempore Presiding

At 10.23 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The question being on the passage of Assembly Bill No. 1918.

Demand for Previous Question

Messrs Silliman, Lincoln, Lindsay, Waters, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1918.

The roll was called, and the bill refused passage by the following vote:

AYES—Beck, Brady, Burke, Burkhalter, Butters, George D. Collins, Cooke, Cramer, Crichton, Davis, Clayton A. Dills, Doyle, Dunn, Erwin, Geddes, Grant, Hahn,

Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, McCarthy, Meyers, Stewart, Waters, and Way—31

NOES—Anderson, Babbage, Bennett, Brown, Caldecott, Coats, Collier, Condon, Connolly, Dickey, Elliott, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hawkins, Huyck, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Tomlinson, Weber, and Yorty—37.

Notice of Motion to Reconsider Assembly Bill No. 1918

Mr. Doyle gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1918 was this day refused passage.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, the motion by Mr. Beck that the Chief Clerk be instructed to request the Governor to return Senate Bill No. 34, was taken up.

Motion read.

Request for Unanimous Consent That Motion Be Postponed Indefinitely

Mr. Beck asked for, and was granted, unanimous consent that his motion that the Chief Clerk be instructed to request the Governor to return Senate Bill No. 34 be postponed indefinitely. (See page 2528 of the Assembly Daily Journal for Friday, April 22d.)

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2020—An act to repeal "An act to provide for the licensing, visitation and supervision of schools teaching foreign languages, and to define and prescribe the powers and duties of the State Board of Education in respect thereto," approved May 31, 1943.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—65.

NOES—Dickey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2121—An act to amend Sections 3432 and 3462 of, and to add Sections 3432.1, 3432.2, 3432.3, 3462.1, 3462.2, and 3462.3 to, the Education Code, all relating to the formation of high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Caldecott, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Levering, Lincoln,

Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—53.

NOES—Butters, Heisinger, Lewis, Lowrey, and Silliman—5.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Way:

House Resolution No. 184

Relative to adjournment in respect to the memory of former Assemblyman Charles B Melville

WHEREAS, The Members of this Assembly have learned with great regret of the passing of Charles B Melville at Fort Bragg, California on April 19, 1949, and

WHEREAS, A native of Virginia, Charles B. Melville served in Company I, Third Virginia Infantry, during the Spanish American War, and following his military service came to California where he had been a resident of Mendocino County since 1901; and

WHEREAS, Charles B. Melville had long been a leading member of his community, outstanding in public service, and a Member of this Assembly from 1924 to 1928, where he worked diligently to serve the best interests of the people of the then Sixth Assembly District and of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express profound sorrow and regret upon the death of their friend and former colleague; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitable copy of this resolution to Edward Melville, surviving son of Charles B. Melville of Fort Bragg, California; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of Charles B. Melville.

Request for Unanimous Consent

Mr. Way asked for, and was granted, unanimous consent to take up House Resolution No. 184, at this time, without reference to committee or file.

Resolution read, and adopted unanimously by a rising vote.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 131

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 131 ordered re-referred to Committee on Judiciary.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2088, on motion of Mr. Silliman.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2090, on request of Mr. Silliman.

Hon. Randal F. Dickey Presiding

At 11.15 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 361—An act adding Sections 31681 and 31738 to the Government Code, relating to retirement allowances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 225—An act to amend Section 28145 of the Government Code, relating to compensation for public service in counties of the forty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 226—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris,

Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 531—An act to amend Section 18006 of the Government Code, relating to moving expenses of state officers, agents and employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burkhalter, Caldecott, Coats, Collier, George D Collins, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 421—An act to add Section 959.1 to, and to amend Section 960 of, the Streets and Highways Code, relating to the reservation of easements on the abandonment of county highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1284—An act to add Section 603 to the Streets and Highways Code, relating to state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Thomas, Thompson, Waters, Way, Weber, and Yorty—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2843—An act to add Section 604 to, and to amend Section 540 of, the Vehicle Code, relating to traffic laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 996—An act to amend Section 72 of the Labor Code, relating to the Industrial Welfare Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Thomas, Tomlinson, Waters, Weber, and Yorty—54.

NOES—Kilpatrick, Lowrey, and Silliman—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2249—An act to amend Section 1272 of the Agricultural Code, relating to report of sale by commission merchant, remittances, retention of records, payment by dealer, claims or credits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 931—An act to amend Section 13676 of the Education Code, relating to employees' leaves of absence.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay,

Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1462 WAIVED

Mr. Tomlinson waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1462 was passed.

Assembly Bill No. 1462 ordered transmitted to the Senate.

Speaker Presiding

At 11.38 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 972

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 972, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 972

Assembly Bill No. 972—An act to add Sections 3822.1 and 3822.2 to the Education Code, relating to the inclusion of certain elementary school districts in high school districts or in unified districts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—58

NOES—Lowrey and Silliman—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1364—An act making an appropriation in augmentation of the appropriation in Item 341 of the Budget Act of 1948, for educational assistance to veterans, Department of Veterans Affairs, to take effect immediately.

Bill read third time, and ordered passed on file.

Assembly Bill No. 1190—An act to add Section 6604 to the Labor Code, relating to effect of refusal to work where order of Division of Industrial Safety is violated.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SENATE THIRD READING FILE BE HELD ON FILE

Mrs. Niehouse asked for, and was granted, unanimous consent that all bills passed on file on the Senate third reading file today be not dropped from file, but be held on file until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 874—An act to repeal Section 52 of, and to add Section 52 to, the County Water District Act, relating to inclusion of lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 217—An act to add Section 3720.1 to the Political Code, relating to the creation, and changes of boundaries, of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 330—An act to amend Sections 20017, 20021.5, 20023, 20025, 20060, 20203, 20208, 20333, 20335, 20393, 20461.5, 20532, 20563, 20580, 20583, 20630, 20654, 20655, 20656, 20750.1, 20750 2, 20750.3, 20750.4, 20867, 20894.1, 21029, 21032, 21033, 21250, 21251, 21257, 21257.1, 21258, 21295, 21364, 21366, and 21454 of the Government Code, to repeal Sections 20654.5, 20750, 21455, and Article 2.5, comprising Sections 21000 to 21002, inclusive, of Chapter 8 of Part 3 of Division 5 of Title 2 thereof, and to add Sections 20609.1, 20685, 20750.5, and 21262 thereto, all relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1330—An act to add Section 450.1 to the California Unemployment Insurance Act, relating to disability insurance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—71.

NOES—Moss—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—71.

NOES—Moss—1.

Bill ordered transmitted to the Senate.

Explanation of Vote

In voting for Senate Bill No. 1330 I did so, pledging to the Members of the Assembly that my vote, as far as I am concerned, establishes no precedent.

Assemblyman George D. Collins joins with me

THOMAS A. MALONEY
GEORGE D. COLLINS

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 789

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 789, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 789

Senate Bill No. 789—An act to amend Sections 10170 and 10375 of the Insurance Code, relating to life and disability policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 654

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 654, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 654

Senate Bill No. 654—An act to amend and renumber Section 6210.3 of the Public Resources Code, added to said code by an act entitled "An act to add Sections 6210.3, 6210.4, and 6220 to the Public Resources Code, relating to reservations of easements for convenient access, in sale, lease or rental of state-owned lands, and to acceptance of quitclaim deeds by the State Land Commission," approved May 20, 1943, and to amend and renumber Sections 6210.4 and 6210.5 of the Public Resources Code, relating to public lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 27

Mr. Heisinger asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 27, temporarily passed on file, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 27

Senate Joint Resolution No. 27—Relative to provision for public recreation, fish and wild life development in flood, irrigation and power projects involving construction of dams.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 381

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 381, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 381

Senate Bill No. 381—An act to amend Sections 7406, 10375, and 10453 and to repeal Section 10377 of the Health and Safety Code, relating to death certificates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 206—An act to amend Section 464 of the Agricultural Code, relating to the serving of market milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 363—An act to add Section 460.6 to the Agricul tural Code, relating to milk and milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR MEETING

At 12.15 p.m., Messrs. Stewart and Sam L. Collins asked for, and were granted, unanimous consent that they be excused for the legislative day tomorrow, for the purpose of attending a meeting of the Public Works Board, tomorrow, Friday, April 29th.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 35 HOLD PLACE ON FILE

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 35 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2135 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Bill No. 2135 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 39 HOLD PLACE ON FILE

Mr. Butters asked for, and was granted, unanimous consent that Assembly Bill No. 39 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1869—An act to amend Sections 61, 124.5, 131, 379, 454.2, 681, and 750.5, and to add Sections 62.1, 449, and 617 to the Vehicle Code, relating to the powers and duties of the Departments of Motor Vehicles and the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—Geddes and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse, mule and burro meat, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Motion That Mr. Lowrey Be Given Unlimited Time for Debate

Mr. Collier moved that Mr. Lowrey be given unlimited time in which to continue his argument.

Mr. Hagen seconded the motion.

Motion carried.

Speaker Pro Tempore Presiding

At 12.37 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The question being on the adoption of the urgency clause to Assembly Bill No. 2080.

Motion to Amend

Mr. Heisinger moved that lines 4 to 9 of Assembly Bill No. 2080, as amended on April 25th, be stricken out.

Motion Ruled Not in Order

Speaker pro Tempore Maloney ruled the motion not in order because the amendment has not been presented in writing.

The question being on the adoption of the urgency clause to Assembly Bill No. 2080.

Demand for Previous Question

Mr. Thomas demanded the previous question.

Demand died for lack of support.

Request for Unanimous Consent to Pass Assembly Bill No. 2080 on File

Mr. Dickey asked for unanimous consent to pass Assembly Bill No. 2080 on file.

Mr. Thomas withheld unanimous consent.

Mr. Thomas withdrew his objections.

Assembly Bill No. 2080 ordered passed on file.

Mr. Collier withheld unanimous consent that Assembly Bill No. 2080 be passed on file.

Point of Order

Mr. Waters arose to the following point of order: That there is nothing before the House, and Mr. Collier is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

MOTION TO SET SPECIAL ORDER

Mr. Morris moved that Assembly Bill No 21 be made a special order of business for Tuesday, May 3, 1949, at 10.30 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62

NOES—None.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No 1616, on request of Mr. Condon.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1616 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Condon asked for, and was granted, unanimous consent that Assembly Bill No. 1616 be withdrawn from the file, and be re-referred to the Committee on Industrial Relations.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION FROM OFFICE OF ATTORNEY GENERAL BE PRINTED IN JOURNAL

Mr. Waters asked for unanimous consent that a communication from the Office of the Attorney General be printed in the Journal.

Mr. Beck withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 30—Relative to the assistance to veterans in borrowing funds from established lending institutions for the acquisition of homes and other purposes;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-eighth day of April, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 827—An act to amend Section 39.1 of the Unemployment Insurance Act, relating to benefits;

Assembly Bill No. 2841—An act to add Section 11f to the Municipal Court Act of 1925, relative to municipal courts and attaches thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of April, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 345	Assembly Bill No. 2007
Assembly Bill No. 1654	Assembly Bill No. 2992

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2007 ordered re-referred to Committee on Judiciary.

Assembly Bill No 1654 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2992 ordered re-referred to Committee on Crime and Correction.

Assembly Bill No. 345 ordered re-referred to Committee on Finance and Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 781	Assembly Bill No 1673
Assembly Bill No. 991	Assembly Bill No 2606
Assembly Bill No. 1466	Assembly Bill No 2607

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1564	Assembly Bill No. 1869
Assembly Bill No. 1628	Assembly Bill No. 2193
Assembly Bill No. 1630	Assembly Bill No. 2309

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1664
Assembly Bill No. 2799

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 1926

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER Your Committee on Education, to which were referred:

Senate Bill No 90	Senate Bill No 741
Senate Bill No 161	Senate Bill No. 1032
Senate Bill No 229	Senate Bill No. 1402

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER Your Committee on Education, to which was referred:

Assembly Bill No. 2493

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2969

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2767

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2339

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 573

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred.

Assembly Bill No. 2104
Assembly Bill No. 2711

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred.

Assembly Bill No. 2902

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No 89
Senate Bill No 135
Senate Bill No 435
Senate Bill No. 1610

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2762

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 1669
Assembly Bill No. 3084

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 265
Assembly Bill No. 362
Assembly Bill No. 470
Assembly Bill No. 2174

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 755

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 314

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 315
Senate Bill No. 525
Senate Bill No. 527
Senate Bill No. 1238

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No 249

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Conservation and Planning.

STANLEY, Chairman

Above reported bill re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 162
Assembly Bill No. 2367

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 570

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 365
Assembly Bill No 368
Assembly Bill No. 688
Assembly Bill No. 3113

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 643
Assembly Bill No 1067
Assembly Bill No. 1665
Assembly Bill No. 1685
Assembly Bill No. 2198
Assembly Bill No. 2947
Assembly Bill No. 3119

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 657
Senate Bill No. 659
Senate Bill No. 666
Senate Bill No. 726
Senate Bill No. 727
Senate Bill No. 728
Senate Bill No. 729
Senate Bill No. 730
Senate Bill No. 858
Senate Bill No. 1119

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2103

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 352

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 88
Assembly Bill No. 782

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 773
Assembly Bill No. 1352
Assembly Bill No. 1354
Assembly Bill No. 1355
Assembly Bill No. 2041
Assembly Bill No. 2042
Assembly Bill No. 2044
Assembly Bill No. 2046
Assembly Bill No. 2048
Assembly Bill No. 2049
Assembly Bill No. 2050
Assembly Bill No. 2051
Assembly Bill No. 2052
Assembly Bill No. 2053

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 185
Assembly Bill No. 1356

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 1327 ordered re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION FROM OFFICE OF ATTORNEY GENERAL BE PRINTED IN JOURNAL

Mr. Waters asked for unanimous consent that a communication from the Office of the Attorney General be printed in the Journal.

Mr. Beek withdrew his previous objections.

Unanimous consent granted, and above mentioned communication ordered printed in the Journal, as follows:

Communication From Office of Attorney General

STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
LIBRARY AND COURTS BUILDING, SACRAMENTO 14, April 26, 1949

Hon. Laughlin E Waters
Member of the Assembly
Assembly Chamber, State Capitol, Sacramento, California

DEAR ASSEMBLYMAN WATERS: In your letter of April 18th, you refer to a pending bill having as its objective the abolition of the present Social Welfare Board You inquire (1) whether the failure to abolish the board would jeopardize the receipt by the State of funds from the Federal Government for the needy aged and blind programs, and (2) what would be the status of funds received for the needy children program

In Opinion 48/263, dated December 10, 1948, (12 Ops. Cal. Atty. Gen. 297) we expressed the view that upon the operative date of Article XXV of the Constitution the Director of Social Welfare would assume the functions formerly exercised by the Social Welfare Board under the old age assistance and needy blind programs only, but that the board would continue its statutory functions in connection with the other programs administered by the Department of Social Welfare, including the federally supported plan for aid to needy children.

In connection with each of these federally supported programs the Social Security Act requires that each state plan must "either provide for the establishment or designation of a single state agency to administer the plan, or provide for the designation of a single state agency to supervise administration of the plan" (42 U S C A, Secs. 302, 602, 1202.)

Apparently your question is premised on the possibility that the continuation of the Social Welfare Board in connection with the plan for aid to needy children would result in a divided administration within the Department of Social Welfare, thus imperiling California's conformity with the quoted requirement of the federal law and its eligibility for the continued receipt of federal funds

This question was considered by the Legislative Counsel in an opinion published in the Senate Journal for January 10, 1949, pp. 84-87. The Legislative Counsel pointed out that the Department of Social Welfare continues to be designated by the Welfare and Institutions Code as the "single state agency" to administer each of these plans and concluded that in respect to the administration of each plan there is now no greater separation or division of authority between the director and the Social Welfare Board than existed prior to the adoption of Article XXV. We are in accord with this view. Although the board participates in one plan only and not in the other two plans, there is no separation or division of authority within the framework provided for each single plan.

In actuality the determination whether California is in compliance with the Social Security Act rests with the federal authorities. For this reason, the views of state agencies or officers, including our own, should not be regarded as authoritative. We may point out, however, that in December, 1948, revisions of the state plans for these categorical aid programs, as necessitated by the adoption of Article XXV, were submitted by the Department of Social Welfare for the approval of the Commissioner of Social Security and the Federal Security Administrator The plan material, we are advised, indicated that the Social Welfare Board would no longer have any duties or powers under the old age assistance and needy blind programs. In connection with the plan for aid to needy children, however, it was indicated that the board would function as before. All three of the plans were subsequently approved by the federal authorities. This past approval appears to indicate that in the minds of the federal authorities the continued existence of the board will not jeopardize federal funds under the old age and blind programs, nor affect the status of federal payments for the needy children program.

Very truly yours,

FRED N. HOWSER, Attorney General
By LEONARD M. FRIEDMAN, Deputy Attorney General

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Judiciary.

At 3 p.m.—

Transportation and Commerce, in Room 432.
Public Morals.
Ways and Means. Subject: Loan of bonds for continuation of Engineering Studies on the Bay Bridge.

Tonight at 8 p.m.—

Industrial Relations. Subject: Hot Cargo Bill—Senate Bill No. 1066.
Civil Service and State Personnel.
Revenue and Taxation.

Next Monday, May 2d—

Subcommittee on Ways and Means. Subject: Assembly Bill No. 2120.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Senator William E. Walsh, President of the Oregon Senate; the Honorable Frank J. Van Dyke, Speaker of the House of Representatives, and members of the Oregon Legislature.

On request of Mr. Caldecott, the usual courtesies of the Assembly for this day were unanimously extended to L. Bruce Merrill of Berkeley.

On request of Messrs. Dunn and Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Miss Katherine Alexander and Miss Alice Brennen, teachers of Fremont High School of Oakland, and the following pupils: Lois Allen, Marian Lee Anderson, Anita Arellano, Frances Ashman, Mary Jane Brancato, Peggy Boyle,

Sue Canfana, Barbara Carrol, Jeanne Carstens, Evelyn Conner, Jim Conway, Jane Corbin, Carl Cordes, Don Dickens, Pat Duane, Fritz Dueming, Dick Etter, Avalon Gagnon, Gordon Hansen, Joan Hansen, Jack Hanson, Barbara Jean Harris, Bob Hershberger, Marilyn Janke, Nadine Johnson, Joan Kelly, Marilyn Lagora, John E. Martini, Don Mimosa, Helen Morse, Denny Pavon, Bob Pratt, Frances Printz, George Rausch, Duane Rice, Jay Robinson, Ron Rustad, Marjorie Saugestad, Barbara Schultz, Jackie Sousa, Daniel Stasko, Sally Stevens, Sallie Stewart, Gladys Sweeney, Albert Tovar, Joan Varney, Jack Way, and Malvin Zirker.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Miss Isa Reed, teacher, Chico State group, student teachers: Ethle Dodson, Donna Rae Eldredge, Vera Hansen, Reba Jaquich, Larry Please, Elsie Munjar, Marguerite Grubb, and Marian Lea; pre-teachers: George Hibdon, Jo Beeler, Marion Benedict, Nadine Broyles, Vernon Bruce, Eleanor Cochran, Bob Hall, Dick Hamilton, Jack Marshall, Elise Stollar, Melvin Thayer, and Florence Williams; and the following visitors: Mrs. George Hibdon, Mrs. Bob Hall, and John Selvester.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Gladys Liljegren, teacher of the Pierce of College City; Mr. and Mrs. D. L. West, Wilma Wilkins, Ruth Kalfsbeek, Althea Rankin, and Betty Hardy, adult guests; and the following pupils: Joan Hardy, Donald West, Freda Garrison, Louie Gonzalez, Michael Phelan, Eddie Friel, Danny Geisler, Harold Coon, Neil Murphy, Peter Kalfsbeek, Elmer Friel, Carolyn Hardy, Jim Kalfsbeek, Colette Moore, Henry Gonzalez, George Rankin, Arlene Rankin, Ralph Gonzalez, Delbert Garrison, Richard Wilkins, Donald Gonzalez, and Eugene Murphy.

ADJOURNMENT

At 12.55 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a.m., Friday, April 29, 1949, out of respect to the memory of the late former Assemblyman, Charles B. Melville.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

FIFTY-NINTH LEGISLATIVE DAY

ONE HUNDRED SEVENTEENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, April 29, 1949

The Assembly met at 9 30 a.m.

Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—71.

Quorum present.

PRAYER

Upon invitation of the Speaker pro Tempore, the following prayer was offered by the Acting Chaplain, Rev. Paul E. Miller:

Almighty God, Our Heavenly Father: We pause in reverence before Thee today to give thanks for the rich heritage and the manifold blessings which have come to us and to our people. And we desire that with the recognition of these gifts, there may come a corresponding sense of responsibility for their use and administration, a stewardship from Thee

We pray earnestly for our national leaders, for the Governor of California, for the Members of this Assembly, and for all who have legislative responsibility.

We pray for clear perception of situations and issues which demand consideration;

For strong convictions to guide in high planes of moral judgment;

For courage to stand upon our convictions against the loud clamor of self-interested pressure groups;

And for a balanced judgment that is divinely inspired to bear upon all decisions.

And for these blessings we cast ourselves upon Thy mercy.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Meyers, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Sam L. Collins, on motion of Mr. Waters.
Mr. Stewart, on motion of Mr. Waters.
Mr. Tomlinson, on motion of Mr. Hollibaugh.
Mr. Grant, on motion of Mr. Conrad.
Mr. Stanley, on motion of Mr. Babbage.
Mr. Cooke, on motion of Mr. Burkhalter.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.
Mr. Ralph C. Dills, on motion of Mr Erwin.

Hon. Richard H. McCollister Presiding

At 9.35 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 768

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 8

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 437
Assembly Bill No. 873
Assembly Bill No. 946
Assembly Bill No. 2079
Assembly Bill No. 2556
Assembly Bill No. 2558
Assembly Bill No 2559
Assembly Bill No. 2561
Assembly Bill No. 2563
Assembly Bill No. 2564
Assembly Bill No. 2565
Assembly Bill No. 2566
Assembly Bill No. 2567
Assembly Bill No. 2568
Assembly Bill No. 2571
Assembly Bill No. 2574
Assembly Bill No. 2575

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 2578
Assembly Bill No 2583
Assembly Bill No. 2591
Assembly Bill No 2592
Assembly Bill No 2596
Assembly Bill No. 2597

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 454

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 631
Assembly Bill No. 1068

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 526

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred.

Assembly Bill No. 2136

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1914

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

BILL STRICKEN FROM FILE

The following bill was striken from the file:

Assembly Bill No. 1334, on motion of Mr. McCarthy.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1240, on request of Mr. McCarthy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 93
Senate Bill No. 271
Senate Bill No. 423
Senate Bill No. 497
Senate Bill No. 645
Senate Bill No 697
Senate Bill No. 1006
Senate Bill No. 1321

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 93—An act to add Section 273 to the Penal Code, relating to participation of minors in equestrian events.

Referred to Committee on Judiciary.

Senate Bill No. 271—An act to amend Sections 735.3, 736.1-1, and 736.3 of, and to add Section 735.10 to, the Agricultural Code, relating to fluid milk and fluid cream.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 423—An act to add an article heading for Article 1 and to add Article 2 comprising Section 956 to Chapter 1 of Title 2 of Part 3 of Division 2 of the Civil Code; and to amend Sections 376 and 377 of the Code of Civil Procedure; and to amend Sections 573 and 707 of the Probate Code; and to amend Section 402 of the Vehicle Code; and to amend Section 11580 of the Insurance Code; all relating to actions for personal injury and actions for wrongful death generally, and the survival of such actions.

Referred to Committee on Judiciary.

Senate Bill No. 497—An act to add Sections 749.1 and 751.1 to the Code of Civil Procedure, relating to the determination of conflicting claims to real property.

Referred to Committee on Judiciary.

Senate Bill No. 645—An act authorizing suit against the State of California to quiet title to certain tidelands.

Referred to Committee on Judiciary.

Senate Bill No. 697—An act to add Chapter 2.5 and Section 4250 to Division 5, Part 2 of the Health and Safety Code, relating to contracts for the collection and disposal of garbage and other refuse matter.

Referred to Committee on Public Health.

Senate Bill No. 1006—An act to add Section 26386 to the Health and Safety Code, relating to the California Pure Drugs Act and its administration.

Referred to Committee on Public Health.

Senate Bill No. 1321—An act to add Section 20567.1 to the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Speaker Pro Tempore Presiding

At 9.40 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 671
Assembly Bill No. 1687
Assembly Bill No. 1856

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 31
Assembly Joint Resolution No. 35

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 346
Assembly Bill No. 347
Assembly Bill No. 1198
Assembly Bill No. 1358
Assembly Bill No. 1712
Assembly Bill No. 1717
Assembly Bill No. 1854
Assembly Bill No. 1976
Assembly Bill No. 2002
Assembly Bill No. 2003
Assembly Bill No. 2025
Assembly Bill No. 2026
Assembly Bill No. 2602
Assembly Bill No. 2603
Assembly Bill No. 2604
Assembly Bill No. 2605
Assembly Bill No. 1394

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Concurrent Resolution No. 49

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 49—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of April, 1949.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2767—An act to amend Section 2 of the Los Angeles County Flood Control Act, relating to objects and purposes of said act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1926—An act to amend Section 16486 and to add Section 16486a to the Education Code, relating to absences of pupils for dental treatment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 162—An act to amend Section 4853 of the Labor Code, relating to disability payments for city policemen and firemen.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2367—An act to amend Section 7 of "An act entitled an act to provide for the protection of lands from overflow other than lands recognized as swamp lands," approved April 15, 1880, relating to protection districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 365—An act adding Section 10.2 to the Political Code, relating to holidays.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "with the same legal results as is the case of any other holiday", and insert "for the purposes of computing time under the provisions of Sections 12 and 12(a) of the Code of Civil Procedure".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 368—An act adding Section 31676.1 to the Government Code, relating to retirement pensions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "1942", and insert "1946".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 688—An act to amend Section 2150 of the Streets and Highways Code, relating to moneys received by counties from the Highway Users Tax Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 14, and insert "exclusively for county roads and highways and for other public street and highway purposes as provided by law."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3113—An act to repeal Chapter 2 of Part 1 of Division 14 of, and add Chapter 2 of Part 1 of Division 14 to the Health and Safety Code, relating to police protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 22, of the printed bill, after the period, insert "A district formed or proposed to be formed under this chapter shall consist entirely of contiguous property, and no property which is entirely surrounded by other property within the boundaries of the district shall be excluded."

Amendment No. 2

On page 3, line 31, of said bill, after 'authorized", insert "; provided, that the maximum tax assessment in any district for one year shall not exceed six thousand dollars ($6,000)".

Amendment No. 3

On page 4, line 40, of said bill, strike out "whether or not it is".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2902—An act to add Section 11005.6 to the Government Code, relating to acquisition of real property by state agencies, and providing for referral of proposed acquisitions to local planning agencies and for approval thereof by the State Public Works Board.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 10, of the printed bill, following the period, insert "This section is not applicable to the acquisition by the Department of Public Works of real property for highway purposes."

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 1 and 11 and repealing Sections 11a and 13 of Article VI thereof, relating to inferior courts.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "and 11", and insert ", 11, and 23".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 3 of said measure, after line 48, insert

"Fifth: That Section 23 of Article VI be amended to read.

Sec. 23. No person shall be eligible to the office of a Justice of the Supreme Court, or of a district court of appeal, or of a judge of a superior court, or of a municipal court, unless he shall have been admitted to practice before the Supreme Court of the State for a period of at least five years immediately preceding his election or appointment to such office [ ] *; provided, however, that any elected judge or justice of an existing court who has served in that capacity for five consecutive years immediately preceding the effective date of this amendment shall be eligible to become the judge of a municipal court by which the existing court is superseded upon the establishment of said municipal court or at the first election of judges thereto and for any consecutive terms thereafter for which he may be reelected*."

Amendment No. 3

On page 3, lines 3 and 4, of said measure, strike out "determined by the Legislature", and insert "authorized".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 570—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 1, 1949, strike out line 18, and insert "three thousand six hundred dollars ($3,600) a year".

Amendment No. 2

On page 2, of said bill, strike out lines 9 to 12, inclusive.

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2103—An act to add Section 13530 1 to the Government Code, relating to the State Printing Office.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 9, of the printed bill, after "industry", strike out the comma.

Amendment No. 2

On page 1, lines 6 and 7, of the printed bill, strike out "Such printing shall be done, if possible, in the district in which the fair is held."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 74—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding a proposed section to Article XIII of the Constitution.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In lines 3 and 4 of the title of the printed measure, strike out "a proposed section", and insert "Section 14.9".

Amendment No. 2

In line 4 of the title of said measure, strike out the period, and insert ", relating to the retirement of firemen, and providing for the financing thereof from taxes imposed upon fire insurers"

Amendment No. 3

On page 1 of said measure, strike out line 1, and insert

"*Resolved by the Assembly, the Senate concurring,* That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 14.9 to Article XIII thereof, to read:

Sec 14 9 (a) The retirement of publicly employed firemen for service or for disability, or both, with adequate retirement allowances, is hereby declared to be an essential factor in the protection of the public safety and to be a matter of state, as well as of local, concern.

(b) The Legislature shall provide annually, from the taxes imposed on fire insurers by Section 14¾ of this article, or from an additional tax on fire insurers which the Legislature is hereby authorized to impose in substantially the manner provided in Section 14¾ for the taxation of such insurers, an amount not less than two percent of the gross premiums, less return premiums, received in such year by each fire insurer upon its fire insurance business done in this State, which amount shall be deposited in the Firemen's Retirement Fund The Firemen's Retirement Fund is hereby established in the State Treasury.

(c) The Legislature shall provide for the expenditure of all moneys in the Firemen's Retirement Fund to pay the costs of retirement of firemen employed by the State, its political subdivisions and all public agencies within the State, as follows: Such moneys shall first be applied, to the extent that they are sufficient therefor, and in such manner as the Legislature may provide, to pay the contributions required to

be made by all such firemen within the State to the retirement or pension systems of which such firemen are or become members, whether such systems are established by the State, county, city, district, or other public agency by which such firemen are employed; and if the moneys in the Firemen's Retirement Fund are more than sufficient to pay the firemen's contributions to the retirement or pension systems of which they are members, the excess moneys shall then be applied, to the extent that they are sufficient therefor, and in such manner as the Legislature may provide, to pay the *contributions required to be paid to such retirement or pension systems in respect to* such firemen by such public employers; to the end that the costs of the retirement of firemen employed by the State and all political subdivisions and other public agencies within the State shall be defrayed, so far as possible, from taxes collected from fire insurers doing fire insurance business within the State.

(d) The Legislature shall provide for the inclusion within the State Employees' Retirement System, or such other retirement or pension system as the Legislature may *establish or designate, of all firemen not otherwise included in* and members of any other public retirement or pension system

(e) For the purposes of this section, members of organized fire departments or other fire-fighting units established and conducted by the State or any public agency within the State shall be deemed to be firemen employed by the State or other public agency by which each such department or unit is established, whether or not such members receive compensation for their service as such.

(f) Every fire insurer doing any fire insurance business within the State shall annually, on or before the fifteenth day of July, file with the Insurance Commissioner a statement showing, as of December 31st of the preceding year, (a) the aggregate amount of gross premiums and premium deposits and assessments collected during that year for insurance against loss or injury by fire, (b) premiums and premium deposits and assessments returned on cancelled policies during that year, (c) any dividends or refunds paid to policy holders or applied in part payment of any renewal premium during that year, and (d) *the aggregate amount of claims for loss or injury* by fire paid by the insurer during that year Each such statement so filed shall be a public record.

The Insurance Commissioner shall revoke the certificate of authority of any fire insurer which neglects or fails to file the statement required by this subdivision."

Amendment No. 4

On page 1 of said measure, strike out lines 2 to 25, inclusive; and on page 2, strike out lines 1 to 6, inclusive.

Amendments read, and adopted.

Resolution ordered reprinted, engrossed, and to be re-referred to Committee on Constitutional Amendments.

Assembly Bill No. 1669—An act to amend Section 1171 and to repeal Section 1184 of the Military and Veterans Code, relating to memorial districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1171 and to repeal Section 1184", and insert "Sections 1178 and 1179".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1178 of the Military and Veterans Code is amended to read:

1178. If the petition complies with the requirements the board of supervisors at such meeting shall *set a time and place for a public hearing on the proposed formation of the district. Notice of the hearing, together with a description of the proposed district, shall be given by two publications in a newspaper of general circulation in the county, if there is one; if not, by posting the notice in three public places in the county.*

The first publication or the posting shall be not less than ten days before the time fixed for the hearing. In addition, notice of the hearing, together with a description of the proposed district, shall be mailed to each property owner within the boundaries of the proposed district, as shown by the maps and records of the county assessor, at least ten days prior to the date of the hearing. At the hearing every property owner within the proposed district shall be given an opportunity to present objections as to the inclusion or exclusion of property. Any property owner whose property is not within the proposed district may petition to have his property included. After considering the objections and petitions, the board of supervisors shall establish the boundaries of the district. It may adopt the proposed boundaries or may modify them to exclude any land which it deems not benefitted or to include any land the owners of which have petitioned to be included which is otherwise eligible for inclusion in the district under Section 1172 of this code [call a special election to vote upon the question of formation of the proposed district and to elect the members of the first board of directors thereof].

SEC. 2. Section 1179 of said code is amended to read:

1179. *Within ten days after the hearing the board of supervisors shall call a special election to vote upon the question of formation of the proposed district and to elect the members of the first board of directors thereof.* The special election shall be held upon a date not later than the sixtieth day after the *hearing* [meeting of the board at which the petition was presented]. At the special election, the proposition submitted shall be "Shall the proposed _____ memorial district be formed?" There shall be elected at the same election a board of directors consisting of five members."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Military Affairs.

Assembly Bill No. 3084—An act to amend Section 19399 of the Government Code, relating to employees returning or who have returned from military service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1, line 22, of the printed bill, strike out the period, and insert ", and any person who on the date of the abolishment was entitled to reinstatement pursuant to this section shall be reinstated, whether or not he has continued in state employment from the time of the abolishment"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Military Affairs.

Assembly Bill No. 2969—An act to add Section 4884 to the Public Resources Code, relating to controlled burning of brush covered lands and making an appropriation to the Division of Forestry, Department of Natural Resources, to carry out the provisions of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert "An act".

Amendment No. 2

In line 4 of the title of said bill, strike out "to carry out the pro-"; and strike out line 5, and insert "to provide for special stand-by brush burning fire protection services, declaring the urgency of this act, to take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 10, inclusive; and in line 11, strike out "SEC. 3", and insert

"SECTION 1".

Amendment No. 4

On page 1, line 13, of said bill, strike out "_____dollars ($_____)", and insert "thirty-five thousand dollars ($35,000)".

Amendment No. 5

On page 1, line 14, of said bill, strike out "to carry out the"; and strike out line 15, and insert ", for special stand-by brush burning fire protection services.

The money appropriated by this act shall be expended for additional fire protection for lands which may be endangered by brush-burning projects and shall be expended during the months of July, August, and September for two special stand-by fire protection crews, each crew consisting of one foreman, one truckdriver, and six helpers and one tanker and such hand tools as may be necessary for the conduct of fire control operations

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health, or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The law provides for the burning over of brush-covered lands in order to permit revegetation of such lands with plants of economic value Such projects create a certain element of danger of fire spreading to other lands, and without provision for prevention of such spreading it is impracticable to conduct such operations The restoration of brush covered lands to productive capacity will foster the production of food and fiber and promote the public health and welfare and the prevention of fires where they are not wanted is a matter of public safety In order that the benefits of this act may be available during the period of the current calendar year in which brush-burning projects are feasible this act must be put into immediate effect."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 573—An act to repeal Division 9 of and to add Division 9 to the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, establishing county soil conservation district boundary committees and prescribing their functions, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 23, line 32, of the printed bill as amended in the Assembly on April 21, 1949, after the period, insert "Except, however, that nothing in this section shall prevent the directors from borrowing from such federal, state, county, public or private funds which are, or which may in the future become, available to the directors for the furthering of the work of the district in any manner, if the assets acquired by such a loan constitute the entire security for the loan, and if no indebtedness or liability is incurred by the directors in excess of the amount of the assets acquired."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2339—An act relating to the acquisition of property in connection with the Butano Forest State Park in San Mateo County, making an appropriation therefor, and declaring the urgency thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2, lines 2 and 3, of the printed bill, strike out "_____ dollars ($_____)", and insert "one million two hundred thousand dollars ($1,200,000)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 643—An act to amend Section 32064 of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 10.

Amendment No. 2

On page 1 of said bill, after line 10, insert

"32064. If an officer or employee who accepts any of the benefits under this chapter engages in any public employment

(1) Prior to attaining the age of 60 years

(2) If prior to attaining the minimum age for voluntary retirement for service applicable to member of his class, he be a recipient of a disability retirement allowance; the board shall reduce his monthly disability or retirement pension to an amount which, when added to the compensation earned monthly by him, shall not exceed the amount of the maximum compensation earned by such person at the time of his retirement."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1067—An act to add Chapter 3.5, comprising Sections 26880 to 26884, inclusive, to Part 3, Division 2, Title 3, of the Government Code, relating to the county controller.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "26884", and insert "26885".

Amendment No. 2

On page 2 of said bill, after line 12, insert

26885 The provisions of this chapter shall become operative only upon their adoption by a resolution passed by a unanimous vote of the board of supervisors at a

regular meeting at which all members are present This resolution may be repealed by the board of supervisors at any time by a three-fifths vote."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1665—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public works.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 34, of the printed bill, after the period, strike out the balance of the line; and strike out lines 35 to 38, inclusive, and insert "If the city council awards the contract to the second lowest bidder, the amount of the lowest bidder's security shall be applied by the city to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder if cash or a check is used, or to the surety on the bidder's bond if a bond is used.

It is not the intention of the Legislature in amending Section 874 of the act cited in the title hereof to change the existing law, but rather it is the intention of the Legislature to declare by such amendment that under Section 874 cities of the sixth class always have had power under said act to require a bid bond, cashier's check or other security, and the power thereunder to declare the forfeiture thereof upon failure, neglect or refusal to enter into a contract awarded thereunder."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1685—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 20 to 23, inclusive, and insert "trian overhead crossings and the installation and maintenance of traffic control devices, but such funds shall not be expended for street lighting, except for illumination of the type specified in subdivision (e) of Section 27, or for the construction or maintenance of sidewalks, or, except".

Amendment No. 2

On page 1, line 28, of said bill, after "bridges", strike out "or", and insert a comma and "and sidewalks may be constructed and trees may be planted".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2198—An act to amend Section 28135 of the Government Code, relating to compensation for public services in counties of the thirty-fifth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "four thousand dollars ($4,000)", and insert "four thousand eight hundred dollars ($4,800)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2493—An act making an appropriation for school district public works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "for school district public works", and insert "to the Retirement Annuity Fund of the State Teachers' Retirement System".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Out of any moneys in the State Treasury not otherwise appropriated, there is hereby appropriated for transfer to the Retirement Annuity Fund of the State Teachers' Retirement System the sum of five million two hundred fifty thousand dollars ($5,250,000) for operation of the State Teachers' Retirement System."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2947—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, after "counties", insert "of the sixteenth class".

Amendment No. 2

On page 1, line 6, of said bill, strike out "four thousand four hundred", and insert "six thousand".

Amendment No. 3

On page 1, line 7, of said bill, strike out "($4,400)", and insert "($6,000)".

Amendment No. 4

On page 2 of said bill, strike out lines 26 and 27.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government

Assembly Bill No. 3119—An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, 14516, 14525.1, 14532, 14550, and

14594 to, and to amend Sections 14400, 14401, 14406, 14450.5, 14451, 14480.2, 14503, 14505, and 14510 of, the Health and Safety Code, relating to county fire protection districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In the title of the printed bill, strike out lines 1 to 4, inclusive, and insert "An act to amend Sections 14480.2, 14503, and 14505 of, and to add Sections 14516, 14532, 14550, and 14594 to, the Health and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive; on page 2, strike out lines 1 to 52, inclusive; and on page 3, strike out lines 1 to 34, inclusive.

Amendment No. 3

On page 3 of said bill, strike out line 35, and insert SECTION 1. Section 14480.2 of the Health and Safety Code is amended to read:".

Amendment No. 4

On page 4 of said bill, strike out lines 10 to 33, inclusive.

Amendment No. 5

On page 4, line 34, of said bill, strike out "SEC. 13", and insert "SEC. 2".

Amendment No. 6

On page 4, line 43, of said bill, strike out "SEC. 14", and insert "SEC. 3".

Amendment No. 7

On page 5 of said bill, strike out lines 1 to 7, inclusive.

Amendment No. 8

On page 5, line 8, of said bill, strike out "SEC. 16", and insert "SEC. 4".

Amendment No. 9

On page 5 of said bill, strike out lines 14 to 24, inclusive.

Amendment No. 10

On page 5, line 25, of said bill, strike out "SEC. 18", and insert "SEC. 5".

Amendment No. 11

On page 5, line 33, of said bill, strike out "SEC. 19", and insert "SEC. 6.".

Amendment No. 12

On page 5, line 41, of said bill, strike out "SEC. 20", and insert "SEC. 7".

Amendment No. 13

On page 6, line 1, of said bill, strike out "SEC. 21", and insert SEC. 8".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2762—An act to amend Section 11105 of the Health and Safety Code, relating to narcotics.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 31, 1949, after "11104," insert "11166,".

Amendment No. 2

In line 5 of the title of said bill, strike out "11715.7, 11780", and insert "11611, 11715, 11715.7, and 11780, and to repeal Section 11721".

Amendment No. 3

In line 8 of the title of said bill, after "11166.14," insert "11170.5, and".

Amendment No. 4

On page 2 of said bill, strike out lines 25 and 26, and insert

"(1) All parts of the plant of the genus lophophora whether growing or otherwise; the buttons thereof, the alkaloids extracted from any such plant; and every compound, salt, derivative, mixture or preparation of such plant"

Amendment No. 5

On page 2 of said bill, strike out lines 29 to 46, inclusive, and insert

"11002.1. The chief by rule may add new narcotics to those enumerated in Sections 11001 and 11002 after notice and hearing, in accordance with the Administrative Procedure Act, Chapter 4 of Part 1 of Division 3 of Title 2 of the Government Code; provided, however, that such rule shall be drafted in form of proposed narcotic law for submission to the next succeeding general session of the Legislature; and provided further that no such rule shall remain in effect beyond ninety days after the final adjournment of that session of the Legislature."

Amendment No. 6

On page 3 of said bill, between lines 21 and 22, insert

"SEC. 5.5. Section 11166 of the Health and Safety Code is amended to read:

11166. No person shall write a prescription unless it is wholly written *in ink or indelible pencil* in *the* handwriting of the prescriber, signed and dated by him as of the date on which it is written, contains the name and address for whom prescribed and states the name and the quantity of the narcotic prescribed."

Amendment No. 7

On page 3, line 33, of said bill, after "forms", insert "each".

Amendment No. 8

On page 3, line 34, of said bill, strike out "each".

Amendment No. 9

On page 4, line 17, of said bill, after "ingredients", insert "except codeine".

Amendment No. 10

On page 4, line 27, of said bill, strike out "oppi", and insert "opii".

Amendment No. 11

On page 5, line 30, of said bill, after "purchased", insert "and a record shall be kept of such rush, emergency administration of narcotics, including the amount given, the type, the date given, and the name and address of the person to whom administered".

Amendment No. 12

On page 6, line 28, of said bill, after "thereof", insert "or any of the genii of the lophophora or any of the parts thereof".

Amendment No. 13

On page 6, line 32, of said bill, after "device", insert a comma.

Amendment No. 14

On page 6 of said bill, strike out lines 38 to 46, inclusive.

Amendment No. 15

On page 7, line 1, of said bill, strike out "SEC. 24.", and insert "SEC. 22."

Amendment No. 16

On page 7, line 8, of said bill, after "shall", insert "immediately".

PRINTER'S NOTE—*There being no 7-point strikeout type available, the material* which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 17

On page 7 of said bill, after line 11, insert

"SEC. 23. Section 11715 of the Health and Safety Code is amended to read:

11715. Every person who forges or alters a prescription *or who issues or utters an altered prescription*, or who issues or utters a prescription bearing a forged or fictitious signature for any narcotic, or who obtains any narcotic by any forged, fictitious, or altered prescription, or who has in possession any narcotic secured by such forged, fictitious, or altered prescription, shall for the first offense be punished by imprisonment in the county jail for not less than six months nor more than one year, or in the state prison for not more than six years, and for each subsequent offense shall be imprisoned in the state prison for not more than ten years

SEC. 24. Section 11715.7 of the Health and Safety Code is amended to read:

11715.7 Any person who shall violate any of the provisions of Sections 11162, 11162.5, 11163, *11163.5*, 11164, [and] 11170 *and 11170.5*, shall be punished by imprisonment in a county jail for not less than six months or in the state prison for not more than six years.

SEC. 25. Section 11721 of the Health and Safety Code is repealed.

SEC. 26. Section 11780 of the Health and Safety Code is amended to read:

11780. Every building or place used for the purpose of unlawfully selling, serving, storing, keeping, or giving away any [opium, morphine, cocaine, heroin, cannabis sativa, or loco weed,] *narcotics as defined in this division*, and every building or place wherein or upon which such acts take place, is a nuisance which shall be enjoined, abated, and prevented, whether it is a public or private nuisance."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 89—An act to amend Section 11 of the Conservation and Planning Act, relating to local planning commissions.

Bill read second time, and ordered to third reading.

Senate Bill No. 135—An act to amend Section 22500 of, and to add Section 22505 to, the Water Code, relating to disposition of irrigation district property.

Bill read second time, and ordered to third reading.

Senate Bill No. 435—An act to add Section 29 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair and maintenance and the assessment of property benefited by those works.

Bill read second time, and ordered to third reading.

Senate Bill No. 1610—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 727—An act to amend Sections 10275.5, 10301, 10302, 10331, and 10333.5 of, to add Sections 10275.6, 10284.5, 10302.5, and 10302.6 to, and to renumber and amend Section 104281 of the Business and Professions Code, relating to business opportunity regulations.

Bill read second time, and ordered to third reading.

Senate Bill No. 728—An act to amend Sections 10376, 10382, 10401, 10402, and 10432.5 of, and to add Sections 10375.5, 10385.5, 10402.5, 10402.6, and 10433 to the Business and Professions Code, relating to cemetery brokerage regulations.

Bill read second time, and ordered to third reading.

Senate Bill No. 729—An act to amend Sections 10521, 10561, 10562, 10591, and 10593.5 of, and to add Sections 10515.5, 10524.5, 10562.5, and 10562.6 to, the Business and Professions Code, relating to mineral, oil and gas brokerage.

Bill read second time, and ordered to third reading.

Senate Bill No. 730—An act to add Section 11021 to the Business and Professions Code, relating to subdivided lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 858—An act to amend Section 10454 of the Business and Professions Code, relating to the Division of Real Estate.

Bill read second time, and ordered to third reading.

Senate Bill No. 1119—An act authorizing the Director of Finance, with the approval of the Youth Authority, to exchange certain real property in the County of Sonoma, State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 90—An act to amend Section 3571 of the Education Code, relating to the formation of high school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 161—An act to add Section 369 to the Education Code, relating to the retirement of county superintendents of schools, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 229—An act to add Section 12500 to the Education Code, relating to fees for credentials and life diplomas.

Bill read second time, and ordered to third reading.

Senate Bill No. 741—An act to amend Section 3 of an act entitled "An act to release the Regents of the University of California from all obligations assumed by said the Regents of the University of California pursuant to the provisions of Sections 1, 2, and 3 of an act entitled, 'An act appropriating five hundred twenty-five thousand dollars ($525,000) to be used and expended by the Regents of the University of California for the construction and equipment of a building or buildings on the site of the University of California at Los Angeles; providing that none of said money shall be drawn or expended until said the regents shall deliver to the Chairman of the Department of Finance an obligation binding said the regents (a) to set aside for sale certain real property in Los Angeles owned by said the regents; (b) not to use or permit to be used the same so as to interfere with or prevent its sale, provided, that said the regents may lease the whole or part of said property for periods of not more than six months; (c) to sell parts or parcels of said property

or the whole at such prices and on such terms and conditions as said the regents with approval of the Department of Finance shall fix; (d) to pay over to the State Treasury all sums received from sales or rentals, less the costs of selling and leasing and the necessary costs of care and maintenance of said real property; providing that on sale of the last part or the whole of said real property and payment of all moneys agreed to be paid into the State Treasury by said the regents, the Chairman of the Department of Finance shall deliver to said the regents a written acknowledgement that all requirements of said the regents' obligation have been performed and further providing that said the regents shall thereupon be discharged of every duty and requirement in the premises, declaring the urgency thereof and providing that this act shall take effect immediately,' approved May 31, 1929, assenting to the conveyance to the State of California by the Regents of the University of California of certain real property in the City of Los Angeles, providing for the transfer to the State of California of leases and contracts of sale affecting said real property, and providing for the sale of such property by the State," approved April 21, 1943, relating to interests in real property owned by the Regents of the University of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 1032—An act to add Section 9607.2 to the Education Code, relating to the education of minors with cerebral palsy.

Bill read second time, and ordered to third reading.

Senate Bill No. 1402—An act to amend Sections 1815 and 1817 of the Education Code, relating to candidates for office of school trustee.

Bill read second time, and ordered to third reading.

Senate Bill No. 315—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies.

Bill read second time, and ordered to third reading.

Senate Bill No. 525—An act to amend Section 954 of the Streets and Highways Code, relating to the abandonment of county highways, including the creating and designating of stock trails.

Bill read second time, and ordered to third reading.

Senate Bill No. 527—An act to amend Section 943 of the Streets and Highways Code, relating to the abandonment of county highways, including the authorizing of boards of supervisors to create and designate stock trails.

Bill read second time, and ordered to third reading.

Senate Bill No. 1238—An act to amend Section 21828 of the Government Code and Section 428 of the Education Code, relating to compensation for public services in counties of the twenty-eighth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 314—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 657—An act to repeal an act entitled "An act withdrawing certain state land from sale or lease and setting the same aside for the use and benefit of Indians," approved May 30, 1923.

Bill read second time, and ordered to third reading.

Senate Bill No. 659—An act to amend Section 7410 of the Public Resources Code, relating to state lands, removing acreage limitations on purchases thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 666—An act to amend Section 6323 of, and to add Section 6307 to, the Public Resources Code, relating to the administration and control of swamp, overflowed, tide or submerged lands and structures thereon.

Bill read second time, and ordered to third reading.

Senate Bill No. 726—An act to amend Sections 10150.5, 10158, 10176, 10177, 10177.5, 10211, and 10213.5 of, and to add Sections 10161.5, 10150.6, and 10177.6 to the Business and Professions Code, relating to real estate regulations, including licenses and disciplinary action.

Bill read second time, and ordered to third reading

Senate Bill No. 1135—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in the Senate on March 24, 1949, strike out the comma ; and strike out line 23, and insert "consti-".

Amendment No. 2

On page 2 of said bill, strike out lines 33 to 37, inclusive, and insert "variety."

Amendment No. 3

On page 3, line 22, of said bill, strike out "petition", and insert "position".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 755—An act to amend Sections 37103, 37426, 38742, 43069, and 43671 of the Government Code, relating to the organization, government, and powers of cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 7, 1949, after "37426," insert "38102,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 1 of said bill, strike out line 18, and insert

"SEC. 3. Section 38102 of said code is amended to read:

38102. An appeal may be taken from the interlocutory judgment within thirty days after its entry. An appeal may be taken from an order granting or denying a new trial within ten days after [the] its entry.

SEC. 4. Section 38742 of said code is amended to read ".

Amendment No. 3

On page 2, line 17, of said bill, strike out "SEC 4 ", and insert "SEC. 5."

Amendment No. 4

On page 2, line 25, of said bill, strike out "SEC. 5.", and insert "SEC. 6."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.

Assembly Bill No. 3122, on request of Mr. McCollister.

Assembly Bill No. 1918, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1470—An act to amend Sections 1672 and 1673 of the Insurance Code, relating to the licensing of nonresident brokers or agents.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1470?

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 and 6, and insert "of the state or province of Canada wherein such applicant resides, if such state or province does not prohibit residents of this".

Amendment No. 2

On page 1, line 19, of said bill, after "state", insert "or province of Canada".

Amendment No. 3

On page 1, line 22, of said bill, after "state", insert "or province"

Amendment No. 4

On page 1, line 30, of said bill, after "agent", but before the period, insert "as the case may be".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1470 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood,

Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, and Weber—58.

NOES—None.

Assembly Bill No. 1470 ordered enrolled.

Assembly Bill No. 185—An act to amend Section 5801 of the Labor Code, relating to attorney's fees under the Workmen's Compensation Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 185?

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 15, inclusive, and insert

"In the event the injured employee or the dependent of a deceased employee prevails in any petition by the employer for a writ of review from an award of the commission and the reviewing court finds that there is no reasonable basis for the petition, it shall remand the cause to the commission for the purpose of making a supplemental award award-".

Amendment No. 2

On page 1, line 18, of said bill, strike out "appeal", and insert "petition for writ of review".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 185 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fletcher, Gaffney, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, Way, and Weber—55

NOES—None.

Assembly Bill No. 185 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 874

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 874, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 874—An act to amend Section 783 of the Fish and Game Code, relating to lobsters.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 874?

Amendment No. 1

On page 1, line 3, of the printed bill, after "ten", insert "and".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 874 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris,

Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, Way, and Weber—55.

NOES—None.

Assembly Bill No. 874 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 219—An act to amend Section 13600 of the Government Code, relating to publications and documents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, Way, and Weber—54.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 1278, on motion of Mrs. Niehouse.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 598—An act to add Article 5 to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code and to amend Section 3325 of said code, relating to institutions for the blind under the jurisdiction of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Way, and Weber—57

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1354—An act to amend Section 184 of the Education Code and Section 3253 of the Welfare and Institutions Code, relating to gifts, donations, bequests, and devises to the Department of Education and to schools, colleges, and other institutions under the jurisdiction of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer,

Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Thomas, Thompson, Way, and Weber—59.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Francis Dunn Presiding

At 10.05 a.m., Hon. Francis Dunn, Member of the Assembly from the Thirteenth District, presiding.

Senate Bill No. 1355—An act to add Article 6 to Chapter 2 of Part 1 of Division 5 of the Welfare and Institutions Code, relating to the sale of products of institutions under the jurisdiction of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Thomas, Thompson, Way, and Weber—57

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 80—An act to amend Sections 810, 828.35, and 829.25 of the Agricultural Code, relating to artichoke standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Cramer, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Sillman, Thomas, Thompson, Waters, Way, Weber, and Yorty—48

NOES—Anderson, Beck, George D. Collins, Condon, Dunn, Elliott, Geddes, Hawkins, Heisinger, and Lewis—10

Bill ordered transmitted to the Senate.

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Bill read third time.

Motion to Amend

Mr. Hinckley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "and", and insert a comma, and after "13370", insert ", and 13395 and to repeal Sections 13397 and 13398"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of the printed bill, following line 15, insert

"SEC. 4. Section 13395 of the Government Code is amended to read:

13395. Immediately upon the rendition of services or the delivery of supplies, the disbursing officer shall transmit the invoice or demand for payment together with his sworn statement to the [department] *Controller*.

SEC. 5. Sections 13397 and 13398 of the Government Code are repealed."

Amendments read.

Bill ordered temporarily passed on file.

Senate Bill No. 405—An act to amend Section 14191 of, and to add Article 6 5, comprising Sections 14195 to 14195.4, inclusive, to Chapter 8, Part 8, Division 2 of, the Revenue and Taxation Code, relating to the compromise of death taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 406—An act to add Article 6.7, comprising Sections 14197 to 14197.13, inclusive, to Chapter 8, Part 8, Division 2, of the Revenue and Taxation Code, relating to the interstate arbitration of death taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Caldecott, Collier, George D. Collins, Condon, Connolly, Cramer, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 893—An act to amend Sections 795.1 and 795.5 of the Agricultural Code, relating to standards for citrus fruits, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Senate Bill No. 893 ordered temporarily passed on file.

Senate Bill No. 1013—An act to add Section 7057 to the Revenue and Taxation Code, relating to registration of employers under the California Unemployment Insurance Act by officers and employees of the Board of Equalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Collier, George D. Collins, Condon, Connolly, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Thomas, Thompson, Way, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 26—Relative to memorializing Congress to refuse passage of H. R. 2394, creating a Franklin Delano Roosevelt Memorial Redwood Forest in the Counties of Del Norte, Humboldt, Mendocino, and Sonoma, State of California.

Resolution read, and ordered passed on file.

Senate Concurrent Resolution No. 25—Relative to a highway between Altamont Pass and Grapevine.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thompson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 1162—An act to amend Section 1415 of the Health and Safety Code, and Sections 112 and 121 of the Welfare and Institutions Code, relating to licensing of hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Thompson, Waters, Way, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1248—An act to amend Sections 11501 and 11519 of the Government Code, relating to administrative adjudication.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Connolly, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen,

Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thompson, Waters, Way, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1245—An act to amend Sections 11371, 11380, 11382.5, 11421, 11422, and 11423 of the Government Code, relating to administrative regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thompson, Waters, Way, and Yorty—62

NOES—None.

Bill ordered transmitted to the Senate

Speaker Pro Tempore Presiding

At 10.57 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

FURTHER CONSIDERATION OF SENATE BILL NO. 893

Senate Bill No. 893—An act to amend Sections 795.1 and 795.5 of the Agricultural Code, relating to standards for citrus fruits, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Way, Weber, and Yorty—58.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Way, Weber, and Yorty—58.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1275—An act to amend Section 441 of the Agricultural Code, relating to the powers of the Director of Agriculture.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 459—An act to add Section 1755.5 to the Welfare and Institutions Code, relating to the placement of persons under the jurisdiction of the Youth Authority in certain institutions under the jurisdiction of the Department of Corrections for study, diagnosis, and treatment, authorizing the Director of Corrections to receive and keep such persons therein, and providing for the status and rights of persons so placed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—66

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 460—An act to add Article 10, comprising Sections 1250 to 1257, inclusive, to Chapter 3 of Part 1 of Division 2 of the Welfare and Institutions Code, providing for the establishment of the California Youth Training School and the commitment and transfer of youthful offenders thereto and therefrom, declaring escape or attempted escape therefrom a crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Thompson, Waters, Way, and Yorty—50.

NOES—Anderson, Beck, Elliott, Heisinger, and Lewis—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 1129—An act to validate the formation, organization, boundaries, acts, proceedings and bonds of fire protection districts in unincorporated areas

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister,

McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Thomas, Waters, Way, Weber, and Yorty—58.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF SENATE BILL NO. 74

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Bill read third time.

Motion to Amend

Mr. Hinckley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "and", and insert a comma; and after "13370", insert ", and 13395 and to repeal Sections 13397 and 13398".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of the printed bill, following line 15, insert
"SEC. 4. Section 13395 of the Government Code is amended to read:
13395. Immediately upon the rendition of services or the delivery of supplies, the disbursing officer shall transmit the invoice or demand for payment together with his sworn statement to the [department] *Controller*.
SEC. 5. Sections 13397 and 13398 of the Government Code are repealed."

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:
Senate Concurrent Resolution No. 48
Senate Concurrent Resolution No. 49
Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 49

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 49, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 49

Senate Concurrent Resolution No. 49—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the nineteenth day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 48

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 48, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 48

Senate Concurrent Resolution No. 48—Relative to approving amendments to the charter of the City of Vallejo, a municipal corporation in the County of Solano, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fifth day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 796—An act to add Section 125 to the Business and Professions Code, prohibiting certain practices by persons licensed under said code and providing penalties for violations thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—63

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 800—An act to add Section 162 to the Business and Professions Code, and to repeal Section 7080.1 of said code, and to amend Section 7080 of said code, relating to certificates of certain officers of boards within the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 25—An act to add Section 1905 to the Government Code, relating to the State Capitol Building.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Thomas, Thompson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 11.20 a.m., on motion of Mr. Dickey, the Assembly recessed until 11.23 a.m., to make a presentation to Assemblyman Brown.

REASSEMBLED

At 11 23 a m , the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 6—Proposed amendment to Article XXIV, Section 4, of the Constitution, relative to exemptions from state civil service.

Resolution read.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 39, of the printed measure, as amended in the Assembly on April 22, 1949, strike out "program", and insert "paragraph".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 220—An act to add Section 11090 to, and to amend Section 11091 of, the Government Code, relating to state agency reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.

NOES—None

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Davis:

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 487b to the Penal Code, relating to theft of mining equipment

Respectfully submitted,

LESTER T. DAVIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Davis:

An act to add Section 487b to the Penal Code, relating to theft of mining equipment

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Thomas, Thompson, Waters, Weber, and Yorty—61.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3135: By Mr. Davis—An act to add Section 487b to the Penal Code, relating to theft of mining equipment.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 71

Mr. Smith asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 71, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 71

Assembly Concurrent Resolution No. 71—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1949.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 349—An act to amend Section 25305 of the Government Code, relating to county-owned automobiles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—60

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1169—An act to amend Section 28131 of the Government Code, relative to compensation for public services in counties of the thirty-first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Holibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—60.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 259—An act to amend Section 2010 of the Streets and Highways Code, relating to mileage allowances for supervisors' official road duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—61

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 47—An act to repeal Sections 27206, 27207, 27208, and 27209, and to add Chapter 13 5, comprising Sections 26250, 26251, 26252, and 26253, to Part 2, Division 2, Title 3, of the Government Code, relating to duties of county recorders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Thomas, Thompson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that a communication be printed in the Journal as follows:

ASSEMBLY, CALIFORNIA LEGISLATURE, April 29, 1949

Hon Sam L. Collins,
Speaker of the Assembly,
State Capitol, Sacramento, California.

DEAR MR. SPEAKER: Your Committee on Highways, Streets, and Bridges was granted until April 30, 1949, to make its final report.

April 30th falls on Saturday and the Legislature will be at recess and, since the several documents of the report are voluminous and some of the statistics should be as current as it is possible to make them, we recommend that they be printed separately, 500 of each.

We also recommend that those documents coming into our possession lately which refer to a second crossing of San Francisco Bay be referred to Mr. Dolwig, Chairman of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California.

It is further recommended that the material pertaining to investigation of political activity by state employees be referred to Mr. Stewart, Chairman of the Committee on Governmental Efficiency and Economy since the subject matter has broader implications than relate to an employee of the Department of Public Works alone.

Respectfully submitted,

ERNEST R. GEDDES
FRANCIS DUNN, JR.
CHARLES M. WEBER
EARL W. STANLEY (by GEDDES)
G. DELBERT MORRIS

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 42—An act to amend Section 27288 of the Government Code, relating to the recording of documents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 51—An act to amend Section 2316 of the Public Resources Code, relating to fees for recording affidavits of labor or improvements on mining claims.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 60—An act to add Section 6904 to the Education Code, relating to the crediting of average daily attendance, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—66

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—66.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2711

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2711, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2711

Assembly Bill No. 2711—An act to add Article 10, comprising Sections 8001 to 8025, inclusive, to Chapter 4 of Part 3 of Division 6 of the Public Resources Code, relating to surveys and maps, creating the Office of State Supervisor of Maps and Surveys, and prescribing his powers and duties.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 18, 1949, after "added to", insert "Chapter 4 of".

Amendment read, ~~and adopted~~

Request for Unanimous Consent to Expunge Record, and Rescind Action on Amendment to Assembly Bill No. 2711

Mr. Weber asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the amendment offered by Mr. Weber to Assembly Bill No. 2711

Assembly Bill No. 2711 ordered passed on file.

MOTION TO SET SPECIAL ORDER

Mr. Reagan moved that Assembly Bill No. 2309 be made a special order of business for Wednesday, May 4, 1949, at 10 a.m.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 766 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Kilpatrick asked for, and was granted, unanimous consent that Assembly Bill No. 766 be withdrawn from the file, and be re-referred to the Committee on Public Health.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 65—An act to amend an initiative act entitled "An act to amend an act entitled 'An act for the certification of land titles and the simplification of the transfer of real estate,' approved March 17, 1897," approved by electors November 3, 1914, by adding Sections 48 1 to 48 9, inclusive, thereto, relating to the withdrawal of land from registry under the said act, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Evans,

Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1271—An act to add Section 31553.5 to the Government Code, relating to the membership of elective officers in county retirement associations, and to the rights and privileges of such members.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—63

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 152—An act to repeal Section 1881 3 of the Civil Code, relating to the period during which the chapter of said code relating to private bulk storage of grain shall remain in effect.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 754—An act to amend Sections 9704 and 9705 of the Elections Code, relating to the general municipal election in cities of the fifth and sixth classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—60

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 682—An act to amend Section 2559.5 and to add Sections 2559.6, 2600.5, and 2603 to the Health and Safety Code, relating to the control of tuberculosis and providing penalties for the violation thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2040 AND 2062 HOLD PLACE ON FILE

Mr. Waters asked for, and was granted, unanimous consent that Assembly Bills Nos 2040 and 2062 be passed on file, and hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 667—An act to amend Section 314 of the Vehicle Code, relating to operators' and chauffeurs' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Thomas, Thompson, Waters, Way, Weber, and Yorty—60.

NOES—Sherwin—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2270 HOLD PLACE ON FILE

Mr. Burke asked for, and was granted, unanimous consent that Assembly Bill No. 2270 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1564—An act to amend Sections 359, 359.3, 359.5, and 360.4, and to add Chapter 8, comprising Section 438, to Division 3, of the Agricultural Code, relating to licensed slaughterers and to injunctive remedy.

Bill read third time, and ordered passed on file.

Request for Unanimous Consent That Assembly Bill No. 1564 Hold Place on File

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 1564 hold its place on file on the next legislative day.

Assembly Bill No. 2193—An act to amend Section 6 of an act entitled "An act to authorize the Department of Finance to acquire surplus housing facilities for resale to farmers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately," approved July 10, 1947 (Chapter 1352, Statutes of 1947), relating to the expiration date thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—65

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 3032—An act to amend Section 469 of the Vehicle Code, relating to railroad warning approach signs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Thomas, Thompson, Waters, Way, Weber, and Yorty—60

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Connolly announced that today is the birthday of Mr. Dolwig.

Motion

Mr Connolly moved that all members join with him in expressing best birthday wishes to Mr. Dolwig.

Mr. Grunsky seconded the motion.

Motion carried unanimously.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 29, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS. I am returning herewith, without my signature

Assembly Bill No. 1605, entitled: "An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records."

My objections to this bill are as follows:

That section at present provides for the destruction of certain papers and exhibits in justice's courts, and provides that the cost of the publication called for and other costs shall be a county charge. In adding city courts and police courts to the section an appropriate change was not made with regard to the cost of destruction, so that inadvertently it is provided that the cost of this step in city and police courts becomes a charge upon the county

I am informed by the author that this was not the intention, and he has given his consent to this veto of the measure The result sought to be obtained by this measure can be accomplished by the adoption of its companion, Senate Bill No. 279, with an appropriate amendment.

Respectfully submitted,

EARL WARREN, Governor

Above bill ordered to unfinished business file.

ANNOUNCEMENTS

Mr. Davis announced that the train will leave Sacramento at 8 a.m. next Saturday morning, May 7th, for the Shasta Dam trip to which members, their wives, and the attaches, have been invited. The train will arrive in Redding at 11.45 a.m. Luncheon and a nation-wide broadcast

will take place at the dam. A dinner picnic will be served on the train which will leave Redding at 6 p.m. Arrival in Sacramento is scheduled for 9.30 p.m.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 74

And reports the same correctly engrossed.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Evans asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 74, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 74

Assembly Concurrent Resolution No. 74—Relative to approving five certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a primary nominating election held therein on the fifth day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Resolution ordered transmitted to the Senate.

UNFINISHED BUSINESS (OUT OF ORDER)

CONSIDERATION OF GOVERNOR'S VETO (BY UNANIMOUS CONSENT)

Assembly Bill No. 1605—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1605 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Way, Weber, and Yorty—64.

RESOLUTIONS

The following resolution was offered:

By Messrs. Geddes, Dunn, and Weber:

House Resolution No. 185

WHEREAS, The Assembly fact-finding committee has, during its investigations, received documents touching only incidently upon the subject matter it was empowered to investigate; and

WHEREAS, Other special committees, namely, Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California and the Interim Committee on Governmental Efficiency and Economy, continued in existence beyond this date should have these documents rather than have them hidden in the archives; now, therefore, be it

Resolved, by the Assembly of the California Legislature, That the Chairman of the Assembly Fact-Finding Committee on Highways, Streets and Bridges is authorized and directed to deliver such documents in his possession to the chairmen of the respective committees named above.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2799—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 8 to 10, inclusive, of the printed bill, as amended in the Assembly on April 27, 1949, strike out ". This shall apply to property held by any one person only".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1630

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1630, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1630

Assembly Bill No. 1630—An act to amend Sections 1187 and 1190 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 2, lines 21 and 22, of the printed bill, as amended in the Assembly on April 27, 1949, strike out "Section 4300c of the Political", and insert "Sections 27361 to 27382, inclusive, of the Government".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2556

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2556, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2556

Assembly Bill No. 2556—An act to prohibit the possession, use or operation of slot machines or like devices, prescribing the penalty for violations of this act, and providing for the confiscation of such machines.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", insert "add Sections 330.1 to 330.6, inclusive, to the Penal Code, to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert
"SECTION 1. Section 330.1 is added to the Penal Code, to read:
330.1. Every person who manufactures, owns, stores,".

Amendment No. 3

On page 1, line 20, of said bill, strike out "provision of this act", and insert "meaning of Sections 330 1 to 330 5, inclusive, of this code".

Amendment No. 4

On page 2, line 2, of said bill, strike out "that", and insert "from".

Amendment No. 5

On page 2 of said bill, strike out line 12, and insert
"SEC. 2. Section 330 2 is added to said code, to read:
330.2. As used in this chapter a "thing of value" ".

Amendment No. 6

On page 2 of said bill, between lines 17 and 18, insert
"SEC. 3. Section 330.3 is added to said code, to read:".

Amendment No. 7

On page 2, line 18, of said bill, strike out "SEC. 3", and insert
'330.3".

Amendment No. 8

On page 2 of said bill, between lines 35 and 36, insert
"SEC. 4. Section 330 4 is added to said code, to read:".

Amendment No. 9

On page 2, line 36, of said bill, strike out "SEC. 4", and insert
"330 4".

Amendment No. 10

On page 2, line 39, of said bill, strike out "1 hereof", and insert "330 1".

Amendment No. 11

On page 2, line 40, of said bill, strike out "statute", and insert "chapter".

Amendment No. 12

On page 2, line 48, of said bill, strike out "1 hereof", and insert "330.1".

Amendment No. 13

On page 2, line 50, of said bill, strike out "1 hereof", and insert "330 1".

Amendment No. 14

On page 3, line 2, of said bill, strike out "3 hereof", and insert "330.1".

Amendment No. 15

On page 3 of said bill, between lines 2 and 3, insert
"SEC. 5. Section 330.5 is added to said code, to read:".

Amendment No. 16

On page 3, line 3, of said bill, strike out "SEC 5", and insert "330 5".

Amendment No. 17

On page 3, lines 10 and 11, of said bill, strike out "Section 1 hereof", and insert "Section 330.1 of this code".

Amendment No. 18

On page 3 of said bill, between lines 16 and 17, insert
' SEC. 6. Section 330.6 is added to said code, to read :".

Amendment No. 19

On page 3, line 17, of said bill, strike out "SEC. 6", and insert "330 6".

Amendment No. 20

On page 3, line 17, of said bill, strike out "this statute", and insert "Sections 330.1 to 330 5, inclusive, of this code".

Amendment No. 21

On page 3, line 20, of said bill, strike out "upon", and insert "in".

Amendment No. 22

On page 3, line 21, of said bill, strike out the first "in", and insert "from".

Amendments read, and adopted.
Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred.

Assembly Bill No. 1904
Assembly Bill No 1463

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred

Assembly Bill No 2059

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred

Assembly Bill No 820
Assembly Bill No 2054

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR SPEAKER. Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 74

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1071
Assembly Bill No. 28

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2307
Assembly Bill No. 2806
Assembly Bill No 3111

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred · Assembly Bill No. 533

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 1616
Assembly Bill No. 2646

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

FLETCHER, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER · Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2577
Assembly Bill No 2587
Assembly Bill No 2588
Assembly Bill No 2594
Assembly Bill No. 2579

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2582
Assembly Bill No. 2595

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2835

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1227
Assembly Bill No. 2455

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2856

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1960
Assembly Bill No. 2570
Assembly Bill No. 2572

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2361
Assembly Bill No. 3108

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bills Nos. 2361 and 3108 ordered re-referred to Committee on Fish and Game.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2576
Assembly Bill No. 2599

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 138	Assembly Bill No. 1577
Assembly Bill No. 279	Assembly Bill No. 1894
Assembly Bill No. 551	Assembly Bill No. 1934
Assembly Bill No 1004	Assembly Bill No 1935
Assembly Bill No. 1009	Assembly Bill No. 2157
Assembly Bill No. 1010	Assembly Bill No 2804
Assembly Bill No. 1109	Assembly Bill No 3090
Assembly Bill No. 1492	

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos 138 and 1109 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 279 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 3090 ordered re-referred to Committee on Livestock and Dairies.

Assembly Bills Nos 551, 1009, 1004, 1010, 1492, 1934, 1935, 2157, and 2804 ordered re-referred to Committee on Public Health.

Assembly Bills Nos. 1577 and 1894 ordered re-referred to Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 92	Assembly Bill No. 1767
Assembly Bill No 1132	Assembly Bill No. 2779

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bills Nos 92, 1767, and 2779 ordered re-referred to Committee on Agriculture.

Assembly Bill No 1132 ordered re-referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 98	Assembly Bill No 920
Assembly Bill No. 918	Assembly Bill No 3099

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 600	Assembly Bill No. 1287
Assembly Bill No 607	Assembly Bill No 1755
Assembly Bill No. 903	Assembly Bill No. 1793
Assembly Bill No. 904	Assembly Bill No 1794
Assembly Bill No. 905	Assembly Bill No 2018
Assembly Bill No 906	Assembly Bill No 2055
Assembly Bill No 917	Assembly Bill No. 2063
Assembly Bill No. 924	Assembly Bill No 2064
Assembly Bill No 977	Assembly Bill No 2066
Assembly Bill No. 992	

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 217
Senate Bill No. 874
Senate Bill No. 1330

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Wm. S. Briscoe, Everett D. Boynton, and R. G. Watts of Santa Monica.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Lowell Jessen of Turlock.

On request of Mr. Evans and Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Rufus B. von Klein Smid of Los Angeles.

On request of Messrs. Waters and Burke and the Republican members, the usual courtesies of the Assembly for this day were unanimously extended to McIntyre Faries, Republican National Committeeman from California, of Los Angeles.

On request of Mr. Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Quinn, Mrs. Demeter, Mrs. Frazier, and Mrs. Yelverton, guardians of Girl Scout Troop 175 of Oakland, and the following members: Joanne Bruno, Barbara Conard, Carolyn Demeter, Margaret Dennis, Carolyn Dielman, Jean Dynan, Peggy Fitzgerald, Judy Frazier, Sandra Gerbo, Ann Goebel, Mary Hennessy, Vivian Hunt, Elizabeth Jansse, Patsy Kennedy, Carol Kogler, Mary Langer, Barbara Libbey, Carmaletta Peterson, Toni Pink, Barbara Pizzagoni, Patsy Quinn, Barbara Reid, Marie Ann Richit, Rita Mae Ruckert, and Beverly Yelverton.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Gene McGowan and Bill Glass of Berkeley.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Vernon Nichols of Rumsey, Wallace Cassel and Rance Nichols of the Rumsey School.

ADJOURNMENT

At 12.20 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 10 a.m., Monday, May 2, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTIETH LEGISLATIVE DAY

ONE HUNDRED TWENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, May 2, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Spirit of Beauty: We begin this merry month of May celebrated in history with the May Pole, with the hanging of May baskets and the scattering of flowers

Month of the richest and loveliest vegetation, of trees putting forth their buds, of the sap starting in the great trees

Of the opening of the fresh violets, of the lily of the valley and the poppy, of the fragrant lilac and the red bud

Month resplendent with beauty that shines from every horizon and glistens in dewy gardens, where all nature smiles

Grant now that the May-dawn enkindle within us some note of the rapture and laughter of spring that resounds in the music of the birds, of the meadow lark and scarlet tanager.

Even in dark hours may flower and bird song awaken our zest for living and power to perform our duties with cheerful ease and goodwill —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Grant, further reading of the Journal of the previous legislative day dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Erwin.

Mr. Hinckley, on motion of Mr. Kirkwood.

Mr. Collier, on motion of Mr. Conrad.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Stewart, on motion of Mr. Waters.

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

Mr. Ralph C. Dills, on motion of Mr. Waters.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

ASSEMBLY, CALIFORNIA LEGISLATURE,
April 29, 1949

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
State Capitol Building, Sacramento, California

DEAR MR. OHNIMUS: As Chairman of the Assembly Fact-Finding Committee on Highways, Streets, and Bridges, I hand you herewith documents prepared as preliminary and supplementary reports of the committee and its final report, which are to be printed in quantities of 500 of each at the expense of the committee.

Also, I hand you herewith, accompanying each volume, a letter to the State Printer authorizing said publication and the charge against the funds of the committee, which expires as of midnight of April 30, 1949. This transmittal, be it noted, being previous to that date.

Very truly yours,

ERNEST R. GEDDES, Chairman
Fact-Finding Committee on
Highways, Streets, and Bridges

By the Chief Clerk:

A communication from the Commissioner of Public Roads, Public Works Administration, Federal Works Agency, Washington, D. C., relative to the possible refusal of Congress to assist in a postwar project of construction of Mammoth Pass Road in California as requested in Assembly Joint Resolution No 18, was received, and ordered referred to the Committee on Transportation and Commerce.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 74

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Constitutional Amendment No. 74 ordered re-referred to Committee on Constitutional Amendments.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 332
Assembly Bill No 590
Assembly Bill No. 973
Assembly Bill No 1136
Assembly Bill No. 1175
Assembly Bill No 1563
Assembly Bill No. 1589
Assembly Bill No. 1761
Assembly Bill No. 2034
Assembly Bill No 2156

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 332 ordered re-referred to Committee on Judiciary

Assembly Bills Nos 590, 973, 1589, 1761, 2034, and 2156 ordered re-referred to Committee on Public Health.

Assembly Bills Nos 1136 and 1563 ordered re-referred to Committee on Fish and Game

Assembly Bill No. 1175 ordered re-referred to Committee on Social Welfare.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 643
Assembly Bill No. 1067
Assembly Bill No. 1665
Assembly Bill No 1669
Assembly Bill No 1685
Assembly Bill No. 2198
Assembly Bill No. 2339
Assembly Bill No. 2493
Assembly Bill No. 2947
Assembly Bill No 2969
Assembly Bill No. 3084
Assembly Bill No 3119

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 643, 1067, 1665, 1685, 2198, 2947, and 3119 ordered re-referred to Committee on Municipal and County Government.

Assembly Bills Nos. 1669 and 3084 ordered re-referred to Committee on Military Affairs.

Assembly Bills Nos 2339 and 2493 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 2969 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2742
Assembly Bill No. 2762

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2742 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 2762 ordered re-referred to Committee on Public Health.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 573

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 573 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 162
Assembly Bill No. 1926
Assembly Bill No 2367
Assembly Bill No. 2767

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 365
Assembly Bill No. 368
Assembly Bill No 688
Assembly Bill No. 2103
Assembly Bill No. 2902
Assembly Bill No. 3113

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 570
Assembly Bill No. 1630
Assembly Bill No. 2799

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 243—An act to amend Sections 31452 and 31595 of, and to add Sections 31601, 31602, 31603, 31604 31605, 31606, and 31607 to, the Government Code, relating to county employees retirement systems, authorizing the investment of the funds of such systems, and prescribing the limitations upon such investments, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 773—An act to amend Sections 52 and 53 of the Labor Code, relating to the Department of Industrial Relations;

Assembly Bill No. 876—An act to amend Section 1011.5 of the Fish and Game Code, relating to sharks,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2052—An act to amend Section 19142 of the Government Code and to add Section 19369, relating to transfers of state employees;

Assembly Bill No. 2295—An act to amend Section 974 of the Municipal Utility District Act, relating to municipal utility districts, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 882—An act to amend Sections 990 and 990 1 of the Fish and Game Code, relating to commercial fishing licenses;

Assembly Bill No. 1073—An act to add Sections 4941.1 and 4941.2 to, and to amend Section 4951 of, the Education Code, relating to government of unified school districts and the election of superintendents of schools for such districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1319—An act to amend Sections 3.06 and 5.02 of the Building and Loan Association Act, relating to shares and investment certificates as legal investments;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1354—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code relating to commitments to the Youth Authority;

Assembly Bill No. 1355—An act to amend Section 604 of the Welfare and Institutions Code, relating to probation committees;

Assembly Bill No. 2041—An act to amend Section 18932 of the Government Code, relating to age requirements for civil service examinations,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2042—An act to amend Section 18938 of the Government Code, relating to state civil service examinations;

Assembly Bill No. 2048—An act to amend Section 19055 of the Government Code, relating to certification of state employment lists;

Assembly Bill No. 2050—An act to amend Section 18021 of the Government Code, relating to overtime work in state civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of April, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 214—An act to amend Section 741 of the Fish and Game Code, relating to sardines;

Assembly Bill No. 871—An act to amend Section 1011 of the Fish and Game Code, relating to licenses, declaring the urgency thereof, to take effect immediately,

Assembly Bill No. 872—An act to add Section 492 5 to the Fish and Game Code, relating to fish;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 10 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 881—An act to amend Section 1010 of the Fish and Game Code, relating to licenses, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1352—An act to add Section 1752 8 to the Welfare and Institutions Code, relating to the custody, deposit, and investment of funds in the possession of the Director of the Youth Authority and belonging to persons committed to the Youth Authority and to the disposition of the increment thereof,

Assembly Bill No. 2044—An act to amend Section 19300 of the Government Code, relating to establishment of performance standards for state employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 10 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2046—An act to add Section 19143 to the Government Code, relating to counting of prior state service for layoff, sick leave and vacation purposes;

Assembly Bill No. 2049—An act to amend Section 19058 of the Government Code, relating to temporary appointments in state service;

Assembly Bill No. 2051—An act to amend Section 18024 of the Government Code, relating to attendance and overtime work in state civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 10 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2053—An act to amend Sections 18101 and 18103 of the Government Code, relating to sick leave,

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 10 a m

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 29, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 792
Senate Bill No. 1018
Senate Bill No. 1413
Senate Bill No. 1449

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 792—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Referred to Committee on Judiciary.

Senate Bill No. 1018—An act to amend Section 28129 of the Government Code, and to amend Section 429 of the Education Code, relating to counties and increasing the salaries of certain county officials.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1413—An act authorizing suits against the State to quiet title against it to swamp or overflowed lands by certain persons entitled to the benefits of Section 7523 of the Public Resources Code.

Referred to Committee on Judiciary.

Senate Bill No. 1449—An act to amend Section 737r of the Political Code, relating to salary of the Judge of the Superior Court of Lassen County.

Referred to Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 526—An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Monica upon certain trusts and

conditions,'' relating to the use of certain tidelands and submerged lands granted to the City of Santa Monica.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2578—An act to amend Section 987a of the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2583—An act to amend Section 149 of the Penal Code, relating to punishment of public officers for assaults

Bill read second time, and ordered engrossed.

Assembly Bill No. 2591—An act to amend Section 1041 of the Penal Code, defining issue of fact.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2592—An act to amend Sections 858 and 987 of the Penal Code, relating to the duty of magistrates and courts to inform defendants of their right to counsel, and to the assignment of counsel.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2596—An act to amend Section 403 of the Penal Code, relating to disturbing public meetings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2597—An act to repeal Section 645 of the Penal Code, relating to the prevention of procreation of persons convicted of carnal abuse of females under the age of 10 years.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2835—An act to amend Sections 18737 and 18742 of, and to add Sections 18736.5 and 18736.6 to the Business and Professions Code, relating to boxing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "five", and insert "six".

Amendment No. 2

On page 1, line 7, of said bill, strike out "six", and insert "eight".

Amendment No. 3

On page 1, line 11, of said bill, strike out "six", and insert "eight".

Amendment No. 4

On page 1, line 12, of said bill, strike out "eight", and insert "ten".

Amendment No. 5

On page 2, line 6, of said bill, strike out "18 feet by 18 feet", and insert "not less than 18 feet square nor more than 24 feet square".

Amendment No. 6

On page 2 of said bill, strike out lines 7, and insert "least two inches of padding and such padding shall be inspected by a representative of the commission before every boxing program and the condition noted in his report to the commission"

Amendment No. 7

On page 2, line 11, of said bill, strike out the second "in".

Amendment No. 8

On page 2 of said bill, strike out lines 12 and 13, and insert "this State. This information shall be endorsed on the card by the inspector after the licensee has completed his bout for that particular time. This card must be in the possession of the licensee and shown to the inspector before the licensee shall be permitted to participate in the contest."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Burke asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2577—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on March 30, 1949, strike out ", except that no", and insert ". No".

Amendment No. 2

On page 1, line 22, of said bill, after the first "any", insert "other".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2587—An act to amend Sections 1089 and 1098 and to add Section 1070.5 to the Penal Code, relating to the number of challenges in criminal cases.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on March 30, 1949, strike out "die or become ill," and insert "dies or becomes ill".

Amendment No. 2

On page 2, line 17, of said bill, strike out "a juror".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2588—An act to amend Sections 1123 and 1140 and to repeal Section 1139 of the Penal Code, relating to discharge of jurors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 30, 1949, strike out the comma.

Amendment No. 2

On page 1, line 5, of said bill, strike out "a juror".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2594—An act to amend Section 1181 of the Penal Code, relating to new trials.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on March 30, 1949, strike out the comma.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2579—An act to amend Section 995 of the Penal Code, and to add Section 999a thereto, relating to proceedings after indictment.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on March 30, 1949, after "cause", insert "or that the defendant had been committed on an information without reasonable or probable cause"

Amendment No. 2

On page 1, line 21, of said bill, strike out the comma.

Amendment No. 3

On page 1, line 23, of said bill, after "cause", insert "or that the defendant had been committed on an information without reasonable or probable cause".

Amendment No. 4

On page 1, line 25, of said bill, after "returned", insert "or the information is filed".

Amendment No. 5

On page 2, line 5, of said bill, after "indictment", insert "or commitment".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1071—An act to amend Section 7401 of the Revenue and Taxation Code, relating to taxes on motor vehicle fuel.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7401", and insert "Sections 7401 and 7457".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "taxes on motor vehicle fuel", and insert "motor vehicle fuel license taxes, providing for special license tax refund procedure for distributions of liquefied petroleum gas and providing that this act shall take effect immediately".

Amendment No. 3

On page 1, line 5, of the printed bill, after "gasoline", insert "and liquefied petroleum gas".

Amendment No. 4

On page 1, lines 12 and 13, of the printed bill, strike out "and security in the maximum amount", and insert "of one hundred thousand dollars ($100,000) as".

Amendment No. 5

On page 1 of the printed bill, strike out lines 21 and 22

Amendment No. 6

On page 1 of the printed bill, after line 28, insert

"SEC. 2. Section 7452 of the Revenue and Taxation Code is amended to read:

7452. Applications shall be made on forms to be prescribed, prepared, and furnished by the board. *If an applicant for a license applies therefor to become authorized to acquire liquefied petroleum gas exempt from the license tax in pursuance of subsection (a) of Section 7401, and is not engaged in refining, manufacturing, producing, blending or compounding other motor vehicle fuel the board may limit the authorization granted by the license issued to such person to transactions in liquefied petroleum gas.*

SEC. 3. Upon the effective date of a license as a distributor of motor vehicle fuel issued to a person dealing in liquefied petroleum gas, who thereby will become qualified to acquire liquefied petroleum gas in pursuance of Section 7401(a) of the Revenue and Taxation Code on a basis exempt from the motor vehicle fuel license tax, the distributor so licensed shall thereupon be liable for the license tax with respect to all distributions of liquefied petroleum gas made by him, without regard to the fact that, prior to the effective date of the license, he may have acquired the liquefied petroleum gas at a price inclusive of motor vehicle fuel tax reimbursement.

SEC. 4. All persons owning and possessing liquefied petroleum gas, who have paid indirectly motor vehicle fuel license tax with respect thereto through the addition of the amount of the license tax to the price of the fuel by their vendors, and who qualify as distributors of motor vehicle fuel to whom liquefied petroleum gas may be sold without payment of the license tax, shall be reimbursed and repaid the amount of the tax so paid by them under the procedure prescribed in Article 1, Chapter 7, Part 2 of the Revenue and Taxation Code. For the purposes of such refund the total amount of such fuel owned and possessed by such persons when their licenses as distributors become effective shall be the basis upon which the amounts of refund are to be computed. If a claimant certifies that all of the liquefied petroleum gas the license tax on which is the subject of the claim is to be held by the claimant solely for the purpose of resale in the regular course of business in the form of tangible personal property, and if the Controller is satisfied as to the accuracy of the certification, he shall not make any deduction on account of sales tax as provided in Section 6357 of the Revenue and Taxation Code from the amount of refund otherwise allowable. All applications for refund hereunder shall be filed in duplicate with the Controller within thirty days from the effective date of the license as a distributor issued to the claimant. Any application filed after that time shall not be considered for any purpose by the Controller, the State Treasurer or the State.

SEC. 5. Any person who becomes a duly licensed distributor of motor vehicle fuel to whom liquefied petroleum gas may be distributed without liability for the license tax imposed by this part who has theretofore disposed of liquefied petroleum gas owned and possessed by him under such circumstances as to entitle him to a refund of the amount of the license tax added to the price at which he purchased the liquefied petroleum gas must file his application for refund of the license tax with the Controller within ninety days from the effective date of the issuance of a license as

distributor to that person, or within twelve months from the date of his purchase of the liquefied petroleum gas, whichever period first expires.

SEC. 6. This act, inasmuch as it provides for a tax levy, shall, under the provisions of Section 1, Article IV, of the Constitution, take effect immediately; provided, however, that no license as a distributor of motor vehicle fuel, issued in pursuance hereof to a person who would thereby become qualified to acquire liquefied petroleum gas on a basis exempt from the motor vehicle fuel license tax under Section 7401(a) of the Revenue and Taxation Code as hereby amended, shall become effective prior to October 1, 1949."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 28—An act to add Section 1.5 to Chapter 1 of the Statutes of the 1938 Extraordinary Session of the Legislature, exempting from all taxation the property and bonds of certain corporations under the Limited Dividend Housing Corporations Act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out lines 25 and 26, and insert "tion 1c of Article XIII of the Constitution."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 820—An act to amend Section 26060 of the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 2 of the printed bill, after line 31, insert

"The authority granted under this section shall terminate January 1, 1954."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2054—An act to add Section 19261 to the Government Code, relating to the powers and duties of the State Personnel Board.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 6, of the printed bill, after "employees.", insert

"Nothing in this section or in the standards established thereunder shall discriminate against treatment by prayer or spiritual means nor require physical examination of any employee who files with the board an affidavit setting forth that he depends exclusively upon prayer for healing in accordance with the teachings of a bona fide religious sect, denomination or organization and that he is to the best of his knowledge and belief in good health and that he claims exemption on such grounds, except that

when there is probable cause to believe that such employee is not physically able to perform the duties of his employment, the board may require a physical examination of the employee sufficient to indicate whether or not he is able to perform the duties of his employment."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2136—An act to amend Section 307 of the Vehicle Code, relating to suspension of drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In the title of the printed bill, strike out "Section 307", and insert "Sections 298, 307, and 502".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "307", and insert "298".

Amendment No. 3

On page 1 of the printed bill, following line 2, insert

"298. Surrender of Revoked Licenses. Whenever any person is convicted of any offense for which this code makes mandatory the revocation of the license or licenses of such person by the department, or is convicted under Section 502, *unless the court recommends that there be no license suspension*, the privilege of such person to operate a motor vehicle is suspended until the department takes the action required by this code, and the court in which such conviction is had shall require the surrender to it of all operator's and chauffeur's licenses issued to the person so convicted and the court shall within 10 days after such conviction forward the same with the required report of such conviction to the department.

SEC. 2. Section 307 of the Vehicle Code is amended to read:".

Amendment No. 4

On page 1, line 10, of the printed bill, after "days," strike out "unless the court recom-"; and strike out line 11, and insert "unless the court suspends the license under the authority of Section 292 or recommends no suspension."

Amendment No. 5

On page 2, line 13, of the printed bill, following "shall", insert ", unless the court recommends to the department that there be no license suspension,".

Amendment No. 6

On page 2 of the printed bill, following line 15, insert

"SEC. 3. Section 502 of the Vehicle Code is amended to read:

502. When Person Driving Under Influence of Liquor Guilty of Misdemeanor.

(a) It is unlawful for any person who is under the influence of intoxicating liquor to drive a vehicle upon any highway. Any person convicted under this section shall be punished upon a first conviction by imprisonment in the county jail for not less than thirty days nor more than six months or by fine of not less than fifty dollars ($50) nor more than five hundred dollars ($500) or by both such fine and imprisonment and upon a second or any subsequent conviction by imprisonment in the county jail for not less than ninety days nor more than one year or by a fine of not less than two hundred dollars ($200) nor more than one thousand dollars ($1,000) or by both such fine and imprisonment.

(b) Whenever any person is convicted of a violation of this section it is the duty of the judge or justice, *unless the court recommends that there be no license suspension*, to require the surrender to him of any operator's or chauffeur's license of such person and to forward the same to the department with the abstract of conviction as provided in Section 744 hereof, and the department shall suspend the driving privilege of any person so convicted as provided in Section 307."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 631—An act to amend Sections 641 and 650.6 of the Vehicle Code, relating to lights and reflectorized materials on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2 of the printed bill, after line 42, insert

"(e) Notwithstanding the provisions of subsection (c) of this section, any mechanical signal device required on a vehicle as provided in Section 545 shall be self-illuminated when in use at the times mentioned in Section 618 hereof under the following conditions.

1 These requirements shall apply to new vehicles first registered in this State after January 1, 1950 under the conditions and at the times above mentioned.

2 With reference to any vehicle first registered before January 1, 1950 which is equipped with a mechanical signal device in compliance with Section 545 and subsection (c) above, whenever such signal device is to be replaced for any reason it shall only be replaced by a self-illuminated device when in use during the times mentioned in Section 618 hereof."

Amendment No. 2

On page 1, line 10, of said bill, after "colors", insert "or for the delineation of the vehicle".

Amendment No. 3

On page 1 of said bill, strike out lines 12 and 13, and insert

"3 Name, legend, trademark, trade name or insignia of the manufacturers, seller, exclusive contractor or registered owner of the vehicle, provided that the name, legend, trademark, trade name or insignia on the rear shall not exceed fifteen (15) square feet in area, and provided further that space for the use of such material on any vehicle shall not be leased, rented or donated for advertising purposes."

Amendment No. 4

On page 1 of said bill, strike out line 20, and insert "traffic control device or signal, or street or highway regulatory, warning, directional or informational sign."

Amendment No. 5

On page 2, line 36, of said bill, following "device", and before the period, insert "nor any street or highway regulatory, warning, directional or informational sign".

Amendment No. 6

On page 2 of said bill, between lines 38 and 39, insert

"Such lamps or devices shall be limited in size to an area of 720 square inches and shall be installed only on vehicles operated either wholly within business or residential districts or municipalities, or between business districts, residential districts and municipalities in close proximity."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1068—An act to add Section 212 to the Health and Safety Code, and to amend Section 269 of the Vehicle Code, relating to refusal or revocation of operator's or chauffeur's licenses and to the reporting of cases of neurosyphilis to the State Department of Motor Vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 20, of the printed bill, strike out "clearance", and insert "a report".

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 to 10, and insert

"The State Department of Motor Vehicles may peremptorily suspend the driver's license of any person who is diagnosed as having neurosyphilis and such suspension shall remain in effect until the person secures a certificate from the local health officer or an authorized representative of the State Department of Public Health showing that the condition does not, in his opinion, affect the person's ability to safely operate a motor vehicle upon the highways, or until the Department of Motor Vehicles has determined that such person can operate a motor vehicle safely."

Amendment No. 3

On page 2, line 29, of the printed bill, following "(f)", insert "Who has neurosyphilis which, in the opinion of the Department of Motor Vehicles, affects his ability to safely operate a motor vehicle upon the highways.

(g)".

Amendment No. 4

On page 2 of the printed bill, strike out lines 34 to 39, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1914—An act to amend Section 339 of the Code of Civil Procedure, relating to limitation upon the period during which actions may be brought.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, before the comma, insert "and to add Section 337.6 thereto".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 337.6 is added to the Code of Civil Procedure, to read:

337.6. Notwithstanding the provisions of Section 337.5 of this code actions may be brought on bonds or coupons as set forth in subsection 2 of said section, against which the statute of limitations ran on or after August 27, 1937, provided such actions are brought on or before June 30, 1951. Upon presentation for payment they shall be registered and payment shall not be made thereon until the next fiscal year following presentation unless available funds are sufficient to first pay obligations which are due or will become due from the same fund during the fiscal year of presentation and during the next succeeding six months. Interest shall not be paid on bonds or coupons registered for the purpose of this section."

Amendment No. 3

On page 1 of said bill, between lines 1 and 2, insert

"SEC. 2. Section 339 of the Code of Civil Procedure".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1227—An act to amend Section 64 of the Alcoholic Beverage Control Act, relating to the possession, consumption, sale, giving, and delivery of alcoholic beverages

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, in line 3, of the printed bill, as amended in the Assembly on April 25, 1949, strike out "possesses or consumes, or who", and insert "consumes,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 2455—An act to add Section 59.6 to the Alcoholic Beverage Control Act, relating to license privileges and hours of sale.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 8, line 52, of the printed bill, strike out "other than beer", and insert ", other than beer or wine,".

Amendment No. 2

On page 9, line 4, of the printed bill, after "beer", insert "or wine".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 2856—An act to amend Section 2 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 4 of the printed bill, strike out lines 1 to 5, inclusive, and insert "other than beer, to the public for consumption on the premises, and which are not equipped and maintained for the sale and service of meals to the public, and in which meals are not actually sold and served to the public."

Amendment No. 2

On page 4, lines 10 and 11, of said bill, strike out "which do a substantial business in food", and insert "whose food sales amount to at least 20 percent of the total receipts from food and liquor".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 1616—An act to amend Section 56 of the Unemployment Insurance Act, relating to trade dispute disqualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 to 13, inclusive, and insert "a trade dispute shall not be eligible for benefits for unemployment and no such benefits

shall be payable to him for a period of seven consecutive weeks during which he continues out of work by reason of the fact that the trade dispute is still in active progress in the establishment in which he was employed. Upon the expiration of such seven-week period or upon the termination of the trade dispute whichever occurs first the ineligibility due to such trade dispute shall cease."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 2646—An act to amend Section 4650 and to repeal Section 4652 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1949, after "amend", strike out "Section 4650 and to repeal Section 4652 of", and insert "Sections 4650 and 4652 of, and to add Section 4650.5 to, ".

Amendment No. 2

On page 1, line 7, of said bill, after "than", strike out "forty-two", and insert "forty-nine".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 8, of said bill, strike out "If the injury"; and strike out lines 9 to 14, inclusive, and insert

"SEC. 2. Section 4650.5 is added to said code, to read:

4650.5. If the injury causes permanent disability, disability payments shall commence from the date the disability becomes permanent, or the last payment for temporary disability whichever date occurs first.

SEC. 3. Section 4652 of said code is amended to read:

4652. [Irrespective of the length of the period of disability,] No disability payment is recoverable for the disability suffered during the first seven days after the employee leaves work as a result of the injury[.] , *except as otherwise provided in Section 4650 of the code.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 2307—An act to amend Section 6702 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 6014, 6015, and".

Amendment No. 2

On page 1, line 1, of said bill, strike out "6702", and insert "6014".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 2, insert

"6014. 'Seller' includes every person engaged in the business of selling tangible personal property *of a kind* the gross receipts from the retail sale of which are required to be included in the measure of the sales tax.

6015. 'Retailer' includes:

(a) Every *seller who makes any retail sale or sales of tangible personal property, and every* person engaged [in the business of making sales at retail or] in the business of making retail sales at auction of tangible personal property owned by the person or others.

(b) Every person engaged in the business of making sales for storage, use, or other consumption or in the business of making sales at auction of tangible personal property owned by the person or others for storage, use, or other consumption.

(c) Any person conducting a race meeting under the provisions of [Chapter 769, Statutes of 1933, as amended] *Chapter 4 of Division VIII of the Business and Professions Code,* with respect to horses which are claimed during such meeting.

When the board determines that it is necessary for the efficient administration of this part to regard any salesmen, representatives, peddlers, or canvassers as the agents of the dealers, distributors, supervisors, or employers under whom they operate or from whom they obtain the tangible personal property sold by them, irrespective of whether they are making sales on their own behalf or on behalf of such dealers, distributors, supervisors, or employers the board may so regard them and may regard the dealers, distributors, supervisors, or employers as retailers for purposes of this part.

SEC. 2. Section 6702 of said code is amended to read:".

Amendment No. 4

On page 1, line 12, of said bill, after "quent," insert "or person against whom a determination has been made which remains unpaid," and after "delinquent", insert "or such person".

Amendment No. 5

On page 1, line 16, of said bill, strike out "or subsequently acquired by them,".

Amendment No. 6

On page 1, line 17, of said bill, strike out "90", and insert "60".

Amendment No. 7

On page 1, line 22, of said bill, strike out ", and thereafter shall"; strike out lines 23, 24, 25, and 26, and insert ". If, during the effective period of the notice to withhold, any person so notified makes any transfer or disposition of the property or debts required to be withheld hereunder, to the extent of the value of the property or the amount of the debts thus transferred or paid he shall be liable to the State for any indebtedness due under this part from the person with respect to whose obligation the notice was given."

Amendment No. 8

On page 2, line 1, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2806—An act to amend Section 6006.5 of the Revenue and Taxation Code, relating to the application of sales and use taxes to occasional sales.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out lines 8 to 10, inclusive, and insert ", provided such sale is not one of a series of sales sufficient in number, scope and character to constitute an activity requiring the holding of a seller's permit;

(b) A sale by a seller, otherwise than in the regular course of a business for which he is required to hold a seller's permit, of property held for use or used by him either in the course of a business for which he is required to hold a seller's permit or of other activities in which he is engaged;".

Amendment No. 2

On page 1, line 11, of said bill, strike out "(b)", and insert "(c)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 3111—An act to amend Sections 13981 and 13982 of the Revenue and Taxation Code and to add Article 3, comprising Sections 14001 through 14009, inclusive, to Chapter 6, Part 8, Division 2 of said code, relating to inheritance tax deductions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 13981 and 13982 of", and insert "add Section 13805 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "and to add Article 3, comprising Sections"; strike out line 3 of the title; and in line 4, strike out "sion 2 of said code".

Amendment No. 3

In line 4 of the title of said bill, strike out "deductions", and insert "exemptions".

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 13805 is added to the Revenue and Taxation Code, to read:

13805. Property equal in amount to the clear market value of one-half of the decedent's separate property shall, if transferred to the spouse of the deceased, be exempt from the tax imposed by this part. A transfer, for the purpose of this exemption, shall include a transfer of property in trust with a general or limited power of appointment in the surviving spouse. This exemption shall be in addition to all other exemptions."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out pages 2 to 5, inclusive.

Amendents read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1904—An act to add Section 21251.3 to the Government Code, revising the benefits payable with respect to certain classes of retired members, in connection with the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 20921.1 to the Government Code, relating to contributions in the State Employees' Retirement System for federal service."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive, and insert

"SECTION 1. Section 20921.1 is added to the Government Code, to read:

20921.1. If the United States Government pays to the State of California or to an agency of the State, funds equal to contributions which would be required on account of federal service considered as state service on account of members who were never employed by the State prior to rendering federal service, such members shall not be required to come within the descriptions in paragraphs (a), (b), and (c) of Section 20921 in order to have their federal service considered as state service. Contributions which otherwise would be required of the State on account of service credited under this section, shall be made only from funds received from the United States Government. If the total funds so received are less than the contributions required, service credited to each such member shall bear the same ratio to his total federal service, including military service described in Section 20920 (b), that said funds received bear to said contributions required."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1463—An act to amend Section 19361 of the Government Code, relating to transfers of employees in the state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or that it will result in extreme hardship to him", and insert "or that it will result in extreme and undue hardship to him, giving consideration to the needs of the State and possibilities of transferring some other competent employee in the same class"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19577, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal Sections 19501 and 19577, and to add Sections 19583, 19583.1, 19575.5, and 19583.5 of the Government Code, relating to disciplining state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 3, line 25, of the printed bill, as amended, after "employee", insert "is suspended under subdivision (s) of Section 19572 for behavior or acts outside of duty hours, he shall, if he files an answer to the action, be afforded a hearing; or if he".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

SECOND READING OF SENATE BILLS

Senate Bill No. 454—An act to amend Section 5392 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.
Assembly Bill No. 3132, on request of Mr. McCollister.
Assembly Bill No. 1918, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1356—An act to add Section 1767.7 to the Welfare and Institutions Code, relating to the care of paroled persons under the jurisdiction of the Youth Authority.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1356?

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "1767.5", and insert "1767.5."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1356 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—57.
NOES—None

Assembly Bill No. 1356 ordered enrolled.

Assembly Bill No. 671—An act to amend Section 1812 of the Education Code, relating to school district elections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 671?

Amendment No. 1

On page 1, line 4, of the printed bill, after "district", insert "under his jurisdiction".

Amendment No. 2

On page 1, line 7, of said bill, strike out the first "the", and insert "each".

Amendment No. 3

On page 1, line 10, of said bill, after "precinct", insert "in the county or city and county".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 671 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke,

Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 671 ordered enrolled.

Assembly Bill No. 1687—An act to amend Section 24400 of the Health and Safety Code, relating to abandoned excavations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1687?

Amendment No. 1

In line 2 of the title of the printed bill, after "excavations", insert ", declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 7, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Abandoned wells and septic tanks are particularly hazardous to children. The tragic death of Kathy Fiscus, as well as other recent deaths and serious injuries resulting from falling into abandoned excavations, demonstrates the need for immediately effective legislation to eliminate such hazards."

Amendment No. 3

On page 1, lines 3 and 4, of the printed bill as amended in the Senate on April 20, 1949, strike out "or having charge of land on which is located", and insert "land in fee simple or in possession thereof under lease or contract of sale who knowingly permits the existence on the premises of"

Amendment No. 4

On page 1, line 5, of said bill, strike out "passers-by or livestock", and insert "persons legally upon the premises;".

Amendment No. 5

On page 1, line 6, of said bill, after "livestock", insert "and".

Amendment No. 6

On page 1, line 6, of said bill, strike out "it securely," and insert "securely any such dangerous abandoned excavation".

Amendment No. 7

On page 1, line 7, of the printed bill, as amended in the Senate on April 26, 1949, after "tank," insert "cesspool,".

Amendment No. 8

On page 1 of said bill, strike out line 8, and insert "persons legally on the premises, or to minors under the age of 12 years, who fails to".

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—63.

NOES—None.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1687 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger,

Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1687 ordered enrolled.

Assembly Bill No. 1856—An act to amend Section 4001 of the Government Code, relating to public work.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1856?

Amendment No. 1

On page 1, line 4, of the printed bill, after "architect", insert ", or a deputy or other person authorized by any such officer,".

Amendment No. 2

On page 1, line 11, of said bill, after "State", insert a period, and strike out the balance of line 11, and all of line 12.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1856 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1856 ordered enrolled.

Assembly Bill No. 98—An act to amend Sections 26822, 26826, 26828, 26829, 26834, 26838, 26841, 26848, and 26852 of, to repeal Section 26835 and to add Section 26849.1 to, the Government Code, relating to the fees of county clerks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 98?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on March 25, 1949, strike out "On the appearance", and insert "Upon filing the first paper in the action on behalf".

Amendment No. 2

On page 1, line 11, of said bill, strike out ", to be paid"; and strike out line 12, and insert a period.

Amendment No. 3

On page 2, line 24, of said bill, strike out "dollars", and insert "dollar".

Amendment No. 4

On page 2 of said bill, strike out line 30, and insert "four dollars ($4)."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 98 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 98 ordered enrolled.

Assembly Bill No. 918—An act to amend Section 829.5 of the Agricultural Code, relating to experimental containers for fruits, nuts and vegetables.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 918?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 24, 1949, strike out "Section 829.5", and insert "Sections 828.15 and 829.5"

Amendment No. 2

In line 2 of the title of said bill, strike out "experimental".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 828.15 of the Agricultural Code is amended to read:

828.15.	4	Standard 12-basket crate	2⅞	13½	18
	5	Standard crate	4	16	16⅛
	6	Standard crate	4¼	16	16⅛
	7	Standard crate	4½	16	16⅛
	8	Standard crate	4¼	16	16⅛
	9	Standard crate	5, 5¼ or 5½	16	16⅛
	9A	Standard crate	5¾	16	16⅛
	9B	Special crate	4¾	14½	14½

SEC. 2. Section 829.5 of said code is".

Amendment No. 4

On page 2, line 18, of said bill, after "year", insert ", or if no shipments of such product were made by the applicant during the preceding year, then an estimate of the total quantity which such applicant will ship in all types of containers during the current year".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 918 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—63

NOES—None.

Assembly Bill No. 918 ordered enrolled.

Assembly Bill No. 920—An act to amend Section 108 of the Agricultural Code, relating to the control or eradication of pests.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 920?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 17, 1949, after line 25, insert

"The adoption, repeal or rescission of any regulation referred to in this section shall be in accordance with the provisions of Chapter 4, Part 1, Division 3, Title 2 of the Government Code.

No such regulations are valid unless they are clearly consistent with this chapter and are necessary to effectuate the purpose of this chapter and such regulations must conform to a strict interpretation of this chapter. The adoption of such regulations shall create no presumption of their necessity or validity."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 920 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton,

Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 920 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2031—An act to amend Section 428.5 of the Vehicle Code, relating to sale of certain vehicles by lienholder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2481—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.

NOES—Heisinger, Sherwin, and Waters—3.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2068, on motion of Mr. Fleury.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1364:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, April 29, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN

Assembly Bill No. 1364, "An act making an appropriation in augmentation of the appropriation in Item 341 of the Budget Act of 1948, for educational assistance to veterans, Department of Veterans' Affairs, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill provides an additional appropriation for educational assistance to veterans for the balance of the present fiscal year. This matter is one of urgency because as of March 31, 1949, the available funds for educational assistance to veterans are over-encumbered to the extent of $194,690. Additional requests by veterans for educational assistance for the spring semester are still being received. In order to pay these claims it is necessary that this measure be passed by the Legislature before enactment of the Budget Bill.

I therefore recommend consideration of Assembly Bill No. 1364 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Message read.

CONSIDERATION OF ASSEMBLY BILL NO. 1364

Assembly Bill No. 1364—An act making an appropriation in augmentation of the appropriation in Item 341 of the Budget Act of 1948, for educational assistance to veterans, Department of Veterans' Affairs, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1936 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 1936 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1664 HOLD PLACE ON FILE

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 1664 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 106 HOLD PLACE ON FILE

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No. 106 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2480 HOLD PLACE ON FILE

Mr Morris asked for, and was granted, unanimous consent that Assembly Bill No. 2480 be passed on file, and hold its place on file on the next legislative day.

Speaker Pro Tempore Presiding

At 10.40 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1753—An act to amend Section 6727 of the Welfare and Institutions Code, relating to the furnishing of needed clothing or money to patients discharged, paroled, or on leave of absence from state hospitals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1627—An act to add Section 834 to the Welfare and Institutions Code, relating to procedure in the juvenile court concerning minors alleged to have committed violations of law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2480

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2480, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2480

Assembly Bill No. 2480—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of the State Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse,

Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—63

NOES—None.

Motion to Amend Title

Mr Morris moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 25, 1949, after "of", insert "police departments and".

Amendment read, and adopted

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1653—An act to add Section 703 to the Welfare and Institutions Code, to amend Section 1504 of the Penal Code, and to amend Sections 166, 259, and 259a of the Code of Civil Procedure, relating to writs of habeas corpus by or on behalf of minors.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61

NOES—Condon—1

Bill ordered transmitted to the Senate.

Assembly Bill No. 1657—An act to add Section 729.5 to the Welfare and Institutions Code, relating to the protection of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 73—Relative to a study by the Judicial Council of the Juvenile Court of the State and the feasibility of the establishment of a family and children's court.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan,

Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.
NOES—George D. Collins and Luckel—2.

Resolution ordered transmitted to the Senate.

Assembly Joint Resolution No. 36—Relative to securing funds from the Federal Security Agency to pay for an adequate annual audit of the Department of Employment.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—65.
NOES—None.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1344—An act to amend Section 44 of the Public Utilities Act, approved April 23, 1915, relating to public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 976—An act to amend Section 103g of the Code of Civil Procedure, relating to justices of the peace in cities of the second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64.
NOES—Luckel and Rosenthal—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1655—An act to add a Section 1752.1 to the Welfare and Institutions Code, relating to contracts for the extension of services by the Youth Authority to counties.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, after "diagnostic", insert "services".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1659—An act to add Section 1752.15 to the Welfare and Institutions Code, relating to contracts for the extension of services by counties to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1667—An act to amend Section 726 of the Welfare and Institutions Code, relating to the issuance of a citation to appear.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1668—An act to amend Section 17 of the Penal Code, relating to the determination of the degree of offense upon commitment to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 781—An act to amend Section 690 24 of the Code of Civil Procedure, relating to the value of motor vehicle exempt from execution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—63.

NOES—None.

Motion to Amend Title

Mr. Tomlinson moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 27, 1949, after "vehicle", insert "and house trailer".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 528, on request of Mr. Doyle.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 528 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No. 528 be withdrawn from the file, and be re-referred to the Committee on Public Health.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 991—An act to amend Section 2943 of the Penal Code, relating to discharge of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—Coats, Elliott, and Lewis—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1628—An act to add Sections 578.2, 760, 761, 762, 763, and 764 to, and to amend Sections 826 and 827 of the Welfare and Institutions Code, relating to juvenile court procedures with respect to traffic misdemeanors committed by minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Dickey, Clayton A. Dills, Dolwig, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—52.

NOES—Butters, Cooke, Crowley, Dunn, Erwin, Heisinger, Levering, Lowrey, and Maloney—9.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2606

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2606, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2606

Assembly Bill No. 2606—An act to amend Section 6729 of the Welfare and Institutions Code, relating to persons discharged from a state hospital.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2607

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2607, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2607

Assembly Bill No. 2607—An act to amend Section 1664 of the Probate Code, relating to the discharge of a person from a facility of the Veterans Administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher,

Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 252—An act to add Section 7114 to the Health and Safety Code, relating to authorizations for the performance of autopsies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2562—An act to amend Section 273d of, and to add Section 273 to, the Penal Code, relating to wilful corporal injury to wife or child.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, George D. Collins, Condon, Connolly, Cramer, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, and Yorty—43.

NOES—Crowley, Gaffney, Lowrey, McCarthy, and Silliman—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 873—An act to amend Sections 651, 659, 660, 663, 666.5, and 667 of the Fish and Game Code, relating to salmon

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2079—An act to amend Section 802 of the Fish and Game Code, relating to taking of abalones

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—60

NOES—Lowrey, McCollister, Niehouse, Rumford, and Thompson—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 437 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 437 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2558—An act to amend Section 1338 of the Penal Code, relating to notice of conditional examination of witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2561—An act to amend Section 283 of the Penal Code, relating to punishment for bigamy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters Caldecott, Coats, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—65.

NOES—Condon and Lewis—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 2563—An act to amend Section 1335 of the Penal Code, relating to conditional examination of witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher,

Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2564—An act to amend Section 3051 of the Penal Code, relating to persons sentenced for petty theft after felony conviction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2565—An act to amend Sections 157 and 1192 of the Penal Code, relating to the degree of crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2566—An act to amend Section 4550 of the Penal Code, relating to rescues.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.50 a.m., Hon. Sam. L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 2567—An act to amend Section 3704 of the Penal Code, relating to insane persons sentenced to death.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2568—An act to amend Section 1476 of the Penal Code, relating to writs of habeas corpus, and the manner of indicating presentation thereof and the action of the court thereon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2571—An act to amend Section 489 of the Penal Code, relating to the punishment for the crime of grand theft.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2574—An act to repeal Section 681 of the Penal Code as added by Chapter 583 of the Statutes of 1913 and to add Section 2654a to the Penal Code, relating to the punishment and treatment of persons in state, county and city institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2575—An act to amend Section 1260 of the Penal Code, relating to appeals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2570—An act to amend Section 405 of the Penal Code, relating to punishment for riot.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT CORRECTION BE AUTHORIZED

Mr. Tomlinson asked for, and was granted, unanimous consent that the Assembly Journal for Friday, April 29th show, on page 2516, that he was granted a leave of absence for the day because of legislative business elsewhere, and that he did not waive his per diem.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS AND RESIGNATIONS

Speaker Sam L. Collins announced the appointment of Mr. Burke to membership on, and to the chairmanship of, the Committee on Crime and Correction, vice Mr. Price, resigned.

Speaker Sam L. Collins announced the resignation of Mr. Burke as vice chairman and member of the Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2572—An act to repeal Section 496 and to amend and renumber Section 496bb of the Penal Code, relating to buying,

receiving, concealing, or withholding stolen property, and prescribing penalties for violation of the provisions thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2576—An act to amend Sections 27700, 27703, 27705, 27706, 27708, 27709, and 27710, of the Government Code, to add Sections 27705.1 and 27711 thereto, and to repeal Sections 27702 and 27707 thereof, relating to public defenders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2799

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2799, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2799

Assembly Bill No. 2799—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Anderson moved a call of the Assembly.

Motion carried Time, 12 24 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Cooke, Lipscomb, Silliman, and Waters—4.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1846, on request of Mr. Dolwig.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 809, on request of Mr. Conrad.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 809 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Bill No. 809 be withdrawn from the file, and be re-referred to the Committee on Public Health, for purpose of amendment.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 75: By Messrs. Sam L. Collins, Maloney, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—Relative to Michael J. Burns, Third Senatorial District.

Request for Unanimous Consent That All Members Present Be Co-authors on Assembly Concurrent Resolution No. 75

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon Assembly Concurrent Resolution No. 75 as co-authors

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 75, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 75

Assembly Concurrent Resolution No. 75—Relative to Michael J. Burns, Third Senatorial District.

Resolution read, and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY SPEAKER RELATIVE TO ASSEMBLY CONCURRENT RESOLUTION NO. 75 BE PRINTED IN JOURNAL

Messrs. Cramer and Heisinger asked for, and were granted, unanimous consent that the remarks by Speaker Sam L Collins relative to Assembly Concurrent Resolution No. 75 be reduced to writing and printed in the Journal.

REMARKS BY SPEAKER SAM L. COLLINS RELATIVE TO ASSEMBLY CONCURRENT RESOLUTION NO. 75

Despite the fact that he was a Member of the Senate, his interest in this body continued, and almost daily the Speaker pro Tempore or myself, as Speaker, could observe this genial former member seated in the rear of the Assembly Chamber listening to the debate and observing the actions of his former colleagues

His passing will leave a void in the ranks of this body and that of the Senate that may never be filled. No one could serve as long and as faithfully and make the number of friends as did Mike Burns without being so sorely missed.

Unpretentious as he was able, unassuming as he was genial, without striving, he reached this high pinnacle in public esteem.

"Mike prayed not that
Men trembled at
His power of place
And lordly sway,
He only prayed for simple grace
To look his neighbor in the face
Full honestly from day to day
Yield to him his horny palm to hold
He would not pray for gold.

The tanned face, garlanded with mirth
It had the kingliest smile on earth
The swart brow, diamonded with sweat
Had never need of coronet
And so did reach, Dear Lord, to Thee
And did beseech
Thou givest me
The wee cot, and the cricket's chirr
Love, and the glad sweet face of her."

Modest in living, modest in his passing, he attained his stature of grandeur in the hearts of men.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bills Nos. 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, 1823, and 2555, on request of Mr. Brown.

REQUEST FOR UNANIMOUS CONSENT THAT FINAL REPORT OF INTERIM COMMITTEE ON THE JUDICIAL SYSTEM AND JUDICIAL PROCESS BE PRINTED IN JOURNAL

Mr. Brown asked for, and was granted, unanimous consent that the Final Report of the Interim Committee on the Judicial System and Judicial Process be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 88

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 88, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 88

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75 and 76 of the Unemployment Insurance Act, relating to state officers

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on April 1, 1949, after the comma, insert "and Section 22003 of the Education Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 4 of said bill, following line 11, insert

"SEC. 9. Section 22003 of the Education Code is amended to read:

22003. The State Librarian shall be appointed by and hold office at the pleasure of the Governor. He shall receive a salary of [seven thousand five hundred dollars ($7,500)] *nine thousand five hundred dollars ($9,500)* per annum, and before entering upon the duties of his office shall execute an official bond to the State in the penal sum of three thousand dollars ($3,000)."

Amendment No. 3

On page 2, line 42, of said bill, strike out "Director", and insert "Department".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 76: By Mr. Sam L. Collins—Relative to approving amendments to the charter of the City of Huntington Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 186

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 186, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—69

NOES—None

By Mr. Dickey:

House Resolution No. 187

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrant on the Contingent Fund of the Assembly in favor of Arthur A Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same in the sum of two hundred fifty dollars ($250), said amount being for the payment of postage, telegraphing, expressage, and incidental expenses of the Chief Clerk's Office.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 187, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.
NOES—None

By Mr. Dickey:

House Resolution No. 188

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (miscellaneous items and repairs to Assembly)	$912 12
Department of Finance (six table topped racks)	365 96
Department of Finance (shelves for Legislative Bill Room)	13 58
Department of Finance (supplies)	118 22
Department of Finance (4 Remington Rand typewriters)	800 40
A. W. Herron Company (supplies)	2,238 96
Western Manufacturing Company (1 case)	50 20
Pacific Telephone & Telegraph Company (exchange service charges)	8 50
Cascade Towel Supply (towel supply)	59 20

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 188 at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.
NOES—None.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals for Monday, April 25, 1949; Tuesday, April 26, 1949; Wednesday, April 27, 1949; Thursday, April 28, 1949; and Friday, April 29, 1949, be approved, as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 726

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 726, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 726

Senate Bill No. 726—An act to amend Sections 10150.5, 10158, 10176, 10177, 10177.5, 10211, and 10213.5 of, and to add Sections 10161.5, 10150.6, and 10177.6 to the Business and Professions Code, relating to real estate regulations, including licenses and disciplinary action.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 8, of the printed bill, as amended in the Senate on April 1, 1949, after "least", insert "the equivalent of"

Amendment No. 2

On page 3, line 14, of said bill, after "turpitude", insert ", knowledge of which the commissioner did not have at the time of issuing the original real estate license to him".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 727

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 727, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 727

Senate Bill No. 727—An act to amend Sections 10275.5, 10301, 10302, 10331, and 10333.5 of, to add Sections 10275.6, 10284.5, 10302.5, and 10302.6 to, and to renumber and amend Section 104281 of the Business and Professions Code, relating to business opportunity regulations.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 23, of the printed bill, as amended in the Senate on April 1, 1949, after "turpitude", insert ", knowledge of which the commissioner did not have at the time of issuing the original business opportunity license to him".

Amendment No. 2

On page 4, line 19, of said bill, after "least", insert "the equivalent of".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 728

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 728, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 728

Senate Bill No. 728—An act to amend Sections 10376, 10382, 10401, 10402, and 10432.5 of, and to add Sections 10375.5, 10385.5,

10402.5, 10402.6, and 10433 to the Business and Professions Code, relating to cemetery brokerage regulations.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 9, of the printed bill, after "turpitude", insert ", knowledge of which the commissioner did not have at the time of issuing the original cemetery license to him"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 729

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 729, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 729

Senate Bill No. 729—An act to amend Sections 10521, 10561, 10562, 10591, and 10593.5 of, and to add Sections 10515.5, 10524.5, 10562.5, and 10562.6 to, the Business and Professions Code, relating to mineral, oil and gas brokerage.

Bill read third time.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 18, of the printed bill, after "turpitude", insert ", knowledge of which the commissioner did not have at the time of issuing the original mineral, oil and gas license to him".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 1509, on motion of Mr. Hagen.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1371, on request of Mr. George D. Collins.

ANNOUNCEMENTS

Mr. Maloney announced that the Rosary will be recited for the late Senator Michael J. Burns at the Clark, Booth, and Yardley Funeral Home, on H Street between 9th and 10th Streets, tonight, between 7 to 9 p.m. The remains will be removed to Eureka on Tuesday, May 3d, for burial.

Mr. Maloney announced the unfortunate passing of George W. Gaffney, brother of Assemblyman Gaffney, in New York, last Friday.

MOTION THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER

Mr. Maloney moved that the Chief Clerk be instructed to write a letter, on behalf of the Members of the Assembly, to the members of the George W. Gaffney family in Newburgh, New York, and express condolences.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2799

At 1.12 p.m., on motion of Mr. Anderson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, ~~and Assembly Bill No. 2799 refused passage by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, George D. Collins, Condon, Connolly, Cramer, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Nichouse, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—48.

NOES—Babbage, Butters, Coats, Conrad, Crichton, Crowley, Fleury, Grant, Hagen, Hoffman, Levering, Lowrey, McCarthy, Moss, Reagan, Sherwin, Smith, Stanley, Thompson, and Tomlinson—20.]

Notice of Motion to Reconsider Assembly Bill No. 2799

Mr. Anderson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2799 was this day refused passage.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 2799

Mr. Beck asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 2799.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 77: By Mr Coats—Relative to approving amendments to the charter of the City of Oroville, a municipal corporation in the County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 526
Assembly Bill No. 2578
Assembly Bill No. 2583
Assembly Bill No. 2591
Assembly Bill No 2592
Assembly Bill No. 2596
Assembly Bill No. 2597

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1384

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER. Your Committee on Education, to which was referred:

Assembly Bill No. 576

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1484

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 653
Senate Bill No. 674

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 34

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

ANNOUNCEMENTS

Mr. Stanley announced a breakfast meeting, and Republican Caucus, at the Hotel Sacramento at 7.30 a.m., tomorrow morning, Tuesday, May 3d.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Ways and Means
Crime and Correction

Tonight at 8 p.m.—

Finance and Insurance
Subcommittee on Ways and Means on Education

Tomorrow, Tuesday, May 3d, at 8.45 a.m.—

Rules

It was announced that the following committees would not hold meetings today:

Military Affairs
Public Utilities and Corporations

FINAL REPORT OF THE INTERIM COMMITTEE ON THE JUDICIAL SYSTEM AND JUDICIAL PROCESS

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, April 15, 1949

Hon. Sam L. Collins
Speaker of the Assembly

DEAR MR. SPEAKER: Attached herewith is the Final Report of the Interim Committee on the Judicial System and Judicial Process created by House Resolution No. 226, at the 1947 Legislative Session.

Very truly yours,

RALPH M. BROWN, Chairman
WILLIAM H. ROSENTHAL
JULIAN BECK
GEORGE D. COLLINS
T. W. CALDECOTT
DONALD L. GRUNSKY
ARTHUR H. CONNOLLY

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON THE JUDICIAL SYSTEM AND JUDICIAL PROCESS

To the Honorable Sam. L. Collins, Speaker of the Assembly, and to the Members of the Assembly

The Interim Committee on Judicial Process created by House Resolution No. 226 [1] herewith submits a final report.

The committee has held many meetings throughout the State of California, has interviewed leaders, as well as laymen, in all fields in connection with its study of existing civil criminal and procedure laws. At these meetings members of the Supreme, superior and lower courts, constitutional officer, district attorneys, probation officers, attorneys, as well as many members of the public who have presented specific problems to us [2]

The members of this committee have diligently and sincerely worked long hours on the various matters which are set forth in the house resolution. Our committee has accomplished a great deal without much expense to the State; our total expenditure being $8,197.78 Except for one or two instances, the committee has engaged no investigators and we have not hired any experts, but the members have personally looked into each of the problems set forth in this report as well as many others too numerous to mention.

The committee has hoped by its report and its study to be able to attack the problems presented to the regular Standing Judiciary Committee More time has been given to the public on the presentation of their problems. The members of the committee have likewise received a

[1] Exhibit A.
[2] Exhibit B.

valuable insight into these problems and are in a position to assist the regular standing committee when these matters come up for hearing.

Adoptions

The sad side of our investigation was studying adoption. Here is a difficult problem.

Representatives of agencies and others testified on the countless number of parents wanting babies and the lack of such a supply. One home placed 400 children in one year with over 2,000 applications.

Yet, on the other hand, we learned of the many orphans of various ages in foster homes throughout California with little chance of ever being adopted.

How to get the two groups together is the important question

The commitee received a great deal of testimony in connection with present laws for the adoption of children, and particularly the establishment of a children's court (See A. B No 2195 by Assemblyman Rosenthal).

It was proposed to the committee that a central register of all adoptable children through the State be established, that mothers should not be able to withdraw relinquishment without consent of the court, and to provide that children may be declared free of parents even though there is no petition for the adoption of said children.

The committee does not recommend a central register of such children, as we feel there is no way to enforce the same, and feel that the advantages would be minor

The committee heard a great deal of testimony on "Black Market Babies" and find that, in many instances, a mother would actually (in conjunction with a doctor) make arrangements for her unborn child to be born in a hospital under the name of the woman who was adopting this child.

A couple desiring to adopt a baby would make some financial arrangements, amounting to hundreds of dollars, with a doctor who knew of an unwanted expected child. The mother would give birth to the child in a hospital using the foster parents' name. This procedure avoids all types of adoption regulations, and is supposed to exist throughout the southern part of California.

We found that they were selling these babies from $1,000 to $1,800.

Other examples include those foster homes which refuse to let children out for adoption because the homes apparently make more money on the support of these children.

There also appears to be a situation of natural mothers signing releases letting the adoptive parents think they are adopting the child. Later the mother withdraws the relinquishment, unless she can collect a sum from these parents, or then places the child in another home, doing this several times.

In summarizing the whole adoption situation, the fact remains that whether or not the foster parents pay $100 or $1,800 to either the natural mother, the doctor, the black market operators, or adoption organizations, the baby at least gets a much better environment in being with people who want the child as compared with the child being either raised by an unmarried mother or placed in a foster home or orphanage. Naturally, this is not the desired way to handle the problem.

The committee finds that there seems to be a desire on the part of some adoption agencies and state and local welfare departments to discourage and hinder most adoptions. This is done by well-meaning members of those organizations who apparently have the interests of both the child and parents at heart, but the method used is confusing and discouraging to the prospective foster parents anxious to adopt children. Foster homes often keep the child for years as a county charge, and yet the persons desiring to adopt children are unable to obtain them.

The committee recommends the following changes in the adoption laws or changes in present policies:

1. The relinquishments given by the parents or parent, should not be withdrawn without some court protection to the child, the natural parents and the proposed parents.

2. No recommendations as to Assembly Bill No. 2195, setting up a child's court, but that further study should be devoted to this phase.

3. The Department of Social Welfare should speed up adoptions wherever possible, and should have the necessary help.

4. The Department of Social Welfare should protect the interests of the child at all times, rather than to advise the natural parents or the adoptive parents.

5. The Department of Social Welfare should approve adoptions where at least the child will get a much better home and would otherwise be possible.

Auto Accident Commission

Honorable George D. Collins, member of the interim committee presented to the committee his plan for an Automobile Accident Commission similar to the Industrial Accident Commission; that is, a commission would be set up which would hear all automobile accident cases by means of a referee. The commission would determine the question of liability, the amount of medical treatment and hospitalization required and compensation for the person until he is able to return to work. Mr. Collins stated that at the present there are too many ambulance chasers which clutter up the civil courts, that the judgments in many instances are too large, that it is difficult to get proper medical testimony and that in many instances the person guilty of negligence is not financially responsible. He stated the fact that in San Francisco 71 percent of the jury cases are for auto accidents. That it is very expensive to the State considering the payment of the court, the jury, and all attaches.

In Mr. Collins' plan the question of negligence or nonnegligence would not be considered. In other words there would be compulsory automobile insurance and the commission would determine merely whether the victim was injured on the public streets or not.

He stated this would naturally reduce the amount of money now being awarded in such accident cases. It would naturally assist those victims now hurt who can recover nothing because of the lack of insurance or financial responsibility of the negligent person and the inability to locate witnesses, competition with high priced insurance attorneys and perjured testimony.

Mr. Collins would provide for compulsory insurance payment to the injured whether or not he is guilty of contributory negligence or wilful misconduct.

The committee has found it more or less impossible to make any recommendations upon this subject due to the tremendous problem proposed and the need for additional study.

Committee Meeting With the Criminal Law and Procedure Commission

The committee invited the Criminal Law and Procedure Commission to discuss the results of its study on the need of changes in the criminal law. Judge Isaac Pacht, Chairman, and the members of the commission presented a series of subjects such as changes in dual pleas in murder cases, unification of penalties, improving the public defender system in California and many others.

Judge Hartley Shaw, of the Superior Court of Los Angeles, presented his revision of the procedure in the inferior courts. This is a result of many years study and work on this subject.

The committee has introduced many bills on the revisions suggested by the commission including Judge Shaw's revision of the inferior court procedure.

All of the above bills are included in a series commencing with Assembly Bills Nos. 2557 to 2599, inclusive.

By the introduction of these measures it is not to be assumed that the committee approves all of them, either by fact of signing as an author or by the failure to sign. In some cases several bills are included on both sides of some controversial subjects such as the removal of limitations on courts to grant probation, or the elimination of dual trials in insanity trials.

California Aeronautics Act

Mr. Warren Carey, Director of the State Aeronautics Commission testified before the committee as to the need of the restoration of the Guest Liability Law. He reported that this law, which had been on the statute books for many years, was inadvertently repealed when the Legislature created the new Aeronautics Commission. He further discussed the need for a Labor Lien Law similar to the present Automobile Labor Lien Law and the need for an act to make it a felony to take an airplane without the owners' consent, and the need for a law making it a misdemeanor to tamper with or damage an airplane.

The committee makes the following recommendation:

(1) The Guest Act be restored to the present law by urgency legislation.

(2) A Labor Lien Law be adopted similar to the present Automobile Labor Lien Law in the Vehicle Code.

(3) An act be passed to make it a felony to take an airplane without the owners consent and also a crime to tamper with or damage an airplane. (Same as in Vehicle Code.)

These proposals are covered by Assembly Bills Nos. 431, 432, 433, and 434.

The Court System in California

The committee has studied the question of a revision of inferior court system. We have met with the Chief Justice of the Supreme Court of the State of California, the Honorable Phil S. Gibson, members of his staff and many others interested in this problem.

There is a need for a change in the present system. There are over 700 lower courts, with interlocking jurisdiction, one judge presiding over two courts, such as a justice court and a police court, some courts refusing to take certain cases because of self imposed rules, and many other situations which do not promote justice to the public.

The committee has introduced a series of bills, being Assembly Bills Nos. 1814 to 1823, inclusive, and a Constitutional Amendment No. 49, which would create a new justice court below the level of a municipal court, and abolish all city, magistrate, police, Class B and Class A justice courts.

The new justice court would have a jurisdiction up to $500. Municipal courts would be set up in all districts of over forty thousand population, and the Legislature would have control over the number of courts or departments and the salary of the judges. The boards of supervisors would fix the boundaries of the districts and appoint judges to vacancies in the justice court.

Bail Schedules

The committee received certain testimony and information from clerks of municipal courts and judges of those courts, concerning bail schedules.

It was brought to the committee's attention that in many instances the bail schedules were very excessive for minor crimes or that certain judges follow the practice of raising the bail whenever a defendant pleads not guilty and asks for a jury trial.

Retirement of Judges

The committee discussed this problem with Judge Andrew Schottky as the representative for the Judges Conference of California and have generally come to the conclusion that a constitutional amendment should be presented to the Legislature providing for compulsory retirement of judges at the age of 75 with a 50 percent pension, and the State supporting the Retirement Fund up to $30,000. There is approximately $800,000 on hand in the present Retirement Fund which appears to be more than adequate to take care of any retirements at 75 years.[3]

It is also suggested and requested that the Legislature set up a new plan for removing judges from the bench for disability. It is embarrassing for the Governor to have to do this under the present law. Many judges should be retired because of physical disabilities but continue to draw their checks for many months without doing anything in the way of service.

The Courts

The matter of compulsory retirement at 75 has been approved in face of the fact that there are many capable judges over that age.

In a confidential survey among attorneys, it was found that the judges are re-elected in spite of their physical inability and believe above 75 that these judges often have cases which have not been decided by them for a period of months and years and are circumventing the law which requires a sworn statement as to the disposition of all cases before them in order to draw their pay-checks by requiring the attorney to re-submit or re-argue the case. The attorneys are not in a position to

[3] Exhibit C.

object but the clients and public lose respect for the courts when matters are not settled promptly.

The proposed constitutional amendment, Assembly Constitutional Amendment No. 8, would give adequate power to the Judicial Council to assign all judges retired to courts throughout the State so that those judges with ability can be continued in service.

The committee finds that the present method of paying judges throughout the State varied amounts, depending upon the county, from $7,000 to $15,000, is unsatisfactory. All judges of the superior court should receive identical pay and be required to serve throughout the State on the assignment by the Judicial Council. However, this needs more study; though a bill, Assembly Bill No. 2691, has been introduced to classify judges in three classes, paying $15,000, $12,000 and $10,000.

The committee has also considered the possibility of creating superior court judges at large in the various appellate court districts. These judges could be elected on the same basis as appellate court judges and be required to go wherever the Judicial Council might assign them.

District Attorney Holds

Members of the committee were very disturbed over the practice of minors being held by the district attorney as material witnesses. Both in San Francisco and Los Angeles the matter was thoroughly discussed with the helpful cooperation of District Attorney Edmund G. Brown of San Francisco, and William Simpson,[4] Los Angeles District Attorney. In sex cases the district attorney finds it necessary to hold the victim as a witness, because in many instances the girl, if allowed to return home to a usually substandard family, is subject to influence by the defendant charged with the crime.

The defendant is always able to get out on bail, and it is to his interest to have the case continued as long as possible. These girls often are confined in detention homes with other children who are actually delinquent, which creates a very difficult situation.

The committee recommends that the court and the district attorney's office in these particular types of cases should make every effort, where the child is being held as a material witness, to bring the case to a speedy trial, and that, though the defendants rights should be carefully safeguarded, nevertheless, too much harm is done if the child is retained in custody for a period exceeding 30 days The victims of these sex cases should also be made to prevent the requirement that the victim has to tell the story more than the minimum number of times.

The committee also discovered a situation under the holding of men charged with sex offenses. In many instances the defendants plead guilty to a lesser charge—to what is popularly known as a "lewd vag"; in this way their record shows a score of such charges. The law should be changed so that the classification of "vag" does not include the possibility of a plea where a sex case is involved. In this way, the defendant's record will actually show his previous offenses, so that he may be treated accordingly. In too many instances the law enforcement agencies are anxious to get a conviction rather than to take a chance on having to spend money to try the man on the charge that he should legitimately be

[4] Exhibits D and E

charged with. The sooner this is done, the sooner will these sex offenders be clarified for future attention should they ever get in difficulty again.

Walter Gordon, Chairman of the Adult Authority, testified that 80 percent of all convictions are by pleas of guilty, and that two-thirds of this number plead guilty to crimes less than the original charges. This question of compromising between the district attorney, defense counsel, and the courts naturally creates a problem with administration of justice, not only with the public, but with the defendant himself.

Gambling

One of the problems brought to the attention of the committee by its members and reports of the press, was the question of gambling in California, and whether there is need for any changes in the present law.

Our funds have been limited. We have not hired any full time investigators, but have relied on the activities of the members to personally examine into the present situation about which there has been so much discussion.

Our committee has not gone into the fields of organized crime for various obvious reasons, one of which being our lack of funds, and another because this commission has been more than active in this field.

However, we have given everyone desiring to appear before our committee an opportunity to advise us as to the needed changes in present gambling laws as well as present situations now existing.

Bookmaking

Bookmaking is a popular subject. Everyone talks about it like the weather, but no one does anything about it.

We believe that the public is confused about bookmaking, that it cannot understand how it is illegal to bet on horses outside of a legal fence drawn around certain race tracks in California, but perfectly legal to bet on the same horse within this legal fiction. This does have a moral aspect.

While the voters legalized pari-mutuel betting within the confines of certain tracks, nevertheless, the same bettor no doubt, feels that, if he loses a dollar within the tracks, he has lost it just the same as if he had bet through a bookie.

Because of this belief, we find that the bookies exist to take care of the public's demands.

The committee finds that many newspapers, including *Racing Form*, in the State are helpful in furnishing information to the potential bettor. These papers—some of which, by the way, are generally fighting the bookies on the front page—print the entries for tracks all over the United States, and not just the California tracks. Selections and tips are furnished by the papers' own sport writers, plus advertisements by concerns who guarantee to furnish winners. The results of the races for the day before are likewise printed, and if the newspaper is published in the afternoon, the results of the latest races are printed on the front page of that paper.

One question arises: Do the newspapers actually expect that the readers of the sports page are either going to visit the tracks in the East on the day the entries are printed, or to make a bet with some bookie? The

answer is obvious. In other words, the Southern California papers, running entries of Northern California tracks know that no reader will visit any tracks, but must furnish the information to bettors for the bookies.

Now, the committee realizes that quick results of races are important to the bettor. Those bettors in the horse parlors naturally want the results immediately. These persons bet on whatever horse they believe may be a winner without much previous knowledge, and want the results of the race as soon as possible so that they can rebet their winnings, if any, on the next race. This is, in effect, a lottery.

While the existence of such parlors is important to certain groups of bettors, yet the number of bookies arrested in the various cities for making books on the street and in the bars is very much greater than the arrest of the operators of the so-called parlors or central clearing offices. In other words, in most towns the bets are placed by bettors over the phone or on the street, based on information they have picked up elsewhere than in a parlor. This information must either come from tips or from the newspapers or racing forms, because the bookie on the street certainly is no fountainhead of information as to the various track entries for that day.

Bookies are being arrested in great numbers. In Los Angeles our committee discussed this problem, after it was brought to our attention by the statement of Judge T. L. Ambrose that bookies were being released too rapidly by writ of habeas corpus.

In testimony before the committee it was apparent that the Los Angeles Police Force was extremely busy in arresting men for making book on the streets. However, as fast as these bookies were arrested and taken to jail, they were released on writ of habeas corpus on the grounds that there would be no complaint filed by the district attorney.

There then appeared a situation with the police arresting the bookie, the district attorney refusing to file a complaint because of lack of evidence, and the judge releasing the bookie.

We found that a certain few attorneys and bail bond brokers were appearing for the bookie, furnishing the writ of habeas corpus and the bail bond, receiving anywhere from $25 to $50 per case, and handling from 10 to 20 cases per day.

We quote from the testimony of Judge Ambrose:

> CHAIRMAN: Are they (bookies) held for a period of time?
>
> JUDGE AMBROSE: Not if they can get away with it. The writ is filed in the police station before the defendant is brought in. Develops into a competitive contest, once they had two writs on the same man, the same defendant.
>
> Another thing, attorneys petition for writs who are not attorneys for the defendant at all, but for some bail bond company. They file petition and we have granted them where petition shows on face the man was not in custody.
>
> CHAIRMAN: Do they (attorneys) use a preprint writ?
>
> AMBROSE: Yes, these attorneys carry them partially filled out in brief cases_____. Either license bookmaking or making it a misdemeanor.
>
> CHAIRMAN: That would bring some revenue into the State.
>
> AMBROSE: Certainly, I understand that race tracks oppose making it a misdemeanor. I don't know why.

GEORGE COLLINS: In San Francisco they prosecute them under a felony.

AMBROSE: How many do they actually prosecute?

COLLINS: The real bookies just don't come in. It is just foolishness to say the police don't know where they are.

AMBROSE: My suggestion would be that the police department and judges follow the law and not make any arrangement until it is proven that the person is in custody.

Concerning the active campaign of the Los Angeles Police Force in arresting bookies, the problem appearing is the inability to obtain sufficient evidence to warrant the district attorney in issuing a complaint. In many instances, the plain clothes officers would make a bet with the bookie, and arrest him while he would be writing down the information. In other cases, the arrest would be made while the bookie would be taking a bet from a bettor. In no cases did we find any effort to arrest any bettors.

We quote from testimony on this phase:

CHIEF OF POLICE HORRELL OF LOS ANGELES: The whole thing hinges on Penal Code Section 337a, states that it is a felony. Majority of the people are in the same corner that Volstead Act was during prohibition. We have a lot of curbstone bookies. It is extremely difficult to get evidence that is required for a complaint. The officer sees money change hands. There is no question in his mind what it is. Is he going to pass it up? The police officer knows that a felony has been committed.

ASSEMBLYMAN SHERIDAN: But he doesn't have enough evidence at the time. He prejudges the case.

ASSEMBLYMAN ROSENTHAL: Why not arrest man who places bet and not only the bookmaker if you are ever going to break this up.

This system used in Los Angeles is to continually arrest these men, more or less on a nuisance basis. However, it does little good with the activities of attorneys and bail bond brokers who are always ready to file a writ and issue a bail bond, even before the arrested bookie gets to the police station; the use of alias names in the arrests by the bookies; the immediate release because of lack of evidence, puts these bookies back in circulation again. Those who are unfortunate to get a jail term, if convicted, are quickly replaced by others on the streets and in the bars to receive the bets again. No noticeable effort seems to be made to cut off telephones and to reduce local bookmaking above the bookie class.

Other Forms of Gambling

As long as the Constitution and laws of California make gambling illegal, excluding the pari-mutuel race tracks, then it is just as illegal for an organized group to violate the law as for an unorganized group to do so. The picture in the State appears to be that the law enforcement agencies want to wink at what their friends want to do, but put in jail anybody else from outside their own territory.

It is poor policy to say that the local group can do it but no one else. The person who likes to gamble loses the same money to either group. Of course, there is bound to be political corruption if an outside group is permitted certain favors, but this differs little with the situation

which allows the home-towners certain rights merely because they are local. The principle is the same, only the payoff is different. It would be similar to electing a gambler sheriff. He just wouldn't enforce the anti-gambling laws regardless of payoffs.

Every member of the committee, as well as the Members of the Legislature, has been aware of the lotteries being operated throughout the State by various charitable and unofficial governmental groups who sell tickets on homes, automobiles, blankets, and other objects. These are lotteries under the law, even if the price of the ticket is supposed to be a donation.

We have found slot machines throughout the State. We have not been in every county in the State, but have been in sufficient numbers to see the one armed bandits either pay off in cash or over the counter with the free play machines.

The public apparently wants slot machines. Many private clubs use them to pay off the debts of the organization and for other purposes.

The public's desire can be debated from a moral standpoint as to whether a majority wants such machines or not. If such are not desired, the opponents usually make little to-do about it, as indicated by the failure of law agencies to do much in enforcing present laws

We do not know who owns the slot machines in California, but we know that the United States Internal Revenue Department has a list of the locations of all machines which pay a federal tax. These lists have been available for years to the enforcement agencies. No local groups seem to avail themselves of this information.

Penal Code Section 335 sets forth the law as to the duties of local officials as follows:

> Every district attorney, sheriff, constable or police officer must inform against and diligently prosecute persons whom they have reasonable cause to believe offenders against the provisions of this chapter and every such officer refusing or neglecting so to do is guilty of a misdemeanor.

The existence of slot machines, bookies, and other forms of known gambling is within the province of every law enforcement officer in the State. No one need worry about any other problem than to enforce the law in his own area, to rid the various counties of gambling problems or any other law violation.

There are many clean counties in the State. In many counties the district attorneys absolutely keep out slot machines by enforcing the present law, regardless of court interpretations that mere possession is not illegal, but only illegal where the machines actually pay off when operated.

District Attorney John Quincy Brown of Sacramento County appeared before our committee to discuss the operation of the county's slot machines ordinance, which makes possession illegal. This law has been adopted in several other counties.

The difficulty with such an ordinance is that it does not affect the operation of slot machines within incorporated areas in the county. The result is that slot machines exist within those cities, and the district attorney and sheriff get blamed for not enforcing the laws. The committee has observed slot machines being played within the shadow of the Capitol dome.

Our committee has heard a great deal about pay-offs to public officials. Whether such exists or not is hard to say. We do say, however, that if there is any question of a single pay-off to any official, that matter should be brought out in the open. The public is entitled to know of such facts. But we may conclude that much protection money is collected, although it may never reach any public official's hands.

Confidence in public officials is the most valued asset of our government. Any actual or implied pay-offs have a bad effect on the citizen, as well as on the person who is making what he thinks is a pay-off.

While the general public has a tendency to believe that all public officials, including the Members of the Legislature, are corrupt, we feel that the only way to offset this attitude is to have strict enforcement of all laws, repeal of those laws that the public does not want, and the passage of the necessary laws to give the law enforcement officials the tools with which to work. Then these men, the officials, should either resign or enforce the law.

There are several counties in the State wherein all forms of gambling exist, just like Nevada. There is no pretense to hide the roulette, dice, blackjack, and slot machines by entrances to secret rooms or private clubs. One county is very popular with tourists, and even Members of the Legislature and lobbyists.

In this county in particular, the condition has existed long before any thought was given to organized crime. This situation is one within the entire province of local officials and the local public, who seem to want it.

In cases of this nature, efforts of outsiders to go in to prevent such activity results in little success.

To quote from testimony on this phase:

ASSEMBLYMAN SHERIDAN: I think that if you attempt to have a prosecution you will find out that all of the local boys go scot free and the boys from out of town will be convicted, irrespective of the merits of the case.

ASSEMBLYMAN COLLINS: In _____ County, I went up there one Sunday morning and the children and everybody else were playing the slot machines right in the open. In fact there are slot machines right now in San Francisco. It has been a violation of the law and as I say, I saw a sheriff's deputy in _____ watching a crap game up there in uniform.

In one county, two members of the committee found that there was an agreement between the operators of the gambling houses within the city and those outside, to keep slot machines out of the city. This would give the houses on the edge of town the advantage from a competitive standpoint.

Recommendations

The committee does hereby recommend to the Assembly that it adopt a bill making it a misdemeanor to have a slot machine in a person's possession. Such legislation would clear up the court's decision on this subject that mere possession is not illegal, but only when the machine makes a payoff, or there is a payoff by someone.

The committee has introduced two bills on this subject. Assembly Bill No. 437 amends Penal Code Section 330a by making mere possession of a slot machine illegal. Assembly Bill No. 2556 has also been introduced

to likewise make possession a crime, and is based on the county ordinance now in effect in Sacramento County.

As far as bookmaking is concerned, we feel that the law should not be changed or the punishment reduced from a felony to a misdemeanor. Though some counties charge the bookies with a misdemeanor, other counties have success with a charge of felony. We feel that the retention of the penalty as a felony is good, and is a serious detriment to this racket where the prosecution attempts to stop bookmaking.

The laws of the State on gambling should be enforced and none repealed. There has been discussion of the repeal of the lottery laws, which would make gambling legal, but our committee feels that such is not wise.

Better prosecution of present laws against bookmaking, including the arrest and prosecution of the bettor, would likewise slow down the betting process. We have noted that the bettor is hardly ever charged with any offense, or if so, only a minor fine is levied against him. The bettor and the bookie are forming a conspiracy, which is punishable under the present conspiracy law.

The gambling, legally allowed within certain areas, is not available to the average citizen, and the arbitrary demarcation point as to what is legal horserace betting, and what is not, is demoralizing to the enforcement of present gambling laws.

The fact that some counties have slot machines and others do not, some allow raffles on new homes, cars, blankets, and other articles, while the same is illegal in the next county, causes a mistrust of our government and its officials.

The hypocrisy of some gambling being legal while other forms are not, can be the potential ruination of good government.

Our citizens must not be taught to evade the laws that the Legislature passes. The public generally leaves the enforcement problems to its proper agencies, who usually are short in funds. We feel that these public officials should be given more moral support and paid adequate salaries.

The grand juries should tackle these responsibilities, the district attorneys, sheriffs, and police officers should strictly enforce all laws, although this is not the popular way. This enforcement will take care of the present problems now before the counties in the State of California.

We commend the public officials who are taking their work seriously, and find that many counties are in excellent shape.

Industrial Accident Commission

The committee received testimony from members of the Industrial Accident Commission and their supervising referees as to facilities being available for hearing rooms throughout California.

Evidence presented to the committee indicates that the Industrial Accident Commission has no regular places for hearings throughout the State. In the small country areas, the commission has to rely on the good nature of the various court rooms and supervisors' chambers. The applicants for industrial compensation are often confused in being unable to locate where the hearings are to be held and unable to understand the seriousness of the hearings particularly when held in the back room of some store building.

There are many hearing rooms in the state buildings scattered throughout the State that are not made available to the Industrial Accident Commission, and in some cases it is necessary for the commission to rent a room for just the necessary one day, yet have no funds in their budget for such rent.

The decisions rendered by the commission affect thousands of injured workers every year, and awards are in the millions of dollars. While other courts such as municipal and justice courts have clerks and bailiffs and other facilities, the hearing official of the commission has nothing.

While it is true that all of their hearings could be heard in the large cities where facilities are better, it is impractical and expensive to require the applicant to make such a long trip.

We recommend that the Assembly adopt a resolution that state buildings be made available to the Industrial Accident Commission.

Publication of Legal Notices

A survey of the legal publications situation was recently made by Lawrence Allyn of the Legislative Counsel and the Code Commission. This study shows the following information:

Number of times publication is required	*Number of laws*
Once	216
Twice	96
Two days	2
Three times	38
Four times	10
Five times or five insertions	53
Six times or six days	11
Seven times	6
Seven days	6
One week	8
Ten days	54
Ten times	17
Twelve days	1
Two weeks	82
Twenty days	9
Twenty-one days	4
Three weeks	18
Thirty days	13
One month	3
Four weeks	28
Six weeks	1
Eight weeks	1
Two months	4
Three months	2
Once a week for—	
Two weeks	184
Fifteen days	6
Three weeks	123
Four weeks	69

"In 56 cases provision is made for publication in one or more than one newspaper. In 367 instances there were miscellaneous variations from the usual provision regarding publication.

"We believe it is apparent from the foregoing statistices that standardization of the number of times that a notice is required to be published is not only desirable but will result in greater certainty of meaning than the laws under consideration. For example, the laws requiring publication for 30 days, for one month, for four weeks, and once a week for four weeks, could well be made uniform in their provisions.

"It has been suggested that standard provisions be set up in the law regarding the manner and number of times of publication of legal notices. These provisions could provide for several classes of types of publication. For example, a Type 1 class of publication would require publication once, Type 2 would require publication once a week for two weeks, and so on. Then the various statutory provisions regarding publication of notices could be amended to eliminate their specific provisions regarding time and manner of publication and provide instead that publication should be made as a Type 1 or Type 2, etc., notice."

As a result of such a study certain bills have been introduced at this session though it is not definitely agreed upon as to the increase and reduction of the number of publications as set forth in the bills introduced.

It was suggested to the committee that a summary of all the legal publications be printed and made available for public purchase inasmuch as the present system is so complicated.

Assembly Bill No. 2948 was introduced to cover the subject of standard provisions as well as other bills from Assembly Bill No. 2949 to Assembly Bill No. 2967 to make possible a start to change over to this system.

San Quentin

The committee has received complaints from attorneys and others that there were improper facilities for the interview between the attorneys and prisoners in the San Quentin institution The chairman visited San Quentin and made an investigation of this problem, and found that there is adequate arrangement now existing for prisoners to consult with their attorneys with no barrier between them, nor with any guards within hearing distance of the confidential matters being discussed. Facilities are also available for the discussion of such cases in the executive guard's office.

With condemned men, it is the rule that the attorney is required to discuss the matter with him through a screen, but conversations between the parties are entirely confidential.

There is no limitation upon the number of visits the attorney may have with his client in the institution, and there are no brilliant lights to interfere with the attorneys confidential relationship with his client.

Women's Prison at Tehachapi

Due to the fact that there had been some criticism of comparisons between the length of time women are retained in Tehachapi before being paroled as compared with men charged with similar offenses. The chairman of the committee sat with the trustees during one of their regular meetings.

The facilities at Tehachapi are very adequate for the women, although there is the difficulty in obtaining women attendants because of the extreme distance from Los Angeles and Bakersfield.

This distance also has its advantage in that it makes it rather difficult for women inmates to escape from the institution.

A chart [5] is attached to this report showing a comparison between the time required to be served by women with the time required to be served by men, which chart is self-explanatory. In some instances, women serve a greater period of time for the same crime than the men do, such as grand theft, while in other cases, such as murder and bad checks, the women appear to be paroled sooner.

Most of the women are confined for manslaughter and bad checks, with grand theft being third.

The members of the board are very sincere in their attempt to fix the sentences of the women according to the gravity of the offense and the circumstances, and because of the fact that there are only approximately three hundred women in the institution, are able to devote sufficient time to discussing the inmates' personal problems.

Conclusion

The members of this interim committee sincerely believe that much has been accomplished by them during the past two years toward reaching an understanding of the various problems presented to the committee. This report has not, however, attempted to cover all of the subjects presented.

As a result of our work, each member serving on the interim committee is in an excellent position to advise the Standing Judiciary Committee on the various bills at this session; and with some six hundred bills in Judiciary Committee, this pre-study of legislation has made the work of the whole committee move more rapidly.

There are many fields yet remaining to be examined. Also, much demand has been made for a more thorough study of the adoption laws and a standardization plan of salaries for all courts in California.

We, therefore, recommend that the Assembly Interim Committee on the Judicial System and Judicial Process be continued.

Respectfully submitted,

RALPH M. BROWN, Chairman
WM. H. ROSENTHAL
JULIAN BECK
GEORGE D. COLLINS
T. W. CALDECOTT
DONALD L. GRUNSKY
ARTHUR H. CONNOLLY

P.S.—DONALD L. GRUNSKY and ARTHUR H. CONNOLLY appointed to fill vacancies.

[5] Exhibits F and G.

Exhibit A

House Resolution No. 226

Relative to the creation of the Assembly Interim Committee on the Judicial System and Judicial Process

WHEREAS, The existing Judicial System and the structure, composition and jurisdiction of the courts of the State, including selection, compensation and retirement of judges, and judicial procedure and the administration of justice have developed by separate amendments to the statutes, largely without planning or coherence, the result being the lack of a well-ordered judicial structure; and

WHEREAS, There is a serious lack of uniformity and balance in both substantive and procedural provisions of the law, especially provisions of the Code of Civil Procedure and the Penal Code; and

WHEREAS, There is great need of a thorough investigation into all phases of the Judicial System of the State, and the administration of justice therein, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on the Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) The composition, structure, jurisdiction and administration of the several courts;

(b) The method of selection, compensation and retirement of judicial officers and attaches;

(c) The procedure, process, and rules of the courts, statutory and otherwise;

(d) All provisions of the law relating to civil actions and remedies, and all laws relating to criminal procedure;

(e) All laws relating to publication of notices and service of process; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1949 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted

and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

(This sum later increased $6,000 in 1948 Session.)

Exhibit B

Assembly Interim Committee on Judicial Process
Alphabetical List of Witnesses

ALLEN, LAWRENCE, Legislative Counsel
AMBROSE, THOMAS L., Presiding Judge of Superior Court, Criminal Division
BEECHER, DANIEL, Assistant District Attorney of Los Angeles
BENNETT, L. G., Juvenile Traffic Bureau
BENNETT, RAY F., Judge of the Municipal Court
BISHOP, JUDGE EDWARD T., Judge of the Superior Court
BLAKE, SAMUEL R., Judge of the Superior Court
BROCKMANN, RAY P., Judge of the Municipal Court
BROWN, EDMUND G., District Attorney
BROWN, JOHN Q., District Attorney, Sacramento
BULLOCK, GEORGIA P., Judge of the Superior Court
CAREY, WARNER, Aeronautics Commission Director
CARTWRIGHT, JACK, Assistant Director Dept. of Social Welfare
CARPENTER, RICHARD, League of California Cities
CERINI, FLOYD, Title Company
COAKLEY, JAMES F., District Attorney of Alameda County
CRODDY, VERNE V., Los Angeles
DEBS, ERNIE, Los Angeles City Council
DOYLE, ELMER D., Judge of the Municipal Court

EHRLICH, HON. J. W., Attorney of San Francisco
ENGLAND, LT., Assistant Director of Juvenile Program, Police Department
EYEMAN, PAUL, Justice of the Peace, Pres of Justice Peace Assn.
FIELDS, R. R., Department of Education
FORD, JOHN ANSON, Member of the Board of Supervisors
FOX, HON. CHRIS J., Judge of the Oakland Police Court and a Committee of Justices of the Peace on the Inferior Court System in Alameda County
FOX, HON. W. TURNEY, Judge Superior Court, Los Angeles
FRICKE, CHARLES W., Judge of the Superior Court
FRIEDMANN, LEO R., Attorney at Law, San Francisco
FRAZETTI, MR., San Francisco Recorder
GERMINO, HON. D. OLIVER, Justice of Peace
GETZ, CLYDE, Childrens Home Society, Los Angeles
GIBSON, HON. PHIL S., Chief Justice, Chairman of Judicial Council
GLEASON, H. P., Sheriff of Alameda County
GORDON, WALTER, Chairman, Adult Authority
GUERIN, ARTHUR L., Municipal Court Judge
HAAS, CHARLES E., Judge of the Superior Court
HOLIDAY, KENNETH L., Commissioner of the Municipal Court
HOOPER, GEORGE, Attorney at Law, Los Angeles
HORRELL, C. B., Chief of Los Angeles Police
HOWSER, HON. FRED, Attorney General of State of California
JANNSEN, GEORGE, Supervisor
KENNEDY, HAROLD, Board of Supervisors
LAVINE, MORRIS, Attorney at Law
LEGG, MRS. HELEN, Chairman, Board of Trustees, Tehachapi Institute
LONG, JOHN, California Newspaper Association
LUCHESSA, MR., The Recorder, San Francisco
LYNCH, MR., Chief Deputy District Attorney, San Francisco
MACENERNEY, MRS. MARTHA, Los Angeles
MARSHALL, ROSS, San Francisco Recorder
MCKAY, WILLIAM R., Judge of the Superior Court
MCLARTY, ED. T., Los Angeles Assistant District Attorney
MORROW, JUDGE HERBERT T.
MOSSBACKER, MISS CECIL, Assistant District Attorney of Alameda County
PACHT, HON. ISAAC, Chairman Criminal Law & Crime
PALACE, PATRICK, A., Probate Department
PULCIFER, JUDGE, Justice of the Peace, Oakland Township
OGDEN, MEL, Title Company
QUINN, JUDGE JAMES G., JR., City Judge of Emeryville
RITZ, WILLIAM L., Los Angeles District Attorney's Office
SANSON, DON, Probation Director, Los Angeles
SCHOTTKY, HON. ANDREW, Judge of Superior Court
SCOTT, A. A., Judge of the Superior Court
SHAW, HON. HARTLEY, Superior Court Judge, Los Angeles
SIMPSON, WILLIAM, District Attorney, Los Angeles County
SNEDIGAR, O. F., Probation Officer, Alameda County
SPIVOCK, ALLEN, President of San Francisco Lawyers Club
VICKERS, HON. JOE, Appellate Court

WATSON, ELIZABETH, Department Social Welfare
WADE, MR., County Clerk of Alameda County
WALTERS, HON. BYRON, Municipal Court Judge
WELSH, JAMES, Secretary to Governor
WILLENS, MAX, Criminal Law & Procedure Commission
WISE, JUDGE H. D.
WOLLENBERG, ALBERT C., Judge of the Superior Court
ZORIN, ZELMA, Director of Social Welfare

Exhibit C

Judges Retirement Fund
Receipts and Disbursements From Creation of Fund Through January 31, 1949

	89th Fiscal Year * July 1, 1937 to June 30, 1938	90th Fiscal Year July 1, 1938 to June 30, 1939	91st Fiscal Year July 1, 1939, to June 30, 1940	92d Fiscal Year July 1, 1940, to June 30, 1941
Cash balance, beginning of period	--	$60,346 60	$16,384 35	$8,017 17
Receipts				
Contributions by State (Transfers from General Fund)	$30,619 80	$36,743 76	$37,111 26	$37,320 87
Contributions by judges—				
State pay rolls	18,522 93	22,064 98	22 291 19	22,551 89
County pay rolls	11,738 29	14 147 85	14,431 26	14,652 13
Interest on bond investments	--	1,325 00	4 210 00	6,261 25
Miscellaneous income	07	--	--	--
Receipts subsequently refunded	16 66	--	--	--
Total receipts	$60,897 75	$74,281 59	$78,043 71	$80,786 14
Cash, July 1, plus receipts	$60,897 75	$134,628 19	$94,428 06	$88,803 31
Disbursements				
Pension payments, net	$215 05	$13,257 89	$16,449 45	$16,450 00
Return of judges' contributions	319 44	1,823 85	4,213 12	4,131 09
Purchase of bond investments—				
Par value	--	82 000 00	53,500 00	50,000 00
Premium	--	20,195 11	11,249 86	14,749 08
Accrued interest	--	966 99	998 46	494 95
Refund of receipts	16 66	--	--	--
Total disbursements	$551 15	$118 243 84	$86,410 89	$85,825 12
Cash balance, end of period	$60,346 60	$16 384 35	$8,017 17	$2,978 19
Cash, June 30, plus disbursements	$60,897 75	$134,628 19	$94 428 06	$88,803 31
Par value of bonds held as investments, June 30	--	$82,000 00	$135,500 00	$185,500 00
Number of judges contributing to Retirement Fund as of June 30*				
Supreme Court judges	Data	Data	6	7
Appellate Court judges	not	not	18	18
Superior Court judges	com-	com-	162	162
Municipal Court Judges	piled	piled	--	--
Total			186	187

* First receipt was dated September 2, 1937

Judges Retirement Fund—Continued
Receipts and Disbursements From Creation of Fund Through January 31, 1949

	93d Fiscal Year July 1, 1941 to June 30, 1942	94th Fiscal Year July 1 1942 to June 30, 1943	95th Fiscal Year July 1, 1943 to June 30, 1944	96th Fiscal Year July 1 1944, to June 30, 1945
Cash balance, beginning of period	$2,978 19	$10,149 14	$8,211 99	$4,101 06
Receipts				
Contributions by State (Transfers from General Fund)	$47,137 30	$50 545 03	$53 536 17	$54,288 72
Contributions by judges—				
State pay rolls	22,827 08	22,945 79	24 637 94	24,860 91
County pay rolls	23,800 12	26 699 05	28,630 01	29,160 46
Interest on bond investments	8 212 50	10 412 50	12 862 50	15,300 00
Miscellaneous income	--	-	--	--
Receipts subsequently refunded	--	8 33	--	--
Total receipts	$101,977 00	$110 610 70	$119,666 62	$123,610 09
Cash, July 1 plus receipts	$104 955 19	$120,759 84	$127 878 61	$127,711 15
Disbursements				
Pension payments, net	$9,921 60	$10,803 50	$17,165 35	$32,278 85
Return of judges contributions	6 884 45	8,425 87	3,612 20	2,876 23
Purchase of bond investments—				
Par value	78,000 00	90 000 00	103,000 00	92,000 00
Premium	-	3,276 82	--	--
Accrued interest	--	33 33	-	--
Refund of receipts	-	8 33	--	--
Total disbursements	$94,806 05	$112 547 85	$123 777 55	$127,155 08
Cash balance, end of period	$10,149 14	$8 211 99	$4,101 06	$556 07
Cash, June 30, plus disbursements	$104,955 19	$120,759 84	$127,878 61	$127,711 15
Par value of bonds held as investments, June 30	$263 500 00	$353,500 00	$456 500 00	$548 500 00
Number of judges contributing to Retirement Fund as of June 30				
Supreme Court judges	7	7	7	7
Appellate Court judges	21	21	21	21
Superior Court judges	162	162	163	163
Municipal Court judges	51	55	57	57
Total	241	245	248	248

Judges Retirement Fund—Continued
Receipts and Disbursements From Creation of Fund Through January 31, 1949

	97th Fiscal Year July 1 1945 to June 30, 1946	98th Fiscal Year July 1, 1946, to June 30, 1947	99th Fiscal Year July 1, 1947, to June 30, 1948	Period July 1, 1948, to Jan 31, 1949
Cash balance, beginning of period	$556 07	$2,359 63	$3,204 12	$11,047 02
Receipts				
Contributions by State (Transfers from General Fund)	$61,549 87	$64,710 00	$82,503 79	$52,485 44
Contributions by judges—				
State pay rolls	28,304 21	29 901 03	34,717 72	21,311 06
County pay rolls	32,227 33	35,178 54	45,810 42	30,164 84
Interest on bond investments	17,325 00	19,462 50	21,000 00	16,550 00
Miscellaneous income	--	--	--	--
Receipts subsequently refunded	--	--	--	--
Total receipts	$139,406 41	$149 252 07	$184,031 93	$120 511 34
Cash, July 1, plus receipts	$139,962 48	$151,611 70	$187,236 05	$131,558 36
Disbursements				
Pension payments, net	$48,512 19	$64,316 45	$95,814 47	$63,294 70
Return of judges' contributions	8.090 66	14,091 13	9,374 56	12,602 70
Purchase of bond investments—				
Par value	81,000 00	70,000 00	71,000 00	45,000 00
Premium	--	--	--	--
Accrued interest	--	--	--	--
Refund of receipts	--	--	--	--
Total disbursements	$137,602 85	$148,407 58	$176,189 03	$120 897 40
Cash balance, end of period	$2,359 63	$3,204 12	$11,047 02	$10,660 96
Cash, June 30, plus disbursements	$139,962 48	$151 611 70	$187,236 05	$131,558 36
Par value of bonds held as investments, June 30	$629,500 00	$699,500 00	$770,500 00	$815,500 00
Number of judges contributing to Retirement Fund as of June 30:				
Supreme Court judges	7	7	7	7
Appellate Court Judges	21	21	21	21
Supperior Court judges	166	165	184	182
Municipal Court judges	57	57	68	67
Total	251	250	280	277

Compiled under the direction of THOMAS H KUCHEL, State Controller

Exhibit D

W. E. SIMPSON
District Attorney

COUNTY OF LOS ANGELES
OFFICE OF THE DISTRICT ATTORNEY
HALL OF JUSTICE
Los Angeles 12

May 12th, 1948

Hon. Julian Beck, Assemblyman
205 Mission Building
San Fernando, California

DEAR MR. BECK: Pursuant to the request you made of me at the hearing of the Legislative Committee in the State Building a few days ago, I enclose herewith Report of Juvenile Witnesses held in Juvenile Hall and released during the months of January, February, March, and April, 1948.

There were 85 witnesses so held, for a total of 3,566 days, making an average of 42 days, plus, per witness.

If we can be of further assistance to you, please advise me.

Yours very truly,

W. E. SIMPSON

Exhibit E

Number Persons Held in Juvenile Hall and Number Days Held

(Includes only those released during January-April, inclusive, 1948)

Days Held	*Number*
Less than 10 days	9
10-20	11
20-30	14
30-40	8
40-50	11
50-60	11
60-70	10
70-80	7
Over 80*	4
	85

* 98, 98, 107, 147

Further Breakdown

Days held	*Number*	*Percentage and total*
Under 30 days	34	40%
30-60	30	35%
Over 2 months	21	25%
	85	100%

DEPARTMENT OF CORRECTIONS
BUREAU OF STATISTICS, February 27, 1948

Exhibit F

Offense, Sentence and Time Served in Prison
Women Paroled for First Time, July 1, 1945-December 31, 1947, Men With Similar Offenses Paroled for First Time, 1945-1946

Offense	Statutory sentence range	Women paroled				Men paroled			
		Number	Sentence set in years range	Time served in months		Number	Sentence set in years range	Time served in months	
				Range	Median			Range	Median
Total		143	1½-Life	12-86	24 8				
Murder 1st	Life	1	Life	85		67	Life	84-372	186 0
Murder 2nd	5-Life	6	5-15	23-64		51	6-Life	25-372	66 0
Manslaughter	0-10	9	3-7	13-32		91	3-20	12-98	28 0
Robbery 1st	5-Life	4	5-7	27-39		212	5-Life	17-159	36 2
Robbery 2nd	1-Life	6	4-8	14-23		189	2-30	8-225	25 3
Assault w/(deadly weapon)	0-10	3	6-7	25-48		167	3-14	12-66	26 3
Mayhem, etc	0-Life	4	2-6	14-37		3	6-7	18-23	
Burglary 2nd	1-15	10	4-7	13-42		375	2 5-25	12-97	26 0
Grand theft	1-10	25	1½-10	12-36	26 0	253	2 5-15	12-127	23 8
Petty theft w/prior	0-5	4	5	20-26		59	3-5	13-32	20 8
Auto theft	1-5	4	3-4	13-26		137	3-8	12-42	21 2
Receiving stolen property	0-5	1	4	21		24	3-15	12-65	17 3
Forgery and checks	0-14	45	2-14	12-50	21 3	377	2 5-20	12-95	23 9
Commercial vice (sex)	1-10	1	5	21		16	3-10	12-72	
Lewd and lascivious	1-Life	2	5-7	24-32		139	5-Life	14-159	45 3
Narcotics	0-10	9	2-5	13-31		107	2 5-10	10-51	23 7
Abortion	0-5	2	3-7	19-32		2	4	17-19	
Escape	0-Life	2	5-12½	43-86		76	2 5-14	12-55	
Kidnapping	0-Life	1	4	25		15	5-Life	12-197	
Driving under influence	1-5	2	5	20-31					
Bribery	0-14	1	5	35					
Conspiracy, etc	0-Life	1	4	19					

DEPARTMENT OF CORRECTIONS
BUREAU OF STATISTICS, February 27, 1948

Exhibit G

Offense and Sentence—Women in California Institution for Women
January 31, 1948

Offense	*Statutory sentence*	*Number of cases*	*Range in years*
Total residents		288	
Total less sentences not set		71	
Total with sentences set		217	
Murder first	Death-Life	14	Death-Life
Murder second	5-Life	14	5-25
Manslaughter	0-10	43	2-10
Robbery first	5-Life	9	7-35
Robbery second	1-Life	7	5-10
Attempted robbery	0-20	1	6
Assault with intent to murder	1-14	1	6
Assault with deadly weapon	0-10	6	5-7
Mayhem, etc		1	8
Burglary first	5-Life	2	10-14
Burglary second	1-15	10	3-35
Grand theft	1-10	23	2-10
Petty theft with prior	0-5	2	5
Auto theft	1-5	3	4-5
Receiving stolen property	0-5	4	2-5
Forgery and checks	0-14	53	4-14
Rape	0-50	1	17
Commercial vice (sex)	1-10	3	5-10
Narcotics	0-10	5	3-10
Abortion	0-5	4	3-5
Arson	1-20	1	7
Escape	1-Life	7	5-15
Kidnapping	0-Life	1	Life
Driving under influence	1-5	1	5
Conspiracy, etc	0-Life	1	4

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. George D. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Miss Lulu Downing of San Francisco

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to J. O. Linn, and R. A. Moore, teachers, of the Needham School of Lodi, and the following members of the Junior Patrol: Buddy Adams, John Anderson, Terry Antrim, Delmer Ashcraft, Arlin Becker, David Bender, Tommy Bitzer, Marvin Blount, Don Bossert, Homer Braden, Homer Campbell, Billy Clemings, Charles Dahlgren, Ronald Delu, Larry Eaton, Jerry Edinger, Richard Ehrhardt, Bob Freshour, Robert Geiszler, George Gillespie, Tony Guido, Norman Hammond, David Hatch, Jimmy Hauck, Mike Hellberg, Windsor Hesselting, Robert Horn, Dick Jordon, Eugene Kraul, Vernon Lehr, Carl Long, Larry Lorenz, Bryce Loudon, James Lutz, Larry Mallory, Louis McClanahan, Leon Menzer, Jack Metcalf, James Musgrove, Edward Neuharth, Bobby Oehler, Roger Oster, Tony

Perrin, Willard Price, Raymond Prudhel, Clinton Sayler, Johnny Schmidt, Millard Smallin, Roger Stafford, Jerry Spilloway, Frank Steger, Douglas Stuart, Calvin Suess, Dallas Tarnasky, Delbert Thomas, Dennis Thompson, Larry Trafford, Fred Warnecke, Gordon Weesner, and Gerry Williams.

ADJOURNMENT

At 1.16 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 3, 1949, out of respect to the memory of the late Senator Michael J. Burns, former Assemblyman, of Eureka, and the late George W. Gaffney, of Newburgh, New York.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIRST LEGISLATIVE DAY

ONE HUNDRED TWENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 3, 1949

The Assembly met at 9.30 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: May we see this day that the eyes of the people of the State are upon us, and weighing our actions.

The eyes of family and friends are upon us, trusting that we may acquit ourselves with *honor.*

The eyes of self-seeking interests are upon us, thinking chiefly of their personal advantage.

The eyes of the public spirited and the truly patriotic are upon us, whose only *thought is the betterment of the State*

The eyes of youth look with awe upon this historic Assembly, and want their heritage transmitted unimpaired to them.

The eyes of the aged are upon us, knowing from experience only doing right pays.

Above all, the Eye of God is upon us, to brighten the spark of conscience.

May we follow the Inner Light, knowing that in the long run, our acts will then meet with the approval of the wise —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Reagan, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Brady, on motion of Mr. George D. Collins.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Burke.

Mr. Collier, on motion of Mr. Burke.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

Mr. Ralph C. Dills, on motion of Mr. Erwin.

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2185
Assembly Bill No. 2186

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 49

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2556

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 185—An act to amend Section 5801 of the Labor Code, relating to attorney's fees under the Workmen's Compensation Act;

Assembly Bill No. 346—An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and operation of establishments or facilities for the sale of merchandise or services to the public;

Assembly Bill No. 347—An act authorizing the State Lands Commission to exchange property of the State of California for property of Marin County;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 600—An act to amend Sections 35 and 515.1; to repeal Sections 35.5 and 620.5 of; and to add Sections 620.5 and 670.1 to the Vehicle Code, relating to speed limit applicable to and equipment required on motor-driven cycles;

Assembly Bill No. 607—An act to amend Sections 195, 196, and 197 of, and to repeal Section 195.5 of the Vehicle Code, relating to chattel mortgages on registered vehicles;

Assembly Bill No. 874—An act to amend Section 783 of the Fish and Game Code, relating to lobsters;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 903—An act to amend Section 123.55 of the Agricultural Code, relating to intercounty nursery stock certificates;

Assembly Bill No. 904—An act to add Section 1045 to the Agricultural Code, relating to fertilizing materials;

Assembly Bill No. 905—An act to amend Sections 1010 and 1011 of the Agricultural Code, relating to spray residue,

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 906—An act to amend Sections 914, 914.5, 915.1, 915.5, 916.1, 917.5 of, to repeal Section 917.6 of, and to add Sections 913.1 and 918.1 to the Agricultural Code, relating to agricultural and vegetable seeds;

Assembly Bill No. 917—An act to amend Section 6420 of the Streets and Highways Code, relating to improvement assessments and bonds;

Assembly Bill No. 924—An act to add Section 1276 to the Agricultural Code, relating to the disposition and use of moneys derived from provisions of said code pertaining to produce dealers and processors;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 977—An act to amend Sections 1631, 2311, and 5709 of the Welfare and Institutions Code, relating to the local control and regulation of certain institutions, boarding homes and other places caring for children, the aged and the insane;

Assembly Bill No. 992—An act to amend Section 1558 of the Probate Code, relating to distribution of surplus income of insane or incompetent persons;

Assembly Bill No. 1198—An act to amend Sections 2605, 2701, 2801, 2803, 2917, 4151, and 4152 of the Revenue and Taxation Code, relating to due dates of installment payments on the secured tax roll, payment on a portion of a parcel and to collection on unsecured roll;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1287—An act to amend Sections 2135 and 2287 and to repeal Sections 2230 and 2231 of, and to add Sections 2191.6 and 2232 to, the Business and Professions Code, relating to drugless practitioners and relating to applications to the Board of Medical Examiners of the State of California for physician's and surgeon's certificate;

Assembly Bill No. 1358—An act to amend Section 1772 of the Welfare and Institutions Code, relating to the discharge of parolees;

Assembly Bill No. 1470—An act to amend Sections 1672 and 1673 of the Insurance Code, relating to the licensing of nonresident brokers or agents;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1712—An act to amend Sections 11004 and 11005 of the Revenue and Taxation Code, relating to the disposition of motor vehicle license fees ("in-lieu" tax);

Assembly Bill No. 1717—An act to add Sections 16346, 16347, 16348, and 16349 to Article 1 of Chapter 2 of Part 2 of Division 4 of Title 2, and to amend Section 16350, of the Government Code, relating to the abolition of special funds in the State Treasury;

Assembly Bill No. 1755—An act to amend Section 6500.3 of the Welfare and Institutions Code, relating to the state institution for epileptics, and for mentally defective physically handicapped persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1793—An act to amend Sections 822, 823, 827, 839, 857, and 858 of the Insurance Code, relating to the issue of securities by insurers;

Assembly Bill No. 1794—An act to amend Section 12400 of the Insurance Code, relating to title insurers;

Assembly Bill No. 1854—An act to amend Section 14033 of the Government Code, relating to the Revolving Fund of the Division of Architecture;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1976—An act to amend Sections 2611 and 4992 of, add Section 3731 to, and repeal Sections 3637 and 4101.5 of the Revenue and Taxation Code, relating to the collection of taxes generally;

Assembly Bill No. 2002—An act to amend Sections 3351 and 3439 of the Revenue and Taxation Code, relating to real property taxation;

Assembly Bill No. 2003—An act to amend Sections 4371, 4372, 4373, and 4374 of the Revenue and Taxation Code, relating to real property taxation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2018—An act to add Article 5, comprising Sections 16400 to 16405, inclusive, to Chapter 2, Part 2, Division 4, Title 2 of the Government Code, and to repeal Section 13923 of the Government Code, relating to revolving funds and advances;

Assembly Bill No. 2025—An act to amend Sections 3442 and 3807.5 of the Revenue and Taxation Code, relating to real property taxation and the termination of the right of redemption of tax-deeded property reconveyed to the State of California;

Assembly Bill No. 2026—An act to add Chapter 3.3, comprising Sections 2851 to 2862, inclusive, to Division 1, Part 5 of the Revenue and Taxation Code, relating to the collection of taxes on real property;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2055—An act to add Section 18714 to the Government Code, relating to adjustment of state employee grievances;

Assembly Bill No. 2063—An act to amend Section 18803 of the Government Code, relating to the reclassification of state employees;

Assembly Bill No. 2064—An act to amend Section 18850 of the Government Code, relating to the adjustment of salary ranges in the state civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2066—An act to amend Section 18902 of the Government Code, relating to civil service eligible lists;

Assembly Bill No. 2602—An act to amend Section 3513 of the Revenue and Taxation Code, relating to the contents of deed;

Assembly Bill No. 2603—An act to amend Sections 3353, 3354, 3355, 3358, 3359, 3511, 4653, and to repeal Chapter 3 of Part 6, consisting of Sections 3476, 3477, 3478, 3479, 3480, and 3481, and Sections 3490, 3491, 3492, 3493, 4654, of the Revenue and Taxation Code, relating to the sale and deeding of tax-sold property;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2604—An act to amend Sections 4916 and 4925 of; and add Section 5097.1 to the Revenue and Taxation Code, relating to the refund of duplicate and excess tax payments;

Assembly Bill No. 2605—An act to amend Sections 4653, 4653.1, to repeal Section 4655 and to add Chapter 1.3 to Part 8, Division 1, consisting of Sections 4670, 4671, 4672, and 4673 to the Revenue and Taxation Code, relating to distribution of proceeds from sale of tax-deeded property;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 31—Relative to provisions for public recreation, fish and wildlife development in flood, irrigation and power projects involving construction of dams;

Assembly Joint Resolution No. 35—Relative to the establishment of an open hunting season on wild pigeons;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the second day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 88
Assembly Bill No. 1655

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 576—An act to amend Section 18702 of the Education Code, relating to the sale of personal property of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, after "any", insert "member or".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Stewart asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1484—An act to add Sections 4902.5, 4902.6, 4902.7, 4902.8, 4902.9, 4963.1, 4963.2, 4963.3, and 7431.1 to the Education Code and to amend Sections 4962 and 4963 of said code, all relating to school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "of this code".

Amendment No. 2

On page 2, line 15, of said bill, strike out "of this code".

Amendment No. 3

On page 2, line 18, of said bill, strike out ", Chapter 16 of this code", and insert "of this chapter".

Amendment No. 4

On page 2, line 38, of said bill, strike out ", Chapter 16 of this code", and insert "of this chapter".

Amendment No. 5

On page 3, line 5, of said bill, strike out "Division 3, Chapter 17", and insert "Chapter 17 of Division 3".

Amendment No. 6

On page 3, line 17, of said bill, strike out "Division 3, Chapter 17", and insert "Chapter 17 of Division 3".

Amendment No. 7

On page 3 of said bill, beginning in line 26, strike out "of this code".

Amendment No. 8

On page 3, line 29, of said bill, strike out "of this code".

Amendment No. 9

On page 4, line 1, of said bill, strike out "of this code".

Amendment No. 10

On page 4, line 35, of said bill, strike out "of this code".

Amendment No. 11

On page 5, line 9, of said bill, strike out "of this code".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1384—An act to add Article 6 to Chapter 9 of Division 3 of the Education Code, relating to the auditing of school district funds, financial transactions, and property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "auditing of school district funds,"; and strike out line 3, and insert "audits of school districts"

Amendment No. 2

On page 1 of the printed bill, strike out lines 6 to 24, inclusive; and on page 2, strike out lines 1 to 22, inclusive, and insert

"6201. At the close of each fiscal year the funds or accounts expressed in the school district budget, the fixed assets of the districts, the student organizations' accounts, the cafeteria account, and all moneys under the control or supervision of the governing board of the district shall be audited in the manner prescribed in this article.

6202. The audit shall include an examination of financial transactions relating to all funds or accounts expressed in the school district budget, the fixed assets of the district, student organization accounts, cafeteria accounts, and all moneys under the control or supervision of the governing board of the district, for the period covered by the audit. The audit report shall be in writing in quadruplicate and shall contain such financial statements and information as may be prescribed by the Department of Education and shall include recommendations with respect to school governmental accounting procedures relating to the accounting for receipts and expenditures, as well as fixed assets acquired by the district. The original of the report shall be forwarded to the governing board of the district, one copy shall be filed with the county superintendent of schools having jurisdiction over the district, one copy shall be filed with the county auditor having jurisdiction over the district, and one copy shall be filed with the Department of Education. The Department of Education shall adopt such regulations as are necessary to insure adequate standards and procedures for auditing all of the aforesaid funds and accounts.

6203. The audit and audit report required by this article shall be made jointly by the county superintendent of schools and county auditor of the county having jurisdiction over the district, unless prior to April 1st of the fiscal year for which the audit is to be made the governing board of the district has entered into an agreement with a certified public accountant or a registered public accountant to make the audit and audit report, or has entered into an agreement with the grand jury of the county that the audit and audit report made by the grand jury pursuant to law shall serve as the audit required by this article, and has, on or before said date, filed with the county superintendent of schools and the county auditor a copy of such agreement. All audits shall be made, and audit reports filed, in compliance with, and subject to, the provisions of Section 6202.

In the event that the governing board desires to employ either a certified public accountant or a registered public accountant it may do so without requiring submission of bids or advertising. The cost of each audit and audit report made jointly by the county superintendent of schools and the county auditor shall be an amount agreed upon by the governing board and the county superintendent of schools and the county auditor and shall be paid from funds of the district. In the event that the cost of the audit and audit report cannot be agreed upon, the cost shall be determined by the Department of Education. The order of the governing board of the district drawn in payment of the cost shall be made payable to the county treasurer.

6204. All money received by the county treasurer under this article shall be deposited by him in the county treasury and one-half thereof shall augment the appropriations made by the county board of supervisors for the support of the office of the county superintendent of schools and one-half shall augment the appropriations made by the county board of supervisors for the support of the office of the county auditor.

6205. In the event the audit and audit report required in this article for a fiscal year are not filed on or before April 1st of the following fiscal year, the Superintendent of Public Instruction shall require such an audit and audit report to be made by a member of the staff of the Department of Education, or by the county superintendent of schools having jurisdiction over the school district concerned, or may employ a certified public accountant or registered public accountant to make such audit and audit report. At the conclusion of such audit, the audit report shall be filed as heretofore prescribed. The cost of the audit and audit report shall be a legal charge against the funds of the school district, and if the governing board fails or neglects to draw an order therefor in favor of the Superintendent of Public Instruction, the

county superintendent shall draw his requisition on the funds of the district in favor of the Superintendent of Public Instruction.

All moneys received by the Superintendent of Public Instruction under this section shall be deposited in the State Treasury and are hereby appropriated for the support of the Department of Education in addition to such other funds as may be appropriated therefor by the Legislature."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 653—An act to add Section 16006 to the Education Code, relating to the admission of pupils to school.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 28, 1949, strike out "Section 16006", and insert "Sections 16006 and 16007".

Amendment No. 2

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 16007 is added to said code, to read:

16007. Anything in Section 16006 to the contrary notwithstanding, governing boards of school districts having an average daily attendance of 60,000 or more pupils shall admit a child to the kindergarten or first grade of the school district upon presentation of such proof of age of the child as shall be prescribed by the governing board of the district."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 674—An act to provide for the expansion of publicly supported higher education and to repeal an act entitled "An act establishing a four-year institution of higher education in the City of Sacramento, County of Sacramento," approved July 1, 1947 (Chapter 1017 of the Statutes of 1947), and an act entitled "An act making an appropriation for the establishment, equipment and maintenance of a four-year state institution of higher education at Sacramento," approved July 10, 1947 (Chapter 1349 of the Statutes of 1947), all relating to the System of Publicly Supporting Higher Education.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on March 28, 1949, after "Education", strike out "and the governing"; and strike out lines 10, 11, 12, 13, 14, and 15, and insert "is directed to enter into an agreement for the use of the physical facilities at the Sacramento Junior College, necessary for the conduct and maintenance of the Sacramento State College, with the governing board of the Sacramento Unified School District until such time as the college can be housed on the campus provided for it by the State."

Amendment read, and adopted

Bill ordered reprinted, and to third reading

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No 444, on request of Mr. Butters.

Assembly Bill No 3122, on request of Mr. McCollister.

Assembly Bill No. 1918, on request of Mr. Doyle.

REQUESTS FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS HOLD PLACES ON FILE

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 35 be passed on file, and hold its place on file on the next legislative day.

Mr. Butters asked for, and was granted, unanimous consent that Assembly Bill No. 39 be passed on file, and hold its place on file on the next legislative day.

Mr. Dickey, on behalf of Mr. Ralph C. Dills, asked for, and was granted, unanimous consent that Assembly Bills Nos. 1626 and 191 be passed on file, and hold their places on file on the next legislative day.

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 2080 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1564—An act to amend Sections 359, 359.3, 359.5, and 360.4, and to add Chapter 8, comprising Section 438, to Division 3, of the Agricultural Code, relating to licensed slaughterers and to injunctive remedy.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 27, 1949, strike out lines 30 to 34, inclusive, and insert "occurs or is about to occur. Any proceeding brought hereunder shall".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2900—An act to amend Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel,

McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—54.

NOES—George D. Collins and Heisinger—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2040—An act to amend Sections 18802 and 18804 of the Government Code, relating to the reclassification of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2062—An act to add Section 18002.5 to the Government Code, relating to wage deduction statements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, George D Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Yorty, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 106 HOLD PLACE ON FILE

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No. 106 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1630—An act to amend Sections 1187 and 1190 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis,

Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1655

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1655, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1655

Assembly Bill No. 1655—An act to add Section 1752.1 to the Welfare and Institutions Code, relating to contracts for the extension of services by the Youth Authority to counties.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1673—An act to amend Sections 1731.5 and 1732 of the Welfare and Institutions Code, relating to referral of juvenile offenders to the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1466—An act to repeal Chapters 952 and 953 of the Statutes of 1939, relating to the regulation of loans and lenders

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins,

Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 946—An act to repeal Article 4 of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code, consisting of Sections 350 to 354, inclusive, and to add Article 4 to Chapter 2 of Part 1 of Division 1, consisting of Sections 350 to 356, inclusive, relating to a Division of Dental Health.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 437—An act to amend Section 330a of the Penal Code, relating to slot and card machines and similar devices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Yorty—57.

NOES—Cooke, Crowley, Dickey, Dunn, Evans, Gaffney, Grunsky, Morris, Sherwin, and Way—10.

Notice of Motion to Reconsider Assembly Bill No. 437

Mr. Dickey gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 437 was this day passed.

Assembly Bill No. 2556—An act to prohibit the possession, use or operation of slot machines or like devices, prescribing the penalty for violations of this act, and providing for the confiscation of such machines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—65.

NOES—None

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Davis announced that his secretary will now visit every member, at his desk, with tickets for the Shasta Dam tour, scheduled for next Saturday morning, May 7th, and requested members to make this $5 purchase, at this time. He cordially invited members of the Press to participate in said trip; and referred to copies of a circular letter distributed to all members, officers, attaches, and members of the Press for detailed information.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 30 FROM COMMITTEE

Mr. Maloney gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 30 from the Committee on Livestock and Dairies, and have it placed upon the file.

Speaker Pro Tempore Presiding

At 10.52 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1960—An act to add Section 597 to the Fish and Game Code, relating to kelp.

Bill read third time.

Demand for Previous Question

Messrs Hoffman, Kirkwood, Waters, Silliman, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1960.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stanley moved a call of the Assembly.

Motion carried Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Dickey, Kilpatrick, Lipscomb, Reagan, Smith, and Stewart—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1227
Assembly Bill No 1616
Assembly Bill No. 2059
Assembly Bill No. 2455
Assembly Bill No 2646

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bills Nos. 1227 and 2455 ordered re-referred to Committee on Public Morals.

Assembly Bills Nos. 1616 and 2646 ordered re-referred to Committee on Industrial Relations.

Assembly Bill No. 2059 ordered re-referred to Committee on Civil Service and State Personnel

Hon. Laughlin E. Waters Presiding

At 11.20 a.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT ON ASSEMBLY BILL NO. 3104 BE PRINTED IN THE JOURNAL

Mr. Weber asked for, and was granted, unanimous consent that the Report on Assembly Bill No 3104, from the State Department of Public Works, be ordered printed in the Journal in 10 point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2270 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Burke asked for, and was granted, unanimous consent that Assembly Bill No. 2270 be withdrawn from the file, and be re-referred to the Committee on Municipal and County Government.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 21 was taken up.

Assembly Bill No. 21—An act to amend Section 2 of, to add the heading to Part 1 thereof, and to add Part 2, comprising Sections 25 to 45, inclusive, to, the Limited Dividend Housing Corporation Act, relating to state assistance through the Department of Industrial Relations in financing of residential housing and other facilities incidental or appurtenant thereto.

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 18, 1949, between lines 34 and 35, insert

"SEC. 38.5. Before approving a construction loan, the commission shall require the borrower to contract that the individual units of the project shall not be leased, rented, or sold to persons whose annual income exceeds two thousand dollars ($2,000) a year."

Amendment read.

Request for Unanimous Consent That Assembly Bill No. 21 Be Read in Its Entirety

Mr. Dunn asked for unanimous consent that Assembly Bill No. 21 be read over the desk, in its entirety, for the purpose of better understanding the proposed amendment.

Mr. Sherwin withheld unanimous consent.

Request Withdrawn

Mr. Dunn withdrew his request

The question being on the adoption of the amendment offered by Mr. Conrad to Assembly Bill No. 21.

Point of Order

Mr. Gaffney arose to the following point of order: That Mr. Conrad is not speaking to the amendment.

Ruling by Speaker

Acting Speaker Waters ruled the point of order not well taken.

The question being on the adoption of the amendment offered by Mr. Conrad to Assembly Bill No. 21.

Point of Order

Mr. Moss arose to the following point of order: That Mr. Conrad is not speaking to the amendment.

Ruling by Speaker

Acting Speaker Waters ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Conrad to Assembly Bill No. 21.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Conrad has exceeded his time.

Ruling by Speaker

Acting Speaker Waters ruled the point of order not well taken.

The question being on the adoption of the amendment offered by Mr. Conrad to Assembly Bill No. 21.

Demand for Previous Question

Messrs. Evans, Silliman, Grant, Heisinger, and Weber demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Conrad to Assembly Bill No. 21.

Roll Call Demanded

Messrs. Doyle, Clayton A. Dills, and George D. Collins demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Burke, Butters, Conrad, Erwin, Reagan, Sherwin, Silliman, Smith, and Stewart—10

NOES—Anderson, Beck, Bennett, Brown, Burkhalter, Coats, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thompson, Way, Weber, and Yorty—32

The question being on the passage of Assembly Bill No. 21.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Conrad is not in order because he is not correctly interpreting the contents of the bill.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. Doyle is not arising to a point of order, but is arguing upon the bill.

Ruling by Speaker

Acting Speaker Waters ruled the point of order by Mr. Grunsky well taken.

The question being on the passage of Assembly Bill No. 21.

Motion That Assembly Bill No. 21 Be Withdrawn From File, and Be Re-referred to Committee on Ways and Means

Mr. McCollister moved that Assembly Bill No 21 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Mr. Conrad seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Brady, Burke, Butters, Caldecott, Connolly, Conrad, Crichton, Dolwig, Erwin, Grant, Grunsky, Hoffman, McCollister, Silliman, and Smith—16.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Cramer, Crowley, Davis, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hollibaugh, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Nicholse, Reagan, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—48

The question being on the passage of Assembly Bill No. 21.

Demand for Previous Question

Messrs. Lincoln, Silliman, Connolly, Hahn, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 21.

Point of Order

Mr. Stewart arose to the following point of order: That Mr. Morris has exceeded his time.

Ruling by Speaker

Acting Speaker Waters ruled the point of order not well taken.

Speaker Presiding

At 12 27 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The question being on the passage of Assembly Bill No. 21.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholse, Rosenthal, Rumford, Thomas, Tomlinson, Way, Weber, and Yorty—48.

NOES—Babbage, Burke, Butters, Connolly, Conrad, Dickey, Dolwig, Erwin, Grant, Grunsky, Hoffman, Huyck, Kirkwood, Levering, Lipscomb, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, and Thompson—22.

Notice of Motion to Reconsider Assembly Bill No. 21

Mr. Brady gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 21 was this day passed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1960

At 12.30 p.m., on motion of Mr. Stanley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1960 passed by the following vote:

AYES—Babbage, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Connolly, Cramer, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, Way, Yorty, and Mr. Speaker—41.

NOES—Anderson, Beck, Bennett, Berry, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dunn, Elliott, Evans, Fletcher, Gaffney, Hawkins, Hollibaugh, Lewis, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Thomas, Thompson, Tomlinson, and Weber—32.

Notice of Motion to Reconsider Assembly Bill No. 1960

Messrs. Luckel and Thomas gave notice that on the next legislative day they would move to reconsider the vote whereby Assembly Bill No. 1960 was this day passed.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Connolly (By Request):

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Section 13583 of the Education Code, relating to the dismissal of probationary employees in school districts having an average daily attendance of 60,000 or more pupils.

Respectfully submitted.

ARTHUR H. CONNOLLY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Connolly (By Request):

An act to repeal Section 13583 of the Education Code, relating to the dismissal of probationary employees in school districts having an average daily attendance of 60,000 or more pupils.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3136: By Mr. Connolly (By Request)—An act to repeal Section 13583 of the Education Code, relating to the dismissal of probationary employees in school districts having an average daily attendance of 60,000 or more pupils.

Referred to Committee on Education.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Erwin:

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 24251 and 24265 of the Health and Safety Code, relating to air pollution control.

Respectfully submitted,

THOMAS M. ERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Erwin:

An act to amend Sections 24251 and 24265 of the Health and Safety Code, relating to air pollution control.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Holhbaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3137: By Mr Erwin—An act to amend Sections 24251 and 24265 of the Health and Safety Code, relating to air pollution control.

Referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2587

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2587, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2587

Assembly Bill No. 2587—An act to amend Sections 1089 and 1098 and to add Section 1070.5 to the Penal Code, relating to the number of challenges in criminal cases.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 2, 1949, after "relating to", insert "alternate jurors and".

Amendment No. 2

On page 2, line 17, of said bill, after "dies", strike out "and", and insert "or".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 38: By Mr Lowrey—Relative to the Sacramento River Flood Control Project.

Referred to Committee on Rules.

ANNOUNCEMENTS

Mr. Beck announced a Democratic Caucus upon adjournment.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No 1280

Has had the same under consideration, and reports the same back with the recommendation Do pass and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred.

Assembly Bill No. 1450

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1445
Assembly Bill No 1448

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 778
Assembly Bill No. 2248

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Senate Bill No. 384
Senate Bill No. 232
Senate Bill No. 1327

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 1449
Assembly Bill No 1641
Assembly Bill No. 2182
Assembly Bill No. 2948

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 153

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 2, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 61

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 154
Assembly Bill No. 164

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 82
Assembly Bill No. 166

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No 1711

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred.

Assembly Bill No. 994

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 169
Assembly Bill No. 1323

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER Your Committee on Finance and Insurance, to which was referred

Senate Bill No 976

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 1282
Senate Bill No. 971

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 281
Senate Bill No. 627

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred

Assembly Bill No. 1594

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 768

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

BENNETT, Vice Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 182
House Resolution No. 185

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 76
Assembly Concurrent Resolution No. 77

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No 37

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 180

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 4
Senate Joint Resolution No. 20

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

DICKEY, Chairman

Above reported resolutions ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2577
Assembly Bill No. 2587

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2835

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2588

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Joint Resolution No. 34—Relative to memorializing the President and the Congress of the United States in relation to securing the release of film industry assets frozen in foreign countries;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the third day of May, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1856—An act to amend Section 4001 of the Government Code, relating to public work;

And reports that the same has been correctly enrolled, and presented to the Governor on the third day of May, 1949, at 3 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1356—An act to add Section 1767.7 to the Welfare and Institutions Code, relating to the care of paroled persons under the jurisdiction of the Youth Authority;

Assembly Bill No. 1394—An act to amend Sections 27320 and 27321 of the Government Code, relating to the recordation of instruments;

Assembly Bill No. 1687—An act to amend Section 24400 of the Health and Safety Code, relating to abandoned excavations, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 671—An act to amend Section 1812 of the Education Code, relating to school district elections;

Assembly Bill No. 918—An act to amend Sections 828.15 and 829.5 of the Agricultural Code, relating to containers for fruits, nuts and vegetables;

Assembly Bill No. 920—An act to amend Section 108 of the Agricultural Code, relating to the control or eradication of pests;

And reports that the same have been correctly enrolled, and presented to the Governor on the third day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 631
Assembly Bill No. 1068
Assembly Bill No. 1463
Assembly Bill No. 2307
Assembly Bill No. 2806
Assembly Bill No. 2856
Assembly Bill No. 3111

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 631 and 1068 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1463 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bills Nos. 2307, 2806, and 3111 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2856 ordered re-referred to Committee on Public Morals.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28
Assembly Bill No. 820
Assembly Bill No. 1071
Assembly Bill No. 2054
Assembly Bill No. 2136

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:
Assembly Concurrent Resolution No. 76
Assembly Concurrent Resolution No. 77
Assembly Joint Resolution No. 37
And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:
Assembly Bill No. 2579
Assembly Bill No. 2594
And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p m.—

Public Health, in Room 426.
Agriculture.
Social Welfare, in Room 430.

Today Upon Adjournment—

Livestock and Dairies.
Judiciary, at desk of Mr. Brown.

Tonight, at 8 p.m.—

Fish and Game.
Elections and Reapportionment.

REPORT ON ASSEMBLY BILL NO. 3104 AS AMENDED IN THE ASSEMBLY ON APRIL 15, 1949

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS, SACRAMENTO, April 18, 1949

Hon. Charles M. Weber, Chairman
Assembly Committee on Conservation,
Planning, and Public Works
4th Floor, Room No. 6
State Capitol, Sacramento, California

DEAR MR WEBER: Assembly Bill No. 3104, by Mr. Heisinger, as introduced proposed an amendment to Section 106 of the Water Code. It is understood that the objective of the measure was to add to the Water Code recognition that appropriations of water may be made for recreational uses, and for protection and preservation of fish and wild life. The bill was heard Wednesday, March 30th, and was continued for further hearing and the Department of Public Works was requested to report upon the bill. Meanwhile, the bill was amended on April 15th to read as it is now before your committee.

In order to fully appreciate all implications involved, it is appropriate to briefly survey the provisions of existing law relating to the

subject. Aside from the policy declared in Section 106 of the Water Code, which is repeated in Section 1254, relating to the use of water for domestic and irrigation purposes, and in Section 106 5 concerning use of water for municipal purposes (see also Sections 1460-1464 concerning preferences of municipalities), the code does not contain any categorical statement as to what comprises beneficial uses of water but merely states that the water must be used for a beneficial use or purpose The code contains repeated references to this subject, one of the most direct of which is Section 1240 providing in part that "The appropriation must be for some useful or beneficial purpose * * *." This section appears in Article 4 (headed "Beneficial Use"), Chapter 1, Part 2, Division 2, of the code, which article comprises three sections in addition to the quoted section. Section 1241 provides for the reversion of unused water and Section 1242 provides that underground storage is in effect a means of making beneficial use of water. If any provision is to be added to the Water Code relating to the subject of Assembly Bill No. 3104, it is believed that it should appropriately appear in this article and not in context with Section 106. In connection herewith, Assembly Bill No. 2124, introduced by Mr. Fleury, January 27th, which is also pending before your committee, proposes to add a new Section 1243 to the Water Code relating to beneficial use of water. The proposed new section provides as follows:

> "1243 The storage of unappropriated run-off water in reservoirs or check dams, and the release thereof thereafter to augment stream flow for the maintenance and betterment of fish life in streams during their low water stage, is a beneficial use of water."

Although it is true that the statutory law of this State has not so far specifically declared that the use of water for recreational purposes, and for preservation and propagation of fish and wild life are beneficial uses of water, there can be no doubt that such is the law of this State. This is necessarily implied from the numerous statutory provisions relating to these subjects. The following illustrations are not necessarily all-inclusive but are considered sufficient for present purposes. Article 2, Chapter 3, Division 5 of the Public Resources Code provides for formation and powers of county recreation districts Such a district may erect dams across a stream or river for swimming pools, and may construct and maintain other recreation facilities. The power of eminent domain for district purposes is expressly conferred. There can therefore be no doubt that the purposes of such districts are public uses. A number of other recreation districts are also provided for in the Public Resources Code such as parks and parkways, etc. Also Deering Act 6555, Statutes 1931, page 2521, as amended, provides for the formation of recreation and resort districts.

With respect to the subject of protection and preservation of fish and wild life, Article IV, Section 25½ of the Constitution provides in part that "The Legislature may * * * enact such laws for the protection of fish and game * * * as it may deem appropriate * * * ." Several sections of the Fish and Game Code are of peculiar importance to the present subject of inquiry. These are contained in Article 2, Part 2, Division 4 of the code.

Section 525 provides as follows:

"525. The owner of any dam shall allow sufficient water at all times to pass through a fishway or in the absence of a fishway, allow sufficient water to pass over, around or through the dam, to keep in good condition any fish that may be planted or exist below the dam. During the minimum flow of water in any river or stream, permission may be granted by the commission to the owner of any dam to allow sufficient water to pass through a culvert, waste gate, or over or around the dam, to keep in good condition any fish that may be planted or exist below the dam when, in the judgment of the commission, it is impracticable or detrimental to the owner to pass the water through the fishway"

Section 534 provides that "except as otherwise provided in this code it is unlawful to construct or maintain in any stream (in specified districts) any device or contrivance which prevents, impedes, or tends to prevent or impede the passing of fish up and down stream." Following sections also provide for the installation of screens necessary to prevent fish from passing into conduits.

Section 545 appears to consist in an explanation for a number of code sections imposing express obligations upon the United States in relation to the subject of the same article. This section (545) provides as follows:

"545. In including the United States within the scope of this article the Legislature declares that it understands that the law and policy of the United States with respect to the development of water resources, the reclamation of land from flood and overflow, and in all other respects is to comply with state laws respecting water. The provisions of this article provide a procedure for the United States to comply with the provisions and policy of state law respecting its subject matter."

In view of the foregoing broad powers, question may arise with respect to the necessity of additional legislation for the protection and preservation of fish and wild life. However, if by the expenditure of public funds works are constructed whereby water is stored or diverted and is made available for the specific purpose of the preservation and protection of fish and wild life, or for recreational purposes, there would appear to be no reasonable objection to enactment of express provisions amending the Water Code to authorize appropriations of water for such purposes. There is, however, opposition to any language which might carry an inference that any right could be acquired for such purposes without necessity for subjecting the water to control by storage or diversion in like manner as is required by appropriators for other purposes. It is not believed feasible to formulate, as have many western states, a specific enumeration of beneficial uses of water in order of priority of use, for the reason that climatic and other conditions are so variable within the territorial limits of the State that a particular use might be high in order in one area but low in another.

It is considered unnecessary to make any reference to uses of water other than those directly in view nor is it believed that the addition of provisions expressly recognizing the subjects under review as beneficial

purposes would carry any implication that other uses of water, including power purposes, are not beneficial. In this connection, use of water for power purposes is expressly recognized by existing provisions of the Water Code. For illustration, Section 1263 of the Water Code provides as follows:

"If for power purposes the application shall state the nature of the work by means of which the power is to be developed, the head and amount of water to be utilized, and the use to which the power is to be applied."

Ordinarily the proposed uses are not consumptive except to the extent of evaporation losses. No reference is considered necessary to issuance of permits and licenses subject to conditions, as that subject is adequately covered in Sections 1253 and 1255 of the Water Code.

Surveying all these elements, it is believed that the objectives of both Assembly Bill No. 3104 and Assembly Bill No. 2124 might with propriety be combined. If this suggestion were to be followed it would eliminate the necessity of taking separate action on both Assembly Bill No. 3104 and Assembly Bill No. 2124. A copy of a suggested amendment of Assembly Bill No. 2124 is attached hereto. As an alternative, a copy of a suggested amendment of Assembly Bill No. 3104 is also attached. If either of these amendments were substituted for both bills in their present form, this office would offer no objection thereto.

Very truly yours,

Original signed by
EDWARD HYATT, State Engineer

Assembly Bill No. 3104, as Amended

Assembly Bill No. 3104, as amended, reads as follows:

"SECTION 1. Section 1243 is added to the Water Code, to read:

1243. The storage or diversion of unappropriated water pursuant to appropriations therefor, and the use thereof for recreational purposes, or for the preservation and propagation of fish and wild life, are beneficial uses of water."

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Bennett, the usual courtesies of the Assembly for this day were unanimously extended to Roy F. Wilcox of Montebello, and Manford Meyberg and Walter Swartz of Los Angeles.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Bert J. Abraham of Bellflower.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to William Doran and Pat Orr of Los Angeles.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Harold A. Keats of Fort Lauderdale, Florida, and James Kehoe of San Mateo.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly Chamber for this day were unanimously extended to Mrs. Ada Lee Butler, Miss Daisy Lundgreen, and Verde Hawley, teachers of the

Isleton Union School; Mr. and Mrs Amerman, Mrs. Earl Young, Mrs. La Montagne, Mrs. B F. Perry, Mrs. Yvonne Ryan, Mrs. Chas. Richardson, Mrs. Ike Craven, Mrs. Mabel Rogers, Mrs. Roger Gleason, Mrs. Edwin Bettencourt, Mrs. Eyman, Mrs Ed Longeval, Mrs. E. V. Hoskins, Mrs. Verde Hawley, and Mrs. E. Lewis, parents; Homer Thornton, bus driver; and the following pupils: Joe Camareno, Frances Candler, Alfredo Catamora, John Cox, Joe De Cruz, Glenn Elsperman, Janice Eyman, Daniel Filbert, Donald Filbert, Robert Gonzales, Marie Haratani, Leonard Hashimoto, James Hastings, Harue Hayashida, Mary Hoskins, Bobby Jean Huguley, Frances Lahaie, Joe La Montagne, Walter Anderson, Gordon Bettencourt, Anita Brillo, Larry Brockett, Fred Coito, Wilhemina Correia, Patricia Craven, Shirley Del Chiaro, Reiko Fujimoto, Terry Gleason, Donald Haratani, Diane Hoskins, Betty Jarred, Dorothy Jarred, Marilyn Langhart, Robert Lewis, Donald Lubner, Carmen Madrigal, Alice Longeval, Greta Lunsford, Leonard Maxey, Vincent Modelo, Mary Moore, Roger Morden, David Orosco, Carolyn Osborne, Shirley Pepper, Selden Perry, Ronald Powell, Charles Richardson, Fernando Romero, Theresa Romero, Raul Ruiz, Rowena Ryan, Phillip Salaices, Patricia Schlager, Eloy Sedillo, Rex Moquite, Alfred Mukai, Tetsuo Nagao, Loretta O'Connell, Vincent Owyoung, Frank Perez, Keith Roberts, Sara Rogers, Mario Romero, Annie Ruiz, Julia Salas, Clarence Santos, Haruo Toyota, David Vallejo, Lupe Vasques, Suzanne Vasques, Darlene Vernon, John Sepulveda, Ruth Silva, Richard Souza, Joan Thorton, Ruby Watson, Gary Young, Ronald Abreu, Betty Asayama, Jimmie Asayama, Ernest Bettencourt, Patsy Bettencourt, Lionel Borba, and Dennis Brown.

On request of Mr Dunn, the usual courtesies of the Assembly for this day were unanimously extended to the following group of German educators: Dr. Erich Hylla, Omgus, Bad Nauheim, Hessen; Wilhelm Dumstrey, Berlin; Hans Geiser, Bavaria; Franz Holzheimer, Bavaria; Hans Plessner, Hessen; Kurt Hermann Walter Rein, Bremen; Adolf Schefbuch, Wuerttemberg-Baden; Miss Paula Weppler, Hessen; and Freidrich Werber, Wuerttemberg-Baden

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruth Martin, teacher of the Alamo School of Alamo; Mrs Gordon Ball and Mrs. Hoben Thomas, parents and chaperones; and the following pupils: Kirk Ashford, Nathan Ball, Barbara Beavers, Geraldine Boles, Leonard Catania, Wilma Jane Dunlap, Peter Engelhart, Donald Gray, George Kimball, Laurilla Lovell, Beth Ann Meyers, Erin Dixie Murray, Alex Newman, Wanda Peterson, Robert Polhemus, Tom Pollack, Luther Steadham, Mike Towle, Leslie Wood, Robert Wright, and Hoben Thomas.

ADJOURNMENT

At 12.43 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 4, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SECOND LEGISLATIVE DAY

ONE HUNDRED TWENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, May 4, 1949

The Assembly met at 9.30 a m

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Presence: As we pause to pray, let us behold its universal practice and phenomenal influence in the lives of multitudes

The antidote for worry and tension, and calms the restless mind with healing thoughts.

Induces the mood of serenity and the attitude of poise, and lifts the thoughts above the vexations of daily routine to the Eternal.

Let us realize that when we pray, under the influence of the Divine, our minds blossom with ideas and our imagination is fired with solar light

When we pray we send out a wave of influence for good across the ether that blesses many afar or near.

So let us believe that more things are wrought by prayer than this world dreams of, and may "bind all men by gold chains to the throne of God."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Stewart, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr Reagan.

Mr. Fletcher, on motion of Mr Grant.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr Erwin

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication and two concurrent resolutions introduced in the House of Representatives of Michigan were received, read, and ordered printed in the Journal:

HOUSE OF REPRESENTATIVES
LANSING 1, MICHIGAN, April 28, 1949

Hon. Sam L. Collins, Speaker
House of Representatives
State of California, Sacramento, California

HONORABLE SIR By direction of the Legislature of the State of Michigan upon the adoption of the enclosed concurrent resolutions, I am hereby forwarding to you, as Presiding Officer of your House of Representatives, one attested copy each of

House Concurrent Resolution No. 26.

A concurrent resolution making application to the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States.

Senate Concurrent Resolution No. 18

A concurrent resolution requesting the several states of the United States to adopt a resolution making application for a convention to propose an amendment to the Constitution relating to taxes

The Michigan Legislature requests that you place House Concurrent Resolution No. 26 before your House of Representatives as soon as possible for its consideration and in the event you are not now in session will you kindly present it at your next session, either regular or special.

Sincerely yours,

NORMAN E PHILLEO

Above mentioned resolutions ordered referred to the Committee on Revenue and Taxation.

Chief Clerk Instructed to Acknowledge Receipt of Communication and Resolutions

Speaker Sam L Collins instructed the Chief Clerk to acknowledge receipt of the above mentioned communication and resolutions.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1384
Assembly Bill No. 1904
Assembly Bill No. 1914

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1384 ordered re-referred to Committee on Education.

Assembly Bill No. 1904 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1914 ordered re-referred to Committee on Judiciary.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 351

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

COOKE, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER Your Committee on Agriculture, to which were referred:

Assembly Bill No. 1767
Assembly Bill No 1894
Assembly Bill No 2775
Assembly Bill No. 2779

Has had the same under consideration, and reports the same back with the recommendation: Do pass

COOKE, Vice Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Concurrent Resolution No 71
Assembly Concurrent Resolution No 74

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 605

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Senate Constitutional Amendment No 7

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 7—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 23c to Article IV thereof, relating to the compensation of Members of the Legislature.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, April 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 1377

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1377—An act to amend Section 11000 of the Business and Professions Code, relating to real estate subdivisions.

Referred to Committee on Governmental Efficiency and Economy.

MEMBER EXCUSED

At 9.42 a.m., Mr. Lowrey asked for, and was granted, unanimous consent that he be excused at 10 a.m., for the purpose of attending to legislative business elsewhere.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 114
Senate Bill No 162
Senate Bill No. 464
Senate Bill No. 465
Senate Bill No 532
Senate Bill No 607
Senate Bill No 609
Senate Bill No. 610

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 114—An act to amend Section 4764 of the Health and Safety Code, relating to the borrowing of money by county sanitation districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 162—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Referred to Committee on Elections and Reapportionments.

Senate Bill No. 464—An act to amend Sections 20767 and 20773 of the Business and Professions Code, relating to motor fuel pump inspection and license fees.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 465—An act to amend Sections 20951 and 20952 of, and to add Section 20982 to, the Business and Professions Code, relating to petroleum products inspection and enforcement.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 532—An act to amend Section 5254 of the Welfare and Institutions Code, relating to the hearing of petitions for the

commitment of mentally deficient persons and epileptic persons who are not insane.

Referred to Committee on Social Welfare.

Senate Bill No. 607—An act to amend Section 28151 of the Government Code, relating to compensation for public services in counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 609—An act to add Section 5710 to the Welfare and Institutions Code, relating to information, records, and a directory concerning private institutions licensed by the Department of Mental Hygiene.

Referred to Committee on Social Welfare.

Senate Bill No. 610—An act to repeal Sections 219, 220, and 221 of the Welfare and Institutions Code, relating to the registration of charities

Referred to Committee on Social Welfare.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 50

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 50—Relative to the death of Senator Michael J. Burns, Third Senatorial District.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 138
Assembly Bill No. 1109
Assembly Bill No. 2015
Assembly Bill No. 2742

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1951
Assembly Bill No. 3108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1132

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1002

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 212

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 353
Senate Bill No. 558
Senate Bill No. 699

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 1545

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1937
Assembly Bill No. 2029

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 75

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 778—An act to amend Section 203 of the Code of Civil Procedure, relating to the selection of jurors in municipal courts and in police courts in cities of the second class.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2248—An act to amend Section 925 of the Probate Code, relating to vouchers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 82—An act to amend Section 252 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 166—An act to amend Sections 5410 and 5804 of the Labor Code, relating to workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1445—An act to amend Sections 113, 301, 304, 307, 310, 802, 1101, 1102, 1713, 1908, 2402, 3601, 3602, 3632, 3671, 3672, 3700, 4102, 4105, 4106, 4107, 4110, 4114, 4118, 4119, 4120, 4600, 4603, 4606, 5200, and 6404 of the Corporations Code, to add Sections 4124 and 5201.5 thereto, and to add Article 5, comprising Sections 3800 and 3801 to Chapter 1 of Part 8 of Division 1 of Title 1 thereof, all relating to corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 13, 1949, strike out lines 10 to 14, inclusive, and insert

"(b) In addition to any desired statement of general purposes or powers, the articles shall set forth and identify as such the primary business in which the corporation is intended to initially engage."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1448—An act to amend Sections 3302, 3303, 3305, 3306, 6501, 6502, 6503, and 6504 of the Corporations Code and to

repeal Section 3304 of the Corporations Code, relating to the service of process on corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 39, of the printed bill, as amended in the Assembly on April 13, 1949, after "thereto.", insert

"The certificate of the Secretary of State, under his official seal, certifying to the receipt of process, the giving of notice thereof to the corporation, and the forwarding of such process, pursuant to this chapter, shall be competent and prima facie evidence of the matters stated therein."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 153—An act to amend Sections 311, 312, 313, and 314 of the Penal Code, relating to obscenity and indecency and punishment therefor and the destruction of materials used for those purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 46, of the printed bill, after "of", insert "such".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 994—An act to establish a Banking Code and to revise, rearrange and consolidate the law relating to banks and banking, including that relating to the State Banking Department, the organization and establishment of banks and trust companies and branch offices, deposits and withdrawals, the deposit of funds by fiduciaries, collections, the assertion of adverse and investments, maintenance of reserves, safe deposit business and enforcement of remedies, the trust business, foreign banking corporations, the receiving of money for transmission to foreign countries, the sale, merger, consolidation and conversion of banks and trust companies, and the liquidation, conservatorship, reorganization and dissolution of banks and trust companies, and providing for certain repeals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 45, of the printed bill, strike out the comma following "trust".

Amendment No. 2

On page 3, line 30, of the printed bill, following "account", insert a comma.

Amendment No. 3

On page 6 of the printed bill, strike out lines 27 to 31, inclusive, and insert

"235. If the superintendent is unable to perform his duties for more than thirty consecutive days or if the office of the superintendent becomes vacant, the chief

deputy shall execute to the State an official bond in the penal sum of fifty thousand dollars ($50,000), and the premium for the bond shall be an expense of the department. In either of such events and upon filing such bond with the Secretary of".

Amendment No. 4

On page 6, line 52, of the printed bill, following "seal", insert a comma.

Amendment No. 5

On page 7, line 1, of the printed bill, following "him", insert a comma.

Amendment No. 6

On page 7 of the printed bill, commencing in line 1 thereof, strike out "in all courts and places".

Amendment No. 7

On page 9 of the printed bill, strike out lines 37 to 51, inclusive.

Amendment No. 8

On page 10 of the printed bill, strike out lines 1 to 3, inclusive

Amendment No. 9

On page 15, line 15, of the printed bill, following "application", insert "until he has examined into the matters referred to in subdivisions (b), (c), and (f) of Section 361 and".

Amendment No. 10

On page 17 of the printed bill, commencing in line 17, strike out "and when the certificate of amendment of the Secretary of State has been filed with the superintendent", and insert ". A copy of the same certified by the Secretary of State shall thereupon be filed with the superintendent".

Amendment No. 11

On page 17 of the printed bill, strike out lines 19 and 22, inclusive, and insert

"601. The by-laws of a bank or trust company and any amendment thereto shall become effective only when approved by the superintendent and when a copy thereof certified by the secretary or assistant secretary of the bank or trust company has been filed with the superintendent."

Amendment No. 12

On page 17 of the printed bill, strike out lines 43 to 47, inclusive, and insert "Notwithstanding any other provision of law, a bank, pursuant to action taken by its board of directors and after obtaining the written approval of the superintendent and after obtaining the approval of shareholders holding a majority of the shares of the bank evidenced either in a writing signed by the shareholders or by vote at a shareholders' meeting called upon at least five days notice given by registered mail, may issue preferred stock".

Amendment No. 13

On page 20, line 34, of the printed bill, strike out "Such real property", and insert "Real property used by a bank as its banking premises".

Amendment No. 14

On page 20, line 43, of the printed bill, following "acquire", insert "when necessary".

Amendment No. 15

On page 21 of the printed bill, strike out lines 10 to 14, inclusive, and insert "In any case any real property not held for any purpose permitted by subdivision (a) of Section 750 of this chapter shall be sold whenever the same can be sold for an amount sufficient to reimburse the bank or trust company for all loss arising out of the loan for which such stock was security or arising out of the original investment unless the superintendent consents to the retention of such real property by the bank or trust company for such period as he may prescribe, which consent shall be conditioned upon the stock being written down to a valuation of one dollar ($1) and shall not be given unless the same may be written down to such valuation without encroachment upon the bank's capital or surplus. A bank or trust company shall not by the retention of any stock acquired pursuant to this section engage in any business not authorized by this code except to the extent necessary in the orderly liquidation of an indebtedness owing to the bank."

Amendment No. 16

On page 21, line 42, of the printed bill, following the comma, insert "in the stock of one or more corporations authorized by Section 758 of this chapter,".

Amendment No. 17

On page 21, line 42, of the printed bill, following the comma, insert "and, when not in conflict with the laws of this State,".

Amendment No. 18

On page 21, line 43, of the printed bill, strike out the comma

Amendment No. 19

On page 21, line 45, of the printed bill, strike out "when not in conflict with the laws of this State".

Amendment No. 20

On page 22, line 15, of the printed bill, following 'members", insert "when not in conflict with the laws of this State".

Amendment No. 21

On page 22 of the printed bill, commencing in line 23, strike out "and other receptacles for the safekeeping of personal property".

Amendment No. 22

On page 22, line 25, of the printed bill, following "storage", insert "on its banking premises".

Amendment No. 23

On page 22 of the printed bill, commencing in line 28, strike out "one or more corporations", and insert "a corporation".

Amendment No. 24

On page 22, line 36, of the printed bill, strike out "corporations", and insert "corporation".

Amendment No. 25

On page 23, line 3, of the printed bill, following 'company", insert ", within such limits as may be set by the board of directors,".

Amendment No. 26

On page 23, line 6, of the printed bill, strike out "or the economic advantage of the community and to"; and strike out lines 7, 8, and 9, and insert a period.

Amendment No. 27

On page 23, line 16, of the printed bill, strike out "Whenever any such stock can be", and strike out lines 17 to 21, inclusive

Amendment No. 28

On page 23 of the printed bill, between lines 28 and 29, insert "Whenever any such stock can be sold for an amount sufficient to reimburse the bank or trust company for all loss arising out of the loan for which such stock was security or arising out of the original investment the bank or trust company shall sell the same unless the superintendent consents to the retention of such stock by the bank or trust company for such period as he may prescribe, which consent shall be conditioned upon the stock being written down to a valuation of one dollar ($1) and shall not be given unless the same may be written down to such valuation without encroachment upon the bank's capital or surplus. A bank or trust company shall not by the retention of any stock acquired pursuant to this section engage in any business not authorized by this code except to the extent necessary in the orderly liquidation of an indebtedness owing to the bank."

Amendment No. 29

On page 24, line 27, of the printed bill, strike out ", except rentals or royalties due under a lease", and insert "other than a rental or royalty under a lease".

Amendment No. 30

On page 25 of the printed bill, commencing in line 50, strike out ", shall be free from the control or lien of any other person except a creditor, and may", and insert "and shall".

Amendment No. 31

On page 27, line 11, of the printed bill, following "bank", insert ", bank officer, director, employee, or agent".

Amendment No. 32

On page 27, line 38, of the printed bill following "newspapers", insert "of general circulation".

Amendment No. 33

On page 30 of the printed bill, strike out lines 24 to 26, inclusive, and insert "it is liable to the drawer for the actual loss incurred by him resulting from the payment of such check, not exceeding, however, unless the bank is guilty of negligence, the amount of the check."

Amendment No. 34

On page 30 of the printed bill, strike out lines 34 to 41, inclusive, and insert

"994 If more than six months after receipt of an order to stop payment of a check the bank mails a notice to the drawer stating that the order must be renewed to remain effective and the drawer fails to renew the same in writing within thirty days of such mailing the stop payment order shall cease to be effective at the end of such 30 days.

995 If more than six months after the effective date of this code a bank mails a notice to the drawer of a check who has filed a stop payment order in effect at the time of the effective date of this code stating that the same must be renewed to remain effective and the drawer fails to renew the same in writing within thirty days of such mailing such stop payment order shall cease to be effective at the end of such 30 days."

Amendment No. 35

On page 32, line 24, of the printed bill, following "writing", insert "between any bank and any person from whom any item is received for collection, deposit, or any other purpose".

Amendment No. 36

On page 35, line 15, of the printed bill, following "company", insert "if the bank is engaged in such business at the time of the enactment of this code and is duly licensed under the Insurance Code".

Amendment No. 37

On page 35, line 18, of the printed bill, following "commission", insert "if it is engaged in such business at the time of the enactment of this code and is duly licensed".

Amendment No. 38

On page 37, line 31, of the printed bill, strike out ", if such guarantees or commitments shall be unconditional".

Amendment No. 39

On page 41, line 22, of the printed bill, strike out "means", and insert "shall be".

Amendment No. 40

On page 42 of the printed bill, strike out lines 5 and 6, and insert "levy taxes to pay the principal and interest of such bonds upon all property within its boundaries subject to taxation by such public corporation, provided:".

Amendment No. 41

On page 42 of the printed bill, strike out lines 13 to 16, inclusive, and insert "the assessed valuation of the taxable property within its boundaries according to the last official equalized county assessment roll; and".

Amendment No. 42

On page 42 of the printed bill, strike out lines 17 to 20, inclusive.

Amendment No. 43

On page 42, line 33, of the printed bill, strike out "upon"; and strike out lines 34 and 35, and insert "to pay the principal and interest of such bonds upon all property within its boundaries subject to taxation by such public corporation, provided:".

Amendment No. 44

On page 43, line 23, of the printed bill, strike out "real".

Amendment No. 45

On page 43 of the printed bill, strike out lines 44 to 47, inclusive, and insert "of the taxable property of such overlapping public corporation lying within the boundaries of such public corporation as shown by the last official equalized county assessment roll bears to the assessed valuation of all taxable property of such overlapping public corporation as shown by the last official equalized county assessment roll."

Amendment No. 46

On page 44 of the printed bill, commencing in line 3, strike out "by the California District Securities Commission", and insert "as legal securities for savings banks".

Amendment No. 47

On page 44, line 13, of the printed bill, strike out "has established and is possessed of", and insert "is required and obligated to establish and maintain".

Amendment No. 48

On page 44, line 23, of the printed bill, strike out "1350", and insert "1360".

Amendment No. 49

On page 50 of the printed bill, commencing in line 35, strike out "as established for rate making purposes by the public regulatory body having jurisdiction thereof", and insert "as shown by the books of the corporation".

Amendment No. 50

On page 51, line 52, of the printed bill, following "1949", insert "or by any other law of this State".

Amendment No. 51

On page 54, line 3, of the printed bill, following "1413", insert ", in paragraph (b) of Section 1414,".

Amendment No. 52

On page 64, line 25, of the printed bill, following "provided", strike out "in the".

Amendment No. 53

On page 64, line 37, of the printed bill, strike out "majoirty", and insert "majority".

Amendment No. 54

On page 66, line 38, of the printed bill, strike out ", agent".

Amendment No. 55

On page 66, line 40, of the printed bill, strike out the second "or".

Amendment No. 56

On page 67 of the printed bill, commencing in line 21, strike out "for the efficient administration of such trust or the interpretation of the powers, duties, or discretions of the trustee thereunder;" and insert "in the administration of such trust;".

Amendment No. 57

On page 67 of the printed bill, between lines 30 and 31, insert

"(f) Where such disclosure is made to the superintendent in the course of his examination"

Amendment No. 58

On page 67, line 34, of the printed bill, strike out "Any data and"; and strike out lines 35 to 41, inclusive.

Amendment No. 59

On page 69 of the printed bill, strike out lines 21 and 22, and insert "ing money in escrow".

Amendment No. 60

On page 71, line 50, of the printed bill, strike out "not describe the property to be sold except as", and insert "describe the property only in general terms and as the".

Amendment No. 61

On page 72, line 30, of the printed bill, strike out "an officer", and insert "at least two officers".

Amendment No. 62

On page 76, line 6, of the printed bill, strike out "and Trust".

Amendment No. 63

On page 77, line 5, of the printed bill, following "the", insert "required minimum".

Amendment No. 64

On page 80 of the printed bill, strike out lines 7 to 9, inclusive, and insert

"1780. An individual may establish and maintain an office in this State as representative of a foreign banking corporation but only upon first obtaining a license from the superintendent."

Amendment No. 65

On page 85, line 26, of the printed bill, following "him", insert "by registered mail at his last known address".

Amendment No. 66

On page 85 of the printed bill, commencing in line 42, strike out "shall not be contrary to the provisions of the Federal Reserve Act or", and insert "shall be as consistent as the exigencies of the situation permit with the provisions of the Federal Reserve Act and".

Amendment No. 67

On page 85, line 44, of the printed bill, strike out "shall not be contrary to the rules or", and insert "shall be as consistent as the exigencies of the situation permit with the rules and".

Amendment No. 68

On page 88, line 43, of the printed bill, following "2053", insert "or from the day upon which the approval of the superintendent becomes effective, whichever last occurs".

Amendment No. 69

On page 89, line 39, of the printed bill, following the period, insert "The merger or consolidation of such banks shall have the same force and effect as is provided in the Corporations Code for the merger or consolidation of domestic corporations."

Amendment No. 70

On page 89 of the printed bill, commencing in line 41, strike out "shall be approved by the superintendent before the same may become effective and any agreement of merger or consolidation".

Amendment No. 71

On page 90, line 42, of the printed bill, strike out the first "for the".

Amendment No. 72

On page 93 of the printed bill, strike out lines 16 to 25, inclusive, and insert

"3010. Whenever: (a) a sale of the whole of the business of any bank authorized to engage in the trust business, or of the trust department of any bank or of any branch office of any bank has been completed; or (b) two or more state banks, one or more of which is authorized to engage in the trust business, are consolidated or merged; or (c) one or more national banks, one or more of which is authorized to engage in the trust business, are consolidated with or merged into a state bank, the superintendent, upon request, shall issue under his official seal a certificate in writing duly acknowledged by him in substantially the following form.".

Amendment No. 73

On page 94 of the printed bill, strike out lines 11 to 36, inclusive, and insert

"3011. Whenever. (a) a national banking association authorized and qualified to conduct a trust business in this State is created by the conversion of a state bank likewise authorized and qualified; or (b) a state bank, likewise authorized and qualified, is created by the conversion of a national banking association, likewise authorized and qualified; or (c) one or more national banks, likewise authorized and qualified, are merged with or consolidated into one or more other national banking associations likewise authorized and qualified; or (d) one or more state banks, likewise authorized and qualified, are merged with or consolidated into one or more national banking associations likewise authorized and qualified there may be executed by the President and Secretary or the Cashier of the resulting state bank or national banking association, as the case may be, its Certificate in substantially the following form:

"STATE OF CALIFORNIA, }
County of _____ } ss:

The undersigned, _____, President, and _____ (Secretary or Cashier) of _____ (name of bank), being duly sworn, each for himself, certifies as follows:

WHEREAS, The _____ (name of bank) is a (national bank organized under the laws of the United States, or a bank organized under the laws of the State of California, as the case may be); and

WHEREAS, Said _____ (name of bank) was created in the following manner: (by consolidation, merger or conversion, as the case may be); and

WHEREAS, The _____ (name of bank) is authorized and qualified under the laws of the State of California to conduct a trust business in this State, and

WHEREAS, Said _____ (name of bank) has received from (the Comptroller of the Currency or the Superintendent of Banks, or both, as the case may be) authorization or approval for the conduct of said business under the name of _____, of which authorization the following is a full, true and correct copy:

(Insert copy of authorization or approvals)

NOW, THEREFORE, IT IS HEREBY CERTIFIED That the business formerly conducted by _____ has been succeeded to and is now being conducted by _____, with its principal place of business in the (City of _____, County of _____, or City and County, as the case may be)." "

Amendment No. 74

On page 97 of the printed bill, commencing in line 10, strike out "it shall otherwise be determined in accordance with the Code of Civil Procedure", and insert ", if sought, may only be recovered in a separate action".

Amendment No. 75

On page 97, line 14, of the printed bill, strike out "two hundred dollars ($200)", and insert "five hundred dollars ($500)".

Amendment No. 76

On page 97, line 16, of the printed bill, strike out "two hundred dollars ($200)", and insert "five hundred dollars ($500)".

Amendment No. 77

On page 97 of the printed bill, commencing in line 20, strike out "two hundred dollars ($200)", and insert "five hundred dollars ($500)".

Amendment No. 78

On page 97, line 23, of the printed bill, strike out "two hundred dollars ($200)", and insert "five hundred dollars ($500)".

Amendment No. 79

On page 102, line 30, of the printed bill, following "immediately", insert "notify the superintendent thereof and shall then proceed to".

Amendment No. 80

On page 104 of the printed bill, strike out lines 11 to 16, inclusive.

Amendment No. 81

On page 112, line 38, of the printed bill, following "association", insert "serving without compensation".

Amendment No. 82

On page 113, line 5, of the printed bill, strike out "money or savings", and insert "deposits".

Amendment No. 83

On page 113, line 25, of the printed bill, strike out "or savings".

Amendment No. 84

On page 113 of the printed bill, commencing in line 27, strike out "This section shall not apply to the corporate name of any building and loan association doing business in this State on August 11, 1913 and under which it was then doing business"

Amendment No. 85

On page 113, line 30, of the printed bill, following "association", insert "or savings and loan association".

Amendment No. 86

On page 113 of the printed bill, commencing in line 36, strike out "borrow money, issue investment certificates or evidences of indebtedness, stating the rate of interest and terms and conditions of repayment", and insert "issue shares and investment certificates".

Amendment No. 87

On page 114, line 3, of the printed bill, following "person", insert "or any bank".

Amendment No. 88

On page 114, line 4, of the printed bill, strike out "section", and insert "sections".

Amendment No. 89

On page 114, line 30, of the printed bill, following "excepting", insert "Sections 123.1 and 123.2 of the "bank act" as added by Chapter 568 of the Statutes of 1947 and excepting".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF SUBCOMMITTEE OF COMMITTEE ON FINANCE AND INSURANCE BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that the Report of the Subcommittee of the Committee on Finance and Insurance be ordered printed in the Journal in 10-point type, immediately following the printing of the committee amendments to Assembly Bill No. 994, which have just been adopted.

REPORT OF SUBCOMMITTEE OF COMMITTEE ON FINANCE AND INSURANCE TO WHICH WAS REFERRED ASSEMBLY BILL NO. 994

Hon. Ernest R Geddes, Chairman
Committee on Finance and Insurance
State Capitol, Sacramento, California

DEAR SIR: Your subcommittee, composed of Assemblymen Dolwig, Stanley, Beck, Lipscomb, and Brady, to which was referred Assembly Bill No. 994, herewith makes its report.

Your committee held 11 meetings and carefully studied all of the provisions of the bill. At a number of the meetings Captain Maurice Sparling, Superintendent of Banks, was present, as were representatives of the California Bankers Association. An open meeting was held on Thursday, April 14th, which was noticed in the Daily File, but no one appeared in opposition to the bill. To the best of your committee's knowledge, there is no opposition to the bill with the amendments presented herewith.

Your committee, in the course of its study of the bill, prepared 89 amendments, which have been accepted by the author, and which the committee recommends be adopted. The bill has the approval of the Superintendent of Banks and the committee has received a letter from the General Counsel of the Federal Reserve Banks, which has supervisory jurisdiction over all member state banks, in which he states that, in his opinion, the enactment of the bill will "strengthen the State Banking System and generally improve the statutory law governing banking in this State"

Your committee's examination of the existing Bank Act convinces it that a revision of the law governing state banks is long since overdue. Many of the provisions of the existing law are, to say the least, ambiguous and confusing, and a number of provisions conflict with other provisions. It is believed that the proposed code will clarify the existing law, resolving many matters which have been in doubt, and that the substantive changes which are made, on the whole will strengthen the state banking structure and insure greater protection to the depositors.

Your committee therefore recommends that, as amended, the bill be sent to the Assembly with a recommendation of "do pass."

The bill is primarily a codification of the existing law and your committee is advised by the Legislative Counsel that in form and arrangement it conforms to that followed by the Code Commission and that it will fit into the Code Commission program for a codification of the state statutes.

No substantive changes are made in the existing law prescribing minimum reserves of commercial or savings banks nor in those prescribing the minimum capital and surplus required to be maintained. The departmental system under which state banks have operated since 1909, under which savings, commercial and trust departments must be separately operated and the assets of each department must be segregated, is retained unchanged. No material changes are made in the provisions governing examinations and reports except that authority is granted to the superintendent to examine the private trust business as well as the court trust business of trust companies, and no material changes are

made in the provisions governing the operation of the State Banking Department.

In the opinion of your committee, the only really basic substantive changes made by the bill which affect the operation of state banks generally are those dealing with savings bank investments and those dealing with the loaning limits imposed on commercial banks and upon savings banks.

The existing provisions providing for the certification of securities as legal investments for savings banks by the superintendent have been eliminated, and in lieu thereof there is set forth specifically those classes of bonds in which savings banks may invest and the standards which such bonds must meet to be eligible for investment, and in addition limits are placed upon the amount which may be invested in the bonds of any one obligor. Authority is given, however, to invest in any district bonds certified by the California District Securities Commission. A much more comprehensive diversification is required than under existing law. In general, savngs banks will be limited to the purchase of government, municipal and district bonds certified by the California District Securities Commission. A much more comprehensive diversification is required than under existing law. In general, savings banks will be limited to the purchase of government, municipal, and district bonds and the highest grade corporation bonds. Real estate mortgage bonds have been eliminated, with the exception of Housing Authority bonds.

The lending limit on savings banks is reduced from 50 percent of capital and surplus to 35 percent of capital and surplus with a provision permitting smaller banks, with certain limitations, to lend up to $35,000 on a first mortgage. The net result of this change is to slightly increase the lending limit of banks with a capital and surplus of from $35,000 to $100,000 in their savings departments and to reduce the lending limit on banks with a capital and surplus in their savings departments in excess of $100,000. The existing lending limit for savings banks appears to be too liberal but some exception is needed to be made in the case of the smaller banks as they are now permitted to lend up to the amount of their capital and surplus. The over-all lending limit on commercial banks, which is now 25 percent of capital and surplus, is not changed except to limit loans secured by real estate to 15 percent and so as to permit a commercial bank to lend up to 10 percent of combined capital and surplus unsecured if the bank has no other loaus outstanding in any department. This will provide state commercial banks with the same unsecured lending limit as is imposed on national banks.

Except for minor changes in such matters as the fees collected by the department, the form and contents of reports, and changes in procedures made to conform to the Corporations Code and changes made to bring the code in line with court decisions and departmental interpretations and those of a purely technical nature, the following are believed to be all of the substantive changes made by the bill:

1. Certificates to open a new bank or a branch lapse after specified periods of time if the bank or branch is not opened within such time pursuant to the authority granted.

2. A branch may no longer be closed without approval of the superintendent and at least 90 days' notice to the public.

3. The matters into which the superintendent is required to examine before granting authority to open a new bank or branch are stated with greater particularity than in the existing law.

4. A bank already having a branch in another city is permitted to open an additional branch in that city upon putting up the same additional capital required for a branch of a bank located in such city.

5. Banks are prohibited from owning stock in foreign banking corporations as is now authorized.

6. All bank stock is made subject to assessment whether or not the articles of incorporation so provide.

7. A bank must set aside to surplus 10 percent of previous profits before declaring a dividend instead of just 10 percent of profits earned during the previous six months, and the code prohibits any dividends whenever surplus is less than 25 percent of capital.

8. Authority of a bank to hold real estate is somewhat broadened to include real estate reasonably related to the operation of its business and needed for future expansion.

9. Authority is added to permit the holding of stock acquired in satisfaction of a loan for such period as the superintendent may prescribe, providing it is written down to a valuation of $1 and can be so written down without encroaching upon the bank's capital or surplus. Provision is added prohibiting a bank from thereby operating any business not authorized by the code except when necessary in the orderly liquidation of an indebtedness.

10. Authority is granted for a bank to own stock in a corporation owning its banking premises, provided it holds at least 75 percent of the stock. (The code as well as the present act prohibits a bank from purchasing stock in corporations generally.)

11. An investment in the stock of a trust company is required to be made out of capital funds in excess of the minimum capital and surplus required by the code.

12. A provision is added expressly authorizing banks to contribute to charitable and benevolent instrumentalities, etc., within such limits as may be set by the board of directors.

13. The preference now granted to deposits made by estates pursuant to court order over all other depositors has been eliminated.

14. The provisions dealing with joint tenancy bank accounts are clarified to make it clear that persons may have a joint tenancy bank account with right of survivorship even though the depositors require both signatures on checks during their lifetimes. The conclusive presumption in favor of a surviving joint tenant in a bank account is eliminated.

15. Payment of interest on demand deposits is permitted to the extent that it may be permitted to members of the Federal Reserve System or to banks whose deposits are insured by the Federal Deposit Insurance Corporation.

16. The limitation on the total amount of public moneys which any bank may have on deposit at one time is changed from 300 percent of capital to 200 percent of capital and surplus.

17. The section on adverse claims is changed so as to require a bank to honor a restraining order even though other parties to the action have not yet been served and so as to require the restraining order to be delivered to the office of the bank at which the account is carried and so as to require the bond indemnifying the owner of the account or property and the bank, which may be posted in lieu of a restraining order, to be twice the value of the property claimed rather than twice the amount of the claim.

18. The liability of a bank in paying a check after receipt of a stop payment order is limited to the amount of the check except where the bank is guilty of negligence in which case the bank is liable for the actual damage.

19. After six months of receipt of a stop payment order, the bank may send a notice to the drawer that the notice must be renewed, and if the same is not then renewed within thirty days it ceases to be effective.

20. In forwarding items for collection, banks are authorized to forward them if in the usual course of business to an agency other than a bank.

21. The provisions of the Uniform Deferred Posting Statute as recommended for adoption in all states by the Federal Reserve Board have been included in lieu of the existing provisions dealing with deferred posting.

22. Before authorizing the addition of a new department to a bank the superintendent is required to find that neither the depositors nor creditors will be adversely affected.

23. Express authority is granted the superintendent to require a change in the apportionment of capital and surplus between departments when he deems it necessary.

24. The prohibition against a commercial bank investing more than 5 percent of its assets in any one bond issue is extended to include all the bonds of any one obligor (except United States, State of California, and certain municipals).

25. Authority now given banks in places of a population of less than 5,000 to act as insurance agents or real estate loan agents is limited to those now so engaged and then only if duly licensed under the appropriate licensing statute.

26. Authority for commercial banks to make construction loans not exceeding six months is extended to permit such loans for a period of not exceeding one year, provided a plan for financing the buildings as completed under regular 60 percent or F. H. A. loans has been formulated.

27. The authority of a commercial bank to lend up to 10 percent of its assets upon the security of the stock of any one corporation is reduced to 5 percent.

28. In computing the amount of stock of another bank which may be accepted as collateral a bank is required to include any stock of such

other bank which it owns so that under no circumstances may it acquire in the aggregate more than 25 percent of the stock of such other bank

29. The provision now permitting an encroachment upon reserves up to 1 percent without penalty is eliminated so that penalties may be imposed in the event of any encroachment.

30. The minimum capital and surplus requirements of banks acting as reserve depositaries have been doubled, reserve depositaries being those banks in which other banks may keep part of their reserves.

31. Authority for savings banks to discount bills of exchange or purchase a participating interest in bills has been eliminated except authority to purchase and discount bankers' acceptances which are eligible for rediscount by the Federal Reserve Bank.

32. The margin requirements when certain types of bonds are accepted as collateral have been increased from 10 percent to 15 percent and the margin required on loans with real estate mortgage bonds as collateral has been increased from 10 percent to 50 percent, and the margin required on bonds of foreign countries is increased from 10 percent to 50 percent.

33. Savings banks are authorized to lend on the security of a first lien on a leasehold providing the lease has 50 years to run and the term of the loan does not exceed five years, or in the case of single family residences 20 years, and the amount of the loan does not exceed 60 percent of the value of the leasehold and improvements.

34. Trust companies are required to make a deposit with the State Treasurer if they accept any trust business and not only upon acceptance of court trusts.

35. If a trust company deposits trust funds with another department of the same bank such department must actually pledge securities to secure the deposit rather than merely set them aside as is presently required.

36. Provision is added providing that common trust funds shall be treated as separate entities, and that, in administering trusts participating in the fund, no different allocation need be made between principal and income than that made for the fund.

37. Authority to issue participation certificates in loans secured by trust deeds or mortgages has been eliminated.

38. Authority is granted the superintendent to examine the private trust business as well as the public trust business of trust companies.

39. Authority of a trust company to deposit a mortgage on its home office building in lieu of securities with the State Treasurer has been eliminated.

40. After default in the payment of rent of a safe deposit box the time within which a bank may send notice to the renter that the box will be opened if the rent is not paid is reduced from one year to six months.

41. A foreign banking corporation doing business in the State is required to deposit one-half of the minimum capital and surplus required or $100,000, whichever is greater, with the State Treasurer, rather than to merely allocate it to its California business as at present.

42. Foreign banking corporations are required to annually renew their licenses.

43. Authority is granted to the superintendent at any time to require a bank to employ a certified public accountant to make a special audit of the affairs of the bank. The authority of the superintendent to appraise the value of a bank's investments or property held as security for loans is broadened.

44. The condensed statement of financial condition required to be published by banks is required to be in such form and contain such matters as the superintendent shall prescribe in lieu of the matters now specified.

45. The detailed provisions now contained in the Bank Act governing the procedure to be followed on a merger or consolidation are eliminated and the provisions of the Corporations Code are made applicable.

46. Provisions are added permitting the conversion from a national bank to a state bank in anticipation of congressional action to that effect at this session of Congress.

47. Upon the liquidation of a bank the superintendent is required on each declaration of a liquidating dividend to set aside an amount sufficient to pay those depositors who have not filed claims up to the time of the final liquidating dividend. At present depositors do not share in liquidating dividends paid before they file a claim. After the final liquidating dividend if any funds remain they must still be held for depositors who have not filed claims and if no claims are thereafter filed are to be turned over to the State Treasurer to be held in the same manner as any other abandoned property.

48. A provision is added prohibiting attachment or execution against the property of a bank before final judgment.

49. Authority of the superintendent on liquidation to compromise claims under $200 is changed to permit compromise of claims under $500 without a special order of court.

50. In the event of the termination by the superintendent of an executory contract or lease when liquidating a bank a creditor or lessor is given the same rights as under the National Bankruptcy Act.

51. The State Board of Control is authorized to approve claims to unclaimed trust property up to the amount of $500 instead of $300.

52. The provisions dealing with liquidation of banks insured by the Federal Deposit Insurance Corporation have been revised to be consistent with the provisions of the act of Congress governing insurance of bank accounts.

53. The provisions dealing with loans to officers and directors have been revised so as to prohibit any loans to an officer of a bank or to any corporation in which an officer owns directly or indirectly more than 10 percent of the stock or in which two or more directors or officers own more than 20 percent of the stock, and loans to directors of savings banks are placed on the same basis as loans to directors of a commercial bank. A loan must be confirmed by a majority of all of the directors or the affirmative vote of all directors attending the meeting and must be

reported to the superintendent. The penalties in the provisions dealing with loans to officers and directors have been increased.

54. The provisions prohibiting the use of the word "savings" in the corporate name of institutions not authorized to do a banking business or to advertise that they are accepting "money or savings" have been eliminated. Except in this respect, it is not intended and it is not believed that the adoption of the code affects existing laws governing the operation of financial institutions other than banks.

A detailed and exhaustive analysis of the bill showing every change section by section has been prepared by the Legislative Counsel, was furnished your committee, and is available in the Office of the Legislative Counsel.

Respectfully submitted,

RICHARD J. DOLWIG, Chairman

REQUEST THAT MEMBERS READ REPORT RELATIVE TO ASSEMBLY BILL NO. 994

Mr. Waters requested that all members read the Report of the Subcommittee of the Committee on Finance and Insurance Relative to Assembly Bill No. 994.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1594—An act to amend Section 201 of the Unemployment Insurance Act, relating to disability payments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1949, strike out "Section 201 of", and insert "Sections 201 and 203 of, and add Section 206 to,".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "provided, however,"; and strike out lines 8 to 10, inclusive, and insert a period.

Amendment No. 3

On page 1 of the printed bill, after line 10, insert

"SEC. 2. Section 203 of the Unemployment Insurance Act is amended to read:

Sec. 203. The total amount of unemployment compensation disability benefits and the weekly benefit amount payable to an eligible individual under this article during any one benefit year shall be computed in accordance with the provisions of Sections 53 and 54 of this act, *provided that not more than six times the weekly benefit amount shall be payable for any disability caused by or arising in connection with pregnancy.*

SEC. 3. Section 206 is added to the Unemployment Insurance Act, to read:

Sec. 206. No individual otherwise eligible shall be paid unemployment compensation disability benefits on account of a disability caused by or arising in connection with pregnancy if, in any one of the first three of the last four completed calendar quarters immediately preceding the commencement of the period of disability covered by the claim, the individual has not had earnings in covered employment or received unemployment compensation benefits or unemployment compensation disability benefits."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 154—An act to amend Section 4652 of the Labor Code, relating to waiting period under the Workmen's Compensation Act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "seven", and insert "forty-nine."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 164—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 14, of the printed bill, after "to", insert "successfully".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2185—An act to amend Sections 1, 2, and 3 of, and to add Section 3½ to, the Highway Carriers' Act, relating to petroleum carriers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 2, line 50, of the printed bill, strike out the semicolon, and insert a period; strike out the balance of line 50, and all of lines 51 and 52.

Amendment No. 2

On page 3, line 20, of said bill, strike out the second comma; and in line 26, strike out the comma.

Amendment No. 3

On page 4 of said bill, after line 39, insert

"SEC. 5. Section 3¾ is added to said act, to read:

Sec. 3¾. The Railroad Commission is hereby vested with power and authority to regulate safety of operations of each such petroleum contract carrier."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2186—An act to amend Sections $2\frac{3}{4}$ and $50\frac{3}{4}$ of the Public Utilities Act, relating to petroleum carriers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 2, line 26, of the printed bill, strike out "tanks", and insert "tank truck or tank trailer".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 1449—An act to add Section 9003 to the Corporations Code, relating to nonprofit corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"9003 Every domestic and qualified foreign nonprofit corporation expressly exempted from taxation".

Amendment No. 2

On page 1, lines 5 and 6, of said bill, strike out "on or before the thirty-first day of January of each year", and insert "each calendar year, commencing with the year 1950,".

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out "its treasurer (if any),".

Amendment No. 4

On page 1, line 9, of said bill, strike out the period, and insert "in this State."

Amendment No. 5

On page 1 of said bill, strike out lines 10 to 24, inclusive, and insert

"If any such corporation fails to file such statements on or before December 31, 1950, the Secretary of State shall forthwith mail written notice, postage prepaid, of the provisions of this section to the corporation. If the only address of the corporation disclosed by the records of the Secretary of State is the county in which the principal office in this State is located, then the notice may be mailed to the corporation in care of any officer, director, or agent whose address is disclosed by such records or in care of the last known attorney of record for the corporation according to the records of the Secretary of State. If the corporation then fails to file said statements within ninety (90) days after the mailing of such notice the corporation shall be presumed to have abandoned its corporate rights and privileges, including its corporate name, and the Secretary of State may remove the corporation from his active file and thereupon the name of such corporation shall become available for use by another corporation.

Failure to file the required statements on or before December 31st of each year subsequent to 1950 shall create a presumption of abandonment without the necessity of any prior notice from the Secretary of State and thereupon the corporation may be removed from the active files of the Secretary of State and its name made available to another corporation.

Any such presumption of abandonment may be overcome and the corporation restored to the active files of the Secretary of State by the filing of the statements required by this section, except that if, during the period of presumed abandonment another corporation has adopted the same name or any name so similar as to tend to

deceive, then the corporation may not file said statements and be restored to the active files until it has amended its articles of incorporation to adopt a new available name."

Amendment No. 6

On page 1, line 26, of said bill, strike out "and address of principal office.", and insert "or of the location and address of the principal office of a corporation pursuant to this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1641—An act to amend Section 1425 of the Penal Code, relating to jurisdiction of justices' courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "where the"; and strike out lines 8 to 12, inclusive, and insert "except those of which the juvenile court is given original jurisdiction."

Amendment No. 2

On page 1 of said bill, after line 29, insert

"4. A Justice's Court of Class A or of Class B shall have the same jurisdiction in a criminal case where the offense charged was committed on the boundary between the township in which the court is established and an adjoining township, or within five hundred yards of such boundary, as it would have if the offense were committed within the township in which the court is established."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2182—An act to provide for the compilation, publication and distribution of state laws, relating to publishing and publications, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "without charge", and insert "at cost".

Amendment No. 2

On page 1, line 11, of said bill, after "of", strike out the blank, and insert "fifteen hundred dollars ($1,500)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2948—An act to add Article 4, comprising Sections 6060 to 6064, inclusive, to Chapter 1 of Division 7 of Title 1 of the Government Code, relating to the publication of notices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "notices", and insert "matter required by law to be published in a newspaper of general circulation".

Amendment No. 2

On page 1, line 10, of said bill, after the period, insert "As used in this article, "notice" includes official advertising, resolutions, orders, or other matter of any nature whatsoever that are required by law to be published in a newspaper of general circulation."

Amendment No. 3

On page 1 of said bill, strike out line 14, and insert "be for 10 days The period of notice commences upon the first day of publication and terminates on the tenth day. Publication shall be made in each edition and on each day on which the newspaper, whether a daily or weekly newspaper, is published during the period "

Amendment No. 4

On page 1, line 16, of said bill, after the period, insert "Three publications, whether in a daily or weekly newspaper, are sufficient The period of notice commences upon the first day of publication and terminates at the end of the third week."

Amendment No. 5

On page 1, line 18, of said bill, strike out "consecutive weeks", and insert "successive weeks Four publications, whether in a daily or weekly newspaper, are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the fourth week "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 169—An act to amend Section 4553 of the Labor Code, dealing with workmen's compensation

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 and 15, and insert "three thousand seven hundred and fifty dollars ($3,750) "

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1323—An act to amend the Building and Loan Association Act by amending Section 9 01 thereof, relating to investments and loans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out "9 01 thereof, relating to investments and loans", and insert "11 01 thereof, relating to licenses of agents, salesmen and collectors".

Amendment No. 2

In line 1 of the printed bill, strike out "9 01", and insert "11 01".

Amendment No. 3

Strike out lines 3 to 18 of the printed bill, and insert

"Sec. 11 01. Licenses, When Required No person, copartnership or corporation shall act as an agent of an association or as a salesman of an association or shall operate an agency of an association unless at the time licensed so to do by the commissioner. No license shall be required for a collector of an association but no person, copartnership or corporation shall hold himself out or act as a collector of an association unless he is thereunto authorized in writing subscribed by such association. Any person, copartnership or corporation violating any of the provisions of this section shall be guilty of a misdemeanor. This section shall not apply to brokers, dealers or investment advisers registered with the Securities and Exchange Commission of the United States"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 180

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 180, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 180

By Mr. Dickey:

House Resolution No. 180

Relating to the continuance of the Assembly Legislative Process Committee

Resolved by the Assembly of the State of California, As follows.

1. In order to effectuate and complete the functions and duties imposed upon it, and in order to enable it to coordinate and assist in the work of any interim committee which may be created or continued at this session of the Legislature, the Assembly Legislative Process Committee created by House Resolution No. 13 of the 1949 Regular Session, is continued as an Assembly interim committee, and is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

2. The committee shall have the membership and all the rights, powers, and duties possessed by the committee and its members pursuant to House Resolution No. 13.

3. The committee may make available to any Assembly or joint committee or any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit

4 The committee shall make available to and shall furnish to the Assembly investigating committees created at this regular session and to each of the members thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Assembly Legislative Process Committee may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe amounts, times and methods of payment of their compensation.

5 The provisions of the Joint Rules of the Senate and Assembly, and of the Standing Rules of the Assembly, as such rules are adopted at this session or amended from time to time, are hereby made applicable to this committee and its members.

6. In addition to any money heretofore made available, the sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution and the balance of all the money appropriated for contingent expenses of the Assembly and which has not

been made available for the expenses of interim committees or for other purposes, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

In the resolution as printed in the Assembly Journal of April 26, 1949 on pages 2594 and 2595, in line 1 of the paragraph numbered 6, as it appears on page 2595, after "sum of", insert "two hundred thousand dollars ($200,000)".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lowrey, Luckel, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thompson, Waters, Way, Weber, and Mr Speaker—55.

NOES—McCarthy and Sherwin—2

Consideration of House Resolution No. 180, as Amended

By Mr Dickey:

House Resolution No. 180

Relating to the continuance of the Assembly Legislative Process Committee

Resolved by the Assembly of the State of California, As follows:

1. In order to effectuate and complete the functions and duties imposed upon it, and in order to enable it to coordinate and assist in the work of any interim committee which may be created or continued at this session of the Legislature, the Assembly Legislative Process Committee created by House Resolution No. 13 of the 1949 Regular Session, is continued as an Assembly interim committee, and is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

2 The committee shall have the membership and all the rights, powers, and duties possessed by the committee and its members pursuant to House Resolution No. 13

3 The committee may make available to any Assembly or joint committee or any Member of the Assembly such assistance in connection with the duties of the committee or other legislative matters as the personnel under direction of the committee or its other facilities permit

4 The committee shall make available to and shall furnish to the Assembly investigating committees created at this regular session and to each of the members thereof such secretarial and stenographic help as may be reasonably necessary for such committees and each of the members thereof to make and carry on the studies and investigations required by or of them by the resolutions creating such committees, and for such purpose, in addition to any other power or authority, the Assembly Legislative Process Committee may employ such additional stenographic and secretarial assistants as may be necessary, assign and reassign such assistants, prescribe amounts, times and methods of payment of their compensation

5 The provisions of the Joint Rules of the Senate and Assembly, and of the Standing Rules of the Assembly, as such rules are adopted at this session or amended from time to time, are hereby made applicable to this committee and its members.

6 In addition to any money heretofore made available, the sum of two hundred thousand dollars ($200,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution and the balance of all the money appropriated for contingent expenses of the

Assembly and which has not been made available for the expenses of interim committees or for other purposes, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lowrey, Luckel, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—55.

NOES—McCarthy and Sherwin—2.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 182

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 182, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 182

By Mr. Dickey:

House Resolution No. 182

Relative to attendance at funerals and purchase of floral pieces

Resolved by the Assembly of the State of California, That the Speaker of the Assembly may designate any one or more of the Members of the Assembly as the representatives of the Assembly to attend funerals in appropriate circumstances. The members so designated shall receive their actual and necessary expenses incurred in the performance of their duties or in lieu of such expenses the same allowance for accommodations and meals, and mileage as is provided by the Joint Rules for members of investigating committees.

The Speaker or any Member of the Assembly designated by him may incur such expenses as may be necessary for the purchase on behalf of the Assembly of suitable floral pieces for any such funeral.

All expenses incurred pursuant to this resolution, after approval by the Speaker, are hereby ordered to be paid out of the money allocated from the Contingent Fund of the Assembly to the Assembly Legislative Process Committee by House Resolution No. 180 of the 1949 Regular Session or any other money available for expenditure by said committee, and disbursed, after certification by the chairman or vice chairman of said committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read:

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—55.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 185

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 185, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 185

House Resolution No. 185

By Messrs. Geddes, Dunn, and Weber:

WHEREAS, The Assembly Fact-finding Committee has, during its investigations, received documents touching only incidently upon the subject matter it was empowered to investigate; and

WHEREAS, Other special committees, namely, Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California and the Interim Committee on Governmental Efficiency and Economy, continued in existence beyond this date should have these documents rather than have them hidden in the archives; now, therefore, be it

Resolved, by the Assembly of the California Legislature, That the Chairman of the Assembly Fact-Finding Committee on Highways, Streets and Bridges is authorized and directed to deliver such documents in his possession to the chairmen of the respective committees named above.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Sillman, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—55.

NOES—Lowrey—1.

ANNOUNCEMENTS

Mr. Dickey announced that everyone desiring to take the trip to Shasta Dam, next Saturday, should see Mr. Davis at once so that he may ascertain how many reservations will be needed, and that it may be determined how many attaches may be released from duties on Saturday.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS

Senate Bill No. 384—An act to amend Section 390 of the Penal Code, relating to railway crossing warning.

Bill read second time, and ordered to third reading.

Senate Bill No. 232—An act to amend Section 9 of the Dangerous Weapons Control Law, relating to dealer's registers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1282—An act to repeal Sections 2071 and 2072 of, to add Sections 2071 and 2072 to, and to amend Sections 2073 and 2074 of, the Insurance Code, relating to insurance and the standard form fire insurance policy.

Bill read second time, and ordered to third reading.

Senate Bill No. 971—An act to amend Sections 700.01, 700.02, and 1594 of the Insurance Code, to renumber and amend Section 1584 of said code, to repeal Section 1582 of said code, and to add Section 700.05 to said code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 976—An act to add Article 4, comprising Sections 1610 to 1619, inclusive, to Chapter 4, Part 2, Division 1 of the Insurance Code, relating to actions in this State against non-admitted insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 31, 1949, strike out "1619", and insert "1620".

Amendment No. 2

On page 1, line 12, of said bill, after "issuance", and before the semicolon, insert "*, thus presenting to such residents the often insuperable obstacle of resorting to distant forums for the purpose of asserting legal rights under such policies*".

Amendment No. 3

On page 1, line 16, of said bill, strike out "largely".

Amendment No. 4

On page 3, line 23, of said bill, strike out "The,"; and strike out lines 24 to 29, inclusive.

Amendment No. 5

On page 4, line 7, of said bill, after "SEC. 3" and before "It", insert Section 1620 is added to the Insurance Code, to read:

1620. The provisions of the preceding sections of this article shall not apply to any action, suit or proceeding against any unauthorized foreign or alien insurer arising out of any contract of insurance effected in accordance with Sections 1760.5 and 1763 where such contract contains a provision designating a resident of this State or any firm of which one member is a resident of this State to be its true and lawful attorney upon whom may be served all lawful process in any such action, suit or proceeding.

In any such action, suit or proceeding arising out of any such contract of insurance, the court may require the insurer to deposit cash or securities, or file bond with good and sufficient sureties, to be approved by the court, in an amount sufficient to secure the payment of any final judgment which may be rendered unless such insurer makes a showing satisfactory to the court that it maintains in a state of the United States funds or securities in trust or otherwise sufficient and available to satisfy any such final judgment and that it will pay any such judgment without requiring suit to be brought thereon in the state where such securities or funds are located.

SEC. 4."

Amendment No. 6

On page 4, line 13, of said bill, strike out "4", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Hahn asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 281—An act to amend the Building and Loan Association Act by amending Section 2.02 thereof, relating to restrictions on corporate name, Section 2.04 thereof, relating to approval of

articles of incorporation by the Building and Loan Commissioner, Section 2.07 thereof, relating to branches, Section 4.01 thereof, relating to guarantee stock, Section 8.03 thereof, relating to minors and married women, Section 10 03a thereof, relating to Federal Insurance Reserve Account, Section 11.04 thereof, relating to licenses for agents and salesmen, Section 12 04 thereof, relating to foreign associations, Section 12.06 thereof, relating to restrictions on advertising, Section 13.02 thereof, relating to appointees, employees and offices of the Building and Loan Commissioner, Section 13 05 thereof, relating to general duties of such commissioner, Section 13 07 thereof, relating to appraisements, Section 13.17 thereof, relating to assessments by such commissioner for salaries and expenses, and Section 15 16 thereof, relating to supervision and control of borrowers' mutual building and loan associations; repealing Section 5.03 of said act, relating to investment certificate reserve; and adding to said act Section 2 10, relating to investment certificate and withdrawable share reserve, and Section 8 13, relating to authorization to execute certificates, all relating to building and loan associations.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 5, line 33, of the printed bill, as amended in the Senate on April 7, 1949, strike out "No", and insert "On or after October 1, 1954, no"

Amendment No. 2

On page 6, line 18, of said bill, strike out "1950", and insert "1954".

Amendment No. 3

On page 7, line 2, of said bill, strike out "1950", and insert

"1954 Said Section 5 03 is hereby amended to read as follows from the effective date of this act until October 1, 1954

Sec. 5 03. Investment Certificate Reserve. Each association issuing investment certificates shall at all times maintain an investment certificate reserve which shall be not less than 5 percent of its total investment certificate liability

Such investment certificate reserve may consist of either of the following:

(1) If there be nonwithdrawable capital, the aggregate paid-up nonwithdrawable capital, together with any surplus, undivided profits and the loan reserve created pursuant to Section 10 03 of this act;

(2) If there be no nonwithdrawable capital, the loan reserve created pursuant to Section 10 03 of this act and such part of the undivided profits not apportioned to shareholders as the association shall have set apart for such investment certificate reserve

No dividends shall be paid or profits be distributed to stockholders of any association issuing investment certificates if such payment or distribution would deplete its investment certificate reserve below the proportion provided in this section. No dividends shall be paid or profits be distributed to shareholders from that part of the undivided profits which the association shall have set apart for such investment certificate reserve if such payment or distribution would deplete such investment certificate reserve below the proportion provided in this section, or if such investment certificate reserve is at the time below the proportion provided in this section If the investment certificate reserve of any association issuing investment certificates is not maintained in the proportion provided in this section, no additional investment certificates of such association shall be issued except in exchange for installment certificates when fully paid, nor shall any dividends be paid to or profits be distributed to stockholders of such association until such proportion shall have been restored"

Amendment No. 4

On page 7, line 39, of said bill, strike out "1950", and insert "1954".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

Senate Bill No. 627—An act to amend Section 4 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, as amended, relating to fines and obligations of officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "4", and insert "10"

Amendment No. 2

Strike out line 4 of the title of said bill, and insert "relating to powers of credit unions."

Amendment No. 3

On page 1, line 1, of said bill, strike out "4", and insert "10".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"SEC 10. The directors of any credit union may, at the close of each half year or fiscal year, declare such dividends from its undivided profits as is provided for by law, but no credit union shall declare, credit or pay any dividends to its shareholders until it shall have transferred to its guaranty fund such part of its net earnings as is required by Section 7 of this act.

Shares which shall have been fully paid by the first day of any calendar month of any period for which dividends are declared, shall be entitled to a proportionate part of such dividends calculated from the first day of [the following] *such* month.

The by-laws of any credit union may provide that shares which shall have been fully paid by the tenth day of any calendar month of any period for which dividends are declared shall be entitled to a proportionate part of such dividend calculated from the first day of such month and may further provide that shares may be entitled to dividends irrespective of the fact that any part or all the moneys paid upon such shares may have been withdrawn during any portion of any such dividend period.

The board of directors of any credit union may declare dividends semiannually or annually."

Amendment No. 5

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out page 2

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Joint Resolution No. 4—Relative to establishing a nine county area to be known as the San Francisco Bay Area.

Resolution read

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 3, line 20, of the printed measure, as amended in the Senate on April 21, 1949, strike out "suitable".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Joint Resolution No. 20—Relative to memorializing the Congress of the United States to modify the classification of items subject to tax as luxuries.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 2, of the printed measure, strike out "principal", and insert "principle".

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 444, on request of Mr Butters

Assembly Bill No. 3122, on request of Mr. McCollister.

Assembly Bill No. 1960, on request of Mr. Stanley.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1918 WAIVED

Mr. Doyle waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1918 was refused passage.

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Maloney asked for unanimous consent that his notice of motion to withdraw Assembly Bill No. 30 from committee be made a special order of business for Monday, May 9, 1949, at 10 a.m.

Mr. Silliman withheld unanimous consent.

Request for Unanimous Consent to Set Special Order

Mr. Maloney asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 30 from committee be made a special order of business for Tuesday, May 10, 1949, at 10 30 a.m.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Messrs. Maloney, Way, McCollister, Cooke, and Crowley as a Select Committee to represent the Assembly at the funeral of the late Senator Michael J. Burns in Eureka, tomorrow, May 5th, at 10 a.m. A plane will leave Sacramento with said committee at 5 p m. today.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2104—An act to add Sections 1416, 1417, and 1418 to the Water Code, relating to permits to appropriate water.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Reagan, Rosenthal, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 38 FROM COMMITTEE

Mr. Collier gave notice than on the second legislative day he would move to withdraw Assembly Bill No. 38 from the Committee on Public Morals, and have it placed upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2711—An act to add Article 10, comprising Sections 8001 to 8025, inclusive, to Chapter 4 of Part 3 of Division 6 of the Public Resources Code, relating to surveys and maps, creating the Office of State Supervisor of Maps and Surveys, and prescribing his powers and duties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Thomas, Thompson, Waters, Way, Weber, and Yorty—55.

NOES—Cooke—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 50

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 50, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 50

Senate Concurrent Resolution No. 50—Relative to the death of Senator Michael J. Burns, Third Senatorial District.

Resolution read, and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—George D. Collins—1.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 2309 was taken up.

Assembly Bill No. 2309—An act to amend the title and Sections 4, 15, 17, 18, 19.5, 20, and 23 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, and to amend the title and Sections 17, 18, 19.5, 20, and 24 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of personal property brokers.

Bill read third time.

Speaker Pro Tempore Presiding

At 10.33 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 27, of the printed bill, as amended in the Assembly on April 27, 1949, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)".

Amendment No. 2

On page 5, line 29, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)".

Amendment No. 3

On page 5, lines 34 and 35, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)".

Amendment No. 4

On page 5, line 37, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)".

Amendment No. 5

On page 6, line 41, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)"

Amendment No. 6

On page 6, lines 43 and 44, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)".

Amendment No. 7

On page 6, line 49, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)".

Amendment No. 8

On page 6, line 52, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "three hundred dollars ($300)".

Amendments read.

Speaker Presiding

At 10.52 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Motion That Unlimited Time for Debate Be Granted

Mr. Thomas moved that Mr Grunsky be given unlimited time for debate, so that all who wish to ask him questions pertaining to his proposed amendments may have the opportunity to do so.

Mr. Collier seconded the motion.

Point of Order

Mr. Dunn arose to the following point of order: That the motion by Mr. Thomas is not in order because no one can force a member to answer questions.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Grunsky to Assembly Bill No. 2309.

Motion to Temporarily Suspend the Rules

Mr. Collier moved that the Rules be temporarily suspended for the purpose of considering the granting of unlimited time to Mr. Grunsky for answering questions, at this time.

Mr. Thomas seconded the motion.

Substitute Motion

Mr. Dolwig moved, as a substitute motion, that Mr. Grunsky be given 10 minutes additional time in which to close his debate, for the purpose of answering questions.

Mr. Silliman seconded the motion.

Substitute Motion Withdrawn

Mr. Silliman withdrew his second.

Mr. Dolwig withdrew his substitute motion.

The question being on the motion by Mr. Collier to temporarily suspend the Rules.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Babbage, Butters, Coats, Collier, George D. Collins, Conrad, Davis, Elliott, Evans, Geddes, Hahn, Huyck, Moss, Sherwin, Silliman, Thomas, Thompson, and Yorty—19.

NOES—Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Gaffney, Grant, Hagen, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Levering, Lincoln, Lipscomb,

Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Mr. Speaker—42.

The question being on the adoption of the amendments offered by Mr. Grunsky to Assembly Bill No. 2309.

Demand for Previous Question

Messrs. Caldecott, Waters, Heisinger, Burke, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Grunsky to Assembly Bill No. 2309.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Butters, Caldecott, Collier, George D. Collins, Condon, Crichton, Davis, Ralph C. Dills, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Kirkwood, Maloney, McCarthy, Moss, Sherwin, Thomas, Tomlinson, and Waters—21.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Connolly, Cooke, Cramer, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lipscomb, Luckel, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Stanley, Stewart, Thompson, Way, Weber, Yorty, and Mr. Speaker—45.

The question being on the passage of Assembly Bill No. 2309.

Consideration of Further Amendments

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

On page 5, line 27, of the printed bill, as amended in the Assembly on April 27, 1949, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendment No. 2

On page 5, line 29, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendment No. 3

On page 5, lines 34 and 35, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendment No. 4

On page 5, line 37, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendment No. 5

On page 6, line 41, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendment No. 6

On page 6, lines 43 and 44, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendment No. 7

On page 6, line 49, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendment No. 8

On page 6, line 52, of said bill, strike out "seven hundred fifty dollars ($750)", and insert "five hundred dollars ($500)".

Amendments read.

Demand for Previous Question

Messrs. Doyle, Lincoln, Connolly, Silliman, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Maloney to Assembly Bill No. 2309.

The roll was called, and the amendments adopted by the following vote:

AYES—Beck, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Ralph C Dills, Dolwig, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Rumford, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, Way, and Yorty—46.

NOES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Crowley, Dickey, Clayton A Dills, Doyle, Erwin, Evans, Geddes, Hoffman, Hollibaugh, Huyck, Levering, Lipscomb, Luckel, McCollister, Morris, Niehouse, Reagan, Stanley, Stewart, and Weber—27.

Notice of Motion to Reconsider Amendments Offered by Mr. Maloney to Assembly Bill No. 2309

Mr. Crowley gave notice that on the next legislative day he would move to reconsider the vote whereby the amendments offered by Mr. Maloney to Assembly Bill No. 2309 were this day adopted.

Point of Order

Mr. Brady arose to the following point of order: That Mr. Crowley is not in order because motions are not properly before the House.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Motion to Reconsider Vote Whereby Amendments Offered by Mr. Maloney Were Adopted, at This Time

Pursuant to Standing House Rule No. 84, Mr. Maloney moved to reconsider, at this time, the vote whereby the Assembly, on this day, adopted the Maloney Amendments to Assembly Bill No. 2309.

Mr. Waters seconded the motion.

Motion to Adjourn

Mr. Clayton A. Dills moved that the Assembly do now adjourn.

Mr. Reagan seconded the motion.

Roll Call Demanded

Messrs. Waters, Lincoln, and Kirkwood demanded a roll call.

Point of Order

Mr. Silliman arose to the following point of order: That the motion by Mr. Clayton A. Dills was not seconded, and is not in order.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order not well taken

Motion to Adjourn Withdrawn

Mr. Reagan withdrew his second.

Mr. Clayton A. Dills withdrew his motion to adjourn.

The question being on the motion to reconsider the amendments offered by Mr. Maloney, at this time.

Motion to Set for Special Order

Mr. Beck moved that the motion to reconsider the vote whereby the amendments offered by Mr Maloney to Assembly Bill No. 2309 were this day adopted be set as a special order of business for tomorrow, Thursday, May 5, 1949, at 11 a.m.

Mr. Brady seconded the motion.

Motion to Set for Special Order Withdrawn

Mr. Brady withdrew his second.

Mr. Beck withdrew his motion that Mr Maloney's motion to reconsider his amendments to Assembly Bill No. 2309 be set as a special order for Thursday, May 5, 1949, at 11 a.m

Motion to Reconsider Withdrawn

Mr. Waters withdrew his second.

Mr. Maloney withdrew his motion to reconsider, at this time, the vote whereby his amendments to Assembly Bill No. 2309 were this day adopted.

ALL MATTERS ON FILE CONTINUED BY UNANIMOUS CONSENT

Mr Brady asked for, and was granted, unanimous consent that all matters on file be continued until the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 78: By Mr. Crichton—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the eleventh day of April, 1949.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Public Health, to which was referred: Assembly Bill No 1010

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1706

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred.

Assembly Bill No. 1499
Assembly Bill No 1988

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 766
Assembly Bill No 1492
Assembly Bill No. 2034
Assembly Bill No. 2156

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 973
Assembly Bill No. 1761

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 1312
Assembly Bill No. 2127

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 279

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 2007
Assembly Bill No 2915

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 98—An act to amend Sections 26822, 26826, 26828, 26829, 26834, 26838, 26841, 26848, and 26852 of, to repeal Section 26835, and to add Section 26849.1 to, the Government Code, relating to the fees of county clerks;

Assembly Bill No. 608—An act to amend Sections 271.2, 304, 307, 311, and 332 of the Vehicle Code, relating to the licensing of drivers of motor vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of May, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 71—Relative to approving amendments to the charter of the City of Glendale, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1949;

Assembly Concurrent Resolution No. 74—Approving five certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a primary nominating election held therein on the fifth day of April, 1949;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourth day of May, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 576

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER Your Committee on Legislative Procedure, to which was referred:

Assembly Bill No. 321

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HUYCK, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 82
Assembly Bill No 166
Assembly Bill No. 778
Assembly Bill No. 2248

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1484
Assembly Bill No. 1564
Assembly Bill No. 2587

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 1802

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Assembly Bill No. 2372

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 3, 1949

MR SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 1253

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 132

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER. Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 859

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to third reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:
Assembly Bill No. 2292

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Interim Committee on Tidelands and Relative Problems—Bridges, in Room 435

At 3 p.m.—

Conservation, Planning, and Public Works, in Room 435
Governmental Efficiency and Economy

Tonight—at 8 p.m.—

Education

Tomorrow, Thursday, May 5th, at 8.45 a.m.—

Rules

Next Monday, May 9th, at 9 a.m.—

Subcommittee on Ways and Means. Subject: Assembly Bill No. 2120

It was announced that no meetings of the following committees would be held today:

Manufacturing, Oil, and Mining Industry
Constitutional Amendments

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Preston, teacher of the Geyserville Union High School; Mrs. Davis and Mrs. Rood, parents; and the following students: George Amaroli, Willie Faye Bray, Patricia Cake, William Carroll, Darliene Coon, Dolores Coon, Clarence Davis, Evelyn Frambrini, Jack Jarman, Tom Lombardi, Elbert Peacock, Jerry Rose, Luella Schenkenberger, and Russell Smith.

On request of Messrs. Brown and Brady, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. James Higgins of Berkeley.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Sister M. Regina, Sister M. Angela, Sister Anna Louise, and Sister John Berchmanns, teachers, of Ecole Notre Dame des Victoires (Our Lady of Victory) of San Francisco, and the following pupils: Rosemarie Allen, Joan Brenan, Mary Conroy, Lita Belluomini, Betty Foubert, Loucretia Helmly, Theresa Lawless, Mary Ann Lynch, Louise Perez, Carol Newsom, Doris Swanson, Bette White, Patricia Murphy, Joanne Smith, Shirley Ann O'Neill, Marie Therese Tamborini, Patricia Carstensen, Naomi Balthazar, Marion Terheyden, Carolyn Lodi, Joyce Devereaux, Jacqueline Araldo, Joan Brasquier, Patsy Cleary, Jewell de Foe, Marilyn Feerick, Mary Kappeler, June Leofanti, Elaine Marchetti, Beverly Portello, Elsa Putthoff, Joan Thompson, Betty Haster, Ann Ashburn, Lydia Sequiera, Dorothy St. Leger, Bernadette Murphy, Claire Larson, Patricia Collins, and Barbara Kaler.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Bernard and Sister Mary Lucia, teachers of the School of the Epiphany; Mrs. Dickson and Mrs. Antczak, parents; and the following pupils: Marie Ahern, Raymond Allara, John Ed. Antczak, Donald Blanchard, Shirley Barsi, Donald Baroni, Beverly Blanco, Raymond Bottarini, Rene Boullet, Dolores Cahill, George Carli, Geraldine Cernach, Michael Ciraolo, Joan Dallara, Adrienne Del Carlo, Donald DeMeyer, Dolores Desmond, Theresa Desmond, Carl Dickson, Noreen Dowrick, Lloydine Euing, Albina Grappoli, Ellen Griffin, Richard Hodge, Loretta LaFata, Patricia Lagrave, Michael Lappin, Rita Lynch, Beverly Maas, Danny MacDonald, Carolyn Mowry, Margaret Murphy, Jeanmarie Myers, Jacqueline Neiss, Jeanne Noel, Patricia O'Brien, Edmond Palmieri, Robert Payne, Mary Ann Reardon, Geraldine Russo, Lawrence Sintek, George Soetje, Salvatore Fanciullo, Anthony Fraga, Anna Garcia, Barbara Gehlen, Tania Sokol, Angela Spediacci, Shelia Sullivan, Fredericka Walters, and Evelyn Wittwer.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Lena B. Everett, teacher, of the Stanford Junior High School of Sacramento, and the following pupils: Joanne Aradis, Bob Back, Leroy Beck, Janice Berkebile, Bob Bishop, Leona Bristol, Doris Brent, Alfred Carlson, Bobby Caron, Betty Cannady, Sharon DeBarra, Charles Deweese, Shirley Evans, Darryll Fenley, Dick Jones, Wayne Johnson, Harold Kinney, Pat Laughlin, Frank Marchi, Eleanor Maskovich, Walter Miles, David Pegg, Robert Petrali, Joni Pullen, Harold Robison, Harry Roundtree, Bernard Schaaf, Christina Schneberger, Alice Solorio, Norman Sharp, Duane Smith, Noboro Tateishi, Richard Truax, Mary Webb, Mary Whitcomb, Billy Wilkinson, Bobby Wilkinson, Donald Russell, and Beverly La Frank.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to C. L. Peckinpah of Quincy.

ADJOURNMENT

At 1.22 p m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, May 5, 1949, out of respect to the memory of the late Senator Michael J. Burns of the Third District.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-THIRD LEGISLATIVE DAY

ONE HUNDRED TWENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, May 5, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Justice: We pray for the spirit of brotherly love in the industrial conflicts of today.

We pray for a fair understanding of the problems of the employer in this complex generation of uncertain economic conditions, heavy taxation, and many obligations. Honor the business genius which builds America's vast prosperity.

We pray also for the employees, that they may have their just share of the fruits of industry, adequate to maintain the standard of living, comfort and intelligence necessary for a self-governing people and worthy of America

We pray that both employer and employee may in their differences remember the interests of the Public, who stand on the sidelines, like the innocent spectator in a fight and often gets a knockout blow

God help us to pray and work for a Square Deal for everybody.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Fletcher, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Maloney, on motion of Mr. Crichton.
Mr. Way, on motion of Mr. Crichton.
Mr. McCollister, on motion of Mr. Crichton.
Mr. Cooke, on motion of Mr. Crichton.
Mr. Crowley, on motion of Mr. Crichton.
Mr. Davis, on motion of Mr. Lowrey.
Mr. Weber, on motion of Mr. Crichton.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, May 5, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 1967, entitled, "An act to amend Section 6359 of the Revenue and Taxation Code, relating to food products exempt from sales and use taxes."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 5.40 o'clock p m. on the fourth day of May, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 4, 1949

To the Honorable Members of the Assembly
State of California, Sacramento California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1967, entitled: "An act to amend Section 6359 of the Revenue and Taxation Code, relating to food products exempt from sales and use taxes."

My objections to this bill are as follows:

1. I am advised by the Attorney General that it is doubtful if the bill will result in the intended purpose. Representatives of the industry informed me that it is intended by this bill to make it clear that the cost of sausage casings which are removed in the process of preparation and not sold with the finished product, are not subject to sales and use taxes. According to the Attorney General it is doubtful if the bill will accomplish this purpose because it merely includes sausage casings in the definition of food products and does not change the existing wording regarding exemption of food products providing such exemption only for food products for human consumption. The casings involved are not intended for or used for human consumption, and therefore it is immaterial whether they are or are not defined as food products.

2. If this product used in the production of food products for human consumption, although not itself consumed as a food, is exempted from the sales and use taxes, certain other products of a similar character will seek the same exemption, resulting in a constantly whittling away process. There are several other bills to eliminate articles from the sales or use tax in this session of the Legislature, and the signing of this bill would undoubtedly give impetus to the others.

I am advised that many states of the Union are at this time engaged in broadening the base of their sales and use tax. I am of the opinion that in view of the present financial situation in this State the base of our sales and use tax should not be restricted.

Respectfully submitted,

EARL WARREN, Governor

Above bill ordered to unfinished business file.

COMMUNICATIONS

By the Chief Clerk:

A communication from H. N. Hensley, Adjutant General, Veterans of Foreign Wars, National Headquarters, Kansas City, Missouri, relative to Assembly Concurrent Resolution No. 69, was received, and ordered filed with the Secretary of State.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2651

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No 1000
Assembly Bill No. 3098

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 152
Senate Bill No. 259
Senate Bill No 1248

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 461

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 461—An act to add Section 12011.6 to, and to amend Sections 12024.5 and 12211 of, the Business and Professions Code, relating to containers and commodities therein.

Referred to Committee on Public Health.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 965
Senate Bill No. 1331
Senate Bill No. 1427
Senate Bill No. 1562
Senate Bill No. 1622

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 965—An act to amend Section 4256 of the Business and Professions Code, relating to fees charged by the California State Board of Pharmacy, to take effect immediately.

Referred to Committee on Public Health.

Senate Bill No. 1331—An act to add Section 11004 to the Elections Code, relating to petitions for the recall of state officers.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 1427—An act to amend Sections 3896 and 3897 of, and to repeal Article 13, comprising Sections 3741 to 3750, inclusive, of Chapter 11 of Division 2 of, and to add Section 38899 to, the Education Code, relating to the organization of high school districts, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1562—An act to repeal Sections 3534 to 3538, inclusive, of the Revenue and Taxation Code, creating the Advisory Committee on Tax-deeded Property.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1622—An act to add Article 4.5 to Chapter 13 of Division 2 of the Education Code, relating to the annexation of high school districts to junior college districts.

Referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 401

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1775

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER Your Committee on Conservation, Planning, and Public Works, to which was referred.

Assembly Bill No. 2791

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER Your Committee on Conservation, Planning, and Public Works, to which was referred.

Assembly Bill No 2969

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

WEBER, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No 488
Senate Bill No 8
Senate Bill No. 1617

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1073

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred.

Assembly Joint Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 78

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 169	Assembly Bill No. 2182
Assembly Bill No. 1323	Assembly Bill No. 2185
Assembly Bill No. 1449	Assembly Bill No. 2186
Assembly Bill No 1641	Assembly Bill No. 2948

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bills Nos. 2185 and 2186 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bills Nos. 1449, 1641, 2182, and 2948 ordered re-referred to Committee on Judiciary.

Assembly Bills Nos. 169 and 1323 ordered re-referred to Committee on Finance and Insurance.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 189

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study and investigate the laws and regulations relating to the registration of engineers, and the administration thereof

WHEREAS, From time to time complaints have been received by Members of the Assembly relating to the administration of the laws governing registration of engineers; and

WHEREAS, Many complaints allege that arbitrary discrimination is practiced by the State Board of Registration for Engineers in various matters, and particularly, that graduates of our own state universities and certain colleges and universities are not afforded the same credit for their educational achievements and degrees of engineering as are afforded graduates of other institutions; and

WHEREAS, Further arbitrary exclusion of licensing many engineers whose scholastic standing is as high and whose degrees are at least equal and whose experience exceeds by many years the greatest conceivable requirement of those now in the profession, hampers and handicaps the building and development program of the State; and

WHEREAS, It is necessary that the Assembly be fully informed as to all facts relating to any phase of this subject, in order that it may determine what, if any, legislative action is needed; and

WHEREAS, The ascertainment of such facts and the investigation of such subject falls within the scope of the powers and duties conferred and imposed upon the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

Resolved, by the Assembly of the State of California, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee created at this session with similar powers and duties, is hereby requested to study and investigate all laws and regulations relating to the registration of engineers, the administration thereof by the State Board of Registration for Civil Engineers, and all other matters relating to or in any way bearing upon the recitals of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

MOTION TO RECALL SENATE BILL NO. 1094 FROM THE SENATE

Mr. Babbage moved that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 1094 for further consideration by the Assembly, and to show upon the records of the Senate that the Senate deems Senate Bill No. 1094 not to have been transmitted to it by the Assembly.

Motion carried.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 351—An act to amend Sections 19624 and 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation and expenditure of the money in said fund.

Bill read second time, and ordered engrossed.

Assembly Bill No. 212—An act to amend Section 970 of the Fish and Game Code, relating to regulation of nets and other appliances.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1132—An act to add Sections 1201.1, 1201.2, 1201.3, 1201.4, 1201.5, 1201.6, 1201.7, 1201.8, 1201.9, 1201.10, and 1201.11, to the Fish and Game Code, relating to pheasants.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 28, 1949, after "*pheasants*", insert "*and declaring the urgency thereof*".

Amendment No. 2

On page 2 of said bill, strike out lines 28 and 29; and in line 30, strike out "SEC 13", and insert

"SEC 12".

Amendment No. 3

On page 2, line 19, of said bill, after "possessed", insert "during the season and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Rumford asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 75—An act to amend Sections 3, 4, 12, and 15 of the Relief Act of 1945, relating to relief of hardship and destitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 12, of the printed bill, following the period, insert "Relief also means relief in kind when provided for the rehabilitation and restoration of the individual or members of the family to an employable status, or when provided in lieu of assistance in cash."

Amendment No. 2

On page 1, line 12, of the printed bill, after "medical care", strike out the period, and insert a comma and "or other remedial care."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1010—An act to add Section 2175.1 to the Business and Professions Code, relating to persons authorized to practice medicine and surgery under the Department of Corrections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 2, of the printed bill, as amended in the Assembly on April 28, 1949, after "year", strike out the period, and insert ", provided that qualified physicians and surgeons cannot be recruited in the State of California."

Amendment No. 2

On page 2, line 7, of said bill, after the period, insert "The provisions of this section shall terminate on September 30, 1951."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1706—An act to amend the chapter heading of Chapter 1 of Part 3 of Division 6 of the Welfare and Institutions Code, and to amend Sections 6000, 6001, 6002, 6003, and 6004 of, and to add Section 6005 to said code, relating to county psychopathic hospitals, and providing for the temporary admission and treatment therein of mental patients and the powers of counties in respect thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "shall", and insert "may".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 973—An act to amend Sections 28111, 28116, 28126, 28133, 28142, 28146, and 28149, and to repeal Sections 28123, 28124, 28125, and 28134 of the Health and Safety Code, relating to the preservation of the public health, including the sanitation and regulation of establishments where food used for human consumption is stored, prepared, kept, manufactured or distributed.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on April 28, 1949, after "cannery", insert ", winery".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1761—An act to repeal Sections 4845.20, 4545.21, 4845.22, 4845.23, 4845.24, 4845.25, 4845.26, 4845.27, and 4845.28 of, and to add Sections 4845.30, 4845.31, 4845.32, 4845.33, 4845.34, 4845.35, and 4845.36 to, the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 28, 1949, strike out lines 1 to 5, inclusive, and insert

"In the event the district has indebtedness evidenced by bonds and the indebtedness is outstanding and owing either on the date of the election or upon receipt of the verified petition by the board of supervisors, the".

Amendment No. 2

On page 2, line 33, of said bill, strike out "bonded".

Amendment No. 3

On page 2 of said bill, strike out lines 35 to 37, inclusive; and in line 38, strike out "(d)", and insert

"(c)".

Amendment No. 4

On page 2, line 41, of said bill, strike out "(e)", and insert

"(d)".

Amendment No. 5

On page 3, line 9, of said bill, strike out "bonded".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1312—An act to amend Section 204e of the Code of Civil Procedure, relating to jury commissioners and secretaries of the superior court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, after the second "county", insert "except in counties having a population in excess of two million,".

Amendment No. 2

On page 1, lines 8 and 9, of said bill, strike out ", in counties having a population of less than two million,".

Amendment No. 3

On page 1, lines 13 and 14, of said bill, strike out "4005c of the Political", and insert "28020 of the Government".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2127—An act to add Section 73f to the Code of Civil Procedure, relating to the holding of sessions of the superior court in places other than the county seat.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, after "held", insert ", or were required by law to be held,".

Amendment No. 2

On page 1, line 10, of the printed bill, strike out "seat or", and insert "seat and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1802—An act to add Section 12024.4 to Chapter 1 of Division 5 of the Business and Professions Code, relating to the sale of poultry and rabbits by weight.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Livestock and Dairies:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the period, and insert a semicolon and "provided, however, that this does not prevent the sale of baby chicks, turkey poults, started chicks, started poults, laying hens, or breeding stock by the head count"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 321—An act to add Sections 9413 and 9414 to the Government Code, relating to contempts before legislative committees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Legislative Procedure:

Amendment No. 1

On page 1, line 6, of the printed bill, after "statistics", insert a comma

Amendment No. 2

On page 1, line 13, of the printed bill, after "statistics", insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1002—An act to amend Section 745 of the Fish and Game Code, relating to sharks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, after "745.", strike out "It", and insert "It is unlawful to take female soupfin shark until 90 days after the adjournment of the 1951 Regular Session of the Legislature. Until such date it".

Amendment No. 2

On page 1, line 6, of said bill, after "prescribe ", insert "The sole purpose and scope of such rules and regulations shall be to insure the protection of female soupfin sharks."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1951—An act to amend Section 461 of the Fish and Game Code, relating to fishing and hunting contests.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 21, 1949, strike out "prize or other inducement", and insert "prizes or other inducements".

Amendment No. 2

On page 1, line 4, of said bill, after "exceeding a", insert "total".

Amendment No. 3

On page 1 of said bill, strike out lines 5 and 6, and insert "the taking of any game bird, mammal, fish, or of any mollusk or crustacean."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 3108—An act to add Section 38.5 to the Fish and Game Code, relating to the power of the Fish and Game Commission to conserve migratory wild fowl.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 28, 1949, strike out "Sections 38.5 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 20, inclusive, and insert
"SECTION 1. Section 38.6 is added to the Fish and Game Code, to read.".

Amendment No. 3

On page 1 of said bill, strike out line 21, and insert
"38.6. The commission may appropriate".

Amendment No. 4

On page 1 of said bill, strike out line 23, and insert "Water Code, for the purpose of".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 766—An act to amend Section 2116 of the Business and Professions Code, relating to investigators for the Board of Medical Examiners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 14, 1949, strike out line 10, and insert "The board".

Amendment No. 2

On page 1, line 11, of said bill, strike out "for the board"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1492—An act providing for loans to municipalities and districts for sewerage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on April 28, 1949, after "of", insert "Public".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 5, line 37, of the printed bill, as amended in the Assembly on April 28, 1949, strike out the period, and insert a semicolon

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2156—An act to repeal Articles 2 and 3 of Chapter 6, Part 3, Division 5 of, to add Articles 2 and 3 to Chapter 6, Part 3, Division 5 of, and to amend Sections 4024, 4451, 4452, and 4475 of, to add Sections 4025, 4458, 4459, 4460, and 4461 to, the Health and Safety Code, relating to contamination and pollution of waters and the regulation, abatement, and correction of such conditions, the disposal of sewage and industrial wastes, and the supply of water for domestic and other purposes, all relating to public health.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on April 28, 1949, after "producing", insert a comma.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1499—An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10 to 24, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"431 The State Director of Public Health shall appoint an Advisory Chronic Disease Council of ten (10) members to advise and consult with the State Department of Public Health in carrying out the chronic disease program provided for in this article. In appointing council members, the director shall consult with appropriate professional societies including the California Medical Association and the California Osteopathic Association and with other organizations and agencies concerned with the chronic diseases The tenure of council members shall be established by the director and specified in letters of appointment Each year the director shall designate one member to serve as chairman of the council."

Amendment No. 2

On page 2, line 9, of said bill, strike out "The council shall"; and strike out lines 10 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1988—An act to amend Section 20751 of the Health and Safety Code, relating to the sale of poisons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 20751", and insert "Sections 20703, 20751, 20757, 20800, and 20805"

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 20703 of the Health and Safety Code is amended to read:

20703. "Poison" means and includes the compositions of the following schedules:

Schedule "A":

(a) Arsenic compounds and preparations;

(b) Cyanides and preparations, including hydrocyanic acid;

(c) Fluorides soluble in water, and preparations;

(d) Mercury compounds and preparations, except preparations made and labeled for external use only and containing not more than five-tenths percent (0.5%) total mercury, and except ointments or soaps containing not more than two percent (2.0%) total mercury or not more than ten percent (10.0%) ammonium mercuric chloride or mercuric oxide;

(e) Phosphorous and preparations;

(f) Thallium compounds and preparations;

(g) Aconite, Belladonna, Cantharides, Cocculus, Conium, Digitalis, Gelsemium, Hyoscyanus, Nux Vomica, Santonica, Stramonium, Strophanthus, Veratrum, or their contained or derived active compounds and preparations, except preparations made and label for external use only, and except preparations containing not more than four-thousandths percent (0.004%) total belladonna alkaloids or not more than two-hundredths percent (0.02%) total nux vomica alkaloids, and except preparations in dosage forms each containing not more than two-tenths milligram (0.20mg.) total belladonna alkaloids or not more than one milligram (1.0mg.) total nux vomica alkaloids;

(h) Zinc phosphide and preparations;

(i) Sodium fluoroacetate and preparations.

Schedule "B":

(a) Antimony, Barium, Copper, Lead, Silver or Zinc compounds soluble in water, and preparations containing five percent (5.0%) or more of these compounds;

(b) Bromine or Iodine and preparations;

(c) Hypochlorous acid, free or combined, and preparations that yield ten percent (10.0%) or more of available chlorine, excepting chloride of lime or bleaching powder;

(d) Permanganates soluble in water, and preparations containing five percent (5.0%) or more of these compounds;

(e) Nitric acid and preparations containing five percent (5.0%) or more of the free acid;

(f) Hydrochloric, Hydrobromic or Sulfuric acids, and preparations containing ten percent (10.0%) or more of the free acids;

(g) Oxalic acid or Oxalates, and preparations containing ten percent (10.0%) or more of these compounds;

(h) Acetic acid and preparations containing twenty percent (20.0%) or more of the free acid;

(i) Potassium or Sodium hydroxides, and preparations containing ten percent (10.0%) or more of the free alkalies;

(j) Ammonia solutions or ammonium hydroxide, and preparations containing five percent (5.0%) or more of free ammonia;

(k) Chloroform or Ether, and preparations containing five percent (5.0%) or more of these compounds, except preparations made and labeled for external use only;

(l) Methyl alcohol or Formaldehyde, and preparations containing one percent (1.0%) or more of these compounds;

(m) Phenol or carbolic acid, Cresols or other phenol derivatives, soluble in water, and preparations containing five percent (5.0%) or more of these compounds;

(n) Nitroglycerine and nitrites;

(o) Nicotine and preparations containing nicotine expressed as alkaloid more than two percent (2.0%);

(p) Ergot, cottonroot, pennyroyal and larkspur, or their contained or derived active compounds or mixtures thereof.

Schedule "C":

(a) Carbontetrachloride.

SEC. 2. Section 20751 of said code"

Amendment No. 4

On page 1, line 7, of said bill, strike out ' contained. The poison", and insert "contained and a caution label affixed to the package, box, bottle or paper in which the "C" poison is contained. The poison or caution' .

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, after line 8, insert

"SEC. 3. Section 20757 of said code is amended to read:

20757. The poison label required by this chapter to be placed on all packages of poison, shall contain the word "poison" and the "vignette" representing the skull and crossbones, printed upon red paper in distinct white letters, or in distinct red letters upon white paper, and shall contain the name of the article or contents of the package, the name and place of business of the person or firm packaging the poison [The name of the particular] *The particular label requirement for the* antidote adopted by the board for the poison sold (and no other) shall also be upon the poison label or be attached to the package

SEC. 4. Section 20800 of said code is amended to read:

20800 When in the opinion of the board it is in the interest of the public health, it may further add *or deduct* compounds or preparations to schedules "A", [and] "B" *or* "C" after an open hearing following due notification of interested parties, which rules will be applicable to all persons alike.

Notice of the adoption of rules pursuant to this section shall be given to the public in such manner as the board deems necessary No person shall be subject to prosecution for violating the rule until the board has given due public notice of its rule. In addition to the public notice of the adoption of such rules, the board shall give written notice of the adoption of such rules within thirty days after the adoption thereof by sending written notice thereof to all drug stores licensed under Chapter 9 of Division 2 of the Business and Professions Code

No schedule adopted under the provisions of this division shall apply, except as specifically provided in this division, to any economic poison as defined in Section 1061 of the Agricultural Code.

SEC 5. Section 20805 of said code is amended to read:

20805. Any person violating any of the provisions of the division is guilty of a misdemeanor and upon conviction shall be fined in a sum of not less than [thirty dollars ($30)] *one hundred dollars ($100)*, not more than five hundred dollars ($500), or by imprisonment for not less than [30] *90* days, and not more than [180 days] *one year*, or by both such fine and imprisonment

All money, forfeited bail or fines received under the operation of this division shall be sent without delay by the magistrate receiving it, 75 percent to the State Treasurer to be deposited in the State Treasury and 25 percent to the city treasurer of the city, if incorporated, otherwise to the county treasurer of the county in which the prosecution is conducted."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2007—An act to amend Sections 8200, 8201, 8203.1, 8207, 8209, 8212, and 8213 of the Government Code, relating to notaries public.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 27, 1949, after "Code", insert "and Section 1183.5 of the Civil Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 33, insert

"SEC. 8. Section 1183.5 of the Civil Code is amended to read:

1183.5. 1. Any officer of any component of the Army of the United States on active duty in federal service commissioned in or assigned or detailed to duty with the Judge Advocate General's Department, any staff judge advocate or acting staff judge advocate, and the adjutant, assistant adjutant, personnel adjutant or commanding officer of any command;

2. Any commanding officer or executive officer of a ship, shore station or establishment and any officer of or above the rank of lieutenant, senior grade, on active duty with the Navy or Coast Guard of the United States;

3. Any officer of or above the rank of captain on active duty with the United States Marine Corps,

Shall have the power of a commissioned officer to administer and certify oaths or affirmations, attest documents, take acknowledgments, and perform all other notarial acts, for any person serving in or with the armed forces of the United States, wherever located within or without this State.

Any instrument acknowledged by any such officer or any oath or affirmation made before such officer shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment. No authentication of the officer's certificate of acknowledgment or of any jurat signed by him shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in a form authorized by the laws of this State or in the following form:

On this the_____day of_____, 19____, before me, _____, the undersigned officer, personally appeared_____known to me (or satisfactorily proven) to be serving in or with the armed forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that____he____ executed the same. And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed.

To any affidavit subscribed and sworn to before such officer there shall be attached a jurat substantially in the following form:

Subscribed and sworn to before me on this_____day of_____, 19____.

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed.

The recitals contained in any such certificate or jurat shall be prima facie evidence of the truth thereof, and any certificate of acknowledgment, oath or affirmation purporting to have been made by any commissioned officer of the Army, Navy, Marine Corps or Coast Guard shall, notwithstanding the omission of any specific recitals therein, constitute presumptive evidence of the existence of the facts necessary to authorize such acknowledgment, oath or affirmation to be taken by the certifying officer pursuant to this section.

This section shall remain in effect until the ninety-first day after final adjournment of the [Fifty-eighth] *1957* Regular General Session of the Legislature. While this section is in effect it shall supersede any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted.

SEC. 2. The administration and certification of oaths or affirmations, the attestation of documents, the taking of acknowledgments, and the performance of all other notarial acts on or after December 31, 1946, and prior to the effective date of the amendment to Section 1183.5 of the Civil Code by this act, and which would have been authorized by said section if it were then in effect, are hereby validated, confirmed, and declared legally effective."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2915—An act to add Section 89.1 to the Civil Code and to repeal Article 2, Chapter 1, Title 11a of Part 3 of the Code of Civil Procedure, relating to conciliation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 20, 1949, strike out "repeal Section 1733", and insert "amend Sections 1733 and 1744".

Amendment No. 2

In line 4 of the title of said bill, after "relating to", insert "children's courts of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 4, and insert "is amended to read:

1733. The provisions of this chapter shall be applicable only *in counties having a population of 100,000 inhabitants or more, and in other* [in] counties in which the superior court determines that the social conditions in the county and the number of domestic relations cases in the courts render the procedures herein provided necessary to the full and proper consideration of such cases and the effectuation of the purposes of this chapter. Such determination shall be made annually in the month of January by the judge of the superior court in counties having only one such judge, and by a majority of the judges of the superior court in counties having more than one such judge.

SEC. 2. Section 1744 of said code is amended to read:

1744. In each county having a population of [900,000] *100,000* inhabitants or more, the superior court may appoint the following persons to assist the conciliation court in disposing of its business.

(a) One commissioner, who shall be known as the "director of conciliation," and shall receive a salary of five thousand four hundred dollars ($5,400) per annum.

(b) One investigator, who shall receive a salary of three thousand six hundred dollars ($3,600) per annum and necessary expenses while engaged in the discharge of his duties.

(c) Two stenographers, each of whom shall receive a salary of two thousand *four hundred dollars ($2,400) per annum*.

The appointments provided for in this section shall be made by majority vote of the judges of the superior court of the county, and may be made in addition to all other appointments of commissioners and other judicial attaches and employees otherwise authorized by law to be made in counties having a population of [900,000] *100,000* inhabitants or more.

The salaries and expenses provided for in this section shall be paid in monthly installments out of the fund of the county from which salaries of county officers generally are paid, and shall be audited and allowed in the same manner as other salary demands against the county."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2372—An act to amend Section 1101 of the Agricultural Code, relating to eggs.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies:

Amendment No. 1

On page 2, line 8, of the printed bill, after "permit", insert "but".

Amendment No. 2

On page 2, line 21, of said bill, after "eggs", insert "(1)".

Amendment No. 3

On page 2, line 22, of said bill, after "substance", insert "or (2), with one-half or more of the shell's surface covered by a permanent black dye".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Livestock and Dairies.

Assembly Bill No. 2292—An act to provide educational benefits to veterans now engaged in taking college courses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert
"An act to provide baccalaureate degrees for veterans of World War II."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert
"SECTION 1. Section 20150 of the Education Code is amended to read:
20150. The faculty of the University of California shall grant, and the president shall sign and issue, diplomas to the students of the college.
Any veteran of World War II who completes the first year of the college after August 14, 1945, is entitled to receive the degree of Bachelor of Arts on the same basis as veterans of World War II who complete the first year at the School of Jurisprudence."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Military Affairs.

SECOND READING OF SENATE BILLS

Senate Bill No. 353—An act to amend Section 21 of the Fish and Game Code, relating to powers and duties of the Fish and Game Commission.

Bill read second time.

Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Senate on April 18, 1949, after "bonded", insert "or he is bonded under a master bond approved by the Director of Finance".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 558—An act to add Section 16.5 to the Fish and Game Code, relating to the taking of deer in game refuges.

Bill read second time, and ordered to third reading.

Senate Bill No. 699—An act to add Section 16.4 to the Fish and Game Code, relating to the taking of female deer.

Bill read second time, and ordered to third reading.

Senate Bill No. 1545—An act to amend Section 1620 of the Welfare and Institutions Code, relating to the inspection and licensing of boarding homes, day nurseries and schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 132—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declarations of candidacy.

Bill read second time, and ordered to third reading.

Senate Bill No. 1253—An act to amend Section 701 of the Agricultural Code, relating to containers for milk or milk products.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies.

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on March 21, 1949, after "containers", insert ", except glass containers,"

Amendment No. 2

On page 1 of said bill, strike out line 9, and insert "rinsed and drained"

Amendment No. 3

On page 1, line 13, of said bill, strike out "free of foreign substances", and insert "rinsed and drained".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Livestock and Dairies

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.

Assembly Bill No. 3122, on request of Mr. McCollister.

Assembly Bill No. 437, on request of Mr. Dickey

Assembly Bill No. 1960, on request of Mr. Luckel.

Maloney amendments to Assembly Bill No. 2309, on request of Mr. Crowley.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 265—An act to add Section 3456a½ to the Political Code, relating to the raising of money for reclamation districts by means of taxation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

REMARKS ON CONDITION OF FILE

Mr. Geddes spoke on the condition of the file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1926—An act to amend Section 16486 and to add Section 16486a to the Education Code, relating to absences of pupils for dental treatment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Connolly, Cramer, Crichton, Dickey, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thompson, and Tomlinson—46

NOES—Babbage, Conrad, Doyle, Geddes, and Waters—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 162—An act to amend Section 4853 of the Labor Code, relating to disability payments for city policemen and firemen.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, and Yorty—59

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2367—An act to amend Section 7 of "An act entitled an act to provide for the protection of lands from overflow other than lands recognized as swamp lands," approved April 15, 1880, relating to protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Yorty, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 365—An act adding Section 10.2 to the Political Code, relating to holidays.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Tomlinson, Yorty, and Mr Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 368—An act adding Section 31676.1 to the Government Code, relating to retirement pensions.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 29, 1949, strike out "31676.1", and insert "31676.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "31676.1", and insert "31676.5".

Amendment No. 3

On page 1, line 3, of said bill, strike out "31676.1.", and insert "31676.5."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 688—An act to amend Section 2150 of the Streets and Highways Code, relating to moneys received by counties from the Highway Users Tax Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Luckel, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Yorty, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 3113—An act to repeal Chapter 2 of Part 1 of Division 14 of, and add Chapter 2 of Part 1 of Division 14 to the Health and Safety Code, relating to police protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln Lindsay, Luckel, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Ralph C. Dills Presiding

At 10.18 a.m., Hon. Ralph C Dills, Member of the Assembly from the Sixty-ninth District, presiding.

Assembly Bill No. 570—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Yorty—60

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.21 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 2582—An act to amend Section 147 of the Penal Code, relating to punishment for inhumanity toward prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2595—An act to amend Section 1506 of the Penal Code, relating to appeals in habeas corpus cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1240—An act to amend Section 27122 of the Streets and Highways Code, relating to bridge and highway districts, and the number of directors thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton,

Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Tomlinson, Waters, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 526—An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Monica upon certain trusts and conditions," relating to the use of certain tidelands and submerged lands granted to the City of Santa Monica.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 2578—An act to amend Section 987a of the Penal Code, relating to the compensation of counsel appointed to defend persons charged with crime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Tomlinson, Waters, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2583—An act to amend Section 149 of the Penal Code, relating to punishment of public officers for assaults.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Tomlinson, Waters, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2591—An act to amend Section 1041 of the Penal Code, defining issue of fact.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, Yorty, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2592—An act to amend Sections 858 and 987 of the Penal Code, relating to the duty of magistrates and courts to inform defendants of their right to counsel, and to the assignment of counsel

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, Yorty, and Mr Speaker—58

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2596—An act to amend Section 403 of the Penal Code, relating to disturbing public meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, Waters, Yorty, and Mr Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2597 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No 2597 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 526

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 526, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 526

Assembly Bill No. 526—An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Monica upon certain trusts and conditions," relating to the use of certain tidelands and submerged lands granted to the City of Santa Monica.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Connolly, Conrad, Cramer, Crichton, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers,

Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Yorty, and Mr. Speaker—58.

NOES—None.

Motion to Amend Title

Mr. Levering moved the adoption of the following amendment to the title:

Amendment No. 1

In line 4 of the title of the printed bill, after "conditions," insert "approved April 16, 1917,".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 820—An act to amend Section 26060 of the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Tomlinson, Waters, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2090

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2090, temporarily passed on file, for purpose of re-reference, at this time.

Request for Unanimous Consent That Assembly Bill No. 2090 Be Withdrawn From File, and Be Re-referred

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Bill No. 2090 be withdrawn from the file, and be re-referred to the Committee on Agriculture.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2054—An act to add Section 19261 to the Government Code, relating to the powers and duties of the State Personnel Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Butters, Caldecott, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Dolwig, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, McCarthy, McMillan, Meyers, Morris, Moss,

Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, Yorty, and Mr. Speaker—45

NOES—Anderson, Beck, Brady, Burkhalter, Condon, Ralph C. Dills, Doyle, Elliott, Evans, Heisinger, Kilpatrick, Lowrey, Rosenthal, and Thomas—14.

Bill ordered transmitted to the Senate

Assembly Bill No. 2136—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers licenses.

Bill read third time.

Motion to Amend

Mr. Stewart moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 2, 1949, after "unless", insert ", under the provisions of Section 307,".

Amendment No. 2

On page 2, line 52, of said bill, after "unless", insert ", under the provisions of Section 307,".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2835

Mr. Bennett asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2835, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2835

Assembly Bill No. 2835—An act to amend Sections 18737 and 18742 of, and to add Sections 18736.5 and 18736.6 to the Business and Professions Code, relating to boxing.

Bill read third time.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Doyle has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 2835.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1071

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1071, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1071

Assembly Bill No. 1071—An act to amend Sections 7401 and 7457 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes, providing for special license tax refund procedure for distributions of liquefied petroleum gas and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Yorty, and Mr. Speaker—59.

NOES—None.

Motion to Amend Title

Mr. Brown moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 2, 1949, strike out "7457", and insert "7452".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Hon. Randal F. Dickey Presiding

At 11.29 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2577

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2577, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2577

Assembly Bill No. 2577—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2587

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2587, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2587

Assembly Bill No. 2587—An act to amend Sections 1089 and 1098 and to add Section 1070 5 to the Penal Code, relating to alternate jurors and the number of challenges in criminal cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Cordon, Connolly, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2588

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2588, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2588

Assembly Bill No. 2588—An act to amend Sections 1123 and 1140 and to repeal Section 1139 of the Penal Code, relating to discharge of jurors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2594, on motion of Mr. Rosenthal.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2579

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2579, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2579

Assembly Bill No. 2579—An act to amend Section 995 of the Penal Code, and to add Section 999a thereto, relating to proceedings after indictment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Cramer, Crichton, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 362

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 362, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 362

Assembly Bill No. 362—An act amending Sections 31672 and 31700 of the Government Code, and adding Section 31700.5 thereto, relating to rights of members of county employees' retirement systems

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Cramer, Crichton, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1846—An act to amend Section 4 of the Municipal Improvement Act of 1913, relating to improvement proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Cramer, Crichton, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1814 TO 1823, INCLUSIVE, HOLD PLACES ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bills Nos. 1814, 1815, 1816, 1817, 1818, 1819, 1820, 1821, 1822, and 1823 be passed on file, and hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2555—An act to add Section 226a to the Civil Code, relating to consent of natural parents to adoption.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 11.45 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 77

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No 77, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 77

Assembly Concurrent Resolution No. 77—Relative to approving amendments to the charter of the City of Oroville, a municipal corporation in the County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Yorty, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 76

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 76, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 76

Assembly Concurrent Resolution No. 76—Relative to approving amendments to the charter of the City of Huntington Beach, a municipal

corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Tomlinson, Yorty, and Mr. Speaker—64.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 470

Mr. Kilpatrick asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 470, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 470

Assembly Bill No. 470—An act to add Sections 4007.5 and 4007.7 to the Penal Code, relating to unfit, unsanitary, and overcrowded county jails.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Kilpatrick moved a call of the Assembly.

Motion carried. Time, 12.04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brown, Clayton A. Dills, Ralph C. Dills, Dunn, Grant, Kirkwood, Lipscomb, Lowrey, and Thompson—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Anderson asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

RESOLUTIONS

The following resolution was offered:

By Messrs. Rosenthal, McMillan, Geddes, Dunn, and Sam L. Collins:

House Resolution No. 190

Extending felicitous greetings to the Republic of Mexico upon the occasion of its national holiday, Cinco de Mayo

Cinco de Mayo has been a date revered in Mexico since that day in 1862 when Ignacio Zarogoza and his men, greatly outnumbered, defeated the French in the Battle of Guadalupe, near Puebla, to set a valiant example for the people of Mexico through the hard struggle which was to follow, that the flaming love for freedom in the

hearts of the people should never dim, nor courage falter, until the spirit that won the Battle of Guadalupe should emerge eternally triumphant in the establishment of national independence and freedom.

As the people of Mexico celebrate the national holiday of Cinco de Mayo, the people of the State of California join in spirit with our good friends and nearest neighbors in homage to the courage and love of freedom of those who fought the battles against foreign domination and whose vigilance and wisdom guarded and guided the infant nation so well that today Mexico shares with the rest of this hemisphere a common heritage of freedom and independence, and speaks with a firm voice in world councils for the maintenance of freedom and peace for all the peoples of the earth; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly, on behalf of the people of the State of California, extend to the people of Mexico felicitous greetings upon the occasion of the celebration of their great national holiday, Cinco de Mayo, conveying to them expressions of warm friendship and good will; and be it further

Resolved, That the Chief Clerk of the Assembly send a copy of this resolution to His Excellency Licenciado Don Miguel Alémán, the President of the Republic of Mexico.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 190

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 190, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 190

House Resolution No. 190—Extending felicitous greetings to the Republic of Mexico upon the occasion of its national holiday, Cinco de Mayo.

Resolution read.

Request for Unanimous Consent That All Members Present Be Co-authors

Mr. Rosenthal asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 190 as co-authors.

Request for Unanimous Consent That Suitably Engrossed Copy of House Resolution No. 190 Be Sent to President of Mexico

Mr. Rosenthal asked for, and was granted, unanimous consent that House Resolution No 190 be amended to provide that the Chief Clerk be instructed to send a suitably engrossed copy to His Excellency Licenciado Don Miguel Aleman, the President of the Republic of Mexico.

Consideration of House Resolution No. 190, as Amended

By Messrs. Rosenthal, McMillan, Geddes, Dunn, Sam L. Collins, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss,

Mrs. Niehouse, Messrs. Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Yorty:

House Resolution No. 190

Extending felicitous greetings to the Republic of Mexico upon the occasion of its national holiday, Cinco de Mayo

Cinco de Mayo has been a date revered in Mexico since that day in 1862 when Ignacio Zaragoza and his men, greatly outnumbered, defeated the French in the Battle of Guadalupe, near Puebla, to set a valiant example for the people of Mexico through the hard struggle which was to follow, that the flaming love for freedom in the hearts of the people should never dim, nor courage falter, until the spirit that won the Battle of Guadalupe should emerge eternally triumphant in the establishment of national independence and freedom

As the people of Mexico celebrate the national holiday of Cinco de Mayo, the people of the State of California join in spirit with our good friends and nearest neighbors in homage to the courage and love of freedom of those who fought the battles against foreign domination and whose vigilance and wisdom guarded and guided the infant nation so well that today Mexico shares with the rest of this hemisphere a common heritage of freedom and independence, and speaks with a firm voice in world councils for the maintenance of freedom and peace for all the peoples of the earth; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly, on behalf of the people of the State of California, extend to the people of Mexico felicitous greetings upon the occasion of the celebration of their great national holiday, Cinco de Mayo, conveying to them expressions of warm friendship and good will; and be it further

Resolved, That the Chief Clerk of the Assembly send a suitably engrossed copy of this resolution to His Excellency Licenciado Don Miguel Alémán, the President of the Republic of Mexico

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS BE CO-AUTHORS BY ROLL CALL

Mr. Hawkins asked for, and was granted, unanimous consent that, in the future, the names of members be placed upon resolutions as co-authors only by a roll call vote.

REQUEST FOR UNANIMOUS CONSENT THAT SCHEDULE BE PRINTED IN JOURNAL

Mr. Connolly asked for, and was granted, unanimous consent that the following schedule of public hearings be ordered printed in the Journal:

SCHEDULE OF PUBLIC HEARINGS

The Assembly Interim Committee on Reclamation of Tidelands and Related Traffic Problems will hold public hearings on the transbay crossings in accordance with the following schedule

May 6—Assembly Chamber at Sacramento at 2 p m
California Toll Bridge Authority

May 7—Assembly Chamber at Sacramento at 9:30 a m
Joint Army-Navy Board Recommendation
City of San Francisco

May 13—Supervisors' Chambers in San Francisco at 2 p m
Bay Area Groups

May 14—Supervisors' Chambers in San Francisco at 10 a.m
Central California and Bay Area Groups

May 16—Assembly Chamber at Sacramento at 2:30 p m
Gould Plan
Reber Plan

May 20—Supervisors' Chambers in Oakland at 2 p m
Oakland organizations

May 21—Hayward City Hall at Hayward at 10 a m
Committee for South Bay Crossing

May 23—Assembly Chamber at Sacramento at 2 p m.
Rebuttal. Department of Public Works and City of San Francisco

Committee members are:

RANDAL F. DICKEY	ROBERT I. MCCARTHY
ERNEST R GEDDES	ARTHUR H CONNOLLY, JR.
FRANCIS DUNN	JOHN F. THOMPSON
GEORGE D. COLLINS, JR.	EDWARD M GAFFNEY
	RICHARD J. DOLWIG, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3099

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 3099, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3099—An act to amend Section 13226 of the Education Code, and to add Section 14002.1 to said code, relating to the health of public school employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3099?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "Section 14002.1", and insert "Sections 14002.1 and 14002.2".

Amendment No. 2

On page 2 of said bill, after line 12, insert

"SEC. 2. Section 14002.2 is added to said code, to read:

14002.2. In lieu of the certificate from a physician and surgeon as specified in Sections 13226 and 14002.1 of this code, any person who adheres to the faith or teachings of any well recognized religious sect, denomination, or organization, and in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion, may file with the county superintendent of schools an affidavit stating such adherence and dependence and that to the best of his knowledge and belief he is free from active tuberculosis, and said affidavit shall be deemed equivalent of such certificate; provided, that if at any time there should be probable cause to believe that such affiant is afflicted with active tuberculosis, he may be excluded from service until the governing board of the employing district is satisfied that he is not so afflicted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3099 by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 3099 ordered enrolled.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1455, on request of Mr. Anderson.

Request for Unanimous Consent That Assembly Bill No. 1455 Be Withdrawn From File, and Be Re-referred

Mr. Anderson asked for, and was granted, unanimous consent that Assembly Bill No. 1455 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 79: By Mr. Silliman—Relative to approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949.

Referred to Committee on Rules.

Assembly Joint Resolution No. 39: By Messrs. Yorty and McMillan—Relative to preservation of forest areas in Tuolumne and Calaveras Counties.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Ralph C. Dills:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation to the Retirement Annuity Fund of the State Teachers' Retirement System.

Respectfully submitted,

RALPH C. DILLS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Ralph C. Dills:

An act making an appropriation to the Retirement Annuity Fund of the State Teachers' Retirement System.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3138: By Mr. Ralph C Dills—An act making an appropriation to the Retirement Annuity Fund of the State Teachers' Retirement System.

Referred to Committee on Ways and Means.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Ralph C. Dills:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1.5 and 4 of the Judges' Retirement Act, relating to the retirement, with retirement allowances, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts, in respect to computation of service and amount of allowances.

Respectfully submitted,

RALPH C DILLS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Ralph C. Dills:

An act to amend Sections 1.5 and 4 of the Judges' Retirement Act, relating to the retirement, with retirement allowances, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts, in respect to computation of service and amount of allowances

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3139: By Mr. Ralph C. Dills—An act to amend Sections 1.5 and 4 of the Judges' Retirement Act, relating to the retirement, with retirement allowances, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts, in respect to computation of service and amount of allowances.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Evans:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 7015 to the Education Code, relating to the transportation of pupils

Respectfully submitted,

JOHN W. EVANS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Evans.

An act to add Section 7015 to the Education Code, relating to the transportation of pupils.

HUYCK, *Chairman*

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A Dills, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—65

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3140: By Mr. Evans—An act to add Section 7015 to the Education Code, relating to the transportation of pupils.

Referred to Committee on Education.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McMillan:

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 19480 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Respectfully submitted,

LESTER A. McMILLAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McMillan:

An act to amend Section 19480 of the Business and Professions Code, relating to licenses to conduct horse racing meetings

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3141: By Mr. McMillan—An act to amend Section 19480 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Referred to Committee on Public Morals.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 782

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 782, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 782

Assembly Bill No. 782—An act to amend Section 26301 of the Government Code, and to amend Section 5157 of, and add Section 5157.5 to, the Public Resources Code, relating to public recreation areas and facilities, and to the powers and duties of counties and the boards of supervisors and State Park Commission in connection therewith, and authorizing the issuance and sale of revenue bonds for public improvements and the acquisition and leasing of public property for recreational purposes.

Bill read third time.

Motion to Amend

Mr. Thompson moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Assembly on April 8, 1949, strike out ", and add Section 5157.5 to,".

Amendment No. 2

On page 2 of said bill, strike out lines 33 to 51, inclusive; and strike out page 3.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 533

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 533, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 533

Assembly Bill No. 533—An act to be known as the "Off Track Wagering License Act," defining off track wagering, and providing for licensing, bonding, regulating and supervising the activities of the same; providing for the enforcement of this act by the State Board of Equalization and prescribing penalties for the violation of the provisions thereof.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on March 21, 1949, strike out ", association or corporation".

Amendment No. 2

On page 2, lines 48, 49, and 50, of said bill, strike out ", in the case of a corporation the names of the principal officers and directors".

Amendment No. 3

On page 3 of said bill, between lines 5 and 6, insert

"In case the applicant is a copartnership each of the individual partners must be endorsed as hereinabove provided No freeholder or householder shall endorse any applicant or any partner of an applicant which is a copartnership unless the individual endorsed has been personally known by the endorser for not less than three consecutive years next preceding the date of the endorsement No license shall be issued under this act except to an individual or to a copartnership. In the case of a copartnership a license may be issued only in the names of all the partners"

Amendment No. 4

On page 6, line 2, of said bill, strike out "The sum of 2 percent of the gross"; and strike out lines 3 to 12, inclusive, and insert "The money in said fund shall be subject to appropriation by the Legislature for the administration and enforcement of this act and for the construction, equipment, furnishing, operation and maintenance of state hospitals and institutions under the jurisdiction of the Department of Mental Hygiene."

Amendment No. 5

On page 7, line 11, of said bill, after "1933", insert ", or any provisions of Chapter 4 of Division 8 of the Business and Professions Code".

Amendments read.

Division of the Question

Mr. Sherwin requested a division of the question.

Division of the question ordered

Consideration of Amendments Nos. 1, 2, 3, and 5

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on March 21, 1949, strike out ", association or corporation"

Amendment No. 2

On page 2, lines 48, 49, and 50, of said bill, strike out ", in the case of a corporation the names of the principal officers and directors".

Amendment No. 3

On page 3 of said bill, between lines 5 and 6, insert

"In case the applicant is a copartnership each of the individual partners must be endorsed as hereinabove provided. No freeholder or householder shall endorse any

applicant or any partner of an applicant which is a copartnership unless the individual endorsed has been personally known by the endorser for not less than three consecutive years next preceding the date of the endorsement No license shall be issued under this act except to an individual or to a copartnership In the case of a copartnership a license may be issued only in the names of all of the partners"

Amendment No. 5

On page 7, line 11, of said bill, after "1923" insert ", or any provisions of Chapter 4 of Division 8 of the Business and Professions Code".

Amendments read, and adopted.

Consideration of Amendment No. 4

Amendment No. 4

On page 6, line 2, of said bill, strike out "The sum of 2 percent of the gross"; and strike out lines 3 to 12, inclusive, and insert "The money in said fund shall be subject to appropriation by the Legislature for the administration and enforcement of this act and for the construction, equipment, furnishing, operation and maintenance of state hospitals and institutions under the jurisdiction of the Department of Mental Hygiene"

Amendment read.

Motion to Amend Amendment No. 4

Mr. Doyle moved to amend Amendment No. 4 to read as follows:

Amendment No. 4

On page 6, line 2, of said bill, strike out "The sum of 2 percent of the gross"; and strike out lines 3 to 12, inclusive

Motion carried

Amendment No. 4 read, as amended, and adopted.

Bill ordered reprinted, and re-engrossed.

QUESTION OF PERSONAL PRIVILEGE

Mr. Cramer arose to a question of personal privilege.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1626—An act to amend Sections 18100, 18102, 18105, 18200, 18300, 18302, 18408, 18460, 18461, 18464, 18466, 18467, 18470, 18625, 18650, 18652, 18654, 18656, 18658; and to add Sections 18104.5, 18106.5, 18107.1, 18203, 18400.5, 18401, 18401.1, 18401.2, 18401.3, 18432.5, 18432.6, 18432.7, Article 2.5 (comprising Section 18440), Article 2.6 (comprising Sections 18450 and 18451), and Article 2.7 (comprising Section 18455.5) to Chapter 4, Part 2, Division 13, Sections 18460.4, 18466.5, 18466.6, 18466.7, 18466.8, 18467.5, 18470.5, 18600, 18600.5, 18625.5, 18625.6, 18625.7, 18650.2, 18656.8, 18710.5, Chapter 5.5 (comprising Sections 18715 and 18715.1) to Part 2, Division 13, and Section 18720.7 to; and to repeal Sections 18302.5 and 18600 of, the Health and Safety Code, relating to auto courts, resorts, and motels and auto and trailer parks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Reagan,

Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—62.

NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 470

At 12.50 p.m., on motion of Mr Kilpatrick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 470 passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Coats, Collier, George D Collins, Condon, Cramer, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Thomas, Thompson, and Yorty—43.

NOES—Butters, Caldecott, Connolly, Conrad, Dunn, Erwin, Fleury, Grant, Grunsky, Hinckley, Hoffman, Huyck, Levering, Lincoln, Lindsay, Lowrey, McCarthy, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, and Waters—26.

Bill ordered transmitted to the Senate

RESOLUTIONS

The following resolution was offered:

By Mr. Thomas:

House Resolution No. 191

Relating to memorializing Congress to remove discriminatory freight rate increases

WHEREAS, The prosperity of California industries in particular and the West Coast in general depends to a large extent upon an equitable system of freight rates; and

WHEREAS, Discriminatory and inequitable freight rates have recently confronted the West Coast area on a broad scale; and

WHEREAS, The existence of such inequitable, discriminatory freight rates jeopardizes the economic welfare of all residents in these areas; and

WHEREAS, The manufacturing industries of the West have been seriously threatened by policies adopted by freight carriers and by regulatory bodies during the past three years; and

WHEREAS, These policies have manifested themselves in repeated increases in the level of freight rates, percentagewise, since June, 1946, with still further percentage increases pending before the Interstate Commerce Commission; and

WHEREAS, A flat percentage basis for increasing rates is inherently discriminatory against long-haul shippers; and

WHEREAS, California shippers are almost invariably long-haul, in view of California's dependence upon distant sources for many of its raw materials and semi-finished products; and

WHEREAS, Percentage increases in transportation costs seriously disturb the relationship between the competitive costs incurred by Western industries with similar costs to industries located within other parts of the Country closer to those sources; and

WHEREAS, Products of Western industries are subjected to severe market limitations as a direct consequence of this inequitable disruption of freight rate relationships, forcing many manufacturers within and without California to decentralize their operations or withdraw entirely from such markets; and

WHEREAS, These market limitations must and ought to be removed, at least to the extent of curtailing discriminatory freight rates, if the growing industries of California and the West are to achieve and retain the competitive efficiency necessary to the constructive employment of a constantly expanding population; and

WHEREAS, Percentage increases in long-haul rates eliminate or greatly reduce long-haul traffic, in turn forcing the railroad companies servicing the West to rely upon short-haul traffic, in which traffic railroads experience their severest competition with highway and private carriers; and

WHEREAS, To prevent further isolation of Western industries and to restore accessibility both to distant sources of raw material and distant consumer markets, additional percentage increases in freight rates should be denied; now, therefore, be it

Resolved by the Assembly of the State of California, That the Congress of the United States is hereby respectfully memorialized and urged to take whatever action it deems appropriate to remove existing discriminatory freight rates, and to prevent the flat percentage increase of freight rates presently contemplated by the Interstate Commerce Commission; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to the President and Vice President of the United States, to the Speaker of the House of Representatives, and to each Senator and Representative from California in the Congress of the United States.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Mr Waters announced that all members whose districts are in the Metropolitan Water District are invited to a luncheon today, upon adjournment, in the Jubilee Room, at the Hotel Senator.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 446
Assembly Bill No. 2608

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2269

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1679

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 582

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 776
Assembly Bill No. 2204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1246

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1055

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-ferred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 4, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 95

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1955

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 971

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1760
Assembly Bill No. 2530

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1174

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2027
Assembly Bill No. 2829

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 1382
Assembly Bill No 1383
Assembly Bill No. 1380

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 263
Senate Bill No 272
Senate Bill No. 852
Senate Bill No. 187

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER Your Committee on Education, to which was referred:

Senate Bill No. 470

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 153
Assembly Bill No 154
Assembly Bill No 164

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined

Assembly Bill No. 1445
Assembly Bill No 1448
Assembly Bill No. 1594

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 212
Assembly Bill No 351

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No 38

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 78

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1883
Assembly Bill No. 1881
Assembly Bill No 2011
Assembly Bill No 2284

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1729
Assembly Bill No. 1730
Assembly Bill No. 2439

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1489

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 88
Senate Bill No. 551
Senate Bill No. 675
Senate Bill No. 1041

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2358
Assembly Bill No. 2947
Assembly Bill No. 3119

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 522
Assembly Bill No. 1274
Assembly Bill No 1665
Assembly Bill No. 1804

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Goverument, to which were referred:

Assembly Bill No. 2240
Assembly Bill No. 2622

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3125

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2440
Assembly Bill No. 2441

Has had the same under consideration, and reports the same back without recommendation. Be re-referred to Committee on Ways and Means.

STANLEY, Chairman

Above reported bills ordered re-referred to Committee on Ways and Means.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Ways and Means
Transportation and Commerce, in Room 432
Public Morals

Tonight, at 8 p.m.—

Industrial Relations

Tomorrow, Friday, May 6th, at 9 a.m.—

Rules

Next Monday, May 9th, at 9 a.m.—

Subcommittee on Ways and Means. Subject: Assembly Bill No. 2120.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Helen Maddox of San Francisco.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lela Swasey of Santa Cruz.

On request of Mr. Evans and the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Lieutenant Governor and Mrs. Meyers of Washington.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Johnson of Berkeley.

On request of Mr. Berry, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Les Camper and Mrs. Rose Cortez of Oakland.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Debs, former Assemblyman of Los Angeles.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Ken Manock, Virgil Matthews, and Nick Draklich of Fresno.

On request of Messrs. Dunn and Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to Rhoda McRae, Anna Pradonovich, William H. McMaster, and Ferdinand V. Custer, sponsors of the Castlemont High School, and the following pupils: Bob Abrahm, Marilyn Adams, Lester Addison, Cliff Allen, Sam Allie, Al Apodaca, Corwin Barfield, Barbara Barwick, Barbara Bates, Colette Beaver, Barbara Beecher, Marlyss Benson, Jack Bernau, Jerry Bevilacqua, Myra Williams, Polly Ann Williams, Joyce Wilson, Bill Bloomer, Sidney Bradfield, Gerald Bradley, Laverne Brewer, Alan Ettlin, Vera Fernandes, Jovine Fifer, Mattlda Garcia, Virginia Gauch, Margalo Gibbs, Ken Giles, Frances Goodman, Venice Grimes, Vinita Hanavan, Don Henrinckson, Dolores Herbolich, Yvonne Herr, Roger Hertz, Charlesetta Hightower, Marcia Hill, Darryl Hobbs, Donna Hoffman, Patricia Hogg, Bob Huaco, Johnny Iskra, Harvey Jerome, Ronald Bristol, Beverly Brittian, Bill Brown, Fred Brown, Beverly Bruce, James Cains, Phyllis Carl, Loretta Cataluna, Ronald Chew, Ed Clark, Don Cline, Gayle Counihan, Gloria Davila, Kay Dennis, Jack De Silva, Beverly De Tro, May Donaldson, Ruth Dowling, Richard Duarte, Buzzy Durel, Manuel Echeagaray, Betty Eckardt, Raylene Wilson, Herbert Witt, Noby Yoshida, Ruth Kast, Harold Kaufman, Diane King, Frieda King, Gary King, Kaye Kinst, Akemi Kodama, Grunetta Langford, Margaret Lawrence, Milford Leal, Mickey Leffler, Pat Long, Muriel Lund, Julia Marks, Janice Martin, Bob Martinez, Derald Matern, Doris Matthews, Tom McManus, Lelah Mechler, Norma Mecke, Lorraine Miller, Stanley Miller, Thomas Miller, Rosalie Moniz, Harry Samti, Mary Seve, Dick Sharpe, Gordan Sherman, Sharon Shore, Barry Simmons, Don Simmons, Margaret Smith, Marilyn Snavely, Sidnia Snow, Joanne Stephenson, Gary Stiles, Peggy Stone, Glenore Struckman, Angelo Taneredy, John Teimera, James Terry, John Townley, Diana Traini, Betty Tucker, Grace Van Wrinkle, Marlene Wagner, Bob Watson, Suzanne Webb, Glenn Wescott, Raymond Whitener, Carolyn Williams, Leon Williams, Annabelle Mooney, Marcia Murray, Donna Myers, Edward New, Carole Oddson, Corrine Oddson, Dot Orava, Amelia Partida, Constance Payne, Elaine Pederson, Norman Pencille, Evelyn Perreira, Bernice Pimintel, Wilfred Pimentel, Bob Pitney, Lola Pollastrini, Mileva Prodanovich, Barbara Raye, Mary Ann Reini, Ruth Reith, Leila Rizzi, Shirley Robinson, Claire Rocha, Diana Rodrigues, Leonard Rogers, Donald Ross, Marrianne Rotella, and Howard Rule

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Ruby Mecum, teacher of the Ione Union High School, and the following pupils: Barbara Buckley, Edward Stirnaman, Jack Watson, Robert Baldwin, Jimmy Stieger, Ralph Knutsen, and Adelene Howdy.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to C. C. Larsson and P. G. Wipperman, teachers of the Golden Gate Academy of Berkeley, and the following pupils: Evelyn Chapman, Martin Ladd, Richard Nethercott, Clifton Corbett, John Sconza, Donna Morrison, Bobby Roberson, LaNell Bell, Herbert Lyman, Kenneth Ozawa, Imogene Wheeler, Lenore Martin, Anita Cavagnaro, Norma Irish, Florence Wyatt, Shirley Powell, Milton Sanders, and Melvyn Whalin.

On request of Mr. Caldecott and the Alameda Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the following Young Republicans of North Alameda: Howard A. Boyle, John S. Burd, Jr., Wallace G Holt, John W. Hull, Miss Margaret Karpe, Richard Kincade, John G. Kincade, Mrs. Herman Klein, Herman Klein, Miss Jane Lundburg, Jack H. McCammon, DeWit Popkin, and Robert F. Schord.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Park School of San Mateo: James Arthur, Carolyn Babcock, Barbara Bogart, Warren Danielson, David Gansel, Larry Gilmore, Robert Goss, Betsy Grinell, Arlene Harvey, Arlene Kemp, Robert Kluska, Kristy Kristofferson, Robert LaMar, Margaret Langsdorf, Gordon Lewis, Michael Malter, Charlene Morse, Marian Powers, Marcy Wheeler, Jane Elcan, James Seith, William Brophy, Shirley Dillon, Douglas G Gray, Ralph L. Higbee, Mowbray R. Hoffman, Sharon Jones, Karleen Korinek, Nancy Lagen, Pierce MacPherson, Susan Mausser, Betty McMann, Gordon Roloff, Marian Schell, William Staley, Gordon Steindorf, Edward Stollery, Tonya Wildman, and Janet Wisnom.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Peninsular Avenue School of San Mateo: Jeannette Alpen, Julia Anderson, Eleanor Batson, Louise Bughi, Lois Daly, Janet Eschenauer, Harry Bodmer, Donald Casella, Donald Edwards, Ronald Franklin, Billy Grubbs, Roger Harlan, Walter Hays, Albert Melodia, Richard O'Brien, Ronald Stein, Gordon Stevens, Robert Taylor, James Tormey, Jr., Sandra Fitch, Patricia Hogberg, Nannette Metz, Joyce Peterson, Judith Turner, Marlene Sullivan, Gordon Campbell, Richard Davis, Richard Gill, Gordon Gorham, Robert Jacobsen, Stanley Kompst, Stanley Ogren, Lowell Underwood, and Wesley York.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. Mark Hamilton, T. W. Benedict, Dr and Mrs. George Meldrum, Mr. and Mrs Al Stoops, Mr. and Mrs. Robert Reynolds, Miss Carol Reynolds, Mr. and Mrs. Marvin Smith, Mr. and Mrs Jack Kennedy, Mr. and Mrs. Edwin Karman, Mr. and Mrs. Ralph McCloskey, Mrs E Kost, Mr. and Mrs Jack Pangborn, and Mr. and Mrs. Rick Jones, faculty members with members of their families of the Pacific Union College, Angwin, Napa County, and the following pupils: Frank Michaelson, Glenn Bisel, Edith Chong, Joseph Amato, John Briggs, Wayne Griffith, Burton Boundey, Geraldine Rieck, Robert Bolander, Chester Anderson, Edward Edison, Owen Troy, Frank Baker, Mr. and Mrs Wayne Hill, Robert Mogis, Harue Yoshioka, Jonathan Hardt, Dean Hamilton, and Everett Kitto.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Herk Lakey of Huntington Park.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Robert Robinson, teacher, Columbia High School, North Columbia, and the following pupils: Harriet Blakely, Sonja Wilson, Jeanette Kennedy, Jack Wilcox, Mary Clark, Wayne Whitlock, Carol Kennedy, Sally Laudenslager, Grant Laudenslager, Perry Spease, Dale Ten Broeck, Terry Ten Broeck, and Bob Blakely.

ADJOURNMENT

At 12.53 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 6, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED TWENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 6, 1949

The Assembly met at 9 30 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of the Skies: Let us celebrate May 6th as the memorable day when the first aeroplane made a successful flight and inaugurated a new era for civilization.

The historical day when Lindbergh made his non-stop flight to Paris and when Umberto Nobile flew over the North Pole in his airship "Italia."

Let us honor today the audacious aviators who were the vanguard of victory in the World War.

Let us behold again this vast army of youth, the flower of America coming from the farm and the city, who with incredible audacity ascended on wings to battle the fiercest foes in the clouds.

Let us behold them sailing through the pathless air, a thousand miles from the home base, with only a compass and a star to guide them, without a thought of self or fear of disaster.

In the name of all who have passed beyond the flaming horizon, may we build a world where youth shall no longer be cannon fodder, and where wings shall be the symbol and instrument of universal peace.—AMEN.

(The days referred to are May 6, 1898, May 21, 1927, and May 24, 1928.)

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. George D. Collins, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.
Mr. Thomas, on motion of Mr. Conrad.
Mr. Fletcher, on motion of Mr. Conrad.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lipscomb, on motion of Mr. Waters.
Mr. Connolly, on motion of Mr. Grunsky.
Mr. Smith, on motion of Mr. Huyck.
Mr. Silliman, on motion of Mr. Thompson.
Mr. Kilpatrick, on motion of Mr. Cooke.
Mr. Burke, on motion of Mr. Cooke.
Mr. Babbage, on motion of Mr. Cooke.
Mr. Burkhalter, on motion of Mr. McMillan.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.
Mr. Lincoln, on motion of Mr. Rumford.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 994

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1113
Assembly Bill No. 2112

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1068

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 388
Senate Bill No. 826
Senate Bill No. 1172

Has had the same under consideration, and reports the same back with the recommendation. Do pass

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1866

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1572

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2349
Assembly Bill No. 2350
Assembly Bill No. 2352
Assembly Bill No. 2353

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns

Senate Bill No. 1094

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 997
Assembly Bill No. 1197
Assembly Bill No. 2351

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 100
Assembly Bill No. 101
Assembly Bill No. 258
Assembly Bill No. 416
Assembly Bill No. 417
Assembly Bill No. 581
Assembly Bill No. 646
Assembly Bill No. 959
Assembly Bill No. 1035
Assembly Bill No 1036
Assembly Bill No 1037
Assembly Bill No. 1039
Assembly Bill No. 1040
Assembly Bill No. 1045
Assembly Bill No. 1046
Assembly Bill No. 1107
Assembly Bill No. 1799
Assembly Bill No. 1962
Assembly Bill No. 2216
Assembly Bill No. 2898

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 155
Assembly Bill No. 642
Assembly Bill No. 916
Assembly Bill No. 1662
Assembly Bill No. 2674

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 76

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 280
Senate Bill No. 515
Senate Bill No 1250
Senate Bill No. 1620
Senate Bill No. 1627

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 280—An act to add Article 5 to Chapter 2, Division 4, Title 1 of the Government Code, relating to public employees' loyalty oaths and checks.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 515—An act to add Section 1106 to the Labor Code, relating to the hiring and discharging of employees.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1250—An act to add Chapter 8, comprising Sections 5500 to 5656 inclusive, to Part 3, Division 5, of the Health and Safety Code, to provide for the formation, organization, and operation of sanitation districts within the counties of the State.

Referred to Committee on Public Health.

Senate Bill No. 1620—An act to amend Sections 4010, 4011, 4031, and 4035 of the Health and Safety Code, relating to water and water supply systems.

Referred to Committee on Public Health.

Senate Bill No. 1627—An act to amend Section 94 5 of the Agricultural Code, relating to the exemption of citrus fruit fair associations from taxation.

Referred to Committee on Revenue and Taxation.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF NATURAL RESOURCES
DIVISION OF FISH AND GAME
SAN FRANCISCO 11, CALIFORNIA, May 2, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: Pursuant to Assembly Resolution No. 31, which directed the Fish and Game Commission to ascertain the feasibility of increasing the numbers of spiny lobsters along our coast by means of a program of habitat improvement, the commission respectfully reports to the Assembly, as follows.

Observations of abalone divers indicate that if more shelter were available for young lobsters, the survival would be better, and an increased production of the lobster fishery would follow. According to these observations, lobsters live in holes and crevices among the rocks and venture out to feed at night. The largest individuals usurp the best shelter, and drive out the smaller ones which are thus vulnerable to predators. Some divers and fishermen believe that if artificial shelter in the form of tile pipes were provided, there would be a better chance for survival

The 1946 lobster catch had a value of $220,000, as paid to the fishermen Doubling this figure would be a worthwhile project Hence, assuming that such a plan were feasible, a study of costs was made. Cost of sufficient tile to shelter twice the present number of lobsters was estimated at approximately $43,000 plus $11,000 to transport and place the tile, or a total of $54,000

There is no real evidence to prove that such an undertaking would be successful, or for that matter that it would fail. It would take the young lobsters several years to reach legal size. We can not be sure that the tile would remain in place or that the lobsters would occupy them, nor do we know that predation is really serious.

It appears that an approach on a more modest scale would be logical. The commission has recently negotiated a service agreement with the University of California at Los Angeles under which the university is to conduct a lobster research program commencing this spring The study, to be carried on by instructors and graduate students, will cover such things as breeding habits, ecological conditions, rate of growth, and migrations, all of which will be of value to the fishery.

When the possibilities of the habitat improvement plan were brought to our attention, we made arrangements to enlarge the scope of the university program to include a study of the feasibility of placing tile. The original contract was for $1,000, to which has been added the sum of $1,150, both from the Fish and Game Preservation Fund. The lobster fishermen have assured us that if the project shows promise, they will provide a good part of the funds for a large-scale program

One phase of the study will be carried on at "Marineland of the Pacific," a large aquarium at Hermosa Beach which has made a tank available to us. Here, under simulated conditions, both lobsters and their predators, particularly sheepshead, may be observed.

More important, however, will be a study area in Santa Monica Bay itself Here, under our guidance, and using our boats at times, the university staff will place tiles and conduct a regular series of observations With diving suits, the men will make a first-hand study of how the lobsters react to the artificial shelters, and how the lobster-predator relationship actually functions. The lobster fishermen will also assist by making their boats and equipment available. During the summer of 1949 and winter of 1949-50, enough information should accrue to indicate the possibilities of embarking on a large-scale program.

The questions to be answered are:

1. Will the tile stay in place without breaking?
2. Will the lobsters occupy the tile?
3. Will other animals occupy the tile to the detriment of the lobsters?
4. How serious is predation and is there any other way to control it?
5. Will the benefits justify the cost?

The Interim Committee on Fish and Game is respectfully invited to follow the course of this program during the coming year. Inquiries may be addressed to Dr. F. N. Clark, California State Fisheries Laboratory, Terminal Island, under whose general supervision the work will be conducted; or to Professor Theodore H. Bullock, Department of Zoology, University of California at Los Angeles, and Mr. Robert Lindberg of the university who will be doing the actual field work. Members of the committee will be welcome to accompany the field party, or to examine the records.

Respectfully submitted,

CALIFORNIA FISH AND GAME COMMISSION
By E. L. MACAULAY, Executive Officer

Above communication ordered referred to the Committee on Fish and Game.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1729—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1730—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately

Bill read second time, and ordered engrossed

Assembly Bill No. 2439—An act to add Section 4765 to the Health and Safety Code, relating to county sanitation districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 776—An act to amend Section 7100 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2204—An act providing for license fees for the privilege of operating aircraft, providing for the exemption of such vehicles from all taxes according to value for state, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Aircraft Fee Fund and making an appropriation of the moneys therein.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1382—An act to repeal Section 362 of the Education Code, relating to the traveling expenses of county superintendents of schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1383—An act to add Sections 4861.1 and 4862.1 to the Education Code, relating to the membership of county superintendents of schools in societies, associations, and organizations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1380—An act to add Section 13405.1 to the Education Code, relating to teachers institutes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 401—An act to amend Section 25690 of the Government Code, relating to local water and power projects.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 22, 1949, after "water", insert "to the county and its inhabitants".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Tomlinson asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 522—An act to repeal Section 4890 of, and to amend Section 4910 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 18, 1949, strike out "repeal Section 4890 of, and to amend Section", and insert "amend Sections 4890 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 12, and insert "is hereby amended to read as follows:

4890. The clerk shall file in the office of the county assessor a certified copy of each resolution of the board that affects a district in any of the following ways:

(a) Establishes it

[(b) Reestablishes its boundaries after territory has been annexed to it.]

(b) Annexes territory to it.

[(c) Reestablishes its boundaries after territory has been withdrawn from it.]

(c) Withdraws territory from it

(d) Dissolves it.

The county assessor shall thereafter in making up the assessment roll segregate on it the property included in the district."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1274—An act relating to the acquisition and construction of property for public airports.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 1, 1949, strike out line 2, and insert "for airports available for public use"

Amendment No. 2

On page 1, line 1, of said bill, strike out "herein", and insert "in this act".

Amendment No. 3

On page 1, line 2, of said bill, strike out "airport, publicly or privately owned," and insert "privately owned airport".

Amendment No. 4

On page 1 of said bill, strike out lines 5 to 25, inclusive; and on page 2, strike out lines 1 to 18, inclusive.

Amendment No. 5

On page 2, line 19, of said bill, strike out "5", and insert "2"

Amendment No. 6

On page 2, line 21, of said bill, after "of", insert "aerial approaches to, and landing areas of,".

Amendment No. 7

On page 2, line 26, of said bill, after "aircraft", insert "and that such other terms and conditions are observed as the county, city, or city and county may impose by contract or otherwise".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1665—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out lines 1 to 3, inclusive, of the title of the printed bill, as amended in the Assembly on April 29, 1949, and insert

"An act to amend Section 37900 of, and to add an article heading and Article 2, comprising Sections 37930 to 37935, inclusive, to Chapter 6, Part 2, Division 3, Title 4 of, the Government Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. An article heading is added to Chapter 6, immediately preceding Section 37900, Part 2, Division 3, Title 4 of the Government Code, to read.

Article 1. Generally

SEC. 2. Section 37900 of said code is amended to read:

37900 This [chapter] *article* applies to fifth and sixth class cities

SEC. 3. Article 2 is added to Chapter 6, Part 2, Division 3, Title 4 of said code, to read:

Article 2. Sixth Class Cities

37930. This article applies to sixth class cities only.

37931. All bids shall be presented under sealed cover and accompanied by one of the following forms of bidder's security.

(a) Cash.

(b) Cashier's check made payable to the city.

(c) A certified check made payable to the city.

(d) A bidder's bond executed by an admitted surety insurer, made payable to the city.

37932. The security shall be in an amount equal to at least 10 percent of the amount bid. A bid shall not be considered unless one of the forms of bidder's security is enclosed with it.

37933. If the successful bidder fails to execute the contract, the amount of his bidder's security shall be forfeited to the city except as hereinafter provided.

37934. The cash or proceeds shall be deposited in the fund out of which the expenses of preparation and printing of the plans and specifications, estimates of cost, and publication of notice are paid.

37935. The city council may, on refusal or failure of the successful bidder to execute the contract, award it to the next lowest responsible bidder. If the legislative body awards the contract to the second lowest bidder, the amount of the lowest bidder's security shall be applied by the city to the difference between the low bid and the second lowest bid, and the surplus, if any, shall be returned to the lowest bidder if cash or a check is used, or to the surety on the bidder's bond if a bond is used.

SEC. 4. It is not the intention of the Legislature in adopting this act to change the existing law, but rather it is the intention of the Legislature to declare by such adoption that under Chapter 6, Part 2, Division 3, Title 4 of the Government Code, cities of the sixth class always have had power under said chapter to require a bid bond, cashier's check or other security, and the power thereunder to declare the forfeiture thereof upon failure, neglect or refusal to enter into a contract awarded thereunder."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 22, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1804—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on April 8, 1949, between lines 44 and 45, insert

"CHAPTER 6.5. LIMITATION ON COUNTY EXPENDITURES

SEC. 65. It is the intention of the Legislature in enacting this act that any local service, such as fire or police protection, normally performed as a municipal service,

shall be a charge upon property within an urban district and not upon the county general fund."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1679—An act to amend Sections 3, 4, and 5 of the act known as Chapter 48, Statutes of 1943, entitled "An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of Internal Revenue Laws of the United States, declaring the urgency of this act, to take effect immediately," approved February 10, 1943, relating to the deposit and disbursement of moneys withheld from salaries or wages paid to any person by the State or other public agencies pursuant to the Internal Revenue Law of the United States or any requirements of the Commissioner of Internal Revenue pursuant thereto.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 7 of the title of the printed bill, after "1943", insert ", and to amend Sections 1174, 1175, and 1176 of the Government Code".

Amendment No. 2

On page 2, line 5, of said bill, strike out "moneys", and insert "funds".

Amendment No. 3

On page 2, line 20, of said bill, strike out "moneys", and insert "funds".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, after line 40, insert

"SEC. 7. Section 1174 of the Government Code is amended to read:

1174. All funds withheld pursuant to this article by any state unit whose funds are deposited in the State Treasury shall, immediately *upon such withholding,* be deposited [in the State Treasury in a special deposit fund pursuant to Article 2, Chapter 2, Part 2, Division 4, Title 2. Such funds may be withdrawn pursuant to that article.] *in such depositary or depositaries as may be prescribed by the Director of Finance, and shall be withdrawn therefrom in the manner prescribed by him in fulfillment of the purpose for which said funds were deposited.*

SEC. 8. Section 1175 of the Government Code is amended to read:

1175. All funds withheld by any county pursuant to this article shall, *immediately upon such withholding,* be deposited [immediately in the county treasury as trust money. The funds may be withdrawn only on a warrant issued by the county auditor and for the purpose for which the money was deposited] *in such depositary or depositaries as may be prescribed by the board of supervisors of the county, and shall be withdrawn therefrom in the manner prescribed by such board in fulfillment of the purpose for which said funds were deposited.*

SEC. 9. Section 1176 of the Government Code is amended to read.

[1176. A public agency which is not a county or whose funds are not deposited in the State Treasury shall immediately deposit all money withheld pursuant to this article in the depositary designated for its funds. The deposit shall be denominated "Victory Tax Trust Deposit." The money is subject to withdrawal only upon order of the disbursing officer of the agency for the purpose for which it was deposited.]

1176. All funds withheld pursuant to this article by any public agency not within the provisions of Sections 1174 or 1175 of this code shall, immediately upon such withholding, be deposited in such depositary or depositaries as may be prescribed by the governing body of such public agency, and shall be withdrawn therefrom in the

manner prescribed by such governing body, in fulfillment of the purpose for which said funds were deposited.

SEC. 10. The provisions of Sections 7, 8, and 9 of this act shall not become effective unless legislation is adopted in the 1949 Regular Session of the Legislature adding Article 6.5, comprising Sections 1170 to 1176, inclusive, to Chapter 1, Division 4 of Title 1 of the Government Code."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2269—An act to amend Sections 15002, 15003, 15004, 15007, 15015, 15016, 15020, 15029, 15154, 15250, 15251, 15253, 15254, 15255, 15351, 15353, 15354, 15355, 15380, 15381, 15382, 15383, 15384, 15387, 15388, 15687, 15689, 15730, 15735, 15736, 15737, 15747, 15750, 16000, 16001, 16054, 16056, 16058, 16062, 16100, 16105, 16201, 16223, 16227, 16231, 16265, 16266.5, 16400, 16401, 16402, 16403, 16403.5, 16405, 16406, 16408, 16409, 16410, 16411, 16413, 16414, 16415, 16417, 16418, 16432, 16433, 16434, 16437, 16441, the heading of Chapter 14, Part 1, Division 13, Sections: 16501, 16504, 16520, 16521, 16523, 16527, 16600, the heading of Article 8, Chapter 14, Part 1, Division 13, Sections: 16670, 16672, 16677, 16678, 16679, the heading of Article 9 of Chapter 14, Part 1, Division 13, Sections: 16690, 16692, 16693, 16694, 16711, 16711.2, 16742, 16771, 16772, 16800, 16820, 16827, 16833, the heading of Chapter 20, Part 1, Division 13, Sections: 16900, 16901, 16904, 16906, 16950, 16953, 16959, 17000, 17001, 17002, 17080, 17088, 17152, 17154, 17157, the heading of Chapter 24, Part 1, Division 13, the heading of Article 1 of Chapter 24, Part 1, Division 13, Sections: 17250, 17251, 17254, 17255, 17260, 17261, 17262, 17263, 17264, 17265, 17267, heading of Article 2, Chapter 24, Part 1, Division 13, Sections: 17280, 17281, 17282, 17283, 17284, heading of Article 3, Chapter 24, Part 1, Division 13, Sections 17300, 17301, 17303, 17304, heading of Article 4, Chapter 24, Part 1, Division 13, Sections: 17320, 17324, 17324.5, 17340, 17452, 17453, 17455, 17456, 17457, 17459, 17465, 17466, 17481, 17482, 17483, 17484, 17501, 17503, 17504, 17506, 17507, 17509, 17531, 17532, 17551, 17552, 17580, 17581, 17584, 17701, 17702, 17702.5, 17704, 17704.1, 17705, 17800, 17801, 17809, 17810, 17814, 17815, and 17901 of the Health and Safety Code; to add Sections 15004.2, 15007.5, 15015.7, 15015.8, 15016.3, 15016.7, 15016.8, 15017.8, 15019.5, 15023.2, 15023.4, 15024.5, 15027.3, 15027.5, 15029.5, 15030.5, 15031.3, 15031.5, 15031.7, 15152.5, 15159, 15160, 15251.5, 15253.5, 15254.5, 15256, 15290.5, 15320, 15363, 15364, 15365, 15366, 15367, 15383.5, 15384.1, 15384.2, 15384.3, 15384.4, 15384.5, 15389, 16227.5, 16500.5, 16528, Article 7.5 (comprising Section 16660) to Chapter 14, Part 1, Division 13, Sections 16679.5, 16711.3, Article 5 (comprising Section 16714), Chapter 14.5, Part 1, Division 13, Sections 16777, 16778, Article 1, Chapter 20, Part 1, Division 13, Sections 16900.1, 16900.2, 16900.3, 16900.4, 16902.1, 16902.2, Article 2 (comprising Section 16910) to Chapter 20, Part 1, Division 13, Chapter 20.5 (comprising Sections 16930 and 16931) to Part 1, Division 13, Sections 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17080.3, 17085.5, 17258.5, 17260.1, 17260.2, 17260.5, 17260.7, 17260.8, 17260.9, 17267.3, 17267.5, 17270, 17270.3, 17270.5, Article 1 (B) (comprising Section 17276), to Chapter 24, Part 1, Division 13, Sections 17283.5, 17285, 17286, 17287, 17288, 17289, 17290, 17291, 17300.5, 17306, 17307, 17308, 17309, 17310, 17311, 17312, 17313, 17325,

17326, 17327, 17328, 17329, 17330, 17455.5, 17457.5, 17486, 17502.5, 17513, 17533.5, 17554, 17704.2, 17704.3, 17705.1, 17705.2, 17708, 17709, 17710, 17711, 17712, 17713, 17801.5, 17809 5, 17811.1, 17811.2, 17811.3, 17811.4, 17814.1, 17814.2, 17814.3, 17815.1, 17815.2, 17815.3, 17815.4, and 17831 to said code, and to repeal Sections 15021, 15252, 15315, 15316, 15317, 15318, 15319, 16057, 16224, 16225, 16412, 16419, Article 7 (comprising Sections: 16650 to 16655, inclusive) of Chapter 14, Part 1, Division 13, Chapter 15 (comprising Sections: 16720 and 16720.5) of Part 1, Division 13, Sections 16773, 16774, 16951, 16952, 16954, 16955, 16956, 16957, 16958, Article 2 (comprising Sections 17020 to 17023, inclusive) of Chapter 22, Part 1, Division 13, Article 3 (comprising Sections: 17040 to 17045, inclusive) of Chapter 22, Part 1, Division 13, Article 4 (comprising Sections: 17060 to 17062, inclusive) of Chapter 22, Part 1, Division 13, Sections: 17081, 17082, 17083, 17084, 17086, 17087, 17266, 17454, 17460, 17464, and 17502 of said code, relating to the State Housing Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 8, line 37, of the printed bill, as amended in the Assembly on April 22, 1949, after "move", insert a comma.

Amendment No. 2

On page 8, line 51, of said bill, after "architect", insert ", *engineer*".

Amendment No. 3

On page 8, line 52, of said bill, after "architect", insert ", *engineer*".

Amendment No. 4

On page 37, line 15, of said bill, strike out "of", and insert "*or*".

Amendment No. 5

On page 48, line 10, of said bill, strike out "in".

Amendment No. 6

On page 54, line 22, of said bill, strike out "and its receptacle".

Amendment No. 7

On page 56, line 20, of said bill, strike out "a present provision of this part"

Amendment No. 8

On page 56, line 20, of said bill, after "by", insert "the present provisions of the State Housing Act."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 971—An act to amend Section 8728 of the Education Code, relating to the payment of tuition of high school pupils residing in elementary school districts not in high school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, beginning in line 22, strike out "sixty-five dollars ($65)", and insert "one hundred dollars ($100)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1760—An act to amend Sections 4714 and 7431 of the Education Code and to repeal Section 4965 of said code, all relating to school district bonds.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on April 15, 1949, strike out "taxable property", and insert "assessed valuation".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2530—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on March 25, 1949, after "schools", insert ", any Assistant Superintendent of Schools".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2791—An act to amend Section 5013 of the Public Resources Code, relating to the State Park Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 8, 1949, strike out lines 7 to 19, inclusive; and in line 20, strike out "(4)", and insert "(1)".

Amendment No. 2

On page 2 of said bill, strike out lines 3 to 13, inclusive, and insert "(2) Acquire, construct, maintain, improve, and develop camping grounds for fisherman and hunters adjoining rivers and streams, and picnic grounds, and to provide facilities for launching boats, for sanitary and bath purposes, for cooking, and electric power for connection to trailer lighting systems and for lighting of the camps and suitable roads adequate for ingress and egress to said camping sites and picnic grounds."

Amendment No. 3

On page 2, line 2, of said bill, after "winter", insert "snow and ice".

Request for Unanimous Consent That Amendments Be Corrected

Mr. Weber asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 2791, which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Amendments read, as corrected, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 1883—An act to amend Section 451 of the Revenue and Taxation Code, relating to inspection of taxpayers' statements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "by the taxpayer".

Amendment No. 2

On page 1, line 8, of said bill, after the period, insert "Any document or summary of information required from or furnished by a taxpayer of confidential nature shall, at his request, be attached to his statement and shall constitute part of such statement for the purposes of this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1881—An act to add a new Article 3 to Chapter 5, Page 9, Division 1, of the Revenue and Taxation Code, relating to judicial review of assessments and taxes alleged to be illegal or erroneous and providing procedure for such review.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 25, of the printed bill, strike out "petitioner", and insert "petitioner's".

Amendment No. 2

On page 2, line 11, of said bill, strike out the period, and insert ", provided, however, that in the event the petitioner claims to be aggrieved by any assessment of property upon legal grounds other than its valuation, then such petition may be filed at any time after the same has been placed upon the assessment roll but not later than ninety days after the same was placed upon the assessment roll or 90 days subsequent to the adjournment of the board of equalization, whichever is the later."

Amendment No. 3

On page 2, line 17, of said bill, strike out ". any", and insert ". Any".

Amendment No. 4

On page 2 of said bill, strike out lines 28 to 40, inclusive, and insert

"5155. In the event that any tax or installment of tax will become delinquent, or penalty accrue before the return date, or the final determination of said proceeding, said petitioner must pay the amount of said tax or installment of tax or penalty into court as condition to the institution or continuance of said proceeding. The amount

so deposited shall be transmitted at once by the clerk of the court to the proper collecting officer and credited by such officer, notwithstanding any other provision of this code, as payment of such tax or installment of tax or penalty. In the event that at any time after such proceeding has been instituted the petitioner fails or neglects to deposit with the court any further tax or installment of tax or penalty thereon after five-day notice of demand to do so, the court shall dismiss forthwith such proceeding as to any tax, installment of tax, or penalty so involved, but not as to other taxes or taxpayers involved in said proceeding. Such dismissal shall, however, be without prejudice to further proceedings by the respective taxpayer as to the legality or amount of such tax or installment of tax or penalty, provided that judgment has not been entered thereon as to its validity or invalidity at the time of such dismissal. In the event that judgment has been rendered decreeing such tax, installment of tax, or penalty to be valid prior to such dismissal, such judgment shall be res judicata as to all parties and constitute a bar to any further proceedings by the respective taxpayer as to such respective tax, installment of tax, or penalty."

Amendment No. 5

On page 3, line 39, of said bill, strike out the period, and insert ", provided, however, that if the petitioner claiming to be aggrieved claims that the assessment is invalid by reason of illegality, the whole or illegal portion of said assessment shall be stricken irrespective of any appearance by or on behalf of the petitioner before the respective board of equalization. In the event that an assessment is claimed to be invalid by inclusion in part of property illegally assessed and not subject to taxation, the court may, by reference to written documents and records maintained in the assessor's office, determine the valid portion of such assessment therefrom, but may not in this respect rely upon any oral testimony of the assessor or other party, except for explanation of matters in which written records were employed in arriving at the original valuation. In the event that any assessment is found wholly void the court shall not determine for itself any offsetting proper or valid assessment, but shall strike the entire amount of such assessment."

Amendment No. 6

On page 3 of said bill, strike out lines 40 to 51, inclusive, and insert

"5160. In the event any tax or installment of tax or penalty is herein found to be excessive or illegal in whole or in part after payment of such tax, installment of tax, or penalty by petitioner as otherwise provided in this article, in addition to its decree ordering the correction or striking of said assessment, tax, installment of tax or penalty, the court shall enter judgment for repayment of the whole or excessive or illegal portion of such tax or installment of tax to petitioner by the respective city, city and county, or county defendant, together with interest at 5 percent per annum thereon from date of such payment to the date of judgment, and thereafter with interest at the rate of 7 percent on such judgment until the same shall have been paid by the respective city, city and county, or county defendant. In the event that the refunded tax included in part a tax levied on behalf of a city, and such city had intervened in such proceeding as elsewhere provided for in this article, then the court shall provide in its judgment for judgment against the city, so far as the city tax is concerned, together with the respective interest thereon as otherwise provided, and against the county for the balance only of such tax, together with interest thereon as otherwise provided. In all other cases judgment shall be entered against the respective city, city and county, or county which collected the taxes, irrespective of any other entity interested therein, for the amount as declared by such judgment to be excessive or wholly or partially void. In the event any part of a tax upon which a penalty was paid by the petitioner is declared excessive or illegal, in whole or in part, the petitioner shall be entitled to judgment for recovery of all of such penalty, together with interest thereon as elsewhere provided herein. Any part of the tax or penalty recovered by the petitioner which was paid by the respective defendant to any city prior to judgment, together with the respective interest thereon, shall be deducted in the next settlement had between said county and said city as to collections made by said county on behalf of said city."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2011—An act to amend Section 28123 of the Government Code, relating to compensation for public service in counties of the twenty-third class.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out line 7, and insert "four thousand five hundred dollars ($4,500) a year."

Amendment No. 2

On page 1 of said bill, strike out line 9, and insert "seven thousand two hundred dollars ($7,200) a year."

Amendment No. 3

On page 1 of said bill, strike out line 11, and insert "two thousand four hundred dollars ($2,400) a year for all services".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2284—An act to amend the title and Section 1 of an act entitled "An act authorizing and requiring boards or commissions having the management and control of paid fire departments, to grant the members thereof yearly vacations," approved March 26, 1895, relating to vacations and hours on duty of members of fire departments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert "SECTION 1. The title of the act cited in the title hereof is amended to read ".

Amendment No. 2

On page 1, line 21, of said bill, after "addition", insert "thereto a leave of absence from active duty of not less than four working shifts in every month of such service. Leave of absence so granted, as aforesaid, must be arranged by said board, council, commission, commissioners or other governing body so as not to interfere with or in any way impair the efficiency of said department No deduction shall be made from the salary or pay of any member of such fire department or county fire warden department granted such leave of absence under the provisions of this act.

SEC. 3. Section 1.1 is added to the act cited in the title hereof, to read.

Sec 1 1. In every city, city and county, fire district, county fire-district and fire protection district of this State where there is a regularly organized paid fire department, or county fire warden department, if paid members of such fire departments are required to work on New Year's Day, Lincoln's Birthday, Washington's Birthday, Memorial Day, Fourth of July, Labor Day, Admission Day, Thanksgiving and Christmas, they shall either receive time off or additional pay and compensation therefor."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2240—An act relating to the acquisition, construction, establishment, operation, maintenance and financing of off-street parking facilities and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue

bonds and other obligations and defining the powers and duties of parking authorities, cities, and cities and counties with respect to off-street parking facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on March 25, 1949, after "facilities", insert "for the parking of motor vehicles".

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 15, inclusive, and insert "motor vehicles off the public streets; (c) that the supplying of additional parking facilities and the performance of all undertakings incidental"

Amendment No. 3

On page 2, line 11, of said bill, after the period, insert "When permitted by law it shall also mean a city when exercising powers under Section 59 of this act."

Amendment No. 4

On page 2, line 16, of said bill, before "or", insert "board of directors, aldermen or trustees".

Amendment No. 5

On page 2 of said bill, after line 52, insert "A city shall not transact any business or exercise any powers under Section 59 of this act unless and until the legislative body of the city shall by resolution declare that there is need for such city to exercise the powers of a parking authority as provided in this act.

Either or both such resolutions may be adopted by the legislative body of a city and may designate for the purpose thereof an area within such city less than the whole thereof."

Amendment No. 6

On page 3, line 4, of said bill, strike out "as provided in Section 4 of this act", and insert "declaring need for a parking authority to function".

Amendment No. 7

On page 3, line 5, of said bill, after "appoint", insert "an odd number of".

Amendment No. 8

On page 3, line 16, of said bill, strike out "three,".

Amendment No. 9

On page 4 of said bill, between lines 13 and 14, insert "After adoption of a resolution declaring there is no need for such authority to function, or while any such resolution is in effect, the legislative body of a city shall have power to wind up the affairs of the authority and shall have title to all property of the authority for such purpose and for the benefit of the city.

With the consent of the holders of bonds issued and outstanding the legislative body of a city, at any time after the creation of a parking authority, may adopt by a two-thirds vote thereof, upon the recommendation of the mayor, a resolution transferring the property of the authority to the city and the city may, through such department as it may determine, exercise its powers in regard thereto by virtue of the Constitution, its charter or this or other general law, but without prejudice to any right of any bondholder or other obligee of the authority."

Amendment No. 10

On page 4 of said bill, strike out lines 26 to 29, inclusive, and insert "and rights as in related city employment, such officers, agents, counsel and employees, permanent and temporary, as it may require or if the resolution creating the authority so provides the authority shall have power to appoint such officers, agents, counsel and employees, permanent and temporary, as it may require and determine their qualifications, duties and compensation."

Amendment No. 11

On page 4 of said bill, strike out line 35, and insert "accordance with the procedural provisions of the Code of Civil Procedure and Section 1238.1 of said code".

Amendment No. 12

On page 4, lines 38 and 39, of said bill, strike out "pledge, encumber, (by mortgage, deed of trust or otherwise.)".

Amendment No. 13

On page 5, line 20, of said bill, strike out "savings banks may legally invest", and insert "cities may legally invest".

Amendment No. 14

On page 5 of said bill, between lines 26 and 27, insert

"(h) No existing parking facilities for any project shall be acquired by an authority except after public hearing following the notice of the date, time, place, and purpose of such hearing published once not less than ten nor more than twenty days prior to the date of such hearing."

Amendment No. 15

On page 5, line 41, of said bill, strike out "by resolution adopted by a two-thirds vote", and insert "in the resolution declaring need for a parking authority to function".

Amendment No. 16

On page 10, line 33, of said bill, strike out "the name of the city", and insert "its name".

Amendment No. 17

On page 11 of said bill, strike out lines 1 to 6, inclusive, and insert "be appropriated by the governing body of the city, or (f) by any combination of these methods Any such bonds may be additionally secured by a pledge of any parking meter revenues, special business license or occupation taxes on any business or occupation within the area to be benefited by the parking facility. When permitted by law the legislative body of a city may pledge or allocate such parking meter revenues or special taxes for periods of years for the financing or operation of any project authorized by this act and principal and interest on all or any type of bond issued and outstanding pursuant to this act, until all of such bonds have been fully paid."

Amendment No. 18

On page 13, line 45, of said bill, after "two", insert "or".

Amendment No. 19

On page 14 of said bill, strike out lines 25 to 27, inclusive, and insert

"SEC. 39 All of the signatures on said bonds and on the interest coupons thereof may be printed, lithographed or engraved facsimile except the counter signature of the clerk or other officer of the authority designated by the authority which counter signature shall be manually affixed. If any".

Amendment No. 20

On page 14, line 37, of said bill, strike out "fifty (50)", and insert "forty (40)".

Amendment No. 21

On page 17, line 17, of said bill, strike out "an", and insert "when permitted by law an".

Amendment No. 22

On page 17, line 39, of said bill, after "alternative", insert "or additional".

Amendment No. 23

On page 18 of said bill, strike out lines 20 to 32, inclusive, and insert

"SEC. 59. Any city may exercise any or all of the powers granted to such authority by the provisions of this act and such city may exercise any of the powers granted herein in combination with powers granted by any other general law relative to parking facilities.

This act shall not affect any other act or acts relating to the same or a similar subject but is intended to provide an alternative method of procedure governing the subject to which it relates. Provisions of this act shall be liberally construed to effect the purposes thereof Nothing in this act shall be construed to abridge, modify or otherwise affect the right of any city to exercise any power given to it by the Constitution of California."

Amendment No. 24

On page 18, line 33, of said bill, strike out "SEC. 61", and insert "SEC. 60".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2622—An act to amend Sections 2820, 5500, and 8702, and to add Sections 5906, 2932, and 6464 to the Streets and Highways Code, relating to special assessment and bond proceedings for financing the cost of sanitary sewers and other local improvements.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 1, 1949, strike out "5500", and insert "2905, 3012, 5500, 6460, 6463".

Amendment No. 2

In line 2 of the title of said bill, strike out "5906, 2932, and 6464", and insert "2932, 6464, and 6465".

Amendment No. 3

In line 5 of the title of said bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 4

On page 1 of said bill, strike out lines 11 to 21, inclusive, and insert

"SEC. 2. Section 2905 of said code is amended to read as follows:

2905. Notwithstanding anything in this division, if the legislative body conducting the proceedings, after the report or reports provided for in this division have been filed and considered and prior to the adoption of the ordinance or resolution [of intention] *ordering the acquisition or improvement*, finds by a four-fifths vote of all members thereof entered upon its minutes that the proposed project is feasible and that the lands to be assessed will be able to carry the burden of such proposed assessment, the limitations on the amounts of assessments provided for in this part may be disregarded, both with respect to the limitation on the district as a whole and as to the limitation on individual specific assessments. If the legislative body makes such a finding none of the limitations upon the amounts of assessments contained in this division shall thereafter apply to any assessment or assessment proceedings thereafter had or taken. However, if at the hearing on the report protests in writing are filed as provided in Section 2856 by the owners (as defined in the law under which the acquisition or improvement proceedings are to be taken) of a majority in area of the lands to be assessed, such limitations shall not be exceeded *except as to proceedings had under Section 2932*. A finding and determination by the legislative body that the limitation on assessments herein provided may be disregarded shall be final and conclusive upon all persons in the absence of actual fraud."

Amendment No. 5

On page 2 of said bill, after line 13, insert

"SEC. 4. Section 3012 of said code is amended to read as follows:

3012. Any action, suit or proceeding of any kind or nature in which the validity of any of the proceedings taken under the provisions of this division [, up to and including the action on the investigation report,] is questioned or attacked [shall be commenced] , *and any such defense in any action, suit or proceeding shall be filed*, within thirty days after the date of the adoption of the resolution or ordinance finally acting on said investigation report *or after the date of final action taken pursuant to Sections 2804 or 2808 or Part 7 hereof*, and in case such action is not brought or *defense filed* within said thirty days, then thereafter all persons whatsoever shall be barred in any action, suit or proceeding from pleading, asserting or claiming that any of the proceedings up to and including the action on said investigation report , *or other action herein specified*, were defective, faulty or invalid in any respect."

Amendment No. 6

On page 2, line 14, of said bill, strike out "4", and insert "5".

Amendment No. 7

On page 2, line 25, of said bill, strike out "5", and insert "6".

Amendment No. 8

On page 3, line 44, of said bill, strike out "6", and insert "7".

Amendment No. 9

On page 4, line 5, of said bill, strike out "7", and insert "8".

Amendment No. 10

On page 4, line 15, of said bill, strike out "7", and insert "9".

Amendment No. 11

On page 4, line 21, of said bill, strike out "8", and insert "10".

Amendment No. 12

On page 4, line 38, of said bill, strike out "9", and insert "11".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 446—An act making an appropriation to the Division of Beaches and Parks for the establishment and development of the old Overland Emigrant Trail as part of the California Riding and Hiking Trails Project.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act authorizing the Division of Beaches and Parks to establish and develop the old".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 22, inclusive, and insert

"SECTION 1. It is hereby declared to be the policy of the State to establish as a State Historical Monument, in the State Park System, the old Overland Emigrant Trail between Chicago Park and the Donner Memorial State Park in commemoration of the centennial of the Gold Rush.

SEC. 2. To provide for execution of this policy, the Division of Beaches and Parks, Department of Natural Resources, shall seek to secure agreements from owners of property over which the Trail passes, to donate easements for rights of way and shall submit for consideration with the budget for the Fiscal Year 1950-51 estimates of cost for acquisition and development, including marking of the Trail."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2608—An act to add Article 6.5 to Chapter 3 of Part 2 of Division 3 of Title 2 of the Government Code, relating to public records.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "State", and insert "Central".

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 11, inclusive, and insert

"12270 "Public record," "public document," or "public paper," as used herein means any document, paper, book, map, record, reproduction, however produced and

on whatever material, together with annexed exhibits, which is evidence or serves as evidence of the official functioning of any officer of a state agency, produced, received, accumulated and used by any state agency, and which is or is to be filed in the official files of the agency, except that any documents declared by law to be confidential shall not be "public documents" and shall be destroyed at the end of their retention periods. Any documents declared by the head of a state agency to be of a temporary confidential nature, may be withheld from public or other state agency use for a stipulated period of time determined by him."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 582—An act to add Chapter 5 5, comprising Sections 7150 to 7158, inclusive, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of two state hospitals for inebriates and the regulation thereof, and to make an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "to add Chapter 5 5, comprising Sections 7150 to 7158,"; and strike out lines 2 to 5, inclusive, and insert "to repeal Chapter 5, consisting of Sections 7100 to 7111, of Part 4 of Division 6 of the Welfare and Institutions Code and to add Chapter 5, consisting of Sections 7100 to 7110, to Part 4 of Division 6 of the Welfare and Institutions Code, relating to the establishment and maintenance of institutions for inebriates, providing for the commitment, transfer, and admission of persons thereto and the release of persons therefrom, and providing for the powers and duties of the Department of Mental Hygiene in respect thereto."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 3, inclusive, and insert

"SECTION 1. Chapter 5 of Part 4 of Division 6 of the Welfare and Institutions Code is repealed.

SEC. 2. Chapter 5 is added to Part 4 of Division 6 of said code, to read:

CHAPTER 5. STATE INEBRIATE HOSPITALS

7100. The Director of Mental Hygiene, with the approval of the Director of Finance, shall establish and maintain two hospitals for the treatment of incipient, acute, and chronic inebriate cases, which hospitals shall be known as state inebriate hospitals. Such hospitals shall be maintained at suitable locations in or near the metropolitan centers of the northern and southern parts of the State.

7101. The Department of Mental Hygiene shall establish such rules and regulations as are necessary to carry out the provisions of this chapter properly.

7102. The establishment and maintenance of state inebriate hospitals is for the purpose of diagnosis and intensive treatment of incipient, acute, and chronic inebriates, and for research and study of alcoholism.

There shall be conducted and maintained in conjunction with each such hospital an outpatient clinic. The charges for service in the outpatient clinic shall be determined in accordance with schedules for such charges which shall be set forth in the rules and regulations of the department.

7103. As used in this chapter, "chronic inebriate" means any person who is, and for a period of not less than one year has been, so far addicted to the use of alcoholic beverages as to come within one of the following descriptions:

(a) Who is unable or unwilling to continuously abstain from their use.

(b) Who is unable to transact ordinary business with safety to his estate.

(c) Who endangers himself or the person or property of others.

(d) Who so impoverishes himself as to require charitable aid for the support of himself or of others dependent upon him for support.

(e) Who is in danger of becoming or has become a degrading or detrimental influence upon his family or others.

7104. Whenever the state inebriate hospitals have been established pursuant to Section 7100, any superior court may commit to the Department of Mental Hygiene for placement therein a person found by the court to be a chronic inebriate as defined in Section 7103. The commitment shall be for a definite period not to exceed two years.

The proceedings for such commitment shall be in accordance with the provisions of this code relating to the commitment of mentally ill persons, except as otherwise provided in this chapter. Nothing in this chapter limits or affects the power of a county to provide care and treatment of inebriates in its own facilities, nor the power of the superior court to commit persons who are subject to dipsomania or inebriety to state hospitals for the mentally ill or to industrial farms or road camps maintained by a county as provided in Sections 5400 to 5408 inclusive.

7105. Before the court makes an order of commitment, the case shall be referred to the superintendent of the state inebriate hospital designated by the court. The court shall furnish its findings and conclusions, together with such information as may be known concerning the social, personal, and family history of the person, upon forms provided by the department. If the superintendent believes that the person is suitable for admission and that proper and adequate facilities exist for the treatment of the person, the superintendent shall so certify to the court. The court may thereupon commit the person to the Department of Mental Hygiene for placement in the designated state inebriate hospital.

7106. The superintendent of any state inebriate hospital may admit thereto persons who voluntarily request admission and who in his opinion are suitable for treatment of incipient, acute, or chronic inebriate conditions, or who are transferred from another institution under the jurisdiction of the Department of Mental Hygiene, and who in the opinion of the superintendent are suitable for treatment at the state inebriate hospital. Such treatment may be either on an inpatient or outpatient basis as determined by the superintendent.

7107. All admissions to the state inebriate hospital shall be for temporary observation, diagnosis, research, and treatment purposes as determined by the superintendent. In the cases of transfers from another institution the persons so transferred may be returned upon the completion of the study, diagnosis, or treatment to an institution of the type from which they came.

7108. With respect to any person committed or admitted under the provisions of this chapter, the superintendent may at any time after admission do any of the following:

(a) Grant a leave of absence upon such terms and conditions as he deems proper.

(b) Discharge such person.

(c) Transfer such person to another institution under the jurisdiction of the department.

7109. The charges for the care, treatment, or services rendered to all persons admitted or committed to a state inebriate hospital shall be based on the average cost per day as determined by the Director of Mental Hygiene. The liability for the charges so determined shall be governed by the provisions of this code relating to the property and support of mentally ill persons.

7110. The state inebriate hospitals shall be governed in the manner provided by law for the government of state hospitals except as provided in this chapter and except as to the qualifications of the superintendent. In addition to the qualifications required for superintendents of state hospitals under the jurisdiction of the department, the superintendent of a state inebriate hospital shall have demonstrated by past experience his qualifications in the field of psychiatry and neurology. A certificate issued by the American Board of Psychiatry and Neurology to the effect that the holder thereof possesses such qualifications is prima facie evidence that the holder meets the above-mentioned additional requirements. Such superintendent shall also be required by the State Personnel Board to demonstrate that he has had experience in hospital administration and in the organization and successful prosecution of meritorious research projects."

Amendment No. 3

On page 1 of said bill, strike out lines 4 to 23, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1174—An act to add Section 6962 to the Education Code, relating to the education of adults, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 18, 1949, strike out lines 4 and 5, and insert "individual instruction of physically handicapped adults who are patients in a tuberculosis ward or hospital maintained by one or more counties shall count as one day of attendance but no such adult shall be credited with more than one day of attendance in any calendar day."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education

Assembly Bill No. 2027—An act to add Chapter 17, comprising Sections 5040 to 5049, inclusive, to Division 3 of the Education Code, relating to the equalization of assessments in counties on which are based allocations of state funds to school districts, making an appropriation for the administration thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 10, of the printed bill, strike out "Board of Equalization", and insert "Department of Finance".

Amendment No. 2

On page 1 of the printed bill, strike out lines 12 to 20, inclusive, and insert

"5042. The Board of Equalization shall furnish annually to the Department of Finance and the Department of Education a representative study of assessed valuation in each county based on a sampling of appraised values and sales prices of property in each county.

5043. On the basis of the information supplied by the Board of Equalization, the Department of Finance shall determine a state valuation for each county and for each school district situated within a county. The state valuation of each school district, or part of a school district situated within a county shall bear the same relationship to the state valuation for each county as the county valuation for each school district or part of a school district situated within a county bears to the county valuation of each county. The Department of Finance shall formulate such rules and regulations as to the method and procedure of determining market value as it deems necessary or convenient in order to effectuate the purposes of this chapter."

Amendment No. 3

On page 2 of the printed bill, strike lines 13 to 18, inclusive, and insert

"(a) The county valuation of real property, improvements to real property, and personal property in each county as made by the county assessor.

(b) A representative sample of those county valuations of real property, improvements to real property, and personal property shall be prepared according to the following formula:

1. In counties where the gross value is in excess of three hundred seventy-five million dollars ($375,000,000), the value of properties included in the sample shall be not less than five percent (5%) of the total value of real property in the county.

2. In counties where the gross value is in excess of twenty-five million dollars ($25,000,000) and less than three hundred seventy-five million dollars ($375,000,000), the value of properties included in the sample shall be not less than ten percent (10%) of the total value of real property in the county.

3. In counties where the gross value is less than twenty-five million dollars ($25,000,000), the value of the properties included in the sample shall be not less than fifteen percent (15%) of the total value of real property in the county.

The sample shall include classes of property in proportion to the value similarly classified in the county valuation giving due consideration to the relationship between urban and rural properties and real property, improvements to real property, and personal property.

(c) An appraisal by the Board of Equalization of the identical properties included in the sample prepared under (b) above with such sales data concerning the properties included in the sample as is available.

(d) Any other information the Board of Equalization deems pertinent."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 2829—An act to amend Sections 1815 and 1817 of the Education Code, relating to elementary school district boards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to amend Sections 2891, 2892, 2893, 2894, and 2895 of the Education Code, relating to the annexation of school districts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 2891 of the Education Code is amended to read.

2891. Any school district may be admitted to a union or joint union school district [by action of the board or boards of supervisors of the county or counties in which the union or joint union school district is located,] *pursuant to this article, and* upon such terms as may be agreed upon between its board of trustees and the board of trustees of the union or joint union school district.

SEC. 2. Section 2892 of said code is amended to read.

2892. If the petitioning school district and the union or joint union school district are not wholly situated in the same county, then the petition shall be presented in duplicate to the [board of supervisors] *county superintendent of schools* of each county in which any part of either of the districts is situated [and the annexation shall be made only by concurrent action of all the boards of supervisors].

SEC. 3. Section 2893 of said code is amended to read

2893. [Before the board of supervisors may act,] A majority of the electors residing in the district, and who have children enrolled in the school, as is shown by the teachers' registers for the current or next preceding term, shall present to the [board of supervisors] *county superintendent of schools* a petition for annexation. The petition shall be accompanied by an agreement to the annexation, signed by a majority of the members composing the board of trustees of the union or joint union district to which admission is desired.

SEC. 4. Section 2894 of said code is amended to read:

2894. Upon presentation of the petition, the *county superintendent of schools, or each of them, shall, within twenty days, call an election in the petitioning district in his county for determination of the question and shall appoint three qualified electors in the petitioning district, to conduct the election.* [board of supervisors shall set the petition for hearing at a regular meeting of the board, and shall publish in a newspaper of general circulation in the county for two successive weeks, a notice containing a general statement of the purpose of the meeting and the time and place when and where the petition will be heard. The board of supervisors shall require the clerk of the board of supervisors to mail a copy of the notice to each of the trustees of the school district at least ten days prior to the hearing.]

SEC. 5. Section 2895 of said code is amended to read:

2895. [The board of supervisors shall at the time and place mentioned in the notice hear the persons interested in the petition and after the hearing may make an order annexing the petitioning school district to the union or joint union school district.] *The election shall be called and conducted in all respects as specified in Article 1 of this chapter except that the form of ballot shall be: "For annexation to the _____ Union or Joint Union School District." The result of the election shall be reported by the election officers in each district to the superintendent of the county in which the district is situated within five days after the election."*

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 27, inclusive, and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 8—An act to amend Section 9 of the Monterey County Flood Control and Water Conservation District Act, relating to flood control.

Bill read second time, and ordered to third reading.

Senate Bill No. 488—An act to amend Section 7001 of the Water Code, relating to joint use of conduits.

Bill read second time, and ordered to third reading.

Senate Bill No. 1617—An act to add Section 42 1 to an act entitled "Drainage District Act of 1903," relating to drainage districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 88—An act to add Chapter 4 to Part 2, Division 8 of the Harbors and Navigation Code, relating to the power of a harbor improvement district to improve, develop or protect any harbor or harbors within the district.

Bill read second time, and ordered to third reading.

Senate Bill No. 551—An act to amend Sections 446, 450, 452, 453, and 457 of the Education Code, relating to the salaries of the county superintendents of schools of counties of the forty-sixth, fiftieth, fifty-second, fifty-third, and fifty-seventh classes respectively.

Bill read second time, and ordered to third reading.

Senate Bill No. 675—An act to amend Section 281111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1041—An act to amend Sections 465.8 and 465.9 of the Vehicle Code, relating to highway name signs.

Bill read second time, and ordered to third reading.

Senate Bill No. 1246—An act to amend Section 110.5 of the Business and Professions Code, relating to the Division of Administrative Procedure.

Bill read second time, and ordered to third reading.

Senate Bill No. 263—An act to amend Section 8051 of the Education Code, relating to the performance of services by governing boards of school districts and county superintendents of schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 272—An act to amend Sections 12130.1, 12400.1, and 12402.1 of the Education Code, and to add Section 12131.2 to said code, all relating to the credentials authorizing service in the public schools, declaring the urgency thereof, to take effect immediately

Bill read second time, and ordered to third reading.

Senate Bill No. 852—An act to amend Sections 12127, 12128, 12129, 12130, 12131, 12134, 12135, 12136, 12137, and 12144 of the Education Code, relating to the credentials authorizing service in the public schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 1073—An act to add Sections 11, 12, 13, 14, and 15 to an act entitled, "An act to provide for the maintenance of storm drain improvements, and other water courses or drainage channels; the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts; defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 11, 1937, and to renumber the existing sections of 11 and 12 of said act, relative to storm drain maintenance districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "over", and insert "in".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1489—An act to amend Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 25, 1949, strike out "six thousand six hundred dollars ($6,600)", and insert "six thousand nine hundred dollars ($6,900)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 470—An act to amend Section 12126 of the Education Code, relating to credentials authorizing service in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on March 28, 1949, strike out "in", and insert "given by a county superintendent of schools in the State or by".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENT OF REASON FOR ABSENCE OF MEMBER

At 9.45 a.m., Mr. Dickey announced that Mr. Brady is not absent but is being temporarily detained in the Office of the Legislative Counsel.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 38 FROM COMMITTEE HOLD PLACE ON FILE

Mr. Collier asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 38 from committee be passed on file, and hold its place on file on the next legislative day.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.

Assembly Bill No. 3122, on request of Mr. McCollister

Assembly Bill No 437, on request of Mr. Dickey.

Assembly Bill No 1960, on request of Mr Luckel.

Maloney amendments to Assembly Bill No. 2309, on request of Mr. Crowley.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2651—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to add Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2651?

Amendment No. 1

On page 2, line 33, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "19052.2", and insert "19052.5."

Amendment No. 2

On page 2, line 7, of the printed bill, as amended in the Senate on April 25, 1949, strike out "18803.5.", and insert "18802.5."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2651 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger,

Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 2651 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS HOLD PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that all bills on the Senate third reading file, which are passed on file today, hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Bill read third time.

Motion to Amend

Mr. Hinckley moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 29, 1949, after "Sections", insert "1062.5, 11032,".

Amendment No. 2

In line 4 of the title of the printed bill, after the first "the", insert "Governor, the".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of the printed bill, after line 29, insert

"SEC. 6. Section 1062.5 of the Government Code is amended to read:

1062.5. No state officer or employee [except elective state officers, legislative committees and their employees] shall absent himself from the State on the business of the State without the prior approval of the Governor and the Director of Finance, except [that] when the absence *is for less than five consecutive working days' duration and* involves only travel into states bordering upon this State. [the prior approval of the Director of Finance, only, is required] *This section shall not apply to elective state officers, legislative committees or employees of any such committee.*

SEC. 7. Section 11032 of the Government Code is amended to read:

11032. Any state officer or employee of any state agency may confer with other persons, associations or organizations outside of the State whenever it may be of assistance to the state officer or agency in the conduct of its work, and actual and necessary traveling expenses shall be allowed such persons when traveling outside of the State, when such traveling and expenses have been approved by the Governor and by the Director of Finance or, in cases where the traveling involves only travel to and from places in states bordering upon this State, when approved by the Director of Finance, only. This section shall not apply to committees of the Legislature or of either house thereof *nor to employees of any such committee*."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that on next Monday, May 9th, a Tax Committee meeting will be held with representatives of the Attorney General's Office and the following Assembly Members: Messrs. Hollibaugh, Geddes, Sherwin, Beck, Lowrey, Cooke, Caldecott, Kirkwood, Dickey, Stewart, and Reagan, for the purpose of discussing the suit being brought by the banks against the State of California for recovery of moneys; and that anyone interested in this matter should confer with Messrs. Sherwin, Vandegrift or Hollibaugh.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 150—An act to add Section 332.1 to the Vehicle Code, relating to impounding of vehicles.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 215

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 215, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 215

Senate Bill No. 215—An act to amend Section 1512 of the Elections Code, relating to voters' pamphlets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Butters, Coats, Collier, George D. Collins, Condon, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 216

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 216, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 216

Senate Bill No. 216—An act to add Section 1509.5 to the Elections Code, relating to ballot pamphlets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—53

NOES—Ralph C Dills and Elliott—2.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 897

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 897, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 897

Senate Bill No. 897—An act to amend Section 526 of the Agricultural Code, relating to milk products plant and packaging therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1218—An act to amend Section 1260 of the Civil Code, relating to homesteads.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rumford, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 18—An act to amend Section 4852 17 of the Penal Code, relating to the restoration of certain rights to persons who are granted full and unconditional pardons.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—55.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 89—An act to amend Section 11 of the Conservation and Planning Act, relating to local planning commissions.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 10.42 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Cramer, Crichton, Davis, Dickey, Dunn, Grunsky, Hawkins, Hoffman, Kirkwood, Lewis, Meyers, and Stanley—13.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Erwin asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 435—An act to add Section 29 to the American River Flood Control District Act, relating to the acquisition of additional flood control works for operation, repair and maintenance and the assessment of property benefited by those works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Butters, Caldecott, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Holibaugh, Huyck, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 19

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 19, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 19

Senate Bill No. 19—An act to amend Sections 2051 and 2065 of the Code of Civil Procedure, relating to examination and impeachment of witnesses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D Collins, Conrad, Cooke, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn,

Hawkins, Heisinger, Hollibaugh, Huyck, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—48.

NOES—None.

Bill ordered transmitted to Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 135

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 135, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 135

Senate Bill No. 135—An act to amend Section 22500 of, and to add Section 22505 to, the Water Code, relating to disposition of irrigation district property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1937 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bill No. 1937 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1119—An act authorizing the Director of Finance, with the approval of the Youth Authority, to exchange certain real property in the County of Sonoma, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 352

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 352, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 352

Senate Bill No. 352—An act to amend Section 13 of, and to add Section 13.2 to, the Construction and Employment Act, relating to projects for which the county allocation thereunder is available, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 90—An act to amend Section 3571 of the Education Code, relating to the formation of high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 161—An act to add Section 369 to the Education Code, relating to the retirement of county superintendents of schools, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, George D Collins, Condon, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 525—An act to amend Section 954 of the Streets and Highways Code, relating to the abandonment of county highways, including the creating and designating of stock trails.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Caldecott, Collier, George D Collins, Condon, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 527—An act to amend Section 943 of the Streets and Highways Code, relating to the abandonment of county highways, including the authorizing of boards of supervisors to create and designate stock trails.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett Berry, Brady, Brown, Caldecott, Collier, George D Collins, Condon, Cooke, Cramer, Crowley, Davis Dickey, Clayton A. Dills, Ralph C Dills, Dolwig Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—59.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1238—An act to amend Section 21828 of the Government Code and Section 428 of the Education Code, relating to compensation for public services in counties of the twenty-eighth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, Condon, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott Erwin Evans, Fleury, Gaffney, Geddes Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—58

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 657—An act to repeal an act entitled "An act withdrawing certain state land from sale or lease and setting the same aside for the use and benefit of Indians," approved May 30, 1923.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, George D Collins, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 659—An act to amend Section 7410 of the Public Resources Code, relating to state lands, removing acreage limitations on purchases thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Rumford, Sherwin, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—51

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1135—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Senate Bill No. 1135 ordered temporarily passed on file.

Senate Bill No. 755—An act to amend Sections 37103, 37426, 38742, 43069, and 43671 of the Government Code, relating to the organization, government, and powers of cities

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury Gaffney Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—54.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 653—An act to add Section 16006 to the Education Code, relating to the admission of pupils to school.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Butters, Caldecott, Coats, Collier, George D Collins Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris Moss Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 674—An act to provide for the expansion of publicly supported higher education and to repeal an act entitled "An act establishing a four-year institution of higher education in the City of Sacramento, County of Sacramento," approved July 1, 1947 (Chapter 1017 of the Statutes of 1947), and an act entitled "An act making an appropriation for the establishment, equipment and maintenance of a four-year state institution of higher education at Sacramento," approved July 10, 1947 (Chapter 1349 of the Statutes of 1947), all relating to the System of Publicly Supported Higher Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1327—An act to amend Section 1094.5 of the Code of Civil Procedure, relating to the review of administrative orders or decisions.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 666

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 666, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 666

Senate Bill No. 666—An act to amend Section 6323 of, and to add Section 6307 to, the Public Resources Code, relating to the administration and control of swamp, overflowed, tide or submerged lands and structures thereon.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1135

Mr. Heisinger asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1135, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 1135

Senate Bill No. 1135—An act to amend Section 802 of the Agricultural Code, relating to the maturity of grapes, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Davis again announced the Shasta Dam tour for tomorrow, Saturday, May 7th, and reminded everyone that the train leaves the Southern Pacific Station promptly at 8 a.m.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 89

At 11.42 a.m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Time, 11.50 a.m.

Point of Order

Mr. Ralph C. Dills arose to the following point of order: That because there has been no intervening business and a call is being placed upon a call, Mr. Condon is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The names of the absentees were again called, and Senate Bill No. 89 refused passage by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Butters, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Grant, Hagen, Hawkins, Hinckley, Hoffman, Hollibaugh, Lewis, Lindsay, Lowrey, Maloney, McCarthy, Meyers, Moss, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Waters, Way, Yorty, and Mr. Speaker—39.

NOES—Brown, Caldecott, Collier, Cramer, Dickey, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Evans, Gaffney, Geddes, Hahn, Heisinger, Huyck, Levering, Luckel, McCollister, McMillan, Morris, Niehouse, Reagan, Thompson, Tomlinson, and Weber—25.

Notice of Motion to Reconsider Senate Bill No. 89

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 89 was this day refused passage.

ANNOUNCEMENTS

Mr Dickey announced that the per diem of members will be ended on May 18th.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 976

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 976, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 976

Senate Bill No. 976—An act to add Article 4, comprising Sections 1610 to 1619, inclusive, to Chapter 4, Part 2, Division 1 of the Insurance Code, relating to actions in this State against nonadmitted insurers

Bill read third time.

Motion to Amend

Mrs Niehouse moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on May 4, 1949, strike out "1619", and insert "1620"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1450

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1450, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1450

Assembly Bill No. 1450—An act to amend Sections 9200, 9300, 9301, 9303, 9304, 9305, 9400, 9402, 9600, and 9602 of the Corporations Code, relating to nonprofit corporations.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in the Assembly on April 13, 1949, after "Part 8", insert ", Division 1, Title 1".

Amendment read, and adopted

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1445

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1445, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1445

Assembly Bill No. 1445—An act to amend Sections 113, 301, 304, 307, 310, 802, 1101, 1102, 1713, 1908, 2402, 3601, 3602, 3632, 3671, 3672, 3700, 4102, 4105, 4106, 4107, 4110, 4114, 4118, 4119, 4120, 4600, 4603, 4606, 5200, and 6404 of the Corporations Code, to add Sections 4124 and 5201.5 thereto, and to add Article 5, comprising Sections 3800 and 3801 to Chapter 1 of Part 8 of Division 1 of Title 1 thereof, all relating to corporations.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 50, of the printed bill, as amended in the Assembly on May 4, 1949, after "incorporators.", insert "Any certificate or acknowledgment taken without the State before any officer other than a notary public or a judge or clerk of a court of record having an official seal shall be authenticated by the certificate of an officer having the requisite official knowledge of the qualifications of the officer before whom the acknowledgment was made."

Amendment No. 2

On page 5, line 37, of said bill, after "reduced," insert "specifying the amounts from which and to which it has been reduced,"

Amendment No. 3

On page 7, line 38, of said bill, after "by", insert "a".

Amendment No. 4

On page 9, line 5, of said bill, after "or", strike out "any", and insert "at".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Messrs. Maloney, Sam L Collins, Dickey, Gaffney, Hahn, Anderson, Beck, Bennett, Berry, Brady, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Stewart, Thompson Tomlinson, Waters, Way, Weber, and Yorty:

House Resolution No. 192

Relative to Mother's Day

WHEREAS, In the year 1914, by an act of Congress, and the President of the United States, the second Sunday in May has been established as Mother's Day, a day set aside to observe and pay a just tribute to Mother's love; and

WHEREAS, This day, sanctified and enriched with all of its friendly associations, has taken its place foremost in earth's tribute to man's greatest friend and benefactor, "Mother"; and

WHEREAS, While we in America dedicate this day to our own Mothers, we also dedicate it to the Mothers of the World, all of whom no matter in what country they may be, share the same love and affection, the same burdens, and sorrow, and pain, as do the Mothers of this great and glorious Nation, the United States of America; and

WHEREAS, The chords of memory swell within the heart of each of us as we contemplate all the love that one lady "Your Mother," has given to you, and we recall the words of Abraham Lincoln when he said, All that I am and all that I ever hope to be, I owe to my angel Mother"; and

WHEREAS, Associated with us as a Member of the State Assembly, is a Mother, a devoted Mother, a California Mother, in the personage of Kathryn T Niehouse of San Diego, exemplifying the real symbol of American motherhood, and whose presence amongst us as we approach Mother's Day brings back to us the yearning once again to be embraced in the arms of our own sweet Mother; now, therefore, be it

Resolved, That the State Assembly extend to the living Mothers of California our sincere and best wishes for a happy Mother's Day, and we pay a solemn tribute to those Mothers who have gone to their Eternal Reward, remembering these solemn words:

"The bravest battle ever fought,
Shall I tell you where and when?
On the map of the World you will find it not
'Twas fought by the Mothers of men"; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to our beloved Member of the Assembly, Kathryn T. Niehouse, and to the Nation's Mother of the Year, Mrs E. A. Gillis of Fort Worth, Texas

Motion That All Members Present Be Placed Upon House Resolution No. 192 as Co-authors

Mr. Maloney moved that the names of all members present be placed upon House Resolution No. 192 as co-authors.

Pursuant to a unanimous consent request previously granted Mr. Hawkins that names be placed upon resolutions as co-authors by roll call only, the roll was called, and all members present indicated a unanimous desire to be named co-authors of House Resolution No. 192.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 192, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2080

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2080, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2080

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse, mule and burro meat, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 25, 1949, strike out "28010,".

Amendment No. 2

On page 2, line 20, of said bill, strike out "(a)".

Amendment No. 3

On page 2, line 26, of said bill, after "SEC.", strike out "8", and insert "7".

Amendment No. 4

On page 2, line 35, of said bill, strike out "9", and insert "8".

Amendment No. 5

On page 2, line 40, of said bill, strike out "10", and insert "9".

Amendment No. 6

On page 2 of said bill, strike out line 46, and insert "(a) Any uninspected".

Amendment No. 7

On page 2, line 47, of said bill, strike out "is".

Amendment No. 8

On page 2, line 49, of said bill, strike out "Each".

Amendment No. 9

On page 3 of said bill, strike out line 1, and insert "Any inspected horse meat sold".

Amendment No. 10

On page 3, line 43, of said bill, strike out "12", and insert "11".

Amendment No. 11

On page 3 of said bill, strike out lines 47 to 51, inclusive; and on page 4, strike out lines 1 to 9, inclusive.

Amendment No. 12

On page 4, line 10, of said bill, strike out "13", and insert "12".

Amendment No. 13

On page 4, line 15, of said bill, strike out "14", and insert "13".

Amendment No. 14

On page 4, line 21, of said bill, strike out "15", and insert "14".

Amendment No. 15

On page 4 of said bill, strike out lines 22 to 33, inclusive, and insert

"28013. Every person, firm or corporation before engaging in the slaughtering of horses, mules, or burros and/or the wholesale distribution, jobbing and/or the importing into the State of horse meat for resale shall procure a license from the State Department of Public Health. Such license shall be good for the calendar year for which it is issued, unless sooner revoked or suspended. Each application for such license shall be accompanied by a fee of fifty dollars ($50). Should any licensee fail, refuse, or neglect to apply for renewal of a license within thirty days after the expiration thereof, a penalty of ten dollars ($10) shall accrue and be added to the renewal fee and shall be paid by the applicant before the renewal license may be issued. All fees collected under the provisions of this section shall be paid into the General Fund in the State Treasury.

The department may refuse to grant a license or renewal of license and may revoke or suspend any license, as the case may require, after a hearing as herein provided, if it finds that the applicant or licensee has violated any of the provisions of this chapter, or of any of the rules and regulations issued hereunder, or of any of the laws or regulations of the United States pertaining to horse meat, or has failed or refused to comply with any lawful order of the department issued under the provisions of this chapter.

The proceedings for hearings under the provisions of this section".

Amendment No. 16

On page 4, line 49, of said bill, after "corporation", strike out "from".

Amendment No. 17

On page 4, line 51, of said bill, strike out "licensee", and insert "dealer".

Amendment No. 18

On page 5, line 3, of said bill, strike out "16", and insert "15".

Amendment No. 19

On page 5, line 5, of said bill, strike out "unlawfully".

Amendment No. 20

On page 5, line 13, of said bill, strike out "17", and insert "16"

Amendment No. 21

On page 5, line 16, of said bill, strike out "28013", and insert "28014".

Amendment No. 22

On page 5, line 21, of said bill, strike out "18", and insert "17"

Amendment No. 23

On page 5, line 28, of said bill, strike out "19", and insert "18".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1594

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1594, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1594

Assembly Bill No. 1594—An act to amend Sections 201 and 203 of, and add Section 206 to, the Unemployment Insurance Act, relating to disability payments.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 4, 1949, strike out the semicolon

Amendment No. 2

On page 1, line 17, of said bill, strike out "; *provided, that not more than*", and all of lines 18 and 19, and insert "; provided, that benefits shall not be paid in respect to disability due primarily to any one pregnancy or a complication thereof for an aggregate of more than forty-two days; and provided further that this limitation shall not apply to a disability caused by pregnancy in respect to a period of unemployment and disability commencing more than three months after the termination of such pregnancy"

Amendment No. 3

On page 2 of said bill, after line 11, insert

"SEC. 4. Section 206 and the amendments to Sections 201 and 203 made by this act shall become operative on January 1, 1950"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2015

Mr. Hoffman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2015, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2015

Assembly Bill No. 2015—An act to amend Sections 860, 865, 880, and 903 of, and to repeal Sections 861 and 881 of, the Fish and Game Code, relating to fish netting.

Bill read third time.

Motion to Amend

Mr. Hoffman moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 21, of the printed bill, as amended in the Assembly on April 21, 1949, strike out "Broad Slough and"; and strike out lines 22 and 23, and insert "a straight line from the most northerly point of Point Antioch on the southerly shore of the San Joaquin River, northwesterly of the City of Antioch, passing tangent to the northwesterly point of Kimball Island to the southwesterly shore of Sherman Island and that portion of the Sacramento River upstream from a straight line from Point Sacramento on the northwesterly tip of Sherman Island, passing tangent to the easterly tip of Montezuma Island to the northerly shore of the Sacramento River, salmon may".

Amendment No. 2

On page 2, line 33, of said bill, strike out "Broad Slough"; and strike out lines 34 and 35, and insert "a straight line from the most northerly point of Point Antioch on the southerly shore of the San Joaquin River, northwesterly of the City of Antioch, *passing tangent to the northwesterly point of Kimball Island to the southwesterly* shore of Sherman Island and that portion of the Sacramento River upstream from a straight line from Point Sacramento on the northwesterly tip of Sherman Island, passing tangent to the easterly tip of Montezuma Island to the northerly shore of the *Sacramento River, between*".

Amendment No. 3

On page 2, line 43, of said bill, strike out "Broad Slough and"; and strike out lines 44 and 45, and insert "a straight line from the most northerly point of Point Antioch on the southerly shore of the San Joaquin River, northwesterly of the City of Antioch, passing tangent to the northwesterly point of Kimball Island to the southwesterly shore of Sherman Island and that portion of the Sacramento River upstream from a straight line from Point Sacramento on the northwesterly tip of Sherman Island, passing tangent to the easterly tip of Montezuma Island to the northerly shore of the Sacramento River, drift gill nets".

Amendment No. 4

On page 3, line 7, of said bill, strike out "Broad Slough and"; and strike out lines 8 and 9, and insert "a straight line from the most northerly point of Point Antioch on the southerly shore of the San Joaquin River, northwesterly of the City of Antioch, passing tangent to the northwesterly point of Kimball Island to the southwesterly shore of Sherman Island and that portion of the Sacramento River upstream from a straight line from Point Sacramento on the northwesterly tip of Sherman Island, passing tangent to the easterly tip of Montezuma Island to the northerly shore of the Sacramento River, and district".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 52

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 52—Relative to approving amendments to the charter of the City of Oroville, a municipal corporation in the County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 288
Senate Bill No. 514
Senate Bill No. 677
Senate Bill No. 846
Senate Bill No. 847
Senate Bill No. 1236
Senate Bill No. 1326
Senate Bill No. 1394

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 288—An act to amend Section 27 of the Bank and Corporation Franchise Tax Act, relating to overpayment of taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 514—An act to add Sections 9027 and 9028 to the Government Code, creating the Senate Contingent Fund in the State Treasury, specifying the appropriations to be deposited therein, and providing for its disbursement upon warrants drawn by the Controller

at the direction of the continuing Senate Committee on Rules, or pursuant to Senate rule, order, or resolution.

Referred to Committee on Rules.

Senate Bill No. 677—An act to add Section 1159 to the Fish and Game Code, relating to the establishment of cooperative hunting areas.

Referred to Committee on Fish and Game.

Senate Bill No. 846—An act to amend Section 20 of the Corporation Income Act, relating to overpayment of taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 847—An act to amend Section 19062 of the Revenue and Taxation Code, relating to overpayment of taxes.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1236—An act to repeal Section 24 of, and to add Section 24 to, the Fish and Game Code, relating to seizure of illegal birds, mammals or fish.

Referred to Committee on Fish and Game.

Senate Bill No. 1326—An act to repeal Sections 1204.1 and 12401.1 of the Education Code; to add Sections 12011, 12012, 12105, 12106, 12401.1, and 12401.2 to said code; and to amend the heading of Article 7 of Chapter 1 of Division 7 of said code, all relating to the authorization of persons to serve in the public schools.

Referred to Committee on Education.

Senate Bill No. 1394—An act to amend Sections 6, 16, 50, 51, and 66 of the Orange County Water District Act, relating to powers, duties and compensation of the board of Directors of, inclusion of lands in, and exclusion of lands from, the Orange County Water District.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 200
Assembly Bill No. 249
Assembly Bill No. 1012

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 453
Assembly Bill No. 521
Assembly Bill No. 767
Assembly Bill No. 939
Assembly Bill No. 941
Assembly Bill No. 943
Assembly Bill No. 1421
Assembly Bill No. 1768
Assembly Bill No. 1857
Assembly Bill No. 2076
Assembly Bill No. 2162
Assembly Bill No. 2355

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1000—An act to cure defects in maps or plats filed for record prior to April 1, 1949, and in deeds or conveyances referring to such maps;

Assembly Bill No. 3098—An act to amend Section 30.2 of the Public Utility District Act, relating to public utility districts;

Assembly Bill No. 3099—An act to amend Section 13226 of the Education Code, and to add Sections 14002.1 and 14002.2 to said code, relating to the health of public school employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of May, 1949, at 11 a.m.

HUYCK, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 78	Assembly Bill No. 1781
Assembly Bill No. 1780	Assembly Bill No. 2024

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 3111

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR SPEAKER · Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 3128

Has had the same under consideration, and reports the same back with the recommendation Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 1057

Has had the same under consideration, and reports the same back with the recommendation: Do pass

HOLLIBAUGH, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 2307

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No 79

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 39

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 189

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 3023

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 1227
Assembly Bill No. 2207

Has had the same under consideration, and reports the same back with the recommendation Do pass.

McMILLAN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 5, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 1076

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 2646
Assembly Bill No 2645

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FLETCHER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred Senate Bill No. 624

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

FLETCHER, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred, Assembly Bill No. 1359

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

FLETCHER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred
Assembly Bill No. 2890
Assembly Bill No. 413
Senate Bill No. 267

Has had the same under consideration, and reports the same back with the recommendation: Do pass

FLETCHER, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Joint Resolution No. 39
Assembly Concurrent Resolution No. 79

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 766	Assembly Bill No. 2034
Assembly Bill No. 1492	Assembly Bill No. 2156
Assembly Bill No. 1951	Assembly Bill No. 2915
Assembly Bill No. 2007	Assembly Bill No. 3108

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bills Nos. 766, 1492, 2034, and 2156 ordered re-referred to Committee on Public Health.

Assembly Bills Nos. 1951 and 3108 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 2915 and 2007 ordered re-referred to Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1002	Assembly Bill No. 2292
Assembly Bill No. 1499	Assembly Bill No. 2372
Assembly Bill No. 1988	

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 1002 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 1499 and 1988 ordered re-referred to Committee on Public Health.

Assembly Bill No. 2292 ordered re-referred to Committee on Military Affairs.

Assembly Bill No. 2372 ordered re-referred to Committee on Livestock and Dairies.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 1253 re-referred to Committee on Livestock and Dairies.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mrs. Niehouse asked for, and was granted, unanimous consent that the Committee on Social Welfare be permitted to use the Assembly Chamber on Tuesday, May 10th, at 3 p.m., for the purpose of holding a meeting relative to Assembly Bill No. 3110.

ANNOUNCEMENTS

Mr. Ralph C. Dills announced that he needed more copies of the Reports of the Assembly Interim Committee on Public Education, and requested that members not destroy their copies, but give them to him.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Next Monday, May 9th, at 9 a.m.—

Subcommittee on Ways and Means. Subject: Assembly Bill No. 2120.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Floyd Swagerty, teacher of the Linden School, Abry, bus driver, and the following pupils: Maxine Allen, Vera Barbagelato, Harold Brown, Dena Canepa, Marvin Campbell, Donald Caywood, Jerry Coburn, Ralph Croce, Gardner Downer, Jimmy Grace, Joey DiCarlo, Dorothy de Sarro, Albert Flor, L'Neva McCuin, Dolores Moznett, Peter Peterson, Marie Stagnaro, Ewan Standridge, Alec Fraser, Lila Frisk, Lorraine Filipelli, Lloyd Hay, Ronald Howard, Harold Jones, Eunice Johnson, Ronald Kaiser, James Lucas, Jerry Lucas, Mary Lucas, Bobby Merritt, Lois Merritt, Lily Ueyama, Johnnie Webster, and Bobby Wheaton.

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Anthony C. Montenaro of Hollywood.

ADJOURNMENT

At 12.15 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 9, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED TWENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, May 9, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—75

Request for Unanimous Consent That Names of Members Be Placed Upon the Morning Roll Call

Mr. Sherwin asked for, and was granted, unanimous consent that the names of the following members, who are attending a subcommittee meeting of the Committee on Ways and Means, be placed upon the morning roll call: Messrs. Anderson, Caldecott, Hinckley, Kirkwood, and Lowrey.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God and Father of Mankind: Under the shadow of Mother's Day we pray for the family, the beginning and the end of civilization, the object of all effort, the idol of art, poetry, and song.

For the family, the community and government exist, men and women love and labor, and religion was born to teach the sacredness of human life.

Let us see that the prosperity and the perpetuity of the State depend upon the family; the nursery of the law abiding citizen; while the broken homes create the lawless who plague society.

We pray that in our homes the children may learn the qualities of loyalty, justice, and consideration for others which hold American society together

So shall the family safeguard the interests of the rising generation of young people and guarantee the survival of the Republic.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Maloney, further reading of the Journal of the previous legislative day was dispensed with.

ANNOUNCEMENT OF REASON FOR ABSENCE OF MEMBERS

At 10.05 a.m., Speaker Sam L. Collins announced that Mr. Fletcher is absent because of serious illness, and that Mr. McMillan is absent because he has taken Mr. Fletcher, by plane, to a hospital in Southern California, and that, by unanimous consent, they will be excused for the legislative day.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Morris.

Mr. Fletcher, by unanimous consent.

Mr. Silliman, by unanimous consent.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. McMillan, by unanimous consent.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

UNITED NATIONS—NATIONS UNIES
MISSION OF THE UNITED NATIONS MEDIATOR ON PALESTINE
LAKE SUCCESS, NEW YORK, May 2, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
California Legislature
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: I wish to acknowledge receipt of your letter of April 13th enclosing a copy of Assembly Joint Resolution No. 29, which was adopted by the California Legislature on April 8, 1949.

Please convey to the California Legislature my deep appreciation of this joint resolution and the humility with which I acknowledge it. I would add that I accept this tribute as a tribute to the effectiveness of the United Nations, which I represent.

Sincerely yours,

RALPH J. BUNCHE, Acting Mediator

By the Chief Clerk:

A communication and a concurrent resolution adopted by the Assembly of the State of New Jersey from the Honorable Lloyd B. Marsh,

Secretary of State of the State of New Jersey, relative to a World Federal Government, were received, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 6, 1949

Mr. Arthur Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR SIR: I am directed by the Senate to request you to return Senate Bill No. 1094 to this body for further consideration.

Very truly yours,

J. A BEEK, Secretary of the Senate

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 6, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2502, entitled: "An act to amend Section 6050 of the Elections Code, relating to voting machines."

My objection to the bill is as follows

The bill purports to amend a section of the Elections Code, but I am informed by the Attorney General and the Legislative Counsel that it makes no actual change in the law. This point has been discussed with the author of the bill, and it is agreeable that because no substantive change is made by the bill, it should be returned without my approval

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 2502 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 9, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 2502, entitled: "An act to amend Section 6050 of the Elections Code, relating to voting machines."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A Ohnimus, Chief Clerk of the Assembly, at 4.10 o'clock p.m on the sixth day of May, 1949, at which time your honorable body had adjourned for the day but not for the session

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 9, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN: I have been advised by the Attorney General that there is to be reported to the Legislature under Section 16054 of the Government Code, judgment against the State of California on claims not arising under Section 400 of the Vehicle Code and not previously reported, in the case of *James H. Belcher* vs. *State of California*, in the sum of $7,925, amended judgment filed in the records of the Superior Court in and for the City and County of San Francisco, on January 11, 1949.

I am also advised by the State Board of Control that there is to be reported under the same section of the Government Code judgments in a series of cases entitled *Hospital Service of California* vs. *State Board of Equalization*, and *Hospital Service*

of Southern California vs *State Board of Equalization* The consolidated judgment is as follows

In Action Number 64860—$1,203 12
In Action Number 66194—11,351 24
In Action Number 67672—13,159.55
In Action Number 69942—15,234.29
In Action Number 71879—21,934.13
In Action Number 74666—30,991.49
In Action Number 66410— 6,618.62
In Action Number 66160— 8,724.02
In Action Number 67500—10,470 25
In Action Number 70038—12,288.00
In Action Number 71491—18,468 41
In Action Number 74844—28,866.93

And in addition thereto, judgment for costs in favor of the Hospital Service of California, in the sum of $77.88, and for the Hospital Service of Southern California in the sum of $93.62.

These judgments have been reported to the State Board of Control for inclusion in Item 277 of the Budget Act of 1949

I am informed that these judgments have been included in the budget now before the Legislature for consideration.

Sincerely,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dolwig asked for, and was granted, unanimous consent that the Interim Committee on Tidelands and Related Traffic Problems be permitted to use the Assembly Chamber today, at 2.30 p.m., for the purpose of holding a meeting.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 776
Assembly Bill No. 1380
Assembly Bill No. 1382
Assembly Bill No. 1383
Assembly Bill No. 1729
Assembly Bill No. 1730
Assembly Bill No. 2204
Assembly Bill No. 2439

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 446
Assembly Bill No. 582
Assembly Bill No. 1881
Assembly Bill No. 1883
Assembly Bill No. 2011
Assembly Bill No. 2027
Assembly Bill No. 2284
Assembly Bill No. 2608
Assembly Bill No 2829

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 446 and 2608 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 582 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos. 1883, 1881, 2011, and 2284 ordered re-referred to Committee on Municipal and County Government.

Assembly Bills Nos 2027 and 2829 ordered re-referred to Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1174
Assembly Bill No. 2622
Assembly Bill No. 2791

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 1174 ordered re-referred to Committee on Education.

Assembly Bill No. 2622 ordered re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2791 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 401
Assembly Bill No. 522
Assembly Bill No. 1274
Assembly Bill No. 1445
Assembly Bill No. 1450
Assembly Bill No. 1594
Assembly Bill No. 1665
Assembly Bill No 1760
Assembly Bill No. 2015
Assembly Bill No 2080
Assembly Bill No. 2530

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 368
Assembly Bill No. 533
Assembly Bill No 782
Assembly Bill No. 973
Assembly Bill No. 1010
Assembly Bill No 1132
Assembly Bill No. 1761
Assembly Bill No. 2136

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 75
Assembly Bill No. 321
Assembly Bill No. 1312
Assembly Bill No. 1706
Assembly Bill No. 1802
Assembly Bill No. 2127

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 971
Assembly Bill No. 1679

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1572—An act to renumber and amend Section 684 of the Vehicle Code, added by Chapter 1429 of the Statutes of 1947,

to be Section 685 of the Vehicle Code, relating to motor vehicles carrying dangerous substances.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1076—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof, and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3128—An act to amend Section 6364 of the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2890—An act to amend Section 4658 of the Labor Code, relating to computation of payment for permanent disability under the Workmen's Compensation Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 413—An act to amend Section 5800 of the Labor Code, relating to findings and award of the Industrial Accident Commission under the Workmen's Compensation Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1113—An act to add Sections 27174, 27175, 27176, and 27177 to the Streets and Highways Code, relating to bridge and highway districts, and the adoption of traffic regulations by such districts, and the enforcement of such regulations by the California Highway Patrol, and providing penalties

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 27177", and insert "27177, and 27178".

Amendment No. 2

On page 2 of said bill, after line 9, insert

"SEC. 5 Section 27178 is added to said code, to read:

27178. The employees of the district designated or classified as toll takers, shall have the power of peace officers while so employed on any district toll bridge or highway or as may be necessary to the performance of their duties as toll takers while not upon such toll bridge or highway."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Lewis asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2112—An act to amend Section 185 of the Vehicle Code, relating to the transfer of ownership of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "and an affidavit", and insert "a certified statement".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1866—An act to add Section 645.5 to the Vehicle Code, relating to specifications for lamps and devices requiring approval.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 21, 1949, after line 9, insert

"Any specifications adopted by the department pursuant to this division shall be subject to the provisions of Chapter 4, Part 1, Division 3, Title 2 of the Government Code."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2307—An act to amend Sections 6014, 6015, and 6702 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended in the Assembly on May 2, 1949, following the period, insert "If such notice seeks to prevent the transfer or other disposition of a deposit in a bank or other credits or personal property in the possession or under the control of a bank, the notice to be effective shall be delivered or mailed to the branch or office of such bank at which such deposit is carried or at which such credits or personal property is held."

Amendment No. 2

On page 2, line 36, of said bill, following "given", insert "if solely by reason of such transfer or disposition the State is unable to recover the indebtedness of the person with respect to whose obligation the notice was given".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3023—An act to amend Sections 19484 and 19538 of, and to add Sections 19538 1, 19538.2, and 19485.5 to the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on April 18, 1949, after "ten", insert "regular".

Amendment No. 2

On page 2, line 5, of said bill, after "capacities", insert "and at the same rate of compensation".

Amendment No. 3

On page 2, lines 9 and 10, of said bill, strike out "all proceeds from admission charges, parking charges," and insert "income from pari-mutuel wagering, admissions, parking,".

Amendment No. 4

On page 2 of said bill, strike out lines 23 to 32, inclusive, and insert "Each such licensee to be qualified hereunder must conform to the then existing laws and regulations of this State and the United States, so as to be exempt or be entitled to exemption from the payment of any tax measured by income Two-thirds of the number of individuals constituting the governing board of trustees or directors of such charity day licensee shall not be".

Amendment No. 5

On page 2, line 35, of said bill, strike out "meeting; each", and insert "meeting. Each".

Amendment No. 6

On page 2, line 35, of said bill, strike out "is", and insert "are not".

Amendment No. 7

On page 2 of said bill, strike out lines 38 to 49, inclusive, and insert

"(a) A resident of the State of California, and

(b) An executive, officer, director, trustee or member of the governing body or board, by whatever name such governing body or board may be known, of an organization engaged in civic, religious, charitable educational or veteran activities in the State of California"

Amendment No. 8

On page 3, line 1, of said bill, after "received", insert "and available for distribution".

Amendment No. 9

On page 3, line 4, of said bill, after the period, insert "The balance, if any, of such aggregate proceeds not distributed within such 12-month period shall be distributed as soon thereafter as is practicable."

Amendment No. 10

On page 3 of said bill, strike out lines 7 to 9, inclusive, and insert "exempt or entitled to exemption from taxes measured by income under the same provisions of the laws of this State and of the United States as those under which the charity day licensee is qualified, and which beneficiaries are engaged in charitable or benevolent work similar to that of agencies recognized by an organized Community Chest in the State of California, but not excluding the use of funds so distributed for capital expenditures by such beneficiaries Such bene-"

Amendment No. 11

On page 3, line 16, of said bill, strike out "thirty", and insert "sixty".

Amendment No. 12

On page 3, line 18, of said bill, strike out "Each charity"; and strike out lines 19 to 30, inclusive.

Amendment No. 13

On page 3, line 35, of said bill, strike out "19538 2, and 19538.3", and insert "and 19538 2"

Amendment No. 14

On page 3, line 36, of said bill, strike out "by way of", and insert "as a".

Amendment No. 15

On page 3 of said bill, strike out lines 38 to 42, inclusive, and insert "as provided in Section 19485.1 hereof. The provisions of Section 19597 of this code shall not apply to a charity day licensee for racing days conducted as charity days with respect to the commission deductible by such charity day licensee from the pari-mutuel pools, and in lieu thereof the commission to be deducted by such charity day licensee from the pari-mutuel pools shall not exceed 13 percent of the gross amount".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 78—An act to add Section 7350 to the Revenue and Taxation Code, relating to imposition of the motor vehicle fuel tax upon the consumer.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 8101 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 8101 of the Revenue and Taxation Code is amended to read:

8101. The following persons who have paid a license tax for motor vehicle fuel, either directly or to the vendor from whom it was purchased, or indirectly by the adding of the amount of the tax to the price of the fuel, shall be reimbursed and repaid the amount of the tax:

(a) Any person who buys and uses the motor vehicle fuel for purposes other than in motor vehicles operated upon the public highways of the State.

(b) Any person who exports the motor vehicle fuel for use outside of this State. Motor vehicle fuel carried from this State in the fuel tank of a motor vehicle is not deemed to be exported from this State.

(c) Any employee of the United States who buys the motor vehicle fuel and uses it exclusively in the transportation of rural free delivery mail and special delivery mail.

(d) Any person who sells the motor vehicle fuel to the armed forces of the United States for use in ships or aircraft or for use outside this State, under circumstances that would have entitled him to an exemption from the payment of the license tax under Section 7401 had he been the distributor of this fuel."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 14, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation

Assembly Bill No. 1780—An act to add Section 373.2 to the Vehicle Code and Section 10755.2 to the Revenue and Taxation Code, relating to registration and license fees for vehicles.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 14, of the printed bill, after "operated", insert "but in no case shall the fee be less than five dollars ($5)"

Amendment No. 2

On page 1, line 20, of said bill, after "fees", insert "for a full year".

Amendment No. 3

On page 2, line 7, of said bill, after "operated", insert "but in no case shall the fee be less than five dollars ($5)".

Amendment No. 4

On page 2, line 10, of said bill, after "fees", insert "for a full year".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1781—An act to add Section 373.4 to the Vehicle Code and to add Section 10755.4 to the Revenue and Taxation Code, relating to the registration and license fees on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert "An act to amend Section 372 of the Vehicle Code relating".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 372 of the Vehicle Code is amended to read:

372. Weight Fees for Commercial Vehicles (a) In addition to the registration fee specified in Section 370, there shall be paid fees as set forth in this section for the registration of every vehicle of a type subject to registration used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(b) For any electric vehicle designed, used or maintained as described in subdivision (a) hereof fees shall be paid for registration according to the following schedule:

Unladen Weight	Fee
(1) Less than 6,000 lbs	$36.00
(2) 6,000 lbs. or more but less than 10,000 lbs.	72.00
(3) 10,000 lbs. or more	96.00

(c) For any motor vehicle having not more than two axles and designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule.

Unladen Weight ( )	Fee
(1) 3,000 lbs. to and including 4,000 lbs.	$10.00
(2) 4,001 lbs. to and including 5,000 lbs.	20.00
(3) 5,001 lbs. to and including 6,000 lbs.	30 00
(4) 6,001 lbs. to and including 7,000 lbs	40.00
(5) 7,001 lbs. to and including 8,000 lbs	50.00
(6) 8,001 lbs. to and including 9,000 lbs	60 00
(7) 9,001 lbs. to and including 10,000 lbs	70.00
(8) 10,001 lbs. to and including 11,000 lbs.	80 00
(9) 11,001 lbs. to and including 12,000 lbs.	90.00
(10) 12,001 lbs. to and including 13,000 lbs	100.00
(11) 13,001 lbs. to and including 14,000 lbs	110.00
(12) 14,001 lbs. and over	120.00

(d) For any motor vehicle having three or more axles or for any trailer, semitrailer, pole or pipe dolly, or other dolly designed, used or maintained as described

in subdivision (a) hereof other than an electric vehicle, fees shall be paid for registration according to the following schedule.

	Unladen Weight			Fee
(1)	2,000 lbs. to and including	3,000 lbs.		$8.00
(2)	3,001 lbs. to and including	4,000 lbs.		15 00
(3)	4,001 lbs. to and including	5,000 lbs.		30 00
(4)	5,001 lbs. to and including	6,000 lbs.		45.00
(5)	6,001 lbs. to and including	7,000 lbs.		60 00
(6)	7,001 lbs. to and including	8,000 lbs.		75 00
(7)	8,001 lbs. to and including	9,000 lbs.		90 00
(8)	9,001 lbs. to and including	10,000 lbs.		105 00
(9)	10,001 lbs. to and including	11,000 lbs.		120 00
(10)	11,001 lbs. to and including	12,000 lbs.		135 00
(11)	12,001 lbs. to and including	13,000 lbs.		150 00
(12)	13,001 lbs. to and including	14,000 lbs.		165 00
(13)	14,001 lbs. to and including	15,000 lbs.		180 00
(14)	15,001 lbs. and over			200.00

(e) For any motor vehicle operated occasionally by any farmer resident of this State who transports from the place of production to a warehouse, regular market, place of storage, or place of shipment the farm products of neighboring farmers in exchange for like services or for a cash consideration or farm products for compensation. "Occasionally" as used in this section shall be construed to mean occasionally or for a total annual compensation from all sources for providing such transportation for hire of not more than six hundred dollars ($600), and provided that such transportation shall constitute the sole transportation of persons or property for hire or compensation. Any such farmer shall keep available an account of each time he has transported such farm products and the compensation received therefor. The account of transportation performed and compensation received therefor, as herein provided, may be any simple method of record keeping and in cases where record keeping practices are such that reports upon truck operations are reported at the end of the operating season, such end-of-the-season reports shall be deemed adequate for the purposes of this section.

(2) Any farmer operating a motor vehicle or vehicles used exclusively in the transportation of his livestock and agricultural commodities or in the transportation of supplies to his farm;

(3) Any nonprofit agricultural cooperative association organized and acting within the scope of its powers under Chapter 4, Division 6 of the Agricultural Code to the extent only that it may be engaged in transporting its own property or the property of its members, fees shall be paid according to the following schedule:

	Unladen Weight ( )			Fee
(1)	3,000 lbs. to and including	4,000 lbs.		$5 00
(2)	4,001 lbs. to and including	5,000 lbs.		10 00
(3)	5,001 lbs. to and including	6,000 lbs.		15 00
(4)	6,001 lbs. to and including	7,000 lbs.		20 00
(5)	7,001 lbs. to and including	8,000 lbs.		25 00
(6)	8,001 lbs. to and including	9,000 lbs.		30 00
(7)	9,001 lbs. to and including	10,000 lbs.		35 00
(8)	10,001 lbs. to and including	11,000 lbs.		40 00
(9)	11,001 lbs. to and including	12,000 lbs.		45 00
(10)	12,001 lbs. to and including	13,000 lbs.		50 00
(11)	13,001 lbs. to and including	14,000 lbs.		55 00
(12)	14,001 lbs. and over			60 00".

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive.

Amendment No. 4

On page 2, lines 3 and 4, of said bill, strike out "Section 373.4", and insert "subdivision (e) of Section 372".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2024—An act to amend Sections 2618, 2619, 2705, 4219, 4221, 4224, 4336, and 4337 of the Revenue and Taxation Code, relating to the time of payment of the second installment of real estate

taxes and relating to the time in which installment payments of redemption are to be made.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 3728 of the Revenue and Taxation Code, relating to the sale of tax deeded property and the interest of the purchasers at such sales."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3728 of the Revenue and Taxation Code is amended to read

3728. Before holding any tax deed heretofore or hereafter given under this chapter or Chapters 3, 4.3 or 8 of this part or former Political Code Sections 3897 and 3897d to be void the court shall determine the correct amount of taxes, penalties and costs that should be paid upon redemption to discharge the tax and assessment liens of all taxing agencies and revenue districts had the purported tax sale not been held and the court shall order the former owner or other party in interest to pay such amount within six months as follows

(a) To the purchaser, *or his grantee or successor in interest*, the amount of taxes, penalties and costs expended by him as determined by the court in pursuit of the State's title to the property, *and when the purchaser at any such sale or the grantee in any such deed for taxes or his grantee or successor in interest is in possession of such property in good faith and claiming the property under a tax deed, which is regular upon its face, and has made permanent improvements thereon, the court shall not make any such decree until there has also been repaid to the purchaser or his grantee or successor in interest a sum, as determined by the court, equal to the amount by which the value of the property has been enhanced by such permanent improvements;* and

(b) To the county tax collector, the balance, if any, of the correct amount as determined by the court that should be paid upon redemption, which shall be distributed by the county to the taxing agencies and revenue districts as redemption money.

If such amounts are not paid in accordance with such order the court shall not hold the tax deed void."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation

Assembly Bill No. 3111—An act to add Section 13805 to the Revenue and Taxation Code, relating to inheritance tax exemptions.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on May 2, 1949, after "exemptions", insert "under this part".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1359—An act to add Chapter 9 to Part 3, Division 2, of the Labor Code, relating to coercive labor practices.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "of threat", and insert "or express or implied threat of the use".

Amendment No. 2

On page 1, line 13, of said bill, strike out "his business, or to"; and strike out lines 14 and 15, and insert "such business or operations."

Amendment No. 3

On page 1 of said bill, after line 18, insert

"1151. Make-Work Practices Any agreement or understanding, express or implied, between employees or between employees and others is against public policy and unlawful where the object of such understanding or agreement is

1. To cause, compel or coerce the employer of such employees to employ or assign any person or persons to perform work or services which the employer does not need or desire and which constitute a duplication of any work or services previously done or performed by any person or persons not in the employ of said employer, or which constitute a reproduction, reprocessing, reassembling, re-preparing, re-erecting, or re-fabricating of any goods, articles or materials previously produced, processed, assembled, prepared, erected or fabricated by any person or persons not in the employ of said employer.

2 To cause, compel or coerce the employer of such employees to employ or assign any person or persons to perform any other services which the employer does not need or desire.

3 To cause, compel or coerce the employer of such employees to pay extra or additional compensation to some or all of his employees or to make payments of money or other thing of value to a recipient designated by them whenever such employer uses any goods, articles or materials produced, processed, assembled, prepared, erected or fabricated by any person or persons not in the employ of the employer.

4 To cause, compel or coerce the employer of such employees to cease or refrain from using any goods, articles or materials produced, processed, assembled, prepared, erected or fabricated by any person or persons not in the employ of the employer in order to secure for the employees of such employer the work of producing, processing, assembling, preparing or fabricating any such goods, articles or materials

5 To cause, compel or coerce the employer of such employees to pay, or agree to pay or deliver any money or other thing of value in the nature of an exaction for services which are not performed or not to be performed

SEC 1152. Any concerted refusal by employees pursuant to an agreement or understanding, express or implied, between such employees or between such employees and others, to perform any work for their employer unless such employer complies with one of the unlawful objects enumerated in subdivisions 1, 2, 3, 4, or 5 of Section 1151 hereof, is against public policy and unlawful.

SEC. 1153 Any attempt to make, enter into, enforce or carry out any agreement or understanding declared to be against public policy and unlawful by Section 1151 or Section 1152 hereof is unlawful

SEC 1154. Injunctive Relief Any person injured or threatened with injury by any violation of any of the provisions of this chapter shall be entitled to injunctive relief therefrom in a proper case and to recover any damages resulting therefrom in any court having jurisdiction in the State of California.

SEC. 1155 Any provision of law which is inconsistent or in conflict with the provisions of this chapter shall, to the extent to which it is inconsistent or in conflict herewith be ineffective.

SEC. 1156. If any provision, paragraph, section, sentence, clause, phrase, or word of this chapter shall be held invalid, the remainder of this chapter shall not be affected thereby."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Industrial Relations.

SECOND READING OF SENATE BILLS

Senate Bill No. 388—An act to amend Section 483 of the Vehicle Code, relating to striking an unattended vehicle.

Bill read second time, and ordered to third reading.

Senate Bill No. 826—An act to amend Section 951 of the Streets and Highways Code, relating to side paths.

Bill read second time, and ordered to third reading.

Senate Bill No. 1172—An act to add Section 566 to the Vehicle Code, relating to skiing and tobogganing on or across state highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 267—An act to amend Section 7314 of the Labor Code, relating to fees for elevator inspection.

Bill read second time, and ordered to third reading.

Senate Bill No. 624—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on April 7, 1949, after the period, insert "Records of the department relating to labor disputes are confidential provided however that any decision or award arising out of arbitration proceedings shall be a public record."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 38 FROM COMMITTEE HOLD PLACE ON FILE

Mr. Collier asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 38 from committee be passed on file, and hold its place on file on the next legislative day.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 444, on request of Mr. Butters.

Assembly Bill No. 3122, on request of Mr. McCollister.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 437 WAIVED

Mr. Dickey waived his notice of motion to reconsider the vote whereby Assembly Bill No. 437 was passed.

Assembly Bill No. 437 ordered transmitted to the Senate.

RECONSIDERATION OF ASSEMBLY BILL NO. 1960

In compliance with a notice given on a previous day, Mr. Luckel moved that the vote whereby Assembly Bill No. 1960 was passed be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Niehouse moved a call of the Assembly.

Motion carried. Time, 10.46 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Coats, Crichton, Dickey, Gaffney, Hinckley, Kirkwood, Lindsay, Lowrey, and Silliman—9.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Babbage asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file.

Assembly Bill No. 2650, on request of Mr. McCollister.

Request for Unanimous Consent That Assembly Bill No. 2650 Be Withdrawn From File, and Be Re-referred

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 2650 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that he neglected to include the name of Mr. Brown, on last Friday, when he announced a Tax Committee meeting to be held today, at 3 p.m., in Room 414, with representatives of the Attorney General's Office and Members of the Assembly, for the purpose of discussing a suit being brought by the banks against the State of California for recovery of moneys.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Babbage asked for, and was granted, unanimous consent that that portion of Assembly Standing Rule No. 83 which prevents the rescission of any action, and the expunging of the record thereof subsequent to the approval of the Journal of the Assembly, be temporarily suspended, for the purpose of the further consideration of Senate Bill No. 1094.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 1094

Mr. Babbage asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on April 21st, passed Senate Bill No. 1094 (page 2446 of Assembly Journal); and that the approved Journal of that date be corrected to show said action.

Senate Bill No. 1094 Ordered Returned to the Senate

Pursuant to the request of the Senate, previously read today, Senate Bill No. 1094 was ordered returned to the Senate, for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER MALONEY AMENDMENTS TO ASSEMBLY BILL NO. 2309 WAIVED

Mr. Crowley waived his notice of motion to reconsider the vote whereby the Maloney Amendments to Assembly Bill No. 2309 were adopted.

Assembly Bill No. 2309 ordered reprinted, and re-engrossed.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 997—An act to add Section 7325 to the Business and Professions Code, relating to cosmetology.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 997?

Amendment No. 1

On page 1, line 3, of the printed bill, after "7325.", insert "Except as provided in Sections 7322, 7323, and 7324,".

Amendment No. 2

On page 1, line 5, of said bill, after "board", insert "and in an establishment other than one licensed by the board".

Amendment No. 3

On page 1, line 6, of the printed bill, as amended in the Senate on April 27, 1949, strike out "and", and insert "or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 997 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Youngdahl, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 997 ordered enrolled.

Assembly Bill No. 1197—An act to add Section 2512 to the Revenue and Taxation Code, relating to the time of payments due taxing agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1197?

Amendment No. 1

On page 1, line 4, of the printed bill, after "agency", insert "prior to a certain date and hour before being delinquent".

Amendment No. 2

At the end of said bill, insert "This section shall not apply if the letter containing the payment was incorrectly addressed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1197 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66

NOES—None.

Assembly Bill No. 1197 ordered enrolled.

Assembly Bill No. 2351—An act to amend Sections 1649, 1679, 1706, 1709, 1808, and 1810.5 of the Insurance Code, relating to the licensing of insurance agents, brokers, solicitors and life agents, and to bail agents, permittees and solicitors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2351?

Amendment No. 1

On page 3, line 34, of the printed bill, as amended in the Assembly on April 6, 1949, strike out "30th", and insert "31st".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2351 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 2351 ordered enrolled.

Assembly Bill No. 916—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for medical and hospital services.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 916?

Amendment No. 1

On page 1, line 16, of the printed bill as amended in the Assembly on April 7, 1949, after "Part", strike out "3", and insert "2".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 916 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney,

McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Assembly Bill No. 916 ordered enrolled

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Senate Bill No. 89, on request of Mr. Coats.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 200—An act to add Article 5 to Chapter 1, Part 5, Division 11, of the Water Code, relating to flood control.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 200?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 11, 1949, after line 22, insert

"22162 The provisions of this article apply only to districts containing two hundred thousand acres or more"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 200 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 200 ordered enrolled.

Assembly Bill No. 1012—An act to amend Section 25365 of the Government Code, relating to the powers and duties of boards of supervisors.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1012?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "By a four-fifths vote the board may", and insert "After publishing a notice of its intended action for at least one week, in a newspaper of general circulation published in the county, the board of supervisors may, by a four-fifths vote."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 1012 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63

NOES—None

Assembly Bill No. 1012 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 191—An act to add Section 122.5 to the Labor Code, relating to medical assistance of the Industrial Accident Commission under the Workmen's Compensation Act.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Ralph C. Dills moved a call of the Assembly.

Motion carried. Time, 11.28 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Gaffney, Hinckley, Kirkwood, Lowrey, McCollister, Sillman, and Thompson—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1662

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No 1662, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1662—An act to amend Sections 6852, 6855, 6857, 6861, 6862, 6864, 6865, 6866, 6876, 6877, 6878, 6880, 6885, 6889, 6890, 6895, 6897, 6898, 6902, 6906, 6907, 6908, 6909, 6910, 6911, 6912, 6913, 6914, 6915, 6916, 6922, 6923, 6925, 6926, 6930, 6950, and to add Sections 6858, 6931, 6947, 6948, and to renumber Sections 6939 and 6940 of the Business and Professions Code, relating to the regulation and licensing of collection agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1662?

Amendment No. 1

In line 2 of the title of the printed bill, as amended, after "6885", insert "6886,".

Amendment No. 2

On page 3, line 24, of said bill, strike out "managing director", and insert "manager".

Amendment No. 3

On page 4, line 18, of said bill, strike out "director or trustee", and insert "person".

Amendment No. 4

On page 4, lines 28 and 29, of said bill, strike out "director or trustee", and insert "person".

Amendment No. 5

On page 4, line 40, of said bill, after "director", insert ", manager".

Amendment No. 6

On page 5, line 9, of said bill, strike out "managing director, trustee", and insert "person".

Amendment No. 7

On page 5, lines 15 and 16, of said bill, strike out "when applicant will act as managing partner, managing director or managing trustee" and insert "if such individual will be actively in charge as manager".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 5 of said bill, between lines 29 and 30, insert

"SEC. 13.5. Section 6886 of said code is amended to read:

6886. *Except as in this chapter otherwise provided,* the [applicant, if an individual, or a partner, director or trustee, if a partnership, corporation or voluntary association,] *person to be actively in charge of an agency or office as manager,* shall:

(a) Be a citizen of the United States.

(b) Be at least twenty-one years of age.

(c) Be of good moral character.

(d) Be a bona fide resident of this State continuously for at least one year prior to the date of the filing of the application.

(e) Possess the necessary qualifications of learning and ability

(f) Pass the examination required."

Amendment No. 9

On page 5, line 45, of said bill, strike out "by the board", and insert "by the Secretary of State".

Amendment No. 10

On page 6, line 35, of said bill, after "trustee", insert "manager".

Amendment No. 11

On page 7, line 5, of said bill, following "license.", insert "Where a hearing is held the proceedings shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein"

Amendment No. 12

On page 8, line 32, of said bill, after "managing", insert "employee,"

Amendment No. 13

On page 9, line 37, of said bill, after "partner,", insert "managing employee,"

Amendment No. 14

On page 10, line 28, of said bill, after "partner,", insert "managing employee,".

Amendment No. 15

On page 10, line 35, of said bill, following State.", insert "Where a hearing is held the proceedings shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the board shall have all the powers granted therein."

Amendment No. 16

On page 10 of said bill, strike out lines 43 to 45, inclusive

Amendment No. 17

On page 10, lines 51 and 52, of said bill, strike out "If the board determines from the findings of the chief or otherwise,", and insert "If, upon completion of his investigation, the chief determines".

Amendment No. 18

On page 11 of said bill, strike out lines 1 to 4, inclusive, and insert "formal disciplinary action, he shall file his written findings thereon with the board. If, upon completion of his investigation, the chief determines that the evidence is sufficient to

warrant formal disciplinary action, he shall file a written accusation with the board. The proceedings shall be conducted in accord-".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1662 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 1662 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 642

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 642, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 642—An act to add Section 1301.1 to the Education Code, relating to the employment of assistant and deputy superintendents of school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 642?

Amendment No. 1

On page 1, line 4, of the printed bill, after "schools", insert "and having an average daily attendance of 1,500 or more pupils".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 642 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—68.
NOES—None.

Assembly Bill No. 642 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2599 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 2599 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code.

Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75 and 76 of the Unemployment Insurance Act, and Section 22003 of the Education Code, relating to state officers.

Bill read third time.

Request for Unanimous Consent That Correction Be Made in Amendment

Mr. Beck asked for, and was granted, unanimous consent that a correction be made in his amendment to Assembly Bill No. 88, to be read across the desk, to read, "May 2", instead of "April 1", in both the title and the body of the amendment.

Motion to Amend

Mr. Beck moved the adoption of the following amendment:

Amendment No. 1

On page 2, lines 19 to 21, inclusive, of the printed bill, as amended in the Assembly on May 2, 1949, strike out ", except that the first director appointed after the effective date of this section shall hold office for four years".

Amendment read, as corrected.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Sherwin is not in order because he is reading from a newspaper.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of the amendment offered by Mr. Beck to Assembly Bill No. 88.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Cramer, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way Weber, and Yorty—41.

NOES—Babbage, Burke, Butters, Caldecott, Collier, Conrad, Crichton, Dickey, Dolwig, Erwin, Fleury, Gaffney, Grant, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, Reagan, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Mr. Speaker—31.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENTS

Speaker Sam L. Collins announced, on behalf of the Members of the Assembly, and all who enjoyed the interesting tour to Shasta Dam on last Saturday, appreciation to the Chamber of Commerce of Redding, the Southern Pacific Railroad, Senator Regan, and Mr. Davis, for efforts expended and sincere hospitality.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1960

At 12.18 p.m., on motion of Mrs. Niehouse, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1960 reconsidered by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Butters, Coats, Collier, George D. Collins, Condon, Cooke, Cramer, Crowley, Ralph C Dills, Dunn, Elliott, Evans, Gaffney, Hagen, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—42.

NOES—Babbage, Brown, Burkhalter, Caldecott, Connolly, Conrad, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Lincoln, McCarthy, McCollister, Moss, Sherwin, Smith, Stanley, Stewart, Waters, and Mr. Speaker—28.

Assembly Bill No. 1960 ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 191

At 12.20 p.m., on motion of Mr. Ralph C. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 191 passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Collier, George D. Collins, Condon, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hawkins, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—43.

NOES—Babbage, Burke, Butters, Caldecott, Connolly, Conrad, Erwin, Fleury, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Moss, Reagan, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, and Waters—29.

Notice of Motion to Reconsider Assembly Bill No. 191

Mr. Stewart gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 191 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 21

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 21, temporarily passed on file, at this time.

CONSIDERATION OF NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 21

Notice of Motion to Reconsider Assembly Bill No. 21 Waived

Mr. Brady waived his notice of motion to reconsider the vote whereby Assembly Bill No. 21 was passed.

Motion to Reconsider Assembly Bill No. 21

Mr. Dolwig moved that the vote whereby Assembly Bill No. 21 was passed be reconsidered, at this time.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Dolwig is not in order because he is not speaking to the motion to reconsider the vote whereby Assembly Bill No. 21 was passed.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion by Mr. Dolwig that the vote whereby Assembly Bill No. 21 was passed be reconsidered.

Point of Order

Mr. Morris arose to the following point of order: That Mr. Levering is not speaking to the motion to reconsider but on the bill, which is not before the House, and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr. Dolwig that the vote whereby Assembly Bill No. 21 was passed be reconsidered.

Motion That Additional Time for Debate Be Granted to Mr. Morris

Mr. Evans moved that an additional five minutes of time be granted to Mr. Morris for the purpose of debating the motion of reconsideration.

Mr. Lowrey seconded the motion.

Motion carried.

The question being on the motion by Mr. Dolwig that the vote whereby Assembly Bill No 21 was passed be reconsidered.

Point of Order

Mr. Stewart arose to the following point of order: That Mr. Morris is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the motion by Mr. Dolwig that the vote whereby Assembly Bill No. 21 was passed be reconsidered.

Demand for Previous Question

Messrs. Caldecott, Heisinger, Hoffman, Burke, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Dolwig that the vote whereby Assembly Bill No. 21 was passed be reconsidered.

The roll was called, and reconsideration refused by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Connolly, Conrad, Cramer, Dickey, Dolwig, Erwin, Grant, Grunsky, Hagen, Hoffman, Huyck, Levering, Lipscomb, McCollister, Reagan, Smith, Stanley, Stewart, Tomlinson, and Way—24.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Waters, Weber, and Yorty—43.

Assembly Bill No. 21 ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Price:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 5601 and 5602 of the Education Code, relating to the support of schools from funds received from potash and potassium bearing lands.

Respectfully submitted.

R. FRED PRICE
By R. E. S.

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Price:

An act to amend Sections 5601 and 5602 of the Education Code, relating to the support of schools from funds received from potash and potassium bearing lands.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3142: By Mr. Price—An act to amend Sections 5601 and 5602 of the Education Code, relating to the support of schools from funds received from potash and potassium bearing lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Waters:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 426a, 1744, 1745, 1760, 1761, 1765, 1770, and 1771 of the Code of Civil Procedure, and to add Sections 1771.1, 1771.2, 1771.3, 1771.4, 1771.5, and 1773 to the Code of Civil Procedure, relating to the Children's Court of

Conciliation, providing for officers, jurisdiction and powers thereof, and for proceedings and procedures therein.

Respectfully submitted.

LAUGHLIN E. WATERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Waters:

An act to amend Sections 426a, 1744, 1745, 1760, 1761, 1765, 1770, and 1771 of the Code of Civil Procedure, and to add Sections 1771.1, 1771.2, 1771.3, 1771.4, 1771.5, and 1773 to the Code of Civil Procedure, relating to the Children's Court of Conciliation, providing for officers, jurisdiction and powers thereof, and for proceedings and procedures therein.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3143: By Mr. Waters—An act to amend Sections 426a, 1744, 1745, 1760, 1761, 1765, 1770, and 1771 of the Code of Civil Procedure, and to add Sections 1771.1, 1771.2, 1771.3, 1771.4, 1771.5, and 1773 to the Code of Civil Procedure, relating to the Children's Court of Conciliation, providing for officers, jurisdiction and powers thereof, and for proceedings and procedures therein.

Referred to Committee on Judiciary.

Assembly Concurrent Resolution No. 80: By Mr. Levering—Relative to approving amendments to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1949.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 81: By Messrs. Gaffney and Maloney—Relative to I Am an American Week.

Referred to Committee on Rules.

Assembly Constitutional Amendment No. 83: By Mr. Weber—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 2 and 14

of, and by adding Section 15.5 to, Article IV of the Constitution of said State, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 1652

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

BURKE, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1804
Assembly Bill No. 2269

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2240

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2240 ordered re-referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATIONS BE PRINTED IN JOURNAL

Mr. Hollibaugh asked for, and was granted, unanimous consent that the following communications be ordered printed in the Journal:

(COPY)

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON REVENUE AND TAXATION, April 28, 1949

Mr. T. H. Mugford, Deputy Director
Department of Employment, 1025 P Street
Sacramento, California

DEAR MR. MUGFORD: Last night during the hearing on Assembly Bill No. 2299 before the Senate Social Welfare Commitee, you stated that you had issued an order to the effect that employees working on a farm engaged in breeding and raising of race horses did not come under the Unemployment Insurance Act, it being agricultural labor.

Assembly Bill No. 2299 was continued for one week in order that I might communicate with my constitutents who are interested in the measure.

If you will please furnish me with a letter within the week verifying your statement to the committee, I will be able to table the bill.

With kindest personal regards, I remain,
Sincerely yours,

JONATHAN J. HOLLIBAUGH

STATE OF CALIFORNIA
DEPARTMENT OF EMPLOYMENT
SACRAMENTO, CALIFORNIA, May 2, 1949

*Hon. Jonathan J. Holliba*ugh
State Assembly, State Capitol
Sacramento, California

RE: BREEDING AND RAISING LIVESTOCK—ASSEMBLY BILL NO. 2299

DEAR MR. HOLLIBAUGH: This is in response to your letter of April 28th in which you ask for a confirmation of my recent statement before the Senate Committee on Social Welfare that the breeding and raising of livestock is considered by the department to be agricultural labor and accordingly excluded from the Unemployment Insurance Act.

Following is the pertinent portion of Section 43 of Title 22, California Administrative Code, which is the commission's regulation on agricultural labor:

"Extent of Agricultural Labor Exemption. Agricultural labor exempted from 'employment' by Section 7(a) of the act includes all services performed

"(a) On a farm, in the employ of any person, in connection with cultivating the soil, or in connection with raising or harvesting of any agricultural or horticultural commodity; the raising, feeding, and management of livestock, poultry and bees; which includes among others, the spraying, pruning, fumigating, fertilizing, irrigating and heating which may be necessary and incident thereto. (Amended effective June 1, 1945) * * *

"(e) As used herein, the term 'farm' includes, among others, stock, dairy, poultry, fruit and truck farms; plantations, ranches, ranges, nurseries, orchards and vineyards."

There had been some confusion, we are sorry to say, in respect to raising and breeding race horses. This confusion has been remedied and the following subparagraph (2) of paragraph 6010.06 of the Manual of Tax Liability is the official ruling of the department on this subject:

"*Breeding and Raising of Race Horses.* Services in connection with the breeding, raising and training of race horses for racing or exhibition purposes performed on a farm in the employ of any person are considered exempt as agricultural labor. In Tax Decision 109 the Appeals Board ruled that employees *engaged in training thoroughbred horses for racing and show purposes on a farm* were performing services in connection with the raising, feeding and management of livestock as defined in Regulation 43. The fact that the livestock with respect to which the services were performed eventually were used for racing or show purposes does not render such activities commercial rather than agricultural in nature.

"The services of stablemen, trainers, jockeys and other miscellaneous services in connection with this activity if performed on a farm would be in exempt employment. However, if such services are performed off the farm in and around race tracks they would be in subject employment. If a worker performs both exempt and nonexempt services, then a segregation of time spent by such must be maintained as required by Section 7.1 of the act and Regulation 42. (For segregation requirements see paragraph 6005.02)."

There is no intention on the part of the department to modify any of its rulings so as to hold breeding and raising of race horses or any other livestock to be subject to the act. Moreover I am confident that under the present law no court would uphold any ruling by the department that the raising and breeding of any livestock is subject to the act.

Very truly yours,

T. H. MUGFORD, Deputy Director

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 88

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 88, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 88

Senate Bill No. 88—An act to add Chapter 4 to Part 2, Division 8 of the Harbors and Navigation Code, relating to the power of a harbor improvement district to improve, develop or protect any harbor or harbors within the district.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on April 14, 1949, after line 29, insert

"The board may issue no bonds hereunder unless the incurring of the bonded indebtedness for the improvement, development, protection and maintenance of such additional harbor or harbors shall first have been approved at an election held in the manner provided in Article 3, Chapter 1, Part 2 of Division VIII of this code, and pursuant to the provisions of said article with reference to the incurring of bonded indebtedness."

Amendment read, and adopted

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Meyers:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 5082.5 to the Business and Professions Code, relating to refund of application fees.

Respectfully submitted.

CHARLES W. MEYERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Meyers:

An act to add Section 5082.5 to the Business and Professions Code, relating to refund of application fees.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3144: By Mr. Meyers—An act to add Section 5082.5 to the Business and Professions Code, relating to refund of application fees.

Referred to Committee on Military Affairs.

ANNOUNCEMENTS

Mr. Stanley announced a breakfast and Republican Caucus at 7.30 a.m., tomorrow, May 10th, at the Hotel Sacramento.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Interim Committee on Tidelands and Related Traffic Problems, in Assembly Chamber.

At 3 p.m.—

Subcommittee on Ways and Means. Subject: Capital Outlay. Public Utilities and Corporations.

Tonight, at 8 p.m.—

Finance and Insurance, in Room 432.

Tomorrow, Tuesday, May 10—

At 8.45 a.m.—

Rules.

At 2 p.m.—

Subcommittee on Ways and Means. Subject: Assembly Bill No. 2120.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. George D. Collins and The San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Arthur Connolly, Sr., of San Francisco.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Miss Harriett Curry and Mrs. Harry Donnell of Oakland.

On request of Messrs. Kilpatrick and Bennett, the usual courtesies of the Assembly for this day were unanimously extended to Dr. G. Vernon Bennett of Los Angeles.

On request of Speaker Collins, the usual courtesies of the Assembly for this day were unanimously extended to Irwin and Zelda Chapman of Fullerton

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Clarence Olson and Dwight W. Curtis, teachers at the Stockton College and the following pupils: Rose Marie Logrimac, Nellie Deane Surry, Olivia Torres, Ted Lusk, Victor Leonardine, Beverly Kidwell, Irvin Hein, Carmen Hillberg, Gloria Moresco, Joanne Harrison, La Verne Guiliani, Jerry Hyske, Sokichi Abe, Aaron Devencenzi, Orin Haug, John Nelson, Barbara Gale, Joyce Ingham, Robert Price, Ann Ubele, John Smith, Flossie West, Delbert Brungardt, Donald Calcaterra, Mary Downey, Pascual Fidel, Jim Forbes, Betty Fulton, Nancy Rea, Edna Francois, Charles Magnasco, John Wilcox, Jimmy O'Connor, Bob Patterson, Russell Stewart, Mike Mesinger, Jackie Mason, Mal Torigoye, Bob Ladd, Leon Fish, John

Tanaka, Frances Torlai, Tommy Kinard, Eloise Wood, Dolores Gracia, Lola Huerta, La Verda Calvert, Adeline Cassidy, Rosemarie Caudillo, Richard Johnson, Frances Rooker, Lila Schulte, Joyce Schamber, Howard Neal, and Koleta Graham.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Harry Evans Terrell of Garden Grove.

ADJOURNMENT

At 12.57 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a m., Tuesday, May 10, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED TWENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Tuesday, May 10, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—75

Names of Members Placed Upon the Morning Roll Call by Unanimous Consent

By unanimous consent, the names of the following members, who are attending a meeting of the Committee on Rules, were ordered placed upon the morning roll call: Messrs. Crichton, Crowley, Dickey, Doyle, Dunn, Evans, Hollibaugh, Maloney, McCollister, Thompson, and Waters.

By unanimous consent, the names of the following members, who are attending a special Tax Committee meeting, were ordered placed upon the morning roll call: Messrs. Brown, Caldecott, Cooke, Geddes, Lowrey, Reagan, Sherwin, and Stewart.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Sympathy: We pray this morning for those who are anxious for the welfare of their loved ones.

For those who want to be of help to some one whom they dearly love within their family or social circle, who is passing through a great crisis.

If it be in harmony with Thy Divine will, may they be near together in the moment of need, and help to furnish the strength the hour of extremity calls for.

Let us believe that now in Spirit we can be near those who depend upon us for endurance, and by way of the Throne of Grace we may be present with the absent

How little we know of the secret anxieties or trials of those with whom we mingel, and who are passing through hours critical for their happiness or success.

May we all be caught up into the glory of a great trust that earth hath no trial that Heaven cannot lighten.—AMEN.

This prayer was offered for a member of the family of one of our Assemblymen.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Way, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Grant.

Mr. Fletcher, on motion of Mr. Grant.

Mr. Rosenthal, on motion of Mr. Connolly.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. McMillan, on motion of Mr. Erwin.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE, May 3, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

MY DEAR MR. SPEAKER: In accordance with Chapter 4, Article 1, paragraph 1750 (c) of the Government Code of the State of California, I hereby submit my resignation as a Member of the Assembly effective May 28, 1949.

Respectfully yours,

HOWARD K. CRAMER
Member of Assembly
Eightieth Assembly District

In accordance with the provisions of the Government Code, the Speaker will transmit the above letter to the Governor.

By Speaker Sam L. Collins:

A communication from Pat Irvine and Charles M. Stewart, student representatives of Los Angeles University of Applied Education Law School, relative to the school's support of Assembly Bill No. 1082, and urging its passage, was received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 100—An act to amend Section 5470 of the Health and Safety Code, relating to sewer rental charges and the use of moneys received therefrom;

Assembly Bill No. 101—An act to amend Section 770 of the Vehicle Code, relating to disposition by cities of certain fines and forfeitures;

Assembly Bill No. 258—An act to amend Section 4701 of the Labor Code, relating to workmen's compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 416—An act to add Section 638.1 to the Welfare and Institutions Code, relating to the duties of probation officers;

Assembly Bill No. 417—An act to amend Section 871 of the Welfare and Institutions Code, relating to support of wards of the juvenile court;

Assembly Bill No. 581—An act to amend Section 28149 of the Government Code, relating to compensation for public services in counties of the forty-ninth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 646—An act to amend Section 7408 of the Education Code, relating to school district bond elections;

Assembly Bill No. 959—An act to amend Section 1016 of; and to add Sections 1016.1 and 1016.2 to the Fish and Game Code, relating to fish packing and reduction privilege taxes;

Assembly Bill No. 1107—An act to amend Section 886 of the Fish and Game Code, relating to fish for bait;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1799—An act to amend Section 29483 of the Government Code, relating to the payment to counties of United States forest reserve receipts;

Assembly Bill No. 1962—An act to amend Section 16374 of the Government Code, relating to the reversion of unclaimed trust money;

Assembly Bill No. 2216—An act to add Section 22264 to the Water Code, relating to irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2349—An act to amend Sections 1703.91, 1703.92, 1703.94, 1703.95, and 1703.96 of the Insurance Code, relating to joint firm life agents' licenses;

Assembly Bill No. 2350—An act to amend Sections 10953.3 and 10953.4 of the Insurance Code, relating to legal reserve capital stock insurers;

Assembly Bill No. 2352—An act to amend Sections 11521 and 11523 of the Insurance Code, relating to grants and annuity societies;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2353—An act to add Section 1153.5 to, and to amend Section 1154 of the Insurance Code, relating to assets required to be maintained by insurers;

Assembly Bill No. 2651—An act to amend Sections 18523, 18801, and 19052 of the Government Code and to add Sections 18523.5, 18802.5, and 19052.5 to said code, relating to classes and grades in the state civil service;

Assembly Bill No. 2898—An act validating the formation and existence of county waterworks districts and all proceedings for the issuance of bonds and all bonds

heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds;

And reports that the same have been correctly enrolled, and presented to the Governor on the ninth day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 76—Relative to approving amendments to the charter of the City of Huntington Beach, a municipal corporation in the County of Orange, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of November, 1948;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the ninth day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 413
Assembly Bill No. 1076
Assembly Bill No. 1572
Assembly Bill No. 2890
Assembly Bill No. 3128

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 2185
Assembly Bill No. 2186

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1098
Assembly Bill No. 1101
Assembly Bill No. 1102
Assembly Bill No. 1103
Assembly Bill No. 1104
Assembly Bill No. 1111

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 14

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XX, relating to oaths of office.

Referred to Committee on Constitutional Amendments

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 99
Senate Bill No. 159
Senate Bill No. 165
Senate Bill No. 351
Senate Bill No. 367
Senate Bill No. 509
Senate Bill No. 516
Senate Bill No. 833
Senate Bill No. 1038
Senate Bill No. 1098

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 99—An act to add Article 5 to Chapter 2, Title 1, Part 3 of Division 1 of the Civil Code, relating to the recognition of a divorce obtained in another jurisdiction.

Referred to Committee on Judiciary.

Senate Bill No. 159—An act to add Section 387 to the Agricultural Code, relating to care of dairy cows offered for sale.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 165—An act to add Section 2.2 to the Orange County Flood Control Act, relating to the powers of the Orange County Flood Control District

Referred to Committee on Municipal and County Government.

Senate Bill No. 351—An act to repeal Section 4237.1 of the Political Code, added by Chapter 568 of the Statutes of 1937, relating to fees for phonographic reporters.

Referred to Committee on Judiciary.

Senate Bill No. 367—An act to repeal Sections 89.5, 89.6, 89.7, and 89.8 of the Agricultural Code, relating to the powers of district agricultural associations and counties in relation to property and funds for fair purposes.

Referred to Committee on Agriculture.

Senate Bill No. 509—An act to add Sections 1.1, 1.2, and 1.3 to the Orange County Water District Act, relating to the exclusion of certain areas from the district.

Referred to Committee on Municipal and County Government.

Senate Bill No. 516—An act to add Section 1018 to the Labor Code, relating to membership in labor organizations of persons advocating or having membership in organizations which advocate the overthrow of the Government by unlawful means or pledged to support a foreign government against the United States in event of hostilities.

Referred to Committee on Industrial Relations.

Senate Bill No. 833—An act to amend Section 252 of, and add Section 400.1 to the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1038—An act to amend Section 4458 of the Labor Code, relating to workmen's compensation.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1098—An act to add Section 768 of the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Referred to Committee on Finance and Insurance.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 9, 1949

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1094

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill, having been previously read the first and second times, was ordered to third reading:

Senate Bill No. 1094—An act to repeal Sections 31303 and 31304 of, and to add Section 31303 to, the Water Code, relating to county water districts.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1652—An act to amend Section 1760.7 of the Welfare and Institutions Code, relating to adult and juvenile probation, and providing for the establishment of minimum standards and qualifications for persons engaged in the administration thereof, and minimum standards of performance therein and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Crime and Correction:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1760.7 of the Welfare and Institutions", and insert "add Chapter 5.3, comprising Sections 6030 to 6030.4, inclusive, to Title 7 of Part 3 of the Penal".

Amendment No. 2

In line 5 of the title of said bill, after "thereof," insert "providing for state subsidies to counties complying therewith,"

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Chapter 5.3 is added to Title 7 of Part 3 of the Penal Code, to read:

CHAPTER 5.3. PROBATION STANDARDS

6030. The Board of Corrections shall exercise the powers and perform the duties prescribed in this chapter

6030.1 In respect to adult and juvenile probation officers, deputy probation officers, and assistant probation officers, or any of them, the Board of Corrections shall establish and from time to time shall modify as required for the efficient and

orderly administration of probation within the State all or any of the following standards.

(a) Minimum standards of education and qualifications.
(b) Minimum standards of performance and record-keeping.
(c) Minimum salary schedules
(d) Maximum standards for case-loads and assignments.

These standards shall be established by the board only after public hearings have been held, and in accordance with the Administrative Procedure Act of this State.

6030.2. When the standards established pursuant to Section 6030 1 have been complied with in any county, the agency designated by the Board of Corrections to administer the provisions of this chapter, out of any money made available to it for that purpose, shall reimburse the county on the basis of a percentage of the average salary paid by the county to all of its probation officers, deputy probation officers, and assistant probation officers; and the number of officers required to supervise the average monthly case-load of the county, computed semi-annually, as follows:

Average monthly case
Load of the county *Percentage of reimbursement*

1-50 cases—35% of the salary of one officer

51-100 cases—35% of the salary of one officer, plus 30% of the salary of one additional officer

101-200 cases—35% of the salary of one officer, plus 30% of the salary of one additional officer, plus 25% of the salary of one additional officer

201-400 cases—35% of the salary of one officer, plus 30% of the salary of one additional officer, plus 25% of the salary of one additional officer, plus 20% of the salary of two additional officers

401-800 cases—35% of the salary of one officer, plus 30% of the salary of one additional officer, plus 25% of the salary of one additional officer, plus 20% of the salary of two additional officers, plus 15% of the salary of four additional officers

801-1600 cases—35% of the salary of one officer, plus 30% of the salary of one additional officer, plus 25% of the salary of one additional officer, plus 20% of the salary of two additional officers, plus 15% of the salary of four additional officers, plus 10% of the salary of eight additional officers

More than 1600 cases—35% of the salary of one officer, plus 30% of the salary of one additional officer, plus 25% of the salary of one additional officer, plus 20% of the salary of two additional officers, plus 15% of the salary of four additional officers, plus 10% of the salary of eight additional officers, plus 5% of the salary of one additional officer for each 100 cases over 1600

For the purposes of this section, the average salary of a probation officer for the period for which reimbursement to the county is made shall be computed by dividing the aggregate salary paid to all probation officers, deputy probation officers, and assistant probation officers, by the county during the period for which reimbursement is made by the total number of probation officers, deputy probation officers, and assistant probation officers employed by the county during that period.

6030 3. The Board of Corrections may designate the Director of Corrections, the Adult Authority or the Director of the Youth Authority:

(a) To ascertain compliance of any or all counties with the standards established pursuant to Section 6030 1 and to make reimbursements to counties pursuant to Section 6030 2; and

(b) To serve as a central agency for the collection of statistics concerning probation in this State.

6030 4 Any person who has served as probation officer, assistant probation officer, or deputy probation officer within any one county continuously for a period of six months immediately preceding the effective date of this chapter shall not be subject to the minimum standards of education and qualifications prescribed by the Board of Corrections pursuant to Section 6030 1 for that county

SEC 2 Out of the General Fund in the State Treasury, the sum of two hundred fifty thousand dollars ($250,000) is hereby appropriated to be expended during the 1949-1950 Fiscal Year pursuant to Chapter 5 3 of Part 3 of Title 7 of the Penal Code. Of the said two hundred fifty thousand dollars ($250,000) not more than forty thousand dollars ($40,000) shall be expended for the cost of administration of Chapter 5 3 of Part 3 of Title 7 of the Penal Code"

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 9, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and to be re-referred to Committee on Crime and Correction.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 486

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 404
Assembly Bill No. 487
Assembly Bill No. 490
Assembly Bill No. 3139

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1338

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 78
Assembly Bill No. 1359
Assembly Bill No. 1781
Assembly Bill No. 2024

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 78, 1781, and 2024 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1359 ordered re-referred to Committee on Industrial Relations.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3023
Assembly Bill No. 3111

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 3023 ordered re-referred to Committee on Public Morals.

Assembly Bill No. 3111 ordered re-referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTER

Mr. Maloney asked for, and was granted, unanimous consent that the Chief Clerk be instructed to write a letter to Mr. Fletcher, on behalf of the Members of the Assembly, and express best wishes that he have a rapid recovery from his illness.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 3122, on request of Mr. McCollister.
Senate Bill No. 89, on request of Mr. Coats.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 38 FROM COMMITTEE HOLD PLACE ON FILE

Mr. Collier asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 38 from committee be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2502—An act to amend Section 6050 of the Elections Code, relating to voting machines.

Governor's message stating his objection read previously.

The question being: Shall Assembly Bill No. 2502 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Bennett, Berry, Brown, Burke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2599 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 2599 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 782—An act to amend Section 26301 of the Government Code, and to amend Section 5157 of the Public Resources Code, relating to public recreation areas and facilities, and to the powers and duties of counties and the boards of supervisors and State Park Commission in connection therewith, and authorizing the issuance and sale of revenue bonds for public improvements and the acquisition and leasing of public property for recreational purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2902—An act to add Section 11005.6 to the Government Code, relating to acquisition of real property by state agencies, and providing for referral of proposed acquisitions to local planning agencies and for approval thereof by the State Public Works Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Sections 1, 11, and 23 and repealing Sections 11a and 13 of Article VI thereof, relating to inferior courts.

Resolution read.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 4, 5, and 6 of the title of the printed measure, as amended in the Assembly on April 29, 1949, and insert "adding Section 11.1 to Article VI thereof, relating to courts."

Amendment No. 2

On page 1 of said measure, between lines 7 and 8, insert

"First: That Section 11.1 be added to Article VI to read:

Sec. 11.1. The judicial power of California shall be vested in one Supreme Court, and in such inferior courts as the Legislature may from time to time ordain and establish"

Amendment No. 3

On page 1 of said measure, strike out lines 8 to 24, inclusive; and strike out pages 2 and 3.

Amendments read.

Demand for Previous Question

Messrs. Weber, Waters, Burke, Tomlinson, and Lewis demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. George D. Collins to Assembly Constitutional Amendment No. 49.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, George D Collins, Elliott, Evans, Gaffney, Hagen, Heisinger, and Lewis—8.

NOES—Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Davis, Clayton A. Dills, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Hoffman, Huyck, Kirkwood, Levering, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—43.

The question being on the adoption of Assembly Constitutional Amendment No. 49.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—55.

NOES—Brady, George D. Collins, Condon, Cramer, Gaffney, Heisinger, and Luckel—7.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 249

Mr. Beck asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 249, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 249—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 249?

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Assembly on April 6, 1949, after "manner", insert "and subject to the same rights, conditions and defenses".

Amendment No. 2

On page 1 of said bill, strike out lines 25, 26, and 27, and insert "of the policy of life insurance to an amount not less than either (1) its established maximum retention, or (2) $50,000, if a statement to this effect is included in the application."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 249 by the following vote:

AYES—Brady, Caldecott, Dolwig, Geddes, Lindsay, McCarthy, Stanley, Thomas, and Weber—9

NOES—Anderson, Beck, Berry, Brown, Burke, Butters, Coats, George D. Collins, Connolly, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—45.

Appointment of Committee on Conference Concerning Assembly Bill No. 249

The Speaker announced the appointment of Messrs. Beck, Doyle, and Geddes as a Committee on Conference concerning Assembly Bill No. 249.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, the notice of motion to withdraw Assembly Bill No. 30 from committee was taken up.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 30 FROM COMMITTEE

Mr. Maloney moved that Assembly Bill No. 30 be withdrawn from the Committee on Livestock and Dairies.

Point of Order

Mr. Maloney arose to the following point of order: That Mr. Ralph C. Dills is not speaking to the motion but to the bill.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion by Mr. Maloney to withdraw Assembly Bill No. 30 from committee.

Point of Order

Mr. Beck arose to the following point of order: That Mr. Ralph C. Dills is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion to withdraw Assembly Bill No. 30 from committee.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Silliman is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion to withdraw Assembly Bill No. 30 from committee.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Lowrey is not speaking to the motion but to the merits of the bill.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the motion to withdraw Assembly Bill No. 30 from committee.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Berry, Brady, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Hinckley, Huyck, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—50.

NOES—Babbage, Brown, Burke, Butters, Coats, Cramer, Davis, Ralph C. Dills, Erwin, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Kirkwood, Lindsay, Lowrey, McCollister, Silliman, and Way—20.

Request for Unanimous Consent That Names Be Placed Upon Roll Call

Messrs. Reagan and Dickey asked for, and were granted, unanimous consent that their names be placed upon the roll call on the motion by

Mr. Maloney to withdraw Assembly Bill No. 30 from committee, and that they be recorded as voting "Aye."

Assembly Bill No. 30 ordered to second reading.

Explanation of Vote

Due to legislative duties elsewhere in the Capitol, I was not present in the Assembly Chamber when Assembly Bill No. 30 was brought up for withdrawal.

Had I been present, I would have voted for withdrawal from committee.

VERNON KILPATRICK

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1761

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1761, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1761

Assembly Bill No. 1761—An act to repeal Sections 4845.20, 4845.21, 4845.22, 4845.23, 4845.24, 4845 25. 4845.26, 4845.27, and 4845.28 of, and to add Sections 4845.30, 4845.31, 4845.32, 4845.33, 4845.34, 4845.35, and 4845.36 to, the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 11, of the printed bill, as amended in the Assembly on May 5, 1949, strike out "Political Code Section 3720", and insert "Sections 54900 to 54903, inclusive, of the Government Code".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2080

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2080, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2080

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse, mule and burro meat, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Point of Order

Mr. Heisinger arose to the following point of order: That Mr. Dickey has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the urgency clause.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stewart, Thomas, Tomlinson, Way, Weber, Yorty, and Mr Speaker—63.

NOES—Collier, McCollister, and Thompson—3.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stewart, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—Collier, McCollister, and Thompson—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1564

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1564, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1564

Assembly Bill No. 1564—An act to amend Sections 359, 359.3, 359.5, and 360.4, and to add Chapter 8, comprising Section 438, to Division 3, of the Agricultural Code, relating to licensed slaughterers and to injunctive remedy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Hagen asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1564, and that he be recorded as voting, "Aye."

REQUESTS FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS HOLD PLACES ON FILE

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 2174 be passed on file, and hold its place on file on the next legislative day.

Mr. Reagan asked for, and was granted, unanimous consent that Assembly Bill No. 2767 be passed on file, and hold its place on file on the next legislative day.

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 2103 be passed on file, and hold its place on file on the next legislative day.

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No. 533 be passed on file, and hold its place on file on the next legislative day.

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No. 28 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2136

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2136, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2136

Assembly Bill No. 2136—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—Collier, Evans, Geddes, Lowrey, Luckel, and Thomas—6

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Thompson asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2136, and that he be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No 2067

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 1496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No. 81

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 52

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 181
Assembly Bill No. 1238
Assembly Bill No. 1853
Assembly Bill No. 2547

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1597

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1323

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 112
Assembly Bill No 898
Assembly Bill No. 1596

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 809

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 80
Assembly Concurrent Resolution No 81

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ANNOUNCEMENTS

Mr. Beck announced a Democratic Caucus upon adjournment.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Agriculture.
Following meeting of Agriculture, Livestock and Dairies.
Public Health.
Social Welfare, in Assembly Chamber.
Subcommittee on Ways and Means Subject: Assembly Bill No. 2120.

Tonight, at 8 p.m.—

Fish and Game.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lincoln, the usual courtesies of the Assembly for this day were unanimously extended to William Hoffman, former Assemblyman, and William Hoffman, Jr., of Oakland.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Miss Melba Montrose of San Francisco.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs Laura Wilson and Mrs. Aunitta Crowley, teachers of the Tahoe School, and the following pupils: Roxanna Meyer, Penny Schaller, Rogene Thomas, Marjorie O'Dell, Olga Miranda, Gloria Dell, Ann Porten, Beverly Acker, Mae Pettinato, Norma Herrick, Gordon Thomas, Wayne Russell, Claude Arne, Bobby Stewart, Santo Passeralli, Carolyn Staley, Margarita Mackis, Dale Kirkham, Clifton Cox, Ralph Clark, Lloyd Gabbert, Jerry Feickert, Jimmy Svitich, Eugene Marsden, Donald Byrom, and Jim Denny.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Miss Ethel Rose Taylor, teacher, of the Longfellow and Golden Gate schools of Oakland, and the following pupils: Mrs Felisbela Mesquita, Mrs. Winifred Costa, Mrs. Pearl Boone, Mrs. Dina Ohno, Mrs. Marina Bonvicino, Mrs. Irma B. Moore, Mrs. Frank N Gallardo, Mrs. Fanny Schultz, Mrs. Mary Filippi, Mrs. Pearl Cooper, Mrs Mabel Lee, Mrs. Edith Jan, Miss Maria S. Mota Guisa, Mrs. Meta Schedler, Ernest Schedler, Mrs. Iona Hicks, Mrs. Caroline Accomosso, Miss Anna Accomosso, Mrs. Mary N. Ferreira, Mrs. Alinda Poncino, Mrs. Josephine Dezzani, Mrs. Pearl Jackson, Mrs. Annie Mae Lowe, Mrs. John D. Drake, Mrs Palmira Paggi, Mrs. Mario Rolandelli, Mrs Mary Cosetta, Mrs. Robert M. Christian, Mrs. Iona Davis, and Mrs. Jerry Penaflor.

On request of Messrs. Thompson and Kirkwood, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Whitson and Mrs W B. Quinet, teachers of the Burbank School of San Jose, and the following pupils: Maud Crain, Betty Smurr, June Hill, Marie Lopez, Joan Carter, Chloe Santos, Helen Fierro, Irene Caballero, Naomi Reinert, Carol Farlow, Shirley Quimby, Barbara Thome, Bonnie Smith, Barbara Potter, Marilyn Hall, Ventura Garcia, Dolores Kalep, Barbara Clark, Gerald Rudy, Bob Johnson, Richard Amato, Edwin Johnson, Jim Peterson, Eual Pennington, Richard Caldwell, Austin Rodriguez, John Buhrmaster, Fred Davilla, John Malvini, Vernon Gard, Raymond Fitzgerald, Paul King, Jack McManamy, Max King, Jim Lazetera, Richard Davilla, Jess Lopes, Alton Clewett, Bill Hulen, and Ronald Moesle.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Robert Bonner, teacher of the Nevada City School, and the following pupils: Angelo Cartoscelli, Jim Hubbard, Dick Williams, Gary Baker, Neil Jenkins, Larry Parsons, Larry Williams, Tony Williams, Bill Behrbaum, Richard Stuart, Ernie Pello, George Sauer, Arlin Martin, Gene Szemanski, Harvey Roberts, Bill Sturtevant, Don Boucher, Phil Thompson, Beryl Robinson, Germaine Marsh, Marjorie Mendonca, Jean Griggs, Bobbie Hewston, Freda

Harbour, Darleen Crowley, Ann Coughlin, Jo Ann Dillard, Jimsey Barry, Norman Peterson, Bruce Walker, Merryle Evens, Sally Ribble, Marilyn Sanders, Charles Hurst, Victor Ives, and Richard Mooers

On request of Messrs. Huyck and Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Neil G. Locke of Beverly Hills.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to J. L. Sheaff and Wm. Medlen, teachers of the Orinda Union School, and the following pupils: Phyllis Arlene Arnold, Marilyn Jean Atkinson, Carolyn Clunette Baker, Stephen Otis Barden, Theodore Temple Beckett, Diane Karlette Biederman, Allen Frederick Bottomley, Elizabeth Jane Buckle, Diana Mae Bumgarner, Robert Burton Crall, David Baily Cranston, Joseph Frederic Conley, Iris Alberta Dempster, Edward Webster Druhe, Jr., Ann Ford, Daisy Gwen Foster, William Joseph Foster, Charles Bates Gompertz, Judith Gilmore Hall, Robert Darlington Harrison, Jr , June Howells Haviland, Lesley Lathrop Heche, Thomas Waterman Higgins, George Ferral Tittsworth, Richard Edwin Twomey, Ann Louise Ward, James David Hupp, Clyde Andrew Jackson, Jr., Judith Gay Johnson, Kendric Arthur Johnson, Mary Ann Lucas, Catharine Lowell Monroe, Carl Andrew Monsen, Thomas McNaughton Morrish, George Henry Mulligan, Jr., Betty Ruth Ommundson, Stanley Pedder, Naomi Keene Pettengill, Joan Prifold, Benjamin Burleigh Randall, Jr., Carol Ann Rechtiene, Elenor Lynn Sellman, Peter Joseph Sheaff, James Clifton Small, Barbara Ann Smith, Marianne Somers, Linda Dulin St Hill, George Barry Wacker, John Andre Kim Wilkin, and Christine Brewster Winters.

ADJOURNMENT

At 12.53 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 11, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED TWENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, May 11, 1949

The Assembly met at 9.30 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of the Future: Today may we catch a vision of the ever expanding West from the distant day when the Pioneer sailed out into the unknown sunset, and when Juda stood on the Pacific amazed at the vista stretching before him

Westward the course of Empire has marched, and the tide of history moved onward from the shores of the Atlantic to the prairies and the Rockies and to the Golden Gate.

We look to the East, to the driving of the golden spike which united the shining rails that spanned the Continent, and now we look to the blue Pacific, which unfolds greater wealth than Marco Polo ever dreamed

Now beyond us in days more golden than '49, rises a New Age, a future of expanding commerce, with sea lanes and airways swarming with argosies that can bind East and West in undreamed progress and unity of spirit.

In this climax of history, we pray that every step of material development and expansion may be balanced by an equal growth of righteousness and altruism, lest the scramble for gold hold back the dawn of the Golden Age.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McCollister, further reading of the Journal of the previous legislative day was dispensed with.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1236

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 77
Assembly Bill No. 1222

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER Your Committee on Fish and Game, to which was referred:

Senate Bill No. 742

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1577

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

COOKE, Vice Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSLMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 88
Assembly Bill No. 1866
Assembly Bill No. 2307
Assembly Bill No. 2309

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1113
Assembly Bill No. 2112

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 1652
Assembly Bill No. 1780
And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1780 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1652 ordered re-referred to Committee on Crime and Correction.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 10, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1647

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to.

Senate Bill No 352
Senate Bill No. 755
Senate Bill No. 800
Senate Bill No. 1135
Senate Bill No 1327

J A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators McBride, Cunningham, and Regan as a Committee on Conference concerning.

Assembly Bill No. 249—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

J A BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Senate Bill No. 304
Senate Bill No. 404
Senate Bill No. 421
Senate Bill No. 967
Senate Bill No 1317
Senate Bill No. 1450

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 304—An act to amend Section 1382 of the Penal Code, relating to the dismissal of criminal actions for delay in bringing a case to trial.

Referred to Committee on Judiciary.

Senate Bill No. 404—An act to add Section 20344.2 to the Education Code, relating to the education in state colleges of persons in the service of the Federal Government.

Referred to Committee on Education.

Senate Bill No. 421—An act to amend Sections 5091 and 5093 of the Penal Code, relating to the production of goods by institutions subject to the jurisdiction of the Correctional Industries Commission.

Referred to Committee on Judiciary.

Senate Bill No. 967—An act to amend Section 18711 of, and to add Section 18753 to, the Business and Professions Code, relating to boxing and wrestling.

Referred to Committee on Public Morals.

Senate Bill No. 1317—An act to amend Section 341 of the Code of Civil Procedure, relating to limitation of actions.

Referred to Committee on Judiciary.

Senate Bill No. 1450—An act to amend Sections 28122 and 28135 of the Government Code, relating to compensation for public services in counties of the twenty-second and thirty-fifth classes.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 631 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Luckel asked for, and was granted, unanimous consent that Assembly Bill No. 631 be withdrawn from the Committee on Transportation and Commerce, for purpose of amendment, and be re-referred to the Committee on Transportation and Commerce.

SECOND READING OF ASSEMBLY BILL NO. 631

Assembly Bill No. 631—An act to amend Sections 641 and 650.6 of the Vehicle Code, relating to lights and reflectorized materials on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 2, 1949, after "Sections", insert "637,".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 637 of the Vehicle Code is amended to read:

637. Signal Lamps and Signal Devices. (a) Any vehicle may be equipped and when required under Section 545 or 637.5 shall be equipped with the following signal lamps or devices:

(1) A stop lamp on the rear which shall emit a red or amber light and which shall be actuated upon application of the service (foot) brake and which may but need not be incorporated with a tail lamp. Such stop signal shall be plainly visible and understandable from a distance of 100 feet to the rear both during normal sunlight and at nighttime.

(2) A lamp or lamps or signal device capable of clearly indicating any intention to turn either to the right or to the left and which shall be visible both from the front and rear.

(b) Any lamp type signal device used to give a signal of intention to turn right or left shall project a flashing white or amber light visible to the front and red or amber flashing light visible to the rear. Such signal shall be plainly visible and understandable in normal sunlight and at nighttime from a distance of at least 100 feet to the front and rear of the vehicle.

(c) Any mechanical signal device on a vehicle shall be illuminated when in use at the times mentioned in Section 618 hereof either by a light or reflex mirrors rendering likewise visible the signals given thereby as specified in subdivison (b) of this section.

(d) The engineering requirements for signal devices shall be governed by specifi cations determined and publicized by the department

(e) Notwithstanding the provisions of subsection (c) of this section, any mechanical signal device required on a vehicle as provided in Section 545 shall be self-illuminated when in use at the times mentioned in Section 618 hereof under the following conditions:

1. These requirements shall apply to new vehicles first registered in this State after January 1, 1950 under the conditions and at the times above mentioned.

2. With reference to any vehicle first registered before January 1, 1950 which is equipped with a mechanical signal device in compliance with Section 545 and subsection (c) whenever such signal device is to be replaced for any reason it shall only be replaced by a self-illuminated device when in use during the times mentioned in Section 618 hereof

SEC. 2. Section 641 of the Vehicle Code is amended".

Amendment No. 3

On page 2, line 5, of said bill, strike out "2", and insert "3".

Amendment No. 4

Strike out page 3 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Motion to Place Rush Order on Printing

Mr. Luckel moved that a rush order be placed upon the printing of Assembly Bill No. 631.

Motion carried.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

(COPY)
DISTRICT COURT OF APPEAL, STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT
LOS ANGELES, CALIFORNIA, May 5, 1949

Hon. Sam Collins, Speaker of the Assembly
California Legislature, Sacramento, California

DEAR MR. SPEAKER: We have pending before this court an appeal of a mother from an order transferring the custody of her son from the juvenile hall to the boy's father who resides in Utah The mother has filed a brief in propria persona and the Attorney General questions whether it is the duty of his office to represent the State or the court or whoever is the appellee in this appeal

This arises from the fact that there is a hiatus in the law. The statutes setting forth the proceedings to declare a child a ward of the court are contained in Section 775 et seq of the Welfare and Institutions Code.

The final section of Article 8 is 786 which guarantees the right of appeal. Nothing else is said concerning that appeal. There should be a new section added to that article numbered 787 or thereabouts making it obligatory upon either the Attorney General or the district attorney or the county counsel to represent the interests of the judge or of the court or of the State, whichever may be the fact.

A similar situation has occurred two or three times before and the question has never been decided by anyone. I presume the Legislature is the institution to prescribe counsel for the State in such appeals

Sincerely,

(Signed) MINOR MOORE
Presiding Justice, Division Two

Above letter ordered referred to the Committee on Judiciary.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 82: By Mr. Morris—Relative to the creation of a Joint Legislative Committee on Administrative Regulations.

Referred to Committee on Rules.

Assembly Joint Resolution No. 40: By Messrs. Lewis, Heisinger, Crichton, Hagen, Anderson, George D Collins, Condon, Maloney, Rumford, Weber, and Yorty—Relative to memorializing the President and the Congress of the United States to take whatever steps are necessary to release unneeded Army, Navy, Air Force and Marine Corps warehouse space in the San Francisco Bay area and the Stockton-Tracy area for the storage of the California cotton crop.

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr Coats:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to add Sections 674 5, 678 3, and 678 9 to the Motor Vehicle Code, relating to equipment on common carrier passenger vehicles

Respectfully submitted,

ARTHUR W. COATS

Request referred to Committee on Legislative Procedure

REPORTS OF STANDING COMMITTEES

Committee on Introduction of Bills

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Introduction of Bills, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Coats:

An act to add Sections 674.5, 678.3, and 678.9 to the Motor Vehicle Code, relating to equipment on common carrier passenger vehicles.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Coats moved a call of the Assembly.

Motion carried. Time, 9.42 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brady, Burkhalter, Clarke, Cramer, Clayton A. Dills, Fletcher, Fleury, Geddes, Hagen, Huyck, Kirkwood, Lewis, Lincoln, McCarthy, McMillan, Meyers, Niehouse, Price, Rosenthal, Smith, Thomas, Weber, and Yorty—24.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Cramer asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 318 FROM COMMITTEE

Mr. Elliott gave notice that on the second legislative day he would move to withdraw Assembly Bill No 318 from the Committee on Judiciary, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1679

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1679, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1679

Assembly Bill No. 1679—An act to amend Sections 3, 4, and 5 of the act known as Chapter 48, Statutes of 1943, entitled "An act to authorize public agencies to withhold amounts from salaries and wages, paid by public agencies and to comply with provisions of Internal Revenue Laws of the United States, declaring the urgency of this act, to take effect immediately," approved February 10, 1943, and to amend Sections 1174, 1175, and 1176 of the Government Code, relating to the deposit and disbursement of moneys withheld from salaries or wages paid to any person by the State or other public agencies pursuant to the Internal Revenue Law of the United States or any requirements of the Commissioner of Internal Revenue pursuant thereto.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 6, 1949, strike out lines 1 to 13, inclusive, and insert

"An act to amend Sections 1174, 1175, and 1176 of the Government Code, relating to the deposit and disbursement of moneys withheld from salaries or wages paid to any person by the State or other public agencies pursuant to the Internal Revenue Law of the United States or any requirements of the Commissioner of Internal Revenue pursuant thereto, and to provide for the transfer of money heretofore deposited."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 15, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 34, inclusive, and insert
"SECTION 1. Section 1174 of the Government Code is amended".

Amendment No. 4

On page 2 of said bill, strike out line 45, and insert
"SEC. 2 Section 1175 of said code is amended".

Amendment No. 5

On page 3 of said bill, strike out line 6, and insert
"SEC. 3. Section 1176 of said code is amended".

Amendment No. 6

On page 3 of said bill, strike out lines 23 to 27, inclusive, and insert

"SEC. 4. All money heretofore deposited in the "Special Deposit Fund" in the State Treasury pursuant to the provisions of Section 1174 and remaining unexpended or unclaimed on the effective date of this act shall, on order of the State Controller, be transferred to the General Fund in the State Treasury.

SEC. 5. All money heretofore deposited in the county treasury as trust moneys pursuant to the provisions of Section 1175 and remaining unexpended or unclaimed on the effective date of this act shall, on order of the board of supervisors of the county, be transferred to the general fund in the county treasury.

SEC. 6. All money heretofore deposited as the "Victory Tax Trust Deposit" in the depositary designated for the funds of any public agency pursuant to Section 1176 and remaining unexpended or unclaimed on the effective date of this act, shall, on order of the governing body of such public agency, be transferred to the general fund in the treasury of such public agency."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 78

Mr. Crichton asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 78, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 78

Assembly Concurrent Resolution No. 78—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the eleventh day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—54.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REASON FOR LEAVE OF ABSENCE BE NOTED IN THE JOURNAL

Mr. Burkhalter asked for, and was granted, unanimous consent that it be noted in the Journal that he was granted a leave of absence for the day on Friday, May 6, 1949, because of legislative business elsewhere; and that page 2962 of the Assembly Journal for that day be corrected, as he did not desire to waive his per diem, as recorded.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 404—An act to add Section 21.2 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 487—An act to amend Section 19a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to emergency employees in municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 490—An act to amend Section 12 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to residential qualifications of attaches of municipal courts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3139—An act to amend Sections 1.5 and 4 of the Judges' Retirement Act, relating to the retirement, with retirement allowances, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts, in respect to computation of service and amount of allowances.

Bill read second time, and ordered engrossed.

Assembly Bill No. 112—An act to amend Section 451 of the Unemployment Insurance Act, dealing with disability insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 898—An act to amend Section 204 of the Unemployment Insurance Act, dealing with disability insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1596—An act to amend Section 204 of the Unemployment Insurance Act, relating to disability insurance payments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1326—An act to add Article 5 to Chapter 1 of Part 7 of Division 2 of the Labor Code, relating to streets and highways within cities and towns.

Bill read second time, and ordered engrossed.

Assembly Bill No. 30—An act to amend Sections 642 and 666 of the Agricultural Code, relating to products which are substitutes for or imitations of dairy products

Bill read second time, and ordered engrossed.

Assembly Bill No. 486—An act to amend Section 25a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved

May 23, 1925, relating to powers and duties of marshals in municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 6, of the printed bill, after "all", insert "civil".

Amendment No. 2

On page 1, line 8, of the printed bill, after "provisions", insert a comma and "except those relating to criminal process,"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Hoffman asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1597—An act to amend Section 205 of the Unemployment Insurance Act, relating to eligibility for unemployment compensation disability benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "four", and insert "seven".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 809—An act to amend Section 7420 of the Business and Professions Code, relating to the granting of cosmetology licenses

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 17, 1949, after "of", insert ", and to add Section 7421 to".

Amendment No. 2

On page 1 of said bill, strike out lines 21 to 24, inclusive; and strike out page 2, and insert

"Every person receiving a certificate of registration and license as a hairdresser and cosmetician or cosmetologist under this section shall furnish evidence satisfactory to the board that he has had not less than one year of experience in the practice of

cosmetology before he is issued a certificate of registration and license as a hairdresser and cosmetician or cosmetologist designating him as a manager-operator.

SEC. 2. Section 7421 is added to said code, to read

7421. Any person having a barber's license in this State or any other state or country, and a permanent waiver's license in this State, shall be permitted to take the cosmetology examination in this State upon paying the necessary fee. Such person who has owned and operated in a cosmetological establishment in this State for a period of five years, upon passing the cosmetology examination, shall be granted a manager-operator license. Such time as he has spent in the armed services of the United States shall be counted in computing the five year period."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 181—An act to amend Section 202 of the Unemployment Insurance Act, relating to disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "202", and insert "203".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 203 of the Unemployment Insurance Act is amended to read:

Sec. 203. The total amount of unemployment compensation disability benefits [and the weekly benefit amount] payable to an eligible individual under this article during any one benefit year shall be computed in accordance with the provisions of Section [s] 53 [and 54] of this act

An individual's "weekly benefit amount" shall be the amount appearing in Column B in the table set forth in this section on the line of which in Column A of such table there appears the wage bracket containing the amount of wages paid to such individual for employment by employers during the quarter of his base period in which wages were the highest.

A *Amount of wages in highest quarter*	*B* *Weekly benefit amount*
$75.00-$199.99	*$10*
200.00- 219.99	*11*
220.00- 239.99	*12*
240.00- 259.99	*13*
260.00- 279.99	*14*
280.00- 299.99	*15*
300.00- 319.99	*16*
320.00- 339.99	*17*
340.00- 359.99	*18*
360.00- 379.99	*19*
380.00- 399.99	*20*
400.00- 419.99	*21*
420.00- 439.99	*22*
440.00- 459.99	*23*
460.00- 479.99	*24*
480.00- 499.99	*25*
500.00- 509.99	*26*
510.00- 519.99	*27*
520.00- 529.99	*28*
530.00- 539.99	*29*

A *Amount of wages in highest quarter*	*B* *Weekly benefit amount*
$540.00-$549.99	*$30*
550.00- 559.99	*31*
560.00- 569.99	*32*
570.00- 579.99	*33*
580.00- 589.99	*34*
590.00- and over	*35*

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1238—An act to add Section 7.6 to the California Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, strike out the period, and insert ", and making an appropriation."

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 26, inclusive; and on page 2, strike out lines 1 to 19, inclusive, and insert

"SEC. 7.6. (a) Notwithstanding any other provisions of this act, effective on and after January 1, 1950, the term "employment" shall, for the purposes of this act, include service performed in the employ of the State of California.

(b) For the purpose of making contributions as an employer under this act, and in lieu of any other contributions which the State would otherwise be required to pay as an employer under the provisions of this act, the State shall pay, from the General Fund and from each special fund, into the Unemployment Fund, in the State Treasury, at the times and in the manner provided in subdivision (c) of this section, an amount hereinafter referred to as the "State's Contribution," equal to that portion of the total benefits paid by the State, under the provisions of this act, to claimants who, during the applicable base year, were paid wages by the State, which the total wages paid by the State from each such fund to claimants of such benefits during the base year bears to the total wages paid to such claimants during such base year by all employers, including the State, who were liable for contributions during such year. Wages paid by the State and excluded by law in determining rights to benefits under this act shall be excluded from such computation. If a claimant to whom benefits were paid was paid wages by the State during the base year from the General Fund in the State Treasury, the State's contribution with respect to such benefits shall be paid from the General Fund; and if such claimant was paid wages by the State during the base year from a special fund in the State Treasury, the State's contribution with respect to such benefits shall be paid from such special fund.

(c) The amount of the State's contribution payable for each fiscal year from the General Fund and from each special fund in the State Treasury shall be determined by the commission as soon as practicable after the end of such year; and upon making such determination, the commission shall certify to the State Controller the amount so determined with respect to each such fund. On order of the State Controller, the State's contribution payable from the General Fund and from each special fund, pursuant to such determination, shall be transferred to the Unemployment Fund in the State Treasury. There is hereby appropriated annually from the General Fund and from each special fund in the State Treasury an amount equal to the State's contribution payable from each such fund with respect to benefits paid during each fiscal year, as herein provided.

(d) Sections 44 and 44.2 and Article 10 of this act shall not apply to the State of California nor to individuals employed by the State of California unless and until a majority of such individuals have elected in writing to be subject to the provisions of said Sections 44 and 44.2 and Article 10, and unless the commission shall have approved such election. An election made under the provisions of this subsection shall be binding upon the individuals making such election for a period of not less than two years from the effective date of the election, and shall cease to be effective as of the first day of January of any year following the expiration of such two-year period if, on or before the thirty-first day of such month of January, a majority of the individuals

subject to such election have filed with the commission a written notice of their termination of such election. For the purpose of this subsection, the commission may approve written elections of coverage under Sections 44 and 44.2 and Article 10 of this act, when such elections have been made and filed with the commission by a majority of the individuals employed by the State in a particular state department, division, bureau, board, commission, or agency, or in a particular branch office or other organization unit thereof.

(e) The commission may require from each state agency, as the term "State agency" is defined in Section 11000 of the Government Code, such financial, statistical, or other information and reports, properly verified, as may be deemed necessary by said commission to carry out its duties under this section; and such information and reports shall be filed with the commission by each such state agency at the time and in the manner prescribed by said commission."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1853—An act to repeal Sections 750.1 and 750.2 of the Insurance Code and to amend Section 12400 thereof, relating to title insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to repeal Sections 750.1 and 750.2 of, and to add Article 6 to Chapter 1 of Part 6 of Division 2 of the Insurance Code, relating to the payment of rebates and commissions on title insurance business by title insurers and others."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Article 6 is added to Chapter 1, Part 6, Division 2 of the Insurance Code, to read:

Article 6. Rebates and Commissions

12401. Every title insurer shall adopt, print and make available to the public a schedule of fees and charges for title policies. Such schedule shall show the entire charge to the public for each type of title policy regularly issued by the insurer, either by a statement of the particular charge for each type of policy in given amounts of coverage or by a statement of the charge per unit of the amount of coverage, or a combination of the two, and shall include the charge made by any underwritten title company for the title search, title examination, certificate or abstract of title upon the basis of which such title policy is issued. Such schedule may include a statement that additional charges are made when unusual conditions of title are encountered or when special or unusual risks are insured against and that additional charges are made for special services rendered in connection with the issuance of a title policy. Such schedule may provide different fees or charges for title policies covering property in different counties or separate schedules may be adopted for title policies covering property in different counties.

12402. Each person engaged in the business of handling escrows of real property transactions in connection with which title policies are issued by a title insurer, which person, if an artificial person, directly or indirectly, is controlled by, or controls, or is under common control with, a title insurer, or controls or is controlled by or is under common control with an underwritten title company, or, if a natural person, is employed by or controlled by a title insurer, or by an underwritten title company, is herein, for the purposes of this article, called a "controlled escrow company." Each person engaged in the business of preparing title searches, title examinations, certificates or abstracts of title upon the basis of which a title insurer regularly writes title policies is herein called, for the purposes of this article, "an underwritten title company."

12403. The schedules provided for in Section 12401 shall be printed in type not smaller than 10 point, shall be dated to show the dates they became effective, and so long as they are effective shall be kept at all times readily available to the public and prominently displayed in a public place in each of the offices of the title insurer, the controlled escrow company and the underwritten title company in the particular county to which they relate. On request, copies of such schedules shall be furnished

to the public All or any part of any schedule may be changed or amended at any time or from time to time. Each change or amendment shall be printed and dated to show the effective date of such change or amendment No change or amendment shall become effective until at least five days after it has been displayed in the offices above mentioned in this section in the same manner as above provided for the display of schedules, and no change or amendment, increasing fees or charges, shall apply to title policies ordered prior to the effective date of such change or amendment. Each title insurer, controlled escrow company and underwritten title company shall keep a complete file of its schedules and of all changes and amendments thereto until at least five years after they shall have ceased to be in effect, and such file shall be available for inspection by the commissioner at any appropriate time

12404. No title insurer, no controlled escrow company, and no underwritten title company shall pay to any person who is acting as agent, representative, attorney, or employee of the owner, lessee, mortgagee or of the prospective owner. lessee, or mortgagee of the real property or any interest therein, either directly or indirectly, any commission, or any part of its fees or charges or any other consideration as an inducement for or as compensation on any title insurance business or any escrow or other title business in connection with which a title policy is issued.

12405. No title insurer, no controlled escrow company, and no underwritten title company shall make any rebate of any portion of the fee or charge shown by the schedule required by Section 12401. No title insurer, no controlled escrow company and no underwritten title company shall quote any fee or make any charge for a title policy to any person which is less than that currently available to others for the same type of title policy in a like amount covering property in the same county and involving the same factors as set forth in its then currently effective schedule of fees and charges. The amount by which any fee or charge is less than that called for by the then currently effective schedule of fees and charges of the title insurer is an unlawful rebate; provided that nothing contained in this article shall prohibit bulk rates or special rates for customers of prescribed classes if such bulk or special rates are provided for in such schedule.

12406 No title insurer shall issue any title policy in any transaction in connection with which it or any person which is a controlled escrow company or underwritten title company by reason of its relationship with such title insurer has paid or contemplates paying any commission in violation of Section 12404 or in connection with which it or any such controlled escrow company or underwritten title company has made or contemplates making any unlawful rebate in violation of Section 12405.

12407. The commissioner, if he has reason to believe that any controlled escrow company or any underwritten title company has violated or is violating any of the provisions of this article, has the power and it is his duty to forthwith examine its books, records and accounts and in making any such examination he has all the powers set forth in Article 4, Chapter 1 of Part 2 of Division 1 of this code and any company so examined shall pay to the commissioner the cost of such examination on demand. Any moneys collected by the commissioner pursuant to this section shall be deposited by him in accordance with Section 736 of this code Whenever the commissioner examines a title insurer, he shall make such examination of its books, records, and files as may be necessary in his judgment to determine whether or not it has violated or is violating any of the provisions of this article.

12408. Every title insurer shall include in its annual statement furnished the commissioner pursuant to Article 1, Chapter 1, Part 2, Division 1 of this code, the name of each person which is a controlled escrow company or underwritten title company by reason of its relationship with such title insurer.

12409. Every title insurer and every controlled escrow company and every underwritten title company which pays any commission or which makes any unlawful rebate in violation of this article shall be liable to the people of California for five times the amount of any such commission or unlawful rebate, the amount thereof to be recovered by the commissioner pursuant to Section 12976 of this code in addition to any other penalty imposed by law.

12410. In enforcing any of the provisions of this article, the commissioner shall be entitled to the remedies provided for in Section 12928.6 of this code.

12411. The commissioner may cancel the certificate of authority of any title insurer which, after 10 days' written notice from the commissioner requiring it so to do, fails to print, display and make available to the public its schedule of fees and charges in the manner provided in this article. The commissioner may likewise cancel the certificate of authority of any title insurer which, after 10 days' written notice from the commissioner requiring it to cease and desist, continues to pay any commission or to make any rebate in willful violation of the provisions of this article, or to issue any title policy in willful violation of Section 12406

12412. Nothing in this article prohibits the division of fees or charges between two or more title insurers or between one or more title insurers and one or more underwritten title companies; provided that a title insurer shall specify on any title policy issued by it, in a single amount, the entire charge made to obtain such title policy including the charge made by any underwritten title company for the title search, title examination, certificate or abstract of title upon the basis of which such title policy is

issued. Such specification of charge on a title policy shall be deemed to be a compliance with the provisions of Section 381 (f) of this code notwithstanding that only a portion thereof is income to the title insurer.

SEC 2. Sections 750.1 and 750.2 of the Insurance Code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2547—An act to amend Section 1401 of the Insurance Code, relating to insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the title of the printed bill, after "An act to", strike out "amend Section 1401 of the Insurance Code, relating to insurance."

Amendment No. 2

In the title of said bill, after "An act to", insert "repeal Section 11556.5 of the Insurance Code and to amend Section 11699 of the Insurance Code, relating to workmen's compensation insurance."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 20, inclusive.

Amendment No. 4

On page 1 of said bill, after line 20, insert

"SECTION 1. Section 11556.5 of the Insurance Code is repealed

SEC 2. Section 11699 of said code is amended to read.

11699 The bond shall be in an amount:

(a) Not less than the following amounts computed, *less credits and deductions allowable with respect to reinsurance in admitted insurers*, as of the close of the last preceding December 31st in respect to workmen's compensation insurance written subject to the workmen's compensation laws of this State:

(1) The aggregate of the present values at 4 percent interest, of the determined and estimated future payments upon claims under compensation policies written more than three years prior to such date.

(2) The aggregate of the amounts computed as follows: For each of the preceding three years take 70 percent of the earned compensation premiums for that year and deduct all loss and loss expense payments made upon claims under policies written in the corresponding year from such 70 percent; the present value at 4 percent interest of the determined and the estimated unpaid claims under compensation policies written in that year.

(b) Not less than one hundred thousand dollars ($100,000)

(c) If the aggregate amount computed under subdivision (a) exceeds fifty thousand dollars ($50,000), not more than double such aggregate amount."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2067—An act to add Part 5A, comprising Sections 1300 to 1392, inclusive, to the Municipal Utility District Act, relating to municipal utility districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in the Assembly on March 23, 1949, after "borrowing.", insert "No such money may be used for acquiring any property owned by public utilities."

Amendment No. 2

On page 4, line 10, of said bill, strike out "thirty", and insert "sixty".

Amendment No. 3

On page 4, line 12, of said bill, strike out "10", and insert "3".

Amendment No. 4

On page 4, line 21, of said bill, strike out "thirty", and insert "sixty".

Amendment No. 5

On page 16 of said bill, strike out lines 14 to 34, inclusive, and insert

"SEC 1392 Bonds issued under this part may be presented to the California Districts Securities Commission for certification under Division 10 of the Water Code in like manner and with the same legal effect as in the case of revenue bonds issued by irrigation districts."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

SECOND READING OF SENATE BILLS

Senate Bill No. 1496—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the Federal System of Discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry and bad-conduct discharges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

On page 2 of the printed bill, after line 24, and before line 25, and as Section 7 of said bill, insert

"SEC. 7 Section 451 of said code is amended to read:

451 The constitution and jurisdiction of general courts-martial, special courts-martial, summary courts-martial, and courts of inquiry, the form and manner in which the proceedings are conducted and recorded, the forms of oaths and affirmations taken in the administration of military law by such courts, the limits of punishment and the proceedings in the revision thereof, shall be governed by the terms of the Articles of War, the National Defense Act, the laws and regulations governing the Army of the United States *and the United States Air Force*, and the law and procedure of similar courts of the United States Army, *and the United States Air Force*, except as otherwise provided in this chapter"

Amendment No. 2

On page 2, line 25, of said bill, strike out "7", and insert "8".

Amendment No. 3

On page 2, line 32, of said bill, strike out "8", and insert "9".

Amendment No. 4

On page 2, line 48, of said bill, strike out "9", and insert "10".

Amendment No. 5

On page 3, line 8, of said bill, strike out "10", and insert "11"

Amendment No. 6

On page 3, line 31, of said bill, strike out "11", and insert "12".

Amendment No. 7

On page 4, line 1, of said bill, strike out "12", and insert "13".

Amendment No. 8

On page 4, line 28, of said bill, strike out "13", and insert "14".

Amendment No. 9

On page 4 of said bill, after line 50, insert

"This act is hereby declared to be an urgency measure necessary for the immediate preservation of public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The Articles of War adopted by Section 102, California Military and Veterans Code, have been substantially amended and modified by Title II of the Selective Service Act of 1948, approved June 24, 1948. It is imperative that the amendments and modifications to the Articles of War be immediately adopted for the control of the California National Guard and for its government at drills, camps and maneuvers to be conducted during the spring and summer of the year 1949."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Military Affairs.

UNFINISHED BUSINESS

RECONSIDERATION OF ASSEMBLY BILL NO. 444

In compliance with a notice given on a previous day, Mr. Butters moved that the vote whereby Assembly Bill No. 444 was refused passage be reconsidered

The roll was called, and Assembly Bill No. 444 reconsidered by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Nicholson, Reagan, Rumford, Sherwin, Sillman, Stanley, Stewart, Thompson, Way, Weber, and Mr. Speaker—57.

NOES—None.

Request for Unanimous Consent That Assembly Bill No. 444 Be Withdrawn From File, and Be Re-referred

Mr. Butters asked for, and was granted, unanimous consent that Assembly Bill No. 444 be withdrawn from file, and be re-referred to the Committee on Agriculture, for purpose of amendment.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 3122, on request of Mr. McCollister.

RECONSIDERATION OF SENATE BILL NO. 89

In compliance with a notice given on a previous day, Mr. Coats moved that the vote whereby Senate Bill No. 89 was refused passage be reconsidered.

The roll was called, and Senate Bill No. 89 reconsidered by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey,

Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—65

NOES—None

Senate Bill No. 89 ordered to third reading.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 9, 1949

MR SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 249—An act to add Section 10115 to the Insurance Code, relating to life insurance policies;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on May 5, 1949, strike out lines 3 and 4, and insert "policy of life insurance either to (1) an amount not less than its established maximum retention, or to (2) fifty thousand dollars".

REGAN	GEDDES
McBRIDE	DOYLE
CUNNINGHAM	BECK
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT MR. KATZ BE PERMITTED TO SIT AT DESK

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to invite Mr. Martin J. Katz, Chief Research Attorney of the Judicial Council of the State of California, to sit at his desk during consideration of a series of judicial bills.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1814—An act to amend Section 1770 of the Government Code, relating to vacancies in office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1815—An act to repeal Sections 159 and 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—54.

NOES—Burkhalter, Butters, Erwin, Evans, Geddes, Hahn, Lowrey, and Thomas—8.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1816—An act to amend Section 144 of the Code of Civil Procedure, relating to courtrooms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—62.

NOES—Lowrey and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1817—An act to amend Section 26203 of the Government Code, relating to census.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1818—An act to amend Section 77a of the Code of Civil Procedure and Section 1469 of the Penal Code, relating to appeals to superior courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse,

Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1819—An act to amend Sections 1457 and 1463 and to repeal Section 1570 of the Penal Code, and to amend Section 771 of the Vehicle Code, relating to fines and forfeitures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1820—An act to amend Sections 1425 and 1462 of, and to add Sections 1462.1 and 1462.2 to, the Penal Code, relating to municipal and justice courts.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1821—An act to amend Sections 89, 112, and 396a, and to repeal Section 81, of the Code of Civil Procedure, relating to municipal and justice courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1822—An act prescribing the regulation, government, procedure and jurisdiction of municipal and justice courts, and providing for the election and appointment of the judges, officers

and attaches of such courts, their terms of office, qualifications and compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1823—An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 576—An act to amend Section 18702 of the Education Code, relating to the sale of personal property of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.50 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1484—An act to add Sections 4902.5, 4902.6, 4902.7, 4902 8, 4902.9, 4963.1, 4963.2, 4963 3, and 7431.1 to the Education Code and to amend Sections 4962 and 4963 of said code, all relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—Butters and Lowrey—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF ASSEMBLY BILL NO. 191

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up reconsideration of Assembly Bill No. 191, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

MOTION TO RECONSIDER ASSEMBLY BILL NO. 191

In compliance with a notice given on a previous day, Mr. Stewart moved that the vote whereby Assembly Bill No. 191 was passed be reconsidered.

Demand for Previous Question

Messrs. Conrad, Hagen, Kirkwood, Levering, and Reagan demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Stewart that the vote whereby Assembly Bill No. 191 was passed be reconsidered.

The roll was called, and Assembly Bill No. 191 refused reconsideration by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Collier, Conrad, Cramer, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, and Waters—32.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Gaffney, Hagen, Hawkins, Hollibaugh, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—39.

Assembly Bill No. 191 ordered transmitted to the Senate.

Hon. Ralph C. Dills Presiding

At 11.38 a.m., Hon. Ralph C. Dills, Member of the Assembly from the Sixty-ninth District, presiding.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 38 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Collier moved that Assembly Bill No. 38 be withdrawn from the Committee on Public Morals, and be placed upon the file.

Point of Order

Mr. McMillan arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Acting Speaker Ralph C. Dills ruled the point of order well taken.

Point of Order

Mr. McMillan again arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Acting Speaker Ralph C. Dills ruled the point of order well taken.

Demand for Previous Question

Messrs. Kirkwood, Hahn, Hinckley, Lindsay, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Collier that Assembly Bill No. 38 be withdrawn from the Committee on Public Morals, and be placed upon the file.

Point of Order

Mr. Heisinger arose to the following point of order: That Mr. Collier has exceeded his time.

Ruling by Speaker

Acting Speaker Ralph C. Dills ruled the point of order not well taken.

The roll was called, and the motion that Assembly Bill No. 38 be withdrawn from the Committee on Public Morals, and be placed upon the file lost by the following vote:

AYES—Babbage, Burke, Butters, Coats, Collier, George D. Collins, Conrad, Erwin, Hagen, Hahn, Heisinger, Levering, Lewis, Lowrey, Luckel, Reagan, Sherwin, Smith, Stanley, and Stewart—20.

NOES—Berry, Brady, Brown, Burkhalter, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hawkins, Hoffman, Holibaugh, Huyck, Kilpatrick, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—44.

Speaker Pro Tempore Presiding

At 12.00 m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

RECESS BY UNANIMOUS CONSENT

At 12.01 p.m., on motion of Mrs. Niehouse, the Assembly recessed until 12.15 p.m. for the purpose of presenting a gift from the Members of the Assembly to the Hon. Howard K. Cramer, who is resigning from the Assembly on May 28th, as an expression of affection and regret that he is resigning from the Legislature.

REASSEMBLED

At 12.15 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2174

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2174, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2174

Assembly Bill No. 2174—An act to add Section 6a to the Metropolitan Water District Act, relating to water districts.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 22, 1949, after "vote", insert "or votes".

Amendment No. 2

On page 1, line 8, of said bill, after "district", strike out the balance of the line; and strike out lines 9 and 10.

Amendment No. 3

On page 1 of said bill, between lines 8 and 9, insert "in accordance with the provisions of Section 6 of this act as to the number of votes he shall be entitled to cast; provided, however, that each representative of a city entitled to more than one representative on the board of directors shall cast votes equal in number to that number obtained by dividing the total votes such city would otherwise be entitled to cast by the number of representatives of such city on the board of directors. The votes of members representing more than fifty (50) percent of all the members shall be necessary to determine whether or not the application for annexation or inclusion shall be granted

SEC. 2 Section 7.2 is added to the said act to immediately follow Section 7.1, to read

Sec. 7.2. Whenever the board of directors finds it to be of urgent necessity to preserve the welfare of the district and municipalities or subdivisions or areas adjacent to it by annexation or inclusion of additional subdivisions or municipalities or areas to or within the district, then, notwithstanding any other provisions of this act, any ordinance or resolution adopted by a vote of three-fourths of the total vote of the board for the purpose of granting an application for annexation or inclusion may be adopted; provided, however, that such application must have been previously before the board In enacting this section the Legislature declares that the urgency of such situation as provided for herein is equal to the urgencies contemplated in Section 7.1 of this act where the board may vote in a manner otherwise than as provided in Section 6 of this act."

Amendment No. 4

In the title of said bill, after "Section 6a", insert "and Section 7.2".

Request for Unanimous Consent That Amendments Be Corrected

Mr. Geddes asked for, and was granted, unanimous consent that the amendments to Assembly Bill No. 2174, which have just been placed across the desk, be corrected, at this time.

Amendments read, as corrected.

The question being on the motion to adopt the amendments offered by Mr. Geddes to Assembly Bill No. 2174.

Substitute Motion

Mr. Waters moved, as a substitute motion, that the amendments offered by Mr. Geddes to Assembly Bill No. 2174 be printed in the Journal, and action upon their adoption be deferred.

Substitute motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1711—An act to amend Section 10490.1 of the Insurance Code, relating to insurance

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Yorty—66

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 37—Relative to memorializing the Congress of the United States to give the State of California due consideration in proposed national legislation respecting cotton production.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, and Weber—51

NOES—Butters, Hagen, Kirkwood, Lincoln, Sherwin, Sillman, and Yorty—7.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 778—An act to amend Section 203 of the Code of Civil Procedure, relating to the selection of jurors in municipal courts and in police courts in cities of the second class

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2248—An act to amend Section 925 of the Probate Code, relating to vouchers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin,

Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 82—An act to amend Section 252 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—70.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 79

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 79, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 79

Assembly Concurrent Resolution No. 79—Relative to approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—71.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 388

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 388, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 388

Senate Bill No. 388—An act to amend Section 483 of the Vehicle Code, relating to striking an unattended vehicle.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, after "483 ", insert "Duty Upon Striking Unattended Vehicle."

Amendment read, and adopted

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Sherwin:

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to implement the provisions of Article XXV of the State Constitution by providing for the transfer to the Director of the Department of Social Welfare of the possession and control of all county records, books, papers, equipment, and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the needy blind.

Respectfully submitted,

MARVIN SHERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Sherwin:

An act to implement the provisions of Article XXV of the State Constitution by providing for the transfer to the Director of the Department of Social Welfare of the possession and control of all county records, books, papers, equipment, and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the needy blind.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3145: By Mr. Sherwin—An act to implement the provisions of Article XXV of the State Constitution by providing for the transfer to the Director of the Department of Social Welfare of the possession and control of all county records, books, papers, equipment, and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the needy blind.

Referred to Committee on Governmental Efficiency and Economy.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals of Monday, May 2, 1949; Tuesday, May 3, 1949; Wednesday, May 4, 1949; Thursday, May 5, 1949; and Friday, May 6, 1949; be approved as corrected by the Minute Clerk.

RESOLUTIONS

The following resolution was offered:

By Mr. Elliott:

House Resolution No. 193

Relative to memorializing the House of Representatives of the Congress of the United States to pass S. 1070, the "Housing Act of 1949"

WHEREAS, The general welfare and security of the State and the Nation and the health and living standards of the people require production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and the realization, as soon as feasible, of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the State and Nation; and

WHEREAS, The Senate of the United States passed S. 1070, entitled in this act as the "Housing Act of 1949," which provided for a comprehensive program to assist private enterprise in developing low cost housing and clearing slum and blighted areas; for low rent public housing where required; for community redevelopment; for the development of rural housing; for other beneficial provisions, including preferential treatment for veterans of World War II; and for the necessary legal and financial prerequisites for such a broad housing program; and

WHEREAS, S. 1070, the "Housing Act of 1949," would be of great benefit to the people of California and do much to attain the objectives mentioned in the first paragraph of this resolution; and

WHEREAS, This bill is now pending before the House of Representatives of the Congress of the United States for further action; now, therefore, be it

Resolved, by the Assembly of the State of California, That this Assembly on behalf of the people of California memorializes and requests the House of Representatives of the Congress of the United States to pass S. 1070; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby instructed to send at once copies of this resolution to all of the Members of Congress from the State of California

Resolution read, and ordered referred to the Committee on Rules.

Speaker Presiding

At 12:49 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:
Senate Bill No 147

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and re-refer to the committee

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER. Your Committee on Livestock and Dairies, to which was referred:
Assembly Bill No. 2093

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:
Assembly Bill No. 2372

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR SPEAKER: Your Committee on Livestock and Dairies, to which was referred.
Senate Bill No. 1253

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No 965	Senate Bill No. 1132
Senate Bill No 1131	Senate Bill No 1133

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER · Your Committee on Public Health, to which were referred:
Senate Bill No. 812
Senate Bill No. 816
Senate Bill No. 817

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2034

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 766
Assembly Bill No. 1934
Assembly Bill No 1988
Assembly Bill No. 2156

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THOMPSON, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 528

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 610

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1175

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 3110

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 91
Assembly Bill No. 2227

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2389
Assembly Bill No. 2765

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 286
Assembly Bill No 473
Assembly Bill No. 750
Assembly Bill No. 2229
Assembly Bill No. 3116

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Senate Bill No 1337
Senate Bill No. 202
Senate Bill No. 380
Senate Bill No 1406

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2846

Has had the same under consideration, and reports the same back with the recommendation Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 30
Assembly Bill No. 112
Assembly Bill No. 404
Assembly Bill No. 487
Assembly Bill No. 490
Assembly Bill No. 898
Assembly Bill No. 1596
Assembly Bill No. 3139

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1761

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 10, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 32

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 12.50 p.m., on motion of Mr. Coats, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted Mr. Coats by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—76.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3146: By Mr. Coats—An act to add Sections 674.5, 678.3, and 678.9 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Referred to Committee on Transportation and Commerce.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Dickey.

Mr. Fletcher, on motion of Mr. Dickey.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Dickey.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Manufacturing, Oil, and Mining Industry, in Room 432.

Conservation, Planning, and Public Works.

Governmental Efficiency and Economy, in Room 435.

Tonight at 8 p.m.—

Education, in Room 432.
Municipal and County Government.
Constitutional Amendments.

Monday night, May 16th, at 8 p.m.—

Subcommittee on Ways and Means. Subject: Assembly Bill No. 2120.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mario Castagnola and Albert Castagnola of Santa Barbara.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Kenneth Hahn of Los Angeles.

On request of Mr. Clayton A. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Bernard N. Robinson of Gardena.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Bert C. Leech of Perris.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Miss Melba Montrose of San Francisco.

On request of Messrs Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Charlotte M. Stinehart and Ben Renz, teachers of the Ripon School, Mesdames Estelle Rasmussen and Mavis Stouffer, mothers, and the following pupils: Barbara Jean Ashcom, Gene Boaz, Barbara Jane Brooks, Willard Dean Burton, Mason Chancellor, Wanda Janiece Clark, Richard Lee Detmers, Pearl Harriet DeWeerd, Donna Joy Eastburg, Mike Louie Enos, Dorothy Ann Esteves, Frederick J. Fagundes, Ronald Clay Fryer, Charles Edward Green, Norma Helen Groetsema, Curtis LeRoy Holley, Billie Jean Jones, Kenneth Delane Lampe, Linda Delores Leon, Frank Joseph Luis, Thomas Carl Manz, Carol Ann McGee, Anna Marie Meedom, Sharon Clare Mulholand, Sylvia Lorraine Rackley, Carolee Rasmussen, Orvil Lee Roesberry, Shirley Lee Rutter, Ronald Ardean Sand, Robert Jerome Silva, Donald Erwin Snelling, Patricia Joyce Stearns, Frank Machado Steves, Gaynl Clair Stouffer, Virginia Joan Thompson, Charles Donald Toombs, Louise Ann VanderLaan, Susan Laura VanderLaan, Madeline Amelia Vieira, Barbara Mae Wilburn, and William Eugene Yarber.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the California State Association of Colored Women's Federated Clubs, Inc.: Mesdames Annie Roan and Margaret Allen of San Francisco; Maggie Marshall, Frances Albrier, Margaret Nottage, and D. G. Gibson of Berkeley; Marion Miller, Corrie Brownlee, and Mayme Netherlands of Oakland.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Rosemary Selch and Ralph Denman, teachers of the Evergreen School of San Jose; Mesdames

Henry Gerdts, Clem Mercier, Chas. Swanson, Albert Kampfen, and Bell, parents, and the following pupils: Patsy Baker, Frank Barrera, Judy Bell, Beatrice Carrillo, Gary Della Maggiore, Marvin Gerdts, Sam Gimelli, Joan Hembree, Robert Jones, Arlene Kampfen, Chester Marshall, Robert Martinez, Eddie Maruyama, Dorothea Lorraine Mercier, Mary Miranda, Kimiko Omotani, Betty Lea Riddle, Henry Sanchez, Alan Swanson, and Audrie Swanson.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Hazel Woolley and Mrs. June Bunn, teachers of the Knightsen School; Mesdames Harry Hobbs, Arthur Somerhalder, Chester Rossi, Geo. Pinney, Joe Cecchini, Raymond Walker, and Chas. Cekola, mothers; and the following pupils: Elpedia Garcia, Lenora Foost, Joan Hobbs, Roberta Rossi, Helena Somerhalder, Patsy Aguilar, Antonia Alanis, Jean Vasquez, Thelma Craggs, Rowena Davenport, Madeline Duran, Billie Harris, Margie Simmons, Jean Singh, Conwie Vasquez, Norma Lee Webb, Sandra Walker, Dorothy Simmons, Jerilee Geddes, Maggie Alanis, Carmen Berumen, Lavera Foust, Carmen Singh, Shirley Willis, Hilaria Vrenda, Hazel Calvert, James Bartels, Howard Bloomfield, Manuel Garcia, Jack Ladd, Donald Lee, Claudio Martinez, Shigeru Niiyoma, Robert Pinney, Jack Webb, Arthur Yingling, Bruce Langshaw, Peter Martinez, Vincent Pastor, Manuel Tarango, Gordon Willis, Edward Pinney, and Robert Cecchini.

On request of Messrs. Caldecott and Rumford, the usual courtesies of the Assembly for this day were unanimously extended to Mesdames Lopez, Short, Potter, Crockett, Webb, White, Hutchinson, Mary Smith, Dimick, Triplett, Vollmar, Hartnett, Seipp, Trimble, and Mathewson; Misses Gifford, Davis, and Kenworthy, sponsors of the Camp Fire Girls of Berkeley, and the following members: Lois Nance, Dona Colby, Sandra Burgess, Lolamae Wax, Grace Monday, Twyla Joiret, Marie Capelli, Lucretia Markham, Barbara Kimball, Barbara McCorkle, Dalrene Becher, Corrine Lee, Alice Davenport, LaRue Rohn, Carol Rush, Verona Chavez, Julie Kren, Lou Braden, Bernice Hoare, Arlene Hollett, Betty Chapman, Leona Fons, Betty Fowells, Karen Petersen, Nancy Potter, Adrienne Reip, Barbara Reynolds, Joan Rose, Margaret Stone, Hilde Stern, Virginia Horning, Arlene Davis, Terri Anderson, Ann Bowen, Gail Champion, Sharon Crowther, Dorothy Ellis, Arlene McCoy, Deborah Porritt, Vernita White, Gloria Gregg, Marie Gregg, Pat Holland, Lorraine Jackson, Mary Jordan, Anita Lacey, Elaine Logwood, Beatrice Morrison, Bertha Rochelle, Brenda Stephens, Deborah Porritt, Barbara Stephens, Carol Trimble, Ann Shoepe, Joan Yamasaki, Ann Hutchinson, Donna Sperring, Arlene Dalton, Priscilla Keays, Charlene Strahl, Elaine Kitchell, Pat Meyers, Lynn Ross, Ione Kjelstrom, Linda Larsen, Marilyn Dill, Julie Bale, Jane Missling, Jeanne Burlingame, Judy Webb, Mildred Ferguson, Lorelda Fox, Kay Johnson, Gloria Cooper, Virginia Augustine, Marion James, Alice Missling, Diane Neel, Joan Triplett, Judy Vollmar, Audrey Wager, Suzanne Webber, Carol Sayer, Kathleen Pendleton, Donna Shervington, Ann Batchelder, Mary Ann Gasser, Carolyn Henderson, Marcia O'Connor, Beverly Warren, Joy Weil, Sharon Workman, Loretta Frug, Barbara Hartnett, Andrea Brearcliffe, Phyllis Porter, Patricia Davis, Evonne Kempf, Marion MacDonald, Maxine Sawdy, Ann Bowman, Anne Brownson, Betsy Dimick, Dorothy Graves, Nicky Haumeder, Sonya Misch, Patricia Voitich, Suzanne Wick,

Jean Williams, Wanda Sparks, Pat Royer, Carolyn Runnion, Leanne Seipp, Beverly Marshman, Mary Ozias, Margot Blume, Norma Blume, Janet Harris, Beverly Joost, Sally McDonald, Pat Tunnicliff, and Mary Wood.

On request of Mr. Gaffney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Evelyn D. Spellman and Maizie Clark, teachers of the Grattan School of San Francisco, and the following pupils: Julius Bank, Frank Banks, Joyce Beverfordan, Rodney Birkett, Louise Carlson, Renee Chesse, Gene Ellinger, Donald Flick, Stanley Fox, Marian Griffith, Hilde Grillich, Eleanor Holmes, Barbara Jenkins, Lily Kaji, Lee Carol Lombard, Virginia McElvain, Dorothy Molise, Georgia Morgan, Marilynn Parker, Verna Pearson, Jim Pendleberry, Jerry Pfingsten, Allan Pierce, Margery Saunders, Janet Schwanb, Jerome Smith, Louise Snyder, Michael Sweeney, Jerome Smith, and Herbert Vogler.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the Coro Foundation: May Gardner of San Jose, Dorothy Schell of Chico, Arthur Shapiro and Irwin J. Yarkin of New York City, Harry L. Morrison of Berkeley, W. Kenneth Norris of Oakland, Loy A. Dickinson of Berkeley, Roger L. Ranck of Mill Valley, Robert L. Coate of Stanford University, Marshall C. Kelly of Saratoga, Samuel S. Sewall of Redlands, Leo M. Ferko of South San Francisco, Frank Abeshire of San Francisco, and John R. Johnson of Menlo Park.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Rachael Treacy and Irma Treacy of San Francisco.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Ralph T. Wattenburger, teacher of the Livermore Union High School, and the following pupils: Anita Bass, Bob Berry, Phylis Burr, Dan Clelland, Jas. Concannon, Roy Creager, Jeanne Daly, Barbara DePaoli, Anne Fagundes, Mary Fosworthy, Charles Fracisco, Marian Garbini, Bob Green, Barbara Greeno, Wes Holland, Shirley Hope, Bill Huddleston, Margaret Huff, Joann Jensen, Wallace Keegan, Joan Marsh, Gerald Meamber, Maxine Meyers, Diane Micheli, Jasper Morrison, Patricia Olsen, Betty Olson, Margaret Perry, Bernie Rafal, Bill Ralph, Peggy Regan, Estaline Simes, Dick Schaeffer, Dale Swardley, Patricia Taylor, Jim Tolle, Dave Valdick, and Janet Vandale.

On request of Mr. Hollibaugh and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Raymond Darby of Los Angeles.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Johnny Fry and Owen Roberts of Redondo Beach.

ADJOURNMENT

At 12.53 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 30 a.m., Thursday, May 12, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED THIRTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, May 12, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Wisdom: We pray this morning for all the people of this great State with its many diverse groups and differing points of view;

With their many sectional desires and calls for action, and with the expectation of the immediate fulfillment of their dreams

May the general public have the wisdom to see that it is impossible for every one to get everything that he wants in a finite world.

Intelligence to see that local proposals often conflict with public welfare or with the wisdom of the centuries.

We earnestly pray that our intelligent citizens may constantly beware of the isms and panaceas which would dissipate our resources or threaten our stability.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Moss, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Grant.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Hinckley, on motion of Mr. Collier.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CITY OF LOS ANGELES, CALIFORNIA, May 10, 1949

Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
State Capitol, Sacramento 14, California

DEAR SIR. Transmitted herewith copies of Los Angeles City Ordinance No. 89,677 establishing regulations on automobile parking lots. Please refer to House Resolution No 71, made by Mr Evans on January 26, 1949.

Very truly yours,

WALTER C. PETERSON, City Clerk
By M. B. WILSON, Deputy

Enclosure

Above mentioned ordinance ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 200—An act to add Article 5 to Chapter 1, Part 5, Division 11, of the Water Code, relating to flood control;

Assembly Bill No. 453—An act to amend Section 18852 of the Government Code, relating to salaries of state employees;

Assembly Bill No. 521—An act to repeal Sections 4136, 4137, 4138, and 4139 of, and to add Sections 4136, 4137, 4138, and 4139 to, the Health and Safety Code, relating to garbage disposal districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 642—An act to add Section 1301.1 to the Education Code, relating to the employment of assistant and deputy superintendents of school districts;

Assembly Bill No. 767—An act to amend Sections 16 and 27 of the Vehicle Parking District Act of 1943, relating to motor vehicle parking facilities;

Assembly Bill No. 916—An act to amend Section 202 of the Welfare and Institutions Code, relating to county contracts for medical and hospital services;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 939—An act to amend Section 497 of the Fish and Game Code, relating to closures to fishing;

Assembly Bill No. 941—An act to amend Section 1158 of the Fish and Game Code, relating to hunting;

Assembly Bill No. 943—An act to repeal Sections 1040, 1041, and 1042, and to amend Section 1043, of the Fish and Game Code, relating to fish breeding;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 3 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 997—An act to add Section 7325 to the Business and Professions Code, relating to cosmetology;

Assembly Bill No. 1012—An act to amend Section 25365 of the Government Code, relating to the powers and duties of boards of supervisors;

Assembly Bill No. 1197—An act to add Section 2512 to the Revenue and Taxation Code, relating to the time of payments due taxing agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 3 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1421—An act to add Section 9095 to the Insurance Code, relating to fraternal fire insurers;

Assembly Bill No. 1662—An act to amend Sections 6852, 6855, 6857, 6861, 6862, 6864, 6865, 6866, 6876, 6877, 6878, 6880, 6885, 6886, 6889, 6890, 6895, 6897, 6898, 6902, 6906, 6907, 6908, 6909, 6910, 6911, 6912, 6913, 6914, 6915, 6916, 6922, 6923, 6925, 6926, 6930, 6950, and to add Sections 6858, 6931, 6947, 6948, and to renumber Sections 6939 and 6940 of the Business and Professions Code, relating to the regulation and licensing of collection agencies;

Assembly Bill No. 1857—An act to amend Section 16475 of the Government Code, relating to the disposition of interest and other increment derived from the investment of surplus moneys in special funds in the State Treasury;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2076—An act to add Section 2117.5 to the Streets and Highways Code, relating to the Highway Users Tax Fund;

Assembly Bill No. 2162—An act to amend Sections 17221 and 17242 of the Government Code, relating to the registration of warrants drawn against the General Fund;

Assembly Bill No. 2351—An act to amend Sections 1649, 1679, 1706, 1709, 1808, and 1810.5 of the Insurance Code, relating to the licensing of insurance agents, brokers, solicitors and life agents, and to bail agents, permittees and solicitors;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2355—An act to add Section 17007 to the Government Code, relating to the designation of funds by code number, letter, or combination thereof, on all warrants issued by the Controller, and on all reports furnished by the Controller and Treasurer to each other;

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 631

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 631 ordered re-referred to Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1768—An act to amend Section 9 of the Franchise Act of 1937, relating to franchises and the filing of bond;

And reports that the same has been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1098—An act to amend Section 689c of the Code of Civil Procedure, relating to application of proceeds of sale under process;

Assembly Bill No. 1101—An act to amend Sections 690 and 690.26 of the Code of Civil Procedure, relating to exemptions from executions;

Assembly Bill No. 1102—An act to amend Section 542 of the Code of Civil Procedure, relating to the manner in which property is attached;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1103—An act to amend Section 683 of the Code of Civil Procedure, relating to the return of execution;

Assembly Bill No. 1104—An act to amend Section 1166a of the Code of Civil Procedure, relating to unlawful detainer;

Assembly Bill No. 1111—An act to amend Section 689b of the Code of Civil Procedure, relating to executions;

And reports that the same have been correctly enrolled, and presented to the Governor on the eleventh day of May, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 809
Assembly Bill No. 2067

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 809 ordered re-referred to Committee on Public Health.

Assembly Bill No. 2067 ordered re-referred to Committee on Public Utilities and Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 181
Assembly Bill No. 1238
Assembly Bill No. 1853
Assembly Bill No. 2547

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos 181, 1238, 1853, and 2547 ordered re-referred to Committee on Finance and Insurance.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 24
Assembly Constitutional Amendment No. 80

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 78
Assembly Concurrent Resolution No. 79

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 377
Assembly Bill No. 424
Assembly Bill No. 503
Assembly Bill No. 506
Assembly Bill No. 507
Assembly Bill No. 651
Assembly Bill No. 652
Assembly Bill No. 868
Assembly Bill No. 1950
Assembly Bill No. 2374

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 249—An act to add Section 10115 to the Insurance Code, relating to life insurance policies.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 249 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1501

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 53

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 53—Approving the charter of the City of Merced, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of April, 1949.

Referred to Committee on Rules

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 306
Senate Bill No. 318
Senate Bill No. 469
Senate Bill No. 693
Senate Bill No 1049
Senate Bill No. 1051
Senate Bill No. 1092
Senate Bill No. 1472

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 306—An act to amend Section 1461 of the Probate Code, relating to the appointment of guardians for insane or incompetent persons

Referred to Committee on Judiciary.

Senate Bill No. 318—An act to amend Sections 9802, 9807, and 12143 5 of the Education Code and to add Sections 9802.1, 9807.2, and 9807.3 to said code, all relating to the education of mentally retarded minors.

Referred to Committee on Education.

Senate Bill No. 469—An act to add Section 12.5 to an act entitled "An act to provide for the creation, organization, and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to water conservation districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 693—An act to amend Section 27 of the Storm Water District Act of 1909, relating to storm water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1049—An act to amend Section 1143 of the Probate Code, relating to summary sale of decedent's effects to defray burial expense.

Referred to Committee on Judiciary.

Senate Bill No. 1051—An act to add Section 1148.5 to the Probate Code, relating to estates of $200 or less.

Referred to Committee on Judiciary.

Senate Bill No. 1092—An act to add Section 14.3 to the County Water District Act and Section 31006 to the Water Code, relating to county water districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1472—An act amending Section 28134 of the Government Code, relating to salaries of officers.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1236—An act to amend Section 905 of the Fish and Game Code, relating to trammel nets.

Bill read second time, and ordered engrossed.

Assembly Bill No. 286—An act to add Section 1057b to the Code of Civil Procedure, relating to exception to the sufficiency of corporate sureties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 473—An act relating to the operation of airports and airparks, providing for procedure to abate as a nuisance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 750—An act to amend Section 412 of the Code of Civil Procedure and to repeal Section 27291 of the Government Code, relating to service of summons, abolishing certificates of residence and recordation thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2229—An act to amend Section 6652 of the Welfare and Institutions Code, relating to the collection of costs and charges for the maintenance of state hospital patients by the Department of Mental Hygiene.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3116—An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain.

Bill read second time, and ordered engrossed.

Assembly Bill No. 77—An act to amend Section 736 of the Fish and Game Code, relating to the taking of fish, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", declaring the urgency thereof, to"; and strike out line 3 of the title, and insert a period.

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 21, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Geddes asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1222—An act to repeal Article 9, of Chapter 1, of Division 2, of the Fish and Game Code, and to add Sections 1260, 1261, 1262, and 1263, to Article 3, Chapter 3, Part 3, Division 4, of said code, relating to taking of deer with bow and arrow.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "a special", and insert "an archery".

Amendment No. 2

On page 1, line 8, of said bill, strike out "the 10-day period", and insert "a 10-day period with a 3-day interposing interval".

Amendment No. 3

On page 1, line 8, of said bill, after "preceding the", insert "regular".

Amendment No. 4

On page 1, line 11, of said bill, strike out "A special", and insert "An archery".

Amendment No. 5

On page 1, line 14, of said bill, strike out "Special", and insert "Archery".

Amendment No. 6

On page 1, line 14, of said bill, strike out "special", and insert "archery".

Amendment No. 7

On page 1, line 15, of said bill, strike out "special", and insert "archery".

Amendment No. 8

On page 1, line 17, of said bill, strike out "special", and insert "archery".

Amendment No. 9

On page 1, line 20, of said bill, strike out "special", and insert "archery".

Amendment No. 10

On page 1, line 21, of said bill, strike out "special", and insert "archery".

Amendment No. 11

On page 1 of said bill, strike out lines 23 to 25, inclusive; and on page 2, strike out lines 1 to 3, inclusive, and insert "season"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2389—An act to amend Section 1057a of the Code of Civil Procedure and Section 12070 of the Insurance Code, relating to sureties on bonds or undertakings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 13, 1949, strike out "and Section 12070 of the Insurance Code".

Amendment No. 2

On page 2, line 31, of said bill, after "rely", insert "solely".

Amendment No. 3

On page 2, line 32, of said bill, strike out "list", and insert "information".

Amendment No. 4

On page 2 of said bill, strike out lines 34 to 47, inclusive, and insert a period.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2765—An act to amend Section 1659 of the Probate Code, relating to compensation of veterans' guardians.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 31, 1949, strike out lines 5 to 9, inclusive, and insert "except that, in any case in which 5 percent of the money received during such period is less than the sum of twenty-five dollars ($25), the court may in its discretion, and without a showing of extraordinary services by the guardian, allow a reasonable compensation, not to exceed the sum of twenty-five dollars ($25). In the event of extraordinary services ren-".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3110—An act to amend Sections 2011, 2016, 2020, 2160, 2163, 2180, and 3084 of the Welfare and Institutions Code, to repeal Sections 2181, 2224, and 3025 thereof, and to add Sections 2020.01, 3025, 3053, and 3084.01 thereto, relating to security for persons

specially in need thereof, including security for the aged, security for the blind, and security for totally and permanently physically disabled persons, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

Strike out lines 6, 7, and 8 of the title of the printed bill, and insert "the aged, and security for the blind"

Amendment No. 2

On page 5 of said bill, strike out lines 17 to 30, inclusive.

Amendment No. 3

In lines 7 and 8 of the title of said bill, strike out ", and making an appropriation.", and insert a period

Amendment No. 4

On page 5 of said bill, strike out lines 10 to 16, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on May 5, 1949, strike out "and", and insert "an"

Amendment No. 2

On page 2, line 37, of said bill, strike out ". The", and insert "and the".

Amendment No. 3

On page 2, line 38, of said bill, after "nominees", insert a colon; strike out the remainder of line 38, and strike out line 39

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1577—An act to add Section 797.5 to the Agricultural Code, relating to citrus fruits subjected to freezing temperatures.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in the Assembly on April 28, 1949, strike out "the"

Amendment No. 2

On page 2, line 20, of said bill, strike out "5", and insert "4"

Amendment No. 3

On page 2, line 36, of said bill, after "may", insert "immediately".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 91—An act to add Section 738a to the Code of Civil Procedure, relating to judgments quieting title to real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, strike out lines 1 and 2, and insert

"An act to add Sections 801.1, 801.2, 801.3, 801.4, 801.5, 801.6, 801.7, 801.8, 801.9, 801.10, 801.11, 801.12, 801.13, 801.14, and 801.15 to the Code of Civil Procedure, relating to the determination of interests in and liens on real property and for the partition and sale thereof."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 801.1 is added to the Code of Civil Procedure, to read:

801.1. An action may be brought to determine adverse interests in, liens or clouds upon title to real property arising out of any public improvement assessment or any bond issued to represent such assessment where the lien of such assessment or bond is presumed to have been extinguished under the provisions of Section 2911 of the Civil Code, or to determine adverse interests in, liens or clouds upon title to real property by reason of any certificate issued on sale made to satisfy any public improvement assessment or bond where such sale was made more than four years prior to the commencement of the action and no deed pursuant thereto has been issued prior to the commencement of the action or prior to January 1, 1951, whichever is the later.

SEC. 2. Section 801.2 is added to said code, to read:

801.2. The action may be brought as a separate action or joined as a cause with other causes of action to determine adverse claims to and clouds upon title to real property, but the complaint shall aver the pertinent matters stated in the preceding section and shall be verified.

SEC. 3. Section 801.3 is added to said code, to read:

801.3. The complaint shall include as defendants to the action (a) all persons known to the plaintiff owning or claiming an interest under such public improvement assessment, bond or certificate of sale; (b) the payee, as shown by the bond representing the assessment, if any; (c) the owner of the special assessment or certificate of sale, if any, and any person claiming an interest therein, as shown by the records of the treasurer, street superintendent or other public official who is the custodian of the funds to be collected thereon or who issued such certificate of sale, and (d) such treasurer, street superintendent or other public official. If any person owning or claiming an interest under such assessment, bond or certificate of sale is dead, the heirs and devisees of such person may be sued as: "the heirs and devisees of" said person, naming him

SEC. 4. Section 801.4 is added to said code, to read:

801.4. The complaint shall also include, as defendants, unknown persons owning or claiming an interest in such bond, special assessment or certificate of sale and they may be described in the complaint as: "Also the owner or any person claiming an interest (here describe the bond, special assessment or certificate of sale as it is described in the office in which it was issued)."

SEC. 5. Section 801.5 is added to said code, to read:

801.5. Within ten days after the filing of the complaint, plaintiff shall file or cause to be filed in the office of the recorder of the county where the property is situated, a notice of the pendency of the action, containing the title and object of the action and a description of the property in that county affected thereby. From the time of filing such notice of record only, shall all persons have constructive notice thereof.

SEC. 6. Section 801.6 is added to said code, to read:

801.6. Within one year after the filing of the complaint, a summons must be issued which shall contain the matters required by Section 407 of the Code of Civil Procedure, designating the defendants as in the complaint, and in addition, a description of the property and a statement of the object of the action.

SEC. 7. Section 801.7 is added to said code, to read:

801.7. Within thirty days after the issuance of the summons, the plaintiff shall post, or cause to be posted, a copy thereof in a conspicuous place on the property.

SEC. 8. Section 801.8 is added to said code, to read

801.8. All known defendants residing in the State of California, whose place of residence is known to the plaintiff shall be served personally. All other defendants shall be served personally or by publication and mailing, as provided in Sections 412 and 413 of the Code of Civil Procedure, except that the publication need be made only once each week for a period of not less than four weeks, instead of two months.

SEC. 9 Section 801.9 is added to said code, to read.

801.9. In addition to the matters required to be set forth in the affidavit by the plaintiff pursuant to Sections 412 and 413 of the Code of Civil Procedure, it must appear by the affidavit that the defendant used due diligence to ascertain the identity and residence of the unknown defendants and of any persons sued as heirs and devisees.

SEC. 10. Section 801.10 is added to said code, to read

801.10. All unknown defendants, including the heirs and devisees designated in the complaint, shall have the same rights as are provided by law for other defendants upon whom personal service or service by publication is made, and the action shall proceed against them in the same manner. Regardless of any legal disability, any unknown defendant, including any heir or devisee designated in the complaint, who has been served, and anyone claiming under him, shall be concluded by a judgment in the action as if the action were brought against and personal service made upon that person by his or her name.

SEC. 11. Section 801.11 is added to said code, to read:

801.11. On the trial of the action, the court shall determine the rights of all the parties thereto and shall require proof of the facts alleged Any certificate issued on sale made to satisfy any public improvement assessment or any bond issued to represent such assessment shall be presumed to have been paid and redeemed where such sale was made more than four years prior to the commencement of the action and no deed pursuant thereto has been issued prior to the commencement of the action or prior to January 1, 1951, whichever is the later.

SEC. 12. Section 801.12 is added to said code, to read:

801.12. If the court determines that none of the defendants have any right, title, interest, lien or estate in the property, it shall render its final decree quieting the plaintiff's title. If the court determines that any of the defendants have any right, title, interest, lien or estate in the property, it shall render its decree establishing these rights and may order the sale of the property or partition thereof. The decree shall direct the public officer having the record of the assessment, bond or certificate of sale to cancel the record thereof.

SEC. 13. Section 801.13 is added to said code, to read:

801.13. If the court orders a sale of the property or a partition thereof, the same shall be made in accordance with the provisions of Chapter 4, Title 10, Part 2, of the Code of Civil Procedure, except that: (a) The court may appoint one referee instead of three, and (b) proceeds of sale belonging to unknown defendants or defendants whose identities or whereabouts are unascertained shall be paid to the public officer who is the custodian of the funds collected on such public improvement assessments, bonds or certificates of sale, to be held by him as in like instances of collection.

SEC. 14 Section 801.14 is added to said code, to read:

801.14. The decree, after it has become final, is conclusive against all persons named in the complaint who have been served and all unknown persons and the heirs and devisees of deceased persons designated in the complaint and served as hereinbefore provided.

SEC. 15. Section 801.15 is added to said code, to read:

801.15 After the judgment has become final, a certified copy thereof shall be delivered to the public officer having the record of the assessment, bond or certificate of sale in his office and he shall thereupon mark the record of the assessment, bond or certificate of sale as follows: "Canceled by judgment of court, superior court case number (here give number)." "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "under commitment to", and insert "a patient of".

Amendment No. 2

On page 1, line 6, of said bill, after "notice", insert "and petition".

Amendment No. 3

On page 1, lines 14 and 15, of said bill, strike out "under commitment to", and insert "a patient of".

Amendment No. 4

On page 1, line 19, of said bill, after "notice", insert "and petition".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 528—An act to amend Section 6509 of the Business and Professions Code, relating to the inspection of barber shops and barber colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 25, 1949, strike out lines 11 to 19, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 742—An act to amend Section 423 of, and to add Section 458.1 to, the Fish and Game Code, relating to transportation of fish and game.

Bill read second time, and ordered to third reading.

Senate Bill No. 1337—An act to amend Section 2952 of the Civil Code, relating to the recordation of mortgages and deeds of trust.

Bill read second time, and ordered to third reading.

Senate Bill No. 202—An act to amend Section 1530a of the Probate Code, relating to powers and duties of guardians.

Bill read second time, and ordered to third reading.

Senate Bill No. 380—An act to amend Section 754 of the Probate Code, relating to decedents' estates.

Bill read second time, and ordered to third reading.

Senate Bill No. 1406—An act to add Section 631.3 to the Code of Civil Procedure, relating to jury fees

Bill read second time, and ordered to third reading.

Senate Bill No. 610—An act to repeal Sections 219, 220, and 221 of the Welfare and Institutions Code, relating to the registration of charities.

Bill read second time, and ordered to third reading.

Senate Bill No. 812—An act to amend Sections 2701 and 2736.5, and to repeal Sections 2727.5, 2735, 2825, and 2826 of the Business and Professions Code, relating to the practice of nursing the sick or afflicted.

Bill read second time, and ordered to third reading.

Senate Bill No. 816—An act to amend Section 2554 of the Business and Professions Code, relating to funds of the Board of Medical Examiners.

Bill read second time, and ordered to third reading.

Senate Bill No. 817—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Bill read second time, and ordered to third reading.

Senate Bill No. 965—An act to amend Section 4256 of the Business and Professions Code, relating to fees charged by the California State Board of Pharmacy, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on April 29, 1949, following "($25.00).", insert

"This sub-section shall not become effective until August 1, 1949."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. McCarthy asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1131—An act to amend Sections 26472, 26541, 26542, and 26586 of the Health and Safety Code, and to add Sections 26606 and 26625 to said code, relating to the California Pure Food Act and its administration.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on April 21, 1949, strike out "and to add Sections 26606 and 26625 to said code".

Amendment No. 2

On page 3 of said bill, strike out lines 19 to 48, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Senate on April 20, 1949, strike out "28340", and insert "28321"

Amendment No. 2

On page 2, line 10, of said bill, strike out "chapter", and insert "article".

Amendments read, and adopted

Bill ordered reprinted, and to third reading

Senate Bill No. 1133—An act to repeal Sections 28214, 28231, and 28232 and to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 12, of the printed bill, following the period, insert "French style loaves and/or rolls shall be considered properly wrapped if an open end bag of sufficient size is used."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 32—Relating to the cessation, until 90 days after adjournment of the 1949 Session of the Legislature, of expenditures under Chapter 1051 of the Statutes of 1947 which authorized the removal of the California Institution for Women at Tehachapi and made an appropriation therefor.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 4 of the title of the printed measure, as amended in the Senate on April 25, 1949, strike out "90", and insert "30".

Amendment No. 2

On page 2, line 21, of said measure, after "Assembly", insert "thereof".

Amendment No. 3

On page 2, line 23, of said measure, after "until", strike out "90", and insert "30".

Amendment No. 4

On page 2, line 24, of said measure, after the comma, insert "if either Senate Bill 740 or Assembly Bill 3134, or both, is enacted by the Legislature".

Amendment No. 5

On page 2, line 27, of said measure, after "until", strike out "90", and insert "30".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 147—An act to amend Section 470 of the Agricultural Code, relating to market milk.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Livestock and Dairies:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 8, 1949, strike out "amend Section 470 of", and insert "add Section 460.7 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "market", and insert "sterilized market goat's".

Amendment No. 3

On page 1, line 1, of said bill, strike out "470 of the Agricultural Code is", and insert "460.7 is added to the Agricultural Code, to read:".

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 26, inclusive, and insert

"460.7. Nothing contained in this division shall prohibit the sterilization of market goat milk by subjecting it to a temperature high enough to sterilize it, holding same in storage and subsequently selling same as market milk if at the time of sale it meets all standards and requirements specified in this division for market milk."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Livestock and Dairies.

UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 3122, on request of Mr. McCollister.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 166—An act to amend Sections 5410 and 5804 of the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Ralph C Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2674

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2674, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2674—An act to amend Section 1850.4 of the Insurance Code, relating to the definition of "casualty insurance" under Chapter 9, relating to rates and rating and other organizations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2674?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1850.4", and insert "Sections 1850.4 and 1851".

Amendment No. 2

Strike out line 2 of the title of said bill, and in line 3 of the title, strike out "9, relating".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 3

On page 1 of said bill, after line 8, insert

"SEC 2 Section 1851 of said code is amended to read:

1851. The provisions of this chapter shall apply to all insurance on risks or on operations in this State, except:

(a) Reinsurance, other than joint reinsurance to the extent stated in Article 5.

(b) Life insurance.

(c) Insurance of vessels or craft, their cargoes, marine builders' risks, marine protection and indemnity, or other risks commonly insured under marine, as distinguished from inland marine, insurance policies. Inland marine insurance shall be deemed to include insurance now or hereafter defined by statute, or by interpretation thereof, or if not so defined or interpreted, by ruling of the commissioner or as established by general custom of the business, as inland marine insurance

(d) Title insurance.

(e) Disability insurance.

(f) Workmen's compensation and employers' liability insurance incidental thereto and written in connection therewith

[(g) Credit insurance.]

[(h)] *(g)* Mortgage insurance

[(i)] *(h)* Insurance transacted by county mutual fire insurers or county mutual fire reinsurers."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2674 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—57

NOES—None

Assembly Bill No. 2674 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1594—An act to amend Sections 201 and 203 of, and add Section 206 to, the Unemployment Insurance Act, relating to disability payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Weber—51.

NOES—Burke, Butters, and Levering—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 154—An act to amend Section 4652 of the Labor Code, relating to waiting period under the Workmen's Compensation Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 153

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 153, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 153

Assembly Bill No. 153—An act to amend Sections 311, 312, 313, and 314 of the Penal Code, relating to obscenity and indecency and punishment therefor and the destruction of materials used for those purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 994

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 994, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 994

Assembly Bill No. 994—An act to establish a Banking Code and to revise, rearrange and consolidate the law relating to banks and banking, including that relating to the State Banking Department, the organization and establishment of banks and trust companies and branch offices, deposits and withdrawals, the deposit of funds by fiduciaries, collections, the assertion of adverse and investments, maintenance of reserves, safe deposit business and enforcement of remedies, the trust business, foreign banking corporations, the receiving of money for transmission to foreign countries, the sale, merger, consolidation and conversion of banks and trust companies, and the liquidation, conservatorship, reorganization and dissolution of banks and trust companies, and providing for certain repeals.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb,

Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 164—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1894—An act to add Section 91.6 to the Agricultural Code, relating to agricultural districts and the powers and duties of district agricultural associations.

Assembly Bill No. 1894 Ordered Re-referred to Committee

Bill read third time, and ordered re-referred to Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1767

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1767, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1767

Assembly Bill No. 1767—An act to repeal Section 92.1 of, and to add Section 92.2 to, the Agricultural Code, and to amend Sections 19622 and 19624 of, and to add Section 19622.1 to, the Business and Professions Code, relating to the appropriation and allocation of funds to fairs.

Bill read third time.

Remarks on Condition of File

Mr. Geddes spoke on the condition of the file.

Request for Unanimous Consent That Assembly Bill No. 1767 Be Withdrawn From File, and Be Re-referred

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 1767 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2775—An act to amend Sections 86, 87, and 96 of, and to add Sections 86 1 and 97 to, of the Agricultural Code, relating to the powers of district agricultural associations and to the use of property for fair purposes by counties and district agricultural associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Holhbaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61

NOES—None.

Motion to Amend Title

Mr. Geddes moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "of".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2779 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 2779 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 138—An act to amend Section 404 of the Fish and Game Code and to repeal Section 432 thereof, relating to licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—Burkhalter, Crowley, and Lowrey—3.

Notice of Motion to Reconsider Assembly Bill No. 138

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 138 was this day passed.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Mr. Davis as a Select Committee to escort Senator Regan and Mr. Travis Anderson, Supervising Engineer of the Federal Bureau of Mines, to the rostrum.

RECESS

At 10.40 a.m., on motion of Mr Dickey, the Assembly recessed until 10.44 a.m. for the purpose of permitting Mr. Travis Anderson to present to the Assembly a stainless steel plaque cast from the metal which Members of the Legislature saw smelted at Shasta Dam last Saturday.

REASSEMBLED

At 10.44 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1109—An act to amend Sections 715, 716, 717, 717.5, and 731, and to repeal Sections 732 and 733.5 of the Fish and Game Code, relating to marine fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2015—An act to amend Sections 860, 865, 880, and 903 of, and to repeal Sections 861 and 881 of, the Fish and Game Code, relating to fish netting.

Bill read third time.

Motion to Amend

Mr. Hoffman moved the adoption of the following amendment:

Amendment No. 1

On page 3, lines 4 and 5, of the printed bill, as amended in the Assembly on May 6, 1949, strike out "and District 12C".

Amendment read.

Roll Call Demanded

Messrs. Thomas, Beck, and Erwin demanded a roll call.

The roll was called, and the amendment offered by Mr. Hoffman to Assembly Bill No. 2015 refused adoption by the following vote:

AYES—Bennett, Brown, Burke, Burkhalter, Coats, Collier, Conrad, Erwin, Grant, Hagen, Hahn, Hoffman, Huyck, Kilpatrick, Lincoln, Lindsay, McCollister, Reagan, Sherwin, Smith, Stanley, and Thompson—22.

NOES—Anderson, Beck, Berry, Brady, Caldecott, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Evans,

Fleury, Gaffney, Grunsky, Hawkins, Heisinger, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Nicholson, Rosenthal, Silliman, Thomas, and Way—35

The question being on the passage of the bill.

Consideration of Further Amendments
Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 6, 1949, after line 16, insert

"SEC. 6. At the request of the owners thereof, the Fish and Game Commission shall purchase all boats, nets and other fishing gear and equipment heretofore used by commercial fishermen operating in the waters closed to commercial fishing by this act. The price paid shall be determined by the market value that such boats, nets, gear and equipment would have had, at the place where they were usually kept when not in use, if said waters had not been closed to commercial fishing Payment therefor shall be made from the Fish and Game Preservation Fund The commission may sell any such boats, nets, gear and equipment, so acquired, at any place in the State or may use any or all of such property for the purposes of the commission."

Amendment read.

Point of Order

Mr. Dunn arose to the following point of order: That Mr Hoffman is not speaking to the amendment.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Condon arose to the following point of order: That Mr. Hoffman is not speaking to the amendment.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The roll was called, and the amendment offered by Mr. Lowrey to Assembly Bill No. 2015 refused adoption by the following vote:

AYES—Anderson, Burke, Cramer, Crowley, Doyle, Dunn, Hahn, Kilpatrick, Lindsay, Lowrey, and Silliman—11

NOES—Beck, Berry, Brady, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—49.

The question being on the passage of the bill.

Mot on That Assembly Bill No. 2015 Be Withdrawn From File, and Be Re-referred

Mr. Hoffman moved that Assembly Bill No. 2015 be withdrawn from the file, and be re-referred to the Committee on Fish and Game.

Mr. Thompson seconded the motion.

Motion carried.

Assembly Bill No. 2742—An act to add Section 1185 to the Fish and Game Code, relating to birds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr Speaker—54.

NOES—Burkhalter and Waters—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2029—An act to add Sections 125, 126, 127, and 128 to the Welfare and Institutions Code, relating to the payment of allowances for old age security and security for the blind, creating the Social Welfare Disbursement Fund, providing for the use thereof, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 859—An act to amend Sections 9756, 9760, and 11121 of the Elections Code, relating to elections.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 15, 1949, after "elections", insert ", declaring the urgency hereof, to take effect immediately"

Amendment No. 2

On page 3 of said bill, after line 30, insert

"SEC. 4. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Recall elections are now pending in both San Anselmo and Fairfax. Either or both of these elections may result in vacancies in office which will be filled at a subsequent election. In order for the amendments proposed by this act to be in effect at the time when such subsequent elections may be held, it is necessary that this act take immediate effect."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 351—An act to amend Sections 19624 and 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation and expenditure of the money in said fund.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 351 Be Withdrawn From File, and Be Re-referred

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 351 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Assembly Bill No. 212—An act to amend Section 970 of the Fish and Game Code, relating to regulation of nets and other appliances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sullivan, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1132—An act to add Sections 1201.1, 1201.2, 1201.3, 1201.4, 1201.5, 1201.6, 1201.7, 1201.8, 1201.9, 1201.10, and 1201.11, to the Fish and Game Code, relating to pheasants.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood,

Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—61

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—65

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 75—An act to amend Sections 3, 4, 12, and 15 of the Relief Act of 1945, relating to relief of hardship and destitution.

Bill read third time.

Demand for Previous Question

Messrs. Cooke, Silliman, Morris, Babbage, and Hahn demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 75.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Kilpatrick, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—45

NOES—Babbage, Burke, Butters, Collier, Connolly, Conrad, Erwin, Grant, Grunsky, Hagen, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, and Waters—27

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 12.15 p.m., Mr. Burke asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Crime and Correction in the Cloak Room, at this time, for three minutes. Subject: A bill by Mr. Ralph C. Dills.

Speaker Presiding

At 12.16 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 53

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Crichton asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 53, at this time, without reference to file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 53

Senate Concurrent Resolution No. 53—Approving the charter of the City of Merced, State of California, ratified by the qualified electors of said city at a special municipal election held therein on the twelfth day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—67

NOES—None.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENTS

Mrs. Niehouse announced that the cans of white meat tuna which have been placed on the desks of the members are gifts from the San Diego Delegation, the Merchants and Manufacturers' Association of San Diego, and the San Diego Fishing Industry

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 1660
Assembly Bill No. 2432
Assembly Bill No. 2786

Has had the same under consideration, and respectfully reports the same back without recommendation, and be re-referred to the Committee on Ways and Means.

STEWART, Chairman

Above reported bills ordered re-referred to Committee on Ways and Means.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 1496 re-referred to Committee on Military Affairs.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1010—An act to add Section 2175.1 to the Business and Professions Code, relating to persons authorized to practice medicine and surgery under the Department of Corrections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1706—An act to amend the chapter heading of Chapter 1 of Part 3 of Division 6 of the Welfare and Institutions Code, and to amend Sections 6000, 6001, 6002, 6003, and 6004 of, and to add Section 6005 to said code, relating to county psychopathic hospitals, and providing for the temporary admission and treatment therein of mental patients and the powers of counties in respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 973—An act to amend Sections 28111, 28116, 28126, 28133, 28142, 28146, and 28149, and to repeal Sections 28123, 28124, 28125, and 28134 of the Health and Safety Code, relating to the preservation of the public health, including the sanitation and regulation of establishments where food used for human consumption is stored, prepared, kept, manufactured or distributed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1761—An act to repeal Sections 4845.20, 4545.21, 4845.22, 4845.23, 4845.24, 4845.25, 4845.26, 4845.27, and 4845.28 of, and to add Sections 4845.30, 4845.31, 4845.32, 4845.33, 4845.34, 4845.35, and 4845.36 to, the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

PETITIONS

By Speaker Sam L. Collins:

A communication and a petition signed by 12,200 citizens from O. Everett Brown, President, Smudge Control Organization, Ontario, California, relative to urging the Legislature to enact such laws as shall be necessary to control the "smudge" nuisance, were received, and ordered referred to the Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION AND ANALYSIS BE PRINTED IN JOURNAL

Mr. Doyle asked for, and was granted, unanimous consent that a communication from the Legislative Budget Committee, and an analysis of Assembly Bill No. 533 from the Legislative Auditor be ordered printed in the Journal as follows:

LEGISLATIVE BUDGET COMMITTEE, CALIFORNIA LEGISLATURE
STATE CAPITOL, SACRAMENTO, CALIFORNIA, May 11, 1949

Hon. Thomas J. Doyle
Assemblyman, Forty-fifth District
State Capitol, Sacramento, California

Re: Assembly Bill No. 533

MY DEAR ASSEMBLYMAN: We have finally completed your request of March 18, 1949, asking for an estimate of what the yield would be per year under the provisions of Assembly Bill No. 533.

We delayed making a reply to you until we could analyze the Second Progress Report of the Special Crime Study Commission on Organized Crime appointed by the Governor, for we were informed that one section of this report would be devoted to the commission's investigation of the bookmaking racket in California. We were disappointed for this report deals only generally with the subject of bookmaking and indicates that there is a large number of bookmakers and a large volume of

betting without presentation of any reliable statistics. In fact, the information they give is general knowledge to any person conversant with public affairs in California

The report presents the inadequacy of the present method of prevention and prosecution of bookmakers, but again fails to indicate the size of a complete job of prosecution or the cost thereof. In short, the report does not furnish any reliable source of data on which to base estimates of possible revenues or administrative costs or the cost of law enforcement.

Failing to secure any help from the Second Progress Report of the Special Crime Study Commission on Organized Crime, we have had to go back to our own estimates Please note that the figures given in our analysis are our best estimates. We have used as a basis for such estimates all information found in the Preliminary Report of the Commission on Organized Crime and information which we have gathered over the past several years We believe it to be reasonably accurate for the purpose of estimating a tax yield.

We call your attention to the fact that the tax yield would also depend upon the efficiency of the enforcement of the law and the elimination of evasion and illegal bookmaking. We suggest, therefore, that in the prosecution of illegal bookmakers a civil penalty be applied which is at least double the tax take on the licensed and legal bookmakers as proposed under your bill

We trust that this information is sufficient at this time.

Sincerely yours,

ROLLAND A VANDEGRIFT, Legislative Auditor

ANALYSIS OF ASSEMBLY BILL NO. 533

Prepared by the Legislative Auditor

Assembly Bill No 533 provides for the licensing of bookmakers and the imposition of a tax on the wagers handled by each bookmaker.

We estimate that the revenue to the State from the licensing of bookmakers will be $714,000 for a full year, and that tax which would accrue to the State if there were complete compliance with the law would be $321,931,250, a total revenue of $322,645,250.

Licenses and Taxes

Assembly Bill No. 533 provides that one license for a bookmaker may be issued for each 15,000 of population or fraction thereof in each county or city and county, or; regardless of population at least two licenses to each county in the State, and; regardless of population at least one license to each city. The above ratio would permit 714 licensees in the State.

A license fee of $1,000 per year is imposed on each licensee. The State would receive $714,000 a year in license fees.

A 5 percent tax of the amounts wagered with each licensee is imposed. We estimate the total revenue from this tax would be $321,931,250.

A bond of $10,000 is required of each licensee.

One license for conduct of a clearing house of horse race information is provided for each 2,000,000 of population in the State. A bond of $10,000 is required of clearing house licensees to guarantee that bets or wagers placed with the clearing house will be accepted only from other licensees.

Cost of Administration

The bill provides that 2 percent of the gross amount collected, or so much thereof as may be necessary, is appropriated to pay the administrative expenses of the act. Two percent of the $388,964,000 is $7,779,280

Administration of the act should not cost any more than the $2,268,000 budgeted for the Liquor Control Division of the Board of Equalization, and probably much less. The function of the Liquor Control Division is roughly comparable to the duties required in administering the "Off Track Wagering License Act" in that it combines a policing and tax collecting function. However, under this act there will be some 719 licensees whereas the Liquor Control Division supervises some 5,800 "On Sale" hard liquor licenses, as well as other types of licenses.

Policing of the provisions of the act would require the cooperation of local police departments and county officials. These local organizations are currently making an attempt to enforce the complete prohibition of bookmaking. Their effectiveness may be judged from the fact that only 125 arrests for bookmaking were made in California in 1947, while there appears to be well over one thousand bookmakers in the State. No increase over the cost of enforcing present laws related to bookmaking by local enforcement officers can be anticipated.

The "Second Progress Report of the Special Crime Study Commission on Organized Crime" deals generally with the subject of bookmaking, indicating a large number of bookmakers, and volume of betting. It also presents the inadequacy of the present methods of preventing and prosecuting bookmakers. The report does not furnish any reliable source of data on which to base estimates of revenues or administrative costs.

Basis for Estimates

We have estimated that there would be 714 "off-track wagering establishments" requiring licenses. This is the maximum number of licenses which could be issued under the formula in the bill At $1,000 per license, fees would total $714,000.

There would be five clearing house licenses issued, at the specified rate of one for each 2,000,000 of population. No license fee is charged for these licenses.

We have estimated the total amount bet through bookmakers at 25 times the amount bet through pari-mutuel machines at California tracks This estimate has been made by persons familiar with the bookmaking business in California Bookmaking is not confined to taking wagers on racing at California tracks, but encompasses all racing in the United States all through the year. The pari-mutuel handle in California is an index of betting activity and is considered to be more reliable than estimates of the amount which individual bookmakers will handle

Pari-mutuel handle at major California tracks is estimated at $257,545,000 for 1949-50. Twenty-five times this amount is $6,438,625,000. The tax on this amount at 5 percent is $321,931,250.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 83: By Messrs. Reagan, Geddes, and Burke—Relative to the Santa Anita horse racing season.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 57

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 57—Relative to approving certain amendments to the charter of the City of San Bernardino, a municipal corporation in the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at a special election held thereon on the eleventh day of April, 1949.

Referred to Committee on Rules

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 472, on request of Mr. Hollibaugh.

Request for Unanimous Consent That Assembly Bill No. 472 Be Withdrawn From File, and Be Re-referred

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 472 be withdrawn from the file, and be re-referred to the Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 81

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 81, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 81

Assembly Concurrent Resolution No. 81—Relative to I Am an American Week.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig,

Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—72.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 155

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 155, temporarily passed on the unfinished business file, out of order, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 155—An act to amend Section 4650 of the Labor Code, dealing with workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 155?

Amendment No. 1

On page 1, line 8, of the printed bill, after "injury", insert "becomes permanent or the date of last payment for temporary disability, whichever date first occurs."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 155 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Assembly Bill No. 155 ordered enrolled.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2127, on motion of Mr. Rosenthal.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Fleury:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 683.1 to the Civil Code, relating to the creation of joint tenancy or other ownership in contents of safe deposit boxes.

Respectfully submitted.

GORDON A. FLEURY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Fleury:

An act to add Section 683 1 to the Civil Code, relating to the creation of joint tenancy or other ownership in contents of safe deposit boxes.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3147: By Mr. Fleury—An act to add Section 683.1 to the Civil Code, relating to the creation of joint tenancy or other ownership in contents of safe-deposit boxes.

Referred to Committee on Judiciary.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Cooke (At Request of Assemblymen Anderson, Beck, Bennett, Burkhalter, and Kilpatrick):

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal an act authorizing the sale of the property in the City of Sacramento used by the State Agricultural Society for the State Fair and providing for the disposition and use of the proceeds from such sale.

Respectfully submitted

J. B. COOKE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Cooke (At Request of Assemblymen Anderson, Beck, Bennett, Burkhalter, and Kilpatrick):

An act to repeal an act authorizing the sale of the property in the City of Sacramento used by the State Agricultural Society for the State Fair and providing for the disposition and use of the proceeds from such sale.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3148: By Mr. Cooke (At Request of Assemblymen Anderson, Beck, Bennett, Burkhalter, and Kilpatrick)—An act to repeal an act authorizing the sale of the property in the City of Sacramento used by the State Agricultural Society for the State Fair and providing for the disposition and use of the proceeds from such sale.

Referred to Committee on Agriculture.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Butters:

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 24.5 of the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

GEORGE BUTTERS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Butters:

An act to amend Section 24.5 of the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3149: By Mr. Butters—An act to amend Section 24.5 of the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 990

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 810
Assembly Bill No. 1007

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER. Your Committee on Education, to which were referred:

Senate Bill No. 294
Senate Bill No. 296
Senate Bill No. 1622

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred.

Senate Bill No. 633
Senate Bill No. 634
Senate Bill No. 648
Senate Bill No. 649

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No 2124
Assembly Bill No 2677

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No 2704
Assembly Bill No. 2705
Assembly Bill No. 2706
Assembly Bill No. 2707
Assembly Bill No. 2708
Assembly Bill No. 2713

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 542

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2701

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1911

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation, and re-refer to the Committee on Ways and Means.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER Your Committee on Conservation, Planning, and Public Works, to which were referred

Assembly Bill No 573
Assembly Bill No. 2217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WEBER, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER. Your Committee on Constitutional Amendments, to which was referred

Assembly Constitutional Amendment No 3

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

CROWLEY, Chairman

Above reported resolution ordered on file.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER Your Committee on Municipal and County Government, to which were referred.

Assembly Bill No 643
Assembly Bill No 2240

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 114

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER. Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 607

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 509

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1394

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 83
Assembly Bill No. 689

Has had the same under consideration, and reports the same back with amendments with the recommendation: Do pass, as amended, and be re-referred to Committee on Ways and Means.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1685

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred

Assembly Bill No. 587
Assembly Bill No. 2255
Assembly Bill No. 2407

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2536

Has had the same under consideration, and reports the same back without recommendation Be re-referred to Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 153

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3132

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which were referred:

Senate Bill No. 464
Senate Bill No. 465

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No 447

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 446

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No 1075

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1172
Assembly Bill No. 1191
Assembly Bill No. 1840
Assembly Bill No. 2232

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 11, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2383

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 486
Assembly Bill No. 1597

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1679

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 24
Assembly Constitutional Amendment No. 80

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Ways and Means.
Transportation and Commerce.
Public Morals.

Tonight, at 8 p.m.—

Civil Service and State Personnel.
Industrial Relations.
Revenue and Taxation.

Tomorrow, Friday, May 13th—

At 9 a.m.—

Rules.

At 2 p.m.—

Interim Committee on Tidelands and Related Traffic Problems, in Supervisors' Room in San Francisco.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Harold F. Stewart of Pasadena.

On request of Mr. Dunn, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Claudia Zumwalt and L. McBarron of Hayward and Mrs. M. Marquis of Castro Valley.

On request of Mr. Collier, the usual courtesies of the Assembly for this day were unanimously extended to Charles H. Bigelow of Los Angeles.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Lawrence DeForest and Herbert Paul of Modesto.

On request of Mr. Lowrey, the usual courtesies of the Assembly for this day were unanimously extended to Rosemary Allen of Broadstairs, Kent, England.

On request of Messrs. Clarke and Crichton, the usual courtesies of the Assembly for this day were unanimously extended to C. J. Carpenter, advisor of Junior Statesman Chapter of Livingston High School, and the following pupils: Bert Stinson, Joan Salman, Joe Bauernschmidt, Carol Bauernschmidt, Naomia Gallaway, Joe Silveria, Joan Felty, Shirley Nunes, Charliene Conger, David Hamiguchi, Billy Pickle, Dan Wilkinson, Gloria Nash, Elinor Campodonica, Dorace Belyeu, Marilyn Barnes, John Hall, Richard Picton, and Jimmey Fox.

On request of Messrs. George D. Collins, Brady, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Gustave B. Henno, Dr. Jean B. Henno, Mrs. Julia Porter, Mrs. Ethel Grabstein, and Mrs. Catherine Gehrels of San Francisco.

On request of Mr. Brown and the Democratic Delegation, the usual courtesies of the Assembly for this day were unanimously extended to the following women of the Democratic Women's Legislative Day: Mrs. Edward H. Heller, Democratic National Committeewoman from California, Miss Ruth Dodds, Mesdames Helen Lynch Good, and Ethel Bartel, Miss Ella Gerringer, Mesdames Huff and Curnow, Miss Alicrae Hanley, Mesdames William Lint and Murphy, Miss Henrietta Horton, Mesdames Bessie Casperson, Daisy Trimble, Foote, Remington, Jessie Cullivan, Martha Manhart, Ruth Nicolaus, and E. Vayne Miller, Miss Ann Racich, Mesdames Brainard and Claudia Zumwalt; Mabel Marquis, Mesdames Lillian McBarron, Wm. B. Chapin, Agnes Collins, Charles Porter, Jean Henno, Laura Perrine, Minudri, Love, Olive Phillips, Harrison, Anderson, Chamberlin, Ryan, Kathryn Gebrels, and Gerald

O'Gara; Miss Valeska Bary, Mesdames Joel Beckwith, E. Spiro, and Max Grabstein; Miss Jennie Matyas; Mesdames Catherine Everett, J. H. Holcombe, Lucille Jones, Schabarrum, May K. Davis, and Miss Davis.

ADJOURNMENT

At 12.45 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m. Friday, May 13, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SIXTY-NINTH LEGISLATIVE DAY

ONE HUNDRED THIRTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, May 13, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—66.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Divine Spirit: May we free our minds today of needless anxieties and realize it is useless to worry.

Today is the day we worried about yesterday and what we feared has not happened.

Let us not worry about our loved ones who are absent, but believe they have sense enough to care for themselves, and remember that we are the ones they are probably anxious about.

Let us not worry about health or what people say or think about us. If we are to get sick, let us recall there is a Doctor for everything.

If any one hates us, Heaven help us to be sorry for their ill disposition.

Let us trust and believe happy days are coming.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rosenthal, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.
Mr. Fletcher, on motion of Mr. Grant.
Mr. Geddes, on motion of Mr. Evans.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Way, on motion of Mr. Condon.
Mr. Hagen, on motion of Mr. Condon.
Mr. Hinckley, on motion of Mr. Collier.
Mr. Kilpatrick, on motion of Mr. Beck.
Mr. Cooke, on motion of Mr. Beck.
Mr. Thomas, on motion of Mr. Anderson.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Clarke, on legislative business out of the State, on motion of Mr. Erwin.

REQUEST FOR UNANIMOUS CONSENT THAT MEMBERS BE EXCUSED

Mr. George D. Collins asked for, and was granted, unanimous consent that the following members be excused for the legislative day for the purpose of attending a meeting of the Interim Committee on Tidelands and Related Traffic Problems in the Supervisors' Room in San Francisco: Messrs. Connolly, Dolwig, Dunn, Gaffney, McCarthy, and Thompson.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1862

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1868

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 286
Assembly Bill No. 473
Assembly Bill No. 750
Assembly Bill No. 1236
Assembly Bill No. 2229
Assembly Bill No. 3116

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 929
Assembly Bill No. 1460

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 653
Senate Bill No. 674

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 236
Assembly Bill No. 361
Assembly Bill No. 422
Assembly Bill No. 441
Assembly Bill No. 695
Assembly Bill No. 697
Assembly Bill No. 703
Assembly Bill No. 705
Assembly Bill No. 715
Assembly Bill No. 770
Assembly Bill No. 894
Assembly Bill No. 1099
Assembly Bill No 1194
Assembly Bill No. 1203
Assembly Bill No. 1541
Assembly Bill No. 2038
Assembly Bill No. 2040
Assembly Bill No. 2057
Assembly Bill No. 2062
Assembly Bill No. 2275
Assembly Bill No. 2945

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 44
Assembly Bill No. 578
Assembly Bill No. 685
Assembly Bill No. 686
Assembly Bill No. 883
Assembly Bill No. 884
Assembly Bill No. 885
Assembly Bill No. 923
Assembly Bill No. 1028
Assembly Bill No. 1196
Assembly Bill No. 1381
Assembly Bill No. 1569
Assembly Bill No. 1576
Assembly Bill No. 1578
Assembly Bill No 1672
Assembly Bill No. 1979
Assembly Bill No. 1991
Assembly Bill No. 2075

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 18

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 449
Assembly Bill No 556
Assembly Bill No. 656
Assembly Bill No. 1038
Assembly Bill No. 1749
Assembly Bill No. 2177

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 56
Assembly Concurrent Resolution No. 77
Assembly Concurrent Resolution No. 81

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 68
Senate Bill No. 307
Senate Bill No. 325
Senate Bill No. 583
Senate Bill No. 617
Senate Bill No. 626
Senate Bill No. 662
Senate Bill No. 670
Senate Bill No. 717
Senate Bill No. 1252
Senate Bill No. 1302
Senate Bill No. 1618

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 68—An act to amend Section 660 of the Vehicle Code, relating to the sale of used vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 307—An act to amend Section 619 of the Vehicle Code, relating to headlamps on motor vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 325—An act to amend Section 8961.3 of the Health and Safety Code, relating to the powers of public cemetery districts.

Referred to Committee on Public Health.

Senate Bill No. 583—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 617—An act to amend Section 27122 of the Streets and Highways Code, relating to bridge and highway districts, and the number of directors thereof.

Referred to Committee on Municipal and County Government.

Senate Bill No. 626—An act to amend Sections 507, 2203, and 2207 of, and to add Section 507.1 to, the Public Resources Code, relating to the administration and functions of the Division of Mines.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 662—An act to amend Sections 6303 and 6897 of the Public Resources Code, relating to state lands and providing for the extraction or removal of minerals, other than oil and gas, and of other material therefrom.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 670—An act to amend Section 2472 of the Civil Code and Section 15700 of the Corporations Code, relating to service of process on foreign partnerships, and specifying the duties of the Secretary of State in connection therewith.

Referred to Committee on Judiciary.

Senate Bill No. 717—An act to amend Sections 2205 and 2206 of the Health and Safety Code, relating to the organization and powers of mosquito abatement districts.

Referred to Committee on Public Health.

Senate Bill No. 1252—An act to amend Sections 3, 4, and 5 of the Sanitation and Sewer Revenue Bond Act of 1941, relating to sanitation and sewer revenue-producing enterprises.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 1302—An act to amend Sections 208 and 378 of the Vehicle Code, relating to expiration of special plates and when fees become delinquent.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1618—An act to amend Sections 6210.6, 6301, 6357, 6502, 6813, 6815, 6827, 6834, 6836, 6871, 6873, and 6874, to add Section 6501.1 and to amend the title of Article 3 of Chapter 4, Part 1, Division 6 of the Public Resources Code, relating to lands owned by the State, including tidelands and submerged lands, beds of navigable rivers and lakes, lands held in proprietary or sovereign capacity, and other lands, providing for the administration, management, leasing, and disposition thereof, and of the oil and gas and other mineral deposits within or upon such lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2704—An act to amend Section 15530 of the Government Code, relating to physical planning councils and economic advisory councils, and to add Article 3 5 to the Conservation and Planning Act, relating to an Economic Advisory Council.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2705—An act to add Sections 23.5, 25, and 26 to the Conservation and Planning Act, relating to planning.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2706—An act relating to regional development districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2707—An act adding Section 68 to the Conservation and Planning Act, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2708—An act to add Sections 7 and 8 to "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and requisite open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2713—An act to amend Section 70 of the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 990—An act to amend Section 141 of the Education Code, relating to the salary of the Superintendent of Public Instruction.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "_____ dollars ($_____)", and insert "fifteen thousand dollars ($15,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Condon asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2701—An act to amend the headings of Articles 2, 4, 5, and 7, and to amend Sections 7, 10, 14, 15, 18, 24, 30, 31, 35, 38, 39, 40, 43, 44 to 49, inclusive, and to renumber 55 to 61, inclusive, 63 to 65, inclusive, and 70 to 74, inclusive, and to renumber Sections 50, 59, and 72 of, and to add Sections 46.1, 46.2, 50, and 59 to, the Conservation and Planning Act, relating to conservation and planning.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 3, line 26, of the printed bill, following "revision", insert "only"

Amendment No. 2

On page 14, line 33, of said bill, strike out "act", and insert "give notice of such disapproval to the legislative body or to such other responsible governmental body, board or commission".

Amendment No. 3

On page 8 of said bill, strike out lines 9, 10, and 11.

Amendment No. 4

On page 6 of said bill, strike out line 52, and insert "shall hold at least one public hearing thereon, at least ten".

Amendment No. 5

On page 11 of said bill, strike out line 4, and insert "hold at least one public hearing thereon, notice of".

Amendment No. 6

On page 11, line 9, of said bill, strike out "five", and insert "ten".

Amendment No. 7

On page 13, line 28, of said bill, strike out "department", and insert "commission".

Amendment No. 8

On page 13, line 39, of said bill, strike out "department", and insert "commission".

Amendment No. 9

On page 13, line 44, of said bill, strike out "department", and insert "commission".

Amendment No. 10

On page 13, line 47, of said bill, strike out "department", and insert "commission".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31e relating to bonuses to members of the armed forces between December 7, 1941, and September 2, 1945, and authorizing the issuance of bonds therefor.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 2, line 12, of the printed measure, strike out "_____ dollars ($_____)", and insert "three hundred ten million dollars ($310,000,000)".

Amendment No. 2

On page 1, line 19, of the printed measure, after the period, insert

"The fact of separation or discharge from the armed forces of the United States may be established by such evidence as is sufficient to establish such fact with the Veterans' Administration."

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 447—An act to add Sections 20703.1, 20810, and 20811 to the Business and Professions Code, relating to the sale, standards and labelling of antifreeze substances and preparations for use in internal combustion engines.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 17, 1949, strike out "Sections 20703.1, 20810, and 20811 to", and insert "Chapter 10, comprising Sections 21700 to 21722, inclusive, to Division 8 of".

Amendment No. 2

On page 1, line 1, of said bill, strike out "Section 20703.1 is hereby added to", and insert "Chapter 10, comprising Sections 21700 to 21722, inclusive, is added to Division 8 of".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 18, inclusive, and insert

"CHAPTER 10. ANTIFREEZE

21700. 'Antifreeze', as used in this chapter, means any substance or preparation intended for use as the cooling medium, or to be added to the cooling liquid, in the cooling system of internal combustion engines to prevent freezing of the cooling liquid or to lower its freezing point.

21701. 'Department', as used in this chapter, means the Department of Agriculture, acting through the Division of Weights and Measures.

21702. 'Person', as used in this chapter, includes individual, firm, corporation, or association.

21703. 'Sell', in any of its variant forms, as used in this chapter, includes barter, exchange, trade, keep for sale, offer for sale, or expose for sale, in any of their variant forms.

21704. 'Labeling', as used in this chapter, includes all written, printed, or graphic representations, in any form whatsoever, imprinted upon or affixed to any container of antifreeze or accompanying any antifreeze.

21711. An antifreeze is adulterated if (1) it consists in whole or in part of any substance which renders it injurious to the cooling system of an internal combustion engine; or (2) it makes the operation of the engine dangerous to the user; or (3) its strength, quality, or purity falls below the standard of strength, quality or purity under which it is sold.

21712. An antifreeze is misbranded: (1) If its labeling is false or misleading in any particular; or (2) if in package form it is not conspicuously labeled on the outside of the package with the name and place of business of the manufacturer, packer, seller, or distributor, and an accurate statement of the net contents in terms of weight or measure.

21713. It is unlawful to sell or distribute any antifreeze, except an antifreeze which has been registered under this chapter by another, without first applying to the department for registration of such antifreeze to be handled by the applicant, and

receiving from the department a written permit authorizing the sale of such antifreeze in this State for the calendar year for which the permit is issued.

21714. Application for registration shall be accompanied by a sample of each brand or composition of antifreeze to be registered, together with the labeling to be used therewith, and a fee of fifty dollars ($50) for each sample submitted The department shall inspect the sample and the labeling and, if the sample is found not to be adulterated or misbranded, shall issue to the applicant a certificate of registration and a permit authorizing the sale and distribution of the antifreeze in this State during the calendar year for which the permit is issued. Such permit may be renewed annually without further registration by application to the department, accompanied by a renewal fee of fifty dollars ($50), on or before the last day of the calendar year preceding the year for which the permit is issued. To any fee not paid when due, there shall accrue and be added a penalty of ten dollars ($10).

21715. The director may cancel the registration and permit, or may refuse to register any antifreeze, or to renew any permit, after hearing, if he finds that the antifreeze sold or distributed does not correspond to the sample which accompanied the application for registration, or that the antifreeze is adulterated or misbranded, or that the registrant has failed to comply with the provisions of this chapter or the rules and regulations of the department The proceedings shall be conducted in accordance with Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the department shall have all the powers granted therein.

21716. The department, and each county sealer acting under the supervision and direction of the department, shall enforce the provisions of this chapter, and may sample, inspect, analyze, and test any antifreeze manufactured, packed, sold, or distributed within this State. The department through its agents shall have free access by all legal means during business hours to all premises, buildings, vehicles, cars, and vessels used in the manufacture, packing, storage, sale, or transportation of antifreeze, and may by legal means open any box, carton, parcel, or container of antifreeze and take therefrom samples for analysis or for evidence.

21717. Subject to the provisions of Chapter 4 of Part 1 of Division 3 of Title 2 of the Government Code, the department shall have authority to promulgate and enforce such rules and regulations as are necessary to carry out the provisions of this chapter.

21718. The department upon request may furnish a list of the brands and trademarks of antifreeze registered by the department No labeling relating to any antifreeze shall contain any statement that the antifreeze has been approved by the department, but a statement that the antifreeze has been registered by the department may be included in such labeling.

21719. All fees collected under the provisions of this article shall be credited to the Department of Agriculture Fund to be used in carrying out the provisions of this chapter.

21720. It is unlawful to sell or distribute any antifreeze which is adulterated or misbranded, or which is not registered, or without a valid permit as required by this chapter.

21721. Violation of any provision of this chapter is a misdemeanor

21722. The provisions of this chapter shall become effective January 1, 1950."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3132—An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

On page 2, line 2, of the printed bill, after "gasoline", insert "or motor vehicle fuel".

Amendment No. 2

On page 2, line 3, of said bill, strike out "kind of gasoline", and insert "trade-name of gasoline or motor vehicle fuel".

Amendment No. 3

On page 2 of said bill, between lines 4 and 5, insert

"The size of the letters, words, figures or numerals used for the purpose of indicating or showing the total price per gallon, including all taxes, shall be of a size as provided under the provisions of Section 20883 of this article."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2383—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 12, inclusive, and insert "the statute."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2240—An act relating to the acquisition, construction, establishment, operation, maintenance and financing of off-street parking facilities for the parking of motor vehicles and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue bonds and other obligations and defining the powers and duties of parking authorities, cities, and cities and counties with respect to off-street parking facilities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 6, 1949, between lines 13 and 14, insert

"This act shall not be operative in any city until the legislative body, either at a general or a special election, shall submit to the electors of the city the question as to whether the legislative body or the authority, or both, shall be authorized to adopt the revenue bond method of financing projects provided for herein. This act shall be operative in any city in which the voters have heretofore authorized general obligation or revenue bonds for parking facilities."

Amendment No. 2

On page 6, line 10, of said bill, strike out "for any project".

Amendment No. 3

On page 6, line 12, of said bill, before "notice", strike out "the".

Amendment No. 4

On page 3, line 20, of said bill, strike out "or", and insert "nor".

Amendment No. 5

On page 4, line 5, of said bill, strike out "charges', and insert "conditions".

Amendment No. 6

On page 4, line 34, of said bill, strike out "upon the recommendation of the mayor,".

Amendment No. 7

On page 5, line 47, of said bill, after "building", and before the semicolon, insert ": Provided, further, that neither the authority nor the city may manage or operate surplus space devoted to commercial purposes other than parking of vehicles, but shall lease such space to private operators".

Amendment No. 8

On page 6, line 37, of said bill, strike out "project", and insert "authority".

Amendment No. 9

On page 7, line 12, of said bill, strike out "special business license"; strike out line 13; and in line 14, strike out "area to be benefited by the parking facility".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 643—An act to amend Section 32064 of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 29, 1949, strike out line 11, and insert

"32064. The board shall reduce the monthly disability or retirement pension of an officer or employee who accepts any of the benefits under this chapter to an amount which, when added to the compensation earned monthly by him, shall not exceed the amount of the maximum compensation earned by him at the time of his retirement if such person engages in any public employment under either of the following conditions:

(1) Prior to attaining the age of 60 years.

(2) If he is a recipient of a disability retirement allowance prior to attaining the minimum age for voluntary retirement for service applicable to a member of his class."

Amendment No. 2

On page 1 of said bill, strike out lines 12 to 21, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 810—An act to add Section 9807.5 to, and to repeal Section 9808 of, the Education Code, relating to the education of mentally retarded minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 9807.5 to, and to repeal", and insert "amend".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1, line 1, of said bill, strike out "9807.5 is hereby added to the Educa-", and insert "9808 of the Education Code is amended to read:

9808. The county superintendent of schools shall on or before July 15th of each year, certify to the county auditor and the board of supervisors the amount of money

required to be raised by a county tax for the education of mentally retarded minors and for rental of property by the county superintendent of schools. The amount shall be determined by subtracting from the total cost of the education of such minors, including transportation, to the county superintendent of schools the total amount to be apportioned by the Superintendent of Public Instruction to the county school service fund for the education of mentally retarded minors and by adding to the result the amount required for rental of property. The board of supervisors may include in such amount a sum for capital outlay.

[The board of supervisors shall] *The first year the county superintendent of schools certifies a request for funds for the education of mentally retarded minors to the board of supervisors, the board shall, and in subsequent years may,* at the time of levying other county taxes levy a county tax for the education of mentally retarded minors upon the taxable property of the county sufficient to produce the amount required. The amount received from this tax shall be deposited in the county school service fund. *If such a tax is not levied, only such amount as is otherwise made available shall be used for the education of mentally retarded minors.*"

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 24, inclusive; and on page 2, strike out lines 1 to 4, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 1007—An act to amend Sections 8404 and 8503 of the Education Code, relating to admission to the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8404 and 8503 of", and insert "16001 and 16002 of, and to add Section 16001.1 to,"

Amendment No. 2

In line 2 of the title of said bill, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 27, inclusive; and on page 2, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 16001 of the Education Code is amended to read:

16001. [Pupils] *Children* shall, *except as otherwise provided in this article,* be admitted [into the schools] *to kindergarten* in the order in which they apply [to be registered] *for registration.*

SEC. 2. Section 16001.1 is added to said code, to read:

16001.1. The governing board of a school district may require that applicants for admission to kindergarten on the first day of a term and presenting themselves for admission on that day, shall be admitted according to chronological age, the oldest first and the youngest last, and for that purpose may provide for the registration of applicants according to chronological age on and before the first day of the term and prior to the admission of applicants to kindergarten.

Applicants who do not present themselves for admission on the first day of the term shall, regardless of any previous registration, be registered and admitted in the order of registration.

SEC. 3. Section 16002 of said code is amended to read:

16002. The principal in each of the public schools *maintaining a kindergarten* shall keep a register, open to the inspection of the public, of all children applying for [admission], and entitled to, admission [into the public schools] *to kindergarten,* and shall notify the parents or guardians of the children when vacancies occur [, and receive the children into the schools in the order in which they are registered].

SEC. 4. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect, to become operative July 1, 1949. A statement of the facts constituting such necessity is as follows:

The existing law requiring that children be admitted to the kindergarten in the order of registration, works an undue hardship on parents, pupils, and the school district in that long waiting lines of parents and children must form very early on the first day of enrollment, since, because of lack of space to accommodate kindergarten pupils, only those who are first registered can be admitted. It is essential that kindergartens be conducted in the fairest manner possible without undue hardship."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 1911—An act relating to the control of floods on, and the development, conservation and making available for beneficial use of the waters of, San Dieguito River, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 14, of the printed bill, after "financed", insert "in whole or in part".

Amendment No. 2

On page 1 of the printed bill, strike out lines 17 and 18, and insert "Hodges Dam, in the proportions agreed upon by them, or, if they fail to agree, in the proportions fixed by the Division of Water Resources, on the basis of their respective needs for beneficial uses."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2124—An act to add Section 1243 to the Water Code, relating to beneficial use of water.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "beneficial", and insert "appropriations and".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 7, inclusive, and insert

"1243. The storage or diversion of unappropriated water pursuant to appropriations therefor, and the use thereof for recreational purposes, or for the preservation and propagation of fish and wild life, are beneficial uses of water."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2677—An act to add Chapter 8, comprising Sections 9700 to 9706, inclusive, to Division 9 of the Public Resources Code, relating to soil conservation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In the title of the printed bill, strike out "9706", and insert "9707".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "9706", and insert "9707".

Amendment No. 3

On page 1 of the printed bill, between lines 5 and 6, insert

"9700. There is hereby created the State Soil Conservation Service Administration. It shall consist of the Director of Natural Resources, the Director of Agricultural Extension Service of the University of California, and three members engaged in agricultural production as their principal occupation, who shall be appointed by the Governor from nominees submitted by the Dean of the College of Agriculture or the Director of Agricultural Extension Service of the University of California, subject to the confirmation of the Senate, and shall serve at the pleasure of the Governor."

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "9700", and insert "9701".

Amendment No. 5

On page 1, line 8, of the printed bill, strike out "commission", and insert "State Soil Conservation Service Administration (hereinafter referred to as "Administration")".

Amendment No. 6

On page 1, line 15, of the printed bill, strike out "9701. The commission", and insert

"9702. The administration".

Amendment No. 7

On page 1, line 21, of the printed bill, strike out "commission", and insert "administration".

Amendment No. 8

On page 2, line 13, of the printed bill, strike out "9702", and insert "9703".

Amendment No. 9

On page 2, line 14, of the printed bill, strike out "commission", and insert "administration".

Amendment No. 10

On page 2, line 20, of the printed bill, strike out "commission", and insert "administration".

Amendment No. 11

On page 2, line 24, of the printed bill, strike out "9703", and insert "9704".

Amendment No. 12

On page 2, line 25, of the printed bill, strike out "commission", and insert "administration".

Amendment No. 13

On page 2, line 34, of the printed bill, strike out "commission" and insert "administration".

Amendment No. 14

On page 2, line 36, of the printed bill, strike out "9704", and insert "9705".

Amendment No. 15

On page 2, line 37, of the printed bill, strike out "commission, through its _____," and insert "administration".

Amendment No. 16

On page 2, line 40, of the printed bill, strike out "_____", and insert "administration".

Amendment No. 17

On page 2, line 41, of the printed bill, strike out "9705. The commission", and insert

"9706 The administration".

Amendment No. 18

On page 2, line 48, of the printed bill, strike out "9706", and insert "9707".

Amendment No. 19

On page 2, line 49, of the printed bill, strike out "commission", and insert "administration".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 573—An act to repeal Division 9 of and to add Division 9 to the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, establishing county soil conservation district boundary committees and prescribing their functions, and regulating the organization, operation, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 4, 5, and 6 of the title of the printed bill, as amended in the Assembly on April 29, 1949, strike out "establishing county soil conservation district boundary committees and prescribing their functions,".

Amendment No. 2

On page 2, line 15, of said bill, strike out "and land use".

Amendment No. 3

On page 2 of said bill, strike out lines 19 to 24, inclusive, and insert "conservation districts for the purposes of soil and water conservation, the control of run-off and the prevention and control of soil erosion, including, but not limited to the improvement of farm irrigation, land drainage and land clearing. Such districts, in addition to their other powers, shall".

Amendment No. 4

On page 4, lines 12 and 13, of said bill, strike out "the Director of Agriculture Extension", and insert "a member of the College of Agriculture".

Amendment No. 5

On page 4, line 14, of said bill, after "three", insert "farmer".

Amendment No. 6

On page 4, line 19, of said bill, after "three", insert "farmer".

Amendment No. 7

On page 4, line 49, of said bill, strike out ", and shall"; strike out lines 50 to 52, inclusive; and on page 5, strike out lines 1 to 9, inclusive, and insert a period.

Amendment No. 8

On page 5, line 12, of said bill, strike out "or to the"; and strike out lines 13 to 15, inclusive, and insert "or addition."

Amendment No. 9

On page 6, line 5, of said bill, strike out the last comma; and strike out lines 6 to 9, inclusive, and insert "shall be submitted to the board of supervisors of the county

in which such proposal originates. Any proposal for a change in the boundaries of an existing district shall be submitted to the directors of the district affected."

Amendment No. 10

On page 6 of said bill, strike out lines 10 to 13, inclusive, and insert

"9061. The board of supervisors shall request the commission to investigate the proposal for a new district,".

Amendment No. 11

On page 6, line 18, of said bill, strike out "The commission"; and strike out lines 19 to 42, inclusive.

Amendment No. 12

On page 6, lines 44 and 45, of said bill, strike out "the county boundary commission, or if none exists", and insert "if the report is favorable".

Amendment No. 13

On page 6, line 50, of said bill, strike out "On proposals relating"; and strike out lines 51 and 52, and insert

"9065.5. On proposals relating to additions of land to existing districts the commission's report shall be filed with the secretary of the district."

Amendment No. 14

On page 7, lines 2 and 3, of said bill, strike out "the county boundary commission, or if none exists,".

Amendment No. 15

On page 7, lines 5 and 6, of said bill, strike out "the county boundary commission, or if none exists,".

Amendment No. 16

On page 7, lines 8 and 9, of said bill, strike out "and furnish a copy thereof to the county boundary commission".

Amendment No. 17

On page 7, line 11, of said bill, strike out "proposal", and insert "petition to form a new district".

Amendment No. 18

On page 7, line 37, of said bill, after "landowners", insert "owning 51 percent of the private lands".

Amendment No. 19

On page 7, line 38, of said bill, after "and", insert "if at the hearing as provided in Article 3 of this chapter".

Amendment No. 20

On page 7, line 40, of said bill, strike out "shall", and insert "may".

Amendment No. 21

On page 7, line 41, of said bill, strike out "shall", and insert "may".

Amendment No. 22

On page 7, line 43, of said bill, after "formed", insert "without election".

Amendment No. 23

On page 8, line 26, of said bill, after "lands", insert "and acreage owned".

Amendment No. 24

On page 8, lines 44 and 45, of said bill, strike out "the county boundary commission, or if none exists,".

Amendment No. 25

On page 8, lines 47 and 48, of said bill, strike out "the county boundary commission, or if none exists,".

Amendment No. 26

On page 8, lines 50 and 51, of said bill, strike out "the county boundary commission, or if none exists,".

Amendment No. 27

On page 9 of said bill, strike out lines 4 to 8, inclusive.

Amendment No. 28

On page 9 of said bill, strike out lines 44 to 47, inclusive.

Amendment No. 29

On page 10, line 5, of said bill, strike out "if the inclu-"; and strike out lines 6 and 7, and insert a period.

Amendment No. 30

On page 10, line 9, of said bill, after "district", insert "or from within the district".

Amendment No. 31

On page 10 of said bill, strike out lines 10 and 11, and insert "excluded."

Amendment No. 32

On page 16, line 9, of said bill, strike out "other legal means", and insert "gift".

Amendment No. 33

On page 16, line 45, of said bill, after "loan", insert "or rent".

Amendment No. 34

On page 17, line 8, of said bill, strike out "otherwise", and insert "gift".

Amendment No. 35

On page 17 of said bill, strike out lines 33 to 35, inclusive, and insert "9265. The directors of any district may call upon the district attorney of the principal county for legal advice and assistance in all matters concerning the district, except that if the principal county has a county counsel, then the directors may call upon him for such legal advice and assistance."

Amendment No. 36

On page 19, line 9, of said bill, strike out "may", and insert "shall".

Amendment No. 37

On page 19, lines 10 and 11, of said bill, strike out "warranted without jeopardizing a sound soil and water conservation program", and insert "requested".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2217—An act creating the San Luis Rey Water Authority, providing for its organization and government, and defining its duties and powers relating to the preparation and adoption of plans for and the acquisition, construction, operation and maintenance of a system of works, designated as the San Luis Rey Project, for the appropriation, diversion, storage, conservation, development, distribution and utilization of water of San Luis Rey River for flood control, domestic use, irrigation of lands, and drainage and reclamation connected therewith, and for any beneficial use; providing that certain state agencies may contract or cooperate with said San Luis Rey Water Authority for the purposes of the act; providing that the San Luis Rey Water Authority may cooperate and contract with the United States and its agencies for any of the purposes of the act; defining the manner of providing funds and the issuance, sale and redemption of bonds to carry out the purposes of the act; repealing the San Luis Rey Project Act, which became a law June 6, 1939, without the Governor's approval, and declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 3, line 7, of the printed bill, as amended in the Assembly on April 22, 1949, strike out "state,".

Amendment No. 2

On page 6 of the printed bill, following line 12, insert "Immediately upon designating and appointing the person to act as its first representative, each such governing

board shall cause a notice in writing, giving the name and address of such representative, to be transmitted to the chief executive officer of the member unit which first adopted an ordinance or resolution electing to become a member unit as provided in Section 4 hereof"

Amendment No. 3

On page 8, line 28, of the printed bill, strike out "no"; and strike out lines 29 to 47, inclusive.

Amendment No. 4

On page 10, line 16, of the printed bill, after "money", insert ", not exceeding ten thousand dollars ($10,000) at any one time,".

Amendment No. 5

On page 10 of the printed bill, strike out line 33, and insert "all of such powers to be subject to the conditions and limitations in this act set forth."

Amendment No. 6

On page 10, line 51, of the printed bill, strike out "reservoirs," and insert "and underground reservoirs and basins, or either or any thereof;".

Amendment No. 7

On page 11, line 3, of the printed bill, after "reservoirs", insert "or basins".

Amendment No. 8

On page 11 of the printed bill, strike out lines 18 to 21, inclusive, and insert "the authority."

Amendment No. 9

On page 11, line 36, of the printed bill, following "usefulness", insert "; provided that if the usefulness of any such crossing or intersection is impaired or destroyed, the authority shall pay to the owner thereof the damages caused thereby".

Amendment No. 10

On page 11, line 52, of the printed bill, after the comma, insert "production,".

Amendment No. 11

On page 12, line 3, of the printed bill, after "project", insert "which such property may be condemned if other facilities of equal efficiency and usefulness are provided the owner in lieu of the property taken or damaged".

Amendment No. 12

On page 12, line 10, of the printed bill, after the comma following "conduits", insert "wells,".

Amendment No. 13

On page 12, line 30, of the printed bill, after "purchase", insert ", lease".

Amendment No. 14

On page 19, line 37, of the printed bill, strike out "ad valorem".

Amendment No. 15

On page 19, line 38, of the printed bill, strike out ", or threatens to become,".

Amendment No. 16

On page 19 of the printed bill, strike out lines 42 and 43, inclusive, and insert "the amount delinquent."

Amendment No. 17

On page 24 of the printed bill, strike out line 40, and insert "at not less than their par value,".

Amendment No. 18

On page 5 of the printed bill, strike out lines 27 to 40, inclusive, and insert "The provisions of Section 3720 of the Political Code shall be applicable to the creation of, and annexation of any territory to, the authority and the statement required by that section shall be filed by the secretary of authority; provided, however, that a map and legal description of any annexed territory need not be filed if a map and description of such territory have theretofore been filed with the county assessor and the State Board of Equalization pursuant to Section 3720 and the statement of change of boundaries refers to such filing."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 587—An act to add Section 1737 to the Labor Code, relating to public works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out ", directs, or contracts for".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out 'force account", and insert "day labor, if the total cost of any project exceeds $1,000,".

Amendment No. 3

On page 1, line 7, of the printed bill, following the comma after "performed", insert "a certified statement".

Amendment No. 4

On page 1, line 7, of the printed bill, strike out "the cost figures of such"; and strike out line 8, and insert "that the cost figures of such work are on file in the office of the city engineer or such other office as the city council may designate. Such publication shall be made within sixty days from the date of the completion of such public work."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2255—An act providing an alternative method of financing parking districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Sections 3, 5, 13, and 46 of, and to add Part 9 to, the Vehicle Parking District Act of 1943, relating to an additional method of financing vehicle parking districts."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3 of the act cited in the title is amended to read:

Sec. 3. The petition shall contain (1) a general description of the exterior boundaries of the proposed district, (2) a general description of the lands to be acquired for parking places, which lands may lie wholly or partially outside or inside the boundaries of the proposed district, (3) a general description of any lands or rights of way to be acquired as streets or alleys for ingress to or egress from the parking places, or any thereof, (4) a general description of the improvements proposed to be made or constructed, (5) a request that bonds be issued under this act and the term of and interest rate or maximum interest rate to be paid on such bonds, [and] (6) a statement that it is filed under this act, *and (7) if the district is to be financed under Part 9 a statement to that effect and reciting that repayment bonds will be issued to the owners of record of the property to be assessed*. No defect or informality in the petition shall invalidate any proceedings thereunder.

SEC. 2. Section 5 of said act is amended to read:

Sec. 5 After the certificate and petition have been presented to the legislative body, said legislative body, if it finds and declares in the ordinance of intention that the public interest and necessity require the acquisition and improvement

described in the petition and that the property to be acquired as described in the petition is necessary therefor, may adopt an ordinance declaring its intention to form the vehicle parking district and to acquire the lands and rights of way, if any, and construct the improvements proposed in the petition.

Said ordinance shall also contain (1) the number of the proposed vehicle parking district and a general description of the exterior boundaries thereof, (2) a general description of the lands to be acquired for parking places, which lands may lie wholly or partially outside or inside the boundaries of the proposed district, (3) *a general description of any lands or rights of way to be acquired* as streets or alleys for ingress to or egress from the parking places, or any thereof, (4) a general description of the improvements proposed to be made or constructed, (5) an estimate of the cost and expense of the proposed acquisition and improvement, (6) a statement that an assessment will be levied as provided in this act to pay the costs and expenses of the acquisition and improvement, (7) if bonds are to be issued, a statement that bonds to represent unpaid assessments will be issued under this act and the interest rate or maximum interest rate, and term of any such bonds, [and] (8) a date, hour and place for the hearing of protests and objections, *and (9) if the district is to be financed under Part 9 a statement to that effect and reciting that repayment bonds will be issued to the owners of record of the property to be assessed*.

SEC. 3. Section 13 of said act is amended to read:

Sec. 13 The street superintendent upon receiving the diagram shall proceed to assess the total cost and expense of the proposed acquisition and improvement against the lands within the vehicle parking district, subject to assessment as provided in Section 14 hereof. The total cost and expense shall include the following:

(1) The amounts awarded the defendants in the condemnation action, together with their costs.

(2) Any amounts fixed by contract for the purchase of any lands or rights of way to be acquired

(3) All costs and expenses of plaintiff in the condemnation, attorneys' fees, fees of expert witnesses, service of process, and any other costs or expenses.

(4) The expenses of making the diagram and assessment.

(5) The estimated expense of issuing and selling bonds

(6) The estimated costs and expenses of the proposed improvement

(7) All expenses of the proceedings under this act, including engineers' and attorneys' fees, title searches, certificates of title, publication and posting of ordinances or notices, maps, plans, and the estimated expenses of the proceedings thereafter to be taken and all expenses of the proceedings taken under the Special Assessment Investigation, Limitation and Majority Protest Act of 1931.

(8) The cost of preparing and issuing repayment bonds if the district is financed under Part 9.

SEC. 4. Section 46 of said act is amended to read:

Sec. 46. On or before June 30th of each year the board shall prepare an annual estimate of the expenditures required for the maintenance, operation, repair and improvement of the parking places under its charge for the ensuing fiscal year *and if the district is financed under Part 9, an estimate of the amount necessary to pay any installment of principal or interest due on repayment bonds or of the amount required to be paid into any sinking fund for the payment of such bonds* and shall estimate the amount of revenues to be derived from rentals, fees or charges for the use of said parking places *and revenues from parking meters on streets and highways within the district if it is financed under Part 9* and the amount, if any, to be raised by taxation. This estimate shall be filed with the legislative body, and said legislative body at the time and in the manner for levying general taxes shall levy and collect upon and against all of the taxable land and improvements within the vehicle parking district a special ad valorem tax sufficient to raise the sum of money estimated as required to be raised by taxation; provided, however, that the tax levy for maintenance and operation of said parking places in any year shall not exceed five cents ($0.05) on each one hundred dollars ($100) assessed value of taxable land and improvements within the district. Said special tax shall be levied and collected at the same time and in the same manner and by the same officers and with the same interest and penalties as general taxes levied by the legislative body. The proceeds of said tax shall be placed in the district maintenance and operation fund and expended only for the maintenance, operation, repair and improvement of parking places acquired and constructed from taxes or assessments upon land in said district

Except as hereafter provided with respect to parking districts financed under Part 9 all revenues from fees, charges or rentals for the use of any parking place acquired and constructed by taxes or assessments upon lands in any vehicle parking district shall be turned over to the treasurer and by him placed in the proper district maintenance and operation fund from which payment shall be made, upon order of the board of parking place commissioners, for the maintenance, operation, repair and improvement of said parking places.

Except as hereafter provided with respect to parking districts financed under Part 9, in the event that the board of parking place commissioners determines that the revenues from fees, charges and rentals exceeds the amount necessary for the

proper maintenance, operation, repair, and improvement of said parking places, such surplus revenue may be used, upon the order of the board of parking place commissioners, to reduce the bonded indebtedness of the district.

The parking place commission of a district financed under Part 9 shall use any excess of revenue over necessary expenses to pay installments of principal and interest on the amounts due on repayment bonds or to augment the sinking fund for the payment of the principal and interest on such bonds except insofar as vested rights will be impaired by so doing.

SEC. 5. Part 9 is added to said act, to read:

PART 9

Sec. 60. This part provides an additional means of financing the parking districts authorized by this act. All other provisions of this act are applicable to proceedings under this part except as otherwise expressly or by necessary implication provided herein.

Sec. 61. The provisions of this part apply only to parking districts located entirely within incorporated areas.

Sec. 62 The parking place commission of any parking district formed before or after the effective date of this act, and not financed under this part may petition the legislative body of the city in which the district is located to authorize the financing of the district as herein provided.

Sec. 63. After the petition has been presented to the legislative body, if it finds and declares in an ordinance of intention that the public interest and necessity require that the district be financed under this part it may adopt an ordinance to that effect.

Sec. 64. Thereafter a public hearing shall be held on the proposal in the manner, upon the notice, and with the effect provided for the formation of districts

Sec. 65. Unless the power to proceed has been terminated the legislative body at the conclusion of the hearing may find and determine that the public interest and necessity require that the district be financed under this part. Such determination shall be by ordinance.

Sec. 66. Parking place commissions of parking districts financed under this part shall have additional powers as follows:

(a) To operate and maintain existing parking meters on public streets and highways and to use the revenues therefrom as provided in this part.

(b) To install, with the consent of the legislative body, and to operate and maintain additional parking meters and to use the revenue therefrom as provided in this part.

(c) To issue repayment bonds to the owners, of record at the date of issuance, of the property within the district assessed for any acquisition or improvement under this act The principal sum of the bonds issued to each owner shall equal the principal of the assessment on his property.

(d) To accept the surrender of and to cancel repayment bonds representing property which has been reassessed as provided in Part 6 and to issue new bonds in place thereof, in the amount of the reassessment.

(e) To pay the principal and interest on the repayment bonds out of the revenues of the district as hereafter provided.

(f) To issue funding or refunding bonds for the purpose of paying or retiring repayment bonds previously issued by it.

(g) To provide a sinking fund for the payment of repayment bonds as they fall due.

Sec. 67. Within thirty days after the recording of an assessment for acquisition or improvement against the property in any parking district financed under this part or within thirty days after the adoption of the ordinance provided in Section 63 or within thirty days after the appointment of the parking place commission, whichever is later, the parking place commission shall issue repayment bonds as provided in Section 66(c).

Sec. 68 Repayment bonds shall be negotiable in form, payable in not more than twenty years, with interest not exceeding 6 percent annually Principal and interest on such bonds shall be payable solely out of the revenues of the district.

Sec. 69 Repayment bonds shall be in such form as the parking place commission determines except as provided in this part.

Sec. 70. Repayment bonds shall constitute a first lien on all property and improvements acquired by the district but such bonds which were issued as a result of an assessment levied for a particular acquisition or improvement shall have a right against such acquisition or improvement prior to other repayment bonds of the district.

Sec. 71 Such bonds shall provide for the vesting in a trustee or trustees of the right to enforce payment of the bonds upon default by the district including the right to take possession of any parking lot, and to collect the rent or revenue therefrom and to apply it to payment of principal and interest on the repayment bonds

Sec. 72. Principal plus accrued interest shall be paid when possible in equal annual installments as soon as practicable after making the annual estimate as provided in Section 46.

The failure to pay an installment of principal or interest shall not constitute a default but failure to pay the entire balance of principal and interest upon maturity

of the bonds unless they have been refunded shall constitute a default giving the bond holders the rights provided in this part.

Sec 73. In enacting this act the Legislature expressly finds and declares that the providing of adequate parking places is of benefit to and necessary for the protection of the safety and welfare of the inhabitants of cities in which such parking places are located and of the traveling public in general as well as for the benefit of property owners within parking districts This act is necessary in order to encourage the formation of new districts and the extension and improvement of facilities in existing districts."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive; and strike out pages 2, 3, and 4.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2407—An act to amend Section 28139 of the Government Code, relating to the compensation for public service in counties of the thirty-ninth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 439 of the Education Code".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "one thousand eight hundred dollars ($1,800)", and insert "two thousand two hundred seventy dollars ($2,270)".

Amendment No. 3

On page 1, lines 8 and 9, of said bill, strike out "four thousand six hundred dollars ($4,600)", and insert "six thousand dollars ($6,000)".

Amendment No. 4

On page 1, lines 11 and 12, of said bill, strike out "four thousand six hundred dollars ($4,600)", and insert "six thousand dollars ($6,000)".

Amendment No. 5

On page 1 of said bill, strike out lines 15 to 18, inclusive, and insert

"(c) Each supervisor, two thousand four hundred dollars ($2,400)."

Amendment No. 6

On page 2 of said bill, strike out lines 5 and 6.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 2 of said bill, after line 6, insert

"SEC. 2. Section 439 of the Education Code is amended to read:

439. The annual salary of the county superintendent of schools of a county of the thirty-ninth class is [three thousand six hundred dollars ($3,600)] *four thousand eight hundred dollars ($4,800)*, and he shall possess a valid elementary or secondary administrative credential issued by the State Board of Education."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1172—An act to amend Section 72 of, and to add Section 74 to, the Labor Code, relating to administration of the Division of Industrial Welfare.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "employee", and insert "authorized deputy".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1191—An act to amend Section 6312 of the Labor Code, relating to the powers and duties of the Division of Industrial Safety.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, strike out "person designated by", and insert "authorized employee of".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1840—An act to develop public recreation, and providing the procedure for allocation of funds to cities, counties, cities and counties, recreation districts and school districts, providing for the financing thereof and for that purpose amending Sections 19485, 19597, and 19627, of the Business and Professions Code, relating to licensing and regulating horse race meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 5 of the title of the printed bill, strike out "19597, and 19627,", and insert "and 19597".

Amendment No. 2

On page 3, line 13, of said bill, strike out "and services".

Amendment No. 3

On page 3, line 23, of said bill, strike out "and services".

Amendment No. 4

On page 5, line 23, of said bill, strike out "and 9", and insert "6".

Amendment No. 5

On page 5, line 25, of said bill, after "($20,000,000)", insert "but is not more than thirty million dollars ($30,000,000), and 9 percent of the amount by which the total amount so handled by him exceeds thirty million dollars ($30,000,000)".

Amendment No. 6

On page 5, line 35, of said bill, strike out "and 4", and insert "7".

Amendment No. 7

On page 5, line 37, of said bill, after "($20,000,000)", insert "but is not more than thirty million dollars ($30,000,000), and 4 percent of the amount by which the total amount so handled by him exceeds thirty million dollars ($30,000,000)".

Amendment No. 8

On page 5 of said bill, strike out lines 42 to 50, inclusive; and strike out page 6.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2232—An act establishing the California State Music Project and defining the purpose thereof; authorizing the formation of a musical organization to be known officially as the California State Band; providing for permanent band officers and defining their duties; providing for the presentation and use of the band in concerts and appearances throughout the State and elsewhere; permitting private engagements; permitting special use of the band in publicizing and lending color and attraction to the 1949, and 1950, anniversary celebrations and exercises held throughout the State; creating the California State Band Commission and defining its powers, duties and authority, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 7 of the title of the printed bill, strike out "permitting private engagements;".

Amendment No. 2

On page 4 of said bill, strike out lines 23 to 48, inclusive, and insert

"SEC. 8. Considering the fact that the prestige held by a state-sponsored organization may easily be misused to gain an unfair advantage working adversely to the best interests of local groups of musicians throughout the State if not adequately restricted, it is, therefore, hereby specifically provided that no concert or musical appearance whatsoever, whether by the full ensemble of the musical organization herein provided for, or by any smaller detail of instrumentalists selected therefrom, shall be presented, permitted, or allowed, unless a clearance for the same, in each and every instance, is given by the local affiliates of the American Federation of Musicians having respective jurisdictions therein; any other provision of law to the contrary, notwithstanding. Nor shall any such concert or musical appearance be presented, permitted, or allowed, in violation of the laws of the American Federation of Musicians."

Amendment No. 3

On page 5 of said bill, strike out lines 17 to 22, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 83—An act making an appropriation to the Recreation Commission for the purpose of developing a comprehensive State-wide Program of Community Recreation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Commission," and insert "Fund, which is hereby created,".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 294—An act to add Sections 1503.4 and 6357.1 to the Education Code, relating to the education of pupils in kindergartens.

Bill read second time, and ordered to third reading.

Senate Bill No. 296—An act to add Section 1503.5 to the Education Code, relating to payments for the education of pupils residing in one district and attending in another.

Bill read second time, and ordered to third reading.

Senate Bill No. 1622—An act to add Article 4.5 to Chapter 13 of Division 2 of the Education Code, relating to the annexation of high school districts to junior college districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 633—An act to repeal Chapter 1083 of the Statutes of 1931, approved June 19, 1931, relating to the impounding and utilization of the waters of the American River.

Bill read second time, and ordered to third reading.

Senate Bill No. 634—An act to repeal Chapter 413 of the Statutes of 1935, approved July 9, 1935, relating to the Rector Dam Authority.

Bill read second time, and ordered to third reading.

Senate Bill No. 648—An act to repeal Chapter 101 of the Statutes of 1929, approved April 12, 1929, relating to the impounding and utilization of the waters of the American River.

Bill read second time, and ordered to third reading.

Senate Bill No. 649—An act to repeal Chapter 569 of the Statutes of 1927, approved May 17, 1927, relating to the impounding and utilization of the waters of the American River.

Bill read second time, and ordered to third reading.

Senate Bill No. 464—An act to amend Sections 20767 and 20773 of the Business and Professions Code, relating to motor fuel pump inspection and license fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 465—An act to amend Sections 20951 and 20952 of, and to add Sections 20806 and 20982 to, the Business and Professions Code, relating to petroleum products inspection and enforcement.

Bill read second time, and ordered to third reading.

Senate Bill No. 1075—An act to repeal Section 3722 of the Political Code, relating to the organization of river port districts for assessment and taxation purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 114—An act to amend Section 4764 of the Health and Safety Code, relating to the borrowing of money by county sanitation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 607—An act to amend Section 28151 of the Government Code, relating to compensation for public services in counties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 8, of the printed bill, before the period, insert "a year".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1394—An act to amend Sections 6, 16, 17, 50, 51, and 66 of the Orange County Water District Act, relating to powers, duties and compensation of the board of directors of, inclusion of lands in, and exclusion of lands from, the Orange County Water District.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 5, 1949, strike out "17,".

Amendment No. 2

On page 2 of said bill, strike out lines 13 to 52, inclusive; and on page 3, strike out lines 1 to 20, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Municipal and County Government.

Senate Bill No. 509—An act to add Sections 1.1, 1.2, and 1.3 to the Orange County Water District Act, relating to the exclusion of certain areas from the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 12 of the printed bill, as amended in the Senate on April 18, 1949, strike out lines 3 to 5, inclusive.

Amendment No. 2

On page 15 of said bill, between lines 44 and 45, insert

"A tract of land in the South one-half (S½) of the Southwest Quarter (SW¼) of Section 9, Township 4 South, Range 10 West, S B B. & M., and the South one-half (S½) of a portion of Lincoln Avenue, in the County of Orange, State of California, and more particularly described as follows:".

Amendment No. 3

On page 18 of said bill, between lines 12 and 13, insert

"Notwithstanding any insufficiency or error in any of the foregoing descriptions of lands situate within the corporate boundaries of any of the following named municipal corporations, to-wit: City of Anaheim, City of Fullerton, City of Santa Ana, and Coastal Municipal Water District, it is the intent and purpose of this Section 1.1 to exclude from Orange County Water District all lands included in said District which are now situate within the corporate boundaries of any of the aforesaid municipal corporations."

Amendment No. 4

On page 20, line 41, of said bill, strike out the colon; and in line 42, strike out "(1) The", and insert "the".

Amendment No. 5

On page 20, line 49, of said bill, strike out "five cents ($.05)", and insert "fifteen cents ($0.15)".

Amendment No. 6

On page 21 of said bill, strike out lines 1 to 14, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Municipal and County Government.

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 3122, on request of Mr. McCollister.

Assembly Bill No. 138, on request of Mr. George D. Collins.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO WITHDRAW BILL BE CONTINUED

Mr. Elliott asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 318 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 30 be made a special order of business for Tuesday, May 17, 1949, at 10.30 a.m.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND OPINION BE PRINTED IN JOURNAL

Mr. Heisinger asked for, and was granted, unanimous consent that a letter of transmittal and an opinion of the Attorney General be ordered printed in the Journal, in 10-point type, as follows:

LETTER OF TRANSMITTAL

STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
LIBRARY AND COURTS BUILDING
SACRAMENTO, CALIFORNIA, May 10, 1949

Hon. S. L. Heisinger
Assemblyman, Thirty-fifth District
State Capitol, Sacramento, California

Re: Opinion 49/68

DEAR SIR: Pursuant to your written request, we have prepared and enclose herewith our opinion 49/68, relative to the following question:

"* * * whether it is necessary for legislation as contained in A.B. 3104 or whether it would be better to rely upon the Constitution, and does the Constitution provide for such beneficial uses as contained in AB. 3104. Will you please also give me your opinion if it would be better for the Legislature to write into the code a bill of similar nature, possibly including industry and hydroelectric power?"

We trust you will find the opinion sufficient for your requirements.

Very truly yours,

FRED N. HOWSER, Attorney General
By E. G. BENARD, Assistant Attorney General

OPINION OF THE ATTORNEY GENERAL

OFFICE OF THE ATTORNEY GENERAL
SACRAMENTO 14, CALIFORNIA
FRED N. HOWSER
ATTORNEY GENERAL

OPINION OF FRED N. HOWSER, Attorney General; RALPH W. SCOTT, Deputy Attorney General } No. 49/68, May 10, 1949

The Member of the Assembly from the Thirty-fifth District, has submitted the following question:

"* * * whether it is necessary for legislation as contained in Assembly Bill No. 3104 or whether it would be better to rely upon the Constitution, and does the Constitution provide for such beneficial uses as contained in Assembly Bill No. 3104. Will you please also give me your opinion if it would be better for the Legislature

to write into the code a bill of similar nature, possibly including industry and hydro-electric power?"

The conclusion reached is as follows:

The Constitution provides that state waters shall be put to beneficial use but it does not specify the various uses which are beneficial. The Legislature has declared in Section 106 of the Water Code that domestic use is the highest beneficial use and irrigation the next highest use to which water may be put. Courts have held that the use of public waters for recreation and for fishing are beneficial uses. It would appear to be meet and proper for the Legislature to classify additional beneficial uses of water in the order of the highest and lowest benefits to be derived therefrom.

Analysis

Assembly Bill No. 3104 proposes to amend Section 106 of the Water Code to read as follows:

"106. It is hereby declared to be the established policy of this State that the use of water for domestic purposes is the highest use of water and that the next highest use is for irrigation.

The section shall not be construed to mean that other uses of water, such as uses for fish, wild life and recreational purposes, are not beneficial uses of water." (Italics added.)

The amendment adds the last paragraph (italicized above) relating to the use of water for fish, wild life and recreational purposes.

Section 106 is simply a declaration of state policy with respect to the use of water, domestic purposes being classified as the highest beneficial use, and irrigation the next in order. This section and others of the Water Code were enacted pursuant to an amendment to the Constitution adopted November 6, 1928 (Article XIV, Sections 1, 2, and 3 thereof). Section 3 of that article declares in effect that the general welfare of the State requires that its waters be put to beneficial use to the fullest possible extent, that the waste or unreasonable use or unreasonable method of use of water should be prevented and that the conservation of such water is to be exercised with a view to reasonable and beneficial use. The same section permits the Legislature to enact laws in furtherance of such policy.

Section 107 of the Water Code modifies Section 106 to the extent that the policy so declared in Section 106 is not exclusive, and that other and further declarations of policy in that code are to be accorded full force and effect. Section 1242 of the same code declares that the underground storage of water is a beneficial use, and it may be inferred from Section 1241.5 (no longer effective) that the use of water for mining is beneficial also.

Courts have held that the use of water for fish, wildlife or recreational purposes is a beneficial use. (Cf. *City of Elsinore* vs. *Temescal Water Co.*, 36 Cal. App. 2d 116, *City of Los Angeles* vs. *Aitken*, 10 Cal. App. 2d 460; *State, etc.* vs. *Red River Valley Co.*, 51 N. Mex. 207, 182 Pac. 2d 421.) Moreover, that the use of water for maintenance of fish life is beneficial may be inferred from Section 525 of the Fish and Game Code which requires the release of water behind dams sufficient in amount to maintain fish life which exists below. That section is based on Section 637 of the Penal Code, originally enacted in 1872. Other sections of the Fish

and Game Code also give rise to the inference that the use of water for wildlife is a beneficial use. Thus, under Section 29 of that code the Fish and Game Commission is directed, among other things, to propagate birds, mammals, fish, mollusks and crustaceans. Manifestly, it would be impossible to propagate such animals without water.

To clear the atmosphere of all doubt on the subject it may be fitting and proper for the Legislature to specify additional uses of water which are beneficial and which would not constitute a waste or unreasonable use. In its present form Assembly Bill No. 3104 takes a negative view of the situation with respect to water for fish, wildlife and recreational purposes. Thus, it declares that Section 106 shall not be construed to mean that such uses are not beneficial uses of water. A more direct approach would obtain if the Legislature in amending Section 106 affirmatively declared that the use of water for fish, wildlife and recreational purposes is a beneficial use. In like manner the Legislature may make a similar declaration with respect to the use of water for industry and for the generation of electricity.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS HOLD PLACES ON FILE

Mr. Coats asked for, and was granted, unanimous consent that all bills on the Senate third reading file, which are passed on file today, hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1171—An act to repeal Chapter 3.3 of Part 6, Division 1, comprising Sections 3490 to 3494, inclusive, of the Revenue and Taxation Code, relating to the disposition of tax delinquent property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1130

Mr. Crichton asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1130, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1130

Senate Bill No. 1130—An act to renumber the heading of Division 15 of the Health and Safety Code, relating to venereal disease.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nichouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1610—An act to provide for the sale of a parcel of land under the control of the State Park Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nichouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 726

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 726, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 726

Senate Bill No. 726—An act to amend Sections 10150.5, 10158, 10176, 10177, 10177.5, 10211, and 10213.5 of, and to add Sections 10161.5, 10150.6, and 10177.6 to the Business and Professions Code, relating to real estate regulations, including licenses and disciplinary action.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 384

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 384, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 384

Senate Bill No. 384—An act to amend Section 390 of the Penal Code, relating to railway crossing warning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister,

McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—59.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 229—An act to add Section 12500 to the Education Code, relating to fees for credentials and life diplomas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1032—An act to add Section 9607.2 to the Education Code, relating to the education of minors with cerebral palsy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 971—An act to amend Sections 700.01, 700.02, and 1594 of the Insurance Code, to renumber and amend Section 1584 of said code, to repeal Section 1582 of said code, and to add Section 700.05 to said code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 976—An act to add Article 4, comprising Sections 1610 to 1619, inclusive, to Chapter 4, Part 2, Division 1 of the Insurance Code, relating to actions in this State against non-admitted insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 281—An act to amend the Building and Loan Association Act by amending Section 2.02 thereof, relating to restrictions on corporate name, Section 2.04 thereof, relating to approval of articles of incorporation by the Building and Loan Commissioner, Section 2.07 thereof, relating to branches, Section 4.01 thereof, relating to guarantee stock, Section 8.03 thereof, relating to minors and married women, Section 10.03a thereof, relating to Federal Insurance Reserve Account, Section 11.04 thereof, relating to licenses for agents and salesmen, Section 12.04 thereof, relating to foreign associations, Section 12.06 thereof, relating to restrictions on advertising, Section 13.02 thereof, relating to appointees, employees and offices of the Building and Loan Commissioner, Section 13.05 thereof, relating to general duties of such commissioner, Section 13 07 thereof, relating to appraisements, Section 13.17 thereof, relating to assessments by such commissioner for salaries and expenses, and Section 15 16 thereof, relating to supervision and control of borrowers' mutual building and loan associations; repealing Section 5.03 of said act, relating to investment certificate reserve; and adding to said act Section 2.10, relating to investment certificate and withdrawable share reserve, and Section 8.13, relating to authorization to execute certificates, all relating to building and loan associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Motion to Amend Title

Mr. Geddes moved the adoption of the following amendment to the title:

Amendment No. 1

In line 19 of the title of the printed bill, as amended in the Assembly on May 4, 1949, after "associations;" insert "amending and"

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Senate Joint Resolution No. 20—Relative to memorializing the Congress of the United States to modify the classification of items subject to tax as luxuries.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Weber, Yorty, and Mr. Speaker—49

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 353—An act to amend Section 21 of the Fish and Game Code, relating to powers and duties of the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 558—An act to add Section 16.5 to the Fish and Game Code, relating to the taking of deer in game refuges.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—54.

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

Senate Bill No. 699—An act to add Section 16.4 to the Fish and Game Code, relating to the taking of female deer.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—54.

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On May 25, 1949, upon request of the Senate, the record was expunged, and the action rescinded, whereby the Assembly on this day passed Senate Bills Nos. 558 and 699. (Assembly Journal, page 3610.))

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 4

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 4, temporarily passed on file, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 4

Senate Joint Resolution No. 4—Relative to establishing a nine county area to be known as the San Francisco Bay Area.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Gransky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—52

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1545—An act to amend Section 1620 of the Welfare and Institutions Code, relating to the inspection and licensing of boarding homes, day nurseries and schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Gransky, Hahn, Heisinger, Hoffman, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Sillman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—52

NOES—None

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that last night he was interrogated by a legislative representative in the presence of a member of the press relative to the placement of bills on the file; and that the inference was made that bills are not being correctly placed on file. He further announced that all bills are placed upon the calendar in the order reported out of committee and will always be so placed; and that anyone is at liberty at any time to confer with the File Clerk relative to the status of any bill.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 187—An act to amend Section 13424 of the Education Code, relating to the attendance of teachers upon institutes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn Hawkins, Heisinger, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 8—An act to amend Section 9 of the Monterey County Flood Control and Water Conservation District Act, relating to flood control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—51.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 666

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 666, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 666

Senate Bill No. 666—An act to amend Section 6323 of, and to add Section 6307 to, the Public Resources Code, relating to the administration and control of swamp, overflowed, tide or submerged lands and structures thereon.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 741

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 741, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 741

Senate Bill No. 741—An act to amend Section 3 of an act entitled "An act to release the Regents of the University of California from all obligations assumed by said the Regents of the University of California pursuant to the provisions of Sections 1, 2, and 3 of an act entitled, 'An act

appropriating five hundred twenty-five thousand dollars ($525,000) to be used and expended by the Regents of the University of California for the construction and equipment of a building or buildings on the site of the University of California at Los Angeles; providing that none of said money shall be drawn or expended until said the Regents shall deliver to the Chairman of the Department of Finance an obligation binding said the Regents (a) to set aside for sale certain real property in Los Angeles owned by said the Regents; (b) not to use or permit to be used the same so as to interfere with or prevent its sale, provided, that said the Regents may lease the whole or part of said property for periods of not more than six months; (c) to sell parts or parcels of said property or the whole at such prices and on such terms and conditions as said the Regents with approval of the Department of Finance shall fix; (d) to pay over to the State Treasury all sums received from sales or rentals, less the costs of selling and leasing and the necessary costs of care and maintenance of said real property; providing that on sale of the last part or the whole of said real property and payment of all moneys agreed to be paid into the State Treasury by said the Regents, the Chairman of the Department of Finance shall deliver to said the Regents a written acknowledgment that all requirements of said the Regents' obligation have been performed and further providing that said the Regents shall thereupon be discharged of every duty and requirement in the premises, declaring the urgency thereof and providing that this act shall take effect immediately,' approved May 31, 1929, assenting to the conveyance to the State of California by the Regents of the University of California of certain real property in the City of Los Angeles, providing for the transfer to the State of California of leases and contracts of sale affecting said real property, and providing for the sale of such property by the State," approved April 21, 1943, relating to interests in real property owned by the Regents of the University of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 675—An act to amend Section 281111 of the Government Code, relating to compensation for public service in counties of the eleventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse,

Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 551

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 551, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 551

Senate Bill No. 551—An act to amend Sections 446, 450, 452, 453, and 457 of the Education Code, relating to the salaries of the county superintendents of schools of counties of the forty-sixth, fiftieth, fifty-second, fifty-third, and fifty-seventh classes respectively.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Elliott, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Waters, Weber, Yorty, and Mr. Speaker—55
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1041—An act to amend Sections 465.8 and 465.9 of the Vehicle Code, relating to highway name signs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, Weber, Yorty, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1246—An act to amend Section 110.5 of the Business and Professions Code, relating to the Division of Administrative Procedure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney,

McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stillman, Smith, Stanley, Stewart, Waters, Weber, Yorty, and Mr. Speaker—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 852—An act to amend Sections 12127, 12128, 12129, 12130, 12131, 12134, 12135, 12136, 12137, and 12144 of the Education Code, relating to the credentials authorizing service in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Waters, Weber, Yorty, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1073—An act to add Sections 11, 12, 13, 14, and 15 to an act entitled "An act to provide for the maintenance of storm drain improvements, and other water courses or drainage channels; the formation, management, alteration of boundaries, and dissolution of storm drain maintenance districts; defining the powers of the board of supervisors and the county surveyor relative to such districts and providing for the levy and collection of taxes to defray the expenses thereof," approved May 11, 1937, and to renumber the existing sections of 11 and 12 of said act, relative to storm drain maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Waters, Yorty, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 488

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 488, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 488

Senate Bill No. 488—An act to amend Section 7001 of the Water Code, relating to joint use of conduits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn,

Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 6

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 6, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 6

Senate Bill No. 6—An act to add Section 2333.5 to the Health and Safety Code, relating to annexation of cities to mosquito abatement districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT FOR PERMISSION TO SIGN REPORT

Mr. Maloney, as a member of the Committee on Industrial Relations, asked for, and was granted, unanimous consent that he be permitted to sign a report of the Committee on Industrial Relations in the absence of both the chairman and vice chairman of said committee.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1617

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1617, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1617

Senate Bill No. 1617—An act to add Section 42.1 to an act entitled "Drainage District Act of 1903," relating to drainage districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 388—An act to amend Section 483 of the Vehicle Code, relating to striking an unattended vehicle.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 826—An act to amend Section 951 of the Streets and Highways Code, relating to side paths.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1172—An act to add Section 566 to the Vehicle Code, relating to skiing and tobogganing on or across state highways.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, after the period, insert "A person on skis proceeding on or across a highway at a pace no greater than a walk is not within the prohibition of this section and shall be considered to be a pedestrian with all the rights and duties thereof as prescribed in this code."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 52—Relative to approving amendments to the charter of the City of Oroville, a municipal corporation in the County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.
NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 263

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 263, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 263

Senate Bill No. 263—An act to amend Section 8051 of the Education Code, relating to the performance of services by governing boards of school districts and county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 742—An act to amend Section 423 of, and to add Section 458.1 to, the Fish and Game Code, relating to transportation of fish and game.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Collier, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Tomlinson, Yorty, and Mr. Speaker—50.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.40 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1253

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1253, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1253

Senate Bill No. 1253—An act to amend Section 701 of the Agricultural Code, relating to containers for milk or milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stewart, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.43 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1337—An act to amend Section 2952 of the Civil Code, relating to the recordation of mortgages and deeds of trust.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Tomlinson, Waters, Weber, and Yorty—54

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 624

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 624, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 624

Senate Bill No. 624—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 202—An act to amend Section 1530a of the Probate Code, relating to powers and duties of guardians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Conrad, Cramer, Crichton, Crowley, Davis,

Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stewart, Tomlinson, Waters, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.46 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 380—An act to amend Section 754 of the Probate Code, relating to decedents' estates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Tomlinson, Waters, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1406—An act to add Section 631.3 to the Code of Civil Procedure, relating to jury fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Tomlinson, Waters, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 812—An act to amend Sections 2701 and 2736.5, and to repeal Sections 2727.5, 2735, 2825, and 2826 of the Business and Professions Code, relating to the practice of nursing the sick or afflicted.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Tomlinson, Waters, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 816—An act to amend Section 2554 of the Business and Professions Code, relating to funds of the Board of Medical Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Tomlinson, Waters, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 965—An act to amend Section 4256 of the Business and Professions Code, relating to fees charged by the California State Board of Pharmacy, to take effect immediately.

Bill read third time, and ordered passed on file.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF ASSEMBLY INTERIM COMMITTEE ON FIRE HAZARDS AND PREVENTION BE PRINTED IN JOURNAL

Mr. Rosenthal asked for, and was granted, unanimous consent that the Report of the Assembly Interim Committee on Fire Hazards, and Prevention, be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT AND THAT 100 COPIES BE PRINTED

Mr. Rosenthal asked for, and was granted, unanimous consent that the Report of the Assembly Committee on Fire Hazards, and Prevention, be printed as a separate document, and that 100 copies be printed.

Hon. Richard H. McCollister Presiding

At 11.55 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 194—Relative to the birthday of the Honorable Julian Beck.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 194

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 194, as co-authors.

The roll was called, and the following members present unanimously indicated a desire to be so recorded:

By Messrs. Maloney, Hollibaugh, Meyers, Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Sam L. Collins, Condon, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb,

Lowrey, Luckel, McCollister, McMillan, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Tomlinson, Waters, Weber, and Yorty:

House Resolution No. 194

Relative to the birthday of the Honorable Julian Beck

WHEREAS, On May 13, 1905, in the City of Philadelphia, in the State of Pennsylvania, there was born the Honorable Julian Beck, Assemblyman from the Forty-first Assembly District in the State of California; and

WHEREAS, Upon reaching manhood the Honorable Julian Beck came to California in the year 1923, and entered the University of California, Los Angeles, in the City of Los Angeles, where he majored in Economics and Political Science, and graduated with an A.B. Degree in 1929, and later on received his Master's Degree from the University of California in 1935, and his LL.B. Degree from Loyola Law School in 1935; however, before receiving said degrees Julian Beck began teaching Business subjects and Social Studies in the Los Angeles Schools in the year 1931, and for the ability which he displayed he became an instructor of Business Law for the American *Institute of Banking*; and

WHEREAS, As a result of the long, arduous, and strenuous hours of study, Julian Beck was admitted to the State Bar in the year 1935, and has maintained law offices in San Fernando in Los Angeles County ever since; and

WHEREAS, In the year 1942 Julian Beck aspired for and was elected to the California State Assembly, and has been re-elected consistently every two years; and

WHEREAS, Julian Beck, during his terms of office in the California State Assembly, has won the admiration and confidence of all of the Members of the Legislature in the sessions in which they have served with him, he being possessed with unusual ability and knowledge of civic affairs and State Government, which makes him an outstanding statesman; and

WHEREAS, Julian Beck, for the confidence which the members of the Democratic Party had in him, was selected by their group as the floor leader of that party at this 1949 Regular Session of the California State Legislature; and

WHEREAS, In the year 1935 Julian Beck was married to Maud Marie Carlisle, and has two lovely daughters, Julie Anne and Judith Lynn Beck; now, therefore, be it

Resolved, That the Members of the California State Assembly extend to the Honorable Julian Beck their heartiest congratulations on this, his forty-fourth birthday, and wish him continued success and good luck in all of his future endeavors; and be it further

Resolved, That suitable engrossed copies of this resolution be forwarded to the Honorable Julian Beck.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 194, at this time, without reference to committee or file.

Resolution read, and adopted.

Speaker Presiding

At 12 m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that the Senate will not meet on Memorial Day. He requested Messrs. Stanley and Beck to consider in party caucus, the advisability of the Assembly working, or not working, on Memorial Day, and to render a recommendation for the consideration of Assembly members.

RESOLUTIONS

The following resolution was offered:

By Messrs. Ralph C. Dills and Fletcher:

House Resolution No. 195

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created; and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field; now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1 The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation

2 The committee shall consist of the Speaker of the Assembly and four Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To meet at the State Capitol or at any other place in this State or within the United States

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 84: By Mr Sam L Collins—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 56

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 56—Relative to the visit of the Legislature to Shasta Dam.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 91
Assembly Bill No. 2227

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 91 and 2227 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 528
Assembly Bill No. 1577

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 528 ordered re-referred to Committee on Public Health.

Assembly Bill No. 1577 ordered re-referred to Committee on Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 377—An act to add Section 13001.2 to the Education Code, relating to the confirmation of prior employment of certificated employees of school districts, and the conditions therefor;

Assembly Bill No. 506—An act to add Section 984 to Article 3, Chapter 6, Division 4 of the Military and Veterans Code, relating to farm and home purchases;

Assembly Bill No. 651—An act to add Section 18707 to the Education Code, relating to the sale of materials by school districts to pupils;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of May, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 652—An act to amend Section 11671 of the Education Code, relating to textbooks for pupils in classes for adults;

Assembly Bill No. 1647—An act to amend Section 1300.15 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of May, 1949, at 11 a.m..

HUYCK, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2311
Assembly Bill No. 2944

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 472

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER. Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 78
Assembly Bill No. 2024

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 358
Assembly Bill No. 1362
Assembly Bill No. 2534

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 230

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

MALONEY, Acting Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 861

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

MALONEY, Acting Chairman

Above reported bill ordered to second reading.

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred:

Assembly Bill No. 2992

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BURKE, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 57

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 40

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 7

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 33

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1482
Assembly Bill No. 1904
Assembly Bill No. 2059

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 1321

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 1097
Assembly Bill No. 1505
Assembly Bill No. 1506

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 3129

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 12, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2455

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

McMILLAN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 859
Assembly Bill No. 2034
Assembly Bill No. 2389
Assembly Bill No 2765

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 77
Assembly Bill No. 1222

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 40

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 147 re-referred to Committee on Livestock and Dairies

REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON FIRE HAZARDS AND PREVENTION

Letter of Transmittal

May 15, 1949

To the Speaker and Members of the Assembly

GENTLEMEN: On behalf of this committee, recreated by House Resolution No. 260 of the 1947 Session, we have the pleasure of submitting our further report.

Respectfully submitted,

(Signed) WILLIAM H. ROSENTHAL, Chairman
R. FRED PRICE, Vice Chairman
BERT LOOMIS, Member

Introduction

This committee was created as a result of numerous apartment and hotel fires throughout the country. It was believed that this would be a good time to make a study of the existing laws concerning fire protection and prevention as they pertained to hotels and apartment houses in the State of California.

Before the committee was created a comprehensive bill, pertaining to fire prevention and protection, Assembly Bill No. 753, was introduced by the chairman of this committee, at the request of the Department of Immigration and Housing, and several very thorough hearings were held in committee and the bill was passed by both houses and sent to the Governor and signed by him, but said bill was made effective only insofar as new and future housing was concerned. The reason for this was the opposition on the part of the existing hotel and apartment owners, who pointed out that any major remodelling and installation of fire prevention equipment would practically bankrupt the owners of the above mentioned properties. None the less the bill is a step in the right direction for any future building in the State of California and, if complied with, will be a definite step toward preventing any serious fires in the State.

It was believed that an interim committee should be created to make a further study of this problem and report back to the Legislature by May 15, 1949. This committee was created and presents this report.

Due to the inability of all the members of this committee to meet together during the course of its study and investigation, there were only two meetings held, one in San Francisco and one in San Diego.

The committee met in San Francisco on November 25, 26, 27 and 28, 1948 and the following persons were present:

HON. WILLIAM H. ROSENTHAL, Chairman
HON. THOMAS MALONEY, San Francisco
HON. FRED PRICE, Ontario
HON. BERNARD BRADY, San Francisco
FRED WOOD, Legislative Counsel
C. H. MCCASLIN, California State Apartment Association
C. H. POTTS, Building Inspector, San Francisco
RAYMOND P. BARRY, State Division of Housing, San Francisco
ED. P. WALSH, Chief of San Francisco Fire Department
FRANK P. KELLY, Fire Department, San Francisco
JOSEPH D. SULLIVAN, Hotel Employers Association

J. C. DE GOLIA, Chairman, California State Hotel Association
WILLARD DAVIS, Hotel Sacramento, Sacramento
CHARLIE H. SALYERS, Chief, Division of Housing

As indicated there were representatives from the State Division of Housing, the San Francisco Fire Department, the Hotel Employers Association and the State Hotel Association.

The Fire Chief of San Francisco stated that the city ordinances of the City of San Francisco, concerning fire prevention equipment were more stringent than the state laws and that there had been satisfactory compliance by the hotel and apartment owners in San Francisco * * * that in those instances where additional fire prevention equipment was necessary, that fact was brought to the attention of the operator or owners of the buildings in question, and invariably some program was worked out that would provide the necessary protection. Chief Walsh indicated the need for more outside fire escapes on existing structures to assist in removing persons from burning buildings. He stated that outside fire escapes precluded the necessity of enclosing stairways in old buildings. He went on to say that in all new structures where they had no outside fire escapes there were enclosed inside stairways and a sufficient number of elevators, in addition to which there was a sprinkler system installed on every floor at the time the building was erected. The chief went on to say that automatic sprinklers are very desirable and an excellent instrument of fighting fires Chief Walsh complained of the removal of fire escapes from old buildings and opposed such removal unless additional fire fighting equipment here above mentioned was installed.

Mr. J. C. De Golia, Chairman of the California State Hotel Association then spoke on behalf of the hotel and apartment house owners and opposed making the existing law retroactive for the reason that to do so would be confiscatory and cause many hotel and apartment house operators to be thrown into bankruptcy. Mr. De Golia was then asked whether he knew of any owners who either refused or failed to comply with a request made by the fire department or the City and County or San Francisco, to install fire prevention equipment as an alternative to equipment required either by state law or by city ordinance and he replied that he knows of no instance where any hotel owner or operator failed to cooperate.

Chief Walsh asked whether he knew of any instances where a hotel owner or operator had refused to install fire equipment and he replied that there was none to his knowledge.

Mr. De Golia and Mr. Willard Davis stated that they had installed in the hotels that they owned or operated, the Reichel safety system or automatic alarm, which was an additional fire prevention utility which was not required by either state law or city ordinance, and had found this system to be very effectual and satisfactory. This system provides for a thermostatic signal which connects with each and every room of the hotel and in case of fire reports such fact upon a master control, so that immediate fire prevention equipment can be directed to the specific room at which a fire was started. One of the essential requirements of fighting fires is the ability to first determine where the fire is located or was started and then the ability to bring fire fighting equipment to

that immediate point. The installation of this equipment is expensive but has certainly been effective in fighting fires in hotels and apartment houses

Mr. C. H. McCaslin spoke in behalf of the Apartment House Association of Alameda County and stated that the membership of his organization are unanimously opposed to making the existing law retroactive for the reason that they are unable to obtain the necessary material and equipment and that to compel them to do so would cause many of them to suffer serious financial loss. He further stated that the record of loss of life and injuries resulting from fire in apartment houses is practically nil. Mr. McCaslin added that Fire Marshal Carlson in Oakland posted signs in all the hotel rooms in Oakland, warning the occupants against smoking in bed, stating that it is against the law to do so and that many persons are injured each year as a result of fires caused by smoking in bed, and he believed that this was a deterrent to the careless person who smokes in bed.

All of the above mentioned persons present participated in the open discussion at the close of the meeting and it appeared to be the consensus of opinion that we should rely on more voluntary cooperation between the hotel owners and operators and the fire chiefs rather than demand additional legislation on this subject.

The second meeting was held at San Diego on December 10, 11, and 12, 1948.

The following persons were present:

HON. WILLIAM H. ROSENTHAL, Chairman
HON. R. FRED PRICE, Vice Chairman
GEORGE E. COURSER, Fire Chief, San Diego
SYDNEY O. ROPPE, Fire Marshal
L. T. MOTT, State Supervisor of Housing
JOHN CORTON, California State Apartments Conference
J. C. DE GOLIA, California State Hotel Association
HARLEY L. BONHAM, San Diego Apartment House Association
M. J. HYDE, President, San Diego Apartment House Association
M. M. CORY, Engineer, San Diego Apartment House Association
C. T. BOOK, President, New Plaza Hotel
GEORGE W. CHEATHAM, Kingston Hotel
CARLETON LICHTY, Manager, U. S. Grant Hotel
JACK DROWN, Manager, Imig Manor Hotel
H. B. KLINGENSMITH, Manager, El Cortez Hotel
HARRY W. BECKETT, Manager, San Diego Hotel
MELVIN W. AWE, Manager, Pickwick Hotel
OTHERS.

A complete transcript of the meeting at San Diego is presented herewith.

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Before the Assembly Interim Committee on Fire Hazards and Prevention, State of California, at Sacramento

HEARING AT SAN DIEGO, CALIFORNIA

Held on Saturday, December 11, 1948, 10 a.m., at the El Cortez Hotel

Transcript of Proceedings

Appearances

For the State Assembly

HON. WILLIAM H. ROSENTHAL
Member, California Assembly
Fortieth District

HON. R. FRED PRICE
Member, California Assembly
Seventy-second District

For the San Diego Fire Service

GEORGE E. COURSER, Chief
SYDNEY O. ROPPE, Fire Marshal

Present Representing Housing, Etc.

L. T. MOTT, State Supervisor of Housing
JOHN COTTON, California State Apartments Conference
E. B. DEGOLIA, California State Hotel Association
HARLEY L. BONHAM, San Diego Apartment House Association
M. J. HYDE, President, San Diego Apartment House Association
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HARRY W. BECKETT, Manager, San Diego Hotel
MELVIN W. AWE, Manager Pickwick Hotel
OTHERS

SAN DIEGO, CALIFORNIA, SATURDAY, DECEMBER 11, 1948, 10 a.m.

BE IT REMEMBERED, That pursuant to notice duly served on representatives of the San Diego Fire Department, as well as the hotel and apartment owners of San Diego, and on the eleventh day of December, 1948, at 10 o'clock a.m. in the El Cortez Hotel, in the City of San Diego, County of San Diego, State of California, a meeting was held by the Assembly Interim Committee on Fire Hazards and Prevention of the California State Assembly, the persons hereinabove mentioned being present in their respective capacities as indicated, and proceedings were had as hereinafter set forth.

HON. WILLIAM H. ROSENTHAL, of the State Legislature, presided as chairman of the meeting, and HON. R. FRED PRICE, of the State Legislature, acted as Secretary.

CHAIRMAN ROSENTHAL: It is with great pleasure that I welcome you all here to this committee meeting, and I feel very much gratified at the splendid turn-out. It is my belief that there is a problem, at least in San Diego, if nowhere else. We did have a nice meeting in San Francisco

a few weeks ago and there was quite a turn-out there, too. I realize that the people are interested in preventing fires and fire hazards. To make a brief explanation of the nature or the purpose of meeting, at the last session of the Legislature I introduced a bill which is entitled "Assembly Bill No. 753," which was a revamping and revision of the Health and Safety Code dealing with a few fire hazards. It was introduced on behalf of the state department and was quite comprehensive and if passed as presented probably would have limited the situation with regard to fire hazards for all time. It was a very strong legislation, and also had in it a retroactive clause, a retroactive feature, which meant that everything in it with regard to fire walls, fire escapes, fire sprinklers and things like that would have to be put in almost every large building of every sort, existing as well as future. Suffice to say that the retroactive feature was taken out when there was a presentation made on behalf of various hotel owners and apartment house owners indicating at that time that it was impossible to do, first because of lack of materials, of the high cost of lumber, and secondly, because they felt that it wasn't the necessary thing to do. The bill was passed, and dealt only with future construction, which I think is also a very good thing because we can be sure if it is followed through, which, of course, it must be, and is properly enforced by the fire marshals throughout the State, that in the future we can be sure that none of us will sleep with fear caused by defects in buildings and defects in fire equipment. But we came here with the express purpose in mind of finding out what you people in this area want or have in mind with regard to any further legislation or whether the legislation we have now on the books is sufficient. I have included, I think, everyone almost in my notices for this meeting. Just to see how many persons are here or who have sent representatives, I shall call them off:

George Courser, Tom Mott, the managers of U. S. Grant and San Diego Hotels, Apartment House Association, Mr. John Cotton, Carleton Lichty, Mr. H. B. Klingensmith, of the El Cortez Hotel here, Maurice Cory, Mr. Luce, of the San Diego Trust & Savings Building.

JUDGE LUCE: Yes, I am in the San Diego Trust & Savings Building, but I don't represent them at this meeting.

CHAIRMAN ROSENTHAL: I understand you are a former Senator, Mr. Luce.

JUDGE LUCE: Quite a long time ago, from this district.

CHAIRMAN ROSENTHAL: Mr. Knox, the mayor, is not represented. The councilmen were likewise invited. Are there any councilmen here, or representatives? Fire Chiefs of Oceanside, La Mesa, Coronado, Chula Vista and National City were invited. I am nonetheless satisfied with the turn-out.

To my right is Fred Price, the other member of my committee. He is an Assemblyman from Ontario, California, in the County of Los Angeles.

MR. PRICE: No, I am not from Los Angeles County. I am from San Bernardino County.

CHAIRMAN ROSENTHAL: The way I conducted the meeting in San Francisco was—we will call upon every person here who wants to say something, that is, everyone who wants to, and tell me what you want to say with regard to either this bill or any new proposed legislation or any problem you may have within the confines of San Diego County or

the cities surrounding it. I would like to have you come forward, whoever wishes to speak.

JUDGE LUCE: I think perhaps I should lead off by giving you not only our problem but the course of legislation here with the common council as I had charge of it for a couple of years.

CHAIRMAN ROSENTHAL: You go right ahead.

JUDGE LUCE: My name is Edgar A. Luce, and I am attorney for the Hotel Men's Association and had charge of the legislation that went before the Common Council of San Diego, starting about a year and a half or two years ago. I would like to give you first a little idea of the problem that San Diego has, which is a little different from the others. The City of San Diego doubled in population from 1940 up to the present time, most of it during the war. During the war period we added about 200,000 people to our population, and during that period, of course, it was impossible to have any new construction. As a result there was a very distinct housing problem. Rooming houses and hotels, small and large, were crowded beyond their capacities. So that there was a problem in regard to some of the poorer construction, of getting rid of those buildings or getting new construction or replacements, which just could not be done. Likewise, there could not be any material obtained. There was a labor shortage to make any of the ordinary improvements. That is the picture in San Diego. Now, about a year and a half ago the city building inspector prepared what he called a new building code to govern not only the new construction in San Diego, but it also had provisions for protection against fire hazards to become effective immediately upon the present construction. The first thing that we knew about it was this very amendment to the present building code that was prepared and presented. We asked for a hearing, and we had a hearing on it. I confess that at that time we did not know too much about some of the proposed safety measures, such as enclosing stair wells We did not have much information on it, and we could not obtain very much. The principal points in the amendment were that first, they required the fire escapes which, of course, wasn't anything very new. They had some different provisions in it, and it also contained a provision that in all buildings over three stories in height stair wells would have to be enclosed with automatic doors, and it provided for the closing of the air shafts. That of course was a very objectionable feature, and in hotels like this here one, and particularly the U. S. Grant, which is a solid concrete building and has been in existence for a long time, the cost of enclosing these stair wells would have been tremendous, as it would apply to all the buildings in San Diego and it would run up into hundreds of thousands of dollars, and perhaps more than that. We knew at that time that it would be impossible to obtain the material to do that, even if it were advisable, and to get the labor. So we were permitted a hearing and we did present our side of the matter, as I say with not as much knowledge as we had since as to what to do and how to meet that. The building inspector had insisted that the enclosing of the stair wells was a protective feature that was generally accepted or considered as necessary by fire fighting authorities. So we made our presentation and did our best to have some relief from that, particularly from that feature. We weren't so concerned about the fire escapes, although they did increase our costs tremendously,

too, in some of the hotels, to install additional fire escapes, but we felt that perhaps that was the thing that would have to come, would be coming, and we would not object too seriously to it if we would know of it But we did object very seriously to the enclosing of the stair wells. So the best we could do at that time was that the city authorities did agree to what we called a flooring or alternative clause which they agreed to put into the ordinance, which permitted the owners or the lessees of those buildings within six months of the adoption of those amendments to present what was called an alternate plan which would produce safety but without having to enclose, to follow the ordinance literally, and if the city inspector approved those plans, they would state a compliance, when felt, with the ordinance. We thought that was a very distinct help to us, because every assurance was given us by the building inspector to try. We could observe that we could accomplish that safety by not enclosing every floor. For instance, it might be that one floor, every other floor, every third, or something of that kind. We were looking for relief from that tremendous expense. So that went through all right. During the six months following that some buildings did present plans, but the great majority of them did not, and the reason that we did not go further with that was that we understood that the Legislature was making an investigation of this problem and that they had this interim committee, and we weren't so sure that if we went ahead and spent all of that money and did all of that that the Legislature might consider that that wasn't satisfactory protection and might have some other alternate, like sprinklers, and if we did build these stair walls and the Legislature required a sprinkling system, we would have all that additional expense instead of perhaps having the sprinkling system in the first instance, and since the Legislature—we didn't know whether they would be in accord with this measure or not, we did not feel that we should go ahead; and, likewise, we found that practically every city in the State was having the same problem and that in their ordinances they weren't requiring the enclosing of the stair wells. I think, I am not too sure of this, that our ordinance is—it was indicated at that time—went further than anyone in the State. While we were still considering that the building inspector suddenly introduced a new building ordinance, the city, a complete new building ordinance, rather re-enacted this ordinance. It didn't make any particular change in so far as the enclosed stair wells were concerned. By that time we had read what we could find on the subject and we came to the conclusion that fire protection authorities weren't altogether agreed upon the advisability of the enclosed stair wells, that that seemed to be still a question of some debate, which made it all the more important for us to go a little easier and not spend fifty or sixty thousand dollars in a hotel for this protection unless it would work. We never could agree with them that the enclosed stair wells with automatic doors was a good protection under the conditions. For instance, we have the problem of earthquakes in Southern California, maybe not so much in Northern California, but we do in Southern California, and in the event of a severe earthquake and people trying to get out of the hotels, it might result in a panic. These automatic doors might not open very easily; and then, again, even in the case of a fire, I confess to not being an expert, but I still don't see how in case of fire you are going to get

people out down the stairways if those automatic doors are going to be closed, and if they are going to be opened to people coming down the stairways how are you going to close them against fire? And in the case of earthquakes, with those enclosed stair wells with automatic doors at every floor, do you consider that they are going to be in the interest of safety? To go back to this ordinance, the first notice we had of it was an item in the newspaper. I immediately wrote to the city government and requested a hearing on it, and I was told that we would have it, but I awoke the next morning to find that the common council had passed it without any debate or hearing at the time, so I protested it again, and the mayor assured us they would hear it in spite of the fact it had been passed, and reconsider it. So he did. We got hold of what pamphlets we could and got information prepared by Mr. Justice, who did the work for us, and we went around to the common council again, which was in March, I think, or thereabouts, somewhere along in there, and our main argument to them, I believe, was that of course in the first place while it might be a question of agreement with the ordinance as previously adopted, we told them we had learned a lot more about it and the problem was far more serious than even we at first thought, and we very strongly called to their attention the fact that this interim committee at that time was meeting in various places in the State, was obtaining information on this and we should wait until this interim committee had reported and we knew what the state legislation would be before they required us to go to that heavy expense; it might all be useless by the time the Legislature got through, we might be required to do other things and so pile up this tremendous expense on us. So they were quite sympathetic with us, and they then referred the matter to a committee composed of the city manager and the department heads and ourselves, and we threshed it out quite a bit. We had some differences of opinion. In spite of all we could do they kept reporting matters usually different from our understanding, but finally—we had the utmost cooperation, I will say, from the city counsel and city manager, and finally it was all agreed and they amended it by providing that in so far as the stair wells were concerned that the effective date would be May, 1949, which would give us time to see what the State did, and that we would have six months from May, 1949, in which to accomplish those changes. Our idea was, of course, that it gave us time to find out what the State was going to do. If in May, 1949, the state legislation was completed and it was either contrary or different from our own here, we could still get some further relief on the argument that it should all be uniform and not divided up. Now, in one of those hearings, Mr. Courser is here and can speak for himself, one of the things brought to the attention of the common council was that the fire chief and the building inspector weren't in accord as to the value of the enclosed stair wells. There was a disagreement between them on it, which gave us a little argument, too, as the fire chief expressed what had been in our minds right along, the idea that the enclosed stair wells had not been too well established in the minds of fire prevention people or fire fighting people, that at least it was not at the point where you could say that that was a "must," and I think the fire department felt it might interfere with getting their lines up into the buildings or fighting the fires, and he was not very strong for it. Of course, we all knew

that putting in fire sprinkling systems in the hallways and all-ways would probably be better than the stairway when our ordinance gave us the alternative of automatic sprinklers. Of course, when you come to that you have tremendous expense in a big hotel of putting in these sprinkler systems, and when we have so-called fireproof buildings, like the U. S. Grant Hotel, San Diego Hotel and the Pickwick Hotel, and the Maryland to maybe a lesser extent, there is no necessity for compelling us to put in fire escapes or sprinkler systems, and those things, in those fireproof buildings. The expense is tremendous, running up, in the big hotels, the two of them together running up to a hundred thousand dollars perhaps, and you cover that all over the State and it would be tremendous. The apartment houses have the same trouble, of course. There was something like a hundred apartment houses in San Diego that would be affected, more or less, and it is a tremendous expense on them. In many instances it would take away their entire profits and absolutely ruin them, especially the lessee. That brings up, of course, another problem, the retroactive feature of making the already constructed buildings go to this heavy expense. Most of them were under lease, and I think in most leases nothing of this kind was contemplated. They were either silent or uncertain as to whether the lessee or owner would have to make these changes required by the municipal ordinance. To the lessee it was ruinous. You could imagine a lessee in a large building having to pay the, we will say, fifteen to twenty, twenty-five or maybe thirty thousand dollars for this fire escape system, and then have to turn around and pay another fifteen, twenty or thirty thousand dollars for enclosing the stair wells. That would simply ruin him. He could not exist under that. Let me add to this that the fire department in San Diego has been unusually helpful and courteous. We understand their problem, too. What they are trying to do is to make the buildings safe, and we, naturally, are just as anxious as they are to prevent fire which would either create panic or destroy life in any of our buildings. We would suffer not only from the fact that our guests were injured, but from a money standpoint, and we are just as anxious as they are; and I think they have also seen our problem and have been considerate of it, and we are working along pretty well together. And I will say, also, as far as the building inspector is concerned, my experience with him is that he has been fair and understanding and he has done a good job as far as our relations with him are concerned. I think that he has been especially fair in affording us an opportunity to solve our distressing problems, and we still have this saving clause in the ordinance. But even with that, it seems to me that our ordinance might have gone further than they have in their ordinance of the city in so far as present constructed buildings are concerned, and we are anxious to see, somehow, this State, the cities and the State, have a uniform legislation of some kind, at least where there can be an agreement so we can really know what we have to do, and whatever the restrictions are, that they should be such that they can be accepted by everybody as being effective in fire prevention so that we don't have to repeat it for another two or three years with some other new ideas. There are all sorts of different ideas, too, now coming into effect in the way of fighting fires in hotels, so we want to make sure that we have the last word on it and also that all the authorities will consider the problem of the owner and the lessee.

A thing like that is impossible, coming upon him all of a sudden. The city authorities thought it helped us a lot in this savings clause, by giving us this six months. Well, six months is nothing in this city, either in getting supplies or labor or getting materials or money. They have to raise the money somehow; all of those things, suddenly expect us to do it, where we have gone on, as we have, for 30 or 40 years, maybe, some of those buildings, to suddenly have to put in all that investment is a severe jolt. And, of course, at the end of the war, business naturally has not kept up; it is falling off. The hotels are not as prosperous as they were, and they have to consider the question of expense. The first thing they popped out with was that human life was involved and money could not be given consideration. If you follow that out to the limit you will destroy about half of the buildings in San Diego and start all over again and make them all of solid concrete and all absolutely fireproof, which is physically impossible. We do have to consider the cost as well as the human life angle, and try to reach a happy medium somehow where we can protect human life and yet not impose a terrific strain on the people who have to pay for it; and it seems to me if it is going to apply to the already constructed buildings, it should be spread along at times so it can be done. Now, the building inspector tells us that is exactly what he is going to do, and what he has started in to do.

CHAIRMAN ROSENTHAL: You mean the local city building inspector?

MR. LUCE: Yes. What he is going to do is start with the worst ones. He has already issued complaints, and there are already prosecutions pending. He has taken up the worst ones. That is, on fire escapes alone. The enclosed stair wells haven't become effective, but he has begun to prosecute them and he has picked up the worst buildings possible in town. He did this, of course, knowing it is something that has to be done, but it raised this problem; he has no legal authority to pick out John Jones down here and prosecute him and not prosecute Smith over here. And they are already hollering about it. I think he is using good judgment about it, and I think he will proceed as he feels the necessity requires, and he probably will reach our clients last; but we don't want to be in the position of violating the law, but we just haven't got around to it. I will say that most of the buildings and hotels have been complying with the requirement for fire escapes.

CHAIRMAN ROSENTHAL: That is what I am interested in, Mr. Luce, if I may interrupt you.

MR. LUCE: Surely. I think I am through.

CHAIRMAN ROSENTHAL: What have they done? Adding it up we get 18 months or 6 months or a year delay. Have any of them thought of the necessity of doing anything on their own?

MR. LUCE: Let me put it this way: Our agreement, and I should have said it before, with the city authorities—When we asked them for this delay they said that they would not object too much to a delay on some features of it if we would make a start today to do something to better the situation, so we agreed that we would proceed with the fire escapes, and that is satisfactory, if we would go ahead with the fire escapes they would leave or delay the enforcement of the ordinance with respect to the enclosed stair wells until May, so that is what they have done. The U. S. Grant Hotel has just completed a very expensive outlay for fire escapes, and I have noticed, as I have been around, that some of

the office buildings, and, generally speaking, they have been going ahead with the fire escapes, getting those on the buildings, and I think perhaps as rapidly as that can be done, and that is being done without any question, as far as the fire escapes are concerned.

CHAIRMAN ROSENTHAL: Fine. What I am interested in is that we have talked much about volunteer controls as opposed to government regulation, and I am sometimes afraid we are using the term as a delayed action, but if those people who are in control of these buildings would use voluntary controls there would be no need for legislation.

MR. LUCE: I want to repeat that all of the authorities, including the fire department, the building department, and all of those, have gone along very well with us in trying to do the best they can, considering their duties, in respect to having proper fire protection.

CHAIRMAN ROSENTHAL: Thank you, very much, Mr. Luce, and after we have given everyone a chance to talk we will have comments in which we can go into it more thoroughly.

Would anyone else like to speak next, or shall I take it according to my list here?

John Cotton

MR. JOHN COTTON: I am John Cotton, representing the California State Apartments Conference. I will make only brief remarks today. The position of the California State Apartments Conference is simply that they are opposed strenuously to any retroactive features on existing buildings. Their reasons are that at the moment it will add to the restrictions imposed by law on gross incomes. We have, as you know, federal rent control, and we have in some parts of the State of California local controls on rents, and we have indications from legislative bodies throughout the State and municipalities that may favor future controls on rents, so that we have continually the prospect of control on income and on one government level, and we don't believe it is right or proper to have a retroactive building legislation on another government level, water on both shoulders, at the same time. The matter of retroactive building legislation on existing apartment houses brings us face to face immediately with many things which might be required to be done retroactively which do not increase income or rental value in any way from the tenants' standpoint. You go to the tenant and say, "Would you rather have us spend $4,500 in doing certain things to the building here that would make it a little better from a fire protection standpoint, or would you rather have us spend $4,500 in putting in new toilets, sinks and new bathtubs to modernize the building?", and you will find every time that the tenant wants the modernizations. They are willing to take more chances on the building. They generally feel that they complied with the law at the time it was built, and if not completely obsolete that their fire hazard is such that they would not sacrifice their comfort for fire safety, or for additional fire safety, and I think that is something we should keep in mind. The apartment owners throughout the State feel, also, that the retroactive features of the building law sets a precedent which is apt to drive out future investment capital in rental housing. If a man is considering the building of a rental property here today and he knows that whatever he builds today, complying with existing laws, may very likely not comply with the laws five years from

now and he might be required to go through the building and make many changes, he is going to think twice before building rental housing.

CHAIRMAN ROSENTHAL: Do I understand that you are opposed to legislation now on the statute books regarding the new construction?

MR. COTTON: No, I am not. Our opposition is only to retroactivity.

CHAIRMAN ROSENTHAL: Thank you very much, Mr. Cotton.

MR. MOTT: I wonder if we could hear something from Chief Courser or Captain Roppe regarding the other side of the question in San Diego.

CHAIRMAN ROSENTHAL: Very well.

George E. Courser

MR. COURSER: My name is George E. Courser, and I am Chief of the San Diego Fire Department. First, I want to say, as I said to the council and these gentlemen, I have worked for the citizens of San Diego and represent these gentlemen as well as the majority of the citizens. My job, of course, is looking after fire protection and the lives and property of citizens of San Diego. I have all the respect in the world for Judge Luce, and I know he can see his side in representing these men, and I can, too. However, I do know that there are certain things that have to be done in this city to make it possible for people to live in their apartment houses and hotels with safety. I just came back from a trip to the Fire Chiefs Conference in Miami. I was interested, through the South particularly, in the notices on the billboards advertising hotels, that they very emphatically brought forth in their advertising that their hotels are now equipped with fire escapes and sprinkler systems. I haven't forgotten the Winecoff Hotel fire in Atlanta, Georgia, and I think they are very mindful of that time. People will go to motels and tourist camps and won't stop at hotels and apartment houses unless they have sprinkling systems and fire escapes. It is practically prevalent throughout the South. The city council saw fit to send me to Chicago to spend a week making a survey of their department, and while I was there they had several serious fires. In one three-story apartment fire they lost five people. No fire escapes and no sprinkler system. Several people lost their lives in a building very similar to some of the old-style apartment houses here in San Diego. This particular building was built during the World's Fair. In 1897, a stone brick building, looked very fine from the front. There are many buildings of the same type in Chicago today and should fire break out in any of them it is probable that they will have a similar experience with respect to loss of life. Now, in Chicago I made an investigation also of the LaSalle fire. I looked at that building, and you would not think it was possible for anyone to lose their lives. It is a fireproof building, but they had a tremendous loss of life there. They did have fire escapes, but no sprinkler system. I talked to the leaders of the fire department there, and they all agreed that if they had had a sprinkler system in their hallways and in their stairways they would never have had the loss of life that they did. People were literally cooked in the stairways and hallways and the rooms, and the fire progressed from one floor to the other. The details of the fire, of course, you would not be interested in, it is a long story, but it illustrated if the laws—and I believe today probably the hotels will make a great change in Chicago because people are very hesitant about going into that type of hotel where there was such a loss of life. They are hesitant about going in a

hotel unless they feel protected. As I say, throughout the South they are having quite a battle between the hotels and the motels on that one thing, the safety feature. I am not so strong for the partitioning off of stairways and hallways. I am very much in favor of the sprinkler system. They cost quite a bit for the initial installation, but over a period of years I think they pay for themselves in giving people a sense of security, and I think that any hotel that has a sprinkler system, plus fire escapes, can very readily advertise that their hotel is a safe hotel to put up in, and I think it is a smart thing to do, and I hate to see anyone try to block it in any way, shape or form, because we have to insist upon safety for the patrons of hotels and apartment houses. If we don't, we are going to have the same thing happen here sometime as happened in the other cities. You can't get away from it. The cycle runs. Every city has a loss sometime or another. We are quite fortunate here. In my position, I must insist we do something to make it possible for the people who come to San Diego and those who live here in our hotels and apartment houses, to be able to come in here and come out alive, and I will be glad to answer any question anyone will care to ask.

CHAIRMAN ROSENTHAL: Are you familiar with the city ordinance passed recently here?

CHIEF COURSER: Fairly well. I am not as well acquainted with it as Fire Marshal Roppe, that is, I don't feel that I am as well posted, generally, as he is. I know the ordinance, of course, but I have other duties to perform, and I leave that to him.

CHAIRMAN ROSENTHAL: Have you made a survey of the hotels and apartment houses which were lacking in proper fire protection?

CHIEF COURSER: Yes, we have for years had these hotels and apartment houses under observation that haven't fire escapes on, but we weren't able to get them to put them on because the law was not retroactive. However, those particular hotels now have fire escapes.

CHAIRMAN ROSENTHAL: Since your investigation?

CHIEF COURSER: Since this law went into effect, and we were very much pleased with their cooperation. I was invited to appear before the Hotel and Apartment House Owners Association at a luncheon, and I was treated much better than I expected to be, with all courtesy, and the cooperation that I received from those gentlemen was really—I appreciated it very much. They agreed that they wanted to do everything possible to make it safe for the patrons. Of course, they have their side. Eveything is going to cost money, but I think that the sprinkler system and the fire escapes and the stand pipes—

CHAIRMAN ROSENTHAL: What is that?

CHIEF COURSER: That is to lift water to different floors, pumping it from the floors. All the hotels except one have that equipment.

CHAIRMAN ROSENTHAL: Would you say that since the enactment of the city ordinance there has been a trend towards improving the structures?

CHIEF COURSER: There has been in the matter of fire protection insofar as the fire escapes are concerned. I can write that off. That has been practically taken care of

CHAIRMAN ROSENTHAL: Your next step is to deal with the sprinkler system?

CHIEF COURSER: Stand pipes and sprinkler systems. Of course, they have their change of date within which to install them. I don't think, when it comes down to dollars and cents, over a period of time it is going to cost them too much, and better results will result from the sprinkler system than the partitioning off of the stair wells. Now, if they are interested in going further than this and install a sprinkler system in all of the rooms of the building, it is possible to get a reduction in insurance rates, I have been told by the rate bureau, of about 50 percent. Of course, labor is high now and material is high and that has been an excuse, that they could not get material But they can get the material now. Everything is high now, it costs more, but it is something you can't put to one side and balance it against human life, because there is nothing that leaves a city with a bowed head more than to lose a lot of people in a fire.

CHAIRMAN ROSENTHAL: Do you have any record of the number of lives lost and persons injured over a period of time, or an average?

CHIEF COURSER: We know we lost two lives this year in a two-story hotel fire here.

CHAIRMAN ROSENTHAL: Do you have any other record of lost lives?

CHIEF COURSER. I haven't a record, but probably Fire Marshal Roppe could tell you. Our loss of life has not been great in San Diego. We have a good fire alarm system I would say I think we have a good department, they are pretty well trained, and we are able to keep up with these fires if we are informed promptly. We have every third night a fire in a hotel or an apartment.

CHAIRMAN ROSENTHAL: Every third night?

CHIEF COURSER: Just about every third night. Fires in rooms do not generally give us as much trouble if we are informed. It is those fires that start in basements and hallways and that can sweep up through the building Fires in rooms in a hotel are probably not any different than fires in anyone's house, but where they start in the hallways or basements and spread out up through the hallways, those are dangerous.

CHAIRMAN ROSENTHAL: You speak of fires in rooms. Is that type of fire usually started by smokers?

CHIEF COURSER: Yes, most of them.

CHAIRMAN ROSENTHAL: I started a bill a few years ago, to that effect, and they almost laughed me out of the room.

CHIEF COURSER: They do make arrests—

CHAIRMAN ROSENTHAL: Do you have a city ordinance against smoking in bed?

CHIEF COURSER: Yes, it is a state law, and we arrest probably two or three a week.

CHAIRMAN ROSENTHAL: How do you know they are in bed and how do you know they are smoking?

CHIEF COURSER: That is something hard to find out. I don't tell you all our secrets, but we have been very fortunate and I don't think we have lost a case in court.

CHAIRMAN ROSENTHAL: That is very interesting.

CHIEF COURSER: We don't arrest a man for setting fire to his home in that manner, but a place that is occupied by other people—in other words, if you rent a room in somebody's home and they are getting rent for it and your tenant starts a fire, he is jeopardizing your life, and

he is arrested. If he is jeopardizing his own life or that of his family, that is a different thing.

MR. PRICE: I was wondering what your reaction was to this theory of stair wells, or enclosed stair wells.

CHIEF COURSER: I have never been against it—I don't deny there is some merit to it, but I think it is a detriment in a way. In other words, say you got three or four stairways with doors opening upon them, and people going down, and they close the fourth floor. You have a fire sweeping up and it is going to mash on the fourth floor unless someone opens the door. Of course, if you keep the doors closed you close off the people, and if you open them the fire sweeps through. But if you have a sprinkler system there is not much chance of the fire going very far.

MR. PRICE: There is a considerable difference of opinion on the proposition of—

CHIEF COURSER: I imagine there is, possibly, but the record will show. I don't believe there has been the loss of life with the sprinkler system in a building.

MR. PRICE: Who are the proponents of that, generally, in the case of stair wells?

CHIEF COURSER: I don't know whether that is in the National Code, or not. I don't know where.

CHAIRMAN ROSENTHAL: The National Underwriters proposed it and sponsored it.

CHIEF COURSER: They probably did, in lieu of the sprinkler system, but I think you will find out that they state that the sprinkler system will be more effective.

MR. PRICE: How do the installations compare in cost?

CHIEF COURSER: I don't know, but I think over a period of years the sprinkler system will cost less, although the partitioning off of stairways may cost less in the initial construction. When the sprinkler system is put in it is practically in there for life. The Del Coronado Hotel has a 100 percent sprinkler system for years and years, and every nook and cranny is equipped with sprinklers, and it is all entirely frame construction, and I doubt very much if the building would be there today if it did not have the sprinkler system.

MR. PRICE: It is your opinion that the sprinklers should also have enclosed stairways and fire escapes?

CHIEF COURSER: No. I don't see the stair well enclosures, but I do see the sprinklers. I think this is going too far, possibly, in my opinion. I have been in this game for 35 years and, of course, my experience has been only in this city, but we have been watching things in other cities, and I have a lot of respect for the sprinkler system.

CHAIRMAN ROSENTHAL: The new law provides that it is not necessary to have as much fire escape—

CHIEF COURSER: I am not acquainted with the state law, but the city ordinance is that—the fire escape is important, however, in any apartment house or any building.

CHAIRMAN ROSENTHAL: Now we will call Chief Roppe. Would you like to come up and present your views on the subject?

Sydney O. Roppe

MR. ROPPE: My name is Sydney O. Roppe. I am Fire Marshal, City of San Diego Fire Department. We are very much pleased with one

provision of Assembly Bill No. 753, and that is Section 17830, which makes it a misdemeanor for any person, whether he be the owner or manager, bellhop or occupies a room in the hotel, who has knowledge of a fire or any smouldering combustion which might become a fire, and fails to report it promptly to the fire department. Chief Courser has mentioned that one of the big faults and one of the causes of the spread of fires in many of the hotels throughout the country is the failure to notify the fire department promptly of a fire. We have already made several arrests locally under that provision, and we have had a noticeable decrease in the seriousness of hotel fires. All right, so that when the city ordinance was being amended and when the new building code was being adopted, we had occasion to go back through our records for a five-year period, and we found that the average over that five-year period were 28 percent of all our structural fires were in hotels and apartment houses, and we have had locally during that five-year period from 700 to 930 structure fires a year, which is almost two hotel fires every day. Ordinarily, those have been confined to single rooms for the most part. We have had some where delayed alarms and other factors have caused a fire to spread, and that was our big problem, but it was recognized by the hotel people themselves. We know, of course, that there are still fires occurring in hotel rooms that are not reported to the fire department, and that thought gives us the greatest concern, because we are very much afraid that some person in a room or a night clerk or someone else in the hotel will attempt to extinguish a fire and fail to do so and will then notify the fire department only when the fire has become very serious. With the help of Section 17830 we are cutting that down quite a bit. Now, on Assembly Bill No. 753, that is very good for new buildings, but we have never lost a life on a building that has not been constructed. Our problem has been with our present buildings, and I might, from our side, state that the report that Judge Luce has given was very complete, and there is a complete agreement between the city officials and the hotel and apartment house owners as to the need for protecting life. There has never been a statement made in San Diego that life was not important. How to do it is the question. We are still trying to reach an agreement, and I think we have thus far been very successful in that. There are approximately 524 hotels and apartment houses in San Diego, according to the Health Department records, and I believe that Judge Luce indicated that approximately two hundred fifty, I may be wrong in this figure, but approximately two hundred fifty of those are involved in our present city ordinance. Up to the present time the fire department and the building department have made approximately one hundred fifty contacts, and at the present moment there are 112 hotels and apartment houses working on the changes required by our city ordinance, and in some cases they have already been completed. We have a number of hotels and apartment houses which have gone right through our ordinance and begun everything they have been able to do, and have completed the work, have not waited, in some cases before May 1st. As to the number of fatalities since that has come up, the chief mentioned he thinks that we lost two lives in a two-story hotel and, to the best of my recollection at the moment, that is about the only loss of life we have had over quite a number of years. As in homes and any other places, the usual or the majority of our hotel fires are started by people smoking in bed. We

prosecute instantly under the Health and Safety Code, that is Section 13001 which makes it a misdemeanor for any person to place or throw a glowing or lighted object where it can or may start a fire.

CHAIRMAN ROSENTHAL: What is that number?

CHIEF ROPPE: 13001 That has been in there for some time

CHAIRMAN ROSENTHAL: It has not been enforced—

CHIEF ROPPE: It has not throughout most of the State. In fact, we are quite amused sometimes. We have been using that particular section since 1941, and there are many departments throughout the State who are not even aware of the existence of that section. We haven't lost a case. We have asked for a dismissal of cases by the court when we felt that it would not be possible to get a conviction. We have ways and means of making sure we are right before we go into court on those cases, and the local municipal courts are 100 percent behind us in our efforts to stop hotel fires The managements of the hotels are behind us. We have had one or two cases where night clerks have thought they were acting in the best interests of the hotel by failing to report a fire. We have had some instances where they have put the fire out, so they thought, and the fire would break out again a few hours later. But we have had very few hotel fires, which brings us back to the point of whether it is because of prompt action on the part of the management in notifying us of the fire and prompt action on the part of the fire department in getting there and extinguishing it. We may have been relying a little bit on our luck, but we can't continue to do it. The experiences of the Chicago, Dubuque, and Winekopf fire in Atlanta, indicates that sooner or later unless we do take positive steps to prevent these fires from occurring and to be sure that the patrons do have a way out in safety, we are going to be faced by the same kind of a disaster.

CHAIRMAN ROSENTHAL: Thank you, very much, Mr. Roppe. I think you have given us a very good picture of the condition right here. Has anyone else anything to say?

Mr. DeGolia.

E. D. DeGolia

MR. DEGOLIA: My name is E. D. DeGolia. I am President of the Hotel Sir Francis Drake, of San Francisco, California, and represent the California State Hotel Association.

Mr. Chairman, what I have to say will be very brief. To take it in retrospect for the moment, when your bill Number 753 was introduced we did not get the point of it early enough to appreciate what was coming up. When we did we were very much alarmed. We proceeded then to study it first, and then went up to the Legislature, to your committee, and filed our protest and with it our reasons for, which briefly, are, that it was almost impossible for the hotels to comply with anything like the severe provisions of that bill, or particularly with reference to the retrospective or retroactive features of it. You gentlemen were very nice. You saw the force of our arguments on that part of it, and took out the retroactive features of the bill, and we were quite satisfied, and we feel as if it was a good job, it was done well, and the bill as it now stands is working very well. Now, I would like to go into a little bit of the financial and economical questions involved, also. Speaking generally of the hotel business in the country, and I am perhaps speaking largely for the larger ones, the larger hotels, the larger hotels or enterprises, as a whole, has not been a particularly attractive one financially. The history of the hotel business

is very erratic When times are good, they make money; when times are poor, they go into bankruptcy, and I think, if you will examine the records and see all of the large hotels of the United States where they have been built on a good sized scale, 95 percent of them have gone into the hands of the receivers, the bond holders have taken them over, they have been run under receivership for quite a while, and then refinanced when things get better, and that is certainly true in San Francisco. There are only one or two hotels there that are in the hands of the original owners today. The original owners, I mean by that, have lost all they put in; others have come along later. Now, the hotel business is one of service. We have to take care of our guests. We have to assure them of their safety, and we are more interested than anyone else is to have them given all the safety and all the protection against loss of their belongings and loss of life. We are very much alive to the fact that we have got to do that. When this present emergency came along during the early days of the war, if you all may remember this territory out here, California, due to the possible invasion by Japan was created into War Zone No. 2, a hundred miles from the Coast and up from border to border General DeWitt came out here with a mandate from the department to protect us, and the government sent out warnings against people from coming to California that was published all around to the large cities, and the hotel business just dropped down heavily. People did not come here. As a result, those that were here were getting their accommodations and their rates at a very low scale. Then came the freezing year of 1942, in April, which established that they could not raise their rates over what they had been charging at that time. Those laws are, to a certain extent, still in effect. So that the hotel industry has not been able to increase its prices and return nearly as much as many other industries, almost all other industries. I think the apartment house owners are in the same position. I don't want to differentiate. Now, then, we feel as if what has been done is good. We feel that the buildings of the future should be built under strict provisions. I am very much of a student of fire protection. I have been in favor of that more or less all my life. I have been in the insurance business all my life. I have been going around for fire insurance companies to inspect properties, and I am very much sold on the idea of the sprinkler equipment. As voiced by this gentleman a little while ago, that is really the best protection of all. Closing in of the stairways is a very expensive matter, particularly in old construction, and is absolutely prohibitive economically for the great mass of our buildings now in place. As an instance of it, there is one that has arisen there in Portland, Oregon, quite similar, I think, to the one you have here in San Diego, in the Multnomah Hotel there. I happen to be interested in it. It cost us $600 a door to close in the stairways on each floor. Every protective doorway that we put in alone cost us $600 for each door. It took up our prospective profits for 10 years. I don't know what to say, Mr. Rosenthal, except to appeal to the people that we certainly want to protect everybody we can; at the same time we want to live. You take some of the smaller houses around the State of California, if they were compelled to comply with Assembly Bill 753 as originally outlined, they would have gone into bankruptcy. They couldn't have done it. They haven't accumulated any money in the past. They haven't built up any reserves at all. They were running under a pretty close margin when the

war started. Business wasn't any too good. Then they are faced with that big job of rehabilitation which they did not have any money to do. They could not go to the bank. Many of them had a bank note already. You take the larger hotels around the country who put in a big bond issue when they were built; they still have that bond issue on today, in spite of the good times; they haven't been able to pay it all off. So generally speaking, it is not only one of necessity, but it certainly is of economy, and I think that should be regarded as a factor in this whole matter.

CHAIRMAN ROSENTHAL: In San Francisco I wonder if the large hotels will make these improvements voluntarily or whether they need the legislation to do it I am concerned with that.

MR. DEGOLIA: After the last legislation, when we got this matter through, I personally went to our association up there and told them what had happened, and told them that after all it was very necessary to do everything they could, and asked them to survey their own places or else get their underwriters to survey them fully and advise them what they should do, and I am tabulating a lot of improvements that have been good. I will have that ready very shortly. In many of our hotels they have spent a great deal of money, not much inclosing of the stairways, it has been found to be extremely expensive and very difficult to do in many cases. As far as the expense is concerned for the— in the sprinkler equipment, and going into your stairways, to your pipes in particular, with many lobbies to go in, the labor cost is just out of all reason on present day prices. I had an estimate made in the St. Francis Hotel, and it was going to cost us something close to a hundred thousand dollars to sprinkler the house, and it would take probably two years because of the intricacy of putting those pipes in. When you are building a building you can make your plans accordingly and it doesn't cost too much, but when you are putting it in a building already built it is very difficult.

CHAIRMAN ROSENTHAL: Then are there fire protection plans there for sprinklers?

MR. DEGOLIA: Yes, they put in an ordinance there in San Francisco which did not have anything retroactive to speak of in it, but it did provide that the Fire Marshal and the fire chiefs, the fire department, should go around and inspect every hotel and apartment house, and if they found anything glaringly wrong to report it and advise the owners to correct it if they could, and a great deal of work has been done on that; how much, I would get for you later on. I did not know this meeting would be called. I think that is the story.

CHAIRMAN ROSENTHAL: Thank you, Mr. DeGolia.

Harley L. Bonham

MR. BONHAM: My name is Harley L. Bonham, and I represent the Fire Ordinance Committee for the local Apartment House Association. I just wanted to speak of the problems of the ordinary apartment house owner, the person who comes out here from Iowa and Nebraska and buys a little apartment for himself. The expense of operation has increased tremendously. In 1936 or '7 we were paying five and one-quarter cents for oil a gallon for heating purposes. Now we are paying 15 or 16 cents a gallon. Our taxes have increased fully 50 percent. I will grant we will have had a raise of 15 percent on income, but plumbing bills and electric bills are three times what they were in 1934, 1935, 1936 or even in 1940,

rather three times what they were. The sprinkling system is clearly prohibitive for the average three-story building that is built now, and the stair wells, I happen to know, and I could furnish you an affidavit, in that earthquake in Long Beach where the doors were jammed so the people could not get out of the building, and I don't think they are practical.

CHAIRMAN ROSENTHAL: The sprinkling systems?

MR. BONHAM: No, the stair wells. But the sprinkling system is prohibitive for the average person who has a three-story apartment, because it is prohibitive, and we feel that the ordinance should not be retroactive. Possibly the fire escapes are all right, but generally speaking, because the owners came out and bought their buildings for income, and there are a lot of them here and that is the only income they have, is what they have from their apartments, and some of those are not paid for, and our problems are quite similar to the hotel men, but they have had some relief in that they have been able to raise their income comparable to their expenses and we haven't had that opportunity at all, and we are faced with higher taxes here all the time, and I think that other things have been well covered, and it will work an extreme hardship on the people here to have to comply with this ordinance by putting in a sprinkling system, and that is all I have to say, but keep it in mind. We have to keep in mind the safety of the people, and nobody knows, only a person who has owned an apartment house or has kept the books, I have one myself, a typical three-story building, and speaking personally, I would be willing to comply with a reasonable ordinance, but I don't think we ought to be made to put in a sprinkler system and enclose the stair wells. I am like Chief Courser, I don't think it is the thing to do, because I can get you an affidavit from these people.

CHAIRMAN ROSENTHAL: I wish you would send it on to the committee or to me.

MR. BONHAM: The time is short, and I thank you very much.

CHAIRMAN ROSENTHAL: Thank you very much, Mr. Bonham, for your statement here. The next gentleman.

M. J. Hyde

MR. HYDE: My name is M. J. Hyde, president of the local Apartment House Association. I don't believe that any apartment house owner in San Diego objects to the safety of the tenants, but for several years, since January of 1942, we have been frozen in income, and Mr. Bonham has stated our position correctly when he stated that our expenses have risen tremendously. What I want to know from the standpoint of the little fellow is where is the money coming from to do this? I think we are all in accord in that we want to do everything possible for the safety of our guests and tenants. We had a luncheon meeting a short time ago at which the head of our local bureau here, Mr. Karl R. Edmunds, Director of the Office of the U. S. Housing Expediter, was present We asked him if we could expect any relief from our government with regard to our increase in costs, and he said "No." We asked him where we could get the money to do this here. He said, "Well, that is just added capital investment." We are very much interested in where the added capital is coming from. I am having my books audited on a building I own partly—I have a couple of mortgages and tax bills—most of us have,

and my books show I made less than 1 percent on my investment last year. If I spend six years of my net income on that property in one year to accomplish this safety work, I want to know that it won't be changed or some retroactive law brought in next year to make us do it all over again. In other words, it is our existence and most of us are small owners. We have confidence in Southern California, we have invested our life's savings and earnings in these properties, and if they are going to be taken away from us, we might just as well walk out today and give them to somebody, the city schools or the Fire Marshal or your committee or the OPA, or something like that. That is just what we are faced with.

CHAIRMAN ROSENTHAL: Thank you, very much, Mr. Hyde. That is a new feature that has not been brought forth thus far. This is the first offer I have had of making me a hotel owner.

CHIEF ROPPE: I will accept Mr. Hyde's hotel if he will remain as office manager and see that it shows a profit each year.

CHAIRMAN ROSENTHAL: I am sure that in both sides of this argument neither side wants to do away with the other side. I am sure the hotel owners don't want to destroy the work of the fire department, and I am sure that if we can get together we can strike a happy medium if we continue to cooperate as we are doing today, and have done in the past. The thought that Mr. Hyde gave me is a good one, I think. How do they know the laws passed today won't change tomorrow and some have thought that fire escapes are not as good as fire walls, and there is the problem.

M. M. Cory

MR. CORY: My name is M. M. Cory, and I am a member of the Apartment House Association. I am an engineer. I have had quite a bit of property here in the past, and due to the conditions of the OPA and the trend towards placing the owner of property in sort of a financial nut cracker, I have disposed of over 80 percent of what I had. Now, I think that that is a definite illustration of what has happened to the average property owner as they are able to change their investment, and I think it will go further along that line unless there is some relief provided; and it doesn't look as though there is any relief coming to the apartment house owner from the government at the present time.

CHAIRMAN ROSENTHAL: You are talking in terms of income at the present time?

MR. CORY: I am talking in terms of frozen rents. It is true that there was an opportunity extended to the apartment house owner to advance his rent 15 percent under certain circumstances and those circumstances were provided he could get the tenants to agree to it along with him, but you can see what a problem that would be, and as a result a few have succeeded but it is not a universal increase, and I don't believe it amounts to very much of a percent if spread over the entire rental area. The installation of sprinkler systems from an engineering and logical standpoint appears to me to be sound, provided additional protection is necessary for these tenants, but I believe if you will look over the average apartment house in California under the present circumstances, provided they complied with our present law, I don't believe there is a lot of danger to the tenants; if there is, we do want to correct them or we want to give them

to someone else, as has been suggested, because it will not pay us to install sprinkler systems as has been suggested by different proponents of that idea; that is to say, if you have to install them throughout all of the areas they have spoken of in buildings which are already built, you had better sell and get out and let the building take care of itself or be torn down.

CHAIRMAN ROSENTHAL: Are you referring to apartment houses now?

MR. CORY: I am referring now to apartment houses in particular, but I see no reason why that does not apply likewise to hotels which are already under construction Therefore, I am absolutely against this retroactive feature. I have worked as an architect in the past, and I think I know a little bit about construction, and I can assure you it costs a great deal more to install sprinkling systems in buildings already constructed than where there is new construction. The difference in the cost is tremendous.

CHAIRMAN ROSENTHAL: Of course, you are in favor of some alternative plan?

MR. CORY: Such as what?

CHAIRMAN ROSENTHAL: Such as fire escapes.

MR. CORY: The fire escapes I think Chief Courser's suggestion for fire escapes and stand pipes, however, is very well founded, and my own have all been either finished or corrected They weren't in bad shape before. I think the ordinance today has cost me, I think when it is all completed will cost me less than $500 on my other properties, and the other places that are being completed now, the fire escapes, have been passed, and we want to do everything we can to protect life, but on the other hand all of us run risks even though we sit on a park bench, and I see no reason to go further than is absolutely necessary. In fact, it would be financial suicide if we did.

CHAIRMAN ROSENTHAL: Mr. Cory, in your hotel you have a little different situation in fire prevention and fire sprinklers, and tell us about the fire alarm system.

MR. CORY: It is called the Richel system. It is a fire alarm system.

CHAIRMAN ROSENTHAL: Could you give me a brief explanation of it?

MR. CORY: This system is—In each room there is a rheostat installed, and if the temperature rises beyond a certain point it opens up a valve very similar to the valve used in a sprinkler system, and that turns in an alarm down in the main office, and the whole house is given a fire alarm, that there is danger of a fire, and to get out.

CHAIRMAN ROSENTHAL: Doesn't that also tell you exactly where the fire is?

MR. CORY: The indicator tells you where the alarm came from, and it also automatically turns in a fire alarm to the city fire department. As I told you also, we tried it once.

CHAIRMAN ROSENTHAL. Is that an expensive type of equipment?

MR. CORY: It is quite expensive for a big hotel Of course, we have 800 rooms.

CHAIRMAN ROSENTHAL. How does it compare with the sprinkler system?

MR. CORY: Oh, nothing like it.

CHAIRMAN ROSENTHAL: Is it as expensive?

MR. CORY: No, it is not expensive in comparison to the sprinkler system. I think it cost about $12,000 to put it in. It was put in by the

United Hotel Company who had the option on that building about four years before the war started; that would be about 1937 or 1938.

CHAIRMAN ROSENTHAL: I might add that Fire Chief Kelley in San Francisco was quite impressed with that

CHIEF COURSER: It has a different set-up when you have it connected to a master box, and when the rheostat works an alarm is automatically communicated to the fire department We have just one of those systems here in San Diego. It is not a bad alarm system as far as notifying tenants that there is a fire in the building is concerned, but it does not stop the fire from spreading through the building and catching them as they come out of their rooms. It is just an alarm.

MR. CORY: The whole purpose is to notify us and the department as soon as a fire starts If it gives us warning enough, a small fire is all we have to contend with at the time.

CHIEF COURSER: Then the clerk will telephone the alarm in if he is not in some other part of the building at the time?

MR. CORY: The alarm system has a master box down below and notifies the fire department from there.

CHAIRMAN ROSENTHAL: That does away with the sleeping clerk about three o'clock in the morning.

L. T. Mott

MR. MOTT: I am L. T. Mott, Supervisor of Housing, State of California. I have here a running report here issued by the State Housing Bureau on a number of houses, or rather, the number of houses— I find that since 1943 there have been approximately 250 hotel and apartment house fires in California, that is, fires of a major nature, and those fires, hotels and apartment houses, accounted for 130 deaths and about 269 injuries. Our division keeps a running report on the major fires so that we can keep up to date on a state-wide basis. I was glad to hear some of the gentlemen representing the apartment house association say that they were in favor of fire escapes on the older buildings. I think that is a fine thing, but that wasn't indicated in Assembly Bill 753 when it was being drafted on the proposed retroactive basis. All of the retroactive features in Assembly Bill 753 were opposed by the Apartment House and Hotel Associations, and that included this matter of the exterior fire escapes. Now, Assembly Bill 753 is somewhat the same as the local ordinance here in San Diego and I am, my division is firmly convinced that the retroactive features of Assembly Bill 753, they were very carefully gone over by experts, and we believe that they should be enacted into law. They are decidedly minimum, or if that is not acceptable I believe that those retroactive features should certainly be used as a basis for arriving at some satisfactory solution for the protection of human life in hotels and apartment houses. If it is felt that these retroactive features are too severe, then I believe that all interests concerned should get together and arrive at some satisfactory program. I don't think there is anything further I can say, Mr. Chairman.

CHAIRMAN ROSENTHAL: Tom, you and I have worked on this thing religiously and tirelessly to enact it into law, and I would like you to state what is the law with regard to local ordinances being more inclusive, including more fire prevention features than the state law.

MR. MOTT: I think that the City of San Diego, I am pretty sure on this, the City of San Diego is about the only city in California that has

any retroactive ordinance on hotels and apartment houses; possibly Fresno has, but I think that San Diego is about the only city Now, we believe that, of course we believe in uniformity in things. We have from time to time tried to get state legislation adopted and haven't succeeded. In San Diego, apparently tired of that situation, they went to work and adopted their own ordinance. I think that is a fine departure, but we believe that there should be legislation that is state-wide or would be of a uniform nature or might apply throughout California, so that all of the cities, all of the different communities, would be subject to that uniform regulation, and that these regulations should be considered as a minimum, and then if cities wish to enact more restrictive regulations, why, they can go ahead and do that. On the State Housing Act it is the duty of the cities to enforce the act, it is a legislative mandate, and it is a privilege of the state department to come in if the cities do not function and enforce the law. Did that answer your question?

CHAIRMAN ROSENTHAL: Yes. At the meeting in San Francisco the representative of the department said that there had only been 52 deaths.

MR. MOTT: This report would show that 130 died since 1943.

MR. CORY: May I ask if any tabulation has been made as to the record loss of life in any other type of industry in this State as compared with the hotel industry?

MR. MOTT: I don't know.

MR. CORY: I think that would be interesting, because every business and every enterprise has its risk and probably its loss of life, and I am wondering just what is the relative position of the hotel industry and apartment house industry as compared with other types of endeavor as far as loss of life is concerned in fires.

MR. MOTT: I don't believe there is any great difference

MR. DEGOLIA: I think the National Underwriters would be able to give you that. I think the reason there has been this interest in loss of life with regard to hotels and apartment houses is that people are at night sleeping and they are not able to take care of themselves as if they were awake at the time.

CHAIRMAN ROSENTHAL: You can get that from the National Underwriters.

FIRE MARSHAL ROPPE: That information has already been furnished by the National Fire Protection Association, and you can communicate with them and receive it.

CHAIRMAN ROSENTHAL: Can you send me a copy of the city ordinance, Mr. Roppe, while you are standing?

FIRE MARSHAL ROPPE: Yes, I will be glad to do that.

CHAIRMAN ROSENTHAL: Either you or Chief Courser.

MR. MOTT: This does not go into one-story buildings. I would like to ask about enactment of general provisions of the State. Has the thought ever been given of the unforgotten citizens in the way possibly of setting maximums?

MR. MOTT: As I say, I believe in the enactment of any legislation, I believe there are various sides to it, and I believe that these groups should get together and arrive at a satisfactory solution, but we found during the preparation of and the eventual becoming of Assembly Bill 753 that the hotel and apartment house people were completely opposed to any retroactive features. Isn't that so?

MR. DEGOLIA: To a large extent, yes.

MR. MOTT: And we believe that the cities should get together and arrive at some satisfactory solution that has in mind the protection of life and property as well as recognizing the fellow who pays the bill.

Q. My principal thought was that the universal authority of the State—it doesn't seem that one community should be more strict than another.

A. I think it should be uniform, with all due respect to the City of San Diego, which has done such a fine job of work.

CHIEF COURSER: Isn't it true that San Diego was probably the first city to enact an ordinance?

A. I think so.

Q. Isn't it a fact that most of the cities laid back to see what San Diego was going to do?

MR. MOTT: Many cities were holding back on the adoption of ordinances. Some of them said, "Well, let's wait until we see what the State does." Others said, "Let's wait until we see what some other city does." And you fellows went to work and adopted your ordinance.

CHIEF COURSER: I think that is a credit to our City Council. Isn't it true that because of pressure groups some of those councilmen were afraid to act upon it or could not act on it?

MR. MOTT: I could not speak for any city.

CHIEF COURSER: I am speaking of one city in particular larger than San Diego, and the political pressure got so great there that they dumped it, and I don't believe they have done anything about it yet.

MR. MOTT: Yes, there are many cities in the State. There was Los Angeles, Pasadena, and other cities that I cannot recall now where very worthwhile ordinances were prepared, having to do with retroactive features for hotels and apartment houses, and those ordinances, or those proposed ordinances, are still lying dormant for some reason or another.

MR. COTTON: I was wondering. You have a record there of this 130 people who were killed in fires in hotels and apartment houses. Can you determine whether or not if this law had been in force during that period of time those lives would have been lost?

MR. MOTT: Well, that would be difficult to determine. We have the probable cause of a fire and whether, if they had a sprinkler system or if they had had an enclosed stairway if that would have prevented the loss of life. That I could not say as to that. It would be a difficult thing to do.

MR. COTTON. You don't know if it would have saved any of those lives?

MR MOTT: No, although the report indicates an attempt to gauge the cause of the fire.

CHAIRMAN ROSENTHAL: I think I have everything that we expected to cover. Have I heard from everyone?

MR DEGOLIA: I would like to make one comment about what Mr. Mott has said. There is no question about it, Mr. Mott's position is to do the best he can with these things, to get these things brought out and make them perfect. The same situation applies to you fellows connected with the fire department. It is your job to do everything you can to secure protective measures for the saving of life and property, and you are urging everybody to do their part in the best way they can. The other

side of it is that if you put laws through that are practically impossible for the owner to comply with you are by legislation depriving those people of their livelihood. You take the State of California. There are forty or forty-five thousand apartment houses or hotels that have been built over a period of the last fifty or sixty years. Most of them, probably all of them at the time they were built, complied with the building restrictions in force at that time They had to, to get their permit to build. They have gone ahead and conducted their operations. The city comes along and enacts laws that are making it impossible for them to comply. They will lose their investment, they will be deprived of their means of livelihood, and I don't think that is fair. It seems to me that is not a good government act. I just wanted to give you that thought.

CHAIRMAN ROSENTHAL: I am sure that the temperament of the legislators is such that they will listen to all sides of the question and come to a just solution I can assure you of that.

I would like to call now on those who haven't spoken. I want you to feel free to address us if you want.

JUDGE LUCE: May I say something in reply to what has come up, something which was said, I think, by my friend Chief Courser or Chief Roppe about saving in insurance. We found that insofar as the so-called fireproof buildings are concerned we would save very little in the insurance rates. It might be true in nonfireproof buildings that there would be a distinct saving in insurance, but no change insofar as our modern buildings are concerned.

MR DEGOLIA: You are speaking of what improvements? Putting in a sprinkler system would give you a distinct advantage in your insurance.

JUDGE LUCE: Not too much, not 50 percent.

CHIEF COURSER: You mean speed or pressure? You won't get reduction on pressure. I can assure you of that.

JUDGE LUCE: Pressure is one of the questions we are interested in.

MR. DEGOLIA: That will give you no benefit.

JUDGE LUCE: That is the thing we are talking about. You take this Hotel Grant, a hotel which, I think, hasn't a complete sprinkler system. If you had a complete sprinkler system in every room, of course the cost would go up. It could be done in the hallways and stairways at a less cost but still at a great cost, but that pressure system, while it would help a lot, it would not help us very much in our insurance rates. That statement was made several times and I think that statement was made several times to the council.

Now, on the legal phase of this, just where the jurisdiction of the territory of the State stops and city begins on this kind of legislation. I think your act provides that nothing therein contained shall prevent a municipality from making other and further and more restrictive legislation. I think the rule is that if the State covers the field, I take it this is the same rule which applies in other things, if the State covers the field the cities cannot enact legislation that differs from it. If the State does not cover the field the cities can go on to anything that is within reason. The city ordinance, of course, cannot always be decided on the rule of whether or not it is a reasonable enactment and the state measures cannot, but there is nothing to prevent cities from putting in more restrictive legislation, and of course that is the thing that we worried about. From one standpoint, Mr. Mott stressed that we have done a big

job here in enacting this legislation. I felt a little bit badly hearing him say that, because we tried to urge the common council here that they should not make us a guinea pig in San Diego and put upon us this heavy burden of expense when other cities throughout the State were not doing it. It seems to me that the proper thing would be state legislation, because of its general enforcement throughout the State, and we would assume that the Legislature has more time to consider these things. Our common council did not give this thing careful consideration. They spend a few minutes down there, refer it to a small committee, and outside of the fire chief there were no experts there; and the State can, by the committee that it has and its contacts and its facilities in getting the opinions of real experts should be able to enact what would be a statewide fair and proper legislation in regard to fire hazards, and if that were done it might get the cities to enforce them without new legislation and thus bring every city up to the same level. In spite of our cooperation we are facing a rather unfair situation because of these extra restrictions that seem to have been put upon us that have not been elsewhere done.

MR. COTTON: Mr. Roppe, that fire in San Diego in which two lives were lost in a hotel, that was a two-story building, was it not?

MR. ROPPE: Yes.

MR. COTTON: Do you think that that building would have had to have any changes made in it, had the law been passed last year with retroactive clauses in it?

MR. ROPPE: No, that building was not covered by the law.

CHIEF COURSER: I just want to bring up one point, and it seems to be a small saving, and that is in the cost of the sprinkler system. The Sanford Hotel, over here on Fifth Avenue, is one of the first hotels to put in the sprinkler system as required by law, and I think the price was around $11,000 for that building. The sprinkler system is not an elaborate job. It is just a matter of a stand pipe taking water to each floor, the same as the sprinkler system you have in your lawn, with pipes running out and branching off. It seems to me that if the apartment house owners would get together and ask for a price for so many buildings, take in probably 50 or 75 buildings, and ask one of these sprinkler companies to come in on that job, they might get it done at a much lower rate than the Sanford Hotel. I think their job ran around $11,000. They sprinkled the hallways, stairways and light wells. They are now sitting in a good position. The fire escapes and sprinkler systems, and I think they have very little fear of loss of life. They went ahead and completed the job, and their worries are over. There were some bids asked and they were high and away out of reason. Whether these men did that maliciously or didn't want the job, I don't know, but they were away out of line in comparison with the figures on this particular job, but I do believe if the thing was done as a whole through their association that one of the big sprinkler companies would be willing to come in and they would find that the cost would be very nominal compared to what they have in mind, not out of reason. One gentleman here said he sold 80 percent of his holdings. It stands to reason that the people who bought those buildings, bought them to make some money. They certainly investigated before buying those places. It seems to me if he were able to sell them it still must be a good business. As I said, it is true that many of the hotels throughout the country are putting in sprinklers. They see it coming.

And as I said of the South, they are advertising that they have sprinklers in their buildings. If you ride through the South you will find some of the billboards advertising, "Our hotel is sprinklering." They haven't forgot the Winekopf fire and the other fires.

CHAIRMAN ROSENTHAL: I hope we never will forget those two fires. They were terrible catastrophes.

CHIEF COURSER: We all have children, mothers, fathers, that are going to travel and go into hotels. We know that the fellow who owns the hotel, if he had a loss of life in his hotel because of a matter of dollars and cents, that is something you will remember for the rest of your life.

CHAIRMAN ROSENTHAL: I might say I am very much impressed by what San Diego has done. I am happy over the progress you have made, whether because of the legislation recently enacted or because of an efficient fire chief and assistant. I will give them both credit. I am happy to say of conditions here, from what I have heard in this meeting, are very good and very fine, and you are making progress. I have heard many stories while I was in Los Angeles of conditions in the south, San Diego particularly being bad, and many people being worried here. I think we are getting results. You are all working on the problem, improvements are being made in the buildings, in the prevention of fire hazards. Although I have heard no complaints in San Francisco, I think likewise they have made some progress I commend you, Chief Courser, for your work and your cooperation. When we arrive in Sacramento if we feel that some legislation is necessary, and some happy medium is arrived at, I am sure it will be the result of what you have given us today. If in the meantime, any of the people here, would like to submit any other statement or any other proposed changes, I would be very happy to receive it. I will consider it as fairly as I can and as honestly as possible.

Thank you for coming here. Thank you for letting us confer with you in this matter.

STATE OF CALIFORNIA }
COUNTY OF SAN DIEGO } ss.

I certify the above and foregoing to be a full, true and correct transcript of the proceedings had at the hearing held on the date and at the place hereinabove first mentioned.

San Diego, California, December 23, 1948.

(Signed)

CHARLES C. OTIS, Shorthand Reporter

Conclusion

The committee as a result of the hearings above indicated, believe that there is no need at the present time for any remedial or retroactive legislation. That there are many alternative methods which will be just as effective in the fighting and prevention of fires in hotels and apartments which will prove satisfactory.

It is further believed that an interim committee for the continued study of fire hazards and prevention shall continue to study the problem heretofore referred to.

Respectfully,

(Signed) WILLIAM H. ROSENTHAL, Chairman
R. FRED PRICE, Vice Chairman
BERT LOOMIS, Member

Bert Loomis is no longer a Member of the Legislature and therefore is not available to sign this report.

Assemblyman Price is seriously ill and physically unable to sign this report, so that it remains for the chairman to be the sole signer of this report.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Cecil Brady of Glendale.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Frank Dee Scriven of Los Angeles.

On request of Speaker Collins and the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Nancy K. Gardner, teacher, of the Elim Union School of Hilmar; W. C. Tell and Glenn Snelson, trustees; and the following pupils: Charles Anderson, Douglas Alexander, Manuel Azevedo, Bertie Balentine, Cleve Blevins, Muriel Bradley, Manuel Fonseca, Charles McBride, Jimmy Pollard, Johnson Neale, David Payne, Brian Lilly, Ethel Wells, Norma Green, Carol Erickson, LaVonne Garrett, John Schali, Virgil Backlund, Lee Brown, Richard Brown, Billy Pace, Alva Buttram, Patsy Thornton, Reda Rogers, Naomi Sweeten, Madeline Silva, Norma Rearick, Clinda Hooten, Marva Hightower, Betty Ann Hembree, Maureen O'Sullivan, Katie Yoder, Ann Machado, Della Coop, Bernice Womack, and Jean Hancock.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Father Thomas H. Markham and the following students of the Mercy College of Nursing: Helen Bowdise, Stella Deas, Mary Morrison, Donna McDonald, Erna Reiser, Blanche Wilson, Dorothy Niederholzer, and Marie Sullivan.

ADJOURNMENT

At 12.04 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 16, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTIETH LEGISLATIVE DAY

ONE HUNDRED THIRTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, May 16, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: We come again as the guardians of the varied and manifold wealth and the variegated glory of this mighty State.

About us are the farms on the wide sweeping prairies and the ranches in the winding valleys, and the cattle on a thousand hills.

Beyond us are the blossoming orchards of fruit, the vineyards of the purple grape, and afar off we catch the golden gleam of the lemon and orange groves.

Lift up our eyes to the mountains with their riches of precious minerals, and let us behold the sea shore wells pouring out their liquid gold.

May we guard with all our power these unrivalled resources, the glory of our State, upon which depend our welfare, enlightenment and the destiny of our children.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Clayton A. Dills, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Condon, on motion of Mr. Rosenthal.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

PETITIONS

By Speaker Sam L. Collins:

A petition from W. H. Roberts of Represa, relative to impeachment, was received, and ordered referred to the Committee on Judiciary.

COMMUNICATIONS

By the Chief Clerk:

A communication from Mrs. Michael J. Burns and family, expressing appreciation for the sympathy extended by Members of the Assembly at the unfortunate passing of the late Senator Michael J. Burns, formerly a Member of the Assembly, was received, and ordered noted in the Journal.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 16, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 346, entitled, "An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and operation of establishments or facilities for the sale of merchandise or services to the public."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 3.30 o'clock p.m. on the thirteenth day of May, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 12, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 346, entitled: "An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and operation of establishments or facilities for the sale of merchandise or services to the public"

My objections to this bill are as follows:

I am returning this bill on the recommendation of the Director of Finance and the Director of Natural Resources because of their statements that the bill will disrupt procedures essential to the operation of some of the beaches and parks, and because it would result in throwing the division budget out of balance under present methods of budgeting. The bill conforms in general to the present policy of the State Park Commission, which does not favor the state operation of restaurants, hotels, stores and curio shops, except through concessionnaires. Neither does the commission favor the maintenance and operation of dwelling accommodations where adequate accommodations are available to the public in the vicinity. In certain areas, however, the commission does sell fire wood to campers when none is reasonably available, and

charges a minimum fee for service to campers and picnickers as a measure for regulating the use of the parks and beaches. In some minor exceptions where the parks are too remote to attract a concessionnaire some slight deviations have been made from these policies.

The bill would prohibit "any other establishment or facility for the sale of * * * service to the public" The Attorney General points out that the State Park Commission would under this section be prohibited from maintaining and operating any facility for rendering service to the public. He states that in many state parks the public is charged a nominal fee for such services as auto parks, maintenance of picnic areas, etc. The effect of the bill would be to prohibit the continuance of this practice. He points out, also, that many of the state parks are leased to cities and counties under leases which provide that the lessee shall at all times maintain the park in accordance with state laws applicable to state beaches and parks This bill would prohibit cities and counties acting as lessees from maintaining services to the public for which a charge is made.

I call your attention to an instance of how this bill could hamper the commission in the administration of the beaches and parks. In the Columbia State Park, when the State purchased the Town of Columbia as a state park, it was necessary for fire protection and sanitary reasons to purchase the water works, which the State now operates and through which it sells water service to the lessees of the buildings. Under the bill in all probability the State could not continue this operation

I believe that the bill would have bad results not contemplated by its sponsor. The present budget is based on the receipt of $45,000 for these services during the next fiscal year, which source of revenue would of necessity be ended by this bill, and which would have to be made up from other sources.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No 346 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, May 16, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to

Assembly Bill No. 904, entitled: "An act to add Section 1045 to the Agricultural Code, relating to fertilizing materials."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 3.30 o'clock p.m. on the thirteenth day of May, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 13, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 904, entitled: "An act to add Section 1045 to the Agricultural Code, relating to fertilizing materials."

My objections to this bill are as follows:

This bill would add a section to the Agricultural Code relating to the seizure and quarantine by the Director of Agriculture, of adulterated or misbranded fertilizer material. The authority given follows that given in an existing section of the code with respect to economic poisons.

The Attorney General in discussing this measure points out that there is a very real distinction between economic poisons which are inherently dangerous in and of themselves, and fertilizing material which is misbranded or adulterated and which is not necessarily, therefore, inherently dangerous As to such material the courts require a higher degree of certainty in the statute and a more definite fixing of standards to guide the administrator to comply with the constitutional requirements of due process.

It is pointed out by the Attorney General that the section sought to be added by this bill is too vague to support the penalties involved as applied to materials which are not necessarily inherently dangerous. The standards upon which the Director of Agriculture is authorized to seize and hold material are not sufficiently set out. He is authorized to take such action, among other things, when the material is "detrimental to agriculture" Just what is and what is not "detrimental to agriculture" may be arguable, and no standards have been set up by the Legislature to advise the director in this regard.

He also points out that the section is extremely vague as to the action to be taken by the director, who is authorized to "seize and quarantine" the described material. It is not indicated what the director should do when he takes possession of the material, and in authorizing the director to release the material no standards are set up for his guidance. The broad and ambiguous powers given the director in this section make it possible for him to apply the seizure and quarantine power in a manner that may be challenged on constitutional grounds.

I have no objection to the purpose of this bill and believe that the purposes should be accomplished by a bill properly drawn to meet the legal objections raised by the Attorney General. This can be done in some subsequent bill with the suggestion that a bill more carefully circumscribing the power given the director may be enacted and presented to me for approval.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 904 ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1035—An act to add Title 2, comprising Sections 15001 to 15700, inclusive, and Section 100002 to the Corporations Code, relating to partnerships and matters incidental thereto, consolidating and revising the law relating thereto, and repealing certain acts and parts of acts specified therein;

Assembly Bill No. 1036—An act to add Title 4, comprising Sections 25000 to 26104, and Section 100005 to the Corporations Code, thereby codifying and repealing the Corporate Securities Act, and consolidating and revising the law relating to securities as defined therein, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations;

Assembly Bill No. 1037—An act to add Division 2, comprising Sections 27000 to 27203, inclusive, to Title 4 of, and Section 100006 to the Corporations Code, thereby codifying, consolidating, and revising the law relating to solicitation and collection of funds from security owners and holders for the protection, enforcement, or representation of their rights, providing for regulation and supervision by the Commissioner of Corporations of the solicitation, collection, and application of such funds, and requiring persons and organizations to obtain certificates from him prior to engaging in such solicitation and collection, and repealing the act codified therein;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of May, 1949, at 1 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1039—An act to add Division 4, comprising Sections 29000 to 29201, inclusive, to Title 4 of, and Section 100008 to the Corporations Code, thereby codifying and revising the law relating to certain transactions in respect to securities and commodities defined therein as bucketing and bucket shopping, prohibiting the keeping of bucket shops, making or offering to make contracts or sales constituting bucketing, and other acts preliminary or incidental thereto, requiring the keeping of records or books of account and the furnishing of statements of facts by persons making purchases or sales of securities or commodities, and fixing penalties for violations thereof, and repealing the act so codified;

Assembly Bill No. 1040—An act to amend Section 25154 of the Corporations Code, relating to acts permitted to be performed by or in behalf of corporations prior to the issue of any shares;

Assembly Bill No. 1045—An act to amend Sections 25009, 25101, and 26003 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of May, 1949, at 1 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1046—An act to amend Section 26104 of the Corporations Code, relating to securities, the prevention of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of May, 1949, at 1 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 78—Relative to approving certain amendments to the charter of the City of Fresno, in the County of Fresno, State of California, voted for and ratified by the electors of the city at a special election held therein on the eleventh day of April, 1949;

Assembly Concurrent Resolution No. 79—Relative to approving amendments to the charter of the City of Pacific Grove, a municipal corporation in the County of Monterey, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the thirteenth day of May, 1949, at 1 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2704
Assembly Bill No. 2705
Assembly Bill No. 2706
Assembly Bill No. 2707
Assembly Bill No. 2708
Assembly Bill No. 2713

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 3

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3110

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 447
Assembly Bill No. 643

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2383
Assembly Bill No. 3132

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 573

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 573 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2217

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 2217 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 83
Assembly Bill No. 587
Assembly Bill No 810
Assembly Bill No. 1007
Assembly Bill No. 1172
Assembly Bill No. 1191
Assembly Bill No. 1840
Assembly Bill No. 1911
Assembly Bill No. 2124
Assembly Bill No. 2232
Assembly Bill No. 2255
Assembly Bill No. 2407
Assembly Bill No. 2677

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 83 and 1911 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos. 587, 2255, and 2407 ordered re-referred to Committee on Municipal and County Government.

Assembly Bills Nos. 810 and 1007 ordered re-referred to Committee on Education.

Assembly Bills Nos. 1172, 1191, 1840, and 2232 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 2124 and 2677 ordered re-referred to Committee on Conservation, Planning, and Public Works.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bills Nos. 1394 and 509 re-referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1251

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1251—An act to amend Section 185 of the Vehicle Code, relating to transfer without probate.

Referred to Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3129—An act to amend Sections 20013, 20014, 20600, 20604, 20950, 20980, 21020.5, 21208, 21257, 21292, 21295, and 21363 of, and to add Sections 20017.7, 20602.9, 20602.95, 20603.3, 20750.5, 20803.7, 21252.4, and 21256.3 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2311—An act to add Section 1912.5 to the Harbors and Navigation Code, relating to the disposition of fines and forfeitures collected for violation of the provisions of Section 1912 of said code.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2944—An act to repeal Sections 209.5, 256.5, and 987 of the Revenue and Taxation Code, relating to property taxation and exemptions therefrom.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1862—An act to add Sections 737.5 and 738.1 to the Vehicle Code, permitting certain nonresident violators to be taken immediately before a magistrate and procedure when magistrate is not available.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 28, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Clarke asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 33—An act to develop a comprehensive Statewide Program of Community Recreation and providing the procedure for allocation of funds to cities, counties, cities and counties, and school districts declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, between lines 9 and 10, insert

"(f) 'Director of Finance' means the State Director of Finance

(g) 'Allocation Board' or 'board' means the State Allocation Board created by Section 7 of the Construction and Employment Act.

(h) 'Controller' means the State Controller

(i) 'Recreational project' means the acquisition, construction, improvement or equipping of recreational facilities.

SEC. 2.5 The Allocation Board is hereby continued in existence for the purposes of this act. The members of the board and the Members of the Legislature meeting with the board in an advisory capacity shall receive no compensation for their services under this act but shall be reimbursed for their actual and necessary expenses incurred in connection with the performance of their duties hereunder."

Amendment No. 2

On page 2, line 13, of said bill, strike out "Commission", and insert "Fund, which is hereby created,".

Amendment No. 3

On page 2, line 15, of said bill, after the period, insert "From the money thus appropriated, there shall first be allocated such amount as the Director of Finance shall determine, but in no event in excess of one percent thereof, for support of the Director of Finance and the Department of Finance in administering this act, and for support of the Recreation Commission and the Controller in the performance of duties required under this act."

Amendment No. 4

On page 2, line 18, of said bill, after "Commission", insert "and the Director of Finance, on forms and in accordance with procedures established by the Allocation Board,".

Amendment No. 5

On page 2, line 24, of said bill, strike out "local", and insert "public".

Amendment No. 6

On page 2, line 26, of said bill, after "Commission", insert "and the Allocation Board".

Amendment No. 7

On page 2, line 40, of said bill, after 'Commission", insert "and the Allocation Board"

Amendment No. 8

On page 3, line 2, of said bill, after the period, insert "When the United States Census of 1950 becomes available, it shall be used to determine the maximum amount which may be allocated"

Amendment No. 9

On page 3 of said bill, strike out lines 3 to 12, inclusive, and insert

"SEC. 9 The Director of Finance shall administer this act and provide such assistance to the Allocation Board as it may require. The Allocation Board shall

prescribe rules and regulations for the general administration of this act, requiring such procedure, forms and information as it deems necessary The Recreation Commission may formulate rules and standards for recreational facilities and services.

SEC. 10 Applications which the Recreation Commission approves shall be submitted by it to the Director of Finance. After determining that all the proper information has been submitted and the application is otherwise sufficient, the Director of Finance shall refer the application to the Allocation Board. In considering any application for aid with any recreational project, the Allocation Board shall first determine that the project is one in which the Legislature has herein found and determined a State interest to exist. The Allocation Board, in considering such recreational project, may make any recommendations to the public agency which the board deems proper. If the Allocation Board approves of the application of any public agency, either in whole or in part, it shall, by a resolution adopted by it, allot to the public agency from the Recreation Fund the amount applied for or such portion thereof as the Allocation Board may deem appropriate but not exceeding one-half of the actual cost of the recreational project described in the application. A copy of the resolution shall be transmitted to the public agency and a copy shall be filed with the controller and the Recreation Commission. Claims for reimbursement of the cost of a recreational project may be submitted by the public agency to the Director of Finance from time to time in accordance with this act.

SEC 11. The Allocation Board shall prescribe in such detail as it deems necessary, the scope of the project and the purposes for which moneys allocated by it to a public agency under this act may be expended, and such prescription shall be binding upon the governing body of the public agency except as it may be, for good cause, modified by the Allocation Board Whenever the Director of Finance determines that any project for or on account of which funds allocated under this act have been paid to a public agency, has not been carried out or completed, in whole or in part, in accordance with the provisions hereof, or that any funds allocated hereunder have not been expended in accordance with such provisions, the Director of Finance, in writing, shall notify the governing body of the public agency concerned and the Controller of such fact. The public agency shall refund to the State any unauthorized expenditure made from funds allocated under this act. Any amounts thus repaid shall be deposited in the State Treasury to the credit of the General Fund, and shall be credited to the unallocated balance of the appropriation from which originally paid

SEC. 12. The Director of Finance shall prescribe the information to be shown on claims for reimbursement of the cost of a recreational project under this act and the nature of the evidence of payment to be required in support of such claim. When the Director of Finance approves such claim and finds the reimbursement to be due, he shall transmit a claim for the reimbursement due, together with all supporting information and evidence of payment, to the Controller. Upon auditing the claim in accordance with law, the Controller shall thereupon draw his warrant for the amount of reimbursement due.

SEC. 13. An application containing a revised estimate of the cost of a recreational project may be submitted from time to time in the same manner as an original application and shall be treated for all purposes like the original application.

SEC. 14. The Allocation Board shall, by rule applicable to any case or class of cases, prescribe the time, manner and amount of progress payments to be made to the public agency which has received an allotment under this act and which payments shall be made to the public agency upon its request.

The public agency shall, in any event, on its request, be entitled to be reimbursed up to 25 percent of the State's allocation after each 25 percent of the total estimated cost has been expended by the public agency The Allocation Board, by rule, shall provide for advancements of the State's allocation after the project for which the allocation was made is 75 percent complete and the public agency has expended its total share of such cost"

Amendment No. 10

On page 3, line 13, of said bill, strike out "Upon", and insert "SEC. 15. Upon".

Amendment No. 11

On page 3, line 15, of said bill, after "Commission", insert ", the Director of Finance, and the Controller".

Amendment No. 12

On page 3 of said bill, strike out lines 18 to 34, inclusive, and insert "required by the commission, the Director of Finance, or the Controller. Any payment made to the public agency in excess of the State's share of the expenditures shall be refunded by the public agency to the State.

SEC. 16. Every public agency receiving money from the State under the provisions of this act shall maintain adequate accounting records covering the receipt and expenditure of such money, in such manner, and supported by such original accounting instruments, as may be necessary clearly to establish the purposes and objects for which such money was expended. Failure of a public agency to comply with the provisions of this section with respect to any amount paid to such local agency under the

provisions of this act shall make such public agency liable for the immediate repayment of such amount to the State, upon demand of the Controller.

SEC. 17. It shall be the duty of the Controller to make such audit or audits of the books and records of public agencies receiving allocations under the provisions of this act as he may deem necessary, from time to time, for the purpose of determining that the money received by public agencies as allocations hereunder has been expended for the purposes and under the conditions authorized by this act.

SEC. 18. Whenever the Controller determines that any money allocated and paid to a public agency under the provisions of this act has been expended by such public agency for purposes not authorized by this act, or exceeds the final cost of the project which is authorized by this act to be paid therefrom, the Controller shall furnish written notice to the governing body of such public agency, or to its authorized agent, directing such public agency forthwith to pay to the State Treasurer the amount of such unauthorized expenditures, or the amount of the excess allocation paid to the public agency, as the case may be. Upon receipt of such notice by such governing body or its authorized agent, such governing body shall forthwith pay to the State Treasurer the amount set forth in such notice; and such amount shall, on order of the Controller, be deposited in the State Treasury in augmentation of the unallocated balance of the fund and appropriation from which such money was allocated. It shall be the duty of such governing body to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

SEC. 19. Any portion of an allocation advanced to a public agency under the provisions of this act shall be available for expenditure by its governing body for three years after the date on which the warrant covering the payment of the advance was issued by the Controller. For the purposes of this act, an amount paid to a public agency by the State shall be deemed to have been expended at the time and to the extent that such amount has been encumbered by the creation of a valid obligation on the part of the public agency. Upon the expiration of its period of availability, the unencumbered balance of any allocation advanced to a public agency under this act shall become due and payable to the State of California; and the governing body of the public agency shall forthwith, upon the expiration of such period of availability, pay the amount of such unencumbered balance to the State Treasurer. Such payment shall, on order of the Controller, be deposited in the State Treasury in augmentation of the unallotted balance of the fund and appropriation from which such money was allocated. It shall be the duty of such governing body to make the payments to the State Treasurer, as provided in this section, and it shall be the duty of the Controller to enforce such collection on behalf of the State."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 230—An act to amend Section 4656 of the Labor Code, relating to payments for temporary disability under the Workmen's Compensation Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Aggregate disability", and insert "Disability".

Amendment No. 2

On page 1 of said bill, strike out lines 4 and 5, and insert "causing temporary disability shall not extend beyond 240 weeks from the date of the injury."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1868—An act to amend Sections 139.51 and 139.52 of the Vehicle Code, creating the classification of lieutenant in the California Highway Patrol.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "139 51 and 139 52 of the Vehicle Code,"; and strike out lines 2 and 3 thereof, and insert "139 37 of, and to add Section 139.43 to the Vehicle Code, relating to authority of the California Highway Patrol."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 13, inclusive, and insert

"SECTION 1. Section 139 37 of the Vehicle Code is amended to read:

139.37. Peace Authority of the Members of the California Highway Patrol. All members of the California Highway Patrol of the department shall have the power:

(a) Of peace officers provided that the primary duty of the department shall be the enforcement of the provisions of this code and of any and all other acts respecting the use or operation of vehicles upon public highways, and the members of the California Highway Patrol thereof shall not act as peace officers in enforcing any other law except

(1) When in pursuit of any offender or suspected offender,

(2) To make arrests for crimes committed in their presence or upon any highway.

(b) At all times to direct all traffic in conformance with the provisions of law, and in the event of a fire or other emergency or to expedite traffic or to insure safety to direct traffic as conditions may require notwithstanding the provisions of this code.

(c) When on duty, upon reasonable belief that any vehicle is being operated in violation of any provision of this code, to require the driver thereof to stop and submit to an inspection of such vehicle, the equipment, license plates and registration card thereon or to a test of the light or brake equipment upon such vehicle.

(d) To inspect any vehicle of a type required to be registered hereunder on a highway or in any *public* garage, [or] repair shop, *parking lot, used car lot, or other similar establishment*, for the purpose of locating stolen vehicles [and] *or* investigating the title and registration thereof.

(e) To serve all warrants relating to the enforcement of this code.

(f) To stop any vehicle in or on which is being transported on any highway any timber products, livestock, poultry, or farm produce and inspect the bills of lading, shipping or delivery papers or other evidence to determine that the operator thereof is in legal possession of the load and upon reasonable belief that the operator of such vehicle is not in legal possession thereof shall take custody of such vehicle and load and turn the same over into the custody of the sheriff of the county wherein such timber products, livestock, poultry, farm produce, or any part thereof is apprehended.

It shall be the duty of said sheriff to receive and provide for the care and safekeeping of such timber products, livestock, poultry, farm produce or any part thereof, and immediately in cooperation with the department proceed with the investigation and legal disposition of such timber products, livestock, poultry, farm produce or any part thereof.

Any expense incurred by the sheriff in the performance of his duties under this section shall be a legal charge against the county.

SEC. 2. Section 139.43 is added to the Vehicle Code, to read:

139.43. Disposal of Unclaimed Property by the California Highway Patrol. When lost, stolen, abandoned or otherwise unclaimed property, except vehicles subject to registration hereunder, comes into possession of the department, the department may hold or store the same with some responsible person until it is claimed and all just and reasonable charges for saving and storage thereof have been paid. If the owner or other person entitled to the possession thereof fails to claim the property within six months and pay such charges, the department may sell it to the highest bidder at public auction at the place where the same may be held or stored, having first caused notice of sale to be given at least five days befor the time fixed therefor, by publication once in a newspaper of general circulation published in the county where the sale is to be held. Any excess in the proceeds of the sale after paying such charges and expenses of sale including but not limited to the costs of advertising and a fee of not exceeding ten dollars ($10) to be charged by the department for making the sale shall be deposited in the State Treasury in the Special Deposit Fund as money remaining unclaimed in the hands of the department.

On payment of the price bid for the property sold, the delivery of the property with the commissioner's bill of sale vests title in the purchaser.

In any case where there is no bid offered for the property, or if the highest bid offered does not exceed the charges for saving, holding and storage and the expenses of sale, the same shall become the property of the department as compensation for expenses incurred."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1097—An act to add Section 19709.5 to the Government Code, relating to reemployment rights of state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "19709.5", and insert "18709.5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "19709.5", and insert "18709.5".

Amendment No. 3

On page 1, line 3, of said bill, strike out "19709.5", and insert "18709.5".

Amendment No. 4

On page 1, line 7, of said bill, after "November 16," strike out "1947", and insert "1946 and any person who entered the employ of the United States Employment Service after December 31, 1941 and who, prior to November 16, 1946, entered the state service in the Department of Employment".

Amendment No. 5

On page 1, line 13, of said bill, after "Service", insert ", including time spent in war service in another federal department if such employee was transferred from the United States Employment Service to another federal department for war service and such employee subsequently entered the employ of the Department of Employment prior to November 16, 1946,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1505—An act to amend Section 18021 of the Government Code, relating to hours of work for state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 26, inclusive, and insert

"18021. *It is the policy of the State to avoid the necessity for overtime work wherever possible.* Salaried [state] employees [whose classes or positions are allocated by the State Personnel Board to Work Week Groups 1, 2, or 3, as defined in Section 18020 shall], if required and ordered to work in excess of the hours prescribed for the group *to which they are assigned, shall* receive overtime compensation *or compensating time off within one year, at the election of the appointing power,* for all such overtime

work. *The board may provide by rule that such compensation may not be provided unless the overtime work is specifically authorized by the appointing power in advance, except in critical emergencies.* The rate of overtime [compensation] shall be based on the regular rate of pay[, except that for employees whose classes or positions are allocated by the Personnel Board to Work Week Group 4 the rate of overtime compensation may be established by the Personnel Board at less than the regular rate of pay and it may vary within classes depending upon the unusual conditions of work] *Compensating time off for any overtime accumulated by any state officer or employee prior to the effective date of this section may be taken at such time as the appointing power may designate, and if not so taken, shall be compensated for in cash upon death or separation from service.*"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1506—An act to amend Sections 18020, 18021, 18024, and 18852 of the Government Code, relating to state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 18020, 18021, 18024 and 18852", and insert "Section 18104.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26 inclusive; and on page 2, strike out lines 1 to 36, inclusive, and insert

"SECTION 1. Section 18104.5 of the Government Code is amended to read:

18104.5. When an employee uses sick leave *or vacation* because of an injury compensable under the Labor Code and the State is reimbursed by a third person for its damages by reason of such use, there shall be granted, for credit to the employee's sick leave *or vacation* account, sick leave *or vacation* equivalent to the amount so used or proportionately if reimbursement is only in part. If the State does not collect from the third person the full amount of the compensation paid and other damages for which it is liable to the employee and if the amount collected is not itemized so that there may be ascertained the amount collected in reimbursement for the sick leave *or vacation* used, the sick leave *or vacation* to be credited shall be in the same ratio to the sick leave *or vacation* used as the total amount collected bears to the total amount of the State's damages. "Sick leave" *and "vacation"* as used in this [rule] *section* includes sick leave *and vacation* credit used to augment disability indemnity."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 472—An act to amend Sections 9603, 9603.5, 9605, 9606, 9606.7, 9653, 9701, 9703, 9754, and 10501 of the Revenue and Taxation Code, relating to the motor vehicles transportation license tax, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 4, 1949, strike out "relating to the"; and strike out line 4 of the title, and insert "and to amend Section 372 of the Vehicle Code, relating to motor vehicle taxes, and providing".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 4 of said bill, between lines 49 and 50, insert

"SEC. 12. Section 372 of the Vehicle Code is amended to read:

372. Weight Fees for Commercial Vehicles. (a) In addition to the registration fee specified in Section 370, there shall be paid fees as set forth in this section for the registration of every vehicle of a type subject to registration used or maintained for the transportation of persons for hire, compensation or profit or designed, used or maintained primarily for the transportation of property.

(b) For any electric vehicle designed, used or maintained as described in subdivision (a) hereof fees shall be paid for registration according to the following schedule:

Unladen weight	Fee
(1) Less than 6,000 lbs.	$36.00
(2) 6,000 lbs. or more but less than 10,000 lbs	72.00
(3) 10,000 lbs. or more	96.00

(c) For any motor vehicle having not more than two axles and designed, used or maintained as described in subdivision (a) hereof, other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight		Fee
(1) 3,000 lbs. to and including 4,000 lbs.	[$10.00]	*$14.00*
(2) 4,001 lbs. to and including 5,000 lbs	[20.00]	*27.00*
(3) 5,001 lbs. to and including 6,000 lbs.	[30.00]	*41.00*
(4) 6,001 lbs. to and including 7,000 lbs	[40.00]	*55.00*
(5) 7,001 lbs. to and including 8,000 lbs	[50.00]	*68.00*
(6) 8,001 lbs. to and including 9,000 lbs.	[60.00]	*87.00*
(7) 9,001 lbs. to and including 10,000 lbs	[70.00]	*95.00*
(8) 10,001 lbs. to and including 11,000 lbs.	[80.00]	*109.00*
(9) 11,001 lbs. to and including 12,000 lbs	[90.00]	*123.00*
(10) 12,001 lbs. to and including 13,000 lbs	[100.00]	*136.00*
(11) 13,001 lbs. to and including 14,000 lbs.	[110.00]	*150.00*
(12) 14,001 lbs. and over	[120.00]	*164.00*

(d) For any motor vehicle having three or more axles or for any trailer, semitrailer, pole or pipe dolly, or other dolly designed, used or maintained as described in subdivision (a) hereof other than an electric vehicle, fees shall be paid for registration according to the following schedule:

Unladen weight		Fee
(1) 2,000 lbs. to and including 3,000 lbs.	[$8.00]	*$11.00*
(2) 3,001 lbs. to and including 4,000 lbs	[15.00]	*20.00*
(3) 4,001 lbs. to and including 5,000 lbs.	[30.00]	*41.00*
(4) 5,001 lbs. to and including 6,000 lbs	[45.00]	*61.00*
(5) 6,001 lbs. to and including 7,000 lbs.	[60.00]	*82.00*
(6) 7,001 lbs. to and including 8,000 lbs.	[75.00]	*102.00*
(7) 8,001 lbs. to and including 9,000 lbs	[90.00]	*123.00*
(8) 9,001 lbs. to and including 10,000 lbs	[105.00]	*143.00*
(9) 10,001 lbs. to and including 11,000 lbs	[120.00]	*164.00*
(10) 11,001 lbs. to and including 12,000 lbs.	[135.00]	*184.00*
(11) 12,001 lbs. to and including 13,000 lbs	[150.00]	*205.00*
(12) 13,001 lbs. to and including 14,000 lbs	[165.00]	*225.00*
(13) 14,001 lbs. to and including 15,000 lbs	[180.00]	*246.00*
(14) 15,001 lbs. and over	[200.00]	*273.00*".

Amendment No. 3

On page 4, line 50, of said bill, strike out "12", and insert "13".

Amendment No. 4

On page 5, line 3, of said bill, strike out "13", and insert "14".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 358—An act to amend Sections 19485.1 and 19620.1 of the Business and Professions Code, increasing the state revenue derived from horse racing, abolishing the State College Fund, creating the Social Welfare Aid Fund and appropriating the money therein for aid to persons other than those entitled to aid under Article XXV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out lines 3 to 6, inclusive, of the title of the printed bill, and insert "from horse racing, creating the State Inebriate Hospital Fund, and appropriating the money therein for the construction, operation, equipment, and maintenance of state hospitals for inebriates"

Amendment No. 2

On page 1 of said bill, strike out lines 18 and 19.

Amendment No. 3

On page 1, line 20, of said bill, strike out "3", and insert "2"

Amendment No. 4

On page 1, line 22, of said bill, strike out "all of", and after "breakage", insert "on the first twenty-seven million dollars ($27,000,000) or less of the gross amount of money handled in pari-mutuel pools by a licensee".

Amendment No. 5

On page 2, line 3, of said bill, strike out "Social Welfare Aid", and insert "State Inebriate Hospital".

Amendment No. 6

On page 2, line 5, of said bill, after "to time", insert "be necessary".

Amendment No. 7

On page 2 of said bill, strike out lines 6 to 9, inclusive, and insert "for the construction, operation, equipment, and maintenance of two state hospitals for chronic inebriates.

The remainder of the license fee attributable to the breakage which is paid pursuant to Section 19485.1 shall be paid into a special fund which is hereby created and designated as the State College Fund"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1362—An act to amend Section 6092 of the Revenue and Taxation Code, relating to sales tax resale certificates.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert
"An act to add Section 6092.5 to the Revenue and Taxation".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 6092.5 is added to the Revenue and Taxation Code, to read

6092.5. A certificate shall not be taken from a manufacturer, producer or processor with respect to tangible personal property to be used for any purpose except as an ingredient or component part of other tangible personal property to be sold. The manufacturer, producer or processor may, however, claim a deduction of the cost of the property purchased by him, if he has reimbursed his vendor for tax which the vendor is required to pay to the State or has paid the use tax with respect to the property, and resells it before making any use thereof."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2534—An act to amend Section 19485 of the Business and Professions Code, relating to track operators' license fees, and making disposition of funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 19485", and insert "Sections 19485 and 19597".

Amendment No. 2

On page 1, line 4, of said bill, strike out "_____", and insert "4".

Amendment No. 3

On page 1, line 7, of said bill, strike out "_____", and insert "6".

Amendment No. 4

On page 1, line 10, of said bill, strike out "_____", and insert "8".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of said bill, between lines 13 and 14, insert

"SEC. 2. Section 19597 of said code is amended to read:

19597. The commission deducted by any licensee from pari-mutuel pools shall not exceed 9 percent of the gross amount of money not in excess of ten million dollars ($10,000,000) handled in the pari-mutuel pool operated by him during the period of the license; [8] 7 percent of the amount by which the total amount so handled exceeds ten million dollars ($10,000,000) but is not more than twenty million dollars ($20,000,000); and [7] *5* percent of the amount by which the total amount so handled by *him exceeds twenty million dollars ($20,000,000), plus the odd cents by which the* amount payable on each dollar wagered exceeds a multiple of five cents ($0.05). The amount deducted by the licensee shall be in addition to the license fee required by this chapter."

Amendment No. 6

On page 1, line 14, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of

the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 14, of the printed bill, after "Office," and before "and", insert "Bakersfield Police Department,".

Amendment No. 2

On page 1, line 17, of the printed bill, strike out "three hundred seventy-nine", and insert "eight hundred sixty-five".

Amendment No. 3

On page 1, line 18, of the printed bill, strike out "($31,379.04)", and insert "($31,865.04)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means:

Assembly Bill No. 861—An act to add Section 5711 to the Labor Code, relating to proof of pneumonoconiosis.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, following "upon", strike out "the disease", and insert "a disabling form".

Amendment No. 2

On page 1, line 5, of the printed bill, strike out "disease", and insert "disabling condition".

Amendment No. 3

On page 1, line 7, of the printed bill, strike out "disease", and insert "condition".

Amendment No. 4

On page 1, line 9, of the printed bill, strike out the comma after "employment", and insert a period; after the period, strike out the balance of line 9 and lines 10 and 11, and insert

"Where the commission finds that such exposure has occurred in more than one employment it shall, before making an award, determine the percentage of such exposure to which the employee has been subjected in each employment It shall then make an award jointly and severally against all employers in whose properties such exposure has been found to exist. Any one of said employers against whom said award has been jointly and severally made may be compelled to pay said award to the claimant in whose favor it has been made, and shall then have the right to recover in an appropriate action at law against the remaining employers their proportionate share of said award corresponding to the respective percentages of exposure as found by the commission. Provided further, that where an employer has had more than one compensation insurance carrier during the period of the employee's exposure to such hazard in that employment, the percentage of exposure shall also be determined for the period during which each of said compensation insurance policies was effective, and after paying any award any compensation insurance carrier or carriers shall have a like right to enforce proportionate contribution against other employers and their carriers as to whom a percentage of exposure is found by the commission to have existed"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 689—An act making an appropriation for allocation to cities, counties, cities and counties and school districts to develop a comprehensive state-wide program of community recreation, providing the procedure for making such allocations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Goverment:

Amendment No. 1

On page 2 of the printed bill, between lines 14 and 15, insert

"(f) "Director of Finance" means the State Director of Finance

(g) "Allocation Board" or "board" means the State Allocation Board created by Section 7 of the Construction and Employment Act, as amended

(h) "Controller" means the State Controller.

SEC. 2.5 The Allocation Board is hereby continued in existence for the purposes of this act. The members of the board and the Members of the Legislature meeting with the board in an advisory capacity shall receive no compensation for their services under this act but shall be reimbursed for their actual and necessary expenses incurred in connection with the performance of their duties hereunder"

Amendment No. 2

On page 2, lines 19 and 20, of the printed bill, strike out "recreation commission", and insert "Recreation Fund, which is hereby created,".

Amendment No. 3

On page 2 of the printed bill, strike out lines 22 to 24, inclusive, and insert "istration of this act. From the amount appropriated by this act, there shall be allocated such amount as the Director of Finance shall determine, but in no event in excess of one-half of 1 percent of the total appropriation herein made, for support of the Director of Finance and the Department of Finance in administering this act, and for support of the Recreation Commission in the performance of its duties under this act, and there shall further be allocated such amount as the Director of Finance shall determine, but in no event in excess of one-half of 1 percent of the total appropriation herein made, for support of the Controller in the performance of his duties under this act"

Amendment No. 4

On page 2, line 27, of the printed bill, after "commission", insert "and the Director of Finance, on forms and in accordance with procedures established by the Allocation Board,".

Amendment No. 5

On page 2, line 35, of the printed bill, strike out "local", and insert "public".

Amendment No. 6

On page 2, line 37, of the printed bill, after "commission", strike out the period, and insert "and the Allocation Board"

Amendment No. 7

On page 3, line 2, of the printed bill, after "commission", strike out the period, and insert "and the Allocation Board."

Amendment No. 8

On page 3 of the printed bill, between lines 14 and 15, insert

"When the United States Census of 1950 becomes available, it shall be used to determine the maximum amount which may be allocated."

Amendment No. 9

On page 3 of the printed bill, strike out lines 15 to 21, inclusive, and insert

"SEC. 9. The Director of Finance shall administer this act and provide such assistance to the Allocation Board as it may require. The Allocation Board shall prescribe rules and regulations for the general administration of this act, requiring such procedure, forms and information as it deems necessary. The Recreation Commission may formulate rules and standards for recreational facilities and services

SEC. 10. Applications which the Recreation Commission approves shall be submitted by it to the Director of Finance. After determining that all the proper information has been submitted and the application is otherwise sufficient, the Director of Finance shall refer the application to the Allocation Board. In considering any application for aid with any recreationl facilities, the Allocation Board shall first

determine that the project is one in which the Legislature has herein found and determined a state interest to exist The Allocation Board, in considering such recreational facilities, may make any recommendations to the public agency which the board deems proper. If the Allocation Board approves of the application of any public agency, either in whole or in part, it shall, by a resolution adopted by it, allot to the public agency from the Recreation Fund the amount applied for or such portion thereof as the Allocation Board may deem appropriate but not exceeding one-half of the actual cost of the recreational facilities described in the application. A copy of the resolution shall be transmitted to the public agency and a copy shall be filed with the Controller and the Recreation Commission. Claims for reimbursement of the cost of a recreational facility may be submitted by the public agency to the Director of Finance from time to time in accordance with this act

SEC. 11 The Allocation Board shall prescribe in such detail as it deems necessary, the scope of the facility and the purposes for which moneys allocated by it to a public agency under this act may be expended, and such prescription shall be binding upon the governing body of the public agency except as it may be, for good cause, modified by the Allocation Board. Whenever, during the period of construction, the Director of Finance determines that any facility for or on account of which funds allocated under this act have been paid to a public agency, has not been carried out or completed, in whole or in part, in accordance with the provisions hereof or that any funds allocated hereunder have not been expended in accordance with such provisions, the Director of Finance, in writing, shall notify the governing body of the public agency concerned and the Controller of such fact.

SEC. 12 The Director of Finance shall, in accordance with Board of Control rules, prescribe the information to be shown on claims for reimbursement of the cost of a recreational facility under this act and the nature of the evidence of payment to be required in support of such claim. When the Director of Finance approves such claim and finds the reimbursement to be due, he shall transmit a claim for the reimbursement due, together with all supporting information and evidence of payment, to the Controller Upon auditing the claim in accordance with law, the Controller shall thereupon draw his warrant for the amount of reimbursement due

SEC 13 An application containing a revised estimate of the cost of a recreational facility may be submitted from time to time in the same manner as an original application and shall be treated for all purposes like the original application.

SEC. 14 The Allocation Board shall, by rule applicable to any case or class of cases, prescribe the time, manner and amount of progress payments to be made to the public agency which has received an allotment under this act and which payments shall be made to the public agency upon its request.

The public agency shall, in any event, on its request, be entitled to be reimbursed up to 25 percent of the State's allocation after each 25 percent of the total estimated cost has been expended by the public agency The Allocation Board, by rule, shall provide for advancements of the State's allocation after the facility for which the allocation was made is 75 percent complete and the public agency has expended its total share of such cost"

Amendment No. 10

On page 3, line 22, of the printed bill, before "Upon", insert "Sec. 15."

Amendment No. 11

On page 3, line 27, of the printed bill, after "commission", insert a comma and "the Director of Finance, and the Controller,".

Amendment No. 12

On page 3, line 29, of the printed bill, strike out "by the commission".

Amendment No. 13

On page 3 of the printed bill, strike out lines 30 to 31, inclusive, and insert "made to the public agency in excess of the State's share of the expenditures shall be refunded by the public agency to the State"

Amendment No. 14

On page 3 of the printed bill, between lines 31 and 32, insert

"SEC 16 Every public agency receiving money from the State under the provisions of this act shall maintain adequate accounting records covering the receipt and expenditure of such money, in such manner, and supported by such original accounting instruments, as may be necessary clearly to establish the purposes and objects for which such money was expended Failure of a public agency to comply with the provisions of this section with respect to any amount paid to such public agency under the provisions of this act shall make such public agency liable for the immediate repayment of such amount to the State, upon demand of the Controller.

SEC. 17. It shall be the duty of the Controller to make such audit or audits of the books and records of public agencies receiving allocations under the provisions of this act as he may deem necessary, for the purpose of determining that the money received by public agencies as allocated hereunder has been expended for the purposes and under the conditions authorized by this act

SEC. 18. Whenever the Controller determines, as a result of an audit or following notification by the Director of Finance under Section 11 of this act, that any money allocated and paid to a public agency under the provisions of this act has been expended by such public agency for purposes not authorized by this act, or exceeds the final cost of the project which is authorized by this act to be paid therefrom, the Controller shall furnish written notice to the governing body of such public agency, or to its authorized agent, directing such public agency forthwith to pay to the State Treasurer the amount of such unauthorized expenditures, or the amount of the excess allocation paid to the public agency, as the case may be. Upon receipt of such notice by such governing body or its authorized agent, such governing body shall forthwith pay to the State Treasurer the amount set forth in such notice; and such amount shall, on order of the Controller, be deposited in the State Treasury in augmentation of the unallocated balance of the fund and appropriation from which such money was allocated It shall be the duty of such governing body to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the Controller to enforce such collection on behalf of the State.

SEC. 19 Any portion of an allocation advanced to a public agency under the provisions of this act shall be available for expenditure by its governing body for three years after the date on which the warrant covering the payment of the advance was issued by the Controller. For the purposes of this act, an amount paid to a public agency by the State shall be deemed to have been expended at the time and to the extent that such amount has been encumbered by the creation of a valid obligation on the part of the public agency Upon the expiration of its period of availability, the unencumbered balance of any allocation advanced to a public agency under this act shall become due and payable to the State of California; and the governing body of the public agency shall forthwith, upon the expiration of such period of availability, pay the amount of such unencumbered balance to the State Treasurer. Such payment shall, on order of the Controller, be deposited in the State Treasury in augmentation of the unallotted balance of the fund and appropriation from which such money was allocated It shall be the duty of such governing body to make the payments to the State Treasurer, as provided in this section, and it shall be the duty of the Controller to enforce such collection on behalf of the State"

Amendment No. 15

On page 3 of the printed bill, strike out lines 32 to 35, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 1321—An act to add Section 20567.1 to the Government Code, relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 27, 1949, strike out "Section", and insert "Sections"

Amendment No. 2

In line 1 of the title of said bill, after "20567.1", insert "and 20567.2".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 3122, on request of Mr. McCollister.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO WITHDRAW BILL BE CONTINUED

Mr. Elliott asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 318 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 449—An act to amend Sections 117 and 117r of the Code of Civil Procedure, relating to small claims actions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 449?

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "therein", and insert "wherein"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 449 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 449 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 18

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 18, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 18—An act to amend Sections 985, 986.3, 986.5, 986.6, and 986.9 and to repeal Section 986.4 of the Military and Veterans Code, relating to farm and home purchases for veterans.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 18?

Amendment No. 1

On page 2, line 39, of the printed bill, as amended in the Assembly on April 13, 1949, strike out the comma.

Amendment No. 2

On page 2, line 42, of said bill, after "bond", insert "executed by the contractor".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 18 by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 18 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1460

Mr. Heisinger asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1460, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1460—An act to amend Section 252.1 of the Fish and Game Code, relating to and defining the boundaries of the Mendota Pool Game Refuge and Public Shooting Ground.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1460?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 7, 1949, strike out "amend", and insert "repeal".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive, and insert "SECTION 1. Section 252.1 of the Fish and Game Code is repealed."

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 14, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1460 by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—63.
NOES—None.

Assembly Bill No. 1460 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1038—An act to add Division 3, comprising Sections 28000 to 28501, inclusive, to Title 4 of and Section 100007 to the Corporations Code, thereby codifying and repealing the Retirement Systems Act, and consolidating and revising the law relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1038?

Amendment No. 1

On page 1, line 20, of the printed bill, after "laws", insert "existing on September 15, 1945,".

Amendment No. 2

On page 1, line 21, of said bill, and on page 2, line 1, strike out "in effect on September 15, 1945".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1038 by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1038 ordered enrolled.

Assembly Bill No. 1749—An act to amend Sections 6726 and 7012.5 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1749?

Amendment No. 1

On page 1 of the printed bill, strike out line 10, and insert "patient is cared for at such private home at a rate not exceeding sixty dollars ($60) per month for each such patient."

Amendment No. 2

On page 1 of the printed bill, strike out lines 11 and 12, and insert "Payments".

Amendment No. 3

On page 2 of the printed bill, strike out line 3, and insert "cared for at such private home at a rate not exceeding sixty dollars ($60) per month for each such patient"

Amendment No. 4

On page 2 of the printed bill, strike out lines 4 and 5, and insert "Payments for such".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1749 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 1749 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1802—An act to add Section 12024.4 to Chapter 1 of Division 5 of the Business and Professions Code, relating to the sale of poultry and rabbits by weight.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman,

Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1775—An act to amend Section 4883 of, and to add Section 4880 to, the Public Resources Code, relating to burning of brush covered lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2947—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 29, 1949, strike out lines 8 to 25, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed

Assembly Bill No. 1729—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Cooke asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 1729, and that he be recorded as voting "Aye."

Assembly Bill No. 1730—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Calls

Mr. Cooke asked for, and was granted, unanimous consent that his name be placed upon the roll calls on the urgency clause and the passage of Assembly Bill No. 1730, and that he be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3119

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3119, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3119

Assembly Bill No. 3119—An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, 14516, 14525.1, 14532, 14550, and 14594 to, and to amend Sections 14400, 14401, 14406, 14450.5, 14451, 14480.2, 14503, 14505, and 14510 of, the Health and Safety Code, relating to county fire protection districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman,

Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L Collins announced that President pro Tempore of the Senate, the Hon. Harold J. Powers, while seriously injured, is steadily improving, and that it is hoped his absence from his legislative duties will not be of long duration.

Mr. Maloney announced that Bart Cavanaugh, the City Manager of Sacramento, is always a good friend of the Legislature and deserves commendation for always being the first person to offer aid and assistance whenever any Member of the Legislature is ill; and that he has been most solicitous relative to the condition of Senator Powers.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2358

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2358, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2358

Assembly Bill No. 2358—An act to amend Sections 5400, 5402, and 5404 of the Public Resources Code, relating to recreation, park and parkway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 776—An act to amend Section 7100 of the Business and Professions Code, relating to contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel,

Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 79 FROM COMMITTEE

Mr. Burkhalter gave notice that on the second legislative day he would move to withdraw Assembly Constitutional Amendment No. 79 from the Committee on Constitutional Amendments, and have it placed upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1382—An act to repeal Section 362 of the Education Code, relating to the traveling expenses of county superintendents of schools.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 401—An act to amend Section 25690 of the Government Code, relating to local water and power projects.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lindsay moved a call of the Assembly.

Motion carried. Time, 11 05 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

George D. Collins, Ralph C. Dills, Hollibaugh, Huyck, Kilpatrick, McCarthy, Rosenthal, Rumford, Sherwin, and Thomas—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1382

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 1382, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1382

Assembly Bill No. 1382—An act to repeal Section 362 of the Education Code, relating to the traveling expenses of county superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1383

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1383, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1383

Assembly Bill No. 1383—An act to add Sections 4861.1 and 4862.1 to the Education Code, relating to the membership of county superintendents of schools in societies, associations, and organizations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh Huyck, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58.

NOES—Babbage, Heisinger, Levering, Lowrey, and Reagan—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1380

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1380, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1380

Assembly Bill No. 1380—An act to add Section 13405.1 to the Education Code, relating to teachers institutes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thompson, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2164 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Bill No. 2164 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Civil Service and State Personnel.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 38

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 38, passed on file, at this time.

Speaker Pro Tempore Presiding

At 11.20 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 38

Assembly Joint Resolution No. 38—Relative to the Sacramento River Flood Control Project.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 11.24 a.m., Mr. Stanley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Municipal and County Government in the Cloak Room for three minutes, at this time. Subject: Assembly Bill No. 3149.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 522—An act to amend Sections 4890 and 4910 of the Health and Safety Code, relating to sewer maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1274—An act relating to the acquisition and construction of property for airports available for public use.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rumford, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—57.

NOES—Caldecott, Luckel, and Moss—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1665—An act to amend Section 874 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Huckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sillman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1804—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same

Bill read third time.

Motion to Amend

Mr. Reagan moved the adoption of the following amendments:

Amendment No. 1

On page 6 of the printed bill, as amended in the Assembly on May 6, 1949, strike out line 5, and insert "this act that any specially performed local service, such as fire or police protection, normally performed as a municipal service and which is in addition to services currently performed by the county throughout the unincorporated area, shall be a charge".

Amendment No. 2

On page 6 of said bill, strike out line 6

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1679—An act to amend Sections 1174, 1175, and 1176 of the Government Code, relating to the deposit and disbursement of moneys withheld from salaries or wages paid to any person by the State or other public agencies pursuant to the Internal Revenue Law of the United States or any requirements of the Commissioner of Internal Revenue pursuant thereto, and to provide for the transfer of money heretofore deposited.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Silliman, Stewart, Tomlinson, Way, Weber, and Yorty—56

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF STANDING COMMITTEE BE READ, OUT OF ORDER

Mr. Butters asked for, and was granted, unanimous consent that the following standing committee report be read, out of order, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3149

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3149 BE READ SECOND TIME, OUT OF ORDER

Mr. Butters asked for, and was granted, unanimous consent that Assembly Bill No. 3149 be read the second time, out of order, at this time.

SECOND READING OF ASSEMBLY BILL NO. 3149 (BY UNANIMOUS CONSENT)

Assembly Bill No. 3149—An act to amend Section 24.5 of the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3149

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2269—An act to amend Sections 15002, 15003, 15004, 15007, 15015, 15016, 15020, 15029, 15154, 15250, 15251, 15253, 15254, 15255, 15351, 15353, 15354, 15355, 15380, 15381, 15382, 15383, 15384, 15387, 15388, 15687, 15689, 15730, 15735, 15736, 15737, 15747, 15750, 16000, 16001, 16054, 16056, 16058, 16062, 16100, 16105, 16201, 16223, 16227, 16231, 16265, 16266.5, 16400, 16401, 16402, 16403, 16403.5,

16405, 16406, 16408, 16409, 16410, 16411, 16413, 16414, 16415, 16417, 16418, 16432, 16433, 16434, 16437, 16441, the heading of Chapter 14, Part 1, Division 13, Sections: 16501, 16504, 16520, 16521, 16523, 16527, 16600 the heading of Article 8, Chapter 14, Part 1, Division 13, Sections: 16670, 16672, 16677, 16678, 16679, the heading of Article 9 of Chapter 14, Part 1, Division 13, Sections: 16690, 16692, 16693, 16694, 16711, 16711 2, 16742, 16771, 16772, 16800, 16820, 16827, 16833, the heading of Chapter 20, Part 1, Division 13, Sections: 16900, 16901, 16904, 16906, 16950, 16953, 16959, 17000, 17001, 17002, 17080, 17088, 17152, 17154, 17157, the heading of Chapter 24, Part 1, Division 13, the heading of Article 1 of Chapter 24, Part 1, Division 13, Sections: 17250, 17251, 17254, 17255, 17260, 17261, 17262, 17263, 17264, 17265, 17267, heading of Article 2, Chapter 24, Part 1, Division 13, Sections: 17280, 17281, 17282, 17283, 17284, heading of Article 3, Chapter 24, Part 1, Division 13, Sections 17300, 17301, 17303, 17304, heading of Article 4, Chapter 24, Part 1, Division 13, Sections: 17320, 17324, 17324.5, 17340, 17452, 17453, 17455, 17456, 17457, 17459, 17465, 17466, 17481, 17482, 17483, 17484, 17501, 17503, 17504, 17506, 17507, 17509, 17531, 17532, 17551, 17552, 17580, 17581, 17584, 17701, 17702, 17702.5, 17704, 17704.1, 17705, 17800, 17801, 17809, 17810, 17814, 17815, and 17901 of the Health and Safety Code; to add Sections 15004.2, 15007.5, 15015.7, 15015.8, 15016.3, 15016.7, 15016.8, 15017.8, 15019.5, 15023.2, 15023.4, 15024.5, 15027.3, 15027.5, 15029.5, 15030.5, 15031.3, 15031.5, 15031.7, 15152.5, 15159, 15160, 15251.5, 15253.5, 15254.5, 15256, 15290.5, 15320, 15363, 15364, 15365, 15366, 15367, 15383.5, 15384.1, 15384.2, 15384.3, 15384.4, 15384.5, 15389, 16227.5, 16500.5, 16528, Article 7.5 (comprising Section 16660) to Chapter 14, Part 1, Division 13, Sections 16679.5, 16711.3, Article 5 (comprising Section 16714), Chapter 14.5, Part 1, Division 13, Sections: 16777, 16778, Article 1, Chapter 20, Part 1, Division 13, Sections 16900.1, 16900.2, 16900.3, 16900.4, 16902.1, 16902.2, Article 2 (comprising Section 16910) to Chapter 20, Part 1, Division 13, Chapter 20.5 (comprising Sections 16930 and 16931) to Part 1, Division 13, Sections 17000.1, 17000.2, 17000.3, 17000.4, 17080.1, 17080.2, 17080.3, 17085.5, 17258.5, 17260.1, 17260.2, 17260.5, 17260.7, 17260.8, 17260.9, 17267.3, 17267.5, 17270, 17270.3, 17270.5, Article 1 (B) (comprising Section 17276), to Chapter 24, Part 1, Division 13, Sections 17283.5, 17285, 17286, 17287, 17288, 17289, 17290, 17291, 17300.5, 17306, 17307, 17308, 17309, 17310, 17311, 17312, 17313, 17325, 17326, 17327, 17328, 17329, 17330, 17455.5, 17457.5, 17486, 17502.5, 17513, 17533.5, 17554, 17704.2, 17704.3, 17705.1, 17705.2, 17708, 17709, 17710, 17711, 17712, 17713, 17801.5, 17809.5, 17811.1, 17811.2, 17811.3, 17811.4, 17814 1, 17814.2, 17814.3, 17815.1, 17815.2, 17815.3, 17815.4, and 17831 to said code, and to repeal Sections 15021, 15252, 15315, 15316, 15317, 15318, 15319, 16057, 16224, 16225, 16412, 16419, Article 7 (comprising Sections: 16650 to 16655, inclusive) of Chapter 14, Part 1, Division 13, Chapter 15 (comprising Sections: 16720 and 16720.5) of Part 1, Division 13, Sections 16773, 16774, 16951, 16952, 16954, 16955, 16956, 16957, 16958, Article 2 (comprising Sections 17020 to 17023, inclusive) of Chapter 22, Part 1, Division 13, Article 3 (comprising Sections: 17040 to 17045, inclusive) of Chapter 22, Part 1, Division 13, Article 4 (comprising Sections: 17060 to 17062, inclusive) of Chapter 22, Part 1,

Division 13, Sections: 17081, 17082, 17083, 17084, 17086, 17087, 17266, 17454, 17460, 17464, and 17502 of said code, relating to the State Housing Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—58.

NOES—Yorty—1.

Motion to Amend Title

Mr. Cramer moved the adoption of the following amendments to the title:

Amendment No. 1

In line 29 of the title of the printed bill, as amended in the Assembly on May 6, 1949, strike out "17506,".

Amendment No. 2

In lines 39 and 40 of the title of said bill, strike out "Article 7.5 (comprising Section 16660) to Chapter 14, Part 1, Division 13,".

Amendment No. 3

In line 43 of the title of said bill, strike out "16900.3,"

Amendment No. 4

In line 55 of the title of said bill, strike out "17502.5,".

Amendment No. 5

In line 71 of the title of said bill, strike out "and 17502".

Amendments read, and adopted.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 401

At 11.45 a.m., on motion of Mr. Lindsay, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 401 passed by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Cramer, Crichton, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, and Yorty—46.

NOES—Anderson, Beck, Bennett, Brown, Coats, Collier, Crowley, Davis, Dickey, Dunn, Elliott, Evans, Gaffney, Grant, Hagen, Hawkins, Levering, Lewis, Lowrey, Luckel, McCarthy, Meyers, Niehouse, Reagan, Tomlinson, and Mr. Speaker—26

Notice of Motion to Reconsider Assembly Bill No. 401

Mr. Hagen gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 401 was this day passed.

QUESTIONS OF PERSONAL PRIVILEGE

Mr. Evans arose to a question of personal privilege.

Mr. Beck arose to a question of personal privilege.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 971—An act to amend Section 8728 of the Education Code, relating to the payment of tuition of high school pupils residing in elementary school districts not in high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1760—An act to amend Sections 4714 and 7431 of the Education Code and to repeal Section 4965 of said code, all relating to school district bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Sherwin, Smith, Stanley, Stewart, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2204

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2204, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2204

Assembly Bill No. 2204—An act providing for license fees for the privilege of operating aircraft, providing for the exemption of such vehicles from all taxes according to value for state, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Aircraft Fee Fund and making an appropriation of the moneys therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Conrad, Crichton, Crowley, Clayton A. Dills, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis,

Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Stanley, Thompson, Waters, Way, Weber, and Yorty—44.

NOES—Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Cramer, Dickey, Dolwig, Dunn, Erwin, Hinckley, Levering, Lowrey, Luckel, Reagan, Sherwin, Smith, Stewart, and Tomlinson—21.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 39—Relative to preservation of forest areas in Tuolumne and Calaveras Counties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Smith, Stanley, Stewart, Thompson, Way, Weber, and Yorty—65

NOES—None.

Resolution ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1938, on request of Mr. Evans.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2530

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2530, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2530

Assembly Bill No. 2530—An act to amend Section 1303 of the Education Code, relating to superintendents of schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—63.

NOES—Heisinger and Lowrey—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 6

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 6, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 6

Senate Constitutional Amendment No. 6—Proposed amendment to Article XXIV, Section 4, of the Constitution, relative to exemptions from state civil service.

Resolution read.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed measure, after "Section", insert "s", and after "4", insert "and 6".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of the printed measure, below line 48, insert

"SEC. 6. (a) No temporary appointment of a person to any position shall be made unless there is no [eligible] *employment* list from which such position can be filled

[(b) No further temporary appointments shall be made to a given position after such position has been filled by a temporary appointment or appointments for a total period of six months.

(c)] (b) No person shall hold a given position under temporary appointment for a longer period than [SIX] *nine* months *in any consecutive twelve months*, nor shall any person serve in the state civil service under temporary appointment for a longer period than [six] *nine* months in any [one calendar year] *consecutive twelve months*."

Amendments read, and adopted.

Resolution ordred reprinted, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 929

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 929, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 929—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 929?

Amendment No. 1

On page 2, lines 34 and 35, of the printed bill, strike out "The compensation provided by this section shall be paid to incumbent officers."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 929 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Assembly Bill No. 929 ordered enrolled.

MEMBERS EXCUSED

At 12.42 p.m., Mr. Gaffney asked for, and was granted, unanimous consent that Mr. George D. Collins be excused, for the balance of the legislative day, because of illness.

At 12.43 p.m., Mr. Anderson asked for, and was granted, unanimous consent that Mr. Thomas be excused, for the balance of the legislative day, because of legislative business elsewhere.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 196

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (mimeograph service)	$25 09
Department of Finance (pro rate cost telephone service)	346 23
Department of Finance (painting six table topped racks)	78 83
Department of Finance (supplies)	119 84
Western Union (telegrams)	19 39
International Business Machines Corp. (electric typewriters)	1,386 93
H. S. Crocker Company, Inc. (supplies)	58 18
The Shasta Water Company (drinking water)	15 45

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 196, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—None.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals of Monday, May 9, 1949; Tuesday, May 10, 1949; Wednesday, May 11, 1949; Thursday, May 12, 1949; and Friday, May 13, 1949, be approved as corrected by the Minute Clerk.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2034

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2034, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2034

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 12, 1949, strike out line 49, and insert "not to exceed eight hundred dollars ($800) "

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1431 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr Dickey asked for unanimous consent that Assembly Bill No. 1431 be withdrawn from the Committee on Municipal and County Government, for purpose of amendment, and be re-referred to the Commitee on Municipal and County Government.

Mr Dunn withheld unanimous consent.

RESOLUTIONS

The following resolutions were offered:

By Mr. Conrad:

House Resolution No. 197

Relative to the creation of the Assembly Interim Commitee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the same members as the Standing Committee on Elections and Reapportionment Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties

(g) To conduct a preliminary survey of the 1950 Census and to ascertain any and all facts and make any needed studies concerning the best means of reapportioning the State in the light of that census.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Thompson:

House Resolution No. 198

Relating to a study of the feasibility and means for transporting water from San Francisco to Santa Clara County

WHEREAS, The City and County of San Francisco is in the process of providing adequate means for the disposal of the city's sewage through the construction of sewage disposal plants; and

WHEREAS, These sewage disposal plants will provide between 80,000 and 100,000 acre feet of purified water annually; and

WHEREAS, An exhaustive study conducted by the Assembly Interim Committee on Water Pollution reveals that purified sewage water is suitable for use for irrigation purposes; and

WHEREAS, Santa Clara County is in desperate need of water; and

WHEREAS, Means must be provided for the conveyance of the water from San Francisco to Santa Clara County in order that an arrangement may be made by Santa Clara County and the City and County of San Francisco for the use of this water in Santa Clara County; now, therefore be it

Resolved by the Assembly of the State of California, That the Division of Water Resources, Department of Public Works, and the Assembly Interim Committee on Water Pollution are requested to make a study of the feasibility, economic and otherwise, and means of conveying water from the San Francisco sewage disposal plants to Santa Clara County and the distribution and utilization of such water in that county, and be it further

Resolved, That the Division of Water Resources is requested to submit a preliminary report on its study to the Assembly not later than June 15, 1949, and submit a final report thereon to the Assembly not later than February 28, 1950; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of Public Works and the State Engineer and a copy to the Chairman of the Assembly Interim Committee on Water Pollution

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1057

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1057, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1057

Assembly Bill No. 1057—An act to add Sections 14307, 14308, and 14309 to the Revenue and Taxation Code, relating to the lien of inheritance tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Anderson:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 1.5 to Part 3, Division 2 of the Labor Code, relating to establishment of a California Labor Relations Board, defining its powers and duties, and to make an appropriation.

Respectfully submitted,

GLENN M. ANDERSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Anderson:

An act to add Chapter 1.5 to Part 3, Division 2 of the Labor Code, relating to establishment of a California Labor Relations Board, defining its powers and duties, and to make an appropriation.

HUYCK, *Chairman*

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3150: By Mr. Anderson—An act to add Chapter 1.5 to Part 3, Division 2, of the Labor Code, relating to establishment of a California Labor Relations Board, defining its powers and duties, and to make an appropriation.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Levering and Reagan:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to repeal Chapter 2 of Division 5 of Title 1 of the Government Code, relating to contracts for public works and the subletting of contracts or subcontracting of portions of such works.

Respectfully submitted,

HAROLD K. LEVERING
BRUCE V. REAGAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Messrs. Levering and Reagan:

An act to repeal Chapter 2 of Division 5 of Title 1 of the Government Code, relating to contracts for public works and the subletting of contracts or subcontracting of portions of such works.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—66.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3151: By Messrs. Levering and Reagan—An act to repeal Chapter 2 of Division 5 of Title 1 of the Government Code, relating to contracts for public works and the subletting of contracts or subcontracting of portions of such works.

Referred to Committee on Conservation, Planning, and Public Works.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Stewart:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 11512, 11513, 11517, and 11521 of the Government Code, relating to administrative adjudication.

Respectfully submitted,

A. I. STEWART

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Stewart:

An act to amend Sections 11512, 11513, 11517, and 11521 of the Government Code, relating to administrative adjudication

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3152: By Mr. Stewart—An act to amend Sections 11512, 11513, 11517, and 11521 of the Government Code, relating to administrative adjudication.

Referred to Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Messrs. Yorty and Maloney:

House Resolution No. 199

Relative to dedication of a bridge or highway as a memorial to the late Senator Michael J. Burns

WHEREAS, The late Michael J. Burns was elected to represent Assembly District No. 1 in 1932 and reelected from the years 1934 to 1946, inclusive, and elected in 1948 to represent the Third Senatorial District; and

WHEREAS, Possessed of great knowledge of State Government and guided by a sincere desire for the welfare and progress of California, he displayed an ability and statesmanship seldom equalled; and

WHEREAS, The success of Michael J. Burns as a legislator was accomplished in no small part by the sincerity and vigor with which he fought for what he believed

just and right, yet at the same time the largeness of his heart and his wealth of human understanding endeared him in extraordinary degree to all with whom he came in contact; and

WHEREAS, His beloved personality and statesmanship combined to accomplish a magnificent service for this State when, in 1947, while ill and to the great hazard of his own life, Michael J. Burns returned to this Assembly and successfully participated in legislation enacted as the Collier-Burns Highway Act of 1947; now, therefore, be it

Resolved by the Assembly of the State of California, That the Division of Highways is hereby earnestly requested to dedicate a suitable bridge or highway to be known as the Michael J. Burns Bridge or Highway in recognition of the great service he rendered to this State and as a fitting memorial to the late Senator Michael J. Burns; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor of California, to the Director of Public Works and Chairman of the California Highway Commission, and to the Chief of the Division of Highways and State Engineer.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2701

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 514

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DICKEY, Chairman

Above reported bill ordered to second reading.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 138, for Mr. George D. Collins, by unanimous consent.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

MEMBER EXCUSED

At 12.55 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Ralph C. Dills be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENTS

Mr. Stanley announced a breakfast meeting and Republican Caucus tomorrow, Tuesday, May 17th, at the Hotel Sacramento, at 7.30 a.m.

Mr. Dickey announced that the Committee on Rules has had a form printed, to be used when the names of guests of members are to be inscribed in the Journal, and that the Chief Clerk will supply said forms upon request.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dolwig asked for, and was granted, unanimous consent that the Interim Committee on Tidelands and Related Traffic Problems be permitted to use the Assembly Chamber today, at 2.30 p.m., for the purpose of holding a meeting. Subject: The Gould Plan and the Reber Plan.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2311
Assembly Bill No 2944
Assembly Bill No. 3129

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2240

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Public Utilities and Corporations.
Ways and Means.

Tonight, at 8 p.m.—

Finance and Insurance, in Room 432.
Subcommittee on Ways and Means. Subject: Assembly Bill No. 2120.

Tomorrow, Tuesday, May 17th, at 9 a.m.—

Rules.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Rodney L. Turner of Delano, former Assemblyman.

On request of the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Judge Roger Alton

Pfaff and Judge F. Ray Bennett, both former Assemblymen of Los Angeles.

On request of Mr Waters, the usual courtesies of the Assembly for this day were unanimously extended to T. Mueller of San Francisco.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Joe Goodwin of Greenville.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Oliver and Sister Mary Evangelist, teachers in St. Joseph Academy of Sacramento, and the following pupils: Caroline Allen, Dorothy Andrade, Beverly Azevedo, Marie Barsetti, Gloria Bribiescas, Teresa Cardoza, Susan Culbard, Doris Demonti, Dolores Dominguez, Herminia Escajeda, Cecilia Fava, Dolores Foor, Mildred Frank, Beverly Funston, Mary Ann Gomes, Patricia Halm, Patricia Harrison, Angela Herrera, Jeannine Kassis, Barbara Levrero, Carolina Lopes, Lydia Lucio, Florence Mainert, Patricia Meyers, Juanita Roach, Joanne Rolufs, Eleanor Santos, Norma Schneider, Veronica Silvey, Eulalia Simas, Eleanor Stanich, Eleanor Traversi, Consuela Vasquez, Jacqueline von Berg, Jean Warmington, Pauline Williams, Patricia Zeillemaker, Alma Aguilar, Mary Augster, Patsy Brunell, Patricia Burke, Carmen Candella, Cecilia Cardosa, Marian Carroll, Maria Cioli, Patricia Cooke, Ellen Mary Corey, Claudia Cote, Maryrose Gregory, Frances Griffith, Bertha Gutierrez, Donna Halm, Mary Lou Hickey, Barbara Jacopetti, Jo Ann Joslyn, Jean Lobue, Ruth McClain, June McKie, Victoria Macias, Molly Marquez, Evelyn Murray, Lila Nagle, Roberta Neely, Myrna Nielsen, Shirley Oliver, Lupe Ortega, Betty Otis, Eleanor Padilla, Leta Pellegrini, Ramona Perez, Mary Louise Pickart, Mary Radovanovich, Eleanor Ramacietti, Eloise Rizo, Mary Rotolo, Marlene Ryan, Virginia Sanfilippo, Helen Devine, Joan Evans, Dorothy Garbarino, Dovey Green, Tina Morelli, Mary Ellen Mulloy, Helen Orozco, Clara Padilla, Charlene Savitts, Lupe Segura, Faye Sheehy, Elza Sullivan, Sylvia Tucker, Mary Valdez, Virginia Watkins, and Leslie Weait.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of the Brittan School of Sutter: Joel Lynch, Alton Chargl, Kim Epperson, Dale Meadlin, Marvin McBride, Ronnie Pedersen, Harold Waldron, Russell Haynes, Joan Stephenson, Ermina Phillips, Lottie Brown, Rowena Tallon, Tomella Russell, Barbara Correll, Carole Correll, Charlotte Umfress, Marlen Webb, Dolores Henkel, Kermit Larke, Maxie Hensen, William Ziegenmeyer, Harold Brooks, Jack Ward, Marilyn Umpress, Irma Taylor, Caroline Velosquez, Arthur Flagor, Elizabeth Crabtree, Glenda Carathers, Gaileen Davis, Shirley Dozier, Dolores Dean, Robert Hauser, Robert Fletcher, Thomas E. Todd, Helen Edwards, Christene Bumgarner, Scottie Nelson, Dean Cull, Verner Taylor, Robert Cagle, Marion Echols, Bennet Goodiele, Bruce Shaffer, Donald Lee, Eugene Kodamo, Douglas Becker, Russell Jolliff, Jack Long, Laverne Aubrey Rowley, Eugene Nelson, Melvin Bowers, and Richard Davis.

ADJOURNMENT

At 12.56 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a m., Tuesday, May 17, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIRST LEGISLATIVE DAY

ONE HUNDRED THIRTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, May 17, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—77.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Our Heavenly Father: May we rejoice today that the health of one of our members is improving, and that he will soon return to us.

May we realize today that the noblest influence on earth is exerted by character and that the noblest man is he who endures the hardest trials and cheerfully bears heavy burdens.

Let us measure a man not by outward things, but by the common lights of intellect, conscience, and love.

May we covet that grandeur of character as the most glorious prize of humanity, the image of the Infinite and the sustaining wealth of the Nation.

Let us look for the superior soul and for the most heroic deed, not in some conspicuous spotlight, but in the silent places, and among the multitudes unknown and unsung.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Cooke, further reading of the Journal of the previous legislative day was dispensed with.

ANNOUNCEMENTS

Mr. McMillan announced that Assemblyman Fletcher is satisfactorily recovering from his operation of yesterday, and that it is hoped that he will be able to return to legislative duties in about two weeks.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

REPUBLICAN COUNTY CENTRAL COMMITTEE
SAN JOAQUIN COUNTY
STOCKTON, CALIFORNIA, May 16, 1949

California State Assembly
Arthur A. Ohnimus, Chief Clerk
Sacramento, California

GENTLEMEN: After review and study of Government Reorganization Bills before the Assembly, the Republican County Central Committee of San Joaquin County favors the adoption of Assemblyman James W. Silliman's Resolution, Assembly Concurrent Resolution No. 38.

Very sincerely,

KATHERINE T. BROWN, Secretary
Republican Central Committee of San Joaquin County

By Speaker Sam L. Collins:

A telegram from Ed Gibbons, requesting a formal investigation by the Assembly of his activities relative to fighting Communism, was received, ordered noted in the Journal, and referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 44—An act to amend Section 788 of the Fish and Game Code, relating to crabs;

Assembly Bill No. 155—An act to amend Section 4650 of the Labor Code, dealing with workmen's compensation;

Assembly Bill No. 249—An act to add Section 10115 to the Insurance Code, relating to life insurance policies;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1949, at 1 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 424—An act to amend Section 4702 of the Labor Code, relating to death benefits;

Assembly Bill No. 503—An act to amend Section 985 of the Military and Veterans Code, relating to veterans' farm and home purchases;

Assembly Bill No. 507—An act to amend Section 395.1 of the Military and Veterans Code, relating to reemployment rights of persons who leave or have left employment to join the armed forces;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1949, at 1 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 578—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 685—An act to amend Section 7873 of the Revenue and Taxation Code, relating to the motor vehicle fuel license tax;

Assembly Bill No. 686—An act to amend Section 10100 of the Revenue and Taxation Code, relating to the motor vehicle transportation license tax;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1949, at 1 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 868—An act to amend Sections 1261 and 1262 of the Military and Veterans Code, relating to veterans' affairs;

Assembly Bill No. 884—An act to amend Section 974 of the Fish and Game Code, relating to sand crabs and shrimps;

Assembly Bill No. 885—An act to add Section 869 to the Fish and Game Code, relating to bait nets;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1949, at 1 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1028—An act to add Section 4025 to the Penal Code, and to repeal Section 25360 of the Government Code, relating to the management of county and city detention facilities;

Assembly Bill No. 1569—An act to amend Sections 1300.13, 1300.16, and 1300.28 of the Agricultural Code, relating to marketing agreements and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1576—An act relating to the application for, acceptance and use of, funds or assets of the California Rural Rehabilitation Corporation from the trustee thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1949, at 1 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1578—An act to amend Section 788 of, and to add Section 829.8 to, the Agricultural Code, relating to standard containers for fruits and vegetables,

Assembly Bill No. 1950—An act relating to the State Allocation Board and providing for the allocation by said board of public funds appropriated for allocation to local agencies for public works projects and incidental expenses, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1979—An act to amend Section 4828 of the Business and Professions Code, relating to license to practice veterinary medicine, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1949, at 1 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2374—An act to amend Section 13836 of the Education Code, relating to the payment of salaries of certificated employees;

Assembly Bill No. 2674—An act to amend Sections 1850.4 and 1851 of the Insurance Code, relating to rates and rating and other organizations;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of May, 1949, at 1 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 990

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 147
Assembly Bill No. 2740

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 3120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 834

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 84: By Messrs. Erwin, Butters, Thomas, Lindsay, and Doyle—Relative to the creation of the Joint Investigating Committee on Fish and Game.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 514—An act to add Sections 9027 and 9028 to the Government Code, creating the Senate Contingent Fund in the State Treasury, specifying the appropriations to be deposited therein, and providing for its disbursement upon warrants drawn by the Controller at the direction of the continuing Senate Committee on Rules, or pursuant to Senate rule, order, or resolution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Sections 9027, 9028, 9029, and 9030 to the Government Code, creating the Senate Contingent Fund and the Assembly Contingent Fund in the State Treasury, specifying the appropriations to be deposited therein, and providing for the

disbursement thereof upon warrants drawn by the State Controller at the direction of the continuing Senate Committee on Rules or the continuing Assembly Legislative Process Committee, respectively, or pursuant to Senate or Assembly rule, order, or resolution."

Amendment No. 2

On page 2 of the printed bill, after line 10, insert

"SEC. 3. Section 9029 is added to said code to read:

9029. The Assembly Contingent Fund is hereby created in the State Treasury Each appropriation for expenses of the Assembly (including contingent expenses and expenses of committees composed in whole or in part of Members of the Assembly, but not including any appropriation for pay of officers, clerks, attaches, or other employees of the Assembly) shall be deposited in and credited to the Assembly Contingent Fund and expended for the purposes for which the appropriation is made The expenditure from said fund for any purpose shall not exceed the amount of money credited to said fund by virtue of appropriations made for that purpose. The Controller shall keep a separate record of each appropriation deposited in and credited to said fund.

SEC 4. Section 9030 is added to said code to read:

9030. The moneys from time to time in the fund shall be disbursed under or pursuant to the direction of the Assembly as provided in the Rules, orders, and resolutions of the Assembly, or as provided by the Assembly Legislative Process Committee (which committee has a continuing existence during sessions and between sessions with such powers, duties and responsibilities as the Assembly from time to time shall prescribe) as and when thereunto authorized by the Assembly The moneys in the fund shall be disbursed, and the powers, duties and responsibilities of the Assembly Legislative Process Committee shall be as prescribed or provided by the Rules, orders, and resolutions adopted by the Assembly at the 1949 Regular Session until modified or superseded by Assembly action at a subsequent session.

Expenditures from the fund are not subject to the provisions of Section 16003 or Section 13320 of this code, except that the State Controller is not required to draw warrants thereon until the original claims and vouchers, itemized and properly sworn to, are filed with him."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 3122, on request of Mr. McCollister.

NOTICE OF MOTION TO WITHDRAW BILL CONTINUED

Mr. Elliott asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 318 from committee be continued until the next legislative day.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1501—An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1501?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "written", and "duly licensed".

Amendment No. 2

On page 1, line 7, of the printed bill, strike out "physician and surgeon", and insert "persons duly licensed under this chapter."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1501 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1501 ordered enrolled.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 138 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 138 was passed.

Assembly Bill No. 138 ordered transmitted to the Senate.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 656—An act to amend Section 511.2 of the Vehicle Code, relating to speed limits upon highways.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 656?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on March 28, 1949, strike out "two", and insert "one".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 656 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 656 ordered enrolled.

Assembly Bill No. 2177—An act to amend Section 1184e of the Code of Civil Procedure, relating to claims of laborers or materialmen on public contracts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2177?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 7, 1949, after "by", insert "this section or by".

Amendment No. 2

On page 2, line 19, of said bill, strike out the period, and insert ", and as to such contracts verified statements of claims may be filed within thirty days after the filing for record of such notice, or if such notice is not so filed, within ninety days after the acceptance of the project."

Amendment No. 3

On page 2, line 2, of said bill, after "Division 3", insert ", Title 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2177 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2177 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 346—An act to add Section 5003.1 to the Public Resources Code, relating to maintenance and operation of establishments or facilities for the sale of merchandise or services to the public.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 346 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—64.

Assembly Bill No. 904—An act to add Section 1045 to the Agricultural Code, relating to fertilizing materials.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 904 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—68

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 401, on request of Mr. Hagen.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2646—An act to amend Sections 4650 and 4652 of, and to add Section 4650.5 to, the Labor Code, relating to workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—65.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1572—An act to renumber and amend Section 684 of the Vehicle Code, added by Chapter 1429 of the Statutes of 1947, to be Section 685 of the Vehicle Code, relating to motor vehicles carrying dangerous substances.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1076—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof, and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Reagan moved a call of the Assembly.

Motion carried. Time, 10.06 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Brady, Brown, Burke, Davis, Ralph C. Dills, Dolwig, Dunn, Elliott, Fletcher, Hollibaugh, Kilpatrick, Lindsay, Meyers, Morris, Price, Silliman, Stewart, and Waters—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Evans asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2112—An act to amend Section 185 of the Vehicle Code, relating to the transfer of ownership of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1866—An act to add Section 645.5 to the Vehicle Code, relating to specifications for lamps and devices requiring approval.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2307—An act to amend Sections 6014, 6015, and 6702 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 9, 1949, between lines 6 and 7, insert

"SEC. 1.5. Section 6015 of said code is amended to read:".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that a letter of transmittal from the Assembly Committee on Ways and Means and a report prepared for the Assembly Ways and Means Committee, by S. J. Barrick, relative to the Factor of Local Fiscal Capacity in the California Formula for Distribution of Equalization Aid for Public Education be ordered printed in the Journal in 10-point type.

(Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT THAT SERGEANT-AT-ARMS BRING MR. RALPH C. DILLS TO ASSEMBLY CHAMBER

Mr. Crowley asked for, and was granted, unanimous consent that the Sergeant-at-Arms be instructed to find Mr. Ralph C. Dills and bring him to the Assembly Chamber for the purpose of considering his amendments to Assembly Bill No. 2309 without further delay.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3149

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3149, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3149

Assembly Bill No. 3149—An act to amend Section 24 5 of the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69

NOES—None.

Bill ordered transmitted to the Senate.

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CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1338—An act to add Section 1.7 to the Judges' Retirement Act, relating to retirement of judges for service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan,

Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 80—Relative to approving amendments to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—67.
NOES—None

Resolution ordered transmitted to the Senate.

Assembly Bill No. 1323—An act to amend the Building and Loan Association Act by amending Section 9.01 thereof, relating to investments and loans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—66
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 404—An act to add Section 21.2 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69
NOES—None.

Bill ordered transmitted to the Senate.

EXPLANATION OF ABSENCE

During the hour of 9.30 a m to 10 30 a m , I was in Senate Committee on Public Health which accounts for my absence this morning from roll calls.

VERNON KILPATRICK

CONSIDERATION OF SPECIAL ORDER

The hour of 10.30 a m. having arrived, Assembly Bill No. 30 was taken up.

Assembly Bill No. 30—An act to amend Sections 642 and 666 of the Agricultural Code, relating to products which are substitutes for or imitations of dairy products.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, following line 16, insert

"No imitation butter shall be used in or served to any patron of any bakery, hotel, boarding house, restaurant, lunch counter, or any other place where food or drink is served to the public. The presence of any imitation butter in any of the places enumerated in this section shall be prima facie evidence of a violation of this section."

Amendment read.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Lewis is not speaking to the amendment.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Silliman's question is not germane to the amendment.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Burkhalter, Silliman. Lowrey, Collier, and Clarke demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Lowrey to Assembly Bill No. 30.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Burke, Butters, Clarke, Coats, Cramer, Davis, Erwin, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lowrey, McCollister, Reagan, Silliman, Thompson, and Way—23.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Huyck, Kilpatrick, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Waters, Weber, and Yorty—47.

The question being on the passage of Assembly Bill No. 30.

Consideration of Further Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 21, inclusive, and insert "Oleomargarine or substitutes for butter colored in semblance or imitation of butter with any shade of yellow by whatever means the coloring is accomplished are hereby defined as "imitation butter" and shall be labeled "imitation butter". The words imitation butter shall appear on each package, carton, roll, print, square, quarter or any other container of imitation butter in black bold-faced letters not less than one-half (½) inch in height"

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Burke, Butters, Clarke, Coats, Conrad, Cramer, Davis, Erwin, Grant, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Lindsay, Lowrey, McCollister, Reagan, Silliman, Thompson, and Way—21.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, and Yorty—45.

The question being on the passage of Assembly Bill No. 30.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Gaffney is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Waters, Levering, Conrad, Reagan, and Hahn demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 30.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—52

NOES—Babbage, Brown, Burke, Butters, Clarke, Coats, Cramer, Crichton, Davis, Erwin, Hagen, Heisinger, Hoffman, Kirkwood, Lindsay, Lowrey, McCollister, Silliman, Thompson, and Way—20

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No 27

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 27

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 7
Assembly Bill No 472

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 7 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 472 ordered re-referred to Committee on Revenue and Taxation.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2309

Mr. Reagan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2309, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2309

Assembly Bill No. 2309—An act to amend the title and Sections 4, 15, 17, 18, 19.5, 20, and 23 of the Personal Property Brokers Act as revised by Chapter 952 of the Statutes of 1939, and to amend the title and Sections 17, 18, 19.5, 20, and 24 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of personal property brokers

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66

NOES—Anderson and George D. Collins—2

Motion to Amend Title

Mr. Reagan moved the adoption of the following amendments to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 9, 1949, strike out "18,".

Amendment No. 2

In line 4 of the title of said bill, after "Sections", insert "4, 15,".

Amendment No. 3

In line 4 of the title of said bill, strike out "18,".

Amendments read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 385 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Luckel asked for, and was granted, unanimous consent that Assembly Bill No. 385 be withdrawn from the Committee on Transportation and Commerce, and be re-referred to the Committee on Public Utilities and Corporations.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1374 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Bill No. 1374 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2027

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

DUNN, Chairman

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2027

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2027, without reference to file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2027

Assembly Bill No. 2027—An act to add Chapter 1.7, comprising Sections 5040 to 5049, inclusive, to Division 3 of the Education Code, relating to the equalization of assessments in counties on which are based allocations of state funds to school districts, making an appropriation for the administration thereof, and providing that this act shall take effect immediately.

Bill read third time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 6, 1949, strike out "5040", and insert "5041".

Amendment No. 2

On page 1, line 1, of said bill, strike out "5040", and insert "5041".

Amendment No. 3

On page 1, line 6, of said bill, strike out the colon; strike out lines 7 to 20 on said page; strike out page 2; and on page 3, strike out lines 1 to 47, inclusive, and insert ", words and terms shall have the meaning ascribed to them in the Revenue and Taxation Code, unless the context indicates otherwise

5042. The State Board of Equalization shall make a survey annually in each county to determine the relationship between the total value of land, improvements and tangible personal property, exclusive of money, entered upon the roll by the assessor, and the total market value thereof. As a basis for this determination, the board shall consider sales data tested and supplemented by appraisal data compiled by appraisers competent to determine accurately the market value of the property.

These data shall relate to representative samples of property subject to local assessment in each county sufficient in number and dispersion to assure an adequate cross-section of the taxable wealth within the county, both as to the classes of property enumerated and as to the location thereof. Utilizing these data, the board shall determine also the average relationship between the assessed value of such property and the market value thereof for the State as a whole. This determination of average relationship shall not thereafter be revised regardless of whatever revisions may be made subsequently in the determination of the relationships between assessed and *market values for individual counties*.

5043. The board shall complete this survey by the first Monday in July of each year, commencing in 1950. On or before the second Monday in July, copies of the survey, together with a notice of the determination of the relationship between assessed values and market values for the county and for the State as a whole, shall be delivered to the county assessor and to the clerk of the board of supervisors of each county.

5044. If the county, through its assessor or board of supervisors, desires to be heard with respect to the survey, opportunity for such hearing shall be afforded by the board between the third Monday in July and the third Monday in August, upon application therefor in writing filed not later than the first Monday in August. The application shall specify in what respects the county believes that the determination of the relation between the assessed value and the market value of the property within the county is in error.

5045. *Upon hearing, the board shall consider all pertinent evidence offered as* to the accuracy of the determination based upon its survey and, if, in the judgment of the board, such evidence warrants a different determination, it shall so find and alter the determination accordingly. Otherwise, the determination shall remain unchanged, unless the board, in pursuance of its authority to equalize assessments between counties, takes action as prescribed by Article 1, Chapter 2, Part 3, Division 1, of the Revenue and Taxation Code, to change the values of the property as fixed by the county assessor and equalized by the county board of equalization.

5046. Upon completion of proceedings had under this chapter or under the Revenue and Taxation Code with respect to intercounty equalization, the board shall certify to the State Department of Finance and the State Department of Education, not later than the first day of September following, its final determination of the relationship between the total value of land, improvements and tangible personal property, exclusive of money, entered upon the roll by the assessor of each county *and the market value thereof. The board shall also certify to these departments its* determination of the ratio between assessed and market value of all such property for the State as a whole.

5047. If the percentage of assessed to market value in any county, as certified by the board under Section 5046, differs from the state-wide average of assessed to market value as likewise certified by the board by more than 10 percent of that state-wide average, whenever any state department, board or agency allocates funds to the county or any district lying wholly or partly therein upon the basis of the assessed valuation of property, the value of all land, improvements and tangible personal property, exclusive of money, as assessed by the county assessor and as finally appearing upon the assessment roll of the county after equalization, shall be adjusted for the purposes of such allocation to eliminate the difference between the county percentage and the state-wide average.

5048. In school districts which are situated partly in one county and partly in one or more other counties, the adjustment for which provision is made in Section 5047 shall be made separately for each part of the district in a different county.

5049. The maximum tax rate for a school district, as provided in Section 6357, shall be subject to adjustment upward or downward in the fiscal year in which an adjustment is made in the assessed valuation of the property in the district for the purposes of allocation of funds, pursuant to Section 5047, by that percentage that the adjustment in the assessed valuation bears to the assessed valuation prior to adjustment."

Amendment No. 4

On page 3, line 48, of said bill, after "sum of", insert "two hundred thousand"; and after "$", insert "200,000".

Amendment No. 5

On page 3, line 50, of said bill, strike out "1948-1949", and insert "1949-1950".

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 60

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 60—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the nineteenth day of April, 1949.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3129

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3129, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3129

Assembly Bill No. 3129—An act to amend Sections 20013, 20014, 20600, 20604, 20950, 20980, 21020.5, 21208, 21257, 21292, 21295, and 21363 of, and to add Sections 20017.7, 20602.9, 20602.95, 20603.3, 20750.5, 20803.7, 21252.4, and 21256.3 to, the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Bill read third time.

Motion to Amend

Mr. Evans moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20600,".

Amendment No. 2

In line 1 of the title of said bill, after "20604," insert "20751,".

Amendment No. 3

On page 2 of said bill, strike out lines 14 to 21, inclusive.

Amendment No. 4

On page 2, lines 24 and 25, of said bill, strike out "January 1, 1948", and insert "January 1, 1950".

Amendment No. 5

On page 2, line 30, of said bill, strike out "January 1, 1948", and insert "January 1, 1950".

Amendment No. 6

On page 2, line 31, of said bill, strike out "January 1, 1948", and insert "January 1, 1950".

Amendment No. 7

On page 2, line 36, of said bill, strike out "January 1, 1948", and insert "January 1, 1950".

Amendment No. 8

On page 3 of said bill, between lines 19 and 20, insert

"SEC. 9.5. *Section 20751 of said code is amended to read:*

20751. From the General Fund in the State Treasury there is appropriated monthly to the Retirement Fund the State's contribution for:

(a) All *state* miscellaneous members *and all other categories of members* whose compensation is paid from the General Fund.

(b) All university members whose compensation is paid from funds of the university.

(c) All state miscellaneous members who are employed by the Department of Education and whose compensation is paid from the Vocational Education Fund, the Vocational Rehabilitation Fund, or any other fund received, in whole or in part, as a donation to the State under restrictions preventing its use for state contributions to the Retirement Sysem."

Amendments read, and adopted.

Bill ordered reprinted, re-engrossed, and to be re-referred to Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 487—An act to amend Section 19a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualifications and compensation and for the selection of jurors therein," approved May 23, 1925, relating to emergency employees in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 490—An act to amend Section 12 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to residential qualifications of attaches of municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss,

Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1076

At 12.15 p.m., on motion of Mr. Reagan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1076 passed by the following vote:

AYES—Berry, Brady, Burkhalter, Butters, Condon, Connolly, Cooke, Cramer, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hawkins, Hinckley, Hoffman, Huyck, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Way, Weber, and Yorty—41.

NOES—Babbage, Beck, Bennett, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Davis, Clayton A. Dills, Grant, Grunsky, Hagen, Hahn, Heisinger, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Niehouse, Smith, and Tomlinson—26.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2156

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2156, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2156

Assembly Bill No. 2156—An act to repeal Articles 2 and 3 of Chapter 6, Part 3, Division 5 of, to add Articles 2 and 3 to Chapter 6, Part 3, Division 5 of, and to amend Sections 4024, 4451, 4452, and 4475 of, to add Sections 4025, 4458, 4459, 4460, and 4461 to, the Health and Safety Code, relating to contamination and pollution of waters and the regulation, abatement, and correction of such conditions, the disposal of sewage and industrial wastes, and the supply of water for domestic and other purposes, all relating to public health.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 5, 1949, between lines 45 and 46, insert

"5415. No provision in this article is a limitation on the power of a city or county to adopt and enforce additional regulations not in conflict therewith imposing further conditions, restrictions, or limitations with respect to the disposal of sewage or industrial waste.

This article does not limit the power of any city or county to declare, prohibit, and abate nuisances.

This article does not limit the power of a state agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce or administer."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2034

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2034, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2034

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on May 16, 1949, insert

"13001. No provision of this division or any ruling of a regional water pollution control board is a limitation on the power of a city or county to adopt and enforce additional regulations not in conflict therewith imposing further conditions, restrictions, or limitations with respect to the disposal of sewage or industrial waste or any other activity which might result in the pollution of water

This division does not limit the power of any city or county to declare, prohibit, and abate nuisances.

This division does not limit the power of a state agency in the enforcement or administration of any provision of law which it is specifically permitted or required to enforce or administer."

Amendment No. 2

On page 5 of said bill, between lines 29 and 30, insert

"Any person proposing to discharge sewage or industrial waste within any region, other than into a community sewer system, shall file with the regional board of that region a report of such proposed discharge The regional board, after any necessary hearing, shall adopt a ruling as to the condition to be maintained in the disposal area or receiving waters upon or into which the discharge is proposed and notify the person proposing the discharge of its action After receipt of such notice, the person so notified shall provide adequate facilities to maintain the conditions so prescribed by rule in the discharge of sewage and industrial waste "

Amendment No. 3

On page 5, lines 39 and 40, of said bill, strike out "and that reasonable steps could be taken to prevent or correct that condition.".

Amendment No. 4

On page 6, lines 2 and 3, of said bill, strike out "which can be reasonably corrected".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1596—An act to amend Section 204 of the Unemployment Insurance Act, relating to disability insurance payments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Lincoln, Lindsay, Lapscomb, Luckel, Maloney, McCarthy, McMillan,

Meyers, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Yorty—57.
NOES—Reagan and Tomlinson—2

Bill ordered transmitted to the Senate

Assembly Bill No. 486—An act to amend Section 25a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to powers and duties of marshals in municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—71.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1597—An act to amend Section 205 of the Unemployment Insurance Act, relating to eligibility for unemployment compensation disability benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Yorty—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2846—An act to amend Sections 980, 981, 982, and 983 of, and to add Section 984 to, the Civil Code, relating to rights in products of the mind.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1175—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4225, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read third time.

Motion That Assembly Bill No. 1175 Be Withdrawn From File, and Be Re-referred

Mr. Elliott moved that Assembly Bill No. 1175 be withdrawn from the file, and be re-referred to the Committee on Social Welfare.

Mr. Evans seconded the motion.

Substitute Motion

Mr. Dunn moved, as a substitute motion, that Assembly Bill No. 1175 be withdrawn from the file, and be re-referred to the Committee on Governmental Efficiency and Economy.

Mr. Brady seconded the motion.

Point of Order

Mr. Conrad arose to the following point of order: That Mr. Elliott is not speaking to the substitute motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Levering, Silliman, Kirkwood, Babbage, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the substitute motion by Mr. Dunn that Assembly Bill No. 1175 be withdrawn from the file, and be re-referred to the Committee on Governmental Efficiency and Economy.

The roll was called, and the motion lost by the following vote:

AYES—Beck, Brady, Burkhalter, Butters, Crichton, Dunn, Evans, Geddes, Heisinger, Huyck, Kilpatrick, Levering, McMillan, Morris, Reagan, Rosenthal, and Silliman—17.

NOES—Babbage, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—47.

The question being on the motion by Mr. Elliott that Assembly Bill No. 1175 be withdrawn from the file, and be re-referred to the Committee on Social Welfare.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burkhalter, Butters, Coats, George D. Collins, Condon, Crichton, Davis, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lowrey, McMillan, Morris, Rosenthal, Rumford, and Thomas—28.

NOES—Babbage, Berry, Brown, Burke, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Dolwig, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—42.

The question being on the passage of Assembly Bill No. 1175.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—51.

NOES—Beck, Brady, Burkhalter, George D. Collins, Davis, Dunn, Evans, Geddes, Heisinger, Levering, Lowrey, McMillan, Moss, Reagan, and Rosenthal—15.

Bill ordered transmitted to the Senate.

Explanation of Vote

I would have voted for Assembly Bill No. 1175, had I not been called out of the Assembly Chamber at the moment the vote was taken I believe legislation for disabled persons is necessary, though this bill may not be the answer completely—at least it is a start.

RALPH M. BROWN

MEMBERS EXCUSED

At 12.40 p.m , Mr. Kilpatrick asked for, and was granted, unanimous consent that Messrs. Fletcher and Price be excused for the day because of illness; and that Mr. Ralph C. Dills be excused for the balance of the legislative day, because of legislative business elsewhere.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 85: By Mr. Dickey—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 4 to Article XI, thereof, relating to hours of work of firemen.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

House Resolution No. 200—Relative to the birthday of Assemblyman John B. Cooke.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 200 as Co-authors

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 200, as co-authors.

The roll was called, the following members present indicated a desire to be co-authors:

By Messrs. Sam L. Collins, Maloney, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin,

Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty:

House Resolution No. 200

Relative to the birthday of Assemblyman John B Cooke

WHEREAS, It is with a great deal of pleasure and gratification that the Members of the Assembly of the State of California join with the family of Assemblyman John B. Cooke of the Thirty-eighth District to celebrate his sixty-fourth birthday; and

WHEREAS, The Honorable John B. Cooke, born in Fort Smith, Arkansas on May 17, 1885, received his education in the schools of Fort Smith, came to California in 1904, where he toured this grand and glorious State, working in positions of various classifications; and

WHEREAS, Arriving in San Francisco, a city which he has always held close to his heart, he enlisted as an Apprentice Seaman in the United States Navy in 1905, serving in all types of ships and submarines for many years during World War I, having under his command such personages as Frank "Lefty" O'Doul, twice the leading hitter in the National League, and other men who have made a real success in civic and professional life; and

WHEREAS, In the year 1917 he received his commission as a Lieutenant Commander, and in 1933 retired as Lieutenant Commander by reason of physical disability incurred in line of duty, then settling on a ranch in Ventura County, and was honored by the people of that county by being selected to serve as a school trustee; and

WHEREAS, In the year 1940, he aspired to, and was elected a Member of the California State Assembly as the Democratic nominee from the Thirty-eighth District; but his service as a legislator did not last long for he was recalled to active duty in command of Section Base Bishop's Point, Oahu, T. H., on June 13, 1941, and was at Pearl Harbor on the day that base was attacked by the Japanese, and on said occasion rendered yeoman service in the sorrowful hours when real service was needed for those who were unfortunately victims of that tragedy; and also served on the staff of the Commanding General of the Third Marines in the Marianas Campaign, with a total of 42 months overseas during World War II; and

WHEREAS, Forever in the minds of the members who served with him in 1941 will be recalled the momentous occasion when he gave his farewell speech on the floor of the Assembly, and in true military fashion a deck gun was discharged in the Assembly Chambers, and in true officer-like and naval fashion Commander Cooke shouted "Cease Firing!"; now, therefore, be it

Resolved, That the Members of the Assembly in the 1949 Regular Session extend to Assemblyman John B Cooke our heartiest congratulations on this his sixty-fourth birthday, and wish him continued good luck and good health for many many years to come, and, be it further

Resolved That a suitably engrossed copy of this resolution be forwarded to Assemblyman John B. Cooke.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 200, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Weber asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 56

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 199

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 60

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 389

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2317

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 345
Assembly Bill No. 1759

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1877
Assembly Bill No. 2296
Assembly Bill No. 3124

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 3130

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 556

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No. 332
Assembly Bill No. 451
Assembly Bill No. 928

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 46
Assembly Bill No 568
Assembly Bill No. 579
Assembly Bill No. 1325

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 248
Assembly Bill No. 716
Assembly Bill No 755
Assembly Bill No. 775
Assembly Bill No. 1158
Assembly Bill No. 2017
Assembly Bill No. 2028
Assembly Bill No 2035

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 282
Assembly Bill No 993
Assembly Bill No. 2219
Assembly Bill No. 2949

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 28
Senate Bill No. 410
Senate Bill No. 413
Senate Bill No. 414
Senate Bill No. 417
Senate Bill No. 418
Senate Bill No. 557
Senate Bill No. 1449
Senate Bill No. 1460
Senate Bill No. 1488

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 895

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER Your Committee on Judiciary, to which were referred:

Senate Bill No 26
Senate Bill No. 420
Senate Bill No 428

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER. Your Committee on Military Affairs, to which were referred:

Senate Bill No 431
Senate Bill No. 1216
Senate Bill No. 1495

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 3084

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No 3144

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 1202
Senate Bill No. 1496

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McCOLLISTER, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 358
Assembly Bill No. 689
Assembly Bill No. 861
Assembly Bill No. 1097
Assembly Bill No. 1362
Assembly Bill No. 1505
Assembly Bill No. 1506
Assembly Bill No. 1868
Assembly Bill No. 2534

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 358, 1362, and 2534 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 689 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 861 ordered re-referred to Committee on Industrial Relations.

Assembly Bills Nos. 1097, 1505, and 1506 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 1868 ordered re-referred to Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2034

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

ANNOUNCEMENTS

Mr. Geddes announced the appointment of the following Subcommittee on Finance and Insurance to hear Senate Bill No. 711:

Messrs. Lipscomb (Chairman), Beck, and Stanley.

Meetings of this committee will be announced by Mr. Lipscomb.

Mr. Beck announced a Democratic Caucus upon adjournment.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Social Welfare, in Room 430.
Public Health.
Livestock and Dairies.

Tonight, at 8 p.m.—

Fish and Game.

Elections and Reapportionment.

It was announced that the following committee would hold no meeting today:

Agriculture.

THE FACTOR OF LOCAL FISCAL CAPACITY IN THE CALIFORNIA FORMULA FOR DISTRIBUTION OF EQUALIZATION AID FOR PUBLIC EDUCATION

By S. J. Barrick

A Report Prepared for the Assembly Ways and Means Committee, California Legislature—May, 1949

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE
COMMITTEE ON WAYS AND MEANS, May 17, 1949

Honorable Sam L. Collins
Speaker of the Assembly
State Capitol

DEAR MR. COLLINS: I am handing you herewith as a supplemental report of the Assembly Interim Committee on Ways and Means, a report prepared for the committee on the subject of the Factor of Local Fiscal Capacity in the California Formula for Distribution of Equalization Aid for Public Education.

Very truly yours,

MARVIN SHERWIN, Chairman
Ways and Means Committee

SUMMARY AND RECOMMENDATIONS

Summary

1. The basic principle against which to measure state equalization aid to school districts, and test its validity, is that equalization grants should be inversely related to the extent of the ability of the school districts to pay for the service.

2. The conclusion resulting from this analysis is that the existing formula for the apportionment of equalization aid is defective in that the resulting equalization grants do not meet the test of inverse relationship to local ability.

3. The use of actual assessed valuation in the allocation formula is the principal reason for the lack of inverse correlation of local ability and amounts of equalization grants received.

4. Equalization of assessed valuations by means of county ratios of assessed to market value would remove gross inequities of the existing measure.

5. Equalization of assessments is a difficult and technical procedure and the use of equalization ratios is opposed by the assessing officials.

6. An alternative for equalized valuations is the use of adjusted valuations for purposes of equalization grants only without the requirement that county ratios be used in connection with the assessment process.

7. The use of computational tax rates places undue emphasis upon the importance of assessed valuation as a measure of local fiscal ability when the important factor is the *dollar amount* of the local contribution to the foundation program.

8. The total amount of the required local contribution can be apportioned according to ability without reference to assessed valuation.

Recommendations

Inasmuch as inequalities and wide variations in assessed valuations as a factor in the formula for distribution of equalization grants tend to nullify equalization objectives and destroy the effect of equalization aid, it is recommended that:

1. Legislation be enacted to require equalization or adjustment of assessed valuations for purposes of state equalization grants for either current expense or capital outlay when such equalization grants are based on assessed valuation.

2. Consideration should be given to methods of distribution of equalization funds such as those used by the Federal Government and some of the states which do not require the use of assessed valuation as a measure of local fiscal capacity.

PART I

RELATIONSHIP OF THE PRINCIPLE OF EQUALIZATION TO STATE SCHOOL FUND APPORTIONMENT

The use of equalization as a principle for allocation of state subventions for public schools is somewhat new to California since the first use of this principle occurred in 1945 when the Legislature enacted Chapter 678, Statutes of California, 1945. This law established a foundation program to be financed by state and local funds with school districts contributing to the costs of the foundation program in direct proportion to assessable wealth.

The state's financial support for public schools was increased in 1947 following the adoption by the electorate of Proposition Number 3 on November 5, 1946 which provided for state funds of $120 per pupil in average daily attendance. This legislation guaranteed a minimum apportionment of $90 per A.D.A. with $30 per A.D.A which could be used for equalization purposes. The equalization funds thus established were apportioned under the provisions of Chapter 401, Statutes of California, 1947, which continued the use of assessed valuation as the measure of school district fiscal capacity as a basis for participating in the equalization program.

This recent experience in the use of equalization apportionments has presented a sufficiently large number of problems to warrant an evaluation of the use of this principle of apportionment of state funds The purpose of this report, therefore is to analyze some of these problems and the factors involved in the equalization process. The most important problems are (1) the use of assessed valuation as the measure of fiscal ability and (2) the application of the ability factor.

Equalization Objectives

State subventions to local governments are similar in purpose to federal grants to states and local governments. These purposes have been recently summarized by a study of the Bureau of Research and Statistics of the Social Security Administration.[1] Using this statement of the purposes of federal grants as a guide, the purposes of state grants, with particular reference to grants for public education, are compared with those of the Federal Government as follows:

Federal Grants	*State Grants*
1. To encourage or stimulate the states to develop or expand certain services.	1. To encourage or stimulate local governments to develop or expand certain services. The original state grants to school districts exemplified this purpose.
2. To assist the states to finance some kind of "national minimum" in certain public services.	2. To assist the local governments to finance some kind of "minimum" in certain public services. The establishment of a "foundation program" of educational costs as a minimum basis for state and local financing of public schools makes this a paramount purpose of California's grants to school districts
3. To secure for the Federal Government a measure of leadership with respect to certain state and locally administered functions of national interest.	3 To secure for the State Government a measure of leadership with respect to certain state and locally administered functions of state interest. The State's interest in and responsibility for public education is expressly stated in the State Constitution. The initiative measure enacted in 1947 measures this interest as a responsibility of the State for aid in the amount of $120 per pupil in average daily attendance.
4. To combine within a federal system the virtues of local control over administration of many functions with the superior money-raising powers of Federal Government.	4. To combine the virtues of local control over administration of many functions with the superior money-raising powers of the State State aid to school districts is an excellent example of this purpose.
5. To equalize, to a greater or lesser extent, service levels and relative tax burdens among the states and among persons in different income classes and different local jurisdictions, thus in effect, also to reduce disparities in incomes, among persons and among areas	5 To equalize service levels and relative tax burdens among the different local jurisdictions This is the purpose of the equalization grants to school districts thus enabling all districts to operate schools at a uniform minimum despite disparities in local fiscal ability.
6. To improve the over-all Federal-State-Local Tax System so that it becomes more progressive and more uniform, by placing more of the cost of government on federal and state income taxes, less on local property taxes.	6. To improve the over-all State and Local Tax System so that it becomes more uniform by placing more of the cost on state taxes, less on local property taxes The use of state funds to maintain a designated level of public school services provides relief for the property tax to some extent.[2]
7. To aid in approaching full employment, or to counter the business cycle.	7. This federal purpose has little counterpart in state grants to local governments although state public assistance grants may be cited as examples of this purpose. To some extent, state funds for education may also be said to be useful in strengthening certain segments of the internal economy of the State.

[1] Byron L. Johnson, *The Principle of Equalization Applied to the Allocation of Grants in Aid*, Bureau Memorandum No. 66, Bureau of Research and Statistics, Social Security Administration, Federal Security Agency, September 1947, pp. 20-22

[2] The increasing needs of school districts have resulted in increased taxes for school purposes even though state aid has increased tremendously The property tax, however, is relieved of some of this burden to the extent that higher taxes *might* be levied if some of these costs were not paid from state funds.

All of these purposes accomplish "equalization" in one form or another. The many concepts of equalization are easily confused particularly with respect to equalization of opportunity, equalization of service levels, and equalization of costs. The first two are related to need and the other, equalization of costs, is related to ability. This purpose, outlined as the fifth purpose discussed above, is the concept used in this analysis. It should be noted, however, that any state aid related to need also equalizes costs to the extent that such costs are minimized by state aid.

The method of apportioning state aid to school districts solely on the basis of average daily attendance prior to 1945 may thus be said to be equalization of costs since the costs of the local districts were reduced by the amount of the state aid received. The equalization accomplished by this method was that of reduction of local costs by reason of the assumption by the State of part of the costs of maintaining the public schools.

The new method of allocating state funds to school districts beginning in 1945, however, includes the principle of equalization according to local fiscal ability as well as apportionments based on need. This is accomplished by a formula established by law for basic state aid of $90 per A.D.A. (the amount of the constitutional guarantee) and equalization aid proportionate to the ability of the local districts.[3]

The statutory formula establishes a "foundation program" for each level, elementary high school, and junior college. According to the State Department of Education, "a 'foundation program' is intended to be a minimum acceptable level of school support."[4] The current foundation program for the elementary level is $145 per unit of A.D.A.; high school, $175 per unit of A D.A.; and junior college, $200 per unit of A.D.A.

The formula for computing equalization aid is as follows:

$$\text{Equalization Aid} = \left\{ \text{Foundation Program} - \left\{ \text{Basic State Aid} + \text{District Aid} \right\} \right\}$$

District aid is the computed amount of local support provided by the application of a stipulated rate on 90 percent of each $100 of the assessed valuation of each school district. The current computation rates are: Elementary school, $0.45; high school, $0.32; and junior college, $0.20. To be eligible to receive equalization aid for the 1948-1949 and subsequent school years, the school districts must have levied a minimum tax at the above rates.[5]

Validity of the Equalization Formula

The recent analysis of the principle of equalization applied to the allocation of grants in aid made by the Bureau of Research and Statistics of the Social Security Administration establishes the following basic test for central government grants.

[3] The methods of apportionment of the California State School Fund are explained in an annual bulletin of the State Department of Education For current methods and amounts, see California State Department of Education, *Apportionment of the California State School Fund for the Fiscal Year Ending June 30, 1949.*

[4] *Ibid* p vi

[5] Section 7095 of the Education Code

"The basic principle against which to measure the allocation of aid, and test its validity, is that grants from the central government should be directly related to the extent of the need of the receiving units for the government service to be aided, and inversely related to the extent of their ability to pay for the service."[6]

Since this analysis is primarily concerned with equalization factors, the application of this basic test to the apportionment of the California State School Fund for 1948-1949 is confined to the relationship of the equalization grants to local ability. The results of this test applied to the grants for elementary school equalization for 1948-1949 are shown in Table 1.

Table 1 shows the amount of income payments per unit of elementary A.D.A. for 1947, the per pupil amount of equalization grants for 1948-1949 and the county rankings for these two factors. The county rankings of ability as measured by income payments give a rank of one to the county with the greatest amount of income payments per unit of A.D.A. and an inverse rank of one for the lowest amount of equalization grants per pupil. Thus, San Francisco County has a rank of one for both series since it has the greatest ability and no equalization grants.

[6] Byron L. Johnson, *The Principle of Equalization Applied to the Allocation of Grants-in-Aid*, Bureau Memorandum No. 66, Social Security Administration, Federal Security Agency, Sept., 1947, p. 65

TABLE 1

Individual Income Payments: 1947 and Elementary Equalization Grants per Unit of Average Daily Attendance by Counties: 1948-49

Counties	*Income payments per A.D.A. 1947* [1]	*Elementary equalization grants per A.D.A. 1948-1949* [2]	*Rank according to income payments*	*Inverse rank according to equalization grants*
Alameda	$18,633	$19 11	2	15
Alpine	14,161	--	6	2
Amador	7,079	27 93	47	37
Butte	8,318	32 24	42	48
Calaveras	7,249	21 07	48	17
Colusa	15,612	27 21	4	35
Contra Costa	7,467	33 33	47	49
Del Norte	6,656	25 20	50	28
El Dorado	8,670	10 77	38	7
Fresno	9,173	25 19	33	27
Glenn	6,538	16 99	52	9
Humboldt	9,508	33 98	29	51
Imperial	10,179	37 80	25	55
Inyo	10,000	6 96	27	5
Kern	8,723	26 46	37	33
Kings	7,521	25 50	45	30
Lake	4,076	17 48	56	10
Lassen	8,670	38 24	39	57
Los Angeles	18,626	10 40	3	6
Madera	6,616	33 58	51	50

TABLE 1—Continued

Individual Income Payments: 1947 and Elementary Equalization Grants per Unit of Average Daily Attendance by Counties: 1948-49

Counties	*Income payments per ADA 1947* [1]	*Elementary equalization grants per ADA. 1948-1949* [2]	*Rank according to income payments*	*Inverse rank according to equalization grants*
Marin	$11,847	$20 96	17	16
Mariposa	13,171	30 55	10	45
Mendocino	7,821	35 70	43	52
Merced	9,105	28 61	34	39
Modoc	11,093	24 25	20	23
Mono	963	2 65	58	3
Monterey	13,239	18 34	9	13
Napa	10,747	21 73	22	18
Nevada	6,363	27 65	53	36
Orange	9,202	13 88	32	8
Placer	8,890	28 60	35	38
Plumas	8,344	23 82	41	22
Riverside	8,789	29 91	36	40
Sacramento	13,634	25 67	8	31
San Benito	13,972	18 91	7	14
San Bernardino	7,780	30 11	44	42
San Diego	10,891	25 96	21	32
San Francisco	44,141	--	1	1
San Joaquin	12,850	17 84	11	11
San Luis Obispo	9,779	32 10	28	47
San Mateo	11,878	22 17	16	20
Santa Barbara	15,111	6 52	5	4
Santa Clara	10,747	18 11	23	12
Santa Cruz	11,344	30 07	19	41
Shasta	4,957	38 27	55	56
Sierra	11,938	26 90	15	34
Siskiyou	3,617	30 55	57	46
Solano	11,998	39 22	14	58
Sonoma	11,492	24 96	18	26
Stanislaus	9,437	30 50	31	44
Sutter	12,758	23 55	12	21
Tehama	8,586	24 31	40	24
Trinity	5,915	35 29	54	52
Tulare	7,502	35 73	46	54
Tuolumne	9,466	24 88	30	25
Ventura	10,125	23 52	26	29
Yolo	12,090	21 98	13	19
Yuba	10,535	30 14	24	43
Totals				

[1] Income payments data from California State Chamber of Commerce, Research Department, *Personal Income of Civilian Residents of California by Counties*—1947 (Preliminary) Economic Survey Series 1947-1948, Report No. 41, A. D. A. (1947-1948) from California State Department of Education, *Apportionment of the California State School Fund for the Fiscal Year Ending June 30, 1949.*

[2] Computed from total amounts of equalization aid as shown by California State Department of Education, *Apportionment of the California State School Fund for the Fiscal Year Ending June 30, 1949.*

These data show very poor correlation in these rankings of ability and equalization payments as demonstrated by the measure of correlation of .306, whereas the measure of perfect correlation would be 1.000. Approximately 40 percent of the counties show varying degrees of close correlation of these two factors, with three counties having perfect correlation. The other 60 percent, however, show little or no inverse correlation between equalization grants and ability.

An important factor in this analysis is that the amounts of equalization grants shown in Table 1 are the amounts computed according to the provisions of Sections 7091, 7095, and 7121 of the Education Code and not the amounts actually apportioned under the provisions of Sections 7111-7114 of the Education Code. The difference is that the latter sections provide for an adjustment of the computed amounts according to the amount available for equalization purposes. Since the elementary and high school equalization funds had surpluses for the 1948-1949 apportionment, a correction factor of 1.1740134 was applied to the elementary equalization allotments and 1.5746241 was applied to the high school equalization allotments.

The conclusion resulting from this analysis is that the existing formula for the apportionment of equalization aid is defective in that the resulting equalization grants do not meet the test of inverse relationship to local ability. This suggests the need for further analysis and evaluation of the measure of ability used in the equalization formula. Such analysis is included in Part II of this report.

PART II

THE USE OF ASSESSED VALUATION AS A MEASURE OF LOCAL FISCAL ABILITY

When equalization grants were included in the formula for the apportionment of state aid to school districts in 1945, the legislation enacted (A. B. 957) computed the districts contribution to the foundation programs at a specified local tax rate for each educational level applied to the assessed valuation of the district. The 1947 legislation (A. B. 2120) increased the foundation program amounts and the computational tax rates and continued the provisions for application of these rates to the assessed valuation.

Actual assessed valuation was established as the measure of the district's fiscal ability on the strength of an unpublished report of the California Taxpayer's Association which concluded in part that "it is fair to state that assessment methods, and the general control exercised by the State Board of Equalization, are such that a reasonably uniform relationship between true and assessed value exists throughout California. Therefore, it does not seem necessary to weigh or modify any equalization formula for state support of school finance; such variations as exist are minor and are gradually being eliminated to a point where they are insignificant." [7]

[7] Harry M. Howell, *Assessment Practices in California Counties and Their Relationship to Measuring Local Ability in Making Contributions to a Foundation Program of Education*, Report to The California Cooperative Committee on School Finance, November, 1948, p 1.

Variations in County Assessments

The Howell Report to the California Cooperative Committee on School Finance questions the validity of the above cited conclusion and lists the result of a sample survey of ratios of assessed values to sales values which show decided variations in assessment practices in the several counties in the State. The Howell Report concludes on the basis of this survey and other evidence that property within each school district should be equalized at a designated percentage of true value to avoid the inequities and variations of underassessment in the apportionment of the equalization fund.[8]

Variations in assessment practices of the counties are illustrated by the data in Table 2 showing the percentage changes in the various types of tangible property assessed by the counties from 1941 to 1948. Total net values after exclusion of the value of exempt property increased 70 percent during this period with a range of increase in the individual counties from 8 percent to 124 percent.

Similar variations occur in the changes in assessed values of the various classes of property—land, improvements, and personal property. The average increase in land values for the state as assessed by the counties was 48.8 percent from 1941 to 1948. Five counties, however, showed decreases in land values from 2.8 percent to 15 8 percent and the increases in the other counties from 1.3 to 111.8 percent. The average increase in the assessed value of improvements was 82.5 percent with a county range from 2.1 to 338.5 percent. Personal property values increased from 11.6 to 264.6 percent with an average increase of 121 percent.

Variations in assessed valuations exist within counties as well as between counties as illustrated by the variations which exist in the values established by the county assessor and the city assessor in those instances where city assessments for city tax purposes are independent of the county assessments. These variations were summarized by the State Board of Equalization in its 1947-1948 Annual Report as follows:

> "Approximately one-fourth of the cities doing their own assessing listed property at values 50 percent or more above the county values of the same property; another quarter assessed at between 25 and 50 percent over the county values; a third quarter assessed at somewhere between the county level and 25 percent above it; and the fourth quarter assessed at or below the county level."[9]

[8] *Ibid*, p. 15.
[9] *California State Board of Equalization, Annual Report, 1947-1948*, p 4.

TABLE 2

Percentage Change in County Assessed Valuations: 1941-1948

Counties	*Land*	*Improvement*	*Personal Property*	*Net Total*
Alameda	12.7	53.5	114.9	43.1
Alpine	3.3	28.8	65.1	13.9
Amador	10.8	2.1	89.6	18.72
Butte	10.6	87.1	143.2	44.3
Calaveras	29.3	83.5	111.1	49.4
Colusa	14.2	35.5	182.2	37.5
Contra Costa	32.9	127.5	35.1	75.7
Del Norte	50.6	66.7	138.5	59 1
El Dorado	70.8	222.3	51.2	114.7
Fresno	77.6	88.9	86.3	79.9
Glenn	16.9	172.3	176.7	61.3
Humboldt	5 9	39.6	54.1	18.7
Imperial	31.3	52.5	133.1	51.1
Inyo	10.7	140.9	48.0	40.6
Kern	66.6	43.9	93.5	63.0
Kings	3.5	108.9	86.5	11.2
Lake	8 8	338.5	107.0	105.5
Lassen	0 1	8.2	76.1	17.3
Los Angeles	70.5	99.7	123.6	92.2
Madera	15.9	96.7	109.0	43.3
Marin	20.9	79.2	113.3	47.5
Mariposa	18.5	75.2	158.2	50.0
Mendocino	1.3	84.8	99.8	28 6
Merced	7.7	65.4	108.4	34.7
Modoc	15 8	36.1	132.1	25.6
Mono	35.0	65.5	96.5	51.1
Monterey	38.0	95.6	112.9	64.1
Napa	11.0	84.7	218.0	60.8
Nevada	22.4	51 4	73.4	38.5
Orange	111.8	118.7	143.7	116.0
Placer	12.1	62.9	264.6	49.6
Plumas	7.8	109.8	75.5	48.6
Riverside	35.1	97.2	139.6	70.9
Sacramento	51.8	60.5	107.6	57.5
San Benito	26.9	58.2	101.6	43 6
San Bernardino	33.5	86.2	24 3	85.6
San Diego	62.5	93.5	143.4	84.7
San Francisco	8.9	20.9	114.5	22.6
San Joaquin	73.3	150.5	215.7	124.3
San Luis Obispo	35.0	153.2	47.0	64.5
San Mateo	30.0	71.5	251.7	54.9
Santa Barbara	58 8	33.7	86.3	50.6
Santa Clara	42.4	80.1	241.0	81.4
Santa Cruz	6.4	46.1	138.1	29.2
Shasta	3.3	47.6	23.6	10.3

TABLE 2—Continued
Percentage Change in County Assessed Valuations: 1941-1948

Counties	*Land*	*Improvement*	*Personal Property*	*Net Total*
Sierra	0.0	18.6	49 4	8 4
Siskiyou	15.7	92.8	150.2	47.0
Solano	91.2	73.0	218.7	88.9
Sonoma	8.7	91.9	151.0	55.1
Stanislaus	23.6	134.0	134.4	73.3
Sutter	20.2	109.0	253.8	65.2
Tehama	12.1	71 8	111.8	43.4
Trinity	64.4	88.0	11.6	58.5
Tulare	25.0	79.6	137.0	56.7
Tuolumne	2.8	47.3	91.1	24.6
Ventura	102 6	72.7	83.9	92.4
Yolo	5.4	57.5	112.4	32.8
Yuba	20 0	60.3	106.8	40.1
TOTALS	48.8	82 5	121.0	70.0

Source Basic data from California State Board of Equalization, *Annual Report 1947-1948*, and *Biennial Report 1941-1942*.

The variations in assessment practices are related to the equalization principle in two important respects. The first is the effect of variation in ratios of assessed value to true or market value. Since school district levies are subject to tax limitations a 25 percent ratio in one district will yield half as much revenue as a 50 percent ratio in another district with the same assessed valuation and same maximum tax rate. The ratio of assessed to true value also has important connotations in the amount of state equalization funds required to guarantee the "minimum" or foundation program amounts.

A tendency to nullify the principle of equalization also exists when similar property is valued at varying amounts regardless of the desirable or existing over-all ratio of assessed to true value. As discussed below, the determination of the ratio of assessed to true value in the several counties is an extremely difficult and technical process. It is not difficult, however, to determine the extent of the variations in existing assessment practices The method used for making this determination is to compute the percentage of the assessed valuation of each county to the state total and relate this ratio to the acceptable measure of economic ability such as individual income payments by establishing an index for each county using the percentage of income payments in each county as 100. This is the method used for the comparison shown by the data in Table 3.

The percentage of income payments of each county to the state total is compared with the percentage of county assessments and the total assessed value of all property including public utility values assessed by the State and apportioned to the counties as shown in Table 3. The index of county assessments shows the extent of variation in county assessment practices and the index of total assessed values shows the variations

TABLE 3

Percentage Distribution of Individual Income Payments, County Assessed Values, and Total Assessed Values by Counties—1948

Counties	*Individual income payments*	*County assessed value*	*Total assessed value*	*Index-Income Payments=100* *county assessments*	*total assessments*
Alameda	7.83	5.27	5.92	.67	.70
Alpine	--	.01	.01	--	--
Amador	.06	.08	.17	1.33	2.88
Butte	.40	.44	.53	1.10	1.32
Calaveras	.06	.11	.14	1.83	2.33
Colusa	.14	.23	.23	1.64	1.64
Contra Costa	1.74	1.95	2.09	1.12	1.20
Del Norte	.03	.07	.07	2.33	2.33
El Dorado	.11	.23	.24	2.09	2.18
Fresno	2.14	3.56	3.87	1 66	1.81
Glenn	.15	.27	.27	1.80	1.80
Humboldt	.43	.47	.47	1.09	1.09
Imperial	.61	.43	.44	.70	.72
Inyo	.08	16	.17	2.00	2.12
Kern	1.74	3.84	3.82	2.21	2.20
Kings	.35	.97	.94	2.77	2.69
Lake	.07	.14	.14	2.00	2.00
Lassen	.15	.13	.16	.87	1.07
Los Angeles	44.22	41.28	39.72	.93	.90
Madera	.24	.31	.34	1.29	1.42
Marin	.52	.60	.60	1.15	1.15
Mariposa	.05	.06	.06	1.20	1.20
Mendocino	.21	.27	.27	1.29	1.29
Merced	.53	.55	.59	1.04	1.11
Modoc	.08	.10	.13	1.25	1.63
Mono	.01	.06	.07	6.00	7.00
Monterey	1.10	1.33	1.30	1.21	1.18
Napa	.27	.33	.32	1.22	1.19
Nevada	.10	.13	.19	1.30	1.90
Orange	1.33	3.53	3.32	2.65	2.50
Placer	.26	.27	.41	1.04	1.58
Plumas	.09	.10	.25	1.11	2.77
Riverside	1.16	1 24	1.30	1.07	1.12
Sacramento	2 23	1.93	1.94	.87	.87
San Benito	.14	.18	.17	1.29	1.21
San Bernardino	1.71	1.80	2 11	1.05	1.23
San Diego	3.59	3.59	3.57	1.00	1.00
San Francisco	12.93	8.35	8.20	.65	.63
San Joaquin	1.79	2 32	2.27	1.30	1.27
San Luis Obispo	.35	.54	.56	1.54	1.60
San Mateo	1.48	1.60	1.58	1.08	1.07
Santa Barbara	.94	1.43	1.38	1.52	1.47
Santa Clara	1.91	2.45	2.38	1.28	1.25
Santa Cruz	.47	.41	.40	.87	.85
Shasta	.20	.19	.48	.95	2.40

TABLE 3—Continued

Percentage Distribution of Individual Income Payments, County Assessed Values, and Total Assessed Values by Counties—1948

Counties	Individual income payments	County assessed value	Total assessed value	Index-Income Payments=100 county assessments	Index-Income Payments=100 total assessments
Sierra	.02	.03	.03	1.50	1.50
Siskiyou	.27	.24	.31	.89	1.15
Solano	.89	.62	.67	.70	.75
Sonoma	.72	.87	.85	1.21	1.18
Stanislaus	1.03	.97	.94	.94	.91
Sutter	.29	.33	.33	1.14	1.14
Tehama	.13	.21	.24	1.62	1.85
Trinity	.02	.04	.05	2.00	2.50
Tulare	1.16	1.06	1.16	.91	1.00
Tuolumne	.09	.11	.16	1.22	1.78
Ventura	.81	1.61	1.56	1.99	1.93
Yolo	.34	.40	.41	1.18	1.21
Yuba	.22	.19	22	.86	1.00

SOURCE: Income payment data from California State Chamber of Commerce, *Personal Income of Civilian Residents of California by Counties-1947 (Preliminary), Economic Survey Series 1947-1948, Report No 41*. Assessments as reported by California State Board of Equalization, *Annual Report—1947-1948*

in the total tax base These indices are the same in some counties and vary in other counties depending on the amount of public values apportioned to each county.[10]

In evaluating the data shown in Table 3, it should be noted that these variations are variations in existing ratios of assessed to true value only and do not indicate what the respective ratio might be. In terms of economic ability, an index of less than one hundred indicates underassessment and an index of more than one hundred indicates overassessment in relation to total values and existing assessment practices. These variations, however, do not mean that property is either over or under assessed in relation to true or market value.

Equalization Ratios

The existence of such a wide range of assessment practices as indicated by the data in Table 3 is an important factor in the lack of correlation between local ability and equalization grants as shown in Table 1 and discussed in Part I of this report. The use of actual assessed valuation as a measure of local fiscal ability, therefore, operates against the principle of equalization.

It is often contended that the assessed valuations should be equalized or adjusted for allocation purposes so as to minimize the inequalities of wide variations in assessment practices. The Howell Report, for example, recommends that:

> "Legislation be proposed whereby some state agency (under civil service) be created with an adequate staff to equalize assessments among counties and districts to be used for computation purposes when apportioning equalization aid. If this recommendation should

[10] The same test could be applied to other classes of assessed values of land, improvements, personal property, both inside and outside municipalities

become law, the equity of all taxpayers would be served in that the assessed value of all property would be equalized for school support." [11]

Assembly Bill No. 2027 was introduced to accomplish this purpose. This bill provided that the State Board of Equalization would determine the market value of taxable property in each county and that apportionments for school purposes based on assessed value would be adjusted according to the ratios thus established. Many states have established such ratios for the purpose of equalizing the levy of a state property tax and other states that have abandoned the property tax for state purposes use such ratios for apportioning state assessed utility values to the counties for local tax purposes. A third reason for using such ratios is that of computing state aid. New York, for example, has used such ratios for this purpose for a number of years.

States that provide for equalization ratios have found them very useful as one step in their efforts to improve and maintain sound assessment practices as well as for the three principal uses discussed above. Any proposal to establish such ratios in a state not accustomed to their use, however, meets strong opposition from the assessment officials, both state and county. In California, for example, the State Board of Equalization and the county assessors expressed very strong opposition to Assembly Bill No. 2027 in its original form The reason for this opposition is found in the manner in which the State Board of Equalization performs the equalization functions required by the State Constitution and the need for such equalization.

Equalization of assessed values by the State is not new to California but its present need is of recent date. Historically, the equalization function of the State Board of Equalization dates back to 1869.[12] The principle of separation of sources of revenue for the state and local governments adopted in 1911 eliminated state tax levies and state assessment of tangible property and greatly reduced the State's interest in and need for equalization. This need reappeared when the State resumed the function of assessing the tangible property of public utilities in 1935. Attempts to equalize county assessments caused considerable confusion and led to a change in the board's equalization policy resulting in the establishment of the Division of Assessment Standards in 1938 to work with the local assessors in improving assessment standards and practices. This change in policy is explained by the Board of Equalization as follows:

"The constitutional provision for state equalization, as interpreted by the courts, restricts the board's authority to the ordering of horizontal percentage changes in all tangible property assessments. Although it can easily be demonstrated that such orders, if based on proper evidence of average assessment levels, produces greater equity than no orders at all, they magnify, and hence appear to increase *intra*county disparities. For example, if one class of property is assessed at 50 percent of its value, another at 35 percent, and the weighted average assessment level is 40 percent, the equalization order required to lift the average to 50 percent will raise the first class of property to 62.5 percent and the second to

[11] Harry M Howell, *op. cit.* p. 15.
[12] California State Board of Equalization, *Biennial Report 1945-1946*, pp. 4-6.

43.75 percent, thus increasing the spread from 15 percentage points to 18.75 percentage points. Where individual properties or even some class averages are raised above full value, as often happens, the illusion of unjustice is especially strong. Thus equalization is often blamed for some of the ills which rightly should be attributed to faulty original assessment

It is the board's belief, however, that substantial improvement in the distribution of property taxes can only be achieved by securing better original assessments and that its equalization powers, however diligently exercised, will have no appreciable influence upon such assessments. Moreover, there is the danger that equalization orders will create so much ill will among local officials and taxpayers that they will nullify the board's efforts to improve original assessments under its other statutory directives." [13]

The above quotation substantiates the opposition of the assessors and supervising officials to Assembly Bill No 2027 even though there has been ample demonstration of the need for equalization ratios for use in connection with equalization grants and their contention that the equalization functions of the State Board of Equalization are adequately performed through the activities of the Division of Assessment Standards. This contention, however, is not shared by all concerned as illustrated by the recommendation of the Legislative Auditor that the Division of Assessment Standards should be abolished and that its functions transferred to the Valuation Division inasmuch as its equalizations are not effective.[14]

The Assembly Committee on Education amended Assembly Bill No. 2027 to eliminate the requirements that the market value be determined by the State Board of Equalization and substituted the provision that this determination should be made by the Department of Finance on the basis of information required to be submitted by the Board of Equalization. This is similar to provisions enacted by other states whereby equalization ratios are used for the purpose of computing equalization grants and are not necessarily a part of the assessment process.

PART III

ALTERNATIVE MEASURES OF FISCAL CAPACITY

The difficulties of obtaining equalized assessed valuations have prompted some states to discard the traditional property measure of ability and adopt other measures of fiscal capacity as a basis for computing equalization grants. An additional reason for adopting some other measure of fiscal capacity is that tangible property is no longer an adequate measure of the potential resources available for the support of necessary functions of government.

The method adopted for use of the ability factor is just as important as the selection of the factor. The use of the computational tax to determine the amount of district aid described in Part I of this report places undue emphasis on assessed valuation whereas the dollar amount of the local contribution to the foundation program is the important

[13] *Ibid.* p. 5.
[14] Legislative Auditor, *Analysis of the Budget Bill* for the 1949-1950 Fiscal Year,

factor. In other words, if the districts were required to raise a given amount as the local share, a tax rate would be applied which would yield the specified amount and the assessment ratio would be unimportant.

Alabama, for example, determines the total amount of money to be raised as the local contribution to the minimum program with the balance to be supplied by the state. Each county's share of the total local funds is then determined by an independent index of economic ability.

The independent index of economic ability used by Alabama and other states is composed of such factors as population, retail sales, motor vehicle registrations, production, number of individual income tax returns, and other factors particularly related to the economy of the state. This is an adaptation of the index developed by Francis G. Cornell, a leading specialist in school finance.[15]

The Cornell Index was first developed to predict *equalized* assessed value, and according to Mort and Reusser, proved to be more closely related to equalized valuations than are the actual assessments.[16] An index of economic ability of this type can be and is used either as an independent measure of fiscal capacity or as a device for adjusting assessed values for equalization purposes.

Income Payments to Individuals

A more recent development of decided promise is that of measuring fiscal ability by use of income payments and per capita incomes as estimated and developed by the Department of Commerce. This series has been used for many years to measure comparative fiscal abilities among the states.[17] Official acceptance of the state income series as a fair measure of economic ability and thus of potential fiscal ability is evidenced by the requirements of laws and regulations for the use of this measure in federal grants for hospital construction, public health, school lunch program, and Children's Bureau aid.[18] The Federal Education Aid Bill uses variable grants measured by income payments as the basis for the distribution of the $300,000,000 proposed aid for this purpose.

The acceptability of this series as a measure of relative fiscal capacity of the states and its wide use in recent federal legislation and regulation suggests the possibility and desirability of this measure for equalization grants by the state to the local units. *Bureau Memorandum No. 66* of the Bureau of Research and Statistics, Social Security Administration states that "with continuing improvements in techniques and statistics for measuring income payments to individuals in each state, more and more workers in this area of fiscal ability have come to endorse the use of income payments as a measure of fiscal ability."

The advantages of the income payment index as a measure of fiscal ability as stated by the above Memorandum are that it is readily understandable and that most people now recognize the merit of the argument that all taxes tend to come out of income so that income payments to individuals represent a reasonable index of ability to support the cost of

[15] Francis G Cornell, *A Measure of Taxpaying Ability of Local School Administrative Units*, Teachers College, Columbia University, 1936

[16] Paul R Mort and Walter C Reusser, *Public School Finance* (1941) pp. 437-438.

[17] Bureau of Research and Statistics, Social Security Board, *Fiscal Capacity of the States—A Source Book 3rd Ed.*, Bureau Memorandum No 43, January 1941.

[18] Bureau Memorandum No 66, p 67

governmental services. Income payments, therefore, is perhaps a more adequate taxpaying ability for such counties as those adjacent to the Bay area than is assessable property for such counties. *Bureau Memorandum No. 66* states that the income payments index "is free from the subjectivity associated with many of the earlier alternatives. This objectivity becomes increasingly true as more complete and reliable data (often of a census type) on income and wages are made available in the normal course of operation of various governmental programs such as social insurance. These developments increase the reliability of the income-payments series, which in turn increases its acceptability among all types of users, including legislators, economists, statisticians, government officials, and the public generally." [19]

The question arises as to whether the state total of income payments can be determined for the counties with the same validity as the national total is determined for the states? The answer is that a county index is already used in California as a measure of the economic ability of the counties The *1946 California Blue Book* uses this index as one of the measures of such ability. An annual series has been developed by the State Chamber of Commerce for this purpose. The State Board of Equalization also lists this index as one of the principal measures of economic ability. A recent board study of assessment practices lists this series next to population and ahead of assessed valuations.[20]

A considerable amount of work has been done in this field to test the accuracy of such county estimates and it has been established that the estimated incomes will have not more than a few percentage points variation from the actual amounts provided that the correct statistical procedures are employed.[21] The experience of the National Income Unit of the Department of Commerce shows that actual use of this series brings continuous refinement of methods. The California Index has been used in this analysis as the basis for the data in Tables 1 and 3.

In summary, it may be concluded that sufficient and adequate data are available for use of income payments to individuals as an index of county fiscal ability and that this index would be more equitable than the existing measure of assessed valuation.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Dolwig, Conrad, Connolly, and Waters, the usual courtesies of the Assembly for this day were unanimously extended to Messrs. Proctor Jones and John P. Wilkins of Burlingame, and Miss Melba Montrose of San Francisco.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Miss Irene Scott, teacher of the Santa Rosa high school, Mrs. Dillon, chaperon, and the following pupils: Clarence Wulf, James Harrison, Don Bloyd, Patricia Dillon, Janet John, Rosaline Brum, Elizabeth Sokol, Rita Gemetti, Suzanne Dean, Donna Pappera, and Elnora Joiner.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Miss Lenore

[19] *Bureau Memorandum No. 66* pp 117-118

[20] California State Board of Equalization, Property, Tax Assessments—Riverside County, January, 1949.

[21] See Marvin A. Bacon, *Income as an Index of Fiscal Capacity of Michigan Counties*, Bureau of Government, University of Michigan, 1941. Appendix A

Huff and Miss Stafford, teachers of the Needham School of Lodi; Mrs. Bernasconi, Mrs Malida Pfeiffer, and Mrs. James Freshour, parents, and the following pupils: Harold Adams, Janice Andrews, Barbara Baumback, Lynn Benbrook, Wanda Chandler, James Fousekis, Jeanette Freshour, Winette Fyffe, Lane Gardenshire, Frances Geiszler, Richard Goetz, Richard Heckenlaible, John Ladner, Donna Mallory, Peter Marshall, Delores McBurnett, Arnold Metcalf, Tom Moreland, Francis Parris, Harold Pfeiffer, Ronald Rott, Bill Rummel, Allen Sanguinetti, Lilybelle Snyder, Linda Steacy, Arlene Trichel, Ann Wilson, Roy White, Troy White, Cora Albers, Jimmy Anderson, Robert Bernasconi, Patricia Cathcart, Jimmy Crescenzi, Henrietta Cromwell, Lilly Ann Dodge, Joann Dougherty, Diana Duerkson, Marshall Field, Richard Field, Charles Goehring, David Gray, Eunice Hatch, Michael Mallory, Howard Mason, Delores McGill, Neal Miura, David Neuharth, Marlene Putnam, Eileen Rauser, Delmar Reimche, Robert Reynolds, Billy Siemering, Patsy Teel, John Teresi, Geneva Walker, and Burton Yamada.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. L. Perrucci, Mrs. R. H. Spratt, Mrs. Elsie Harter, and Dan Woodard, teachers in the Tierra Buena School of Sutter, and the following pupils: Virginia Marquette, Alice Williamson, Phillip Lange, Jerry Ann Schooler, Gerald Eickhoff, Glen Daniel, Gerald Arnoldy, Lester Perrucci, Jerry Hawkins, Jackie Spratt, Isabel Singh, Jimmy Mitchum, Howard Hillam, Nina Smith, Lilia Vessell, Dolores Reidel, Joy Gillock, Junior Johnson, Carol Payne, and Rosalee Wible.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Virginia Lee Mabey and Mrs. Carrie C. Autrey, teachers of Pittsburg High School, and the following pupils: Willie Davis, Molly Ahumada, Marlene Banister, Patricia Benko, Robert Bertoni, Mrs. Autrey, Celia Campes, Connie Catania, Diane Coleman, Jacqueline De Laney, Dan Durbin, Ray Enea, Rosalie Favalora, Richard Fisher, Carmen Gonzalez, Gene Grable, Beverly Guerriere, Carolyn Hawfield, Jim Kaufenberg, Eva Kunkle, Delores Irwin, Norman Le Va, Philip Greer, Helen Lucas, Faith Lucido, Celestine Magistrale, Norma Martini, John Montes, Maybelle Ong, Eugene Petrovay, Helen Ramirez, Anita Sapone, Sam Savinovich, Perry Silveira, Martha Smith, John Speck, Lynn Trembath, Lila Walker, and Beverly Williamson.

ADJOURNMENT

At 1.16 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 18, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SECOND LEGISLATIVE DAY

ONE HUNDRED THIRTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, May 18, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Eternity: May we have a new vision of time not measured by clock or calendar, but by youthfulness of spirit.

The soul within us is ageless and never grows old and though winter may whiten our brow Eternal Spring can dwell within.

May we see that the signs of old age which all people dread are the pessimist's sneer, the coward's fear and the fretful moods that ruffle our serenity.

Let us cherish the youthful mind, which begins each day with eagerness, eyes with wonder this dazzling universe and hungers to explore the unknown

May we find the Fountain of Everlasting Youth in the ardent love for the ideals which are eternally young and live on that higher plane of faith and lovingkindness which never loses its bloom —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Huyck, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Fletcher, on motion of Mr. Cramer.

Mr. Price, on motion of Mr. Cramer.

Mr. Geddes, on motion of Mr. Cramer.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Coats, on motion of Mr. McCarthy.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, May 17, 1949

Hon. Arthur A. Ohnimus, Chief Clerk
The Assembly, Sacramento, California

DEAR MR. OHNIMUS: The Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for press card:

Thomson C. MacKay, Stockton Record.

Sincerely,

EARL C. BEHRENS, President

Ratification of Press Credentials

By unanimous consent, the Assembly ratified the above action as taken by the Capitol Correspondents Association of California.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that Mr. Beck contacted the family of Mr. Fletcher, this morning, and was informed that Mr. Fletcher is recovering from his illness faster than expected, and that reports concerning his return to Sacramento are encouraging.

REPORTS OF STANDING COMMITTEES

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 496

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 147

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2034
Assembly Bill No. 2156

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1804
Assembly Bill No. 2947

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 33
Assembly Bill No. 230
Assembly Bill No 1862

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1991—An act to amend Section 526 of the Agricultural Code, relating to milk products plants;

Assembly Bill No. 2075—An act to amend Section 8755 of the Fish and Game Code, relating to nets;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of May, 1949, at 2 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 883—An act to add Section 977 to the Fish and Game Code, relating to skates, rays, and sharks;

Assembly Bill No. 923—An act to amend Section 8051 of the Education Code, relating to the performance of services by governing boards of school districts and county superintendents of schools;

Assembly Bill No. 1381—An act to amend Sections 16461, 16462, and 16463 of the Education Code, relating to the supervision of the health of public school pupils by county superintendents of schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of May, 1949, at 2 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2027
Assembly Bill No 3129

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bills Nos. 2027 and 3129 ordered re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No 187
Senate Bill No 353
Senate Joint Resolution No 4
Senate Joint Resolution No. 20

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 58
Senate Joint Resolution No 29

J. A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 58—Relative to approving amendments to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of May, 1949.

Referred to Committee on Rules.

Senate Joint Resolution No. 29—Relative to supplemental direct loans to veterans

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 36
Senate Bill No 126
Senate Bill No 191
Senate Bill No 366
Senate Bill No. 463
Senate Bill No 477
Senate Bill No. 615
Senate Bill No 619
Senate Bill No 856
Senate Bill No. 857
Senate Bill No 1177
Senate Bill No 1188
Senate Bill No. 1190
Senate Bill No. 1191
Senate Bill No 1193
Senate Bill No. 1195
Senate Bill No 1196
Senate Bill No. 1198
Senate Bill No 1395
Senate Bill No. 1420

J A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 36—An act to add Section 2137.1 to the Business and Professions Code, relating to the practice of medicine within state institutions, prisons, or homes.

Referred to Committee on Public Health.

Senate Bill No. 126—An act to add Section 639 to the Agricultural Code, relating to milk products.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 191—An act to amend Sections 5932, 7003, and 7791.5, to add Sections 5911.5, 5931 1, 7103.5, 7208.5, and 7208.7 and Article 1.5, consisting of Sections 7031 to 7038, inclusive, to Chapter 1 of Division 9, all of the Elections Code, relating to elections, including provisions relating to ballots and absent voting.

Referred to Committee on Elections and Reapportionment.

Senate Bill No. 366—An act to amend Section 205.5 of the Agricultural Code, relating to animal diseases.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 463—An act to amend Sections 12701, 12704, 12706, and 12707 of the Business and Professions Code, relating to public weighmasters.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 477—An act to add Article 4 to Chapter 7 of Division 5 of the Agricultural Code, relating to hazardous materials for use in agricultural operations.

Referred to Committee on Agriculture.

Senate Bill No. 615—An act to amend Section 27164 of the Streets and Highways Code, relating to bridge and highway districts, and to the acquisition and construction of property thereby.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 619—An act to amend Sections 27281 and 27300 of the Streets and Highways Code and to add Sections 27174, 27281a, and 27300a thereto, relating to bridge and highway districts.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 856—An act to amend Section 737eee of the Political Code, relating to the salary of Superior Judges in and for the County of Yolo.

Referred to Committee on Judiciary.

Senate Bill No. 857—An act making an appropriatio to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1177—An act to amend Section 419, to repeal Sections 420, 420.1, 420.2, 420.3, 420.4, 420.5, 420.6, 420 7, 420.8, and 420 9, and to add Sections 420, 421, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 422 6, 423, and 423.1, of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1188—An act to amend Section 8506 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health.

Senate Bill No. 1190—An act to amend Sections 8507, 8520, 8554, and 8620 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health.

Senate Bill No. 1191—An act to add Sections 8514 and 8515 to the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health

Senate Bill No. 1193—An act to amend Sections 8592 and 8610 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health.

Senate Bill No. 1195—An act to amend Section 8567 of, and to repeal Section 8572 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health.

Senate Bill No. 1196—An act to amend Section 8674 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health.

Senate Bill No. 1198—An act to amend Sections 8560, 8562, 8564, 8565, and 8566 of the Business and Professions Code, relating to structural pest control.

Referred to Committee on Public Health.

Senate Bill No. 1395—An act to amend Section 411 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the eleventh class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1420—An act to amend Section 425 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the twenty-fifth class.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3144—An act to add Section 5082.5 to the Business and Professions Code, relating to refund of application fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 46—An act to amend Section 737j of the Political Code, relating to salaries of Superior Court Judges in Fresno County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 568—An act to amend Section 737qq of the Political Code, relating to the compensation of Superior Court Judges in Santa Clara County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 579—An act to amend Section 737ff of the Political Code, relating to the salary of the Judge of the Superior Court in the County of Plumas.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1325—An act to amend Section 737*l* of the Political Code, relating to the salary of Superior Court Judges in Humboldt County.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2317—An act to add Sections 1192.2 and 1192.3 to the Insurance Code, relating to investments of insurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3120—An act to amend Sections 1, 3, 6, 7, 13, and 14 of, to add Sections $3\frac{3}{4}$, $7\frac{1}{4}$, $12\frac{7}{8}$, $13\frac{1}{2}$, $13\frac{3}{4}$, $19\frac{1}{4}$, $19\frac{1}{2}$, and $20\frac{1}{2}$ to, and to repeal Section 8 of the City Carriers Act, relating to the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 3, line 2, of the printed bill, strike out "experience,".

Amendment No. 2

On page 3 of said bill, strike out lines 3 to 14, inclusive, and insert "responsibility. The commission shall have power, with or without hearing, to issue said permit as prayed for, or to refuse to issue the same. If it be found that the applicant possesses the required ability and financial responsibility to perform the operations proposed, a permit shall be issued as prayed for. The commission may attach to said permit such terms and conditions as, in its judgment, are required to assure protection to persons utilizing such operations. Any city".

Amendment No. 3

On page 3, line 34, of said bill, strike out " and without further showing of public interest,".

Amendment No. 4

On page 3 of said bill, strike out lines 36 and 37, and insert "ceding paragraph hereof."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Erwin asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 834—An act to amend Section 4011.5, 4011.6, and 4024 of, and to add Section 4010.5 to, the Health and Safety Code, relating to water and water supply systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", 4011.6, and 4024", and insert "and 4011.6".

Amendment No. 2

On page 1, line 21, of said bill, after "with", insert "such of".

Amendment No. 3

On page 1, line 22, of said bill, after "Standards", insert "as pertain to the quality of water supplied to consumers".

Amendment No. 4

On page 2, line 12, of said bill, after "with", insert "such of".

Amendment No. 5

On page 2, line 15, of said bill, after "Standards", insert "as pertain to the quality of water supplied to consumers".

Amendment No. 6

On page 2 of said bill, strike out lines 22 to 28, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1202—An act to amend Section 18973 of the Government Code, relating to veterans' preference in state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Military Affairs:

Amendment No. 1

On page 1 of the printed bill, after line 13, insert "In order for a person to be entitled to veterans' preference credits, he must have served in the armed forces prior to January 1, 1947."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 248—An act to amend Section 737m of the Political Code, relating to salaries of judges of superior courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "eleven thousand dollars ($11,000)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 716—An act to amend Section 737dd of the Political Code, relating to the compensation of Superior Court Judges in the County of Orange.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 and 6, and insert "twelve thousand five hundred dollars ($12,500)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 755—An act to amend Section 737r of the Political Code, relating to the compensation of Superior Judges in and for the County of Lassen.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "nine thousand two hundred fifty dollars ($9,250)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 775—An act to amend Section 737gg of the Political Code, relating to the salaries of Superior Court Judges in Riverside County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 5, and insert "twelve thousand five hundred dollars ($12,500)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1158—An act to amend Section 737p of the Political Code, relating to the salary of Superior Judges in and for the County of Kings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "superior", insert "court".

Amendment No. 2

On page 1 of said bill, strike out line 5, and insert "twelve thousand dollars ($12,000)."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2017—An act to amend Section 737pp of the Political Code, relating to the compensation of Superior Court Judges in and for the County of Santa Barbara.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "_____ dollars ($_____)", and insert "twelve thousand dollars ($12,000)".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2028—An act to amend Section 108 of the Civil Code, relating to grounds for divorce.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, after "of", insert "either a member of a medical staff of a state institution or other".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2035—An act to amend Section 737bbb of the Political Code, relating to the salary of Superior Judges in and for the County of Tulare.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, after "superior", insert "court".

Amendment No. 2

On page 1 of said bill, strike out line 5, and insert "twelve thousand five hundred dollars ($12,500)."

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3130—An act to add Section 46.5 to the Unemployment Insurance Act, relating to the collection of delinquent contributions, interest and penalties, and prescribing the powers and duties of the commission and of the State Board of Control in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

Strike out lines 4 and 5 of the title of the printed bill, and insert "of the commission."

Amendment No. 2

On page 1, line 16, of said bill, strike out "and certify such facts to", and insert a period

Amendment No. 3

On page 1 of said bill, strike out lines 17 to 19, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 345—An act to repeal Section 6010 of, to add Sections 6010 and 6010.5 to, and to amend Sections 6011, 6013, 6018, and 1620 of, the Insurance Code, relating to insurance and to the standard form of fire insurance policy for county mutual fire insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 7, line 26, of the printed bill, as amended in the Assembly on April 27, 1949, after "hereto", insert ", of the obligations herein and in the application,".

Amendment No. 2

On page 7, line 47, of said bill, strike out "peril," and insert "perils".

Amendment No. 3

On page 7 of said bill, between lines 48 and 49, insert "For a more particular description, and as forming a part of this policy, reference is had to application No _____ on file in the office of this company"

Amendment No. 4

On page 8 of said bill, between lines 2 and 3, insert "The charter and by-laws of this company are to be resorted to and used to explain the rights and obligations of the parties hereto in all cases not herein otherwise specially provided for, and are hereby made a part of this policy. This policy is made and accepted upon the above expressed condition."

Amendment No. 5

On page 11, line 49, of said bill, strike out "The", and insert "Except where assessment is required as hereinafter provided, the"

Amendment No. 6

On page 12 of said bill, strike out lines 5 to 16, inclusive.

Amendment No. 7

On page 12 of said bill, after line 50, insert

"Suit

No suit or action on this policy for the recovery of any claim shall be sustainable in any court of law or equity unless all the requirements of this policy shall have been complied with, and unless commenced within twelve months next after inception of the loss

Subrogation

This company may require from the insured an assignment of all right of recovery against any party for loss to the extent that payment therefor is made by this company"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1759—An act to amend Sections 1 and 9A of Chapter 189 of the Statutes of 1933, relating to the deposit of public moneys with banks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1949, strike out "SECTIONS 1 AND", and insert "SECTION".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 26, inclusive

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 23, inclusive.

Amendment No. 4

On page 2, line 24, of the printed bill, strike out "2", and insert "1".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 147—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof; providing for the public ownership and operation of a transportation system in the metropolitan areas of Los Angeles County; the construction thereof; and relating to rail transportation in metropolitan areas.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 4, line 7, of the printed bill, after "territory", insert ": provided, that the membership on the board of any district formed for the County of Los Angeles shall be apportioned forty percent (40%) for the City of Los Angeles, and sixty percent (60%) for the rest of the county, but that all policy matters of such board shall be determined by a two-thirds vote of all of the members."

Amendment No. 2

On page 7 of said bill, between lines 29 and 30, insert

"(14) To enter into labor contracts and to bargain collectively with employees or their representatives. Any collective bargaining agreement so made shall be enforceable as provided in Labor Code Section 1126."

Amendment No. 3

On page 7, line 30, of said bill, strike out "(14)", and insert "(15)".

Amendment No. 4

On page 10, line 22, of said bill, after the period, insert

"Any such plan shall make adequate provision for the needs of all communities within the district, including provision for inter-community transportation between suburbs in outlying areas."

Amendment No. 5

On page 19 of said bill, between lines 11 and 12, insert

"PART II"

Amendment No. 6

On page 19, line 29, of said bill, after "district", insert "shall operate the rail rapid transit system herein provided for, and"

Amendment No. 7

On page 19, line 31, of said bill, strike out "the purpose of operating a rail rapid transit system", and insert "its efficient operation".

Amendment No. 8

On page 19 of said bill, strike out lines 41 and 42, and insert
"The district shall have the power".

Amendment No. 9

On page 20 of said bill, strike out lines 43 and 44, and insert
"SEC. 40. The district may borrow money for any of the pur-"

Amendment No. 10

On page 21 of said bill, strike out lines 38 and 39, and insert
"SEC. 41. The officers of the district shall consist of the".

Amendment No. 11

On page 22, line 8, of said bill, after the period, insert
"Seniority and retirement rights of regular employees of existing transportation systems taken over in whole or in part by any district, shall be given reasonable protection."

Amendment No. 12

On page 22 of said bill, strike out lines 17 and 18, and insert
"SEC. 43. The board of".

Amendment No. 13

In lines 4 and 5 of the title of said bill, strike out "the metropolitan areas of Los Angeles County", and insert "metropolitan areas".

Amendment No. 14

On page 1 of said bill, strike out lines 3 to 11, inclusive; and in line 12, strike out "SEC. 2.", and insert
"SECTION 1."

Amendment No. 15

On page 1, line 15, of said bill, strike out "3", and insert "2".

Amendment No. 16

On page 2 of said bill, strike out lines 1 and 2; and in line 3, strike out "tion of its intention to do so."; and insert
"SEC. 3. A board of supervisors of any county may, and upon receipt of an initiative petition as hereafter provided shall, adopt a resolution of intention to form a metropolitan rapid transit district."

Amendment No. 17

On page 2 of said bill, between lines 17 and 18, insert
"SEC. 4. The board of supervisors shall adopt the resolution provided for in Section 3 when an initiative petition signed by registered voters within the proposed district equal in number to at least 5 percent of the entire vote cast within the proposed district for all candidates for Governor at the last preceding gubernatorial election at which a Governor was elected is filed with the board. When such an initiative petition has been filed with the board of supervisors, the election hereafter provided for shall be held either at the following state general election or at the time of the next election held within the city in the district having the largest population, but no such election shall be held until after 90 days from the filing of the petition."

Amendment No. 18

On page 3, line 29, of said bill, after "the", insert "tentative".

Amendment No. 19

On page 3, line 35, of said bill, after "complete", insert "except as hereafter provided".

Amendment No. 20

On page 4, line 1, of said bill, after "is", insert "tentatively".

Amendment No. 21

On page 10, line 22, of said bill, after the period, insert "The plan shall include a map showing in detail the route or routes to be traversed by the rapid transit system. Areas hereafter determined "fringe areas" shall be delineated on the map, which areas by reason of their lack of proximity to the lines of the rapid transit system may be benefited to a substantially lesser extent than other areas within the district."

Amendment No. 22

On page 10 of said bill, between lines 39 and 40, insert

"SEC. 14a. Within twenty days after receipt of the report or reports of the engineers as provided in Section 14 the board of directors shall cause a copy of the report or reports to be mailed to the legislative body of each city within the proposed district and to the board of supervisors of the county in which it lies.

SEC. 14b. The legislative body of each city, all or a portion of whose territory lies within the fringe area as designated on the engineers map shall within sixty days after receipt of the report or reports of the engineers elect either to have such territory remain in or withdraw from the district.

The board of supervisors shall within sixty days elect by resolution whether or not to withdraw from the district all or any portion of the unincorporated area in the fringe area.

Failure of the legislative body of any city or of the board of supervisors to make an election within the 60-day period shall constitute an election to have the territory under its jurisdiction remain within the district.

A certified copy of the resolution of election shall be transmitted to the board of directors within five days of the date on which it is made.

SEC. 14c. If all of the legislative bodies and the board of supervisors elect to have the fringe areas subject to their respective jurisdictions remain within the district the boundaries of such district are thereby fixed.

If pursuant to such resolutions of election all of the fringe territory is not to remain within the district the board of directors may:

(1) Declare the district, excluding the areas withdrawn, to be formed.

(2) Direct its engineers to conduct a survey and make a report on the feasibility of modifying the plan to meet the needs of the district excluding the areas withdrawn. If by reason of such modification any areas remaining in the district are made substantially less accessible to the system they shall be designated fringe areas on the map which shall be made a part of the report. The same procedure shall thereupon take place as provided with respect to areas delineated fringe areas on the original engineers' map.

(3) Direct its engineers to prepare a new comprehensive plan embracing all or part of the territory of the district as originally formed either before or after exercising its powers under subdivision (2) of this section if such exercise of powers has not resulted in the final formation of the district. Such report shall be mailed to the board of supervisors and the legislative bodies of the cities in the same manner and with like effect as provided for original reports.

SEC. 14d. When the territorial extent of the district is finally fixed as herein provided, the members of the board of directors representing excluded fringe areas cities shall cease to be members. If all of the unincorporated territory within a district is so excluded the members representing such territory shall cease to be members.

Upon the final fixing of the territory of the district the number of votes to which the members of the board of directors of each city and of the unincorporated territory are entitled shall be adjusted in accordance with the resulting change in the assessed value of the taxable property they represent.

SEC. 14e. Property in territory excluded from the territory of the district as finally fixed shall not be subject to taxation for any expense incurred by the district from the date of such final determination of its extent.

SEC. 14f When the boundaries of the district are finally fixed, the board of directors shall by resolution so declare. A certified copy of the resolution shall be filed with the recorder of the county in which the district is situated A certified copy of the resolution shall also be filed with the Secretary of State and the final organization of the district shall thereupon be complete.

The validity of the district as finally organized may be contested only as provided in Section 7 with respect to districts as tentatively formed."

Amendment No. 23

On page 13, line 43, of said bill, strike out "19", and insert "20".

Amendment No. 24

On page 14, line 48, of said bill, strike out "19", and insert "20".

Amendment No. 25

On page 19 of said bill, between lines 28 and 29, insert

"SEC. 37. In the event that no operating company offers to lease the rail rapid transit facilities, or in the event that the board of directors determines that the terms of all leases proposed or offered are unsatisfactory, and further determines that the district shall operate the rail rapid transit system or, in the event the board of directors takes possession of the leased rail rapid transit system after default, the district may operate the rail rapid transit system, temporarily or otherwise, as the board of directors may from time to time determine, and the powers set forth in this Part 2 are applicable only in the event the district operates the rail rapid transit system or has determined so to do."

Amendment No. 26

On page 19, line 29, of said bill, strike out "SEC 37."

Amendment No. 27

On page 20, line 13, of said bill, after "of", insert "the".

Amendment No. 28

On page 2 of said bill, between lines 28 and 29, insert

"No city or portion thereof shall be included in the proposed district by the board of supervisors if the governing body of such city has adopted and caused to be filed with the board at or before the hearing a certified copy of a resolution objecting to such inclusion until and unless:

(a) the resolution is rescinded by the governing body; or

(b) a majority of the voters in the city voting at an election called by the governing body for that purpose are in favor of joining the district; or

(c) it is necessary to construct and operate a rail rapid transit line into and through the objecting city in order to serve one or more other cities. In this event the board of supervisors may overrule the resolution of objection but the portion of the line running through the objecting city shall be constructed first and its facilities comparable with the best in any other part of the district."

Amendment No. 29

On page 17 of said bill, strike out lines 27 to 30, inclusive, and insert "ment shall prescribe the method for the letting of contracts The board of management shall require the successful bidder or bidders to file with the board sufficient bonds to be approved by the board conditioned upon the faithful performance of the contract and upon the payment of their claims for labor and material in connection therewith, such bonds to contain the terms and conditions set forth in Chapter 3 of Division 5 of Title 1 of the Government Code and to be subject to the provisions of that chapter"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 2740—An act to amend Section 25690 of the Government Code, relating to use of water for power development.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 25690 of the Government", and insert "add Chapter 4 to Part 6 of Division 12 of the Water".

Amendment No. 2

In line 2 of the title of said bill, strike out "use of", and insert "improvement districts in county".

Amendment No. 3

In line 2 of the title of said bill, strike out "for power development", and insert "districts".

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Chapter 4 is added to Part 6 of Division 12 of the Water Code, to read:

CHAPTER 4. IMPROVEMENT DISTRICTS

31575. Improvement districts may be formed in districts in the same manner as improvement districts are formed in irrigation districts. When formed, such improvement districts shall be governed in the same manner as improvement districts in irrigation districts.

31576. The board of directors of a district shall have the same rights, powers, duties and responsibilities with respect to the formation and government of improvement districts in districts as the board of directors of an irrigation district has with respect to improvement districts in irrigation districts.

31577. Assessments in an improvement district in a district shall be levied, collected and enforced at the same time and in the same manner as annual assessments for purposes of the district in which formed, except that the assessment shall

be made in the same manner as provided with respect to improvement districts in irrigation districts."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 6, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Assembly Bill No. 282—An act to add Sections 466 and 467 to the Code of Civil Procedure, relating to demurrers and motions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "act", insert "to amend Section 472b of and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 12, insert

"SEC. 3. Section 472b of said code is amended to read:

472b. When a demurrer to any pleading is sustained or overruled [,] and time to amend or answer is given, the time so given runs from the service of notice of the decision or order, unless *the demurring party or his attorney is personally present* [such notice is waived] in open court *at the time the judge announces his decision or unless a written* [, and the] waiver *is filed with the court* [entered in the minutes or docket]."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Judiciary.

Assembly Bill No. 993—An act to amend Section 423 of the Probate Code, relating to the administration of estates of decedents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, between "decedent" and "who", insert "who is a resident of a sister state or of the District of Columbia and".

Amendment No. 2

On page 1, line 8, of said bill, after "State", insert "; provided, however, that the nominee of such nonresident shall be a relative of the decedent or of the nonresident filing the request".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2219—An act to repeal Chapter 4, comprising Sections 5500 to 5516, inclusive, of Part 1 of Division 6 of the Welfare and Institutions Code and adding a new Chapter 4 comprising Sections

5500 to 5515, inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the care, treatment and rehabilitation of sexual psychopaths.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

Strike out lines 1 to 6 of the title of the printed bill, and insert

"An act to add Chapter 4.5 comprising Sections 5600 to 5606, inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the commitment, care and treatment of mentally-abnormal sex offenders".

Amendment No. 2

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. Chapter 4.5 is added to Part 1 of Division 6 of the Welfare and Institutions Code, to read:

CHAPTER 4.5. MENTALLY-ABNORMAL SEX OFFENDERS

5600. The term "mentally-abnormal sex offender" as used in this chapter means any person who is not mentally ill or mentally defective, and who being an habitual course of misconduct in sexual matters has evidenced an utter lack of power to control his sexual impulses and who, as a result is likely to attack or otherwise inflict injury, loss, pain or other evil upon the objects of his uncontrolled and uncontrollable desires.

5601. A petition alleging that a person named therein is a mentally-abnormal sex offender and is in need of supervision, care or treatment and asking that provisions be made for the welfare of such person as provided in this chapter, may be filed in the superior court of the county in which such person resides by any of the following persons.

(a) The parent, spouse or child of such person;

(b) Any probation officer or district attorney;

(c) Any person designated for that purpose by the judge of the court.

The petition shall state the petitioner's reasons for believing that the person may be a mentally-abnormal sex offender and in need of supervision, care or treatment. The petition shall be accompanied by a written statement of at least one medical examiner, stating that in his opinion the person may be a mentally-abnormal sex offender as defined in this chapter and recommending that examination be made of such person in accordance with the provisions of this chapter.

5602. The court shall fix a time and place for the hearing of the petition. The court shall require due notice of the hearing of the petition to be given to the person. Whenever the court considers it necessary or advisable, it may cause a warrant to issue for the apprehension and delivery to the court of the person, and may have the warrant executed by any peace officer. Pending the hearing, the person may be left in charge of his relatives or may be placed in the county psychopathic hospital.

5603 The person alleged to be a mentally-abnormal sex offender shall be taken before a judge of the superior court, to whom the petition and the warrant of apprehension, if one was issued, shall be delivered to be filed with the clerk. The hearing and examination shall thereafter be had in substantial compliance with the provisions of Sections 5503 to 5511, inclusive, of this code.

5604. If, after examination and hearing, the judge believes that the person is a mentally-abnormal sex offender as defined in this chapter, he may order that the person be committed to the Department of Mental Hygiene for placement in a state hospital for supervision, care and treatment. The person and certified copies of the court order and other court documents shall be delivered to the state hospital in substantial compliance with the provisions of Sections 5513 and 5514 of this code.

5605 Whenever a person is committed to the department and confined in a state hospital under the provisions of this chapter, the superintendent of the state hospital shall maintain complete records of the supervision, care and treatment given to each such person. Such records shall not be open to the inspection of any person not in the employ of the department or of the state hospital, except that a judge of the superior court may by order permit examination of such records. The superintendent of the state hospital may, at any time after admission, discharge such person, or grant him a leave of absence upon such terms and conditions as he deems proper.

5606. The charges for the care, treatment or services rendered to persons committed under this chapter shall be in accordance with the provisions of Article 5 of Chapter 1 of Part 4 of Division 6 of this code."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 22, inclusive; and strike out pages 2, 3, 4, and 5 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2949—An act to amend Section 553.5 of the Probate Code, relating to substitution and discharge of surety.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections".

Amendment No. 2

In line 1 of the title of the printed bill, after "553.5", insert ", 541, 545, and 1480".

Amendment No. 3

In line 2 of the title of the printed bill, after "surety", insert "and approval of bonds".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 4

On page 1 of the printed bill, after line 14, insert

"SEC. 2. Section 541 of said code is amended to read:

541. Every person to whom letters testamentary or of administration are directed to issue (unless the testator has waived such requirement) [,] must, before receiving them, execute a bond to the State of California, with two or more persons or an authorized surety company as surety, to be approved by a judge of the superior court *if the surety is not an authorized surety company*, conditioned that the executor or administrator shall faithfully execute the duties of the trust according to law. In form the bond must be joint and several. If the bond is to be given by individual persons, the penalty must be not less than twice the value of the personal property and twice the value of the probable annual income from the real property belonging to the estate, which values must be ascertained by the court or judge by examining on oath the party applying, and any other persons. If the bond is to be given by an authorized surety company, the court in its discretion may fix the amount of the bond at not less than the value of the personal property and the probable value of the annual rents, issues and profits of all of the property belonging to the estate.

SEC. 3. Section 545 of said code is amended to read:

545. In all cases in which bonds are required to be given under the provisions of this code, the sureties must justify thereon in the same manner and in like amounts as required by the Code of Civil Procedure, and the certificate thereof must be attached to and filed with the bond *If the surety is not an authorized surety company, all* [All] such bonds must be approved by a judge of the superior court before being filed. Upon filing, the clerk shall enter in the register of actions the date and amount of such bond and the name or names of the surety or sureties thereon. In the event of the loss of such bond, such entries so made shall be prima facie evidence of the due execution of such bond as required by law.

SEC. 4. Section 1480 of said code is amended to read:

1480. Before the order appointing a guardian takes effect [,] and before letters issue, the person appointed must take an oath, which must be attached to or endorsed upon his letters, that he will perform the duties of his office as such guardian according to law [,] and, except as otherwise provided in this division, must furnish a bond to the ward, with two or more persons or an authorized surety company as surety, to be approved by the judge *if the surety is not an authorized surety company*, and in such sum as required by the order, which sum shall be not less than twice the value of the personal property and twice the value of the probable annual rents, issues and profits of all property belonging to the ward [,] or, when the bond is given by an authorized surety company, not less than the value of the personal property and the

probable annual rents, issues and profits of all property belonging to the ward, and conditioned that the guardian will faithfully execute the duties of his trust according to law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1877—An act to add Sections 310 and 310.1 to the California Unemployment Insurance Act, relating to the payment of unemployment compensation disability benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, after "310", strike out "and 310.1", and insert ", 310.1 and 311".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "from another source under this article," and insert "instead of from the Disability Fund and voluntary plan, as the case may be".

Amendment No. 3

On page 1, line 9, of said bill, strike out "Voluntary Plan", and insert "voluntary plan".

Amendment No. 4

On page 1 of said bill, strike out lines 14, 15, 16, 17, and 18, and insert

"Sec. 310.1 The commission shall prescribe by regulation a procedure whereby a voluntary plan insurer, self insured employer or the commission may seek reimbursement for such benefit payments made wherein a dispute exists as to whether such benefits are payable under a voluntary plan or from the Disability Fund."

Amendment No. 5

On page 1 of said bill, after line 18, insert

"SEC. 3 Section 311 is added to the California Unemployment Insurance Act, to read

Sec 311. The commission shall prescribe by regulation a procedure whereby a consolidated hearing may be held when a question exists as to whether disability benefits are payable under an approved voluntary plan or from the Disability Fund."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2296—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 7 of", and insert "add Section 7.6 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive; and strike out pages 2 and 3, and insert

"SECTION 1. Section 7.6 is added to the Unemployment Insurance Act, to read:

Sec. 7.6 Notwithstanding any other provision of this act, whenever the State, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions thereof files with the commission its written election to become an employer

subject hereto and to have the services performed by its employees deemed employment subject to this act, and the commission finds that a majority of the employees affected by such election have voted in favor thereof, such State, political subdivision thereof or instrumentality shall thereupon become an employer subject hereto to the same extent as all other employers, and services performed by its employees shall constitute employment subject to this act."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 3124—An act to amend Section 2982 of the Civil Code, relating to the conditional sale of personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 25 to 33, inclusive, and insert

"(d) Any provision in any conditional sale contract for the sale of a motor vehicle to the contrary notwithstanding, the buyer may satisfy in full the indebtedness evidenced by such contract at any time before the final maturity thereof, and in so satisfying such indebtedness shall receive a refund credit thereon for such anticipation of payments. The amount of such refund shall represent at least as great a proportion of the time price differential as the sum of the periodic time balances after the month in which such contract is paid in full bears to the sum of all of the periodic time balances under the schedule of payments in the contract, both sums to be determined according to the monthly balances which would result if the indebtedness were paid according to the terms of the contract; provided, however, that the provisions of this subsection shall not impair the right of the seller or his assignee to receive a minimum price differential of twenty-five dollars ($25), or to receive interest on delinquent installments or reasonable collection costs and fees, as provided in subsection (c) of this section, and provided further, that where the amount of such refund credit would be less than one dollar ($1), no refund need be made."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS

Senate Bill No. 431—An act to amend Section 13196 of the Government Code, relating to use of water of the Napa State Farm.

Bill read second time, and ordered to third reading.

Senate Bill No. 1216—An act to amend Section 19390 of the Government Code, relating to the right of state employees entering the military service to be restored to their former position and civil service status upon termination of such military service.

Bill read second time, and ordered to third reading.

Senate Bill No. 1495—An act to amend Sections 125, 127, 324, 325, 369, 398, 439, 612, and 615 of the Military and Veterans Code and to amend Section 718c of the Civil Code, relating to the military forces of the State, including the exemption from military service, the detail of federal officers for service with the National Guard or Naval Militia, the detail of officers for special duty and waiver of part of compensation, performance of emergency service, the performance of military duty on election day, the declaration of places as "off limits," the leasing of property owned by a municipality for a term not to exceed fifty years for military or armory purposes, the colors and standards of organizations of

the National Guard, the delivery of the Colors to members of the family of a deceased member of the National Guard, the use of the National Flag, and assignment of command.

Bill read second time, and ordered to third reading.

Senate Bill No. 28—An act to amend Section 6363 of the Business and Professions Code, relating to the effect of Division 3, Chapter 5 of the Business and Professions Code on law libraries formed under prior laws.

Bill read second time, and ordered to third reading.

Senate Bill No. 410—An act to amend Section 737*l* of the Political Code, relating to the salary of Superior Judges in and for the County of Humboldt.

Bill read second time, and ordered to third reading

Senate Bill No. 413—An act to amend Section 3049 of the Penal Code, relating to minimum imprisonment.

Bill read second time, and ordered to third reading.

Senate Bill No. 414—An act to add Section 2900 1 to the Penal Code, relating to term of imprisonment.

Bill read second time, and ordered to third reading.

Senate Bill No. 417—An act to repeal Chapter 5.5 consisting of Sections 6035, 6036, and 6037, of Title 7 of Part 3 of the Penal Code and to amend Section 6025 of the Penal Code and to add Sections 6025.1 and 6025.2 to the Penal Code, relating to the State Correctional System.

Bill read second time, and ordered to third reading.

Senate Bill No. 418—An act to amend Sections 5077 and 5079 of the Penal Code, relating to the State Correctional System.

Bill read second time, and ordered to third reading.

Senate Bill No. 557—An act to amend Section 737h of the Political Code, relating to salaries of judges of the superior court.

Bill read second time, and ordered to third reading.

Senate Bill No. 1449—An act to amend Section 737r of the Political Code, relating to salary of the Judge of the Superior Court of Lassen County.

Bill read second time, and ordered to third reading.

Senate Bill No. 1460—An act to add Section 19b to the Penal Code, relating to prisoners, authorizing county sheriffs to transfer prisoners in county jails to industrial road camps.

Bill read second time, and ordered to third reading.

Senate Bill No. 1488—An act to amend Section 737pp of the Political Code, relating to the compensation of Superior Court Judges in and for the County of Santa Barbara.

Bill read second time, and ordered to third reading.

Senate Bill No. 556—An act to add Section 161b to the Civil Code, relating to payments or refunds made pursuant to a retirement or death benefits plan.

Bill read second time, and ordered to third reading.

Senate Bill No. 1496—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the federal system of discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry, and bad-conduct discharges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Military Affairs:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 11, 1949, after "361," insert "451,".

Amendment No. 2

In line 9 of the title of said bill, after "discharges", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 3, line 42, of said bill, before "Navy", insert "States".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Conrad asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 389—An act to add Section 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 29, of the printed bill, after the period, insert "Each employee at the time of employment shall be given a printed statement setting forth the terms of the plan including a clear statement of the employee's rights respecting acceptance and rejection of and withdrawal from the plan."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 26—An act to amend Section 6341 of the Business and Professions Code, relating to the establishment of branch law libraries.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "county", insert "any board of law library trustees may establish and maintain branches of the law library".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 420—An act to amend Section 2082 of the Penal Code, relating to the distribution of identification data concerning prisoners to identification bureaus.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 15, of the printed bill, after "furnish", insert "to the Identification Division of the Federal Bureau of Investigation and".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 428—An act to amend Sections 2085 and 5006 of, and to add Section 5061 to, the Penal Code, relating to disposition of moneys and valuables of prisoners.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on April 1, 1949, strike out "wardens", and insert "department".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 3122 WAIVED

Mr McCollister waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3122 was refused passage.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 318 FROM COMMITTEE WAIVED

Mr. Elliott waived his notice of motion that Assembly Bill No. 318 be withdrawn from committee.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 401, on request of Mr. Hagen.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2372—An act to amend Section 1101 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill pased by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, and Mr. Speaker—54

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 60

Mr. Luckel asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 60, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 60

Senate Concurrent Resolution No. 60—Relative to approving certain amendments to the charter of the City of San Diego, a municipal corporation in the County of San Diego, State of California, voted for and ratified by the qualified electors of said city at the municipal general election held therein on the nineteenth day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—60.

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1236—An act to amend Section 905 of the Fish and Game Code, relating to trammel nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn,

Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 286—An act to add Section 1057b to the Code of Civil Procedure, relating to exception to the sufficiency of corporate sureties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 750—An act to amend Section 412 of the Code of Civil Procedure and to repeal Section 27291 of the Government Code, relating to service of summons, abolishing certificates of residence and recordation thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Way, Weber, and Mr Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2229—An act to amend Section 6652 of the Welfare and Institutions Code, relating to the collection of costs and charges for the maintenance of state hospital patients by the Department of Mental Hygiene.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3116—An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 77—An act to amend Section 736 of the Fish and Game Code, relating to the taking of fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1222—An act to repeal Article 9, of Chapter 1, of Division 2, of the Fish and Game Code, and to add Sections 1260, 1261, 1262, and 1263, to Article 3, Chapter 3, Part 3, Division 4, of said code, relating to taking of deer with bow and arrow.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, and Weber—60.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2389—An act to amend Section 1057a of the Code of Civil Procedure, relating to sureties on bonds or undertakings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 1d to Article IV thereof, relating to measures submitted to the voters.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Weber, and Yorty—57.

NOES—Anderson and Ralph C. Dills—2.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 542—An act to establish a Capitol Planning Commission, prescribing its organization, powers and duties, transferring to the commission certain functions of the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Collier, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Lewis, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Rumford, Smith, Stanley, Stewart, Waters, Way, Weber, and Yorty—45.

NOES—Butters, George D. Collins, Dunn, Erwin, Levering, Sillman, and Mr. Speaker—7.

Bill ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 153

By Messrs. Dunn and Lincoln:

House Resolution No. 153

Relating to printing and distribution of scrolls containing the Great Seal and other emblems of the State of California

WHEREAS, For many years the Secretary of State has distributed, especially to school children, a printed scroll, bearing the State Colors and other official emblems of the State of California, attractively designed and beautifully displayed; and

WHEREAS, These printed scrolls have been received with the greatest pleasure and pridefully treasured by the children who have received them; and

WHEREAS, The greatest distribution of these scrolls has been among the many hundreds of school children visiting sessions of the California Legislature, to whom these scrolls mean a treasured souvenir of their visit, as well as imparting to them a sense of the dignity and prestige of their State; now, therefore, be it

Resolved by the Assembly of the State of California, That the Secretary of State is requested to cause to be printed as a public document, for distribution without charge as the Secretary of State shall direct, not to exceed 15,000 copies of a scroll containing the Great Seal and other emblems of the State of California as prepared under the direction of the Secretary of State; and be it further

Resolved, That the sum of two thousand two hundred dollars ($2,200) is hereby made available from the Contingent Fund of the Assembly, for payment of the cost of printing and distribution of said scrolls.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis,

Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, and Yorty—55.

NOES—None.

MEMBER EXCUSED

At 10.25 a.m., Mr. Ralph C. Dills asked for, and was granted, unanimous consent that Mr. McMillan be excused for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2705—An act to add Sections 23.5, 25, and 26 to the Conservation and Planning Act, relating to planning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Cramer, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2707—An act adding Section 68 to the Conservation and Planning Act, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, after "commission", and before the comma, insert "if such a commission is established under the provisions of this act".

Amendment No. 2

On page 1, line 11, of said bill, strike out "an affirmative vote of two-thirds", and insert "a majority vote".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2701—An act to amend the headings of Articles 2, 4, 5, and 7, and to amend Sections 7, 10, 14, 15, 18, 24, 30, 31, 35, 38, 39, 40, 43, 44 to 49, inclusive, and to renumber 55 to 61, inclusive, 63 to 65, inclusive, and 70 to 74, inclusive, and to renumber Sections 50, 59, and 72 of, and to add Sections 46.1, 46.2, 50, and 59 to, the Conservation and Planning Act, relating to conservation and planning.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lipscomb, Luckel, Maloney,

McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, and Yorty—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 447—An act to add Chapter 10, comprising Sections 21700 to 21722, inclusive, to Division 8 of the Business and Professions Code, relating to the sale, standards and labeling of antifreeze substances and preparations for use in internal combustion engines.

Bill read third time

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—*There being no 7-point strikeout type available, the following roll call, which should appear in strike-out type is indicated by being enclosed within brackets.*

[AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—65

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On June 15, 1949, the Senate was requested to return Assembly Bill No. 447 to the Assembly for further consideration (Assembly Journal, page 4512). On June 16, 1949, the Senate returned the bill (Assembly Journal, page 4549.).)

(On June 17, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, passed Assembly Bill No. 447 (Assembly Journal, page 4630.))

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 556

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 556, passed on file, at this time

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 556—An act adding Sections 32039, 32040, 32339, and 32340 to the Government Code, relating to retirement systems for peace officers, foresters, firewardens, and county fire protection district firemen

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 556?

Amendment No. 1

On page 2, line 15, of the printed bill, after "him", insert "and which are subject to withdrawal under Section 32036".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 556 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris,

Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—69.
NOES—None.

Assembly Bill No. 556 ordered enrolled.

EXPLANATION OF ABSENCE

I have been absent this morning due to my presence in Senate Committee on Municipal and County Government for the purpose of presenting bills for hearing.
VERNON KILPATRICK

MEMBER EXCUSED

At 10.58 a m , Mr. Silliman asked for, and was granted, unanimous consent that Mr. Kirkwood be excused, for the balance of the legislative day, because of illness.

Speaker Pro Tempore Presiding

At 10.59 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Maloney announced the appointment of Messrs. George D. Collins, Meyers, and McCarthy as a Select Committee to escort to the rostrum five young students who are national oratorical winners of the Hearst National Oratorical Contest. They are: Messrs. John Lavallee, Loyola University, Los Angeles, West Coast Division Champion; Ed McCully, Wheaton College, Illinois, Midwest College Division Champion; Richard Sprague, Gonzaga High School, Spokane, Washington, West Coast High School Division Champion; John Dodson, West View High School, Pittsburgh, Pa., Midwest High School Division Champion; and Bill Ingalls, Everett Junior College, near Seattle, Washington, who competed in the West Coast regional finals.

RECESS

At 11 a.m., on motion of Mr. George D. Collins, the Assembly recessed until 11.05 a.m. to hear remarks from John Lavellee, West Coast Division Champion of the seventh annual Hearst Newspapers Tournament of Orators, and to hear his presentation of the four other oratorical contest winners, accompanying him, whose speeches on the life of Alexander Hamilton have distinguished them.

REASSEMBLED

At 11.05 a.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3132—An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products.

Bill read third time.
The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Motion carried. Time, 11.06 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Clarke, Davis, Clayton A Dills, Hawkins, Kilpatrick, Lindsay, and Sherwin—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Brady asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2383—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 2383 Be Withdrawn From File, and Be Re-referred

Mr. Condon asked for, and was granted, unanimous consent that Assembly Bill No. 2383 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

Assembly Bill No. 2992—An act to amend Section 4005 of the Penal Code and Section 660 of the Welfare and Institutions Code, relating to custody and detention in state or county prisons, jails or other detention facilities of persons committed or detained by process or order issued under the authority of the United States.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris Moss, Niehouse, Reagan, Rosenthal Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—61

NOES—Condon—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1988

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1988, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1988

Assembly Bill No. 1988—An act to amend Sections 20703, 20751, 20757, 20800, and 20805 of the Health and Safety Code, relating to the sale of poisons

Bill read third time.

Motion to Amend

Mr. Rumford moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 51, of the printed bill, as amended in the Assembly on May 5, 1949, after "the", insert " "A" or "B" "

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3139

Mr. Ralph C Dills asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3139, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3139

Assembly Bill No. 3139—An act to amend Sections 1 5 and 4 of the Judges' Retirement Act, relating to the retirement, with retirement allowances, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts, in respect to computation of service and amount of allowances.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—62

NOES—Lowrey and Luckel—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 446

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 446, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 446

Assembly Bill No. 446—An act authorizing the Division of Beaches and Parks to establish and develop the old Overland Emigrant Trail as part of the California Riding and Hiking Trails Project.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—60.

NOES—Bennett—1.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dickey announced that the Legislative Ball will be held in the Governor's Hall on Wednesday, May 25th. Cocktails will be served from 7 p.m. until 8 p.m. Dinner will be served promptly at 8 p.m. The show, which will last one and a half hours, will be comprised of distinguished Hollywood stars There will be two tickets for every Member of the Legislature. There will be dance music by a name orchestra, and dancing will take place during dinner and after the presentation of the show. This affair will be semiformal.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2767—An act to amend Section 2 of the Los Angeles County Flood Control Act, relating to objects and purposes of said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2599

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2599, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2599

Assembly Bill No. 2599—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 995, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of

Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690, and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167 and 1467 to said code, relating to proceedings in criminal cases.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 26 of the printed bill, as amended in the Assembly on April 28, 1949, after line 50, insert "(Seal)".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILLS TO HOLD PLACES ON FILE BY UNANIMOUS CONSENT

By unanimous consent, Speaker Sam L. Collins ordered that all bills passed on the third reading file, today, hold their places on file, on the next legislative day.

Speaker Pro Tempore Presiding

At 11.45 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REMARKS ON CONDITION OF FILE

Mr. Condon spoke on the condition of the file.

Hon. Richard H. McCollister Presiding

At 11.48 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2103—An act to add Section 13530.1 to the Government Code, relating to the State Printing Office.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 29, 1949, strike out "No printing"; and strike out lines 5 and 6.

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Butters, Clarke, Condon, Davis, Clayton A. Dills, Doyle, Dunn, Fleury, Geddes, Hagen, Lewis, Moss, Rosenthal, and Stanley—17.

NOES—Berry, Brady, Burke, Burkhalter, Collier, George D Collins, Connolly, Conrad, Cramer, Crichton, Dolwig, Erwin, Evans, Gaffney, Grant, Grunsky, Heisinger, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Reagan, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—36.

The question being on the passage of Assembly Bill No. 2103.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Clayton A. Dills, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—51.

NOES—Condon, Davis, Dunn, Fleury, Hagen, and Moss—6.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1934

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1934, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1934

Assembly Bill No. 1934—An act to add Sections 229, 230, 231 to, and Chapter 7 to Division 4 of, the Water Code, relating to investigation of water quality and the reclamation and use of polluted water and to water wells.

Bill read third time.

Speaker Presiding

At 12 08 p.m., Hon Sam L. Collins, Speaker of the Assembly, presiding.

Request for Unanimous Consent to Speak on Assembly Bill No. 1934, Out of Order

Mr. Dickey asked for unanimous consent that he be permitted to speak on Assembly Bill No. 1934, out of order.

Mr. Thomas withheld unanimous consent.

Demand for Previous Question

Messrs. Silliman, Connolly, McCollister, Weber, and Conrad demanded the previous question.

Demand for previous question not sustained.

Demand for Previous Question

Messrs. Conrad, Grant, Lipscomb, Dolwig, and McCollister demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1934.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Condon, Connolly, Cramer, Crowley, Davis, Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—51.

NOES—Babbage, Butters, Clarke, Collier, George D Collins, Cooke, Fleury, Hagen, Hahn, Heisinger, Hinckley, Lowrey, Moss, and Waters—14.

Notice of Motion to Reconsider Assembly Bill No. 1934

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1934 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2156

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2156, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2156

Assembly Bill No. 2156—An act to repeal Articles 2 and 3 of Chapter 6, Part 3, Division 5 of, to add Articles 2 and 3 to Chapter 6, Part 3, Division 5 of, and to amend Sections 4024, 4451, 4452, and 4475 of, to add Sections 4025, 4458, 4459, 4460, and 4461 to, the Health and Safety Code, relating to contamination and pollution of waters and the regulation, abatement, and correction of such conditions, the disposal of sewage and industrial wastes, and the supply of water for domestic and other purposes, all relating to public health.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Clarke, Condon, Connolly, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—51.

NOES—Babbage, Butters, Collier, George D. Collins, Cooke, Fleury, Hagen, Hahn, Heisinger, Hinckley, Lowrey, McCarthy, Moss, Stanley, and Waters—15.

Notice of Motion to Reconsider Assembly Bill No. 2156

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2156 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2034

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2034, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2034

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Condon, Connolly, Cramer, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lipscomb, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—51.

NOES—Babbage, Butters, Collier, George D. Collins, Cooke, Fleury, Hagen, Hahn, Heisinger, Hinckley, Lowrey, McCarthy, Moss, and Waters—14.

Notice of Motion to Reconsider Assembly Bill No. 2034

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2034 was this day passed.

EXPLANATION OF VOTES

We voted for Assembly Bills Nos. 2156, 2034, and 1934 on the statement given by the authors on the floor of the Assembly, that all the bills would be heard with all Senate bills dealing with pollution to the end that bills on this subject could be drafted to meet with the approval of everybody.

THOMAS M. ERWIN
A. I. STEWART

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 533—An act to be known as the "Off Track Wagering License Act," defining off track wagering, and providing for licensing, bonding, regulating and supervising the activities of the same; providing for the enforcement of this act by the State Board of Equalization and prescribing penalties for the violation of the provisions thereof.

Bill read third time.

Point of Order

Mr. Fleury arose to the following point of order: That Mr. Yorty is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Evans is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Geddes has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Motion to Grant Extra Time for Debate

Mr. Brady moved that Mr. Geddes be granted five additional minutes for debate on Assembly Bill No. 533.

Mr. Ralph C. Dills seconded the motion

Motion carried.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion to Grant Extra Time for Debate

Mr. Collier moved that five additional minutes be granted to Mr. Waters for the purpose of debate.

Mr. Conrad seconded the motion.

Motion carried.

Demand for Previous Question

Messrs. Cooke, Silliman, Thompson, Heisinger, and Rosenthal demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 533.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Doyle is reading from a newspaper.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 533.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Doyle moved a call of the Assembly.

Motion carried. Time, 2 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Ralph C. Dills and Sherwin—2.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND ASSEMBLY RULE NO. 85

Mr. Thompson asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Lowrey withheld unanimous consent.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3132

At 2.02 p.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3132 passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—Beck, Collier, George D. Collins, Condon, Cooke, Geddes, Hagen, Hahn, Heisinger, Levering, Lewis, Lowrey, McCarthy, Moss, Reagan, Rosenthal, and Thomas—17.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.08 p.m., Mr. Dolwig asked for, and was granted, unanimous consent to hold a special meeting of the Interim Committee on Tidelands and Related Traffic Problems in the rear of the Assembly Chamber, at this time.

MOTION TO TEMPORARILY SUSPEND THE RULES

Mr. McCollister moved that the Rules be temporarily suspended for the purpose of considering any matter at the desk at this time.

Mr. Silliman seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lincoln, Luckel, Maloney, McCollister, Meyers, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—48.

NOES—Collier and Lowrey—2.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

RESOLUTIONS

The following resolution was offered:

By Mr. Evans:

House Resolution No. 201

Relative to the chairmanship of the Senate Fact-Finding Committee on Un-American Activities

WHEREAS, The Chairman of the Senate Fact-Finding Committee on Un-American Activities has been making and continues to make unfounded and uncalled for derogatory comments and remarks concerning the activities and motives of Members of the Senate and Assembly and other persons; and

WHEREAS, Such conduct upon the part of the chairman of that committee is unseemly, not in accord with the principles of fair dealing in the conduct of the public business, and tends without any foundation in fact to cast a cloud upon the honor and dignity of the Legislature and of the Senate and Assembly as constituent bodies of the Legislature, and should not be suffered to continue; and

WHEREAS, The present chairman of that committee has reputedly accumulated numerous and voluminous records, documents, reports and papers during the course of and as a part of the work of the committee and predecessor committees on the same subject, all at great cost to the State, not less than $100,000 of state funds having already been expended by this committee and its predecessor committees, which records should be available to the new chairman; now, therefore, be it

Resolved by the Assembly of the State of California, That the Senate of this State be and it is requested forthwith to replace the Chairman of the Senate Fact-Finding Committee on Un-American Activities with another of its members, and to impound all of the records and papers pertaining to the work of the committee and in the custody or under the control of the present chairman, wherever such records and papers may be, and make them immediately available to the new chairman; and be it further

Resolved, That the Chief Clerk of the Assembly at once transmit a copy of this resolution to the Senate of California.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 46	Assembly Bill No. 1325
Assembly Bill No. 568	Assembly Bill No. 2317
Assembly Bill No. 579	Assembly Bill No. 3144

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 965

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER. Your Committee on Social Welfare, to which was referred:
Assembly Bill No 1879

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No 1488

Has had the same under consideration, and reports the same back with the recommendation Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER. Your Committee on Fish and Game, to which were referred:
Assembly Bill No. 879
Assembly Bill No. 1639

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which was referred:
Senate Bill No 677

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER Your Committee on Fish and Game, to which was referred:
Assembly Bill No 1951

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER. Your Committee on Fish and Game, to which was referred:
Assembly Bill No 1136

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER Your Committee on Fish and Game, to which was referred:
Assembly Bill No 2361

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred.

Assembly Bill No. 57
Assembly Bill No. 1726
Assembly Bill No. 1861
Assembly Bill No. 2725

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 342
Assembly Bill No. 2847

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 244

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:

Senate Bill No 481

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1082
Assembly Bill No. 1914

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1395
Assembly Bill No. 1536
Assembly Bill No 2495

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER Your Committee on Public Health, to which was referred:

Assembly Bill No 1948

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 809

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 947
Assembly Bill No. 2499

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 947
Senate Bill No. 952
Senate Bill No. 957

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 946
Senate Bill No. 1081
Senate Bill No. 1357

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1933
Assembly Bill No. 2802

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1935
Assembly Bill No. 2804

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2033

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1492
Assembly Bill No. 2157

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Ways and Means

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2762

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 738

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred.

Assembly Bill No. 56

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 58

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 61

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 61—Relative to Park and Recreation Week.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 18—An act to amend Sections 985, 986.3, 986.5, 986.6, and 986.9 and to repeal Section 986.4 of the Military and Veterans Code, relating to farm and home purchases for veterans;

Assembly Bill No. 236—An act to amend Sections 1394 and 1308 of the Labor Code, relating to activities of minors;

Assembly Bill No. 361—An act adding Sections 31681 and 31738 to the Government Code, relating to retirement allowances;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 705—An act to amend Section 801 of the Probate Code, relating to the sale of property in probate;

Assembly Bill No. 715—An act to amend Sections 413, 1011, and 1013 of the Code of Civil Procedure and to amend Section 328 of the Probate Code, relating to service of process;

Assembly Bill No. 770—An act to amend Section 5700 of the Welfare and Institutions Code, relating to private institutions for the care or treatment of insane, alleged insane, mentally ill, or other incompetent persons;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 422—An act to add Sections 3a, 16a, 16b, 16c, 16d, 16e, and 16¾ to the Los Angeles County Flood Control Act, relating to the Los Angeles County Flood Control District;

Assembly Bill No. 441—An act to amend Section 829.3 of the Agricultural Code, relating to standard packs for cantaloupes;

Assembly Bill No. 449—An act to amend Sections 117 and 117r of the Code of Civil Procedure, relating to small claims actions;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 695—An act to amend Section 1126 of the Probate Code, relating to testamentary trusts;

Assembly Bill No. 697—An act to amend Section 645 of the Probate Code, relating to the setting aside of estates without administration;

Assembly Bill No. 703—An act to amend Section 1080 of the Probate Code, relating to distribution of estates;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 894—An act to amend Section 21100 of the Water Code, relating to irrigation district offices;

Assembly Bill No. 929—An act to amend Section 28136 of the Government Code, relating to compensation for public services in counties of the thirty-sixth class;

Assembly Bill No. 1038—An act to add Division 3, comprising Sections 28000 to 28501, inclusive, to Title 4 of and Section 100007 to the Corporations Code, thereby codifying and repealing the Retirement Systems Act, and consolidating and revising the law relating to the establishment of retirement systems to provide benefits in respect

to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1099—An act to amend Section 581a of the Code of Civil Procedure, relating to dismissal on lack of prosecution;

Assembly Bill No. 1194—An act to amend Section 1170 of the Probate Code, relating to real property affected by the death of any person, providing for filing of a petition with respect thereto;

Assembly Bill No. 1196—An act to validate certain acts of taxing agencies and revenue districts and of their officers, relating to the taxation of property;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1203—An act to amend Sections 163, 164, 167, 168, 175, 180, 187, 223, 224, 252, and 253 of and to add Section 212 to, the Military and Veterans Code, relating to the military forces of the State;

Assembly Bill No. 1460—An act to repeal Section 252 1 of the Fish and Game Code, relating to and defining the boundaries of the Mendota Pool Game Refuge and public shooting ground;

Assembly Bill No. 1541—An act to amend Section 259a of the Code of Civil Procedure, relating to duties of court commissioners, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1672—An act to amend Sections 2 and 3 of an act entitled "An act relating to the determination of the wartime population of cities or cities and counties for purposes of allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therein, and declaring the urgency thereof," approved May 18, 1943, relating to the allocation of moneys from the State Highway Fund and from the Motor Vehicle License Fee Fund for expenditures therefrom;

Assembly Bill No. 1749—An act to amend Sections 6726 and 7012 5 of the Welfare and Institutions Code, relating to the support of mental patients in boarding homes, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2038—An act to amend Sections 18935, 18936, and 18937 of, and to add Section 18939 to, the Government Code, relating to state civil service examinations;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2040—An act to amend Sections 18802 and 18804 of the Government Code, relating to the reclassification of state employees;

Assembly Bill No. 2057—An act to amend Section 19251 of the Government Code, relating to incompatible employment of state employees;

Assembly Bill No. 2062—An act to add Section 18002.5 to the Government Code, relating to wage deduction statements;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2275—An act to amend an act entitled "An act to amend Section 5032 of the Public Resources Code, relating to Mission Bay State Park, and

making an appropriation to the State Division of Beaches and Parks, Department of Natural Resources, for development, and improvement of Mission Bay Park, to take effect immediately," approved July 17, 1945, relating to the Mission Bay State Park in San Diego County, California;

Assembly Bill No. 2945—An act to add Section 754 6 to the Probate Code, relating to the sale of property in probate;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 56—Relative to the report of the annual convention of the Disabled American Veterans of the Department of California;

Assembly Concurrent Resolution No. 77—Relative to approving amendments to the charter of the City of Oroville, a municipal corporation in the County of Butte, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the eleventh day of April, 1949;

Assembly Concurrent Resolution No. 81—Relative to I Am an American Week;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the eighteenth day of May, 1949, at 2 p.m

HUYCK, Chairman

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 533

At 2.45 p.m., on motion of Mr. Doyle, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 533 refused passage by the following vote:

AYES—Anderson, Brady, Clarke, Condon, Cooke, Cramer, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, McMillan, Morris, Reagan, Rosenthal, Rumford, Stanley, Thomas, Tomlinson, Way, Weber, Yorty, and Mr Speaker—34.

NOES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Connolly, Conrad, Crichton, Davis, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Silliman, Smith, Stewart, Thompson, and Waters—40

Request for Unanimous Consent That Vote Be Changed

Mr. Burke asked for unanimous consent that he be permitted to change his vote from, "Aye" to "No," on the roll call on Assembly Bill No. 533.

Point of Order

Mr. Conrad arose to the following point of order: That the vote has been announced, and Mr. Burke is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Vote Be Changed

Messrs. Waters and Burke asked for, and were granted, unanimous consent that Mr. Burke be permitted to change his vote on Assembly Bill No. 533 from, "Aye" to "No" and that he be recorded as voting "No."

Notice of Motion to Reconsider Assembly Bill No. 533

Mr. Doyle gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 533 was this day refused passage.

Explanations of Vote

I voted "Aye" on Assembly Bill No. 533 because I believe that if it be right to bet on horses inside a race track the same privilege should be granted to bet on the same horses outside the track.

J. B. COOKE

Betting on horse racing at the race tracks in California is made legal by law. I see no difference in betting, whether it be at the side of the race track or elsewhere; therefore I am voting for Assembly Bill No. 533

S. L. HEISINGER

COMMUNICATIONS

By the Chief Clerk:

A communication from the family of George Gaffney, acknowledging with deep appreciation the expression of sympathy conveyed by the Assembly relative to the death of a brother, was received, and ordered noted in the Journal.

By the Chief Clerk:

A communication from Helen Benner, Executive Secretary of the Civil Rights Congress, San Francisco Chapter, relative to requesting permission to appear at hearings before the Committees on Governmental Efficiency and Economy and Constitutional Amendments was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

MEMBER EXCUSED

At 2.50 p.m., Mr. Maloney asked for, and was granted, unanimous consent that Mr. Sherwin be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight, at 8 p.m.—

Municipal and County Government.
Constitutional Amendments.
Education, in Room 432.

Today upon adjournment—at 3.45 p.m.—

Conservation, Planning, and Public Works.
Governmental Efficiency and Economy.

Tomorrow, Thursday, May 19th, at 9 a.m.—

Rules.

It was announced that no meeting will be held today of the following committee:

Manufacturing, Oil, and Mining Industry.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to J. E. Gore, Charles Dutton, V. W. Grubbs, Fred Jennings, Carl Hemborg, and Phil Boyd of Riverside.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Richard Gurney and Mr. and Mrs. James Sheridan of San Diego.

On request of Messrs. Levering and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lila Pyle and Miss Ione Pyle of Los Angeles.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Letha Jenkins, teacher of the Ross School of Ross, Mesdames Russell Ryan, Arthur Dettner, Leonard Young, Albert Daniels, and George Chatfield, mothers, and the following pupils: Phillip Shanley, Russell Ryan, Larry Dettner, Fred Sabel, John Sabel, David Lewis, George Kuhlmann, Bruce Lauritzen, Charles Von Tagen, Clyde Ongaro, Carroll Young, Barbara Garrison, Lynda Youngberg, Sue Davidson, Carolyn Dewees, Connie Gardiner, Mary Edith Abraham, Mary Linderman, Mary Todd Daniels, Jean Chatfield, and Joan Applebaum.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to John Gibbons of Huntington Park, and Misses Frances Smith and Eleanor Roach of Los Angeles.

On request of Mr. Brady and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to George H. Learned, teacher, of the Roosevelt Junior High School of San Francisco; Harriam Bullock, sponsor; and the following pupils: Pat Watson, Jeanette Sanguinetti, Joan Weinshenk, Robert Breitfeld, Arnold Chu, Donald Murray, Gilbert Gates, Melvin Krasow, Albert Gallardo, Lois Halcanberg, Helen Ermann, Carol Firchow, Alexander Gianora, Kenneth Lebovitz, William Bourgeois, Beverly Bonella, Lourdes Elizarde, Evelyn Bovard, James Murad, Eleanor Jackson, Terry Lutz, Tom Akers, Meyer DeBurle, Ralph Nofield, Pearl Opp, Athene Lingonis, Edward Stillman, Yvonne Werth, Willora Cleary, Ann O'Brien, Helen Langsam, Fay Him Lew, Pat Robay, Joy Dawson, Emilio Dacquisto, Floyd Keller, Eleanor Seidel, Jane Combs, and Daniel Mitchell.

On request of Mr. George D. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to members of the Hearst Newspapers Tournament of Orators including: John Lavallee, Loyola University, Los Angeles; Ed McCully, Wheaton College, Wheaton, Illinois; Richard Sprague, Gonzaga High School, Spokane, Washington; John Dodson, West View High School, Pittsburgh, Pennsylvania, and Bill Ingalls, Everett Junior College, near Seattle, Washington.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Carl E. Gaede, teacher of the Ray Union School of Lodi; Mesdames Manuel Ferreira, Lorrin Wilson, and Bernice Mills, parents, and the following pupils: Sharon Wagner, Shirley Mills, Shirley Tindle, Roy Royer, Viola White, Carol Schmierer, Ronald White, Manuel Ferreira, Betty Daniel, Glenn Krueg, Takako Masui, Charlotte Tindle, Garry Wilson, Deanna Wagner, David Ferreira, Norma Schmierer, Charlotte Howard, Eleanor Howard, and Doris Weinzheimer.

ADJOURNMENT

At 2.51 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Thursday, May 19, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-THIRD LEGISLATIVE DAY

ONE HUNDRED THIRTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, May 19, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Leverin, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God: May we pause this morning to sharpen our moral sense, realizing that Thy first commandments are for right doing.

Give us the vision to see the point where principles of right must ever prevail over self interest and personal advantages.

The crises when we are tempted to forget the welfare of the country and posterity and to think of what do we get.

The courage to see that there will be occasions when the public interest and personal advantages conflict and when patriotism may call for sacrifice for the honor of the State.

May we see that in the long run patriotism and personal profit are one, and that expediency is a fatal policy.

May we follow the course conscience and patriotism command—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Collier, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Reagan.

Mr. Kirkwood, on motion of Mr. Silliman.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Cramer, on motion of Mrs. Niehouse.

PETITIONS

By Speaker Sam L. Collins:

A petition from Mrs. Annie Ellenberger of Hayward, relative to impeachment, was received, and ordered referred to the Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 727

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 1163

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Senate Bill No. 983
Senate Bill No. 985
Senate Bill No. 1331

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 17, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 1462

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1501—An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code;

Assembly Bill No. 2177—An act to amend Section 1184e of the Code of Civil Procedure, relating to claims of laborers or materialmen on public contracts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighteenth day of May, 1949, at 2 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2307

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 282	Assembly Bill No 2219
Assembly Bill No 993	Assembly Bill No. 2740

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos 282, 993, and 2219 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2740 ordered re-referred to Committee on Public Utilities and Corporations.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 96	Assembly Bill No. 1836
Assembly Bill No. 231	Assembly Bill No. 2047
Assembly Bill No. 326	Assembly Bill No. 2058
Assembly Bill No. 925	Assembly Bill No. 2546
Assembly Bill No. 1353	Assembly Bill No 3095
Assembly Bill No. 1731	Assembly Bill No. 3112

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 41	Assembly Bill No. 1461
Assembly Bill No. 958	Assembly Bill No 2045

And respectfully requests your honorable body to concur in said amendments.

J A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 298
Senate Bill No. 357
Senate Bill No. 436
Senate Bill No. 795
Senate Bill No. 797
Senate Bill No. 809
Senate Bill No. 811
Senate Bill No. 813
Senate Bill No. 966
Senate Bill No. 1029
Senate Bill No. 1078
Senate Bill No. 1093
Senate Bill No. 1164
Senate Bill No. 1298
Senate Bill No. 1625

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 298—An act to add Article 10 to Chapter 4, Division 3, of the Business and Professions Code, relating to loyalty of attorneys.

Referred to Committee on Judiciary.

Senate Bill No. 357—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing

Referred to Committee on Public Morals.

Senate Bill No. 436—An act to amend Section 5 of the California Water District Act, relating to districts organized under said act

Referred to Committee on Municipal and County Government.

Senate Bill No. 795—An act to add Article 6 to Chapter 1, Division 2 of the Business and Professions Code, relating to licentiates of boards within the Department of Professional and Vocational Standards and including rebate, refunds and unearned discounts

Referred to Committee on Public Health.

Senate Bill No. 797—An act to amend Sections 2141, 2142, 2319, 2426, and 2435 of the Business and Professions Code, relating to the practice of the healing arts and the regulation and licensing thereof.

Referred to Committee on Public Health.

Senate Bill No. 809—An act to amend Sections 6722, 7017, 8537, 8714, and 8926 of the Business and Professions Code, relating to reports to the Governor by certain officers and boards within the Department of Professional and Vocational Standards.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 811—An act to repeal Section 4132.5 of the Business and Professions Code, relating to qualifications for registration as a licentiate in pharmacy.

Referred to Committee on Public Health.

Senate Bill No. 813—An act to amend Section 9512 of the Business and Professions Code, relating to establishments regulated by the State Board of Dry Cleaners.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 966—An act to repeal Article 9, and to amend Section 3125 of Article 3, Chapter 5, Division 2, of the Business and Professions Code, relating to midwives.

Referred to Committee on Public Health.

Senate Bill No. 1029—An act to amend Sections 32004 and 32100 of the Health and Safety Code, and to add Sections 32100.1, 32100.5, 32100.6, 32100.7 to said code, relating to local hospital districts, and declaring the urgency of this act, to take effect immediately.

Referred to Committee on Public Health.

Senate Bill No. 1078—An act to amend Section 19432 of the Business and Professions Code, relating to reports of the California Horse Racing Board.

Referred to Committee on Public Morals

Senate Bill No. 1093—An act to add Article 6 to Chapter 1 of Part 5 of Division 12, and amend and renumber Sections 31026 and 31027, of the Water Code, relating to the acquisition, construction, maintenance, and operation of sewer facilities by or in county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1164—An act to amend Section 19482 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Referred to Committee on Public Morals.

Senate Bill No. 1298—An act to amend Section 19511 of the Business and Professions Code, relating to licensing of persons participating in or having to do with the racing of horses

Referred to Committee on Public Morals.

Senate Bill No. 1625—An act to amend Section 120 of the Agricultural Code, relating to the sale of nursery stock.

Referred to Committee on Agriculture.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 52
Assembly Constitutional Amendment No. 81

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 7

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Reagan:

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 9654 of, and to add Sections 9655 and 9656 to, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Respectfully submitted,

BRUCE V. REAGAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Reagan:

An act to amend Section 9654 of, and to add Sections 9655 and 9656 to, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

GRUNSKY, Vice Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Erwin moved a call of the Assembly.

Motion carried. Time, 9 45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brady, Butters, Coats, Connolly, Conrad, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Dunn, Evans, Gaffney, Hinckley, Huyck, Kilpatrick, Lowrey, McMillan, Niehouse, Reagan, Rosenthal, Silliman, Thomas, Waters, and Yorty—25.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Erwin asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1488—An act to add Section 5a to, and to amend Section 10 of, an act entitled "An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof," approved April 13, 1933, as amended, relating to permits for and inspections of wild birds and animals in confinement.

Bill read second time, and ordered engrossed.

Assembly Bill No. 342—An act to amend Section 3440 of the Civil Code, relating to transfers of particular personal property without delivery.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2847—An act to amend Sections 329 and 1233 of the Probate Code, relating to rules of pleading in probate proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1933—An act to add Sections 5056 and 5472 to the Health and Safety Code, relating to fees, rates, tolls, rentals and other charges for sewage and sanitation services.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2802—An act to amend Section 862.11 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to taxation by sixth class cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 965—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4224, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 4, line 35, of the printed bill, after "counties.", insert "No rule or regulation shall be adopted or continued in force the operation of which results in discrimination against practitioners of any type of therapy, treatment by prayer or spiritual means, or other treatment recognized as a branch of the healing arts in favor of the practitioners of any other branch of the healing arts."

Amendment No. 2

On page 6, line 47, of the printed bill, after "disabled.", insert "No physical examination more than is necessary to determine the fact of total disability shall be required. Any of the following permanent disabilities shall be conclusively presumed to be total in character.

(a) Loss of both eyes or the sight thereof
(b) Loss of both hands or the use thereof.
(c) An injury resulting in a practically total paralysis
(d) An injury to the brain resulting in incurable imbecility or insanity.

In all other cases, permanent total disability shall be determined in accordance with the fact."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Fleury asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2361—An act to amend Section 843 of the Fish and Game Code, relating to nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on April 28, 1949, strike out "three", and insert "two".

Amendment No. 2

On page 2, line 11, of said bill, strike out "three", and insert "two".

Amendment No. 3

On page 2, line 12, of said bill, strike out "three", and insert "two".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1395—An act to amend Sections 1471 and 1472 of the Probate Code, relating to restoration to capacity of an insane or incompetent person.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, after "Sections", insert "1470,".

Amendment No. 2

On page 1, line 1, of said bill, strike out "1471", and insert "1470".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"1470. Any person who has been declared insane[,] or *incompetent and* for whom a guardian has been appointed as an insane or incompetent person, or the guardian, or any relative or friend, may apply, by petition, to the superior court of the county in which such person was declared insane, or from which letters of guardianship were issued, to have the fact of his restoration to capacity judicially determined. The petition must be verified, and must state that such person is then sane or competent.

SEC. 2. Section 1471 of the Probate Code is amended to read:".

Amendment No. 4

On page 1, line 9, of said bill, after "or", insert "incompetent".

Amendment No. 5

On page 1, line 10, of said bill, strike out "for whom a guardian has been appointed,".

Amendment No. 6

On page 1, line 11, of said bill, strike out "if there is an guardian,".

Amendment No. 7

On page 1, line 13, of said bill, after "Sec.", strike out "2", and insert "3".

Amendment No. 8

On page 1, line 16, of said bill, strike out "for whom a guardian has been appointed", and insert "incompetent".

Amendment No. 9

On page 1, line 17, of said bill, strike out "if there is a guardian, or", and insert "or any".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1536—An act to add Section 299 to the Penal Code, making it a crime to sell, give away or furnish to persons under the age of 18 years any book, magazine or other publication in which there is prominently featured an account of crime, and which depicts by the use of drawings or photographs the commission or attempted commission of certain crimes of force, violence or bloodshed.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "book, magazine or other publication", and insert "illustrated crime comic book or magazine".

Amendment No. 2

On page 1, lines 5 and 6, of the printed bill, strike out "book, magazine or other publication", and insert "illustrated crime comic book or magazine".

Amendment No. 3

On page 1, line 14, of the printed bill, strike out "acts", and insert "accounts".

Amendment No. 4

On page 1, lines 17 and 18, of the printed bill, strike out "books, magazines, and other publications", and insert "comic books and magazines".

Amendment No. 5

On page 2, line 1, of the printed bill, strike out ", magazines or publications", and insert "or magazines".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2495—An act to amend Section 129 of the Code of Civil Procedure, relating to rules of court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 10, of the printed bill, after "municipal courts", insert ", and amendments thereof."

Amendment No. 2

On page 1, line 11, of the printed bill, after "council", insert "at least thirty (30)".

Amendment No. 3

On page 1, line 11, of the printed bill, after "rules", insert "or amendments".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1082—An act to amend Section 6060 of the Business and Professions Code, relating to practice of law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on March 30, 1949, after "(g)", insert "(1)"

Amendment No. 2

On page 2, line 12, of said bill, strike out "; provided, how-"; and strike out lines 13 to 23, inclusive, and insert a period

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1914—An act to amend Section 339 of the Code of Civil Procedure and to add Section 337.6 thereto, relating to limitation upon the period during which actions may be brought.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 2, 1949, strike out lines 1 and 2, and insert

"An act to add Section 337.6 to the Code of Civil Procedure, relating to".

Amendment No. 2

On page 1 of said bill, strike out lines 16 to 22, inclusive, and on page 2, strike out lines 1 to 15, inclusive.

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1948—An act to amend Sections 2210, 2211, 2213, and 2216 of the Business and Professions Code, relating to application for physician's and surgeon's certificate.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 8, inclusive, and insert "United States during the period December 7, 1941, to December 31, 1946, and who was a bona fide resident of California before entering medical school, and who comes within the provi-"

Amendment No. 2

On page 1, line 15, of said bill, strike out ", and"; and strike out lines 16 and 17, and insert "during the period December 7, 1941 to December 31, 1946. Each"

Amendment No. 3

On page 2, line 11, of said bill, after "States", insert "as defined in Section 2210 of this code,".

Amendment No. 4

On page 2 of said bill, strike out lines 17 to 24, inclusive, and insert "may be issued or the board may, for cause, refuse to issue a certificate."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2762—An act to amend Sections 11001, 11104, 11166, 11166.05, 11166.11, 11166.12, 11170, 11200, 11331.5, 11391, 11392, 11393, 11530, 11555, 11556, 11611, 11715, 11715.7, and 11780, and to repeal Section 11721 of the Health and Safety Code and to add Sections 11002.1, 11002.2, 11163.5, 11166.02, 11166.13, 11166.14, 11170.5, and 11390.5 to the Health and Safety Code, relating to the sale, possession, transportation, distribution, and use of habit forming narcotics and other dangerous drugs and providing penalties for the violation thereof, and to the Division of Narcotic Enforcement, Department of Justice.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 29, 1949, strike out lines 4 and 5, and insert "11715.7, 11721, and 11780 of, and to add Section 11002.1".

Amendment No. 2

On page 3, line 8, of said bill, after "examiners", insert "or the State Board of Osteopathic Examiners".

Amendment No. 3

On page 3 of said bill, strike out line 14.

Amendment No. 4

On page 3, line 15 of said bill, strike out "other".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 7 of said bill, strike out line 22, and insert "is amended to read:

11721 [A narcotic addict, as defined in Section 11009, is punishable by imprisonment in the county jail for not less than three nor more than six months.] *No person shall unlawfully use or be addicted to the unlawful use of narcotics. Any person who shall violate any of the provisions of this section shall be punished by imprisonment in the county jail for not less than three nor more than six months.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1879—An act to amend Section 2182 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2182 of", and insert "Sections 2160.7, 2182, and 3044.1 of and to add Section 121.5 to".

Amendment No. 2

In line 2 of the title of said bill, after "relating to", insert "public assistance, including".

Amendment No. 3

In line 2 of the title of said bill, strike out the period, and insert "and aid to the blind, and making an appropriation."

Amendment No. 4

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 2160.7 of the Welfare and Institutions Code is amended to read:

2160.7. Notwithstanding any provision of subdivision (e) of Section 2160, for each person, who is receiving [assistance under this chapter] *aid or security to the aged* on the date he enters a county institution for medical, hospital, or infirmary care at county expense, the State, during the period following the first two calendar months of such confinement, shall pay to the county [the State's share of the assistance such person was receiving under this chapter at the time of his entrance.] *reimbursement for the cost of care of the person in the sum of twenty-seven dollars fifty cents ($27.50) per month or portion of a month the person remains in the institution.* Nothing in this section shall prohibit a person from receiving his assistance during the first two calendar months of his confinement, or after his release from the county institution.

SEC. 2. Section 2182 of said code is amended to read:".

Amendment No. 5

On page 1, lines 4 and 5, of said bill, strike out "of the board of supervisors, without the necessity of the filing of a claim with the board of supervisors", and insert "of the State Department of Social Welfare upon his application".

Amendment No. 6

On page 1, line 8, of said bill, strike out "Social Welfare Department", and insert "State Department of Social Welfare".

Amendment No. 7

On page 1, line 9, of said bill, strike out "State Social Welfare Board", and insert "State Department of Social Welfare".

Amendment No. 8

On page 1, line 14, of said bill, strike out "State Social Welfare Board", and insert "State Department of Social Welfare".

Amendment No. 9

On page 1, line 16, of said bill, strike out "county board of supervisors", and insert "department".

Amendment No. 10

On page 1, lines 18 and 19, of said bill, strike out "State Social Welfare Board", and insert "department".

Amendment No. 11

On page 1, line 23, of said bill, strike out "State Social Welfare Board", and insert "State Department of Social Welfare".

Amendment No. 12

On page 2, line 4, of said bill, strike out "the county or an order of".

Amendment No. 13

On page 2, line 9, of said bill, strike out "State Social Welfare Board", and insert "State Department of Social Welfare".

Amendment No. 14

On page 2, lines 10 and 11, of said bill, strike out "State Social Welfare Board", and insert "State Department of Social Welfare".

Amendment No. 15

On page 2, line 15, of said bill, strike out "State Social Welfare Board", and insert "State Department of Social Welfare".

Amendment No. 16

On page 2 of said bill, after line 16, insert

"SEC. 3. Section 3044.1 of said code is amended to read:

3044.1. Notwithstanding any provision of Section 3044, for each person, who is receiving [assistance under this chapter] *aid or security to the blind* on the date he enters a county institution for medical, hospital, or infirmary care at county expense, the State, during the period following the first two calendar months of such confinement, shall pay to the county [the State's share of the assistance such person was receiving under this chapter at the time of his entrance] *reimbursement for the cost of care of the person in the sum of twenty-seven dollars fifty cents ($27.50) per month or portion of a month the person remains in the institution.* Nothing in this section shall prohibit a person from receiving his assistance during the first two calendar months of his confinement, or after his release from the county institution.

SEC. 4. Section 121.5 is added to said code, to read:

121.5. Out of any money in the General Fund, there is hereby appropriated to each county in the State providing medical, hospital, or infirmary care in a county institution to any person who was receiving aid or security to the aged or aid or security to the blind at the time of entering the county institution, the amount specified in Sections 2160.7 and 3044.1, as reimbursement to the county for such care, in accordance with the provisions of Sections 2160.7 and 3044.1."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Social Welfare.

Assembly Bill No. 1136—An act to repeal Sections 535, 536, 536.5, 536.6, 536.7, 536.8, 536.9, 537, 538, 539, 540, and 541 of, and to add Sections 535, 536, 537, 538, 539, and 540 to the Fish and Game Code, relating to fish screens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on April 28, 1949, after "authorized", strike out "to", and insert ", from funds available to it to purchase or construct,".

Amendment No. 2

On page 1, line 24, of said bill, after "maximum", insert "available".

Amendment No. 3

On page 2, line 14, of said bill, after "device", insert ", or to file with the commission a written statement of his objections to the proposed action of the commission,".

Amendment No. 4

On page 2, line 16, of said bill, after "expense.", insert "Upon filing of such statement of objections by the owner the commission may rescind its notice or issue a new notice specifying requirements different from those specified in the original notice, whereupon the same procedure shall be followed as upon the prior notice, or may submit the matter to the Chief of the Division of Water Resources, as provided for hereafter."

Amendment No. 5

On page 2, line 16, of said bill, strike out "The order to install a screen or device", and insert "Both the notice and the order referred to in this section".

Amendment No. 6

On page 2, line 22, of said bill, after "mesh", insert ", material".

Amendment No. 7

On page 2, line 24, of said bill, after "installed", insert ", either as set forth in the written notice to the owner or as provided in any order subsequently issued by the commission,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 879—An act to repeal Section 1071 of the Fish and Game Code, relating to mixed fish.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, after "1071 of", insert "and to add a new Section 1071 to".

Amendment No. 2

In line 2 of the title of said bill, after "fish", insert ", to take effect immediately".

Amendment No. 3

On page 1 of said bill, after line 2, insert

"SEC. 2. Section 1071 is added to said code, to read:

1071. Except during the time when sardines may be taken for use in a reduction plant or by a packer pursuant to Section 1065 of this code, loads or lots of fish taken by or for a packer may contain 10 percent or less by weight of sardines. Such sardines shall be separated from such load or lot and may be used by a packer provided 960 one-pound oval cans of sardines are packed per ton of sardines, or the equivalent if other cans are used.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

One of the most important sources of our food supply is the fishing industry. Canned sardines for many years have been among the largest contributors of this source. Recently there has been a serious shortage in the sardines available, and, to augment the food supply from this source it is necessary to permit an immediate increase in the amount of sardines which may be taken"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1639—An act to add Section 801.5 to the Fish and Game Code, relating to abalones.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 and 4, and insert

"801.5 In District 19 along the shores of Anacapa, Santa Cruz, Santa Rosa, and San Miguel Islands, black abalones".

Amendment No. 2

On page 1, line 5, of the printed bill, after "bait", insert "if so used only in the vicinity of such islands".

Amendment No. 3

On page 1, line 5, of said bill, strike out "size or"

Amendment No. 4

On page 1, line 6, of said bill, after "taken", insert ", but no black abalone shall be taken under this section the shell of which measures less than five inches in greatest diameter".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 57—An act to amend Section 103 of the Code of Civil Procedure, relating to compensation of justices of the peace.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 43, of the printed bill, after "of", strike out the blank, and insert "six thousand".

Amendment No. 2

On page 3, line 44, of said bill, after "dollars", strike out "($_____)", and insert "($6,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1726—An act to amend Section 1254 of the Code of Civil Procedure, relating to eminent domain.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "must", and insert "may".

Amendment No. 2

On page 1, line 18, of said bill, strike out "in good faith".

Amendment No. 3

On page 1, line 19, of said bill, strike out "questions", and insert "no question, as set forth in his opening brief,".

Amendment No. 4

On page 1 of said bill, strike out lines 20 and 21; and in line 22, strike out "discretion", and insert "to the defendant, the court shall grant the aforesaid authorization to the plaintiff".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1861—An act to amend Section 6 of the Dangerous Weapons Control Law and Section 817 of the Penal Code permitting highway patrolmen to carry arms and to include highway patrolmen as peace officers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "and Section 817 of the Penal Code".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "and to include highway patrolmen as peace officers".

Amendment No. 3

On page 2 of said bill, strike out lines 6 to 23, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2725—An act to add Section 3051a to the Civil Code, relating to liens on personalty.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Section 3065a of, and to add Section 3051a to, the Civil Code, relating to liens".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 3065a of said code is amended to read

3065a The lien created by the last preceding section shall continue in force for a period of 30 days from the time the person claiming such lien shall have ceased to do or perform the work or render the service for which said lien is claimed, while such logs, lumber or other manufactured timber products are in the county in which such labor was performed or service rendered, and said lien shall cease at the expiration of the said 30 days unless the claimant thereof, or his assignee or successor in interest, brings suit to foreclose the same, in which case the lien continues in force until the said lien foreclosure suit is finally determined and closed, and in case such

proceeding be not prosecuted to trial within two years after the commencement thereof, the court may in its discretion dismiss the same for want of prosecution If any part of the property on which the lien existed is removed from the said county, the lien continues on the balance remaining in the county to the full extent of the claim.

The plaintiff in any such lien foreclosure suit, at the time of issuing the summons or at any time afterwards, may have the logs, lumber and other manufactured timber products upon which such lien subsists attached, as provided in this code and the Code of Civil Procedure, *except that no undertaking shall be required of the plaintiff in any such foreclosure suit*, upon delivering to the clerk an affidavit, by or on behalf of the plaintiff, showing that, (1) the plaintiff, or his assignor or predecessor in interest, performed labor or used his livestock, machinery or appliances [,] or both in felling, preparing or transporting the said logs or in manufacturing the said lumber or other timber products or both; (2) that such labor or use of livestock, machinery or appliances has not been paid for; (3) that the sum for which the attachment is asked does not exceed the reasonable value of the services rendered or the reasonable value of the use of the livestock, machinery or appliances, as the case may be, and (4) that the attachment is not sought and the action is not brought to hinder, delay or defraud any creditor or creditors of any defendant.

Any number of persons claiming liens under this and the next preceding section may join in the same action and when separate actions are commenced, the court may consolidate them. Whenever upon the sale of the property subject to the liens provided for in this and the next preceding section, under the judgment or decree of foreclosure of such lien or liens, there is a deficiency of proceeds, the proceeds shall be divided pro rata among the lien claimants whose liens are established, regardless of the order in which the liens were created or the order in which the suits to foreclose same were commenced, and judgment for the deficiency may be docketed against the party personally liable therefor and his sureties, in like manner and with like effect as in actions for the foreclosure of mortgages

Nothing contained in this or the next preceding section shall be construed to impair or affect the right of any person to whom any debt may be due for work done, or for the use of livestock, machinery or appliances, to maintain a personal action to recover said debt against the person liable therefor, or his sureties, either in connection with the lien suit or in a separate action, and the person bringing such personal action may take out a separate attachment therefor, notwithstanding his lien, and in his affidavit to procure an attachment need not state that his demand is not secured by a lien, and the judgment, if any, obtained by the plaintiff in such personal action shall not be construed to impair or merge any lien held by said plaintiff under this or the next preceding section; provided, only, that any money collected on said judgment shall be credited on the amount of such lien in any action brought to enforce the same, in accordance with the provisions of this section."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 947—An act to amend Section 1615 of the Business and Professions Code, relating to the per diem of the members of the Board of Dental Examiners

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1615", and insert "1628"

Amendment No. 2

In the title of the printed bill, strike out lines 2 and 3, and insert "Code, relating to qualifications of applicants for examination to practice dentistry "

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "1615", and insert "1628"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of the printed bill, strike out lines 3 to 14, inclusive, and insert

"1628. Any person over twenty-one years of age who has not three times previously failed examinations of the board is eligible to take an examination before the board upon making application therefor and:

(a) Paying the fee for applicants for examination provided by this chapter, which shall not be refunded except that applicants, who are found ineligible to take the examination, are entitled to a refund;

(b) Furnishing satisfactory testimonials of good moral character;

(c) Furnishing satisfactory evidence of having graduated from a reputable dental college, which shall have been approved by the board; provided, also, that applicants furnishing evidence of having graduated after 1921 shall also present satisfactory evidence of [having not less than four years attendance at such a reputable dental school or schools.] *completed at such dental school or schools the full number of academic years of undergraduate courses required for graduation.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2499—An act to amend the titles of Articles 3 and 5 of Chapter 2 of Part 2 of Division 12, and to amend Sections 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13390, and 13397.1 of, and to add Sections 13203.1, 13204.1, and Article 5 of Chapter 2 of Part 2 of Division 12, comprising Sections 13405 to 13417, inclusive, to, the Health and Safety Code, relating to dry cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

Strike out lines 1 to 6 of the title of the printed bill, and insert

"An act to amend Sections 13216, 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13377, 13390, 13392, 13397.1, and 13450 of; to amend the title of Article 3 of; to amend and renumber the title of Article 5 of, and to add a new Article 5 to, Chapter 2 of Part 2 of Division 12 of; and to add Sections 13203.1 and 13204.1".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 13216 of the Health and Safety Code is amended to read:

13216. "Hazardous room" means any of the following

(a) Wash room

(b) Drying and deodorizing room.

(c) Drying room

(d) Solvent treatment room

(e) Store room.

(f) Motor room.

(g) Spotting and sponging room

(h) Any approved combination of the above rooms"

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 21, inclusive; and on page 2, strike out lines 1 to 14, inclusive, and insert

"SEC. 2. Section 13250 of said code is amended to read:".

Amendment No. 4

On page 2, line 17, of said bill, strike out "6", and insert "3".

Amendment No. 5

On page 2, line 30, of said bill, strike out "7", and insert "4".

Amendment No. 6

On page 2, line 33, of said bill, strike out "8", and insert "5".

Amendment No. 7

On page 2, line 41, of said bill, strike out "9", and insert "6"

Amendment No. 8

On page 2, line 49, of said bill, strike out "10", and insert "7".

Amendment No. 9

On page 3, line 3, of said bill, strike out "11", and insert "8".

Amendment No. 10

On page 3, lines 4 and 5, of said bill, strike out "Certificate of Occupancy", and insert "certificate of completion"

Amendment No. 11

On page 3, line 8, of said bill, strike out "12", and insert "9".

Amendment No. 12

On page 3, line 10, of said bill, strike out "Certificate of Occupancy", and insert "certificate of completion"

Amendment No. 13

On page 3, line 21, of said bill, strike out "13", and insert "10".

Amendment No. 14

On page 3, line 42, of said bill, strike out "1385", and insert "1382".

Amendment No. 15

On page 3 of said bill, strike out lines 46 to 50, inclusive; and on page 4, strike out lines 1 to 3, inclusive, and insert "hundred fifty gallons, the individual capacity of any one such container does not exceed two hundred seventy-five gallons, and the total operating solvent capacity of the system, excluding storage tanks, does not exceed five hundred fifty gallons Where storage capacity, in excess of the above quantity is desired, that in excess of five hundred fifty gallons shall be in containers approved by the fire marshal, installed underground or in enclosures or casing approved by the fire marshal."

Amendment No. 16

On page 4, line 4, of said bill, strike out "14", and insert "11"

Amendment No. 17

On page 4 of said bill, between lines 12 and 13, insert

"SEC 12 Section 13377 of said code is amended to read

13377. Hinged skylights of an approved character shall be placed in the roof of each hazardous room having an aggregate door area of less than one-eighth of the floor area of such room [They shall occupy an area] *Where skylights are required the aggregate area of the door and skylight openings shall be* equal to at least one-eighth of the floor area of the room, and shall be constructed with galvanized iron frames and sash of not less than No. 24 U. S Standard gauge The skylights shall be so arranged that they will open under pressure in case of an explosion and will close automatically thereafter.

A hazardous building in existence and in operative use prior to April 23, 1929, and which has been in continuous operative use since that date, shall have its use continue without having such hinged skylights installed in the room thereof "

Amendment No. 18

On page 4, line 13, of said bill, strike out "15", and insert "13"

Amendment No. 19

On page 4 of said bill, between lines 21 and 22, insert

"SEC 14 Section 13392 of said code is amended to read

13392 There shall be installed

(a) A steam line with an internal diameter of not less than one and [one-half] *one-quarter* inches, leading from the boiler to the hazardous building

(b) In each hazardous room a dry steam line with an internal diameter of not less than one [and one-quarter inches] *inch*, and with not less than one approved open

nozzle for each five hundred cubic feet, or fraction thereof, of the cubic content of the room."

Amendment No. 20

On page 4, line 22, of said bill, strike out "16", and insert "15".

Amendment No. 21

On page 4, line 26, of said bill, strike out "138 5", and insert "138.2".

Amendment No. 22

On page 4 of said bill, between lines 35 and 36, insert

"SEC. 16. Section 13450 of said code is amended to read:

13450. Any person who commits any of the following acts is guilty of a misdemeanor:

(a) Violates any provision of this chapter.

(b) Violates or fails to comply with any order, rule, or regulation made pursuant to this chapter.

(c) Constructs a clothes cleaning establishment in violation of a blueprint or statement submitted to and approved by the State Fire Marshal.

(d) Violates the terms of any [license or] permit issued pursuant to this chapter.

Any person who commits more than one of the acts specified in this section is guilty of a separate misdemeanor for each such commission.

SEC. 17. Section 13203.1 is added to said code, to read:

13203.1. "140-F. Solvent" shall mean a volatile and commercially moisture-free solvent meeting the following minimum specifications and which is listed as such by a nationally recognized laboratory:

Flash Point (tag closed tester)—

Not less than 59.00 degrees Centigrade; 138.2 degrees Fahrenheit.

Initial Boiling Point—

Not lower than 181 degrees Centigrade; 357.8 degrees Fahrenheit.

Ignition Temperature—

Not less than 234 degrees Centigrade; 453.2 degrees Fahrenheit.

Lower Limit of Explosive Range—

Not less than 0.8% by volume in air at an initial temperature of 150 degrees Centigrade or 302.0 degrees Fahrenheit.

SEC. 18. Section 13204.1 is added to said code, to read:

13204.1. "140-F dry cleaning process" shall mean a dry cleaning process employing a complete dry cleaning unit or units that are approved and listed for safe operation with an approved commercially moisture-free solvent having a flash point (closed cup test) of not less than 138.2 degrees Fahrenheit by a laboratory nationally recognized as properly equipped to make the designation."

Amendment No. 23

On page 4, line 36, of said bill, strike out "17", and insert "19".

Amendment No. 24

On page 4, line 41, of said bill, strike out "13405", and insert "13425".

Amendment No. 25

On page 4, line 49, of said bill, strike out "138 5", and insert "138.2".

Amendment No. 26

On page 4 of said bill, between lines 50 and 51, insert

"(a) The State Fire Marshal may authorize the installation on such approved dry cleaning machinery of any appliance or device that has been submitted to and is approved by him."

Amendment No. 27

On page 4, line 51, of said bill, strike out "13406", and insert "13426".

Amendment No. 28

On page 5, line 32, of said bill, after the period, insert "Button traps shall be equipped with suitable lids, kept normally closed."

Amendment No. 29

On page 6, line 11, of said bill, strike out "Tanks", and insert "Aboveground tanks".

Amendment No. 30

On page 6 of said bill, strike out lines 19 to 22, inclusive, and insert "maintained by a constant level valve. A visible thermometer, a compound pressure and vacuum gauge, and a controlled steam valve shall be provided for each still. Stills shall not be heated by any other".

Amendment No. 31

On page 6, line 36, of said bill, strike out "138.5", and insert "138.2".

Amendment No. 32

On page 7, line 11, of said bill, strike out "exceeds", and insert "exceed".

Amendment No. 33

On page 7, line 21, of said bill, strike out "138.5", and insert "138.2".

Amendment No. 34

On page 7, line 50, of said bill, strike out "13407. Grounding", and insert "13427".

Amendment No. 35

On page 8, line 7, of said bill, strike out "13408 Operating Clearance", and insert "13428".

Amendment No. 36

On page 8, line 13, of said bill, strike out "13409. Enclosure Around Unit", and insert "13429".

Amendment No. 37

On page 8, line 28, of said bill, strike out "or adjacent buildings".

Amendment No. 38

On page 8, line 37, of said bill, after "by", insert "metal or".

Amendment No. 39

On page 8, line 39, of said bill, after "a", insert "three".

Amendment No. 40

On page 8, line 44, of said bill, after the comma, insert "clarification,".

Amendment No. 41

On page 9, line 1, of said bill, strike out "13410 Boiler Housing", and insert "13430".

Amendment No. 42

On page 9, line 5, of said bill, strike out "13411. Fire Extinguishing System", and insert "13431".

Amendment No. 43

On page 9, line 10, of said bill, strike out "13412. Ventilating System", and insert "13432".

Amendment No. 44

On page 9, line 14, of said bill, strike out "13413. Heating and Lighting", and insert "13433".

Amendment No. 45

On page 9 of said bill, strike out line 18, and insert "13434."

Amendment No. 46

On page 9 of said bill, strike out line 22, and insert "13435."

Amendment No. 47

On page 9 of said bill, between lines 28 and 29, insert

"The requirements of this section for construction cut-offs may be waived at the discretion of the Fire Marshal, based upon a consideration of such factors as type of building construction, nature of occupancy, storage and operating capacity of the system, and extent of fire protection provided."

Amendment No. 48

On page 9, line 29, of said bill, strike out "13416 Maintenance", and insert "13436".

Amendment No. 49

On page 9 of said bill, strike out lines 40 to 50, inclusive; and on page 10, strike out lines 1 to 13, inclusive, and insert

"(d) In order to achieve and maintain uniformity with other states having adequate fire protection laws; to permit reasonable latitude in the carrying out of the general intent of this chapter; and to provide for new cleaning processes or systems, the State Fire Marshal is authorized and directed to waive compliance with any provision of this chapter when it appears that such waiver will prevent hardship or waste

and will not result in acceptance of standards less safe than those recommended by a laboratory nationally recognized as capable of recommending uniform sound fire protection standards.

SEC. 20. The title of Article 3 of Chapter 2 of Part 2 of Division 12 of said code is amended to read:

Article 3. [Licenses] *Permits*

SEC. 21. The title of existing Article 5 of Chapter 2 of Part 2 of Division 12 of said code is amended to read:

Article [5] *6* Violations"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1492—An act providing for loans to municipalities and districts for sewerage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 5, 1949, strike out lines 2 and 3, and insert "eral Fund in the State Treasury the sum of one million dollars ($1,000,000) to the State Water Pollution Control Fund,".

Amendment No. 2

On page 2, line 11, of said bill, after "State", insert "Water".

Amendment No. 3

On page 2 of said bill, strike out line 18, and insert "State Water Pollution Control Fund for expenditure by the State Water".

Amendment No. 4

On page 2, line 20, of said bill, after "State", insert "Water"

Amendment No. 5

On page 2, line 22, of said bill, after "State", insert "Water".

Amendment No. 6

On page 2, line 23, of said bill, after "State", insert "Water"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2157—An act making an appropriation to the State Pollution Control Board for administrative expenses and providing for the allocation of any portion thereof to the several regional pollution control boards.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 28, 1949, strike out lines 2 and 3, and insert "eral Fund in the State Treasury the sum of three hundred thousand dollars ($300,000) to the State Water Pollution Control Board for".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2033—An act making an appropriation for research in technical problems of disposal of sewage, garbage and industrial waste, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert "sum of one hundred thousand dollars ($100,000) to the University of Cali-".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means

Assembly Bill No. 56—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 45, of the printed bill, as amended in the Assembly on March 23, 1949, strike out "_____ dollars ($_____)" and insert "three thousand dollars ($3,000)".

Amendment No. 2

On page 2, line 46, of said bill, strike out the blank, and insert "two thousand seven hundred sixty".

Amendment No. 3

On page 2, line 47, of said bill, strike out "($_____)", and insert "($2,760)"

Amendment No. 4

On page 2, line 48, of said bill, strike out "_____ dollars ($_____)", and insert "two thousand four hundred dollars ($2,400)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 496—An act to amend Sections 608, 609, 613, 614, 619, 620, and 620.5 of the Agricultural Code and to add Section 612.5, relating to cheese.

Bill read second time, and ordered to third reading.

Senate Bill No. 677—An act to add Section 1159 to the Fish and Game Code, relating to the establishment of cooperative hunting areas.

Bill read second time, and ordered to third reading.

Senate Bill No. 481—An act to amend Section 3952 of the Revenue and Taxation Code, relating to actions by purchasers of tax-deeded property to determine adverse claims to, or clouds upon that property.

Bill read second time, and ordered to third reading.

Senate Bill No. 946—An act to amend Section 2008 of the Business and Professions Code, relating to professional rights, privileges or powers, and charitable institutions.

Bill read second time, and ordered to third reading.

Senate Bill No. 1081—An act to amend Sections 28478, 28479, and 28480 of the Health and Safety Code, relating to olive oil.

Bill read second time, and ordered to third reading.

Senate Bill No. 1357—An act to amend Section 19806 of Chapter 5 of Division 8 of the Business and Professions Code, relating to bread.

Bill read second time, and ordered to third reading.

Senate Bill No. 738—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, strike out ", who", and insert ". In any county or city and county having a population of sixty thousand or over, but less than two hundred eight-nine thousand, the jury commissioner"

Amendment No. 2

On page 1, line 12, of said bill, strike out ", and who", and insert ". In any county, or city and county having a population of two hundred eighty-nine thousand or over the jury commissioner shall receive a salary of four hundred dollars ($400) per month

The jury commissioner".

Amendment No. 3

On page 1, line 13, of said bill, strike out "such court, said salary to", and insert "the superior court in and for their respective counties, and their salaries shall".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Rumford asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 947—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 13, of the printed bill, after "condition", insert "*Nothing in this chapter shall be construed as limiting the practice of licensed clinical laboratory technologists and other persons licensed to practice under any provision of law relating to the healing arts*"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 952—An act to amend Section 2145 of the Business and Professions Code, relating to physicians and surgeons visiting the State.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on April 8, 1949, strike out "county", and insert "country"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 957—An act to amend Section 2326 of the Business and Professions Code, relating to practice of chiropody.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Senate on April 8, 1949, strike out the comma, and insert a period.

Amendment No. 2

On page 1 of said bill, strike out lines 6 to 14, inclusive, and insert

"The board shall issue a certificate to practice chiropody to all applicants who meet the following requirements

(a) The applicant is 21 years of age.

(b) The applicant is a graduate of a college or school of chiropody, which, in the opinion of the board, maintains and gives a course which is equivalent to the minimum requirements of the board for an accredited school in this State.

(c) The applicant is of good moral character.

(d) The applicant has passed a written examination as provided in Section 2292 of this code"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 244—An act to amend Section 70 of the Civil Code, relating to solemnization of marriages.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 70", and insert "Sections 70 and 73".

Amendment No. 2

On page 1, line 7, of said bill, after "denomination", insert ", who is".

Amendment No. 3

On page 1 of said bill, after line 8, insert

"SEC. 2. Section 73 of the Civil Code is amended to read:

73. A person solemnizing a marriage must make, sign, and indorse upon or attach to the license a certificate showing:

1. The fact, time and place of solemnization; and

2. The names and places of residence of one or more witnesses to the ceremony.

3. A statement of the official position of the person solemnizing the marriage, or of the denomination of which said person is a priest or a minister, *and a statement that such person is over the age of 21 years*"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Judiciary.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 28—An act to add Section 1.5 to Chapter 1 of the Statutes of the 1938 Extraordinary Session of the Legislature, exempting from all taxation the property and bonds of certain corporations under the Limited Dividend Housing Corporations Act.

Bill read third time.

Point of Order

Mr. Morris arose to the following point of order: That Mr. Levering is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 28.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Morris moved a call of the Assembly.

Motion carried. Time, 10.12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Dickey, Clayton A. Dills, Gaffney, Hinckley, Huyck, Lewis, Lindsay, Lowrey, McMillan, and Waters—11

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day.

Assembly Bill No. 533, on request of Mr. Doyle.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 1450 AND 1445 HOLD PLACES ON FILE

Mr. McCarthy asked for, and was granted, unanimous consent that Assembly Bills Nos. 1450 and 1445 be passed on file, and hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1448—An act to amend Sections 3302, 3303, 3305, 3306, 6501, 6502, 6503, and 6504 of the Corporations Code and to repeal Section 3304 of the Corporations Code, relating to the service of process on corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 859—An act to amend Sections 9756, 9760, and 11121 of the Elections Code, relating to elections, declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REMARKS ON CONDITION OF THE FILE

Mr. Geddes spoke on the condition of the file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2174 BE WITHDRAWN FROM FILE AND BE RE-REFERRED

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 2174 be withdrawn from the file, and be re-referred to the Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 321—An act to add Sections 9413 and 9414 to the Government Code, relating to contempts before legislative committees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, Morris, Moss, Reagan, Rumford, Sillman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—45.

NOES—Berry, George D Collins, Condon, Elliott, Fleury, Hawkins, Heisinger, Kilpatrick, Lewis, and McCarthy—10

Bill ordered transmitted to the Senate.

Assembly Bill No. 2947—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sillman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1955—An act to add Section 11792 to the Education Code of the State of California, relating to the furnishing of textbooks to adults.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2439—An act to add Section 4765 to the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, Meyers, Moss, Reagan, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1068—An act to add Section 212 to the Health and Safety Code, and to amend Section 269 of the Vehicle Code, relating to refusal or revocation of operator's or chauffeur's licenses and to the reporting of cases of neurosyphilis to the State Department of Motor Vehicles.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—70.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.53 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 189

By Mr. Sam L. Collins:

House Resolution No. 189

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study and investigate the laws and regulations relating to the registration of engineers, and the administration thereof

WHEREAS, From time to time complaints have been received by Members of the Assembly relating to the administration of the laws governing registration of engineers; and

WHEREAS, Many complaints allege that arbitrary discrimination is practiced by the State Board of Registration for Engineers in various matters, and particularly, that graduates of our own state universities and certain colleges and universities are not afforded the same credit for their educational achievements and degrees of engineering as are afforded graduates of other institutions; and

WHEREAS, Further arbitrary exclusion of licensing many engineers whose scholastic standing is as high and whose degrees are at least equal and whose experience exceeds by many years the greatest conceivable requirement of those now in the profession hampers and handicaps the building and development program of the State; and

WHEREAS, It is necessary that the Assembly be fully informed as to all facts relating to any phase of this subject, in order that it may determine what, if any, legislative action is needed; and

WHEREAS, The ascertainment of such facts and the investigation of such subject falls within the scope of the powers and duties conferred and imposed upon the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

Resolved, by the Assembly of the State of California, That the existing Assembly Interim Committee on Governmental Efficiency and Economy, or any committee created at this session with similar powers and duties, is hereby requested to study and investigate all laws and regulations relating to the registration of engineers, the administration thereof by the State Board of Registration for Civil Engineers, and all other matters relating to or in any way bearing upon the recitals of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read, and adopted unanimously.

Speaker Presiding

At 10.58 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1227—An act to amend Section 64 of the Alcoholic Beverage Control Act, relating to the possession, consumption, sale, giving, and delivery of alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE BE PERMITTED TO CHANGE DATE OF MEETING

Mr. Stanley asked for, and was granted, unanimous consent that the Committee on Municipal and County Government be permitted to change the date of its next meeting from Wednesday evening, May 25th, to Thursday evening, May 26th.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2645, on motion of Mr. Condon.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 413 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 413 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1113—An act to add Sections 27174, 27175, 27176, 27177, and 27178 to the Streets and Highways Code, relating to bridge and highway districts, and the adoption of traffic regulations by such districts, and the enforcement of such regulations by the California Highway Patrol, and providing penalties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—67.
NOES—Waters—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2307—An act to amend Sections 6014, 6015, and 6702 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 766—An act to amend Section 2116 of the Business and Professions Code, relating to investigators for the Board of Medical Examiners.

Bill read third time.

Motion to Amend

Mr. Kilpatrick moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 19 and 20, of the printed bill, as amended in the Assembly on May 5, 1949, strike out "from the investigators employed by it".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2765—An act to amend Section 1659 of the Probate Code, relating to compensation of veterans' guardians.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to Senate.

Assembly Bill No. 1685—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 2708—An act to add Sections 7 and 8 to "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and requisite open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "requisite", and insert "required"

Amendment No. 2

On page 1, line 14, of said bill, strike out "an affirmative vote of two-thirds", and insert "a majority vote".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2240 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 2240 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 643—An act to amend Section 32064 of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1312

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1312, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1312

Assembly Bill No. 1312—An act to amend Section 204e of the Code of Civil Procedure, relating to jury commissioners and secretaries of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1482—An act to add Sections 20607.5 and 21252.4 to the Government Code, relating to the State Employees' Retirement System, and providing for contribution rates by and in respect to local safety members, and for the benefits payable to such members.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1904—An act to add Section 20921.1 to the Government Code, relating to contributions in the State Employees' Retirement System for federal service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19577, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal Sections 19501 and 19577, and to add

Sections 19583, 19583.1, 19575.5, and 19583.5 of the Government Code, relating to disciplining state employees.

Bill read third time.

Demand for Previous Question

Messrs. Grant, Waters, Evans, Smith, and Hoffman demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2059.

The roll was called, and the bill passed by the following vote.

AYES—Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—46.

NOES—Anderson, Beck, Berry, Burkhalter, George D. Collins, Condon, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dunn, Elliott, Gaffney, Geddes, Hawkins, Heisinger, Lewis, Rosenthal, Rumford, Thomas, and Yorty—21.

Motion to Amend Title

Mr. Stewart moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 2, 1949, strike out "19577,".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dolwig asked for, and was granted, unanimous consent that the Interim Committee on Tidelands and Related Traffic Problems be permitted to use the Assembly Chamber on Monday, May 23, 1949, upon adjournment, for the purpose of holding a meeting.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1804

Mr. Reagan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1804, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1804

Assembly Bill No. 1804—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same.

Bill read third time.

Request for Unanimous Consent That Bill Be Passed on File

Mr. Reagan asked for unanimous consent that Assembly Bill No. 1804 be passed on file, at this time, for the purpose of working out some amendments.

Mr. Dunn withheld unanimous consent.

The question being on the passage of Assembly Bill No. 1804.

Motion That Assembly Bill No. 1804 Be Withdrawn From File, and Be Re-referred

Mr. Thomas moved that Assembly Bill No. 1804 be withdrawn from the file, and be re-referred to the Committee on Municipal and County Government.

Mr. Hagen seconded the motion.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT BUDGET BILL BE PRE-PRINTED

Mr. Sherwin asked for, and was granted, unanimous consent that the Budget Bill, Assembly Bill No. 1100, be sent to the printer for pre-printing, and that 500 copies be pre-printed.

Motion to Place Rush Order on Pre-Printing of Assembly Bill No. 1100

Mr. Sherwin moved that a rush order be placed upon the pre-printing of Assembly Bill No. 1100.

Motion carried.

MOTION TO SET SPECIAL ORDER

Mr. Sherwin moved that Assembly Bill No. 1100 be made a special order of business for Wednesday, May 25, 1949, at 10 a.m.

Motion carried unanimously, there being more than 54 members present.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 2204 FROM THE SENATE

Mr. Stewart asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 2204 for further consideration.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2909 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Kilpatrick asked for unanimous consent that Assembly Bill No. 2909 be withdrawn from the Committee on Social Welfare, for purpose of amendment, and be re-referred to the Committee on Social Welfare.

Mr. Hinckley withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 61

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 61, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 61

Senate Concurrent Resolution No. 61—Relative to Park and Recreation Week.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn,

Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—72

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1685

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 1685, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1685

Assembly Bill No. 1685—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICES OF MOTION TO RECONSIDER ASSEMBLY BILLS

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up, at this time, his notices of motions, temporarily passed on the unfinished business file, to reconsider the votes whereby Assembly Bills Nos. 2034, 1934, and 2156 were passed.

Request for Unanimous Consent That Motions of Reconsideration Be Considered Collectively

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up his three motions, that Assembly Bills Nos. 2034, 1934, and 2156 be reconsidered, collectively instead of individually, but that the roll calls be taken separately.

MOTION TO RECONSIDER ASSEMBLY BILLS NOS. 2034, 1934, AND 2156

In compliance with a notice given on a previous day, Mr. George D. Collins moved that the votes whereby Assembly Bills Nos. 2034, 1934, and 2156 were passed be reconsidered.

Point of Order

Mr. Thompson arose to the following point of order: That Mr. George D. Collins is not speaking to the motion, and is reading from a document.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Brady arose to the following point of order: That Mr. Dickey has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs Doyle, Heisinger, Rosenthal, Hoffman, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. George D. Collins that the votes whereby Assembly Bills Nos. 2034, 1934, and 2156 were passed be reconsidered.

The roll was called on the motion to reconsider the vote whereby Assembly Bill No. 2034 was passed.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Collier is not in order in asking a question because the House is in the midst of a roll call.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The vote was announced, and Assembly Bill No. 2034 refused reconsideration by the following vote:

AYES—Burke, Butters, Caldecott, Coats, Collier, George D Collins, Conrad, Cooke, Fleury, Gaffney, Hagen, Heisinger, Hinckley, Maloney, McCarthy, Moss, and Sherwin—17.

NOES—Anderson, Beck, Brady, Brown, Burkhalter, Clarke, Condon, Connolly, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—49.

Assembly Bill No. 2034 ordered transmitted to the Senate.

The roll was called on the motion to reconsider the vote whereby Assembly Bill No. 1934 was passed, and reconsideration refused by the following vote:

AYES—Burke, Butters, Caldecott, Coats, Collier, George D Collins, Conrad, Cooke, Fleury, Gaffney, Hagen, Heisinger, Hinckley, Maloney, McCarthy, Moss, and Sherwin—17.

NOES—Anderson, Beck, Brady, Brown, Burkhalter, Clarke, Condon, Connolly, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—49

Assembly Bill No. 1934 ordered transmitted to the Senate.

The roll was called on the motion to reconsider the vote whereby Assembly Bill No. 2156 was passed, and reconsideration refused by the following vote:

AYES—Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cooke, Fleury, Gaffney, Hagen, Heisinger, Hinckley, Maloney, McCarthy, Moss, and Sherwin—17.

NOES—Anderson, Beck, Brady, Brown, Burkhalter, Clarke, Condon, Connolly, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—49.

Assembly Bill No. 2156 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1685

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 1685, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1685

Assembly Bill No. 1685—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick Levering Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 898

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 898, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 898

Assembly Bill No. 898—An act to amend Section 204 of the Unemployment Insurance Act, dealing with disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Way, Yorty, and Mr Speaker—65

NOES—Grant—1.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dickey announced that the Legislature will not be in session on Memorial Day, Monday, May 30, 1949, and that the Assembly, when it adjourns for the Memorial Day weekend, will not reconvene until Tuesday morning, May 31, 1949.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 28

At 1.38 p.m., on motion of Mr. Morris, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, ~~and Assembly Bill No. 28 refused passage by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Anderson, Beck, Bennett, Berry, Coats, George D. Collins, Condon, Cooke, Doyle, Elliott, Evans, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—31.

NOES—Babbage, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Dunn, Erwin, Fleury, Grant, Grunsky, Hagen, Hoffman, Levering, Lincoln, Lipscomb, McCarthy, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, and Mr. Speaker—37.]

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 28

Mr. Morris asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 28.

Assembly Bill No. 28 ordered on file for third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 1.40 p.m., on motion of Mr. Erwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and permission to introduce a bill was granted Mr. Reagan by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3153: By Mr. Reagan—An act to amend Section 9654 of, and to add Sections 9655 and 9656 to, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Referred to Committee on Revenue and Taxation.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Erwin:

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 32204, 32262, 32322, 32324, 32334, 32335, 32351, 32354, and 32355 of, to add Sections 32204.5, 32235.5, 32330.5, 32339, 32363, 32364, and

32365 to, and to repeal Section 32363 of the Government Code, relating to county fire service retirement system

Respectfully submitted,

THOMAS M. ERWIN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Erwin.

An act to amend Sections 32204, 32262, 32322, 32324, 32334, 32335, 32351, 32354, and 32355 of, to add Sections 32204.5, 32235.5, 32330.5, 32339, 32363, 32364, and 32365 to, and to repeal Section 32363 of the Government Code, relating to county fire service retirement system.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3154: By Mr. Erwin—An act to amend Sections 32204, 32262, 32322, 32324, 32334, 32335, 32351, 32354, and 32355 of, to add Sections 32204.5, 32235.5, 32330.5, 32339, 32363, 32364, and 32365 to, and to repeal Section 32363 of the Government Code, relating to county fire service retirement system.

Referred to Committee on Municipal and County Government.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lipscomb:

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Sections 5030.1, 5030.2, 5030.3, and 5030.4 to the Business and Professions Code, relating to accountants.

Respectfully submitted,

GLENARD P. LIPSCOMB

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 16, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lipscomb:

An act to add Sections 5030.1, 5030.2, 5030.3, and 5030.4 to the Business and Professions Code, relating to accountants

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis Lincoln, Lindsay Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—73

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3155: By Mr Lipscomb—An act to add Sections 5030.1, 5030.2, 5030.3, and 5030.4 to the Business and Professions Code, relating to accountants.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Yorty (At request of Assemblymen Beck, Brown, Dickey, and Waters):

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 26.5 to, and to amend Section 1026 of, the Penal Code, relating to the insanity of an accused.

Respectfully submitted,

SAM YORTY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Yorty (At request of Assemblymen Beck, Brown, Dickey, and Waters):

An act to add Section 26.5 to, and to amend Section 1026 of, the Penal Code, relating to the insanity of an accused.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills,

Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3156: By Mr. Yorty (At request of Assemblymen Beck, Brown, Dickey, and Waters)—An act to add Section 26.5 to, and to amend Section 1026 of, the Penal Code, relating to the insanity of an accused.

Referred to Committee on Judiciary.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider votes on the following bill was continued until the next legislative day:

Assembly Bill No. 401, on request of Mr. Hagen.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Geddes asked for unanimous consent that the Committee on Finance and Insurance be permitted to use the Assembly Chamber on Monday evening, May 23, 1949, at 8 p.m., for the purpose of holding a meeting.

Mr. Dolwig withheld unanimous consent because he had previously been granted unanimous consent that the Interim Committee on Tidelands and Related Traffic Problems be permitted to use the Assembly Chamber on said date.

RESOLUTIONS

The following resolution was offered:

By Messrs. Way, Geddes, Doyle, Condon, and McCollister:

House Resolution No. 202

Relating to a survey by the Department of Public Works relative to establishing the grade and course of a highway from Hale's Grove at Westport to a point near the Four Corners at the south boundary of Humboldt County and north boundary of Mendocino County

WHEREAS, An access road is necessary between Hale's Grove at Westport and a point near the Four Corners at the south boundary of Humboldt County and north boundary of Mendocino County, to join with the present county road built by the County of Humboldt; and

WHEREAS, The distance of such road would be about 17 miles, and such road would all be on Route 56; and

WHEREAS, It is desirous that the State conduct the survey and establish the grade and course and prescribe the specifications for the construction of this road; and

WHEREAS, Such a survey would be advantageous to the State, since when the State ultimately takes over the road it can be done at a minimum of cost to the State, the road having been properly constructed to approved grade and along the right course; and

WHEREAS, The funds for the construction of this road to grade are available from other than state sources; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works be directed to conduct a survey of the road from Hale's Grove at Westport to a point near the Four Corners at the south boundary of Humboldt County and north boundary of Mendocino County, to join with the present county road built by the County of Humboldt; and be it further

Resolved, That the Department of Public Works be requested to report to the Assembly, within ten days of receipt of a copy of this resolution, stating what the department undertakes and plans to do regarding this matter; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the Director of Public Works and to the State Highway Engineer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Constitutional Amendment No. 86: By Messrs. Dolwig, Caldecott, Sherwin, and Waters—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures.

Referred to Committee on Constitutional Amendments.

RESOLUTIONS

The following resolution was offered:

By Messrs. Gaffney, Maloney, George D. Collins, Connolly, Brady, McCarthy, and Meyers:

House Resolution No. 203—Congratulating Assemblyman William Clifton Berry on his birthday anniversary.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Named Co-Authors of House Resolution No. 203

Mr. Crowley asked for, and was granted, unanimous consent that the names of all members who voted upon the roll call on the request by Mr. Yorty to introduce a bill be placed upon House Resolution No. 203, as co-authors.

By Messrs. Gaffney, Maloney, George D. Collins, Connolly, Brady, McCarthy, Meyers, Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Sam L. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCollister, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty:

House Resolution No. 203

Congratulating Assemblyman William Clifton Berry on his birthday anniversary

WHEREAS, This nineteenth day of May is the anniversary of the natal day of our friend and colleague, William "Cliff" Berry; and

WHEREAS, Born in Cosmopolis, Washington, Cliff Berry came to San Francisco as a boy, and by diligent study and application of his talents, he completed his education and attained extraordinary skill in his chosen trade as a die maker; and

WHEREAS, Assemblyman Berry has ably represented the people of the Twenty-third Assembly District since 1942, taking a keen interest in the work of the Committee on Transportation and Commerce, is an unwavering friend of labor, and has inspired toward himself the warm friendship of his associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend to Assemblyman William "Cliff" Berry their heartiest congratulations on his birthday, and extend to him best wishes for continued good health and success; and be it further

Resolved, That a suitably engrossed copy of this resolution be sent to Assemblyman William "Cliff" Berry.

Request for Unanimous Consent

Mr. Gaffney asked for, and was granted, unanimous consent to take up House Resolution No. 203, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 727

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 727, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 727

Senate Bill No. 727—An act to amend Sections 10275.5, 10301, 10302, 10331, and 10333.5 of, to add Sections 10275.6, 10284.5, 10302.5, and 10302.6 to, and to renumber and amend Section 104281 of the Business and Professions Code, relating to business opportunity regulations.

Bill read third time.

Motion to Amend

Mr. Stanley moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 22, of the printed bill, as amended in the Assembly on May 2, 1949, strike out "estates", and insert "estate"

Amendment No. 2

On page 4, line 26, of said bill, strike out "appropriations", and insert "appropriate".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Weber asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 52
Assembly Constitutional Amendment No. 81

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 230

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No 1174
Assembly Bill No. 2829

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 594
Assembly Bill No 966
Assembly Bill No 967
Assembly Bill No 1077
Assembly Bill No. 1095
Assembly Bill No. 1378
Assembly Bill No. 1606
Assembly Bill No 3117

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3136

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1508

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Education, to which were referred

Assembly Bill No 577
Assembly Bill No. 593
Assembly Bill No. 596
Assembly Bill No 2138
Assembly Bill No 2529

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 322
Senate Bill No. 569
Senate Bill No. 1427

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No 61

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 29

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 193

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1394

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2622
Assembly Bill No. 2626

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2437

Has had the same under consideration, and reports the same back without recommendation: Amend, and be re-referred to Committee on Ways and Means.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 798
Assembly Bill No. 1431
Assembly Bill No. 1733
Assembly Bill No. 1734
Assembly Bill No. 2081
Assembly Bill No. 2099
Assembly Bill No. 2243

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 204

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 469
Assembly Bill No. 1056
Assembly Bill No. 1562

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2011
Assembly Bill No. 2624

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2438
Assembly Bill No. 2699

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER. Your Committee on Municipal and County Government, to which was referred.

Senate Bill No. 165

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1747

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means

WEBER, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 248

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 142
Senate Bill No. 143
Senate Bill No. 249
Senate Bill No. 250
Senate Bill No. 1092
Senate Bill No. 1279

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred

Assembly Bill No. 2903

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 1159
Assembly Bill No. 2316
Assembly Bill No. 3019

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1084

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1840
Assembly Bill No. 2664

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred.

Senate Bill No. 280
Senate Bill No. 332
Senate Bill No. 458
Senate Bill No. 515
Senate Bill No. 632
Senate Bill No. 799

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 721
Assembly Bill No. 1801

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Assembly Bill No. 1742
Assembly Bill No. 2312

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred

Senate Bill No. 803
Senate Bill No. 1343

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred.

Assembly Bill No. 1193
Assembly Bill No. 2731

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, do pass, as amended, and re-refer to Committee on Ways and Means

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1100

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1759
Assembly Bill No. 1988

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 147
Assembly Bill No. 1877
Assembly Bill No 2296
Assembly Bill No. 3124

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 147 ordered re-referred to Committee on Public Utilities and Corporations.

Assembly Bills Nos. 1877, 2296, and 3124 ordered re-referred to Committee on Finance and Insurance.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

APPOINTMENT OF SELECT COMMITTEE

Speaker Sam L. Collins announced the appointment of Mrs. Niehouse and Mr. Lindsay as a Select Committee to escort to the rostrum Miss Harriet Huntley, Queen of the 1949 Auburn Gold Rush Revival, and her attendants, Mrs. Goldie Brewer, and Mrs. Gladys Rohl, all of Auburn, and all costumed in the era of a century ago.

RECESS

At 1.52 p.m., on motion of Mr. Lindsay, the Assembly recessed until 1.56 p.m. to welcome Miss Harriett Huntley, Queen of the 1949 Auburn Gold Rush Revival, and her attendants, Mrs. Goldie Brewer and Mrs. Gladys Rohl, for the purpose of permitting them to extend an invitation to all, to come to their celebration on June 3d, 4th, and 5th in Auburn.

REASSEMBLED

At 1.56 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Ways and Means.

Transportation and Commerce.

Special meeting of Judiciary, in Room 404.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. George Kellogg of Yorba Linda.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to the following pupils of Mt. St. Marys Academy of Grass Valley: Virginia McCumber, Bonnie Kelly, Madge Romani, Mary Birnie, and Calvina Cain.

On request of Mr. Berry and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Edward F. Brady of San Francisco.

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Gerald Kepple of Whittier.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Miss Mary Waters and Miss Marian Glasser of Los Angeles.

On request of Messrs. Stewart and Reagan, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Fred B. Cruikshank of Pasadena.

On request of Mrs. Niehouse, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Betty Crable of San Diego.

On request of Messrs. Lipscomb and Smith, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Gabe Felix of Glendale.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to H. J. Marsh, teacher of the San Leandro High School, and the following pupils: Joanne Bidwell, Marge Bruning, Don Cambra, Marlyn Clemons, Jessie Codey, Tom Colby, Shirley Cook, Frank Couey, Charlotte Fields, Cathryn James, Marilyn Jensen, Joann Johnston, Wes Jonnson, Patricia Keator, Barbara King, Peggy Kirby, Arlette Lay, Jenkin Leong, Gilbert Leventhal, Sue McCabe, Alice McCarthy, Marilyn McPherson, Jim Mesa, Glen Meyer, Shirley Michael, Shirley Montell, Della Mulkey, Patti Murden, Tim Nelson, Joe Proitte, Nancy Schmid, Joyce Shafer, Steve Stephens, Sally Stevenson, Marcia Storey, Bob Tennyson, Joanne Thompson, Teddy Thorson, Marlene Tokes, Joan Turner, Ken Urton, Don Whitman, Roy Williams, Jerry Winn, and Elizabeth Yater.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Joyce Williams, Secretary, 4-H Clubs of Sonoma County; R P. Doyle, Mrs G. M. Williams, Mrs. Helen Voight, Geo. Williams, Mrs. L. L. Lieb, Mrs. Anne Sawyer, guests, and the following pupils: Joanne Bruggeman, Florence Wallett, Joyce Plumb, Bertha La Marr, Ray Williams, Bonnie Sheldon, Joyce Williams, Barbara Robbins, Joan Brooks, Jane Bruggeman, Barry Ableman, Beatrice Plumb, Edity Keene, Evan McKay, John Mitchell, David Burbank, Bill Fairbanks, Wesley Black, Dorothy Canelis, Sherwin Farrington, Irwin Hall, Doris McAlvain, Bud Menne, Leon Weldy, Henry Bohn, Arlene Harris, Charlene Mazone, Andrew Streiff, Marie Huff, Evelyn Johnston, Sammy Moore, Carolyn Sawyer, Elvera Voigt, Larry Maltson, Lila Johnson, Berta La Marr, Dennis Taylor, Georgene Tunstall, Donna

Du Vander, Robert Ingraham, Virginia Orr, Barbara Simmons, and Dicky Lieb.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to C. L. Bloomquist, teacher of the Dent Union School of Escalon; Mesdames F. Marino, P. Fisher, A Skiles, and A. Olaeta, parents; and the following pupils: Dick Bughi, Michael Dalander, Jimmie Fisher, J. C. Hewitt, Joe Laws, David Marino, Tommy Thornhill, Darrell Windsor, Glenn Dahl, Karen Albin, Judy Wood, Kathern Dye, La Vonne Gaudreau, Yvonne James, Linda Potter, Shirley Price, Geraldine Trager, Eleanor Vincent, Alton Hager, Lavon Ledbetter, Louise Thomas, Stevie Albernathy, Richard Beach, Charles Dugo, Roger Skiles, and A. C. Coburn.

On request of Mr. Lindsay and the Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Harriet Huntley, Mrs Goldie Brewer, and Mrs. Gladys Rohl of Auburn.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mr and Mrs. George Bell of Inglewood.

On request of Messrs Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to M. Van Vuren, teacher of the Christian High School of Ripon, and the following pupils: Lois Kobes, Bill Viss, Jennie Plooy, Lawrence Vande Kieft, Edna Van Dyken, Laverne Tanis, Roger Dekker, Maurice Roos, and Andy Bronwer.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mr. R. (Bob Mack) McInnis of San Francisco.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to James C. Remsam, Mrs Alston and Mrs Gardiser, teachers of the Patterson School, and the following pupils: Naomi Aquirre, Beulah Bergman, Ronald Black, Eugene Brainard, Dorothy Breves, Norma Brewer, Laura Broggi, Rosie Cisneros, Juanita Colwell, Charles Digiorno, Harley Duncan, Barbara Ferreira, Ladean Forrest, Emilio Hernandez, Belmira Homen, Barbara Jean Hutchins, Marjorie Maisetti, Patsy Mathews, Helen Mcgill, Gloria Martin, Mary Ann Olds, Mary Reza, Darleen Schmidt, Betty Silva, Joe Snyder, George Teixeira, Jenise Thomas, Martella Taylor, Wilma Woodard, Amos Soares, Don Soares, Frances Staley, Elaine Wells, Sondra White, Jim Edd Wingo, Mildred Brooks, Jimmy Carlson, James Carr, Dale Coffee, Philip Correia, Domingos Farhina, Virginia Flowers, Shirley Frank, Bobby Gibson, Verlon Haile, Marlene Halseth, Marlys Harmon, Randolph Harrison, Jackie Lee Harvey, Thelma Hove, Dale Humbert, Leon Jackson, Diane Kjonaas, Phyllis Knutson, Marjorie Leaf, Carlo Ramos, Joe Silva, Delwyn Silveria, Joan Taylor, Rosie Von Moos, Leo Yoppini, Margaret Garcia, and Ramona French.

On request of Messrs Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. F. W. Moore, teacher of the Jefferson School of Tracy, Dale Herrin, and R J. Mavraccini, guests, and the following pupils: Johnny Borges, David Johannes, Johnny W. Stockton, Jerry Robertson, Richard Ulmer, Thomas Yokoi, Sergio Zilli, Joseph Lessa, Tommy Fornasero, Earlene

Draper, Yvonne Hammill, Harry Blaylock, Frank Castro, Joe D. Gerhart, Larry Hall, Tom Nuce, Danny Terrill, Jonan Hanson, Edelmira Hernandez, and Darliene Terrill.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to C. A. Jacobs, Loyd Vallier, and Mary Moore, teachers of the Dixon School, and the following pupils: Pete Murphy, Jr., Gary Getz, William Grigsby, Jr., Bill Andrews, Emma Rose Jones, Frances Deanda, Wesely Allen, Donald Alvis, Ronald Holman, Richard Fry, Romona Van Sant, Martha Scheel, Violet Dunlap, Darleen Anderson, Joyce Robinson, Gene Setlzen, Virginia Barker, Dolores Crockett, Ruby Short, Shirley Orrick, Von Maag, Elmer Kast, Joel Kitchen, James Rogers, Darrell Anderson, Betty Eckroat, Virginia Houseman, Delmar Johnson, Wilfred Bartok, Fred Le Clair, Richard Lawrence, Bob Bryson, Dolores Ferrero, Peter Wong, Dolores Burg, Shirley Ward, Dennis Lawrence, Eugene Bruhn, Shirley Rigney, Johnny Jones, Estrelita Boone, Karen Kilkenny, Mary J. Moore, Joan Pard, Marjorie Brazil, Ramona Munoz, Peggy Crockett, Ada Lee Conduff, LaVerne Rohwer, Merian Seymen, and Helen Ipsen.

On request of Mr. Crichton, the usual courtesies of the Assembly for this day were unanimously extended to Walter E. Blanchard of Fresno.

ADJOURNMENT

At 1.57 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Friday, May 20, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED THIRTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, May 20, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Justice: We pray this morning that the great State of California may appreciate the services rendered by the Members of this Assembly.

As some of the most important work done in these trying times, the work that determines the welfare of millions, young and old.

May the people of the State realize the sacrifices of time and means their representatives make, and realize as Scripture says, "The laborer is worthy of his hire."

May the people see that their representatives should receive support corresponding to their immense responsibility, and the State should not expect them to look about for lobbies and special interests for material support.

May the citizens of this fabulous State not expect their representatives, who must be experts in civic affairs, to work for nothing and live merely on the honor of being an Assemblyman.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Silliman, further reading of the Journal of the previous legislative day was dispensed with.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that a meeting is being held today, in Oakland, of the Interim Committee on Tidelands and Related Traffic Problems, and that the members attending this meeting will be excused, by unanimous consent, for the legislative day, because of legislative business elsewhere.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Brown, on motion of Mr. Caldecott.

Mr. Dunn, by unanimous consent.

Mr. Connolly, by unanimous consent.

Mr. Ralph C. Dills, on motion of Mr. Crichton.

Mr. Thompson, by unanimous consent.

Mr. Dolwig, by unanimous consent.

Mr. Hahn, by unanimous consent.

Mr. Way, by unanimous consent.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Cramer, on motion of Mr. Lipscomb.

Mr. Lincoln, on motion of Mr. Rumford.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1674
Assembly Bill No. 2171

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 631

Has has the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1474
Assembly Bill No. 3093

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1868

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bill ordered to third reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 248
Assembly Bill No. 716
Assembly Bill No. 755
Assembly Bill No. 775
Assembly Bill No. 834
Assembly Bill No. 1158
Assembly Bill No. 1202
Assembly Bill No. 2017
Assembly Bill No. 2028
Assembly Bill No. 2035
Assembly Bill No. 3130

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2599
Assembly Bill No. 2707
Assembly Bill No. 345

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3120

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 342
Assembly Bill No. 1488
Assembly Bill No. 1933
Assembly Bill No. 2802
Assembly Bill No. 2847

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 556—An act adding Sections 32039, 32040, 32339, and 32340 to the Government Code, relating to retirement systems for peace officers, foresters, fire wardens, and county fire protection district firemen;

Assembly Bill No. 656—An act to amend Section 511.2 of the Vehicle Code, relating to speed limits upon highways;

And reports that the same have been correctly enrolled, and presented to the Governor on the nineteenth day of May, 1949, at 3 p.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns

Assembly Bill No 2204

J A BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 428
Assembly Bill No 433
Assembly Bill No. 518
Assembly Bill No. 625
Assembly Bill No. 919
Assembly Bill No. 1018
Assembly Bill No. 1023
Assembly Bill No. 1024
Assembly Bill No. 1031
Assembly Bill No. 1032
Assembly Bill No 1393
Assembly Bill No. 1942
Assembly Bill No 1943
Assembly Bill No 1944

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 388
Senate Bill No 976
Senate Bill No. 1073
Senate Bill No 1253

J. A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No 209
Assembly Bill No 1033
Assembly Bill No. 1713
Assembly Bill No. 2764
Assembly Bill No 3035

And respectfully requests your honorable body to concur in said amendments

J A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 231
Senate Bill No. 279
Senate Bill No. 1053
Senate Bill No 1304

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 231—An act to amend Section 1170 of the Harbors and Navigation Code, relating to pilotage rates.

Referred to *Committee on Transportation and Commerce.*

Senate Bill No. 279—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

Referred to Committee on Judiciary.

Senate Bill No. 1053—An act to amend Sections 14.2, 15, 15.1, 15.2, 15.3, 18, and 19.6 and to repeal Sections 16, 16.1, and 16.2 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Referred to Committee on Fish and Game.

Senate Bill No. 1304—An act to amend Section 222 of the Vehicle Code, relating to stolen vehicles.

Referred to Committee on Transportation and Commerce

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 19, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2898, entitled "An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds."

My objection to this bill is as follows:

This is a validating act for county water works districts. There are pending several general validating acts for public agencies, including this type of district. Inasmuch as nothing would be accomplished by this act that would not be accomplished by the general validating act, approval of this bill would not add anything to the general acts to follow. This matter has been discussed with the author, and he is agreeable to the bill being returned without my approval.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 2898 ordered to unfinished business file.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2903—An act to prohibit the expenditure for building sites of moneys appropriated by the Budget Act of 1948 without prior submission of plans to local planning boards and prior approval by the Department of Finance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2438—An act to amend Section 6530 of the Health and Safety Code, relating to sewer maintenance in cities.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2699—An act to add Section 1256 to the Revenue and Taxation Code, relating to assessors' maps and block-books.

Bill read second time, and ordered engrossed.

Assembly Bill No. 594—An act to add Section 20374.1 to the Education Code, relating to the termination of employment of employees of state colleges.

Bill read second time, and ordered engrossed.

Assembly Bill No. 966—An act to amend Section 14122 of the Education Code, relating to school district merit systems for noncertificated employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 967—An act to amend Sections 14112, 14127, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1077—An act to amend Section 19303 of the Education Code, relating to school cafeterias.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1095—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1378—An act to amend Sections 144 and 144.2 of the Education Code, relating to the salaries of deputy and associate superintendents of public instruction.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1606—An act to add Section 13099.4 to the Education Code, relating to classification of certificated employees in summer schools.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3117—An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts to junior college districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1159—An act relating to the acquisition of a bridge or bridges across the Bay of San Francisco connecting the Counties of San Mateo and Alameda, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, providing for the inclusion thereof in the State Highway System upon the acquisition thereof, and amending Sections 405 and 407 of the Streets and Highways Code in connection therewith.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2316—An act to amend Sections 1990 and 2071 of the Harbors and Navigation Code, relating to powers and duties of the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3019—An act to repeal Sections 1, 2, 2.5, 3, 4, 5, and 21 of the California Airport District Act, to add Sections 1, 2, 3, 4, 5, and 21 and to amend Sections 3.5 and 14, thereof, relating to the formation of airport districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 727—An act to amend Section 5931 of the Elections Code, relating to absentee voting.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, strike out "the Territories of Hawaii and Alaska", and insert "any territory or possession of the United States".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Caldecott asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2622—An act to amend Sections 2820, 2905, 3012, 5500, 6460, 6463, and 8702, and to add Sections 2932, 6464, and 6465 to the Streets and Highways Code, relating to special assessment and bond proceedings for financing the cost of sanitary sewers and other local improvements, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended in the Assembly on May 6, 1949, after "facilities", insert "only and is".

Amendment No. 2

On page 1, line 5, of said bill, strike out "for".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2626—An act to amend Sections 6484, 6485, 6611, and 6647, and to add Sections 6497, 6531, 6629, and 6654 to the Health and Safety Code, relating to sanitary districts declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, lines 25 and 26, of the printed bill, as amended in the Assembly on April 20, 1949, strike out "or shall hereafter".

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 469—An act to add Title 4.5 to Part 3 of the Penal Code, to amend Sections 769 and 867 of an act entitled, "An act to provide for the organization, incorporation, and government of municipal corporations," approval March 13, 1883; and to amend Section 36903 of the Government Code, relating to the custody and detention of prisoners.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Title 4.5 to Part 3 of the Penal Code, to amend", and strike out lines 2, 3, 4, and 5 of the title, and insert "Section 4018.5 to the Penal Code, relating"

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "Title 4.5 is added to Part 3 of the Penal Code," and insert "Section 4018.5 is added to the Penal Code, to read

4018.5. The sheriff may, subject to the approval of the board of supervisors, provide for the vocational training and rehabilitation of prisoners confined in the county jail."

Amendment No. 3

On page 1 of the printed bill, strike out lines 2 to 22, inclusive; and strike out pages 2 and 3.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1056—An act to repeal Sections 6, 7, 8, 14, 15, and 16, and to amend Sections 2, 5, 10, and 12, of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, as amended, and to add Sections 6, 7, and 8 thereto, relating to county facilities for the detention of persons charged with or convicted of crime, the commitment of persons for placement therein, the transfer of persons thereto and therefrom, and the release of persons therefrom, and providing for the establishment of county classification committees to authorize such placements and transfers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3, line 2, of the printed bill, change period to comma, and insert "provided, however, that any person assigned to medical treatment may decline such treatment and provide other care or treatment for himself at his own expense"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1562—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "_____ dollars ($_____)", and insert "three thousand six hundred dollars ($3,600)".

Amendment No. 2

On page 1, line 8, of said bill, strike out "three thousand dollars ($3,000)", and insert "three thousand six hundred dollars ($3,600)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 577—An act to amend Sections 18051, 18053, and 18059 of the Education Code, relating to the letting of contracts by school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 18051, 18053 and", and insert "Section".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "18051", and insert "18059".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 25, inclusive; and on page 2, strike out line 1.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 593—An act to amend Section 20382 of the Education Code, relating to sabbatical leave of state college employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "a leave of absence without pay", and insert "leaves of absence without pay not exceeding a total of one year in each six-year period".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2138—An act to amend Section 13091 of the Education Code, relating to the classification of teachers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 13091 of", and insert "add Section 13091.1 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "teachers", and insert "persons employed by school districts in positions requiring certification qualifications".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. Section 13091.1 is added to the Education Code, to read

13091.1. A permanent employee of a high school district who was classified as such while serving in a junior college maintained by the high school district shall, if the high school district is included in a junior college district the governing board of which is also the governing board of the high school district, be classified as a permanent employee of the junior college district if employed by the junior college district in a position requiring certification qualifications."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2529—An act to amend Section 403 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the third class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, insert "fourteen thousand ($14,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1508—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 9176.1", and insert "Sections 9176.1 and 9176.2".

Amendment No. 2

On page 2 of the printed bill, between lines 15 and 16, insert

"This section shall not apply to funds appropriated by Congress for (a) the purchase and improvement of school sites; or (b) the purchase of furniture and equipment, or (c) the planning and construction, reconstruction, repair, alteration of, and addition to, school buildings and incidental facilities."

Amendment No. 3

On page 2 of the printed bill, after line 18, insert

"SEC. 2. Section 9176.2 is added to the Education Code, to read:

9176.2. Notwithstanding any provisions of this article, whenever by any act of Congress funds are provided as federal aid to education to the several states for apportionment or allocation to school districts for the purposes set forth in this section, and such act of Congress does not require that it be administered in this State by a state officer or agency other than the State Allocation Board, such act, with respect to the funds herein mentioned, shall be administered and such funds shall be apportioned by the State Allocation Board under the Local Agency Allocation Act.

The funds to which this section shall apply are funds appropriated by Congress for (a) the purchase and improvement of school sites; or (b) the purchase of furniture and equipment; or (c) the planning and construction, reconstruction, repair alteration of, and addition to, school buildings and incidental facilities.

The State Allocation Board shall by rule provide for securing the recommendations or approval of the Department of Education as to the facilities to be provided

Funds apportioned under this section shall be paid in accordance with the provisions of Section 9178 of this code on claims submitted by the Director of Finance.

The State Allocation Board is hereby authorized to accept any such funds on behalf of the State, and to cooperate with the Government of the United States or any agency or agencies thereof in the administration of the act of Congress and rules and regulations lawfully adopted thereunder."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1084—An act to amend Sections 19006, 19007, 19008, 19014, 19016, 19033, 19034, 19049, 19060, 19061.5, 19070, 19072, 19080, 19121, 19122, 19123.4, 19123.5, 19123.6, 19124, 19127, 19129, 19158, 19170, 19171, 19172, 19173, 19174, 19200, 19201, 19202, 19208, and 19221 of, and to repeal Sections 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19013, 19015, 19018, 19050, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19080.5, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19089.5, 19090, 19091, 19092, 19093, 19094, 19095, 19096, 19097, 19098, 19099, 19100, 19101, 19102, 19103, 19104, 19105, 19125, 19126, 19128, 19151, 19153, 19154, 19157, 19159, and 30030, of, and add Sections 19008.5, 19008.6, 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19015, 19016.5, 19034.5, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19059.5, 19060.5, 19060.6, 19062, 19072.5, 19072.6, 19073, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19092, 19093, 19122.5, 19124.5, 19127.5, 19127.6, 19171.5, 19171.6, 19173.5, 19200.5, 19209, and 19210 of the Business and Professions Code, relating to the licensing and regulation of the upholstered furniture and bedding industries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "19072,".

Amendment No. 2

In line 8 of the title of said bill, after "19059," insert "19072,".

Amendment No. 3

In line 16 of the title of said bill, after "19062," insert "19072,".

Amendment No. 4

On page 2, line 3, of said bill, strike out "material and its covering and its container", and insert "material and its container and its covering,".

Amendment No. 5

On page 2, line 9, of said bill, strike out "bunk".

Amendment No. 6

On page 2 of said bill, strike out lines 17 to 21, inclusive.

Amendment No. 7

On page 2, line 28, of said bill, strike out "salvaged refuse", and insert "wastes recovered".

Amendment No. 8

On page 2 of said bill, strike out lines 33 to 37, inclusive.

Amendment No. 9

On page 3, line 22, of said bill, strike out "bedding or"

Amendment No. 10

On page 3, line 23, of said bill, after "mture", insert "or bedding".

Amendment No. 11

On page 3 of said bill, strike out lines 31 to 51, inclusive.

Amendment No. 12

On page 4 of said bill, strike out lines 1 and 2.

Amendment No. 13

On page 5, line 3, of said bill, after "obtained", insert "from the bureau".

Amendment No. 14

On page 5, line 12, of said bill, strike out "from the bureau".

Amendment No. 15

On page 5, line 16, of said bill, strike out "from the bureau".

Amendment No. 16

On page 5, line 21, of said bill, strike out "from the bureau".

Amendment No. 17

On page 5, lines 24 and 25, of said bill, strike out "from the bureau".

Amendment No. 18

On page 5, line 31, of said bill, strike out "from the bureau".

Amendment No. 19

On page 5, line 35, of said bill, strike out "from the bureau".

Amendment No. 20

On page 5, line 40, of said bill, strike out "from the bureau"

Amendment No. 21

On page 5, line 43, of said bill, strike out "from the bureau".

Amendment No. 22

On page 5 of said bill, strike out lines 46 to 50, inclusive, and insert

"19059. Every supply dealer, unless he holds an upholstered furniture manufacturer's license or a bedding manufacturer's license, shall annually obtain a supply dealer's license bearing a registry number assigned or approved by the bureau."

Amendment No. 23

On page 6, line 3, of said bill, strike out "from the bureau"

Amendment No. 24

On page 6 of said bill, strike out lines 13 to 17, inclusive.

Amendment No. 25

On page 6, line 23, of said bill, strike out "from the bureau".

Amendment No. 26

On page 7 of said bill, after line 2, insert

"SEC 38.5 Section 19072 of said code is repealed."

Amendment No. 27

On page 7, line 3, of said bill, strike out "amended", and insert "added".

Amendment No. 28

On page 7 of said bill, strike out lines 4 to 9, inclusive, and insert

"19072."

Amendment No. 29

On page 8, line 31, of said bill, strike out "shall", and insert "may".

Amendment No. 30

On page 8, line 52, of said bill, strike out "if", and insert "when".

Amendment No. 31

On page 9, line 3, of said bill, strike out "articles", and insert "article".

Amendment No. 32

On page 9 of said bill, strike out lines 6 to 17, inclusive, and insert "tested and approved by the bureau."

Amendment No. 33

On page 9, line 22, of said bill, strike out "sterilization regulations", and insert "Sterilization Regulations".

Amendment No. 34

On page 10 of said bill, strike out lines 5 and 6, and insert "the Sterilization Regulations".

Amendment No. 35

On page 10, line 22, of said bill, strike out "label regulations", and insert "Label Regulations".

Amendment No. 36

On page 11 of said bill, strike out lines 37 to 39, inclusive, and insert "July 1st, October 1st, January 1st, April 1st"

Amendment No. 37

On page 12 of said bill, strike out lines 21 and 22.

Amendment No. 38

On page 13 of said bill, strike out lines 5 to 8, inclusive

Amendment No. 39

On page 13 of said bill, strike out lines 24 to 35, inclusive, and insert

"19210. After a hearing, the bureau may suspend a license for a period not to exceed six months for a violation of any of the provisions of this chapter or of the rules and regulations of the bureau, or for a violation of Article 1, Chapter 1 of Part 3 of Division 7 of the Business and Professions Code, relating to false or misleading advertising; provided, however, that the license of a wholesaler or retailer shall not be suspended in the absence of a finding that the wholesaler or retailer knowingly offered for sale or sold articles not conforming to the requirements of this chapter or the rules and regulations of the bureau

(a) In lieu of a third suspension, the bureau may revoke a license.

(b) In any order of suspension or revocation, the bureau may impose conditions relative to the disposition of articles not conforming to the requirements of this chapter or the rules and regulations of the bureau, or may impose conditions relative

to the completion or fulfillment of any orders or contracts entered into prior to the date of the hearing"

Amendment No. 40

On page 13 of said bill, strike out lines 44 to 47, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1840—An act to develop public recreation, and providing the procedure for allocation of funds to cities, counties, cities and counties, recreation districts and school districts, providing for the financing thereof and for that purpose amending Sections 19485 and 19597 of the Business and Professions Code, relating to licensing and regulating horse race meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 13, 1949, strike out "providing"; and strike out lines 4, 5, 6, and 7 of said title, and insert "creating the Recreation Fund and prescribing the powers and duties of the State Allocation Board, the Controller, and the Director of Finance under this act."

Amendment No. 2

On page 2, line 12, of said bill, strike out "inthe", and insert "in the".

Amendment No. 3

On page 2, line 35, of said bill, strike out "'Allocation Board'", and insert "'State Allocation Board' or 'board'".

Amendment No. 4

On page 2 of said bill, between lines 36 and 37, insert

"(i) "Controller" means the State Controller

(j) "Director of Finance" means the State Director of Finance.

SEC. 2.5. The State Allocation Board is continued in existence for the purpose of this act. The members of the board and the Members of the Legislature meeting with the board shall receive no compensation for their services under this act, but shall be reimbursed for their actual and necessary expenses incurred in connection with the performance of their duties under this act."

Amendment No. 5

On page 3, line 4, of said bill, strike out "a"; and strike out line 5, and insert "all money appropriated by other provisions of law to the Recreation Fund shall".

Amendment No. 6

On page 3, line 8, of said bill, after the period, insert "The Recreation Fund is hereby created in the State Treasury. No provision of this act shall be construed to appropriate any money or to make any money available for expenditure unless and until money is appropriated to the Recreation Fund by provisions of law other than this act. It is the purpose of this act to provide for the methods and procedures pursuant to which money in the Recreation Fund shall be allocated if and when money is appropriated to such fund by provisions of law other than this act.

From the money in said fund there shall be allocated one-half of 1 percent of the gross amount in said fund, in such amounts as the Director of Finance shall determine, for support of the Director of Recreation and the Recreation Commission in the administration of this act, and for the support of the Director of Finance and the State Allocation Board in the performance of their duties under this act. From the money in said fund there shall be allocated one-half of 1 percent of the gross amount, or such portions of said one-half of 1 percent as the Director of Finance shall determine, for support of the Controller in the performance of his duties under this act. Any money which may be made available to the Director of Recreation, the Recreation Commission, the Director of Finance, the State Allocation Board or the Controller from said fund shall, if not expended within three years from the first day of the fiscal year in which such money becomes available, revert to and become a part of said fund."

Amendment No. 7

On page 3, line 11, of said bill, after "Recreation", insert ", on forms and in accordance with procedures established by the board,".

Amendment No. 8

On page 3, line 18, of said bill, strike out "local", and insert "public".

Amendment No. 9

On page 3 of said bill, strike out lines 37 to 44, inclusive, and insert "the public agency which the board deems proper The Director of Finance shall provide such assistance to the board as it may require If the board approves the application, either in whole or in part, it shall, by a resolution adopted by it, allot to the public agency from the Recreation Fund the amount applied for or such portion thereof as the board may deem appropriate but not exceeding one-half of the cost of the project described in the application. A copy of the resolution shall be transmitted to the public agency, and a copy shall be filed with the Controller, the Director of Finance, and the Director of Recreation.

The board shall prescribe in such detail as it deems necessary, the scope of the project and the purposes for which moneys allocated by it to a public agency from the Recreation Fund may be expended, and such prescription shall be binding upon the governing body of the public agency except as it may be, for good cause, modified by the board. Whenever the Director of Finance determines that any project for or on account of which funds allocated from the Recreation Fund have been paid to a public agency, has not been carried out or completed, in whole or in part, in accordance with the provisions hereof or that any funds so allocated have not been expended in accordance with such provisions, the Director of Finance, in writing, shall notify the governing body of the public agency concerned and the Controller of such fact. The public agency shall refund to the State any unauthorized expenditure made from funds so allocated Any amounts thus repaid shall be deposited in the State Treasury to the credit of the Recreation Fund"

Amendment No. 10

On page 4 of said bill, strike out lines 8 to 15, inclusive, and insert "for which a public agency has received an allotment from the Recreation Fund, which the public agency shall, on its request, be paid The public agency shall, in any event, on its request, be entitled to be reimbursed up to 25 percent of the State's share after each 25 percent of the total estimated cost has been expended by the public agency. The board, by rule, shall provide for advancements of the State's share of the cost of completing any project after the project is 75 percent complete and the public agency has expended its total".

Amendment No. 11

On page 4, line 17, of said bill, strike out "The Board of Control shall by rule", and insert "Claims for reimbursement of the cost of a project under this act may be submitted by the public agency to the Director of Finance from time to time in accordance with this act. The Board of Control shall".

Amendment No. 12

On page 4, line 29, of said bill, after "such", strike out "local", and insert "public".

Amendment No. 13

On page 4 of said bill, strike out lines 41 to 44, inclusive, and insert "public agency for a project under this act, other than money made available from the Recreation Fund, shall be considered as part of the money required to be provided by the public agency under this act, where the public agency so elects."

Amendment No. 14

On page 4, line 47, of said bill, after the comma, insert "according to the records of the State Controller,".

Amendment No. 15

On page 5, line 6, of said bill, after "to", insert "the Director of Finance, the Controller, and".

Amendment No. 16

On page 5, line 9, of said bill, strike out "local", and insert "public".

Amendment No. 17

On page 5, line 11, of said bill, strike out "local", and insert "public".

Amendment No. 18

On page 5 of said bill, between lines 11 and 12, insert

"SEC. 19. Every public agency receiving money from the Recreation Fund Act shall maintain adequate accounting records covering the receipt and expenditure of such money, in such manner, and supported by such original accounting instruments,

as may be necessary clearly to establish the purposes and objects for which such money was expended. Failure of a public agency to comply with the provisions of this section with respect to any amount paid to such local agency from the Recreation Fund shall make such public agency liable for the immediate repayment of such amount to the State, upon demand of the Controller.

SEC. 20. It shall be the duty of the Controller to make such audit or audits of the books and records of public agencies receiving allocations from the Recreation Fund as he may deem necessary, from time to time, for the purpose of determining that the money received by public agencies from such fund has been expended for the purposes and under the conditions authorized by this act.

SEC. 21. Whenever the Controller determines that any money allocated and paid to a public agency from the Recreation Fund has been expended by such public agency for purposes not authorized by this act, or exceeds the final cost of the project which is authorized by this act to be paid therefrom, the Controller shall furnish written notice to the governing body of such public agency, or to its authorized agent, directing such public agency forthwith to pay to the State Treasurer the amount of such unauthorized expenditures, or the amount of the excess allocation paid to the public agency, as the case may be. Upon receipt of such notice by such governing body or its authorized agent, such governing body shall forthwith pay to the State Treasurer the amount set forth in such notice; and such amount shall, on order of the Controller, be deposited in the State Treasury in augmentation of the unallocated balance in the Recreation Fund. It shall be the duty of such governing body to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the Controller to enforce such collection on behalf of the State.

SEC. 22. Any portion of an allocation advanced to a public agency from the Recreation Fund shall be available for expenditure by its governing body for three years after the date on which the warrant covering the payment of the advance was issued by the Controller. For the purposes of this act, an amount paid to a public agency by the State shall be deemed to have been expended at the time and to the extent that such amount has been encumbered by the creation of a valid obligation on the part of the public agency. Upon the expiration of its period of availability, the unencumbered balance of any allocation advanced to a public agency from the Recreation Fund shall become due and payable to the State of California; and the governing body of the public agency shall forthwith, upon the expiration of such period of availability, pay the amount of such unencumbered balance to the State Treasurer. Such payments shall, on order of the Controller, be deposited in the State Treasury in augmentation of the unallotted balance of the Recreation Fund. It shall be the duty of such governing body to make the payments to the State Treasurer, as provided in this section, and it shall be the duty of the Controller to enforce such collection on behalf of the State."

Amendment No. 19

On page 5, line 12, of said bill, strike out "19", and insert "23"

Amendment No. 20

On page 5 of said bill, strike out lines 14 to 47, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2664—An act to amend Sections 1156 and 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Economy and Efficiency:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 15, 1949, at the end of line 6, insert "The monthly compensation shall not exceed three hundred and fifty dollars ($350)."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 596—An act to add Section 20394.15 to the Education Code, relating to demotion of state college employees.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 9, of the printed bill, after "demoted.", insert "An employee is demoted if he is reduced in classification, reduced in rank or reduced in class within a rank."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2437—An act making an appropriation for allocation to county sanitation districts for prevention of the pollution of waters in and adjacent to the State.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, after "districts", insert "and to sanitary districts".

Amendment No. 2

On page 1, line 13, of said bill, after "districts", insert "and sanitary districts".

Amendment No. 3

On page 1, line 18, of said bill, strike out "and by", and insert a comma.

Amendment No. 4

On page 1, line 18, of said bill, after the comma, insert "and the various sanitary districts,".

Amendment No. 5

On page 1, line 20, of said bill, after "districts", insert "and sanitary districts".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 798—An act to amend Section 5837 of the Streets and Highways Code, relating to maintenance districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "outlying", and insert "contiguous".

Amendment No. 2

On page 1, lines 6 and 7, of the printed bill, strike out "Such outlying territory may be contiguous or non-contiguous."

Amendment No. 3

On page 1, line 13, of the printed bill, after "of the", insert "contiguous".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1431—An act to create a flood control district to be called Alameda County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 14, of the printed bill, strike out "instituted", and insert "taken and had".

Amendment No. 2

On page 3, line 43, of the printed bill, after "district", strike out the period, and insert a semicolon and "provided that nothing in this act contained shall authorize the carrying out of any plan of improvement, the purpose of which is, or the effect of which will be, to take water which flows in any watershed in said district and transport or sell same for use anywhere outside of the district when the water level of any gravel beds within the district is below the normal level and such water could reasonably be used to replenish the water level of said gravel beds; provided further that none of the provisions of this act shall preclude the exercise by any other political subdivision that may now or hereafter exist, wholly or in part, within the district from exercising its powers, although such powers may be of the same nature as the powers of said district. Any such other political subdivision may, by written agreement with the district, provide for the use, or joint use, of property or facilities in which any such other political subdivision has an interest, or for the use, or joint use, of property or facilities in which said district has an interest."

Amendment No. 3

On page 6, line 27, of the printed bill, strike out "is", and insert "in".

Amendment No. 4

On page 7 of the printed bill, after line 5, insert

"SEC. 6 1 The board shall appoint a commission consisting of nine (9) members, six (6) of whom shall be freeholders of the unincorporated territory of the County of Alameda, to assist and advise said board in the institution of projects or works of improvement, and the board may by ordinance provide for compensation for services and payment of the actual necessary expenses incurred by said members in the performance of official duties under this act, payable from the funds of the district Members of the advisory commission shall serve at the pleasure of the board "

Amendment No. 5

On page 7, line 17, of the printed bill, strike out "; provided, however, that where the county", and insert a period.

Amendment No. 6

On page 7 of the printed bill, strike out lines 18 to 22, inclusive.

Amendment No. 7

On page 9, line 10, of the printed bill, after "by", insert "each of".

Amendment No. 8

On page 9, line 18, of the printed bill, strike out "designated by the board," and insert a comma.

Amendment No. 9

On page 9 of the printed bill, strike out lines 32 to 40, inclusive, and insert "Upon the conclusion of the hearing the board may abandon the proposed project or proceed with the same, unless prior to the conclusion of said hearing a written protest against the proposed project signed by a majority in number of the holders of title to real property, or assessable rights therein, or evidence of title thereto, representing one-half or more of the assessed valuation of the real property within such zone or within any of the participating zones for which said project was initiated, be filed with the board, in which event further proceedings relating to such project must be suspended for not less than six months following the date of the conclusion of said hearing, or said proceeding may be abandoned in the discretion of the board.

In all matters in this section referred to, the last equalized assessment roll of the County of Alameda next preceding the filing of the protest shall be prima facie evidence as to the ownership of real property, the names and number of the persons who are the holders of title or evidence of title, or assessable rights therein, and as to the assessed valuation of real property within the zone or within any of the participating zones for which the project was initiated.

Executors, administrators, special administrators and guardians may sign the protest provided for in this act on behalf of the estate represented by them. If the property is assessed in the name of such representatives, that fact shall establish the right of such representatives to sign the protest; if assessed in the name of the decedent, minor or incompetent person, certified copies of the letters or such other evidence as may be satisfactory to the board must be produced

Where real property appears to be owned in common or jointly or by a partnership, or where letters of representatives of decedents, minors or guardians are joint, only one of the owners or representatives or partners may sign the protest for all joint owners or representatives or partners; provided, the party claiming the right to protest for all produces the written consent of his co-owners or representatives or partners so to do, duly acknowledged by the consenting co-owners or representatives or partners in the manner that deeds of real property are required to be acknowledged to entitle such deeds to be recorded in the recorder's office of the county.

Where real property is assessed in the name of a trustee or trustees, such trustee or trustees shall be deemed to be the person entitled to sign the protest, and if assessed in the name of more than one trustee the right to sign the protest shall be determined in like manner as above provided with respect to co-owners

The protest of any public or quasi public corporation, private corporation or unincorporated association, may be signed by any person authorized by the board of directors or trustees or other managing body thereof, which authorization shall be in writing; and a proxy executed by an officer or officers thereof, attested by its seal and duly acknowledged, shall constitute sufficient evidence of such authority, and shall be filed with the board.

The owner of any real property or interest therein, appearing upon the assessment roll, which has been assessed in the wrong name or to unknown owners, or which has passed from the owner appearing as such on the last equalized assessment roll, since the same was made, shall be entitled to sign the protest represented thereby, either by the production of a proxy from such former owner, or by furnishing evidence of his ownership by a conveyance duly acknowledged showing the title to be vested in the person claiming the right to sign the protest, accompanied by a certificate of a competent searcher of titles, certifying that a search of the official records of the county, since the date of the conveyance, discloses no conveyance or transfer out from the grantee or transferee named in the conveyance.

Where the real property has been contracted to be sold, the vendee shall be entitled to sign the protest, unless such real property is assessed in the name of the vendor, in which event the vendor shall be entitled to so do.

The board shall likewise be entitled to inquire and take evidence for the purpose of identifying any person claiming the right to sign the protest as being the person shown on the assessment roll or otherwise as entitled thereto And, unless satisfactory evidence is furnished, the right to sign said protest may be denied"

Amendment No. 10

On page 9, line 45, of the printed bill, strike out ", and", and insert "; provided, however, that said ad valorem tax or assessment shall not exceed ten cents ($0.10) on each one hundred dollars ($100) of assessed valuation, and".

Amendment No. 11

On page 10, line 49, of the printed bill, after "and", insert "the maximum".

Amendment No. 12

On page 11, line 32, of the printed bill, after "the", insert "maximum".

Amendment No. 13

On page 12, line 18, of the printed bill, strike out "If at such election two-".

Amendment No. 14

On page 12 of the printed bill, strike out lines 19 to 22, inclusive, and insert "Where a project affects a single zone only, if at such election two-thirds (⅔) of the votes cast in said zone on the proposition of incurring a bonded indebtedness are in favor thereof, then bonds for such zone for the amount stated in such proceedings shall be issued and sold as in this act provided Where the incurring of bonded indebtedness by participating zones is to be determined at such election, no bonds for any of such participating zones shall be issued or sold unless two-thirds (⅔) of the votes cast on the proposition in each such participating zone are in favor of incurring the bonded indebtedness to be undertaken by such zone"

Amendment No. 15

On page 15, line 43, of the printed bill, strike out "five thousand dollars ($5,000)," and insert "two thousand dollars ($2,000),"

Amendment No. 16

On page 16, line 17, of the printed bill, strike out "In the event all pro-"

Amendment No. 17

On page 16 of the printed bill, strike out lines 18 to 28, inclusive, and insert "In the event no proposals are received pursuant to advertisement therefor or the estimated cost of such work does not exceed the sum of two thousand dollars ($2,000), or the work consists of channel protection, or maintenance work, or emergency work when necessary in order to protect life and property from impending flood damage, the board of supervisors may, without advertising for bids therefor, have said work done by day labor, under the direction of the board, by contract, or by a combination of the two The district shall have the power to acquire in the open market without advertising for bids therefor, materials, equipment and supplies for use in any work or for any other purpose"

Amendment No. 18

On page 16, line 35, of the printed bill, after "thereto," insert "subsequent to the date of filing the report, plans, specifications and map theretofore adopted,".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1733—An act to provide for the formation of districts within municipalities for the acquisition and construction of public parking places, including garages and other improvements, for the parking of motor vehicles; the acquisition and construction of public ways for ingress to and egress from such parking places; the issuance, sale and payment of bonds for the acquisition and construction of such parking places and public ways; the levy and collection of taxes, assessments, rentals, fees and charges for the payment of principal and interest of such bonds; the maintenance and operation of such parking places; the collection of rentals, fees and charges for the use of such parking places; contributions by cities of moneys, tax revenues, parking meter revenues or other funds for the payment of such bonds and interest or the acquisition and construction of parking places; relating to the powers and duties of cities and city officials; and declaring the urgency of this act to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 22, of the printed bill, strike out "thereon", and insert "therein".

Amendment No. 2

On page 2, line 30, of said bill, strike out "construction", and insert "improvement".

Amendment No. 3

On page 2 of said bill, following line 38, insert

"(9) Any property to be acquired hereunder may be acquired by gift, purchase, or eminent domain, and any conveyance of property or right of way as a gift may be conditional upon the use of the property for the purpose for which it is conveyed or property may be conveyed to the city in trust for a particular use or uses and the conveyance may provide that upon the cessation or abandonment of such use or uses the property shall be reconveyed to the donor or to his or its successors or assigns."

Amendment No. 4

On page 2, line 39, of said bill, strike out "9", and insert "10".

Amendment No. 5

On page 2 of said bill, following line 43, insert

"(11) Any bonds issued hereunder must be payable in part from revenues derived from business license fees or taxes, sales taxes, or parking meters, or any one or more thereof, or other special taxes or revenues, but no ad valorem tax shall be levied upon all property in the city for the payment thereof."

Amendment No. 6

On page 2, line 48, of said bill, strike out "twenty", and insert "thirty-five"; and strike out "20", and insert "35".

Amendment No. 7

On page 3, lines 20 and 21, of said bill, strike out "construction", and insert "improvement".

Amendment No. 8

On page 3, line 36, of said bill, following "issued", insert ", together with a statement of the portion or percentage of such business license taxes, sales taxes, parking meter revenues, or other special taxes or revenues to be so used or the area from which such business license taxes, sales taxes, parking meter revenues, or other special taxes or revenues to be so used shall be collected or levied and collected".

Amendment No. 9

On page 4, lines 37, of said bill, strike out "have filed", and insert "at the conclusion of the hearing have on file and not withdrawn".

Amendment No. 10

On page 5, line 3, of said bill, strike out "At the"; strike out lines 4 to 12, inclusive; and in line 13, strike out all of the language preceding "At".

Amendment No. 11

On page 5, line 21, of said bill, strike out "plan", and insert "project"

Amendment No. 12

On page 5, line 26, of said bill, strike out "on".

Amendment No. 13

On page 5, line 35, of said bill, strike out "filed", and insert "on file".

Amendment No. 14

On page 5, line 36, of said bill, strike out the semicolon, and insert ", at the conclusion of the hearing, then".

Amendment No. 15

On page 5, line 37, of said bill, strike out "has been filed", and insert "is on file"

Amendment No. 16

On page 5, line 40, of said bill, following "protests", insert "constituting less than a majority protest".

Amendment No. 17

On page 5, line 44, of said bill, following "objections", insert "constituting less than a majority protest".

Amendment No. 18

On page 5, line 51, of said bill, strike out "issuing bonds"; strike out line 52; and on page 6, line 1, strike out all of the language preceding "The", and insert "allocating to and using for the payment of principal and interest of the bonds revenues derived from sales taxes, business license fees or taxes, parking meters, or other special sources as stated in the resolution of intention."

Amendment No. 19

On page 7, line 27, of said bill, strike out the four words following the period; strike out lines 28 to 42, inclusive; and in line 43, strike out all of the language preceding "Said".

Amendment No. 20

On page 8 of said bill, following line 9, insert

"Said legislative body shall also, prior to the time the bonds are issued, fix and determine the rentals, parking fees, rates or charges to be paid for the use of the parking facilities to be acquired and constructed, and the said rates so determined may not be diminished without the consent of the holders of at least sixty percent (60%) in principal amount of the bonds outstanding at the time any change of rates is proposed to be made. Said legislative body may also enter leases with owners of land within the district or the tenants of properties within the district for the exclusive use of a reasonable amount of the parking facilities to be provided. Such leases shall state the amount of the monthly or annual rental and the term of the lease, which shall not exceed the term of the bonds proposed to be issued. The space so leased shall be usable by said owner or tenant, his or its employees or customers, and such other classes of the general public, if any, as may be designated by the person making such lease."

Amendment No. 21

On page 8, line 17, of said bill, following the period, insert "Said bonds and the interest coupons thereof shall be negotiable instruments."

Amendment No. 22

On page 8, line 31, of said bill, following "principal", insert "; provided, however, that interest on such bonds during the period of acquisition and construction may be paid from the proceeds thereof if the ordinance providing for the issuance of said bonds so provides".

Amendment No. 23

On page 8, line 40, of said bill, strike out "the", and insert "any issue of"; also, in line 40, following "bonds", insert "hereunder".

Amendment No. 24

On page 9, line 11, of said bill, strike out "unexpired", and insert "unexpended".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1734—An act to amend Sections 1, 2, 3, 5, 7, 9, 13, 14, 28, 44, 46, 47, 48, 49, 51, and 55 of, and to add Section 45.1 to, the Vehicle Parking District Act of 1943, relating to vehicle parking districts and the formation and financing thereof, the acquisition and improvement of parking places and of means of ingress thereto, contributions by cities and counties to pay portions of the cost thereof, the levy of taxes, and the management and operation of parking places.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "2,3", and insert "2.3".

Amendment No. 2

On page 3 of said bill, strike out lines 12 to 24, inclusive, and insert "objections. The legislative body in its discretion may at any time or times prior to the levy of the assessment determine that a portion of the costs and expenses of the proposed acquisition and improvement shall be paid by the city. In the event such a determination is made prior to the adoption of the ordinance of intention, the amount to be contributed under such determination shall be stated in the ordinance, and the ordinance shall provide that an assessment will be levied as provided in this act to pay the balance of the costs and expenses of the acquisition and improvement. The petition for the formation of the district may state that it is made upon the condition that the city pay not less than a specified amount of such costs and expenses, in which event the legislative body may either reject said petition, or agree to make a contribution not less than the amount so specified in said petition."

Amendment No. 3

On page 4 of said bill, following line 29, insert

"At such hearing the legislative body may determine that portions of the lands, rights of way, and improvements proposed by the ordinance of intention to be acquired, made or constructed shall not be acquired, made or constructed, but the legislative body shall not make any such elimination except after notice of intention so to do given by one insertion by the clerk thereof in the newspaper in which the ordinance of intention was published, describing generally the portion of the acquisition or improvement proposed to be eliminated, stating the estimated reduction in the costs and expenses as a result of such elimination, and specifying the time for hearing objections thereto, which time shall be at least fifteen days after publication of such notice The legislative body shall not so eliminate any portion of the acquisition or improvement unless following such hearing it shall either determine that all of the lands in the proposed district will be benefited by the remaining acquisition and improvement or shall, pursuant to the procedure in this section provided, exclude from the proposed district all lands which in its opinion will not be benefited by the remaining acquisition and improvement."

Amendment No. 4

On page 4, line 51, of said bill, after "intention", insert "or the acquisition and improvement remaining after any elimination made as provided in Section 7".

Amendment No. 5

On page 5, lines 17 and 18, of said bill, strike out "described in the ordinance of intention to form the district", and insert "ordered in the ordinance declaring the district formed".

Amendment No. 6

On page 5, line 24, of said bill, strike out the comma after "previous assessments", and insert "levied under this act, excluding ad valorem taxes levied under Section 46 but".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 5 of said bill, following line 34, insert

"SEC 6 Section 10 of said act is hereby amended to read:

Sec 10 The legislative body in its ordinance ordering the things proposed to be done and forming said district shall direct an action to be brought by the city attorney, or other attorney directed by it, in the proper superior court in the name of the municipality for the condemnation of the property necessary and proposed to be acquired as described in said ordinance [of intention] The fee simple title of any lands to be acquired for parking places may be condemned.

The legislative body may contract for the purchase of any of said lands. Any part of said lands acquired by purchase or by gift need not be included in the condemnation action or, if included therein, need not be condemned."

Amendment No. 8

On page 5, line 35, of said bill, strike out "6", and insert "7".

Amendment No. 9

On page 5, line 39, of said bill, strike out "portion thereof to be paid", and insert "amount contributed".

Amendment No. 10

On page 5, lines 39 and 40, of said bill, strike out "or by the county", and insert "and after exclusion therefrom of any expenses to be paid or borne by the city".

Amendment No. 11

On page 6, line 12, of said bill, strike out "7", and insert "8".

Amendment No. 12

On page 6, line 49, of said bill, strike out "8", and insert "9".

Amendment No. 13

On page 7, line 17, of said bill, strike out "9", and insert "10".

Amendment No. 14

On page 7, line 23, of said bill, after "act", insert "In the discretion of the legislative body, such commission may be appointed at any time prior to such acquisition and after the adoption of the ordinance declaring the district formed."

Amendment No. 15

On page 8, line 9, of said bill, strike out "10", and insert "11"

Amendment No. 16

On page 9, line 23, of said bill, strike out "11", and insert "12".

Amendment No. 17

On page 9, line 35, of said bill, after "The", insert "maximum".

Amendment No. 18

On page 9, line 38, of said bill, strike out "other or different", and insert "higher"

Amendment No. 19

On page 9, line 47, of said bill, after "for", insert "maximum".

Amendment No. 20

On page 9, line 50, of said bill, after "the", insert "maximum"

Amendment No. 21

On page 10, line 18, of said bill, strike out "12", and insert "13".

Amendment No. 22

On page 10, line 34, of said bill, strike out "13", and insert "14".

Amendment No. 23

On page 11, line 11, of said bill, after "district", insert "or".

Amendment No. 24

On page 12, line 14, of said bill, strike out "14", and insert "15".

Amendment No. 25

On page 12, line 40, of said bill, strike out "15", and insert "16".

Amendment No. 26

On page 12, line 49, of said bill, strike out "by the legislative body of the city".

Amendment No. 27

On page 13, line 1, of said bill, strike out "16", and insert "17"

Amendment No. 28

On page 13, line 21, of said bill, strike out "17", and insert "18".

Amendment No. 29

On page 13, line 23, of said bill, after "act", insert "and to proceedings for the formation of such districts pending on the effective date of this act".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2081—An act amending Sections 32056, 32062, 32355, and 32361 of, and adding Section 32361.5 to, the Government Code, relating to county pension systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "32062," insert "32064,".

Amendment No. 2

On page 2 of said bill, between lines 14 and 15, insert

"SEC. 2.5. Section 32064 of the Government Code is amended to read:

32064. An officer or employee who accepts any of the benefits under this chapter shall not engage in any public employment *except service in the armed forces of the United States* if the aggregate of the benefits under this chapter and the compensation

paid to him would exceed the compensation paid to him in the position from which he was retired. Any violation of this section shall result in the immediate termination of all such benefits."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2099—An act to amend Section 12¾ of an act entitled "An act authorizing the incurring of indebtedness by cities, towns, and municipal corporations, for municipal improvements, and regulating the acquisition, construction, or completion thereof," which became a law February 25, 1901, under constitutional provision without the Governor's approval, relating to elections on city bonds.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, following "amend", strike out the remainder of the title, and insert "Sections 43604, 43608, 43610, 43612 and 43613 of the Government Code, relating to city bonds."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out that portion of line 1 following "1 ", and strike out lines 2 to 25, inclusive, and insert "Section 43604 of the Government Code is amended to read:

43604 [In addition to other municipal improvements, such] *Such a city plan* may [cover] *include* land for public use, public buildings including auditoriums and stadiums, parks, streets, [and] transportation facilities *and other municipal improvements.*

SEC. 2 Section 43608 of said code is amended to read.

43608 At any subsequent meeting, by a two-thirds vote of all its members, the legislative body may pass an ordinance ordering the submission of the proposition *of incurring a bonded debt for the purpose* set forth in [the] *said* resolution to the qualified voters of the city at an election held for that purpose.

SEC. 3 Section 43610 of said code is amended to read.

43610 The ordinance shall recite:

(a) The object and purpose of incurring the indebtedness

(b) The estimated cost of the public improvements

(c) The amount of the principal of the indebtedness

(d) The *rate or maximum rate* of interest on the indebtedness, which shall not exceed 6 percent payable semiannually, and need not be recited if it does not exceed 4½ percent payable semiannually.

(e) The date of the election

(f) The manner of holding the election and the procedure for voting for or against the proposition.

SEC. 4. Section 43612 of said code is amended to read.

43612 [If an election called pursuant to this article is consolidated with any other election, the precincts, polling places and election officers may be the same as those set forth in the ordinance calling the other election. In all other particulars proceedings shall be pursuant to this article. If elections are consolidated, the ordinance calling the bond election shall refer to the ordinance calling the other election by number and title.] *If an election called pursuant to this article is consolidated with any other election, the ordinance calling the bond election need not set forth the election precincts, polling places and officers of election but may provide that the precincts, polling places and officers of election shall be the same as those set forth in the ordinance, order, resolution or notice calling or providing for or listing or designating the precincts, polling places and election officers for the election with which the election called pursuant to this article is consolidated, and shall refer to such ordinance, order, resolution or notice by number and title or date of adoption, or by date or proposed*

date of publication and the name of the newspaper in which publication has been or will be made, or by any other definite description

SEC. 5. Section 43613 of said code is amended to read.

43613. Except as otherwise provided in the ordinance, the election shall be conducted as *other* city elections."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 2243—An act to amend Sections 31967 and 32050 of the Government Code, relating to the county peace officers retirement system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 32050 of", and insert ", 32021, 32030, 32050, 32056, and 32062, to repeal Section 30236 of, and to add Sections 31963.5, 31981.5, 32025.5, 32036, 32045, 32046, 32047, 32048, and 32049 to".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "twenty years or more in the aggregate", and insert ", and has made contributions provided for in this chapter for not less than the required time".

Amendment No. 3

On page 1, line 13, of the printed bill, strike out "age 55", and insert "the required age".

Amendment No. 4

On page 1, line 17, of the printed bill, strike out "twenty or more years in the aggregate", and insert "the required time or more".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 1 of the printed bill, following line 21, insert

"SEC. 3. Section 30236 of said code is repealed

SEC. 4. Section 31963.5 is added to said code, to read:

31963.5 In any actuarial investigation and valuation of the system three separate tables of contributions by members shall be made, as follows:

(a) A table of contributions by members who have selected Option A pursuant to Article 7 of this chapter

(b) A table of contributions by members who have selected Option B pursuant to Article 7 of this chapter.

(c) A table of contributions by members who have not selected either option.

SEC. 5. Section 31981.5 is added to said code, to read

31981.5. Any person over age 35 at the time of his becoming a peace officer is ineligible for membership and shall not be subject to this chapter, unless:

(a) He was subject to this chapter at the time this section takes effect, or

(b) He has been a member of a previous pension system which is superseded by a retirement system established pursuant to this chapter, or

(c) He receives credit for time of membership in another existing retirement system pursuant to Sections 31202 and 32026, and was not over 35 years of age when first becoming a member of such other system

SEC. 6. Section 32025.5 is added to said code, to read:

32025.5 If a member, pursuant to Article 7 of this chapter, selects either Option A or Option B, and prior to the selection of such option but subsequent to January 1, 1948, has made contributions greater than he would have made if he had selected such option on January 1, 1948, the difference shall be refunded to him.

SEC. 7. Section 32021 of said code is amended to read.

32021. The normal rates of contributions shall be such as will provide an average annuity at the lowest age at which the respective members are eligible for service retirement equal to one-half of terminal salary, according to the tables adopted by the board *of supervisors*.

SEC. 8. Section 32036 is added to said code, to read

32036. Any contributions paid into the system by a member shall be returned to such member, but without interest, upon his separation from service of the county.

SEC. 9. Section 32030 of said code is amended to read:

32030. The board of supervisors [may] *shall* appropriate an additional amount [, not to exceed the sum which would result from a tax levy on all of the property in the county subject to taxation of one half cent ($0.005) per one hundred dollars ($100) of assessed valuation,] *sufficient* to [reduce or] eliminate any deficit in *that portion of* the fund *which can be credited to those members who have selected pursuant to Article 7 of this chapter either Option A or Option B within a period of thirty years*. The board of supervisors shall deposit monthly all contributions received in the county treasury to the credit of the fund.

SEC. 10. Section 32045 is added to Article 7 of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, to read

32045. Within sixty days after becoming subject to this chapter or within sixty days after the effective date of this section, whichever is later, a member whose age at the time of such election minus the aggregate years of service to his credit as a county peace officer for which contributions have been made pursuant to this chapter does not exceed thirty years, may file a written election to have his contributions calculated under Option A.

SEC. 11. Section 32046 is added to Article 7 of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, to read

32046. If a member selects Option A pursuant to this chapter, the required time is 25 years in the aggregate. The required age is 55 years.

SEC. 12. Section 32047 is added to Article 7 of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, to read:

32047. Within sixty days after becoming subject to this chapter or within sixty days after the effective date of this section, whichever is later, a member whose age at the time of such election minus the aggregate years of service to his credit as a county peace officer for which contributions have been made pursuant to this chapter does not exceed thirty-five years, may file a written election to have his contributions calculated under Option B.

SEC. 13. Section 32048 is added to Article 7 of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, to read:

32048. If a member selects Option B pursuant to this chapter, the required time is 25 years in the aggregate. The required age is 60 years.

SEC. 14. Section 32049 is added to Article 7 of Chapter 4 of Part 3 of Division 4 of Title 3 of the Government Code, to read:

32049. If a member does not select either Option A or Option B pursuant to this chapter, the required time is 20 years in the aggregate. The required age is 55 years.

SEC. 15. Section 32056 of said code is amended to read:

32056. Whenever any member or pensioner is killed, or dies as a result of any injury received during the performance of his duty, or from sickness caused by the discharge of such duty, or after retirment for service connected disability, an annual pension shall be paid in equal monthly installments to his widow *or widower* in an amount equal to one-half of his terminal salary, not to exceed two hundred fifty dollars ($250) a month. The pension shall be paid to the widow *or widower* during her *or his* lifetime or until *he or* she remarries. Thereafter, or if there is no widow *or widower* entitled to receive the pension, it shall be paid to such of his children, through their guardian, as are under eighteen years of age, to be equally divided among them in the following amounts:

For one child	$ 50
For two children	$ 75
For three or more children	$100

A widow *or widower* of a pensioner is not entitled to a pension unless she *or he* was married to the deceased pensioner at least five years prior to the date of his retirement. If the widow, *widower*, child, or children marry, the pension paid to the person so marrying shall cease.

SEC. 16. Section 32062 of said code is amended to read:

32062. At any time before the first payment of any pension is made, a member or pensioner may elect to receive the actuarial equivalent at that time of his pension in a lesser pension payable throughout his life and that of his widow, *widower or beneficiary*, if *he or* she survives him, in accordance with one of the following options.

Option 1. Upon his death, such lesser pension shall be continued throughout the life of and paid to his widow, *widower or beneficiary*

Option 2: Upon his death, one-half of such lesser pension shall be continued throughout the life of and paid to his widow, *widower or beneficiary*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government

Assembly Bill No. 1193—An act to provide for the establishment of a branch office of the Department of Motor Vehicles in the City of Alameda, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed measure, after "sum of", insert "thirty-five thousand nine hundred forty-eight", and after "dollars", insert "($35,948)".

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2731—An act making an appropriation to the Department of Mental Hygiene to provide sanitation and sewer facilities for the Sonoma State Home.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "_____ dollars ($_____)", and insert "two hundred eleven thousand, five hundred and four dollars ($211,504)"

Amendment read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means

Assembly Bill No. 721—An act to amend Section 11535 of the Business and Professions Code, relating to the regulation of real estate subdivisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 11535 of", and insert "add Section 11540.1 to".

Amendment No. 2

On page 1 of said bill, strike out line 1 and insert

"SECTION 1. Section 11540.1 is added to the Business and Professions Code, to read:

11540.1. Nothing in this chapter prevents the governing body of any municipality or county from regulating the division of land which is not a subdivision, but the validity of any conveyance, as defined in Section 1215 of the Civil Code, made

contrary to the provisions of any ordinance prescribing the area or dimensions of lots or parcels, or prohibiting the reduction in areas or the separation in ownership of land, or requiring the filing of a map of any land to be divided, shall not be affected, except that any such ordinance may provide that any deed of conveyance, sale or contract to sell made contrary to the provisions of such ordinance is voidable to the extent and in the same manner provided in Section 11540

SEC. 2 As to any conveyance executed prior to the taking effect of this act and alleged to be in violation of any municipal or county ordinance or regulation prescribing the area or dimensions of lots or parcels, or prohibiting the reduction in area or separation in ownership of land, or requiring the filing of a map of any land to be divided, a proceeding or defense based on alleged invalidity of such conveyance by reason of such violation can be commenced or maintained only within one year after the execution of such conveyance or prior to October 1, 1950, whichever time is later, but this provision does not extend, enlarge, or revive any rights with respect to proceedings or defenses which have heretofore expired or been lost by lapse of time or otherwise."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1801—An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority and providing for the return thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert

"SECTION 1 The Board of State Harbor Commissioners for San Francisco Harbor is authorized to direct the Controller to transfer the sum of three hundred thousand dollars ($300,000), or so much thereof as may be necessary as determined and requested by the San Francisco World Trade Center Authority, from the San Francisco Harbor Improvement Fund to the Special Deposit Fund in the State Treasury to the credit of said authority, to be expended by the said authority in the manner and for the purposes authorized under the provisions of the World Trade Center Authorities Act approved July 17, 1947, Chapter 1508, Statutes of 1947, including, but not limited to, expenses for surveys, plans, estimates, preliminary engineering and other expenses (preliminary or otherwise) incident to the acquisition, construction, financing, promotion and operation of a world trade center in the City and County of San Francisco; provided that no advances shall be made hereunder which in the opinion of the said Board for San Francisco Harbor would imperil said San Francisco Harbor Improvement Fund or prevent said board from meeting its obligations from said fund under the Harbors and Navigation Code The said San Francisco World Trade Center Authority and the said board for San Francisco Harbor shall agree in writing upon the terms and conditions under which repayment to the said board shall be made of the moneys transferred hereunder, which agreement shall be subject to the approval of the Director of Finance, and which agreement may provide for repayment from the proceeds of the sale of revenue bonds issued with respect to the San Francisco World Trade Center under the provisions of said World Trade Center Authorities Act or from any other source The said agreement from time to time may be modified by the parties thereto with the consent of the Director of Finance

SEC 2 Except as may be provided by said agreement or any amendment or modification thereof, any return of said moneys to said San Francisco Harbor Improvement Fund shall not be subject to any provisions or limitations of Sections 10 4 and 10 5 or any other provision of the World Trade Center Authorities Act which otherwise might delay or postpone reimbursement for any expenditures which may be made under appropriation, transfer, or advances by the State of California or any agency thereof."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3136—An act to repeal Section 13583 of the Education Code, relating to the dismissal of probationary employees in school districts having an average daily attendance of 60,000 or more pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend"

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1 Section 13583 of the Education Code is amended to read:

13583. Anything in Section 13582 to the contrary notwithstanding, governing boards of school districts having an average daily attendance of 60,000 or more pupils shall dismiss probationary employees for cause only The determination of the board as to the sufficiency of the cause for dismissal shall be conclusive, but the cause shall relate solely to the welfare of the schools and the pupils thereof.

No notice other than the notice prescribed in Section 13582 need be given said employee, and the governing board is not required to grant any hearing to said employee."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 983—An act to amend Section 2848 of the Elections Code, relating to termination of membership in a county central committee.

Bill read second time, and ordered to third reading.

Senate Bill No. 985—An act to add Section 5301.5 to, and to amend Section 5302 of, the Elections Code, relating to solicitation of funds for political purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1331—An act to add Section 11004 to the Elections Code, relating to petitions for the recall of state officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 142—An act to amend the heading of Article 4 of Chapter 1 of Division 4, and Section 4126 of the Public Resources Code, relating to the closing of parks and forestry areas.

Bill read second time, and ordered to third reading.

Senate Bill No. 143—An act to add Section 4006.5 to the Public Resources Code, relating to cooperative agreements for reforestation.

Bill read second time, and ordered to third reading.

Senate Bill No. 249—An act to amend Section 4165 of the Public Resources Code, relating to fire protection and regulating the disposal of waste material.

Bill read second time, and ordered to third reading.

Senate Bill No. 250—An act to amend Section 4167 of the Public Resources Code, relating to fire hazards in the vicinity of forest, brush, grass or grain covered land.

Bill read second time, and ordered to third reading.

Senate Bill No. 1092—An act to add Section 14 3 to the County Water District Act and Section 31006 to the Water Code, relating to county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1279—An act to amend Section 5531 of the Public Resources Code, relating to regional park districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 165—An act to add Section 2 2 to the Orange County Flood Control Act, relating to the powers of the Orange County Flood Control District.

Bill read second time, and ordered to third reading.

Senate Bill No. 322—An act to add Section 20454 1 to the Education Code, relating to the giving of bonds in connection with the maintenance of Reserve Officer Training Corps units at state colleges, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 569—An act to amend Section 8161 of the Education Code, relating to the maintenance of school classes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1427—An act to amend Sections 3896 and 3897 of, and to repeal Article 13, comprising Sections 3741 to 3750, inclusive, of Chapter 11 of Division 2 of, and to add Section 38899 to, the Education Code, relating to the organization of high school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 803—An act to amend Section 6736 of the Business and Professions Code, relating to the practice of civil engineering.

Bill read second time, and ordered to third reading.

Senate Bill No. 1343—An act to amend Section 10332 of the Government Code, relating to the California Code Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1462—An act to add Chapter 4 to Division 4 of the Elections Code, relating to propositions submitted at district elections.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

On page 1, line 14, of the printed bill, after the period, insert "Upon request of a district the county clerk shall furnish a list of voters to whom sample ballots shall be sent for an election in that district."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Beck asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 248—An act to amend Sections 4151 and 4159 of the Public Resources Code, relating to permits for the setting of fire.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on April 4, 1949, after "owner," insert "lessee, or agent thereof".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 280—An act to add Article 5 to Chapter 2, Division 4, Title 1 of the Government Code, relating to public employees' loyalty oaths and checks.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 36, of the printed bill, as amended in the Senate on April 14, 1949, strike out "have never been", and insert "am not now".

Amendment No. 2

On page 2, line 37, of said bill, strike out "or directly or indirectly supported or followed", and insert "nor do I directly or indirectly support".

Amendment No. 3

On page 3, line 3, of said bill, strike out "has been, or is," and insert "is".

Amendment No. 4

On page 3, line 29, of said bill, after "is", insert "known to such person to be".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 332—An act to add Article 4, comprising Sections 21100 to 21103, inclusive, to Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code, and to add Section 21251.15 and Section 21261 thereto, all relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended, after "of", insert "(1)".

Amendment No. 2

On page 2, line 29, of said bill, after "plus", insert "(2)".

Amendment No. 3

On page 2, line 35, of said bill, strike out "other-"; and in line 36, strike out "wise," and insert "or if he has rendered one year or more of state service after reinstatement, in lieu of (2), plus (3)".

Amendment No. 4

On page 2, line 38, of said bill, strike out "(1)", and insert "(a)".

Amendment No. 5

On page 2, line 41, of said bill, strike out "(2)", and insert "(b)".

Amendment No. 6

On page 2, line 43, of said bill, after "from", insert "non-industrial".

Amendment No. 7

On page 3, line 20, of said bill, after "from", insert "non-industrial".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 458—An act to amend Sections 2039, 2045.4, 5003, and 6105 and the article heading of Article 5 of Chapter 1 of Title 1 of Part 3 of the Penal Code, and to add Article 6, comprising Sections 2046 to 2046.6, to Chapter 1 of Title 1 of Part 3 thereof, relating to institutions subject to the jurisdiction of the Department of Corrections, providing for the establishment of the Southern California Medium Security Prison and for the commitment and transfer of persons thereto and therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on March 31, 1949, strike out lines 8 to 11, inclusive, and insert

"2046.4. The Director of Corrections shall appoint, subject to civil service, a warden for the said prison and such other officials and employees as may be necessary therefor, and shall fix their compensation."

Amendment No. 2

On page 2 of said bill, strike out lines 32 to 50, inclusive, and on page 3, strike out lines 1 to 7, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 515—An act to add Section 1106 to the Labor Code, relating to the hiring and discharging of employees

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in the Senate on April 14, 1949, strike out "have never been", and insert "am not now"

Amendment No. 2

On page 2, line 32, of said bill, strike out "or directly or indirectly supported or followed", and insert "nor do I directly or indirectly support"

Amendment No. 3

On page 2, line 42, of said bill, strike out "has been, or is." and insert "is".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 632—An act to amend Sections 20126, 20362, 20894.5, 21028, 21251.1, 21253, 21452, and 21453 of the Government Code and to add Section 20337 to Article 2 of Chapter 3 and Section 21371 to Article 5 of Chapter 9 of Part 3 of Division 5 of Title 2 thereof, all relating to the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 6, 1949, after "20362," insert "20751, 20867,".

Amendment No. 2

In line 3 of the title of said bill, after "3", insert "and Section 20527.1 to Article 3 of Chapter 4,".

Amendment No. 3

On page 2 of said bill, after line 29, insert

"SEC. 2.6. Section 20527.1 is added to Article 3 of Chapter 4 of Part 3 of Division 5 of Title 2 of the Government Code, to read:

20527.1. The percentages of contracting agency contribution adopted under this section or because of amendments to the contract or to the Retirement Law, apply to all compensation upon the basis of which member's contributions are deducted after those percentages became or become effective, without regard to the time when the service rendered for which the compensation is paid

SEC. 2.7. Section 20751 of the Government Code is amended to read:

20751. From the General Fund in the State Treasury there is appropriated monthly to the Retirement Fund the State's contribution for:

(a) All state miscellaneous members *and all other categories of members* whose compensation is paid from the General Fund.

(b) All university members whose compensation is paid from funds of the university.

(c) All state miscellaneous members who are employed by the Department of Education and whose compensation is paid from the Vocational Education Fund, the Vocational Rehabilitation Fund, or any other fund received, in whole or in part, as a donation to the State under restrictions preventing its use for state contributions to the Retirement System.

SEC. 2.8. Section 20867 of the Government Code is amended to read:

Sec. 20867. If a person has been employed by the State or one of more contracting agencies in any relative order and regardless of whether the employment was before or after the effective date of the contract, *and if he has not been paid his accumulated contributions, or having been paid such contributions, he redeposits them,* a

break of one year or less between such employments does not affect his right to receive credit nor the liability of such employers for all state service rendered in their respective employments, and such service shall be included in the calculation of the liability of the respective employers under said contracts.

If the break is more than one year, *and if, with respect only to persons credited with at least 20 years of state service or with at least five hundred dollars ($500) in accumulated contributions, said persons have withdrawn their accumulated contributions*, no liability exists, and he shall not receive credit for state service rendered prior to such break except for prior service as a state member."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 799—An act to add Section 161 to the Business and Professions Code, relating to the sale of copies of the public records of boards within the Department of Professional and Vocational Standards.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, following "its", insert "public".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XX, relating to oaths of office.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1 of the printed measure, as amended in the Senate on April 19, 1949, strike out line 13, and insert

"I do solemnly swear and (or affirm) that I will support and defend the Constitution of the United States and the Constitution of the State of California against all enemies, foreign and domestic; that I will bear true faith and allegiance, that I take this obligation freely, without any mental reservation for purpose of evasion and that I will well and faithfully discharge the duties of the office of _____ according to the best of my ability—So help me God."

Amendment No. 2

On page 1 of said measure, strike out lines 14 to 23, inclusive, and on page 2, strike out lines 19 and 20

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 204—An act to add Sections 31553.5, 31645.5, and 31648.5 to the Government Code, relating to the membership in county retirement associations, and to the rights and privileges of members.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 8, of the printed bill, after "county ", insert

"Any such city at its option may make such payment in one lump sum, or in installment payments not exceeding ten years, under such arrangement as the governing board of such city and the governing board of the retirement system of any such county may mutually agree upon "

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Municipal and County Government.

Senate Bill No. 230—An act to amend Sections 12200 and 13031.1 of, and to repeal Section 13226 of, the Education Code, relating to the employment of persons in positions requiring certification qualifications.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on March 28, 1949, beginning in line 1, strike out "and 13031.1 of," and insert ", 13031.1, and 14002.2 of, to add Section 13031.2 to,".

Amendment No. 2

In the title of said bill, strike out lines 4 to 6, inclusive, and insert "qualifications of employees of school districts."

Amendment No. 3

On page 2, line 2, of said bill, strike out "this code", and insert "Section 12200".

Amendment No. 4

On page 2, line 13, of said bill, after "must", insert a comma.

Amendment No. 5

On page 2, line 15, of said bill, strike out "this code", and insert "Section 12200".

Amendment No. 6

On page 2, line 16, of said bill, after the second "college", insert a comma.

Amendment No. 7

On page 2, line 16, of said bill, after "diploma", strike out the comma.

Amendment No. 8

On page 2, line 18, of said bill, strike out "his", and insert "this".

Amendment No. 9

On page 2 of said bill, beginning in line 21, strike out "complied with the provisions of this paragraph", and insert "registered such diploma under Section 12200".

Amendment No. 10

On page 2, line 28, of said bill, after "past", insert ", including an X-ray of the lungs,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 11

On page 2 of said bill, between lines 29 and 30, insert

"SEC. 3. Section 13031.2 is added to said code, to read:

13031.2. In lieu of the certificate from a physician and surgeon required under Section 13031.1, any person who adheres to the faith or teachings of any well recognized religious sect, denomination, or organization, and in accordance with its creed,

tenets, or principles, depends for healing upon prayer in the practice of religion, may file with the county superintendent of schools an affidavit stating such adherence and dependence and that to the best of his knowledge and belief he is free from active tuberculosis, and said affidavit shall be deemed equivalent of such certificate; provided, that if at any time there should be probable cause to believe that such affiant is afflicted with active tuberculosis, he may be excluded from service until the governing board of the employing district is satisfied that he is not so afflicted.

SEC. 4. Section 14002.2 is amended to read:

14002.2. In lieu of the certificate from a physician and surgeon [as specified in Sections 13226 and 14002.1 of this code] *required under Section 14002.1*, any person who adheres to the faith or teachings of any well recognized religious sect, denomination, or organization, and in accordance with its creed, tenets, or principles, depends for healing upon prayer in the practice of religion, may file with the county superintendent of schools an affidavit stating such adherence and dependence and that to the best of his knowledge and belief he is free from active tuberculosis, and said affidavit shall be deemed equivalent of such certificate; provided, that if at any time there should be probable cause to believe that such affiant is afflicted with active tuberculosis, he may be excluded from service until the governing board of the employing district is satisfied that he is not so afflicted."

Amendment No. 12

On page 2, line 30, of said bill, strike out "SEC. 3", and insert "SEC. 5".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Education.

UNFINISHED BUSINESS

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 401, on request of Mr. Hagen.

Assembly Bill No. 533, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 41—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 41?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 24, 1949, after "sardines", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 4, of said bill, after "packer," insert "only".

Amendment No. 3

On page 1 of said bill, strike out lines 5 and 6, and insert ", as follows. In Districts 4, 4½, that portion of District 18 lying south of a line running east and west through Piedras Blancas Light, 19, 20A, and 21, between October 1st and February 1st, inclusive; elsewhere in the State, except in District 20, between August 1st and January 15th Sardines may be taken at any time on or after but not prior to June 1, 1951, for the purpose of salting, curing, smoking or drying, or for the purpose of packing in cans commonly known as quarter-pound or square cans less than ten ounces in net weight; provided, that in a 10-ounce can, fish of a size not less than eight fish to the can may be used Sardines may be packed in their own natural oil.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect A statement of the facts constituting such necessity is as follows:

One of the most important sources of our food supply is the fishing industry Canned sardines for many years have been among, if not the largest contributors of this source. Recently there has been a serious shortage in the sardines available, the exact cause of which has not been determined However, immediate further restrictions on

the taking of sardines as provided in this act are necessary and delay therein will increase the existing shortage and further diminish a valuable food supply of the people of this State"

Amendment No. 4

On page 1, line 4, of the printed bill, as amended in the Senate on May 5, 1949, strike out "only." and insert ", only".

The roll was called, and the Assembly ~~refused to concur in Senate amendments to Assembly Bill No. 41 by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets

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[AYES—Babbage, Beck, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—49.

NOES—None]

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Bill No. 41

Mr. Thomas asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day refused to concur in Senate amendments to Assembly Bill No. 41.

Assembly Bill No. 41 ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2011

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2011, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2011

Assembly Bill No. 2011—An act to amend Section 28123 of the Government Code, relating to compensation for public service in counties of the twenty-third class.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 6, 1949, strike out "four thousand five hundred dollars ($4,500)", and insert "five thousand dollars ($5,000)".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS HOLD PLACES ON FILE

Mr. Erwin asked for, and was granted, unanimous consent that all bills on the Senate third reading file, which are passed on file today, hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1402—An act to amend Sections 1815 and 1817 of the Education Code, relating to candidates for office of school trustee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Cooke, Crichton, Crowley, Davis, Dickey, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 454—An act to amend Section 5392 of the Streets and Highways Code, relating to the Improvement Act of 1911.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1282—An act to repeal Sections 2071 and 2072 of, to add Sections 2071 and 2072 to, and to amend Sections 2073 and 2074 of, the Insurance Code, relating to insurance and the standard form fire insurance policy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 627—An act to amend Section 4 of "An act defining credit unions, providing for their incorporation, powers, management and supervision," approved March 31, 1927, as amended, relating to fines and obligations of officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 95—An act to repeal Article 4 of Chapter 1 of Division 20, consisting of Sections 24150 and 24151, of the Health and Safety Code, and to add Sections 267 and 268 to the Harbors and Navigation Code, relating to regulation of power boats and motor boat races.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 88—An act to add Chapter 4 to Part 2, Division 8 of the Harbors and Navigation Code, relating to the power of a harbor improvement district to improve, develop or protect any harbor or harbors within the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—57

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 267—An act to amend Section 7314 of the Labor Code, relating to fees for elevator inspection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1489

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1489, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1489

Senate Bill No. 1489—An act to amend Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class.

Bill read third time, and ordered temporarily passed on file.

Hon. Laughlin E. Waters Presiding

At 10.15 a.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 89—An act to amend Section 11 of the Conservation and Planning Act, relating to local planning commissions.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, after "Section 11 of", insert ", and to add Section 8 to,".

Amendment No. 2

On page 1, line 3, of said bill, after "city", insert "may,".

Amendment No. 3

On page 1, line 4, of said bill, strike out "may", and insert "shall".

Amendment No. 4

On page 1 of said bill, after line 5 insert

"SEC. 2. Section 8 is added to the Conservation and Planning Act, to read:

Sec. 8. Nothing in this act shall be construed to require any county or the board of supervisors of any county to adopt or consider the adoption of any land-use zoning ordinance, nor shall any part of this act be construed to empower any planning commission to compel obedience to any land-use plan."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Pro Tempore Presiding

At 10.24 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

INTRODUCTION

Mr. Maloney introduced young Nelson Hinman, Jr., young son of Rev. Nelson E. Hinman, Chaplain of the Senate, who is on his way to Oakland for the purpose of studying Braille, after talking with Assemblyman Crowley.

Hon. Laughlin E. Waters Presiding

At 10.25 a.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 610—An act to repeal Sections 219, 220, and 221 of the Welfare and Institutions Code, relating to the registration of charities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—56.

NOES—Lewis—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1489

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 1489, temporarily passed on file, for purpose of withdrawing bill from the active file at this time.

Bill Withdrawn From Active File, and Placed on the Inactive File

Senate Bill No. 1489, on motion of Mr. Tomlinson.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 817—An act to amend Section 2193 of the Business and Professions Code, relating to applicants for a physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Sillman, Smith, Stanley, Thomas, Tomlinson, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 624

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 624, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 624

Senate Bill No. 624—An act to amend Section 65 of the Labor Code, relating to conciliation and arbitration of labor disputes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thomas, Tomlinson, Waters, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 965—An act to amend Section 4256 of the Business and Professions Code, relating to fees charged by the California State Board of Pharmacy, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—58.

NOES—None.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—58.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 41

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate amendments to Assembly Bill No. 41, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
FURTHER CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 41—An act to amend Section 1065 of the Fish and Game Code, relating to sardines.

The question being: Shall the Assembly concur in the following amendments to Assembly Bill No. 41?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on March 24, 1949, after "sardines", insert "and declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1, line 4, of said bill, after "packer," insert "only"

Amendment No. 3

On page 1 of said bill, strike out lines 5 and 6, and insert ", as follows. In Districts 4, 4½, that portion of District 18 lying south of a line running east and west through Piedras Blancas Light, 19, 20A, and 21, between October 1st and February 1st, inclusive; elsewhere in the State, except in District 20, between August 1st and January 15th. Sardines may be taken at any time on or after but not prior to June 1, 1951, for the purpose of salting, curing, smoking or drying, or for the purpose of packing in cans commonly known as quarter-pound or square cans less than ten ounces in net weight; provided, that in a 10-ounce can, fish of a size not less than eight fish to the can may be used. Sardines may be packed in their own natural oil

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect A statement of the facts constituting such necessity is as follows:

One of the most important sources of our food supply is the fishing industry. Canned sardines for many years have been among, if not the largest contributors of this source. Recently there has been a serious shortage in the sardines available, the exact cause of which has not been determined However, immediate further restrictions on the taking of sardines as provided in this act are necessary and delay therein will increase the existing shortage and further diminish a valuable food supply of the people of this State."

Amendment No. 4

On page 1, line 4, of the printed bill, as amended in the Senate on May 5, 1949, strike out "only," and insert ", only".

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Geddes, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 41 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Geddes, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 41 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1131—An act to amend Sections 26472, 26541, 26542, and 26586 of the Health and Safety Code, and to add Sections 26606 and 26625 to said code, relating to the California Pure Food Act and its administration.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 12, 1949, after "26472", insert ", 26495".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, between lines 28 and 29, insert

"(1) If it contains any saccharine or other nonnutritive sweetening agent.

SEC. 2. Section 26495 of the Health and Safety Code is amended to read:

26495. A food shall be deemed to be misbranded if it is not subject to the provisions of Section 26493, unless its label bears (1) the common or usual name of the food, if any there be, and (2) in case it is fabricated from two or more ingredients, the common or usual name of each such ingredient Spices, flavorings, and colorings, other than those sold as such, may be designated as spices, flavorings, and colorings, without naming each.

The requirements of clause (2) of this section shall not apply to any carbonated beverage the ingredients of which have been fully and correctly disclosed to the board in the manner described by clause (2) above in a sworn affidavit [, nor shall such requirements apply to beer as defined in the Alcoholic Beverage Control Act] *; provided, however, that the filing of such affidavit shall not exempt carbonated beverages from any other requirement of this chapter; and particularly the requirements of stating in the label thereon any imitation or artificial flavor or color, except that caramel may be used without being declared as artificial color or flavor. If no affidavit covering a carbonated beverage has been filed with the board all the requirements of clause (2) of this section shall apply to such product. Beer, as defined in the Alcoholic Beverage Control Act is exempt from the requirements of clause (2) of this section.*

To the extent that compliance with the requirements of clause (2) of this section is impractical or results in deception or unfair competition, exemption shall be established by regulations promulgated by the board."

Amendment No. 3

On page 2, line 29, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 2, line 48, of said bill, strike out "3", and insert "4".

Amendment No. 5

On page 3, line 47, of said bill, strike out "6", and insert "5".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 10.40 a.m., Mr. McCarthy asked for, and was granted, unanimous consent that he and Mr. George D. Collins be excused, for the balance of the legislative day, for the purpose of attending a committee meeting in Oakland

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 12, 1949, strike out lines 6 to 18, and insert "zation procedures and methods in cleaning bottles, as in this article defined, shall apply to all persons maintaining a place of business for the cleaning and resale of such bottles sold for and to be used for packing a food, drug or liquor

The sale for use of any such bottle by any person not licensed by the board as herein provided, when the use intended by purchaser is to package for sale a food,

drug or liquor is unlawful, except in the case of a sale to a purchaser for export out of this State or who is engaged in the business of packaging food, drugs or liquors at a fixed place of business in this State and is equipped to cleanse and sterilize bottles as in this article provided."

Amendment No. 2

On page 1 of said bill, strike out lines 20 to 23, inclusive, and insert

"The board shall issue a license to an applicant therefor upon the receipt of such evidence as the board may require showing that the applicant is properly equipped for the cleansing and sterilization of bottles as herein provided, or at its option upon the recommendation of a city, county or city and county health officer.

The license provisions of this article shall not apply to food, drug or liquor manufacturers or packers who buy bottles for their own use and purposes, but do apply to any other person, firm or corporation engaged in the business of cleaning, sterilizing and reselling bottles to such manufacturers or packers except as hereinabove provided"

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 270

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 270, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 270

Senate Bill No. 270—An act to amend Section 4905 of the Business and Professions Code, relating to fees charged by the Board of Examiners in Veterinary Medicine, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Waters, Weber, and Yorty—54.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 294—An act to add Sections 1503.4 and 6357.1 to the Education Code, relating to the education of pupils in kindergartens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Waters, and Weber—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 296—An act to add Section 1503.5 to the Education Code, relating to payments for the education of pupils residing in one district and attending in another.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Thomas, Weber, and Yorty—47.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1622—An act to add Article 4.5 to Chapter 13 of Division 2 of the Education Code, relating to the annexation of high school districts to junior college districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Waters, Weber, and Yorty—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 633—An act to repeal Chapter 1083 of the Statutes of 1931, approved June 19, 1931, relating to the impounding and utilization of the waters of the American River.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 634—An act to repeal Chapter 413 of the Statutes of 1935, approved July 9, 1935, relating to the Rector Dam Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 648—An act to repeal Chapter 101 of the Statutes of 1929, approved April 12, 1929, relating to the impounding and utilization of the waters of the American River.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Yorty—54

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 649—An act to repeal Chapter 569 of the Statutes of 1927, approved May 17, 1927, relating to the impounding and utilization of the waters of the American River.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1075—An act to repeal Section 3722 of the Political Code, relating to the organization of river port districts for assessment and taxation purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 114—An act to amend Section 4764 of the Health and Safety Code, relating to the borrowing of money by county sanitation districts.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—55

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On June 2, 1949, the Senate was requested to return Senate Bill No. 114 to the Assembly (Assembly Journal, page 3975.).)

(On June 2, 1949, upon return of the bill from the Senate, the above record was expunged, and the action rescinded whereby Senate Bill No. 114 was this day passed (Assembly Journal, page 3992.).)

Senate Bill No. 607—An act to amend Section 28151 of the Government Code, relating to compensation for public services in counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sillman, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Yorty—50

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 32

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 32, temporarily passed on file, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 32

Senate Concurrent Resolution No. 32—Relating to the cessation, until 90 days after adjournment of the 1949 Session of the Legislature, of expenditures under Chapter 1051 of the Statutes of 1947 which authorize the removal of the California Institution for Women at Tehachapi and made an appropriation therefor.

Resolution read, and ordered temporarily passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 57—Relative to approving certain amendments to the charter of the City of San Bernardino, a muni-

cipal corporation in the County of San Bernardino, State of California, voted for and ratified by the qualified electors of said city at a special election held thereon on the eleventh day of April, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Weber, and Yorty—45.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 74

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 74, passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 74

Senate Bill No. 74—An act to amend Section 13108 of the Government Code, relating to hire or lease of real or personal property of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—46.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 514—An act to add Sections 9027 and 9028 to the Government Code, creating the Senate Contingent Fund in the State Treasury, specifying the appropriations to be deposited therein, and providing for its disbursement upon warrants drawn by the Controller at the direction of the continuing Senate Committee on Rules, or pursuant to Senate rule, order, or resolution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO 1321

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1321, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1321

Senate Bill No. 1321—An act to add Section 20567.1 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 16, 1949, strike out "A", and insert "When a".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 895—An act to amend Section 28133 of the Government Code, relating to compensation for public services in counties of the thirty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, and Yorty—50.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 6

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 6, passed on file, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 6

Senate Constitutional Amendment No. 6—Proposed amendment to Article XXIV, Section 4, of the Constitution, relative to exemptions from state civil service.

Resolution read, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 150

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 150, passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 150

Senate Bill No. 150—An act to add Section 332 1 to the Vehicle Code, relating to impounding of vehicles.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1172

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1172, passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1172

Senate Bill No. 1172—An act to add Section 566 to the Vehicle Code, relating to skiing and tobogganing on or across state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, and Yorty—49.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Maloney announced that on next Sunday, May 29, 1949, all Members of the Assembly and their wives are invited by the Bar Pilots to be their guests on a boat trip around San Francisco Harbor.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 56

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 56, temporarily passed on file, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 56

Senate Concurrent Resolution No. 56—Relative to the visit of the Legislature to Shasta Dam.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Weber, and Yorty—50

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 413—An act to amend Section 3049 of the Penal Code, relating to minimum imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Yorty—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 414—An act to add Section 2900.1 to the Penal Code, relating to term of imprisonment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Waters, Weber, and Yorty—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 417—An act to repeal Chapter 5.5, consisting of Sections 6035, 6036, and 6037, of Title 7 of Part 3 of the Penal Code and to amend Section 6025 of the Penal Code and to add Sections 6025.1 and 6025.2 to the Penal Code, relating to the State Correctional System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Doyle, Erwin, Fleury, Geddes Hagen, Hinckley, Huyck, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—45.
NOES—Anderson, Condon, Elliott, Hawkins, Heisinger, Kilpatrick, Lewis, and McMillan—8.

Bill ordered transmitted to the Senate.

Senate Bill No. 418—An act to amend Sections 5077 and 5079 of the Penal Code, relating to the State Correctional System.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1216

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1216, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1216

Senate Bill No. 1216—An act to amend Section 19390 of the Government Code, relating to the right of state employees entering the military service to be restored to their former position and civil service status upon termination of such military service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—48.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1495

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1495, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1495

Senate Bill No. 1495—An act to amend Sections 125, 127, 324, 325, 369, 398, 439, 612, and 615 of the Military and Veterans Code and to amend Section 718c of the Civil Code, relating to the military forces of the State, including the exemption from military service, the detail of federal officers for service with the National Guard or Naval Militia, the detail of officers for special duty and waiver of part of compensation, performance of emergency service, the performance of military duty on election day, the declaration of places as "off limits," the leasing of property owned by a municipality for a term not to exceed fifty years for military or armory purposes, the Colors and standards of organizations of the National Guard, the delivery of the Colors to members of the family of a deceased member of the National Guard, the use of the National Flag, and assignment of command.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Smith Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—48.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 557—An act to amend Section 737h of the Political Code, relating to salaries of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis,

Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Grant, Hagen, Hawkins, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, and Weber—46

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 11.39 a m , Mr Maloney asked for, and was granted, unanimous consent that Messrs. Gaffney, Evans, and Yorty be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT FOR PERMISSION TO SIGN REPORT

Mr. Berry, as a member of the Committee on Industrial Relations, asked for, and was granted, unanimous consent that he be permitted to sign a report of the Committee on Industrial Relations in the absence of both the chairman and vice chairman of said committee.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1449—An act to amend Section 737r of the Political Code, relating to salary of the Judge of the Superior Court of Lassen County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Burkhalter Butters, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Weber—47

NOES—None

Bill ordered transmitted to the Senate

Senate Bill No. 1460—An act to add Section 19b to the Penal Code, relating to prisoners, authorizing county sheriffs to transfer prisoners in county jails to industrial road camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1488—An act to amend Section 737pp of the Political Code, relating to the compensation of Superior Court Judges in and for the County of Santa Barbara.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, and Weber—47.

NOES—Heisinger and Luckel—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 556—An act to add Section 161b to the Civil Code, relating to payments or refunds made pursuant to a retirement or death benefits plan.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Stanley, Stewart, Thomas, Tomlinson, Waters, and Weber—49

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COPY OF LETTER BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that the following copy of a letter be ordered printed in the Journal, in 10-point type:

(COPY)

POMONA AREA WATER COMMISSION

CHINO BASIN WATER SUPPLY COMMITTEE

118 East Third, Pomona
225 South Euclid, Ontario
May 17, 1949

Co-Chairmen:
HUGH W. STILES, Pomona Area
SHERMAN M. HOYT, Ontario Area

Hon. Ernest R. Geddes
Capitol Building
Sacramento, California

DEAR ERNEST: From representations made to the Area Water Committee the matters in controversy over admission of additional areas to the Metropolitan Water District show definite promise of being settled to the satisfaction of all concerned.

In view of the above favorable developments and the definite prospect of an amicable settlement, our committee hereby requests that you send Assembly Bill No. 2174 back to committee.

We appreciate most sincerely your efforts in our behalf and the most effective and competent manner in which the legislation has been handled by you. While we feel assured that you were going to win a victory with the above bill in the Assembly, for the sake of general harmony among the communities involved here in Southern California, it is our

belief that our opposition should be given the opportunity to fulfill their representations that they will move to settle our differences on a voluntary and friendly basis.

Respectfully,

POMONA AREA WATER COMMITTEE AND
CHINO BASIN WATER SUPPLY COMM.

SIGNED:

H. W. STILES
STANLEY E. BARNES
FRED R. MORGAN
JOHN C. PRICE
STUART G. WHEELER
W. F. MONTGOMERY
PAGE HUBBLE
GEORGE S. KILPATRICK
S. H. HOYT
E. PERCY JOHNSON
G. F. HARBIN
GEO J. MOSSBACKER
GEORGE G. STONE
ROY L. DRISCOLL
CHAS. E. OVERHOLTZER
N. L. MCBEE

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1496—An act to amend Sections 101, 102, 103, 148, 360, 361, 452, 453, 454, 455, 456, 457, 458 of the Military and Veterans Code, relating to the adoption of federal laws and customs in the control of the Militia, the adoption of the Federal Articles of War, the adoption of rules and regulations for the control of the Militia, the adoption of the federal system of discipline, the convening and jurisdiction of courts-martial, the approval of sentences and the disposition of records, courts of inquiry, and bad-conduct discharges.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Nicholson, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr Speaker—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Nicholson, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

REMARKS ON CONDITION OF THE FILE

Mr. Sherwin spoke on the condition of the file.

Speaker Presiding

At 11.57 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that no committee members will be excused on next Friday, May 27th, because of a heavy Senate third reading file, and the Memorial Day holiday on Monday, May 30th; and that, if necessary, a call of the House will be placed early in the day to insure attention to the business of the day

Speaker Sam L. Collins announced that committee meetings scheduled for next Friday and Monday may be changed at the discretion of committee chairmen.

Mr. Geddes announced that the Committee on Finance and Insurance will transfer its entire calendar, set for hearing on Monday, May 30th, to Monday night, June 6th, because of the Memorial Day holiday.

CHIEF CLERK AUTHORIZED TO MAKE CHANGES IN AMENDMENTS TO ASSEMBLY BILL NO. 1100

By unanimous consent, the Chief Clerk was authorized to make such changes in the amendments to Assembly Bill No 1100 as submitted by the Ways and Means Committee to conform to the amendments as printed in the preprint of Assembly Bill No 1100.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 389—An act to add Section 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance

Bill read third time

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 18, 1949, strike out "seventy", and insert "eighty".

Amendment No. 2

On page 1, line 3, of said bill, strike out "75", and insert "85"

Amendment No. 3

On page 1, line 5, of said bill, strike out "self insured"

Amendment No. 4

On page 1, lines 5 and 6, of said bill, strike out "or the plan insurer, with the consent of the employer,".

Amendment No. 5

On page 1, line 8, of said bill, after "plan", insert "Such a plan shall not provide for deductions from the wages of an employee covered by the plan of an amount in excess of that which would be required by Sections 44, 44.2, and 400 if the employee were not covered by the plan"

Amendment No. 6

On page 1, line 24, of said bill, after "be", insert "deemed to have consented to be".

Amendment No. 7

On page 1, line 27, of said bill, after "be", insert "deemed to have consented to be".

Amendment No. 8

On page 2, line 5, of said bill, strike out "acceptance and", and insert "consent to,".

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 738

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 738, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 738

Senate Bill No. 738—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "four", and insert "three".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 150

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 150, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 150

Senate Bill No. 150—An act to add Section 332.1 to the Vehicle Code, relating to impounding of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Burke, Burkhalter, Clarke, Coats, Conrad, Cooke, Crichton, Davis, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hawkins, Hoffman, Huyck, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Rosenthal, Sherwin, Sulliman, Stanley, Stewart, Thomas, Waters, and Weber—41

NOES—Bennett, Butters, Caldecott, Collier, Condon, Crowley, Dickey, Kilpatrick, Levering, Reagan, Rumford, Smith, and Tomlinson—13

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 957

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 957, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 957

Senate Bill No. 957—An act to amend Section 2326 of the Business and Professions Code, relating to practice of chiropody.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 19, 1949, after "age", insert "or over".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT INCORRECT REPORT BE CORRECTED

Mr. Dickey asked for, and was granted, unanimous consent that an incorrect report of the Committee on Municipal and County Government, as printed on page 3406 of the Assembly Journal for Thursday, May 19, 1949, be changed to read: "Senate Bill No. 1394" instead of "Assembly Bill No. 1394."

PETITIONS

By Speaker Sam L. Collins:

A petition from hundreds of San Diego residents relative to requesting that the Legislature provide more funds, not less, for the care of unfortunate people in state psychiatric hospitals, was received, and ordered referred to the Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 58

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 58, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 58

Senate Concurrent Resolution No. 58—Relative to approving amendments to the charter of the City of Napa, a municipal corporation in the County of Napa, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the second day of May, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Waters, and Mr. Speaker—52.

NOES—None.

Resolution ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 63

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 63—Relative to the proclaiming and observance of World Trade Week.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No 63, at this time, without reference to committee, or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 63

Senate Concurrent Resolution No. 63—Relative to the proclaiming and observance of World Trade Week.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Waters, and Mr Speaker—52.

NOES—None.

Resolution ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 85: By Mr. Caldecott—Relative to approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the third day of May, 1949.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Messrs Burke, Rosenthal, Geddes, and Doyle:

House Resolution No. 204

Relating to providing badges or buttons to be used by members of the California Junior Chamber of Commerce at the National Convention of Junior Chambers of Commerce

WHEREAS, Three hundred members of the California Junior Chamber of Commerce will attend the National Convention of Junior Chambers of Commerce to be held in Colorado Springs, Colorado, from June 7 to June 11, 1949; and

WHEREAS, This convention will be attended by a great many people from all portions of the United States; and

WHEREAS, It is desirable to call to the attention of all these people the virtues and glories of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Centennials Commission be requested to provide 300 suitable badges or buttons to be used by the California Delegation at this convention; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to send a copy of this resolution to the California Centennials Commission.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 204

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Burke asked for, and was granted, unanimous consent to take up House Resolution No. 204, at this time, without reference to file.

CONSIDERATION OF HOUSE RESOLUTION NO. 204

By Messrs. Burke, Rosenthal, Geddes, and Doyle:

House Resolution No. 204

Relating to providing badges or buttons to be used by members of the California Junior Chamber of Commerce at the National Convention of Junior Chambers of Commerce

WHEREAS, Three hundred members of the California Junior Chamber of Commerce will attend the National Convention of Junior Chambers of Commerce to be held in Colorado Springs, Colorado, from June 7 to June 11, 1949; and

WHEREAS, This convention will be attended by a great many people from all portions of the United States; and

WHEREAS, It is desirable to call to the attention of all these people the virtues and glories of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Centennials Commission be requested to provide 300 suitable badges or buttons to be used by the California Delegation at this convention; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to send a copy of this resolution to the California Centennials Commission.

Resolution read, and adopted.

RESOLUTIONS

The following resolution was offered:

By Mr. Hawkins:

House Resolution No. 205

Relative to immediate provision for the continuation of child care centers

WHEREAS, Under the present law all child care centers must be closed on or before June 30, 1949, and the moneys made available by the Budget Act of 1948 for their administration and support will cease to be available on that date; and

WHEREAS, There are pending in the Legislature bills to permit the continuance of child care centers after June 30, 1949, and to provide funds for their support until June 30, 1950, namely Assembly Bill No. 707, now in the Senate Committee on Finance, and Assembly Bill No. 1138, now in the Assembly Committee on Ways and Means, after having received from the Assembly Committee on Education the recommendation "Do pass and re-refer to Committee on Ways and Means"; and

WHEREAS, Unless provisions for the continuation of child care centers and provision for funds for their administration and support are made at once the parents of the children cared for in such centers will be notified of their immediate closing, and preparations will be made therefor; and to alleviate the fears and mental anguish of such parents and prevent the disruption of the child care center program through loss of personnel and otherwise it is necessary that such legislative action be taken at once; and

WHEREAS, The passage of Assembly Bill No. 707, providing for the continuation of child care centers without the passage of Assembly Bill No. 1138, making the necessary funds available, would not allay the apprehensions of the parents nor assure the continued operation of the child care centers; and

WHEREAS, Section 34a of Article IV of the Constitution provides that until the Budget Bill has been finally enacted, neither house shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor or appropriations for the salaries, mileage, and expenses of the Senate and Assembly; and, therefore, Assembly Bills No. 1138 and No. 707 cannot be placed upon final passage in the Assembly or Senate without such recommendation from the Governor; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor is hereby requested to issue the letters of recommendation necessary to permit the Assembly and the Senate to place Assembly Bills No. 1138 and No. 707 upon final passage prior to the final enactment of the Budget Bill; and be it further

Resolved, That the Chief Clerk of the Assembly is directed immediately to transmit a copy of this resolution to the Honorable Earl Warren, Governor of California.

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

Letter of Transmittal

STATE OF CALIFORNIA
DEPARTMENT OF PROFESSIONAL AND VOCATIONAL STANDARDS
DIVISION OF ADMINISTRATIVE PROCEDURE, SACRAMENTO, May 20, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
California State Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: Under separate cover we are furnishing you with copies of the Biennial Report of the Division of Administrative Procedure. This report is submitted to the Governor and to the Legislature pursuant to the provisions of Business and Professions Code, Section 1106.

Yours truly,

RALPH N. KLEPS, Chief,
Division of Administrative Procedure

Copies of above mentioned reports will be placed in the post boxes of all members.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 677—An act to add Section 1159 to the Fish and Game Code, relating to the establishment of cooperative hunting areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Lapsconb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—48.

NOES—None

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 221
Senate Bill No. 246
Senate Bill No. 479

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 221—An act to add Section 1066.7 to the Agricultural Code, relating to herbicides dangerous to crops.

Referred to Committee on Agriculture.

Senate Bill No. 246—An act to add Section 25643 to the Government Code, relating to the powers of boards of supervisors of each county to give fire protection.

Referred to Committee on Municipal and County Government.

Senate Bill No. 479—An act to add Section 3.1 to the San Bernardino County Flood Control Act, relating to the creation of special zones.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Burke asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2948

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended:

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2182

Has had the same under consideration, and reports the same back with the recommendation. Do pass, and be re-referred to Committee on Ways and Means.

BROWN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1049

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 3036
Assembly Bill No. 3037
Assembly Bill No. 3038

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 98
Senate Bill No. 115
Senate Bill No. 137
Senate Bill No. 305
Senate Bill No. 416
Senate Bill No. 419
Senate Bill No. 422
Senate Bill No. 423
Senate Bill No. 426
Senate Bill No. 427
Senate Bill No. 565
Senate Bill No. 792

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 570

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 415

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 288
Senate Bill No. 846
Senate Bill No. 847

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 534

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 52
Assembly Bill No. 2304

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 861

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BERRY, Member

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No 1173
Senate Bill No. 1001

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

BERRY, Member

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR SPEAKER Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 324
Senate Bill No 1431

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

BERRY, Member

Above reported bills ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No 3141

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 967

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2164

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER. Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2060

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR. SPEAKER. Your Committee on Civil Service and State Personnel, to which were referred.

Assembly Bill No. 1097
Assembly Bill No. 1506

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bills ordered to third reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 19, 1949

MR SPEAKER. Your Committee on Municipal and County Government, to which were referred

Assembly Bill No 1120
Assembly Bill No. 1303

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 18, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred.

Assembly Bill No. 573
Assembly Bill No 3104

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 683
Assembly Bill No. 684

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER Your Committee on Ways and Means, to which was referred:

Assembly Bill No 2901

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 1670

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 1363

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 1767

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 947
Assembly Bill No. 1639
Assembly Bill No. 1726
Assembly Bill No. 1861
Assembly Bill No. 1879
Assembly Bill No. 2033

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 947, ordered re-referred to Committee on Public Health.

Assembly Bill No. 1639 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 1726 and 1861 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1879 ordered re-referred to Committee on Social Welfare.

Assembly Bill No. 2033 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2499
Assembly Bill No. 2725

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 2499 ordered re-referred to Committee on Public Health.

Assembly Bill No. 2725 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 56
Assembly Bill No. 1136
Assembly Bill No. 1492
Assembly Bill No. 2157

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 56 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1136 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 1492 and 2157 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 57
Assembly Bill No. 879
Assembly Bill No. 2949

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 2949 and 57 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 879 ordered re-referred to Committee on Fish and Game.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 244 ordered re-referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 20, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Constitutional Amendment No. 24
Assembly Concurrent Resolution No. 80

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 20, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 89
Assembly Bill No. 93
Assembly Bill No. 94
Assembly Bill No. 247
Assembly Bill No. 250
Assembly Bill No. 267
Assembly Bill No. 427
Assembly Bill No. 771
Assembly Bill No. 808
Assembly Bill No 873
Assembly Bill No. 935
Assembly Bill No. 938
Assembly Bill No 1109
Assembly Bill No. 1268
Assembly Bill No. 1270
Assembly Bill No. 1364
Assembly Bill No. 1497
Assembly Bill No. 1565
Assembly Bill No. 1567
Assembly Bill No. 1568
Assembly Bill No. 1651
Assembly Bill No. 2193
Assembly Bill No 2249
Assembly Bill No 2501
Assembly Bill No. 2742
Assembly Bill No. 2968
Assembly Bill No. 3103

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 95	Assembly Bill No 1360
Assembly Bill No 244	Assembly Bill No 1723
Assembly Bill No. 323	Assembly Bill No. 1788
Assembly Bill No. 378	Assembly Bill No 2431
Assembly Bill No 471	Assembly Bill No. 2632
Assembly Bill No. 1296	Assembly Bill No. 2982

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file

RESOLUTIONS

The following resolution was offered:

By Messrs. Beck, Meyers, George D. Collins, and McCarthy:

House Resolution No. 206—Congratulating Speaker pro Tempore Thomas A. Maloney on the occasion of his birthday.

Resolution read

Request for Unanimous Consent That Names of All Members Present Be Co-authors on House Resolution No. 206

Mr. Waters asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 206, as co-authors. The following members indicated a desire to be so recorded:

By Messrs. Beck, Meyers, George D. Collins, McCarthy, Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McMillan, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty:

House Resolution No. 206

Congratulating Speaker pro Tempore Thomas A. Maloney on the occasion of his birthday

WHEREAS, On May 22, 1949, Thomas A. Maloney will again celebrate the anniversary of his birth, beyond the age of his majority though he still remains 38, the time has come to chronicle to the world just what kind of a man it is that the Assembly of the State of California has four times unanimously chosen for its Speaker pro Tempore; and

WHEREAS, A native of San Francisco, California, Thomas A. Maloney has all his life been a part of and has contributed to the tradition for warmhearted friendship and individuality for which his native city has become famous throughout the world; and

WHEREAS, Thomas A. Maloney and his wife, Helen, have shared a happy and devoted family life with their fine children, Thomas V., John R., Alice Lorraine, and Barbara June, and with their now eight grandchildren; and

WHEREAS, Endowed with a great and abiding love for his fellowman, Thomas A. Maloney is a member of innumerable clubs, associations, and fraternities, and, with his brother Peter Maloney, was among the founders of the South of Market Boys Association, of which he is past president; and

WHEREAS, Possessed of an unceasing generosity of both mind and spirit, Thomas A. Maloney is always in the lead in supporting public campaigns for alleviation of any human suffering, and is the anonymous benefactor of many of the less fortunate, and by his geniality, wit, and readiness with the kind word and thoughtful deed bringing to

many others that cheer, comfort, and encouragement to the heart oftentimes more precious than gold; and

WHEREAS, During his long tenure in this Legislature, he has given distinguished and statesmanlike service to the people of the State of California; and

WHEREAS, In addition to his contributions to the serious work of the Legislature, Thomas A. Maloney is dear to the Members of this Assembly for other remarkable achievements. Almost singlehandedly he has made the seventeenth of March practically a national holiday, and whenever Assemblyman Ed Gaffney's six children are mentioned, Tommy Maloney talks about his eight grandchildren, and

WHEREAS, Living through the years of great world conflicts, Thomas A. Maloney is endowed with wisdom needed to bring understanding between peoples alien to each other, his own district comprising portions of the most famous sections of San Francisco, such as North Beach, Chinatown, Russian Hill, Hunter's Point, and Butcher Town, where he has seen live side by side in harmony people of many races, nations, and faiths, symbolizing the possibilities for future universal peace; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly take the greatest pride and pleasure in joining with the rest of the world in wishing happy birthday to Tommy Maloney, and good luck, success, and happiness in all the years that are to come; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably engrossed copy of this resolution to Assemblyman Thomas A. Maloney of the Twentieth Assembly District of California.

Request for Unanimous Consent

Mr. Beck asked for, and was granted, unanimous consent to take up House Resolution No. 206, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY MR. MEYERS BE PRINTED IN JOURNAL

Mr. Berry asked for, and was granted, unanimous consent that the remarks by Mr. Meyers, relative to House Resolution No. 206, be reduced to writing, and ordered printed in the Journal.

REMARKS BY MR. MEYERS RELATIVE TO HOUSE RESOLUTION NO. 206

Mr. Speaker and Members of the Assembly and Honorable Tom Maloney: I should like to add my very best wishes and a few remarks to those which have been stated by my colleagues. Tom, as you know, is 60 years of age, but he is as active as a man of 30. He was born in San Francisco in the section known as South of Market, and commonly referred to by the old timers as "South of the Slot." Tom's family and my dad's family lived and were reared within a few blocks of each other.

This morning I had to contact my dad, and in the course of the conversation I informed him that it was Tom's birthday, and that before adjourning the fellows had a resolution drawn up, which they were going to read. I then asked him if he could inform me of some activities of Senator Maloney in his younger days. I know the following information will prove of interest to all present:

Tom was a typical young, Irish San Franciscan, he was one of the gang who pulled the Chinamen's pigtails and then ran, he also took an active part in removing laundry from their little carts, in addition using the sling shot on the Chinamen's windows. One of Tom's main activities was swimming in the old mail dock, at the confluence of the SEA and the SEWER (with apologies to Mr. Randal Dickey).

It was a common occurrence if you were present at the Maloney house on Saturday night to receive your bath in the round family wash tub. This, of course, applied to the younger members of the family. You can imagine the crowded condition when 18 members of the family started that Saturday night bath.

After mentioning these few boyhood activities of Tom I should like to touch on just a few of his many accomplishments. Tom, with his brother Pete, started the Annual Mothers' Day Celebration in San Francisco. This event has proved to be one of the most important yearly affairs in the City of St. Francis. To these breakfasts Tom and Pete would make arrangements to bring large numbers of mothers who were confined to various homes, and who would have been completely forgotten on this day had it not been for the considerate and thoughtful Tom Maloney. This yearly event is looked forward to with a great deal of pleasure by these elderly mothers. There is one duty for which he is best fitted, and that is when he visits the various homes to extend the invitation to the elderly mothers to be present at the breakfast. Words cannot express the happiness that is reflected in their eyes.

At Christmas time Tom again is moving about bringing good cheer to the sick and the poor. Christmas after Christmas I have known him to organize groups to help distribute on that day baskets containing a full Christmas dinner.

There was another very important association and movement which Tom was instrumental in founding and that association is known as the SHUT INS The purpose of this group is to make arrangements to take crippled persons confined to their homes on special outings and affairs It was nothing for Tom to organize a caravan of cars and to have a hundred shut ins at the opening of the baseball, basketball, or racing season

One of the largest tasks the Shuts Ins Association undertook was when Tom organized and transported over four hundred shut ins to the Worlds Fair in San Francisco on Treasure Island in 1939.

These accomplishments are just a few of the many fine things that Tom has done and stands for in the civic life of San Francisco

A few weeks ago Tom received an honor of which I know he was very proud. The State Teachers' College of San Francisco, which is in the process of being built, had the dedication of its new athletic stadium. The stadium was named and dedicated MALONEY STADIUM. This in itself is significant of the regard in which Tom Maloney is held.

The younger people could find no better friend than Tom; he can be best described as a *man's man*; he started as a longshoreman on the waterfront in San Francisco and raised himself to one of the highest positions in the Government of our State; he is a friend of labor and equally friendly to business. Tom is always at home on the waterfront, at an executive meeting, or at a formal dinner Tom is an exemplary father and representative of the typical American family. Tom is loved and revered by all members who have served with him in the San Francisco Delegation After being elected many of our mutual friends commended him on his outstanding achievements as a legislator. Such former colleagues as Raymond Williamson, Pat McMurray, Gerald Haggerty, Bill Hornblower, Joe Gilmore, Mel Cronin, Albert Wollenberg, Edward O'Day, and Raymond Blosser join with me in wishing Tom a very happy birthday.

In conclusion, I should like to say that Tom has the respect and gratitude of all the newcomers of the Assembly for the ever helping hand and sincere advice he has always extended to us. I might say, to 'Tom it has made no difference whether you are a Republican or a Democrat Tom Maloney is always there willing and able to do whatever he can to assist I, myself, am ever grateful and appreciative of the assistance and guidance that Tom Maloney has given me in my first few months in the Legislature. He has known me since I was a baby, and although there was no direct relationship, I consider him as an uncle; and here, Tom, is a little gift, and with it go the very best of wishes for a happy birthday and many more to follow.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Nelson E. Hinman, Jr., of Sacramento.

On request of Mr. Doyle and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Robert Burroughs of Los Angeles.

ADJOURNMENT

At 1.15 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, May 23, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE
1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-FIFTH LEGISLATIVE DAY
ONE HUNDRED FORTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Monday, May 23, 1949

The Assembly met at 10 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answer to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of Glory: Let us today look with new eyes upon the American Flag, whose glamorous beauty thrills us, and whose stars and stripes are the symbols of our history and ideals.

The red stripes that represent the sanguinary sacrifices of the heroes who fought and died for our Republic from Bunker Hill and Valley Forge to Gettysburg and Chateau Thierry, and from Normandy to Attu and the South Seas.

The white representing the ideals of character, the white light of purity and of intelligence, and the bright light that streams from liberty, justice, and equality of opportunity.

The blue symbolizing the spirit of fidelity which Nathan Hale exemplified, and which died on Guam rather than surrender, the fidelity which scoffed at the ring of steel at Bastogne, and the fidelity which today subordinates our interests to the general good.

May the stars in their field of blue remind us of the many states in the Union, and that North and South, and East and West must all be one and one for all.

God grant that this glorious banner, to which we pledge allegiance, may forever wave over a land of free men, who prize their blood-bought liberties, and who will ever strive for its unsullied glory.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Ralph C. Dills, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Morris, on motion of Mr. Evans.

Mr. Fletcher, on motion of Mr. Evans.

Mr. Price, on motion of Mr. Evans.

Mrs. Niehouse, on motion of Mr. Evans.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Huyck, on motion of Mr. Smith.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Cramer, on motion of Mr. Erwin.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegience to the Flag.

ANNOUNCEMENTS

Mr. McMillan announced that he visited Mr. Fletcher in the hospital over the week end, and that his condition is greatly improved; and that Mr. Fletcher hopes to return to Sacramento in a couple of weeks.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 965
Assembly Bill No. 1395
Assembly Bill No. 1536
Assembly Bill No. 1948
Assembly Bill No. 2495

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Weber asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 594
Assembly Bill No 966
Assembly Bill No. 967
Assembly Bill No. 1077
Assembly Bill No. 1095
Assembly Bill No. 1159
Assembly Bill No. 1378
Assembly Bill No. 1606
Assembly Bill No. 2316
Assembly Bill No. 2438
Assembly Bill No. 2699
Assembly Bill No. 2903
Assembly Bill No. 3019
Assembly Bill No. 3117

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 469	Assembly Bill No. 727
Assembly Bill No 577	Assembly Bill No. 1056
Assembly Bill No 593	Assembly Bill No. 1562
Assembly Bill No. 596	Assembly Bill No. 2529

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1508	Assembly Bill No 2622
Assembly Bill No 1840	Assembly Bill No 2626
Assembly Bill No. 2011	Assembly Bill No 2664

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 721	Assembly Bill No 2099
Assembly Bill No 798	Assembly Bill No. 2243
Assembly Bill No. 1193	Assembly Bill No. 2437
Assembly Bill No. 1801	Assembly Bill No. 2731
Assembly Bill No. 2081	Assembly Bill No. 3136

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 721 and 1801 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 798, 2081, 2099, and 2243, ordered re-referred to Committee on Municipal and County Government.

Assembly Bills Nos. 1193, 2731, and 2437 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 3136 ordered re-referred to Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 96—An act to amend Section 102 of the Agricultural Code, relating to the fees of the Agricultural Commissioner;

Assembly Bill No. 231—An act to amend Section 4455 of the Labor Code, dealing with workmen's compensation;

Assembly Bill No. 326—An act to amend Section 800 of the Labor Code, relating to midday meals of employees in the lumber industry;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of May, 1949, at 2 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 925—An act to amend Sections 1300.1, 1300.1a, 1300.4a, and 1300.6 of the Agricultural Code, relating to processors of farm products;

Assembly Bill No. 1353—An act to add Section 308a to the Penal Code, authorizing the Director of Corrections and the Youth Authority to provide tobacco and tobacco products to persons confined in institutions under their respective jurisdictions, and to permit the use thereof by such persons;

Assembly Bill No. 1731—An act to amend Section 4903 of the Labor Code, relating to liens;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1836—An act to amend Section 107 of the Welfare and Institutions Code, and to add Sections 18598, 18599, and 31700.5 to the Government Code, relating to employees of the Department of Social Welfare, and retirement rights in county retirement systems of former county employees performing functions assumed by the State, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2047—An act to amend Section 19140 of the Government Code, relating to reinstatement of state employees;

Assembly Bill No. 2058—An act to amend Section 19368 of the Government Code, relating to rights of state employees, replaced by machinery,

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2546—An act to amend Section 1676 of the Insurance Code, relating to insurance;

Assembly Bill No. 3095—An act to amend Section 3453 of the Political Code, relating to reclamation districts;

Assembly Bill No. 3112—An act to establish the line of ordinary high tide in Avalon Bay, in Los Angeles County, California, in conformity with a certain decree of the Superior Court of the State of California, in and for the County of Los Angeles, establishing said line of ordinary high tide;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 41—An act to amend Section 1065 of the Fish and Game Code, relating to sardines, and declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-third day of May, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 766	Assembly Bill No. 2361
Assembly Bill No. 1082	Assembly Bill No. 2708
Assembly Bill No. 1914	Assembly Bill No. 2762

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hoffman:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 1252 and 1311 of the Fish and Game Code, relating to mammals.

Respectfully submitted,

VERNE W. HOFFMAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hoffman:

An act to amend Sections 1252 and 1311 of the Fish and Game Code, relating to mammals.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3157: By Mr. Hoffman—An act to amend Sections 1252 and 1311 of the Fish and Game Code, relating to mammals.

Referred to Committee on Fish and Game.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Babbage:

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 1953.5 to the Government Code, relating to liability of public officers.

Respectfully submitted,

JOHN D. BABBAGE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Babbage:

An act to add Section 1953.5 to the Government Code, relating to liability of public officers.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans,

Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3158: By Mr. Babbage—An act to add Section 1953.5 to the Government Code, relating to liability of public officers.

Referred to Committee on Municipal and County Government.

Assembly Concurrent Resolution No. 86: By Mr. Tomlinson—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 3, 1949.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 87: By Mr. Tomlinson—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 3, 1949.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3141—An act to amend Section 19480 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 534—An act to amend Section 374 of the Vehicle Code and to add Section 10783 to the Revenue and Taxation Code, relating to exemption of automobiles given to paraplegic veterans from registration fees and vehicle license fees.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1363—An act making an appropriation in augmentation of the appropriation in Item 244 of the Budget Act of 1948, for support of the Department of Motor Vehicles, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1674—An act to amend Section 459 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert "to Route 4 in the vicinity of the Tujunga Wash."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Maloney asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2171—An act to amend Section 454.2 of the Motor Vehicle Act, relating to vehicles owned by physicians.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 2 of the title of the printed bill, after "physicians", insert "or doctor of chiropractic".

Amendment No. 2

On page 1, line 3, of said bill, after "Physicians", insert "or Doctors of Chiropractic".

Amendment No. 3

On page 1, line 4, of said bill, after "cian", insert "or doctor of chiropractic".

Amendment No. 4

On page 1, line 8, of said bill, after "physician", insert "or doctor of chiropractic".

Amendment No. 5

On page 1, line 13, of said bill, strike out " "Physician" as used in this"; and strike out line 14.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 683—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "$_____", and insert "$200,000".

Amendment No. 2

On page 1, lines 3 to 5, of said bill, strike out " The sum hereby appropriated shall be paid as follows: $_____ out of the Social Welfare Fund in the State Treasury and".

Amendment No. 3

On page 1 of said bill, between lines 6 and 7, insert

"SEC 2. The appropriation made by Section 1 shall be considered a loan pending receipt of federal grants for audit and disbursement of social welfare payments under Article XXV of the State Constitution Upon receipt of such federal grants the Controller shall return such amounts as may be received to the appropriation."

Amendment No. 4

On page 1, line 7, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 684—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, amending Section 124 of the Welfare and Institutions Code, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, strike out "amending Section 124 of the Welfare and Institutions Code,".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "$_____", and insert "$708,515".

Amendment No. 3

On page 1 of the printed bill, after line 5, insert

"SEC 2 Of the appropriation made by Section 1, $418,811 shall be considered a loan pending receipt of additional federal grants for the administration of public assistance. Upon receipt of such additional grants, the Controller shall return said amount or such amount as may be available from said grants, to the appropriation "

Amendment No. 4

On page 1, line 6, of the printed bill, strike out "SEC. 2", and insert "SEC. 3".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2948—An act to add Article 4, comprising Sections 6060 to 6064, inclusive, to Chapter 1 of Division 7 of Title 1 of the Government Code, relating to the publication of matter required by law to be published in a newspaper of general circulation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 20 and 21, of the printed bill, as amended in the Assembly on May 4, 1949, strike out ", whether a daily or weekly newspaper,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1120—An act to amend Section 29610 of the Government Code, relating to convention expenses of county officers.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 8, of the printed bill, after "constables," insert "and one marshal chosen by the marshals,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1303—An act to amend Sections 31469, 31472, 31581, 31582, 31583, 31591, 31620, 31622, 31623, 31624, 31672, and 31700 of, to add Section 31532 to, and to repeal Sections 31202 and 31559 and Article 7.5 consisting of Sections 31660 and 31661 of, the Government Code, relating to county employee retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 2 of the title of the printed bill, strike out ", 31624, 31672, and 31700", and insert "and 31624"

Amendment No. 2

On page 4 of said bill, strike out lines 11 to 28, inclusive

Amendment No. 3

On page 4, line 29, of said bill, strike out "SEC. 13", and insert "SEC. 11"

Amendment No. 4

On page 4, line 34, of said bill, strike out "SEC. 14", and insert "SEC 12".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2060—An act to amend Sections 19533 and 19534 of the Government Code, relating to layoff of state civil service employees.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "19533", strike out "and", and insert a comma , and after "19534", insert "and 19540".

Amendment No. 2

On page 2, line 13, of the printed bill, after "work", strike out "in the", and insert "which would fall".

Amendment No. 3

On page 2, line 14, of the printed bill, strike out "employee's present class or in a higher class"

Amendment No. 4

On page 2, line 15, of the printed bill, after "to", insert "the employee's"; and strike out "his".

Amendment No. 5

On page 2 of the printed bill, below line 41, insert

"SEC. 3 Section 19540 of the Government Code is amended to read:

19540. An employee compensated on a monthly basis shall be notified that he is to be laid off 15 days prior to the effective date of layoff. *An employee to be laid off may elect to accept such layoff prior to the effective date thereof.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1670—An act to add Article 4, comprising Sections 16390 to 16396, inclusive, to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to the payment of compensation to state officers and employees, creating the State Pay Roll Revolving Fund, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 1, 1949, strike out lines 5 and 6, and insert "State Pay Roll Revolving Fund, and providing for the use thereof."

Amendment No. 2

On page 1, line 8, of said bill, strike out the semicolon; and strike out line 9, and insert ", which fund may be utilized for the pay-".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 861—An act to add Section 5711 to the Labor Code, relating to proof of pneumonoconiosis.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "a disabling"

Amendment No. 2

On page 1, line 4, of the printed bill, strike out "form of"

Amendment No. 3

On page 1, line 5, of the printed bill, strike out "disabling"

Amendment No. 4

On page 1, line 14, of the printed bill, strike out ", before making an award" and insert "make its award against the employer last employing said employee and thereafter upon application of the last employer the commission shall."

Amendment No. 5

On page 1, line 16, of the printed bill, after "an", insert "amended"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 324—An act to amend Section 4753 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4753 of", and insert "Section 4753, and to add Sections 4754.5 and 4754.6 to,".

Amendment No. 2

On page 1 of the printed bill, strike out lines 3 to 11, inclusive, and insert "4753. Such additional compensation shall be awarded in the first instance in an amount only sufficient to bring the total amount received up to full compensation for the period of 240 weeks prescribed by Section 4658. After the lapse of such 240 weeks, the commission may make a further award by way of compensation either for the remainder of life as prescribed by Section 4658 or until he becomes eligible to receive the monetary payments hereafter described either state or federal whichever is earlier. Such award of further additional compensation shall be made only upon application therefor, and after the commission finds that the applicant is not eligible to receive monetary payments for permanent disability or impairment from any federal or state fund to which he has not directly contributed, except payments as a pension or other compensation for disability incurred in the services of the armed forces of the United States.

SEC. 2. Section 4754.5 is added to the Labor Code, to read:

4754.5. (a) In any hearing, investigation, or proceeding for such additional or further additional compensation, the facts necessary to comply with the conditions set forth in this article may be inquired into. No award of such compensation shall be made except after written findings that such conditions exist.

(b) Without regard to the provisions of Section 5804, the jurisdiction of the commission in respect to such additional compensation or further additional compensation shall continue as long as any award therefor, or modification of such award, is outstanding. The commission at any time on its own motion may, and upon petition of the Attorney General shall, proceed, as to any recipient of such award, to hear and find whether or not the conditions specified in this article continue, or will continue, to exist as to said recipient, and shall continue, modify, or terminate such award in accordance with the conditions so found by it.

SEC. 3. Section 4754.6 is added to the Labor Code, to read:

4754.6. In any such hearing, investigation or proceeding, the Attorney General shall represent the State and may, in accordance with law, reimburse himself for costs of investigations, medical examination and other expert reports, fees of witnesses, and other expenses incident to proper representation of the State before the commission and in court in such cases, excluding from such reimbursement the salary of any of his deputies. Such reimbursement shall be made out of the appropriations for the payments of the special additional compensation specified in Section 4751. Such reimbursement shall be in addition to and in augmentation of any other appropriations made or funds available for his use or support."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 631—An act to amend Sections 637, 641, and 650.6 of the Vehicle Code, relating to lights and reflectorized materials on vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 11, 1949, strike out "637,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 21, inclusive; and on page 2, strike out lines 1 to 22, inclusive.

Amendment No. 3

On page 2, line 23, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 2, line 37, of said bill, strike out "fifteen (15)", and insert "ten (10)".

Amendment No. 5

On page 3, line 1, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

Amendment No. 6

On page 3, line 41, of said bill, strike out "shall be installed only on", and insert "where any lease, rental or donation is involved the installation of such lamps or devices shall be limited to those".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 1474—An act to amend Section 670 of the Vehicle Code, relating to brake testing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 637 of the Vehicle Code, relating to equipment on vehicles."

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 637 of the Vehicle Code is amended to read:

637. Signal Lamps and Signal Devices. (a) Any vehicle may be equipped and when required under Section 545 or 637.5 shall be equipped with the following signal lamps or devices:

(1) A stop lamp on the rear which shall emit a red or amber light and which shall be actuated upon application of the service (foot) brake and which may but need not be incorporated with a tail lamp. Such stop signal shall be plainly visible and understandable from a distance of 100 feet to the rear both during normal sunlight and at nighttime.

(2) A lamp or lamps or signal device capable of clearly indicating any intention to turn either to the right or to the left and which shall be visible both from the front and rear.

(b) Any lamp type signal device used to give a signal of intention to turn right or left shall project a flashing white or amber light visible to the front and red or amber flashing light visible to the rear. Such signal shall be plainly visible and understandable in normal sunlight and at nighttime from a distance of at least 100 feet to the front and rear of the vehicle.

(c) Any mechanical signal device on a vehicle shall be illuminated when in use at the times mentioned in Section 618 hereof either by a light or reflex mirrors rendering likewise visible the signals given thereby as specified in subdivision (b) of this section.

(1) On and after January 1, 1951, any mechanical signal device referred to in this section that is first installed or installed on any vehicle in replacement of another signal device shall be of a type that is illuminated by a light.

(d) The engineering requirements for signal devices shall be governed by specifications determined and publicized by the department."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive; and on page 2, strike out lines 1 to 12, inclusive.

Amendments read and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 3093—An act to add Section 465 92 to the Vehicle Code, relating to street name signs on traffic signals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of said bill, strike out "local authorities", and insert "incorporated cities".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2901—An act to add Chapter 4, comprising Sections 10500 to 10526, inclusive, to Part 2 of Division 2 of Title 2 of the Government Code.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 3 of the title of the printed bill, strike out the period, and insert ", relating to the Legislative Library and providing for the appointment of a librarian responsible to a legislative committee."

Amendment No. 2

On page 1, line 11, of said bill, strike out "Director of the Legis- "; and strike out line 12, and insert "Legislative Librarian".

Amendment No. 3

On page 1 of said bill, strike out lines 13 to 20, inclusive, and insert

"10501. The Legislative Librarian shall be selected by concurrent resolution, or by resolution of a joint legislative committee to which has been delegated the duty of making such selection Such resolution shall be adopted at the beginning of each regular session and the person appointed thereby shall serve until his successor is selected and qualified. If a vacancy occurs while the Legislature is not in session and the power of appointment has been delegated to a joint legislative committee, that committee shall appoint the Legislative Librarian, but if such power has not been so delegated, a committee consisting of the Speaker of the Assembly, the President pro Tempore of the Senate and the Chairman of the Finance Committee of the Senate shall appoint the Legislative Librarian to serve until the Legislature in session makes a selection for the office.

The Legislative Librarian shall be chosen without reference to party affiliation and solely on the ground of fitness to perform the duties of his office. He shall be subject to the direction of a joint legislative committee to which that function is delegated by appropriate resolution."

Amendment No. 4

On page 1, line 21, of said bill, strike out "director", and insert "Legislative Librarian".

Amendment No. 5

On page 1, line 23, of said bill, strike out "director", and insert "Legislative Librarian".

Amendment No. 6

On page 2, lines 1 and 2, of said bill, strike out "director", and insert "Legislative Librarian".

Amendment No. 7

On page 2 of said bill, strike out lines 3 to 6, inclusive, and insert

"10507. The State Printing Office shall deliver to the Legislative Librarian copies of all legislative publications including committee reports. The number of such publications to be so delivered shall be prescribed by the Joint Rules of the Legislature or by appropriate concurrent resolution. Surplus copies of all legislative publications shall also be delivered to the librarian."

Amendment No. 8

On page 2, line 7, of said bill, insert

"10508. The organization of the Legislative Library and the powers, duties, and functions of the librarian and his assistants may be prescribed by the Joint Rules of the Legislature, by concurrent resolution, or by resolution of the joint committee provided for in Section 10501 of this code.

10509. Funds necessary for the support of the Legislative Library, including the salaries of the Legislative Librarian and his assistants, shall be provided for and appropriated in the budget act at each regular session of the Legislature."

Amendment No. 9

On page 2 of said bill, strike out lines 10 to 17, inclusive, and insert

"10525. The Legislative Librarian shall maintain, as part of the library, a bill-filing room for the Senate and Assembly in which shall be filed all bills, resolutions, Journals and other documents ordered by the Senate or Assembly during a legislative session. The librarian shall make such documents available to Members of the Legislature."

Amendment No. 10

On page 2 of said bill, strike out lines 18 to 21, inclusive, and insert

"10526. The librarian shall secure, insofar as possible, copies of all bills, laws, resolutions and Journals for past sessions of the Legislature and shall maintain such documents for the use of Members of the Legislature, the Legislative Counsel, and public officials."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1049—An act to amend Section 28200 of the Corporations Code, relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, following "to", strike out "amend Section 28200", and insert "add Section 28304 and amend Section 28409".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 28304 of the Corporations Code is added to read:

28304. Where a hearing is held under this chapter, the proceedings shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all of the powers granted therein.

SEC. 2. Section 28409 of the Corporations Code is amended to read:

28409. If the commissioner determines after examination that a retirement system is conducting business in an unsafe manner or is unable to fulfill the benefits granted in the system, he may, *after a hearing in accordance with the Administrative Procedure Act, Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code,* order the retirement system to cease operations and to liquidate, or he may, *without such hearing,* take possession of the business and assets for the protection of the beneficiaries of the retirement system."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2164—An act to add Section 119.1 to the Welfare and Institutions Code and to add Sections 18598 and 20302.1 to the

Government Code, relating to employees of the Department of Social Welfare.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 107 of the Welfare and Institutions Code and to add Section 18598 to the Government Code relating to employees of the Department of Social Welfare, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive; and on page 2, strike out lines 1 to 18, inclusive, and insert

"SECTION 1. Section 107 of the Welfare and Institutions Code is amended to read:

107. (a) Subject to the State Civil Service Act, the director shall appoint such assistants and other employees as are necessary for the administration of the affairs of the department, shall prescribe their duties and fix their salaries subject to the approval of the Department of Finance, and shall require them to execute to the State such official bonds as may be required.

(b) In connection with the assumption pursuant to Article XXIV of the Constitution of functions heretofore performed by the counties relating to the administration of old age security and blind security and in connection with the assumption of any other welfare functions theretofore performed by the counties and involving persons whose employment falls within the class described in subsection (10) of subdivision (a) of Section 4 of Article XXIV of the Constitution, pursuant to any law now in effect or hereafter enacted, the director, pursuant to the constitutional provision last mentioned, but subject to the approval of and in accordance with rules adopted by the State Personnel Board, shall employ, in such number as may be required, the personnel with probationary or permanent county civil service or departmental merit system status who were performing such functions as certified to the State Personnel Board by the county civil service commissions and the departmental merit system, respectively. Such employees must have been engaged in performing the functions of old age security or blind security or a combination thereof, or any other welfare functions hereafter assumed by the State and theretofore performed by the county; and such performance must have been for 10 percent or more of full time employment within the period of either (a) the 30 days, or (b) the six months preceding the assumption of direct administration thereof by the department.

SEC. 2. Section 18598 is added to the Government Code, to read:

18598. In connection with the assumption by the State Department of Social Welfare pursuant to Article XXIV of the Constitution of functions heretofore performed by the counties relating to old age security and blind security or in connection with the assumption by that department of any other functions theretofore performed by the counties in relation to other welfare activities involving persons whose employment falls within the class described in subsection (10) of subdivision (a) of Section 4 of Article XXIV of the Constitution, the State Personnel Board, in addition to any other powers or duties, shall:

(a) Investigate, determine, and certify to the State Department of Social Welfare the name, appropriate classification, and employment status of each employee who is eligible for employment in accordance with Section 107(b) of the Welfare and Institutions Code.

(b) Adopt and administer, with respect to the county employees so certified, merit system rules which shall (1) provide for such employees reasonable assurance of opportunity, equal with employees of the Department of Social Welfare having civil service status, to accept employment with the Department of Social Welfare and preserve in the service of the department the rights and status acquired by such employees as county employees; (2) conform with present federal requirements; and (3) contain provisions the same as the State Civil Service Act and rules thereunder as far as practicable.

(c) Determine the basis on which each county employee so certified shall be entitled upon his employment by the State Department of Social Welfare, to accumulated sick leave and vacation credits as determined by the employment record of such employee while employed by the county; but in no event shall such credits exceed the credits to which the employee would be entitled if he had rendered like service to the State.

(d) Determine, for purposes of layoff in the department, seniority credits which may be allowed to employees for service in any county. Such seniority credits shall be effective only during the time the employee is employed in the department.

(c) In case of layoff in the department, in order to maintain equity and equality between persons employed by the department prior to the effective date of this act and persons employed by the department on or after the effective date of this act, adopt and administer rules whereby any previous service by persons employed before the effective date of this act, whether in a county or otherwise, may be credited to such employees for the purpose of seniority

SEC 3 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

By the adoption of Proposition No. 4 at the general state election held on November 2, 1948, Article XXV was added to the Constitution, transferring to the State Department of Social Welfare the functions of administering aid to the aged and aid to the blind The amendment requires the immediate conduct of these functions by the state department In order to conduct the functions in a proper manner and without loss of federal aid, it is necessary that trained employees appointed pursuant to a merit system be immediately secured and the only trained employees available for this work are those who have previously been performing the function for the counties of the State. In order to make these employees available for state employment and to protect their employment rights under the State Civil Service Act, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 52—An act to add Section 6368 to the Revenue and Taxation Code, relating to sales and use taxes, and providing for the exemption of medicines and drugs therefrom.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 6368 to", and insert "amend Section 6701 of, and to add Sections 6703, 6704, 6705, 6706, and 6707 to,".

Amendment No. 2

In lines 2 and 3 of the title of the printed bill, strike out "exemption of medicines and drugs therefrom", and insert "security of liability for such taxes and for certain exceptions in the application of Section 6701 of said code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

Strike out all of the printed bill after "Section 1. Section" in line 1 thereof, and insert "6701 of the Revenue and Taxation Code is amended to read:

6701 The board, [whenever it deems it necessary] to insure compliance with this part, [may] *shall* require [any person subject thereto] *every seller or retailer* [to deposit with it such security as the board may determine] *to secure the faithful fulfillment of his obligations under this part in the manner prescribed by this article*. The amount of the security shall be fixed by the board [but shall not be greater than] *at* twice the person's estimated average liability for the period for which he files returns, determined in such manner as the board deems proper, or ten thousand dollars ($10,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided. [The board may sell the security at public auction if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest, or penalty due Notice of the sale may be served upon the person who deposited the security personally or by mail, if by mail, service shall be made in the manner prescribed for service of a notice of a deficiency determination and shall be addressed to the person at his address as it appears in the records of the board Security in the form of a bearer bond issued by the United States or the State of California which has a prevailing market price may, however, be sold by the board at private sale at a price not lower than the prevailing market

price thereof. Upon any sale any surplus above the amounts due shall be returned to the person who deposited the security.]

SEC. 2. Section 6703 is added to the Revenue and Taxation Code, to read:

6703. The security required under this article shall be of the following types: (a) a bond in such form as the board may prescribe, duly executed by the person obligated under this part as principal and a corporation, such as is mentioned in Section 1056 of the Code of Civil Procedure, as surety, payable to the people of the State of California, conditioned upon faithful performance of all the requirements of this part, and expressly providing for the payment of all taxes, penalties, interest, and other obligations of the person arising out of this part, (b) a deposit, under such conditions as the board may prescribe, with the State Treasurer of bonds or other obligations of the United States or the State of California or (c) a deposit of lawful money of the United States with the board, subject to such conditions as the board and the Director of Finance may prescribe. The penal amount of the surety bonds, the actual value of the bonds or other obligations of the Federal or State Government, or the amount of money, shall conform to the security requirements of Section 6701.

SEC. 3. Section 6704 is added to the Revenue and Taxation Code, to read:

6704. Any recovery on a bond shall decrease the liability of the surety thereon to the extent of the recovery, but the mere recovery of part of the penalty of a bond shall not of itself cancel the remaining liability under the bond; neither shall the execution of a new bond nor the revocation of any permit affect existing liabilities under any bond. A surety may relieve itself of liability to the extent and in the manner provided by Section 2851 of the Civil Code.

If it becomes necessary so to do in order to recover any amount required to be paid under this part, the board may sell any bonds or other obligations deposited with the State Treasurer hereunder at private sale at a price not lower than the prevailing market price thereof. Upon any sale, after payment of all costs thereof, any surplus above the amounts due shall be returned to the person who deposited the security.

SEC. 4. Section 6705 is added to the Revenue and Taxation Code, to read:

6705. The board shall pay to each depositor of moneys deposited with it as security for payment of obligations hereunder interest on his deposit computed at the rate of 2 percent per annum, subject to the following conditions: (a) no interest shall be computed on any deposit of less than twenty-five dollars ($25), (b) interest shall be computed from the first day of the calendar month next succeeding the month in which the deposit is made, except when a deposit is made on the first day of the calendar month, (c) unless the depositor shall so request in writing interest shall not be paid to him, but shall be credited to his account annually and shall thereafter be regarded as a part of his principal deposit; (d) except by credit to the account of the depositor, no payment of interest in an amount of less than one dollar ($1) shall be made unless a deposit is being returned to the depositor, (e) at the time of such return interest shall be computed to and including the last day of the calendar month next preceding the month in which the return is made.

SEC. 5. Section 6706 is added to the Revenue and Taxation Code, to read:

6706. All moneys paid to the board as security for obligations under this part shall be deposited by the board in bank accounts in its name subject to approval of the Director of Finance. All such accounts shall be secured by the banks with deposit of security in the State Treasury in the manner provided by law pertaining to the security of deposits of public money. The board shall make withdrawals from such accounts from time to time as may be necessary, (a) to pay delinquent obligations for which the deposits, together with accrued interest thereon, are security; (b) to repay deposits of security made under this article, (c) to pay interest on such deposits as in this article provided; (d) to invest or reinvest in federal bonds or other obligations as provided in this article; or (e) to pay any excess interest earnings into the State Treasury to the credit of the General Fund.

SEC. 6. Section 6707 is added to the Revenue and Taxation Code, to read:

6707. The board is directed and authorized to invest and reinvest so much as may be feasible in the sound administration of this part of the moneys that are deposited with it as security for the payment of obligations hereunder in bonds or other obligations of the United States, or bonds or other obligations for which the full faith and credit of the United States is pledged, and any interest or gains accruing from such investments and reinvestments shall be deposited to the credit of the board in the bank accounts mentioned in the next preceding section of this part. In making such investments or reinvestments the board shall authorize an officer or employee of the board designated by the board for such purpose to consult with an officer or employee of the Department of Finance, designated by the Director of Finance for such purpose and all purchases and sales of bonds or other obligations by the board shall be consummated through the agreement and concurrence of said representatives. All bonds and other obligations so acquired shall be deposited with the State Treasurer for safe keeping and he shall give his receipt therefor to the board. At the request of the board the Treasurer shall make all interest collections and perform such other services as may be necessary in connection with the handling and safe keeping of the bonds or other obligations in which the board may invest or reinvest in pursuance of this article.

SEC. 7. Holders of permits to engage in business as sellers issued under Part 1, Division 2, of the Revenue and Taxation Code prior to the effective date of this act who are not then delinquent in the payment of any of their obligations under said part and who do not become delinquent thereafter with respect to any such obligation shall be exempt from the requirements of Section 6701 of the Revenue and Taxation Code, as amended by this act insofar as the business authorized by said permits, or any permits subsequently issued to them, may be concerned. The provisions hereof shall not be deemed to relieve any holders of sellers' permits from their obligations to continue the deposit of security made in compliance with the provisions of said section prior to its amendment by this act. All deposits of moneys made in pursuance of Section 6701 of the Revenue and Taxation Code prior to October 1, 1949, shall bear interest, as provided in Section 6705 of said code commencing October 1, 1949, but no interest shall be paid on such deposits with respect to any period prior thereto.

SEC. 8. This act shall take effect on October 1, 1949."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 2304—An act to amend Section 11445 of the Government Code, relating to rules and regulations of state agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "Revenue Laws administered by state agencies", and insert "Sections 7051, 8251, 9251, 10401, and 11651 of the Revenue and Taxation Code".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Revenue and Taxation

Assembly Bill No. 1767—An act to repeal Section 92.1 of, and to add Section 92.2 to, the Agricultural Code, and to amend Sections 19622 and 19624 of, and to add Section 19622.1 to, the Business and Professions Code, relating to the appropriation and allocation of funds to fairs.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 28, 1949, strike out "and 19624", and insert ", 19624 and 19626".

Amendment No. 2

In line 3 of the title of said bill, strike out "Section 19622.1", and insert "Sections 19622.1 and 19624.1".

Amendment No. 3

In line 5 of the title of said bill, strike out "funds to fairs", and insert "money from the Fair and Exposition Fund".

Amendment No. 4

On page 2, line 48, of said bill, strike out "ten thousand dollars ($10,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment No. 5

On page 3 of said bill, strike out lines 31 to 37, inclusive

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 4 of said bill, following line 33, insert

"SEC. 6. Section 19624.1 is added to the Business and Professions Code, to read:

19624.1. Whenever the funds appropriated during any fiscal year for the encouragement of county, district, or combined county and district agricultural fairs under the provisions of subdivision (b) of Section 19624 of the Business and Professions Code are not sufficient under the provisions of Section 92 of the Agricultural Code to provide at least one of the fairs sharing in the apportionment of said funds a minimum allotment of sixty-five thousand dollars ($65,000), without taking into consideration the conditional reductions provided in this section, the amounts appropriated in Section 19622 of this code shall be reduced by twenty-five percent (25%) for such fiscal year, the amount appropriated in subdivision (a) of Section 19624 of this code for appropriation and allocation to those certain citrus fruit fairs and expositions defined in Section 94 of the Agricultural Code held in counties having a population in excess of one hundred sixty thousand as shown by the last Federal Census and the amount to be appropriated and allocated under subdivision (a) of Section 19624 of this code to each citrus fruit fair held in counties having a population of less than one hundred sixty thousand shall be reduced by twenty-five percent (25%) for such fiscal year, and the amount appropriated for merit awards under the provisions of Section 19622.1 of this code shall be reduced by four hundred fifty thousand dollars ($450,000) for such fiscal year. The State Controller may pay expenditures up to seventy-five percent (75%) of the appropriations provided for in Section 19622 of this code as the funds become available and may pay expenditures of the remaining twenty-five percent (25%) upon notification from the Department of Finance that the allotment to at least one fair under the provisions of Section 92 of the Agricultural Code from the funds appropriated under the provisions of subdivision (b) of Section 19624 of this code will be equal to or in excess of sixty-five thousand dollars ($65,000), without taking into consideration the conditional reductions provided in this section. The Department of Finance may apportion not to exceed seventy-five (75%) of the funds appropriated and allocated for citrus fruit fairs under subdivision (a) of Section 19624 of this code immediately following the close of the *fiscal year during which said funds were appropriated and may apportion the remaining* twenty-five percent (25%) of said funds when and if it is determined that the allotment to at least one fair under the provisions of Section 92 of the Agricultural Code from the funds appropriated under the provisions of subdivision (b) of Section 19624 of this code will be equal to or in excess of sixty-five thousand dollars ($65,000), without taking into consideration the conditional reductions provided in this section.

Whenever the appropriations provided for in Sections 19622 and 19622.1 of this code are reduced under the provisions of this section, the amounts held in reserve from said appropriations pending determination of the reduction provisions provided for herein shall be transferred to and become a part of the funds appropriated under the provisions of subdivision (b) of Section 19624 of this code and shall be available for apportionment on the same basis as the balance of the funds appropriated under said subdivision (b) during said fiscal year. Whenever the amounts appropriated in subdivision (a) of Section 19624 of this code for appropriation and allocation to those certain citrus fruit fairs and expositions defined in Section 94 of the Agricultural Code held in counties having a population in excess of one hundred sixty thousand as shown by the last Federal Census and the amount to be appropriated and allocated under this section to each citrus fruit fair held in counties having a population of less than one hundred sixty thousand are reduced under the provisions of this section, the amounts held in reserve from said appropriations pending determination of the reduction provisions provided for herein shall be transferred to and become a part of the second balance of the fund and shall become available for the same purposes and under the same conditions as if the reductions provided for herein had been in effect during the fiscal year in which said funds were appropriated.

SEC. 7. Section 19626 of the Business and Professions Code is amended to read:

19626. The second balance of the fund is hereby allocated for expenditure without regard to fiscal years, as follows:

(a) Twenty-five percent (25%) *plus one hundred thirty-five thousand four hundred thirty-eight dollars ($135,438)* for permanent improvements at, or support of, or purchase of land for, the California Polytechnic School; thirty-three percent (33⅓%) *plus one hundred seventy-eight thousand seven hundred seventy-eight dollars ($178,778)* for permanent improvements at or support of, the University of California; the remainder for permanent improvements upon the property of the state, citrus *(including citrus fruit fairs and expositions as defined in Section 94 of the Agricultural Code and other citrus fruit fairs and expositions qualified to receive an allocation under subdivision (a) of Section 19624)*, county or agricultural associations for fair purposes,

or the purchase of equipment for fair purposes, or the acquisition or purchase or purchase of real property, including costs of appraisal [or other] *and* incidental costs, to be used as sites for such permanent improvements, in such amounts as may be approved by the State Public Works Board and may be allocated by the Director of Finance at his discretion."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means

Assembly Bill No. 1173—An act to repeal Section 1176 of the Labor Code, to renumber Section 1177 to be Section 1176 thereof, to renumber Section 1178 to be Section 1177 thereof, to amend and renumber Section 1179 to be Section 1178 thereof, to amend and renumber Section 1180 to be Section 1179 thereof, to amend and renumber Section 1181 to be Section 1180 thereof, to repeal Section 1182 of said code, to amend and renumber Section 1183 to be Section 1181 thereof, to amend and renumber Section 1184 to be Section 1182 thereof, to amend and renumber Section 1185 to be Section 1183 thereof, to amend and renumber Section 1186 to be Section 1184 thereof, and to add Section 1185 to said code, relating to women and minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 2 of the printed bill, strike out lines 7 to 46, inclusive, and insert

"1178. If after investigation the commission finds that in any occupation, trade, or industry, the wages paid to women and minors are inadequate to supply the cost of proper living, or that the hours or conditions of labor are prejudicial to the health, morals, or welfare of the employee, the commission shall select a wage board to consider such matters. Such wage board shall be composed of an equal number of representatives of employers and employees in the occupation, trade, or industry in question; and a representative of the commission to be designated by it, who shall act as chairman of the wage board. The wage board shall report and make recommendations to the commission, including therein:

(a) An estimate of the minimum wage adequate to supply the necessary cost of proper living to, and maintain the health and welfare of women and minors engaged in the occupation, trade, or industry in question.

(b) The number of hours of work per day in the occupation, trade, or industry in question, consistent with the health and welfare of such women and minors.

(c) The standard conditions of labor in the occupation, trade, or industry in question, demanded by the health and welfare of such women and minors. Before promulgating an order relating to wages, hours, or conditions of labor for the occupation, trade, or industry in question, and after receipt of the report from the wage board, the commission shall hold a public hearing. The proceedings shall be recorded and transcribed and shall thereafter be a matter of public record. Whenever the occupation, trade, or industry in question is state-wide in scope, a public hearing shall be held in each of two cities in this State; when it is not state-wide, a public hearing shall be held in the locality where the occupation, trade, or industry prevails."

Amendment No. 2

On page 3, line 35, of said bill, strike out "courthouse and also to"; and strike out lines 37 and 38, and insert "courthouse; to each association of employers or employees which, in the opinion of the commission, would be affected by the hearing; and to any person or organization filing with the commission a written request for notice of such hearing. Failure to mail such notice shall not invalidate any order of the commission issued after such hearing."

Amendment No. 3

On page 3 of said bill, strike out line 44, and insert

"1182. After the wage board conference and public hearing, as provided in Section 1178, the commission".

Amendment No. 4

On page 4, line 3, of said bill, after the first "the", insert "standard".

Amendment No. 5

On page 4, line 10, of said bill, after the second "the", insert "standard".

Amendment No. 6

On page 4 of said bill, strike out lines 17 and 18, and insert "cisco".

Amendment No. 7

On page 4, line 22, of said bill, after "occupation", insert "or industry".

Amendment No. 8

On page 4, line 31, of said bill, strike out "and mailing to county clerks".

Amendment No. 9

On page 4, line 32, of said bill, strike out "as to service".

Amendment No. 10

On page 4 of said bill, strike out lines 51 and 52, and insert "this purpose the commission shall proceed in the same manner as prescribed for an original order."

Amendment No. 11

On page 5 of said bill, strike out lines 1 to 5, and insert "Such altered or".

Amendment No. 12

On page 5, line 12, of said bill, after "provision", insert "of Article 4".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Industrial Relations.

Assembly Bill No. 3104—An act to add Section 1243 to the Water Code, relating to appropriations and use of water.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 22, 1949, following line 23, insert

"If at any time the department shall determine that the water used under a permit or license for any such purpose is required for a more necessary use, the department, after notice to the permittee, may revoke the permit and issue a permit for the use of such water for such more necessary use."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 573—An act to repeal Division 9 of and to add Division 9 to the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, establishing county soil conservation district boundary committees and prescribing their functions, and regulating the organization, operation, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on May 13, 1949, strike out line 6, and insert

"9065. Within thirty days after receiving the report of the commission on such proposal, the board of supervisors shall consider the matter and advise the proponents in writing of any changes in the proposed boundaries believed to be in the public interest. The recommendations of the board of supervisors or its finding that the proposed boundaries are satisfactory shall be accompanied by a copy of the report from the commission, and a copy of the board's determination shall be sent to the commission."

Amendment No. 2

On page 7 of said bill, strike out lines 7 to 16, inclusive.

Amendment No. 3

On page 9, lines 15 and 16, of said bill, strike out "conforms with the recommendations of", and insert "is acceptable to".

Amendment No. 4

On page 9, line 20, of said bill, after "supervisors," insert "or if the petition is found to be insufficient,".

Amendment No. 5

On page 9 of said bill, strike out lines 23 and 24, and insert "the proponents."

Amendment No. 6

On page 9 of said bill, strike out lines 25, 26, and 27, and insert

"9084. If the proponents cannot correct the insufficiencies of the petition or rectify the boundary discrepancies within sixty days the board shall deny the petition."

Amendment No. 7

On page 16 of said bill, strike out lines 14 to 25, inclusive.

Amendment No. 8

On page 19, line 37, of said bill, after "proposed", insert "addition to the"

Amendment No. 9

On page 23, line 6, of said bill, strike out "shall", and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

SECOND READING OF SENATE BILLS

Senate Bill No. 98—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to the support and parole of persons committed to industrial farms, industrial road camps or branches of county jails for addiction to the intemperate use of stimulants, dipsomania or inebriety.

Bill read second time, and ordered to third reading.

Senate Bill No. 115—An act to amend Section 672 of the Penal Code, relating to fines.

Bill read second time, and ordered to third reading.

Senate Bill No. 137—An act to amend Section 969(b) of the Penal Code, relating to proof of previous conviction of crime by certified records.

Bill read second time, and ordered to third reading.

Senate Bill No. 305—An act to amend Section 1601 of the Probate Code, relating to notices and procedure.

Bill read second time, and ordered to third reading.

Senate Bill No. 416—An act to amend Section 5005 of the Penal Code, relating to the maintenance of canteens in prisons and institutions

Bill read second time, and ordered to third reading.

Senate Bill No. 419—An act to repeal Section 2728 of, and to amend Section 2055 of, the Penal Code, relating to insuring prison made goods and the materials and equipment used in the production thereof

Bill read second time, and ordered to third reading.

Senate Bill No. 422—An act to amend Section 2722 of the Penal Code, relating to the sale of jute goods.

Bill read second time, and ordered to third reading.

Senate Bill No. 423—An act to add an article heading for Article 1 and to add Article 2 comprising Section 956 to Chapter 1 of Title 2 of Part 3 of Division 2 of the Civil Code; and to amend Sections 376 and 377 of the Code of Civil Procedure; and to amend Sections 573, 574, and 707 of the Probate Code; and to amend Section 402 of the Vehicle Code; and to amend Section 11580 of the Insurance Code; all relating to actions for personal injury and actions for wrongful death generally, and the survival of such actions.

Bill read second time, and ordered to third reading.

Senate Bill No. 426—An act to amend Section 2726 of the Penal Code, relating to prison made goods.

Bill read second time, and ordered to third reading.

Senate Bill No. 427—An act to amend Section 2870 of the Penal Code, relating to marking of prison made goods.

Bill read second time, and ordered to third reading.

Senate Bill No. 565—An act to add Section 5004 to the Penal Code, relating to agreements for mutual police aid.

Bill read second time, and ordered to third reading

Senate Bill No. 792—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 570—An act to add Section 2703 to the Penal Code, relating to employment of prisoners, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 288—An act to amend Section 27 of the Bank and Corporation Franchise Tax Act, relating to overpayment of taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 846—An act to amend Section 20 of the Corporation Income Tax Act, relating to overpayment of taxes

Bill read second time, and ordered to third reading.

Senate Bill No. 847—An act to amend Section 19062 of, and to add Sections 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19062.8, and 19062.9 to the Revenue and Taxation Code, relating to overpayment of taxes.

Bill read second time, and ordered to third reading.

Senate Bill No. 415—An act to amend Section 2724 of the Penal Code, relating to prison made goods, and making the resale for personal profit by a purchaser thereof a misdemeanor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 14 and 15, of the printed bill, strike out "for personal profit", and insert "at a price in excess of the price at which he purchased such goods"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Dolwig asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 967—An act to amend Section 18711 of, and to add Section 18753 to, the Business and Professions Code, relating to boxing and wrestling.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on May 9, 1949, after "18711.", strike out "Every", and insert "*Except as provided in Section 18713, every*".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1431—An act to amend Sections 7621, 7622, 7623, 7624, 7650, 7654, 7681, 7682, 7691, 7692, 7720, and 7721 of the Labor Code; to amend and renumber Sections 7722, 7723, and 7724 of said code; and to add Sections 7722, 7724, and 7725 to said code; all relating to regulation of and inspection of tanks and boilers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 2, line 18, of the printed bill, as amended in the Senate on April 15, 1949, strike out "Tanks and boilers used in the"; and strike out lines 19 to 21, inclusive.

Amendment No. 2

On page 2 of said bill, strike out line 33

Amendment No. 3

On page 3, line 23, of said bill, strike out "In cases where inspections"; and strike out lines 24 to 26, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1001—An act to amend Section 13252.1 of the Labor Code, relating to hours of labor for women.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 15, 1949, strike out "1352.1", and insert "1352"

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 17, inclusive, and insert

"SECTION 1. Section 1352 of the Labor Code is amended to read

1352. The provisions of this article in relation to hours of employment shall not apply to or affect graduate nurses *or clinical laboratory technologists, or clinical laboratory technicians* in hospitals, nor the harvesting, curing, canning, or drying of any variety of perishable fruit, fish, or vegetable during the periods when it is necessary to harvest, cure, can, or dry fruit, fish, or vegetables to prevent spoiling, nor to employees actually engaged in the processing of biologicals, human blood products and other such products of laboratories operating under license from either or both the United States Department of the Treasury and the United States Department of Agriculture during such periods when it is necessary to continue the processing of such products to prevent spoilage or deterioration."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Industrial Relations.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that, since a Member of the Assembly stated on the floor of the Assembly last week that a well-known restaurant had served oleomargarine as a substitute for butter, he has investigated the charge. He further announced that Hart's Restaurant has been in business some 30 odd years; that he spoke with the gentleman who has been the restaurant's manager for 18 years and with an employee who has been with the establishment for 30 years, and is assured that never has Hart's Restaurant served oleomargarine or used it for cooking purposes, but has used first-grade butter at all times.

RESOLUTIONS

The following resolution was offered:

By Messrs. Ralph C. Dills and Maloney:

House Resolution No. 207—Congratulating Jacqueline Carol Dunn upon the occasion of her twenty-first birthday.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Co-authors on House Resolution No. 207

Mr. Crichton asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 207 as co-authors. The following members indicated a desire to be so recorded:

By Messrs Ralph C. Dills, Maloney, Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty:

House Resolution No. 207

Congratulating Jacqueline Carol Dunn upon the occasion of her twenty-first birthday

WHEREAS, This Assembly Chamber is graced by the presence of a young and lovely girl, Jacqueline Carol Dunn, the daughter of Assemblyman and Mrs. Francis Dunn, Jr., of the Thirteenth Assembly District; and

WHEREAS, On May 23, 1949, Jacqueline Carol Dunn will celebrate her twenty-first birthday anniversary; and

WHEREAS, This *charming and intelligent young woman has directed her efforts* and energies toward an understanding of democratic government, and is now in her junior year at the University of California where her major studies are in public information; and

WHEREAS, She has interrupted her academic work to serve at the desk of this Assembly during its Regular Session of 1949; and

WHEREAS, All the fine qualities, talents, and achievements of Jacqueline Carol Dunn would be considered quite extraordinary in most cases, but when found in one having such a handsome, intelligent, and distinguished father, they are, of course, but to be expected; nevertheless, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend to Jacqueline their heartiest good wishes for happiness on her birthday, long life and success in her chosen work; and be it further

Resolved, That a suitably engrossed copy of this resolution be presented to Jacqueline Carol Dunn as an expression of the esteem and good wishes of the Members of the Assembly of California.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 207, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 958—An act to add Section 14438 to the Business and Professions Code, relating to containers and container brands.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 958?

Amendment No. 1

On page 1 of the printed bill, strike out lines 9 to 12, inclusive, and insert "ney's fee No action shall be brought under this section against a person who obtained possession of the containers, equipment or supplies pursuant to a contract with the registrant for the delivery of agricultural commodities, unless such person has failed to return to the registrants such containers, equipment and supplies within ten days after receipt of a demand for such return sent by registered mail to such person by the registrant"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 958 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen Hahn, Hawkins, Heisinger, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr Speaker—58.
NOES—None.

Assembly Bill No. 958 ordered enrolled.

Assembly Bill No. 1461—An act to amend Section 169 of the Fish and Game Code, relating to the Mendota Pool Game Refuge and defining the boundaries of Mendota Pool.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1461?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 7, 1949, strike out lines 13 to 22, inclusive, and insert

"Game Refuge: The area confined within the 1948-49 high-water mark of the body of water known as Mendota Pool (Fresno Slough) south of Whites Bridge in Fresno County, California, and the area surrounding and outside such high-water mark to a distance of one mile."

Amendment No. 2

In line 1 of the title of said bill, strike out "169", and insert "202".

Amendment No. 3

In line 2 of the title of said bill, strike out "Game", and insert "Waterfowl".

Amendment No. 4

In line 3 of the title of said bill, strike out "of Mendota Pool", and insert "thereof".

Amendment No. 5

On page 1, line 1, of said bill, strike out "169", and insert "202".

Amendment No. 6

On page 1, line 12, of said bill, strike out "169", and insert "202".

Amendment No. 7

On page 1 of said bill, strike out lines 23 to 25, inclusive

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1461 by the following vote:

AYES—Erwin and Silliman—2.
NOES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Way, Yorty, and Mr. Speaker—54.

Appointment of Committee on Conference Concerning Assembly Bill No. 1461

The Speaker announced the appointment of Messrs. Heisinger, Butters, and Erwin as a Committee on Conference concerning Assembly Bill No. 1461.

Assembly Bill No. 2045—An act to amend Sections 19170, 19173, and 19175 of the Government Code, and to add Section 19175.5, relating to the probationary period of state employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2045?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on April 14, 1949, after "faith.", insert "At any such hearing the rejected probationer shall have the burden of proof; subject to rebuttal by him, it shall be presumed that the rejection was free from fraud and bad faith and that the statement of reasons therefor in the notice of rejection is true."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2045 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—Hawkins—1.

Assembly Bill No. 2045 ordered enrolled.

Assembly Bill No. 1033—An act to amend Sections 18171, 18586, 18691, 18691.1, 18692, 19053.5, and 19061.1, and to add Section 18586.1, to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1033?

Amendment No. 1

On page 3, line 15, of the printed bill, as amended in the Assembly on March 28, 1949, strike out "19053.5", and insert "19053.3".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1033 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 1033 ordered enrolled.

Assembly Bill No. 1713—An act to add Section 55.65 to and to amend Sections 40 and 55.6 of the Alcoholic Beverage Control Act,

relating to the sale of wine, requiring the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1713?

Amendment No. 1

On page 9, line 3, of the printed bill, as amended in the Assembly on March 29, 1949, strike out "under this rule", and insert "within the meaning of this paragraph (k)".

Amendment No. 2

On page 2, line 2, of the printed bill, as amended in the Senate on April 27, 1949, strike out "stop", and insert "stock".

Amendment No. 3

On page 2, line 4, of said bill, before "or", insert "as such,".

Amendment No. 4

On page 2, line 7, of said bill, after "wine", strike out the period, and insert ", except as provided in the following exemption.

6. Sales by a wine grower, wine rectifier or rectifier to another licensee acting as a bona fide primary distributing agent in California; provided, however, that in such case the primary distributing agent shall post a schedule of selling prices to wholesalers."

Amendment No. 5

On page 2, line 30, of said bill, after "brand", insert "or for which he is the bona fide primary distributing agent in California for a wine grower, wine rectifier or rectifier".

Amendment No. 6

On page 3, line 37, of said bill, after "assessment", insert "or assessments"

Amendment No. 7

On page 4 of said bill, strike out line 23, and insert "100 or more cases but less than 200 cases—6½% discount".

Amendment No. 8

On page 4 of said bill, between lines 23 and 24, insert "200 or more cases—10% discount".

Amendment No. 9

On page 6, line 33, of said bill, strike out "holding", and insert "which on January 1, 1949, held".

Amendment No. 10

On page 6, line 34, of said bill, strike out "wholesaler's".

Amendment No. 11

On page 6, line 34, of said bill, strike out "on October 1, 1949," and insert "or was licensed by the board,".

Amendment No. 12

On page 6, line 36, of said bill, strike out "based" and the remainder of line 36, and all of lines 37 to 39, inclusive, and insert "from the general fund of such cooperative buying group."

Amendment No. 13

On page 8 of said bill, between lines 3 and 4, insert

"13. "Bona fide primary distributing agent" means a licensee engaged in the business of acting as agent under contract for a wine grower, wine rectifier or rectifier in the sale of an item or items of wine exclusively or primarily to wholesalers within a specified territory in California."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1713 by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb,

Luckel, Maloney, McCollister, Meyers, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Way, Weber, Yorty, and Mr. Speaker—51.

NOES—Anderson, Beck, George D Collins, Condon, Elliott, and McCarthy—6.

Assembly Bill No. 1713 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal in 10-point type:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, May 23, 1949

Hon. Sam L. Collins, Speaker of the Assembly
State Capitol, Sacramento, California

MY DEAR MR. SPEAKER: The Interim Fact-Finding Committee on Water Pollution has the honor to transmit to the Assembly, through its chairman, the accompanying report of the investigation of the committee as authorized and directed by House Resolution No. 27 of the Assembly, Regular Session, 1947. A final report will be submitted at a later date.

Your committee is confident that this report provides the Legislature a basis for a first real step toward establishing a sound program for greatest economic use of the water resources upon which the welfare of future generations in California will depend.

Respectfully submitted,

RANDAL F. DICKEY, Chairman
JAMES G. CRICHTON, Vice Chairman
JONATHAN J. HOLLIBAUGH
THOMAS J. DOYLE
ERNEST C. CROWLEY
JAMES W. SILLIMAN
RICHARD J. DOLWIG
RICHARD H. MCCOLLISTER
GLENN M. ANDERSON

Above mentioned report ordered filed with the Secretary of State, and individual copies ordered distributed to the members.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, May 23, 1949

Hon. Sam L. Collins and
Members of the Assembly

Just a line expressing to you and the Members of the Assembly my sincere thanks and appreciation for the many fine encomiums extended to me on my birthday. I hope to live for a few more years.

Expressing the gratitude of the entire "Maloney Clan," and with kindest personal regards, I am

Sincerely yours,

THOMAS A. MALONEY
Speaker pro Tempore

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3035—An act to add Section 3522 to the Revenue and Taxation Code, relating to deeds to the State for taxes.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3035?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "June", and insert "October".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3035 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None

Assembly Bill No. 3035 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2898—An act validating the formation and existence of county water works districts and all proceedings for the issuance of bonds and all bonds heretofore issued or sold and all proceedings for the issuance of bonds heretofore had and taken by such districts, and providing for the payment of such bonds.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2898 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 95—An act to amend Section 5026 of the Streets and Highways Code, relating to the adoption and change of street names.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 95?

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert "and to add Section 5135 to".

Amendment No. 2

In line 2 of the title of said bill, after "names", insert "and the purchase and assignment of warrants, assessments, and bonds issued under the Improvement Act of 1911".

Amendment No. 3

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 5135, a new section, is added to Chapter 3, Part 3, Division 7, of the Streets and Highways Code, to read:

5135. The legislative body may elect to agree to purchase, and purchase, out of the general funds of the city, an assignment of the warrant, assessment and diagram upon delivery thereof to the contractor, pursuant to Section 5374 of this code, at the option of the contractor. Any such purchase shall be at the total amount of the several assessments upon the assessment and diagram attached to the warrant. Any such election to purchase an assignment of the warrant, assessment and diagram by the city shall be stated in the resolution of intention. Upon the purchase of such an assignment of the warrant, assessment and diagram by the city, the city shall succeed to all rights and liens of the contractor to collect and enforce the payment of the assessments and all bonds issued to represent said assessments."

Amendment No. 4

On page 1, line 7, of said bill, strike out "970", and insert "970 5".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 95 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 95 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2764

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2764, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2764—An act to amend Section 28380 and Section 28411, of the Health and Safety Code, and to add Section 28411.5 to the Health and Safety Code, relating to canneries.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2764?

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Section 28361, and Section 28380 and Section 28411 of the Health".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, above line 1, insert

"Section 28361 of the Health and Safety Code is amended to read:

28361. "Meat or meat product" as used in this chapter, means any meat or meat product which is not subject to the inspection of the Division of Animal [Husbandry] *Industry* of the State Department of Agriculture, or of the Bureau of Animal [Husbandry] *Industry* of the United States Department of Agriculture, or of an approved municipal inspection department or establishment."

Amendment No. 3

On page 1, line 1, of said bill, strike out "Section 1", and insert "Section 2".

Amendment No. 4

On page 1, line 16, of said bill, strike out "SEC 2", and insert "SEC. 3".

Amendment No. 5

On page 2, line 10, of said bill, strike out "SEC. 3", and insert "SEC 4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2764 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Waters, Weber, Yorty, and Mr. Speaker—63

NOES—None.

Assembly Bill No. 2764 ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 378—An act to add Sections 14402.1, 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, and 14525.1 to, and to amend Sections 14401, 14406, 14450.5, 14451, and 14510 of, the Health and Safety Code, relating to county fire protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 378?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 1, 1949, strike out "14402.1,".

Amendment No. 2

In line 3 of the title of said bill, strike out "14401,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 14406 of the Health and Safety Code is amended to".

Amendment No. 4

On page 2, line 26, of said bill, strike out "SEC. 5", and insert "SEC. 2".

Amendment No. 5

On page 2, line 32, of said bill, strike out "SEC. 6", and insert "SEC. 3".

Amendment No. 6

On page 2, line 46, of said bill, strike out "SEC. 7", and insert "SEC. 4".

Amendment No. 7

On page 3, line 10, of said bill, strike out "SEC. 8", and insert "SEC. 5".

Amendment No. 8

On page 3, line 42, of said bill, strike out "SEC. 9", and insert "SEC. 6".

Amendment No. 9

On page 4, line 1, of said bill, strike out "SEC. 10", and insert "SEC. 7".

Amendment No. 10

On page 4, line 7, of said bill, strike out "SEC 11", and insert "SEC. 8".

Amendment No. 11

On page 4, line 16, of said bill, strike out "SEC 12", and insert "SEC. 9".

Amendment No. 12

On page 4, line 23, of said bill, strike out "SEC 13", and insert "SEC. 10".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 378 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 378 ordered enrolled.

Assembly Bill No. 471—An act to amend Section 6029 of the Penal Code, relating to the Board of Corrections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 471?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 7, 1949, after "Code", insert "and to repeal an act entitled "An act to provide for the approval of plans for the construction or alteration of county jails by the immigration and housing commission," approved April 16, 1925".

Amendment No. 2

In the title of said bill, between lines 1 and 2 thereof, insert "plans and specifications for jails, prisons, and other detention facilities, and to the powers and duties of".

Amendment No. 3

In line 2 of the title of said bill, strike out the period, and insert "and other state agencies in respect thereto."

Amendment No. 4

On page 1, line 16, of said bill, after the period, insert "No state department or agency other than the board shall have authority to approve, disapprove, or make recommendations in respect to plans and specifications for the construction of county jails or other county detention facilities or for alterations thereto, except such recommendations as the board may request from any such state department or agency.

SEC. 2 An act entitled "An act to provide for the approval of plans for the construction or alteration of county jails by the immigration and housing commission," approved April 16, 1925, is repealed."

Amendment No. 5

On page 1, line 12, of the printed bill, as amended in the Senate on May 9, 1949, after "of", insert "detention".

Amendment No. 6

On page 1, line 14, of said bill, after "or county", insert "therefor,".

Amendment No. 7

On page 1, line 16, of said bill, strike out "approve, disapprove, or".

Consideration of Senate amendments to Assembly Bill No. 471 ordered temporarily passed on file.

Assembly Bill No. 1296—An act to add Section 622.5 to the Fish and Game Code, relating to taking fish for use as bait.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1296?

Amendment No. 1

On page 1, line 9, of the printed bill, strike out "Traps", and insert "Such traps".

Amendment No. 2

On page 1, line 10, of said bill, strike out "Seines", and insert "Such seines".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1296 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Asembly Bill No. 1296 ordered enrolled.

Assembly Bill No. 2982—An act to add Article 14, comprising Sections 14594 to 14599, inclusive, to Chapter 2 of Part 3 of Division 12 of the Health and Safety Code, relating to the powers of the governing board of a county fire protection district.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2982?

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "district, or", and insert "county, and".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2982 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—60.

NOES—None

Assembly Bill No. 2982 ordered enrolled

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2431

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2431, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2431—An act to amend Section 315 of the Municipal Utility District Act, relating to nomination papers

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2431?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 15, 1949, strike out "four", and insert "five".

Amendment No. 2

On page 1, line 6, of said bill, at the beginning of the line, strike out "fifty"

Amendment No. 3

On page 1, line 6, of said bill, after "hundred", insert "fifty".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2431 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 2431 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2632

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2632, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2632—An act to add Sections 141 and 141.5 to the Welfare and Institutions Code, relating to warrants issued by the State Controller for old age security and security for the blind, and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2632?

Amendment No. 1

On page 2, lines 19 and 20, of the printed bill, as amended in the Assembly on April 14, 1949, strike out "Section 140 of the Welfare and Institutions Code, which provides", and insert "Sections 29800 to 29806, inclusive, of the Government Code, which provide".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2632 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen,

Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, Meyers, Moss, Reagan, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 2632 ordered enrolled.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 660, on request of Mr. Butters.

Assembly Bill No. 1407, on request of Mr. Butters.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2599—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 995, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690, and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167 and 1467 to said code, relating to proceedings in criminal cases.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75 and 76 of the Unemployment Insurance Act, and Section 22003 of the Education Code, relating to state officers.

Bill read third time.

Request for Unanimous Consent That Rules Be Temporarily Suspended for Purpose of Considering All Sets of Proposed Amendments to Assembly Bill No. 88

Mr. Sherwin asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the purpose of considering all

sets of proposed amendments to Assembly Bill No. 88 now at the desk, at this time, prior to the reprinting of Assembly Bill No. 88 in amended form.

Request for Unanimous Consent That Amendments Be Corrected

Mr. Maloney asked for, and was granted, unanimous consent that his amendments to Assembly Bill No. 88, which have just been placed across the desk, be corrected, at this time, so that errors in printing may be avoided.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on May 9, 1949, after "Code," insert "and Section 107.5 of the Health and Safety Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 4 of said bill, after line 8, insert

"SEC. 10. Section 107.5 of the Health and Safety Code is amended to read:

107.5 The director shall be appointed by the Governor for a term of four years and shall hold office until the appointment and qualification of his successor. [The term of the director in office when this section takes effect shall expire January 1, 1944.] The Governor may remove the director for misconduct, incompetency, or neglect of duty, after an opportunity to be heard on written charges. A vacancy shall be filled by appointment for the unexpired term. The director shall receive a salary of [twelve thousand dollars ($12,000)] *thirteen thousand five hundred dollars ($13,500)* per annum and necessary expenses incurred in the performance of his duties."

Amendments read, as corrected, and ordered temporarily passed on file.

Consideration of Further Amendments

Motion to Amend

Mr. Reagan moved the adoption of the following amendments:

Amendment No. 1

In lines 6 and 7 of the title of the printed bill, as amended in the Assembly on May 9, 1949, strike out "and Section 22003 of the Education Code", and insert "Section 22003 of the Education Code, Section 21 of the Corporate Securities Act, and Section 25301 of the Corporations Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 4 of said bill, after line 8, insert

"SEC. 10. Section 21 of the Corporate Securities Act is amended to read

Sec. 21. There is hereby created the Division of Corporations. The chief officer of such division shall be the Commissioner of Corporations. He shall be appointed by the Governor and hold office at the pleasure of the Governor. He shall receive an annual salary of [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)*, to be paid monthly out of the General Fund in the State Treasury upon a warrant of the Controller. He shall within fifteen days from the time of notice of his appointment take and subscribe to the constitutional oath of office and file the same in the Office of the Secretary of State and execute to the people of the State a bond in the penal sum of ten thousand dollars ($10,000) with corporate security or two or more sureties, to be approved by the Governor of the State, for the faithful discharge of the duties of his office.

SEC. 11. Section 25301 of the Corporations Code is amended to read:

25301. The Commissioner of Corporations shall be appointed by the Governor and shall hold office at the pleasure of the Governor. He shall receive an annual salary of [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)*

SEC. 12. Section 11 of this act becomes operative only if Division 1 of Title 4 is added to the Corporations Code by the Legislature at this session, and in such case at the same time as said Division 1 of Title 4 takes effect; at which time Section 21 of the Corporate Securities Act amended by this act is hereby repealed."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Berry, Burke, Butters, Collier, George D. Collins, Conrad, Crichton, Davis, Dickey, Ralph C. Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hinckley, Kirkwood, Levering, Lincoln, Lindsay, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Rumford, Sherwin, Stewart, Thompson, Waters, Weber, and Yorty—37.

NOES—Anderson, Burkhalter, Condon, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lowrey, Luckel, McMillan, Thomas, and Way—19.

Consideration of Further Amendments

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 9, 1949, strike out "and 76", and insert ", 76 and 77".

Amendment No. 2

On page 3, line 40, of said bill, strike out "eleven thousand dollars ($11,000)", and insert "twelve thousand dollars ($12,000)"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, between lines 43 and 44, insert

"SEC. 8. Section 77 of the Unemployment Insurance Act is amended to read.

Sec. 77. The California Unemployment Insurance Appeals Board, to consist of three members to be appointed by the Governor, subject to the approval of the Senate, is hereby created in the Department of Employment. Each member of such board shall devote his full time to the performance of his duties in this act defined and shall receive a salary of [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)* per year."

Amendment No. 4

On page 3, line 44, of said bill, strike out "SEC. 8", and insert "SEC. 9".

Amendment No. 5

On page 4, line 1, of said bill, strike out "SEC. 9", and insert "SEC. 10"

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Beck, Berry, Brady, Burke, George D. Collins, Dickey, Doyle, Dunn, Fleury, Gaffney, Geddes, Hagen, Kilpatrick, Lindsay, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Weber, and Yorty—22.

NOES—Anderson, Burkhalter, Butters, Collier, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Elliott, Erwin, Evans, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McMillan, Sherwin, Stewart, Thomas, Waters, and Way—32.

Consideration of Further Amendments
Motion to Amend

Mr. Burke moved the adoption of the following amendments:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on May 9, 1949, after "code", insert "and Section 10055 of the Business and Professions Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 4 of said bill, following line 8, insert

"SEC. 10. Section 10055 of the Business and Professions Code is amended to read:

10055 Each member of the board, except the commissioner, shall serve without compensation

The commissioner shall receive an annual salary of [ten thousand dollars ($10,000),] *twelve thousand dollars ($12,000)*, to be paid monthly out of the State Treasury upon a warrant of the Controller.

Each member shall be allowed his actual and necessary traveling expenses in the discharge of his duties."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Butters, Coats, Collier, George D. Collins, Conrad, Crichton, Davis, Dickey, Erwin, Fleury, Gaffney, Grant, Grunsky, Kirkwood, Levering, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Sherwin, Stewart, Thompson, Waters, Weber, and Yorty—34.

NOES—Anderson, Burkhalter, Condon, Connolly, Clayton A. Dills, Dolwig, Elliott, Evans, Geddes, Hagen, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lowrey, Luckel, Rumford, Thomas, and Way—19.

Further consideration of Assembly Bill No. 88 ordered temporarily deferred.

Assembly Bill No. 1450—An act to amend Sections 9200, 9300, 9301, 9303, 9304, 9305, 9400, 9402, 9600, and 9602 of the Corporations Code, relating to nonprofit corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Sherwin, Sullivan, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RECONSIDERATION OF ASSEMBLY BILL NO. 401

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider Assembly Bill No. 401, temporarily passed on the unfinished business file, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 401

In compliance with a notice given on a previous day, Mr. Hagen moved that the vote whereby Assembly Bill No. 401 was passed be reconsidered.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Lindsay is not in order because he has previously spoken on the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The roll was called, and Assembly Bill No. 401 refused reconsideration by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Coats, Collier, George D. Collins, Condon, Cooke, Davis, Dickey, Dolwig, Elliott, Gaffney, Hagen, Hawkins, Kilpatrick, Lewis, Lowrey, Luckel, Meyers, Rosenthal, and Torty—24.

NOES—Babbage, Burke, Burkhalter, Butters, Caldecott, Connolly, Conrad, Crichton, Crowley, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Moss, Reagan, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—40.

Assembly Bill No. 401 ordered transmitted to the Senate.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 88

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75 and 76 of the Unemployment Insurance Act, and Section 22003 of the Education Code, relating to state officers.

Bill read third time.

Further Consideration of Amendments Offered by Mr. Maloney

Amendments Withdrawn

Mr. Maloney withdrew his amendments, previously offered.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on May 9, 1949, after "Code," insert "and Section 107.5 of the Health and Safety Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 4, after line 8, insert

"SEC. 10. Section 107.5 of the Health and Safety Code is amended to read:

107.5. The director shall be appointed by the Governor for a term of four years and shall hold office until the appointment and qualification of his successor. The term of the director in office when this section takes effect shall expire January 1, 1944. The Governor may remove the director for misconduct, incompetency, or neglect of duty, after an opportunity to be heard on written charges. A vacancy shall be filled by appointment for the unexpired term. The director shall receive a salary of [twelve thousand dollars ($12,000)] *thirteen thousand five hundred dollars ($13,500)* per annum and necessary expenses incurred in the performance of his duties."

Amendments read.

Request for Unanimous Consent That Assembly Bill No. 88 Be Withdrawn From File, and Be Re-referred

Mr. Thomas asked for unanimous consent that Assembly Bill No. 88 be withdrawn from the file, and be re-referred to the Committee on Governmental Efficiency and Economy.

Point of Order

Mr. Maloney arose to the following point of order: That Mr. Thomas is not in order because the Rules have been temporarily suspended for the purpose of considering all proposed amendments to Assembly Bill No. 88, at this time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendments offered by Mr. Maloney to Assembly Bill No. 88.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Davis, Dickey, Dolwig, Dunn, Erwin, Fleury, Gaffney, Grant, Kirkwood, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Sherwin, Stanley, Stewart, Thompson, Waters, Weber, and Yorty—38.

NOES—Anderson, Burkhalter, Butters, Condon, Crowley, Doyle, Elliott, Evans, Geddes, Grunsky, Hawkins, Heisinger, Hollibaugh, Lewis, Lowrey, Luckel, Silliman, Thomas, and Way—19

Motion That Assembly Bill No. 88 Be Withdrawn From File, and Be Re-referred

Mr. Thomas moved that Assembly Bill No. 88 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Mr. Hawkins seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—47.

NOES—Collier, Conrad, Crichton, Fleury, Hagen, Reagan, Sherwin, Stewart, and Waters—9.

Assembly Bill No. 88 ordered reprinted, re-engrossed, and re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 20, 1949

Mr. Arthur Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR SIR: I am directed by the Senate to respectfully request you to return to the Senate, Assembly Bill No. 625 for further consideration by the Senate

Very truly yours,

J. A. BEEK, Secretary of the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 625 BE RECALLED FROM ENROLLMENT AND RETURNED TO THE SENATE

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 625 be recalled from enrollment, and be returned, by the Chief Clerk, to the Senate, for further consideration.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2599

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2599, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2599

Assembly Bill No. 2599—An act to amend Sections 671, 689, 777, 778, 781, 782, 783, 784, 784a, 785, 786, 789, 791, 792, 794, 795, 802, 806, 813, 814, 815, 816, 826, 827, 828, 829, 949, 950, 953, 954, 955, 957, 958, 959, 960, 961, 963, 964, 966, 967, 968, 969, 969c, 970, 971, 976, 977, 979, 980, 983, 988, 989, 990, 995, 1004, 1005, 1007, 1008, 1009, 1010, 1012, 1016, 1017, 1018, 1019, 1021, 1022, 1023, 1024, 1025, 1033, 1043, 1053, 1057, 1059, 1093, 1095, 1099, 1100, 1119, 1127, 1130, 1135, 1136, 1138, 1150, 1151, 1155, 1157, 1158, 1159, 1160, 1164, 1165, 1180, 1181, 1185, 1186, 1187, 1191, 1193, 1195, 1196, 1197, 1198, 1199, 1205, 1207, 1213, 1235, 1237, 1238, 1243, 1262, 1326, 1382, 1385, 1387, 1427, 1428, 1429, 1447, 1449, 1458, 1461, 1466, and 1468 and the headings of Title 3, Chapter 3 of Title 3, Title 4, Title 5, Chapter 2 of Title 5, Title 6, Chapter 2 of Title 6, Chapter 3 of Title 6, Chapter 4 of Title 7, Title 9, Chapter 8 of Title 10, Title 11, and of Chapter 1 of Title 11, of Part 2 of the Penal Code, to renumber the headings of Chapters 2 and 3 of Title 4 of Part 2 of said code and to repeal the heading of Title 2, Part 2 and Sections 809, 810, 811, 812, 818, Chapter 1, consisting of Sections 888 to 890, inclusive, of Title 4, Part 2, Sections 1011, 1144, 1247e, 1426, 1426.1, 1428.1, 1428.2, 1428.3, 1430, 1433, 1434, 1435, 1436, 1437, 1438, 1439, 1440, 1441, 1442, 1443, 1444, 1446, 1450, 1451, 1452, 1453, 1454, 1455, 1456, 1459, 1460, 1461a, and 1467, of said code, and to add Sections 690, and 691, a new Title 2, consisting of Sections 737 to 740, inclusive, to Part 2 of said code, and Sections 777a, 973, 1167, and 1467 to said code, relating to proceedings in criminal cases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Ralph C Dills, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 368

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 368, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 368

Assembly Bill No. 368—An act adding Section 31676.5 to the Government Code, relating to retirement pensions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3117

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3117, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3117

Assembly Bill No. 3117—An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts to junior college districts.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 26, of the printed bill, strike out "proceeding", and insert "preceding".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dolwig:

House Resolution No. 208—Extending birthday congratulations to Arthur H. Connolly, Jr.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Co-authors on House Resolution No. 208

Mr. George D. Collins asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 208, as co authors. The following members indicated a desire to be so recorded:

By Messrs. Dolwig, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant,

Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty:

House Resolution No. 208

Extending birthday congratulations to Arthur H. Connolly, Jr.

WHEREAS, Arthur H. Connolly, Jr. was born May 23, 1911, and celebrates the anniversary of that event today; and

WHEREAS, He was graduated from the University of California, and received the degree of L.L.B. from Hastings College of the Law, and saw active service as a Lieutenant Commander in the Destroyer Escort Service of the United States Navy during World War II; and

WHEREAS, In the short while that Arthur H. Connolly, Jr. has been a Member of this Assembly, he has capably and effectively represented the people of the Twenty-first Assembly District and of the State of California, has won membership on such important committees as Ways and Means, Revenue and Taxation, Judiciary, and Public Health, of which he is vice chairman, and by his manner and conduct has made many warm friends among the Members of this Assembly, now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend to Arthur H. Connolly, Jr. heartiest congratulations upon his birthday, and continued good health and good luck for a long career in public service; and be it further

Resolved, That a suitably prepared copy of this resolution be sent to Assemblyman Arthur H. Connolly, Jr.

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up House Resolution No. 208, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 209

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of two thousand dollars ($2,000), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail, and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding two thousand dollars ($2,000) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of twenty-five dollars ($25).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 209, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

By Mr. Dickey:

House Resolution No. 210

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same.

Pacific Telephone & Telegraph Company (tolls)	$357 75
Pacific Telephone & Telegraph Company (exchange service charges)	8 50
Department of Finance (pro-rate telephone service)	136 90
Remington Rand, Inc. (4 Remington Rand typewriters)	579 54

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 210, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Belly, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals for Monday, May 16, 1949; Tuesday, May 17, 1949; Wednesday, May 18, 1949; Thursday, May 19, 1949; and Friday, May 20, 1949, be approved as corrected by the Minute Clerk.

ALL MATTERS ON UNFINISHED BUSINESS FILE AND DAILY FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file and the daily file be continued until the next legislative day.

REMARKS ON CONDITION OF FILE

Mr. Sherwin spoke on the condition of the file.

Mr. Maloney spoke on the condition of the file.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that a breakfast meeting and Republican Caucus will be held at 7 30 a.m., tomorrow, Tuesday, May 24th, at the Hotel Sacramento Guest of honor will be Mr. Paul Corliss of Pennsylvania, representing the Republican National Committee

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 79 FROM COMMITTEE

Mr. Burkhalter gave notice that on the second legislative day he would move to withdraw Assembly Constitutional Amendment No. 79 from the Committee on Constitutional Amendments, and have it placed upon the file.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bills Nos. 3110 and 279, and Assembly Constitutional Amendment No. 3, on request of Mr. Rosenthal.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1431
Assembly Bill No. 1734

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 1431 and 1734 ordered re-referred to Committee on Municipal and County Government.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bill No. 204 ordered re-referred to Committee on Municipal and County Government.

Senate Bill No. 230 ordered re-referred to Committee on Education.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—At 3 p.m.—

Public Utilities and Corporations.
Crime and Correction.
Fish and Game.

Today—At 2 p.m.—

Interim Committee on Tidelands and Related Traffic Problems, in the Assembly Chamber.

Tonight—At 8 p.m.—

Finance and Insurance.

Tomorrow—At 9 a.m.—

Rules.

It was announced that the following committee would hold no meeting today:

Military Affairs.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Lee Weber, Norman Potash, and William E. Blumberg of Los Angeles.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Robert Tonkin of San Jose.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Charles L. Ashley of Doyle, and Wilber C. Anderson of Herlong.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Bruce McNair of San Francisco.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Russell Ford of Culver City.

On request of Messrs. Anderson and Elliott, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs Summuel B. Whitworth of Los Angeles.

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Stanley Kristal and Jerone Siegel of West Los Angeles.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Stanley Hughes, Vera Calderon, Clarence Simo, Ray Bass, Suzanne La Favre, and Barney Meyers of San Pedro

On request of Messrs. Crichton and Heisinger, the usual courtesies of the Assembly for this day were unanimously extended to a group of students of the Fresno State College.

ADJOURNMENT

At 1 01 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Tuesday, May 24, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED FORTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, May 24, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal God: Forbid that this moment of silence should be only an idle gesture in which we make only pretense of belief and reverence.

Let us realize the august fact, O Infinite God, that Thou art present here in our midst and that Thine eye is upon us and Thou art acquainted with all our thoughts; "For there is not a word on our tongues but Thou knowest it altogether."

Thou art speaking to us in the angel of our better nature, in our admiration for the good, the true and the beautiful, in our desire to be known as benefactors of the people.

With Thy all searching eye upon us, let us do Thy holy will so Thy kingdom of justice and peace may come.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Thompson, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mrs. Niehouse, on motion of Mr. Evans

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Reagan.

Mr. Davis, on motion of Mr. Evans.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Way, on motion of Mr. Condon.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Cramer, on motion of Mr. Condon

ANNOUNCEMENT OF INVITATION

Speaker Sam L. Collins, on behalf of Messrs Fleury and Moss, read a communication from Bartley W. Cavanaugh, City Manager of Sacramento, which extended the following invitation to Members of the Assembly:

On Thursday, May 26th, the Sacramento Police Department is holding its monthly shooting practice at its range located at the filtration plant. Between 4 30 and 6 p.m., Mr. Gene Jones, special agent of the F. B. I., and four F. B I agents will give a demonstration of hand gun, machine gun, and shotgun shooting. Members of the Assembly are invited to witness this demonstration. Arrangements have been made for busses to transport the Assemblymen from the Capitol to the range at the filtration plant and return.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 23, 1949

Hon. Arthur Ohnimus, Chief Clerk of the Assembly
State Capitol, Sacramento 14, California

DEAR SIR: I am directed by the Senate to request you to return to the Senate for further action Assembly Constitutional Amendment No 24

Very truly yours,

J. A. BEEK, Secretary of the Senate

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 24 BE RECALLED FROM ENROLLMENT, AND RETURNED TO THE SENATE

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No 24 be recalled from enrollment, and be returned, by the Chief Clerk, to the Senate, for further consideration.

REPORTS OF STANDING COMMITTEES

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which was referred Assembly Bill No. 1652

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means

BURKE, Chairman

Above reported bill re-referred to Committee on Ways and Means

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 534
Assembly Bill No 1084
Assembly Bill No. 1363
Assembly Bill No 2138
Assembly Bill No 3141

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred

Assembly Bill No. 2740

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred

Senate Bill No 851

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 90
Assembly Bill No 1466
Assembly Bill No. 1634
Assembly Bill No. 2980

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1555
Assembly Bill No. 1926

J A. BEEK, Secretary of the Senate
By C V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate appointed Senators Mayo, Williams, and Hatfield as a Committee on Conference *concerning*

Assembly Bill No. 1461—An act to amend Section 202 of the Fish and Game Code, relating to the Mendota Pool Waterfowl Refuge and defining the boundaries thereof

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 62

J A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 62—Relative to the apportionment and expenditure of federal aid secondary highway funds under the Federal-Aid Highway Act of 1948.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 23, 1949

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 130
Senate Bill No. 224
Senate Bill No 254
Senate Bill No 492
Senate Bill No. 960
Senate Bill No. 1305
Senate Bill No. 1306
Senate Bill No 1444

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 130—An act to add Section 8275 to the Education Code, relating to the teaching of un-American systems of government upon any property belonging to any agencies included in the Public School System.

Referred to Committee on Education

Senate Bill No. 224—An act to add Sections 1128, 1129, 1130, 1131, and 1132 to the Streets and Highways Code, and to repeal Section 2692 of the Political Code, relating to private or by-roads for timber access purposes.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 254—An act to amend Section 44 of the Vehicle Code, relating to emergency vehicles

Referred to Committee on Transportation and Commerce.

Senate Bill No. 492—An act to amend Sections 511 2, 511.3, and 511.6 of the Vehicle Code, relating to speed limits upon highways.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 960—An act to amend Section 2496 of the Business and Professions Code, relating to fees of Board of Osteopathic Examiners.

Referred to Committee on Public Health

Senate Bill No. 1305—An act to repeal Section 154 of the Vehicle Code, relating to registration of vehicles previously registered outside this State.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1306—An act to amend Section 206 of the Vehicle Code, relating to the issuance of special plates to dealers.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1444—An act to add Section 10202.8 to, and to amend Sections 10203.4, 10204, 10270.5 and 10270.6 of, the Insurance Code, relating to group life and disability insurance.

Referred to Committee on Finance and Insurance.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 9.45 a.m., Mr. Sherwin asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Ways and Means in the Post Office, at this time. Subject: Senate Bill No. 857.

MEMBER EXCUSED

At 9.46 a.m., Mr. Dolwig asked for, and was granted, unanimous consent that Mr. Dickey be excused, for a short period of time, to appear before a Senate committee meeting.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 323—An act to amend Section 41.5 of the California Unemployment Insurance Act, relating to transfer of employers' reserve accounts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 323?

Amendment No. 1

On page 1, line 1, of the printed bill, after "41.5", insert "(a)".

Amendment No. 2

On page 2 of said bill, strike out lines 33 to 52, inclusive, and insert

"(c) As used herein the term "joint venture" means a separate employing unit which has been organized by two or more employers to accomplish a contract or project or series of contracts or projects and is wholly owned by such employers. Upon dissolution of a joint venture the separate account, actual contribution and benefit experience and pay rolls of such joint venture shall be apportioned among the participating employers in proportion to the participation of each such employer, and the portion thereof of each shall be transferred to each such employer for the purpose of determining its rate of contribution after such dissolution, with the same effect for such purpose as if the applicable portion of the operations of such joint venture had at all times been carried on by such employer. Such portion of such separate account shall be transferred by the commission to each such employer and as of the date of such dissolutions shall become the separate account or part of the separate account, as the case may be, of such employer and the benefits thereafter chargeable to such joint venture on account of employment relating to such joint venture prior to the date of such dissolution shall be charged to the separate accounts of such employers in proportion to their participation in the joint venture. Any such joint venture shall promptly notify the commission of its dissolution.

The provisions of this subsection shall apply to dissolutions occurring prior as well as subsequent to the effective date of this subsection, provided that notice of any such prior dissolution shall have been given to the commission within one hundred twenty days after the effective date of this subsection, and provided further any transfer in respect to any such prior dissolution shall not affect any rate of contribution for any period prior to January 1, 1950.

(d) A change in contribution rate caused by a transfer of all or a portion of the separate account, actual contribution and benefit experience and pay rolls shall not become effective earlier than the beginning of the calendar quarter next succeeding the effective date of such transfer.

SEC. 2. If at any time the Federal Security Administrator, or any other competent authority, determines that the provisions of subsection (c) of Section 41 5 as added to the Unemployment Insurance Act by the 1949 Regular Session of the California Legislature, are not in conformity with the provisions of Title III of the Social Security Act or Sections 1601, 1602, or 1603 of the Internal Revenue Code, then such subsection (c) of Section 41 5 shall be nonoperative during such period of nonconformity."

Amendment No. 3

On page 1, line 1, of the printed bill, as amended in the Senate on April 29, 1949, strike out "(a)".

Amendment No. 4

On page 1, line 3, of said bill, before "Whenever", insert "(a)".

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on May 6, 1949, strike out "California".

Amendment No. 6

On page 2 of the printed bill, as amended in the Senate on May 9, 1949, strike out line 50, and insert "in the same proportion that assets are distributed among the participating employers, and".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 323 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—59

NOES—None.

Assembly Bill No. 323 ordered enrolled

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No 2204, on motion of Mr. McMillan.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 471—An act to amend Section 6029 of the Penal Code, relating to the Board of Corrections.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 471?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 7, 1949, after "Code", insert "and to repeal an act entitled "An act to provide for the approval of plans for the construction or alteration of county jails by the immigration and housing commission," approved April 16, 1925".

Amendment No. 2

In the title of said bill, between lines 1 and 2 thereof, insert "plans and specifications for jails, prisons, and other detention facilities, and to the powers and duties of".

Amendment No. 3

In line 2 of the title of said bill, strike out the period, and insert "and other state agencies in respect thereto."

Amendment No. 4

On page 1, line 16, of said bill, after the period, insert "No state department or agency other than the board shall have authority to approve, disapprove, or make recommendations in respect to plans and specifications for the construction of county jails or other county detention facilities or for alterations thereto, except such recommendations as the board may request from any such state department or agency

SEC. 2 An act entitled "An act to provide for the approval of plans for the construction or alteration of county jails by the immigration and housing commission," approved April 16, 1925, is repealed."

Amendment No. 5

On page 1, line 12, of the printed bill, as amended in the Senate on May 9, 1949, after "of", insert "detention".

Amendment No. 6

On page 1, line 14, of said bill, after "or county", insert "therefor,"

Amendment No. 7

On page 1, line 16, of said bill, strike out "approve, disapprove, or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 471 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57

NOES—None.

Assembly Bill No. 471 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 199

Mr. Yorty asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 199, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 199

By Messrs. Yorty and Maloney:

House Resolution No. 199

Relative to dedication of a bridge or highway as a memorial to the late Senator Michael J. Burns

WHEREAS, The late Michael J. Burns was elected to represent Assembly District No. 1 in 1932 and reelected from the years 1934 to 1946, inclusive, and elected in 1948 to represent the Third Senatorial District; and

WHEREAS, Possessed of great knowledge of State Government and guided by a sincere desire for the welfare and progress of California, he displayed an ability and statesmanship seldom equalled, and

WHEREAS, The success of Michael J Burns as a legislator was accomplished in no small part by the sincerity and vigor with which he fought for what he believed just and right, yet at the same time the largeness of his heart and his wealth of human understanding endeared him in extraordinary degree to all with whom he came in contact; and

WHEREAS, His beloved personality and statesmanship combined to accomplish a magnificent service for this State when, in 1947, while ill and to the great hazard of his own life, Michael J Burns returned to this Assembly and successfully participated in legislation enacted as the Collier-Burns Highway Act of 1947; now, therefore, be it

Resolved by the Assembly of the State of California, That the Division of Highways is hereby earnestly requested to dedicate a suitable bridge or highway to be known as the Michael J Burns bridge or highway in recognition of the great service he rendered to this State and as a fitting memorial to the late Senator Michael J. Burns, and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor of California, to the Director of Public Works and Chairman

of the California Highway Commission, and to the Chief of the Division of Highways and State Engineer.

Resolution read, and adopted unanimously.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 209, on motion of Mr. Bennett. (Concurrence in Senate amendments pending.)

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1360—An act to amend Section 25461 of the Government Code, relating to the powers and duties of boards of supervisors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1360?

Amendment No. 1

On page 1, line 5, of the printed bill, after "upon", insert a colon

Amendment No. 2

On page 1, line 6, of said bill, strike out "does", and insert "(a) does".

Amendment No. 3

On page 1, line 7, of said bill, strike out "25457 or", and insert "25457, or (b)".

Amendment No. 4

On page 1 of said bill, following line 10, insert

"No change or alteration shall be authorized the amount of which is within the limitation specified in subdivision (b) and in excess of the limitation specified in subdivision (a) except by unanimous vote of the board."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1360 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—53.

NOES—None.

Assembly Bill No 1360 ordered enrolled.

Speaker Pro Tempore Presiding

At 10 a m, Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1788—An act to amend Section 861 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to cities and towns of the sixth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1788?

Amendment No. 1

In line 4 of the title of the printed bill, before "relating", insert "and to amend Section 36934 of, and to add Section 36936.1 to, the Government Code,".

Amendment No. 2

On page 1, line 12, of said bill, after "present", and before the period, insert a semicolon and the following "provided, however, an urgency ordinance shall be read in full".

Amendment No. 3

On page 1, line 24, of said bill, after "resolution", and before the period, insert "provided, however, that where the tax rate is fixed by resolution, such resolution shall be published in the same manner and within the same time as ordinances are required to be published".

Amendment No. 4

On page 2 of said bill, after line 15, insert

"SEC. 2. Section 36934 of the Government Code is amended to read:

36934. Ordinances, *other than an urgency ordinance*, where ordinances are required by law, and resolutions granting franchises shall not be passed within five days of their introdudtion, nor at other than a regular meeting. Except when further reading is waived by regular motion adopted by unanimous vote *of the councilmen present* after the reading of the title, such ordinances or resolutions shall be read in full; *provided, however, that an urgency ordinance shall be read in full.* When such ordinances or resolutions are altered after introduction, they shall be passed only at a regular meeting held at least five days after alteration Corrections of typographical or clerical errors are not alterations within the meaning of this section.

SEC. 3. Section 36936.1 is added to the Government Code, to read:

36936.1. The rates of taxes to be levied may be fixed either by ordinance or resolution. *Where the tax rate is fixed by resolution, such resolution shall be published in the same manner and within the same time as ordinances are required to be published.*

SEC. 4. Sections 2 and 3 of this act become operative only if Title 4 of the Government Code is enacted by the Legislature at its 1949 Regular Session, and in such case at the same time as said Title 4 takes effect, at which time Section 1 of this act is repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1788 by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—52.

NOES—None.

Assembly Bill No. 1788 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2207—An act to amend Sections 18679 and 18679.5 of the Business and Professions Code, relating to boxing and wrestling licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—55.

NOES—None.

Motion to Amend Title

Mr. McMillan moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 25, 1949, strike out "Sections 18679 and 18679.5", and insert "Section 18679".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1988—An act to amend Sections 20703, 20751, 20757, 20800, and 20805 of the Health and Safety Code, relating to the sale of poisons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2240 HOLD PLACE ON FILE

Mr. Brown asked for, and was granted, unanimous consent that Assembly Bill No. 2240 be passed on file, and hold its place on file on the next legislative day.

Hon. Thomas J. Doyle Presiding

At 10.12 a.m., Hon. Thomas J. Doyle, Member of the Assembly from the Forty-fifth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2707

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2707, temporarily passed on file, at this time.

Speaker Pro Tempore Presiding

At 10.14 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF ASSEMBLY BILL NO. 2707

Assembly Bill No. 2707—An act adding Section 68 to the Conservation and Planning Act, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Bill read third time, and ordered passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 40—Relative to memorializing the President and the Congress of the United States to take whatever steps are necessary to release unneeded Army, Navy, Air Force and Marine Corps warehouse space in the San Francisco Bay area and the Stockton-Tracy area for the storage of the California cotton crop.

Resolution read.

Speaker Presiding

At 10.17 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Silliman has previously spoken on the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of Assembly Joint Resolution No. 40.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Stanley, Thomas, Weber, and Yorty—49.

NOES—Butters, Collier, Erwin, Grant, Hoffman, Levering, Reagan, and Silliman—8

Resolution ordered transmitted to the Senate.

Assembly Bill No. 78—An act to amend Section 8101 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2455

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2455, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2455

Assembly Bill No. 2455—An act to add Section 59.6 to the Alcoholic Beverage Control Act, relating to license privileges and hours of sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Hinckley, Hoffman, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Silliman, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—50

NOES—Crowley, Grunsky, and Heisinger—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2707

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 2707, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2707

Assembly Bill No. 2707—An act adding Section 68 to the Conservation and Planning Act, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2708

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2708, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2708

Assembly Bill No. 2708—An act to add Sections 7 and 8 to "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, relating to building restrictions, and the powers and duties of planning commissions and zoning commissions in connection therewith.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2024—An act to amend Section 3728 of the Revenue and Taxation Code, relating to the sale of tax-deeded property and the interest of the purchasers at such sales

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2311—An act to add Section 1912.5 to the Harbors and Navigation Code, relating to the disposition of fines and forfeitures collected for violation of the provisions of Section 1912 of said code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2944—An act to repeal Sections 209.5, 256.5, and 987 of the Revenue and Taxation Code, relating to property taxation and exemptions therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1862—An act to add Sections 737.5 and 738.1 to the Vehicle Code, permitting certain nonresident violators to be taken immediately before a magistrate and procedure when magistrate is not available.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott,

Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Motion to Amend Title

Mr. Tomlinson moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 16, 1949, strike out "Sections 737.5 and 738.1", and insert "Section 737.5"

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 33—An act to develop a comprehensive statewide program of community recreation and providing the procedure for allocation of funds to cities, counties, cities and counties, and school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion That Assembly Bill No. 33 Be Withdrawn From File, and Be Re-referred

Mr. Hinckley asked for, and was granted, unanimous consent that Assembly Bill No. 33 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Mr. Grunsky seconded the motion.

Demand for Previous Question

Messrs. Evans, Geddes, Lipscomb, Kirkwood, and Hoffman, demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Hinckley that Assembly Bill No. 33 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hinckley, Hoffman, Hollibaugh, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, and Mr. Speaker—42

NOES—Anderson, Bennett, Brown, Burkhalter, Coats, Condon, Crowley, Dickey, Ralph C. Dills, Elliott, Evans, Hahn, Hawkins, Heisinger, Levering, Lewis, Lindsay, McCollister, McMillan, Rumford, and Yorty—21.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1092

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1092, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1092

Senate Bill No. 1092—An act to add Section 14.3 to the County Water District Act and Section 31006 to the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1445

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1445, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1445

Assembly Bill No. 1445—An act to amend Sections 113, 301, 304, 307, 310, 802, 1101, 1102, 1713, 1908, 2402, 3601, 3602, 3632, 3671, 3672, 3700, 4102, 4105, 4106, 4107, 4110, 4114, 4118, 4119, 4120, 4600, 4603, 4606, 5200, and 6404 of the Corporations Code, to add Sections 4124 and 5201.5 thereto, and to add Article 5, comprising Sections 3800 and 3801 to Chapter 1 of Part 8 of Division 1 of Title 1 thereof, all relating to corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Tomlinson, Waters, Yorty, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate

MEMBERS EXCUSED

At 11.35 a.m., Mr. Berry asked for, and was granted, unanimous consent that Mr. Meyers be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 11.36 a.m., Mr. Smith asked for, and was granted, unanimous consent that Mr. Huyck be excused, for the balance of the legislative day, because of legislative business elsewhere.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 230, on motion of Mr. Fleury.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 244

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to

Assembly Bill No. 244, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 244—An act to amend Sections 459 and 459.4 of the Vehicle Code, relating to the adoption of local ordinances affecting traffic on state highways

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 244?

Amendment No. 1

On page 2, line 2, of the printed bill, strike out "Railroad", and insert "Public Utilities".

Amendment No. 2

On page 2, line 20, of said bill, after "459.4", insert "Local Regulation of Traffic on Subways, Tubes or Tunnels or Upon Bridges or Viaducts."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 244 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 244 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3084—An act to amend Section 19399 of the Government Code, relating to employees returning or who have returned from military service.

Bill read third time.

Motion to Amend

Mr. Moss moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on April 29, 1949, strike out "heretofore", and insert "before the effective date of this amendment".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 85
Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No. 87

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No. 87

And reports the same correctly engrossed.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 86, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 86

Assembly Concurrent Resolution No. 86—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 3, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 87, at this time, without reference to file.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 87

Assembly Concurrent Resolution No. 87—Relative to approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 3, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 332—An act to amend Sections 5501, 5502, 5511, 5512, 5514, and to repeal Section 5512.5 of and to add Section 5518 to, the Welfare and Institutions Code, and to amend and renumber Section 5502.5 thereof to be Section 5517, relating to sexual psychopaths and providing for their commitment and discharge.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 928—An act to amend Sections 737t and 737x of the Political Code, relating to salaries of Superior Court Judges in the Counties of Madera and Merced.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Waters, Weber, Yorty, and Mr. Speaker—54.

NOES—George D. Collins—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 766

Mr. Kilpatrick asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 766, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 766

Assembly Bill No. 766—An act to amend Section 2116 of the Business and Professions Code, relating to investigators for the Board of Medical Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Smith, Stanley, Thompson, Tomlinson, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Joint Resolution No. 27—Relative to memorializing the legislatures of certain states in opposition to general grants of federal aid.

Resolution read.

Demand for Previous Question

Messrs. Caldecott, Cooke, Rosenthal, Heisinger, and Hagen demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 27.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Motion carried. Time, 12.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Butters, Hagen, Hinckley, Levering, Lipscomb, Lowrey, and Maloney—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Conrad asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 451

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 451, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 451

Assembly Bill No. 451—An act to repeal Section 60 of the Civil Code, relating to marriage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—61.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

RECOMMENDATIONS OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communications recommending the passage of Assembly Bills Nos. 1363 and 684.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 23, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1363, "An act making an appropriation in augmentation of the appropriation in Item 244 of the Budget Act of 1948, for support of the Department of Motor Vehicles, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The appropriation provided in this bill is necessary to meet payrolls in the department during the balance of this fiscal year.

I therefore recommend consideration of Assembly Bill No. 1363 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 24, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 684, "An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This bill makes an appropriation for the support of the Department of Social Welfare for the current fiscal year for an advance from the General Fund pending clearance of Federal grants for the cost of administering Article XXV of the Constitution (Proposition No. 4 on the last general election).

I therefore recommend consideration of Assembly Bill No. 684 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Ralph C. Dills asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1384

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Senate Bill No. 306
Senate Bill No 351
Senate Bill No 1413

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 56
Assembly Bill No. 57
Assembly Bill No. 91
Assembly Bill No 1641

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No. 418
Assembly Bill No. 2964

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 962
Assembly Bill No. 2110

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:

Assembly Bill No 2227

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 3147

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 23, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 599

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 830
Assembly Bill No 1467

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 824

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 711

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 169
Assembly Bill No 1324
Assembly Bill No 2296
Assembly Bill No. 2547

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 172
Assembly Bill No. 327
Assembly Bill No. 669
Assembly Bill No. 744
Assembly Bill No. 847
Assembly Bill No. 896

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 806
Assembly Bill No. 2665

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 864
Senate Bill No. 975
Senate Bill No. 867

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Senate Bill No. 857

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 198
House Resolution No. 202

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 46—An act to amend Section 737j of the Political Code, relating to salaries of Superior Court Judges in Fresno County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hollibaugh, Kirkwood, Lincoln, Lipscomb, Lowrey, McCarthy, McCollister, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—46.

NOES—Anderson, Burkhalter, George D. Collins, Evans, Hawkins, Heisinger, Levering, Lewis, Luckel, McMillan, and Reagan—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 568—An act to amend Section 737qq of the Political Code, relating to the compensation of Superior Court Judges in Santa Clara County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hollibaugh, Kirkwood, Lincoln, Lipscomb, McCarthy, McCollister, Moss, Rosenthal, Rumford,

Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—47.

NOES—Anderson, Burkhalter, Evans, Hahn, Hawkins, Heisinger, Levering, Lewis, Lindsay, Luckel, McMillan, and Reagan—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2317—An act to add Sections 1192.2 and 1192.3 to the Insurance Code, relating to investments of insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—64

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3120—An act to amend Sections 1, 3, 6, 7, 13, and 14 of, to add Section $3\frac{3}{4}$, $7\frac{1}{4}$, $12\frac{7}{8}$, $13\frac{1}{2}$, $13\frac{1}{4}$, $19\frac{1}{4}$, $19\frac{1}{2}$, and $20\frac{1}{2}$ to, and to repeal Section 8 of the City Carriers Act, relating to the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Weber, and Mr. Speaker—59.

NOES—Hagen and Yorty—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1202—An act to amend Section 18973 of the Government Code, relating to veterans' preference in state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 248—An act to amend Section 737m of the Political Code, relating to salaries of judges of superior courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—52

NOES—Anderson, Burkhalter, Dunn, Elliott, Evans, Geddes, Hawkins, Heisinger, Lewis, and Luckel—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 716—An act to amend Section 737dd of the Political Code, relating to the compensation of Superior Court Judges in the County of Orange.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Hollibaugh, Huyck, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—Anderson, Burkhalter, Evans, Geddes, Hawkins, Heisinger, Levering, Lewis, Luckel, and Reagan—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 775—An act to amend Section 737gg of the Political Code, relating to the salaries of Superior Court Judges in Riverside County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Ralph C Dills, Dolwig, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—51.

NOES—Anderson, Burkhalter, George D. Collins, Evans, Geddes, Hawkins, Heisinger, Levering, Lewis, Luckel, McMillan, and Reagan—12.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1158—An act to amend Section 737p of the Political Code, relating to the salary of Superior Court Judges in and for the County of Kings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—49

NOES—Anderson, Burkhalter, George D Collins, Evans, Geddes, Hawkins, Heisinger, Levering, Lewis, Luckel, McMillan, and Reagan—12.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 2017, on motion of Mr. Tomlinson.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2028—An act to amend Section 108 of the Civil Code, relating to grounds for divorce.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—53.

NOES—Anderson, Berry, Gaffney, Heisinger, and Maloney—5

Bill ordered transmitted to the Senate.

Assembly Bill No. 2035—An act to amend Section 737bbb of the Political Code, relating to the salary of Superior Court Judges in and for the County of Tulare.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Huyck, Kirkwood, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—47

NOES—Anderson, Burkhalter, George D. Collins, Evans, Geddes, Hahn, Hawkins, Heisinger, Levering, Lewis, Luckel, McMillan, and Reagan—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3130—An act to add Section 46.5 to the Unemployment Insurance Act, relating to the collection of delinquent contributions, interest and penalties, and prescribing the powers and duties of the commission and of the State Board of Control in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 345—An act to repeal Section 6010 of, to add Sections 6010 and 6010.5 to, and to amend Sections 6011, 6013, 6018, and

1620 of, the Insurance Code, relating to insurance and to the standard form of fire insurance policy for county mutual fire insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—65

NOES—Lowrey—1.

Motion to Amend Title

Mr. McCollister moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 18, 1949, strike out "1620", and insert "6020".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY JOINT RESOLUTION NO. 27

At 12.50 p.m., on motion of Mr. Collier, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Joint Resolution No. 27 refused adoption by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Geddes, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, Morris, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, and Mr. Speaker—36

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, McCollister, McMillan, Moss, Rosenthal, Rumford, Thomas, Thompson, and Yorty—36

REQUEST FOR UNANIMOUS CONSENT TO CHANGE VOTE ON ASSEMBLY BILL NO. 2035

Mr. Lewis asked for unanimous consent that he be permitted to change his vote on the roll call on Assembly Bill No. 2035 from "No" to "Aye," and that he be recorded as voting "Aye."

Mr. Grunsky withheld unanimous consent.

Explanation of Vote on Assembly Bill No. 2035

Due to mechanical error of the voting machine, I was mistakenly recorded as voting "No" on Assembly Bill No. 2035

When I attempted to have this corrected to an "Aye" vote, consent was withheld.

JOE C. LEWIS

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dolwig asked for, and was granted, unanimous consent that the Interim Committee on Tidelands and Related Traffic Problems be permitted to use the Assembly Chamber tonight, at 8 p.m., for the purpose of holding a public hearing.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2495

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2495, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2495

Assembly Bill No. 2495—An act to amend Section 129 of the Code of Civil Procedure, relating to rules of court.

Bill read third time.

Motion to Amend

Mr Connolly moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "clerk", and insert "clerks"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1321

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1321, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1321

Senate Bill No. 1321—An act to add Section 20567.1 to the Government Code, relating to the State Employees' Retirement System

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 20, 1949, strike out "and 20567.2", and insert ", 20567.2 and 20567.3".

Amendment No. 2

On page 1, line 8, of said bill, after "agency", insert "already was participating in this system, or".

Amendment No. 3

On page 1, line 8, of said bill, after "a", insert "new".

Amendment No. 4

On page 1, line 10, of said bill, strike out "In that event the new contract", and insert "If a new contract is entered into, it".

Amendment No. 5

On page 1, line 15, of said bill, after the period, insert "If succeeding agency was already participating in this system, its contract likewise shall be considered as a continuation, with such changes as its contract contains as compared to former agency's contract, of the former agency's contract with respect to former agency's employees."

Amendment No. 6

On page 2, line 4, of said bill, strike out "those sections," and insert "this section and Sections 20567.2 and 20567.3,".

Amendment No. 7

On page 3 of said bill, after line 31, insert

"SEC. 3. Section 20567.3 is added to the Government Code, to read.

20567.3. If one or more, but not all, of the agencies which are subject to Sections 20567.1 and 20567.2, are subject also to Chapter 4.5 of this part, the succeeding agency shall have the right to elect to participate in this system under said Chapter 4.5, or to participate under a new contract entered into according to the manner provided in this part, or under the contract, if any, under which it previously was participating in said system. In either event, the accumulated contributions held for or as having been made by the former agencies and their employees, shall be administered, and credit for service shall be granted as herein provided. Said accumulated contributions with respect to a former agency which participated in the retirement system under said Chapter 4.5, shall be determined by the Board of Administration, and shall be transferred from the credit of the respective county superintendent of schools as a contracting agency, to the credit of succeeding agency, if succeeding agency elects to participate under a direct contract. If succeeding agency elects to participate in this system under said Chapter 4.5, said accumulated contributions with respect to a former agency not so participating, shall be transferred to the credit of the respective county superintendent of schools as a contracting agency."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED AMENDMENTS OF COMMITTEE ON WAYS AND MEANS BE PRINTED IN JOURNAL

Messrs Sherwin and Beck asked for, and were granted, unanimous consent that the proposed amendments of the Committee on Ways and Means to Assembly Bill No. 1100 be ordered printed in the Journal, prior to action, as follows:

Amendment No. 1

On page 9, line 27, of the printed bill, strike out "Folsom State Prison", and insert "California State Prison at Folsom".

Amendment No. 2

On page 10, line 2, of said bill, strike out "San Quentin Prison", and insert "California State Prison at San Quentin".

Amendment No. 3

On page 16, line 19, of said bill, strike out "5705", and insert "5706".

Amendment No. 4

On page 17, line 14, of said bill, strike out "California State Library", and insert "Division of Libraries".

Amendment No. 5

On page 18, line 17, of said bill, before "Reimbursements", insert "Less:".

Amendment No. 6

On page 18, line 20, of said bill, strike out "Less.".

Amendment No. 7

On page 21, line 42, of said bill, after "California", insert "State".

Amendment No. 8

On page 23, lines 50 and 51, of said bill, strike out "Northern California School for Cerebral Palsied Children", and insert "School for Cerebral Palsied Children, Northern California".

Amendment No. 9

On page 24, lines 19 and 20, of said bill, strike out "Southern California School for Cerebral Palsied Children", and insert "School for Cerebral Palsied Children, Southern California".

Amendment No. 10

On page 24, line 38, of said bill, strike out "the".

Amendment No. 11

On page 25, line 2, of said bill, following "reimbursements", insert a colon.

Amendment No. 12

On page 25, line 3, of said bill, strike out "for", and insert "For".

Amendment No. 13

On page 25, line 34, of said bill, after "of", insert "State".

Amendment No. 14

On page 25, line 43, of said bill, strike out "14", and insert "13".

Amendment No. 15

On page 27, line 31, of said bill, after "the", insert "State".

Amendment No. 16

On page 29 of said bill, strike out lines 6 and 7.

Amendment No. 17

On page 29, line 38, of said bill, after "13667", insert ", inclusive,".

Amendment No. 18

On page 29, line 47, of said bill, after "San Mateo", insert "County".

Amendment No. 19

On page 32, line 3, of said bill, after "with", insert "law"; and strike out "the provisions of Section 6461" in said line 3.

Amendment No. 20

On page 32 of said bill, strike out line 4; and in line 5, strike out "1554, Statutes of 1947".

Amendment No. 21

On page 32, line 10, of said bill, strike out "Torrens Title Act", and insert "land title law, commonly called the Torrens Title Law"

Amendment No. 22

On page 32, line 40, of said bill, after "1946," insert "First Extra Session,".

Amendment No. 23

On page 33, line 47, of said bill, after "the", insert "State".

Amendment No. 24

On page 36, lines 2 and 3, of said bill, strike out "Cartwright and Unfair Practices Acts", and insert "Chapter 530, Statutes of 1907, and the Unfair Practices Act".

Amendment No. 25

On page 36, line 26, of said bill, following "Section", insert "6726 and Section".

Amendment No. 26

On page 36, line 37, of said bill, strike out "Payments", and insert "Estimated Reimbursements".

Amendment No. 27

On page 42, line 19, of said bill strike out "have been", and insert "may be".

Amendment No. 28

On page 46, line 41, of said bill, after "Item", insert "202".

Amendment No. 29

On page 48, line 16, of said bill, after the first "of", insert "California".

Amendment No. 30

On page 49, line 8, of said bill, after the first "of", insert "State".

Amendment No. 31

On page 49, line 10, of said bill, strike out "Engineers", and insert "Engineer's".

Amendment No. 32

On page 49, line 18, of said bill, after "Contractors'", insert "State".

Amendment No. 33

On page 49, line 28, of said bill, strike out "Cosmetology", and insert "Cosmetology's".

Amendment No. 34

On page 51, line 21, of said bill, after the first "of", insert "California".

Amendment No. 35

On page 51, lines 31 and 32, of said bill, strike out "Board of Social Examiners", and insert "Board of Social Work Examiners".

Amendment No. 36

On page 52, lines 30 and 31, of said bill, after 'Commissioners", insert "for the Bays of San Francisco, San Pablo and Suisun".

Amendment No. 37

On page 53, line 7, of said bill, after "from", insert "Department of".

Amendment No. 38

On page 53, line 32, of said bill, strike out "offices", and insert "areas".

Amendment No. 39

On page 57, line 11, of said bill, strike out "Watermasters' ", and insert "State Watermaster"

Amendment No. 40

On page 58, line 10, of said bill, strike out "State".

Amendment No. 41

On page 59, line 4, of said bill, strike out "1948-49", and insert "1949-50".

Amendment No. 42

On page 62, line 25, of said bill, strike out "for the Blind Revolving", and insert "Manufacturing".

Amendment No. 43

On page 62, line 28, of said bill, strike out "for the Blind Revolving", and insert "Manufacturing".

Amendment No. 44

On page 62, line 49, of said bill, after the second "the", insert "State".

Amendment No. 45

On page 65, line 39, of said bill, strike out "Folsom State Prison", and insert 'California State Prison at Folsom".

Amendment No. 46

On page 65, line 42, of said bill, strike out "Folsom State Prison", and insert "California State Prison at Folsom".

Amendment No. 47

On page 65, line 45, of said bill, strike out "San Quentin Prison", and insert "California State Prison at San Quentin".

Amendment No. 48

On page 65, line 48, of said bill, strike out "San Quentin Prison", and insert "California State Prison at San Quentin".

Amendment No. 49

On page 66 of said bill, following line 32, insert a comma and "to be expended under the provisions of the Property Acquisition Act".

Amendment No. 50

On page 67, line 30, of said bill, following "construction", strike out the comma, and insert "and"; and following "improvements," strike out 'and".

Amendment No. 51

On page 67, line 31, of said bill, strike out "repairs,"; and following "California", insert "State".

Amendment No. 52

On page 67, line 37, of said bill, following "California", insert "State".

Amendment No. 53

On page 68, line 7, of said bill, strike out "14", and insert "13".

Amendment No. 54

On page 68, line 26, of said bill, strike out "with", and insert "of".

Amendment No. 55

On page 69, line 50, of said bill, strike out "provisions of the Property", and insert "approval of the Department of Finance".

Amendment No. 56

On page 69, line 51, of said bill, strike out "Acquisition Act".

Amendment No. 57

On page 71, line 10, of said bill, strike out "minor".

Amendment No. 58

On page 72, line 34, of said bill, strike out "State".

Amendment No. 59

On page 72, line 38, of said bill, strike out "State".

Amendment No. 60

On page 72, lines 45 and 46, of said bill, strike out "(Chapter 1514, Statutes of 1945)", and insert "of 1945".

Amendment No. 61

On page 77, line 9, of said bill, strike out ", San Francisco", and insert "for San Francisco Harbor".

Amendment No. 62

On page 77, line 12, of said bill, after "Commissioners", insert "for San Francisco Harbor".

Amendment No. 63

On page 77, line 16, of said bill, after "-sioners", insert "for San Francisco Harbor".

Amendment No. 64

On page 77, line 32, of said bill, strike out ", San Francisco", and insert "for San Francisco Harbor".

Amendment No. 65

On page 80, line 19, of said bill, after the first "the", insert "State".

Amendment No. 66

On page 82 of said bill, following line 29, insert

"SEC. 17.5 Upon submission of claims by a state agency, with the approval of the Department of Finance, the Controller may pay, from appropriations herein made available therefor, money to the United States for costs of a project undertaken by the United States for and in behalf of, or in cooperation with, the State of California, prior to the commencement or completion of the project."

Amendment No. 67

On page 2 of said bill, between lines 20 and 21, insert

"2.1—The unexpended balance of the appropriation made by Item 2 of Section 2, Budget Act of 1948, is hereby reappropriated for pay of officers, clerks, and all other employees of the Senate."

Amendment No. 68

On page 2 of said bill, between lines 31 and 32, insert

"7.1 The unexpended balance of the appropriation made by Item 7 of Section 2, Budget Act of 1948, is hereby reappropriated for pay of officers, clerks, and all other employees of the Assembly."

Amendment No. 69

On page 3, line 36, of said bill, strike out "269,422", and insert "264,262".

Amendment No. 70

On page 4 of said bill, strike out lines 15 to 20, inclusive.

Amendment No. 71

On page 4, line 28, of said bill, strike out "173,569", and insert "179,315".

Amendment No. 72

On page 4, line 33, of said bill, strike out "224,150", and insert "228,650".

Amendment No. 73

On page 4, line 34, of said bill, strike out "58,030", and insert "58,280".

Amendment No. 74

On page 4, line 35, of said bill, strike out "14,229", and insert "15,225".

Amendment No. 75
On page 4, line 37, of said bill, strike out "296,409", and insert "302,155".

Amendment No. 76
On page 4, line 42, of said bill, strike out "173,569", and insert "179,315".

Amendment No. 77
On page 4, line 46, of said bill, strike out "1,434,379", and insert "1,453,784".

Amendment No. 78
On page 5, line 3, of said bill, strike out "1,207,640", and insert "1,228,949".

Amendment No. 79
On page 5, line 4, of said bill, strike out "272,807", and insert "271,072".

Amendment No. 80
On page 5, line 5, of said bill, strike out "56,990", and insert "56,821".

Amendment No. 81
On page 5, line 7, of said bill, strike out "1,537,437", and insert "1,556,842".

Amendment No. 82
On page 5, line 12, of said bill, strike out "1,434,379", and insert "1,453,784".

Amendment No. 83
On page 5, line 30, of said bill, strike out "5,750", and insert "5,000".

Amendment No. 84
On page 5, line 49, of said bill, strike out "4,321,638", and insert "4,434,884".

Amendment No. 85
On page 6, line 5, of said bill, strike out "2,987,078", and insert "2,996,592".

Amendment No. 86
On page 6, line 6, of said bill, strike out "1,479,449", and insert "1,578,869".

Amendment No. 87
On page 6, line 7, of said bill, strike out "96,135", and insert "100,447".

Amendment No. 88
On page 6, line 9, of said bill, strike out "4,562,552", and insert "4,675,908".

Amendment No. 89
On page 6, line 22, of said bill, strike out "4,321,638", and insert "4,434,884".

Amendment No. 90
On page 7, line 37, of said bill, strike out "37,791", and insert "28,842".

Amendment No. 91
On page 7, line 43, of said bill, strike out "229,487", and insert "222,019".

Amendment No. 92
On page 7, line 48, of said bill, strike out "190,938", and insert "183,988".

Amendment No. 93
On page 7, line 49, of said bill, strike out "31,895", and insert "31,785".

Amendment No. 94
On page 7, line 50, of said bill, strike out "11,484", and insert "11,076".

Amendment No. 95
On page 7, line 52, of said bill, strike out "234,317", and insert "226,849".

Amendment No. 96
On page 8, line 4, of said bill, strike out "14,830", and insert "4,830"

Amendment No. 97
On page 8, line 6, of said bill, strike out "229,487", and insert "222,019".

Amendment No. 98

On page 8 of said bill, between lines 22 and 23, insert

"Provided that in expending any sums from this appropriation in furtherance of the work of the Special Crime Study Commissions, the Director of Corrections shall not furnish the services of personnel from other agencies under his jurisdiction unless such agencies shall be reimbursed from this appropriation. The foregoing limitation shall not be construed to apply to certain clerical functions existing within the Departmental Administration of the Department of Corrections and necessary to provide, on a part time basis, overhead or housekeeping services incidental to administration. The services of the Director of the Department of Corrections, and of his immediate administrative staff, shall likewise be excluded in considering reimburseable services.

Provided, further, that the foregoing limitation shall not be construed to apply to cooperative activities between the Special Crime Study Commissions and other state agencies wherein such activities are regular authorized functions of the cooperating agency.

Provided further that the total value of reimburseable services furnished to the Special Crime Study Commissions from all state agencies must first exceed the cumulative sum of three thousand dollars ($3,000) before the Director of Corrections shall be required to reimburse any such agencies for services furnished, and then such reimbursement shall be only for the amount in excess of said three thousand dollars ($3,000). Such reimbursement shall be made from this appropriation as directed by the Department of Finance."

Amendment No. 99

On page 9, line 6, of said bill, strike out "1,625,216", and insert "1,536,544".

Amendment No. 100

On page 9, line 13, of said bill, strike out "983,514", and insert "976,143".

Amendment No. 101

On page 9, line 14, of said bill, strike out "744,950", and insert "828,428".

Amendment No. 102

On page 9, line 15, of said bill, strike out "64,422", and insert "59,714".

Amendment No. 103

On page 9, line 18, of said bill, strike out "1,829,936", and insert "1,734,379".

Amendment No. 104

On page 9, line 24, of said bill, strike out "153,300", and insert "146,415".

Amendment No. 105

On page 9, line 26, of said bill, strike out "1,625,216", and insert "1,536,544".

Amendment No. 106

On page 9, line 29, of said bill, strike out "2,249,803", and insert "2,072,771".

Amendment No. 107

On page 9, line 36, of said bill, strike out "1,203,161", and insert "1,180,361".

Amendment No. 108

On page 9, line 37, of said bill, strike out "1,080,645", and insert "930,712".

Amendment No. 109

On page 9, line 38, of said bill, strike out "73,077", and insert "68,728".

Amendment No. 110

On page 9, line 40, of said bill, strike out "2,356,883", and insert "2,179,801".

Amendment No. 111

On page 9, line 43, of said bill, strike out "67,460", and insert "67,410".

Amendment No. 112

On page 9, line 48, of said bill, strike out "2,249,803", and insert "2,072,771".

Amendment No. 113

On page 9 of said bill, strike out lines 49 to 51, inclusive.

Amendment No. 114

On page 10, line 4, of said bill, strike out "3,583,950", and insert "3,373,380".

Amendment No. 115
On page 10, line 11, of said bill, strike out "2,038,547", and insert "2,026,475".

Amendment No. 116
On page 10, line 12, of said bill, strike out "1,830,710", and insert "1,631,315".

Amendment No. 117
On page 10, line 13, of said bill, strike out "83,597", and insert "77,947".

Amendment No. 118
On page 10, line 16, of said bill, strike out "4,009,404", and insert "3,792,287".

Amendment No. 119
On page 10, line 26, of said bill, strike out "137,074", and insert "130,527".

Amendment No. 120
On page 10, line 28, of said bill, strike out "3,583,950", and insert "3,373,380"

Amendment No. 121
On page 10, line 31, of said bill, strike out "828,071", and insert "784,160".

Amendment No. 122
On page 10, line 38, of said bill, strike out "523,654", and insert "505,126"

Amendment No. 123
On page 10, line 39, of said bill, strike out "388,670", and insert "353,089"

Amendment No. 124
On page 10, line 40, of said bill, strike out "39,549", and insert "37,475".

Amendment No. 125
On page 10, line 43, of said bill, strike out "967,023", and insert "910,840".

Amendment No. 126
On page 10, line 46, of said bill, strike out "74,940", and insert "65,620".

Amendment No. 127
On page 10, line 48, of said bill, strike out "64,012", and insert "61,060".

Amendment No. 128
On page 10, line 50, of said bill, strike out "828,071", and insert "784,160".

Amendment No. 129
On page 11, line 4, of said bill, strike out "1,035,442", and insert "983,999".

Amendment No. 130
On page 11, line 10, of said bill, strike out "688,036", and insert "672,448".

Amendment No. 131
On page 11, line 11, of said bill, strike out "330,220", and insert "295,539".

Amendment No. 132
On page 11, line 12, of said bill, strike out "37,826", and insert "36,652".

Amendment No. 133
On page 11, line 14, of said bill, strike out "1,056,082", and insert "1,004,639"

Amendment No. 134
On page 11, line 20, of said bill, strike out "1,035,422", and insert "983,999".

Amendment No. 135
On page 11, line 23, of said bill, strike out "469,310", and insert "425,557".

Amendment No. 136
On page 11, line 30, of said bill, strike out "250,195", and insert "228,019".

Amendment No. 137
On page 11, line 31, of said bill, strike out "217,100", and insert "195,283".

Amendment No. 138
On page 11, line 34, of said bill, strike out "488,735", and insert "444,742".

Amendment No. 139
On page 11, line 37, of said bill, strike out "17,000", and insert "16,760".

Amendment No. 140
On page 11, line 41, of said bill, strike out "469,310", and insert "425,557".

Amendment No. 141
On page 11, line 44, of said bill, strike out "575,487", and insert "558,449".

Amendment No. 142
On page 12, line 3, of said bill, strike out "422,768", and insert "418,550".

Amendment No. 143
On page 12, line 4, of said bill, strike out "123,630", and insert "119,360".

Amendment No. 144
On page 12, line 5, of said bill, strike out "32,089", and insert "23,539".

Amendment No. 145
On page 12, line 7, of said bill, strike out "578,487", and insert "561,449".

Amendment No. 146
On page 12, line 12, of said bill, strike out "575,487", and insert "558,449".

Amendment No. 147
On page 12, line 16, of said bill, strike out "56,300", and insert "57,577".

Amendment No. 148
On page 12, line 18, of said bill, strike out "34,704", and insert "35,424".

Amendment No. 149
On page 12, line 19, of said bill, strike out "18,350", and insert "19,190"

Amendment No. 150
On page 12, line 20, of said bill, strike out "3,246", and insert "2,963".

Amendment No. 151
On page 12, line 22, of said bill, strike out "56,300", and insert "57,577".

Amendment No. 152
On page 12, line 25, of said bill, strike out "868,736", and insert "863,353"

Amendment No. 153
On page 12, line 27, of said bill, strike out "642,600", and insert "638,232".

Amendment No. 154
On page 12, line 28, of said bill, strike out "201,645", and insert "201,445"

Amendment No. 155
On page 12, line 29, of said bill, strike out "26,291", and insert "25,476".

Amendment No. 156
On page 12, line 31, of said bill, strike out "870,536", and insert "865,153"

Amendment No. 157
On page 12, line 36, of said bill, strike out "868,736", and insert "863,353".

Amendment No. 158
On page 13, line 17, of said bill, strike out "134,235", and insert "127,199"

Amendment No. 159
On page 13, line 18, of said bill, strike out "92,595", and insert "83,229"

Amendment No. 160
On page 13, line 19, of said bill, strike out "8,679", and insert "8,492".

Amendment No. 161
On page 13, line 21, of said bill, strike out "235,509", and insert "218,920".

Amendment No. 162
On page 13, line 24, of said bill, strike out "19,590", and insert "19,575"

Amendment No. 163
On page 13, line 26, of said bill, strike out "215,919", and insert "199,345".

Amendment No. 164
On page 13, line 29, of said bill, strike out "653,113", and insert "628,209".

Amendment No. 165
On page 13, line 36, of said bill, strike out "191,000", and insert "166,096".

Amendment No. 166
On page 13, line 39, of said bill, strike out "693,613", and insert "668,709".

Amendment No. 167
On page 13, line 44, of said bill, strike out "653,113", and insert "628,209".

Amendment No. 168
On page 13, line 47, of said bill, strike out "264,719", and insert "253,103".

Amendment No. 169
On page 14, line 3, of said bill, strike out "174,536", and insert "172,376".

Amendment No. 170
On page 14, line 4, of said bill, strike out "95,190", and insert "85,659".

Amendment No. 171
On page 14, line 7, of said bill, strike out "274,359", and insert "262,668".

Amendment No. 172
On page 14, line 10, of said bill, strike out "9,640", and insert "9,565".

Amendment No. 173
On page 14, line 12, of said bill, strike out "264,719", and insert "253,103".

Amendment No. 174
On page 14, line 15, of said bill, strike out "1,266,845", and insert "1,207,462".

Amendment No. 175
On page 14, line 23, of said bill, strike out "415,230", and insert "356,026".

Amendment No. 176
On page 14, line 24, of said bill, strike out "32,706", and insert "32,442".

Amendment No. 177
On page 14, line 26, of said bill, strike out "1,338,045", and insert "1,278,577".

Amendment No. 178
On page 14, line 30, of said bill, strike out "71,200", and insert "71,115".

Amendment No. 179
On page 14, line 32, of said bill, strike out "1,266,845", and insert "1,207,462".

Amendment No. 180
On page 14, line 35, of said bill, strike out "239,537", and insert "231,632".

Amendment No. 181
On page 14, line 42, of said bill, strike out "77,785", and insert "69,690".

Amendment No. 182
On page 14, line 45, of said bill, strike out "250,937", and insert "242,842".

Amendment No. 183
On page 14, line 48, of said bill, strike out "11,400", and insert "11,210".

Amendment No. 184
On page 14, line 50, of said bill, strike out "239,537", and insert "231,632".

Amendment No. 185
On page 15, line 4, of said bill, strike out "467,743", and insert "447,950".

Amendment No. 186
On page 15, line 10, of said bill, strike out "331,940", and insert "326,396".

Amendment No. 187

On page 15, line 11, of said bill, strike out "141,780", and insert "127,531".

Amendment No. 188

On page 15, line 14, of said bill, strike out "494,943", and insert "475,150".

Amendment No. 189

On page 15, line 19, of said bill, strike out "467,743", and insert "447,950".

Amendment No. 190

On page 15 of the said bill, strike out lines 23 and 24.

Amendment No. 191

On page 15, line 28, of said bill, strike out "1,537,348", and insert "1,443,873".

Amendment No. 192

On page 15, line 35, of said bill, strike out "1,089,609", and insert "1,041,252".

Amendment No. 193

On page 15, line 36, of said bill, strike out "445,258", and insert "410,670".

Amendment No. 194

On page 15, line 37, of said bill, strike out "67,877", and insert "56,847".

Amendment No. 195

On page 15, line 39, of said bill, strike out "1,602,744", and insert "1,508,769".

Amendment No. 196

On page 15, line 44, of said bill, strike out "65,396", and insert "64,896".

Amendment No. 197

On page 15, line 46, of said bill, strike out "1,537,348", and insert "1,443,873".

Amendment No. 198

On page 15, lines 26 and 27, of said bill, after "Instruction", strike out "and California State Historical Association".

Amendment No. 199

On page 16 of said bill, strike out lines 13 to 16, inclusive.

Amendment No. 200

On page 17, line 31, of said bill, strike out "527,366", and insert "520,726".

Amendment No. 201

On page 17, line 38, of said bill, strike out "590,872", and insert "584,232".

Amendment No. 202

On page 17, line 42, of said bill, strike out "707,351", and insert "700,711".

Amendment No. 203

On page 17, line 52, of said bill, strike out "527,366", and insert "520,726".

Amendment No. 204

On page 18, line 3, of said bill, strike out "1,049,766", and insert "1,040,738".

Amendment No. 205

On page 18, line 12, of said bill, strike out "1,214,017", and insert "1,204,989".

Amendment No. 206

On page 18, line 16, of said bill, strike out "1,432,087", and insert "1,423,059".

Amendment No. 207

On page 18, line 29, of said bill, strike out "1,049,766", and insert "1,040,738".

Amendment No. 208

On page 18, line 40, of said bill, strike out "376,681", and insert "366,567".

Amendment No. 209

On page 18, line 47, of said bill, strike out "391,310", and insert "383,576".

Amendment No. 210

On page 18, line 48, of said bill, strike out "52,274", and insert "49,894".

Amendment No. 211
On page 18, line 51, of said bill, strike out "488,631", and insert "478,517".

Amendment No. 212
On page 19, line 11, of said bill, strike out "376,681", and insert "366,567".

Amendment No. 213
On page 19, line 16, of said bill, strike out "465,858", and insert "460,846".

Amendment No. 214
On page 19, line 32, of said bill, strike out "478,588", and insert "473,576".

Amendment No. 215
On page 19, line 36, of said bill, strike out "629,588", and insert "624,576".

Amendment No. 216
On page 19, line 46, of said bill, strike out "465,858", and insert "460,846".

Amendment No. 217
On page 20, line 24, of said bill, strike out "1,372,661", and insert "1,358,791"

Amendment No. 218
On page 20, line 31, of said bill, strike out "1,615,312", and insert "1,604,417".

Amendment No. 219
On page 20, line 32, of said bill, strike out "178,574", and insert "175,599".

Amendment No. 220
On page 20, line 35, of said bill, strike out "1,877,698", and insert "1,863,828".

Amendment No. 221
On page 20, line 45, of said bill, strike out "1,372,661", and insert "1,358,791".

Amendment No. 222
On page 20, line 47, of said bill, strike out "1,243,762", and insert "1,225,947".

Amendment No. 223
On page 21, line 3, of said bill, strike out "1,430,464", and insert "1,415,449".

Amendment No. 224
On page 21, line 4, of said bill, strike out "156,030", and insert "153,230".

Amendment No. 225
On page 21, line 7, of said bill, strike out "1,666,582", and insert "1,648,767".

Amendment No. 226
On page 21, line 17, of said bill, strike out "1,243,762", and insert "1,225,947".

Amendment No. 227
On page 21, line 19, of said bill, strike out "1,712,949", and insert "1,697,279".

Amendment No. 228
On page 21, line 27, of said bill, strike out "2,019,515", and insert "2,003,845".

Amendment No. 229
On page 21, line 31, of said bill, strike out "2,340,654", and insert "2,324,984".

Amendment No. 230
On page 21, line 41, of said bill, strike out "1,712,949", and insert "1,697,279"

Amendment No. 231
On page 21, line 46, of said bill, strike out "1,418,614", and insert "1,409,351".

Amendment No. 232
On page 22, line 9, of said bill, strike out "1,562,816", and insert "1,553,553".

Amendment No. 233
On page 22, line 13, of said bill, strike out "1,940,524", and insert "1,931,261".

Amendment No. 234
On page 22, line 29, of said bill, strike out "1,418,614", and insert "1,409,351".

Amendment No. 235

On page 22, line 40, of said bill, strike out the colon, and insert ", provided that no part of this appropriation shall be used for the payment of salary and wages for the position of supervising groundsman and flower gardener.".

Amendment No. 236

On page 22, line 42, of said bill, strike out "205,275", and insert "201,615".

Amendment No. 237

On page 22, line 43, of said bill, strike out "160,100", and insert "116,652"

Amendment No. 238

On page 22, line 46, of said bill, strike out "373,820", and insert "326,712".

Amendment No. 239

On page 23, line 7, of said bill, strike out "280,380", and insert "233,272".

Amendment No. 240

On page 23, line 10, of said bill, strike out "273,109", and insert "267,796".

Amendment No. 241

On page 23, line 17, of said bill, strike out "76,120", and insert "70,807".

Amendment No. 242

On page 23, line 20, of said bill, strike out "304,609", and insert "299,296".

Amendment No. 243

On page 23, line 25, of said bill, strike out "273,109", and insert "267,796".

Amendment No. 244

On page 23, line 30, of said bill, strike out "575,105", and insert "563,480".

Amendment No. 245

On page 23, line 37, of said bill, strike out "155,810", and insert "144,185".

Amendment No. 246

On page 23, line 40, of said bill, strike out "601,055", and insert "589,430".

Amendment No. 247

On page 23, line 46, of said bill, strike out "575,105", and insert "563,480".

Amendment No. 248

On page 24, line 3, of said bill, strike out "287,299", and insert "283,309".

Amendment No. 249

On page 24, line 10, of said bill, strike out "107,950", and insert "103,960".

Amendment No. 250

On page 24, line 13, of said bill, strike out "295,019", and insert "291,029".

Amendment No. 251

On page 24, line 18, of said bill, strike out "287,299", and insert "283,309".

Amendment No. 252

On page 24, line 22, of said bill, strike out "292,695", and insert "289,180".

Amendment No. 253

On page 24, line 29, of said bill, strike out "153,180", and insert "149,665".

Amendment No. 254

On page 24, line 32, of said bill, strike out "302,055", and insert "298,540".

Amendment No. 255

On page 24, line 37, of said bill, strike out "292,695", and insert "289,180".

Amendment No. 256

On page 24, line 40, of said bill, strike out "276,048", and insert "266,802".

Amendment No. 257

On page 24, line 45, of said bill, strike out "189,839", and insert "189,239".

Amendment No. 258

On page 24, line 46, of said bill, strike out "91,330", and insert "83,884".

Amendment No. 259

On page 24, line 47, of said bill, strike out "4,335", and insert "3,135".

Amendment No. 260

On page 24, line 49, of said bill, strike out "285,504", and insert "276,258".

Amendment No. 261

On page 25, line 7, of said bill, strike out "276,048", and insert "266,802".

Amendment No. 262

On page 25, line 10, of said bill, strike out "61,668", and insert "86,258".

Amendment No. 263

On page 25, line 12, of said bill, strike out "51,898", and insert "63,898".

Amendment No. 264

On page 25, line 13, of said bill, strike out "7,850", and insert "20,440".

Amendment No. 265

On page 25, line 16, of said bill, strike out "61,668", and insert "86,258".

Amendment No. 266

On page 25, line 18, of said bill, strike out "39,207", and insert "38,127".

Amendment No. 267

On page 25, line 21, of said bill, strike out "10,283", and insert "9,203".

Amendment No. 268

On page 25, line 24, of said bill, strike out "39,207", and insert "38,127".

Amendment No. 269

On page 26 of said bill, strike out lines 2 to 7, inclusive.

Amendment No. 270

On page 26, line 19, of said bill, strike out "2,071,639", and insert "2,033,730".

Amendment No. 271

On page 26, line 25, of said bill, strike out "1,161,274", and insert "1,591,504".

Amendment No. 272

On page 26, line 26, of said bill, strike out "987,083", and insert "826,638".

Amendment No. 273

On page 26, line 27, of said bill, strike out "138,347", and insert "133,233".

Amendment No. 274

On page 26 of said bill, following line 27, insert
"(d) Operating Expenses—county contracts---------- 150,000".

Amendment No. 275

On page 26, line 29, of said bill, strike out "2,741,704", and insert "2,701,375".

Amendment No. 276

On page 26, line 41, of said bill, strike out "102,386", and insert "99,966".

Amendment No. 277

On page 26, line 43, of said bill, strike out "2,071,639", and insert "2,033,730".

Amendment No. 278

On page 26, line 48, of said bill, strike out "102,386", and insert "99,966".

Amendment No. 279

On page 27, line 17, of said bill, strike out "Highway Users Tax Fund", and insert "Motor Vehicle Fuel Fund"

Amendment No. 280

On page 27, line 46, of said bill, strike out "10,171,445", and insert "10,130,586".

Amendment No. 281

On page 28, line 3, of said bill, strike out "8,687,138", and insert "8,658,098".

Amendment No. 282

On page 28, line 4, of said bill, strike out "1,456,022", and insert "1,454,522".

Amendment No. 283

On page 28, line 5, of said bill, strike out "219,610", and insert "209,291".

Amendment No. 284

On page 28, line 7, of said bill, strike out "10,362,770", and insert "10,321,911".

Amendment No. 285

On page 28, line 16, of said bill, strike out "10,171,445", and insert "10,130,586".

Amendment No. 286

On page 28, line 21, of said bill, strike out "622,271", and insert "623,271".

Amendment No. 287

On page 28, line 24, of said bill, strike out "188,391", and insert "189,391".

Amendment No. 288

On page 28, line 27, of said bill, strike out "622,271", and insert "623,271".

Amendment No. 289

On page 28, line 39, of said bill, strike out "1,808,064", and insert "1,828,040".

Amendment No. 290

On page 28, line 48, of said bill, strike out "1,595,112", and insert "1,606,704".

Amendment No. 291

On page 28, line 49, of said bill, strike out "273,094", and insert "281,164".

Amendment No. 292

On page 28, line 50, of said bill, strike out "64,553", and insert "64,867".

Amendment No. 293

On page 28, line 52, of said bill, strike out "1,932,759", and insert "1,952,735".

Amendment No. 294

On page 29, line 12, of said bill, strike out "1,808,064", and insert "1,828,040".

Amendment No. 295

On page 29, line 42, of said bill, strike out "1,609,009", and insert "1,598,589".

Amendment No. 296

On page 30, line 35, of said bill, strike out "1,833,752", and insert "1,764,630".

Amendment No. 297

On page 30, line 35, of said bill, after "Fund", insert

"No part of this appropriation shall be expended to print or issue passes entitling the holder to free admittance to the State Fair, nor shall any of the money herein appropriated be expended to support or conduct a State Fair at Sacramento at which free passes are provided. Nothing herein shall prohibit the issuance of identification media to bona fide officers and employees of the State Agricultural Society for their personal use in securing admission to the premises for the performance of their duties, nor shall anything herein prohibit the free entrance to the premises of tradesmen, police officers, firemen, food and health inspectors, and employees of utility companies servicing the utilities serving the Fair or duly accredited members of the working press necessary to the conduct and operation of the State Fair."

Amendment No. 298

On page 30, line 43, of said bill, strike out "915,000", and insert "845,878".

Amendment No. 299

On page 30 of said bill, between lines 46 and 47, insert

"1391—For transfer to the General Fund payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of State, citrus, county or district agricultural association for fair purposes, allocated by Section 19626 of the Business and Professions Code----------$69,122.00".

Amendment No. 300
On page 32, line 15, of said bill, strike out "36,257", and insert "35,432".

Amendment No. 301
On page 32, line 19, of said bill, strike out "3,975", and insert "3,150".

Amendment No. 302
On page 32, line 21, of said bill, strike out "36,257", and insert "35,432".

Amendment No. 303
On page 32, line 23, of said bill, strike out "2,196,654", and insert "2,242,488".

Amendment No. 304
On page 32, line 25, of said bill, strike out "1,877,994", and insert "1,900,774".

Amendment No. 305
On page 32, line 26, of said bill, strike out "285 213", and insert "304,230".

Amendment No. 306
On page 32, line 27, of said bill, strike out "33,447", and insert "37,484".

Amendment No. 307
On page 32, line 29, of said bill, strike out "2,196,654", and insert "2,242,488".

Amendment No. 308
On page 32, line 31, of said bill, strike out "151,730", and insert "213,520".

Amendment No. 309
On page 32, line 33, of said bill, strike out "107,639", and insert "155,483".

Amendment No. 310
On page 32, line 34, of said bill, strike out "42,900", and insert "54,850".

Amendment No. 311
On page 32, line 35, of said bill, strike out "1,191", and insert "3,187".

Amendment No. 312
On page 32, line 37, of said bill, strike out "151,730", and insert "213,520".

Amendment No. 313
On page 32, line 49, of said bill, strike out "9,683,969", and insert "8,754,087".

Amendment No. 314
On page 33, line 3, of said bill, strike out "6,771,834", and insert "6,206,324".

Amendment No. 315
On page 33, line 4, of said bill, strike out "2,253,945", and insert "2,115,062".

Amendment No. 316
On page 33, line 5, of said bill, strike out "658,190", and insert "432,701".

Amendment No. 317
On page 33, line 7, of said bill, strike out "9,683,969", and insert "8,754,087".

Amendment No. 318
On page 33, line 13, of said bill, strike out "3,703,321", and insert "3,697,847".

Amendment No. 319
On page 33, line 19, of said bill, strike out "3,107,254", and insert "3,102,254".

Amendment No. 320
On page 33, line 21, of said bill, strike out "85 406", and insert "84,932".

Amendment No. 321
On page 33, line 23, of said bill, strike out "3,921,321", and insert "3,915,847".

Amendment No. 322
On page 33, line 30, of said bill, strike out "3,703,321", and insert "3,697,847".

Amendment No. 323
On page 33, line 36, of said bill, strike out "252,149", and insert "246,543".

Amendment No. 324
On page 33, line 39, of said bill, strike out "67,935", and insert "62,786"

Amendment No. 325
On page 33, line 40, of said bill, strike out "6,289", and insert "5,832".

Amendment No. 326
On page 33, line 42, of said bill, strike out "252,149", and insert "246,543".

Amendment No. 327
On page 34, line 20, of said bill, strike out "609,087", and insert "605,367".

Amendment No. 328
On page 34, line 22, of said bill, strike out "500,029", and insert "496,309".

Amendment No. 329
On page 34, line 24, of said bill, strike out "4,697", and insert "14,697".

Amendment No. 330
On page 34, line 26, of said bill, strike out "609,087", and insert "605,367".

Amendment No. 331
On page 34, line 47, of said bill, strike out "492,699", and insert "526,442".

Amendment No. 332
On page 35, line 3, of said bill, strike out "333,803", and insert "344,963".

Amendment No. 333
On page 35, line 4, of said bill, strike out "152,710", and insert "165,120".

Amendment No. 334
On page 35, line 5, of said bill, strike out "6,186", and insert "16,359".

Amendment No. 335
On page 35, line 7, of said bill, strike out "492,699", and insert "526,442".

Amendment No. 336
On page 35, line 20, of said bill, strike out "1,816,236", and insert "1,808,161"

Amendment No. 337
On page 35, line 29, of said bill, strike out "1,558,942", and insert "1,529,128"

Amendment No. 338
On page 35, line 30, of said bill, strike out "456,323", and insert "479,323".

Amendment No. 339
On page 35, line 31, of said bill, strike out "53,666", and insert "49,905".

Amendment No. 340
On page 35, line 33, of said bill, strike out "2,068,931", and insert "2,058,356".

Amendment No. 341
On page 35, line 39, of said bill, strike out "167,695", and insert "160,195".

Amendment No. 342
On page 35, line 42, of said bill, strike out "35,000", and insert "40,000".

Amendment No. 343
On page 35, line 44, of said bill, strike out "1,816,236", and insert "1,808,161".

Amendment No. 344
On page 35, line 46, of said bill, strike out "35,000", and insert "40,000".

Amendment No. 345
On page 36, line 4, of said bill, strike out "17,530", and insert "22,272".

Amendment No. 346
On page 36, line 9, of said bill, strike out "850,046", and insert "840,518".

Amendment No. 347
On page 36, line 11, of said bill, strike out "638,587", and insert "631,651"

Amendment No. 348
On page 36, line 12, of said bill, strike out "164,999", and insert "164,399"

Amendment No. 349
On page 36, line 13, of said bill, strike out "46,460", and insert "44,468".

Amendment No. 350
On page 36, line 15, of said bill, strike out "850,046", and insert "840,518"

Amendment No. 351
On page 36, line 46, of said bill, strike out "702,299", and insert "692,690".

Amendment No. 352
On page 36, line 49, of said bill, strike out "136,215", and insert "126,606".

Amendment No. 353
On page 36, line 52, of said bill, strike out "725,699", and insert "716,090"

Amendment No. 354
On page 37, line 5, of said bill, strike out "702,299", and insert "692,690".

Amendment No. 355
On page 37, line 7, of said bill, strike out "2,959,503", and insert "2,814,215".

Amendment No. 356
On page 37, line 13, of said bill, strike out "1,943,998", and insert "1,906,506".

Amendment No. 357
On page 37, line 14, of said bill, strike out "998,319", and insert "893,443".

Amendment No. 358
On page 37, line 15, of said bill, strike out "133,610", and insert "129,610".

Amendment No. 359
On page 37, line 17, of said bill, strike out "3,075,927", and insert "2,929,559".

Amendment No. 360
On page 37, line 20, of said bill, strike out "116,424", and insert "115,344".

Amendment No. 361
On page 37, line 22, of said bill, strike out "2,959,503", and insert "2,814,215".

Amendment No. 362
On page 37, line 28, of said bill, strike out "3,965,811", and insert "3,753,740".

Amendment No. 363
On page 37, line 34, of said bill, strike out "2,536,950", and insert "2,497,374".

Amendment No. 364
On page 37, line 35, of said bill, strike out "1,487,066", and insert "1,318,751".

Amendment No. 365
On page 37, line 36, of said bill, strike out "93,107", and insert "88,107".

Amendment No. 366
On page 37, line 38, of said bill, strike out "4,117,123", and insert "3,904,232".

Amendment No. 367
On page 37, line 41, of said bill, strike out "151,312", and insert "150,492".

Amendment No. 368
On page 37, line 43, of said bill, strike out "3,965,811", and insert "3,753,740".

Amendment No. 369
On page 37, line 46, of said bill, strike out "2,672,997", and insert "2,483,201".

Amendment No. 370
On page 38, line 3, of said bill, strike out "1,687,388", and insert "1,661,082".

Amendment No. 371
On page 38, line 4, of said bill, strike out "1,042,915", and insert "879,425".

Amendment No. 372
On page 38, line 7, of said bill, strike out "2,767,197", and insert "2,577,401".

Amendment No. 373
On page 38, line 11, of said bill, strike out "2,672,997" and insert "2,483,201".

Amendment No. 374
On page 38, line 13, of said bill, strike out "2,430,260", and insert "2,287,244".

Amendment No. 375
On page 38, line 19, of said bill, strike out "1,589,108", and insert "1,565,013".

Amendment No. 376
On page 38, line 20, of said bill, strike out "857,979", and insert "741,058".

Amendment No. 377
On page 38, line 21, of said bill, strike out "82,887", and insert "77,887".

Amendment No. 378
On page 38, line 23, of said bill, strike out "2,529,974", and insert "2,383,958".

Amendment No. 379
On page 38, line 26, of said bill, strike out "99,714", and insert "96,714".

Amendment No. 380
On page 38, line 28, of said bill, strike out "2,430,260", and insert "2,287,244".

Amendment No. 381
On page 38, line 31, of said bill, strike out "2,824,053", and insert "2,618,057".

Amendment No. 382
On page 38, line 36, of said bill, strike out "1,847,931", and insert "1,814,175".

Amendment No. 383
On page 38, line 37, of said bill, strike out "1,050,504", and insert "878,264".

Amendment No. 384
On page 38, line 40, of said bill, strike out "2,936,381", and insert "2,730,385".

Amendment No. 385
On page 38, line 44, of said bill, strike out "2,824,053", and insert "2,618,057".

Amendment No. 386
On page 38, line 46, of said bill, strike out "3,338,447", and insert "3,181,355".

Amendment No. 387
On page 39, line 3, of said bill, strike out "2,281,915", and insert "2,244,318".

Amendment No. 388
On page 39, line 4, of said bill, strike out "1,076,355", and insert "958,370".

Amendment No. 389
On page 39, line 5, of said bill, strike out "100,559", and insert "96,559".

Amendment No. 390
On page 39, line 7, of said bill, strike out "3,458,829", and insert "3,299,247".

Amendment No. 391
On page 39, line 10, of said bill, strike out "120,382", and insert "117,892".

Amendment No. 392
On page 39, line 12, of said bill, strike out "3,338,447", and insert "3,181,355".

Amendment No. 393
On page 39, line 14, of said bill, strike out "2,207,692", and insert "2,112,993".

Amendment No. 394
On page 39, line 20, of said bill, strike out "1,563,873", and insert "1,538,789".

Amendment No. 395
On page 39, line 21, of said bill, strike out "667,680", and insert "597,065".

Amendment No. 396
On page 39, line 24, of said bill, strike out "2,296,268", and insert "2,200,569".

Amendment No. 397
On page 39, line 27, of said bill, strike out "88,576", and insert "87,576".

Amendment No. 398
On page 39, line 29, of said bill, strike out "2,207,692", and insert "2,112,993".

Amendment No. 399
On page 39, line 31, of said bill, strike out "3,260,180", and insert "3,104,035".

Amendment No. 400
On page 39, line 37, of said bill, strike out "2,216,834", and insert "2,185,173".

Amendment No. 401
On page 39, line 38, of said bill, strike out "1,047,951", and insert "927,207".

Amendment No. 402
On page 39, line 39, of said bill, strike out "86,639", and insert "82,639".

Amendment No. 403
On page 39, line 41, of said bill, strike out "3,351,424", and insert "3,195,019".

Amendment No. 404
On page 39, line 44, of said bill, strike out "91,244", and insert "90,984".

Amendment No. 405
On page 39, line 46, of said bill, strike out "3,260,180", and insert "3,104,035".

Amendment No. 406
On page 39, line 48, of said bill, strike out "3,866,123", and insert "3,686,230".

Amendment No. 407
On page 40, line 3, of said bill, strike out "2,642,403", and insert "2,598,869".

Amendment No. 408
On page 40, line 4, of said bill, strike out "1,285,628", and insert "1,151,349".

Amendment No. 409
On page 40, line 5, of said bill, strike out "64,214", and insert "59,214".

Amendment No. 410
On page 40, line 7, of said bill, strike out "3,992,245", and insert "3,809,432".

Amendment No. 411
On page 40, line 10, of said bill, strike out "126,122", and insert "123,202".

Amendment No. 412
On page 40, line 12, of said bill, strike out "3,866,123", and insert "3,686,230".

Amendment No. 413
On page 40, line 14, of said bill, strike out "1,848,618", and insert "1,759,133".

Amendment No. 414
On page 40, line 20, of said bill, strike out "1,195,537", and insert "1,181,685".

Amendment No. 415
On page 40, line 21, of said bill, strike out "638,082", and insert "564,699".

Amendment No. 416
On page 40, line 22, of said bill, strike out "70,807", and insert "68,507".

Amendment No. 417
On page 40, line 24, of said bill, strike out "1,904,426", and insert "1,814,891".

Amendment No. 418
On page 40, line 27, of said bill, strike out "55,808", and insert "55,758".

Amendment No. 419
On page 40, line 29, of said bill, strike out "1,848,618", and insert "1,759,133".

Amendment No. 420

On page 40, line 37, of said bill, strike out "1,794,706", and insert "1,774,918".

Amendment No. 421

On page 40, line 38, of said bill, strike out "958,376", and insert "837,749".

Amendment No. 422

On page 40, line 39, of said bill, strike out "74,976", and insert "72,476".

Amendment No. 423

On page 40, line 41, of said bill, strike out "2,828,058", and insert "2,685,143".

Amendment No. 424

On page 40, line 45, of said bill, strike out "57,884", and insert "57,434".

Amendment No. 425

On page 40, line 47, of said bill, strike out "2,770,174", and insert "2,627,709".

Amendment No. 426

On page 41, line 6, of said bill, strike out "2,601,700", and insert "2,333,030".

Amendment No. 427

On page 41, line 24, of said bill, strike out "1,204,516", and insert "1,120,693".

Amendment No. 428

On page 41, line 25, of said bill, strike out "1,171,818", and insert "1,146,971".

Amendment No. 429

On page 41, line 28, of said bill, strike out "2,601,700", and insert "2,493,030".

Amendment No. 430

On page 41 of said bill, following line 28, insert

"Less: Estimated reimbursements from United States Government for maintenance and operation of installations	160,000
Net appropriation	2,333,030".

Amendment No. 431

On page 41 of said bill, strike out lines 7 to 14, inclusive, and insert "provided".

Amendment No. 432

On page 41, line 43, of said bill, strike out "8,202,638", and insert "7,863,107".

Amendment No. 433

On page 41, line 48, of said bill, strike out "7,044,394", and insert "6,794,530".

Amendment No. 434

On page 41, line 49, of said bill, strike out "2,352,612", and insert "2,264,887".

Amendment No. 435

On page 41, line 50, of said bill, strike out "162,933", and insert "115,235".

Amendment No. 436

On page 41, line 52, of said bill, strike out "9,559,939", and insert "9,174,652".

Amendment No. 437

On page 42, line 4, of said bill, strike out "1,357,301", and insert "1,311,545".

Amendment No. 438

On page 42, line 6, of said bill, strike out "8,202,638", and insert "7,863,107".

Amendment No. 439

On page 42, line 9, of said bill, strike out "1,357,301", and insert "1,311,545".

Amendment No. 440

On page 42, line 22, of said bill, following "of", strike out "500,000", and insert "250,000".

Amendment No. 441

On page 42, line 30, of said bill, strike out "161,411", and insert "160,136".

Amendment No. 442

On page 42, line 36, of said bill, strike out "265,152", and insert "262,992".

Amendment No. 443

On page 42, line 38, of said bill, strike out "12,025", and insert "11,694".

Amendment No. 444

On page 42, line 40, of said bill, strike out "313,662", and insert "311,171".

Amendment No. 445

On page 42, line 43, of said bill, strike out "152,251", and insert "151,035".

Amendment No. 446

On page 42, line 45, of said bill, strike out "161,411", and insert "160,136".

Amendment No. 447

On page 42, line 49, after "Resources", insert ", payable from the Fish and Game Preservation Fund".

Amendment No. 448

On page 43, line 3, of said bill, strike out "245,474", and insert "598,448".

Amendment No. 449

On page 43, line 6, of said bill, strike out "; provided, that $11,000 of"; and strike out lines 7, 8, and 9 on said page.

Amendment No. 450

On page 43, line 11, of said bill, strike out "1,409,102", and insert "1,358,566".

Amendment No. 451

On page 43, line 12, of said bill, strike out "549,889", and insert "533,950".

Amendment No. 452

On page 43, line 13, of said bill, strike out "221,383", and insert "203,578".

Amendment No. 453

On page 43, line 15, of said bill, strike out "2,180,374", and insert "2,096,094"

Amendment No. 454

On page 43, line 21, of said bill, strike out "1,884,400", and insert "1,447,146".

Amendment No. 455

On page 43, line 23, of said bill, strike out "245,474", and insert "598,448".

Amendment No. 456

On page 43 of said bill, following line 23, insert "Of which amount there shall be made available by transfer to the State Park Maintenance Fund by the State Controller the sum of $352,974 from the State Beach Fund."

Amendment No. 457

On page 43, line 33, of said bill, strike out "1,884,400", and insert "1,447,146".

Amendment No. 458

On page 44, lines 9, 10, and 11, of said bill, strike out "For investigation and surveys and preparation of plans for acquisition and development of state beaches," and insert "For investigation of beach erosion,".

Amendment No. 459

On page 44, line 15, of said bill, strike out "acquisition and".

Amendment No. 460

On page 44, line 38, of said bill, strike out "4,656,050", and insert "4,638,321".

Amendment No. 461

On page 44, line 43, of said bill, strike out "2,543,898", and insert "2,506,510".

Amendment No. 462

On page 44, line 44, of said bill, strike out "1,803,491", and insert "1,765,525".

Amendment No. 463

On page 44, line 45, of said bill, strike out "384,369", and insert "441,994".

Amendment No. 464

On page 44, line 47, of said bill, strike out "4,731,758", and insert "4,714,029".

Amendment No. 465
On page 45, line 7, of said bill, strike out "4,656,050", and insert "4,658,321".

Amendment No. 466
On page 45, line 18, of said bill, strike out "51,361", and insert "57,953"

Amendment No. 467
On page 45, line 21, of said bill, strike out "7,382,172", and insert "7,037,863".

Amendment No. 468
On page 45, line 27, of said bill, strike out "5,445,372", and insert "5,295,034".

Amendment No. 469
On page 45, line 28, of said bill, strike out "2,235,830", and insert "2,216,412".

Amendment No. 470
On page 45, line 29, of said bill, strike out "936,093", and insert "730,367".

Amendment No. 471
On page 45, line 31, of said bill, strike out "8,617,295", and insert "8,241,813".

Amendment No. 472
On page 45, line 33, of said bill, strike out "408,478", and insert "377,305".

Amendment No. 473
On page 45, line 42, of said bill, strike out "7,382,172", and insert "7,037,863".

Amendment No. 474
On page 45, line 47, of said bill, strike out "618,614", and insert "581,497".

Amendment No. 475
On page 46, line 3, of said bill, strike out "2,253", and insert "2,118".

Amendment No. 476
On page 46, line 4, of said bill, strike out "181,519", and insert "170,628".

Amendment No. 477
On page 46, line 5, of said bill, strike out "195,669", and insert "183,929".

Amendment No. 478
On page 46, line 6, of said bill, strike out "44,693", and insert "42,011".

Amendment No. 479
On page 46, line 7, of said bill, strike out "60,388", and insert "56,765".

Amendment No. 480
On page 46, line 8, of said bill, strike out "67,046", and insert "63,023".

Amendment No. 481
On page 46, line 9, of said bill, strike out "67,046", and insert "63,023".

Amendment No. 482
On page 46, line 11, of said bill, strike out "618,614", and insert "581,497".

Amendment No. 483
On page 46, line 18, of said bill, strike out "619,196", and insert "503,097".

Amendment No. 484
On page 46, line 23, of said bill, strike out "90,000", and insert "77,000".

Amendment No. 485
On page 46 of said bill, strike out lines 47 to 52, inclusive.

Amendment No. 486
On page 47, line 4, of said bill, strike out "334,962", and insert "332,494".

Amendment No. 487
On page 47, line 6, of said bill, strike out "185,669", and insert "185,189".

Amendment No. 488
On page 47, line 7, of said bill, strike out "137,305", and insert "136,055".

Amendment No. 489

On page 47, line 8, of said bill, strike out "11,988", and insert "11,250".

Amendment No. 490

On page 47, line 10, of said bill, strike out "334,962", and insert "332,494".

Amendment No. 491

On page 47, line 41, of said bill, strike out "83,832", and insert "86,048".

Amendment No. 492

On page 47, line 47, of said bill, strike out "36,418", and insert "38,634".

Amendment No. 493

On page 47, line 50, of said bill, strike out "118,832", and insert "121,048".

Amendment No. 494

On page 48, line 6, of said bill, strike out "83,832", and insert "86,048".

Amendment No. 495

On page 48, line 9, of said bill, strike out "116,754", and insert "117,078".

Amendment No. 496

On page 48, line 12, of said bill, strike out "82,844", and insert "83,168".

Amendment No. 497

On page 48, line 15, of said bill, strike out "116,754", and insert "117,078".

Amendment No. 498

On page 48, line 28, of said bill, strike out "147,361", and insert "146,161".

Amendment No. 499

On page 48, line 31, of said bill, strike out "32,180", and insert "30,980".

Amendment No. 500

On page 48, line 34, of said bill, strike out "147,361", and insert "146,161".

Amendment No. 501

On page 49, line 20, of said bill, strike out "430,120", and insert "430,806".

Amendment No. 502

On page 49, line 23, of said bill, strike out "146,135", and insert "146,821".

Amendment No. 503

On page 49, line 26, of said bill, strike out "430,120", and insert "430,806".

Amendment No. 504

On page 49, line 30, of said bill, strike out "151,281", and insert "150,037".

Amendment No. 505

On page 49, line 33, of said bill, strike out "66,065", and insert "65,744".

Amendment No. 506

On page 49, line 34, of said bill, strike out "1,509", and insert "586".

Amendment No. 507

On page 49, line 36, of said bill, strike out "151,281", and insert "150,037".

Amendment No. 508

On page 49, line 39, of said bill, strike out "55,725", and insert "54,064".

Amendment No. 509

On page 49, line 41, of said bill, strike out "31,697", and insert "30,127".

Amendment No. 510

On page 49, line 42, of said bill, strike out "23,459", and insert "23,368".

Amendment No. 511

On page 49, line 45, of said bill, strike out "55,725", and insert "54,064".

Amendment No. 512

On page 50, line 10, of said bill, strike out "162,138", and insert "143,049".

Amendment No. 513
On page 50, line 12, of said bill, strike out "88,488", and insert "79,284"

Amendment No. 514
On page 50, line 13, of said bill, strike out "59,685", and insert "55,200"

Amendment No. 515
On page 50, line 14, of said bill, strike out "13,965", and insert "8,565".

Amendment No. 516
On page 50, line 16, of said bill, strike out "162,138", and insert "143,049"

Amendment No. 517
On page 50, line 20, of said bill, strike out "29,285", and insert "28,858".

Amendment No. 518
On page 50, line 23, of said bill, strike out "12,733", and insert "12,306".

Amendment No. 519
On page 50, line 26, of said bill, strike out "29,285", and insert "28,858".

Amendment No. 520
On page 50, line 32, of said bill, strike out "164,514", and insert "164,256".

Amendment No. 521
On page 50, line 35, of said bill, strike out "50,653", and insert "50,395".

Amendment No. 522
On page 50, line 38, of said bill, strike out "164,514", and insert "164,256".

Amendment No. 523
On page 50, line 44, of said bill, strike out "161,720", and insert "161,831".

Amendment No. 524
On page 50, line 47, of said bill, strike out "77,696", and insert "77,807".

Amendment No. 525
On page 50, line 50, of said bill, strike out "161,720", and insert "161,831".

Amendment No. 526
On page 51, line 5, of said bill, strike out "108,526", and insert "108,416".

Amendment No. 527
On page 51, line 8, of said bill, strike out "51,228", and insert "51,118".

Amendment No. 528
On page 51, line 11, of said bill, strike out "108,526", and insert "108,416".

Amendment No. 529
On page 51, line 14, of said bill, strike out "26,617", and insert "26,187".

Amendment No. 530
On page 51, line 17, of said bill, strike out "11,240", and insert "10,810".

Amendment No. 531
On page 51, line 20, of said bill, strike out "26,617", and insert "26,187".

Amendment No. 532
On page 51, line 34, of said bill, strike out "16,843", and insert "16,579".

Amendment No. 533
On page 51, line 37, of said bill, strike out "7,069", and insert "6,805".

Amendment No. 534
On page 51, line 40, of said bill, strike out "16,843", and insert "16,579".

Amendment No. 535
On page 51, line 44, of said bill, strike out "34,267", and insert "34,442".

Amendment No. 536
On page 51, line 47, of said bill, strike out "16,664", and insert "16,839".

Amendment No. 537

On page 51, line 50, of said bill, strike out "34,267", and insert "34,442".

Amendment No. 538

On page 52, line 3, of said bill, strike out "11,207", and insert "11,069".

Amendment No. 539

On page 52, line 6, of said bill, strike out "5,630", and insert "5,492".

Amendment No. 540

On page 52, line 9, of said bill, strike out "11,207", and insert "11,069".

Amendment No. 541

On page 52, line 43, of said bill, strike out "119,339", and insert "129,339".

Amendment No. 542

On page 52, line 45, of said bill, strike out "69,987", and insert "74,987".

Amendment No. 543

On page 52, line 46, of said bill, strike out "48,624", and insert "53,624".

Amendment No. 544

On page 52, line 49, of said bill, strike out "119,339", and insert "129,339".

Amendment No. 545

On page 53, line 5, of said bill, strike out "4,357,024", and insert "4,284,630".

Amendment No. 546

On page 53, line 20, of said bill, strike out "3,132,608", and insert "3,085,524".

Amendment No. 547

On page 53, line 21, of said bill, strike out "3,485,078", and insert "3,472,405".

Amendment No. 548

On page 53, line 22, of said bill, strike out "260,825", and insert "251,955".

Amendment No. 549

On page 53, line 25, of said bill, strike out "250,609", and insert "246,842".

Amendment No. 550

On page 53, line 27, of said bill, strike out "7,129,120", and insert "7,056,726".

Amendment No. 551

On page 54, line 4, of said bill, strike out "4,357,024", and insert "4,284,630".

Amendment No. 552

On page 53, line 10, of said bill, strike out "deposited", and insert "made available".

Amendment No. 553

On page 54, line 20, of said bill, strike out "1,352,749", and insert "1,426,122"

Amendment No. 554

On page 54, line 22, of said bill, strike out "1,131,682", and insert "1,186,496".

Amendment No. 555

On page 54, line 23, of said bill, strike out "198,762", and insert "215,150".

Amendment No. 556

On page 54, line 24, of said bill, strike out "22,305", and insert "24,476".

Amendment No. 557

On page 54, line 26, of said bill, strike out "1,352,749", and insert "1,426,122".

Amendment No. 558

On page 54, line 30, of said bill, strike out "1,135,054", and insert "1,139,456".

Amendment No. 559

On page 54, line 32, of said bill, strike out "886,869", and insert "880,869".

Amendment No. 560

On page 54, line 33, of said bill, strike out "233,585", and insert "243,987".

Amendment No. 561

On page 54, line 36, of said bill, strike out "1,135,054", and insert "1,139,456".

Amendment No. 562

On page 55, line 9, of said bill, strike out "339,657", and insert "338,253".

Amendment No. 563

On page 55, line 17, of said bill, strike out "9,120", and insert "7,716".

Amendment No. 564

On page 55, line 19, of said bill, strike out "369,657", and insert "368,253".

Amendment No. 565

On page 55, line 24, of said bill, strike out "339,657", and insert "338,253".

Amendment No. 566

On page 55, line 42, of said bill, after "Crossings", insert "payable from the State Highway Fund".

Amendment No. 567

On page 55, lines 48 and 49, of said bill, strike out "General", and insert "State Highway".

Amendment No. 568

On page 56, line 11, of said bill, strike out "General", and insert "State Highway".

Amendment No. 569

On page 56, line 32, of said bill, strike out "General", and insert "State Highway".

Amendment No. 570

On page 56, line 36 of said bill, strike out "1,080,100", and insert "1,069,659".

Amendment No. 571

On page 56, line 46, of said bill, strike out "734,059", and insert "728,059".

Amendment No. 572

On page 56, line 48, of said bill, strike out "51,766", and insert "47,325".

Amendment No. 573

On page 56, line 52, of said bill, strike out "1,127,359", and insert "1,116,918".

Amendment No. 574

On page 57, line 8, of said bill, strike out "1,080,100", and insert "1,069,659".

Amendment No. 575

On page 57, line 38, of said bill, strike out ", in accordance with the following", and insert "25,000".

Amendment No. 576

On page 57 of said bill, strike out lines 39 to 45, inclusive.

Amendment No. 577

On page 58, line 11, of said bill, strike out "158,034", and insert "156,034".

Amendment No. 578

On page 58, line 15, of said bill, strike out "6,884", and insert "4,884".

Amendment No. 579

On page 58, line 17, of said bill, strike out "158,034", and insert "156,034".

Amendment No. 580

On page 58 of said bill, between lines 38 and 39, insert

"Item 260.1—The unexpended balance of the appropriation made by Item 325.5 of Section 2, Budget Act of 1948, is hereby reappropriated for the cost of any and all work necessary for the repair or restoration of, and for the protection of the ocean beach in the City of Redondo Beach, Los Angeles County, or any portion thereof, to be expended during the 1949-50 Fiscal Year in accordance with the provisions and limitation and matching requirements as set forth in Chapter 1417, Statutes of 1945; provided, that any moneys made available to the Division of Water Resources, Department of Public Works, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United

States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance Such transfer shall be made by the State Controller upon written order of the Department of Finance"

Amendment No. 581

On page 58, line 42, of said bill, strike out "8,200,113", and insert "9,010,682".

Amendment No. 582

On page 59, line 8, of said bill, strike out "9,946,406", and insert "10,071,170"

Amendment No. 583

On page 59, line 9, of said bill, strike out "2,933,152", and insert "2,938,194".

Amendment No. 584

On page 59, line 12, of said bill, strike out "404,624", and insert "1,074,207".

Amendment No. 585

On page 59, line 14, of said bill, strike out "795,712", and insert "805,229".

Amendment No. 586

On page 59, line 16, of said bill strike out "14,868,190", and insert "15,677,096".

Amendment No. 587

On page 59, line 18, of said bill, strike out "6,659,865", and insert "6,658,202"

Amendment No. 588

On page 59, line 22, of said bill, strike out "8,200,113", and insert "9,010,682".

Amendment No. 589

On page 59 of said bill, between lines 22 and 23, insert "provided that the Department of Finance shall not authorize the expenditure of any part of this appropriation to establish additional district or regional offices for the Department of Social Welfare until a pilot region of sufficient size first has been established to test the efficiency of such region, and such region, in the opinion of the Department of Finance has been in satisfactory operation for at least ninety days"

Amendment No. 590

On page 59, line 31, of said bill, after the comma, insert "payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code. Said appropriation shall be expended"

Amendment No. 591

On page 59, line 44, of said bill, strike out "258,323", and insert "242,923".

Amendment No. 592

On page 60, line 3 of said bill, strike out "207,713", and insert "196,913"

Amendment No. 593

On page 60, line 4, of said bill, strike out "53,375", and insert "51,575".

Amendment No. 594

On page 60, line 5, of said bill, strike out "4,735", and insert "1,435".

Amendment No. 595

On page 60, line 7, of said bill, strike out "205,823", and insert "249,923".

Amendment No. 596

On page 60, line 13, of said bill, strike out "258,323", and insert "242,423".

Amendment No. 597

On page 60, line 21, of said bill strike out "2,262,000", and insert "2,551,461".

Amendment No. 598

On page 60, line 29, of said bill, strike out "254,800", and insert "232,300".

Amendment No. 599

On page 60, line 33, of said bill, strike out "1,355,552", and insert "1,269,277".

Amendment No. 600

On page 60, line 46, of said bill, strike out "759,665", and insert "673,240".

Amendment No. 601

On page 60, line 49, of said bill, strike out "2,187,544", and insert "2,101,119".

Amendment No. 602

On page 61, line 5, of said bill, strike out "78,992", and insert "78,842".

Amendment No. 603

On page 61, line 9, of said bill, strike out "1,355,552", and insert "1,269,277".

Amendment No. 604

On page 61, line 11, of said bill, strike out "75,801", and insert "74,082".

Amendment No. 605

On page 61, line 17, of said bill, strike out "21,320", and insert "19,601".

Amendment No. 606

On page 61, line 20, of said bill, strike out "78,841", and insert "77,122".

Amendment No. 607

On page 61, line 24, of said bill, strike out "75,801", and insert "74,082".

Amendment No. 608

On page 61 of said bill, strike out lines 32 to 48, inclusive, and insert

"272—To plan for, provide for, assist in, sponsor, and promote public celebrations, and exhibits which may be of patriotic, educational, or economic benefit to the people of this State in order to commemorate and publicize the centennial and other anniversaries of significant events in the history of the State of California during the years 1948 to 1950, inclusive, as provided by Chapters 456 and 478, Statutes of 1947, California Centennials Commission, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code---------- $21,000".

Amendment No. 609

On page 61, line 51, of said bill, strike out "3,000", and insert "7,000".

Amendment No. 610

On page 62, line 15, of said bill, strike out "1,165,000", and insert "940,000".

Amendment No. 611

On page 62, line 19, of said bill, strike out "400,000", and insert "200,000".

Amendment No. 612

On page 62, line 23, of said bill, strike out "60,000", and insert "30,000".

Amendment No. 613

On page 62, line 26, of said bill, strike out "85,000", and insert "40,000".

Amendment No. 614

On page 62 of said bill, between lines 29 and 30, insert

"(g) Water Commission Revolving Fund---------- 50,000".

Amendment No. 615

On page 62, line 31, of said bill, strike out "1,165,000", and insert "940,000".

Amendment No. 616

On page 62, line 51, of said bill, strike out "341,048", and insert "399,126".

Amendment No. 617

On page 63, line 3, of said bill, strike out "315,304", and insert "322,986"

Amendment No. 618

On page 63 of said bill, strike out lines 4 to 24, inclusive, and insert

"(b) Department of Agriculture Fund---------- 311
(c) Civil Engineers Fund---------- 128
(d) Contractors' License Fund---------- 217

(e) State Dentistry Fund	327
(f) Fair and Exposition Fund available for permanent improvements upon property of state, citrus, county or district agricultural associations for fair purposes allocated by Section 19626 of the Business and Professions Code	28,825
(g) Fish and Game Preservation Fund	1,540
(h) State Highway Fund	5,827
(i) State Lands Act Fund	459
(j) Motor Vehicle Fund	2,528
(k) Motor Vehicle Fuel Fund	3,238
(l) Motor Vehicle License Fee Fund	189
(m) Motor Vehicle Transportation License Tax Fund	120
(n) Board of Osteopathic Examiners Contingent Fund	15
(o) State Park Maintenance Fund	28
(p) State School Fund	960
(q) Division of Architecture Revolving Fund	536
(r) Ballot Paper Revolving Fund	5,995
(s) Estates of Deceased Persons Fund	1,153
(t) Inmate Welfare Fund	16
(u) San Francisco Harbor Improvement Fund	21,926
(v) Unemployment Administration Fund	1,802".

Amendment No. 619

On page 63, line 26, of said bill, strike out "341,048", and insert "399,126".

Amendment No. 620

On page 63, line 32, of said bill, strike out "2,000,000", and insert "1,500,000".

Amendment No. 621

On page 64, line 45, of said bill, strike out "6,100,000", and insert "500,000".

Amendment No. 622

On page 65, line 23, of said bill, strike out "16,250", and insert "13,810".

Amendment No. 623

On page 65, line 31, of said bill, strike out "12,500", and insert "10,625".

Amendment No. 624

On page 65, line 34, of said bill, strike out "378,000", and after "Corrections", insert "in accordance with the following projects 18,000

Projects:

(a) Three staff residences	18,000".

Amendment No. 625

On page 65, line 37, of said bill, strike out "115,200", and insert "81,770"

Amendment No. 626

On page 65, line 40, of said bill, strike out "138,200", and after "tions", insert "in accordance with the following projects 79,900

Projects:

(a) Hot water plumbing and furniture for each cell, showers for cell blocks	41,650	
(b) Industrial buildings	38,250	
Total of projects		79,900".

Amendment No. 627

On page 65, line 43, of said bill, strike out "310,800", and insert "177,905".

Amendment No. 628

On page 65, line 46, of said bill, strike out "1,054,200"; and after "tions", insert "in accordance with the following projects 551,800

Projects:

(a) Sewage disposal plant	233,750	
(b) Maintenance shops building	127,500	
(c) Warehouse for industrial activities	128,500	
(d) New foundry	62,050	
Total of projects		551,800".

Amendment No. 629

On page 65, line 49, of said bill, strike out "485,950", and insert "156,785".

Amendment No. 630

On page 66, line 4, of said bill, strike out "30,250", and insert "12,965".

Amendment No. 631

On page 66, line 7, of said bill, strike out "24,650", and insert "20,955".

Amendment No. 632

On page 66, line 10, of said bill, strike out "131,960", and insert "112,170".

Amendment No. 633

On page 66, line 13, of said bill, strike out "15,850", and insert "9,905".

Amendment No. 634

On page 66, line 16, of said bill, strike out "48,000", and insert "36,125".

Amendment No. 635

On page 66, line 19, of said bill, strike out "20,200", and insert "8,500".

Amendment No. 636

On page 66, line 22, of said bill, strike out "6,000", and insert "850".

Amendment No. 637

On page 66 of said bill, strike out lines 27 and 28.

Amendment No. 638

On page 66, line 30, of said bill, strike out "7,500", and insert "6,375".

Amendment No. 639

On page 66 of said bill, following line 35, insert

"301.5—For minor construction, improvements, repairs, and equipment, Fresno State College, payable from the State College Fund ..... 65,000".

Amendment No. 640

On page 66, line 37, of said bill, strike out "47,000", and insert "39,950".

Amendment No. 641

On page 66 of said bill, strike out lines 42 and 43

Amendment No. 642

On page 66, line 46, of said bill, strike out "9,100", and insert "7,735"

Amendment No. 643

On page 66, line 47, of said bill, strike out "minor improvements, repairs and", and insert "initial complement of".

Amendment No. 644

On page 66, line 48, of said bill, strike out "four-year institution of higher"; and strike out lines 49, 50, and 51, on said page 66, and insert "Los Angeles State College of Applied Arts and Sciences ..... 87,550".

Amendment No. 645

On page 67, line 5, of said bill, strike out "2,500,000", and after "1947", insert "in accordance with the following projects 2,125,000

Projects:

(a)	Science building	540,000
(b)	Library	686,800
(c)	Industrial and vocational arts building	152,400
(d)	Physical education facilities	552,000
(e)	Administration and classroom building	193,800
	Total of projects	2,125,000".

Amendment No. 646

On page 67, lines 6 and 7, of said bill, strike out "minor construction, improvements, repairs and", and insert "initial complement of".

Amendment No. 647

On page 67, line 10, of said bill, strike out "54,300", and insert "46,155".

Amendment No. 648

On page 67 of said bill, strike out lines 15 and 16

Amendment No. 649

On page 67, line 19, of said bill, strike out "90,000", and insert "76,500".

Amendment No. 650

On page 67, line 21, of said bill, strike out "2,000,000", and after "College", insert "in accordance with the following projects ---------- 1,700,000

Projects:

(a)	Classroom building ----------	156,740
(b)	Library building ----------	384,120
(c)	Music and speech building ----------	500,400
(d)	Fine arts building ----------	466,350
(e)	Utilities ----------	192,390
	Total of projects ----------	$1,700,000".

Amendment No. 651

On page 67, line 24, of said bill, strike out "48,500", and insert "41,225"

Amendment No. 652

On page 67, line 26, of said bill, strike out "648,500", and after "College", insert "in accordance with the following projects---------- $160,225

Projects

(a) Electrical improvements and installation of elevator---------- 160,225"

Amendment No. 653

On page 67, line 29, of said bill, strike out "47,900", and insert "16,915".

Amendment No. 654

On page 67, line 35, of said bill, strike out "404,886", and insert "344,153".

Amendment No. 655

On page 67, line 41, of said bill, strike out "361,915", and insert "307,628".

Amendment No. 656

On page 67 of said bill, strike out lines 42 and 43.

Amendment No. 657

On page 67 of said bill, strike out lines 44 and 45.

Amendment No. 658

On page 67, line 48, of said bill, strike out "24,000", and insert "20,400"

Amendment No. 659

On page 67 of said bill, strike out lines 49 to 51, inclusive.

Amendment No. 660

On page 67 of the printed bill, after line 51, insert

"321.5—For acquisition of real property to be expended under the provisions of the Property Acquisition Act and/or construction, improvements, repairs and equipment, Industrial Workshop for the Blind, Department of Education---------- 787,000".

Amendment No. 661

On page 68, line 4, of said bill, strike out "5,100", and insert "4,335".

Amendment No. 662

On page 68, line 7, of said bill, strike out "696,515", and insert "592,038".

Amendment No. 663

On page 68 of said bill, between lines 7 and 8, insert

"323.1—For construction, improvements, and equipment on the Riverside Campus of the Liberal Arts Branch of the University of California, University of California, exempt from Section 13 of this act, in accordance with the following projects $4,849,250

Projects:

(a)	Library and classroom building	1,020,000
(b)	Science building	935,000
(c)	Utilities	344,250
(d)	Social Science and Humanities building	850,000
(e)	Physical Education, Military Training and Student Health building	1,275,000
(f)	Dormitories and Dining Halls	425,000
	Total of projects	$4,849,250".

Amendment No. 664

On page 68 of said bill, strike out lines 14 to 19, inclusive.

Amendment No. 665

On page 68, line 28, of said bill, strike out "6,450,000", and after "Finance", insert "in accordance with the following projects 5,482,500

Projects.

(a)	Office building situated on a double block area for Department of Employment and other agencies—Sacramento Capital Mall	4,802,500
(b)	Increased funds for addition to Public Works Building, Sacramento	425,000
(c)	Remodel Office Building No. 1, Sacramento	255,000
	Total of projects	5,482,500".

Amendment No. 666

On page 68, line 31, of said bill, strike out "2,360", and insert "2,010".

Amendment No. 667

On page 68, line 35, of said bill, strike out "1,050", and insert "900".

Amendment No. 668

On page 68, line 38, of said bill, strike out "2,000", and insert "1,700".

Amendment No. 669

On page 68, line 43, of said bill, strike out "128,118", and insert "108,900".

Amendment No. 670

On page 68, line 47, of said bill, strike out "431,227", and insert "380,627".

Amendment No. 671

On page 68, line 49, of said bill, strike out "53,100", and insert "45,135".

Amendment No. 672

On page 68, line 51, of said bill, strike out "439,490", and insert "373,566".

Amendment No. 673

On page 69, line 4, of said bill, strike out "129,578", and insert "93,194".

Amendment No. 674

On page 69, line 7, of said bill, strike out "126,800", and insert "82,280".

Amendment No. 675

On page 69, line 10, of said bill, strike out "85,000", and insert "72,250".

Amendment No. 676

On page 69, line 13, of said bill, strike out "54,450", and insert "20,783".

Amendment No. 677

On page 69, line 15, of said bill, strike out "50,500", and insert "36,975".

Amendment No. 678

On page 69, line 17, of said bill, strike out "227,000", and after "Hospital", insert "in accordance with the following projects_____ 192,950
Projects:
(a) Addition to laundry building and equipment_____ 192,950".

Amendment No. 679

On page 69, line 19, of said bill, strike out "88,600", and insert "75,310".

Amendment No. 680

On page 69, line 22, of said bill, strike out "195,000", and insert "145,775".

Amendment No. 681

On page 69, line 25, of said bill, strike out "78,900", and insert "67,065".

Amendment No. 682

On page 69, line 27, of said bill, strike out "53,750", and insert "39,312"

Amendment No. 683

On page 69, line 29, of said bill, strike out "175,000", and after "Home", insert "in accordance with the following project_____ 148,750
Project:
(a) Raise Suttenfield Dam_____ 148,750".

Amendment No. 684

On page 69, line 31, of said bill, strike out "93,700", and insert "79,645".

Amendment No. 685

On page 69, line 34, of said bill, strike out "6,050,000", and after "Guard", insert "in accordance with the following projects_____ 3,000,000
Projects:

City	Type	
(a) Anaheim-Fullerton	B	112,500
(b) Bakersfield	E	171,000
(c) Beaumont	A	94,000
(d) Calexico	A	94,000
(e) Concord-Walnut Creek	B	112,500
(f) Delano	A	94,000
(g) Dixon	A	94,000
(h) Fontana	A	94,000
(i) Glendale	H	307,250
(j) Monterey	A	94,000
(k) Paso Robles	A	94,000
(l) Placerville	A	94,000
(m) Quincy	A	94,000
(n) Red Bluff	C	121,000
(o) San Rafael	A	94,000
(p) Santa Ana	C	121,000
(q) Santa Cruz	B	112,500
(r) South Gate	H	307,250
(s) Susanville	A	94,000
(t) Torrance	B	112,500
(u) Ukiah	A	94,000
(v) Vallejo	B	112,500
(w) Ventura	A	94,000
(x) Watsonville	A	94,000
(y) Yreka	A	94,000
(z) Armories, various	A	--
Total of projects		3,000,000".

Amendment No. 686

On page 69, line 43, of said bill, strike out "50,000", and insert "25,000".

Amendment No. 687

On page 69, line 35, of said bill, after "land", strike out "adjacent to".

Amendment No. 688

On page 69, line 36, of said bill, strike out "or"

Amendment No. 689

On page 69, line 45, of said bill, strike out "10 percent", and insert "5 percent".

Amendment No. 690

On page 69, line 46, of said bill, following "any", insert "such"

Amendment No. 691

On page 69 of said bill, following line 52, insert

"Item 349.5—For acquisition of land for a sewage disposal system at Columbia Historic State Park, Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund_____ 9,000"

Amendment No. 692

On page 70 of said bill, strike out lines 2 to 13, inclusive

Amendment No. 693

On page 70 of said bill, after line 13, insert

"350—For acquisition of parcels of land within and bounded on at least two sides by presently owned state beach lands which in the judgment of the State Park Commission are needed in order properly to administer, operate, and maintain any state beach park, Division of Beaches and Parks, Department of Natural Resources, subject to the approval of the Department of Finance, payable from the State Beach Fund_____ $25,000
provided, such acquisition shall not exceed 5 percent of the present area of any such individual beach, or 20 acres, whichever is smaller."

Amendment No. 694

On page 70 of said bill, following line 20, insert "provided, that the amount expended for any parcel of land shall not exceed the difference between the appraised value of the land and the amount of any severance damages which would be payable by the Division of Highways were the parcel of land not acquired by the Division of Beaches and Parks."

Amendment No. 695

On page 70 of said bill, between lines 20 and 21, insert

"351.5—The unexpended balance of the appropriation made by Chapter 1470, Statutes of 1945, as amended by Chapter 321, Statutes of 1947, shall continue to be available for the purpose specified therein to June 30, 1950."

Amendment No. 696

On page 70, line 24, of said bill, strike out "1,129,212", and insert "375,965"

Amendment No. 697

On page 70, line 22, of said bill, strike out "beaches and".

Amendment No. 698

On page 70 of said bill, strike out lines 40 to 52, inclusive.

Amendment No. 699

On page 71 of said bill, strike out lines 2 to 9, inclusive.

Amendment No. 700

On page 71, line 13, of said bill, strike out "695,805", and insert "840,533"

Amendment No. 701

On page 71, line 17, of said bill, strike out "696,052", and insert "468,078".

Amendment No. 702

On page 71 of said bill, strike out lines 18 to 22, inclusive.

Amendment No. 703

On page 71, line 26, of said bill, strike out "able from the State Park Fund, 128,728", and insert

"able from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code_____ 71,556
to be transferred to the State Park Fund by the State Controller."

Amendment No. 704

On page 71, line 38, of said bill, strike out "917,832", and insert "573,182".

Amendment No. 705

On page 71, line 50, of said bill, strike out "2,207,139", and insert "1,866,534".

Amendment No. 706

On page 72, line 3, of said bill, strike out "57,633", and insert "50,000".

Amendment No. 707

On page 72, line 6, of said bill, strike out "118,100", and insert "100,000".

Amendment No. 708

On page 72, line 10, of said bill, strike out "5,452", and insert "4,632".

Amendment No. 709

On page 72, line 18, of said bill, strike out "36,400", and insert "30,940".

Amendment No. 710

On page 72, line 34, of said bill, strike out "750,000", and insert "1,244,000".

Amendment No. 711

On page 72, line 34, of said bill, after "State Reclamation Board", insert ", payable from the Flood Control Fund of 1946"

Amendment No. 712

On page 72, line 50, of said bill, strike out "81,300", and insert "69,105".

Amendment No. 713

On page 73, line 3, of said bill, strike out "105,000", and insert "89,250".

Amendment No. 714

On page 73 of said bill, strike out lines 4 to 31, inclusive; and on page 73, after line 31, insert

"372.1—For major construction, improvements, repairs, and equipment, Vocational and Agricultural Institution, Department of Corrections, payable from the Postwar Employment Reserve, (partial cost) $6,020,148

The appropriation made by this item shall be available for expenditure until June 30, 1951

372.2—For major construction, improvements, repairs, and equipment, Paso Robles School for Boys, Youth Authority, payable from the postwar Employment Reserve, in accordance with the following projects..... $662,000

Projects

(a) Hospital building	$109,000
(b) Detention building	125,000
(c) Kitchen, dining room and commissary	200,000
(d) Dormitory buildings	228,000
Total of Projects	$662,000

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.3—For major construction, improvements, repairs, and equipment, Fresno State College, Department of Education, payable from the Postwar Employment Reserve, in accordance with the following projects $2,716,900

Projects

(a) Industrial Arts Building	$419,580
(b) Physical Education facilities	931,770
(c) Science Building	455,490
(d) Utility and grounds improvement	500,000
(e) Administration Building	360,360
(f) Demonstration School (partial cost)	49,700
Total of Projects	$2,716,900

The appropriation made by this item shall be available for expenditure until June 30, 1951

372.4—For major construction, improvements, repairs, and equipment, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve, in accordance with the following projects $2,135,340

Projects.

(a) Music and speech building	$739,500
(b) Library	682,880
(c) Classrooms	712,960
Total Projects	$2,135,340

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372 5—For major construction, improvements, repairs, and equipment, University of California, payable from the Postwar Employment Reserve, in accordance with the following projects $18,081,500

Projects:

Berkeley	
(a) School for public health	$1,068,750
(b) Classrooms	3,287,500
(c) Home economics plans	5,000
(d) Insectary unit	95,000
(e) Forest products laboratory, plans	5,000
La Jolla	
(f) Library, museum, and aquarium (partial cost)	148,000
Los Angeles	
(g) Social sciences, geology, and chemistry (partial cost)	$1,650,250
(h) Life sciences unit No 2	2,261,000
(i) Men and women's gymnasium plans	6,000
(j) Student health center	1,140,000
(k) Home economics, plans	5,000
(l) Administration building	1,425,000
(m) Education and art building	950,000
San Francisco	
(n) Teaching hospital (partial cost)	2,830,000
(o) Medical sciences (partial cost)	2,040,000
(p) Dental clinic expansion (partial cost)	65,000
Santa Barbara	
(q) Classrooms	600 000
(r) Gymnasium	500,000
Total of Projects	$18,081,500

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372 6—For major construction, improvements, repairs, and equipment, Department of Finance, payable from the Postwar Employment Reserve, in accordance with the following projects $6,410,000

Projects:

(a) Education building, Sacramento	$2,435,000
(b) Printing plant, Sacramento	2,850,000
(c) State garage, Sacramento	1,125,000
Total of Projects	$6,410,000

The appropriation made by this item shall be available for expenditure until June 30, 1951

372.7—For major construction, improvements, repairs and equipment, Veterans' Home of California, payable from the Postwar Employment Reserve, in accordance with the following projects $1,090,500

Projects:

(a) Women employee's quarters	$273,000
(b) Two officers' residences	50,000
(c) Auditorium (partial cost)	600,000
(d) Ground lighting system	60,000
(e) Road and utilities for two officers' residences	15,000
(f) Road and ground improvements	92,500
Total of projects	$1,090,500

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372 8—For major construction, improvements, repairs and equipment, Department of Motor Vehicles, payable from the Postwar Employment Reserve, in accordance with the following projects (partial cost) $1,434,449

Projects:

(a) Office building, Sacramento	$1,434,449

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372 9—For major construction, improvements, repairs and equipment, Adjutant General and California National Guard, payable from the

Postwar Employment Reserve in accordance with the following projects $4,000,000

Projects:

City	
(a) Alhambra	$121,500
(b) Arcadia	170,000
(c) Atascadero	94,000
(d) Burbank	295,000
(e) El Centro	121,500
(f) Fresno	314,500
(g) Hemet	94,000
(h) Long Beach	453,000
(i) Los Angeles	297,500
(j) Madera	94,000
(k) Manhattan Beach	121,500
(l) Mount Shasta	94,000
(m) Richmond	297,500
(n) San Diego	297,500
(o) San Francisco	297,500
(p) San Jose	297,500
(q) San Mateo	121,500
(r) Santa Maria	94,000
(s) Santa Monica	230,000
(t) Woodland	94,000
(u) Armories, type A various	------
Total of projects	$4,000,000

The appropriation made by this item shall be available for expenditure until June 30, 1951

372.10—For construction, improvements, repairs and equipment, Division of Forestry, Department of Natural Resources, payable from the Postwar Employment Reserve in accordance with the following projects $1,203,861

Projects:

(a) Miscellaneous projects $1,203,861

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.11—For carrying out further the provisions of Chapter 145, Statutes of 1946, in augmentation of the appropriation made by Section 6 thereof, payable from the Postwar Employment Reserve $2,471,250

The schedule set forth in said Section 6 shall be augmented as follows:

Miscellaneous repairs and improvements $2,471,250

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.12—For surveys, preparation of plans and specifications and other preliminary work in connection with the unified construction program provided for by Chapter 572, Statutes of 1946, (First Extraordinary Session), Division of Architecture, Department of Public Works, payable from the Postwar Employment Reserve to be allocated by the Department of Finance subject to Sections 3 and 4 of Chapter 145, Statutes of 1946 (First Extraordinary Session) " 3,600,000

Amendment No. 715

On page 76 of said bill, after line 15, insert

"384.5—For allocation to the State Water Resources Board for reallocation to the Counties of Santa Clara, Santa Cruz, and San Benito, and to the Monterey County Flood Control and Water Conservation District, or to any one or more thereof as may be proper, for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in the plan of improvement for flood protection on the Pajaro River and tributaries, adopted and authorized by Section 30 of the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 25,000

and in addition thereto the unexpended balance of Item 379 of Section 2, Budget Act of 1948, which unexpended balance shall, notwithstanding any other provision of law, remain available until June 30, 1950"

Amendment No. 716

On page 77, line 33, of said bill, strike out "137,500", and insert "217,500"

Amendment No. 717

On page 79 of said bill, following line 9, insert

"SEC. 6 5. In providing that certain appropriations in Section 2 of this act are to be expended in accordance with the projects set forth after each appropriation item for major construction, improvements, and equipment, it is the intent of the Legislature that any unexpended amounts in one project may, upon authorization of the Director of Finance, be made available to augment any other listed project within such item of appropriation."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 418

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 418, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 418

Senate Bill No. 418—An act to amend Sections 5077 and 5079 of the Penal Code, relating to the state correctional system

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on April 1, 1949, between lines 10 and 11, insert "The collection of data and the preliminary investigation and interviewing of prisoners may be performed by subordinates and by the diagnostic clinic but the Adult Authority or one member thereof shall interview each prisoner at least once before the Adult Authority determines his sentence."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2127, on request of Mr. Rosenthal

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3141

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 3141, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3141

Assembly Bill No. 3141—An act to amend Section 19480 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "a license".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3036

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3036, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3036

Assembly Bill No. 3036—An act to add Section 1245.2 to the Code of Civil Procedure, relating to actions to determine title to property appearing upon the recorded maps as a "square" or other open space.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "1245 2", and insert "1245 4".

Amendment No. 2

On page 1, line 2, of said bill, strike out "1245 2", and insert "1245 4".

Amendment No. 3

On page 1, line 3, of said bill, strike out "1245 2", and insert "1245.4".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3037

Mr Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3037, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3037

Assembly Bill No. 3037—An act to add a new section to the Code of Civil Procedure, to be numbered 1245.1, relating to proceedings in eminent domain

Bill read third time.

Motion to Amend

Mr Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "1245 1", and insert "1245.3".

Amendment No. 2

On page 1, line 2 of said bill, strike out "1245.1", and insert "1245.3".

Amendment No. 3

On page 1, line 3, of said bill, strike out "1245 1", and insert "1245 3"

Amendment No. 4

On page 2, line 14, of said bill, strike out "may", and insert "shall".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3038

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3038, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3038

Assembly Bill No. 3038—An act to authorize cities and counties to use public squares for the erection of public buildings and to add Article 8, comprising Sections 50530 to 50533, inclusive, to Chapter 2, Part 1, Division 1, Title 5 of the Government Code, relating to the use of public squares for the erection of public buildings.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out lines 3 and 4; and in line 5, strike out "buildings and to".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 17, inclusive; and on page 2, strike out lines 1 to 26, inclusive

Amendment No. 3

On page 2, line 27, of said bill, strike out "SEC. 2", and insert "SECTION 1".

Amendment No. 4

On page 3 of said bill, strike out lines 21 to 25, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

RESOLUTIONS

The following resolutions were offered:

By Mr. Geddes:

House Resolution No. 211

Requesting information from the Insurance Commissioner of the State of California

WHEREAS, There is now before the Assembly legislation designed to protect the insuring public against the evils of the issuance and sale of policies of doubtful value, particularly in the field of accident and disability insurance; and

WHEREAS, In discussion of the legislation proponents used illustrations which may have overstated the case; and

WHEREAS, It is necessary that a number of policies now approved and legal in California should be reviewed and analyzed in order to determine not only the desirability of the legislation but also the possible or probable economic effect on the insurance industry; and

WHEREAS, The Insurance Commissioner in sponsoring such legislation has indicated his wide knowledge of the deficiencies of the policies sought to be corrected and suitable criteria to govern the minimum standards to be adopted in future for disability and/or health or accident policies; and

WHEREAS, The Insurance Commissioner is in a position to secure and present for review by a committee of this Assembly sample policies representative of both the good and the bad; now, therefore, be it

Resolved by the Assembly of the State of California, That the Insurance Commissioner of this State be requested to furnish at his earliest convenience to the Chairman of the Standing Committee on Finance and Insurance of this Assembly representative sample policies issued both by California and foreign insurers together with an analysis of the sample cross section of such policies together with a statement of the amount at which such policies are sold in California; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, directed to send a copy of this resolution to the Insurance Commissioner of California

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Weber, Lindsay, Moss, Lincoln, Hagen, Lewis, and Stanley:

House Resolution No. 212

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State California, As follows.

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of _____ Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Morris:

House Resolution No. 213

Relating to the packaging of ice cream

WHEREAS, There have been numerous reports of short measure in the sale of ice cream to consumers either through void spaces left in hand-packed containers during filling or due to slack fill in machine-filled containers due to air release in product having high air content at time of packaging; and

WHEREAS, Great difficulty is encountered by weights and measures enforcement officials in successfully presenting cases of short measure or slack fill of ice cream containers due to the nature of the product not retaining its more solid consistency during the period same must be held for use as evidence; and

WHEREAS, Recent statements in the press indicate that University of California research scientists have discovered methods which stabilize the contents of prepackaged ice cream against shrinkage during handling; and

WHEREAS, Ice cream manufacturers' representatives have suggested that better standards and techniques in the preparation of ice cream can be developed to prevent the great variance in current non-uniform over-run percentages and that with improvement in manufacturing practices and standards there can be greater uniformity in the measure or weight of the product without sacrifice of quality or food value; and

WHEREAS, The California Association of Weights and Measures Officials has expressed the belief and presented evidence to show that there will be less short measure to consumers if ice creams were to be sold by weight; now, therefore, be it

Resolved by the Assembly of the State of California, That the Dairy Products Research Branch of the University of California and the California Sealers Association each be requested to submit a report to the 1951 Legislature upon the feasibility of modernizing practices so that ice cream and ice cream products may be sold by weight and that the ice cream manufacturing industry be requested to report on its efforts to standardize its products against variation in air content and over-run percentages; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to bring this resolution to the attention of all official agencies and industry representatives who may have an interest in the subject matter of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Moss and Fleury:

House Resolution No. 214

Relative to adjournment in respect to the memory of Walter J. Hicks

WHEREAS, The sudden death of Walter J. Hicks, on May 22, 1949, at the age of 58 years, is a sad loss to the people of the County of Sacramento whom he has long served as a political leader, and as County Assessor since 1931; and

WHEREAS, He was born in San Francisco but had lived in Sacramento since the age of three weeks, was educated in the Sacramento schools, had served with the American Expeditionary Forces in France and Germany during World War I, had engaged successfully in local business enterprises, and early taken an active part in political life. He served as an attache of the Senate of California during the regular session of 1923, as a Civil Service Commissioner under the Sacramento City charter, and was Chairman of the Golden Empire Centennial in 1939; and

WHEREAS, He held office in many civic and fraternal organizations, having been Past President of Sacramento Parlor No. 3, Native Sons of the Golden West, of the Sierra Club, of Sacramento Aerie No. 9 of the Fraternal Order of Eagles, of the LaSalle Club, and of the Sacramento County Employees Association, was a member of the Hibernians, Knights of Columbus, Veterans of Foreign Wars, and the 91st Division Association, was a Past Commander of Sacramento Post No. 61 of the American Legion, and was Exalted Ruler of Sacramento Lodge No. 6 of the Benevolent and Protective Order of Elks when the present Elks Temple in Sacramento was opened; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Members of this Assembly express great shock and sorrow at the untimely death of this able and devoted public servant, and extend most profound sympathy to his surviving family His widow, Mercedes Morrison Hicks; his daughter, Waletta, and his sister, Genevieve Hicks; and be it further

Resolved, That the Chief Clerk of the Assembly send a copy of this resolution to Mrs. Mercedes Morrison Hicks; and be it further

Resolved That when this Assembly this day adjourns, it do so out of respect to the memory of Walter J. Hicks.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Mr. Beck announced a Democratic Caucus upon adjournment.

Mr. Maloney announced that the trip around San Francisco Bay for the Members of the Assembly, which had been scheduled for Sunday, May 29th, at the invitation of the Bar Pilots, has been deferred until Sunday, June 12th.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1519, on motion of Mr. Hahn

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 88: By Mr. Weber—Relative to creating the Joint Legislative Committee on Organization and Program.

Referred to Committee on Rules.

ANNOUNCEMENT OF APPOINTMENT

Speaker Sam L Collins announced the appointment of Mr Reagan as Vice Chairman of the Committee on Municipal and County Government, vice Mr. Burke, resigned.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2185 AND 2186 HOLD PLACES ON FILE

Mr. Evans asked for, and was granted, unanimous consent that Assembly Bills Nos. 2185 and 2186 be passed on file, and hold their places on file on the next legislative day.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No 1001 ordered re-referred to Committee on Industrial Relations.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 1733

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1733 ordered re-referred to Committee on Municipal and County Government.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No 88	Assembly Bill No. 631
Assembly Bill No. 573	Assembly Bill No. 3104

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 88 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos 573 and 3104 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No 631 ordered re-referred to Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 52	Assembly Bill No 2164
Assembly Bill No 1049	Assembly Bill No 2304
Assembly Bill No 1173	Assembly Bill No. 2901
Assembly Bill No 1474	Assembly Bill No. 3093

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos 52 and 2304 ordered re-referred to Committee on Revenue and Taxation.

Assembly Bill No. 1049 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1173 ordered re-referred to Committee on Industrial Relations.

Assembly Bills Nos. 1474 and 3093 ordered re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 2164 ordered re-referred to Committee on Civil Service and State Personnel.

Assembly Bill No. 2901 ordered re-referred to Committee on Ways and Means.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today at 3 p.m.—

Social Welfare.

Agriculture.

Livestock and Dairies, upon adjournment of the Committee on Agriculture.

Public Health.

Tonight at 8 p.m.—

Fish and Game.

Interim Committee on Tidelands and Related Traffic Problems, in Assembly Chamber.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Paul Corliss of Pennsylvania, representing the Republican National Committee, and John Hamlin of Los Angeles.

On request of Messrs. Geddes and Erwin, the usual courtesies of the Assembly for this day were unanimously extended to V. R. Peel of Pomona.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Sam B. Whitworth of Los Angeles.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to M. S. Prescott of Sandy Creek, N. Y.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Walter Boland, Charles

H. Holt, and Larry Harn, teachers of the Larkspur School, and the following pupils: Norman Ash, Gene Auterson, Bob Bowman, Norman Cole, Frank Desouza, Melvin Dollahite, Arthur Donati, Thomas Frederick, Robert Gaskin, Robert Good, Stanley Greer, Louis Holton, Mathew Keller, Don Kerbs, Frank Mantellina, Arthur McKay, Jack McKenna, Jim Niven, "Mack" Purcell, Robert Talley, Alan White, Larry Whitson, Patricia Boland, Kathryn Cazneaux, Eunice Cherry, Joan Coverdale, Shirley Estby, Merle Ensler, Shirley Geister, Charla-Jane Greif, Betty Holton, Laura Keenan, Wilma Kreuter, Jacqueline Luce, Sally McGrew, Roberta Murphy, Antoinette Petty, Shirley Price, Shirlee Ritter, Sandra Vivell, Wanda Wasilewski, and Carol Wikel.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Constance Gotaas, Aileen Warnken, Gertrude Coats, and Robert Luther, teachers of the Fruit Ridge School, and the following pupils: Lillian Andretta, Nadine Balliet, Charlene Baty, Thelma Davault, Maria Echevarria, Carylann Finch, Virginia Hamilton, Barbara Hansen, Vida Hardy, Charleen Jackson, Ingalyn Jacobson, Janet Jerke, Rae Kauffman, Georgene Lewis, Arlene Nasca, Emily Pendleton, Gladys Porteous, Loretta Roberts, Doris Rogers, Shirley Self, Melva Sisney, Betty Smith, Nancy Waters, Jerry Blair, Aubrey Campbell, David Cruz, Jimmie Greene, Lee Jackson, Carrol Johnson, Richard Nordstrom, Norman Repanich, Peter Sarellana, Don Seutz, Jimmie Stephenson, Don Story, Don Thompson, David Winn, Don Woods, Margaret Asher, Shirley Brown, Marie Dutra, Eva Elliott, Mary Elliott, Donna Farquhar, Maryann Florio, Barbara Frasinetti, Helen Giles, Barbara Jean Gonzales, Elaine Hartley, Jeanne Hendon, Darlene Ilsohn, Lubertha Lester, Lucille Meder, Marlene Mello, Joyce Rounds, Janet Schultz, Jacquelyn Shaw, Marlene Shoup, Dorothy Taylor, Nordine Walery, Jane Wentworth, Leonard Abbott, George Babb, Jack Brooks, John Chinca, Gary Cantwell, Anthony DiDonna, James Dole, Henry Fernandez, Joseph Latona, Hector Leslie, Chester Lopez, Bobby Maciel, Harold Marston, Gary Oliphant, Blake Schoonover, Walter Adamson, Dennis Avery, Isadore Beivelman, David Crowdis, Ralph Fitzpatrick, Edward Fry, Bobby Gentle, Leland Hales, Michael O'Kane, Jim Payne, Billy Smith, Clark Smith, Duane Thompson, Carlos Vasquez, Jerry Warren, David Wilkinson, Patricia Burnip, Pauline Cotton, Katherine Craig, Fauneil Garner, Jean Handley, Eugenia Hinkle, Linda Hoeger, Beverly Johnson, Carolyn Mendonsa, Cora Mae Menebroker, Frema Mills, Marlisse Ogden, Janet Shank, Nancy Smoot, Carol Stapp, Reba Stevens, Anne Thurs, Billy Baldwin, Donald Buno, Gregory Cecchettini, Fred Contreras, James Craig, Donald Davis, Billy Finnegan, Bobby Halstead, Jack Hughes, Carl Hulman, Sergay Ivazian, James Knight, George Mallet, David Mello, Richard McCrum, Richard McEntee, Monte Morse, Frank Nasca, Glen Nelson, Billy Peddler, William Peters, Bobby Willis, Robert Wilson, Carol Aasletten, Dorothy Brown, Florence Finch, Marlene Guthmiller, Mary Jane Horton, Lorraine Huntley, Jeannene Ingram, Billie Jean Johnson, Jackie Jones, Eileen Reich, Shirley Ruedger, Eileen Scheid, and Patricia Taylor.

On request of Messrs Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mary H. Drake, teacher of the Beaver Union School of Ryde, and the following pupils: Margaret Barrera, Diane Gwerder, Diane Dianda, Diane Michell, Dolores Morais, Shirley Silva, Melva Stephens, Lorraine Rorman, Jennie Rocha, Joyce Yoshida, Larry Price, Leroy Furtado, Joe Terry, Barry Forrester, Richard Huston, Harold Stiles, Joyce Giovannoni, Isabel Menezes, Kay Mendenhall, Anne Sturtz, Delta Dearman, Bobby McIntosh, Jessie Luna, and Stesuyo Tokuyoshi.

On request of Mr Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Melvin C Pugh, teacher of the Oak View Union School, and the following pupils: Sandra Myers, David Murray, Henry Goff, Jr., Milo Dickhoff, Ronnie Hieb, Bill Case, Donald Schmierer, James Koehler, Robert Seifert, Robert Stribling, Marvin McMullen, Junior Walton, Asa Koyama, Tim Sullivan, Dolores Hieb, Rebecca Wyrick, Roberta Wyrick, Sue Lundahl, June Bradley, Annabelle Young, Bonnie Meeks, Bonnie Gogart, Margaret Ogren, Shirley Stoddard, Ruth Bawcom, Patricia Reiswig, and Davie Lea Paul.

On request of Messrs. Moss and Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Fern Bacon, Mrs. Virginia Huback, and George Cline, teachers of the Pacific School of Sacramento, and the following pupils: Margaret Adams, Billy Barbee, Joan Brandell, Jack Brown, Densil Carney, Charles Marshall, Glen McClary, Thelma McVay, Oliver Neves, Joe Anne Pierce, Haricleia Preovolos, Beverly Rose, Lorraine Scarbrough, Jon Sparks, Virginia Starnes, Shirley Sullivan, Eileen Terras, Helen Thomas, George Wagner, Jack Wagner, Ronnald Wakefield, Johnny Wright, Audrey Yule, Mary Cooper, Roberta Daniels, Edward Ervin, Donald Gaylord, Johnny Glacken, Joanne Hilton, Madena Kamilos, Nick Kamilos, Mickey Kane, Maybelle Lang, and Robert Lew.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Joseph Canciamelli, Joe Canciamelli, and Mrs. F. A. Mello of San Jose

ADJOURNMENT

At 1.05 p m, on motion of Mr. Erwin, the Speaker declared the Assembly adjourned until 9.30 a.m., Wednesday, May 25, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED FORTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, May 25, 1949

The Assembly met at 9 30 a m.

Hon Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis Dickey, Clayton A Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Our Fathers: Upon this day when the Constitutional Convention began (in 1787), let us honor the Constitution as the greatest document that ever sprang from the mind of man

Honor it for our Republic with its three branches of government and two houses of legislation, providing for government of and by the people

Its guarantee of the inalienable rights of the individual, freedom of worship and of speech, freedom of assembly and freedom from arbitrary government regulation.

Honor it for its personal rights of privacy in our homes, its insurance of justice through habeas corpus and trial by jury, and for the right to choose our own work and to own and control our property, the source of incentive

God help us in this troubled world to stand by the Constitution whose blessings have made this Country surpass the dreams of the ages, the model and hope of mankind —AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Reagan, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Cramer, on motion of Mr. Lipscomb.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 24, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR SIR: I am transmitting to you herewith Senate Bills Nos 558 and 699 both of which were passed by your honorable body on May 13, 1949.

I am instructed by the Senate to respectfully request your honorable body to rescind its action by which these measures were passed, and return them to the Senate in order that amendments may be offered looking toward the correction of an inadvertent feature of both of these measures which is deemed undesirable by their sponsors

Respectfully yours,

J. A. BEEK, Secretary of the Senate

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILLS NOS. 558 AND 699

Mr. Crichton asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on May 13, 1949, passed Senate Bills Nos. 558 and 699.

Senate Bills Nos. 558 and 699 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Conrad asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1944—An act to amend Sections 2, 7, 8, 15, 16, 18 1, 19, and 24, and to repeal Section 7.2 of the Corporation Income Tax Act, relating to the levy and collection of taxes upon the income of corporations, associations, and Massachusetts or business trusts, and to provide that this act shall take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1949, at 2 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1393—An act to add Section 373 5 to the Code of Civil Procedure, relating to the appointment and compensation of guardian ad litem for unborn and unascertained persons;

Assembly Bill No. 1942—An act to amend Sections 18303 and 18406 of the Revenue and Taxation Code, relating to the filing of partnership and fiduciary returns;

Assembly Bill No. 1943—An act to amend Sections 1, 4, 5, 8, 9, 12, 13, 24, 24.1, 25, 31, and 34.1, and to repeal Section 8 2 of the Bank and Corporation Franchise Tax

Act, relating to bank and corporation taxes, and to provide that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1024—An act to amend Section 18472 of the Revenue and Taxation Code, relating to personal income taxes;

Assembly Bill No. 1031—An act to amend Section 17951, and to repeal Section 17320 9 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 1032—An act to amend Sections 17813, 17817, and 18172 7 to the Revenue and Taxation Code, relating to personal income taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 919—An act to amend Sections 1064 and 1071.2 of, and to add Section 1064 2 to, the Agricultural Code, relating to economic poisons;

Assembly Bill No. 1018—An act to amend Section 762 5 of, and to add Section 768 to, the Agricultural Code, relating to the inspection of tomatoes delivered for canning and tomato inspection certificates;

Assembly Bill No. 1023—An act to amend Section 17127, and to repeal Section 17136.1 of the Revenue and Taxation Code, relating to personal income taxes, and providing that the act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1949, at 2 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 428—An act to add Section 834 to the Corporations Code, relating to derivative actions by shareholders;

Assembly Bill No. 433—An act to add Section 625b to the Penal Code, relating to wilful or malicious injury to aircraft and providing a penalty therefor;

Assembly Bill No. 518—An act to amend Sections 1203 1 and 1203a of the Penal Code, relating to the terms and conditions of probation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of May, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1670
Assembly Bill No 2948
Assembly Bill No. 3117

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 324	Assembly Bill No. 1303
Assembly Bill No. 683	Assembly Bill No. 1674
Assembly Bill No. 684	Assembly Bill No 2060
Assembly Bill No. 1120	Assembly Bill No. 2171

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Assembly Concurrent Resolution No. 46

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 239
Assembly Bill No. 725

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 88
Senate Bill No. 95
Senate Bill No. 514
Senate Bill No. 624
Senate Bill No. 895
Senate Bill No. 965
Senate Bill No. 1172

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 183
Assembly Bill No. 934
Assembly Bill No. 937
Assembly Bill No. 1201
Assembly Bill No. 1210
Assembly Bill No. 1547
Assembly Bill No. 1709
Assembly Bill No. 1785
Assembly Bill No. 2450
Assembly Bill No. 2851

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to

Senate Bill No. 150—An act to add Section 332.1 to the Vehicle Code, relating to impounding of vehicles;

And appointed Senators Dilliger, Judah, and Drobish as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 150

The Speaker announced the appointment of Messrs. Lindsay, Crichton, and Tomlinson as a Committee on Conference concerning Senate Bill No. 150.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 69
Senate Bill No. 393
Senate Bill No. 437
Senate Bill No. 605
Senate Bill No. 706
Senate Bill No. 1005
Senate Bill No 1213

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 69—An act to amend Section 707.5 of the Agricultural Code, relating to penalties for delinquent licensee fees under the Milk and Milk Products Act of 1947.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 393—An act to amend Sections 730 2, 731, 733 4, and 734 of, and to add a new Article 3, consisting of Section 734.5 to, the Agricultural Code, relating to the marketing of milk and other dairy products.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 437—An act to amend Section 11611 of the Business and Professions Code, relating to streets and easements in real estate subdivisions.

Referred to Committee on Municipal and County Government.

Senate Bill No. 605—An act to amend Sections 11493, 11505, and 11508 of, and to add Sections 11511 and 11515 to the Insurance Code, relating to nonprofit hospital service corporations and plans

Referred to Committee on Finance and Insurance.

Senate Bill No. 706—An act to amend Section 737jj of the Political Code, relating to the salary of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 1005—An act to amend Sections 29001, 29020, 29022, 29023, 29026, and 29031 of, and to add Sections 29012, 29013, and 29014 to the Health and Safety Code, relating to dangerous drugs.

Referred to Committee on Public Health

Senate Bill No. 1213—An act to amend Sections 12463 and 12464 of, to repeal Sections 50054 to 50059, inclusive, of, and to add Section 12463 1 and Article 9, comprising Sections 53890 to 53896, inclusive, to Chapter 4, Part 1, Division 2, Title 5 of, the Government Code, relating to the compilation and publication of reports of the financial transactions of local agencies.

Referred to Committee on Municipal and County Government.

RESOLUTIONS

The following resolution was offered:

By Mr. Berry:

House Resolution No. 215

Relative to the creation of the Interim Investigating Committee on Motor Vehicle Legislation

WHEREAS, In almost no phase of modern life can human activity be entirely separated from the influence of motor vehicles; and

WHEREAS, This influence has made itself particularly noticeable in California where the high standard of living and the great distances to be traversed have caused immense numbers of motor vehicles to appear and remain in every part of the State; and

WHEREAS, Due to the constantly increasing numbers of motor vehicles, the evolution of the motor vehicle into a higher type capable of greater speeds and greater use and the adaptation and specialization of motor vehicles to meet new and increasing needs, this Legislature is confronted with problems constantly increasing in number and complexity which necessitate continuous investigation, study, and ascertainment of facts in order that appropriate legislation may be enacted for enhancing the control, enjoyment, and efficiency of motor vehicles and reducing the hazard of their use; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Interim Investigating Committee on Motor Vehicle Legislation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to any subject, problem, or matter in any way pertaining to motor vehicles, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To call upon the Advisory Committee on Motor Vehicle Legislation for technical advice and to appoint the same as its technical advisor.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 172—An act to amend Section 3208 of the Labor Code, dealing with workmen's compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 327—An act to amend Section 151 of the Unemployment Insurance Act, dealing with disability insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 669—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 744—An act to add Section 6.7 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 847—An act to amend Section 4753 of the Labor Code, relating to subsequent injuries payments under the Workmen's Compensation Act.

Bill read second time, and ordered engrossed.

Assembly Bill No. 896—An act to repeal Section 90 of the Unemployment Insurance Act and to add Section 90 to the Unemployment Insurance Act, dealing with unemployment.

Bill read second time, and ordered engrossed.

Assembly Bill No. 599—An act to amend Section 1258 of the Civil Code, relating to compensation of appraisers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3147—An act to add Section 683 1 to the Civil Code, relating to the creation of joint tenancy or other ownership in contents of safe-deposit boxes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "of or interest".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 12, 1949, strike out "of", and insert "in or on leave of absence from"

Amendment No. 2

On page 1, line 5, of said bill, after "Hygiene." insert "and such fact is known to the petitioner,".

Amendment No. 3

On page 1, line 14, of said bill, strike out "of", and insert "in or on leave of absence from".

Amendment No. 4

On page 1, line 15, of said bill, strike out "in this State", and insert "and such fact is known to the petitioner,".

Amendment No. 5

On page 1, line 19, of said bill, after "and", insert "a copy of the".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Butters asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 806—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 9 to 16, inclusive, and insert "*(f) Service performed in the employ of a state, a political subdivision thereof, or an instrumentality of one or more states or political subdivisions;*".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2665—An act to amend Sections 25000, 25002, 25003, 25004, 25005, 25006, 25007, 25008, 25009, 25013, 25014, 25100, 25150, 25151, 25152, 25153, 25180, 25300, 25301, 25303, 25305, 25307, 25310, 25311, 25312, 25314, 25315, 25318, 25350, 25351, 25355, 25500, 25502, 25514, 25515, 25601, 25602, 25603, 25604, 25700, 25703, 25706, 25712, 25800, 25805, 25900, 26003, 26100, 26101, 26103, and 26104 of the Corporations Code, to amend the heading of Division 1 of Title 4 thereof and the heading of Article 3 of Chapter 2 of Division 1 of Title 4 thereof, to repeal Sections 25101 and 25154 thereof, and to amend and renumber Section 25102 to be Section 25101, relating to securities, the prevention

of fraud in the sale thereof, and the regulation and supervision of companies, brokers, agents, and investment counsel in relation thereto by the Commissioner of Corporations and the Division of Corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

Strike out lines 1 to 11, inclusive, of the title of the printed bill; and in line 12, strike out "Section 25101", and insert

"An act to amend Sections 25003, 25004, 25311, 25315, 25318, 25351, and 25502 of the Corporations Code".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 11, inclusive; and on page 2, strike out line 1, and insert

"SECTION 1. Section 25003 of the Corporations Code is amended to read:".

Amendment No. 3

On page 2, line 2, of said bill, strike out " "Person" ", and insert " "Company" ".

Amendment No. 4

On page 2, line 8, of said bill, strike out the period, and insert "selling, offering for sale, negotiating for the sale of, or taking subscriptions for, any security of their own issue."

Amendment No. 5

On page 2, line 11, of said bill, strike out "SEC 5.", and insert

"SEC. 2."

Amendment No. 6

On page 2, line 12, of said bill, strike out "(a)".

Amendment No. 7

On page 2 of said bill, strike out lines 20 to 52, inclusive; and strike out pages 3, 4, 5, 6, and 7.

Amendment No. 8

On page 8, line 1, of said bill, strike out "SEC 29.", and insert

"SEC. 3."

Amendment No. 9

On page 8 of said bill, strike out lines 12 to 38, inclusive.

Amendment No. 10

On page 8, line 39, of said bill, strike out "SEC. 32.", and insert

"SEC. 4."

Amendment No. 11

On page 8, line 45, of said bill, strike out "SEC. 33.", and insert

"SEC. 5."

Amendment No. 12

On page 9, line 1, of said bill, after "or", insert "at any time from the expiration of sixty days after completion of an application to the commissioner containing such information concerning the applicant, its condition and affairs as the commissioner may have required until the expiration of 120 days after completion of the application, if prior to the filing of the petition in the court the commissioner shall have failed to act upon the application."

Amendment No. 13

On page 9 of said bill, strike out lines 3 to 26, inclusive.

Amendment No. 14

On page 9, line 27, of said bill, strike out "SEC. 35.", and insert

"SEC. 6."

Amendment No. 15

On page 9, line 31, of said bill, strike out "issuer," and insert "company,".

Amendment No. 16

On page 9 of said bill, strike out lines 46 to 49, inclusive; and on page 10, strike out lines 1 to 14, inclusive.

Amendment No. 17

On page 10, line 15, of said bill, strike out "SEC 38.", and insert "SEC 7."

Amendment No. 18

On page 10, line 43, of said bill, strike out "applicant," and insert "company,".

Amendment No. 19

On page 10 of said bill, strike out lines 48 to 52, inclusive; and strike out pages 11, 12, 13, 14, 15, 16, 17, and 18.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 830—An act to amend Section 67 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, strike out lines 42 through 47.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 1467—An act to amend Sections 6, 14, and 22 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, and to repeal Chapters 952 and 953 of the Statutes of 1939, relating to the regulation of loans and lenders.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 13, 1949, after "Sections", strike out "6, 14, and 22 of the Per-", and insert "4, 6, 14, 15, and 22 of, and to add Section 20.1 to the Per-".

Amendment No. 2

In the title of said bill, strike out lines 4 to 6, inclusive, and insert "1939, relating to the regulation of loans and lenders."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, line 9, of said bill, after "Section 1.", strike out the remainder of said line, and insert "Section 4 of the Personal Property Brokers Act as revised by Chapter 1044 of the Statutes of 1939 is amended to read:

SEC. 4. Exemptions. (a) This act shall not apply to any person, association, copartnership, trust or corporation doing business under any law of this State or of the United States relating to banks, trust companies, building and loan associations, industrial loan companies, credit unions or licensed pawnbrokers.

(b) Nothing contained in this act shall apply to any of the following:

1 Any nonprofit cooperative association organized under Title 23 of Part 4 of Division 1 of the Civil Code as said title existed at any time prior to the effective date of this amendment or under Chapter 4 of Division 6 of the Agricultural Code, in loaning or advancing money in connection with any activity mentioned therein;

2. Any corporation, association, syndicate, joint stock company or partnership engaged exclusively in the business of marketing agricultural, horticultural, viticultural, dairy, livestock, poultry and bee products on a cooperative nonprofit basis in loaning or advancing money to the members thereof or in connection with any such business; or

3. Any corporation securing money or credit from any federal intermediate credit bank organized and existing pursuant to the provisions of an act of Congress entitled "Agricultural Credits Act of 1923," as amended, in loaning or advancing money or credit so secured.

(c) This act shall not apply to bona fide conditional contracts of sale involving the disposition of personal property, when such forms of sales agreements are not used for the purpose of evading this act.

(d) The following provisions of this act shall not apply to any bona fide loan of a principal amount of five thousand dollars ($5,000) or more or to a duly licensed personal property broker in connection with any such loan, provided the provisions of this paragraph are not used for the purpose of evading this act: The fourth paragraph of Section 16; [the third paragraph of] Section 17; Section 18; [the fifth and seventh paragraphs of] Section 20; the second paragraph of Section 21.

SEC 1.1. Section 6 of the Personal Property Brokers".

Amendment No. 4

On page 3 of said bill, after line 13, insert

"SEC. 2 1. Section 15 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, is amended to read:

Sec 15. Books and Records. The licensee shall keep and use in his business such books, accounts and records as will enable the commissioner to determine whether such licensee is complying with the provisions of this act and with the rules and regulations lawfully made by the commissioner hereunder. Every licensee shall preserve such books, accounts and records, including cards used in the card system, if any, for at least two (2) years after making the final entry on any loan recorded therein.

Annual Reports Each licensee shall annually on or before the fifteenth day of March file a report with the commissioner giving such relevant information as the commissioner reasonably may require concerning the business and operations during the preceding calendar year of each licensed place of business conducted by such licensee within the State *The commissioner shall require that the information pertaining to loans of less than five thousand dollars ($5,000) shall be stated separately from the information pertaining to any other business conducted by the licensee including the business of making loans of five thousand dollars ($5,000) or more. The commissioner may also require a consolidated report of all business conducted by the licensee or such other report as he may deem necessary.* Such report *or reports* shall be in the form prescribed by the commissioner, who shall annually make and file with the DIVISION of Corporations as a public record a composite of such reports and any comments thereon that he may deem to be in the public interest.

The commissioner may require the production for examination in the State of California of all books, records and supporting data used by the licensee in the preparation of reports to the commissioner. Such books, records and supporting data shall be made available for examination by the commissioner in the State of California within ten days after written demand therefor

SEC. 2 2. Section 20.1 is added to the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, to read:

Sec. 20 1 Indebtedness of More Than $5,000 No licensee shall directly or indirectly charge, contract for, or receive a greater rate of interest than he would otherwise be permitted by law to charge if he were not a licensee under this act upon any loan, or upon any part or all of any aggregate indebtedness of the same person, in excess of five thousand dollars ($5,000) The foregoing prohibition shall also apply to any licensee who permits any person, as borrower or as endorser, guarantor or surety for any borrower, or otherwise, or any husband or wife jointly or severally, to owe directly or contingently or both to the licensee at any time a sum of more than five thousand dollars ($5,000) for principal."

Amendment No. 5

On page 3 of said bill, strike out lines 22 and 23.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 962—An act to amend Section 3060 of the Penal Code, relating to parole.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 20, 1949, strike out lines 3 to 15, inclusive, and insert

"3060. The parole officer may apprehend any parolee under his charge who is alleged to have violated his parole, and cause such parolee to be detained in the county jail pending hearing by the Adult Authority or by a referee designated by the Authority, which hearing shall be held within thirty days after the apprehension of the parolee by the parole officer.

After notice and hearing upon the question of violation of parole, and upon a finding by the Adult Authority that the parolee has violated any of the terms of his parole, the Adult Authority shall have full power to suspend, cancel, or revoke the parole, and may order the parolee returned to prison.

A hearing under this section may be held by the Adult Authority or by any referee designated by the Adult Authority. The parolee shall be present at the hearing, and shall be entitled to have counsel and to have witnesses testify in his behalf, secured, if necessary, by compulsory process issued by the Adult Authority. For the purpose of securing such witnesses the Adult Authority shall have all of the powers conferred upon the head of a state department by Sections 11180 to 11191, inclusive, of the Government Code, and the provisions of said sections shall be applicable to the same extent and with the same effect as if the Adult Authority were the head of a department referred to therein. The Adult Authority shall cause a transcript of the proceedings at the hearing to be made and filed with it, which transcript shall be a public record.

If, after such hearing and finding by the Adult Authority that the parolee has violated any term of his parole, the Adult Authority suspends, cancels, or revokes the parole, the written order of any member of the Adult Authority shall be a sufficient warrant for any peace or prison officer to return the parolee whose parole has been suspended, canceled, or revoked to the custody of the Director of Corrections."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2110—An act to amend Sections 8 and 23 of, and to add Sections 8.1, 8.2, 8.3, and 8.4 to, an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the establishment of municipal courts in cities of the second class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 22, 1949, strike out lines 4 to 22, inclusive, and insert

"Two deputy assistant clerks, each three hundred twenty-five dollars ($325);
One deputy assistant clerk, three hundred five dollars ($305);
Four deputy assistant clerks, each two hundred seventy-five dollars ($275);
One typist clerk, one hundred eighty dollars ($180);

OFFICE OF BAILS AND FINES

One deputy senior clerk (cashier-bookkeeper) who shall receive a minimum salary of two hundred forty-five dollars ($245), with annual increments of ten dollars ($10) to a maximum salary of three hundred five dollars ($305) monthly;

Three deputy clerks, each of whom shall receive a minimum salary of one hundred seventy-five dollars ($175), with annual increments of ten dollars ($10) to a maximum salary of two hundred twenty-five dollars ($225) monthly;

Seven deputy clerks (bail office tellers) each of whom shall receive a minimum salary of two hundred five dollars ($205), with annual increments of ten dollars ($10) to a maximum salary of two hundred fifty-five dollars ($255) monthly;

Seven typist clerks, each of whom shall receive a minimum salary of one hundred sixty dollars ($160), with annual increments of ten dollars ($10) to a maximum salary of two hundred ten dollars ($210) monthly."

Amendment No. 2

On page 2, line 26, of said bill, after "Two", insert "deputy"

Amendment No. 3

On page 2, line 31, of said bill, after "Five", insert "deputy".

Amendment No. 4

On page 2 of said bill, after line 45, insert

"MARSHAL

The judges of such municipal court shall appoint a marshal who shall receive a monthly salary of four hundred dollars ($400)."

Amendment No. 5

On page 3 of said bill, amend lines 7 and 8 to read

"All persons permanently appointed [in] *to and holding* any of the aforesaid positions at the time such municipal court is established, *or assigned thereto*, shall".

Amendment No. 6

On page 3 of said bill, amend lines 26 to 35, inclusive, to read

"Except as otherwise in this act provided, persons appointed to *and holding* any of the aforesaid positions upon the establishment of such municipal court, *or assigned thereto,* shall remain members of the classified civil service systems of the city or county of which they were members immediately prior thereto, and all persons hereafter appointed to positions [in the criminal departments of such court shall upon being appointed] *in such court, or who upon succeeding to positions of the court as hereinabove provided, are not at such time members of either classified civil service system shall upon being appointed or succeeding to such positions,* become members of the classified civil service of such city [and persons appointed to the civil departments of the court shall become members of the classified civil service of such county]; provided, that either the".

Amendment No. 7

On page 3, line 47, of said bill, after "municipal court", insert ", *holding any of the aforesaid positions mentioned in this section,*".

Amendment No. 8

On page 4 of said bill, strike out lines 1 to 19, inclusive, and insert

"(c) In the establishment of any municipal court hereafter, all officers and employees of the city for which such court is established, (other than officers and members of the police department of the city acting as *ex officio* deputy or *ex officio* assistant marshals of such court), succeeding to positions with such court as hereinabove provided, who are at the time members of the retirement system of such city, and all officers and employees of the county wherein such court is established, (other than officers and employees thereof acting as *ex officio* deputy or *ex officio* assistant marshals of such court), succeeding to positions with such court, who at the time are members of a retirement system established under the "County Employees Retirement Law of 1937", shall remain as members of the respective retirement systems to which they belonged immediately preceding the date at which such municipal court begins to function and for such purpose respectively retain their status as city and county employees.

In addition, persons employed by the city or its police court at the time such municipal court is established who succeed at such time to positions with such municipal court and who are not at the time members of the city retirement system shall be entitled to and become members thereof

Persons acting as *ex officio* deputy or *ex officio* assistant marshals in such court shall remain as members of the retirement or pension systems which respectively govern their basis positions of employment.

Whenever a municipal court is established in a city of the second class, the council of such city may arrange with the county in which such court is established, subject to the provisions of the said "County Employees Retirement Law of 1937", to take all the officers and employees of said court, including those who are members of the city retirement system, into the said retirement system applicable to county employees, without loss to such members of the city retirement system of any accrued or vested rights they may have to retirement compensation, death and other benefits, and may reimburse the county for the costs thereof. Each person who after such arrangement is made enters the employ of such court shall become a member of such retirement system of the county on the first day after his entrance into the service of such court."

Amendment No. 9

On page 4 of said bill, amend lines 24 to 29, inclusive, to read "municipal court is established [may] *must* assign *at least one senior constable ex officio deputy sheriff, or one constable ex officio deputy sheriff, or one deputy constable or ex officio deputy sheriff* or *one* deputy sheriff to attend on *each of* the civil departments of such court *which may be functioning* as ex officio deputy and assistant marshals thereof, and the chief of police of the city in which such court is established [may] *must* assign *at least one* officer [and] *or* member of the police department of such city to attend on *each of* the departments of the court acting in the exercise"

Amendment No. 10

On page 5 of said bill, strike out the two sentences commencing with "All complaints" in line 3, and ending with "as provided by law" in line 11

Amendment No. 11

On page 5 of said bill, after line 13, insert

"Whenever a municipal court is established for any city, which, prior to and at the time of the establishment of such court, maintained its own police court or courts wherein, pursuant to the provisions of the then existing law, the district attorney of the county, wherein such city is situated, his assistants or deputies, prosecuted all proceedings on behalf of the people whether for the violation of any statute of the state or ordinance of the city, and the city did not employ its own city prosecutors, such district attorney, his assistants or deputies, shall continue, after the establishment of such municipal court, to prosecute all such proceedings therein, and the provisions of the foregoing paragraph shall apply. Further, all complaints drawn by such district attorney, his assistants or deputies, or under his direction, in the perform- of any such duties and filed in such municipal court shall be deemed drawn and filed by officers or other persons acting for and on behalf of such city within the meaning of the Penal Code, and all fines or forfeitures collected in such court upon conviction, or upon the forfeiture of bail, following complaints filed in such court, which were so drawn by such district attorney, his assistants or deputies, or under his direction, together with the fines or forfeitures collected in such court or upon the forfeiture of bail following complaints filed in such court which were drawn by officers or other persons employed by the city for which such court is established, and any other revenue to which the city shall be entitled, shall, as provided in said code, and subject to the provisions of the following section, be paid, at least once a month, to the treasurer of said city, by warrant of the county auditor, which shall be drawn upon the requisition of the clerk of said court"

Amendment No. 12

On page 5 of said bill, amend line 27 to read

"The city in which [the] *such* court is established shall provide"

Amendment No. 13

On page 5 of said bill, strike out lines 32 and 33; and in line 31, after "county", strike out the comma, and insert a period

Amendment No. 14

On page 5 of said bill, amend lines 35 and 36 to read "municipal court fines, [and] forfeitures *and revenues* as by law would otherwise become the property of the city *(exclusive of revenues received on account of violations of the vehicle code)* for the costs upon the".

Amendment No. 15

On page 6 of said bill, amend lines 3 to 12, inclusive, to read "bursement in the amount of [its actual costs and charges so incurred in the operation and maintenance of such criminal departments, but not to exceed in the aggregate the total amount actually expended for the previous fiscal year for such criminal departments] *fourteen thousand dollars ($14,000) monthly.* Settlement in this connection between said city and county shall, so far as practicable, be made monthly, and the county shall be entitled to retain *each month* the amount to which it is entitled in paying the balance of such municipal court revenues to the treasurer of the city by warrants [drawn upon] *of* the county auditor *as hereinabove provided*"

Amendment No. 17

On page 6 of said bill, amend lines 33 to 37, inclusive, to read "as public convenience may require, *and whenever provision has been made for the establishment of a municipal court for any city which lies partly within and partly without one or more judicial townships, the board of supervisors of the county within which provision has been made for the establishment of such court may by ordinance divide such county into judicial townships as public convenience may require, such ordinance to become effective upon the establishment of such municipal court*. In the event the boundaries of any such city within which a municipal court is established, wholly or partly surround another and distinct city or town, *or cities or towns*, the board of supervisors in forming such judicial township may include such other city or town, *or cities or towns*, in a judicial township".

Amendment No. 18

On page 6 of said bill, after line 42, insert

"Whenever, in the establishment of a municipal court, a portion of a judicial township lies outside of the boundaries of the city wherein such court is established, and such remaining portion is made up exclusively of cities and towns which are respectively served by inferior courts located therein, the board of supervisors shall not, in declaring such outside area to be a new township, create a justice court or courts therefor, or appoint a justice or justices of peace to serve in such township, notwithstanding the provisions of any other law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 418—An act to repeal Section 826.5 of the Welfare and Institutions Code, relating to the appointment of judges, justices, and recorders to act as referees in juvenile court matters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1 of said bill, strike out line 2, and insert "Code is amended to read:

826.5 The judge of the juvenile court may at his discretion appoint judges, justices, and recorders to act as referees in juvenile court matters in the county in which he presides. Each person so appointed shall hold his appointment at the pleasure of the judge of the juvenile court. Whenever the crime charged is a misdemeanor, the judge, justice or recorder appointed a referee, in lieu of certifying the person charged to the juvenile court as provided in Section 826, may retain jurisdiction over the person charged as a referee of the juvenile court, and may after an investigation of the circumstances make such order for his future good conduct, for a period of not exceeding six months, as appears proper. *Such order shall be reported in writing within a period of 10 days to the judge of the juvenile court for his approval. If any such order reported is not approved by the judge of the juvenile court the judge, justice, or recorder shall immediately revoke his original order and certify the case to the juvenile court as provided in Section 826.* If the person charged violates the terms of the order, the judge, justice or recorder acting as referee may again investigate the circumstances, and if he deems it proper may certify the person charged to the juvenile court as provided in Section 826. The jurisdiction herein conferred upon the judge, justice or recorder shall not be construed as a grant of power to commit a juvenile offender to any penal or correctional institution."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2964—An act to amend Section 146 of the Civil Code, relating to disposition of community property on divorce.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 24, inclusive, and insert

"One. If the decree is rendered on the ground of adultery, incurable insanity or extreme cruelty, the community property shall be assigned to the respective parties in such proportions as the court, from all the facts of the case, and the condition of the parties, may deem just.

Two. If the decree be rendered on any other ground than that of adultery, incurable insanity or extreme cruelty, the community property shall be equally divided between the parties.

Three. If a homestead has been selected from the community property, it may be assigned to the party to whom the divorce is granted, or, in cases where a divorce is granted upon the ground of incurable insanity, to the party against whom the divorce is granted The assignment may be either absolutely or for a limited period, subject, in the latter case, to the future disposition of the court, or it may, in the discretion of the court, be divided, or be sold and the proceeds divided.

Four. If a homestead has been selected from the sep-".

Amendment No. 2

On page 2 of said bill, after line 9, insert

"This section shall not limit the power of the court to make temporary disposition of the homestead at any stage of the proceedings"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1384—An act to add Article 6 to Chapter 9 of Division 3 of the Education Code, relating to the audits of school districts

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 3, 1949, strike out lines 6 to 24, inclusive.

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 32, inclusive.

Amendment No. 3

On page 3 of said bill, strike out lines 1 to 30, inclusive, and insert

"6201. At the close of each fiscal year the funds or accounts expressed in the school district budget and the student organizations' accounts, the cafeteria accounts and all other moneys under the control or supervision of the governing board of the district shall be audited in the manner prescribed in this article.

6202. The audit shall include an examination of financial transactions relating to all funds or accounts expressed in the school district budget, student organizations' accounts, cafeteria accounts, and all other moneys under the control or supervision of the governing board of the district, for the period covered by the audit. The audit report shall be in writing in quadruplicate and shall contain such financial statements and information as may be prescribed by the Director of Public Education and shall include recommendations with respect to school governmental accounting procedures relating to the accounting for receipts and expenditures, as well as fixed assets acquired by the district for the period covered by the audit The original of the report shall be forarded to the governing board of the district, one copy shall be filed with each of the following: The county superintendent of schools having jurisdiction over the district, the Director of Public Education and the State Controller The Director of Public Education shall prescribe such regulations as are necessary to insure adequate standards for auditing all of the aforesaid funds and accounts.

6203. The audit and audit report required by this article shall be made by the county having jurisdiction over the district, unless prior to April 1st of the fiscal year for which the audit is to be made the governing board of the district has entered into an agreement with a certified public accountant or a public accountant to make the audit and audit report, or has entered into an agreement with the grand jury of the county that the audit and audit report made by the grand jury pursuant to law shall serve as the audit required by this article, and has, on or before said date, filed with the county

superintendent of schools and the county auditor a copy of such agreement. All audits and audit reports shall be made, and the audit reports filed, in compliance with, and subject to, the provisions of Section 6202.

In the event that the governing board desires to employ either a certified public accountant or a public accountant it may do so without requiring submission of bids or advertising. The cost of each audit and audit report made by the county shall be an amount agreed upon by the governing board and the county and shall be paid from funds of the district. In the event that the cost of the audit and audit report cannot be agreed upon, the cost shall be determined by the Director of Public Education. The order of the governing board of the district drawn in payment of the cost shall be made payable to the county treasurer.

6204. Any audit and audit report required by this article to be made by the county having jurisdiction over the district may be made by either the county auditor or the county superintendent of schools, as designated by the county board of supervisors; or may be made by agreement between the county and the grand jury of the county that the audit and audit report made by the grand jury pursuant to law shall serve as the audit required by this article; or may be made by agreement between the county and a certified public accountant or a public accountant. All money received by the county treasurer under this article shall be deposited by him in the county treasury and shall augment the appropriations made by the county board of supervisors to the current county budget.

6205. In the event the audit and audit report required in this article for a fiscal year are not filed on or before April 1st of the following fiscal year, the Superintendent of Public Instruction shall require such an audit and audit report to be made by a member of his staff or by the county having jurisdiction over the school district concerned, or may employ a certified public accountant or a public accountant to make such audit and audit report. At the conclusion of such audit, the audit report shall be filed as heretofore prescribed. The cost of the audit and audit report shall be a legal charge against the funds of the school district, and if the governing board fails or neglects to draw an order therefor in favor of the Superintendent of Public Instruction on or before 60 days after said audit reports have been filed, the county superintendent shall draw his requisition on the funds of the district in favor of the Superintendent of Public Instruction.

All moneys received by the Superintendent of Public Instruction under this section shall be deposited in the State Treasury and are hereby appropriated for the support of the Department of Education in addition to such other funds as may be appropriated therefor by the Legislature.

6206. Any sections of the Education Code with respect to auditing of funds under control or supervision of the governing board of the district which conflict with or duplicate the provisions of this bill are superseded."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 857—An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 864—An act to add to Chapter 1, Part 2, Division 1 of the Insurance Code, a new article to be numbered 7.5, relative to remuneration of insurance claims adjusters.

Bill read second time, and ordered to third reading.

Senate Bill No. 975—An act to add Sections 922.1, 922.2, 922.3, 922.4, and 922.5 to the Insurance Code, relating to the credits which may be taken by an insurer against loss and unearned premium reserves as the result of reinsuring the whole or a portion of its business and the allowance as admitted assets of certain accounts receivable from reinsurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 867—An act to amend Section 952 of the Insurance Code, relating to deposits with the Insurance Commissioner.

Bill read second time, and ordered to third reading.

Senate Bill No. 306—An act to amend Section 1461 of the Probate Code, relating to the appointment of guardians for insane or incompetent persons.

Bill read second time, and ordered to third reading.

Senate Bill No. 351—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class, including fees for phonographic reporters.

Bill read second time, and ordered to third reading.

Senate Bill No. 1413—An act authorizing suits against the State to quiet title against it to swamp or overflow lands by certain persons entitled to the benefits of Section 7523 of the Public Resources Code.

Bill read second time, and ordered to third reading.

Senate Bill No. 824—An act to amend and renumber Section 1703 of, to add Section 1703 to, to amend Sections 1705.2, 1706.85, 1706, and 1706.95 of, and to repeal Section 1703.5 of, the Insurance Code, relating to life agents' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on March 31, 1949, strike out "and".

Amendment No. 2

In line 3 of the title of said bill, after "1706.95", insert "and 1711".

Amendment No. 3

On page 1, line 14, of said bill, strike out "The qualı-"; and strike out lines 15 to 18, inclusive.

Amendment No. 4

On page 1 of said bill, strike out lines 23 and 24; and on page 2, strike out lines 1 to 3, inclusive, and insert "included in life policies."

Amendment No. 5

On page 2 of said bill, strike out lines 7 to 9, inclusive, and insert "ability insurance."

Amendment No. 6

On page 2 of said bill, strike out lines 13 to 19, inclusive, and insert "A person".

Amendment No. 7

On page 2, line 27, of said bill, strike out "All"; and strike out lines 28 and 29.

Amendment No. 8

On page 3, line 18, of said bill, strike out "a"; and strike out lines 19 to 24, inclusive, and insert ", or who has held during any part of the period subsequent to the December 31st second preceding the date of the filing of the application, a license of the type applied for, a life and disability agent's license, or both a life only agent's license and a disability only agent's license."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 4 of said bill, after line 24, insert

"SEC. 8 Section 1711 of said code is amended to read.

1711. The examinations shall be of sufficient scope to satisfy the commissioner that the applicants have sufficient knowledge of, and are reasonably familiar with, the insurance laws of the State, the provisions, terms and conditions of the insurance which the license will authorize them to transact, and have a general and fair understanding of the obligations and duties of a life agent

[In the case of a license authorizing the agent to transact disability insurance only, no license shall be granted to act as a life agent until the applicant therefor passes this examination]

An applicant shall not be examined, however, with respect to his knowledge of, or familiarity with, the provisions, terms and conditions of any insurance which he is or was authorized to transact under any life agent's license which he holds or has held during any part of the period subsequent to the December 31st second preceding the date of the filing of the application."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Kirkwood asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 851—An act to amend the title and Sections 1, 2, 3, 15, and 16 of the Sanitation and Sewer Revenue Bond Act of 1941, relating to the financing of revenue-producing enterprises by municipalities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to amend the title of Chapter 6, Part 1, Division 2, Title 5 and Sections 54300, 54307, 54309, 54310, 54341, 54344, 54345, 54514, and 54613 of the Government Code, relating".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "municipalities", and insert "local agencies".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, of said bill, strike out line 1, and insert

"SECTION 1. The title of Chapter 6, Part 1, Division 2, Title 5 of the Government Code is amended to read.

CHAPTER 6. SANITATION [AND SEWER], *SEWER AND WATER* REVENUE BOND LAW OF 1941

SEC. 2. Section 54300 of said code is amended to read:

54300. This chapter may be cited as the "Sanitation [and Sewer], *Sewer and Water* Revenue Bond Law of 1941"

SEC. 3. Section 54307 of said code is amended to read:

54307. "Local agency" means city, county, *city and county*, municipal utility district, public utility district, sanitary district, county sanitary district, sanitation district, or any municipal or public corporation or district which is authorized to acquire, construct, own, or operate a sanitation system [or a sewer system or both], *a sewer system, a water system, or any or all thereof*

SEC. 4. Section 54309 of said code is amended to read.

54309. "Enterprise" means a system, plant, works, or undertaking used for or useful in the collection, treatment, and disposal of waste, refuse, and garbage, or of sewage, waste, and storm water *; or used for or useful in obtaining, conserving, treating, or disposing of water for public and private uses*. It includes all parts of the enterprise, all appurtenances to it, and lands, easements, rights in land, *water rights*, contract rights, franchises, approaches, dams, *reservoirs*, garbage trucks, equipment, dumps, garbage disposal plants and incinerators or other disposal facilities, sewage treatment plants, sewage disposal plants, intercepting and collecting sewers, outfall sewers, trunk, connecting, and other sewer [, waste, and storm water mains] *and water mains, filtration works, pumping stations, water supply, storage and distribution facilities and equipment*

SEC. 5. Section 54310 of said code is amended to read.

54310. "Enterprise" does not include, and this chapter does not authorize a local agency to borrow money and issue bonds for, systems, plants, works, or undertakings for:

(a) The generation, production, transmission, and distribution of electric energy for lighting, heating, and power for public or private uses.

(b) The generation, production, transmission, and distribution of gas for public or private uses.

[(c) The production, transmission, and distribution of water for public or private uses.]

SEC. 6 Section 54341 of said code is amended to read:

54341. A local agency may construct or improve any enterprise wholly or *partially within or wholly without the local agency*. By gift, purchase, eminent domain, or otherwise, it may acquire lands, easements, [and] rights in lands, *and water rights* for the enterprise

SEC. 7. Section 54344 of said code is amended to read:

54344. A local agency may prescribe, revise, and collect charges for the services [and facilities], *facilities, and water* furnished by the enterprise.

SEC. 8. Section 54345 of said code is amended to read:

54345. The local agency may provide that charges for any sewer enterprise or service shall be collected with the charges for any *water or* other utility service rendered by it, and that all charges shall be billed upon the same bill and collected as one item.

SEC. 9. Section 54514 of said code is amended to read.

54514 The local agency shall prescribe, revise, and collect such charges that the services [and facilities], *facilities and water* of the enterprise are furnished to the users at the lowest possible cost consistent with sound economy and prudent management.

SEC 10. Section 54613 of said code is amended to read:

54613. The legislative body may accept contributions from, contract, and cooperate with, the State, any state department, instrumentality, or agency, or any municipal corporation, public corporation, or district in the construction, maintenance, and operation of, and in financing of, any enterprise and for the use of any enterprise and the services *and water* furnished by it for public or private purposes."

Amendment No. 4

On page 1, of said bill, strike out lines 2 to 22, inclusive; and strike out pages 2 to 7, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Utilities and Corporations.

Senate Bill No. 711—An act to amend Sections 10310, 10270.95, 10291.5, and 12957 of, and to add Section 10310.5 to the Insurance Code, relating to disability insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on April 25, 1949, strike out "fact", and insert "*face*".

Amendment No. 2

On page 2, line 33, of said bill, strike out the colon, and insert a semicolon.

Amendment No. 3

On page 3 of said bill, strike out lines 29 to 45, inclusive, and insert

"*(7) If, irrespective of the premium charged therefor, any benefit of the policy is, or the benefits of the policy as a whole are, not sufficient to be of real economic value to the insured*

In determining whether benefits are of real economic value to the insured, the commissioner shall not differentiate between insureds of the same or similar economic or occupational classes and shall give due consideration to the following:

(i) The right of insurers to exercise sound underwriting judgment in the selection and amounts of risks.

(ii) Amount of benefit, length of time of benefit, nature or extent of benefit, or any combination of such factors

(iii) The relative value in purchasing power of the benefit or benefits.

(iv) Differences in insurance issued on an industrial or other special basis.

To be of real economic value, it shall not be necessary that any benefit or benefits cover the full amount of any loss which might be suffered by reason of the occurrence of any hazard or event insured against."

Amendment No. 4

On page 5 of said bill, strike out lines 31 to 48, inclusive, and insert "*submission of policies, the standard or standards conforming to the provisions of subdivision (b) of this section, by which he shall disapprove or withdraw approval of any disability policy.*"

Amendment No. 5

On page 5, lines 50 and 51, of said bill, strike out "recommendations of the committee hereinabove", and insert "*criteria herein*".

Amendment No. 6

On page 7, line 3, of said bill, between "fix" and "rates", insert "*or regulate*".

Amendment No. 7

On page 7 of said bill, between lines 17 and 18, insert

"*(j) The provisions of this section do not apply to an accident policy issued through a newspaper of general circulation to its readers, subscribers, carrier boys or newspaper vendors, the premium for which does not exceed five dollars a year and which contains no benefits on account of sickness.*"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Finance and Insurance.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 41: By Mr. Ralph C. Dills—Relative to completion of the Four States Highway.

Request for Unanimous Consent

Mr. Ralph C. Dills asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 41, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 41

Assembly Joint Resolution No. 41—Relative to completion of the Four States Highway.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Weber, and Mr. Speaker—57

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1723—An act to add Section 16302.1 to the Government Code, relating to the disposition of amounts not exceeding one dollar ($1) paid to state agencies and determined to constitute overpayments of taxes, penalties, interest, license or other fees, or other revenues due the State of California.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1723?

Amendment No. 1

In line 2 of the title of the printed bill, strike out "not exceeding one dollar", and insert "less than two dollars".

Amendment No. 2

On page 1, line 8, of said bill, strike out ", not exceeding one dollar", and insert "of less than two dollars".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1723 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—59

NOES—None

Assembly Bill No. 1723 ordered enrolled.

Assembly Bill No. 90—An act to add Sections 19564, 19565, and 19566 to the Business and Professions Code, relating to horse racing, providing for quarter horse races during horse racing meetings

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 90?

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "or other licensee."

Amendment No. 2

On page 1, line 11, of said bill, after "races", insert ", and provided further, any licensee conducting a program of horse races on which there is pari-mutuel wagering may provide a program of quarter horse racing on the same days that it provides a program of other horse races, if sufficient quarter horses are available to provide competition in one or more quarter horse races, and provided further, that such quarter horse events may be in addition to the customary number of thoroughbred or standard-bred events"

Amendment No. 3

On page 1, line 25, of said bill, after "straightaway races," insert "if available"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 90 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 90 ordered enrolled.

Assembly Bill No. 1466—An act to repeal Chapters 952 and 953 of the Statutes of 1939, relating to the regulation of loans and lenders.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1466?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 27, 1949, after line 3, insert

"SEC. 2. It is the intent of this act that the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, and the California Small Loan Act, as enacted by Chapter 1045 of the Statutes of 1939, together with subsequent amendments to said acts, shall remain in full force and effect, as constituting the later expression of legislative intent on the matters contained therein. If Chapters 952 and 953 are ever construed as having superseded Chapters 1044 and 1045, respectively, as being a later expression of legislative intent, then the repeal of those chapters by this act shall be inoperative and of no effect"

Amendment No. 2

On page 1, lines 9 and 10, of the printed bill, as amended in the Senate on May 12, 1949, strike out "ever construed as having", and insert "finally determined by the courts to have".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1466 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—55.

NOES—None

Assembly Bill No. 1466 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1759—An act to amend Section 9a of Chapter 189 of the Statutes of 1933, relating to the deposit of public moneys with banks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—59

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 809—An act to amend Section 7420 of the Business and Professions Code, relating to the granting of cosmetology licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 985, on motion of Mr. Conrad

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2980

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No 2980, temporarily passed on file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2980—An act to amend Section 24402 of the Education Code, relating to community recreation

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2980?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 24402", and insert "Sections 24402 and 24405".

Amendment No. 2

On page 2 of said bill, after line 7, insert

"SEC. 2. Section 24405 of the Education Code is amended to read

24405 The governing body of any public authority other than a school district may designate any already existing board, officer, or employee of the public authority to exercise the powers granted by this chapter to carry out the purposes of this chapter, or may provide for the appointment of a board of recreation commissioners to exercise such powers *A school district may appoint one or more members of the board of trustees, officers or employees, to represent the district on a board of recreation commissioners*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2980 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—58

NOES—None.

Assembly Bill No. 2980 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1488—An act to add Section 5a to, and to amend Section 10 of, an act entitled, "An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof," approved April 13, 1933, as amended, relating to permits for and inspections of wild birds and animals in confinement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 683:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 24, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 683, "An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation for the support of the State Controller for the current fiscal year for an advance from the General Fund pending clearance of federal grants for the cost of administering Article XXV of the Constitution (Proposition No. 4 on the last general election).

I therefore recommend consideration of Assembly Bill No. 683 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 342—An act to amend Section 3440 of the Civil Code, relating to transfers of particular personal property without delivery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.09 a.m., Mr. Condon asked for, and was granted, unanimous consent that Mr. Way be excused, for the balance of the legislative day, because of legislative business elsewhere

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1395—An act to amend Sections 1470, 1471, and 1472 of the Probate Code, relating to restoration to capacity of an insane or incompetent person.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman,

Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2847

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2847, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2847

Assembly Bill No. 2847—An act to amend Sections 329 and 1233 of the Probate Code, relating to rules of pleading in probate proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Ralph C Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Rosenthal, Sherwin, Sillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr Speaker—59

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Speaker Pro Tempore Presiding

At 10.15 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Requests for Unanimous Consent That State Officials Be Permitted on Floor

Mr. Sherwin asked for, and was granted, unanimous consent that Mr. James S Dean, Director of the State Department of Finance, and Mr. Rolland A Vandegrift, Legislative Auditor, and their staffs be permitted the privilege of the floor, and be seated at his desk, as advisors, during debate upon Assembly Bill No. 1100.

Mr Lowrey asked for, and was granted, unanimous consent that Mr. N B Keller, Senior Budget Analyst of the Legislative Budget Committee, be permitted the privilege of the floor, and be seated at his desk, as an advisor, during debate on Assembly Bill No. 1100.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Sherwin asked for unanimous consent that the Rules be temporarily suspended for the purpose of considering all proposed amendments to Assembly Bill No. 1100 before sending the bill to reprint.

Mr. Brady withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Grunsky moved that the Rules be temporarily suspended for the purpose of considering all proposed amendments to Assembly Bill No. 1100 before sending the bill to reprint.

Messrs. Hinckley and Sherwin seconded the motion.

Motion Withdrawn

Messrs. Hinckley and Sherwin withdrew their seconds.

Mr. Grunsky withdrew his motion

Objections Withdrawn

Mr Brady withdrew his objections to the request by Mr. Sherwin to suspend the Rules by unanimous consent.

Rules Temporarily Suspended by Unanimous Consent

Rules ordered temporarily suspended by unanimous consent, for the purpose of considering all proposed amendments to Assembly Bill No. 1100 before sending the bill to reprint.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendment:

Amendment No. 718

On page 1 of the printed bill, between lines 2 and 3, insert

"SEC 1.5. In making appropriations, or setting aside money, for capital expenditures for state agencies, the Legislature realizes that such action includes proposals for the expenditure of many millions of dollars for projects not designed or calculated to relieve, ameliorate or rectify the intolerably overcrowded and distressed living conditions at our hospitals and other institutions for care of the mentally ill and other wards of the State, and, therefore, requests and directs the State Public Works Board, in the exercise of its powers and the discharge of its responsibilities to give prime consideration to the needs of our institutions, and in making its appraisals and in establishing its priorities do everything within its power to assure prompt rectification of such conditions and to allow or suffer the undertaking of no other project at a time or in a manner or under conditions that will or may impair or retard the expeditious and complete attainment of these objectives for the wards of the State."

Amendment read.

Point of Order

Mr. Conrad arose to the following point of order: That Mr. Gaffney is not speaking to the subject.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

MEMBER EXCUSED

At 10.48 a.m., Mr. Rumford asked for, and was granted, unanimous consent that Mr Lincoln be excused, for the balance of the legislative day, because of legislative business elsewhere.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Further Consideration of Amendment by Mr. George D. Collins

Demand for Previous Question

Messrs Grunsky, Silliman, Hinckley, Evans, and Heisinger demanded the previous question

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. George D. Collins to Assembly Bill No. 1100.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—69

NOES—None.

(1 Amendment adopted Total—1)

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 200

On page 17, line 31, of said bill, strike out "527,366", and insert "520,726".

Amendment No. 201

On page 17, line 38, of said bill, strike out "590,872", and insert "584,232"

Amendment No. 202

On page 17, line 42, of said bill, strike out "707,351", and insert "700,711".

Amendment No. 203

On page 17, line 52, of said bill, strike out "527,366", and insert "520,726".

Amendments read.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr Sherwin has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendments offered by the Committee on Ways and Means.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Beck, Berry, Brady, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Dickey, Ralph C Dills Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Yorty—55.

NOES—Anderson, Bennett, Brown, Coats, Crichton, Crowley, Clayton A Dills, Elliott, Kilpatrick, Lewis, Rosenthal, and Thomas—12

(4 Amendments adopted. Total—5.)

UNANIMOUS CONSENT GRANTED TO RECALL SENATE BILL NO. 24 FROM THE SENATE

Mr. Dickey asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 24 for further consideration.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 355

On page 37, line 7, of said bill, strike out "2,959,503", and insert "2,814,215".

Amendment No. 356

On page 37, line 13, of said bill, strike out "1,943,998", and insert "1,906,506".

Amendment No. 357

On page 37, line 14, of said bill, strike out "998,319", and insert "893,443".

Amendment No. 358

On page 37, line 15, of said bill, strike out "133,610", and insert "129,610".

Amendment No. 359

On page 37, line 17, of said bill, strike out "3,075,927", and insert "2,929,559".

Amendment No. 360

On page 37, line 20, of said bill, strike out "116,424", and insert "115,344".

Amendment No. 361

On page 37, line 22, of said bill, strike out "2,959,503", and insert "2,814,215".

Amendments read.

Substitute Amendments

Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 355

On page 37, line 7, of said bill, strike out "2,959,503", and insert "2,843,655".

Amendment No. 356

On page 37, line 13, of said bill, strike out "1,943,998", and insert "1,935,946".

Amendment No. 357

On page 37, line 14, of said bill, strike out "998,319", and insert "893,443".

Amendment No. 358

On page 37, line 15, of said bill, strike out "133,610", and insert "129,610".

Amendment No. 359

On page 37, line 17, of said bill, strike out "3,075,927", and insert "2,958,999".

Amendment No. 360

On page 37, line 20, of said bill, strike out "116,424", and insert "115,344".

Amendment No. 361

On page 37, line 22, of said bill, strike out "2,959,503", and insert "2,843,655".

Substitute amendments read.

Demand for Previous Question

Messrs. Conrad, Hinckley, Morris, Luckel, and Caldecott demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the substitute amendments offered by Mr. Kirkwood to Assembly Bill No. 1100.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—57

NOES—Butters, Dolwig, Erwin, Evans, Geddes, Hollibaugh, Levering, Reagan, Sillman, and Smith—10

(7 Amendments adopted Total—12)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 355

On page 37, line 7, of said bill, strike out "2,959,503", and insert "2,843,655".

Amendment No. 356

On page 37, line 13, of said bill, strike out "1,943,998", and insert "1,935,946".

Amendment No. 357

On page 37, line 14, of said bill, strike out "998,319", and insert "893,443".

Amendment No. 358

On page 37, line 15, of said bill, strike out "133,610", and insert "129,610".

Amendment No. 359

On page 37, line 17, of said bill, strike out "3,075,927", and insert "2,958,999".

Amendment No. 360

On page 37, line 20, of said bill, strike out "116,424", and insert "115,344".

Amendment No. 361

On page 37, line 22, of said bill, strike out "2,959,503", and insert "2,843,655".

Substitute amendments read

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 362

On page 37, line 28, of said bill, strike out "3,965,811", and insert "3,753,740".

Amendment No. 363

On page 37, line 34, of said bill, strike out "2,536,950", and insert "2,497,374".

Amendment No. 364

On page 37, line 35, of said bill, strike out "1,487,066", and insert "1,318,751"

Amendment No. 365

On page 37, line 36, of said bill, strike out "93,107", and insert "88,107"

Amendment No. 366

On page 37, line 38, of said bill, strike out "4,117,123", and insert "3,904,232".

Amendment No. 367

On page 37, line 41, of said bill, strike out "151,312", and insert "150,492"

Amendment No. 368

On page 37, line 43, of said bill, strike out "3,965,811", and insert "3,753,740".

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 362

On page 37, line 28, of said bill, strike out "3,965,811", and insert "3,793,316".

Amendment No. 364

On page 37, line 35, of said bill, strike out "1,487,066", and insert "1,318,751".

Amendment No. 365

On page 37, line 36, of said bill, strike out "93,107", and insert "88,107".

Amendment No. 366

On page 37, line 38, of said bill, strike out "4,117,123", and insert "3,943,808".

Amendment No. 367

On page 37, line 41, of said bill, strike out "151,312", and insert "150,492".

Amendment No. 368

On page 37, line 43, of said bill, strike out "3,965,811", and insert "3,793,316".

Substitute amendments read.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—54.

NOES—Butters, Dolwig, Erwin, Evans, Geddes, Hoffman, Hollibaugh, Levering, Reagan, Silliman, and Smith—11.

Amendment No. 363 withdrawn.

(6 Amendments adopted. Total—18.)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 362

On page 37, line 28, of said bill, strike out "3,965,811", and insert "3,793,316".

Amendment No. 364

On page 37, line 35, of said bill, strike out "1,487,066", and insert "1,318,751".

Amendment No. 365

On page 37, line 36, of said bill, strike out "93,107", and insert "88,107".

Amendment No. 366

On page 37, line 38, of said bill, strike out "4,117,123", and insert "3,943,808".

Amendment No. 367

On page 37, line 41, of said bill, strike out "151,312", and insert "150,492".

Amendment No. 368

On page 37, line 43, of said bill, strike out "3,965,811", and insert "3,793,316".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 369

On page 37, line 46, of said bill, strike out "2,672,997", and insert "2,483,201".

Amendment No. 370

On page 38, line 3, of said bill, strike out "1,687,388", and insert "1,661,082".

Amendment No. 371

On page 38, line 4, of said bill, strike out "1,042,915", and insert "879,425".

Amendment No. 372

On page 38, line 7, of said bill, strike out "2,767,197", and insert "2,577,401".

Amendment No. 373

On page 38, line 11, of said bill, strike out "2,672,997" and insert "2,483,201".

Amendments read.

Substitute Amendments

Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 369

On page 37, line 46, of said bill, strike out "2,672,997", and insert "2,506,867"

Amendment No. 370

On page 38, line 3, of said bill, strike out "1,687,388", and insert "1,684,748".

Amendment No. 371

On page 38, line 4, of said bill, strike out "1,042,915", and insert "879,425".

Amendment No. 372

On page 38, line 7, of said bill, strike out "2,767,197", and insert "2,601,067".

Amendment No. 373

On page 38, line 11, of said bill, strike out "2,672,997", and insert "2,506,867".

Substitute amendments read.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. Hawkins is not speaking to the subject.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the substitute amendments offered by Mr Kirkwood.

The roll was called, and the substitute amendments adopted by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke,

Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Ralph C. Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Waters, and Yorty—58

NOES—Butters, Erwin, Evans, Geddes, Hoffman, Hollibaugh, Levering, Niehouse, Reagan, Sillman, and Smith—11.

(5 Amendments adopted. Total—23.)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 369

On page 37, line 46, of said bill, strike out "2,672,997", and insert "2,506,867".

Amendment No. 370

On page 38, line 3, of said bill, strike out "1,687,388", and insert "1,684,748".

Amendment No. 371

On page 38, line 4, of said bill, strike out "1,042,915", and insert "879,425".

Amendment No. 372

On page 38, line 7, of said bill, strike out "2,767,197", and insert "2,601,067".

Amendment No. 373

On page 38, line 11, of said bill, strike out "2,672,997", and insert "2,506,867".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 374

On page 38, line 13, of said bill, strike out "2,430,260", and insert "2,287,244".

Amendment No. 375

On page 38, line 19, of said bill, strike out "1,589,108", and insert "1,565,013".

Amendment No. 376

On page 38, line 20, of said bill, strike out "857,979", and insert "741,058".

Amendment No. 377

On page 38, line 21, of said bill, strike out "82,887", and insert "77,887"

Amendment No. 378

On page 38, line 23, of said bill, strike out "2,529,974", and insert "2,383,958".

Amendment No. 379

On page 38, line 26, of said bill, strike out "99,714", and insert "96,714".

Amendment No. 380

On page 38, line 28, of said bill, strike out "2,430,260", and insert "2,287,244"

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 374

On page 38, line 13, of said bill, strike out "2,430,260", and insert "2,310,979".

Amendment No. 375

On page 38, line 19, of said bill, strike out "1,589,108", and insert "1,588,748".

Amendment No. 376

On page 38, line 20, of said bill, strike out "857,979", and insert "741,058".

Amendment No. 377

On page 38, line 21, of said bill, strike out "82,887", and insert "77,887".

Amendment No. 378

On page 38, line 23, of said bill, strike out "2,529,974", and insert "2,407,693"

Amendment No. 379

On page 38, line 26, of said bill, strike out "99,714", and insert "96,714".

Amendment No. 380

On page 38, line 28, of said bill, strike out "2,430,260", and insert "2,310,979".

Substitute amendments read.

Demand for Previous Question

Messrs Waters, Lipscomb, Grant, Silliman, and Lindsay demanded the previous question.

Demand for previous question sustained.

The question being on the substitute amendments offered by Mr. Kirkwood to Assembly Bill No. 1100.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Huckley, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—52

NOES—Butters, Clayton A. Dills, Dolwig, Erwin, Evans, Geddes, Hoffman, Hollibaugh, Huyck, Levering, Luckel, Morris, Niehouse, Reagan, Silliman, Smith, Tomlinson, and Yorty—18.

(7 Amendments adopted. Total—30.)

Consideration of Further Substitute Amendments

Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 374

On page 38, line 13, of said bill, strike out "2,430,260", and insert "2,310,979".

Amendment No. 375

On page 38, line 19, of said bill, strike out "1,589,108", and insert "1,588,748".

Amendment No. 376

On page 38, line 20, of said bill, strike out "857,979", and insert "741,058".

Amendment No. 377

On page 38, line 21, of said bill, strike out "82,887", and insert "77,887"

Amendment No. 378

On page 38, line 23, of said bill, strike out "2,529,974", and insert "2,407,693".

Amendment No. 379

On page 38, line 26, of said bill, strike out "99,714", and insert "96,714".

Amendment No. 380

On page 38, line 28, of said bill, strike out "2,430,260", and insert "2,310,979".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 381

On page 38, line 31, of said bill, strike out "2,824,053", and insert "2,618,057".

Amendment No. 382

On page 38, line 36, of said bill, strike out "1,847,931", and insert "1,814,175".

Amendment No. 383

On page 38, line 37, of said bill, strike out "1,050,504", and insert "878,264".

Amendment No. 384

On page 38, line 40, of said bill, strike out "2,936,381", and insert "2,730,385".

Amendment No. 385

On page 38, line 44, of said bill, strike out "2,824,053", and insert "2,618,057".

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 381

On page 38, line 31, of said bill, strike out "2,824,053", and insert "2,649,653".

Amendment No. 382

On page 38, line 36, of said bill, strike out "1,847,931", and insert "1,845,771".

Amendment No. 383

On page 38, line 37, of said bill, strike out "1,050,504", and insert "878,264".

Amendment No. 384

On page 38, line 40, of said bill, strike out "2,936,381", and insert "2,761,981".

Amendment No. 385

On page 38, line 44, of said bill, strike out "2,824,053", and insert "2,649,653".

Substitute amendments read.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Weber, and Yorty—54

NOES—Butters, Clayton A. Dills, Dolwig, Erwin, Evans, Geddes, Hahn, Hoffman, Hollibaugh, Levering, Luckel, Morris, Reagan, Silliman, and Smith—15.

(5 Amendments adopted. Total—35)

Substitute Amendments
Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 381

On page 38, line 31, of said bill, strike out "2,824,053", and insert "2,649,653".

Amendment No. 382

On page 38, line 36, of said bill, strike out "1,847,931", and insert "1,845,771".

Amendment No. 383

On page 38, line 37, of said bill, strike out "1,050,504", and insert "878,264".

Amendment No. 384

On page 38, line 40, of said bill, strike out "2,936,381", and insert "2,761,981".

Amendment No. 385

On page 38, line 44, of said bill, strike out "2,824,053", and insert "2,649,653".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 386

On page 38, line 46, of said bill, strike out "3,338,447", and insert "3,181,355".

Amendment No. 387

On page 39, line 3, of said bill, strike out "2,281,915", and insert "2,244,318".

Amendment No. 388

On page 39, line 4, of said bill, strike out "1,076,355", and insert "958,370".

Amendment No. 389

On page 39, line 5, of said bill, strike out "100,559", and insert "96,559".

Amendment No. 390

On page 39, line 7, of said bill, strike out "3,458,829", and insert "3,299,247".

Amendment No. 391

On page 39, line 10, of said bill, strike out "120,382", and insert "117,892".

Amendment No. 392

On page 39, line 12, of said bill, strike out "3,338,447", and insert "3,181,355".

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 386

On page 38, line 46, of said bill, strike out "3,338,447", and insert "3,218,952".

Amendment No. 388

On page 39, line 4, of said bill, strike out "1,076,355", and insert "958,370".

Amendment No. 389

On page 39, line 5, of said bill, strike out "100,559", and insert "96,559".

Amendment No. 390

On page 39, line 7, of said bill, strike out "3,458,829", and insert "3,336,844".

Amendment No. 391

On page 39, line 10, of said bill, strike out "120,382", and insert "117,892".

Amendment No. 392

On page 39, line 12, of said bill, strike out "3,338,447", and insert "3,218,952".

Substitute amendments read.

Demand for Previous Question

Messrs. Conrad, Grant, Hinckley, Connolly, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the substitute amendments offered by Mr. Kirkwood to Assembly Bill No. 1100.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—58.

NOES—Butters, Clayton A. Dills, Dolwig, Erwin, Geddes, Hahn, Hoffman, Hollibaugh, Levering, Luckel, Morris, Reagan, Silliman, Smith, and Yorty—15.

Amendment No. 387 withdrawn.

(6 Amendments adopted. Total—41.)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 386

On page 38, line 46, of said bill, strike out "3,338,447", and insert "3,218,952".

Amendment No. 388

On page 39, line 4, of said bill, strike out "1,076,355", and insert "958,370".

Amendment No. 389

On page 39, line 5, of said bill, strike out "100,559", and insert "96,559".

Amendment No. 390

On page 39, line 7, of said bill, strike out "3,458,829", and insert "3,336,844".

Amendment No. 391

On page 39, line 10, of said bill, strike out "120,382", and insert "117,892".

Amendment No. 392

On page 39, line 12, of said bill, strike out "3,338,447", and insert "3,218,952".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 393

On page 39, line 14, of said bill, strike out "2,207,692", and insert "2,112,993".

Amendment No. 394

On page 39, line 20, of said bill, strike out "1,563,873", and insert "1,538,789".

Amendment No. 395

On page 39, line 21, of said bill, strike out "667,680", and insert "597,065".

Amendment No. 396

On page 39, line 24, of said bill, strike out "2,296,268", and insert "2,200,569".

Amendment No. 397

On page 39, line 27, of said bill, strike out "88,576", and insert "87,576".

Amendment No. 398

On page 39, line 29, of said bill, strike out "2,207,692", and insert "2,112,993".

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 393

On page 39, line 14, of said bill, strike out "2,207,692", and insert "2,134,657".

Amendment No. 394

On page 39, line 20, of said bill, strike out "1,563,873", and insert "1,560,453".

Amendment No. 395

On page 39, line 21, of said bill, strike out "667,680", and insert "597,065".

Amendment No. 396

On page 39, line 24, of said bill, strike out "2,296,268", and insert "2,222,233".

Amendment No. 397

On page 39, line 27, of said bill, strike out "88,576", and insert "87,576".

Amendment No. 398

On page 39, line 29, of said bill, strike out "2,207,692", and insert "2,134,657".

Substitute amendments read.

Demand for Previous Question

Messrs. Conrad, Silliman, Burke, Grant, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the substitute amendments offered by Mr. Kirkwood to Assembly Bill No. 1100.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—56.

NOES—Butters, Clayton A. Dills, Dolwig, Erwin, Evans, Geddes, Hahn, Hoffman, Hollibaugh, Levering, Luckel, Morris, Niehouse, Reagan, Silliman, Smith, and Yorty—17.

(6 Amendments adopted. Total—47.)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 393

On page 39, line 14, of said bill, strike out "2,207,692", and insert "2,134,657".

Amendment No. 394

On page 39, line 20, of said bill, strike out "1,563,873", and insert "1,560,453".

Amendment No. 395

On page 39, line 21, of said bill, strike out "667,680", and insert "597,065".

Amendment No. 396

On page 39, line 24, of said bill, strike out "2,296,268", and insert "2,222,233".

Amendment No. 397

On page 39, line 27, of said bill, strike out "88,576", and insert "87,576".

Amendment No. 398

On page 39, line 29, of said bill, strike out "2,207,692", and insert "2,134,657".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 399

On page 39, line 31, of said bill, strike out "3,260,180", and insert "3,104,035".

Amendment No. 400

On page 39, line 37, of said bill, strike out "2,216,834", and insert "2,185,173".

Amendment No. 401

On page 39, line 38, of said bill, strike out "1,047,951", and insert "927,207".

Amendment No. 402

On page 39, line 39, of said bill, strike out "86,639", and insert "82,639".

Amendment No. 403

On page 39, line 41, of said bill, strike out "3,351,424", and insert "3,195,019".

Amendment No. 404

On page 39, line 44, of said bill, strike out "91,244", and insert "90,984".

Amendment No. 405

On page 39, line 46, of said bill, strike out "3,260,180", and insert "3,104,035".

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 399

On page 39, line 31, of said bill, strike out "3,260,180", and insert "3,135,696".

Amendment No. 401

On page 39, line 38, of said bill, strike out "1,047,951", and insert "927,207".

Amendment No. 402

On page 39, line 39, of said bill, strike out "86,639", and insert "82,639".

Amendment No. 403

On page 39, line 41, of said bill, strike out "3,351,424", and insert "3,226,680".

Amendment No. 404

On page 39, line 44, of said bill, strike out "91,244", and insert "90,984".

Amendment No. 405

On page 39, line 46, of said bill, strike out "3,260,180", and insert "3,135,696".

Substitute amendments read.

Demand for Previous Question

Messrs. Conrad, Lipscomb, McCollister, Luckel, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the substitute amendments offered by Mr. Kirkwood to Assembly Bill No. 1100.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Nicholson, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—54.

NOES—Butters, Clayton A Dills, Dolwig, Erwin, Evans, Geddes, Hahn, Hoffman, Hollibaugh, Levering, Luckel, Morris, Reagan, Silliman, Smith, Tomlinson, and Yorty—17.

Amendment No. 400 withdrawn.

(6 Amendments adopted. Total—53.)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 399

On page 39, line 31, of said bill, strike out "3,260,180", and insert "3,135,696".

Amendment No. 401

On page 39, line 38, of said bill, strike out "1,047,951", and insert "927,207"

Amendment No. 402

On page 39, line 39, of said bill, strike out "86,639", and insert "82,639".

Amendment No. 403

On page 39, line 41, of said bill, strike out "3,351,424", and insert "3,226,686".

Amendment No. 404

On page 39, line 44, of said bill, strike out "91,244", and insert "90,984"

Amendment No. 405

On page 39, line 46, of said bill, strike out "3,260,180", and insert "3,135,696"

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 406

On page 39, line 48, of said bill, strike out "3,866,123", and insert "3,686,230".

Amendment No. 407

On page 40, line 3, of said bill, strike out "2,642,403", and insert "2,598,869".

Amendment No. 408

On page 40, line 4, of said bill, strike out "1,285,628", and insert "1,151,349".

Amendment No. 409

On page 40, line 5, of said bill, strike out "64,214", and insert "59,214".

Amendment No. 410

On page 40, line 7, of said bill, strike out "3,992,245", and insert "3,809,432".

Amendment No. 411

On page 40, line 10, of said bill, strike out "126,122", and insert "123,202".

Amendment No. 412

On page 40, line 12, of said bill, strike out "3,866,123", and insert "3,686,230".

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 406

On page 39, line 48, of said bill, strike out "3,866,123", and insert "3,729,764".

Amendment No. 408

On page 40, line 4, of said bill, strike out "1,285,628", and insert "1,151,349".

Amendment No. 409

On page 40, line 5, of said bill, strike out "64,214", and insert "59,214".

Amendment No. 410

On page 40, line 7, of said bill, strike out "3,992,245", and insert "3,852,966".

Amendment No. 411

On page 40, line 10, of said bill, strike out "126,122", and insert "123,202".

Amendment No. 412

On page 40, line 12, of said bill, strike out "3,866,123", and insert "3,729,764".

Substitute amendments read

Demand for Previous Question

Messrs. Caldecott, Heisinger, Silliman, Luckel, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the substitute amendments offered by Mr. Kirkwood to Assembly Bill No. 1100.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Hagen, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—53.

NOES—Butters, Clayton A. Dills, Erwin, Evans, Geddes, Hahn, Hoffman, Hollibaugh, Levering, Luckel, Morris, Reagan, Silliman, Smith, Tomlinson, and Yorty—16.

Amendment No. 407 withdrawn.

(6 Amendments adopted. Total—59.)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 406

On page 39, line 48, of said bill, strike out "3,866,123", and insert "3,729,764".

Amendment No. 408

On page 40, line 4, of said bill, strike out "1,285,628", and insert "1,151,349".

Amendment No. 409

On page 40, line 5, of said bill, strike out "64,214", and insert "59,214".

Amendment No. 410

On page 40, line 7, of said bill, strike out "3,992,245", and insert "3,852,966".

Amendment No. 411

On page 40, line 10, of said bill, strike out "126,122", and insert "123,202".

Amendment No. 412

On page 40, line 12, of said bill, strike out "3,866,123", and insert "3,729,764".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 413

On page 40, line 14, of said bill, strike out "1,848,618", and insert "1,759,133".

Amendment No. 414

On page 40, line 20, of said bill, strike out "1,195,537", and insert "1,181,685".

Amendment No. 415

On page 40, line 21, of said bill, strike out "638,082", and insert "564,699".

Amendment No. 416

On page 40, line 22, of said bill, strike out "70,807", and insert "68,507".

Amendment No. 417

On page 40, line 24, of said bill, strike out "1,904,426", and insert "1,814,891".

Amendment No. 418

On page 40, line 27, of said bill, strike out "55,808", and insert "55,758".

Amendment No. 419

On page 40, line 29, of said bill, strike out "1,848,618", and insert "1,759,133".

Amendments read.

Substitute Amendments
Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 413

On page 40, line 14, of said bill, strike out "1,848,618", and insert "1,770,945".

Amendment No. 414

On page 40, line 20, of said bill, strike out "1,195,537", and insert "1,193,497".

Amendment No. 415

On page 40, line 21, of said bill, strike out "638,082", and insert "564,699".

Amendment No. 416

On page 40, line 22, of said bill, strike out "70,807", and insert "68,507".

Amendment No. 417

On page 40, line 24, of said bill, strike out "1,904,426", and insert "1,826,703"

Amendment No. 418

On page 40, line 27, of said bill, strike out "55,808", and insert "55,758".

Amendment No. 419

On page 40, line 29, of said bill, strike out "1,848,618", and insert "1,770,945".

Substitute amendments read.

Demand for Previous Question

Messrs. Dolwig, Gaffney, Thompson, Silliman, and Caldecott demanded the previous question

Demand for previous question sustained.

The question being on the adoption of the substitute amendments offered by Mr. Kirkwood to Assembly Bill No. 1100

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—56

NOES—Butters, Clayton A. Dills, Dolwig, Erwin, Hahn, Hollibaugh, Levering, Lowrey, Reagan, Silliman, Smith, Tomlinson, and Yorty—13

(7 Amendments adopted Total—66)

Consideration of Further Substitute Amendments
Motion to Amend

Messrs. Hawkins, George D. Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 413

On page 40, line 14, of said bill, strike out "1,848,618", and insert "1,770,945".

Amendment No. 414

On page 40, line 20, of said bill, strike out "1,195,537", and insert "1,193,497"

Amendment No. 415

On page 40, line 21, of said bill, strike out "638,082", and insert "564,699"

Amendment No. 416

On page 40, line 22, of said bill, strike out "70,807", and insert "68,507"

Amendment No. 417

On page 40, line 24, of said bill, strike out "1,904,426", and insert "1,826,703"

Amendment No. 418

On page 40, line 27, of said bill, strike out "55,808", and insert "55,758".

Amendment No. 419

On page 40, line 29, of said bill, strike out "1,848,618", and insert "1,770,945".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 420

On page 40, line 37, of said bill, strike out "1,794,706", and insert "1,774,918".

Amendment No. 421

On page 40, line 38, of said bill, strike out "958,376", and insert "837,749".

Amendment No. 422

On page 40, line 39, of said bill, strike out "74,976", and insert "72,476".

Amendment No. 423

On page 40, line 41, of said bill, strike out "2,828,058", and insert "2,685,143".

Amendment No. 424

On page 40, line 45, of said bill, strike out "57,884", and insert "57,434"

Amendment No. 425

On page 40, line 47, of said bill, strike out "2,770,174", and insert "2,627,709".

Amendments read.

Substitute Amendments

Motion to Amend

Mr. Kirkwood moved the adoption of the following substitute amendments:

Amendment No. 420

On page 40, line 31, of said bill, strike out "2,770,174", and insert "2,647,497".

Amendment No. 421

On page 40, line 38, of said bill, strike out "958,376", and insert "837,749".

Amendment No. 422

On page 40, line 39, of said bill, strike out "74,976", and insert "72,476".

Amendment No. 423

On page 40, line 41, of said bill, strike out "2,828,058", and insert "2,704,931".

Amendment No. 424

On page 40, line 45, of said bill, strike out "57,884", and insert "57,434"

Amendment No. 425

On page 40, line 47, of said bill, strike out "2,770,174", and insert "2,647,497".

Substitute amendments read.

Point of Order

Mr. Conrad arose to the following point of order: That Mr. Gaffney has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The roll was called, and the substitute amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Ralph C. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—53.

NOES—Butters, Clayton A. Dills, Erwin, Evans, Geddes, Hahn, Hollibaugh, Levering, Luckel, Morris, Niehouse, Reagan, Silliman, Smith, and Yorty—15.

(6 Amendments adopted. Total—72)

Consideration of Further Substitute Amendments

Motion to Amend

Messrs. Hawkins, George D Collins, and Gaffney moved the adoption of the following substitute amendments:

Amendment No. 420

On page 40, line 31, of said bill, strike out "2,770,174", and insert "2,647,497"

Amendment No. 421

On page 40, line 38, of said bill, strike out "958,376", and insert "837,749"

Amendment No. 422

On page 40, line 39, of said bill, strike out "74,976", and insert "72,476".

Amendment No. 423

On page 40, line 41, of said bill, strike out "2,828,058", and insert "2,704,931".

Amendment No. 424

On page 40, line 45, of said bill, strike out "57,884", and insert "57,434".

Amendment No. 425

On page 40, line 47, of said bill, strike out "2,770,174", and insert "2,647,497".

Substitute amendments read.

Substitute Amendments Withdrawn

Mr. Hawkins withdrew the above substitute amendments.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 89: By Mr. Kirkwood—Relative to approving the charter of the City of Sunnyvale, County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the tenth day of May, 1949.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 90: By Messrs. Cooke, Luckel, Conrad, Connolly, and Grunsky—Relating to the expression of deep regret for the death of James V. Forrestal.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1951 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Erwin asked for, and was granted, unanimous consent that Assembly Bill No. 1951 be withdrawn from the file, and be re-referred to the Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dolwig asked for, and was granted, unanimous consent that the Interim Committee on Tidelands and Related Traffic Problems be permitted to use the Assembly Chamber today, at 2.30 p.m., for the purpose of holding a meeting.

REQUEST FOR UNANIMOUS CONSENT TO SET SPECIAL ORDER

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 1100 be made a special order of business for Thursday, May 26th, at 10 a.m.

ALL MATTERS ON FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 14

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 14, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 14

Senate Constitutional Amendment No. 14—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 3 of Article XX, relating to oaths of office.

Resolution read.

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 14, of the printed measure, as amended in the Assembly on May 20, 1949, after "swear", strike out "and"

Amendment read, and adopted

Resolution ordered reprinted, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 861

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 85

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2495
Assembly Bill No. 3036
Assembly Bill No. 3037
Assembly Bill No. 3038
Assembly Bill No. 3084
Assembly Bill No. 3141

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 172
Assembly Bill No. 327
Assembly Bill No. 599
Assembly Bill No. 669
Assembly Bill No. 744
Assembly Bill No. 847
Assembly Bill No. 896

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1767

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 1767 ordered re-referred to Committee on Ways and Means.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 1345
Assembly Bill No 1346

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

NIEHOUSE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 1879

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred

Assembly Bill No. 3108

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 879

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

ERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1958
Assembly Bill No. 1959

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER Your Committee on Fish and Game, to which were referred:
Assembly Bill No. 1972
Assembly Bill No. 1412

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 283
Assembly Bill No. 291
Assembly Bill No. 541
Assembly Bill No. 1556

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:
Assembly Bill No. 2331

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER Your Committee on Judiciary, to which was referred:
Assembly Bill No. 282

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:
Assembly Bill No. 2738

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:
Senate Bill No. 247

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:
Assembly Bill No 2007

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 146
Senate Bill No. 497
Senate Bill No 996
Senate Bill No. 997
Senate Bill No. 998

Has had the same under consideration, and reports the same back with the recommendation Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No 67

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER Your Committee on Agriculture, to which was referred:

Assembly Bill No 92

Has had the same under consideration, and reports the same back with the recommendation Do pass, as amended, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2183

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER. Your Committee on Agriculture, to which were referred.

Assembly Bill No. 444
Assembly Bill No 1577

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend and do pass, as amended.

CLARKE, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No 2082
Assembly Bill No. 2448

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER. Your Committee on Agriculture, to which was referred:

Senate Bill No. 475

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 24, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred.

Senate Bill No. 367

Has had the same under consideration, and reports the same back with the recommendation: Do pass

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 31

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 1291
Assembly Bill No 2469

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Public Health, to which was referred

Assembly Bill No. 590

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Public Health, to which was referred

Senate Bill No. 697

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 259
Assembly Bill No. 1315
Assembly Bill No. 2362

Has had the same under consideration, and reports the same back with the recommendation Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 791

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Assembly Bill No. 1243

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THOMPSON, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Assembly Bill No. 2417

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Assembly Bill No. 1589

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Assembly Bill No. 2499

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred: Senate Bill No. 271

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.—

Interim Committee on Tidelands and Related Traffic Problems, in Assembly Chamber.

At 2.45 p.m.—

Subcommittee on Fish and Game, in Room 430.

At 3 p.m.—

Governmental Efficiency and Economy.
Judiciary.
Manufacturing, Oil, and Mining Industry.

Tonight, at 8 p.m.—

Conservation, Planning, and Public Works.

Tomorrow, Thursday, May 26th—

At 9 a.m.—

Rules.

At 8 p.m.—

Municipal and County Government.

It was announced that the following committees would not hold meetings tonight:

Constitutional Amendments.
Municipal and County Government.
Education.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Messrs. Cooke and McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Admiral and Mrs. Charles M. Cooke of Sonoma.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Rev. Dan Weston of Modesto.

On request of Mr. Coats, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Laura J. Coats of Yuba City, and Mrs. C. B. Kelly of Sacramento.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Carolyn Dorn of Hillsborough.

On request of Mr. Evans, the usual courtesies of the Assembly for this day were unanimously extended to Hebert A. Kerr of Los Angeles.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to A. Schaumloeffel, Theodore Fischer, and Louis T. Kruger of San Francisco.

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to George McKay, George McKay, Jr., and Harold C. Dewey of Pomona.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Earl C. Reed and Mr. and Mrs. William March of Sacramento.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Alameda County Republican Assembly: Milton M. Newmark, Mrs. Marian Newmark, Mrs. Helen Schuck, Archie Waring, Mrs. Marian Miller, Mrs. Agnes H. Hall, Albert Nashman, Leonard Seeley, Mrs. Florence Brown, Fred W. Hunton, Mrs. Ina M. Schmid, Mrs. Arthur Strehlow, Mrs. Donald Quayle, Mrs. P. J. Vanostrand, Forbes Brown, Mrs. Adele Donaldson, Mrs. F. G. MacGinnis, Francis J. MacGinnis, Donald MacGinnis, Mrs Dorothy MacDonald, Mrs. Maude Fluno, Mrs. Ruby Iverson, Mrs. Gabriella Ramm, Mrs. Albertina Nimetz, Mrs. Mabel Olin, Mrs. Florence Goelzer, L. G. Follrath, Mrs. Mae L. Harris, Edgar S. Hurley, Miss Alice Alameda, Mrs. Emily Thompson, Mrs. Thelma Alberts, Adrian Thiel, David V. Rosen, William D. Wood, James Curry, and Mrs. Louis Gurein.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Dale P. Wren, teacher, of the Calaveras School, and the following pupils: Noreen Rossetti, Joy Hazlet, Duveen Meyers, Ramona Pereira, Nadine Henley, Pat Nelson, Margaret Blakely, Margene Hansen, Lorraine Fugett, Wanda Scroggins, Bernice Laidet, Kathryn La Teer, Regina Loury, Mary Jo Forsythe, Bettijean Ames, June Wiebe, Shirley Costello, Pat West, Beverley Rankin, Clar Coffer, Beverley Pazar, Beverley Thym, Edythe Matlock, Clareen Van Schaick, Nancy Heard, Elsie Manier, Gloria Oien, Beverley Grier, and Betty Simondet.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Kendall Butler, teacher of the Lodi Seventh Day Adventist School; Albert Leer, Mrs. Delbert Loewen, Mr. and Mrs. Dan Mertz, Mrs. Ed Werner, and Mrs. Ings, parents; and the following pupils: Wilbert Baumbach, Marvin Beglau, Carol Becker, Mervin Becker, Myrna Becker, Shannon Carpenter, Earla Mae Ings, Faye Loewen, Arlene Leer, Mary Etta Mertz, Roland Mounce, Marlene Nitschke, Grace Mary Osberg, Barbara Propis, Carolyn Puman, Joyce Stephens, Bobby Werner, Alice White, Marion White, Clara Reile, Goldie Grainger, Fredine Crosby, Louise Penner, Jacqueline Korus, Delores Schlenker, Sylvia Gohl, Donald Gohl, Earl Ray Purdy, and Harlan Heiser.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to W. H. Meier, teacher of the Pacific Union College of Angwin, and the following pupils: Annalie Messer, Virginia Williams, Ardith Eberhardt, Florence Hoehn, Connie Gloor, Patricia Stevens, Virginia Christensen, Willadel Gerrans, Harriet Tinker, Eloise Ratzlaff, Harold O. Harry, Edgar Jackson, Alvin L. Fry, Donald Hansen, Albert Watson, Arthur Ewert, Duane Coombs, Kjell E. Myhre, Howard Vogel, Donald Wheeler, Marilyn Rosenbach, Mary Shields, Gloria Husted, Allyce Moreno, Carol Shafer, Jimmy Harrison, Bob Rosenbach, Bill Forrest, Gene Wilson, Thomas Godfrey, Barbara Brown, and Dorothy Champion.

On request of Mr. Brady, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Baptista and Sister St. Joseph of the Star of the Sea Academy of San Francisco, and the following pupils: Helen Acebo, Charlene Ahern, Margaret Ahern, Anne Allumbaugh, Carol Armstrong, Patricia Atwood, Carol Aurich, Helen Bongi, Mary Casey, Doris Cooney, Genevieve Doyle, Evelyn Eager, Joan Farley, Patricia Foley, Mary Lou Graham, Elaine Grosse, Louise Gschwend, Ethel Hannon, Barbara Helmer, Nancy Helen Hunter, Gloria Hymes, Gloria Lopez, Clarice Journeay, Katherine Kinberger, Mary Ila Maggy, Mary Lou Mann, Celia Marino, Elaine Mauch, Catherine McCarthy, Sheila Moran, Helen Mousis, Geraldine Murdock, Mary Anne Nicholson, Maureen O'Sullivan, Carmel Pedrini, Shirley Pereira, Doralba Pignataro, Maurice Power, Marina Priss, Anna Mae Savage, Patricia Sperry, Betty Stephens, Diane Sullivan, Mary Margaret Sweeney, Agnes Wittman, and Katherine Wittman.

On request of Messrs. Dunn, Caldecott, Lincoln, and Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Rena S. Lesser, teacher of the Hawthorne School of Oakland, and the following pupils: Joan Valentine, Linda Cameron, Loretta Kraigbaum,

Georgine Larsen, Rose Vaughan, Joan Gois, Barbara Perry, Ruth Larsen, Lurline Straub, Linda De Motta, Diane Yates, Nancy Burgess, Mary Harris, Joan Belvel, Jessie Sequin, Lee Sowersby, Richard Callistro, Carl Sequin, Galen Rowell, Fred Gouveia, George Johnston, David Fisher, Tom Scatina, Burt Bartlett, Richard Coats, Phillip Johnston, Dennis Arthur, Gary Willett, Ronald Cabral, Robert Merrill, Charles Lockhart, Phillip Bond, Roger Leogrand, and Karl Anderson; and the following pupils of the Hillside School of Berkeley: James Peugh, George Bungarz, Ronald Teutsch, and Clark Casler.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Blonaquist, teacher of the Dent Union School, Mesdames Bunch, Smith, Lowerro, Rose, Light, and Festerling, parents, and the following pupils: Gary Shipman, Dempsey Crenshaw, Donald Anderson, Melvin Kerner, Ronald Gore, La Verne Bunch, Ethel Lial, Velma Laws, Mary Crowe, Mary Parker, Clara Twedt, Bobby Loureiro, Jackie Rose, Danny Strand, Ronald League, Glenda Light, Darlene Kalbach, Dean Shergart, Mary Jo Smith, Barbara Coleman, Marlys Blomquist, Paula Sue Davis, Sharon Shramn, Dwayne Stephens, Ralph Goeken, David Shernathy, Roger Slbin, Tom Williams, John Nunes, Merlin Murken, Eileen Johnson, and Lorayne Chrysler.

On request of Mr. Brady, and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Peter Tamony of San Francisco.

On request of Messrs. Crowley, Fleury, and Moss, the usual courtesies of the Assembly for this day were unanimously extended to the following members of the American Legion Auxiliary and Veterans of Foreign Wars Auxiliary of Sacramento: Marion Mansfield, Margaret Nunamaker, Anne Snodgrass, Marie Emerson, Lydia A. Fowler, Hazel Koller, Ruby L. Brady, Helina M. Higgins, Ada Richardson, and Blanche Poole.

ADJOURNMENT

At 1.13 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9.30 a m., Thursday, May 26, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED FORTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, May 26, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Spirit of Harmony: May we hear today in the Springtime the many voices of nature sounding out their music and speaking to us of the harmony which the Creator ordained.

The quiet music that leaf and grass make as they move in the breeze, the bird tones that bring to us their music from another realm, and the song which all growing things sing as they add to the beauty of the earth.

May we think of the music the stars make in their rotations, the color tones of the sunlight, and the rhythm and melody which fill all space—even that which we breathe, and which our ears have not the structure to hear.

May we blend our spirits with the universal harmony and add with our influence a note of unity to the world.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rosenthal, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Fletcher, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Cramer, on motion of Mr. Lipscomb.

MOTION TO EXCUSE MEMBER

Mr. Dickey moved that Mr. Ralph C. Dills be excused from this date to and including the day of sine die adjournment of this session, and that he waives his per diem.

Motion carried.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 25, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR SIR: I am directed by the Senate to respectfully request you to return to the Senate, Senate Bills Nos. 558 and 699 for further action by the body.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

UNANIMOUS CONSENT GRANTED TO RETURN SENATE BILLS NOS. 558 AND 699 TO THE SENATE

Mr. Caldecott asked for, and was granted, unanimous consent that the Chief Clerk be instructed to return Senate Bills Nos. 558 and 699 to the Senate for further consideration.

REPORTS OF STANDING COMMITTEES

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 2279

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER. Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred

Senate Bill No. 662

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

RALPH C. DILLS, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Clarke asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 89—An act to amend Section 533 of the Vehicle Code, relating to school busses and the regulation of traffic in connection therewith;

Assembly Bill No. 93—An act to amend Section 2930 of the Streets and Highways Code, relating to the withdrawal of protests;

Assembly Bill No. 94—An act to amend Sections 5221 and 5222 of the Streets and Highways Code, relating to the withdrawal of protests and the time within which proceedings may be reinstituted after majority protest;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 95—An act to amend Section 5026 of, and to add Section 5135 to, the Streets and Highways Code, relating to the adoption and change of street names and the purchase and assignment of warrants, assessments, and bonds issued under the Improvement Act of 1911;

Assembly Bill No. 247—An act to amend Section 28121 of the Government Code, relating to compensation for public services in counties of the twenty-first class;

Assembly Bill No. 250—An act to amend Section 31526 of the Government Code, relating to retirement of county employees, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 267—An act to amend Sections 944 and 945 of the Military and Veterans Code, relating to the burial of veterans and veterans' widows;

Assembly Bill No. 378—An act to add Sections 14444.1, 14450.6, 14480.6, 14480.7, 14480.8, and 14525.1 to, and to amend Sections 14406, 14450.5, 14451, and 14510 of, the Health and Safety Code, relating to county fire protection districts;

Assembly Bill No. 427—An act to add Section 641.1 to the Welfare and Institutions Code, relating to the powers and duties of probation officers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 771—An act to amend Section 2300 of the Welfare and Institutions Code, relating to institutions and boarding homes for aged persons;

Assembly Bill No. 873—An act to amend Sections 651, 659, 660, 663, 666.5, and 667 of the Fish and Game Code, relating to salmon;

Assembly Bill No. 935—An act to amend Section 407 of the Fish and Game Code, relating to licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 938—An act to amend Section 430 of the Fish and Game Code, relating to fishing licenses;

Assembly Bill No. 958—An act to add Section 14438 to the Business and Professions Code, relating to containers and container brands;

Assembly Bill No. 1033—An act to amend Sections 18171, 18586, 18691, 18691.1, 18692, 19053.5, and 19061.1, and to add Section 18586.1, to, the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1949, at 4 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1296—An act to add Section 622 5 to the Fish and Game Code, relating to taking fish for use as bait;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1949, at 4 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1109—An act to repeal Sections 713, 731, 732, and 733 5 of, and to add Sections 713, 714, 714 5 to, and to amend Sections 715, 716, and 717 of the Fish and Game Code, relating to marine fish,

Assembly Bill No. 1268—An act to amend Section 1106 of the Fish and Game Code, relating to registration of boats;

Assembly Bill No. 1270—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by adding Section 8 1 thereto, relating to the rights of blind persons in respect to the study and practice of chiropractic, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of May, 1949, at 4 p m

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day returns, pursuant to your request

Assembly Bill No. 1804

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No 970

And respectfully requests your honorable body to concur in said amendments

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 627
Senate Bill No. 1496

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns, pursuant to your request:

Senate Bill No. 24

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 24

Mr. Dickey asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on April 8th, passed Senate Bill No. 24.

Senate Bill No. 24 ordered to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 1

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Constitutional Amendment No. 1—Proposed amendment to Article IV of the Constitution, relative to initiative measures, by adding Section 1c.

Referred to Committee on Constitutional Amendments

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 724
Senate Bill No. 1436
Senate Bill No. 1632

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 724—An act to add Sections 15a and 68a to the County Water District Act and Sections 31416 and 32858 to the Water Code, relating to dissolution of county water districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1436—An act to amend Section 330.24 of the Civil Code, relating to mutual water companies.

Referred to Committee on Judiciary.

Senate Bill No. 1632—An act to add Sections 20.5, 20.6, 20.7, 49.5, and 81 to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929,

known as the "Water Conservation Act of 1929," and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to water conservation districts.

Referred to Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2331—An act to amend Section 12333 of the Probate Code, relating to rules of pleading and practice in judicial proceedings.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1958—An act to amend Sections 1156 and 1157 of the Fish and Game Code, relating to closure of hunting areas.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1959—An act to amend Sections 495 and 496 of the Fish and Game Code, relating to closure of fishing waters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2183—An act to add Chapter 5.5 to Division 21 of the Health and Safety Code, relating to frozen food.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1345—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1346—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Bill read second time, and ordered engrossed.

Assembly Bill No. 259—An act to amend Sections 32125 and 32126 of the Health and Safety Code, relating to hospital districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1315—An act to amend Section 32121 of the Health and Safety Code, relating to the powers of local hospital districts, and authorizing the employment of legal counsel and other assistance by such districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2362—An act to amend Section 32125 of the Health and Safety Code, and to add Section 32128 to said code, both relating to standards of hospitals operated by local hospital districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2738—An act to amend Section 1239 of the Code of Civil Procedure, relating to the taking of property for public use.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on April 13, 1949, after "4," insert "or specifically in any other statute,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Tomlinson asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 283—An act to amend Sections 1476 and 1505 of the Penal Code, relating to habeas corpus proceedings and bail.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 9, of the printed bill, after "proceeding", insert "unless bail has previously been fixed".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 291—An act to add Section 1275.1 to the Penal Code, relating to fixing the amount of bail.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Notwithstanding any other provisions of law,".

Amendment No. 2

On page 1, line 5, of said bill, after "thereof", insert "pursuant to Section 1269b of the Penal Code".

Amendment No. 3

On page 1, line 8, of said bill, after "($25)", insert ", unless the court in its discretion fixes the bail in a different amount".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 541—An act to amend Sections 545 and 546 of the Code of Civil Procedure, relating to garnishments.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 8, of the printed bill, after "of", strike out "six dollars ($6).", and insert "two dollars ($2)."

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 1556—An act to amend Section 2470 of the Civil Code and to add Section 2469.1 thereto, relating to use of fictitious names.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 21, inclusive; and on page 2, strike out lines 1 and 2.

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 879—An act to repeal Section 1071 of and to add a new Section 1071 to the Fish and Game Code, relating to mixed fish, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "960", and insert "648".

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 444—An act to add Section 7.3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 7, inclusive, and insert "SEC. 7.3 Services performed in the employ of a bona fide owner or tenant of a farm in connection with the operation of hay baling equipment if such equipment is used either (1) exclusively on such farm, or (2) both on such farm and on the farms

of other owners or tenants of farms shall be deemed to be included in the term "agricultural labor" as used in Section 7 of this act."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1577—An act to add Section 797.5 to the Agricultural Code, relating to citrus fruits subjected to freezing temperatures.

Bill read second time

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 29, of the printed bill, as amended in the Assembly on May 12, 1949, strike out "and (4)", and insert "(4) provisions for the release of citrus fruits which have been held after harvest for a period of seven days, provided, such fruit is stored in closed storage listed in advance with the director and at temperatures of not less than 40° Fahrenheit and, further provided, that such fruit when released shall be subject to all of the other provisions of this chapter; and (5)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2499—An act to amend Sections 13216, 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13377, 13390, 13392, 13397.1, and 13450 of; to amend the title of Article 3 of, to amend and renumber the title of Article 5 of, and to add a new Article 5 to, Chapter 2 of Part 2 of Division 12 of; and to add Sections 13203.1 and 13204.1 to the Health and Safety Code, relating to dry cleaners

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 19, 1949, strike out line 12.

Amendment No. 2

On page 12 of said bill, strike out lines 11 to 20, inclusive, and insert

"(d) When it is deemed impossible or impractical to comply in full with the letter of the requirements of this chapter, or when new or other materials, methods or processes are developed, a written application for variance or modification may be submitted to the State Fire Marshal. An application for variance or modification shall include a complete statement of the conditions and reasons therefor, and any plans, reports, data and information in support thereof. The State Fire Marshal may, upon such conditions as he may specify, grant a variance or modification.

SEC. 19.5. Section 13450 of said code is amended to read:

13450. Any person who commits any of the following acts is guilty of a misdemeanor:

(a) Violates any provisions of this chapter.

(b) Violates or fails to comply with any order, rule, or regulation made pursuant to this chapter.

(c) Constructs a clothes cleaning establishment in violation of a blueprint or statement submitted to and approved by the State Fire Marshal.

(d) Violates the terms of any permit issued pursuant to this chapter.

(e) Constructs a clothes cleaning establishment or a 140-F dry cleaning establishment, or installs equipment or machinery therein, in violation of the provisions of this chapter or of any rule or regulation made pursuant thereto, whether for himself or for another party.

Any person who commits more than one of the acts specified in this section is guilty of a separate misdemeanor for each such commission."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2417—An act to amend Sections 102 and 104 of the Health and Safety Code, relating to the State Board of Public Health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "eight", and insert "nine".

Amendment No. 2

On page 1, line 17, of said bill, after "State", insert "and one member of the board shall be a duly licensed and practicing pharmacist of the State".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 282—An act to amend Section 472b of and to add Sections 466 and 467 to the Code of Civil Procedure, relating to demurrers and motions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in the Assembly on May 18, 1949, strike out "the demurring", and insert "each".

Amendment No. 2

On page 2, line 17, of said bill, strike out "or his attorney", and insert "affected by the decision".

Amendment No. 3

On page 2, line 18, of said bill, strike out "personally".

Amendment No. 4

On page 2, line 18, of said bill, after "present", insert "(either personally or by his attorney)".

Amendment No. 5

On page 2, lines 19 and 20, of said bill, strike out "or unless a written waiver is filed with the court", and insert ", in which event the time so given runs from the announcement of the decision".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 3108—An act to add Section 38.6 to the Fish and Game Code, relating to power of the Fish and Game Commission to conserve fish and wild life.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

Strike out lines 2 and 3 of the title of the printed bill, as amended in the Assembly on May 5, 1949, and insert "Game Code, relating to the use of water for recreational purposes, and for the preservation and propagation of fish and wild life."

Amendment No. 2

On page 2 of said bill, strike out lines 5 to 9, inclusive, and insert

"38.6. The storage or diversion of unappropriated water pursuant to appropriations therefor, and the use thereof for recreational purposes, or for the preservation and propagation of fish and wild life, are beneficial uses of water"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1972—An act to amend Section 951.5 of the Fish and Game Code, relating to nets.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 951 5 of", and insert "repeal Section 951 5 of, and to add Section 951 5 to".

Amendment No. 2

In line 2 of the title of said bill, after "nets", insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SEC 1. Section 951 5 of the Fish and Game Code is repealed.

SEC. 2. Section 951 5 is added to said code, to read:

951 5 It is unlawful for any person to use or possess any trawl net with meshes which are less than four and one-half inches in length, except that in Districts 2, 12, and 13, shrimp trawls with no specified minimum mesh size may be used to take shrimps only.

The provisions of this section shall become effective July 1, 1949.

SEC. 3. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

An important source of food supply is the shrimp trawl fishery of San Francisco Bay. Section 951 5 of the Fish and Game Code was amended by Chapter 5, Statutes of 1948, to have an effective date of July 1, 1949. In so doing a typographical error occurred which had the effect of prohibiting shrimp trawling after that date In order to correct this situation and to maintain the supply of shrimps on the market it is therefore necessary in the interests of the public welfare and the protection of the public health that this act take immediate effect."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1412—An act to amend Section 992 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "twenty-five", and insert "fifteen".

Amendment No. 2

On page 1, line 4, of said bill, strike out "($25)", and insert "($15)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 92—An act to add Article 2.5, consisting of Sections 1045 to 1049, inclusive, to Chapter 7 of Division 5 of the Agricultural Code, establishing a California Board of Plant Food Investigation, providing for its support and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Assembly on April 28, 1949, following "manager", strike out the comma and the remainder of the line, and all of lines 17 and 18, and insert "who shall be exempt from civil service and who shall hold office at the pleasure of the board. The board may also employ such assistants as may be necessary."

Amendment No. 2

On page 2 of said bill, strike out line 20, and the first two words in line 21, and insert "regarding fertilizers, and for evaluation of".

Amendment No. 3

On page 2, line 24, of said bill, following "The board", strike out the remainder of the line, all of line 25, and the first two words in line 26

Amendment No. 4

On page 2 of said bill, strike out line 29, and insert "time may publish written reports of such findings as may be developed"

Amendment No. 5

On page 2 of said bill, strike out lines 30, 31, and 32, and insert "by the studies contemplated in this article."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2082—An act to amend Section 2410 of the Labor Code, relating to labor camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 2410", and insert "Sections 2410 and 2411".

Amendment No. 2

On page 1, line 6, of said bill, after "any", insert "living quarters,".

Amendment No. 3

On page 1, lines 8 to 13, of said bill, strike out "used as living quarters by five or more employees in connection with any work or place where work is being performed. It shall also include the premises upon which the above mentioned living quarters are situated.", and insert "maintained in connection with any work or place where work is being performed, and the premises upon which they are situated and/or the area set aside and provided for camping of five or more persons by the employer."

Amendment No. 4

On page 1 of said bill, after line 17, insert

"(e) "Camp" shall also mean a labor supply camp. A labor supply camp is hereby defined to be any place, area or tract of land where a person engages in the business of providing sleeping places or camping grounds for five or more employees or prospective employees of another.

SEC. 2. Section 2411 of the Labor Code is amended to read:

2411. In any camp *and labor supply camp* suitable sleeping places shall be provided for all employees. *provided, however, that where employees furnish their own camping equipment, the employer shall provide and set aside a clean and well drained camping ground suitable for the purpose and subject to the approval of the enforcement agency.*"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2448—An act to provide for funds out of which loans shall be made to farmers and farm laborers to erect and repair their housing facilities, authorizing local agencies to administer such lending activities and making an appropriation to carry out said policies

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 2 of the printed bill, strike out line 10, and insert

"SEC. 5. Loans may be made to farmers under the provisions of this act if

(1) The farmer owns real property which has an appraised market value of at least three hundred dollars ($300), except that in any case where a loan is made to a farm cooperative, each member thereof must own real property which has an appraised market value of at least two hundred dollars ($200); and it,

(2) The director shall have made a finding that the employment and agricultural possibilities in the area where the real property is located are such that they indicate that the farmer will be able to repay the loan in accordance with the terms on which it is made

SEC. 6. The director shall have the power to:

(1) Provide for the appraisal of lands owned by any applicant for a loan.

(2) Specify the amount and type of security which shall be required to secure a loan.

(3) Promulgate all necessary rules and regulations under which local agencies shall make loans to farmers, and all other rules and regulations necessary to carry out the purposes and provisions of this act."

Amendment No. 2

On page 2 of said bill, strike out lines 11 to 13, inclusive

Amendment No. 3

On page 2, line 14, of said bill, strike out "6", and insert "7"

Amendment No. 4

On page 2, line 20, of said bill, strike out "20", and insert "40".

Amendment No. 5

On page 2, line 23, of said bill, strike out "5", and insert "10".

Amendment No. 6

On page 2, line 24, of said bill, strike out "7", and insert "8".

Amendment No. 7

On page 2, line 27, of said bill, strike out "8", and insert "9".

Amendment No. 8

On page 2, line 29, of said bill, strike out "_____dollars ($_____)", and insert "twenty million dollars ($20,000,000)".

Amendments read and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 67—An act to add Chapter 10.5, comprising Sections 6401 to 6406, inclusive, to Division 3 of, and Section 5026.3 to, the Education Code, relating to state payments to school districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 22, 1949, strike out "6406"; and strike out lines 2 and 3, and insert "6407, inclusive, to Division 3 of the Education Code, relating to payments to school districts by state agencies or departments providing housing for pupils in such districts,".

Amendment No. 2

On page 1, line 2, of said bill, strike out "6406", and insert "6407".

Amendment No. 3

On page 1, line 9, of said bill, strike out "a", and insert "an agency or".

Amendment No. 4

On page 1, line 9, of said bill, after the second "State", insert "agency or department".

Amendment No. 5

On page 1, line 12, of said bill, after "taxes", insert "for the preceding fiscal year in excess of the amount computed as district aid for such year".

Amendment No. 6

On page 1 of said bill, strike out lines 18 to 24, inclusive; and on page 2, strike out lines 1 to 7, inclusive, and insert

"6402. Each county superintendent of schools of a county or city and county in which a pupil of any school district resides upon property owned by the State and housed in housing provided for employees of the State or an agency or department thereof, shall annually submit to the Superintendent of Public Instruction at such time as he requires, but not later than July 15, a complete report of the attendance of any such pupil or pupils upon forms furnished by the Superintendent of Public Instruction. The reports shall contain and be accompanied by such other information relating to the computation of the additional payment prescribed by Section 6401 as may be required by the Superintendent of Public Instruction. The reports shall contain such information as may be required to designate the state agency or department that furnishes the housing for each such pupil.

6403. The Superintendent of Public Instruction shall certify the amount due any school district under the provisions of this chapter to the state agency or department from which the amount is owing. Within thirty days thereafter the state agency or department shall file a claim for such amount with the State Controller who shall thereupon draw his warrant on the State Treasury in favor of the treasurer of the county or city and county for the amount due any school district under the jurisdiction of the county superintendent of schools of the county as certified by the Superintendent of Public Instruction.

6404. Amounts due under the provisions of this chapter are payable from the appropriation for support of the state agency or department that furnishes the housing in which the pupil or pupils reside.

6405. All moneys received by the treasurer of any county under the provisions of this chapter shall be immediately credited by the treasurer to the general funds of the several school districts of the county exactly as certified by the Superintendent of Public Instruction."

Amendment No. 7

On page 2, line 8, of said bill, after "State", insert "shall be deemed district taxes for all purposes and".

Amendment No. 8

On page 2 of said bill, strike out all of lines 11 to 16, inclusive, and insert

"6407. Notwithstanding any other provision for state school building aid, and in addition to the preferences therein provided, in making apportionments to the school districts provided for in this chapter, the State Allocation Board shall give an additional preference to any district which in its judgment is impoverished in essential physical properties and which receives state payments in lieu of district taxes pursuant to this chapter."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 1589—An act to amend Sections 3, 8, and 14 of "The Sanitation and Sewer Revenue Bond Act of 1941," relating to sanitation and sewer enterprises.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 28, 1949, and insert

"An act to amend Sections 54310, 54427, 54610 and 54611 of, to amend and renumber Section 54353 of, and to add Section 54353 to, the Government Code, relating to sanitation".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 54310 of the Government Code is amended to read:

54310. "Enterprise" does not include, and this chapter does not authorize a local agency to borrow money and issue bonds for, systems, plants, works, or undertakings for:

(a) The generation, production, transmission, and distribution of electric energy for lighting, heating, and power for public or private uses.

(b) The generation, production, transmission, and distribution of gas for public or private uses.

(c) The production, transmission, and distribution of water, *other than reclaimed waste water,* for public or private uses.

SEC. 2. Section 54427 of said code is amended to read:

54427. Bonds of the same issue shall be equally secured by a lien upon the revenues of the enterprise without priority for number, date of bonds, of sale, of execution, or of delivery pursuant to this chapter and the resolution authorizing the bonds *; except that any local agency may authorize the issuance of bonds of different series and may provide that the bonds in any series shall, to the extent and in the manner prescribed in the resolution, be subordinated and be junior in standing, with respect to the payment of principal and interest and the security thereof, to such other bonds as may be specified in the resolution.*

SEC. 3. Section 54353 of said code is amended and renumbered to read:

[54353] *54354.* The local agency may execute all instruments, perform all acts, and do all things necessary or convenient in the exercise of the powers granted by this chapter or in the performance of its covenants or duties.

SEC. 4. Section 54353 is added to said code, to read:

54353. When determined by its legislative body to be in the public interest or necessary for the protection of the public health, the local agency may enter into and perform contracts, not to exceed a term of 40 years, with any industrial establishment for the provision and operation by the local agency of sewerage facilities to abate or reduce the pollution of water caused by discharges of industrial waste by the industrial establishment and the payment periodically or otherwise by the industrial establishment to the local agency of amounts at least sufficient, in the determination of such legislative body, to compensate the local agency for the cost of providing, including any payment of principal and interest charges, and of operating and maintaining the

sewerage facilities serving such industrial establishment, or such portion of such cost as the legislative body determines is fair and equitable

SEC. 5. Section 54610 of said code is amended to read

54610. Notwithstanding any provision of this chapter to the contrary, the legislative body may accept contributions or loans from the United States, or a federal department, instrumentality, or agency for financing *or aiding in financing the cost of preliminary investigations and studies, surveys, plans and specifications, procedures and other action preliminary to construction, and the construction, maintenance, and operation of* an enterprise

SEC. 6. Section 54611 of said code is amended to read:

54611. The local agency may enter into contracts and cooperate with the United States or a federal department, instrumentality, or agency in the *making of preliminary investigations, studies and surveys, preparation of plans and specifications and in the accomplishment of procedures and other action preliminary to construction, in the* construction, maintenance, and operation, and in financing *or aiding in financing the cost of preliminary investigations and studies, surveys, plans and specifications, procedures and other action preliminary to construction and of* the construction, maintenance, and operation, of any enterprise pursuant to federal legislation under which aid, assistance, and cooperation may be furnished for these purposes by the United States."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 25, inclusive, and strike out pages 2, 3, 4, and 5.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 590—An act to amend Section 18109 of the Health and Safety Code, relating to auto courts and resorts, and auto and trailer camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In lines 1, 2, and 3 of the title of the printed bill, as amended in the Assembly on April 28, 1949, strike out "Sections 15015, 15020, and 16900 of, and to add Sections 15016.3 and 15019.5 to", and insert "Section 17702 of".

Amendment No. 2

On page 1 of said bill, strike out line 13, and insert

"SECTION 1. Section 17702 of the Health and Safety Code is amended to read:

17702. It is unlawful for any person to use, or to permit another person to use, any of the following portions of a building for living or sleeping purposes

(a) Any kitchen, cellar, hallway, water-closet, bath, shower compartment, or slop-sink room.

(b) Any other room or place which does not comply with the provisions of this part, or in which, in the judgment of the enforcement agency, living or sleeping is dangerous or prejudicial to life or health by reason of an overcrowded condition; a want of light, windows, ventilation, or drainage; dampness; or offensive, obnoxious, or poisonous odors in the room or place

(c) No provision of this part shall be construed to prohibit the installation or construction in a room used for sleeping purposes in an apartment house of an approved cabinet built entirely of incombustible and non-absorbent material and which contains an electric cooking appliance and a kitchen sink; such sink to be an integral part of the cabinet and provided with hot and cold running water and connected to the plumbing system. The cabinet shall have no openings into the sleeping room except doors which shall be kept closed when the cabinet is not in use. All food and cooking and eating utensils shall be kept or stored only within the cabinet. Ventilation for the cabinet shall be provided as required in subdivisions (b) or (c) of Section 16903 and shall comply with the requirements of Section 16904 of this part."

Amendment No. 3

On page 1 of said bill, strike out lines 14 to 22, inclusive; and strike out all of page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 1291—An act to amend Sections 32002 and 32100 of, to repeal Section 32004 of, and to add Sections 32002.1, 32002.2, 32004, 32004.1, 32004.2, 32004.3, 32004.4, 32004.5, 32004.6, 32100.5, 32100.6, 32100.7, 32100.8, and 32128 to, the Health and Safety Code, relating to hospital districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 2 of the title of the printed bill, after "32002.2," insert "32002.3,".

Amendment No. 2

In line 4 of the title of said bill, strike out "32128", and insert "32130".

Amendment No. 3

On page 1 of said bill, after line 22, insert

"SEC. 3. Section 32002.2 is added to said code, to read:

32002.2 Not less than thirty days prior to the time of any hospital district election the governing body of the district shall, by resolution entered into its minutes:".

Amendment No. 4

On page 2, line 1, of said bill, strike out "(c)", and insert "(a)".

Amendment No. 5

On page 2, line 5, of said bills, strike out "(d)", and insert "(b)".

Amendment No. 6

On page 2 of said bill, strike out line 8, and insert "SEC. 4. Section 32002.3 is added to said code, to read:".

Amendment No. 7

On page 2, line 9, of said bill, strike out "32002.2", and insert "32002.3".

Amendment No. 8

On page 2, line 13, of said bill, strike out "shall", and insert "need".

Amendment No. 9

On page 2, line 17, of said bill, after "SEC." strike out "4", and insert "5".

Amendment No. 10

On page 2, line 18, of said bill, strike out "5", and insert "6"

Amendment No. 11

On page 2, line 23, of said bill, strike out "requisite number of qualified petitioners", and insert "number of qualified petitioners herein prescribed".

Amendment No. 12

On page 2, line 25, of said bill, strike out "6", and insert "7".

Amendment No. 13

On page 2, line 31, of said bill, strike out the period, and insert "and at least 60 percent of the number of parcels of land within the territory."

Amendment No. 14

On page 2, line 35, of said bill, strike out "7", and insert "8".

Amendment No. 15

On page 2, line 36, of said bill, after "When", insert "as an alternative procedure".

Amendment No. 16

On page 2, line 48, of said bill, strike out "8", and insert "9".

Amendment No. 17

On page 2, line 49, of said bill, after "petition", insert "for annexation".

Amendment No. 18

On page 3, line 14, of said bill, strike out "9", and insert "10".

Amendment No. 19

On page 3, line 15, of said bill, after "If", insert "upon the hearing of the petition".

Amendment No. 20

On page 3, line 19, of said bill, strike out "shall", and insert "may".

Amendment No. 21

On page 3, line 25, of said bill, after "elected", insert "or if protests to the annexation are made by a similar percentage of the number of votes cast in the area proposed to be annexed for the Office of Governor at the last preceding election at which a governor was elected".

Amendment No. 22

On page 3, line 27, of said bill, after "election," insert "in either the district or in the territory proposed to be annexed or in both,".

Amendment No. 23

On page 3, line 28, of said bill, strike out "and", and insert "or".

Amendment No. 24

On page 3, line 28, of said bill, after "annexed", insert "or in both,".

Amendment No. 25

On page 3, lines 31 and 32, of said bill, strike out "in the district and in the territory proposed to be annexed", and insert "within the area in which the election is held".

Amendment No. 26

On page 3, line 34, of said bill, strike out "10", and insert "11".

Amendment No. 27

On page 3, line 40, of said bill, strike out "11", and insert "12".

Amendment No. 28

On page 3, line 41, of said bill, after "cast", insert "within the area in which the election is held, and".

Amendment No. 29

On page 3, line 42, of said bill, after "annexed", insert "if an election is held in both areas".

Amendment No. 30

On page 4, line 1, of said bill, strike out "12", and insert "13".

Amendment No. 31

On page 4, line 13, of said bill, after "election", insert "or appointment if no election is held".

Amendment No. 32

On page 4, lines 14 and 15, of said bill, strike out "at the first hospital district general election after the district is formed", and insert "as herein provided".

Amendment No. 33

On page 4, line 15, of said bill, after "office", insert "two years thereafter."

Amendment No. 34

On page 4 of said bill, strike out lines 16, 17, and 18, and insert "Any vacancy".

Amendment No. 35

On page 4, line 25, of said bill, strike out "13", and insert "14".

Amendment No. 36

On page 4, line 28, of said bill, after "November", insert "or on the first Tuesday after the first Monday in November".

Amendment No. 37

On page 4, line 29, of said bill, after "year", insert "as the board of directors shall determine,"

Amendment No. 38

On page 4, line 33, of said bill, strike out "greatest", and insert "greater".

Amendment No. 39

On page 4, line 42, of said bill, strike out "14", and insert "15".

Amendment No. 40

On page 5, line 1, of said bill, strike out "15", and insert "16".

Amendment No. 41

On page 5, line 17, of said bill, after "office", insert "prior to the date when the election would have been held".

Amendment No. 42

On page 5, line 25, of said bill, strike out "years", and insert "term".

Amendment No. 43

On page 5, line 26, of said bill, strike out "16", and insert "17".

Amendment No. 44

On page 5, line 30, of said bill, strike out "SEC. 17 Section 32128", and insert "SEC. 18. Section 32130".

Amendment No. 45

On page 5, line 31, of said bill, strike out "32128", and insert "32130".

Amendment No. 46

On page 5, line 32, of said bill, strike out "revenue", and insert "estimated tax revenue and other income".

Amendment No. 47

On page 5, line 34, of said bill, after "exceed", insert "50 percent of".

Amendment No. 48

On page 5, line 35, of said bill, strike out "tax", and insert "tax revenue and other"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2469—An act to amend Section 2271 of the Health and Safety Code, relating to breeding places of mosquitoes and prescribing the penalties for the maintenance thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

Strike out line 1 of the title of printed bill, and insert
"An act to add Section 2271.1 to the Health and Safety Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert
"SECTION 1. Section 2271.1 is added to the Health and Safety Code to read:
2271.1. Any person who maintains, permits, or allows any breeding place for mosquitos by reason of any use made of the land on which it is found or of any artificial change in its natural condition is guilty of a misdemeanor and punishable by a fine not less than twenty-five dollars ($25) nor more than two hundred dollars ($200)."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 146—An act to amend Section 602 of the Penal Code, relating to trespass.

Bill read second time, and ordered to third reading.

Senate Bill No. 497—An act to add Sections 749.1 and 751.1 to the Code of Civil Procedure, relating to the determination of conflicting claims to real property.

Bill read second time, and ordered to third reading.

Senate Bill No. 996—An act to amend Section 108 of the Civil Code, relating to divorce actions on grounds of insanity.

Bill read second time, and ordered to third reading.

Senate Bill No. 997—An act to add Section 532b to the Penal Code, relating to false personation, and providing penalties.

Bill read second time, and ordered to third reading.

Senate Bill No. 998—An act to amend Sections 4573 and 4573.5 of, and to add Section 4573.6 to the Penal Code, relating to the bringing of narcotics, drugs, and alcoholic beverages into state and local prisons, and making possession of such articles within such institutions a felony.

Bill read second time, and ordered to third reading.

Senate Bill No. 367—An act to repeal Sections 89.5, 89.6, 89.7, 89.8, and 92.1 of the Agricultural Code, relating to county and district agricultural association fairs, thereby repealing certain obsolete provisions relating to the allocation of funds and the powers of district agricultural associations and counties in relation to property and funds for fair purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 271—An act to amend Sections 735.3, 736.1-1, and 736.3 of, and to add Section 735.10 to, the Agricultural Code, relating to fluid milk and fluid cream.

Bill read second time, and ordered to third reading.

Senate Bill No. 697—An act to add Chapter 2.5 and Section 4250 to Division 5, Part 2 of the Health and Safety Code, relating to contracts for the collection and disposal of garbage and other refuse matter.

Bill read second time, and ordered to third reading.

Senate Bill No. 247—An act to amend Section 4011 of the Public Resources Code, relating to peace officers who enforce fire laws.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 8, of the printed bill, after "laws", insert ", other than laws the enforcement of which is primarily the responsibility of the State Fire Marshal,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Smith asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 475—An act to amend Section 1023 of, and to add Section 1023 1 to, the Agricultural Code, relating to fertilizing materials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on April 22, 1949, after "parcel", insert ", container".

Amendment No. 2

On page 1, line 12, of said bill, after "therein," insert "and".

Amendment No. 3

On page 1, line 13, of said bill, strike out ", and", and insert a period.

Amendment No. 4

On page 1 of said bill, strike out lines 14 to 16, inclusive, and insert
"(d) The net weight of the contents when sold in other than liquid form."

Amendment No. 5

On page 1, line 18, of said bill, after "form", insert ", in addition to the data required by Section 1023, except as to subdivision (d) thereof,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 31—An act to repeal Chapter 3, Part 2, Division 12, of the Health and Safety Code, and to add a new Article 9, Sections 9598 and 9607, both inclusive, to, and amend Section 9575 of Chapter 18 of, the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on March 23, 1949, strike out lines 1 to 4, inclusive, and insert
"An act to amend Section 13554 of the Health and Safety Code and to add Section 9535 to the Business and Professions Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 21, inclusive, and insert
"SECTION 1 Section 13554 of the Health and Safety Code is amended to read:
13554. The State Fire Marshal, or his deputies or assistants, shall enter and inspect the following establishments during customary business hours, or at any time when they are in operation, for the purpose of enforcing this chapter.
(a) Spotting, sponging, or pressing establishments, or agencies thereof.
(b) Private schools or colleges of spotting, sponging, or pressing.
(c) Agencies of clothes cleaning establishments.

The owner, lessee, manager, or operator of any such establishment shall permit the State Fire Marshal, or his deputies or assistants, to enter it at the times and for the purpose stated in this section.

The State Fire Marshal, in his discretion, need not inspect any such establishment located in a city that maintains a regular fire prevention bureau service.

SEC. 2. Section 9535 is added to the Business and Professions Code, to read:

9535. The provisions of this article relative to investigation, inquiry or hearing shall not apply where the subject matter is fire safety and the establishment to be investigated is located in any city which maintains a regular fire prevention bureau service."

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 52, inclusive.

Amendment No. 4

On page 3 of said bill, strike out lines 1 to 49, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 791—An act to add Chapter 19 to Division 3, to amend Sections 10074 and 10461 of, and repeal Chapter 5 of Part 1 of Division 4, and Sections 10009, 10020, 10021, 10022, 10084, and 10085 of, the Business and Professions Code, relating to cemeteries, including the regulation of cemetery brokers and salesmen and cemetery corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 22, 1949, after "Sections", insert "101,".

Amendment No. 2

In line 4 of the title of said bill, after "Code," insert "and to amend Section 11501 of the Government Code,".

Amendment No. 3

On page 1, line 9, of said bill, strike out "or", and insert "on".

Amendment No. 4

On page 3 of said bill, strike out lines 15 to 31, inclusive, and insert

"9650. Each cemetery corporation in charge of cemetery endowment care funds shall file with the board annually, on or before March 1st, a written report in form prescribed by the board setting forth:

(a) The number of square feet of grave space and the number of crypts and niches sold or disposed of under endowment care:

(1) Prior to September 19, 1939.

(2) From September 20, 1939, to January 1st of the year preceding the filing of the report.

(3) From January 1st through December 31st of the preceding year.

(b) The amount collected and deposited in both the general and special endowment care funds:

(1) Prior to September 19, 1939

(2) From September 20, 1939, to January 1st of the year next preceding the filing of the report.

(3) From January 1st through December 31st of the preceding year segregated as to the amounts deposited for crypts, niches and grave space.

(c) A statement showing separately the total amount of the general and special endowment care funds invested in each of the investments authorized by Section 8751 of the Health and Safety Code and the amount of cash on hand not invested, which statement shall actually show the financial condition of the funds.

The report shall be verified by the president or vice president and one other officer of the cemetery corporation and shall be certified by the accountant or auditor preparing the same."

Amendment No. 5

On page 3 of said bill, strike out lines 37 to 51, inclusive; and on page 4, strike out lines 1 to 3, inclusive, and insert

"9652. The board shall examine the endowment care funds of a cemetery corporation:

(a) Whenever it deems necessary and at least once every five (5) years;

(b) Whenever the cemetery corporation in charge of endowment care funds fails to file the report required by this article; or

(c) Whenever it is requested by verified petition signed by twenty-five (25) persons interested as lot owners or members, alleging that the endowment care funds are not in accordance with the law, in which case the examination shall be at the expense of the petitioners.

9653. In making such examination the board:

(a) Shall have free access to the books and records relating to the endowment care funds, their collection and investment, and the number of graves, crypts and niches under endowment care.

(b) Shall inspect and examine the endowment care funds to determine their condition and the existence of the investments.

(c) Shall ascertain if the cemetery corporation has complied with all the laws applicable to endowment care funds."

Amendment No. 6

On page 4, line 24, of said bill after the period, insert "Such period may be extended by the board in its discretion."

Amendment No. 7

On page 5, line 46, of said bill, strike out "hearings", and insert "disciplinary proceedings".

Amendment No. 8

On page 8, line 5, of said bill, strike out "revoked", and insert "unrevoked".

Amendment No. 9

On page 9, line 37, of said bill, strike out "every", and insert "any".

Amendment No. 10

On page 13, line 35, of said bill, after "corporation", insert "operating a cemetery".

Amendment No. 11

On page 13, line 49, of said bill, strike out "sus-", and insert "unsus-"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 12

On page 13 of said bill, after line 51, insert

"9769. All fees charged and collected under this act shall be paid by the board at least once a month, accompanied by a detailed statement thereof, into the Treasury of the State to the credit of the Cemetery Fund, which fund is hereby established.

9770. All money paid into the State Treasury and credited to the Cemetery Fund shall be, when appropriated by the Legislature, used by the board in carrying out the provisions of this act.

SEC. 1.5. Section 101 of said code is amended to read:

101. The department is comprised of

(a) The Board of Dental Examiners of California.

(b) The Board of Medical Examiners of the State of California.

(c) The State Board of Optometry

(d) The California State Board of Pharmacy.

(e) The Board of Examiners in Veterinary Medicine.

(f) The State Board of Accountancy.

(g) The California State Board of Architectural Examiners.

(h) The State Board of Barber Examiners

(i) The State Board of Registration for Civil Engineers.

(j) The Contractors' State License Board.

(k) The State Board of Cosmetology.

(l) The State Board of Funeral Directors and Embalmers.

(m) The Structural Pest Control Board

(n) The Yacht and Ship Brokers Commission

(o) The Bureau of Furniture and Bedding Inspection

(p) The Board of Nurse Examiners of the State of California

(q) The State Board of Cleaners.

(r) The Board of Chiropractic Examiners
(s) The Board of Social Work Examiners
(t) The State Athletic Commission.
(u) The Cemetery Board.
([u] v) Any other boards, offices or officers subject to its jurisdiction by law."

Amendment No. 13

On page 14 of said bill, after line 25, insert

"SEC. 6. Section 11501 of the Government Code is amended to read:

11501. (a) The procedure of any agency shall be conducted pursuant to the provisions of this chapter only as to those functions to which this chapter is made applicable by the statutes relating to the particular agency.

(b) The enumerated agencies referred to in Section 11500 are:

Board of Dental Examiners of California.
Board of Medical Examiners of the State of California
Board of Osteopathic Examiners of the State of California
Board of Nurse Examiners of the State of California.
State Board of Optometry.
California State Board of Pharmacy.
State Department of Public Health
State Board of Public Health.
Board of Examiners in Veterinary Medicine
State Board of Accountancy.
California State Board of Architectural Examiners.
State Board of Barber Examiners.
State Board of Registration for Civil Engineers
Registrar of Contractors.
State Board of Cosmetology.
State Board of Funeral Directors and Embalmers
Structural Pest Control Board.
Yacht and Ship Brokers Commissioner.
Director of Professional and Vocational Standards
Collection Agency Board
State Fire Marshal.
State Mineralogist.
Director of Agriculture
Labor Commissioner.
Real Estate Commissioner.
Commissioner of Corporations.
Department of Social Welfare.
Social Welfare Board
Department of Institutions
Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun
Board of Pilot Commissioners for Humboldt Bay and Bar.
Board of Pilot Commissioners for the Harbor of San Diego.
Fish and Game Commission
State Board of Education.
State Board of Equalization
Insurance Commissioner.
Building and Loan Commissioner.
State Board of Cleaners.
Board of Social Work Examiners
Board of Social Work Examiners.
Board of Chiropractic Examiners.
Cemetery Board "

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1634—An act to amend Section 26743 of the Government Code, relating to sheriffs' fees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1634?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "Subpenaing Witnesses."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1634 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, and Mr. Speaker—49.
NOES—None.

Assembly Bill No. 1634 ordered enrolled.

Assembly Bill No. 239—An act to require that consideration be given to airport needs of a community when zoning ordinances are proposed, and declaring such ordinances ineffective when such consideration is not given.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 239?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on March 18, 1949, strike out "without requiring a permit,".

Amendment No. 2

On page 1, line 18, of said bill, strike out "in the", and insert "published in an adjoining".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 239 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 239 ordered enrolled.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2495—An act to amend Section 129 of the Code of Civil Procedure, relating to rules of court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle,

Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr Speaker—51.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1914—An act to add Section 337.6 to the Code of Civil Procedure, relating to limitation upon the period during which actions may be brought.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2804

Mr Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2804, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 2804

Assembly Bill No. 2804—An act to amend Section 6695 of the Health and Safety Code, relating to tax limitation for sewerage facilities

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hoffman, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rumford, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—42.

NOES—Babbage, George D Collins, Hagen, Levering, Reagan, and Stanley—6.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1933

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1933, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1933

Assembly Bill No. 1933—An act to add Sections 5056 and 5472 to the Health and Safety Code, relating to fees, rates, tolls, rentals and other charges for sewage and sanitation services.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn,

Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh,, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Tomlinson, Way, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2802

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2802, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2802

Assembly Bill No. 2802—An act to amend Section 862.11 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, relating to taxation by sixth class cities.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Bennett, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—48

NOES—George D Collins and Kirkwood—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2011—An act to amend Section 28123 of the Government Code, relating to compensation for public service in counties of the twenty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—53

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1082

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1082, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1082

Assembly Bill No. 1082—An act to amend Section 6060 of the Business and Professions Code, relating to practice of law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 669

Mr. Berry asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 669, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 669

Assembly Bill No. 669—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Motion to Amend

Mr. Berry moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "California".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2624—An act to amend the title and Sections 1a, 1c, 1b, 5, 15, and 19, the repeal of Section 3a, and to add Sections 2a, 2b, 4a, 5a, 8a, 18a, 18b, 18c, and 18d, to the Municipal Improvement Act of 1913, relating to the acquisition or construction of sanitary sewers and other local improvements, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—62.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick,

Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1163

Mr. Bennett asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1163, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1163

Assembly Bill No. 1163—An act to amend Sections 222 and 223 of the Elections Code, relating to elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2829—An act to amend Sections 2891, 2892, 2893, 2894, and 2895 of the Education Code, relating to the annexation of school districts.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 30, of the printed bill, as amended in the Assembly on May 6, 1949, after "District" ", insert "If a majority of the votes cast is in favor of the annexation, the annexation is complete."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1174

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1174, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1174

Assembly Bill No. 1174—An act to add Section 6962 to the Education Code, relating to the education of adults, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2361

Mr Way asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2361, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2361

Assembly Bill No. 2361—An act to amend Section 843 of the Fish and Game Code, relating to nets

Bill read third time

Motion to Amend

Mr. Way moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended in the Assembly on May 19, 1949, following "unlawfully." insert

"The provisions of this section do not apply to trawl or drag nets being transported"

Amendment No. 2

In line 1 of the title of said bill, after "amend", strike out "Section".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1508

Mr. Beck asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1508, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1508

Assembly Bill No. 1508—An act to add Sections 9176.1 and 9176.2 to the Education Code, relating to the administration of federal programs of education.

Bill read third time.

Motion to Amend

Mr. Beck moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 20, 1949, strike out "Sections 9176.1 and 9176.2", and insert "Section 9176.1".

Amendment No. 2

On page 2 of said bill, strike out lines 14 to 42, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 52

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 52, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 52

Assembly Constitutional Amendment No. 52—A resolution to propose to the people of the State of California an amendment to Section 14 of Article 1 of the Constitution of said State, relating to eminent domain.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—56.

NOES—George D. Collins—1

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2240

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2240, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2240

Assembly Bill No. 2240—An act relating to the acquisition, construction, establishment, operation, maintenance and financing of off-street parking facilities for the parking of motor vehicles and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue bonds and other obligations and

defining the powers and duties of parking authorities, cities, and cities and counties with respect to off-street parking facilities.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 21, of the printed bill, as amended in the Assembly on May 13, 1949, after "hearing", insert ", provided however, that no property being used as a facility or facilities for the parking and/or storing of motor vehicles shall be acquired by an authority as heretofore provided by this act, unless the project to be furnished or constructed by an authority which necessitates the acquisition of such parking facility or facilities will encompass an area of land and parking area not less than three (3) times the area of land and parking area encompassed by the existing parking facility".

Amendment No. 2

On page 6 of said bill, between lines 21 and 22, insert

"(1) The authority shall lease any project acquired by it under the provisions of this act to the highest responsible bidder after notice, which shall consist of the publication of a notice inviting bids, by two or more insertions thereof, not less than five days apart, in a newspaper of general circulation printed and published in such city, or city and county, which publication shall be commenced not less than fifteen days prior to the date set in the notice for the opening of bids; or if there be no newspaper of general circulation printed or published therein, by posting copies of said notice inviting bids in at least three public places in the city, or city and county, not less than fifteen days prior to the date set in the notice for the opening of bids. Such notice shall distinctly and specifically describe the project and the facilities in connection therewith which are to be leased, the period of time for which said project is to be leased and the minimum rental to be paid under such lease. If no valid bid is received after such re-advertisement, then and only then may the authority operate such project itself. In the event the authority so operates such project it must re-advertise for bids in the manner hereinabove provided once every year."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 608

On page 61 of said bill, strike out lines 32 to 48, inclusive, and insert

"272—To plan for, provide for, assist in, sponsor, and promote public celebrations, and exhibits which may be of patriotic, educational, or economic benefit to the people of this State in order to commemorate and publicize the centennial and other anniversaries of significant events in the history of the State of California during the years 1948 to 1950, inclusive, as provided by Chapters 456 and 478, Statutes of 1947, California Centennials Commission, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code..... $21,000"

Amendment read.

Substitute Amendments
Motion to Amend

Mr. Hawkins moved the adoption of the following substitute amendment:

Amendment No. 1

On page 61 of said bill, strike out lines 32 to 48, inclusive

Substitute amendment read.

Speaker Pro Tempore Presiding

At 10.40 a.m., Hon Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding:

Motion to Grant Additional Time to Mr. Lowrey

Mr. Sherwin moved that additional time be granted to Mr. Lowrey for the purpose of answering questions.

Mr. Collier seconded the motion.

Motion carried.

The question being on the adoption of the substitute amendment offered by Mr. Hawkins.

Demand for Previous Question

Messrs. Kirkwood, Silliman, Dolwig, Rosenthal, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the substitute amendment offered by Mr. Hawkins to Assembly Bill No. 1100.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Roll Call Demanded

Messrs. Grunsky, Hollibaugh, and Dolwig demanded a roll call.

The roll was called, and the motion for a call of the Assembly carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—67.

NOES—None.

Time, 11.20 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L Collins, Lindsay, McCollister, Reagan, and Thompson—5

Request for Unanimous Consent to Temporarily Suspend Assembly Rule No. 85

Mr. Doyle asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Hollibaugh withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Doyle moved that the Rules be temporarily suspended for the purpose of considering any matter on file, at this time.

Mr. Heisinger seconded the motion.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Conrad, Cooke, Crichton, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Rumford, Sherwin, Stanley, Waters, and Yorty—30.

NOES—Anderson, Bennett, Brady, Burkhalter, Condon, Connolly, Crowley, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Geddes, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lowrey, Luckel, McMillan, Meyers, Morris, Niehouse, Rosenthal, Smith, Thomas, and Way—30.

Further Proceedings Under Call of the Assembly Dispensed With on Substitute Amendment No. 608

At 11.46 a m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Substitute Amendment No. 608, offered by Mr. Hawkins to Assembly Bill No. 1100, adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, George D Collins, Condon, Cooke, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Smith, Thomas, Tomlinson, Weber, and Yorty—45

NOES—Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Crowley, Doyle, Fleury, Gaffney, Grant, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Silliman, Stanley, Stewart, Waters and Way—26.

(1 Amendment adopted Total—73.)

Further Consideration of Amendments to Assembly Bill No. 1100

Motion to Amend

Mr. Lewis moved the adoption of the following amendment:

Amendment No. 719

On page 7 of the printed bill, between lines 38 and 39, insert

"47.5. For expenditure directly or for cooperation with the Federal Government or local public agencies, in conducting a survey and the construction of works, for the control of soil erosion caused by wind in the southern portion of the San Joaquin Valley, State Soil Conservation Commission _____ 50,000".

Amendment read.

Amendment Withdrawn

Mr. Lewis withdrew the above amendment.

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 296

On page 30, line 35, of said bill, strike out "1,833,752", and insert "1,764,630"

Amendment No. 297

On page 30, line 35, of said bill, after "Fund", insert

"No part of this appropriation shall be expended to print or issue passes entitling the holder to free admittance to the State Fair, nor shall any of the money herein appropriated be expended to support or conduct a State Fair at Sacramento at which free passes are provided Nothing herein shall prohibit the issuance of identification media to bona fide officers and employees of the State Agricultural Society for their personal use in securing admission to the premises for the performance of their duties, nor shall anything herein prohibit the free entrance to the premises of tradesmen, police

officers, firemen, food and health inspectors, and employees of utility companies servicing the utilities serving the Fair or duly accredited members of the working press necessary to the conduct and operation of the State Fair"

Amendments read.

Division of the Question

Mr. Dickey asked for a division of the question.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Doyle is not speaking to the subject.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Consideration of Amendment No. 296

Amendment No. 296

On page 30, line 35, of said bill, strike out "1,833,752", and insert "1,764,630".

Amendment read, and adopted.

(1 Amendment adopted Total—74.)

Consideration of Amendment No. 297

Amendment No. 297

On page 30, line 35, of said bill, after "Fund", insert

"No part of this appropriation shall be expended to print or issue passes entitling the holder to free admittance to the State Fair, nor shall any of the money herein appropriated be expended to support or conduct a State Fair at Sacramento at which free passes are provided Nothing herein shall prohibit the issuance of identification media to bona fide officers and employees of the State Agricultural Society for their personal use in securing admission to the premises for the performance of their duties, nor shall anything herein prohibit the free entrance to the premises of tradesmen, police officers, firemen, food and health inspectors, and employees of utility companies servicing the utilities serving the Fair or duly accredited members of the working press necessary to the conduct and operation of the State Fair"

Amendment read

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Doyle, Dunn, Erwin, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—48.

NOES—Brady, Brown, Coats, Crowley, Davis, Dickey, Dolwig, Elliott, Fleury, Gaffney, Geddes, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Morris, Moss, and Niehouse—18.

Consideration of Further Amendments

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 720

On page 82 of the printed bill, between lines 14 and 15, insert

"SEC. 16 1. No part of any appropriation made by law shall be expended by any state agency to print or issue passes entitling the holder to free admittance to a state or district fair nor shall any money appropriated by the State be expended to support or conduct a fair at which free passes are provided Nothing herein shall prohibit the issuance of identification media to bona fide officers and employees of a state agency for their personal use in securing admission to the premises on which a fair is held for the performance of their duties, nor shall anything herein prohibit the free entrance to such premises of tradesmen, police officers, firemen, food and health inspectors, and employees of utility companies servicing the utilities serving a fair or the duly accredited members of the working press necessary to the conduct and operation of such fair."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—64.

NOES—None

(1 Amendment adopted. Total—75.)

Request for Unanimous Consent to Set Special Order

Mr. Sherwin asked for, and was granted, unanimous consent that Assembly Bill No. 1100 be made a special order of business for Friday, May 27th, at 9.30 a.m.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE

Mr. George D. Collins gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 3027 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

ANNOUNCEMENTS

Mr. Dickey announced that, because of the Memorial Day holiday, only a skeleton crew of the members of the secretarial staff will be asked to be on duty on Saturday; and that secretarial attaches will be given the same opportunities, as members, to enjoy a holiday on Monday, Memorial Day

Mr. Stanley announced that no breakfast meeting, and no Republican caucus will be held next week.

Mr. Hahn announced that the Assembly attaches have challenged the Members of the Assembly to a baseball game, and requested all members interested in forming a winning baseball team to see him

UNANIMOUS CONSENT GRANTED THAT GOVERNOR BE REQUESTED TO RETURN ASSEMBLY BILL NO. 885 TO THE ASSEMBLY

Mr Thomas asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Governor to return Assembly Bill No 885 for further consideration

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER The Committee on Conference concerning:

Assembly Bill No. 1461—An act to amend Section 202 of the Fish and Game Code, relating to the Mendota Pool Waterfowl Refuge and defining the boundaries thereof;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 12, 1949, strike out "amend Section 202", and insert "repeal Section 169"

Amendment No. 2

In line 2 of the title of said bill, strike out "Waterfowl", and insert "Game".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 22, inclusive, and on page 2, strike out lines 1 to 4, inclusive, and insert

"SECTION 1. Section 169 of the Fish and Game Code is repealed."

MAYO	ERWIN
WILLIAMS	BUTTERS
HATFIELD	HEISINGER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64

NOES—None

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR SPEAKER: Your Committee on Rules, to which were referred

House Resolution No. 183
House Resolution No. 211
House Resolution No 214

Has had the same under consideration, and reports the same back with the recommendation Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 214

By Messrs. Moss and Fleury:

House Resolution No. 214

Relative to adjournment in respect to the memory of Walter J Hicks

WHEREAS, The sudden death of Walter J Hicks, on May 22, 1949, at the age of 58 years, is a sad loss to the people of the County of Sacramento whom he has long served as a political leader, and as county assessor since 1931, and

WHEREAS, He was born in San Francisco but had lived in Sacramento since the age of three weeks, was educated in the Sacramento schools, had served with the American Expeditionary Forces in France and Germany during World War I, had engaged successfully in local business enterprises, and early taken an active part in political life He served as an attache of the Senate of California during the Regular Session of 1923, as a Civil Service Commissioner under the Sacramento City Charter, and was Chairman of the Golden Empire Centennial in 1939, and

WHEREAS, He held office in many civic and fraternal organizations, having been Past President of Sacramento Parlor No 3, Native Sons of the Golden West, of the Sierra Club, of Sacramento Aerie No 9 of the Fraternal Order of Eagles, of the LaSalle Club, and of the Sacramento County Employees Association, was a member of the Hibernians, Knights of Columbus, Veterans of Foreign Wars, and the 91st Division Association, was a Past Commander of Sacramento Post No. 61 of the American Legion, and was Exalted Ruler of Sacramento Lodge No 6 of the Benevolent and Protective Order of Elks when the present Elks Temple in Sacramento was opened; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Members of this Assembly express great shock and sorrow at the untimely death of this able and devoted public servant, and extend most profound sympathy to his surviving family His widow, Mercedes Morrison Hicks; his daughter, Waletta, and his sister, Genevieve Hicks; and, be it further

Resolved, That the Chief Clerk of the Assembly send a copy of this resolution to Mrs. Mercedes Morrison Hicks; and, be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of Walter J Hicks

Resolution read, and adopted unanimously.

REMARKS ON CONDITION OF THE FILE

Mr. Doyle spoke on the condition of the file

Point of Order

Mr Beck arose to the following point of order. That Mr. Conrad is not in order because there is nothing before the House.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 56

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 56, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 56

Assembly Bill No. 56—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 2, lines 44 and 45, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "three thousand dollars ($3,000)", and insert "three thousand three hundred dollars ($3,300)".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 596

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 596, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 596

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 9, inclusive, and insert

"526. Route 226 is from a point in the vicinity of the intersection of Davis Street and East Fourteenth Street in San Leandro thence via Davis Street through the City of San Leandro and through the City of Oakland via Bayshore Boulevard and Doolittle Drive, through the City of Alameda via Otis Drive, Broadway, Encinal Avenue, Central Avenue, Webster Street and the Posey Tube, into the City of Oakland

via Harrison Street to a point in the vicinity of the intersection of Harrison Street and Eighth Street, thence from said intersection of Harrison Street and Eighth Street in the City of Oakland to a point in the vicinity of Broadway and MacArthur Boulevard via Broadway in the City of Oakland"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION BE PRINTED IN JOURNAL

Mr. Heisinger asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal, in 10-point type:

OPINION OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, April 21, 1949

Hon. S. L. Heisinger
Assembly Chamber

Conservation of Wild Fowl—No. 5772

DEAR MR. HEISINGER:

Question

Assembly Bill No. 3108 proposes under its terms to permit the Fish and Game Commission to lease shooting grounds on a nonprofit basis during closed season from persons or organizations which have proper facilities, notably with regard to water facilities, for the production of feed and nesting places for wild fowl. The general purpose which is declared is for the propagation and conservation of migratory wild fowl. You have posed the question whether the Fish and Game Commission has the present power to accept gifts of the use of land during the same time and for the same purposes as are stated in this bill.

Opinion

It is our opinion that if the Fish and Game Commission undertook to accept as a gift the use of the property of private persons, clubs, and corporations during the closed season only for the purpose of propagating and protecting migratory wild fowl, its action would not be challenged.

Analysis

It is a well-known proposition of law that an administrative agency has no powers other than those expressly conferred by law. (42 Am. Jur. 316, *Federal Trade Commission* vs. *Raladam Co.*, 283 U. S. 643, 646.) The necessity for a statutory authorization with respect to the California Fish and Game Commission would seem to be no exception to this rule even though that body was created by the Constitution (Art. IV, Sec. 25½). Section 25½ provides in effect that the only powers of the commission are those which the Legislature sees fit to delegate to it. There would seem to be no justification for departure from the general rule because of the nature of the power here involved. The power of the State to accept gifts derives from its sovereignty and is clearly subject to legislative control. To bear this out, numerous provisions of law have been enacted which reflect upon this power.

With these propositions in mind, it becomes clear that the answer to your question depends on whether there is among the powers of the commission enumerated in the Fish and Game Code an express authority to accept gifts broad enough to comprehend this particular situation. If there is not, no such power exists. As far as we have been able to determine, there are no other provisions in the Fish and Game Code authorizing the acceptance of gifts than Sections 39.8 and 325. The first of these by its terms is not helpful. It is very limited in scope and confined to the acceptance of donations of money to pay the commission's expenses incurred for the purpose of exhibiting fish and game educational material at fairs, sportsmen's shows or other public displays.

Section 325 poses a more difficult problem. It provides as follows:

"325. For the purposes of propagating, feeding and protecting birds, mammals, and fish, and establishing public shooting grounds the commission may:

(a) Accept, on behalf of the State, donations of any interest in lands within any refuge or preserve.

(b) Accept, on behalf of the State, from any person owning and in possession of patented lands except lands which are covered and uncovered by the ordinary daily tide of the Pacific Ocean, the right to preserve and protect all birds, mammals and fish of such patented lands.

(c) Accept, on behalf of the State, donations of birds, mammals, and fish, and of money given or appropriated. Such donations must be used for the purposes for which they are accepted, and, as nearly as may be, for any purpose indicated by the donor.

(d) Acquire, by purchase, lease, rental or otherwise, and occupy, develop, maintain, use and administer land, or land and water, or land and water rights, suitable for state game farms, game refuges, or public shooting grounds."

The question is can these words be construed so as to authorize the commission to accept gifts of interests in land as provided in Assembly Bill No. 3108 In the first place, the introductory clause is susceptible of two constructions. It may be argued that the purposes, which are stated as "propagating, feeding and protecting birds, mammals, and fish, and establishing public shooting grounds," must both be met or the provisions of subdivisions (a), (b), (c) and (d) are inapplicable. We are of the opinion, however, that these purposes are stated in the alternative in spite of the use of "and" rather than "or" because of the use of the plural form "purposes" and because such a restrictive construction would conflict with the clear words of the following subdivisions (a), (b), and (d). It would be inconsistent to say that the commission could accept land within game refuges and preserves [subdivision (a)] for example only for the establishment of public shooting grounds.

We must next determine whether a gift of the nature here under consideration would come within the terms of any of the subdivisions of Section 325. Subdivision (a) would only be useful in the case that the land sought to be donated lies within a refuge or preserve. Subdivision (b) does not purport to deal with gifts of land but only a gift by the owner of patented lands to the commission of the right to preserve and protect the wild life thereon. It might be argued that the persons,

clubs or corporations mentioned in Assembly Bill No. 3108 could donate this right, if they are the patent owners of the land, and thus achieve the same desired result. This would be an extremely dubious interpretation, however, and seemingly well beyond the intent of the subdivision

Subdivision (c) is clearly not applicable, dealing as it does with donations of wildlife or money only.

The result of this process of elimination is that the type of gift in question must qualify as within the commission's powers, if at all, under subdivision (d). Under this subdivision, the commission may acquire by purchase, lease, rental, or "otherwise" and occupy, develop, maintain, use, and administer land, etc., suitable for State game farms, game refuges, or public shooting grounds. "Otherwise" as a category of permissible types of acquirement would comprehend acquirement by gift.

It is also necessary to construe the word "suitable" as used in this subdivision. To give the provision as a whole a broad interpretation, it would be possible to construe this word literally as meaning that the commission could accept gifts of any land which could in any way be used as a State game farm, a game refuge, or a public shooting ground. If a broad construction is adopted, the commission could accept gifts for the purposes of Assembly Bill No. 3108 since there is little doubt that land suitable for those purposes would also be suitable for use as one of the three enumerated above. A narrow construction, however, is equally plausible, and the subdivision could be held to mean that the commission could accept property only for use as a State Game Farm, etc.

We are inclined to believe that, if a court were called upon to construe subdivision (d), a broad interpretation would be adopted. Even if it can be said that the terms would not exactly fit this case, there are sufficient indications in the Fish and Game Code as a whole which show the general intent of the Legislature. Section 28 gives the commission general power to propagate wild life. Section 38 would allow it to spend money to provide areas for feeding game when natural food is insufficient. We think that there is implicit in such provisions a direction to construe broadly provisions enlarging the powers of the commission to propagate and protect wild life. Accordingly, it is our conclusion that if the commission undertook to accept the use of land for the purposes stated in Assembly Bill No. 3108 a court would in all probability uphold its action.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By PHILIP J. O'DONNELL, Deputy

ANNOUNCEMENTS

Mr. Fleury announced that busses will leave the Capitol tomorrow at 4.45 p.m., and will return to the Capitol by 6 p.m., with the members desiring to witness the exhibition of shooting being presented by the Sacramento Police Department.

Mr. Dickey announced that next week the Assembly will convene at 9 a.m., recess for luncheon at 1 p.m., and that afternoon sessions will be held; and that committee chairmen are urged to cooperate, and not hold afternoon committee meetings.

RESOLUTIONS

The following resolutions were offered:

By Mr. McCollister:

House Resolution No. 216

Relative to the creation of the Assembly Committee on Interstate Cooperation

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Interstate Cooperation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to cooperation between this State and the other states and with the Federal Government and to make recommendations thereon for appropriate legislation.

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules

By Mr. McCollister:

House Resolution No. 217

Relative to the creation of the Assembly Committee on Military and Veterans Affairs

WHEREAS, In this period of postwar adjustment it is of the utmost importance that the military affairs of the State and all matters relating to veterans and their adjustment to civil life be competently and economically handled; and

WHEREAS, It is necessary that the Assembly be fully informed on all matters relating to Military and Veterans Affairs in order to enable it to properly consider legislation relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Military and Veterans Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the military affairs of the State, and to veterans and their return to civil life and employment including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT APPROVED JOURNAL BE CORRECTED

Mr. Dickey asked for, and was granted, unanimous consent that the Assembly Journal of April 8, 1949, as heretofore approved, be corrected to show that the Assembly, on this day, expunged the record, and rescinded the action, whereby Senate Bill No. 24 was passed.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3147

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2227

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 80—Relative to approving amendments to the charter of the City of Santa Monica, a municipal corporation in the County of Los Angeles, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the twelfth day of April, 1949;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-sixth day of May, 1949, at 10 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 2982—An act to add Article 14, comprising Sections 14598 to 14598 5, inclusive, to Chapter 2 of Part 3 of Division 12 of the Health and Safety Code, relating to the powers of the governing board of a county fire protection district;

Assembly Bill No. 3035—An act to add Section 3522 to the Revenue and Taxation Code, relating to deeds to the State for taxes;

Assembly Bill No. 3103—An act to amend Section 810.5 of the Agricultural Code, relating to asparagus;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2742—An act to add Section 1185 to the Fish and Game Code, relating to birds;

Assembly Bill No. 2764—An act to amend Section 28361, and Section 28380 and Section 28411 of the Health and Safety Code, and to add Section 28411.5 to the Health and Safety Code, relating to canneries;

Assembly Bill No. 2968—An act to amend Sections 380.54 and 380.55 of the Agricultural Code, relating to the slaughter and inspection of horses and burros;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2431—An act to amend Section 315 of the Municipal Utility District Act, relating to nomination papers;

Assembly Bill No. 2501—An act to amend Section 13368 of the Health and Safety Code, relating to the construction of the roof of a hazardous building of a clothes cleaning establishment;

Assembly Bill No. 2632—An act to add Sections 141 and 141.5 to the Welfare and Institutions Code, relating to warrants issued by the State Controller for old age security and security for the blind, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2045—An act to amend Sections 19170, 19173, and 19175 of the Government Code, and to add Section 19175.5, relating to the probationary period of state employees;

Assembly Bill No. 2193—An act to amend Section 6 of an act entitled "An act to authorize the Department of Finance to acquire surplus housing facilities for resale to farmers, making an appropriation therefor and declaring the urgency thereof, to take effect immediately," approved July 10, 1947 (Chapter 1352, Statutes of 1947), relating to the expiration date thereof;

Assembly Bill No. 2249—An act to amend Section 1272 of the Agricultural Code, relating to report of sale by commission merchant, remittances, retention of records, payment by dealer, claims or credits;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1651—An act to repeal the act known as Chapter 807, Statutes of 1937, entitled "An act to regulate the distribution of moneys received from the United States Government under the provisions of the act of Congress of June 28, 1934, known as the Taylor Grazing Act and any act amendatory thereof.";

Assembly Bill No. 1713—An act to add Section 55.65 to, and to amend Sections 40 and 55.6 of, the Alcoholic Beverage Control Act, relating to the sale of wine, requiring the posting of prices and the making and filing of fair trade contracts in relation thereto, and governing the giving of discounts in connection with the sale of wine;

Assembly Bill No. 1926—An act to amend Section 16486 and to add Section 16486a to the Education Code, relating to absences of pupils for dental treatment;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1565—An act to amend Section 360.5 of the Agricultural Code, relating to penalties for delinquencies in obtaining slaughterer's license;

Assembly Bill No. 1567—An act to amend Sections 339.1, 339.3, and 339.4 of the Agricultural Code, relating to brand fees;

Assembly Bill No. 1568—An act to amend Sections 1261, 1262, 1263, 1265, and 1266 of the Agricultural Code, relating to produce dealers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 808—An act to add Part 11, comprising Sections 23001 to 26481a, inclusive, to Division 2 of, and to add Sections 50016 and 50017 to, the Revenue and Taxation Code, thereby consolidating and revising the law relating to taxation and the raising of revenue, including the provisions of the Bank and Corporation Franchise Tax Act and the Corporation Income Tax Act, and repealing acts and parts of acts specified herein;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10:30 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1364—An act making an appropriation in augmentation of the appropriation in Item 341 of the Budget Act of 1948, for educational assistance to veterans, Department of Veterans' Affairs, to take effect immediately;

Assembly Bill No. 1497—An act to add Section 171 to the Fish and Game Code, relating to game refuges;

Assembly Bill No. 1555—An act to add Section 6 to an act entitled "An act providing for the joint exercise of powers by public agencies," approved May 20, 1921, and to add Section 6513 to the Government Code, relating to privileges and immunities of officers and employees while acting under the joint exercise of powers by public agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-sixth day of May, 1949, at 10 a.m.

HUYCK, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 987

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 11
Assembly Bill No. 29
Assembly Bill No. 139
Assembly Bill No. 171
Assembly Bill No. 234
Assembly Bill No. 237
Assembly Bill No. 986
Assembly Bill No. 1391
Assembly Bill No. 1590

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER. Your Committee on Judiciary, to which was referred:

Senate Bill No. 869

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 45	Assembly Bill No. 1307
Assembly Bill No. 734	Assembly Bill No 1309
Assembly Bill No 1160	Assembly Bill No. 1311
Assembly Bill No 1306	Assembly Bill No. 1333

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER. Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 62

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER. Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 142
Assembly Bill No. 2170

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred.

Assembly Bill No. 2124
Assembly Bill No. 2791
Assembly Bill No. 3104

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred.

Assembly Bill No. 2677

Has had the same under consideration, and reports the same back with the recommendation Do pass.

WEBER, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER. Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 401
Senate Bill No. 1492

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER. Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Social Welfare, to which was referred.

Assembly Bill No. 2909

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

NIEHOUSE, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Assembly Bill No. 721

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1209

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1172

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2160

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 635
Senate Bill No. 1277
Senate Bill No. 1522
Senate Bill No. 1527
Senate Bill No. 1526
Senate Bill No. 1528
Senate Bill No. 1534
Senate Bill No. 1542
Senate Bill No. 1543

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 557

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 406
Assembly Bill No. 3137

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2608

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 25, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 553

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined
Assembly Bill No. 418
Assembly Bill No. 806
Assembly Bill No 2964
And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos 418 and 2964 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 806 ordered re-referred to Committee on Finance and Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined.
Assembly Bill No. 2665
And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 2665 ordered re-referred to Committee on Finance and Insurance.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No 830	Assembly Bill No 1384
Assembly Bill No. 962	Assembly Bill No 1467

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bills Nos. 830 and 1467 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 962 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 1384 ordered re-referred to Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 259	Assembly Bill No. 1959
Assembly Bill No. 1315	Assembly Bill No. 2183
Assembly Bill No. 1345	Assembly Bill No. 2331
Assembly Bill No. 1346	Assembly Bill No 2362
Assembly Bill No. 1958	

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bill No. 851 ordered re-referred to Committee on Public Utilities and Corporations.

Senate Bill No. 711 ordered re-referred to Committee on Finance and Insurance.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 30 p.m —

Executive Committee of the Interim Committee on Tidelands and Related Traffic Problems, in Room 320.

At 3 p.m.—

Ways and Means.
Transportation and Commerce.

Tonight—At 8 p m.—

Industrial Relations.
Municipal and County Government.

It was announced that the following committees would hold no meetings today:

Revenue and Taxation.
Civil Service and State Personnel

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Crichton, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Clyde E. Cate of Fresno.

On request of Mr. Hagen and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Frank Pryor, former Assemblyman of Hanford.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Harry Wilder of San Francisco

On request of Messrs. Hahn, Evans, and Levering, the usual courtesies of the Assembly for this day were unanimously extended to Gordon Ford of South Gate and Ira Gordon of Santa Monica.

On request of Speaker pro Tempore Maloney and Messrs. Conrad and Levering, the usual courtesies of the Assembly for this day were unanimously extended to Marina Koschets and Mr. and Mrs. Harry Usher of Los Angeles.

On request of Mr. Connolly and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to a group of Marina District residents of San Francisco, celebrating Marina Day in Sacramento, including: Barbara Lieata, Serafina D'Amiso, June Lee, Herman Carmossi, Rudy Torigiani, Marie Dwyer, Florence Wheeler, Judith Massone, Louise Ura Comso, Emilio Demartini, Marguerite M. Gorman, Mr. and Mrs. Tom Spoon, Mr. and Mrs. Edward B. Baron, Mr. and Mrs. F. Ellis Pierce, Mrs. W. S. Wells, Leo Girimonte, Bill Weel, Mr. and Mrs. James Tallerico, Mr. and Mrs. Michael O'Malley, John M. Gorman, C. Wunner, Mary J. Gunderson, Stell Haskel, Mrs. A. Meyer, Margaret E. Gordon, and Marjorie L. Cleveland.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to D. L. Van Lanen, teacher of Missouri Flat School of Placerville; Mesdames Nova Perkins, Mayfield, Lillian Petersen and Richter, parents; and the following pupils: Betty

Raudio, Gwen Headington, Mary Gillespie, Marilyn Berg, Janice Englund, Rhonda Streight, Katherine Perkins, Joyce Boone, Loretta Headington, Wynema Berg, Darlene Richter, Laurence Moreland, Danny De Varrenes, Donald Boone, Rex Smith, Fred Perkins, Gerald Petersen, Loretta Moreland, Jo Ann Padgett, and Janet Mayfield.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Lena Everett, teacher of the Stanford Junior High School of Sacramento, and the following pupils: Jim Moner, Paul Rumberg, Douglas Costa, Dick Bisbee, Charles Dolsce, Bob Robbins, Bill Miller, Stanley Bettanini, Jesse Wood, Janice Wakefield, Beverly Simone, Bernice Pritchard, Sandra Teske, Patsy Galland, and Barbara Kirchgater.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to the following students of the Los Angeles State College: Harold Heywood, Paul W. Schmidt, Danny Desmond, Lloyd A. Hutton, Erwin Flacks, Frankye Riley, Ivan L. Hanlan, Larry Bordan, Max Wolf, Lewis Kennedy, Donald E. McLaren, Wayne Hanks, Dolores Lavery, Marjorie Morrison, Robert S. Miner, and Richard S. Roth.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to C. L. Bloomquist, Mrs L. F. Oliver, and Mrs. Truman Lee, teachers of the Dent Union School of Escalon, and the following pupils: Vinita Marconett, Juanita Wyatt, Betty Ann Ott, Samona Vincent, Sylvia Norbeek, Kenneth Sutton, Joan Patterson, Fred Kee, L. F. Oliver, Wayne Engel, Paul Runsten, Lavoy Johnson, Kenneth Boatman, Eugene Raney, T. R. Edwards, John Stone, Alda Parker, Jewell Trout, Martha Sparkman, Nancy Cavalieri, Isabell Marshall, Shirley Ledbetter, Opal Light, Jimmy Rose, Lonnie Mathis, Patsy Vote, Rowena Ambrose, Richard Lial, Darryl Peterson, Harold Parsons, Richard White, Delbert Jackson, Sidney Trager, Roy Kizar, and Gerald Shirey.

ADJOURNMENT

At 12.54 p.m., on motion of Mr. Dickey, Speaker Pro Tempore Maloney declared the Assembly adjourned, until 9 a.m., Friday, May 27, 1949, out of respect to the memory of the late Walter J. Hicks of Sacramento.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

SEVENTY-NINTH LEGISLATIVE DAY

ONE HUNDRED FORTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, May 27, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of America: Under the shadow of Memorial Day, decorated with banners and flowers and resounding with martial music, let us solemnly remember the enormous price that mankind has paid for the blessings of freedom

The long-plumed procession of the Knights of Liberty who fought upon the countless battlefields from the Jordan and Thermopolis, from Tours and Waterloo, to Bunker Hill and Gettysburg, and to the lands where the thistle and the shamrock grow.

Those who on "Fame's eternal camping ground" fought to preserve the Union, and those who made the Spanish-American War the first in the story of chivalry.

Let us honor the youth who, in the World Wars, twice crossed the ocean and made the Argonne, Normandy, and the South Pacific sacred, and left a forest of crosses an appalling symbol of the price of freedom.

"These gave the world away, gave up the rich red blood of youth
Gave up the years to be of love, success and fame,
And that which was their immortality, their sons, they gave."

May we zealously guard these liberties hallowed by their blood, and for which they fought.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Stewart, further reading of the Journal of the previous legislative day was dispensed with.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 26, 1949

Hon. Arthur Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR SIR: I am directed by the Senate to respectfully request you to return to the Senate, Senate Bill No. 24 for further consideration.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

UNANIMOUS CONSENT GRANTED TO RETURN SENATE BILL NO. 24 TO THE SENATE

Mr. McCollister asked for, and was granted, unanimous consent that the Chief Clerk be instructed to return Senate Bill No. 24 to the Senate for further consideration.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 26, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 74

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning

Assembly Bill No. 1461—An act to amend Section 202 of the Fish and Game Code, relating to the Mendota Pool Waterfowl Refuge and defining the boundaries thereof.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 859
Assembly Bill No. 3149

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 68

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 68—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for

and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of May, 1949.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 11—An act to add Section 66n to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the State of California, in and for the County of Sacramento, to provide for the appointment of an additional judge and for his compensation," approved June 16, 1923, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Sacramento.

Bill read second time, and ordered engrossed.

Assembly Bill No. 29—An act to add Section 66k to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 139—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act to reduce the number of Judges of the Superior Court in and for the County of Humboldt and to repeal an act entitled 'An act to provide for the appointment and election of one additional judge for the County of Humboldt,' approved March 8, 1895," approved June 10, 1933, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Humboldt.

Bill read second time, and ordered engrossed.

Assembly Bill No. 171—An act to add Section 66r to the Code of Civil Procedure, relating to the number of Judges in the Superior Court in the County of Monterey and providing for the appointment of an additional Superior Court Judge in and for the County of Monterey, and for his compensation.

Bill read second time, and ordered engrossed.

Assembly Bill No. 234—An act to add Section 66*l* to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the County of Riverside, and to provide for the appointment of an additional judge," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Riverside.

Bill read second time, and ordered engrossed.

Assembly Bill No. 237—An act to amend Section 66e of the Code of Civil Procedure, relating to the number of Judges in the Superior Court in the County of Santa Clara and providing for the appointment

of an additional Superior Court Judge in and for the County of Santa Clara, and for his compensation.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Heisinger asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 986—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1391—An act to add Section 66t to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the State of California, in and for the County of Stanislaus, to provide for the appointment of an additional judge and for his compensation," approved May 21, 1915, relating to the number of superior court judges and providing for the appointment and compensation of an additional Superior Court Judge in and for the County of Stanislaus.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1590—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read second time, and ordered engrossed.

Assembly Bill No. 553—An act to add Section 12700.6 to Chapter 7, Division 5 of the Business and Professions Code, relating to public weighmasters.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2217—An act creating the San Luis Rey Water Authority, providing for its organization and government, and defining its duties and powers relating to the preparation and adoption of plans for and the acquisition, construction, operation and maintenance of a system of works, designated as the San Luis Rey Project, for the appropriation, diversion, storage, conservation, development, distribution and utilization of water of San Luis Rey River for flood control, domestic use, irrigation of lands, and drainage and reclamation connected therewith, and for any beneficial use; providing that certain state agencies may contract or cooperate with said San Luis Rey Water Authority for the purposes of the act; providing that the San Luis Rey Water Authority may cooperate and contract with the United States and its agencies for

any of the purposes of the act; defining the manner of providing funds and the issuance, sale and redemption of bonds to carry out the purposes of the act; repealing the San Luis Rey Project Act, which became a law June 6, 1939, without the Governor's approval, and declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 13, 1949, between lines 2 and 3, insert

"The works to be constructed by the authority shall consist of a surface dam and reservoir to be constructed in the Bonsall Narrows, at approximately the location designated by the Division of Water Resources of the State of California in its Bulletin 48A, or a submerged type dam and sub-surface reservoir to be constructed in the Oceanside Narrows near the mouth of said San Luis Rey River, or both of such dams and reservoirs, together with all appurtenances necessary or convenient to the operation thereof, and all ditches, conduits, pipe lines, tunnels and other works necessary or convenient to deliver water therefrom to the member units of the authority or other persons to whom the authority is required to deliver water therefrom."

Amendment No. 2

On page 11 of the printed bill, between lines 5 and 6, insert

"(j) Nothing herein contained shall authorize the authority, by the construction of its works, to interfere with any vested right to the waters of said San Luis Rey River, either surface or subterranean, and the authority shall not, by the storage of water in the reservoirs created by said dam or dams, or the delivery or use of said water on any lands, acquire any right by prescription to store or use such waters as against the owner of any riparian, overlying or appropriative right to the use of the waters of said river, either surface or subterranean, below said dam or dams; provided further that any surface dam and reservoir constructed by the authority shall be so operated as to maintain a static water level in the underground basin known as Mission Basin at least as high as it would have been if said surface reservoir had not been constructed, as such water level is determined by the Division of Water Resources."

Amendment No. 3

On page 16 of said bill, between lines 47 and 48, insert

"In the event of a mutual water company member at any time refusing or otherwise failing to furnish water to any of its stockholders, and water is available to such member under its contract with the authority, and such stockholder is willing to furnish and provide at his own cost and expense a pipeline and necessary facilities to take delivery of such water, the authority may direct such member so to furnish and deliver the water into the pipeline furnished by such stockholder at the same price and cost as the water is available to the member under its contract. Refusal of such member to comply shall be deemed a breach of the contract."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare Code, relating to institutions in which delinquent or other juveniles are housed.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "one hundred dollars ($100)", and insert "two hundred fifty dollars ($250)".

Amendment No. 2

On page 1, line 13, of said bill, after "that", insert "in all counties except counties of the first class,".

Amendment No. 3

On page 1, line 14, of said bill, after "officer", insert ", if so directed by the probation committee,"

Amendment No. 4

On page 1, line 15, of said bill, after "administer," insert "subject to the supervision and direction of the probation committee,"

Amendment No. 5

On page 1, line 18, of said bill, after the period, insert "In counties of the first class such probation officer without extra compensation therefor, shall have the management and control of the internal affairs of the detention home."

Amendment No. 6

On page 1 of said bill, strike out line 20, and insert

"641 *In all counties except counties of the first class the probation officer shall* have the power, which shall not be exercised except at the direction of the probation committee, whereupon it shall become his duty, to".

Amendment No. 7

On page 1, line 22, of said bill, after "administer," insert "subject to the supervision and direction of".

Amendment No. 8

On page 1, lines 23 and 24, of said bill, strike out "with the advice and counsel of".

Amendment No. 9

On page 1, line 25, of said bill, after the period, insert "In all counties of the first class the probation officer shall, with the advice and counsel of the probation committee, manage and control the internal affairs of the detention home."

Amendment No. 10

On page 2, line 6, of said bill, strike out the first "The", and insert "In all counties other than counties of the first class the".

Amendment No. 11

On page 2 of said bill, strike out line 8, and insert "probation committee of the county. In counties of the first class the internal affairs of the juvenile hall or branch juvenile hall shall be under the management and control of the probation officer of the county."

Amendment No. 12

On page 2, line 10, of said bill, after "officer", insert "in counties of the first class".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2608—An act to add Article 6.5 to Chapter 3 of Part 2 of Division 3 of Title 2 of the Government Code, relating to public records.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 21, of the printed bill, strike out the remainder of the bill after the period, and beginning "Any documents declared".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 406—An act to amend Section 7044 of the Business and Professions Code, relating to licensing of contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the period after "sale", and strike out lines 6 and 7, and insert "; provided, however, an owner of property who in any one calendar year commences to build or improve more than one structure and does not occupy, use and own such property for at least nine months following the completion of the building or improvement, or sell at a forced sale resulting from bankruptcy, assignment for benefit of creditors or execution, is subject to all of the provisions of this chapter."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3137—An act to amend Sections 24251 and 26265 of the Health and Safety Code, relating to air pollution control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Sections 24251 and", and insert "Section".

Amendment No. 2

On page 1, line 1, of the printed bill, strike out "24251", and insert "24265".

Amendment No. 3

On page 1 of the printed bill, strike out lines 3 to 11, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 45—An act to add Section 66p to the Code of Civil Procedure, and to repeal an act entitled "An act to provide one additional Judge of the Superior Court in the County of Fresno," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of two additional Superior Court Judges in and for the County of Fresno.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "judge", and insert "judges".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 734—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of four additional superior court judges in and for the City and County of San Francisco, and providing for their compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "twenty-five", and insert "twenty-three".

Amendment No. 2

On page 1, line 9, of said bill, strike out "thirteen", and insert "twelve".

Amendment No. 3

On page 1, line 18, of said bill, strike out "four", and insert "two".

Amendment No. 4

On page 2, line 1, of said bill, strike out "four", and insert "two".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 1160—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act increasing the number of Judges of the Superior Court of the State of California, in and for the County of San Mateo, and providing for the appointment of an additional judge and for his compensation," approved May 28, 1931, relating to Superior Court Judges in the County of San Mateo.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "66s", and insert "66f".

Amendment No. 2

On page 1, line 1, of said bill, strike out "66s", and insert "66f".

Amendment No. 3

On page 1, line 3, of said bill, strike out "66s", and insert "66f".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1309—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "nine hundred twenty-five dollars ($925)", and insert "eight hundred twenty-five dollars ($825)"

Amendment No. 2

On page 1, line 18, of the printed bill, strike out "fifty dollars ($550)", and insert "dollars ($500)".

Amendment No. 3

On page 1, line 20, of the printed bill, strike out "eighty-five dollars ($485)", and insert "fifty dollars ($450)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1311—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, strike out "five hundred dollars ($4,500)", and insert "two hundred dollars ($4,200)".

Amendment No. 2

On page 1, line 17, of the printed bill, strike out "three hundred dollars ($3,300)", and insert "dollars ($3,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1333—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "nine thousand dollars ($9,000)", and insert "eight thousand four hundred dollars ($8,400)"

Amendment read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1306—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties or cities and counties, of 900,000 population or more.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 9 and 10, of the printed bill, strike out "eight hundred dollars ($4,800)", and insert "five hundred dollars ($4,500)"

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "five hundred dollars ($4,500)", and insert "forty-four dollars ($4,044)".

Amendment No. 3

On page 1, lines 15 and 16, of the printed bill, strike out "five hundred dollars ($4,500)", and insert "forty-four dollars ($4,044)"

Amendment No. 4

On page 1, lines 17 and 18, of the printed bill, strike out "four thousand two hundred dollars ($4,200)", and insert "three thousand nine hundred dollars ($3,900)"

Amendment No. 5

On page 1, lines 19 and 20, of the printed bill, strike out "three hundred dollars ($3,300)", and insert "dollars ($3,000)".

Amendment No. 6

On page 1, lines 21 and 22, of the printed bill, strike out "three thousand three hundred dollars ($3,300)", and insert "two thousand nine hundred fifty-two dollars ($2,952)".

Amendment No. 7

On page 2, lines 1 and 2, of the printed bill, strike out "five hundred dollars ($4,500)", and insert "two hundred dollars ($4,200)".

Amendment No. 8

On page 2, line 4, of the printed bill, strike out "two hundred eighty dollars ($2,280)", and insert "one hundred seventy-two dollars ($2,172)"

Amendment No. 9

On page 2, lines 6 and 7, of the printed bill, strike out "nine hundred forty dollars ($2,940)", and insert "seven hundred ninety-six dollars ($2,796)"

Amendment No. 10

On page 2, lines 9 and 10, of the printed bill, strike out "five thousand one hundred dollars ($5,100)", and insert "four thousand forty-four dollars ($4,044)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1307—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "seven thousand two hundred dollars ($7,200)", and insert "six thousand six hundred dollars ($6,600)".

Amendment No. 2

On page 1, line 13, of the printed bill, strike out "six thousand dollars ($6,000)", and insert "five thousand two hundred eighty dollars ($5,280)".

Amendment No. 3

On page 1, lines 14 and 15, of the printed bill, strike out "five thousand one hundred dollars ($5,100)", and insert "four thousand eight hundred dollars ($4,800)".

Amendment No. 4

On page 1, line 17, of the printed bill, strike out "five hundred dollars ($4,500)", and insert "two hundred dollars ($4,200)".

Amendment No. 5

On page 1, lines 19 and 20, of the printed bill, strike out "four thousand two hundred dollars ($4,200)", and insert "three thousand nine hundred dollars ($3,900)".

Amendment No. 6

On page 1, line 22, of the printed bill, strike out "three thousand three hundred dollars ($3,300)", and insert "two thousand eight hundred twenty dollars ($2,820)".

Amendment No. 7

On page 2, lines 1 and 2, of the printed bill, strike out "two thousand eight hundred twenty dollars ($2,820)", and insert "two thousand five hundred thirty-two dollars ($2,532)".

Amendment No. 8

On page 2, line 7, of the printed bill, strike out "six hundred dollars ($3,600)", and insert "three hundred dollars ($3,300)".

Amendment No. 9

On page 2, line 9, of the printed bill, strike out "three hundred dollars ($3,300)", and insert "dollars ($3,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2279—An act to renumber Section 6403 of the Public Resources Code, as said section was added by Chapter 887, Statutes of 1947, and to add Sections 6403.2 and 6403.3 to said code, relating to the reservation of oil, gas, and mineral rights in state lands, and to the duties of the State Lands Commission with respect thereto.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Manufacturing, Oil, and Mining Industry:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "6403.2 and 6403.3", and insert "6405 and 6406".

Amendment No. 2

On page 1, line 3, of said bill, strike out "6403.1", and insert "6407".

Amendment No. 3

On page 1, line 17, of said bill, strike out "6403.2", and insert "6405".

Amendment No. 4

On page 1, line 19, of said bill, strike out "6403.2", and insert "6405".

Amendment No. 5

On page 1, line 22, of said bill, strike out "this chapter", and insert "Section 6404"

Amendment No. 6

On page 2, line 3, of said bill, strike out "; provided", and insert a period.

Amendment No. 7

On page 2 of said bill, strike out lines 4 to 15, inclusive, and insert "SEC. 3. Section 6406 is added to the Public Resources".

Amendment No. 8

On page 2, line 17, of said bill, strike out "6403.3", and insert "6406".

Amendment No. 9

On page 2, line 20, of said bill, after "code", insert ", as added by Chapter 227 of the Statutes of 1947,".

Amendment No. 10

On page 2, line 23, of said bill, strike out the period, and insert ", provided that any proceeds from the rent, lease, or other management of mineral reservations to the State made in connection with property which has been distributed or escheated to the State in connection with unclaimed estates of deceased persons shall be disposed of as provided by law with respect to other property in unclaimed estates of deceased persons. The commission shall furnish the Controller the name of the estate in connection with any money collected by the commission and transmitted by it to the State Treasury in connection with mineral reservations relating to unclaimed estates of deceased persons."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Manufacturing, Oil, and Mining Industry.

Assembly Bill No. 142—An act to amend Section 18 of the Community Redevelopment Act, relating to the rehabilitation and redevelopment of blighted areas in urban and suburban communities of this State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "18", and insert "2"

Amendment No. 2

On page 1, line 1, of said bill, strike out "18", and insert "2".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"SEC. 2. It is hereby found and declared that there exist in many communities in this State blighted areas which constitute either social or economic liabilities, or both, requiring redevelopment in the interest of the health, safety and general welfare of the people of the communities in which they exist and of the people of this State generally. These blighted areas are characterized by one or more of the following conditions:

(a) The existence of buildings and structures, either used or intended to be used for living, commercial, industrial or other purposes, or any combination of such uses, which by reason of defective design and character of physical construction, faulty interior arrangement and exterior spacing, high density of population and overcrowding, inadequate provision for ventilation, light, sanitation, open spaces and recreation facilities, age, obsolescence, deterioration, dilapidation, mixed character or shifting of uses to which they are put, or any combination of such factors and characteristics, are unfit or unsafe to occupy for residential, commercial, industrial or other purposes and are conducive to ill health, transmission of disease, infant mortality, juvenile delinquency and crime.

(b) An economic dislocation, deterioration or disuse as a result of faulty planning, the subdividing and the sale of lots of irregular form and shape and inadequate size for proper usefulness and development, the laying out of lots in disregard of the contours and other physical characteristics of the ground and surrounding conditions, or the existence of inadequate streets, open spaces and utilities, or of lots or other areas which are subject to being submerged by water.

(c) A prevalence of depreciated values, impaired investments and social and economic maladjustment to such an extent that there exists a reduced capacity to pay taxes and consequent inadequacy of tax receipts in relation to the cost of public services rendered.

(d) A growing and in some instances a total lack of proper utilization of areas resulting in a stagnant and unproductive condition of land potentially useful and valuable for contributing to and serving the public health, safety and welfare; and in other areas a loss of population and reduction of useful utilization of the area, resulting in the further deterioration thereof and in added costs to the taxpayer supporting governmental entities for the creation of new public facilities and services elsewhere.

(e) A housing area constructed as a temporary wartime housing project and not designed or constructed to be used permanently which has now deteriorated or become obsolescent so as to be unsuitable for residential purposes.

It is further found and declared that the existence of blighted areas characterized by any or all of such conditions, separately or collectively, constitutes a serious and growing menace which is hereby condemned as injurious and inimical to the public health, safety and welfare of the people of the communities in which they exist and of the people of the State generally; that such areas present difficulties and handicaps which are beyond remedy and control solely by regulatory processes in the exercise of the police power; that they contribute substantially and increasingly to the problems of, and necessitate excessive and disproportionate expenditures for, crime prevention, correction, prosecution and punishment, the treatment of juvenile delinquency, the preservation of the public health and safety and the maintaining of adequate police, fire and accident protection and other public services and facilities; that this menace is becoming increasingly direct and substantial in its significance and effect; that the benefits which will result from the remedying of these conditions and the redevelopment of these areas of blight will accrue to all the inhabitants and property owners of the communities in which they exist.

It is further found and declared that such conditions of blight tend to further obsolescence, deterioration and disuse because of the lack of incentive to the individual landowner and his inability to improve, modernize or rehabilitate his own particular property while the condition of the neighboring properties remains unchanged; that as a consequence the process of deterioration of a blighted area frequently cannot be halted or corrected except by redeveloping the entire area, or substantial portions thereof; that such conditions of blight are chiefly found in areas which have been subdivided into small parcels, that in most instances the lands are held in divided and widely scattered ownerships, frequently under defective titles, that in many such

instances the private assembly of the lands in blighted areas for purposes of redevelopment is so difficult and costly that it is uneconomic and as a practical matter impossible for individual owners independently or collectively to undertake to remedy such conditions because of lack of the legal power necessary for, and the excessive costs involved in, the private acquisition of the real property of the area; that the remedying of such conditions may require the public acquisition at fair prices of adequate areas, the clearance of the areas through demolition of existing obsolete, inadequate, unsafe and insanitary buildings and the redevelopment of the areas suffering from such conditions under proper supervision, with appropriate planning, and continuing land use and construction policies.

For these reasons it is hereby declared to be the policy of this State to protect and promote the sound development and redevelopment of blighted areas within this State and the general welfare of the inhabitants of the communities in which they exist by remedying such injurious conditions through the employment of all means appropriate for that purpose; that whenever the redevelopment of blighted areas cannot be accomplished by private enterprise alone, without public participation and assistance in the acquisition of land, in planning and in the financing of land assembly, in the work of clearance and in the making of improvements necessary therefor, it is in the public interest to employ the power of eminent domain, to advance or expend public funds for these purposes and to provide a means whereby the blighted areas within this State may be redeveloped or rehabilitated; that the redevelopment of such blighted areas and the provision for appropriate continuing land use and construction policies therein, constitute public uses and purposes for which public money may be advanced or expended and private property acquired, and are governmental functions of state concern in the interest of the health, safety and welfare of the people of the State generally and particularly of the people of the communities of the State in which such areas exist; that it is in the public interest that work on such projects be commenced as soon as possible in order to create postwar employment; and that the necessity in the public interest for the provisions hereinafter enacted is hereby declared to be a matter of legislative determination."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works

Assembly Bill No. 2170—An act to add Section 13¼ to the Los Angeles County Flood Control Act, relating to storm waters, the expenditure of moneys for improvements, the control of same and the levy of taxes therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1, line 7, of said bill, after "distant", insert a comma and "and lying within the territorial limits of more than one city or one or more cities and unincorporated territory,"

Amendment No. 3

On page 1, line 9, of said bill, strike out "by ordinance", and insert "or any portion thereof, by resolution".

Amendment No. 4

On page 1 of said bill, after the period in line 18, strike out the remainder of line 18 and all of lines 19 to 27, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2124—An act to add Section 1243 to the Water Code, relating to appropriations and use of water

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 13, 1949, after "water", insert "declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, strike out lines 8 to 11, inclusive, and insert

"1243. The storage of unappropriated water in reservoirs and check dams and the release thereof to augment stream flow for the maintenance and betterment of fish life during low water stages is a public use and in the public interest. Such water so released shall be and remain subject to appropriation for other purposes in accordance with this division.

The Fish and Game Commission may expend any funds under its control for the purpose of this section.

SEC. 2 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The works to accomplish the storage of water must be constructed this summer in order to conserve next winter's runoff. If the work is not completed this summer, the benefits of the conservation and storage will be lost for a full year."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2791—An act to amend Section 5013 of the Public Resources Code, relating to the State Park Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 6, 1949, after "to", insert "add Section 5003.1 to and".

Amendment No. 2

On page 1, line 21, of said bill, after "including", strike out "but not limited to."

Amendment No. 3

On page 2, line 3, of said bill, after "hostels," strike out "restaurants,".

Amendment No. 4

On page 2 of said bill, strike out lines 17 to 23, inclusive.

Amendment No. 5

Following Section 1 of the bill, insert

"SEC. 2 Section 5003.1 is added to the Public Resources Code, to read:

5003.1. The State Park Commission shall not maintain or operate:

(a) Any restaurant, hotel or other dwelling accommodation, curio shop or store, other than those for employees of the commission, concessionaires and contracting agencies connected with the administration, protection or development of the State Park System:

(b) This section shall not be construed as prohibiting the State Park Commission from leasing buildings and facilities to private concessionaires under such conditions, rules and regulations as it may deem necessary to effect the fullest use and enjoyment of the State Park System by the public; nor shall it be construed as prohibiting the State Park Commission from the establishment, maintenance and operation of public camping grounds."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 3104—An act to add Section 1243 to the Water Code, relating to appropriations and use of water

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 23, 1949, strike out lines 7 to 11, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2160—An act to create an Industrial Relations Commission, defining its powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "month", and insert "quarter".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to the Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1172—An act to amend Section 72 of, and to add Section 74 to, the Labor Code, relating to administration of the Division of Industrial Welfare.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 13, 1949, strike out line 1, and insert

"An act to add Section 74 to the".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. Section 74 is added to the Labor Code, to read:".

Amendment No. 3

On page 1 of said bill, strike out line 14; and in line 15, strike out "enforcement duties of the division are delegated", and insert "for the purpose of enforcing Industrial Welfare Commission Orders and provisions of this code".

Amendment No. 4

On page 1, line 17, of said bill, strike out "; administer oaths; and examine", strike out lines 18 and 19, inclusive; and in line 20, strike out "the division is required to enforce".

Amendment No. 5

On page 1, line 21, of said bill, strike out ", or employees authorized by him"

Amendment No. 6

On page 1 of said bill, after line 22, insert

"The Chief and enforcement deputies of the Division of Industrial Welfare may administer oaths and examine witnesses under oath for the purpose of enforcing Industrial Welfare Commission Orders and provisions of this code."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

SECOND READING OF SENATE BILLS

Senate Bill No. 662—An act to amend Sections 6303 and 6897 of the Public Resources Code, relating to state lands and providing for the extraction or removal of minerals, other than oil and gas, and of other material therefrom.

Bill read second time, and ordered to third reading

Senate Bill No. 401—An act to amend Sections 11540 and 11541 of the Business and Professions Code, relating to subdivision maps.

Bill read second time, and ordered to third reading.

Senate Bill No. 1492—An act to amend Sections 2, 27, 28, and 30 of the Water Conservation Act of 1927, relating to the power and authority of water conservation districts.

Bill read second time, and ordered to third reading

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Erwin asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 869—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 635—An act to repeal "An act in relation to the act of Congress known as the Carey Act, and all acts amendatory thereof and supplemental thereto, and giving authority to a commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof," approved June 4, 1915.

Bill read second time, and ordered to third reading.

Senate Bill No. 1277—An act adding Section 12.5 to the State Aeronautics Commission Act, relating to the operation of helicopters and similar aircraft.

Bill read second time, and ordered to third reading

Senate Bill No. 1522—An act authorizing the sale of certain real property in the City of Sacramento not required for existing state functions and providing for the disposition of the proceeds of such sale.

Bill read second time, and ordered to third reading.

Senate Bill No. 1527—An act authorizing the grant, without cost of certain real property, in the City of Porterville, not required for existing state functions.

Bill read second time, and ordered to third reading.

Senate Bill No. 1526—An act authorizing the gift of certain real property in Tuolumne County which is not required for existing state functions.

Bill read second time, and ordered to third reading.

Senate Bill No. 1528—An act authorizing the sale of certain real property in the County of Madera not required for existing state functions and providing for the disposition of the proceeds of such sale.

Bill read second time, and ordered to third reading.

Senate Bill No. 1534—An act to add Sections 13370.1 and 13370.2 to the Government Code, relating to the control of specifications for bids.

Bill read second time, and ordered to third reading.

Senate Bill No. 1542—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read second time, and ordered to third reading

Senate Bill No. 1543—An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale.

Bill read second time, and ordered to third reading

Senate Bill No. 1209—An act to amend Section 4001 of the Government Code, relating to public work

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on March 23, 1949, strike out "4001", and insert "4100".

Amendment No. 2

On page 1, line 1, of said bill strike out "4001", and insert "4100".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 14, inclusive, and insert

"4100. This chapter does not apply to contracts for the construction, improvement or repair of [State] *streets or* highways, including bridges [, nor to city or county projects financed in whole or in part with motor vehicle fuel funds] ."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 66
Senate Bill No. 153
Senate Bill No. 197
Senate Bill No. 293
Senate Bill No. 462
Senate Bill No. 476
Senate Bill No. 549
Senate Bill No. 684
Senate Bill No. 1047
Senate Bill No. 1048
Senate Bill No. 1113
Senate Bill No. 1303
Senate Bill No. 1387
Senate Bill No. 1613
Senate Bill No. 1629
Senate Bill No. 1633

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 66—An act to amend Section 374 of the Vehicle Code and Section 10781 of the Revenue and Taxation Code, relating to exemption of vehicles from registration and license fees.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 153—An act to authorize counties to establish and maintain retirement, disability and death benefit plans for peace officers, foresters, fire wardens and firemen; to permit the inclusion therein of city police officers and city firemen; to authorize the levy of taxes by such counties and cities to fund the county and city's share of the cost and expense of such plan; and in connection therewith, to add Chapter 6 to Part 3, Division 4, Title 3 of the Government Code.

Referred to Committee on Municipal and County Government.

Senate Bill No. 197—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Referred to Committee on Judiciary.

Senate Bill No. 293—An act to amend Section 11005 of, and to add Section 11005.1 to, the Government Code, relating to the acquisition of real and personal property and the powers of the Director of Finance relative thereto.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 462—An act to add Section 12500.5 to, and to amend Sections 12500 and 12501 of, the Business and Professions Code, relating to weighing and measuring instruments.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 476—An act to amend Section 6 of, and add Section 9 to, an act entitled "An act providing for preparation for postwar county highway construction projects, and making an appropriation therefor," approved May 18, 1943, relating to expenditure of funds for postwar county highway construction projects, and providing penalties.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 549—An act to amend Section 374 of the Vehicle Code, to add Section 381.1 thereto, and to amend Section 10782 of the Revenue and Taxation Code, relating to exemptions from fees for the operation of motor vehicles.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 684—An act to amend Sections 2, 3, 25, 26, 27, 28, and 29 of the Retirement Systems Act, and to amend Sections 28001, 28002, 28100, 28101, 28102, 28103, 28104, 28301, and 28402 of, and to add Section 28002.5 to, the Corporations Code, relating to what constitutes a retirement system and the exemption of certain retirement systems from various provisions of the act.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1047—An act to amend Section 932 of the Probate Code, relating to accounts of deceased or incompetent executor.

Referred to Committee on Judiciary.

Senate Bill No. 1048—An act to amend Section 1144 of the Probate Code, relating to administration by the public administrator of estates of a value not exceeding two hundred dollars ($200).

Referred to Committee on Judiciary.

Senate Bill No. 1113—An act to amend Section 19480.5 of the Business and Professions Code, relating to the issuance of licenses to conduct horse racing meetings.

Referred to Committee on Public Morals.

Senate Bill No. 1303—An act to amend Section 428 of the Vehicle Code, relating to liens on vehicles.

Referred to Committee on Judiciary.

Senate Bill No. 1387—An act to amend Section 257 of the Vehicle Code, relating to drivers licenses of minors.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1613—An act to amend Section 704 of the Vehicle Code, relating to weight of vehicles.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 1629—An act to amend Section 5551 of the Streets and Highways Code, relating to appropriations to aid the construction of generally used structures.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1633—An act to add Section 13 8 to the Construction and Employment Act, relating to projects for which the county allocation thereunder is available, providing for the construction and improvement of waterworks systems by county waterworks districts, and declaring the urgency thereof, to take effect immediately

Referred to Committee on Municipal and County Government.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 67	Assembly Bill No. 1589
Assembly Bill No 92	Assembly Bill No 2110
Assembly Bill No 282	Assembly Bill No. 3108
Assembly Bill No. 590	

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 67 ordered re-referred to Committee on Education.

Assembly Bill No. 92 ordered re-referred to Committee on Ways and Means.

Assembly Bills Nos 282 and 2110 ordered re-referred to Committee on Judiciary.

Assembly Bills. Nos. 590 and 1589 ordered re-referred to Committee on Public Health.

Assembly Bill No. 3108 ordered re-referred to Committee on Fish and Game.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day.

Assembly Bill No. 533, on request of Mr Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 725—An act to add Section 19333 to the Government Code, relating to authorizing absences from veterans' homes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 725?

Amendment No. 1

On page 1, line 8, of the printed bill, after "courses", insert ", for a period not to exceed thirty days in any one calendar year,".

Amendment No. 2

On page 1, line 9, of said bill, after the period, insert "Any member so attending such schooling shall bear his own expenses but there shall be no interruption of normal salary or pay."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried Time, 9.10 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brady, Brown, Coats, Collier, Condon, Cramer, Crowley, Dunn, Elliott, Fletcher, Hinckley, Kilpatrick, Levering, Meyers, Morris, Moss, Price, Reagan, Rosenthal, Sherwin, Waters, Weber, and Yorty—25

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ALL MATTERS ON SENATE THIRD READING FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Beck asked for, and was granted, unanimous consent that all matters on the Senate third reading file be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 272—An act to amend Sections 12130.1, 12400.1, and 12402.1 of the Education Code, and to add Section 12131.2 to said code, all relating to the credentials authorizing service in the public schools, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—57

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—57

NOES—None.

Bill ordered transmitted to the Senate

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 470, on motion of Mr. Babbage.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1094—An act to repeal Sections 31303 and 31304 of, and to add Section 31303 to, the Water Code, relating to county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Nicholson, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—57

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.30 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Senate Concurrent Resolution No. 32—Relating to the cessation, until 90 days after adjournment of the 1949 Session of the Legislature, of expenditures under Chapter 1051 of the Statutes of 1947 which authorize the removal of the California Institution for Women at Tehachapi and made an appropriation therefor.

Resolution read.

Speaker Presiding

At 9.40 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly.

Motion carried. Time, 9.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Bennett, Brady, Cramer, Crowley, Dunn, Erwin, Fletcher, Hinckley, Huyck, Kirkwood, Levering, McCollister, Meyers, Price, Reagan, and Rosenthal—17.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Davis asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 596

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 596, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 596

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sullman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

RECOMMENDATION OF THE GOVERNOR

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Senate Bill No. 857:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 6, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Senate Bill No. 857, "An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill

This bill does not appropriate new funds, but appropriates the unencumbered balance of an appropriation made in 1947 to the Emergency Fund specified in Item 278 of the Budget Act of 1949, for the cost of repair or restoration of certain damage done by storm or flood. Consideration of this item before the budget has been recommended by the Director of Public Works to permit the State Engineer to begin work on these items as soon as possible.

I therefore recommend consideration of Senate Bill No. 857 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Above letter received at Assembly desk May 27, 1949.

CONSIDERATION OF SENATE BILL NO. 857

Senate Bill No. 857—An act making an appropriation to the Emergency Fund specified in Item 278 of the Budget Act of 1949, relating to the repair and restoration of property damaged or destroyed by storms or floods and the expenditure of money appropriated therefor, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney,

McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—65.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No 990, on request of Mr Beck.

Request for Unanimous Consent That Assembly Bill No. 990 Be Withdrawn From File, and Be Re-referred

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bill No. 990 be withdrawn from the file, and be re-referred to the Committee on Ways and Means

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Unanimous Consent to Temporarily Suspend the Rules

Mr. Sherwin asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the purpose of not limiting debate on proposed amendments relative to Capital Outlay on Assembly Bill No. 1100.

Further Consideration of Amendments to Assembly Bill No. 1100 Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 721

On page 65, line 21, of said bill, following "agriculture", insert "payable from the Postwar Employment Reserve"

Amendment read.

Request for Unanimous Consent That His Series of Proposed Amendments Be Considered Collectively

Mr. Lowrey asked for unanimous consent that his series of proposed amendments relative to capital outlay be considered collectively.

Mr. Sherwin withheld unanimous consent.

Amendments ordered considered item by item.

The question being on the adoption of Amendment No. 721 offered by Mr Lowrey to Assembly Bill No. 1100.

Demand for Previous Question

Messrs. Hawkins, Hagen, Morris, Beck, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No 721 offered by Mr. Lowrey to Assembly Bill No. 1100.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Nicholson, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Coats asked for, and was granted, unanimous consent that his name be placed upon the roll call on Amendment No. 721, offered by Mr Lowrey, and that he be recorded as voting "Aye."

(1 Amendment adopted. Total—76)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 622

On page 65, line 23, of said bill, strike out "16,250", and insert "13,810"

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 622

On page 65, line 23, of said bill, following "Agriculture" insert "payable from Item 372.11 of this act"; and from the same line, strike out "16,250", and insert "13,810".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh Kilpatrick, Lewis, Lindsay,

Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—77.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 623

On page 65, line 31, of said bill, strike out "12,500", and insert "10,625".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74

NOES—None.

(1 Amendment adopted Total—78)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 624

On page 65, line 34, of said bill, strike out "378,000", and after "Corrections", insert "in accordance with the following projects 18,000

Projects.

(a) Three staff residences ..... 18,000"

Amendment read.

Substitute Amendment

Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 624

On page 65, line 34, of said bill, strike out "378,000", and after "Corrections", insert "In accordance with the following projects payable from the Postwar Employment Reserve 18,000

Projects:

(a) Three staff residences 18,000

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—79.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 625

On page 65, line 37, of said bill, strike out "115,200", and insert "81,770".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 625

On page 65, line 37, of the said bill, strike out "115,200", and after "Corrections", insert "payable from Item 372, of this act---------- 81,770"

Substitute amendment read

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Huckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—80.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 626

On page 65, line 40, of said bill, strike out "138,200", and after "tions", insert "in accordance with the following projects---------- 79,900

Projects:

(a) Hot water plumbing and furniture for each cell, showers for cell blocks----------	41,650
(b) Industrial buildings ----------	38,250
Total of projects ----------	79,900".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 626

On page 65, line 40, of said bill, strike out "138,200", and after "tions", insert "payable from the Postwar Employment Reserve, in accordance with the following projects ---------- 79,900

Projects:

(a) Showers for cell blocks----------	41,650
(b) Industrial buildings ----------	38,250
Total of projects ----------	79,900".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—81.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 627

On page 65, line 43, of said bill, strike out "310,800", and insert "177,905".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 627

On page 65, line 43, of said bill, strike out "310,800", and insert "177,905"; and after corrections add "payable from the Postwar Employment Reserve".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment Adopted Total—82.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 628

On page 65, line 46, of said bill, strike out "1,054,200"; and after "tions", insert "in accordance with the following projects---------- 551,800

Projects:

(a) Sewage disposal plant ----------	233,750
(b) Maintenance shops building ----------	127,500
(c) Warehouse for industrial activities ----------	128,500
(d) New foundry ----------	62,050
Total of projects ----------	551,800"

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 628

On page 65, line 46, of said bill, strike out "1,054,200", and after "tions", insert 'payable from the Postwar Employment Reserve in accordance with the following projects ---------- 551,800

Projects:

(a) Sewage disposal plant	233,750
(b) Maintenance shops building	127,500
(c) Warehouse for industrial activities	128,500
(d) New foundry	62,050
Total of projects	551,800".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Nicholson, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—83)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 629

On page 65, line 49, of said bill, strike out "485,950", and insert "156,785".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 629

On page 65, line 49, of said bill, after "corrections", insert "payable from the Postwar Employment Reserve"; and strike out "485,950", and insert "156,785".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Nicholson, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—84.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 630

On page 66, line 4, of said bill, strike out "30,250", and insert "12,965".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 630

On page 66, line 4, of said bill, after "Corrections", insert "Payable from Item 372.11 of this act", and strike out "30,250", and insert "12,965".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—85.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 631

On page 66, line 7, of said bill, strike out "24,650", and insert "20,955".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 631

On page 66, line 7, of said bill, after "Corrections", insert "Payable from Item 372.11 of this act"; and strike out "24,650", and insert "20,955"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—86.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 632

On page 66, line 10, of said bill, strike out "131,960", and insert "112,170".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 632

On page 66, line 10, of said bill, after "Corrections", insert "payable from Post-war Employment Reserve"; and strike out "131,960", and insert "112,170".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Nichouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—87)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 633

On page 66, line 13, of said bill, strike out "15,850", and insert "9,905".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nichouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—88.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 634

On page 66, line 16, of said bill strike out "48,000", and insert "36,125".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 634

On page 66, line 16, of said bill, after "Authority", insert "payable from Item 372 11 of this act", and strike out "48,000", and insert "36,125".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted Total—89.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 635

On page 66, line 19, of said bill, strike out "20,200", and insert "8,500"

Amendment read.

The roll was called, and the amendment adopted by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74

NOES—None.

(1 Amendment adopted. Total—90.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 636

On page 66, line 22, of said bill, strike out "6,000", and insert "850".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74

NOES—None.

(1 Amendment adopted Total—91.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 637

On page 66 of said bill, strike out lines 27 and 28

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—92)

Explanation of Vote

My name was included on a substitute roll call on Amendment No 637 I am opposed to reduction of the Chico State College Budget

ARTHUR W COATS

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 638

On page 66, line 30, of said bill, strike out "7,500", and insert "6,375".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—74.

NOES—None.

(1 Amendment adopted. Total—93)

Explanation of Vote

My name was included on a substitute roll call on Amendment No 638. I am opposed to reduction of the Chico State College Budget

ARTHUR W. COATS

Consideration of Further Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 722

On page 66, line 26, of said bill, after "Act", insert "Payable from the Postwar Employment Reserve".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis,

Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—94.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 639

On page 66 of said bill, following line 35, insert

"301.5—For minor construction, improvements, repairs, and equipment, Fresno State College, payable from the State College Fund_____ 65,000".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 639

On page 66 of the said bill, following line 35, insert "301.5" "for minor construction, improvements, repairs, and equipment for the school of Agriculture of Fresno State College, payable from the State College Fund_____65,000".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley Thompson, and Waters—19.

(1 Amendment adopted. Total—95.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 640

On page 66, line 37, of said bill, strike out "47,000", and insert "39,950".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 640

On page 66, line 37, of said bill, after "College", insert "payable from Item 372 11 of this act"; and strike out "47,000", and insert "39,950".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis,

Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—96)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 641

On page 66 of said bill, strike out lines 42 and 43

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—97)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 642

On page 66, line 46, of said bill, strike out "9,100", and insert "7,735"

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—98)

Consideration of Further Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 723

On page 66, line 31, of said bill, after "property," insert "for the Agricultural School of"; and on page 66, line 33, following the comma after "improvements", insert "for the Agricultural School of"

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—99)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 643

On page 66, line 47, of said bill, strike out "minor improvements, repairs and", and insert "initial complement of".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None

(1 Amendment adopted. Total—100.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 644

On page 66, line 48, of said bill, strike out "four-year institution of higher"; and strike out lines 49, 50, and 51, on said page 66, and insert "Los Angeles State College of Applied Arts and Sciences---------- $7,550".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 644

On page 66, line 48, of said bill, strike out "four-year state institution of higher"; and strike out lines 49, 50, and 51 on said page 66, and insert "Los Angeles State College of Applied Arts and Sciences, payable from Item 372 11 of this act ---------- $7,550".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay,

Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted Total—101)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 645

On page 67, line 5, of said bill, strike out "2,500,000", and after "1947", insert "in accordance with the following projects ---------- 2,125,000

Projects:

(a) Science building ----------	540,000
(b) Library ----------	686,800
(c) Industrial and vocational arts building----------	152,400
(d) Physical education facilities ----------	552,000
(e) Administration and classroom building ----------	193,800
Total of projects ----------	2,125,000".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 645

On page 67, line 5, of said bill, after "1947", insert "Payable from the Post-war Employment Reserve, in accordance with the following projects"; and strike out "2,500,000", and insert "2,125,000",.

Projects:

(a) Science building ----------	540,000
(b) Library ----------	686,800
(c) Industrial and vocational arts building----------	152,400
(d) Physical education facilities ----------	552,000
(e) Administration and classroom building----------	193,800
Total of projects ----------	2,125,000".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—102.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 646

On page 67, lines 6 and 7, of said bill, strike out "minor construction, improvements, repairs and", and insert "initial complement of".

Amendment read.

The roll was called, and the amendment adopted by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—103.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 647

On page 67, line 10, of said bill, strike out "54,300", and insert "46,155"

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 647

On page 67, line 10, of said bill, after "1947", insert "Payable from Item 372.11 of this act"; and strike out "54,300", and insert "46,155".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—104.)

Consideration of Further Amendments
Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 725

On page 67, line 14, of said bill, after "Act", insert "Payable from the Postwar Employment Reserve".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay,

Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—105)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 648

On page 67 of said bill, strike out lines 15 and 16.

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—74

NOES—None.

(1 Amendment adopted Total—106)

Consideration of Further Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 724

On page 66, line 41, of said bill, after "Act", insert "payable from Postwar Employment Reserve".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—107)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 649

On page 67, line 19, of said bill, strike out "90,000", and insert "76,500"

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 649

On page 67, line 19, of said bill, after "lege", insert "payable from Item 372.11"; and strike out "90,000", and insert "76,500"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—108)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 650

On page 67, line 21, of said bill, strike out "2,000,000", and after "College" insert "in accordance with the following projects 1,700,000

Projects:

(a) Classroom building	156,740
(b) Library building	384,120
(c) Music and speech building	500,400
(d) Fine arts building	466,350
(e) Utilities	192,390
Total of projects	$1,700,000".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 650

On page 67, line 21, of said bill, strike out "2,000,000"; and after "College", insert "payable from the Postwar Employment Reserve in accordance with the following projects 1,700,000

Projects:

(a) Classroom building	156,740
(b) Library building	384,120
(c) Music and speech building	500,400
(d) Fine arts building	466,350
(e) Utilities	192,390
Total of projects	$1,700,000".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay,

Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—109.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 651

On page 67, line 24, of said bill, strike out "48,500", and insert "41,225".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 651

On page 67, line 24, of said bill, following "College", insert "payable from Item 372.11 of this act", and strike out "48,500", and insert "41,225"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—110.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 652

On page 67, line 26, of said bill, strike out "648,500", and after "College", insert "in accordance with the following projects ---------- $160,225

Projects:

(a) Electrical improvements and installation of elevator---------- 160,225".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 652

On page 67, line 26, of said bill, strike out "648,500", and after "College", insert "payable from the Postwar Employment Reserve in accordance with the following project ---------- 160,225

Project:

(a) Electrical improvements and installation of elevator ---------- 160,225"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—111.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 653

On page 67, line 29, of said bill, strike out "47,900", and insert "16,915".

Amendment read.

Substitute Amendment

Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 653

On page 67, line 29, of said bill, after "lege", strike out "47,900", and insert "payable from Item 372.11 of this act ---------- 16,915".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—112.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 654

On page 67, line 35, of said bill, strike out "404,886", and insert "344,153".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—113.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 655

On page 67, line 41, of said bill, strike out "361,915", and insert "307,628".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—114.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 656

On page 67 of said bill, strike out lines 42 and 43

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—115.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 657

On page 67 of said bill, strike out lines 44 and 45

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None

(1 Amendment adopted. Total—116.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 658

On page 67, line 48, of said bill, strike out "24,000", and insert "20,400".

Amendment read

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 658

On page 67, line 48, of said bill, after "Berkeley", insert "payable from Item 372.11 of this act"; and strike out "24,000", and insert "20,400".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted Total—117.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 659

On page 67 of said bill, strike out lines 49 to 51, inclusive

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted Total—118.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 660

On page 67 of the printed bill, after line 51, insert

"321.5—For acquisition of real property to be expended under the provisions of the Property Acquisition Act and/or construction, improvements, repairs and equipment, Industrial Workshop for the Blind, Department of Education ..... 787,000".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 660

On page 67 of said bill, after line 51, insert "for acquisition of real property to be expended under the provisions of the Property Acquisition Act and/or construction, improvements, repairs and equipment, Industrial Workshop for the Blind, Department of Education, payable from the Postwar Employment Reserve_____787,000"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—119)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 661

On page 68, line 4, of said bill, strike out "5,100", and insert "4,337".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—120)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 662

On page 68, line 7, of said bill, strike out "696,515", and insert "592,038".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 662

On page 68 of said bill, strike out line 7, and insert "ma, payable from Postwar Employment Reserve, exempt from Section 13 of this act_____592,038"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—121.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 663

On page 68 of said bill, between lines 7 and 8, insert

"323.1—For construction, improvements, and equipment on the Riverside Campus of the Liberal Arts Branch of the University of California, University of California, exempt from Section 13 of this act, in accordance with the following projects		$4,849,250
Projects.		
(a) Library and classroom building	1,020,000	
(b) Science building	935,000	
(c) Utilities	344,250	
(d) Social Science and Humanities building	850,000	
(e) Physical Education, Military Training and Student Health building	1,275,000	
(f) Dormitories and Dining Halls	425,000	
Total of projects		$4,849,250".

Amendment read.

Amendment Withdrawn

By unanimous consent, Amendment No. 663 was withdrawn.

Consideration of Further Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 726

On page 68, line 24, of said bill, after "Finance", insert "payable from the Postwar Employment Reserve".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—122.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means.

Amendment No. 664

On page 68 of said bill, strike out lines 14 to 19, inclusive.

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—123)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 665

On page 68, line 28, of said bill, strike out "6,450,000", and after "Finance", insert "in accordance with the following projects" 5,482,500

Projects:

(a)	Office building situated on a double block area for Department of Employment and other agencies—Sacramento Capital Mall	4,802,500
(b)	Increased funds for addition to Public Works Building, Sacramento	425,000
(c)	Remodel Office Building No 1, Sacramento	255,000
	Total of projects	5,482,500"

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 665

On page 68, line 28, of said bill, strike out "6,450,000", and after "Finance", insert "payable from the Postwar Employment Reserve in accordance with the following projects" 5,482,500

Projects:

(a)	Office building situated on a double block area for Department of Employment and other agencies—Sacramento Capital Mall	4,802,500
(b)	Increased funds for addition to Public Works Building, Sacramento	425,000
(c)	Remodel Office Building No. 1, Sacramento	255,000
	Total of projects	5,482,500".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay,

Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—124.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 666

On page 68, line 31, of said bill, strike out "2,360", and insert "2,010"

Amendment read

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—125.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 667

On page 68, line 35, of said bill, strike out "1050", and insert "900".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—126.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 668

On page 68, line 38, of said bill, strike out "2,000", and insert "1,700".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood,

Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted Total—127.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 669

On page 68, line 43, of said bill, strike out "128,118", and insert "108,900".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None

(1 Amendment adopted Total—128.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 670

On page 68, line 47, of said bill, strike out "431,227", and insert "380,627".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted Total—129.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 671

On page 68, line 49, of said bill, strike out "53,100", and insert "45,135".

Amendment read.

Substitute Amendment

Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 671

On page 68, line 49, of said bill strike out "53,100", and after "clinic", insert "payable from Item 372.11 of this act---------- 45,135".

Substitute amendment read

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—130.)

Request for Unanimous Consent That Amendments Be Deemed Read

Mr. Beck asked for, and was granted, unanimous consent that all proposed committee amendments, and substitute amendments, now to be considered, be deemed read.

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 672

On page 68, line 51, of said bill, strike out "439,490", and insert "373,566".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 672

On page 68, line 51, of said bill, strike out "439,490", and after "hospital", insert "payable from the Postwar Employment Reserve ---------- 373,566".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—131.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 673

On page 69, line 4, of said bill, strike out "129,578", and insert "93,194".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 673

On page 69, line 4, of said bill, strike out "129,578", and after "hospital", insert "payable from Item 372.11 of this act ---------- 93,194".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—132)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 674

On page 69, line 7, of said bill, strike out "126,800", and insert "82,280".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 674

On page 69, line 7, of said bill, strike out "126,800", and after "Hygiene", insert "payable from Item 372.11 of this act ---------- 82,280".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—133)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 675

On page 69, line 10, of said bill, strike out "85,000", and insert "72,250".

Amendment read.

Substitute Amendment
Motion to Amend

Mr Lowrey moved the adoption of the following substitute amendment:

Amendment No. 675

On page 69, line 10, of said bill, strike out "85,000", and after "al", insert "payable from Item 372.11 of this act---------- 72,250".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—134)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 676

On page 69, line 13, of said bill, strike out "54,450", and insert "20,783".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 676

On page 69, line 13, of said bill, strike out "54,450", and after "Hygiene", insert "payable from Item 372 11 of this act---------- 20,783".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—135.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 677

On page 69, line 15, of said bill, strike out "50,500", and insert "36,975".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 677

On page 69, line 15, of said bill, strike out "50,500", and after "hospital", insert "payable from Item 372.11 of this act---------- 36,975".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—136)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 678

On page 69, line 17, of said bill, strike out "227,000", and after "Hospital", insert "in accordance with the following projects---------- 192,950
Projects.
(a) Addition to laundry building and equipment------ 192,950".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 678

On page 69, line 17, of said bill, strike out "227,000", and after "hospital", insert "payable from the Postwar Employment Reserve in accordance with the following projects ---------- 192,950
Projects:
(a) Addition to laundry building and equipment------ 192,950"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—137.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 679

On page 69, line 19, of said bill, strike out "88,600", and insert "75,310".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 679

On page 69, line 19, of said bill, strike out "88,600", and after "hospital", insert "payable from Item 372.11 of this act ---------- 75,310".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted Total—138.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 680

On page 69, line 22, of said bill, strike out "195,000", and insert "145,775".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 680

On page 69, line 22, of said bill, strike out "195,000", and after "pital", insert "payable from Postwar Employment Reserve ---------- 145,775".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—139.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 681

On page 69, line 25, of said bill, strike out "78,900", and insert "67,065".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 681

On page 69, line 25, of said bill, strike out "78,900"; and after "pital", insert "payable from Item 372 11 of this act----------67,065".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—140.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 682

On page 69, line 27, of said bill, strike out "53,750", and insert "39,312"

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 682

On page 69, line 27, of said bill, strike out "53,750", and after "Colony", insert "payable from Item 372.11 of this act----------39,312".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—141.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 683

On page 69, line 29, of said bill, strike out "175,000", and after "Home", insert "in accordance with the following project 148,750
Project:
(a) Raise Suttenfield Dam ..... 148,750".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 683

On page 69, line 29, of said bill, strike out "175,000", and after "Home", insert "payable from the Postwar Employment Reserve in accordance with the following project 148,750
Project:
(a) Raise Suttenfield Dam ..... 148,750".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—142)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 684

On page 69, line 31, of said bill, strike out "93,700", and insert "79,645".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 684

On page 69, line 31, of said bill, strike out "93,700"; and after "Home", insert "Payable from Item 372.11 ..... 79,645"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay,

Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—143)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 685

On page 69, line 34, of said bill, strike out "6,050,000", and after "Guard", insert "in accordance with the *following projects*" 3,000,000

Projects:

	City	Type	
(a)	Anaheim-Fullerton	B	112,500
(b)	Bakersfield	E	171,000
(c)	Beaumont	A	94,000
(d)	Calexico	A	94,000
(e)	Concord-Walnut Creek	B	112,500
(f)	Delano	A	94,000
(g)	Dixon	A	94,000
(h)	Fontana	A	94,000
(i)	Glendale	H	307,250
(j)	Monterey	A	94,000
(k)	Paso Robles	A	94,000
(l)	Placerville	A	94,000
(m)	Quincy	A	94,000
(n)	Red Bluff	C	121,000
(o)	San Rafael	A	94,000
(p)	Santa Ana	C	121,000
(q)	Santa Cruz	B	112,500
(r)	South Gate	H	307,250
(s)	Susanville	A	94,000
(t)	Torrance	B	112,500
(u)	Ukiah	A	94,000
(v)	Vallejo	B	112,500
(w)	Ventura	A	94,000
(x)	Watsonville	A	94,000
(y)	Yreka	A	94,000
(z)	Armories, various	A	--
	Total of projects		3,000,000".

Amendment read.

Substitute Amendment
Motion to Amend

Mr Lowrey moved the adoption of the following substitute amendment:

Amendment No. 685

On page 69, line 34, of said bill, strike out "Guard", and "6,050,000", and insert "Payable from the Postwar Employment Reserve in augmentation of Item 372.9 in accordance with the following projects 3,000,000

Projects:

	City	Type	
(a)	Anaheim-Fullerton	B	112,500
(b)	Bakersfield	E	171,000
(c)	Beaumont	A	94,000
(d)	Calexico	A	94,000
(e)	Concord-Walnut Creek	B	112,500
(f)	Delano	A	94,000
(g)	Dixon	A	94,000
(h)	Fontana	A	94,000
(i)	Glendale	H	307,250
(j)	Monterey	A	94,000
(k)	Paso Robles	A	94,000
(l)	Placerville	A	94,000

City	Type	
(m) Quincy	A	94,000
(n) Red Bluff	C	121,000
(o) San Rafael	A	94,000
(p) Santa Ana	C	121,000
(q) Santa Cruz	B	112,500
(r) South Gate	H	307,250
(s) Susanville	B	94,000
(t) Torrance	B	112,500
(u) Ukiah	A	94,000
(v) Vallejo	B	112,500
(w) Ventura	A	94,000
(x) Watsonville	A	94,000
(y) Yreka	A	94,000
Total of projects		3,000,000".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—144)

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 686

On page 69, line 43, of said bill, strike out "50,000", and insert "25,000".

Amendment No. 687

On page 69, line 35, of said bill, after "land", strike out "adjacent to".

Amendment No. 688

On page 69, line 36, of said bill, strike out "or".

Amendment No. 689

On page 69, line 45, of said bill, strike out "10 percent", and insert "5 percent".

Amendment No. 690

On page 69, line 46, of said bill, following "any", insert "such"

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None

(5 Amendments adopted. Total—149.)

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 691

On page 69 of said bill, following line 52, insert

"Item 349.5—For acquisition of land for a sewage disposal system at Columbia Historic State Park, Division of Beaches and Parks, Department of Natural Resources, payable from the State Park Fund ..... 9,000".

Amendment No. 692

On page 70 of said bill, strike out lines 2 to 13, inclusive

Amendment No. 693

On page 70 of said bill, after line 13, insert

"350—For acquisition of parcels of land within and bounded on at least two sides by presently owned state beach lands which in the judgment of the State Park Commission are needed in order properly to administer, operate, and maintain any state beach park, Division of Beaches and Parks, Department of Natural Resources, subject to the approval of the Department of Finance, payable from the State Beach Fund..... $25,000 provided, such acquisition shall not exceed 5 percent of the present area of any such individual beach, or 20 acres, whichever is smaller"

Amendment No. 694

On page 70 of said bill, following line 20, insert "provided, that the amount expended for any parcel of land shall not exceed the difference between the appraised value of the land and the amount of any severance damages which would be payable by the Division of Highways were the parcel of land not acquired by the Division of Beaches and Parks."

Amendment No. 695

On page 70 of said bill, between lines 20 and 21, insert

"351.5—The unexpended balance of the appropriation made by Chapter 1470, Statutes of 1945, as amended by Chapter 321, Statutes of 1947, shall continue to be available for the purpose specified therein to June 30, 1950"

Amendment No. 696

On page 70, line 24, of said bill, strike out "1,129,212", and insert "375,965"

Amendment No. 697

On page 70, line 22, of said bill, strike out "beaches and".

Amendment No. 698

On page 70 of said bill, strike out lines 40 to 52, inclusive.

Amendment No. 699

On page 71 of said bill, strike out lines 2 to 9, inclusive

Amendment No. 700

On page 71, line 13, of said bill, strike out "695,805", and insert "840,533".

Amendment No. 701

On page 71, line 17, of said bill, strike out "696,052", and insert "468,078".

Amendment No. 702

On page 71 of said bill, strike out lines 18 to 22, inclusive.

Amendment No. 703

On page 71, line 26, of said bill, strike out "able from the State Park Fund, 128,728", and insert

"able from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code ..... 71,556 to be transferred to the State Park Fund by the State Controller."

Amendment No. 704

On page 71, line 38, of said bill, strike out "917,832", and insert "573,182".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Holhbaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None

(14 Amendments adopted. Total—163.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 705

On page 71, line 50, of said bill, strike out "2,207,139", and insert "1,866,534".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 705

On page 71, line 50, of said bill, strike out "2,207,139"; and after "Resources", insert "Payable from the Postwar Employment Reserve ---------- 1,866,534".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Holhbaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—164.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 706

On page 72, line 3, of said bill, strike out "57,633", and insert "50,000".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 706

On page 72, line 3, of said bill, strike out "57,633"; and after "Act", insert "From the Postwar Employment Reserve---------- 50,000".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted Total—165.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 707

On page 72, line 6, of said bill, strike out "118,100", and insert "100,000".

Amendment read.

Substitute Amendment

Motion to Amend

Mr Lowrey moved the adoption of the following substitute amendment:

Amendment No. 707

On page 72, line 6, of said bill, strike out "118,100", and after "Resources", insert "Payable from Item 372 11 of this act---------- 100,000".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—166.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 708

On page 72, line 10, of said bill, strike out "5,452", and insert "4,632"

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—74.

NOES—None

(1 Amendment adopted Total—167.)

Consideration of Further Amendments
Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 727

On page 72, line 15, of said bill, after "Health", insert "Payable from the Post-war Employment Reserve".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19

(1 Amendment adopted. Total—168.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 709

On page 72, line 18, of said bill, strike out "36,400", and insert "30,940".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 709

On page 72, line 18, of said bill, strike out "36,400", and after "Health", insert "payable from Item 372 11 of this act ---------- 30,940".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted Total—169)

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 710

On page 72, line 34, of said bill, strike out "750,000", and insert "1,244,000".

Amendment No. 711

On page 72, line 34, of said bill, after "State Reclamation Board", insert ", payable from the Flood Control Fund of 1946".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(2 Amendments adopted. Total—171.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 712

On page 72, line 50, of said bill, strike out "81,300", and insert "69,105".

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment.

Amendment No. 712

On page 72, line 50, of said bill, strike out "81,300", and after "California", insert "payable from Item 372 11 of this act----------69,105".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart Thomas, Tomlinson, Way, Weber, and Yorty—54.

NOES—Babbage, Caldecott, Collier, Conrad, Crichton, Fleury, Gaffney, Grunsky, Hinckley, Huyck, Kirkwood, Lincoln, Maloney, McCarthy, Moss, Sherwin, Stanley, Thompson, and Waters—19.

(1 Amendment adopted. Total—172.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 713

On page 73, line 3, of said bill, strike out "105,000", and insert "89,250".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None

(1 Amendment adopted. Total—173.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 717

On page 79 of said bill, following line 9, insert

"SEC. 6.5 In providing that certain appropriations in Section 2 of this act are to be expended in accordance with the projects set forth after each appropriation item for major construction, improvements, and equipment, it is the intent of the Legislature that any unexpended amounts in one project may, upon authorization of the Director of Finance, be made available to augment any other listed project within such item of appropriation."

Amendment read.

Substitute Amendment
Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 717

On page 79 of said bill, between lines 9 and 10, insert

"SEC. 6.5 In providing that certain appropriations in Section 2 of this act are to be expended in accordance with the projects set forth after each appropriation item for construction, improvements, and equipment, the unexpended amounts for each such project shall revert to the fund from which the appropriation for such project was made."

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Holibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—54

NOES—Caldecott, Clarke, Conrad, Crichton, Grant, Grunsky, Hinckley, Maloney, McCollister, Sherwin, Thompson, Waters, and Mr. Speaker—13

Request for Unanimous Consent That Vote Be Changed

Mr. Hinckley asked for, and was granted, unanimous consent that his vote be changed from "Aye", to "No", on the roll call on Amendment No. 717, offered by Mr. Lowrey, and that he be recorded as voting "No".

(1 Amendment adopted. Total—174.)

Further Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 566

On page 55, line 42, of said bill, after "Crossings", insert "payable from the State Highway Fund"

Amendment No. 567

On page 55, lines 48 and 49, of said bill, strike out "General", and insert "State Highway"

Amendment No. 568

On page 56, line 11, of said bill, strike out "General", and insert "State Highway"

Amendment No. 569

On page 56, line 32, of said bill, strike out "General", and insert "State Highway"

Amendments read

Amendments Withdrawn

Mr. Sherwin withdrew the above amendments.

Request for Unanimous Consent That Substitute Amendments Be Offered to Correct Committee Amendment Errors

Mr. Sherwin asked for, and was granted, unanimous consent that the following substitute committee amendments be offered in lieu of original committee amendments, in order that technical errors may be corrected, at this time

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 101

On page 9, line 14, of said bill, strike out "744,950", and insert "828,428".

Amendment read

Substitute Amendment

The following substitute amendment was proposed by the Committee on Ways and Means:

Amendment No. 101

On page 9, line 14, of said bill, strike out "744,950", and insert "661,472".

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted Total—175)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 198

On page 15, lines 26 and 27, of said bill, after "Instruction", strike out "and California State Historical Association"

Amendment read.

Substitute Amendment

The following substitute amendment was proposed by the Committee on Ways and Means:

Amendment No. 198

On page 15, line 27, of said bill, strike out "California State Historical Association", and insert "State Board of Education"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman,

Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—176.)

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 591

On page 59, line 44, of said bill, strike out "258,323", and insert "242,923".

Amendment read.

Substitute Amendment

The following substitute amendment was proposed by the Committee on Ways and Means:

Amendment No. 591

On page 59, line 44, of said bill, strike out "258,323", and insert "242,423"

Substitute amendment read.

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(1 Amendment adopted. Total—177)

Request for Unanimous Consent That Further Amendments Be Deemed Read

Mr. Sherwin asked for, and was granted, unanimous consent that the following committee amendments be deemed read:

Consideration of Further Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 728

On page 13, line 11, of said bill, strike out "215,919", and insert "199,345".

Amendment No. 729

On page 22, line 31, of said bill, strike out "280,380", and insert "233,272".

Amendment No. 730

On page 58, line 50, of said bill, strike out "12", and insert "11".

Amendment No. 731

On page 19, lines 12, 13, 14, and 15, of said bill, after "the", strike out "four-year state institution of higher education established in the City of Los Angeles by Chapter 1082 of the Statutes of 1947", and insert "Los Angeles State College of Applied Arts and Sciences".

Amendment No. 732

On page 19, line 27, of said bill, after "College", insert "of Applied Arts and Sciences".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn,

Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

(5 Amendments adopted. Total 182.)

Unanimous Consent to Set Special Order

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Bill No. 1100 be made a special order of business for Tuesday, May 31, 1949, at 10 30 a.m

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 725

At 12.33 p.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 725 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—Lowrey—1.

Assembly Bill No. 725 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONCURRENT RESOLUTION NO. 32

At 12.25 p.m., on motion of Mr. Lewis, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Concurrent Resolution No. 32 adopted by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Coats, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Lewis, Lindsay, Lowrey, McCollister, McMillan, Meyers, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, and Weber—43.

NOES—Bennett, Butters, Caldecott, Clarke, Collier, Conrad, Cooke, Crichton, Evans, Geddes, Grunsky, Hahn, Hoffman, Kilpatrick, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Sherwin, Thompson, Waters, and Yorty—26.

Resolution ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Hahn announced that the following Members of the Assembly have organized a baseball team and agreed to accept the challenge of the attache baseball team on Saturday, June 4th, at 9 a.m.:

Mr. Fleury, captain; Messrs. Gaffney and Morris, umpires; and Messrs. Burkhalter, Hagen, Rosenthal, Smith, Condon, Babbage, Yorty, Rumford, Conrad, Clayton A. Dills, Lipscomb, Hawkins, McCarthy, Waters, and Hahn.

Mr. Lindsay announced an invitation from the Auburn '49er Association that all members and their wives, or companions, be guests in Auburn on Sunday, June 5th, to see the Gold Exposition being featured during the Auburn Gold Rush Revival. Transportation will be furnished, and a caravan will leave Sacramento at 9 a.m., for Auburn on that date. Luncheon and an afternoon of pleasant entertainment will be scheduled for all guests who notify Mr. Lindsay of their acceptance of this invitation.

Mr. Kilpatrick announced the loss of his last supply of stamps.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP RESOLUTION OUT OF ORDER

Mr. Geddes asked for unanimous consent to take up a Senate concurrent resolution, out of order.

Mr. Dickey withheld unanimous consent.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 26, 1949

Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly
Assembly Chamber, State Capitol
Sacramento, California

DEAR MR. OHNIMUS: In accordance with the request of the Assembly, I am returning Assembly Bill No 885 for further consideration.

Sincerely,

EARL WARREN, Governor

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 885 BE RECALLED FROM ENROLLMENT

Mr. Thomas asked for, and was granted, unanimous consent that Assembly Bill No 885 be ordered recalled from enrollment

Request for Unanimous Consent That the Senate Be Requested to Expunge Record and Rescind Action on Assembly Bill No. 885

Mr. Thomas asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to expunge the record, and rescind the action, whereby said body, on Thursday, May 12, 1949, passed Assembly Bill No. 885.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 697

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 697, out of order, for purpose of amendment, at this time

CONSIDERATION OF SENATE BILL NO. 697

Senate Bill No. 697—An act to add Chapter 2.5 and Section 4250 to Division 5, Part 2 of the Health and Safety Code, relating to contracts for the collection and disposal of garbage and other refuse matter

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendment:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "and Section 4250 to Division 5, Part 2", and insert "comprising Section 4250, to Part 2, Division 5,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

REQUEST FOR UNANIMOUS CONSENT TO LEAVE STATE

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to leave the State of California from Tuesday, May 31, 1949, to Sunday, June 5, 1949, inclusive.

RESOLUTIONS

The following resolution was offered:

By Mr. Lowrey.

House Resolution No. 218

Relating to the convalescence of Senator Harold J. Powers

WHEREAS, The Members of this Assembly have learned with profound regret of the illness of a respected friend and devoted state servant, Senator Harold J. Powers, and

WHEREAS, Said members are both shocked and sorry that this illness has fallen to the lot of such an esteemed member of so eminent a body; now, therefore, be it

Resolved, by the Assembly of the State of California, That the Members of this Assembly extend to Senator Powers their sympathy and best wishes that the speed of his recovery exceed all expectations, and that he soon return to his duties with this State; and be it further

Resolved, That the Chief Clerk of this Assembly transmit a copy of this resolution to Senator Powers

Request for Unanimous Consent

Mr. Lowrey asked for, and was granted, unanimous consent to take up House Resolution No. 218, at this time, without reference to committee or file

Resolution read, and adopted unanimously.

MEMBERS EXCUSED

At 12.45 p.m., Mr. Huyck asked for, and was granted, unanimous consent that Messrs. Levering and Reagan be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 12.46 p.m., Mr. Hahn asked for, and was granted, unanimous consent that Messrs. Fletcher and Price be excused for the legislative day, because of illness

At 12.47 p.m., by unanimous consent, Mr. Cramer was granted leave of absence for the day, and it was ordered noted that he waived his per diem.

REQUEST FOR UNANIMOUS CONSENT MESSAGES FROM THE GOVERNOR BE DEEMED READ

Mr. Weber asked for, and was granted, unanimous consent that messages from the Governor, and receipts for the bills, about to be placed

across the desk, be deemed read, and ordered printed in the Journal as follows:

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 27, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1501, entitled: "An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code."

My objection to this bill is as follows:

The author and proponents of this measure state that they have no intention of excluding any of the healing arts from any activities in which they are now permitted to engage and that they do not believe that it would do so However, the Attorney General is of the opinion that the courts could reasonably hold that the laboratory technicians would be prevented from making skin punctures and vein punctures for chiropractors, of which there are some 5,500 in California. This exclusion of the chiropractors is not expressed in the bill and the Legislature could hardly have had that in mind from the wording used The bill while excluding chiropractors at the same time includes drugless practitioners, midwives and chiropodists among those for whom laboratory technicians may make these punctures for the taking of blood for laboratory tests I believe that the avowed purpose of the bill is desirable in order to specifically define the duties of the laboratory technicians and if that were all the bill included I would cheerfully sign it. I believe that the purpose of this bill can be accomplished through the medium of another bill without affecting the interests of any group

Respectfully submitted,

EARL WARREN, Governor

Receipt of Assembly Bill No. 1501 Acknowledged

I acknowledge receipt this twenty-seventh day of May, at 11.57 o'clock a.m., of Assembly Bill No. 1501, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 27, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 578, entitled "An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately."

My objection to this bill is as follows:

This is a general validating act in the form frequently adopted by the Legislature in the past and approved by me It has a saving clause providing that it does not apply to pending litigation. In at least one instance in this State there has been recently concluded litigation involving the boundaries of two cities. Attorneys involved in this litigation have suggested that the litigation has been concluded and, therefore, is not saved by the clause of this bill. They have requested that this bill be vetoed and that other validating acts now in the process of being adopted by the Legislature be amended to broaden the saving clause to exclude from the operation of the validating act not only pending litigation but litigation which has been concluded as well. This situation has been discussed with the author of this bill and its veto is satisfactory with him. It will be possible for the Legislature to approve other validating acts which have already been introduced and which can be so worded as to remove any question as to the effect on litigation which has been concluded.

Respectfully submitted,

EARL WARREN, Governor

Receipt of Assembly Bill No. 578 Acknowledged

I acknowledge receipt this twenty-seventh day of May, at 11.57 o'clock a.m., of Assembly Bill No. 578, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 26, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1991, entitled: "An act to amend Section 526 of the Agricultural Code, relating to milk products plants"

My objection to this bill is as follows.

With one very minor exception this bill is identical with Senate Bill No 897, which I approved on May 23d and which is now Chapter 356. No useful purpose would be served by approving this bill as everything that would be accomplished by this bill has already been accomplished by the bill previously signed.

Respectfully submitted,

EARL WARREN, Governor

Receipt of Assembly Bill No. 1991 Acknowledged

I acknowledge receipt this twenty-seventh day of May, at 11.57 o'clock a.m., of Assembly Bill No. 1991 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

RESOLUTIONS

The following resolution was offered:

By Mr. Geddes:

House Resolution No. 219

Relating to appointing Assemblyman Earl W. Stanley as a Committee of One to attend the President's Highway Safety Conference in Washington, D. C.

WHEREAS, One of the Members of this Assembly, Earl W. Stanley, is the author of legislation providing for driver education in the public schools as an aid to promoting safety on the highways; and

WHEREAS, Earl W. Stanley has been signally honored by an invitation extended by President Harry S. Truman to attend a Highway Safety Conference in Washington, D. C.; and

WHEREAS, Had the life of the Assembly Fact-Finding Committee on Highways, Streets and Bridges, H. R. 221 of 1947, been extended until the end of the present session it would have been proper for the chairman of said committee to appoint Earl W. Stanley to a subcommittee to attend such conference; and

WHEREAS, It is necessary and desirable that this Assembly be informed of the proceedings at said conference; and

WHEREAS, Sufficient money remained in the amount of the allocation to said committee to more than defray the expenses of Mr. Stanley; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That Assemblyman Earl W. Stanley be and he hereby is appointed as an Assembly Committee of One to attend the President's Highway Safety Conference to be held in Washington, D. C.

2. That the committee is authorized and directed to attend said conference and to report back thereon to this Assembly.

3. That the committee is authorized to leave the State on this matter of legislative business during this session of the Legislature.

4. That the sum of five hundred dollars ($500) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the actual and necessary expenses incurred by the committee in attending said conference, to be paid from the said Contingent Fund and disbursed, after certification by the member of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Constitutional Amendment No. 87: By Mr. George D. Collins—A resolution to propose to the people of the State of California

an amendment to the Constitution of the State by amending Section 5 of Article XI, relating to compensation for public service.

Referred to Committee on Constitutional Amendments.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2210 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Butters asked for, and was granted, unanimous consent that Assembly Bill No. 2210 be withdrawn from the Committee on Conservation, Planning, and Public Works, and be re-referred to the Committee on Agriculture.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 79 FROM COMMITTEE

Mr. Burkhalter gave notice that on the second legislative day he would move to withdraw Assembly Constitutional Amendment No. 79 from the Committee on Constitutional Amendments, and have it placed upon the file.

ALL MATTERS ON FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the file be continued until the next legislative day.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted

Assembly Concurrent Resolution No. 86
Assembly Concurrent Resolution No. 87

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled

SENATE CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 223
Assembly Bill No. 225
Assembly Bill No. 226
Assembly Bill No. 265
Assembly Bill No. 526
Assembly Bill No. 588
Assembly Bill No. 704
Assembly Bill No. 1318
Assembly Bill No. 1451
Assembly Bill No. 1629
Assembly Bill No. 1630
Assembly Bill No. 1643
Assembly Bill No. 1667
Assembly Bill No. 1873
Assembly Bill No. 2054
Assembly Bill No. 2073
Assembly Bill No. 2150
Assembly Bill No. 2248
Assembly Bill No. 2367
Assembly Bill No. 2744

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 384
Assembly Bill No. 616
Assembly Bill No. 681
Assembly Bill No. 735
Assembly Bill No. 1900

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 607

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 150—An act to add Section 332.1 to the Vehicle Code, relating to impounding of vehicles.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Hinckley asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 239—An act to require that consideration be given to airport needs of a community when zoning ordinances are proposed, and declaring such ordinances ineffective when such consideration is not given;

Assembly Bill No. 1634—An act to amend Section 26743 of the Government Code, relating to sheriffs' fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 90—An act to add Sections 19564, 19565, and 19566 to the Business and Professions Code, relating to horse racing, providing for quarter horse races during horse racing meetings;

Assembly Bill No. 183—An act to add Section 10c to the Municipal Court Act of 1925, relating to bail in municipal courts in cities or cities and counties of the second and one-half class;

Assembly Bill No. 244—An act to amend Sections 459 and 459.4 of the Vehicle Code, relating to the adoption of local ordinances affecting traffic on state highways,

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 323—An act to amend Section 41.5 of the Unemployment Insurance Act, relating to transfer of employers' reserve accounts;

Assembly Bill No. 471—An act to amend Section 6029 of the Penal Code, and to repeal an act entitled "An act to provide for the approval of plans for the construction or alteration of county jails by the Immigration and Housing Commission," approved April 16, 1925, relating to plans and specifications for jails, prisons, and other detention facilities, and to the powers and duties of the Board of Corrections and other state agencies in respect thereto;

Assembly Bill No. 934—An act to amend Section 427 of the Fish and Game Code, relating to hunting licenses;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 937—An act to amend Section 428 of the Fish and Game Code, relating to fishing licenses;

Assembly Bill No. 1201—An act to amend Section 987 of the Military and Veterans Code, relating to farm and home purchase;

Assembly Bill No. 1210—An act to amend Sections 210, 225, 250, 254, 261, 262, 269, and to repeal Section 322 of the Military and Veterans Code, relating to the organization of the National Guard, precedence in rank, separation of personnel from service, the qualification for enlistment, the transfer and reduction of members of the National Guard, discharge certificates, the dishonorable discharge of members of the military or naval service of the State and the effect thereof and the pay of members of the National Guard while attending camps of instruction, drills or parades;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 10 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1360—An act to amend Section 25461 of the Government Code, relating to the powers and duties of boards of supervisors;

Assembly Bill No. 1466—An act to repeal Chapters 952 and 953 of the Statutes of 1939, relating to the regulation of loans and lenders;

Assembly Bill No. 1547—An act to add Section 136 5 to the Agricultural Code to provide more effective and expeditious abatement of pests;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 10 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1709—An act to amend Section 1278 of the Fish and Game Code, relating to deer tags, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1723—An act to add Section 16302 1 to the Government Code, relating to the disposition of amounts less than two dollars ($2) paid to state agencies and determined to constitute overpayments of taxes, penalties, interest, license or other fees, or other revenues due the State of California;

Assembly Bill No. 1785—An act to amend Sections 2110, 2111, 2112, and 2115 of the Streets and Highways Code, relating to apportionments to counties payable from the Highway Users Tax Fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1788—An act to amend Section 861 of an act entitled "An act to provide for the organization, incorporation, and government of municipal corporations," approved March 13, 1883, and to amend Section 36934 of, and to add Section 36936 1 to, the Government Code, relating to cities and towns of the sixth class;

Assembly Bill No. 2450—An act to amend Section 592 1 of the Vehicle Code, relating to stopping, standing, or parking of vehicles;

Assembly Bill No. 2851—An act relating to public officers and their return to public service from service in the armed forces;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2980—An act to amend Sections 24402 and 24405 of the Education Code, relating to community recreation;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-seventh day of May, 1949, at 10 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 46—Relative to the Valley of the Moon Scenic Route;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-seventh day of May, 1949, at 10 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, May 27 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined

Assembly Bill No. 1412
Assembly Bill No. 1972
Assembly Bill No. 2082
Assembly Bill No 2448
Assembly Bill No 2469

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading

Assembly Bills Nos 1412 and 1972 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 2082 and 2448 ordered re-referred to Committee on Agriculture.

Assembly Bill No 2469 ordered re-referred to Committee on Public Health

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred

Assembly Bill No. 2027
Assembly Bill No. 2120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred

Assembly Bill No. 61

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 573

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred

Assembly Concurrent Resolution No 89
Assembly Concurrent Resolution No. 90

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR SPEAKER: Your Committee on Rules, to which was referred

Senate Concurrent Resolution No. 68

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 1173

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GAFFNEY, Acting Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Senate Bill No. 1001

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GAFFNEY, Acting Chairman

Above reported bill ordered to second reading

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 1177

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bill ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 1251
Senate Bill No. 1304

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 231
Senate Bill No. 307
Senate Bill No. 615
Senate Bill No. 1302

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1718
Assembly Bill No. 2096

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 631

Has had the same under consideration, and reports the same back with the recommendation: Do pass

LUCKEL, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No 1681

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 26, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1114
Assembly Bill No 1417
Assembly Bill No. 3146

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER. Your Committee on Municipal and County Government, to which were referred:

Senate Bill No 583
Senate Bill No. 617
Senate Bill No. 1395
Senate Bill No. 1450
Senate Bill No. 1472

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1018

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 798
Assembly Bill No. 2099

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2472

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1431
Assembly Bill No. 1734
Assembly Bill No. 2081

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 509

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 385

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 386

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 791 re-referred to Committee on Public Health.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committee would hold a meeting:

Next Wednesday, June 1st, at 3 p.m.—

Public Utilities and Corporations. Subject: Assembly Bill No. 385 and Assembly Bill No. 386.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Herman Lewis and Master Franklin David Lewis of Buttonwillow.

On request of Mr. Rosenthal, the usual courtesies of the Assembly for this day were unanimously extended to Mesdames Yorty, Smith, Rosenthal, Lipscomb, Tomlinson, Grunsky, Anderson, Doyle, Cooke, Hollibaugh, and Hoffman; and to Dorothy Rossi and Lisa Rosenthal.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marjorie Tuft, Miss Elizabeth Boland, Miss Rosemary Williams, and Edward Borup, teachers of the Francis Scott Key School of San Francisco; Mesdames John Pette, George Trice, and Andrew Becker; Mr. and Mrs. Reed Capps, and Mrs. Edward Borup, parents; and the following pupils: Philicia Capps, Nina Jo Carson, Patricia Dulcich, Patricia Elliott, Ida Friedman, Sharon Portman, Barbara Reynolds, Carlene Trink, Patricia Anderson, Carolyn Meyer, Sandra Hymes, Valerie Clearwater, Betty Ann Stevens, Barbara Rusfeldt, Linda Lou Goff, Andrea Becker, Deanna Blight, Charlene Smith, Janet Richards, Judy Minnick, Maxine Parry, Kathleen McDonald, Velma Mendoes, Jean Borrero, Warren Cane, Stephen Erikson, Minard Hall, Everett Hintze, Noel Nelson, James Rogers, Robert Rosenthal, Jack Smith, George Zahn, Henry Rivera, Fred Trice, Bill Powell, Richard Thompson, Michael Del'Ara, George Heeren, Dean Evans, Ronnie Downer, David Ellis, John Pettee, Richard McGrath, Donald Shere, and Michael Shirar.

On request of Mr Brown, the usual courtesies of the Assembly for this day were unanimously extended to Lamar Jackson of Turlock.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Roy Palmer of Livingston.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Elmer Klippert, Mr. and Mrs Howard Klippert, Walter Klippert, and Everett Klippert of Calgary, Alberta, Canada.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles F. Meyers of San Francisco.

ADJOURNMENT

At 12.54 p.m , on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Tuesday, May 31, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTIETH LEGISLATIVE DAY

ONE HUNDRED FORTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, May 31, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present.

PRAYER

Upon invitation of the Speaker, the following prayer was offered by the acting Chaplain, Rev. Wilder V. Immel of the First Methodist Church:

Let us Pray:

Our Heavenly Father, we pause for just a moment at this time to seek a blessing Each and every one of us needs guidance and inspiration to do and to be our best selves. To that end we seek to tune our hearts and minds.

We gather today from many fields of service where we have in these last few days spoken many things in loving memory of those who have gone before us in the service of their Country. Help us to remember that those brave souls required no loyalty oath to compel them to love their Country. Yea, many have so loved this dear land that they regretted only that they had but one life to give for it.

Dear Lord and Father of Mankind help us to so live in unselfish devotion to the best interests of our communities, our State, and our Nation that the greatest good may be done for the greatest number of people.

May Thy divine blessing rest upon these good men and women who are beset by constant and unrelenting pressures. Help them to simply be true to the highest and the best values they know, and grant to us who are humble taxpayers the grace to put ourselves in their places.

In the spirit of the Galilean, we pray.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hawkins, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Lincoln, on motion of Mr. Rumford.
Mr. Price, on motion of Mr. Reagan.
Mr. Fletcher, on motion of Mr. Reagan.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

A communication from Mrs. Mercedes L. Hicks, relative to acknowledging receipt of an Assembly resolution relative to the death of her husband, the late Walter J. Hicks, was received, and ordered noted in the Journal.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 56
Assembly Bill No. 444
Assembly Bill No. 669
Assembly Bill No. 879
Assembly Bill No. 1508
Assembly Bill No. 1577
Assembly Bill No. 2240
Assembly Bill No. 2361
Assembly Bill No. 2499
Assembly Bill No. 2738
Assembly Bill No. 2829

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2217
Assembly Bill No. 2608

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR SPEAKER: Your Committee on Legislature Procedure has examined:

Assembly Bill No. 283
Assembly Bill No. 291
Assembly Bill No. 541
Assembly Bill No. 1556
Assembly Bill No 2417

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislature Procedure has examined Assembly Concurrent Resolution No. 90

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislature Procedure has examined:

Assembly Bill No. 11
Assembly Bill No. 29
Assembly Bill No. 139
Assembly Bill No 171
Assembly Bill No. 234
Assembly Bill No. 237
Assembly Bill No. 553
Assembly Bill No 986
Assembly Bill No 1391

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 70
Senate Bill No. 446
Senate Bill No. 485
Senate Bill No. 1273
Senate Bill No 1380
Senate Bill No. 1626

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 70—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation and expenditure of the second balance in said fund.

Referred to Committee on Agriculture.

Senate Bill No. 446—An act to amend Section 737j of the Political Code, relating to salaries of Superior Court Judges in Fresno County.

Referred to Committee on Judiciary.

Senate Bill No. 485—An act to add Chapter 1a to Division 2 to, and to repeal Section 150 of, the Agricultural Code, relating to agricultural pest control operators.

Referred to Committee on Agriculture.

Senate Bill No. 1273—An act to amend Section 630 of, and to add Sections 630.1 and 630.2 to, the Agricultural Code, relating to dried milk and dried milk products.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 1380—An act to amend Section 4915.1 of, and to add Section 4915 2 to, the Education Code, relating to the unification of school districts.

Referred to Committee on Education.

Senate Bill No. 1626—An act to add Section 35.5 to the Public Utilities Act, relating to regulation of State-owned railroads as to safety of operation.

Referred to Committee on Public Utilities and Corporations

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dolwig:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 6503.1 to the Welfare and Institutions Code, relating to rights of way across state property and declaring the urgency thereof, to take effect immediately.

Respectfully submitted.

RICHARD J. DOLWIG

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Dolwig:

An act to add Section 6503.1 to the Welfare and Institutions Code, relating to rights of way across state property and declaring the urgency thereof, to take effect immediately

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3159: By Mr. Dolwig—An act to add Section 6503.1 to the Welfare and Institutions Code, relating to rights of way across state property and declaring the urgency thereof, to take effect immediately

Referred to Committee on Rules.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lowrey:

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR SPEAKER In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows

An act to amend Section 306 of the Streets and Highways Code, relating to state highway routes

Respectfully submitted

LLOYD W. LOWREY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Lowrey.

An act to amend Section 306 of the Streets and Highways Code, relating to state highway routes.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3160: By Mr. Lowrey—An act to amend Section 306 of the Streets and Highways Code, relating to state highway routes.

Referred to Committee on Transportation and Commerce

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lincoln:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 5 to Division 5, Title 1 of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith

Respectfully submitted,

L H LINCOLN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lincoln:

An act to add Chapter 5 to Division 5, Title 1 of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3161: By Mr. Lincoln—An act to add Chapter 5 to Division 5, Title 1 of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that he spoke with Mr. Fletcher this morning, by telephone, and that Mr. Fletcher is feeling much better, and is hopeful of soon returning to Sacramento.

Mr. Dickey made the announcement noted below:

Joint Rule 23 provides in part as follows:

"No Senate bill shall be passed by the Senate, and no Assembly bill shall be passed by the Assembly within 14 days prior to the adjournment sine die of the two houses of the Legislature at a general session * * * unless permission to vote on such bill shall be granted by three-fourths vote of the house of its origin after being recommended * * * or by the Speaker of the Assembly (if it be an Assembly bill)."

The Assembly File shows that the Committee on Public Health has set for hearing on June 14th, one bill, Assembly Bill No. 863.

It was my thought that it would be well at this time to set as a tentative date for adjournment Saturday, June 25th If June 25th be set as a tentative date for sine die adjournment, the last day to consider Assembly bills would be June 11th.

It would appear advisable to have the Assembly adopt a rule that no Assembly bill be set for hearing by an Assembly committee after June 9th, which with its second and third reading, would bring such bill to June 11th, 14 days prior to a contemplated sine die adjournment on June 25th

MOTION THAT SPEAKER BE EMPOWERED TO TERMINATE DEBATE

Mr. Heisinger moved that the Speaker be empowered to terminate debate upon speakers who have exceeded their time.

Mr. Grant seconded the motion.

Motion to Lay on Table

Mr Hollibaugh moved that the motion by Mr. Heisinger be laid upon the table.

Messrs. Evans and Burke seconded the motion.

Motion carried

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1114—An act to amend Sections 27281 and 27300 of the Streets and Highways Code and to add Sections 27174, 27281a, and 27300a thereto, relating to bridge and highway districts.

Bill read second time, and ordered engrossed

Assembly Bill No. 1417—An act to add Section 535 to the Streets and Highways Code, relating to state highways.

Bill read second time, and ordered engrossed

Assembly Bill No. 3146—An act to add Sections 674.5, 678 3, and 678.9 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1718—An act to add Section 454.3 to the Vehicle Code and to amend Sections 459, 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "459."

Amendment No. 2

On page 1, line 5, of said bill, after "escorts", insert "commissioned or deputized by the sheriff of a county or the police chief of a city".

Amendment No. 3

On page 1, line 8, of said bill, strike out "This section shall"; and strike out lines 9 to 11, inclusive, and insert "This section shall not be taken to relieve escorts and participants in funeral processions from liability for a failure to exercise due care while proceeding through stop signs and traffic control signals pursuant to the privileges granted herein"

Amendment No. 4

On page 1, line 18, of said bill, after "county", insert ", or the police chief of a city,".

Amendment No. 5

On page 1, line 19, of said bill, after "county", insert "or city"

Amendment No. 6

On page 2 of said bill, strike out lines 8 to 48, inclusive

Amendment No. 7

On page 2, line 49, of said bill, strike out "SEC. 3", and insert "SEC. 2".

Amendment No. 8

On page 3, line 6, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 9

On page 4, line 18, of said bill, strike out "SEC. 5", and insert "SEC. 4".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Fleury asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2096—An act to add Section 304 5 to the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "as soon as possible,".

Amendment No. 2

On page 1, line 6, of the printed bill, after "Route 4", insert "northeasterly of the Southern Pacific Railroad tracks,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2472—An act to amend the Public Resources Code, concerning county recreation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert

"An act to amend Section 5439 of, and to add Section 5459 to, the Public Resources Code, relating to county".

Amendment No. 2

On page 1, line 6, of said bill, after the period, insert "No territory within the limits of an incorporated city shall be included within a district without the consent of the governing body of such city.

SEC. 2. Section 5439 of said code is amended to read:

5439. The trustees may erect one or more dams across a stream or river for the purpose of constructing a swimming pool in the district, may maintain, improve, and keep in a sanitary condition all community parks, community beaches, community recreational grounds, and community buildings within such districts, including the construction, maintenance, and operation of swimming pools *and any other recreation*

facilities, and any other amusement facilities on any of such lands and may also contract for a system of improvements or works for sewage disposal, and drainage, garbage disposal, fire protection, roads, bridges, road repair, bridge repair, trails, lights and playgrounds, and may lease or rent lands or property for recreational purposes, and they may make proper regulations for the management and operation of the district, including regulations binding upon all persons, with the object of effectuating the purposes of the district and, also, in connection with the use of the facilities of the district.

The trustees shall have the right and power to acquire by condemnation, gift, purchase or otherwise all lands, or use thereof or interest therein, and any other property or rights by them deemed necessary for the construction, maintenance, improvement and operation of the works, or the carrying out of the projects of the district, and may assume and discharge the existing indebtedness on such lands, or interest therein or other property rights so acquired. In case of condemnation proceedings the board shall proceed in the name of the district under the provisions of Section 14 of Article I, as amended, of the Constitution of the State of California, and Title 7, Part 3, of the Code of Civil Procedure of California, and all pleadings, proceedings and process in said title provided shall be applicable to the condemnation proceeding hereunder."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1431—An act to create a flood control district to be called Alameda County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection wth said purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 5, line 41, of the printed bill, as amended in the Assembly on May 20, 1949 after "removal", insert ", reconstruction,"

Amendment No. 2

On page 5, line 48, of said bill, after "appropriated", strike out the period, and insert "and provided further, that no right shall exist in said district to take by proceedings in eminent domain any property, including water rights, appropriated to public use by any existing municipal utility district."

Amendment No. 3

On page 6 of said bill, after line 26, insert

"Nothing in this act contained shall be construed as in any way affecting the plenary power of any existing municipal utility district to provide for a water supply for such municipal utility district, or as affecting the absolute control of any properties of such municipal utility district necessary for such water supply and nothing herein contained shall be construed as vesting any power of control over such properties

in such Alameda County Flood Control and Water Conservation District or in any officer thereof, or in any person referred to in this act."

Amendment No. 4

On page 6, line 32, of said bill, after "the", insert "flood control, drainage and water conservation"

Amendment No. 5

On page 11, line 42, of said bill, strike out "ten cents ($0.10)", and insert "five cents ($0.05)".

Amendment No. 6

On page 18, line 52, of said bill, after "purpose", strike out the period, and insert "; provided, however, that materials and supplies for use in any new construction work or improvement, except work referred to in the preceding sentence, may not be purchased if the cost thereof exceeds two thousand five hundred dollars ($2,500), without advertising for bids and awarding the contract therefor to the lowest responsible bidder."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Municipal and County Government.

Assembly Bill No. 1734—An act to amend Sections 1, 2.3, 5, 7, 9, 13, 14, 28, 44, 47, 48, 49, 51, and 55 of, and to add Section 45.1 to, the Vehicle Parking District Act of 1943, relating to vehicle parking districts and the formation and financing thereof, the acquisition and improvement of parking places and of means of ingress thereto, contributions by cities and counties to pay portions of the cost thereof, the levy of taxes, and the management and operation of parking places.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 20, 1949, after "9," insert "10,".

Amendment read, and adopted

Bill ordered reprinted, and engrossed

Assembly Bill No. 2081—An act amending Sections 32056, 32062, 32064, 32355, and 32361 of, and adding Section 32361.5 to, the Government Code, relating to county pension systems.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 27, of the printed bill, as amended in the Assembly on May 20, 1949, strike out the first "or", and insert "is".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1173—An act to repeal Section 1176 of the Labor Code, to renumber Section 1177 to be Section 1176 thereof, to renumber Section 1178 to be Section 1177 thereof, to amend and renumber Section 1179 to be Section 1178 thereof, to amend and renumber Section 1180 to be Section 1179 thereof, to amend and renumber Section 1181

to be Section 1180 thereof, to repeal Section 1182 of said code, to amend and renumber Section 1183 to be Section 1181 thereof, to amend and renumber Section 1184 to be Section 1182 thereof, to amend and renumber Section 1185 to be Section 1183 thereof, to amend and renumber Section 1186 to be Section 1184 thereof, and to add Section 1185 to said code, relating to women and minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 2, line 51, of the printed bill, between "consider" and "such", insert "*any of*".

Amendment No. 2

On page 3, line 3, of said bill, after "The wage board", insert "*on request of the commission*".

Amendment No. 3

On page 3, line 15, of said bill, make a new paragraph commencing with "*Before*".

Amendment No. 4

On page 4, line 17, of said bill, strike out "Section 1178", and insert "*this chapter*".

Amendment No. 5

On page 5, line 22, of said bill, strike out "in", and insert "*an*".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 573—An act to repeal Division 9 of and to add Division 9 to the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on May 23, 1949, between lines 40 and 41, insert

"9060 A soil conservation district may be formed pursuant to this division for the control of runoff, the prevention or control of soil erosion and the improvement of land capabilities.

9061. The lands included in a district shall be those generally of value for agricultural purposes, including farm and range land useful for the production of agricultural crops or for the pasturing of livestock, but other lands may be included in a district if necessary for the control of runoff, the prevention or control of soil erosion, or land improvement, and for fully accomplishing the purposes for which the district is formed

9062 The lands included in any one district need not be contiguous but they shall be susceptible of the same general plan or system for the control of runoff, the prevention or control of soil erosion, or land improvement No lands may be included in more than one district

9063. The lands included in any one district may be situated in one or more counties.

9064. The lands included in a district may be publicly owned or privately owned

Article 1 5. Investigation of Proposals".

Amendment No. 2

On page 5, line 42, of said bill, strike out "9060", and insert "9065".

Amendment No. 3

On page 5, line 47, of said bill, strike out "9061", and insert "9066"

Amendment No. 4

On page 6, line 1, of said bill, strike out "9062", and insert "9067".

Amendment No. 5

On page 6, line 4, of said bill, strike out "9065", and insert "9068".

Amendment No. 6

On page 6, line 20, of said bill, strike out "9065.5", and insert "9069".

Amendment No. 7

On page 6, line 23, of said bill, strike out "9066", and insert "9069.5".

Amendment No. 8

On page 6, of said bill, strike out lines 32 to 40, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2027—An act to add Chapter 1.7, comprising Sections 5041 to 5049, inclusive, to Division 3 of the Education Code, relating to the equalization of assessments in counties on which are based allocations of state funds to school districts, making an appropriation for the administration thereof, and providing that this act shall take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 17, 1949, strike out "add Chapter 1.7, comprising Sections 5041 to 5049, inclusive, to Division 3 of the Education Code," and insert "amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to 758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 756, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all".

Amendment No. 2

In line 3 of the title of said bill, after "to" insert "property taxation and providing for the assessment of property,".

Amendment No. 3

In lines 3 and 4 of the title of said bill, strike out "in counties on which are based", and insert "and the adjustment thereof for"

Amendment No. 4

In line 4 of the title of said bill, strike out "to school districts," and insert ", and".

Amendment No. 5

In lines 5 and 6 of the title of said bill, strike out "administration hereof, and providing that this act shall take effect immediately", and insert in lieu thereof "purposes of this act".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 1 of said bill, strike out all of line 1 after "Section 1."; and strike out all that follows to and including "Equalization" on page 3, line 39, and insert "Section 753 of the Revenue and Taxation Code is amended to read:

753 Annually, on or before the [first] *fourth* Monday in August, the board shall assess all state assessed property required to be assessed as of the first Monday in March.

SEC. 2. Section 754 of the Revenue and Taxation Code is amended and renumbered to read:

[754.] *755.* [Between] *On or before* the first [and third Mondays] *Monday* in August, the [assessments made by] board *shall prepare tabulations showing its determination of the market value of all State assessed property, and these tabulations* shall be open for inspection by all persons interested

SEC. 3. Section 755 of the Revenue and Taxation Code is amended and renumbered to read:

[755.] *756.* At any time prior to the third Monday in August, the owner or assessee of any state assessed property shall be heard by the board on a petition for [reassessment] *redetermination of the market value of the property. The petition must be in writing setting forth in what respects the determination is deemed subject to correction.*

SEC. 4. Section 756 of the Revenue and Taxation Code is amended and renumbered to read:

[756] *758.* Immediately after the [third] *fourth* Monday in August the board shall transmit to each county auditor a roll showing the assessments made by the board in the county and in each city and revenue district in the county; provided, however, that the roll need not show the assessments made by the board in a revenue district which did not levy a tax or assessment during the preceding year If the roll does not show the assessments in a revenue district as herein provided and a notice of a proposed levy is furnished the board in writing, the board shall furnish an estimate of the total assessed value of state assessed property in the district and shall transmit thereafter to the county auditor a statement of roll change showing the assessment made by the board in the district. The estimate shall be regarded as establishing the total assessed value of state assessed property in the district for the purpose of determining the tax rate of the district.

SEC 5. Section 757 of the Revenue and Taxation Code is amended and renumbered to read:

[757] *759.* The board shall also immediately transmit to the auditor of each city the lien date of which is the first Monday in March a roll showing the assessments made by the board in the city and in each district for which the city assesses property and collects taxes or assessments.

SEC. 6 Section 758 of the Revenue and Taxation Code is amended and renumbered to read:

[758.] *760.* State assessed property is subject to taxation to the same extent and in the same manner as other property

SEC 7. Section 1831 of the Revenue and Taxation Code is amended and renumbered to read

[1831.] *1839.* The board shall meet at the state capital on the third Monday in July and remain in session from day to day, holidays excepted, up to and including the third Monday in August. During this session, under rules of notice prescribed by the board, it shall equalize the assessment of property as prescribed by law.

SEC. 8. Section 1832 of the Revenue and Taxation Code is amended and renumbered to read:

[1832.] *1840.* The final action of the board in equalizing an assessment or a local roll shall be performed only at the state capital

SEC. 9. Section 1833 of the Revenue and Taxation Code is amended and renumbered to read:

[1833] *1842.* When the equalization is completed, the secretary of the board shall transmit to each county auditor a statement of:

(a) The changes made by the board in the local roll.

(b) The percentum to be added to or deducted from the valuation of the roll

This statement is prima facie evidence of the regularity of all proceedings of the board resulting in the action which is the subject matter of the statement.

SEC. 10. Section 1834 of the Revenue and Taxation Code is amended and renumbered to read:

[1834.] *1843.* As soon as the auditor receives from the board the statement of its equalization, he shall enter the corresponding changes in a column provided with a proper heading on the roll, counting any fractional sum when more than [fifty cents ($0.50)] *five dollars ($5)* as [one dollar ($1)] *ten dollars ($10)*, and omitting it

when [fifty cents ($0.50)] *five dollars ($5)* or less, so that no separate valuation contains a fraction of [a dollar] *ten dollars ($10)*, and he shall add the column to show the total value of the property in the county as corrected by the board.

SEC. 9. Section 1882.5 of the Revenue and Taxation Code is amended and renumbered to read:

[1882.5.] *1841.* The board, in order to facilitate the equalization of property values between the several counties, may equalize each class of property on the local roll of each county so that the assessment of each class of property in the county is proportionate to the assessment of every other class of property.

For the purpose of this section, the classes of property are defined as:

(a) All land within the county.

(b) All improvements within the county

(c) All tangible personal property within the county

SEC. 10. Section 754 is added to the Revenue and Taxation Code, to read:

754. Following transmittal of notices of determination of county and state-wide assessment ratios pursuant to Section 1833, the board shall furnish, upon request therefor, a statement of these ratios to any owner or assessee of state assessed property who, upon written application therefor filed not later than the first Monday in August, shall be heard by the board as to any objection which he urges with respect to the assessment ratio in any county in which state assessed property is owned by or assessed to him. The application for hearing must specify in what respects the applicant believes that the determination of the relation between the assessed value and the market value of locally assessed property in the county is in error. Upon hearing, the board shall proceed as provided in Section 1835, and, at its discretion, may consolidate the proceeding with any held thereunder upon application of the county

SEC. 11. Section 756 is added to the Revenue and Taxation Code, to read

756. After deciding all petitions for determination, the board shall complete the assessment of state assessed property by entering upon the board roll for each county assessed values representing the same percentage of market value so determined as has been found, under Chapter 2, Part 3 of Division 1 of this code, to be represented by the assessed value, after equalization, entered upon the local roll in relation to the market value of property there assessed. In making these entries upon the board roll, the board may enter assessed values which are divisable by ten (10), counting any fractional amount which is more than five dollars ($5) as ten dollars ($10) and omitting it when it is five dollars ($5) or less. The assessed value thus entered upon the roll by the board shall constitute the actual value of the property as of the first Monday in March for purposes of taxation. Intangibles shall be assessed without reference to the percentage herein specified

SEC. 12. Section 1831 is added to the Revenue and Taxation Code, to read:

1831. To enable the board to perform its duties under this article and Sections 9 and 14 of Article XIII of the State Constitution, the board shall make a survey annually in each county to determine the relationship between the total value of land, improvements and tangible personal property entered upon the roll by the assessor, and the total market value thereof. As a basis for this determination, the board shall consider sales and other appraisal data compiled by appraisers competent to determine accurately the market value of the property. These data shall relate to representative samples of property subject to local assessment in each county sufficient in number and dispersion to assure an adequate cross-section of the taxable wealth within the county, both as to the classes of property enumerated and as to the location thereof."

Amendment No. 7

On page 3, line 42, of said bill, strike out ", exclusive of money,".

Amendment No. 8

On page 3, lines 44 and 45, of said bill, strike out "data tested and supplemented by", and insert "and other".

Amendment No. 9

On page 3, line 51, of said bill, after "thereof", insert

"SEC. 13. Section 1832 is added to the Revenue and Taxation Code, to read

1832."

Amendment No. 10

On page 4, line 7, of said bill, strike out "5043", and insert

"SEC. 14. Section 1833 is added to the Revenue and Taxation Code, to read

1833".

Amendment No. 11

On page 4, line 8, of said bill, strike out ", commencing in 1950"

Amendment No. 12

On page 4, line 9, of said bill, strike out "copies", and insert "a report".

Amendment No. 13

On page 4, line 14, of said bill, strike out "5044", and insert

"SEC. 15. Section 1834 is added to the Revenue and Taxation Code, to read: 1834".

Amendment No. 14

On page 4, line 23, of said bill, strike out "5045", and insert

"SEC. 16. Section 1835 is added to the Revenue and Taxation Code, to read. 1835".

Amendment No. 15

On page 4 of said bill, strike out all of line 28 after "unchanged"; strike out lines 29 to 52, inclusive; and on page 5, strike out lines 1 to 17, inclusive, and insert "and shall be the basis for equalizing the valuation of the taxable property within the county as in this article provided.

SEC. 17. Section 1836 is added to the Revenue and Taxation Code, to read

1836. Whenever the percentage of assessed to market value in any county as determined by the board does not differ from the state-wide average of assessed to market value, as likewise determined, by more than 10 percent of that state-wide average, the board shall equalize the valuation of the taxable property in the county for the purposes of taxation by assessing, on the board roll for the county, land, improvements and tangible personal property at a valuation which bears the same relationship to the market value of the property determined in pursuance of Section 755 as is borne by the assessed value of property on the local roll to the market value thereof, as that relationship has been determined under this article

SEC. 18. Section 1837 is added to the Revenue and Taxation Code, to read

1837. In all other instances, the board shall equalize the valuation of taxable property in the several counties of the State for the purpose of taxation either by the method prescribed in Section 1836 or by raising or lowering the value of land, improvements and tangible personal property entered upon the roll by the assessor of the county by that percentage required to make the assessed valuation of said property conform to the state-wide ratio of assessed to market value as established under this article.

SEC. 19. Section 1838 is added to the Revenue and Taxation Code, to read.

1838. No sales or appraisal data relating to individual properties, obtained for the purposes of any survey under this chapter shall be made public and no state or local officer gaining knowledge thereof in any action taken under this chapter shall make any disclosure with respect thereto except as that may be required for the purposes of this chapter.

SEC. 20 Section 1904 is added to the Revenue and Taxation Code, to read:

1904. As an alternative method of equalizing the assessed value of state assessed property in a city in which property is not assessed for city purposes by the county assessor, at its option, the board may ascertain the city assessed values for those properties within the city which have been included within its survey for the county under Section 1831. Utilizing these data, the board may determine the average relationship between the city assessed value of this property and the market value thereof

SEC. 21 Section 1905 is added to the Revenue and Taxation Code, to read.

1905. On or before the second Monday in July, a report with respect to these comparisons, together with a notice of the determination of the relationship between the city assessed values and the market values of the property, shall be delivered to the city assessor and to the city clerk

SEC 22. Section 1906 is added to the Revenue and Taxation Code, to read

1906. If the city, through its assessor or governing board, desires to be heard with respect to these data and the determination based thereon, opportunity for such hearing shall be afforded by the board between the third Monday in July and the third Monday in August upon application therefor in writing filed not later than the first Monday in August. The application shall specify in what respects the city believes that the determination of the relationship between the city assessed value and the market value of the property is in error.

SEC. 23 Section 1907 is added to the Revenue and Taxation Code, to read:

1907 Upon hearing, the board shall consider all pertinent evidence offered as to the accuracy of the determination based upon its survey and, if, in the judgment of the board, such evidence warrants a different determination, it shall so find and alter the determination accordingly. Otherwise, the determination shall remain unchanged

SEC. 24 Section 1908 is added to the Revenue and Taxation Code, to read

1908. When the determination has become final, the board shall enter the assessment of state assessed property upon the roll to be transmitted to the city for the purposes of city taxation at valuations which bear the same relationship to the market value of the property as theretofore determined as has been found to exist with respect to city assessed property under this article The roll, equalized on this basis, shall be utilized for the purposes of city taxation.

SEC. 25. Article 4, comprised of Sections 2001 to 2004, inclusive, is added to Chapter 2, Part 3, Division 1 of the Revenue and Taxation Code, to read:

Article 4. *Adjustments for Allocations and Tax Rates*

2001. Upon completion of proceedings had under Article 1 of this chapter, the board shall certify to the Governor, not later than the first day of September following, its final determination of the relationship between the total value of land, improvements and tangible personal property as entered upon the local roll by each assessor and as thereafter equalized, and the market value thereof. The board shall also certify to the Governor its determination of the ratio between assessed and market value of all such property for the State as a whole.

2002. If the percentage of assessed to market value in any county, as certified by the board under Section 2001, differs from the state-wide average of assessed to market value, as likewise certified by the board, by more than ten (10) percent of that state-wide average, whenever any state department, board or agency allocates funds to the county or any district lying wholly or partly within the county upon the basis of the assessed valuation of property, the value of all land, improvements and tangible personal property entered upon the local roll of the county after equalization, shall be adjusted for purposes of such allocation to eliminate the difference between the county percentage and the state-wide average.

2003. In a district situated partly in one county and partly in one or more other counties, the adjustment for which provision is made in Section 2002 shall be made separately for each part of the district in a different county.

2004. In a district which is situated partly in one county and partly in one or more other counties and which utilizes the county rolls as the basis for district taxes, the rate or rates applicable to the assessments on those rolls shall be adjusted to equalize differences between the county percentages of assessed to market value as determined by the board to the end that the burden of district taxes shall be apportioned equitably with reference to the market value of the property taxed. This adjustment shall be accomplished by computing the total market value of the property subject to district taxes on the basis of the percentages thereof that the board has determined to be represented by the assessed valuation of such property in the several counties in which the district is situated and by apportioning the amount to be raised by district taxes to that part of the district in each county in the same ratio that the market value of the taxable property there bears to the market value of the taxable property in the entire district. Thereafter, district tax rates shall be fixed in the respective counties calculated to raise the amounts so apportioned when applied to the assessed values there.

2005. Whenever a maximum tax rate is established by law for a district, the rate shall be subject to adjustment upward or downward in the fiscal year in which an adjustment is made in the assessed valuation of the property in the district for the purpose of allocation of funds, pursuant to Section 2002, by that percentage that the adjustment in the assessed valuation bears to the assessed valuation prior to adjustment, to the end that the maximum rate, as applied to the assessed valuation, shall be productive of the same tax burden in terms of market value of the property taxed, as though the property in the district were assessed at the state-wide average."

Amendment No. 16

On page 5, line 18, of said bill, after "SEC.", strike out "2", and insert "24"

Amendment No. 17

On page 5 of said bill, strike out lines 23 to 47, inclusive.

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 14 of the printed bill, as amended in the Assembly on April 4, 1949, between lines 23 and 24, insert

"7031.1. "Transportation" as used in this article includes, unless the context otherwise requires:

(a) The transportation of pupils between their homes and the schools attended by them as provided by a school district.

(b) The payment of moneys by a school district to parents or guardians of pupils in lieu of providing for the transportation of such pupils between their homes and the schools attended by them

(c) The providing of board and lodging to pupils by a school district in lieu of providing for the transportation of such pupils between their homes and the schools attended by them."

Amendment No. 2

On page 14 of said bill, strike out lines 28 and 29; and in line 30, strike out "in lieu of providing for such transportation".

Amendment No. 3

On page 14, line 34, of said bill, strike out "and for such payments,".

Amendment No. 4

On page 14 of said bill, beginning in line 48, strike out "between their homes and the schools attended by such pupils, and for payments to parents or guardians in lieu of providing for such transportation".

Amendment No. 5

On page 15 of said bill, beginning in line 8, strike out "between their homes and the schools attended by such pupils or made payments of money to parents or guardians of pupils in lieu of providing for such transportation"

Amendment No. 6

On page 15, line 14, of said bill, strike out "and for such payments."

Amendment No. 7

On page 15, line 19, of said bill, after "college", insert "and provided for the transportation of pupils attending the junior college"

Amendment No. 8

On page 15 of said bill, beginning in line 26, strike out "and have been administered by the same person".

Amendment No. 9

On page 15 of said bill, beginning in line 29, strike out "the districts or made payments of money to parents or guardians of pupils in lieu of providing for such transportation", and insert "of such districts which provided for the transportation of pupils".

Amendment No. 10

On page 15 of said bill, beginning in line 34, strike out "and for such payments,".

Amendment No. 11

On page 15 of said bill, beginning in line 37, strike out "comprises", and insert "includes".

Amendment No. 12

On page 15, line 39, of said bill, strike out the comma, and insert "and each district provided for the transportation of pupils, or includes an elementary school district, a high school district, and a junior college district and each district except the junior college district provided for the transportation of pupils,".

Amendment No. 13

On page 15, line 40, of said bill, strike out "comprises", and insert "includes"

Amendment No. 14

On page 15, line 41, of said bill, after the first "district", insert a comma.

Amendment No. 15

On page 15, line 42, of said bill, after "college", insert ", each of which provided for the transportation of pupils, including those attending the junior college,".

Amendment No. 16

On page 15, line 42, of said bill, strike out "comprises", and insert "includes".

Amendment No. 17

On page 15, line 43, of said bill, after the second comma, insert "each of which provided for the transportation of pupils,".

Amendment No. 18

On page 15, line 46, of said bill, after "districts", insert "providing for the transportation of pupils and".

Amendment No. 19

On page 16 of said bill, between lines 24 and 25, insert

"7036. The Superintendent of Public Instruction in approving, under this article, current expenditures of school districts for the transportation of pupils shall apply the same standards and bases for such approval to expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party except that with respect to expenditures for transporation by contract with a private party, he shall make due allowance for all expenditures by the private party required of it by law and not required of a school district in connection with the operation of busses owned by the district.

7037 The total of the allowances made under this article during the Fiscal Year 1949-1950 shall not exceed an amount computed by multiplying the total units of average daily attendance during the preceding fiscal year in all schools and classes maintained by school districts by three dollars ten cents ($3.10).

The total of the allowances made under this article during each succeeding fiscal year shall not exceed an amount computed by multiplying the total units of average daily attendance during the preceding fiscal year in all schools and classes maintained by school districts by the multiplier specified in the preceding paragraph increased by ten cents ($0.10) each such succeeding fiscal year until the multiplier becomes four dollars ($4.00) which amount shall thereafter be the multiplier used.

7038 In the event the amount fixed by Section 7037 for any fiscal year is less than the total allowances computed under this article for the fiscal year, such allowances shall not be made The Superintendent of Public Instruction shall determine what rate of tax would produce the amount of the deficit if levied on each one hundred dollars ($100) of 90 percent of the assessed valuation in all the districts for which allowances were computed as shown by the equalized assessment roll of such districts for the preceding school year and shall add such rate of tax to each of the rates of tax prescribed in Sections 7032, 7033, and 7034. The total shall in each case be known as the adjusted rate of tax

The Superintendent of Public Instruction shall then allow to each district an amount computed in the manner prescribed in the preceding sections of this article except that the rates of tax used in making the computation shall be the adjusted rate of tax as determined under this section."

Amendment No. 20

In line 7 of the title of said bill, after the semicolon, insert "to amend Section 16256 of said code,".

Amendment No. 21

On page 2, line 17, of said bill, after "report", insert "and certify".

Amendment No. 22

On page 2, line 18, of said bill, after the comma, insert "the average daily attendance in the day and evening kindergarten schools, elementary schools, secondary schools, and technical schools in the Public School System during the next preceding fiscal year, and".

Amendment No. 23

On page 16 of said bill, strike out lines 26 to 44, inclusive

Amendment No. 24

On page 21, line 26, of said bill, after "in", insert "the case of".

Amendment No. 25

On page 21, line 28, of said bill, after "in", insert "the case of".

Amendment No. 26

On page 21, line 29, of said bill, after "in", insert "the case of".

Amendment No. 27

On page 27, line 16, of said bill, after "district", insert "eligible".

Amendment No. 28

On page 27, line 49, of said bill, strike out "reference to", and insert "requirement with reference to the computation of".

Amendment No. 29

On page 27, line 52, of said bill, after "district", insert ", except as otherwise provided in this section,".

Amendment No. 30

On page 27, line 52, of said bill, after "between", insert "(1)".

Amendment No. 31

On page 28, line 2, of said bill, after "and", insert "(2)".

Amendment No. 32

On page 28, line 5, of said bill, after "of", insert "the district".

Amendment No. 33

On page 28 of said bill, beginning in line 8, strike out "except that in the case of a", and insert a period, and

"He shall apportion to each union elementary school district, joint union elementary school district, and unified school district the difference between (1) the apportionment which would have been made during the then current fiscal year on account of the actual average daily attendance as computed under this article if Section 7184 did not exist and (2) the amount which would have been apportioned had the average daily attendance of the district for the preceding fiscal year been increased by the amount the average daily attendance of the district for the current fiscal year exceeds 105 percent of the average daily attendance for the preceding fiscal year multiplied by the ratio of days taught during such period to 175 and had Section 7184 not existed.

He shall apportion to each".

Amendment No. 34

On page 28, line 10, of said bill, strike out "he shall apportion".

Amendment No. 35

On page 28, line 15, of said bill, strike out the period, and insert "and had Section 7184 not existed

In making any computation under this section in which the assessed valuation of a school district is a factor, the assessed valuation used shall be that shown by the last equalized assessment roll of the county."

Amendment No. 36

On page 28 of said bill, strike out lines 40 to 51, inclusive, and on page 29, strike out lines 1 to 17, inclusive.

Amendment No. 37

On page 29, line 20, of said bill, strike out "January 15th", and insert "October 15th"

Amendment No. 38

On page 29, line 25, of said bill, strike out "preceding", and insert "last"

Amendment No. 39

On page 29, line 38, of said bill, strike out "1954-1955", and insert "1953-1954"

Amendment No. 40

On page 30 of said bill, strike out lines 1 to 12, inclusive.

Amendment No. 41

On page 30, line 19, of said bill, strike out the period, and insert "and shall be available for expenditure by the unified school district for all schools and classes of the district."

Amendment No. 42

On page 30 of said bill, following line 50, insert

"7191. If during any fiscal year there is apportioned to a school district or to any fund from the State School Fund more or less than the amount to which the district or fund was entitled, the Superintendent of Public Instruction during the next or any succeeding fiscal year shall withhold from, or add to, the apportionment made during such next or succeeding fiscal year, the amount of such excess or deficiency, as the case may be."

Amendment No. 43

On page 33 of said bill, strike out lines 5 to 10, inclusive.

Amendment No. 44

On page 34, line 44, of said bill, strike out "sixty-five dollars ($65)", and insert "one hundred dollars ($100)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 45

On page 35 of said bill, between lines 50 and 51, insert

"SEC. 13. Section 16256 of the Education Code is amended to read:

16256 In lieu of furnishing transportation to pupils attending the schools of a school district, the governing board may pay to the parents or guardian of each pupil the cost of [food] *board* and lodging of the pupil at a place convenient to the schools *or may provide such board and lodging for the pupil at cafeterias and in dormitories maintained by the district* The amount [paid] *expended* on account of each pupil shall not exceed the estimated cost to the district of providing for the transportation of the pupil to and from his home and the school he attends."

Amendment No. 46

On page 35, line 51, of said bill, strike out "13", and insert "14".

Amendment No. 47

On page 16 of said bill, strike out lines 26 to 44, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 61—An act to amend the title and Sections 1 and 3 of the Judges' Retirement Act and to amend Sections 2, 4, and 4.5 of the Judges' Retirement Fund Act, relating to the State System for the Retirement of the Judges and Justices, and providing for the inclusion of justices' courts of Class A within that system.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 5 of the title of the printed bill, strike out "of Class A".

Amendment No. 2

On page 1, line 6, of said bill, strike out "of Class A".

Amendment No. 3

On page 1, line 11, of said bill, strike out "of Class A".

Amendment No. 4

On page 1, lines 14 and 15, of said bill, strike out "of Class A".

Amendment No. 5

On page 1, line 21, of said bill, strike out "of Class A".

Amendment No. 6

On page 2, lines 5 and 6, of said bill, strike out "of Class A".

Amendment No. 7

On page 2, line 13, of said bill, strike out "of Class A".

Amendment No. 8

On page 2, line 22, of said bill, strike out "of Class A"

Amendment No. 9

On page 2, line 31, of said bill, strike out "of Class A".

Amendment No. 10

On page 2, lines 42 and 43, of said bill, strike out "of Class A".

Amendment No. 11

On page 2, line 47, of said bill, strike out "of Class A"

Amendment No. 12

On page 2, line 50, of said bill, strike out "of Class A".

Amendment No. 13

On page 3, line 22, of said bill, strike out "of Class A".

Amendment No. 14

On page 3, line 40, of said bill, strike out "of Class A"

Amendment No. 15

On page 4, line 1, of said bill, strike out "of Class A"

Amendment No. 16

On page 4, line 10, of said bill, strike out "of Class A"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1681—An act to amend Section 467 of the Streets and Highways Code, relating to state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 362 and".

Amendment No. 2

On page 1, line 1, of said bill, strike out "467", and insert "362".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert
"362 Route 62 is from:
[(a) Route 171 near Buena Park to Route 9 near Azusa
(b) Route 9 at Azusa to Route 61 via Pine Flats in San Gabriel Canyon.]
(a) Route 171 near Buena Park to Route 2 near La Habra.
(b) Route 26 in West Covina to Route 61 via Pine Flats in San Gabriel Canyon
SEC. 2. Section 467 of said code is amended to read:".

Amendment No. 4

On page 1, line 3, of said bill, strike out the colon; and strike out lines 4 to 6 inclusive and insert "Long Beach to Route 205 in South Pasadena"

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Assembly Bill No. 385—An act to amend the Highway Carriers' Act by amending Section 3 thereof and to add Section 6½ thereto, and to

amend the City Carriers' Act by amending Section 3 thereof, to add Section 5¼ thereto, and to repeal Section 8 thereof, relating to motor carriers of property for compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In lines 2 to 5 of the title of the printed bill, strike out "Section 3 thereof and to add Section 6½ thereto, and to amend the City Carriers' Act by amending Section 3 thereof, to add Section 5¼ thereto, and to repeal Section 8 thereof", and insert "Sections 1, 3, and 8 thereof, and adding Section 8¼ thereto,"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1 of the Highway Carriers' Act is amended to read:

Section 1. (a) The term "corporation" when used in this act includes a corporation, a company, an association and a joint stock association.

(b) The term "person" when used in this act includes an individual, a firm or a copartnership.

(c) The term "public highway" when used in this act includes every public street, road or highway in this State.

(d) The term "Railroad Commission" when used in this act means the Railroad Commission of the State of California.

(e) The term "motor vehicle" when used in this act means every motor truck, tractor, or other self-propelled vehicle used for transportation of property over the public highways, otherwise than upon fixed rails or tracks, and any trailer, semitrailer, dolly or other vehicle drawn thereby.

(f) The term "highway carrier" when used in this act means every corporation or person, their lessees, trustees, receivers or trustees appointed by any court whatsoever engaged in transportation of property for compensation or hire as a business over any public highway in this State by means of a motor vehicle or motor vehicles. However, it does not include the following

(1) Carriers operating exclusively within the limits of a single incorporated city or city and county;

(2) Any farmer resident of this State who occasionally transports from the place of production to a warehouse, regular market, place of storage, or place of shipment the farm products of neighboring farmers in exchange for like services or for a cash consideration or farm products for compensation. "Occasionally" as used in this section shall be construed to mean occasionally or for a total annual compensation from all sources for providing such transportation for hire of not more than six hundred dollars ($600), and provided that such transportation shall constitute the sole transportation of persons or property for hire or compensation. Any such farmer shall keep available an account of each time he has transported such farm products and the compensation received therefor. The account of transportation performed and compensation received therefor, as herein provided, may be any simple method of record keeping and in cases where record keeping practices are such that reports upon truck operations are reported at the end of the operating season, such end-of-the-season reports shall be deemed adequate for the purposes of this section.

(3) Persons or corporations hauling their own property;

(4) Any farmer operating a motor vehicle or vehicles used exclusively in the transportation of his live stock and agricultural commodities or in the transportation of supplies to his farm;

(5) Any nonprofit agricultural cooperative association organized and acting within the scope of its powers under Chapter 4, Division 6 of the Agricultural Code to the extent only that it may be engaged in transporting its own property or the property of its members

(6) Any highway carrier to the extent that it performs services in the transportation for compensation of unprocessed agricultural products from a point of production to a processing or storage plant, and empty containers for such products to such point of production.

(g) The term "highway common carrier" when used in this act means every highway carrier operating as a common carrier subject to regulation as such by the Railroad Commission under the Public Utilities Act of the State of California, as amended.

(h) The term "radial highway common carrier" when used in this act means every highway carrier operating as a common carrier not heretofore subject to regulation as such by the Railroad Commission under the Public Utilities Act of the State of California, as amended.

(i) The term "highway contract carrier" when used in this act means every highway carrier other than a highway common carrier as defined in subsection (g) and every radial highway common carrier as defined in subsection (h).

SEC. 2. Section 3 of the Highway Carriers' Act is amended to read:

Sec. 3. Except as hereinafter provided no highway carrier, other than a highway common carrier, shall engage in the business of transportation of property for compensation by motor vehicle on any public highway in this State without first having obtained from the Railroad Commission a permit authorizing such operation. Any highway carrier desiring a permit to operate hereunder as a highway carrier other than a highway common carrier, shall file a petition therefor with the Railroad Commission. [Such petition shall set forth the name and address of the applicant, the names and addresses of its officers, if any; full information concerning the financial condition and physical properties of applicant; and such other information necessary to the enforcement of this act, as the Railroad Commission may require. Except as otherwise provided in this act, a permit must be issued by the commission upon compliance with this act Any operating permit not exercised for a period of one year shall lapse and terminate] *Such petition shall be in such form and contain such information as may be prescribed by the commission*

Before a permit is issued hereafter the commission shall require that applicant establish ability and financial responsibility The commission shall have power, with or without hearing, to issue said permit as prayed for, or to refuse to issue the same If it be found that the applicant possesses the required ability and financial responsibility to perform the operations proposed, a permit shall be issued as prayed for. The commission may attach to said permit such terms and conditions as, in its judgment, are required to assure protection to persons utilizing such operations Operating permits issued on and after the effective date of this act shall remain in effect unless or until otherwise ordered by the commission; provided, however, that any such permit shall lapse and terminate if not exercised for a period of six months Any operating permit may be sold, assigned, leased, transferred or inherited only upon authorization by the commission.

Any person or corporation possessing an operating permit on March 1, 1949, and continuously thereafter may, on or before December 31, 1949, file a petition for an operating permit, setting forth the existence of such a continuous permit The commission shall, upon satisfactory showing, with or without hearing, issue to such applicant an operating permit authorizing operations co-extensive with the operations authorized under such permit possessed by applicant on March 1, 1949. Pending action by the commission upon such petition, operations as authorized under such prior permit may be continued after December 31, 1949, subject to the provisions of this act.

Any person or corporation not included within the provisions of the foregoing paragraph who, or which, when this section takes effect, possesses an operating permit, may continue operations pursuant to such permit until December 31, 1949; and if a petition for an operating permit is made to the commission on or prior to such date, such carrier may continue operations as described in said petition subsequent to December 31, 1949, subject to the provisions of this act, unless and until otherwise ordered by the commission.

Except where a petition has been filed for a permit as provided for in the two preceding paragraphs hereof, no operations may be conducted subsequent to December 31, 1949, founded upon an operating permit issued prior to the effective date of this act

SEC. 3. Section 8 of the Highway Carriers' Act is amended to read:

Sec. 8. No highway carrier shall operate any motor vehicle over any public highway unless there shall be displayed on such vehicle [a distinctive license plate in the form to be prescribed by the Railroad Commission, showing the classification, as herein provided, to which such carrier belongs, but no such license plate shall be issued by the said commission until a permit under this act, or a certificate of public convenience and necessity as provided for under the provisions of the Public Utilities Act of the State of California has been issued to such carrier. No such plate shall be transferred from any vehicle to which it may have been assigned by the commission to any other vehicle to which it has not been so assigned. Upon the cancellation, revocation or other termination of any certificate or permit, the highway carrier to whom such permit or certificate may have been issued shall thereupon surrender and deliver to the commission any and all plates which may have been issued to such carrier hereunder. Upon the sale or other disposal of any vehicle to which such plates may have been assigned, the license plates assigned to such vehicle shall be returned to the commission, unless reassigned by the commission] *an identification symbol in such*

form and in accordance with such rules and regulations as the commission may prescribe.

SEC. 4. Section 8¼ is added to the Highway Carriers' Act to read:

Sec. 8¼. The commission shall prescribe such rules and regulations as may be necessary to carry out and administer the provisions of this act."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out pages 2 and 3

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations

Motion to Place Rush Order on Printing of Assembly Bill No. 385

Mr. Evans moved that a rush order be placed upon the printing of Assembly Bill No. 385.

Motion carried.

Assembly Bill No. 386—An act to amend an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, by amending Sections 1 and 3 thereof, relating to fees payable by such persons, corporations and forwarders, including motor transportation brokers, and the collection and disposition of such fees

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 6, 1949, strike out lines 23 to 30, inclusive, and insert

"There shall be paid to the Railroad Commission a fee of twenty-five dollars ($25) for each application for an operating permit under the Highway Carriers' Act or City Carriers' Act, or for authority to transfer any such permit."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Utilities and Corporations.

Motion to Place Rush Order on Printing of Assembly Bill No. 386

Mr. Evans moved that a rush order be placed upon the printing of Assembly Bill No. 386

Motion carried

SECOND READING OF SENATE BILLS

Senate Bill No. 583—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 617—An act to amend Section 27122 of the Streets and Highways Code, relating to bridge and highway districts, and the number of directors thereof.

Bill read second time, and ordered to third reading

Senate Bill No. 1395—An act to amend Section 411 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the eleventh class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1450—An act to amend Sections 28122 and 28135 of the Government Code, relating to compensation for public services in counties of the twenty-second and thirty-fifth classes.

Bill read second time, and ordered to third reading.

Senate Bill No. 1472—An act amending Section 28134 of the Government Code, relating to salaries of officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1177—An act to amend Section 419, to repeal Sections 420, 420.1, 420.2, 420.3, 420.4, 420.5, 420.6, 420.7, 420.8, and 420.9, and to add Sections 420, 421, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 422.6, 423, and 423.1, of the Vehicle Code, relating to financial responsibility, and declaring the agency thereof.

Bill read second time, and ordered to third reading

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Dolwig asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 231—An act to amend Section 1170 of the Harbors and Navigation Code, relating to pilotage rates.

Bill read second time, and ordered to third reading.

Senate Bill No. 307—An act to amend Section 619 of the Vehicle Code, relating to headlamps on motor vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 615—An act to amend Section 27164 of the Streets and Highways Code, relating to bridge and highway districts, and to the acquisition and construction of property thereby.

Bill read second time, and ordered to third reading.

Senate Bill No. 1302—An act to amend Sections 208 and 378 of the Vehicle Code, relating to expiration of special plates and when fees become delinquent.

Bill read second time, and ordered to third reading.

Senate Bill No. 1251—An act to amend Section 185 of the Vehicle Code, relating to transfer without probate.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 13, of the printed bill, after "and", strike out "an affidavit", and insert "a certified statement".

Amendment No. 2

On page 1, line 17, of the printed bill, after "statement", strike out "in said affidavit".

Amendment No. 3

On page 1, line 18, of the printed bill, after "deceased", strike out "of", and insert "or"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1304—An act to amend Section 222 of the Vehicle Code, relating to stolen vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 17, 1949, strike out "Section 222", and insert "Sections 181 and 222".

Amendment No. 2

On page 1 of said bill, between lines 15 and 16, insert

"SEC 2 Section 181 of said code is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1018—An act to amend Section 28129 of the Government Code, and to amend Section 429 of the Education Code, relating to counties and increasing the salaries of certain county officials.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 20, of the printed bill, strike out "five cents ($0.05)", and insert six cents ($0.06)".

Amendment No. 2

On page 1, line 22, of said bill, strike out "five cents ($0.05)", and insert "six cents ($0.06)".

Amendment No. 3

On page 1, line 24, of said bill, after "board.", insert "In lieu of mileage allowed as a member of the board of supervisors, the chairman of the board shall be supplied by the county with an automobile for use in performance of official duties, and all

expense for fuel, oil, supplies, upkeep, and maintenance of such automobile shall be paid from county funds."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 509—An act to add Sections 1 1, 1.2, and 1.3 to the Orange County Water District Act, relating to the exclusion of certain areas from the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 13, 1949, strike out "and 1.5", and insert "1 5, 74.1, 74 2, 74.3, 74 4, 74 5, 74 6, 74 7, 74 8, 74.9, and 74 10".

Amendment No. 2

On page 6, line 36, of said bill, strike out "also".

Amendment No. 3

On page 10, line 9, of said bill, strike out "sonth", and insert "south".

Amendment No. 4

On page 11, line 21, of said bill, after "drive", insert "thence west along said north line of Romneya Drive".

Amendment No. 5

On page 13, line 2, of said bill, following "assessor", insert "and".

Amendment No. 6

On page 15, lines 6 and 7, of said bill, should be consolidated without paragraph indentation.

Amendment No. 7

On page 15, line 17, of said bill, strike out the semicolon and insert a period.

Amendment No. 8

On page 16 of said bill, strike out lines 7 to 30, both inclusive, and insert

"SEC. 8. Sec. 74 1 is added to the Orange County Water District Act, to read:

Sec. 74.1. Notwithstanding any other provisions of this act, the boundaries of the district may be changed and lands may be excluded from the district in the manner and with the effect prescribed in Sections 74 2 to 74.10, inclusive, hereof.

SEC. 9 Section 74 2 is added to the Orange County Water District Act, to read:

Sec. 74.2. Whenever proceedings have been instituted which, upon consummation, shall result in the annexation to a metropolitan water district organized under the Metropolitan Water District Act of this State of any lands included within the boundaries of Orange County Water District, the boundaries of this district may be changed and such lands may be excluded from the district in the manner herein prescribed; but neither such change of the boundaries of the district nor such exclusion of lands from the district shall impair or affect its organization, or its right in or to property, or any of its rights or privileges of whatever kind or nature; nor shall it affect, impair or discharge any contract, obligation, lien or charge for or upon which said district was and may become liable or chargeable, had such change of its boundaries not been made, or had not such lands been excluded from the district.

SEC. 10. Section 74.3 is added to the Orange County Water District Act, to read:

Sec. 74 3. Whenever the proceedings referred to in Section 74.2 hereof shall have been so instituted, the board of directors may, and if any person owning any part or portion of such lands shall have filed with the board a petition praying that such lands if they be so annexed to such metropolitan water district be excluded from the Orange County Water District and stating that the lands should be excluded from the district for the foregoing reason, together with a description of the boundaries of said lands, the board shall, forthwith, order the publication of a notice of intention to exclude said lands from the district. The secretary of the board of directors shall immediately cause such notice to be published for at least two weeks in some newspaper published in the county where the office of the board of directors is situated; or if no newspaper be published therein, then by posting such notice for the same time in at least three

public places in said district, and in case of the posting of said notices, one of said notices must be so posted on the lands proposed to be excluded. The notice shall contain a description of the boundaries of the lands so proposed to be excluded from the district, and it shall notify all persons interested in, or who may be affected by, such change of the boundaries of the district, to appear at the office of said board at a time named in said notice, and show cause, in writing, if any they have, why such lands should not, concurrently with the annexation thereof to such metropolitan water district, be excluded from Orange County Water District. The time to be specified in the notice at which they shall be required to show cause shall be the regular meeting of the board next after the expiration of the time for the publication of the notice.

SEC. 11. Section 74.4 is added to the Orange County Water District Act, to read:

Sec. 74.4. The board of directors, at the time and place mentioned in said notice of intention, or at the time or times to which the hearing may be adjourned, shall proceed to consider whether such lands shall be so excluded from the district, as aforesaid. If a petition for the exclusion of such lands shall have been filed as provided in Section 74.3 hereof, the board shall proceed to hear such petition and all evidence or proof that may or shall be introduced by or on behalf of the person or persons filing such petition, and all objections in writing to such petition that may or shall be presented by any person showing cause as aforesaid, and all evidence and proofs that may be introduced in support of such objections; and if no such petition shall have been filed, the board shall hear all evidence or proof that may or shall be introduced by or on behalf of any interested person or persons in support of any request in writing that such lands be so excluded, and shall hear all objections in writing to the exclusion of such lands that may or shall be presented by any person showing cause as aforesaid, and all evidence and proofs that may be introduced in support of such objections. A guardian or executor, or an administrator of an estate, who is appointed as such under the laws of this State, and who, as such guardian, executor or administrator, is entitled to the possession of the lands belonging to the estate which he represents may, on behalf of his ward, or the estate which he represents, upon being thereto properly authorized by the proper court, file the petition provided in Section 74.3 hereof, and may show cause, as in this Section 74.4 provided, why the boundaries of the district should not be changed. The failure of any person interested in the district, other than the holders of bonds thereof outstanding at the time of the making of the order for the publication of said notice, to show cause, in writing, why such lands should not, concurrently with the annexation thereof to a metropolitan water district, be excluded from Orange County Water District shall be deemed and taken as an assent by him to the exclusion of such lands from the district. The expenses of publishing or otherwise giving said notice shall be paid by the petitioner or petitioners. Upon the filing of a petition for such exclusion, there shall be deposited by petitioner or petitioners with the district a sum of money in an amount estimated by the district board to be sufficient to defray said expenses. Any amount not used shall be refunded to the first person named on said petition.

SEC. 12. Section 74.5 is added to the Orange County Water District Act, to read:

Sec. 74.5. If, upon the hearing no person interested in the district shall show cause in writing why such lands, if they be so annexed to and become a part of said metropolitan water district, should not be excluded from Orange County Water District, or if, having shown cause in writing, withdraws the same, or upon the hearing fails to establish such objections as he may have made, then it shall be the duty of the board to, and it shall forthwith, make an order that if and when the lands mentioned and described in said notice of intention shall have been annexed to and become a part of such metropolitan water district said lands shall, concurrently with the effective date of such annexation, be excluded from Orange County Water District. The secretary of the board of directors of the Orange County Water District shall transmit a certified copy of such order to the legislative or governing body of the city or other public corporation conducting the proceedings which, if consummated, will result in the annexation of said lands to a metropolitan water district with a request:

(a) That such legislative or governing body shall, in addition to other matters required by law, cause to be inserted in any notice required to be given of any election to be held in connection with such proceedings a statement to the effect that if said lands be annexed to such metropolitan water district said lands will, concurrently with the effective date of such annexation, be excluded from Orange County Water District; and

(b) That upon the completion of such proceedings such legislative or governing body forthwith shall notify the board of directors of this district, in writing, of the results thereof.

SEC. 13. Section 74.6 is added to the Orange County Water District Act, to read:

Sec. 74.6. Within thirty days from and after the effective date when such lands shall have been excluded from the district concurrently with the annexation of such lands to a metropolitan water district, and not less than thirty days before any election held in this district thereafter, the board of directors shall:

(a) Make an entry in the minutes of the board that such lands have been annexed to a metropolitan water district and were, concurrently with the date such annexation became effective, excluded from Orange County Water District and such minute entry shall describe the boundaries of the district as such boundaries shall exist after the exclusion from said district of the lands so annexed to such metropolitan water district, and for that purpose the board may cause a survey to be made of such portions of the district, as the board may deem necessary; and a certified copy of such minute entry, certified by the president and secretary of the board, shall be filed for record in the recorder's office of each county within which are situated any lands of the district; but said district, notwithstanding the exclusion of the said lands effected concurrently with such annexation to a metropolitan water district, shall be and remain a district as fully, to every intent and purpose, as it would be had no change been made in the boundaries of the district, or had the lands so excluded therefrom never constituted a portion of the district; and

(b) Re-establish the boundaries of the divisions and election precincts within the district, so as to make said divisions as nearly equal in area as may be practicable

SEC. 14. Section 74.7 is added to the Orange County Water District Act, to read:

Sec. 74.7. Until the board of directors shall have re-established the boundaries of the divisions as provided in Section 74.6 hereof, no forfeiture of office of any director shall occur by reason of the exclusion from said district of the lands so annexed to such metropolitan water district; provided, that when the boundaries of the divisions shall have been so re-established, as provided in said Section 74.6, any director who is not then a resident of this district and an owner of land within the re-established boundaries of the division theretofore represented by him shall forfeit his office, and the vacancy shall be filled as provided in Section 12 hereof.

SEC. 15. Section 74.8 is added to the Orange County Water District Act, to read:

Sec. 74.8. The statement of change of boundaries and map or plat filed pursuant to Section 3720 of the Political Code, or other applicable provision of law, for the purposes of assessment and taxation of property within the area so annexed to such metropolitan water district, shall constitute sufficient compliance with said Section 3720 of the Political Code, or other applicable provision of law, for the purpose of releasing the lands so excluded from Orange County Water District from assessment and taxation by said District

SEC. 16. Section 74.9 is added to the Orange County Water District Act, to read:

Sec. 74.9. Nothing in this act provided shall, in any manner, operate to release any of the lands so excluded from the district concurrently with the annexation of such lands to a metropolitan water district, from any obligation to pay, or any lien on such excluded lands of any assessment for the payment of, any valid bonds or other indebtedness of the district outstanding at the time of such exclusion of such lands, but upon the contrary, such lands shall be held subject to said lien and answerable and chargeable for and with the payment and discharge of all of said bonds and other indebtedness of the district outstanding at the time of such exclusion of such lands, as fully as though said exclusion had never been made; and for the purpose of discharging such outstanding indebtedness, the lands so excluded shall be deemed and considered as part of the district the same as though such lands had not been so excluded from the district; and all provisions which might have been resorted to to compel the payment by such lands of their quota or portion of said outstanding indebtedness, had said exclusion never been accomplished, may, notwithstanding said exclusion, be resorted to to compel and enforce the payment on the part of such lands of their quota and portion of said outstanding indebtedness of the district for which said excluded lands are liable, as herein provided. But the lands so excluded shall not be held answerable or chargeable for any obligation or indebtedness of any nature or kind whatever, incurred after the making of the order for publication of notice of intention to exclude said lands, as provided in Section 74.3 hereof if said lands be excluded, and such excluded lands shall not be subject to any lien of any assessment for the payment of any such obligation or indebtedness

SEC. 17. Section 74.10 is added to the Orange County Water District Act, to read:

Sec. 74.10. If there be outstanding bonds of the district at the time of the making of the order for the publication of the notice of intention as provided in Section 74.3 hereof, the holders of any such outstanding bonds may give their assent, in writing, to the effect that they severally consent that the lands when so annexed to such metropolitan water district may be excluded from this district, and if said lands be so excluded from his district, then, notwithstanding any other provision of this act, the lands so excluded shall be released from the lien of any such outstanding bonds, the holders of which shall have so assented to the exclusion of such lands from this district. The assent must be acknowledged by the several holders of said bonds in the same manner and form as is required in case of a conveyance of land, and the acknowledgment shall have the same force and effect as evidence as the acknowledgment of such conveyance. The assent shall be filed with the board, and must be recorded in the minutes of the board; and said minutes, or a copy thereof, certified

by the secretary of said board, shall be admissible in evidence, with the same effect as the said assent, and such certified copy thereof may be recorded in the office of the county recorder of the county wherein said lands are situated.

SEC. 18. This act is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1, Article IV of the Constitution of the State of California and as such shall take effect immediately. The facts constituting such necessity are:

Because of the subnormal rainfall during the past few years together with an ever increasing population, Orange County is faced with a critical underground water shortage which, aggravated by the consequent intrusion of salt water in certain areas of the county, jeopardizes the agricultural industry and the health, safety and welfare of the residents of the county. The immediate replenishment of the underground water supply is imperative. The Orange County Water District proposes to alleviate this condition by purchasing and importing water. The areas to be excluded from the district by or pursuant to this act, however, obtain or will obtain all or substantially all of their water from other sources; consequently, it is just and equitable that they be relieved from the burden of contributing to the cost of replenishing the underground water supply. Therefore, in order to permit the Orange County Water District to take immediate steps to alleviate the critical water shortage in Orange County and to meet the cost thereof on a fair and equitable basis, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1001—An act to amend Section 13252.1 of the Labor Code, relating to hours of labor for women.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Industrial Relations:

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on May 23, 1949, after "nurses", insert "in hospitals"

Amendment No. 2

On page 1, line 23, of said bill, after "hospitals.", insert "in cases of emergency,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No 2084, on request of Mr. Babbage.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 990 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Beck asked for, and was granted, unanimous consent that Assembly Bill No. 990 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 970—An act to add Sections 4874, 4901.1, 4901.2, 4901.3, 4901.4, 4901.5, 4901.6, 4902.1, 4902.2, 4902.4, 4905, 4905.1, 4906, 4907, 4908, 4909, 4910, 4911.1, 4912.1, 4915.1, 4917.1, 4931.1, 4954, and 4965.1 to the Education Code; to amend Sections 4873, 4885, 4886, 4887, 4901, 4902, 4903, 4904, 4911, 4912, 4914, 4915, 4917, 4918, 4919, 4919.1, 4920, 4931, 4932, 4941, 4942, 4943, 4946, 4962, 4963, and 4964 of said code; to amend and renumber Sections 4902.1, 4912.1, 4915.1, and 4917.1 of said code; to amend the headings of Articles 2, 4, and 5 of Chapter 16 of Division 2 of said code; to repeal Sections 4881, 4882, 4883, 4884, 4886, and 4887 of said code; and to repeal Article 3 of Chapter 16 of Division 2 of said code, all relating to the reorganization of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 970?

Amendment No. 1

On page 16, line 34, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "pupils residing", and insert "children who have not reached their 14th birthday, including children of preschool age, at the time of the petition. The parents or guardians eligible to sign such petitions shall be residents"

Amendment No. 2

On page 16 of said bill, strike out lines 37 to 39, inclusive, and insert "school district and shall be qualified electors within such district at the time the petition is filed."

Amendment No. 3

In line 13 of the title of said bill, after "4901.6," insert "4902.05, 4902.06, 4902.07,".

Amendment No. 4

On page 6 of said bill, between lines 30 and 31, insert

"SEC. 17.1. Section 4902.05 is added to said code, to read:

4902.05. When the county committee has selected all or any portion of the county for possible recommendation for reorganization, each member of the governing board of each school district included within the territory to be considered shall be notified by registered letter sent by the county superintendent of schools of his addition to membership in the committee. For the purposes of constituting a quorum at the committee meetings, all of the members of the governing board of one school district attending the meeting shall count only as one member of the committee. For the purposes of voting upon recommendations each school district so represented on the committee shall have only one vote. The district vote shall represent the decision of a majority of the members of the governing board of that district.

No recommendation for reorganization pursuant to Section 4902 shall be made until the augmented county committee established by this section has adopted the recommendation by a majority of all entitled to vote and no such action shall be taken prior to the third meeting of the augmented committee.

SEC. 17.2. Section 4902.06 is added to said code, to read:

4902.06. Notice of each meeting of the augmented committee established in Section 4902.05 shall be sent by registered mail to all members appointed pursuant to Section 4902.05 by the county superintendent of schools at least ten days prior to the date of such meeting.

SEC. 17.3. Section 4902.07 is added to said code, to read.

4902.07. The county committee as established in Section 4901 shall be augmented pursuant to Section 4902.05 for the purposes of action taken under Sections 4905 and 4907."

Amendment No. 5

On page 7, line 30, of said bill, strike out "may", and insert "shall".

Amendment No. 6

On page 7, line 48, of said bill, strike out "may", and insert "shall".

Amendment No. 7

On page 7, line 51, of said bill, strike out "if such a provision is included.".

Amendment No. 8

On page 8, line 10, of said bill, strike out "may propose to", and insert "shall have power to rearrange the boundaries of any of the trustee areas and".

Amendment No. 9

On page 8, lines 14 and 15, of said bill, strike out "or may propose to eliminate the trustee areas of any school district so divided".

Amendment No. 10

On page 8, line 44, of said bill, strike out "eliminating", and insert "rearranging the boundaries of".

Amendment No. 11

On page 8, line 45, of said bill, strike out "eliminating", and insert "rearranging of the boundaries".

Amendment No. 12

On page 9 of said bill, strike out lines 16 to 19, inclusive, and insert

"If a proposal for rearrangement of boundaries is approved by the electors, and if the boundary changes affect the board membership, any affected incumbent board members shall serve out his term of office and succeeding board members shall be nominated and elected in accordance with Section 4905."

Amendment No. 13

On page 6, line 15, of the printed bill as amended in the Senate on May 16, 1949, after the period, insert "This section does not supersede or modify the provisions of Sections 4941.1 and 4941.2 added by Chapter 212 of the Statutes of 1949."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 970 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowery, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nichouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 970 ordered enrolled

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1991—An act to amend Section 526 of the Agricultural Code, relating to milk products plants.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1991 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Nichouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—66

Assembly Bill No. 578—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and

bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 573 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—66

Assembly Bill No. 1501—An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No 1501 become a law notwithstanding the objections of the Governor?

Request for Unanimous Consent That Veto Message of Governor Be Again Read

Mr Dunn asked for, and was granted, unanimous consent that the veto message of the Governor relative to Assembly Bill No 1501, as read on Friday, May 27th, be again read.

Veto Message From Governor Relative to Assembly Bill No. 1501

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 27, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS I am returning herewith, without my signature,

Assembly Bill No. 1501, entitled "An act to add Section 2144.5 to the Business and Professions Code, relating to persons and acts exempted from the State Medical Practice Act, Chapter 5 of Division 2 of the Business and Professions Code."

My objection to this bill is as follows:

The author and proponents of this measure state that they have no intention of excluding any of the healing arts from any activities in which they are now permitted to engage and that they do not believe that it would do so However, the Attorney General is of the opinion that the courts could reasonably hold that the laboratory technicians would be prevented from making skin punctures and vein punctures for chiropractors, of which there are some 5,500 in California. This exclusion of the chiropractors is not expressed in the bill and the Legislature could hardly have had that in mind from the wording used. The bill while excluding chiropractors at the same time includes drugless practitioners, midwives and chiropodists among those for whom laboratory technicians may make these punctures for the taking of blood for laboratory tests I believe that the avowed purpose of the bill is desirable in order to specifically define the duties of the laboratory technicians and if that were all the bill included I would cheerfully sign it I believe that the purpose of this bill can be accomplished through the medium of another bill without affecting the interests of any group.

Respectfully submitted,

EARL WARREN, Governor

Receipt of Assembly Bill No. 1501 Acknowledged

I acknowledge receipt this twenty-seventh day of May, at 11.57 o'clock a.m., of Assembly Bill No. 1501, without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

Governor's message read.

Point of Order

Mr. Heisinger arose to the following point of order: That Mr. Thompson has exceeded his time.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order not well taken.

The question being: Shall Assembly Bill No. 1501 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Dickey, Doyle, Hollibaugh, Huyck, Lipscomb, McCollister, McMillan, Niehouse, Smith, Thomas, and Thompson—11

NOES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Reagan, Sherwin, Stewart, Tomlinson, Way, Weber, and Yorty—47.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 384—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 384?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Senate on May 12, 1949, strike out "conviction", and insert "offense"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 384 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr Speaker—63

NOES—Heisinger—1.

Assembly Bill No. 384 ordered enrolled.

Assembly Bill No. 616—An act to amend Sections 452 and 459.2 of, and to add Sections 454 1 and 469.1 to the Vehicle Code, relating to the regulations of traffic on highways

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 616?

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, as amended in the Senate on April 27, 1949, and insert

"An act to add Section 454 1 to the".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 10, inclusive, and insert "SECTION 1. Section 4541 is added to the Vehicle Code, to"

Amendment No. 3

On page 1 of said bill, strike out lines 20 to 25, inclusive, and strike out pages 2 and 3.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 616 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None

Assembly Bill No. 616 ordered enrolled.

Assembly Bill No. 681—An act to add Section 6562 to the Business and Professions Code, relating to the practice of barbering.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 681?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 1, 1949, after "diploma", insert "or certificate"

Amendment No. 2

On page 1, line 10, of said bill, strike out "certifying that any individual"; and strike out lines 11 to 14, inclusive, and insert ", or by any state-accredited elementary school, establishing that any individual has an eighth grade education, or its equivalent, shall be conclusive evidence of that fact and shall be accepted by the board"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 681 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—65

NOES—None

Assembly Bill No. 681 ordered enrolled.

Assembly Bill No. 735—An act to amend Section 627.5 of the Agricultural Code, relating to chocolate drinks containing milk or skimmed milk.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 735?

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "is", and insert "may be".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 735 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke,

Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—67

NOES—None

Assembly Bill No. 735 ordered enrolled.

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund or other disposition of certain optional contributions by state members of said system.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1900?

Amendment No. 1

On page 3, line 47, of the printed bill, as amended in the Assembly on April 18, 1949, strike out "Section 1", and insert "Section 6".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 1900 by the following vote:

AYES—Burkhalter, Evans, Kirkwood, McMillan, Moss, Niehouse, Rumford, Silliman, Stewart, and Weber—10

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Sherwin, Smith, Thomas, Thompson, Way, and Yorty—54

Appointment of Committee on Conference Concerning Assembly Bill No. 1900

The Speaker announced the appointment of Messrs. Fleury, Lindsay, and Moss as a Committee on Conference concerning Assembly Bill No. 1900.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read second time.

Request for Unanimous Consent That Amendments Be Corrected

Mr. Lowrey asked for, and was granted, unanimous consent that his amendments to Assembly Bill No. 1100, which were adopted on Friday, May 27th, be corrected, at this time, and technical changes be made, so that errors in the printing of the bill will be avoided.

Hon. Richard H. McCollister Presiding

At 11:05 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

Consideration of Further Amendments to Assembly Bill No. 1100
Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 733

On page 55 of the printed bill, strike out lines 36 to 51, inclusive; and on page 56, strike out lines 1 to 33, inclusive.

Amendment read.

Speaker Presiding

At 11.25 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Hon. Randal F. Dickey Presiding

At 11.28 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Dunn is not speaking to the subject.

Ruling by Speaker

Acting Speaker Dickey ruled the point of order well taken.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Dunn is not speaking to the subject.

Ruling by Speaker

Acting Speaker Dickey ruled the point of order well taken.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Dunn has exceeded his time.

Ruling by Speaker

Acting Speaker Dickey ruled the point of order not well taken.

Point of Order

Mr. Heisinger arose to the following point of order: That Mr. Dunn has exceeded his time.

Ruling by Speaker

Acting Speaker Dickey ruled the point of order well taken.

Motion That Additional Time Be Granted Mr. Dunn

Mr. Hollibaugh moved that five additional minutes be granted to Mr. Dunn for the purpose of answering questions.

Mr. McCarthy seconded the motion.

Motion carried.

Demand for Previous Question

Messrs. Kirkwood, Waters, Hinckley, Luckel, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 733, offered by Mr. Dolwig to Assembly Bill No. 1100.

Speaker Presiding

At 11.43 a.m , Hon Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Motion carried. Time, 11.48 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Davis, Elliott, Lewis, Lipscomb, Rosenthal, and Smith—6

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER CONSIDERATION OF AMENDMENTS TO ASSEMBLY BILL NO. 1100

Motion to Amend

Mr. Weber moved the adoption of the following amendment:

Amendment No. 734

On page 58, line 30, of said bill, strike out "$29,500", and insert "$79,500"

Amendment read.

Request for Unanimous Consent to Change Amendment

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to change his Amendment No. 734, just placed across the desk, to read, "$59,500", instead of "$79,500".

Consideration of Amendment No. 734, as Corrected

Amendment No. 734

On page 58, line 30, of said bill, strike out "$29,500", and insert "$59,500".

Amendment read, as corrected.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Burkhalter, Butters, Coats, Condon, Doyle, Elliott, Evans, Gaffney, Geddes, Hagen, Heisinger, Hollibaugh, Lindsay, McCollister, Niehouse, Thompson, and Weber—17.

NOES—Anderson, Berry, Brown, Burke, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A Dills, Erwin, Fleury Grant, Grunsky, Hawkins, Hinckley, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, Moss, Reagan, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, Way, and Yorty—39

Further Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 714

On page 73 of said bill, strike out lines 4 to 31, inclusive; and on page 73, after line 31, insert

"372 1—For major construction, improvements, repairs, and equipment, Vocational and Agricultural Institution, Department of Corrections, payable from the Postwar Employment Reserve, (partial cost) $6,020,148

The appropriation made by this item shall be available for expenditure until June 30, 1951

372.2—For major construction, improvements, repairs, and equipment, Paso Robles School for Boys, Youth Authority, payable from the Postwar Employment Reserve, in accordance with the following projects $662,000

Projects:

(a) Hospital building	$109,000
(b) Detention building	125,000
(c) Kitchen, dining room and commissary	200,000
(d) Dormitory buildings	228,000
Total of Projects	$662,000

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.3—For major construction, improvements, repairs, and equipment, Fresno State College, Department of Education, payable from the Postwar Employment Reserve, in accordance with the following projects $2,716,900

Projects:

(a) Industrial Arts Building	$419,580
(b) Physical Education facilities	931,770
(c) Science Building	455,490
(d) Utility and grounds improvement	500,000
(e) Administration Building	360,360
(f) Demonstration School (partial cost)	49,700
Total of Projects	$2,716,900

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.4—For major construction, improvements, repairs, and equipment, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve, in accordance with the following projects $2,135,340

Projects:

(a) Music and speech building	$739,500
(b) Library	682,880
(c) Classrooms	712,960
Total Projects	$2,135,340

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.5—For major construction, improvements, repairs, and equipment, University of California, payable from the Postwar Employment Reserve, in accordance with the following projects $18,081,500

Projects:

Berkeley	
(a) School for public health	$1,068,750
(b) Classrooms	3,287,500
(c) Home economics plans	5,000
(d) Insectary unit	95,000
(e) Forest products laboratory, plans	5,000
La Jolla	
(f) Library, museum, and aquarium (partial cost)	148,000
Los Angeles	
(g) Social sciences, geology, and chemistry (partial cost)	$1,650,250
(h) Life sciences unit No 2	2,261,000
(i) Men and women's gymnasium plans	6,000
(j) Student health center	1,140,000
(k) Home economics, plans	5,000
(l) Administration building	1,425,000
(m) Education and art building	950,000
San Francisco	
(n) Teaching hospital (partial cost)	2,830,000
(o) Medical sciences (partial cost)	2,040,000
(p) Dental clinic expansion (partial cost)	65,000
Santa Barbara	
(q) Classrooms	600,000
(r) Gymnasium	500,000
Total of Projects	$18,081,500

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.6—For major construction, improvements, repairs, and equipment, Department of Finance, payable from the Postwar Employment Reserve, in accordance with the following projects $6,410,000

Projects:

(a) Education building, Sacramento	$2,435,000
(b) Printing plant, Sacramento	2,850,000
(c) State garage, Sacramento	1,125,000
Total of Projects	$6,410,000

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.7—For major construction, improvements, repairs and equipment, Veterans' Home of California, payable from the Postwar Employment Reserve, in accordance with the following projects $1,090,500

Projects:

(a) Women employee's quarters	$273,000
(b) Two officers' residences	50,000
(c) Auditorium (partial cost)	600,000
(d) Ground lighting system	60,000
(e) Road and utilities for two officers' residences	15,000
(f) Road and ground improvements	92,500
Total of Projects	$1,090,500

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.8—For major construction, improvements, repairs and equipment, Department of Motor Vehicles, payable from the Postwar Employment Reserve, in accordance with the following projects (partial cost) $1,434,449

Projects:

(a) Office building, Sacramento	$1,434,449

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.9—For major construction, improvements, repairs and equipment, Adjutant General and California National Guard, payable from the Postwar Employment Reserve in accordance with the following projects $4,000,000

Projects:

City	
(a) Alhambra	$121,500
(b) Arcadia	170,000
(c) Atascadero	94,000
(d) Burbank	295,000
(e) El Centro	121,500
(f) Fresno	314,500
(g) Hemet	94,000
(h) Long Beach	453,000
(i) Los Angeles	297,500
(j) Madera	94,000
(k) Manhattan Beach	121,500
(l) Mount Shasta	94,000
(m) Richmond	297,500
(n) San Diego	297,500
(o) San Francisco	297,500
(p) San Jose	297,500
(q) San Mateo	121,500
(r) Santa Maria	94,000
(s) Santa Monica	230,000
(t) Woodland	94,000
(u) Armories, type A various	------
Total of projects	$4,000,000

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372.10—For construction, improvements, repairs and equipment, Division of Forestry, Department of Natural Resources, payable from the Postwar Employment Reserve in accordance with the following projects $1,203,861

Projects:

(a) Miscellaneous projects	$1,203,861

The appropriation made by this item shall be available for expenditure until June 30, 1951

372 11—For carrying out further the provisions of Chapter 145, Statutes of 1946, in augmentation of the appropriation made by Section 6 thereof, payable from the Postwar Employment Reserve_____ $2,471,250
The schedule set forth in said Section 6 shall be augmented as follows:

Miscellaneous repairs and improvements_____ $2,471,250

The appropriation made by this item shall be available for expenditure until June 30, 1951.

372 12—For surveys, preparation of plans and specifications and other preliminary work in connection with the unified construction program provided for by Chapter 572, Statutes of 1946, (First Extraordinary Session), Division of Architecture, Department of Public Works, payable from the Postwar Employment Reserve to be allocated by the Department of Finance subject to Sections 3 and 4 of Chapter 145, Statutes of 1946 (First Extraordinary Session)." 3,600,000

Amendment read.

Substitute Amendments

Motion to Amend

Mr. Lowrey moved the adoption of the following substitute amendment:

Amendment No. 714

On page 73 of said bill, strike out lines 4 to 31, inclusive, and insert

"372.1—For major construction, Vocational and Agricultural Institution, Department of Corrections, payable from the Postwar Employment Reserve (partial cost)_____ 6,020,148

372.2—For major construction, Paso Robles School for Boys, Youth Authority, payable from the Postwar Employment Reserve, in accordance with the following projects_____ 662,000

Projects

(a) Hospital building_____	109,000
(b) Detention building_____	125,000
(c) Kitchen, dining room and commissary_____	200,000
(d) Dormitory buildings_____	228,000
Total of projects_____	662,000

372 3—For major construction, Fresno State College, Department of Education, payable from the Postwar Employment Reserve, in accordance with the following projects_____ 2,716,900

Projects:

(a) Industrial arts building_____	419,580
(b) Physical education facilities_____	931,770
(c) Science building_____	455,490
(d) Utility and grounds improvement_____	500,000
(e) Administration building_____	360,360
(f) Demonstration school (partial cost)_____	49,700
Total of projects_____	2,716,000

372.4—For major construction, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve, in accordance with the following projects_____ 2,135,340

Projects:

(a) Music and speech building_____	739,500
(b) Library_____	682,880
(c) Classrooms_____	712,960
Total of projects_____	2,135,340

372 5—For major construction, University of California, payable from the Postwar Employment Reserve, in accordance with the following projects_____ 18,081,500

Projects

Berkeley

(a) School for public health_____	1,068,750
(b) Classrooms_____	3,287,500
(c) Home economics plans_____	5,000
(d) Insectary unit_____	95,000
(e) Forest products laboratory, plans_____	5,000

La Jolla

(f) Library, museum, and aquarium (partial cost)	148,000

Los Angeles		
(g) Social sciences, geology, and chemistry (partial cost)	1,650,250	
(h) Life sciences unit No 2	2,261,000	
(i) Men and women's gymnasium, plans	6,000	
(j) Student health center	1,140,000	
(k) Home economics, plans	5,000	
(l) Administration building	1,425,000	
(m) Education and art building	950,000	
San Francisco		
(n) Teaching hospital (partial cost)	2,830,000	
(o) Medical sciences (partial cost)	2,040,000	
(p) Dental clinic expansion (partial cost)	65,000	
Santa Barbara		
(q) Classrooms	600,000	
(r) Gymnasium	500,000	
Total of projects	18,081,500	

372 6—For major construction, Department of Finance, payable from the Postwar Employment Reserve, in accordance with the following projects 6,410,000

Projects:		
(a) Education building, Sacramento	2,435,000	
(b) Printing plant, Sacramento	2,850,000	
(c) State garage, Sacramento	1,125,000	
Total of projects	6,410,000	

372 7—For major construction, Veterans Home of California, payable from the Postwar Employment Reserve, in accordance with the following projects 1,090,500

Projects:		
(a) Women employee's quarters	273,000	
(b) Two officers' residences	50,000	
(c) Auditorium (partial cost)	600,000	
(d) Ground lighting system	60,000	
(e) Road and utilities for two officers' residences	15,000	
(f) Road and ground improvements	92,500	
Total of projects	1,090,500	

372 8—For major construction, Department of Motor Vehicles, payable from the Postwar Employment Reserve, in accordance with the following projects (partial cost) 1,434,449

Projects:		
(a) Office building, Sacramento	1,434,449	

372 9—For major construction, Adjutant General and California National Guard payable from the Postwar Employment Reserve in accordance with the following projects 4,000,000

Projects:

City	Type	Amount
(a) Alhambra	C	121,500
(b) Arcadia	E	170,000
(c) Atascadero	A	94,000
(d) Burbank	H	295,000
(e) El Centro	C	121,500
(f) Fresno	K	314,500
(g) Hemet	A	94,000
(h) Long Beach	J	453,000
(i) Los Angeles	H	297,500
(j) Madera	A	94,000
(k) Manhattan Beach	C	121,500
(l) Mount Shasta	A	94,000
(m) Richmond	H	297,500
(n) San Diego	H	297,500
(o) San Francisco	H	297,500
(p) San Jose	H	297,500
(q) San Mateo	C	121,500
(r) Santa Maria	A	94,000
(s) Santa Monica	G	230,000
(t) Woodland	A	94,000
Total of projects		4,000,000

372.10—For construction, improvements, and repairs, Division of Forestry, Department of Natural Resources, payable from the Postwar Employment Reserve in accordance with the following projects ---------- 1,203,861

Projects:

(a) Miscellaneous projects ---------- 1,203,861

372.11—For carrying out further the provisions of Chapter 145, Statutes of 1946, for minor construction, improvements, repairs and equipment to be allocated by the Public Works Board unless otherwise directed herein, payable from the Postwar Employment Reserve 2,471,250
The schedule set forth in said Section 6 shall be augmented as follows:

Minor construction, miscellaneous repairs, and improvements, and equipment ---------- 2,471,250

372.12—For surveys, preparation of plans and specifications and other preliminary work in connection with the so-called Unified Construction Program of the Department of Finance payable from the Postwar Employment Reserve to be allocated by the Department 3,600,000
of Finance subject to Sections 3 and 4 of Chapter 145 of the Statutes of 1946 (First Extraordinary Session). The appropriation made by this item is made without approving or disapproving any of the specific projects in said program, nor does the Legislature commit itself expressly or impliedly to appropriate the money for any or all of said projects, but reserves the determination of when and how much money shall hereafter be appropriated for each project in the program or whether any appropriation shall be made at all."

Substitute amendment read

The roll was called, and the substitute amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Crowley, Davis, Dickey, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty—55.

NOES—Caldecott, Connolly, Conrad, Crichton, Grunsky, Hinckley, Sherwin, and Waters—8.

(1 Amendment adopted. Total—183.)

Request for Unanimous Consent That Amendment to Assembly Bill No. 1100 Be Corrected

Mr. Lowrey asked for, and was granted, unanimous consent that the above Amendment No. 714 be corrected to include the word "Berkeley," under "Projects" in Item 372.5.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 733 TO ASSEMBLY BILL NO. 1100

At 12.19 a.m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 733, offered by Mr. Dolwig to Assembly Bill No. 1100 refused adoption by the following vote:

AYES—Beck, Bennett, Brown, Clarke, George D. Collins, Connolly, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Silliman, Stewart, and Weber—33

NOES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Erwin, Fleury, Grant, Grunsky, Hinckley, Huyck, Kirkwood, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, Moss, Rosenthal, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—39.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Consideration of Further Amendments

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

Amendment No. 735

On page 56, line 5, of said bill, after "amended," insert "provided that no amount may be withdrawn from this item until the Congress of the United States enacts legislation permitting the construction of another toll bridge or other toll highway across the Bay of San Francisco from the City and County of San Francisco to the County of Alameda, if such legislation is necessary and also".

Amendment read.

Demand for Previous Question

Messrs Kirkwood, Heisinger, Waters, Connolly, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 735 offered by Mr. Geddes to Assembly Bill No. 1100.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Roll Call Demanded

Messrs. Silliman, Waters, and Sherwin demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—51

NOES—Burke, Connolly, Dolwig, Doyle, Dunn, Evans, Geddes, Hagen, Hahn, Hollibaugh, Luckel, McCollister, Morris, Reagan, and Silliman—15.

Time, 12.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage and Bennett—2.

Request for Temporary Suspension of Assembly Rule No. 85

Mr. Sherwin asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Sherwin moved that the Rules be temporarily suspended for the purpose of considering any matter on file, at this time.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Babbage, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Erwin, Fleury, Grunsky, Hinckley, Hoffman, Kirkwood, Lindsay, Maloney, McCarthy, Moss, Rumford, Sherwin, Waters, Way, and Yorty—26

NOES—Anderson, Beck, Bennett, Burkhalter, Coats, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Grant, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Silliman, Smith, Thomas, Thompson, and Weber—37.

Further Proceedings Under Call of the Assembly Dispensed With on Amendment No. 735

At 12.50 p.m , on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 735, offered by Mr. Geddes to Assembly Bill No. 1100 refused adoption by the following vote:

AYES—Beck, Bennett, Brady, Brown, Burkhalter, Clarke, George D Collins, Connolly, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Silliman, Way, and Weber—36.

NOES—Anderson, Babbage, Berry, Burke, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hinckley, Huyck, Kirkwood, Lindsay, Lipscomb, Maloney, McCarthy, Moss, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, and Yorty—37.

RECESS

At 1.20 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk

ABSENCE OF QUORUM SUGGESTED

Mr. Waters suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Waters moved a call of the Assembly.

Motion carried. Time, 2.31 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, and Yorty—61

Hon. Gordon A. Fleury Presiding

At 2.36 p.m., Hon. Gordon A. Fleury, Member of the Assembly from the Eighth District, presiding.

Speaker Presiding

At 2.46 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 2.47 p.m., on motion of Mr. Waters, further proceedings under the call of the Assembly were dispensed with.

The roll was called, and the following answered to their names:

Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A. Dills,

Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Holhbaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Thompson, Waters, Way, Weber, and Mr. Speaker—54.

Quorum present.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Consideration of Further Amendments
Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 736

On page 82, line 18, of the printed bill, strike out "for construction, improvements."; and after "repairs", strike out ", and equipment".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58.

NOES—Caldecott, Conrad, Hinckley, Kirkwood, and Sherwin—5.

(1 Amendment adopted. Total—184.)

Request for Unanimous Consent That Committee Amendments Be Deemed Read, and Adopted

Messrs. Sherwin and Lowrey asked for, and were granted, unanimous consent that the following amendments being offered by the Committee on Ways and Means to Assembly Bill No. 1100 be deemed read, and adopted:

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 9, line 27, of the printed bill, strike out "Folsom State Prison", and insert "California State Prison at Folsom".

Amendment No. 2

On page 10, line 2, of said bill, strike out "San Quentin Prison", and insert "California State Prison at San Quentin".

Amendment No. 3

On page 16, line 19, of said bill, strike out "5705", and insert "5706".

Amendment No. 4

On page 17, line 14, of said bill, strike out "California State Library", and insert "Division of Libraries"

Amendment No. 5

On page 18, line 17, of said bill, before "Reimbursements" insert "Less:".

Amendment No. 6

On page 18, line 20, of said bill, strike out "Less:".

Amendment No. 7

On page 21, line 42, of said bill, after "California", insert "State".

Amendment No. 8

On page 23, lines 50 and 51, of said bill, strike out "Northern California School for Cerebral Palsied Children", and insert "School for Cerebral Palsied Children, Northern California".

Amendment No. 9

On page 24, lines 19 and 20, of said bill, strike out "Southern California School for Cerebral Palsied Children", and insert "School for Cerebral Palsied Children, Southern California".

Amendment No. 10

On page 24, line 38, of said bill, strike out "the".

Amendment No. 11

On page 25, line 2, of said bill, following "reimbursements", insert a colon.

Amendment No. 12

On page 25, line 3, of said bill, strike out "for", and insert "For".

Amendment No. 13

On page 25, line 34, of said bill, after "of", insert "State".

Amendment No. 14

On page 25, line 43, of said bill, strike out "14", and insert "13".

Amendment No. 15

On page 27, line 31, of said bill, after "the", insert "State".

Amendment No. 16

On page 29 of said bill, strike out lines 6 and 7.

Amendment No. 17

On page 29, line 38, of said bill, after "13667", insert ", inclusive,".

Amendment No. 18

On page 29, line 47, of said bill, after "San Mateo", insert "County".

Amendment No. 19

On page 32, line 3, of said bill, after "with", insert "law"; and strike out "the provisions of Section 6461" in said line 3.

Amendment No. 20

On page 32 of said bill, strike out line 4; and in line 5, strike out "1554, Statutes of 1947".

Amendment No. 21

On page 32, line 10, of said bill, strike out "Torrens Title Act", and insert "land title law, commonly called the Torrens Title Law".

Amendment No. 22

On page 32, line 40, of said bill, after "1946," insert "First Extra Session,".

Amendment No. 23

On page 33, line 47, of said bill, after "the", insert "State".

Amendment No. 24

On page 36, lines 2 and 3, of said bill, strike out "Cartwright and Unfair Practices Acts", and insert "Chapter 530, Statutes of 1907, and the Unfair Practices Act".

Amendment No. 25

On page 36, line 26, of said bill, following "Section", insert "6726 and Section".

Amendment No. 26

On page 36, line 37, of said bill, strike out "Payments", and insert "Estimated Reimbursements".

Amendment No. 27

On page 42, line 19, of said bill strike out "have been", and insert "may be".

Amendment No. 28

On page 46, line 41, of said bill, after "Item", insert "202".

Amendment No. 29

On page 48, line 16, of said bill, after the first "of", insert "California".

Amendment No. 30

On page 49, line 8, of said bill, after the first "of", insert "State".

Amendment No. 31

On page 49, line 10, of said bill, strike out "Engineers", and insert "Engineer's"

Amendment No. 32

On page 49, line 18, of said bill, after "contractors' ", insert "State".

Amendment No. 33

On page 49, line 28, of said bill, strike out "Cosmetology", and insert "Cosmetology's".

Amendment No. 34

On page 51, line 21, of said bill, after the first "of", insert "California".

Amendment No. 35

On page 51, lines 31 and 32, of said bill, strike out "Board of Social Examiners", and insert "Board of Social Work Examiners".

Amendment No. 36

On page 52, lines 30 and 31, of said bill, after "Commissioners", insert "for the Bays of San Francisco, San Pablo and Suisun".

Amendment No. 37

On page 53, line 7, of said bill, after "from", insert "Department of".

Amendment No. 38

On page 53, line 32, of said bill, strike out "offices", and insert "areas".

Amendment No. 39

On page 57, line 11, of said bill, strike out "Watermasters' ", and insert "State Watermaster".

Amendment No. 40

On page 58, line 10, of said bill, strike out "State".

Amendment No. 41

On page 59, line 4, of said bill, strike out "1948-49", and insert "1949-50".

Amendment No. 42

On page 62, line 25, of said bill, strike out "for the Blind Revolving", and insert "Manufacturing".

Amendment No. 43

On page 62, line 28, of said bill, strike out "for the Blind Revolving", and insert "Manufacturing".

Amendment No. 44

On page 62, line 49, of said bill, after the second "the", insert "State".

Amendment No. 45

On page 65, line 39, of said bill, strike out "Folsom State Prison", and insert "California State Prison at Folsom".

Amendment No. 46

On page 65, line 42, of said bill, strike out "Folsom State Prison", and insert "California State Prison at Folsom".

Amendment No. 47

On page 65, line 45, of said bill, strike out "San Quentin Prison", and insert "California State Prison at San Quentin".

Amendment No. 48

On page 65, line 48, of said bill, strike out "San Quentin Prison", and insert "California State Prison at San Quentin".

Amendment No. 49

On page 66 of said bill, following line 32, insert a comma and "to be expended under the provisions of the Property Acquisition Act".

Amendment No. 50

On page 67, line 30, of said bill, following "construction", strike out the comma, and insert "and"; and following "improvements," strike out "and".

Amendment No. 51

On page 67, line 31, of said bill, strike out "repairs,"; and following "California", insert "State".

Amendment No. 52

On page 67, line 37, of said bill, following "California", insert "State".

Amendment No. 53

On page 68, line 7, of said bill, strike out "14", and insert "13"

Amendment No. 54

On page 68, line 26, of said bill, strike out "with", and insert "of".

Amendment No. 55

On page 69, line 50, of said bill, strike out "provisions of the Property", and insert "approval of the Department of Finance".

Amendment No. 56

On page 69, line 51, of said bill, strike out "Acquisition Act".

Amendment No. 57

On page 71, line 10, of said bill, strike out "minor"

Amendment No. 58

On page 72, line 34, of said bill, strike out "State".

Amendment No. 59

On page 72, line 38, of said bill, strike out "State".

Amendment No. 60

On page 72, lines 45 and 46, of said bill, strike out "(Chapter 1514, Statutes of 1945)", and insert "of 1945".

Amendment No. 61

On page 77, line 9, of said bill, strike out ", San Francisco", and insert "for San Francisco Harbor".

Amendment No. 62

On page 77, line 12, of said bill, after "Commissioners", insert "for San Francisco Harbor".

Amendment No. 63

On page 77, line 16, of said bill, after "-sioners", insert "for San Francisco Harbor".

Amendment No. 64

On page 77, line 32, of said bill, strike out ", San Francisco", and insert "for San Francisco Harbor".

Amendment No. 65

On page 80, line 19, of said bill, after the first "the", insert "State"

Amendment No. 66

On page 82 of said bill, following line 29, insert

"SEC. 17.5. Upon submission of claims by a state agency, with the approval of the Department of Finance, the Controller may pay, from appropriations herein made available therefor, money to the United States for costs of a project undertaken by the United States for and in behalf of, or in cooperation with, the State of California, prior to the commencement or completion of the project."

Amendment No. 67

On page 2 of said bill, between lines 20 and 21, insert

"2.1—The unexpended balance of the appropriation made by Item 2 of Section 2, Budget Act of 1948, is hereby reappropriated for pay of officers, clerks, and all other employees of the Senate."

Amendment No. 68

On page 2 of said bill, between lines 31 and 32, insert

"7.1. The unexpended balance of the appropriation made by Item 7 of Section 2, Budget Act of 1948, is hereby reappropriated for pay of officers, clerks, and all other employees of the Assembly."

Amendment No. 69

On page 3, line 36, of said bill, strike out "269,422", and insert "264,262".

Amendment No. 70

On page 4 of said bill, strike out lines 15 to 20, inclusive.

Amendment No. 71

On page 4, line 28, of said bill, strike out "173,569", and insert "179,315"

Amendment No. 72

On page 4, line 33, of said bill, strike out "224,150", and insert "228,650".

Amendment No. 73

On page 4, line 34, of said bill, strike out "58,030", and insert "58,280".

Amendment No. 74

On page 4, line 35, of said bill, strike out "14,229", and insert "15,225".

Amendment No. 75

On page 4, line 37, of said bill, strike out "296,409", and insert "302,155".

Amendment No. 76

On page 4, line 42, of said bill, strike out "173,569", and insert "179,315".

Amendment No. 77

On page 4, line 46, of said bill, strike out "1,434,379", and insert "1,453,784".

Amendment No. 78

On page 5, line 3, of said bill, strike out "1,207,640", and insert "1,228,949".

Amendment No. 79

On page 5, line 4, of said bill, strike out "272,807", and insert "271,072".

Amendment No. 80

On page 5, line 5, of said bill, strike out "56,990", and insert "56,821".

Amendment No. 81

On page 5, line 7, of said bill, strike out "1,537,437", and insert "1,556,842".

Amendment No. 82

On page 5, line 12, of said bill, strike out "1,434,379", and insert "1,453,784".

Amendment No. 83

On page 5, line 30, of said bill, strike out "5,750", and insert "5,000".

Amendment No. 84

On page 5, line 49, of said bill, strike out "4,321,638", and insert "4,434,884".

Amendment No. 85

On page 6, line 5, of said bill, strike out "2,987,078", and insert "2,996,592".

Amendment No. 86

On page 6, line 6, of said bill, strike out "1,479,449", and insert "1,578,869".

Amendment No. 87

On page 6, line 7, of said bill, strike out "96,135", and insert "100,447".

Amendment No. 88

On page 6, line 9, of said bill, strike out "4,562,552", and insert "4,675,908".

Amendment No. 89

On page 6, line 22, of said bill, strike out "4 321,638", and insert "4,434,884".

Amendment No. 90

On page 7, line 37, of said bill, strike out "37,791", and insert "28,842".

Amendment No. 91

On page 7, line 43, of said bill, strike out "229,487", and insert "222,019".

Amendment No. 92

On page 7, line 48, of said bill, strike out "190,938", and insert "183,088".

Amendment No. 93

On page 7, line 49, of said bill, strike out "31,895", and insert "31,785".

Amendment No. 94

On page 7, line 50, of said bill, strike out "11,484", and insert "11,076"

Amendment No. 95

On page 7, line 52, of said bill, strike out "234,317", and insert "226,849".

Amendment No. 96

On page 8, line 4, of said bill, strike out "14,830", and insert "4,830".

Amendment No. 97

On page 8, line 6, of said bill, strike out "229,487", and insert "222,019"

Amendment No. 98

On page 8 of said bill, between lines 22 and 23, insert

"Provided that in expending any sums from this appropriation in furtherance of the work of the Special Crime Study Commissions, the Director of Corrections shall not furnish the services of personnel from other agencies under his jurisdiction unless *such agencies shall be reimbursed from this appropriation. The foregoing limitation* shall not be construed to apply to certain clerical functions existing within the Departmental Administration of the Department of Corrections and necessary to provide, on a part time basis, overhead or housekeeping services incidental to administration The services of the Director of the Department of Corrections, and of his immediate administrative staff, shall likewise be excluded in considering reimburseable services.

Provided, further, that the foregoing limitation shall not be construed to apply to cooperative activities between the Special Crime Study Commissions and other state agencies wherein such activities are regular authorized functions of the cooperating agency.

Provided further that the total value of reimburseable services furnished to the Special Crime Study Commissions from all state agencies must first exceed the cumulative sum of three thousand dollars ($3,000) before the Director of Corrections shall be required to reimburse any such agencies for services furnished, and then such reimbursement shall be only for the amount in excess of said three thousand dollars ($3,000). Such reimbursement shall be made from this appropriation as directed by the Department of Finance."

Amendment No. 99

On page 9, line 6, of said bill, strike out "1,625,216", and insert "1,536,544".

Amendment No. 100

On page 9, line 13, of said bill, strike out "983,514", and insert "976,143".

Amendment No. 102

On page 9, line 15, of said bill, strike out "64,422", and insert "59,714".

Amendment No. 103

On page 9, line 18, of said bill, strike out "1,829,936", and insert "1,734,379".

Amendment No. 104

On page 9, line 24, of said bill, strike out "153,300", and insert "146,415".

Amendment No. 105

On page 9, line 26, of said bill, strike out "1,625,216", and insert "1,536,544".

Amendment No. 106

On page 9, line 29, of said bill, strike out "2,249,803", and insert "2,072,771".

Amendment No. 107

On page 9, line 36, of said bill, strike out "1,203,161", and insert "1,180,361".

Amendment No. 108

On page 9, line 37, of said bill, strike out "1,080,645", and insert "930,712".

Amendment No. 109
On page 9, line 38, of said bill, strike out "73,077", and insert "68,728".

Amendment No. 110
On page 9, line 40, of said bill, strike out "2,356,883", and insert "2,179,801".

Amendment No. 111
On page 9, line 43, of said bill, strike out "67,460", and insert "67,410".

Amendment No. 112
On page 9, line 48, of said bill, strike out "2,249,803", and insert "2,072,771".

Amendment No. 113
On page 9 of said bill, strike out lines 49 to 51, inclusive.

Amendment No. 114
On page 10, line 4, of said bill, strike out "3,583,950", and insert "3,373,380".

Amendment No. 115
On page 10, line 11, of said bill, strike out "2,038,547", and insert "2,026,475".

Amendment No. 116
On page 10, line 12, of said bill, strike out "1,830,710", and insert "1,631,315".

Amendment No. 117
On page 10, line 13, of said bill, strike out "83,597", and insert "77,947".

Amendment No. 118
On page 10, line 16, of said bill, strike out "4,009,404", and insert "3,792,287".

Amendment No. 119
On page 10, line 26, of said bill, strike out "137,074", and insert "130,527".

Amendment No. 120
On page 10, line 28, of said bill, strike out "3,583,950", and insert "3,373,380".

Amendment No. 121
On page 10, line 31, of said bill, strike out "828,071", and insert "784,160".

Amendment No. 122
On page 10, line 38, of said bill, strike out "523,654", and insert "505,126".

Amendment No. 123
On page 10, line 39, of said bill, strike out "388,670", and insert "353,089"

Amendment No. 124
On page 10, line 40, of said bill, strike out "39,549", and insert "37,475".

Amendment No. 125
On page 10, line 43, of said bill, strike out "967,023", and insert "910,840"

Amendment No. 126
On page 10, line 46, of said bill, strike out "74,940", and insert "65,620".

Amendment No. 127
On page 10, line 48, of said bill, strike out "64,012", and insert "61,060".

Amendment No. 128
On page 10, line 50, of said bill, strike out "828,071", and insert "784,160"

Amendment No. 129
On page 11, line 4, of said bill, strike out "1,035,442", and insert "983,999".

Amendment No. 130
On page 11, line 10, of said bill, strike out "688,036", and insert "672,448".

Amendment No. 131
On page 11, line 11, of said bill, strike out "330,220", and insert "295,539"

Amendment No. 132
On page 11, line 12, of said bill, strike out "37,826", and insert "36,652".

Amendment No. 133
On page 11, line 14, of said bill, strike out "1,056,082", and insert "1,004,639".

Amendment No. 134
On page 11, line 20, of said bill, strike out "1,035,422", and insert "983,999".

Amendment No. 135
On page 11, line 23, of said bill, strike out "469,310", and insert "425,557".

Amendment No. 136
On page 11, line 30, of said bill, strike out "250,195", and insert "228,019".

Amendment No. 137
On page 11, line 31, of said bill, strike out "217,100", and insert "195,283".

Amendment No. 138
On page 11, line 34, of said bill, strike out "488,735", and insert "444,742".

Amendment No. 139
On page 11, line 37, of said bill, strike out "17,000", and insert "16,760".

Amendment No. 140
On page 11, line 41, of said bill, strike out "469,310", and insert "425,557".

Amendment No. 141
On page 11, line 44, of said bill, strike out "575,487", and insert "558,449".

Amendment No. 142
On page 12, line 3, of said bill, strike out "422,768", and insert "418,550".

Amendment No. 143
On page 12, line 4, of said bill, strike out "123,630", and insert "119,360".

Amendment No. 144
On page 12, line 5, of said bill, strike out "32,089", and insert "23,539".

Amendment No. 145
On page 12, line 7, of said bill, strike out "578,487", and insert "561,449".

Amendment No. 146
On page 12, line 12, of said bill, strike out "575,487", and insert "558,449".

Amendment No. 147
On page 12, line 16, of said bill, strike out "56,300", and insert "57,577".

Amendment No. 148
On page 12, line 18, of said bill, strike out "34,704", and insert "35,424".

Amendment No. 149
On page 12, line 19, of said bill, strike out "18,350", and insert "19,190".

Amendment No. 150
On page 12, line 20, of said bill, strike out "3,246", and insert "2,963".

Amendment No. 151
On page 12, line 22, of said bill, strike out "56,300", and insert "57,577".

Amendment No. 152
On page 12, line 25, of said bill, strike out "868,736", and insert "863,353".

Amendment No. 153
On page 12, line 27, of said bill, strike out "642,600", and insert "638,232".

Amendment No. 154
On page 12, line 28, of said bill, strike out "201,645", and insert "201,445".

Amendment No. 155
On page 12, line 29, of said bill, strike out "26,291", and insert "25,476".

Amendment No. 156
On page 12, line 31, of said bill, strike out "870,536", and insert "865,153".

Amendment No. 157
On page 12, line 36, of said bill, strike out "868,736", and insert "863,353".

Amendment No. 158
On page 13, line 17, of said bill, strike out "134,235", and insert "127,199".

Amendment No. 159
On page 13, line 18, of said bill, strike out "92,595", and insert "83,229".

Amendment No. 160
On page 13, line 19, of said bill, strike out "8,679", and insert "8,492".

Amendment No. 161
On page 13, line 21, of said bill, strike out "235,509", and insert "218,920".

Amendment No. 162
On page 13, line 24, of said bill, strike out "19,590", and insert "19,575".

Amendment No. 163
On page 13, line 26, of said bill, strike out "215,919", and insert "199,345".

Amendment No. 164
On page 13, line 29, of said bill, strike out "653,113", and insert "628,209".

Amendment No. 165
On page 13, line 36, of said bill, strike out "191,000", and insert "166,096".

Amendment No. 166
On page 13, line 39, of said bill, strike out "693,613", and insert "668,709".

Amendment No. 167
On page 13, line 44, of said bill, strike out "653,113", and insert "628,209".

Amendment No. 168
On page 13, line 47, of said bill, strike out "264,719", and insert "253,103".

Amendment No. 169
On page 14, line 3, of said bill, strike out "174,536", and insert "172,376".

Amendment No. 170
On page 14, line 4, of said bill, strike out "95,190", and insert "85,659".

Amendment No. 171
On page 14, line 7, of said bill, strike out "274,359", and insert "262,668".

Amendment No. 172
On page 14, line 10, of said bill, strike out "9,640", and insert "9,565".

Amendment No. 173
On page 14, line 12, of said bill, strike out "264,719", and insert "253,103".

Amendment No. 174
On page 14, line 15, of said bill, strike out "1,266,845", and insert "1,207,462".

Amendment No. 175
On page 14, line 23, of said bill, strike out "415,230", and insert "356,026".

Amendment No. 176
On page 14, line 24, of said bill, strike out "32,706", and insert "32,442".

Amendment No. 177
On page 14, line 26, of said bill, strike out "1,338,045", and insert "1,278,577".

Amendment No. 178
On page 14, line 30, of said bill, strike out "71,200", and insert "71,115".

Amendment No. 179
On page 14, line 32, of said bill, strike out "1,266,845", and insert "1,207,462".

Amendment No. 180
On page 14, line 35, of said bill, strike out "239,537", and insert "231,632".

Amendment No. 181
On page 14, line 42, of said bill, strike out "77,785", and insert "69,690".

Amendment No. 182
On page 14, line 45, of said bill, strike out "250,937", and insert "242,842".

Amendment No. 183
On page 14, line 48, of said bill, strike out "11,400", and insert "11,210".

Amendment No. 184
On page 14, line 50, of said bill, strike out "239,537", and insert "231,632".

Amendment No. 185
On page 15, line 4, of said bill, strike out "467,743", and insert "447,950".

Amendment No. 186
On page 15, line 10, of said bill, strike out "331,940", and insert "326,396".

Amendment No. 187
On page 15, line 11, of said bill, strike out "141,780", and insert "127,531".

Amendment No. 188
On page 15, line 14, of said bill, strike out "494,943", and insert "475,150".

Amendment No. 189
On page 15, line 19, of said bill, strike out "467,743", and insert "447,950".

Amendment No. 190
On page 15 of the said bill, strike out lines 23 and 24

Amendment No. 191
On page 15, line 28, of said bill, strike out "1,537,348", and insert "1,443,873".

Amendment No. 192
On page 15, line 35, of said bill, strike out "1,089,609", and insert "1,041,252".

Amendment No. 193
On page 15, line 36, of said bill, strike out "445,258", and insert "410,670".

Amendment No. 194
On page 15, line 37, of said bill, strike out "67,877", and insert "56,847".

Amendment No. 195
On page 15, line 39, of said bill, strike out "1,602,744", and insert "1,508,769".

Amendment No. 196
On page 15, line 44, of said bill, strike out "65,396", and insert "64,896".

Amendment No. 197
On page 15, line 46, of said bill, strike out "1,537,348", and insert "1,443,873".

Amendment No. 199
On page 16 of said bill, strike out lines 13 to 16, inclusive.

Amendment No. 204
On page 18, line 3, of said bill, strike out "1,049,766", and insert "1,040,738".

Amendment No. 205
On page 18, line 12, of said bill, strike out "1,214,017", and insert "1,204,989".

Amendment No. 206
On page 18, line 16, of said bill, strike out "1,432,087", and insert "1,423,059".

Amendment No. 207
On page 18, line 29, of said bill, strike out "1,049,766", and insert "1,040,738".

Amendment No. 208
On page 18, line 40, of said bill, strike out "376,681", and insert "366,567".

Amendment No. 209
On page 18, line 47, of said bill, strike out "391,310", and insert "383,576".

Amendment No. 210
On page 18, line 48, of said bill, strike out "52,274", and insert "49,894".

Amendment No. 211
On page 18, line 51, of said bill, strike out "488,631", and insert "478,517".

Amendment No. 212
On page 19, line 11, of said bill, strike out "376,681", and insert "366,567".

Amendment No. 213
On page 19, line 16, of said bill, strike out "465,858", and insert "460,846".

Amendment No. 214
On page 19, line 32, of said bill, strike out "478,588", and insert "473,576".

Amendment No. 215
On page 19, line 36, of said bill, strike out "629,588", and insert "624,576".

Amendment No. 216
On page 19, line 46, of said bill, strike out "465,858", and insert "460,846".

Amendment No. 217
On page 20, line 24, of said bill, strike out "1,372,661", and insert "1,358,791".

Amendment No. 218
On page 20, line 31, of said bill, strike out "1,615,312", and insert "1,604,417".

Amendment No. 219
On page 20, line 32, of said bill, strike out "178,574", and insert "175,599".

Amendment No. 220
On page 20, line 35, of said bill, strike out "1,877,698", and insert "1,863,828".

Amendment No. 221
On page 20, line 45, of said bill, strike out "1,372,661", and insert "1,358,791".

Amendment No. 222
On page 20, line 47, of said bill, strike out "1,243,762", and insert "1,225,947".

Amendment No. 223
On page 21, line 3, of said bill, strike out "1,430,464", and insert "1,415,449".

Amendment No. 224
On page 21, line 4, of said bill, strike out "156,030", and insert "153,230".

Amendment No. 225
On page 21, line 7, of said bill, strike out "1,666,582", and insert "1,648,767".

Amendment No. 226
On page 21, line 17, of said bill, strike out "1,243,762", and insert "1,225,947".

Amendment No. 227
On page 21, line 19, of said bill, strike out "1,712,949", and insert "1,697,279".

Amendment No. 228
On page 21, line 27, of said bill, strike out "2,019,515", and insert "2,003,845".

Amendment No. 229
On page 21, line 31, of said bill, strike out "2,340,654", and insert "2,324,984".

Amendment No. 230
On page 21, line 41, of said bill, strike out "1,712,949", and insert "1,697,279".

Amendment No. 231
On page 21, line 46, of said bill, strike out "1,418,614", and insert "1,409,351".

Amendment No. 232
On page 22, line 9, of said bill, strike out "1,562,816", and insert "1,553,553".

Amendment No. 233
On page 22, line 13, of said bill, strike out "1,940,524", and insert "1,931,261".

Amendment No. 234

On page 22, line 29, of said bill, strike out "1,418,614", and insert "1,409,351".

Amendment No. 235

On page 22, line 40, of said bill, strike out the colon, and insert ", provided that no part of this appropriation shall be used for the payment of salary and wages for the position of supervising groundsman and flower gardener.".

Amendment No. 236

On page 22, line 42, of said bill, strike out "205,275", and insert "201,615".

Amendment No. 237

On page 22, line 43, of said bill, strike out "160,100", and insert "116,652".

Amendment No. 238

On page 22, line 46, of said bill, strike out "373,820", and insert "326,712"

Amendment No. 239

On page 23, line 7, of said bill, strike out "280,380", and insert "233,272".

Amendment No. 240

On page 23, line 10, of said bill, strike out "273,109", and insert "267,796"

Amendment No. 241

On page 23, line 17, of said bill, strike out "76,120", and insert "70,807".

Amendment No. 242

On page 23, line 20, of said bill, strike out "304,609", and insert "299,296"

Amendment No. 243

On page 23, line 25, of said bill, strike out "273,109", and insert "267,796"

Amendment No. 244

On page 23, line 30, of said bill, strike out "575,105", and insert "563,480".

Amendment No. 245

On page 23, line 37, of said bill, strike out "155,810", and insert "144,185".

Amendment No. 246

On page 23, line 40, of said bill, strike out "601,055", and insert "589,430".

Amendment No. 247

On page 23, line 46, of said bill, strike out "575,105", and insert "563,480".

Amendment No. 248

On page 24, line 3, of said bill, strike out "287,299", and insert "283,309"

Amendment No. 249

On page 24, line 10, of said bill, strike out "107,950", and insert "103,960".

Amendment No. 250

On page 24, line 13, of said bill, strike out "295,019", and insert "291,029".

Amendment No. 251

On page 24, line 18, of said bill, strike out "287,299", and insert "283,309".

Amendment No. 252

On page 24, line 22, of said bill, strike out "292,695", and insert "289,180"

Amendment No. 253

On page 24, line 29, of said bill, strike out "153,180", and insert "149,665".

Amendment No. 254

On page 24, line 32, of said bill, strike out "302,055", and insert "298,540".

Amendment No. 255

On page 24, line 37, of said bill, strike out "292,695", and insert "289,180".

Amendment No. 256

On page 24, line 40, of said bill, strike out "276,048", and insert "266,802".

Amendment No. 257

On page 24, line 45, of said bill, strike out "189,839", and insert "189,239"

Amendment No. 258

On page 24, line 46, of said bill, strike out "91,330", and insert "83,884".

Amendment No. 259

On page 24, line 47, of said bill, strike out "4,335", and insert "3,135".

Amendment No. 260

On page 24, line 49, of said bill, strike out "285,504", and insert "276,258".

Amendment No. 261

On page 25, line 7, of said bill, strike out "276,048", and insert "266,802".

Amendment No. 262

On page 25, line 10, of said bill, strike out "61,668", and insert "86,258".

Amendment No. 263

On page 25, line 12, of said bill, strike out "51,898", and insert "63,898".

Amendment No. 264

On page 25, line 13, of said bill, strike out "7,850", and insert "20,440".

Amendment No. 265

On page 25, line 16, of said bill, strike out "61,668", and insert "86,258".

Amendment No. 266

On page 25, line 18, of said bill, strike out "39,207", and insert "38,127".

Amendment No. 267

On page 25, line 21, of said bill, strike out "10,283", and insert "9,203".

Amendment No. 268

On page 25, line 24, of said bill, strike out "39,207", and insert "38,127".

Amendment No. 269

On page 26 of said bill, strike out lines 2 to 7, inclusive.

Amendment No. 270

On page 26, line 19, of said bill, strike out "2,071,639", and insert "2,033,730"

Amendment No. 271

On page 26, line 25, of said bill, strike out "1,161,274", and insert "1,591,504"

Amendment No. 272

On page 26, line 26, of said bill, strike out "987,083", and insert "826,638".

Amendment No. 273

On page 26, line 27, of said bill, strike out "138,347", and insert "133,233".

Amendment No. 274

On page 26 of said bill, following line 27, insert

"(d) Operating Expenses—county contracts_____ 150,000".

Amendment No. 275

On page 26, line 29, of said bill, strike out "2,741,704", and insert "2,701,375".

Amendment No. 276

On page 26, line 41, of said bill, strike out "102,386", and insert "99,966".

Amendment No. 277

On page 26, line 43, of said bill, strike out "2,071,639", and insert "2,033,730".

Amendment No. 278

On page 26, line 48, of said bill, strike out "102,386", and insert "99,966".

Amendment No. 279

On page 27, line 17, of said bill, strike out "Highway Users Tax Fund", and insert "Motor Vehicle Fuel Fund."

Amendment No. 280

On page 27, line 46, of said bill, strike out "10,171,445", and insert "10,130,586".

Amendment No. 281

On page 28, line 3, of said bill, strike out "8,687,138", and insert "8,658,098".

Amendment No. 282

On page 28, line 4, of said bill, strike out "1,456,022", and insert "1,454,522".

Amendment No. 283

On page 28, line 5, of said bill, strike out "219,610", and insert "209,291".

Amendment No. 284

On page 28, line 7, of said bill, strike out "10,362,770", and insert "10,321,911".

Amendment No. 285

On page 28, line 16, of said bill, strike out "10,171,445", and insert "10,130,586".

Amendment No. 286

On page 28, line 21, of said bill, strike out "622,271", and insert "623,271".

Amendment No. 287

On page 28, line 24, of said bill strike out "188,391", and insert "189,391".

Amendment No. 288

On page 28, line 27, of said bill, strike out "622,271", and insert "623,271".

Amendment No. 289

On page 28, line 39, of said bill, strike out "1,808,064", and insert "1,828,040".

Amendment No. 290

On page 28, line 48, of said bill, strike out "1,595,112", and insert "1,606,704".

Amendment No. 291

On page 28, line 49, of said bill, strike out "273,094", and insert "281,164".

Amendment No. 292

On page 28, line 50, of said bill, strike out "64,553", and insert "64,867".

Amendment No. 293

On page 28, line 52, of said bill, strike out "1,932,759", and insert "1,952,735".

Amendment No. 294

On page 29, line 12, of said bill, strike out "1,808,064", and insert "1,828,040".

Amendment No. 295

On page 29, line 42, of said bill, strike out "1,609,009", and insert "1,598,589".

Amendment No. 298

On page 30, line 43, of said bill, strike out "915,000", and insert "845,878".

Amendment No. 299

On page 30 of said bill, between lines 46 and 47, insert

"139.1—For transfer to the General Fund payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of State, citrus, county or district agricultural association for fair purposes, allocated by Section 19626 of the Business and Professions Code----------$69,122.00".

Amendment No. 300

On page 32, line 15, of said bill, strike out "36,257", and insert "35,432"

Amendment No. 301

On page 32, line 19, of said bill, strike out "3,975", and insert "3,150".

Amendment No. 302

On page 32, line 21, of said bill, strike out "36,257", and insert "35,432"

Amendment No. 303

On page 32, line 23, of said bill, strike out "2,196,654", and insert "2,242,488"

Amendment No. 304

On page 32, line 25, of said bill, strike out "1,877,994", and insert "1,900,774".

Amendment No. 305

On page 32, line 26, of said bill, strike out "285,213", and insert "304,230".

Amendment No. 306

On page 32, line 27, of said bill, strike out "33,447", and insert "37,484".

Amendment No. 307

On page 32, line 29, of said bill, strike out "2,196,654", and insert "2,242,488"

Amendment No. 308

On page 32, line 31, of said bill, strike out "151,730", and insert "213,520".

Amendment No. 309

On page 32, line 33, of said bill, strike out "107,639", and insert "155,483".

Amendment No. 310

On page 32, line 34, of said bill, strike out "42,900", and insert "54,850".

Amendment No. 311

On page 32, line 35, of said bill, strike out "1,191", and insert "3,187"

Amendment No. 312

On page 32, line 37, of said bill, strike out "151,730", and insert "213,520".

Amendment No. 313

On page 32, line 49, of said bill, strike out "9,683,969", and insert "8,754,087".

Amendment No. 314

On page 33, line 3, of said bill, strike out "6,771,834", and insert "6,206,324".

Amendment No. 315

On page 33, line 4, of said bill, strike out "2,253,945", and insert "2,115,062".

Amendment No. 316

On page 33, line 5, of said bill, strike out "658,190", and insert "432,701".

Amendment No. 317

On page 33, line 7, of said bill, strike out "9,683,969", and insert "8,754,087"

Amendment No. 318

On page 33, line 13, of said bill, strike out "3,703,321", and insert "3,697,847".

Amendment No. 319

On page 33, line 19, of said bill, strike out "3,107,254", and insert "3,102,254".

Amendment No. 320

On page 33, line 21, of said bill, strike out "85,406", and insert "84,932".

Amendment No. 321

On page 33, line 23, of said bill, strike out "3,921,321", and insert "3,915,847"

Amendment No. 322

On page 33, line 30, of said bill, strike out "3,703,321", and insert "3,697,847"

Amendment No. 323

On page 33, line 36, of said bill, strike out "252,149", and insert "246,543"

Amendment No. 324

On page 33, line 39, of said bill, strike out "67,935", and insert "62,786".

Amendment No. 325

On page 33, line 40, of said bill, strike out "6,289", and insert "5,832"

Amendment No. 326

On page 33, line 42, of said bill, strike out "252,149", and insert "246,543".

Amendment No. 327

On page 34, line 20, of said bill, strike out "609,087", and insert "605,367".

Amendment No. 328
On page 34, line 22, of said bill, strike out "500,029", and insert "496,309".

Amendment No. 329
On page 34, line 24, of said bill, strike out "4,697", and insert "14,697".

Amendment No. 330
On page 34, line 26, of said bill, strike out "609,087", and insert "605,367".

Amendment No. 331
On page 34, line 47, of said bill, strike out "492,699", and insert "526,442".

Amendment No. 332
On page 35, line 3, of said bill, strike out "333,803", and insert "344,963".

Amendment No. 333
On page 35, line 4, of said bill, strike out "152,710", and insert "165,120".

Amendment No. 334
On page 35, line 5, of said bill, strike out "6,186", and insert "16,359".

Amendment No. 335
On page 35, line 7, of said bill, strike out "492,699", and insert "526,442"

Amendment No. 336
On page 35, line 20, of said bill, strike out "1,816,236", and insert "1,808,161"

Amendment No. 337
On page 35, line 29, of said bill, strike out "1,558,942", and insert "1,529,128".

Amendment No. 338
On page 35, line 30, of said bill, strike out "456,323", and insert "479,323"

Amendment No. 339
On page 35, line 31, of said bill, strike out "53,666", and insert "49,905".

Amendment No. 340
On page 35, line 33, of said bill, strike out "2,068,931", and insert "2,058,356"

Amendment No. 341
On page 35, line 39, of said bill, strike out "167,695", and insert "160,195"

Amendment No. 342
On page 35, line 42, of said bill, strike out "35,000", and insert "40,000".

Amendment No. 343
On page 35, line 44, of said bill, strike out "1,816,236", and insert "1,808,161".

Amendment No. 344
On page 35, line 46, of said bill, strike out "35,000", and insert "40,000".

Amendment No. 345
On page 36, line 4, of said bill, strike out "17,530", and insert "22,272".

Amendment No. 346
On page 36, line 9, of said bill, strike out "850,046", and insert "840,518"

Amendment No. 347
On page 36, line 11, of said bill, strike out "638,587", and insert "631,651".

Amendment No. 348
On page 36, line 12, of said bill, strike out "164,999", and insert "164,399".

Amendment No. 349
On page 36, line 13, of said bill, strike out "46,460", and insert "44,468".

Amendment No. 350
On page 36, line 15, of said bill, strike out "850,046", and insert "840,518".

Amendment No. 351
On page 36, line 46, of said bill, strike out "702,290", and insert "692,690".

Amendment No. 352

On page 36, line 49, of said bill, strike out "136,215", and insert "126,606".

Amendment No. 353

On page 36, line 52, of said bill, strike out "725,699", and insert "716,090".

Amendment No. 354

On page 37, line 5, of said bill, strike out "702,299", and insert "692,690".

Amendment No. 426

On page 41, line 6, of said bill, strike out "2,601,700", and insert "2,333,030".

Amendment No. 427

On page 41, line 24, of said bill, strike out "1,204,516", and insert "1,120,693".

Amendment No. 428

On page 41, line 25, of said bill, strike out "1,171,818", and insert "1,146,971".

Amendment No. 429

On page 41, line 28, of said bill, strike out "2,601,700", and insert "2,493,030".

Amendment No. 430

On page 41 of said bill, following line 28, insert

"Less: Estimated reimbursements from United States Government for maintenance and operation of installations 160,000
Net appropriation ..... 2,333,030".

Amendment No. 431

On page 41, of said bill, strike out lines 7 to 14, inclusive, and insert "provided".

Amendment No. 432

On page 41, line 43, of said bill, strike out "8,202,638", and insert "7,863,107".

Amendment No. 433

On page 41, line 48, of said bill, strike out "7,044,394", and insert "6,794,530".

Amendment No. 434

On page 41, line 49, of said bill, strike out "2,352,612", and insert "2,264,887".

Amendment No. 435

On page 41, line 50, of said bill, strike out "162,933", and insert "115,235".

Amendment No. 436

On page 41, line 52, of said bill, strike out "9,559,939", and insert "9,174,652".

Amendment No. 437

On page 42, line 4, of said bill, strike out "1,357,301", and insert "1,311,545".

Amendment No. 438

On page 42, line 6, of said bill, strike out "8,202,638", and insert "7,863,107".

Amendment No. 439

On page 42, line 9, of said bill, strike out "1,357,301", and insert "1,311,545".

Amendment No. 440

On page 42, line 22, of said bill, following "of", strike out "500,000", and insert "250,000".

Amendment No. 441

On page 42, line 30, of said bill, strike out "161,411", and insert "160,136".

Amendment No. 442

On page 42, line 36, of said bill, strike out "265,152", and insert "262,992".

Amendment No. 443

On page 42, line 38, of said bill, strike out "12,025", and insert "11,694".

Amendment No. 444

On page 42, line 40, of said bill, strike out "313,662", and insert "311,171".

Amendment No. 445

On page 42, line 43, of said bill, strike out "152,251", and insert "151,035".

Amendment No. 446

On page 42, line 45, of said bill, strike out "161,411", and insert "160,136".

Amendment No. 447

On page 42, line 49, of said bill, after "Resources", insert ", payable from the Fish and Game Preservation Fund".

Amendment No. 448

On page 43, line 3, of said bill, strike out "245,474", and insert "598,448".

Amendment No. 449

On page 43, line 6, of said bill, strike out "; provided, that $11,000 of", and strike out lines 7, 8, and 9 on said page.

Amendment No. 450

On page 43, line 11, of said bill, strike out "1,409,102", and insert "1,358,566".

Amendment No. 451

On page 43, line 12, of said bill, strike out "549,889", and insert "533,950".

Amendment No. 452

On page 43, line 13, of said bill, strike out "221,383", and insert "203,578".

Amendment No. 453

On page 43, line 15, of said bill, strike out "2,180,374", and insert "2,096,094".

Amendment No. 454

On page 43, line 21, of said bill, strike out "1,884,400", and insert "1,447,146".

Amendment No. 455

On page 43, line 23, of said bill, strike out "245,474", and insert "598,448".

Amendment No. 456

On page 43 of said bill, following line 23, insert "Of which amount there shall be made available by transfer to the State Park Maintenance Fund by the State Controller the sum of $352,974 from the State Beach Fund"

Amendment No. 457

On page 43, line 33, of said bill, strike out "1,884,400", and insert "1,447,146".

Amendment No. 458

On page 44, lines 9, 10, and 11, of said bill, strike out "For investigation and surveys and preparation of plans for acquisition and development of state beaches," and insert "For investigation of beach erosion,".

Amendment No. 459

On page 44, line 15, of said bill, strike out "acquisition and".

Amendment No. 460

On page 44, line 38, of said bill, strike out "4,656,050", and insert "4,638,321"

Amendment No. 461

On page 44, line 43, of said bill, strike out "2,543,898", and insert "2,506,510".

Amendment No. 462

On page 44, line 44, of said bill, strike out "1,803,491", and insert "1,765,525".

Amendment No. 463

On page 44, line 45, of said bill, strike out "384,369", and insert "441,994".

Amendment No. 464

On page 44, line 47, of said bill, strike out "4,731,758", and insert "4,714,029".

Amendment No. 465

On page 45, line 7, of said bill, strike out "4,656,050", and insert "4,638,321"

Amendment No. 466

On page 45, line 18, of said bill, strike out "51,361", and insert "57,953".

Amendment No. 467

On page 45, line 21, of said bill, strike out "7,382,172", and insert "7,037,863".

Amendment No. 468

On page 45, line 27, of said bill, strike out "5,445,372", and insert "5,295,034".

Amendment No. 469

On page 45, line 28, of said bill, strike out "2,235,830", and insert "2,216,412".

Amendment No. 470

On page 45, line 29, of said bill, strike out "936,093", and insert "730,367".

Amendment No. 471

On page 45, line 31, of said bill, strike out "8,617,295", and insert "8,241,813".

Amendment No. 472

On page 45, line 33, of said bill, strike out "408,478", and insert "377,305".

Amendment No. 473

On page 45, line 42, of said bill, strike out "7,382,172", and insert "7,037,863".

Amendment No. 474

On page 45, line 47, of said bill, strike out "618,614", and insert "581,497".

Amendment No. 475

On page 46, line 3, of said bill, strike out "2,253", and insert "2,118".

Amendment No. 476

On page 46, line 4, of said bill, strike out "181,519", and insert "170,628".

Amendment No. 477

On page 46, line 5, of said bill, strike out "195,669", and insert "183,929".

Amendment No. 478

On page 46, line 6, of said bill, strike out "44,693", and insert "42,011".

Amendment No. 479

On page 46, line 7, of said bill, strike out "60,388", and insert "56,765".

Amendment No. 480

On page 46, line 8, of said bill, strike out "67,046", and insert "63,023".

Amendment No. 481

On page 46, line 9, of said bill, strike out "67,046", and insert "63,023".

Amendment No. 482

On page 46, line 11, of said bill, strike out "618,614", and insert "581,497".

Amendment No. 483

On page 46, line 18, of said bill, strike out "619,196", and insert "503,097".

Amendment No. 484

On page 46, line 23, of said bill, strike out "90,000", and insert "77,000".

Amendment No. 485

On page 46 of said bill, strike out lines 47 to 52, inclusive.

Amendment No. 486

On page 47, line 4, of said bill, strike out "334,962", and insert "332,494"

Amendment No. 487

On page 47, line 6, of said bill, strike out "185,669", and insert "185,189".

Amendment No. 488

On page 47, line 7, of said bill, strike out "137,305", and insert "136,055".

Amendment No. 489

On page 47, line 8, of said bill, strike out "11,988", and insert "11,250".

Amendment No. 490

On page 47, line 10, of said bill, strike out "334,962", and insert "332,494".

Amendment No. 491

On page 47, line 41, of said bill, strike out "83,832", and insert "86,048".

Amendment No. 492

On page 47, line 47, of said bill, strike out "36,418", and insert "38,634".

Amendment No. 493

On page 47, line 50, of said bill, strike out "118,832", and insert "121,048"

Amendment No. 494

On page 48, line 6, of said bill, strike out "83,832", and insert "86,048".

Amendment No. 495

On page 48, line 9, of said bill, strike out "116,754", and insert "117,078".

Amendment No. 496

On page 48, line 12, of said bill, strike out "82,844", and insert "83,168".

Amendment No. 497

On page 48, line 15, of said bill, strike out "116,754", and insert "117,078".

Amendment No. 498

On page 48, line 28, of said bill, strike out "147,361", and insert "146,161"

Amendment No. 499

On page 48, line 31, of said bill, strike out "32,180", and insert "30,980".

Amendment No. 500

On page 48, line 34, of said bill, strike out "147,361", and insert "146,161".

Amendment No. 501

On page 49, line 20, of said bill, strike out "430,120", and insert "430,806".

Amendment No. 502

On page 49, line 23, of said bill, strike out "146,135", and insert "146,821".

Amendment No. 503

On page 49, line 26, of said bill, strike out "430,120", and insert "430,806".

Amendment No. 504

On page 49, line 30, of said bill, strike out "151,281", and insert "150,037".

Amendment No. 505

On page 49, line 33, of said bill, strike out "66,065", and insert "65,744".

Amendment No. 506

On page 49, line 34, of said bill, strike out "1,509", and insert "586".

Amendment No. 507

On page 49, line 36, of said bill, strike out "151,281", and insert "150,037".

Amendment No. 508

On page 49, line 39, of said bill, strike out "55,725", and insert "54,064".

Amendment No. 509

On page 49, line 41, of said bill, strike out "31,697", and insert "30,127".

Amendment No. 510

On page 49, line 42, of said bill, strike out "23,459", and insert "23,368".

Amendment No. 511

On page 49, line 45, of said bill, strike out "55,725", and insert "54,064".

Amendment No. 512

On page 50, line 10, of said bill, strike out "162,138", and insert "143,049".

Amendment No. 513

On page 50, line 12, of said bill, strike out "88,488", and insert "79,284"

Amendment No. 514

On page 50, line 13, of said bill, strike out "59,685", and insert "55,200".

Amendment No. 515
On page 50, line 14, of said bill, strike out "13,965", and insert "8,565".

Amendment No. 516
On page 50, line 16, of said bill, strike out "162,138", and insert "143,049".

Amendment No. 517
On page 50, line 20, of said bill, strike out "29,285", and insert "28,858".

Amendment No. 518
On page 50, line 23, of said bill, strike out "12,733", and insert "12,306".

Amendment No. 519
On page 50, line 26, of said bill, strike out "29,285", and insert "28,858".

Amendment No. 520
On page 50, line 32, of said bill, strike out "164,514", and insert "164,256".

Amendment No. 521
On page 50, line 35, of said bill, strike out "50,653", and insert "50,395".

Amendment No. 522
On page 50, line 38, of said bill, strike out "164,514", and insert "164,256".

Amendment No. 523
On page 50, line 44, of said bill, strike out "161,720", and insert "161,831".

Amendment No. 524
On page 50, line 47, of said bill, strike out "77,696", and insert "77,807".

Amendment No. 525
On page 50, line 50, of said bill, strike out "161,720", and insert "161,831".

Amendment No. 526
On page 51, line 5, of said bill, strike out "108,526", and insert "108,416".

Amendment No. 527
On page 51, line 8, of said bill, strike out "51,228", and insert "51,118".

Amendment No. 528
On page 51, line 11, of said bill, strike out "108,526", and insert "108,416".

Amendment No. 529
On page 51, line 14, of said bill, strike out "26,617", and insert "26,187".

Amendment No. 530
On page 51, line 17, of said bill, strike out "11,240", and insert "10,810".

Amendment No. 531
On page 51, line 20, of said bill, strike out "26,617", and insert "26,187".

Amendment No. 532
On page 51, line 34, of said bill, strike out "16,843", and insert "16,579".

Amendment No. 533
On page 51, line 37, of said bill, strike out "7,069", and insert "6,805".

Amendment No. 534
On page 51, line 40, of said bill, strike out "16,843", and insert "16,579".

Amendment No. 535
On page 51, line 44, of said bill, strike out "34,267", and insert "34,442".

Amendment No. 536
On page 51, line 47, of said bill, strike out "16,664", and insert "16,839".

Amendment No. 537
On page 51, line 50, of said bill, strike out "34,267", and insert "34,442".

Amendment No. 538
On page 52, line 3, of said bill, strike out "11,207", and insert "11,069".

Amendment No. 539

On page 52, line 6, of said bill, strike out "5,630", and insert "5,492".

Amendment No. 540

On page 52, line 9, of said bill, strike out "11,207", and insert "11,069".

Amendment No. 541

On page 52, line 43, of said bill, strike out "119,339", and insert "129,339".

Amendment No. 542

On page 52, line 45, of said bill, strike out "69,987", and insert "74,987".

Amendment No. 543

On page 52, line 46, of said bill, strike out "48,624", and insert "53,624".

Amendment No. 544

On page 52, line 49, of said bill, strike out "119,339", and insert "129,339".

Amendment No. 545

On page 53, line 5, of said bill, strike out "4,357,024", and insert "4,284,630".

Amendment No. 546

On page 53, line 20, of said bill, strike out "3,132,608", and insert "3,085,524".

Amendment No. 547

On page 53, line 21, of said bill, strike out "3,485,078", and insert "3,472,405".

Amendment No. 548

On page 53, line 22, of said bill, strike out "260,825", and insert "251,955".

Amendment No. 549

On page 53, line 25, of said bill, strike out "250,609", and insert "246,842".

Amendment No. 550

On page 53, line 27 of said bill, strike out "7,129,120", and insert "7,056,726".

Amendment No. 551

On page 54, line 4, of said bill, strike out "4,357,024", and insert "4,284,630".

Amendment No. 552

On page 53, line 10, of said bill, strike out "deposited", and insert "made available".

Amendment No. 553

On page 54, line 20, of said bill, strike out "1,352,749", and insert "1,426,122".

Amendment No. 554

On page 54, line 22, of said bill, strike out "1,131,682", and insert "1,186,496"

Amendment No. 555

On page 54, line 23, of said bill, strike out "198,762", and insert "215,150".

Amendment No. 556

On page 54, line 24, of said bill, strike out "22,305", and insert "24,476".

Amendment No. 557

On page 54, line 26, of said bill, strike out "1,352,749", and insert "1,426,122".

Amendment No. 558

On page 54, line 30, of said bill, strike out "1,135,054", and insert "1,139,456".

Amendment No. 559

On page 54, line 32, of said bill, strike out "886,869", and insert "880,869"

Amendment No. 560

On page 54, line 33, of said bill, strike out "233,585", and insert "243,987".

Amendment No. 561

On page 54, line 36, of said bill, strike out "1,135,054", and insert "1,139,456".

Amendment No. 562

On page 55, line 9, of said bill, strike out "339,657", and insert "338,253".

Amendment No. 563

On page 55, line 17, of said bill, strike out "9,120", and insert "7,716".

Amendment No. 564

On page 55, line 19, of said bill, strike out "369,657", and insert "368,253".

Amendment No. 565

On page 55, line 24, of said bill, strike out "339,657", and insert "338,253".

Amendment No. 570

On page 56, line 36, of said bill, strike out "1,080,100", and insert "1,069,659".

Amendment No. 571

On page 56, line 46, of said bill, strike out "734,059", and insert "728,059".

Amendment No. 572

On page 56, line 48, of said bill, strike out "51,766", and insert "47,325".

Amendment No. 573

On page 56, line 52, of said bill, strike out "1,127,359", and insert "1,116,918".

Amendment No. 574

On page 57, line 8, of said bill, strike out "1,080,100", and insert "1,069,659".

Amendment No. 575

On page 57, line 38, of said bill, strike out ", in accordance with the following", and insert "25,000".

Amendment No. 576

On page 57 of said bill, strike out lines 39 to 45, inclusive.

Amendment No. 577

On page 58, line 11, of said bill, strike out "158,034", and insert "156,034".

Amendment No. 578

On page 58, line 15, of said bill, strike out "6,884", and insert "4,884".

Amendment No. 579

On page 58, line 17, of said bill, strike out "158,034", and insert "156,034".

Amendment No. 580

On page 58 of said bill, between lines 38 and 39, insert

Item 260.1—The unexpended balance of the appropriation made by Item 325.5 of Section 2, Budget Act of 1948, is hereby reappropriated for the cost of any and all work necessary for the repair or restoration of, and for the protection of the ocean beach in the City of Redondo Beach, Los Angeles County, or any portion thereof, to be expended during the 1949-50 Fiscal Year in accordance with the provisions and limitation and matching requirements as set forth in Chapter 1417, Statutes of 1945; provided, that any moneys made available to the Division of Water Resources, Department of Public Works, from this item shall be repaid to the General Fund out of any moneys impounded in the State Lands Act Fund under the decision and order of the United States Supreme Court which hereafter may be released by the Federal Government and subsequently paid into the State Beach Fund or the State Park Fund. The transfer to the General Fund from the respective funds shall be in such amounts as may be determined by the Department of Finance. Such transfer shall be made by the State Controller upon written order of the Department of Finance."

Amendment No. 581

On page 58, line 42, of said bill, strike out "8,200,113", and insert "9,010,682".

Amendment No. 582

On page 59, line 8, of said bill, strike out "9,946,406", and insert "10,071,170".

Amendment No. 583

On page 59, line 9, of said bill, strike out "2,933,152", and insert "2,938,194".

Amendment No. 584

On page 59, line 12, of said bill, strike out "404,624", and insert "1,074,207".

Amendment No. 585

On page 59, line 14, of said bill, strike out "795,712" and insert "805,229"

Amendment No. 586

On page 59, line 16, of said bill, strike out "14,868,190", and insert "15,677,096".

Amendment No. 587

On page 59, line 18, of said bill, strike out "6,659,865", and insert "6,658,202"

Amendment No. 588

On page 59, line 22, of said bill, strike out "8,200,113", and insert "9,010,682"

Amendment No. 589

On page 59 of said bill, between lines 22 and 23, insert "provided that the Department of Finance shall not authorize the expenditure of any part of this appropriation to establish additional district or regional offices for the Department of Social Welfare until a pilot region of sufficient size first has been established to test the efficiency of such region, and such region, in the opinion of the Department of Finance, has been in satisfactory operation for at least ninety days"

Amendment No. 590

On page 59, line 31, of said bill, after the comma, insert "payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code. Said appropriation shall be expended"

Amendment No. 592

On page 60, line 3, of said bill, strike out "207,713", and insert "196,913".

Amendment No. 593

On page 60, line 4, of said bill, strike out "53,375", and insert "51,575".

Amendment No. 594

On page 60, line 5, of said bill, strike out "4,735", and insert "1,435".

Amendment No. 595

On page 60, line 7, of said bill, strike out "205,823", and insert "249,923".

Amendment No. 596

On page 60, line 13, of said bill, strike out "258,323", and insert "242,423".

Amendment No. 597

On page 60, line 21, of said bill, strike out "2,262,000", and insert "2,551,461".

Amendment No. 598

On page 60, line 29, of said bill, strike out "254,800", and insert "232,300".

Amendment No. 599

On page 60, line 33, of said bill, strike out "1,355,552", and insert "1,269,277".

Amendment No. 600

On page 60, line 46, of said bill, strike out "759,665", and insert "673,240"

Amendment No. 601

On page 60, line 49, of said bill, strike out "2,187,544", and insert 2,101,119"

Amendment No. 602

On page 61, line 5, of said bill, strike out "78,992", and insert "78,842".

Amendment No. 603

On page 61, line 9, of said bill, strike out "1,355,552", and insert "1,269,277"

Amendment No. 604

On page 61, line 11, of said bill, strike out "75,801", and insert "74,082"

Amendment No. 605

On page 61, line 17, of said bill, strike out "21,320", and insert "19,601"

Amendment No. 606

On page 61, line 20, of said bill, strike out "78,841", and insert "77,122".

Amendment No. 607

On page 61, line 24, of said bill, strike out "75,801", and insert "74,082".

Amendment No. 609

On page 61, line 51, of said bill, strike out "3,000", and insert "7,000".

Amendment No. 610

On page 62, line 15, of said bill, strike out "1,165,000", and insert "940,000".

Amendment No. 611

On page 62, line 19, of said bill, strike out "400,000", and insert "200,000"

Amendment No. 612

On page 62, line 23, of said bill, strike out "60,000", and insert "30,000".

Amendment No. 613

On page 62, line 26, of said bill, strike out "85,000", and insert "40,000".

Amendment No. 614

On page 62 of said bill, between lines 29 and 30, insert

"(g) Water Commission Revolving Fund ..... 50,000"

Amendment No. 615

On page 62, line 31, of said bill, strike out "1,165,000", and insert "940,000".

Amendment No. 616

On page 62, line 51, of said bill, strike out "341,048", and insert "399,126".

Amendment No. 617

On page 63, line 3, of said bill, strike out "315,304", and insert "322,986".

Amendment No. 618

On page 63 of said bill, strike out lines 4 to 24, inclusive, and insert

"(b) Department of Agriculture Fund 311
(c) Civil Engineers Fund 128
(d) Contractors' License Fund 217
(e) State Dentistry Fund 327
(f) Fair and Exposition Fund available for permanent improvements upon property of state, citrus, county or district agricultural associations for fair purposes allocated by Section 19626 of the Business and Professions Code 28,825
(g) Fish and Game Preservation Fund 1,540
(h) State Highway Fund 5,827
(i) State Lands Act Fund 459
(j) Motor Vehicle Fund 2,528
(k) Motor Vehicle Fuel Fund 3,238
(l) Motor Vehicle License Fee Fund 189
(m) Motor Vehicle Transportation License Tax Fund 120
(n) Board of Osteopathic Examiners Contingent Fund 15
(o) State Park Maintenance Fund 28
(p) State School Fund 960
(q) Division of Architecture Revolving Fund 536
(r) Ballot Paper Revolving Fund 5,995
(s) Estates of Deceased Persons Fund 1,153
(t) Inmate Welfare Fund 16
(u) San Francisco Harbor Improvement Fund 21,926
(v) Unemployment Administration Fund ..... 1,802"

Amendment No. 715

On page 76 of said bill, after line 15, insert

"384.5—For allocation to the State Water Resources Board for reallocation to the Counties of Santa Clara, Santa Cruz, and San Benito, and to the Monterey County Flood Control and Water Conservation District, or to any one or more thereof as may be proper, for expenditure for payment, and for reimbursement for necessary advances made, of the cost of cooperation by the State in the plan of improvement for flood protection on the Pajaro River and tributaries, adopted and authorized by Section 30 of the State Water Resources Act of 1945, payable from the Flood Control Fund of 1946 25,000

and in addition thereto the unexpended balance of Item 379 of Section 2, Budget Act of 1948, which unexpended balance shall, notwithstanding any other provision of law, remain available until June 30, 1950"

Amendment No. 716

On page 77, line 33, of said bill, strike out "137,500", and insert "217,500"

Amendments read, and adopted

(535 Amendments adopted. Total—719)

Request for Unanimous Consent to Offer Further Amendment Relative to Subject Previously Considered

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to offer a further amendment relative to a subject previously considered.

Consideration of Further Amendments to Assembly Bill No. 1100
Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 737

On page 56, line 5, of said bill, after "amended," insert "provided that no amount may be withdrawn from this item until the Congress of the United States enacts legislation permitting the construction of another toll bridge or other toll highway across the Bay of San Francisco from the City and County of San Francisco to the County of Alameda including the granting of such rights of way or easements as may be necessary through or across Yerba Buena Island, if such legislation or permission is necessary, and also".

Amendment read.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr Dunn is out of order because his amendment is similar to one previously considered.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken

Notice of Motion to Reconsider Amendment No. 733 to Assembly Bill No. 1100

Mr. Dolwig gave notice that on the next legislative day he would move to reconsider the vote whereby his Amendment No. 733, to Assembly Bill No. 1100 was this day refused adoption.

Motion to Take Up Reconsideration of Amendment No. 733, at This Time

Mr. Sherwin moved that the motion by Mr. Dolwig to reconsider the vote on Amendment No. 733 be taken up, at this time.

Mr. Waters seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Berry, Burke, Butters, Clarke, Coats, Collier, Crichton, Erwin, Fleury, Grant, Grunsky, Hagen, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, Reagan, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—32

NOES—Brady, Brown, Burkhalter, George D. Collins, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Gaffney, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Luckel, McCollister, Meyers, Morris, Niehouse, and Thomas—24.

Motion to Reconsider Amendment No. 733 to Assembly Bill No. 1100

Mr. Dolwig moved that the vote whereby Amendment No 733 to Assembly Bill No. 1100 was refused adoption be reconsidered

Demand for Previous Question

Messrs. Grunsky, Luckel, Conrad, Waters, and Beck demanded the previous question.

Demand for previous question sustained.

The question being on the motion to reconsider the vote whereby Amendment No. 733, offered by Mr Dolwig to Assembly Bill No. 1100, was refused adoption.

The roll was called, and reconsideration refused by the following vote

AYES—Anderson, Beck, Brown, Burkhalter, Clarke, Connolly, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Holhbaugh, Kilpatrick, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Sillman, Way, and Weber—29.

NOES—Babbage, Berry, Brady, Burke, Butters, Coats, Collier, Condon, Conrad, Crichton, Crowley, Elliott, Erwin, Fleury, Grant, Grunsky, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, Moss, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr Speaker—37.

Assembly Bill No. 1100 ordered reprinted, and engrossed

Motion to Place Rush Order on Printing of Assembly Bill No. 1100

Mr. Sherwin moved that a rush order be placed upon the printing of Assembly Bill No. 1100

Motion carried.

Motion to Set Special Order

Mr. Sherwin moved that Assembly Bill No. 1100 be made a special order of business for Thursday, June 2, 1949, at 10 a.m.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1172	Assembly Bill No 2791
Assembly Bill No 2124	Assembly Bill No. 3104

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 1172 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bills Nos. 2124, 2791, and 3104 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 142
Assembly Bill No. 2160
Assembly Bill No. 2170

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bills Nos. 142 and 2170 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2160 ordered re-referred to Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1291
Assembly Bill No. 2279
And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 1291 ordered re-referred to Committee on Public Health.

Assembly Bill No 2279 ordered re-referred to Committee on Manufacturing, Oil, and Mining Industry.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 385
And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 385 ordered re-referred to Commitee on Public Utilities and Corporations.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 386
And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 386 ordered re-referred to Committee on Public Utilities and Corporations.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by amending Section 5 of Article XI thereof, relating to compensation of officers

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lindsay moved a call of the Assembly.

Motion carried. Time, 3.24 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Caldecott, Clarke, George D. Collins, Condon, Connolly, Cooke, Crichton, Dolwig, Dunn, Geddes, Hinckley, Hoffman, Lowrey, and McCollister—17.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grant asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 193

By Mr. Elliott:

House Resolution No. 193

Relative to memorializing the House of Representatives of the Congress of the United States to pass S. 1070, the "Housing Act of 1949"

WHEREAS, The general welfare and security of the State and the Nation and the health and living standards of the people require production and related community development sufficient to remedy the serious housing shortage, the elimination of substandard and other inadequate housing through the clearance of slums and blighted areas, and the realization, as soon as feasible, of the goal of a decent home and a suitable living environment for every American family, thus contributing to the development and redevelopment of communities and to the advancement of the growth, wealth, and security of the State and Nation; and

WHEREAS, The Senate of the United States passed S. 1070, entitled in this act as the "Housing Act of 1949," which provided for a comprehensive program to assist private enterprise in developing low cost housing and clearing slum and blighted areas; for low rent public housing where required; for community redevelopment; for the development of rural housing; for other beneficial provisions, including preferential treatment for veterans of World War II; and for the necessary legal and financial prerequisites for such a broad housing program; and

WHEREAS, S 1070, the "Housing Act of 1949," would be of great benefit to the people of California and do much to attain the objectives mentioned in the first paragraph of this resolution; and

WHEREAS, This bill is now pending before the House of Representatives of the Congress of the United States for further action; now, therefore, be it

Resolved, by the Assembly of the State of California, That this Assembly on behalf of the people of California memorializes and requests the House of Representatives of the Congress of the United States to pass S 1070; and be it further

Resolved That the Chief Clerk of the Assembly is hereby instructed to send at once copies of this resolution to all of the Members of Congress from the State of California.

Resolution read.

Demand for Previous Question

Messrs. Levering, Reagan, Caldecott, Smith, and Burke demanded the previous question

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 193.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Elliott moved a call of the Assembly.

Motion carried. Time, 3.43 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brown, Cooke, Dickey, Fleury, Geddes, Hagen, Heisinger, Lowrey, and Waters—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Collier asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2903—An act to prohibit the expenditure for building sites of moneys appropriated by the Budget Act of 1948 without

prior submission of plans to local planning boards and prior approval by the Department of Finance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2438—An act to amend Section 6530 of the Health and Safety Code, relating to sewer maintenance in cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2699—An act to add Section 1256 to the Revenue and Taxation Code, relating to assessors' maps and block-books.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 594—An act to add Section 20374.1 to the Education Code, relating to the termination of employment of employees of state colleges.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, after "college", insert ", excepting those employees who are now members of the State Teachers' Retirement System,".

Amendment No. 2

On page 1, line 5, of said bill, strike out "The employment of any employee of a", and strike out lines 6 and 7.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Thompson asked for, and was granted, unanimous consent that the Committee on Public Health be permitted to use the north side of the Assembly Chamber tonight, at 8 p.m., for the purpose of holding a meeting.

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, May 31, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
Sacramento, California

DEAR SIR: I am directed by the Senate to respectfully request you to return to the Senate, Assembly Bill No. 885 for further consideration.

Respectfully submitted,

J. A. BEEK, Secretary of the Senate

ASSEMBLY BILL NO. 885 ORDERED RETURNED TO SENATE

Assembly Bill No. 885 ordered returned to the Senate by unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1077—An act to amend Section 19303 of the Education Code, relating to school cafeterias.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1095—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read third time.

Motion That Assembly Bill No. 1095 Be Withdrawn From File, and Be Re-referred

Mr. Hinckley moved that Assembly Bill No. 1095 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Mr. Silliman seconded the motion.

Motion carried.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 81

At 4.13 p.m., on motion of Mr. Lindsay, further proceedings under the call of the Assembly were dispensed with.

Speaker Pro Tempore Presiding

At 4.15 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The names of the absentees were called, and Assembly Constitutional Amendment No. 81 adopted by the following vote:

AYES—Babbage, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58.

NOES—Anderson, Brown, Burkhalter, Davis, Elliott, Evans, Hawkins, Heisinger, Kilpatrick, and Luckel—10.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3117—An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts to junior college districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1159—An act relating to the acquisition of a bridge or bridges across the Bay of San Francisco connecting the Counties of San Mateo and Alameda, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, providing for the inclusion thereof in the State Highway System upon the acquisition thereof, and amending Sections 405 and 407 of the Streets and Highways Code in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Waters, Way, and Yorty—58.

NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3019—An act to repeal Sections 1, 2, 2.5, 3, 4, 5, and 21 of the California Airport District Act, to add Sections 1, 2, 3, 4, 5, and 21 and to amend Sections 3.5 and 14, thereof, relating to the formation of airport districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Waters, Way, and Yorty—62

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 727—An act to amend Section 5931 of the Elections Code, relating to absentee voting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 966

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 966, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 966

Assembly Bill No. 966—An act to amend Section 14122 of the Education Code, relating to school district merit systems for noncertificated employees.

Bill read third time

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Motion to Amend Title

Mr. Geddes moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, after "employees", insert ", declaring the urgency thereof, to take effect immediately".

Amendment read, and adopted.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 967

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 967, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 967

Assembly Bill No. 967—An act to amend Sections 14112, 14127, and 14135.1 of the Education Code, relating to school district merit systems for noncertificated employees.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stillman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONCURRENT RESOLUTION NO. 89

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Concurrent Resolution No. 89, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 89

Assembly Concurrent Resolution No. 89—Relative to approving the charter of the City of Sunnyvale, County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the tenth day of May, 1949

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stillman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2622—An act to amend Sections 2820, 2905, 3012, 5500, 6460, 6463, and 8702, and to add Sections 2932, 6464, and 6465 to the Streets and Highways Code, relating to special assessment and bond proceedings for financing the cost of sanitary sewers and other local improvements, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2626—An act to amend Sections 6484, 6485, 6611, and 6647, and to add Sections 6497, 6531, 6629, and 6654 to the Health and Safety Code, relating to sanitary districts declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 469—An act to add Section 4018.5 to the Penal Code, relating to the custody and detention of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Motion to Amend Title

Mr. Kilpatrick moved the adoption of the following amendment to the title:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on May 20, 1949, strike out "the custody and detention of prisoners.", and insert "prisoners confined in county jails."

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 193

At 4.37 p.m., on motion of Mr. Elliott, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 193 refused adoption by the following vote:

AYES—Anderson, Beck, Berry, Burkhalter, Coats, George D. Collins, Condon, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Thomas, Weber, and Yorty—33.

NOES—Babbage, Brady, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Erwin, Grant, Grunsky, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, McCollister, Niehouse, Reagan, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—33.

Explanation of Vote on House Resolution No. 193

I voted "No" on this measure because I am opposed to the passing of resolutions by this House which concern matters on which we are not fully informed. In my opinion, it is inconsistent with the legislative process for one legislature to urge passage of a measure by another legislature without the merits of the entire matter being fully debated by the body urging passage of it.

LAUGHLIN E. WATERS

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals of Monday, May 23, 1949; Tuesday, May 24, 1949; Wednesday, May 25, 1949; Thursday, May 26, 1949; and Friday, May 27, 1949, be approved as corrected by the Minute Clerk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 33

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XI thereof a new section to be numbered 18¼, empowering any city, county, city and county, parking authority, or other public body, agency, or district, to pledge revenues derived from parking meters as additional security for the payment of revenue bonds.

Referred to Committee on Constitutional Amendments.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 493
Senate Bill No 592
Senate Bill No. 628
Senate Bill No. 638
Senate Bill No. 686
Senate Bill No 752
Senate Bill No 945
Senate Bill No 962
Senate Bill No 969
Senate Bill No. 1197
Senate Bill No 1635

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 493—An act to add Section 48.5 to the Civil Code, relating to defamation by radio.

Referred to Committee on Judiciary.

Senate Bill No. 592—An act to authorize cities, cities and counties, counties, parking districts and parking authorities and the legislative bodies thereof to acquire, construct, maintain and operate public parking places for automobiles and to issue and sell revenue bonds to finance the same and to provide for the use and expenditure of the proceeds of such bonds and the use and disposition of revenue arising from public parking places so financed.

Referred to Committee on Municipal and County Government.

Senate Bill No. 628—An act to amend Section 737nn of the Political Code, relating to the compensation of the Judge of the Superior Court in and for the County of San Luis Obispo

Referred to Committee on Judiciary.

Senate Bill No. 638—An act to amend Section 3 of the Wildlife and Conservation Act of 1947, relating to expenditure of moneys in the Wildlife Restoration Fund.

Referred to Committee on Fish and Game.

Senate Bill No. 686—An act to add Section 738 2 to the Code of Civil Procedure, relating to presumption of payment of obligation secured by deed of trust.

Referred to Committee on Judiciary.

Senate Bill No. 752—An act to add Section 233 to the Code of Civil Procedure, relating to jurors in justices' courts.

Referred to Committee on Judiciary.

Senate Bill No. 945—An act to amend Section 1205 of the Business and Professions Code, relating to clinical laboratory technology.

Referred to Committee on Public Health.

Senate Bill No. 962—An act to amend Sections 4031, 4039, 4063, 4090, 4095, 4096, 4221, 4236, and 4255 to, and to repeal Sections 4091, 4092, 4120, 4121, 4130, 4131, 4132, 4133, 4134, and 4135 of the Business and Professions Code, relating to the practice of pharmacy, and the sale of drugs.

Referred to Committee on Public Health.

Senate Bill No. 969—An act to amend Section 9516, and to repeal Section 9543 of the Business and Professions Code, relating to the practice of cleaning and dyeing.

Referred to Committee on Governmental Efficiency and Economy

Senate Bill No. 1197—An act to amend Sections 8505, 8551, and 8671 and to repeal Section 8572 of the Business and Professions Code, relating to the regulation of structural pest control

Referred to Committee on Public Health.

Senate Bill No. 1635—An act to add Section 7437 5 to the Business and Professions Code, relating to cosmetology

Referred to Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 45	Assembly Bill No. 1307
Assembly Bill No 406	Assembly Bill No. 1309
Assembly Bill No. 734	Assembly Bill No 1311
Assembly Bill No. 1160	Assembly Bill No 1333
Assembly Bill No 1306	Assembly Bill No. 3137

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 89

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 859—An act to amend Sections 9756, 9760, and 11121 of the Elections Code, relating to elections, declaring the urgency hereof, to take effect immediately;

Assembly Bill No. 3149—An act to amend Section 24.5 of the Construction and Employment Act, relating to the construction of sewage projects pursuant to said act, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirty-first day of May, 1949, at 3 p.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 256	Assembly Bill No. 983
Assembly Bill No. 434	Assembly Bill No. 1564
Assembly Bill No. 450	Assembly Bill No. 1863
Assembly Bill No. 781	Assembly Bill No. 1893

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 429	Assembly Bill No. 432
Assembly Bill No. 431	Assembly Bill No. 2849

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Keating, Breed, and Drobish as a Committee on Conference concerning:

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund or other disposition of certain optional contributions by state members of said system.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 24

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Smith:

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 953.1 to the Probate Code, relating to contingent claims against the estates of decedents.

Respectfully submitted.

H. ALLEN SMITH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Smith:

An act to add Section 953.1 to the Probate Code, relating to contingent claims against the estates of decedents.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3162: By Mr. Smith—An act to add Section 953.1 to the Probate Code, relating to contingent claims against the estates of decedents.

Referred to Committee on Judiciary.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, May 31, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes;

And appointed Senators Breed, Miller, and Coombs as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 596

The Speaker announced the appointment of Messrs. Dickey, Clayton A. Dills, and Brady as a Committee on Conference concerning Senate Bill No. 596

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No. 1278, on request of Mrs. Niehouse

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered.

Assembly Concurrent Resolution No. 91: By Mr. Brown—Relating to liquefied petroleum gas.

Referred to Committee on Rules

Assembly Concurrent Resolution No. 92: By Messrs. Rosenthal, Waters, and Smith—Relating to requesting the Judicial Council to study pretrial practice and procedure

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr Lindsay:

House Resolution No. 220

Relative to former Assemblyman Ivan H. Parker

WHEREAS, The Members of this Assembly have learned with deep regret of the death of Ivan H Parker of Placer County, long a distinguished leader in political life and in public service; and

WHEREAS, During the years from 1917 to 1922, Ivan H. Parker represented the then Ninth Assembly District, and as a Member of this Assembly ably and devotedly served the people of this State, serving continuously as Chairman of the Committee on Agriculture, and as a member of other committees, including those on Mines and Mining, Swamp and Overflowed Lands, Fish and Game, and Roads and Highways; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly this day adjourns, it do so out of respect to the memory of former Assemblyman Ivan H Parker.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Evans.

House Resolution No. 221

Relative to investigation of the activities and conduct of the Office of the State Insurance Commissioner

WHEREAS, It has come to the attention of this Legislature that the Insurance Commissioner of this State has been charged with conducting himself in a high-handed and dictatorial manner with regard to the regulation of insurance and with undertaking to act arbitrarily, either in excess of his powers as they are set out in the Insurance Code or not in accord with the dictates of good reason or prudence; and

WHEREAS, The following is typical of numerous complaints and comments by persons engaged in the insurance business

"For two years California's autocratic Insurance Commissioner, Wallace K. Downey, has been engaged in what seems to be persecution against * * * (out of state insurers) (and their) Pacific Coast representatives;" and

WHEREAS, It appears that the activities of the Insurance Commissioner have been such as to embroil him in litigation, and that at the present time one insurance company has filed suit against him for $50,000 damages alleged to have been caused by illegal destruction of the company's business by the Insurance Commissioner; and

WHEREAS, The insurance commissioners of a majority of the states by mutual cooperation have set up a method whereby through the process of a "Conference Examination" investigation may be made of any insurance company to determine its solvency while protecting its policy holders from the effects of premature publicity or other impairment of their policies; and

WHEREAS, The Insurance Commissioner is a member of the Interstate Organization of Insurance Commissioners and failed to attend although invited to a "Conference Examination" requested by the commissioner of the home state of a company doing business in California; and

WHEREAS, The California Commissioner proceeded to institute other action which has destroyed the value of policies held by more than a hundred thousand California policy holders; and

WHEREAS, It has further been charged that the commissioner has authorized the expenditure of state funds to send operatives outside of the State for the purpose of investigating and securing information, which work might as effectively be done by correspondence with the insurance commissioners of the various states or by investigations conducted entirely within the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Finance and Insurance is hereby authorized and directed to immediately ascertain, study and analyze all facts relating to the activities of the Insurance Commissioner of this State and all subjects and facts referred to in the recitals hereinabove set forth, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than June 25, 1949

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Silliman:

House Resolution No. 222

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 10 Members of the Assembly appointed by Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Stewart:

House Resolution No. 223

Relative to requesting the State Personnel Board to consolidate classes

WHEREAS, The personnel classification plan of the State of California consists of approximately 2,100 classes; and

WHEREAS, Experts engaged by the Interim Committee on Governmental Efficiency and Economy believe that it should be possible to reduce this number by one-third; and

WHEREAS, The simplification of the personnel classification plan will produce significant savings in the cost of personnel administration; and

WHEREAS, The creation and adjustment of classes is the constitutional duty and responsibility of the State Personnel Board; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly urges upon the State Personnel Board the importance of reducing and simplifying the personnel classification plan, and requests that at the next regular session of the Legislature the said board report to the Assembly whether it has reduced the number of classes to approximately 1,400, or why it has not done so; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to each member of the Personnel Board and to its executive officer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 137

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 137, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 137

Senate Bill No. 137—An act to amend Section 969(b) of the Penal Code, relating to proof of previous conviction of crime by certified records.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "(b)", and insert "b".

Amendment No. 2

On page 1, line 1, of said bill, strike out "(b)", and insert "b"

Amendment No. 3

On page 1, line 3, of said bill, strike out "(b)", and insert "b"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 420

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 420, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 420

Senate Bill No. 420—An act to amend Section 2082 of the Penal Code, relating to the distribution of identification data concerning prisoners to identification bureaus.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, as amended in the Assembly on May 18, 1949, strike out "to the Identification Division of the Federal Bureau of Investigation and".

Amendment No. 2

On page 1, line 13, of said bill, after "committed.", insert "One copy shall be transmitted by the State Division to the Federal Bureau of Investigation."

Amendment No. 3

On page 1, line 22, of said bill, strike out "should", and insert "shall".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1840

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 1840, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1840

Assembly Bill No. 1840—An act to develop public recreation, and providing the procedure for allocation of funds to cities, counties, cities and counties, recreation districts and school districts, creating the Recreation Fund and prescribing the powers and duties of the State Allocation Board, the Controller, and the Director of Finance under this act.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in the Assembly on May 20, 1949, strike out "Recreational", and insert "Recreation".

Amendment No. 2

On page 2, lines 36 and 37, of said bill, strike out "or recreation services".

Amendment No. 3

On page 2, line 40, of said bill, after "Act", insert a comma and "as amended".

Amendment No. 4

On page 2 of said bill, strike out lines 51 and 52; and on page 3, strike out lines 1 to 10, inclusive, and insert

"SEC. 3. The Allocation Board shall prescribe rules and regulations for the general administration of this act, requiring such procedure, forms and information as it deems necessary. The Recreation Commission shall determine policies and may formulate rules and standards for recreational facilities. In determining such policies and rules, the Director of Recreation shall assist the Recreation Commission and may confer with local authorities and upon 10 days' notice, hold public hearings at which attendance shall be optional.

SEC. 4. The Director of Finance shall administer this act and shall provide such assistance to the board as it may require."

Amendment No. 5

On page 3, line 14, of said bill, strike out "and services".

Amendment No. 6

On page 3, lines 30 and 31, of said bill, strike out "one-half of 1", and insert "one and one-half".

Amendment No. 7

On page 3, line 33, of said bill, strike out "Recreation and the Recreation Commission", and insert "Finance and the State Allocation Board".

Amendment No. 8

On page 3, line 35, of said bill, strike out "Finance and the State Allocation Board", and insert "Recreation and the Recreation Commission"

Amendment No. 9

On page 3, line 49, of said bill, after "Recreation", insert "and the Director of Finance".

Amendment No. 10

On page 3, lines 51 and 52, of said bill, strike out "maintaining and supporting that program, or for".

Amendment No. 11

On page 4, line 8, of said bill, after "mission", insert "and the Allocation Board"

Amendment No. 12

On page 4, line 14, of said bill, strike out "expenditure", and insert "facility"

Amendment No. 13

On page 4 of said bill, between lines 17 and 18, insert

"SEC. 8 5. The Director of Finance shall determine the appropriateness of the cost estimate and the financial soundness of the project from the standpoint of public interest, and shall submit his report and recommendations thereon to the board"

Amendment No. 14

On page 4 of said bill, strike out lines 32 to 34, inclusive, and insert "the public agency which the board deems proper. If the board approves the application, either in"

Amendment No. 15

On page 5, line 4, of said bill, after "allocated", insert a comma and "in accordance with Section 21 of this act"

Amendment No. 16

On page 5 of said bill, strike out lines 5 and 6.

Amendment No. 17

On page 5, lines 40 and 41, of said bill, strike out "Board of Control shall", and insert "Director of Finance shall, in accordance with Board of Control rules,"

Amendment No. 18

On page 7, line 5, of said bill, after "Controller", insert a comma and "as a result of an audit or following notification by the Director of Finance under Section 9 of this act,".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight—

At 7.30 p.m.—

Livestock and Dairies, in Room 432.

At 8 p.m.—

Agriculture, in Room 432.
Judiciary.
Public Health, in Assembly Chamber.
Fish and Game.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Assemblyman Gordon Browning of Nashville, Tennessee.

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Dr. L. A. Alesen of Los Angeles.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mesdames R. W. Sundborg, E. E. Berkebile, J. L. Doull, L. A. Snider, Herbert G. Pink, and Myron R. Schall of the Newton Booth and Stanford P. T. A. of Sacramento.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Victor McLaglen of Los Angeles.

ADJOURNMENT

At 4.54 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9 a.m., Wednesday, June 1, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIRST LEGISLATIVE DAY

ONE HUNDRED FIFTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, June 1, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—59

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of Consolation: In this memorial season we pray for those who mourn under the shadow of the Dark Angel, and who sigh for the sight of vanished faces.

May the Angel of Remembrance comfort them with the tender memories of the past, of happy days of youth, and home, of the joyful excursions and stirring events of the yester years.

Let them find consolation in bringing hope to those in worse trials than their own, and feel the glow of happiness that springs from giving comfort to the despairing.

May they cherish the hope that their absent, who have crossed the bourne of time, have entered into a better land where there is no more discord, and where they will grow in knowledge and the sunlight of youth forever.

When our own time comes to walk in the Garden of Gethsemane, let us have the wisdom, like the Great Master, to kneel beneath the olives, and turn to the Infinite Love whose consolation is ineffable.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Elliott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Lincoln, on motion of Mr. Rumford.
Mr. Davis, on motion of Mr. Rumford.
Mr. Fletcher, on motion of Mr. Rumford.
Mr. Price, on motion of Mr. Rumford.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Condon, on motion of Mr. Way.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 429—An act to add Section 3370 to the Civil Code, relating to injunctive relief in connection with an act of unfair competition as defined in the Unfair Practices Act.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 429?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out the period after "Code", and insert "except that no action may be prosecuted by any district attorney in this State for a violation of the said "Unfair Practices Act" except as provided in Article 6 thereof."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 429 by the following vote:

AYES—Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Gaffney, Grant, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stewart, Thompson, Way, and Mr. Speaker—43.
NOES—None.

Assembly Bill No. 429 ordered enrolled.

Assembly Bill No. 431—An act to add Section 15 to an act entitled the "State Aeronautics Commission Act," relating to liability of aircraft owners, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 431?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "maintenance, use or operation of such aircraft", and insert "conduct of such airman".

Amendment No. 2

On page 1 of said bill, strike out lines 13 and 14, and insert "said airman."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Brown moved a call of the Assembly.

Motion carried. Time, 9 13 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Brady, Burkhalter, Coats, George D. Collins, Cooke, Clayton A. Dills, Evans, Geddes, Hagen, Hawkins, Hinckley, Huyck, Kilpatrick, Morris, Reagan, Rosenthal, Sherwin, Thomas, Tomlinson, and Yorty—22.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 432—An act relating to labor and material liens on aircraft.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 432?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 24, 1949, after "labor", insert ", service".

Amendment No. 2

On page 1, line 14, of said bill, after "mortgagee", insert ", if any there be,"

Amendment No. 3

On page 1, line 15, of said bill, after "mortgagee", insert ", if any there be,".

Amendment No. 4

On page 2 of said bill, strike out lines 38 to 41, inclusive, and insert

"SEC. 7. Aircraft not operated exclusively by an air carrier or a foreign air carrier, as defined in subdivisions (2) and (19) of Section 1 of Chapter 601 of the Statutes of the Seventy-fifth United States Congress, Second Session (1938), engaged in air transportation as defined in subdivision (10) of the same section while there is in force a certificate by, or a foreign air carrier permit of, the Civil Aeronautics Board of the United States, or its successor, authorizing such air carrier to engage in such transportation."

Amendment No. 5

On page 2, line 45, of the printed bill, as amended in the Senate on May 11, 1949, strike out "Aircraft", and insert "The provisions of this act shall not apply to aircraft".

Amendment No. 6

On page 2, line 43, of the printed bill, as amended in the Senate on May 18, 1949, strike out "not".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 432 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy,

McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Thompson, Waters, Way, Weber, and Mr. Speaker—50.
NOES—None.

Assembly Bill No. 432 ordered enrolled.

Assembly Bill No. 2849—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2849?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "livestock, including"; and after "horses", strike out ", cattle, sheep and swine,".

Amendment No. 2

On page 1, line 6, of the printed bill, after "or", strike out "in the case of horses".

Amendment No. 3

On page 1, line 4, of the printed bill, as amended in the Senate on May 19, 1949, after "any", insert "Livestock, including".

Amendment No. 4

On page 1, line 4, of said bill, after "horses", insert "cattle, sheep, and swine,".

Amendment No. 5

On page 1, line 6, of said bill, after "or", insert "in the case of horses".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2849 by the following vote:

AYES—Bennett, Berry, Brown, Burke, Butters, Clarke, Collier, Connolly, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Way, Weber, and Mr. Speaker—43.
NOES—Beck, Kirkwood, Lowrey, and Waters—4.

Assembly Bill No. 2849 ordered enrolled.

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1d to Article IV thereof, relating to measures submitted to the voters.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 24?

Amendment No. 1

On page 1, line 10, of the printed measure, after "individuals", insert "by name or names".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Fleury moved a call of the Assembly.

Motion carried. Time, 9.18 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Brady, Burkhalter, Caldecott, Coats, Conrad, Cooke, Clayton A. Dills, Evans, Geddes, Grant, Grunsky, Hawkins, Hinckley, Huyck, Lowrey, Reagan, Sherwin, Tomlinson, and Yorty—21.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lindsay asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Constitutional Amendment No. 35, on motion of Mr. Sam L. Collins.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 717, on request of Mr. Sam L. Collins

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, SACRAMENTO, May 26, 1949

MR SPEAKER: The Committee on Conference concerning:

Senate Bill No. 150—An act to add Section 332.1 to the Vehicle Code, relating to impounding of vehicles;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended, after the period at the end of the sentence, insert "This section shall apply only to a driver who has been convicted under Section 332 of this code of driving a motor vehicle after his driving privilege has been suspended or revoked".

DILLINGER	LINDSAY
DROBISH	TOMLINSON
JUDAH	CRICHTON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—53

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1562—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 20, 1949, strike out line 9, and insert "three thousand dollars ($3,000) a year."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 577—An act to amend Section 18059 of the Education Code, relating to the letting of contracts by school districts.

Bill read third time.

Motion to Amend

Mr. Burke moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 19, of the printed bill, as amended in the Assembly on May 20, 1949, strike out "General".

Amendment read, and adopted

Request for Unanimous Consent That Further Amendments to Assembly Bill No. 577 Be Considered

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to place further amendments to Assembly Bill No. 577 across the desk, at this time, prior to sending the bill to reprint.

Consideration of Further Amendments to Assembly Bill No. 577

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 20, 1949, after the first "of", insert ", and to add Section 18861 to,".

Amendment No. 2

On page 2 of said bill, after line 24, insert

"SEC. 2. Section 18861 is added to said code, to read:

18861. The county superintendent of schools or the county purchasing agent, as the case may be, shall let any contract involving an expenditure of one thousand dollars ($1,000) or more for materials or supplies, whether patented or otherwise, purchased for school districts under this article, to the lowest responsible bidder, who shall give such security as the county superintendent of schools or the county purchasing agent, as the case may be, requires, or rejects all bids.

For the purpose of securing bids the county superintendent of schools or the county purchasing agent, as the case may be, shall publish at least once a week for two weeks in some newspaper of general circulation published in the county, or if there be no such newspaper, then in some newspaper of general circulation circulated in the county, a notice calling for bids and stating the materials or supplies to be furnished and the time when and the place where bids will be opened."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 593—An act to amend Section 20382 of the Education Code, relating to sabbatical leave of state college employees.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering,

Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Way, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2138—An act to add Section 13091.1 to the Education Code, relating to the classification of persons employed by school districts in positions requiring certification qualifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, and Weber—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2529—An act to amend Section 403 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1508—An act to add Section 9176.1 to the Education Code, relating to the administration of federal programs of education.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—55.

NOES—George D. Collins, Dolwig, and Silliman—3

Bill ordered transmitted to the Senate

Assembly Bill No. 1084—An act to amend Sections 19006, 19007, 19008, 19014, 19016, 19033, 19034, 19049, 19060, 19061.5, 19070, 19072, 19080, 19121, 19122, 19123.4, 19123.5, 19123.6, 19124, 19127, 19129, 19158, 19170, 19171, 19172, 19173, 19174, 19200, 19201, 19202, 19208, and 19221 of, and repeal Sections 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19013, 19015, 19018, 19050, 19051, 19052, 19053, 19054, 19055,

19056, 19057, 19058, 19059, 19080.5, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19089.5, 19090, 19091, 19092, 19093, 19094, 19095, 19096, 19097, 19098, 19099, 19100, 19101, 19102, 19103, 19104, 19105, 19125, 19126, 19128, 19151, 19153, 19154, 19157, 19159, and 30030, of, and add Sections 19008.5, 19008.6, 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19015, 19016 5, 19034.5, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19059.5, 19060.5, 19060.6, 19062, 19072.5, 19072.6, 19073, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19092, 19093, 19122.5, 19124.5, 19127.5, 19127.6, 19171.5, 19171.6, 19173.5, 19200.5, 19209, and 19210 of the Business and Professions Code, relating to the licensing and regulation of the upholstered furniture and bedding industries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2664—An act to amend Sections 1156 and 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Smith, Stewart, Tomlinson, Way, and Weber—48.

NOES—Grunsky, Silliman, and Mr. Speaker—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 596—An act to add Section 20394.15 to the Education Code, relating to demotion of state college employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Way, and Weber—55.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1868—An act to amend Section 139.37 of, and to add Section 139.43 to the Vehicle Code, relating to authority of the California Highway Patrol.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1097—An act to add Section 18709.5 to the Government Code, relating to reemployment rights of state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker Sam L. Collins announced an invitation from Republic Pictures and its president, Mr. Herbert J. Yates, to members and their guests to attend a special preview screening of "The Red Menace," a motion picture dedicated to the preservation of the American way of life, at the Senator Theater, tonight, at 8.30 p.m. A second show will follow at midnight.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1506—An act to amend Section 18104.5 of the Government Code, relating to state employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thompson, Waters, Way, and Weber—59.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3038—An act to add Article 8, comprising Sections 50530 to 50533, inclusive, to Chapter 2, Part 1, Division 1, Title 5 of the Government Code, relating to the use of public squares for the erection of public buildings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott,

Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3036

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3036, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3036

Assembly Bill No. 3036—An act to add Section 1245.4 to the Code of Civil Procedure, relating to actions to determine title to property appearing upon the recorded maps as a "square" or other open space.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Thomas, Thompson, Tomlinson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3037

Mr Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3037, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 3037

Assembly Bill No. 3037—An act to add a new section to the Code of Civil Procedure, to be numbered 1245.3, relating to proceedings in eminent domain.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3141—An act to amend Section 19480 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read third time.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Demand for Previous Question

Messrs. Kirkwood, Gaffney, Babbage, Grant, and Hollibaugh demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3141

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Clarke, Coats, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Lewis, Lipscomb, Lowrey, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Silliman, Smith, Thomas, Thompson, Way, Weber, and Mr. Speaker—43.

NOES—Babbage, Berry, Burke, Butters, Caldecott, Collier, George D. Collins, Connolly, Conrad, Erwin, Gaffney, Grunsky, Hinckley, Kirkwood, Levering, Luckel, Maloney, McCarthy, Rumford, Sherwin, Stewart, Tomlinson, and Waters—23.

Bill ordered transmitted to the Senate.

Assembly Bill No. 534—An act to amend Section 374 of the Vehicle Code and to add Section 10783 to the Revenue and Taxation Code, relating to exemption of automobiles given to paraplegic veterans from registration fees and vehicle license fees

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Way, and Weber—60.

NOES—None.

Bill ordered transmitted to the Senate

Request for Unanimous Consent That Recommendation From Governor Relative to Assembly Bill No. 1363 Be Read Again

Mr. Sherwin asked for, and was granted, unanimous consent that the recommendation from the Governor, relative to Assembly Bill No. 1363, previously read, be read again.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 1363:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 23, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 1363, "An act making an appropriation in augmentation of the appropriation in Item 244 of the Budget Act of 1948, for support of the Department of Motor Vehicles, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

The appropriation provided in this bill is necessary to meet payrolls in the department during the balance of this fiscal year.

I therefore recommend consideration of Assembly Bill No 1363 as an emergency measure.

Respectfully submitted.

EARL WARREN, Governor

Message read.

Consideration of Assembly Bill No. 1363

Assembly Bill No. 1363—An act making an appropriation in augmentation of the appropriation in Item 244 of the Budget Act of 1948, for support of the Department of Motor Vehicles, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Recommendation From Governor Relative to Assembly Bill No. 683 Be Read Again

Mr. Sherwin asked for, and was granted, unanimous consent that the recommendation from the Governor, relative to Assembly Bill No. 683, previously read, be read again.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No. 683:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 24, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 683, "An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation for the support of the State Controller for the current fiscal year for an advance from the General Fund pending clearance of federal grants for the cost of administering Article XXV of the Constitution (Proposition No 4 on the last general election).

I therefore recommend consideration of Assembly Bill No. 683 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Message read.

Consideration of Assembly Bill No. 683

Assembly Bill No. 683—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate

Request for Unanimous Consent That Recommendation From Governor Relative to Assembly Bill No. 684 Be Read Again

Mr. Sherwin asked for, and was granted, unanimous consent that the recommendation from the Governor, relative to Assembly Bill No. 684, previously read, be read again.

Recommendation of the Governor

In accordance with Article IV, Section 34, of the Constitution, the Governor presented the following communication recommending the passage of Assembly Bill No 684:

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, May 24, 1949

To the Honorable Members of the Assembly
Sacramento, California

GENTLEMEN:

Assembly Bill No. 684, "An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, to take effect immediately,"

in my opinion constitutes an emergency bill within the meaning of that term as used in Section 34 of Article IV of the Constitution of the State of California, the consideration of which should not await the final enactment of the Budget Bill.

This bill makes an appropriation for the support of the Department of Social Welfare for the current fiscal year for an advance from the General Fund pending clearance of Federal grants for the cost of administering Article XXV of the Constitution (Proposition No. 4 on the last general election).

I therefore recommend consideration of Assembly Bill No. 684 as an emergency measure.

Respectfully submitted,

EARL WARREN, Governor

Message read.

Consideration of Assembly Bill No. 684

Assembly Bill No. 684—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2948—An act to add Article 4, comprising Sections 6060 to 6064, inclusive, to Chapter 1 of Division 7 of Title 1 of the Government Code, relating to the publication of matter required by law to be published in a newspaper of general circulation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1120—An act to amend Section 29610 of the Government Code, relating to convention expenses of county officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—63.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 1303—An act to amend Sections 31469, 31472, 31581, 31582, 31583, 31591, 31620, 31622, 31623, and 31624 of, to add Section 31532 to, and to repeal Sections 31202 and 31559 and Article 7.5 consisting of Sections 31660 and 31661 of, the Government Code, relating to county employee retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister,

McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—62
NOES—None.

Bill ordered transmitted to the Senate

Assembly Bill No. 2060—An act to amend Sections 19533, 19534, and 19540 of the Government Code, relating to layoff of state civil service employees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—64
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1670—An act to add Article 4, comprising Sections 16390 to 16396, inclusive, to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to the payment of compensation to state officers and employees, creating the State Pay Roll Revolving Fund, and providing for the use thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—66.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 24

At 10.55 a.m., on motion of Mr. Fleury, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 24 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—64.
NOES—None.

Assembly Constitutional Amendment No. 24 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 431

At 11 a m., on motion of Mr. Brown, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 431 by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62

NOES—None.

Assembly Bill No. 431 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3110—An act to amend Sections 2011, 2016, 2020, 2160, 2163, 2180, and 3084 of the Welfare and Institutions Code, to repeal Sections 2181, 2224, and 3025 thereof, and to add Sections 2020.01, 3025, 3053, and 3084.01 thereto, relating to security for persons specially in need thereof, including security for the aged, security for the blind, and security for totally and permanently physically disabled persons, and making an appropriation.

Bill read third time.

Point of Order

Mr. Rosenthal arose to the following point of order: That Mr. Levering is not speaking to the subject.

Ruling by Speaker

Speaker Sam L Collins ruled the point of order well taken.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Rosenthal is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the passage of Assembly Bill No. 3110

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way, and Weber—46.

NOES—Babbage, Burke, Collier, Conrad, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lipscomb, Lowrey, McCarthy, Sherwin, Silliman, Smith, Stewart, and Tomlinson—17.

Bill ordered transmitted to the Senate.

Explanation of Vote

When Assembly Bill No 3110 (Rosenthal) was voted upon, I was appearing before a Senate committee, and, therefore, was unable to cast a vote in favor of the bill. I am very much in favor of security for the aged, blind, and disabled citizens

SAM YORTY

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1131

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1131, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1131

Senate Bill No. 1131—An act to amend Sections 26472, 26541, 26542, and 26586 of the Health and Safety Code, and to add Sections 26606 and 26625 to said code, relating to the California Pure Food Act and its administration.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 7, of the printed bill, after "beer", insert "and wine".

Amendment No. 2

On page 3, line 7, of the printed bill, strike out "is", and insert "are".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1132

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1132, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1132

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Assembly on May 20, 1949, insert

"28313."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 869

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 869, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 869

Senate Bill No. 869—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior

courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "two", and insert "three".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1590, on motion of Mr. Babbage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1519

Mr. Hahn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1519, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1519

Assembly Bill No. 1519—An act to add Section 502.5 to the Vehicle Code, relating to driving a vehicle while under the influence of liquor.

Bill read third time.

Request for Unanimous Consent to Take Up Amendments to Assembly Bill No. 1519 Out of Order

Mr. Hahn asked for, and was granted, unanimous consent that he be permitted to take up his amendments to Assembly Bill No. 1519, out of order, and that they be considered prior to other amendments to said bill, now being held at the desk.

Motion to Amend

Mr. Hahn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 20, 1949, strike out "0.15", and insert "0.20".

Amendment No. 2

On page 1 of said bill, between lines 22 and 23, insert

"3. If there is at that time 0.20 percent or more by weight of alcohol in the defendant's blood, it shall be presumed that the defendant was under the influence of intoxicating liquor;".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3106, on request of Mr. Maloney.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 632

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 632, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 632

Senate Bill No. 632—An act to amend Sections 20126, 20362, 20894.5, 21028, 21251.1, 21253, 21452, and 21453 of the Government Code and to add Section 20337 to Article 2 of Chapter 3 and Section 21371 to Article 5 of Chapter 9 of Part 3 of Division 5 of Title 2 thereof, all relating to the State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 27, of the printed bill, strike out "section", and insert "part".

Amendment No. 2

On page 3, line 20, of the printed bill, after the period, insert "Time during which the person was under retirement shall not be included in calculating the length of the break."

Amendment No. 3

On page 7, line 6, of the printed bill, strike out "state fund", and insert "State Fund".

Amendment No. 4

On page 7, line 7, of the printed bill, strike out "by whichever is con-"; and in line 8, strike out "tracted,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 62

Mr. Clarke asked for unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 62, out of order, at this time.

Mr. Dunn withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2084

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2084, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2084

Assembly Bill No. 2084—An act to amend Section 1048 of the Penal Code, relating to priority of trial of cases when a minor is detained as a material witness.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

Strike out lines 2 and 3 of the title of the printed bill, and insert "the order of trial of criminal prosecutions."

Amendment No. 2

On page 1, line 14, of said bill, after "witness", insert ", or wherein the minor is the victim of the alleged offense,".

Amendment No. 3

On page 1, line 15, of said bill, after the period, insert "In such actions continuations shall be granted by the court only after a hearing and determination of the necessity thereof, and in any event, the trial shall be commenced within thirty days after arraignment, unless for good cause the court shall direct the action to be continued, after a hearing and determination of the necessity of such continuance."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Stewart asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1682

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 118
Assembly Bill No. 2110

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2167
Assembly Bill No. 121

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1079
Assembly Bill No 2512

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 240
Senate Bill No. 446
Senate Bill No. 706
Senate Bill No 1261
Senate Bill No. 1262

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 947
Assembly Bill No 1560
Assembly Bill No 2469

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 468
Senate Bill No. 966

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 791

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 325
Senate Bill No 347
Senate Bill No. 461
Senate Bill No. 717
Senate Bill No 960

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No. 590
Assembly Bill No. 1291
Assembly Bill No. 1589

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1559

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 3159

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 220

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2082

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 221

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 477

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Senate Bill No. 69
Senate Bill No. 126
Senate Bill No. 159
Senate Bill No. 393

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 875

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 1276

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1002
Assembly Bill No. 1412
Assembly Bill No. 1639
Assembly Bill No. 1972

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 1136

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, May 31, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:
Assembly Bill No. 3157

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2499

Mr. Lipscomb asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2499, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2499

Assembly Bill No. 2499—An act to amend Sections 13216, 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13377, 13390, 13392, 13397.1, and 13450 of; to amend the title of Article 3 of, to amend and renumber the title of Article 5 of, and to add a new Article 5 to, Chapter 2 of Part 2 of Division 12 of; and to add Sections 13203.1 and 13204.1 to the Health and Safety Code, relating to dry cleaners.

Bill read third time.

Motion to Amend

Mr Lipscomb moved the adoption of the following amendments:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 26, 1949, strike out lines 29 to 43, inclusive, and insert

"SEC. 16. Section 13203.1 is added to said code, to read .".

Amendment No. 2

On page 4, line 48, of said bill, after "Centigrade", insert "or".

Amendment No. 3

On page 4, line 50, of said bill, after "Centigrade", insert "or".

Amendment No. 4

On page 5, line 1, of said bill, after "Centigrade", insert "or"

Amendment No. 5

On page 5, line 8, of said bill, strike out "18", and insert "17".

Amendment No. 6

On page 5, line 16, of said bill, strike out "19", and insert "18".

Amendment No. 7

On page 10, line 46, of said bill, strike out "19.5", and insert "19".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McCarthy:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 14311 of the Government Code, relating to contracts for public works.

Respectfully submitted,

ROBERT I. McCARTHY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McCarthy:

An act to amend Section 14311 of the Government Code, relating to contracts for public works.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3163: By Mr. McCarthy—An act to amend Section 14311 of the Government Code, relating to contracts for public works.

Referred to Committee on Governmental Efficiency and Economy.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Conrad:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 7 to Part 3, Division 3, Title 2 of the Government Code, relating to the State Department of Finance, providing for the establishment of a Bureau of Traffic Management, and specifying its powers and duties.

Respectfully submitted,

CHARLES J. CONRAD

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Conrad:

An act to add Chapter 7 to Part 3, Division 3, Title 2 of the Government Code, relating to the State Department of Finance, providing for the establishment of a Bureau of Traffic Management, and specifying its powers and duties.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bills were introduced, and read the first time:

Assembly Bill No. 3164: By Mr. Conrad—An act to add Chapter 7 to Part 3, Division 3, Title 2 of the Government Code, relating to the State Department of Finance, providing for the establishment of a Bureau of Traffic Management, and specifying its powers and duties.

Referred to Committee on Governmental Efficiency and Economy.

Assembly Joint Resolution No. 42: By Mr. Morris—Relative to requesting the Congress of the United States to enact legislation concerning the burning qualities of cigarettes.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 279—An act to amend Section 736b of the Political Code, relating to the salaries of superior court judges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—55.

NOES—George D. Collins, Geddes, Heisinger, and Mr. Speaker—4.

Notice of Motion to Reconsider Assembly Bill No. 279

Mr. Hinckley gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 279 was this day passed.

ANNOUNCEMENTS

Mr. Clarke gave a brief verbal report on the trip he and Senator Weybret took to the Hawaiian Islands to investigate the Oriental fruit fly and to study its destructive effects on Island plant life. He announced that on Wednesday, June 8th at 2 p.m., in the Assembly Chamber a Joint Senate and Assembly meeting will be held for the purpose of permitting him and Senator Weybret to present a motion picture report. Colored slides will also be shown to illustrate how the Oriental fruit fly affects different fruits and vegetables. A mimeographed report has been placed on the desk of each member, and a more comprehensive report relative to this trip will soon be printed in book form and distributed.

RECESS

At 11.40 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBER EXCUSED

At 1.31 p.m., Mr. Dolwig asked for, and was granted, unanimous consent that Mr. Cooke be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2740—An act to add Chapter 4 to Part 6 of Division 12 of the Water Code, relating to improvement districts in county water districts.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lindsay moved a call of the Assembly.

Motion carried. Time, 1.35 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Collier, George D. Collins, Connolly, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Gaffney, Grant, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Kilpatrick, Lewis, Lipscomb, Lowrey, McMillan, Meyers, Morris, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Waters, Way, and Weber—40.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1324—An act to amend Section 1706.9 of the Insurance Code, relating to life insurance agents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Conrad, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Moss, Niehouse, Sherwin, Silliman, Stewart, Thomas, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—44.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 1.37 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2296—An act to add Section 7.6 to the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Crichton, Crowley, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay,

Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2547—An act to repeal Section 11556.5 of the Insurance Code and to amend Section 11699 of the Insurance Code, relating to workmen's compensation insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Crichton, Crowley, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 1.40 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1641—An act to amend Section 1425 of the Penal Code, relating to jurisdiction of justices' courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Crichton, Crowley, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—57.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 85—Relative to approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the third day of May, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Crichton, Crowley, Doyle, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 198

By Mr. Thompson:

House Resolution No. 198

Relating to a study of the feasibility and means for transporting water from San Francisco to Santa Clara County

WHEREAS, The City and County of San Francisco is in the process of providing adequate means for the disposal of the city's sewage through the construction of sewage disposal plants; and

WHEREAS, These sewage disposal plants will provide between eighty and one hundred thousand acre feet of purified water annually; and

WHEREAS, An exhaustive study conducted by the Assembly Interim Committee on Water Pollution reveals that purified sewage water is suitable for use for irrigation purposes; and

WHEREAS, Santa Clara County is in desperate need of water; and

WHEREAS, Means must be provided for the conveyance of the water from San Francisco to Santa Clara County in order that an arrangement may be made by Santa Clara County and the City and County of San Francisco for the use of this water in Santa Clara County; now, therefore, be it

Resolved by the Assembly of the State of California, That the Division of Water Resources, Department of Public Works, and the Assembly Interim Committee on Water Pollution are requested to make a study of the feasibility, economic and otherwise, and means of conveying water from the San Francisco sewage disposal plants to Santa Clara County and the distribution and utilization of such water in that county; and be it further

Resolved, That the Division of Water Resources is requested to submit a preliminary report on its study to the Assembly not later than June 15, 1949, and submit a final report thereon to the Assembly not later than February 28, 1950; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Director of Public Works and the State Engineer and a copy to the Chairman of the Assembly Interim Committee on Water Pollution.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 202

By Messrs. Way, Geddes, Doyle, Condon, and McCollister:

House Resolution No. 202

Relating to a survey by the Department of Public Works relative to establishing the grade and course of a highway from Hale's Grove at Westport to a point near the Four Corners at the south boundary of Humboldt County and north boundary of Mendocino County

WHEREAS, An access road is necessary between Hale's Grove at Westport and a point near the Four Corners at the south boundary of Humboldt County and north boundary of Mendocino County, to join with the present county road built by the County of Humboldt; and

WHEREAS, The distance of such road would be about seventeen miles, and such road would all be on Route 56, and

WHEREAS, It is desirous that the State conduct the survey and establish the grade and course and prescribe the specifications for the construction of this road, and

WHEREAS, Such a survey would be advantageous to the State, since when the State ultimately takes over the road it can be done at a minimum of cost to the State, the road having been properly constructed to approved grade and along the right course; and

WHEREAS, The funds for the construction of this road to grade are available from other than state sources; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works be directed to conduct a survey of the road from Hale's Grove at Westport to a point near the Four Corners at the south boundary of Humboldt County and

north boundary of Mendocino County, to join with the present county road built by the County of Humboldt; and be it further

Resolved, That the Department of Public Works be requested to report to the Assembly, within ten days of receipt of a copy of this resolution, stating what the department undertakes and plans to do regarding this matter; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the Director of Public Works and to the State Highway Engineer.

Resolution read.

Motion to Amend

Mr. Way moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed measure, as printed in the Assembly Journal for May 19, 1949, at pages 3402 and 3403, after "a", insert "preliminary".

Amendment No. 2

Strike out lines 2 to 4, inclusive, of the title, and insert "grade and course of a highway from a point on the county line between Humboldt and Mendocino Counties south of Thorn known as the Four Corners and running approximately in a southeasterly direction to a point on the Rockport-Leggett Valley Road".

Amendment No. 3

In line 1 of the first paragraph, strike out "Hale's Grove at Westport and".

Amendment No. 4

In line 2 of the first paragraph, after "Corners", insert "south of Thorn".

Amendment No. 5

In line 4 of the first paragraph, after "Humboldt", insert "at a point approximately southeasterly thereof on the Rockport-Leggett Valley Road".

Amendment No. 6

In line 1 of the third paragraph, after "conduct the", insert "preliminary".

Amendment No. 7

In line 2 of the third paragraph, strike out "and prescribe the specifications".

Amendment No. 8

Strike out the sixth paragraph, and insert

"*Resolved by the Assembly of the State of California*, That the Department of Public Works be directed to conduct a preliminary survey of the road from a point near the Four Corners at the south boundary of Humboldt County and north boundary of Mendocino County, south of Thorn, to a point approximately southeasterly thereof on the Rockport-Leggett Valley Road, to join with the present county road built by the County of Humboldt; and be it further".

Amendment No. 9

In line 2 of the seventh paragraph, strike out "what" and insert "that".

Amendment No. 10

Strike out line 3 of the seventh paragraph, and insert "department will undertake the survey and report the results thereof to the Legislature within fifteen days after the opening of the 1950 Budget Session; and be it further".

Amendment No. 11

Between the seventh and eighth paragraphs, insert

"*Resolved*, That if Assembly Bill No. 1477 is enacted at this session of the Legislature, the department is directed to do whatever else is necessary to establish the grade and course and prescribe the specifications for the construction of the road; and be it further".

Amendments read, and adopted.

Consideration of House Resolution No. 202, as Amended

By Messrs. Way, Geddes, Doyle, Condon, and McCollister:

House Resolution No. 202

Relating to a preliminary survey by the Department of Public Works relative to establishing the grade and course of a highway from a point on the county line between Humboldt and Mendocino Counties south of Thorn known as Four

Corners and running approximately in a southeasterly direction to a point on the Rockport-Leggett Valley Road

WHEREAS, An access road is necessary between a point near the Four Corners south of Thorn at the south boundary of Humboldt County and north boundary of Mendocino County, to join with the present county road built by the County of Humboldt at a point approximately southeasterly thereof on the Rockport-Leggett Valley Road; and

WHEREAS, The distance of such road would be about seventeen miles, and such road would be all on Route 56; and

WHEREAS, It is desirous that the State conduct the preliminary survey and establish the grade and course for the construction of this road; and

WHEREAS, Such a survey would be advantageous to the State, since when the State ultimately takes over the road it can be done at a minimum of cost to the State, the road having been properly constructed to approved grade and along the right course; and

WHEREAS, The funds for the construction of this road to grade are available from other than state sources; now, therefore, be it

Resolved by the Assembly of the State of California, That the Department of Public Works be directed to conduct a preliminary survey of the road from a point near the Four Corners at the south boundary of Humboldt County and north boundary of Mendocino County, south of Thorn, to a point approximately southeasterly thereof on the Rockport-Leggett Valley Road, to join with the present county road built by the County of Humboldt; and be it further

Resolved, That the Department of Public Works be requested to report to the Assembly, within ten days of receipt of a copy of this resolution, stating that the department will undertake the survey and report the results thereof to the Legislature within fifteen days after the opening of the 1950 Budget Session; and be it further

Resolved, That if Assembly Bill No. 1477 is enacted at this session of the Legislature, the department is directed to do whatever else is necessary to establish the grade and course and prescribe the specifications for construction of the road; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the Director of Public Works and to the State Highway Engineer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 91

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 91, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 91

Assembly Bill No. 91—An act to add Sections 801.1, 801.2, 801.3, 801.4, 801.5, 801.6, 801.7, 801.8, 801.9, 801.10, 801.11, 801.12, 801.13, 801.14, and 801.15 to the Code of Civil Procedure, relating to the determination of interests in and liens on real property and for the partition and sale thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy,

McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 669—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—60.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 172

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 172, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 172

Assembly Bill No. 172—An act to amend Section 3208 of the Labor Code, dealing with workmen's compensation.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 56

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 56, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 56

Assembly Bill No. 56—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 57

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 57, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 57

Assembly Bill No. 57—An act to amend Section 103 of the Code of Civil Procedure, relating to compensation of justices of the peace

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1935

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1935, out of order, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1935

Assembly Bill No. 1935—An act to add Section 481 5 to the Fish and Game Code, relating to pollution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Collier, George D Collins, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 847—An act to amend Section 4753 of the Labor Code, relating to subsequent injuries payments under the Workmen's Compensation Act.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse,

Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 744

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 744, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 744

Assembly Bill No. 744—An act to add Section 6.7 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2171

Mr. Burkhalter asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2171, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2171

Assembly Bill No. 2171—An act to amend Section 454.2 of the Motor Vehicle Act, relating to vehicles owned by physicians or doctor of chiropractic.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Niehouse, Thomas, Waters, Way, Weber, Yorty, and Mr. Speaker—46.
NOES—Babbage, Butters, Caldecott, Collier, Kirkwood, Levering, McCarthy, Sherwin, Silliman, Smith, and Tomlinson—11.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 896—An act to repeal Section 90 of the Unemployment Insurance Act and to add Section 90 to the Unemployment Insurance Act, dealing with unemployment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 509

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 509, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 509

Senate Bill No. 509—An act to add Sections 1.1, 1.2, and 1.3 to the Orange County Water District Act, relating to the exclusion of certain areas from the district.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

In line 8 of the title of the printed bill, as amended in the Assembly on May 31, 1949, after "therein", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 21, line 1, of said bill, strike out "emergency", and insert "urgency".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 172

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 172, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 172

Assembly Bill No. 172—An act to amend Section 3208 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—Sherwin—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3147—An act to add Section 683.1 to the Civil Code, relating to the creation of joint tenancy or other ownership in contents of safe-deposit boxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3.of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Sillman, Smith, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2007—An act to amend Sections 8200, 8201, 8203.1, 8207, 8209, 8212, and 8213 of the Government Code and Section 1183.5 of the Civil Code, relating to notaries public.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 3, line 14, of the printed bill, as amended in the Assembly on May 5, 1949, after "rank", insert a comma.

Amendment No. 2

On page 3, line 43, of said bill, strike out "SEC. 2 ", and insert "SEC. 9."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1243—An act to add Article 7 to Chapter 2 of Division 20 of the Health and Safety Code, relating to air pollution control districts and the officers thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2331—An act to amend Section 12333 of the Probate Code, relating to rules of pleading and practice in judicial proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 599

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 599, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 599

Assembly Bill No. 599—An act to amend Section 1258 of the Civil Code, relating to compensation of appraisers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2127

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2127, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2127

Assembly Bill No. 2127—An act to add Section 73f to the Code of Civil Procedure, relating to the holding of sessions of the superior court in places other than the county seat.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2185

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2185, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2185

Assembly Bill No. 2185—An act to amend Sections 1, 2, and 3 of, and to add Section 3½ to, the Highway Carriers' Act, relating to petroleum carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Weber, and Mr. Speaker—53.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2186

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2186, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2186

Assembly Bill No. 2186—An act to amend Sections 2¾ and 50¾ of the Public Utilities Act, relating to petroleum carriers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Weber, and Mr. Speaker—52.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

EXPLANATION OF VOTES ON ASSEMBLY BILLS NOS. 2185 AND 2186

When Assembly Bills Nos. 2185 and 2186 were presented on the floor of the Assembly I was in conference, and my vote on each of such bills was erroneously recorded as "Aye", whereas in fact I desired to vote "Nay" on each of such bills.

HARLAN HAGEN

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1958—An act to amend Sections 1156 and 1157 of the Fish and Game Code, relating to closure of hunting areas.

Bill read third time.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Lowrey has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the passage of Assembly Bill No. 1958.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1959—An act to amend Sections 495 and 496 of the Fish and Game Code, relating to closure of fishing waters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1345—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1346—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 1346 Be Withdrawn From File, and Be Re-referred

Mr. Morris asked for, and was granted, unanimous consent that Assembly Bill No. 1346 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Assembly Bill No. 259—An act to amend Sections 32125 and 32126 of the Health and Safety Code, relating to hospital districts.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after the comma, insert "and to add Section 32128 to said code, all".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27; and on page 2, strike out lines 1 to 11, and insert

"SECTION 1. Section 32125 of the Health and Safety Code is hereby amended to read:

32125. The board of directors *shall be responsible for the operation of all hospitals owned or leased by the district, according to the best interests of the public health and shall* [may] make and enforce all rules, regulations and by-laws necessary for the administration, government, protection and maintenance of hospitals under their management and all property belonging thereto and may prescribe the terms upon which patients may be admitted thereto In fixing the rates the board shall, insofar as possible establish such rates as will permit the hospital to be operated upon a self-supporting basis The board may establish different rates for residents of the district than for persons who do not reside within the district. *Minimum standards of operation as prescribed in this article shall be established and enforced by the board of directors.*

SEC. 2. Section 32126 of said Code is amended to read:

32126. The board of directors may provide for the operation and maintenance through tenants of the whole or any part of any hospital acquired or constructed by it pursuant to this division, and for such purpose may enter into any lease agreement which it believes will best serve the interest of the district; *provided that any such lease entered into for the operation of any hospital shall require the tenant or lessee to conform to and abide by each and all of the provisions of Section 32128 of this article* No such lease shall run for a term in excess of ten (10) years.

SEC. 3. Section 32128 is added to the said code to read:

32128. The rules of the hospital, established by the board of directors pursuant to this article, shall include: 1. Provision for the organization of physicians and surgeons who are permitted to practice in the hospital into a formal medical staff, with appropriate officers and by-laws and with staff appointments on an annual basis; 2. Provision that membership on the medical staff shall be restricted to physicians and surgeons competent in their respective fields, worthy in character and in professional ethics, and in this latter connection the practice of division of fees under any guise whatsoever shall be prohibited and any such division of fees shall be cause for exclusion from the staff; 3 Provision that the medical staff shall be self-governing with respect to the professional work performed in the hospital; that the medical staff shall meet at least once in each month and review and analyze at regular intervals their clinical experience; and that the medical records of the patients shall be the basis for such review and analysis; 4 Provision that accurate and complete medical records be prepared and maintained for all patients (medical records to include identification data, personal and family history, history of present illness, physical examination, special examinations, professional or working diagnoses, treatment, gross and microscopic pathological findings, progress notes, final diagnosis, condition on discharge, and such other matters as the medical staff shall determine); and, 5 Such limitations with respect to the practice of medicine and surgery in the hospital as the board

of directors may find to be in the best interests of the public health and welfare; provided that no duly licensed physician and surgeon shall be excluded from staff membership solely because he be licensed by one or the other of the boards mentioned in Section 2005 of the Business and Professions Code.

Said rules of the hospital shall, insofar as consistent herewith, be in accord with and contain minimum standards not less than the rules and standards of private or voluntary hospitals operating within the district."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 259, on motion of Mr. Dunn.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1315—An act to amend Section 32121 of the Health and Safety Code, relating to the powers of local hospital districts, and authorizing the employment of legal counsel and other assistance by such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 169

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 169, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 169

Assembly Bill No. 169—An act to amend Section 4553 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 861

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 861, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 861

Assembly Bill No. 861—An act to add Section 5711 to the Labor Code, relating to proof of pneumonoconiosis.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 23, 1949, after "upon a", insert "disabling form of".

Amendment No. 2

On page 1, line 5, of said bill, after "caused the", insert "disabling".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2362—An act to amend Section 32125 of the Health and Safety Code, and to add Section 32128 to said code, both relating to standards of hospitals operated by local hospital districts.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 32125", and insert "Sections 32125 and 32126"; and in lines 3 and 4 of the title, strike out "both relating to standards of hospitals operated by local", and insert "all relating to".

Amendment No. 2

On page 1 of said bill, between lines 16 and 17, insert

"SEC. 2. Section 32126 of said code is amended to read:

32126. The board of directors may provide for the operation and maintenance through tenants of the whole or any part of any hospital acquired or constructed by it pursuant to this division, and for such purpose may enter into any lease agreement which it believes will best serve the interest of the district; *provided that any such lease entered into for the operation of any hospital shall require the tenant or lessee to conform to and abide by each and all of the provisions of Section 32128 of this article*. No such lease shall run for a term in excess of ten (10) years."

Amendment No. 3

On page 1, line 17, of said bill, after "SEC.", strike out "2", and insert "3".

Amendment No. 4

On page 2, line 19, of said bill, after "fare", and before the period, insert "; provided that no duly licensed physician and surgeon shall be excluded from staff membership solely because he be licensed by one or the other of the boards mentioned in Section 2005 of the Business and Professions Code".

Amendment No. 5

On page 2, line 20, of said bill, strike out "possible", and insert "consistent herewith".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2738—An act to amend Section 1239 of the Code of Civil Procedure, relating to the taking of property for public use.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 283—An act to amend Sections 1476 and 1505 of the Penal Code, relating to habeas corpus proceedings and bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Thomas, Thompson, Tomlinson, Way, and Yorty—60.

NOES—Smith—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 291—An act to add Section 1275.1 to the Penal Code, relating to fixing the amount of bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1556—An act to amend Section 2470 of the Civil Code and to add Section 2469.1 thereto, relating to use of fictitious names.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 879—An act to repeal Section 1071 of and to add a new Section 1071 to the Fish and Game Code, relating to mixed fish, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—54.

NOES—Hagen—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—54.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 444—An act to add Section 7.3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—Anderson and Elliott—2.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1577, on motion of Mr. Clarke.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2417—An act to amend Sections 102 and 104 of the Health and Safety Code, relating to the State Board of Public Health.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Hawkins, Heisinger, Hollibaugh, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris,

Moss, Rumford, Sherwin, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—43.

NOES—Connolly, Fleury, Hagen, Hoffman, Huyck, Lindsay, Lipscomb, Niehouse, Smith, Thompson, and Waters—11.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent to Change Vote on Roll Call on Assembly Bill No. 2417

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to change his vote on the roll call on Assembly Bill No. 2417 from "Aye" to "No," and that he be recorded as voting "No."

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 39 HOLD PLACE ON FILE

Mr. Butters asked for unanimous consent that Assembly Bill No. 39 be passed on file, and hold its place on file on the next legislative day.

Mr. Dunn withheld unanimous consent.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 410

Mr. Way asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 410, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 410

Senate Bill No. 410—An act to amend Section 737*l* of the Political Code, relating to the salary of Superior Judges in and for the County of Humboldt.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1938, on motion of Mr. Evans.

CONSIDERATION OF HOUSE RESOLUTION NO. 211

By Mr. Geddes:

House Resolution No. 211

Requesting information from the Insurance Commissioner of the State of California

WHEREAS, There is now before the Assembly legislation designed to protect the insuring public against the evils of the issuance and sale of policies of doubtful value, particularly in the field of accident and disability insurance; and

WHEREAS, In discussion of the legislation proponents used illustrations which may have overstated the case; and

WHEREAS, It is necessary that a number of policies now approved and legal in California should be reviewed and analyzed in order to determine not only the desirability of the legislation but also the possible or probable economic effect on the insurance industry; and

WHEREAS, The Insurance Commissioner in sponsoring such legislation has indicated his wide knowledge of the deficiencies of the policies sought to be corrected and

suitable criteria to govern the minimum standards to be adopted in future for disability and/or health or accident policies; and

WHEREAS, The Insurance Commissioner is in a position to secure and present for review by a committee of this Assembly sample policies representative of both the good and the bad; now, therefore, be it

Resolved by the Assembly of the State of California, That the Insurance Commissioner of this State be requested to furnish at his earliest convenience to the Chairman of the Standing Committee on Finance and Insurance of this Assembly representative sample policies issued both by California and foreign insurers together with an analysis of the sample cross section of such policies together with a statement of the amount at which such policies are sold in California; and be it further

Resolved, That the Chief Clerk of the Assembly be, and he hereby is, directed to send a copy of this resolution to the Insurance Commissioner of California.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1325 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Way asked for, and was granted, unanimous consent that Assembly Bill No. 1325 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE

Mr. George D. Collins asked for unanimous consent that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, for purpose of amendment, at this time, and that the bill be re-referred to the Committee on Governmental Efficiency and Economy.

Mr. Collier withheld unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 965—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4224, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read third time.

Motion That Assembly Bill No. 965 Be Withdrawn From File, and Be Re-referred

Mr. Kirkwood moved that Assembly Bill No. 965 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Mr. Silliman seconded the motion.

Motion Withdrawn

Mr. Silliman withdrew his second.

Mr. Kirkwood withdrew his motion.

The question being on the passage of Assembly Bill No. 965.

Motion That Assembly Bill No. 965 Be Withdrawn From File, and Be Re-referred

Mr. Waters moved that Assembly Bill No. 965 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Mr. Kirkwood seconded the motion.

Demand for Previous Question

Messrs. Conrad, Silliman, Heisinger, Grant, and Evans, demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Waters that Assembly Bill No. 965 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Conrad, Erwin, Grant, Grunsky, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lipscomb, Maloney, McCollister, Sherwin, Silliman, Smith, Stewart, Thompson, Waters, and Mr. Speaker—25.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Crichton, Crowley, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Hollibaugh, Lewis, Lowrey, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way, and Yorty—35.

The question being on the passage of Assembly Bill No. 965.

Motion to Amend

Mr. Lewis moved the adoption of the following amendment:

Amendment No. 1

On page 15 of the printed bill, after line 9, insert

"4225. The operation of this chapter shall be contingent upon the provision of an appropriation by the State Legislature for such operation".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2361—An act to amend Sections 669, 791, 808, and 843 of the Fish and Game Code, and to add Section 651.5 thereto, relating to nets and fishing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1095 FROM COMMITTEE

Mrs. Niehouse gave notice that on the second legislative day she would move to withdraw Assembly Bill No. 1095 from the Committee on Ways and Means, and have it placed upon the file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1681

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1681 ordered re-referred to Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1114
Assembly Bill No. 1417
Assembly Bill No. 1590
Assembly Bill No. 2909
Assembly Bill No. 3146

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1948—An act to amend Sections 2210, 2211, 2213, and 2216 of the Business and Professions Code, relating to application for physician's and surgeon's certificate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Silliman, Smith, Stewart, Tomlinson, Way, Yorty, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2762—An act to amend Sections 11001, 11104, 11166, 11166.05, 11166.11, 11166.12, 11170, 11200, 11331.5, 11391, 11392, 11393, 11530, 11555, 11556, 11611, 11715, 11715.7, 11721, and 11780 of, and to add Sections 11002.1, 11002.2, 11163.5, 11166.02, 11166.13, 11166.14, 11170.5, and 11390.5 to the Health and Safety Code, relating to the sale, possession, transportation, distribution, and use of habit-forming narcotics and other dangerous drugs and providing penalties for the violation thereof, and to the Division of Narcotic Enforcement, Department of Justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stewart, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2829—An act to amend Sections 2891, 2892, 2893, 2894, and 2895 of the Education Code, relating to the annexation of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Sillman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1378—An act to amend Sections 144 and 144.2 of the Education Code, relating to the salaries of deputy and associate superintendents of public instruction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Sherwin, Sillman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1606—An act to add Section 13099.4 to the Education Code, relating to classification of certificated employees in summer schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Sillman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2316—An act to amend Sections 1990 and 2071 of the Harbors and Navigation Code, relating to powers and duties of the Board of State Harbor Commissioners for San Francisco Harbor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Sil-

liman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 834

Mr. Huyck asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 834, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 834

Assembly Bill No. 834—An act to amend Sections 4011.5 and 4011.6 of, and to add Section 4010.5 to, the Health and Safety Code, relating to water and water supply systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Concurrent Resolution No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns:

Assembly Bill No. 885

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 232
Assembly Bill No. 467
Assembly Bill No. 554
Assembly Bill No. 678
Assembly Bill No. 688
Assembly Bill No. 820
Assembly Bill No. 978
Assembly Bill No. 979
Assembly Bill No. 980
Assembly Bill No. 981
Assembly Bill No. 1011
Assembly Bill No. 1633
Assembly Bill No. 1679
Assembly Bill No. 2302
Assembly Bill No. 2303
Assembly Bill No. 2305
Assembly Bill No. 2306
Assembly Bill No. 2612

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 2020

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 628	Assembly Bill No. 2107
Assembly Bill No. 630	Assembly Bill No. 2109
Assembly Bill No 643	Assembly Bill No. 2195
Assembly Bill No 699	Assembly Bill No. 2308
Assembly Bill No. 1132	Assembly Bill No. 2480
Assembly Bill No. 1379	Assembly Bill No. 2555
Assembly Bill No. 2106	Assembly Bill No. 3032

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 67
Senate Joint Resolution No. 30

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 67—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the second day of November, 1948.

Referred to Committee on Rules.

Senate Joint Resolution No. 30—Relative to the Spanish-Mexican Land Grant Papers.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Weber asked for, and was granted, unanimous consent that the Committee on Conservation, Planning, and Public Works be permitted to use the north side of the Assembly Chamber tonight, at 8 p.m., for the purpose of holding a meeting.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2740

At 5.03 p.m., on motion of Mr. Lindsay, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2740 passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis,

Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Constitutional Amendment No. 44, on request of Mr. Hagen.

ANNOUNCEMENTS

Mr. Erwin announced that the last time Assembly bills may be considered in the Committee on Fish and Game will be next Tuesday, June 7th.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 93: By Messrs. Thompson, Lindsay, Lewis, and Hagen—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 94: By Messrs. Lewis, Hagen, Heisinger, and Crichton—Relative to the creation of the Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Referred to Committee on Rules.

RESOLUTIONS

The following resolution was offered:

By Mr. Morris:

House Resolution No. 224

Relating to public transportation facilities in highway construction

WHEREAS, The 1946 Report on "Engineering Facts" to the California Legislature following extensive investigation and public hearings by the "Joint Fact-Finding Committee On Highways, Streets and Bridges" (Collier Committee) recommended a network of freeways or expressways; and

WHEREAS, Said report recommended that design should take into consideration all elements of use including provision for mass transportation where necessary, off-street parking facilities and terminals for transit systems, and stated that modern urban freeway design incorporates separate lanes for bus loading and off-street bus terminals; and

WHEREAS, Said report stated "In the proposed State Expressway System design standards must be high enough to accommodate all types of vehicles that will constitute the traffic over the system * * *. It is essential that bus routes be determined before expressways are designed, because special provision must be made for the safety of bus passengers and the general traffic, with facilities for loading and unloading passengers outside the traffic lanes.", and stated that "Bus lines operating over expressways properly designed to handle such traffic will add materially to the State's highway transportation facilities and serve large numbers of people who rely on mass transportation."; and

WHEREAS, Increased highway user taxes have been imposed to construct expressways or freeways for the purposes of relief of traffic congestion and more rapid travel; and

WHEREAS, There is an ever increasing need for more rapid travel by public transit vehicles as well as by private automobile; and

WHEREAS, Present patrons of motor coach operations are contributing to the construction cost of freeways through the increased highway user and fuel taxes imposed for that purpose; and

WHEREAS, Many more persons would undoubtedly use this means of travel if adequate facilities for the handling of passengers by bus were included in freeways or expressways with resulting benefit to the public at large through reduced traffic congestion because of the far greater carrying capacity of the bus as compared to the private vehicle; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Division of Highways be requested to give diligent attention to the incorporation in the design and construction of such expressways and freeways of those features which will insure to the public at large the fullest possible advantages from freeways by mass transit as well as by private vehicle, all in keeping with the above mentioned engineering recommendations; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to transmit a copy of this resolution to the State Highway Engineer.

Resolution read, and ordered referred to the Committee on Rules.

MEMBER EXCUSED

At 5.09 p.m., Mr. Levering asked for, and was granted, unanimous consent that Mr. Reagan be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight, At 8 p.m.—

Constitutional Amendments, in Room 430.

Education, in Room 432.

Governmental Efficiency and Economy, in Room 435.

Municipal and County Government, in Room 436.

Manufacturing, Oil, and Mining Industry, in Room 426.

Public Utilities and Corporations, in Room 320.

Conservation, Planning, and Public Works, on north side of Assembly Chamber.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Hetty Winkler and Mrs. Waneta Bundorf of Los Angeles.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Captain and Mrs. George Sidon of San Francisco.

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Jack Powell of Lynwood.

On request of Mr. Lipscomb and the Los Angeles Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Arnold Eddy of Los Angeles.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Sam Price, teacher of the Modesto High School; Mrs. Price, guest; and the following pupils: Jack Warner, Ed Smith, Henry Solario, Jim Bonninger, Neil Jacobson, Ed Newton, Leo Peterson, and Ace Still.

On request of Mr. Tomlinson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Ralph J. Witasek of Santa Barbara.

On request of Messrs. Fleury and Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Lena Everett, teacher of Stanford Junior High School of Sacramento, and the following pupils: Patricia Bahr, Maryella Bancroft, Jacquelyn Barnes, Phyllis, Carder, Beverly Edwards, Ellen Fisher, Karla Bohac, Darlen Kennedy, Janice Kerr, Dorothy Halton, Darlene Joseph, Barbara Lemon, Beverly Lower, Barbara Martin, Janis Menten, Sharon McClung, Geraldine Miller, Jean Raymond, Betty Robertson, Rosemary Schiro, Louise Schuber, Sharon Specht, Juanita Thomas, Suzanne Willer, Janet Woodruff, Barbara Zwack, Ethel Wood, Levera Edwards, Jeannette Struckert, Elaine Rehr, and Wilma Holliday.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to F. C. Joyce, teacher of the Jackson Union School; Mesdames A. Pierovich, Corrine Huberty, Lagarmasino, M. Sausmann, and Pietts, parents; and the following pupils: Earl Dalton, Esther Valenguela, Elaine Smith, Sheila Kosich, Allan Oats, Michael Chulick, Caraleta Gesdahl, Mary Ann Huberty, Richard Bailey, Robert Hollcraft, Adeline Parra, Jack Thomas, Charlotte Lagomasino, Esther Hill, Wayne Weber, Betty Odem, Vallearn Carr, Jimmy Jackson, Buddy Roots, Betty Cranfill, Patricia Coalwell, Julius Matteucci, Beverly Tortorich, Bertha Frost, Georgeana Lenhardt, Henrietta Jaurequi, Lenora Owens, Beverly Harvey, James Cova, Fred Mange, Lloyda Pierovich, Joan Hamrick, Susanne Lane, Eugene Aragona, Katherine Bloyed, Eugene Pritts, Donna Daleuski, Elmer Clawson, and Larry Casazza.

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to W. L. Woods of Tehachapi.

ADJOURNMENT

At 5.10 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m. Thursday, June 2, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SECOND LEGISLATIVE DAY

ONE HUNDRED FIFTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, June 2, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal God: May we pause in this grave hour, when the atomic bomb has changed the course of history and made the main issue of the world that of survival.

May we never forget that, in the hands of the ruthless, it can destroy the cities and half the population of America in a single hour.

May we see that we must now live in a state of perpetual fear or else organize the world on the principles of international law.

Let us behold the democratic peoples of the world uniting in friendship and mutual service to preserve the material and spiritual riches of civilization.

To survive in this atomic world, may the nations live together like the members of a peaceable family.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Condon, further reading of the Journal of the previous legislative day was dispensed with.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Burkhalter:

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Respectfully submitted,

EVERETT G. BURKHALTER

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it.

By Mr. Burkhalter:

An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burkhalter moved a call of the Assembly.

Motion carried. Time, 9.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Bennett, Brady, Brown, Caldecott, Coats, Condon, Conrad, Crowley, Clayton A. Dills, Dolwig, Dunn, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Luckel, McCarthy, Meyers, Niehouse, Price, Reagan, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Waters, Weber, and Yorty—43

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Burke asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3159—An act to add Section 6503.1 to the Welfare and Institutions Code, relating to rights of way across state property and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3157—An act to amend Sections 1252 and 1311 of the Fish and Game Code, relating to mammals.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1559—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to local public health administration.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Cooke asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2167—An act to amend Section 80 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "80", and insert "89".

Amendment No. 2

On page 1, line 1, of said bill, strike out "80", and insert "89".

Amendment No. 3

On page 1 of said bill, strike out line 7, and insert "to four thousand dollars ($4,000)".

Amendment No. 4

On page 1, line 11, of said bill, strike out "five", and insert "four".

Amendment No. 5

On page 1, line 12, of said bill, strike out "($5,000)", and insert "($4,000)".

Amendment No. 6

On page 1 of said bill, strike out line 14, and insert "not exceed four thousand dollars ($4,000)."

Amendment No. 7

On page 1, line 17, of said bill, strike out "five thousand dollars ($5,000)", and insert "four thousand dollars ($4,000)".

Amendment No. 8

On page 1, lines 18 and 19, of said bill, strike out "five thousand dollars ($5,000)", and insert "four thousand dollars ($4,000)".

Amendment No. 9

On page 1, lines 24 and 25, of said bill, strike out "five hundred dollars ($500)", and insert "four hundred dollars ($400)"

Amendment No. 10

On page 1, lines 26 and 27, of said bill, strike out "five thousand dollars ($5,000)", and insert "four thousand dollars ($4,000)".

Amendment No. 11

On page 2, lines 2 and 3, of said bill, strike out "five thousand dollars ($5,000)", and insert "four thousand dollars ($4,000)".

Amendment No. 12

On page 2, lines 7 and 8, of said bill, strike out "five thousand dollars ($5,000)", and insert "four thousand dollars ($4,000)".

Amendment No. 13

On page 2, line 14, of said bill, strike out "five thousand dollars ($5,000)", and insert "four thousand dollars ($4,000)".

Amendment No. 14

On page 2, line 41, of said bill, strike out "property", and insert "personal property".

Amendment No. 15

On page 2 of said bill, strike out line 42, and insert "is not more than four thousand dollars ($4,000) and of all cases in equity when pleaded".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 121—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, before "per", insert "thirteen thousand five hundred dollars ($13,500)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 118—An act to amend Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 17, 1949, strike out lines 26 to 31, inclusive.

Amendment No. 2

On page 2, line 32, of said bill, strike out "Eighteen", and insert "Twenty-one".

Amendment No. 3

On page 2, line 35, of said bill, strike out "Eighteen," and insert "Seventeen."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2110—An act to amend Sections 8 and 23 of, and to add Sections 8.1, 8.2, 8.3, and 8.4 to, an act entitled "An act authorizing the establishment of municipal courts, prescribing their

constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the establishment of municipal courts in cities of the second class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 7, line 25, of the printed bill, as amended in the Assembly on May 25, 1949, strike out "complains", and insert "complaints".

Amendment No. 2

On page 7, line 27, of said bill, strike out "perform-", and insert "performance".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1276—An act to amend Section 432.5 of the Fish and Game Code, relating to permits.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, after "vessel", insert "more than sixteen feet in over-all length".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1136—An act to repeal Sections 535, 536, 536.5, 536.6, 536.7, 536.8, 536.9, 537, 538, 539, 540, and 541 of, and to add Sections 535, 536, 537, 538, 539, and 540 to the Fish and Game Code, relating to fish screens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "dry or", and insert "thereby rendered".

Amendment No. 2

On page 2, line 1, of said bill, after "life", insert "immediately".

Amendment No. 3

On page 2, line 3, of said bill, strike out "maximum".

Amendment No. 4

On page 2 of said bill, at the end of line 36, after the comma, insert "or the terms of said agreement,".

Amendment No. 5

On page 2, line 47, of said bill, after "screen", insert "operating in accordance with this article".

Amendment No. 6

On page 3, line 5, of said bill, after "diverting", insert "substantially".

Amendment No. 7

On page 3, line 6, of said bill, after "divert", insert "after furnishing such water as may be required by the provisions of Section 535".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 947—An act to amend Section 1628 of the Business and Professions Code, relating to qualifications of applicants for examination to practice dentistry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on May 19, 1949, before "completed", insert "having".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1560—An act to amend Sections 452, 476, 504, and 936 of the Health and Safety Code, relating to the regulation of public health.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on April 21, 1949, strike out "and other"; and in line 17, after "department", insert "and other rules and regulations issued under the provisions of this code".

Amendment No. 2

On page 2, line 29, of said bill, strike out "and other"; and in line 30, after "Health", insert "and other rules and regulations issued under the provisions of this code".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2469—An act to add Section 2271.1 to the Health and Safety Code, relating to breeding places of mosquitoes and prescribing the penalties for the maintenance thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 26, 1949, after "who", insert "willfully and knowingly".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2082—An act to amend Sections 2410 and 2411 of the Labor Code, relating to labor camps.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended, in the Assembly on May 26, 1949, strike out "tract", and insert "piece".

Amendment No. 2

On page 2, line 8, of said bill, strike out "approval of the enforcement agency", and insert "provisions of this act".

Amendment No. 3

On page 1, line 15, of said bill, strike out "persons", and insert "employees".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 875—An act to amend Section 782 of the Fish and Game Code, relating to lobsters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 782 of," and insert "Sections 782 and 786.5 of, and to add Section 786.3 to,".

Amendment No. 2

Between lines 1 and 2 of the title of said bill, insert "and to add Chapter 8.5, comprising Sections 28460 and 28461, to Division 21 of the Health and Safety Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1, of said bill, after line 5, insert

"SEC. 2. Section 786.3 is added to said code, to read:

786.3. No spiny lobster cooked for human consumption in this State shall be sold, exposed for sale, offered for sale, bartered, or traded unless cooked under the supervision of a representative of the commission for the purpose of determining that each such cooked spiny lobster was alive at the time of immersion into the cooking medium and is cooked for a period of at least eighteen minutes and unless the conditions of sanitation of the place of preparation are found by the State Board of Public Health or local health authorities to be in compliance with applicable provisions of Article 1, Chapter 7, Division 21 of the Health and Safety Code. Supervision shall be provided in such manner as the commission shall prescribe, and the cost thereof shall be paid by the owner of the lobster or the person requiring such service.

SEC. 3. Section 786.5 of said code is amended to read:

786.5. It is unlawful to sell, expose for sale, offer to sell, barter, trade, or have in possession any spiny lobster which has been cooked [or otherwise prepared] for human consumption outside of the State of California *in any area where the State Board of Public Health has, after investigation, found as a fact on evidence satisfactory to it and proclaimed that practices prevalent in the cooking of lobsters are such that the production of large numbers of improperly cooked lobsters cannot be avoided. For the purposes of this section, "improperly cooked lobsters" are those which were not alive when immersed in the cooking medium, which have not been cooked for a period of at least eighteen minutes, or which were cooked under sanitary conditions below the standards maintained in this State.* This section shall not apply to any canned lobster or

other shellfish prepared under the supervision of the Department of Agriculture or the corresponding department of any other state or nation.

SEC. 4. Chapter 8.5, comprising Sections 28460 and 28461, is added to Division 21 of the Health and Safety Code, to read:

CHAPTER 8.5. LOBSTERS

28460. As used in this chapter, "improperly cooked lobsters" means cooked lobsters which were not alive at the time of immersion into the cooking medium, which have not been cooked for a period of at least eighteen minutes, or which have been cooked under sanitary conditions below the standards maintained in this State.

28461. Whenever, as provided in Section 786.5 of the Fish and Game Code, the board has investigated and found as a fact on evidence satisfactory to it that practices prevalent in the cooking of lobsters in any area outside of this State are such that the production of large numbers of improperly cooked lobsters cannot be avoided, the board shall proclaim the fact by official order. Thereupon, the prohibitive provisions of Section 786.5 of the Fish and Game Code shall become effective as to lobsters cooked for human consumption in the area in which such state of facts has been found to exist.

SEC. 5. This Legislature recognizes that the value of cooked spiny lobster as a human food depends entirely on the manner in which it is processed or prepared. In the absence of strict compliance with well-recognized standards, lobsters not only become impure but present a serious menace to the health and lives of those who consume them. It is essential to the purity of the spiny lobster that it be taken alive and preserved in that condition until the precise moment of cooking, and it is necessary that sanitary conditions be maintained until the lobster reaches the consumer. Spiny lobster, being entirely inedible in an uncooked state, must be cooked for a period of time sufficient to insure preservation of the meat and complete destruction of poisonous matter. Upon any departure from these standards by those who undertake to supply cooked lobsters to the public, dire consequences are substantially certain to follow.

It is recognized further that the only practicable method by which the purity of cooked spiny lobster can be assured is by supervision of the process of preparation. Supervision must be such as to ascertain that each one of the foregoing precepts is observed in all particulars. Past experience has revealed that subsequent inspection is effective to apprehend only the most flagrant violations because, in the majority of cases, outward manifestations of impurity in improperly prepared lobsters do not appear until a considerable period has elapsed from the time of cooking.

Recognition is given to another characteristic of the spiny lobster that the density of the meat decreases as the time of cooking is increased. The inevitable result of this attribute is the perpetration of a fraud upon the consuming public whereby a higher price may be exacted for impure than for palatable lobsters.

In view of these facts, the Legislature of the State of California, in order to adequately protect the health and safety of the people of this State, to prevent the perpetration of fraud upon them, and to protect California's legitimate lobster industry from having responsibility for improperly cooked lobsters produced outside of this State imputed to it, hereby not only requires supervision of the cooking of lobsters in the State of California but directs that no spiny lobster cooked for human consumption in an area outside of this State in which the State Board of Public Health has found that practices prevalent in the cooking of lobsters are such that the production of large numbers of improperly cooked lobsters, as defined in this act, cannot be avoided shall be sold, exposed for sale, offered for sale, bartered, or traded in this State until such time as the conditions complained of are remedied to the satisfaction of the State Board of Public Health."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1682—An act to amend Section 1861 of the Civil Code, relating to liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1861", and insert "Sections 425, 438 and 439 of the Vehicle Code and Sections 3051, 3051a and 3052".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 425 of the Vehicle Code is amended to read:

425. Labor and Material Liens on Vehicles. (a) Every person has a lien dependent upon possession for the compensation to which he is legally entitled for making repairs or performing labor upon, and furnishing supplies or materials for, and for the storage, repair or safe-keeping of, *and for the rental of trailer parking space for*, any vehicle of a type subject to registration hereunder, subject to the limitations set forth in this chapter.

(b) That portion of such lien in excess of one hundred dollars, for any work or services rendered or performed at the request of any person other than the holder of the legal title, is invalid, unless prior to commencing any such work or service the person claiming such lien gives actual notice in writing either by personal service or by registered letter addressed to the legal owner named in the registration certificate, and the consent of the holder of the legal title is obtained before any such work or services are performed. If any portion of a lien includes charges for the care, storage or safe-keeping of, *or for the rental of trailer parking space for*, a vehicle for a period in excess of sixty days, the portion of the lien which accrued after the expiration of such period is invalid unless the provisions of Sections 438 and 439 have been complied with by the holder of said lien.

SEC. 2. Section 438 of the Vehicle Code is amended to read:

438. Records of Garage Keepers *and Trailer Park Keepers*. (a) Every keeper of a garage *or a trailer park* shall keep a written record of every vehicle of a type subject to registration hereunder stored therein for compensation for a period longer than twelve hours.

(b) Such record shall contain the name and address of the person storing the same and a brief description of the vehicle including the name or make, the motor or other number of the vehicle, and the license number shown by the license plates or registration card if either of the latter is attached to the vehicle in a clearly discernible place.

(c) All such records shall be open to inspection by any peace officer.

(d) When a vehicle has been in the care of a garage or repair shop, *or trailer park*, for storage or safe-keeping *or parking* for 60 days and the charge for such care, storage, [or] safe keeping *or parking* has not been received by the garage, [or] repair shop, *or trailer park*, and the owner of the vehicle is not the legal owner thereof, the garage, [or] repair shop, *or trailer park* shall notify the legal owner in writing either by personal service or by registered letter addressed to the legal owner named in the registration certificate.

SEC. 3. Section 439 of the Vehicle Code is amended to read:

439. Report of Vehicles Known or Suspected to Have Been Abandoned or Unlawfully Stored. Whenever any vehicle of a type subject to registration hereunder has been stored in a garage *or parked in a trailer park* for 30 days and the ownership of said vehicle is unknown to the keeper thereof said keeper shall thereupon report the presence of such vehicle to the sheriff's office of the county or the police department of the city wherein such garage *or trailer park* is located. At the same time, whether the name of the registered owner is known or not, said keeper shall report such fact to the department by receipted mail and the department shall at once notify the legal owner as of record.

SEC. 4 Section 3051 of the Civil Code is amended to read:

3051 Every person who, while lawfully in possession of an article of personal property renders any service to the owner thereof, by labor or skill, employed for the protection, improvement, safekeeping, or carriage thereof, has a special lien thereon, dependent on possession, for the compensation, if any, which is due to him from the owner for such service; a person who makes, alters, or repairs any article of personal property, at the request of the owner, or legal possessor of the property, has a lien on the same for his reasonable charges for the balance due for such work done and materials furnished, and may retain possession of the same until the charges are paid; and livery or boarding or feed stable or feed yard proprietors, and persons pasturing horses or stock, have a lien, dependent on possession, for their compensation in caring for, boarding, feeding, or pasturing such horses or stock, and foundry proprietors and persons conducting a foundry business, have a lien, dependent on possession, upon all patterns in their hands belonging to a customer, for the balance due them from such customers for foundry work; and laundry proprietors and persons conducting a laundry business, and dry cleaning establishment proprietors and persons conducting a dry cleaning establishment, have a general lien, dependent on possession, upon all personal property in their hands belonging to a customer, for the balance due them from such customer for laundry work, and for the balance due them from such customers for dry cleaning work, but nothing in this section shall be construed to confer a lien in favor of a wholesale dry cleaner on materials received from a dry cleaning

establishment proprietor or a person conducting a dry cleaning establishment; and veterinary proprietors and veterinary surgeons shall have a lien dependent on possession, for their compensation in caring for, boarding, feeding, and medical treatment of animals; and keepers of garages for automobiles shall have a lien, dependent on possession for their compensation in caring for and safekeeping, and for making repairs and performing any labor upon or furnishing supplies or materials for such automobiles; *and keepers of trailer parks shall have a lien, dependent on possession, for their compensation for rental of parking space for trailers, and for such other services as are furnished to the owners or legal possessors of trailers at their request;* provided, however, that where the possession of, or lien upon, any automobile *or trailer* held under a claim of lien hereunder is lost by reason of fraud, trick or device, the repossession of said automobile *or trailer* by said garage keeper *or trailer park keeper* shall revive the lien so lost; provided, further, that any lien thus revived shall be subordinate to any sale, lien, encumbrance, right, title or interest in such automobile *or trailer* acquired or exercised in good faith and for value by any person between the time of loss of possession and the time of repossession

SEC. 5. Section 3051a of the Civil Code is amended to read:

3051a. That portion of any lien, as provided for in the next preceding section, in excess of one hundred dollars, for any work, services, care, *parking*, or safekeeping rendered or performed at the request of any person other than the holder of the legal title, shall be invalid, unless prior to commencing any such work, service, care, *parking*, or safekeeping, the person claiming such lien shall give actual notice in writing either by personal service or by registered letter addressed to the holder of the legal title to such property, if known. In the case of automobiles *and trailers*, the person named as legal owner in the registration certificate, shall be deemed for the purpose of this section, as the holder of the legal title and if any portion of a lien includes storage *or parking* charges upon automobiles *or trailers* for a period in excess of sixty days, the portion of the lien which accrued after the expiration of such period is invalid unless the provisions of Section 57 of the "California vehicle act" have been complied with by the holder of said lien

SEC. 6. Section 3052 of the Civil Code is amended to read:

3052. If the person entitled to the lien provided in Section 3051 of this code be not paid the amount due, and for which said lien is given, within ten (10) days after the same shall have become due then such lien holder may proceed to sell said property, or so much thereof as may be necessary to satisfy said lien and costs of sale at public auction, and by giving at least ten (10) days' previous notice of such sale by advertising in some newspaper published in the county in which said property is situated; or if there be no newspaper printed in such county, then by posting notice of sale in three (3) of the most public places in the town or place where such property is to be sold, for ten (10) days previous to the date of the sale, provided, however, that prior to the sale of any automobile *or trailer* to satisfy any such lien, twenty (20) days' notice by registered mail shall be given to the legal owner and to the registered owner of such vehicle, if registered in this State as the same appear in the registration certificate, and also to the Division of Motor Vehicles by registered letter; and the Division of Motor Vehicles shall in like manner immediately notify said legal owner and said registered owner of said proposed sale, but failure on the part of said division to give such notice shall not affect the validity of any such sale; and provided, further, that within twenty (20) days after said sale, the legal owner may redeem any such automobile *or trailer* so sold to satisfy said lien upon the payment of the amount thereof, all costs and expenses of said sale, together with interest on said sum at the rate of 12 percent per annum from the due date thereof or the date when the same were advanced until the repayment. The proceeds of the sale must be applied to the discharge of the lien and the cost of keeping and selling the property; the remainder, if any, must be paid over to the legal owner thereof."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 26, inclusive; and strike out page 2.

Amendment No. 4

On page 1, line 3, of said bill, after "Hotel", insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1079—An act to add Section 5050a to the Welfare and Institutions Code, relating to the examination and safekeeping of persons alleged to be mentally ill.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 25, inclusive; and strike out page 2, and insert

"5050a. No court shall issue an order for the examination of the mental health of any person against whom a petition for examination of the mentally ill has been brought or for the safekeeping of such person in any psychopathic ward or place affording examination of the mental health of the person until such person has had a hearing in open court. If the allegedly mentally ill person is without counsel, the court shall provide it. The testimony of doctors or psychiatrists employed by any public agency shall not be admissible at this preliminary hearing. If an authorized law enforcement agency deems detention to be necessary pending a hearing in court, the accused party shall be confined in a place especially provided for that purpose with due protection for the health and comfort of such person, and there shall be no relinquishment of legal rights now provided by law. Such detention shall in no case be for more than seventy-two hours. If it appears to the satisfaction of a judge of the superior court at the hearing provided in this section that such a person is in a mental condition warranting an examination into his or her mental health in accordance with the procedures and policies set forth in Division 6, Part 1, Chapters 1 and 2, of the Welfare and Institutions Code, the judge may make such orders as may be necessary to provide for examination of the mental health of the person as provided in Section 5050. An order for the commitment of the person to an institution for the mentally ill or for the care, supervision, restraint, or treatment of the person in some other manner, as provided in Section 5050.8 shall be issued only after a second hearing. This second hearing shall be held in conformity with the present provisions of Division 6, Part 1, Chapters 1 and 2 of the Welfare and Institutions Code."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2512—An act to amend Section 204 of the Code of Civil Procedure, relating to jury lists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "204", and insert "205".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 205 of the Code of Civil Procedure is amended to read:

205. *The names of persons to be selected and listed to serve as grand jurors or trial jurors shall be drawn entirely by lot from a list of registered voters.* The [selection and listings] *lists of jurors* shall be made *up* of persons suitable and competent to serve as jurors, and in making such selections they shall take the names of such only as are not exempt from serving, who are in the possession of their natural faculties, and not infirm or decrepit, of fair character and approved integrity, and of sound judgment."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 27, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 1 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

SECOND READING OF SENATE BILLS

Senate Bill No. 69—An act to amend Section 707.5 of the Agricultural Code, relating to penalties for delinquent license fees under the Milk and Milk Products Act of 1947.

Bill read second time, and ordered to third reading.

Senate Bill No. 126—An act to add Section 639 to the Agricultural Code, relating to milk products.

Bill read second time, and ordered to third reading.

Senate Bill No. 159—An act to add Section 387 to the Agricultural Code, relating to care of dairy cows offered for sale.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Fleury asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 393—An act to amend Sections 730.2, 731, 733.4, and 734 of, and to add a new Article 3, consisting of Section 734.5 to, the Agricultural Code, relating to the marketing of milk and other dairy products.

Bill read second time, and ordered to third reading.

Senate Bill No. 240—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read second time, and ordered to third reading.

Senate Bill No. 446—An act to amend Section 737j of the Political Code, relating to salaries of Superior Court Judges in Fresno County.

Bill read second time, and ordered to third reading.

Senate Bill No. 706—An act to amend Section 737jj of the Political Code, relating to the salary of judges of the superior court.

Bill read second time, and ordered to third reading.

Senate Bill No. 1261—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1262—An act to add Section 274e to the Code of Civil Procedure, relating to phonographic reporters for certain municipal courts; fees.

Bill read second time, and ordered to third reading.

Senate Bill No. 325—An act to amend Section 8961.3 of the Health and Safety Code, relating to the powers of public cemetery districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 347—An act to amend Section 13143 of the Health and Safety Code, relating to preparation and adoption of fire safety regulations.

Bill read second time, and ordered to third reading.

Senate Bill No. 461—An act to add Section 12011.6 to, and to amend Sections 12024.5 and 12211 of, the Business and Professions Code, relating to containers and commodities therein.

Bill read second time, and ordered to third reading.

Senate Bill No. 717—An act to amend Sections 2205 and 2206 of the Health and Safety Code, relating to the organization and powers of mosquito abatement districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 960—An act to amend Section 2496 of the Business and Professions Code, relating to fees of Board of Osteopathic Examiners.

Bill read second time, and ordered to third reading.

Senate Bill No. 221—An act to add Section 1066 7 to the Agricultural Code, relating to herbicides injurious to crops, declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 19, 1949, strike out line 11, and insert

"The director after investigation and hearing shall adopt".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 477—An act to add Article 4 to Chapter 7 of Division 5 of the Agricultural Code, relating to injurious materials for use in agricultural operations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Agriculture:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on May 16, 1949, strike out "may", and insert "shall".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 791—An act to add Chapter 19 to Division 3, to amend Sections 10074 and 10461 of, and repeal Chapter 5 of Part 1 of Division 4, and Sections 10009, 10020, 10021, 10022, 10084, and 10085 of, the Business and Professions Code, relating to cemeteries, including the regulation of cemetery brokers and salesmen and cemetery corporations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 26, 1949, strike out "101,"; and in line 4 of the title, following "Code," strike out "and to amend Section 11501 of the Government Code,".

Amendment No. 2

On page 13, line 10, of said bill, strike out "2", and insert "3".

Amendment No. 3

On page 15 of said bill, strike out lines 9 to 36, inclusive.

Amendment No. 4

On page 16 of said bill, strike out lines 10 to 52, inclusive; and on page 17, strike out lines 1 to 8, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 468—An act to add Section 32100.5 to the Health and Safety Code, relating to local hospital districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 32100.5", and insert "Sections 32100.3, 32100.4, 32100.5, and 32100.6".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 32100.3 is added to the Health and Safety Code, to read:

32100.3. The first publication of notice of a district election of directors shall be made 45 days prior to the election.

SEC. 2. Section 32100.4 is added to said code, to read:

32100.4. Nominations for directors must be filed not later than ten days after first publication of notice of a district election with the board of supervisors of the county in which the district, or the greater part thereof, is situated.

SEC. 3. Section 32100.5 is added to said code, to read:".

Amendment No. 3

On page 1, lines 3 and 4, of said bill, strike out "twentieth day prior to a general election", and insert "eleventh day after first publication of notice of a district election".

Amendment No. 4

On page 1 of said bill, after line 14, insert

"SEC. 4. Section 32100.6 is added to said code, to read:

32100.6. Elections shall be called by publication of notice thereof in a daily or weekly paper in each of the counties in which the district is situated at least once a week for two weeks previous to such election."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

Senate Bill No. 966—An act to repeal Article 9, and to amend Section 3125 of Article 3, Chapter 5, Division 2, of the Business and Professions Code, relating to midwives.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "3125", and insert "2135".

Amendment read, and adopted

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1100

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 29—An act to add Section 66k to the Code of Civil Procedure, relating to the number of judges of the superior court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets

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[AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Sherwin, Silliman, Smith, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—49.

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On June 7, 1949, the Senate was requested to return Assembly Bill No. 29 to the Assembly for further consideration. (Assembly Journal, page 4155.) The bill was returned by the Senate on June 8th. (Assembly Journal, page 4183.))

(On June 8, 1949, the above record was expunged, and the action rescinded, whereby the Assembly on this day passed Assembly Bill No. 29. (Assembly Journal, page 4227.))

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 11

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 11, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 11

Assembly Bill No. 11—An act to add Section 66n to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the State of California, in and for the County of Sacramento, to provide for the appointment of an additional judge and for his compensation," approved June 16, 1923, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Sacramento.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Sherwin, Silliman, Smith, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 139—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act to reduce the number of Judges of the Superior Court in and for the County of Humboldt and to repeal an act entitled 'An act to provide for the appointment and election of one additional Judge for the County of Humboldt,' approved March 8, 1895," approved June 10, 1933, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Humboldt.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Babbage, Beck, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Moss, Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—51.

NOES—None.]

~~Bill ordered transmitted to the Senate.~~

(On June 7, 1949, the Senate was requested to return Assembly Bill No. 139 to the Assembly for further consideration. (Assembly Journal, page 4155.) The bill was returned by the Senate on June 8th. (Assembly Journal, page 4183.))

(On June 8, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, passed Assembly Bill No. 139. (Assembly Journal, page 4208.))

Assembly Bill No. 171—An act to add Section 66r to the Code of Civil Procedure, relating to the number of Judges in the Superior Court in the County of Monterey and providing for the appointment of an additional Superior Court Judge in and for the County of Monterey, and for his compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Sillman, Smith, Thompson, Tomlinson, Way, Yorty, and Mr Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 234—An act to add Section 66*l* to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the County of Riverside, and to provide for the appointment of an additional judge," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Riverside.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Rumford, Sherwin, Sillman, Smith, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—52.

NOES—None]

~~Bill ordered transmitted to the Senate.~~

(On June 7, 1949, the Senate was requested to return Assembly Bill No. 234 to the Assembly for further consideration. (Assembly Journal, page 4155.) The Senate returned the bill on June 8th. (Assembly Journal, page 4183))

(On June 8, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, passed Assembly Bill No 234. (Assembly Journal, page 4207.))

Assembly Bill No. 237—An act to amend Section 66e of the Code of Civil Procedure, relating to the number of Judges in the Superior Court in the County of Santa Clara and providing for the appointment of an additional Superior Court Judge in and for the County of Santa Clara, and for his compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 986—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Erwin, Fleury, Gaffney, Grant, Hagen, Hinckley, Hollibaugh, Kirkwood, Levering, Lindsay, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—44.

NOES—Anderson, Burke, Burkhalter, George D Collins, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, McMillan, Smith, and Tomlinson—17.

Bill ordered transmitted to the Senate.

Assembly Bill No. 553—An act to add Section 12700.6 to Chapter 7, Division 5 of the Business and Professions Code, relating to public weighmasters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.41 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MOTION THAT ASSEMBLY BILL NO. 2217 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Sam L. Collins moved that Assembly Bill No. 2217 be withdrawn from the file, and be re-referred to the Committee on Conservation, Planning, and Public Works.

Mr. Hoffman seconded the motion.

Point of Order

Mr. Yorty arose to the following point of order: That motions are not properly before the House, and the hour of 10 o'clock a.m. having arrived, the special order of business should now be taken up.

Ruling by Speaker

Speaker pro Tempore Maloney ruled that, because there has been lengthy debate on the motion, the point of order is not well taken; and that the motion now under consideration is properly before the House.

Demand for Previous Question

Messrs. Kirkwood, McCollister, Grant, Hoffman, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Sam L. Collins that Assembly Bill No. 2217 be withdrawn from the file, and be re-referred to the Committee on Conservation, Planning, and Public Works.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—53.

NOES—Beck, Bennett, Collier, Hagen, and Yorty——5.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1391

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1391, temporarily passed on file, at this time.

Speaker Presiding

At 10.05 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF ASSEMBLY BILL NO. 1391

Assembly Bill No. 1391—An act to add Section 66t to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the State of California, in and for the County of Stanislaus, to provide for the appointment of an additional judge and for his compensation," approved May 21, 1915, relating to the number of superior court judges and providing for the appointment and compensation of an additional Superior Court Judge in and for the County of Stanislaus.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3137—An act to amend Section 24265 of the Health and Safety Code, relating to air pollution control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 45—An act to add Section 66p to the Code of Civil Procedure, and to repeal an act entitled "An act to provide one additional Judge of the Superior Court in the County of Fresno," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of two additional Superior Court Judges in and for the County of Fresno.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Fleury announced that the bags of processed almonds which have just been placed upon the desks of the members are gifts from the Sacramento Delegation.

Mr. Lindsay again announced his invitation that Members of the Assembly and their wives be guests at a luncheon in Auburn next Sunday, June 5th.

Speaker Pro Tempore Presiding

At 10.21 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Request for Unanimous Consent to Temporarily Suspend the Rules

Mr. Sherwin asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the purpose of considering all amendments to Assembly Bill No. 1100 now at the desk, at this time, prior to sending the bill to reprint, and that debate be not limited.

Motion to Amend

Mr. Grant moved the adoption of the following amendments:

Amendment No. 1

On page 24 of the printed bill, as amended in the Assembly on May 31, 1949, between lines 31 and 32, insert

"89½—For support of the state college established in the area of Orange County and the southeastern part of Los Angeles County, outside the City of Los Angeles ..... 125,000".

Amendment No. 2

On page 84 of said bill, between lines 8 and 9, insert

"306½—For the acquisition and improvement of a site, construction of buildings, and the purchase of furnishings and equipment for the state college established in the area of Orange County and the southeastern part of Los Angeles County, outside the City of Los Angeles ..... 3,000,000".

Amendments read.

Hon. Francis Dunn, Presiding

At 10.32 a.m., Hon. Francis Dunn, Member of the Assembly from the Thirteenth District, presiding.

Division of the Question

Mr. Sherwin asked for a division of the question.

Consideration of Amendment No. 1

Amendment No. 1

On page 24 of the printed bill, as amended in the Assembly on May 31, 1949, between lines 31 and 32, insert

"89½—For support of the state college established in the area of Orange County and the southeastern part of Los Angeles County, outside the City of Los Angeles ..... 125,000".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62.

NOES—None.

(1 Amendment adopted. Total—720.)

Consideration of Amendment No. 2

Amendment No. 2

On page 84 of said bill, between lines 8 and 9, insert

"306½—For the acquisition and improvement of a site, construction of buildings, and the purchase of furnishings and equipment for the state college established in the area of Orange County and the southeastern part of Los Angeles County, outside the City of Los Angeles ..... 3,000,000".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Brown, Burkhalter, Collier, Conrad, Crowley, Dickey, Doyle, Erwin, Gaffney, Geddes, Grant, Hoffman, Hollibaugh, Niehouse, Thomas, and Way—17.

NOES—Beck, Berry, Brady, Burke, Caldecott, Clarke, Coats, George D Collins, Crichton, Dolwig, Dunn, Grunsky, Hagen, Hahn, Heisinger, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, and Yorty—32

Consideration of Further Amendments

Request for Unanimous Consent That Changes Be Made in Amendments

Mr. Hollibaugh asked for, and was granted, unanimous consent that the desk be permitted to make technical changes in his amendments, about to be placed across the desk, so that they will conform with the bill, and errors in printing will be avoided.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendments:

Amendment No. 1

On page 6, line 40, of the printed bill, as amended, strike out "4,434,884", and insert "4,129,380".

Amendment No. 2

On page 7, line 4, of said bill, strike out "2,996,592", and insert "2,936,920".

Amendment No. 3

On page 7, line 6, of said bill, strike out "1,578,869", and insert "1,337,849".

Amendment No. 4

On page 7, line 8, of said bill, strike out "100,447", and insert "95,635".

Amendment No. 5

On page 7, line 11, of said bill, strike out "4,675,908", and insert "4,370,404".

Amendment No. 6

On page 7, line 25, of said bill, strike out "4,434,884", and insert "4,129,380".

Amendment No. 7

On page 7 of said bill, strike out lines 31 and 36, inclusive.

Amendment No. 8

On page 7 of said bill, strike out lines 37 to 39, inclusive.

Amendment No. 9

On page 17, line 29, of said bill, strike out "1,443,873", and insert "1,389,313".

Amendment No. 10

On page 19, line 37, of said bill, strike out "1,041,252", and insert "986,692".

Amendment No. 11

On page 11, line 44, of said bill, strike out "1,508,769", and insert "1,454,209".

Amendment No. 12

On page 20, line 8, of said bill, strike out "1,443,873", and insert "1,389,313".

Amendment No. 13

On page 20, line 51, of said bill, strike out "645,000", and insert "605,000".

Amendment No. 14

On page 21, line 43, of said bill, strike out "520,726", and insert "502,598".

Amendment No. 15

On page 22, line 4, of said bill, strike out "584,232", and insert "566,104".

Amendment No. 16

On page 22, line 9, of said bill, strike out "700,711", and insert "682,583".

Amendment No. 17
On page 22, line 20, of said bill, strike out "520,726", and insert "502,598".

Amendment No. 18
On page 22, line 23, of said bill, strike out "1,040,738", and insert "1,032,962".

Amendment No. 19
On page 22, line 33, of said bill, strike out "1,204,989", and insert "1,197,213".

Amendment No. 20
On page 22, line 38, of said bill, strike out "1,423,059", and insert "1,415,283".

Amendment No. 21
On page 22, line 52, of said bill, strike out "1,040,738", and insert "1,032,962".

Amendment No. 22
On page 23, line 45, of said bill, strike out "460,846", and insert "425,014".

Amendment No. 23
On page 24, line 15, of said bill, strike out "473,576", and insert "437,744".

Amendment No. 24
On page 24, line 20, of said bill, strike out "624,576", and insert "588,744".

Amendment No. 25
On page 24, line 31, of said bill, strike out "460,846", and insert "425,014".

Amendment No. 26
On page 24, line 36, of said bill, strike out "347,822", and insert "306,438".

Amendment No. 27
On page 24, line 43, of said bill, strike out "340,912", and insert "299,528".

Amendment No. 28
On page 24, line 47, of said bill, strike out "457,962", and insert "416,578".

Amendment No. 29
On page 25, line 11, of said bill, strike out "347,822", and insert "306,438".

Amendment No. 30
On page 25, line 14, of said bill, strike out "1,358,791", and insert "1,305,391".

Amendment No. 31
On page 25, line 22, of said bill, strike out "1,604,417", and insert "1,551,017".

Amendment No. 32
On page 25, line 28, of said bill, strike out "1,863,828", and insert "1,810,428".

Amendment No. 33
On page 25, line 39, of said bill, strike out "1,358,791", and insert "1,305,391".

Amendment No. 34
On page 25, line 42, of said bill, strike out "1,225,947", and insert "1,168,103".

Amendment No. 35
On page 26, line 4, of said bill, strike out "1,415,449", and insert "1,357,605".

Amendment No. 36
On page 26, line 10, of said bill, strike out "1,648,767", and insert "1,590,923".

Amendment No. 37
On page 26, line 21, of said bill, strike out "1,225,947", and insert "1,168,103".

Amendment No. 38
On page 26, line 24, of said bill, strike out "1,697,279", and insert "1,626,649".

Amendment No. 39
On page 26, line 33, of said bill, strike out "2,003,845", and insert "1,933,215".

Amendment No. 40
On page 26, line 38, of said bill, strike out "2,324,984", and insert "2,254,354".

Amendment No. 40.1
On page 26, line 49, of said bill, strike out "1,697,279", and insert "1,626,649".

Amendment No. 41
On page 27, line 47, of said bill, strike out "233,272".

Amendment No. 42
On page 28, line 12, of said bill, strike out "201,615".

Amendment No. 43
On page 28, line 14, of said bill, strike out "116,652".

Amendment No. 44
On page 28, line 15, of said bill, strike out "8,445".

Amendment No. 45
On page 28, line 18, of said bill, strike out "326,712".

Amendment No. 46
On page 28, line 20, of said bill, strike out "6,730".

Amendment No. 47
On page 28, line 24, of said bill, strike out "61,710".

Amendment No. 48
On page 28, line 26, of said bill, strike out "25,000".

Amendment No. 49
On page 28, line 29, of said bill, strike out "280,380".

Amendment No. 50
On page 29, line 35, of said bill, strike out "283,309", and insert "275,225".

Amendment No. 51
On page 29, line 41, of said bill, strike out "182,707", and insert "174,623".

Amendment No. 52
On page 29, line 47, of said bill, strike out "291,029", and insert "282,945".

Amendment No. 53
On page 30, line 7, of said bill, strike out "283,309", and insert "275,225".

Amendment No. 54
On page 30, line 13, of said bill, strike out "289,180", and insert "285,545".

Amendment No. 55
On page 30, line 19, of said bill, strike out "148,875", and insert "145,240".

Amendment No. 56
On page 30, line 25, of said bill, strike out "298,540", and insert "294,905".

Amendment No. 57
On page 30, line 31, of said bill, strike out "289,180", and insert "285,545".

Amendment No. 58
On page 32, line 3, of said bill, strike out "30,980,986", and insert "24,712,501".

Amendment No. 59
On page 32, line 29, of said bill, strike out "2,033,730", and insert "1,866,234".

Amendment No. 60
On page 32, line 36, of said bill, strike out "1,591,504", and insert "1,459,793".

Amendment No. 61
On page 32, line 38, of said bill, strike out "826,638", and insert "808,930".

Amendment No. 62
On page 32, line 40, of said bill, strike out "133,233", and insert "115,156".

Amendment No. 63
On page 32, line 45, of said bill, strike out "2,701,375", and insert "2,533,879".

Amendment No. 64
On page 33, line 10, of said bill, strike out "2,033,730", and insert "1,866,234".

Amendment No. 65
On page 34, line 19, of said bill, strike out "10,130,586", and insert "9,731,445".

Amendment No. 66
On page 34, line 26, of said bill, strike out "8,658,098", and insert "8,384,712".

Amendment No. 67
On page 34, line 28, of said bill, strike out "1,454,522", and insert "1,409,101".

Amendment No. 68
On page 34, line 30, of said bill, strike out "209,291", and insert "128,957".

Amendment No. 69
On page 34, line 33, of said bill, strike out "10,321,911", and insert "9,922,770".

Amendment No. 70
On page 34, line 43, of said bill, strike out "10,130,586", and insert "9,731,445".

Amendment No. 71
On page 35, line 22, of said bill, strike out "1,828,040", and insert "1,583,817".

Amendment No. 72
On page 35, line 32, of said bill, strike out "1,606,704", and insert "1,451,140".

Amendment No. 73
On page 35, line 34, of said bill, strike out "281,164", and insert "239,454".

Amendment No. 74
On page 35, line 36, of said bill, strike out "64,867", and insert "17,918".

Amendment No. 75
On page 35, line 39, of said bill, strike out "1,952,735", and insert "1,708,512".

Amendment No. 76
On page 35, line 50, of said bill, strike out "1,828,040", and insert "1,583,817".

Amendment No. 77
On page 36, line 33, of said bill, strike out "1,598,589", and insert "1,497,129".

Amendment No. 78
On page 36, line 36, of said bill, strike out "212,900", and insert "180,965".

Amendment No. 79
On page 39, line 47, of said bill, strike out "2,242,488", and insert "2,178,440".

Amendment No. 80
On page 40, line 4, of said bill, strike out "1,900,774", and insert "1,852,094".

Amendment No. 81
On page 40, line 6, of said bill, strike out "304,230", and insert "288,862".

Amendment No. 82
On page 40, line 11, of said bill, strike out "2,242,488", and insert "2,178,440".

Amendment No. 83
On page 40, line 14, of said bill, strike out "213,520", and insert "202,816".

Amendment No. 84
On page 40, line 17, of said bill, strike out "155,483", and insert "144,779".

Amendment No. 85
On page 40, line 24, of said bill, strike out "213,520", and insert "202,816".

Amendment No. 86
On page 41, line 6, of said bill, strike out "3,697,847", and insert "3,529,197".

Amendment No. 87
On page 41, line 13, of said bill, strike out "3,102,254", and insert "2,986,860".

Amendment No. 88
On page 41, line 14, of said bill, strike out "728,661", and insert "698,955".

Amendment No. 89
On page 41, line 16, of said bill, strike out "84,932", and insert "61,382".

Amendment No. 90
On page 41, line 19, of said bill, strike out "3,915,847", and insert "3,747,197".

Amendment No. 91
On page 41, line 27, of said bill, strike out "3,697,847", and insert "3,529,197".

Amendment No. 92
On page 41, line 34, of said bill, strike out "246,543", and insert "213,116".

Amendment No. 93
On page 41, line 36, of said bill, strike out "177,925", and insert "157,341".

Amendment No. 94
On page 41, line 38, of said bill, strike out "62,786", and insert "53,453".

Amendment No. 95
On page 41, line 41, of said bill, strike out "5,832", and insert "2,322".

Amendment No. 96
On page 41, line 43, of said bill, strike out "246,543", and insert "213,116".

Amendment No. 97
On page 42, line 21, of said bill, strike out "605,367", and insert "554,134".

Amendment No. 98
On page 42, line 24, of said bill, strike out "496,309", and insert "459,567".

Amendment No. 99
On page 42, line 25, of said bill, strike out "94,361", and insert "91,241".

Amendment No. 100
On page 42, line 27, of said bill, strike out "14,697", and insert "3,326".

Amendment No. 101
On page 42, line 30, of said bill, strike out "605,367", and insert "554,134".

Amendment No. 102
On page 43, line 25, of said bill, strike out "1,808,161", and insert "1,618,839".

Amendment No. 103
On page 43, line 35, of said bill, strike out "1,529,128", and insert "1,448,378".

Amendment No. 104
On page 43, line 37, of said bill, strike out "479,323", and insert "384,023".

Amendment No. 105
On page 43, line 39, of said bill, strike out "49,905", and insert "36,633".

Amendment No. 106
On page 43, line 42, of said bill, strike out "2,058,356", and insert "1,869,034".

Amendment No. 107
On page 44, line 15, of said bill, strike out "1,808,161", and insert "1,618,839".

Amendment No. 108
On page 44 of said bill, strike out lines 25 to 29, inclusive.

Amendment No. 109
On page 44, line 35, of said bill, strike out "840,518", and insert "724,103".

Amendment No. 110
On page 44, line 38, of said bill, strike out "631,651", and insert "581,416".

Amendment No. 111
On page 44, line 40, of said bill, strike out "164,399", and insert "124,356".

Amendment No. 112

On page 44, line 42, of said bill, strike out "44,468", and insert "18,331".

Amendment No. 113

On page 44, line 45, of said bill, strike out "840,518", and insert "724,103".

Amendment No. 114

On page 45, line 44, of said bill, strike out "2,843,655", and insert "2,706,347".

Amendment No. 115

On page 46, line 4, of said bill, strike out "1,935,946", and insert "1,798,638".

Amendment No. 116

On page 46, line 11, of said bill, strike out "2,958,999", and insert "2,821,691".

Amendment No. 117

On page 46, line 18, of said bill, strike out "2,843,655", and insert "2,706,347".

Amendment No. 118

On page 46 of said bill, strike out lines 19 to 22, inclusive.

Amendment No. 119

On page 46, line 25, of said bill, strike out "3,793,316", and insert "3,581,612"

Amendment No. 120

On page 46, line 31, of said bill, strike out "2,536,950", and insert "2,325,246".

Amendment No. 121

On page 46, line 38, of said bill, strike out "3,943,808", and insert "3,732,104".

Amendment No. 122

On page 46, line 45, of said bill, strike out "3,793,316", and insert "3,581,612".

Amendment No. 123

On page 46, line 49, of said bill, strike out "2,506,867", and insert "2,398,157".

Amendment No. 124

On page 47, line 4, of said bill, strike out "1,684,748", and insert "1,576,038".

Amendment No. 125

On page 47, line 10, of said bill, strike out "2,601,067", and insert "2,492,357".

Amendment No. 126

On page 47, line 15, of said bill, strike out "2,506,867", and insert "2,398,157".

Amendment No. 127

On page 47, line 18, of said bill, strike out "2,310,979", and insert "2,190,000".

Amendment No. 128

On page 47, line 25, of said bill, strike out "1,588,748", and insert "1,467,769".

Amendment No. 129

On page 47, line 32, of said bill, strike out "2,407,693", and insert "2,286,714".

Amendment No. 130

On page 47, line 39, of said bill, strike out "2,310,979", and insert "2,190,000".

Amendment No. 131

On page 47, line 43, of said bill, strike out "2,649,653", and insert "2,516,657".

Amendment No. 132

On page 48, line 4, of said bill, strike out "1,845,771", and insert "1,712,775".

Amendment No. 133

On page 48, line 10, of said bill, strike out "2,761,981", and insert "2,628,985".

Amendment No. 134

On page 48, line 15, of said bill, strike out "2,649,653", and insert "2,516,657".

Amendment No. 135

On page 48, line 18, of said bill, strike out "3,218,952", and insert "3,052,206".

Amendment No. 136
On page 48, line 24, of said bill, strike out "2,281,915", and insert "2,115,169".

Amendment No. 137
On page 48, line 31, of said bill, strike out "3,336,844", and insert "3,170,098".

Amendment No. 138
On page 48, line 38, of said bill, strike out "3,218,952", and insert "3,052,206".

Amendment No. 139
On page 48, line 41, of said bill, strike out "2,134,657", and insert "2,032,885".

Amendment No. 140
On page 49, line 4, of said bill, strike out "1,560,453", and insert "1,458,681"

Amendment No. 141
On page 49, line 10, of said bill, strike out "2,222,233", and insert "2,120,461".

Amendment No. 142
On page 49, line 17, of said bill, strike out "2,134,657", and insert "2,032,885".

Amendment No. 143
On page 49, line 20, of said bill, strike out "3,135,696", and insert "2,999,220".

Amendment No. 144
On page 49, line 26, of said bill, strike out "2,216,834", and insert "2,080,358".

Amendment No. 145
On page 49, line 33, of said bill, strike out "3,226,680", and insert "3,090,204".

Amendment No. 146
On page 49, line 40, of said bill, strike out "3,135,696", and insert "2,999,220".

Amendment No. 147
On page 49, line 43, of said bill, strike out "3,729,764", and insert "3,509,395".

Amendment No. 148
On page 50, line 3, of said bill, strike out "2,642,403", and insert "2,422,034".

Amendment No. 149
On page 50, line 10, of said bill, strike out "3,852,966", and insert "3,632,597".

Amendment No. 150
On page 50, line 17, of said bill, strike out "3,729,764", and insert "3,509,395".

Amendment No. 151
On page 50, line 20, of said bill, strike out "1,770,945", and insert "1,709,561".

Amendment No. 152
On page 50, line 27, of said bill, strike out "1,193,497", and insert "1,132,113".

Amendment No. 153
On page 50, line 34, of said bill, strike out "1,826,703", and insert "1,765,319".

Amendment No. 154
On page 50, line 41, of said bill, strike out "1,770,945", and insert "1,709,561".

Amendment No. 155
On page 50, line 44, of said bill, strike out "2,647,497", and insert "2,686,126".

Amendment No. 156
On page 51, line 3, of said bill, strike out "1,794,706", and insert "1,690,870".

Amendment No. 157
On page 51, line 10, of said bill, strike out "2,704,931", and insert "2,601,095".

Amendment No. 158
On page 51, line 18, of said bill, strike out "2,647,497", and insert "2,543,661".

Amendment No. 159
On page 51, line 25, of said bill, strike out "2,333,030", and insert "2,324,925".

Amendment No. 160
On page 51, line 46, of said bill, strike out "1,146,971", and insert "1,138,866".

Amendment No. 161
On page 51, line 50, of said bill, strike out "2,493,030", and insert "2,484,925"

Amendment No. 162
On page 53, line 20, of said bill, strike out "160,136", and insert "155,850".

Amendment No. 163
On page 53, line 27, of said bill, strike out "262,992", and insert "258,706".

Amendment No. 164
On page 53, line 40, of said bill, strike out "160,136", and insert "155,850".

Amendment No. 165
On page 54, line 10, of said bill, strike out "1,358,566", and insert "1,222,697".

Amendment No. 166
On page 54, line 12, of said bill, strike out "533,950", and insert "448,015".

Amendment No. 167
On page 54, line 14, of said bill, strike out "203,578", and insert "60,260".

Amendment No. 168
On page 54, line 17, of said bill, strike out "2,096,094", and insert "1,730,972".

Amendment No. 169
On page 54, line 19, of said bill, strike out "47,000", and insert "40,128".

Amendment No. 170
On page 54, line 24, of said bill, strike out "1,447,146", and insert "1,088,896".

Amendment No. 171
On page 54, line 42, of said bill, strike out "1,447,146", and insert "1,088,896".

Amendment No. 172
On page 57, line 46, of said bill, strike out "503,097", and insert "469,488".

Amendment No. 173
On page 58, line 16, of said bill, strike out "168,437", and insert "153,125".

Amendment No. 174
On page 58, line 20, of said bill, strike out "500,000", and insert "300,000".

Amendment No. 175
On page 58, line 34, of said bill, strike out "332,494", and insert "311,182".

Amendment No. 176
On page 58, line 37, of said bill, strike out "185,189", and insert "177,657".

Amendment No. 177
On page 58, line 39, of said bill, strike out "136,055", and insert "131,314".

Amendment No. 178
On page 58, line 41, of said bill, strike out "11,250", and insert "2,211".

Amendment No. 179
On page 58, line 44, of said bill, strike out "332,494", and insert "311,182".

Amendment No. 180
On page 65, line 52, of said bill, strike out "4,284,630", and insert "3,357,980".

Amendment No. 181
On page 67, line 25, of said bill, strike out "1,426,122", and insert "1,278,275".

Amendment No. 182
On page 67, line 28, of said bill, strike out "1,186,496", and insert "1,097,686".

Amendment No. 183
On page 67, line 30, of said bill, strike out "215,150", and insert "162,400".

Amendment No. 184
On page 67, line 32, of said bill, strike out "24,476", and insert "18,189".

Amendment No. 185
On page 67, line 35, of said bill, strike out "1,426,122", and insert "1,278,275".

Amendment No. 186
On page 68, line 5, of said bill, strike out "81,773", and insert "74,417".

Amendment No. 187
On page 68, line 11, of said bill, strike out "143,412", and insert "136,056".

Amendment No. 188
On page 68, line 15, of said bill, strike out "175,107", and insert "167,751".

Amendment No. 189
On page 68, line 20, of said bill, strike out "81,773", and insert "74,417".

Amendment No. 190
On page 68, line 24, of said bill, strike out "338,253", and insert "302,641".

Amendment No. 191
On page 68, line 30, of said bill, strike out "269,722", and insert "234,110".

Amendment No. 192
On page 68, line 36, of said bill, strike out "368,253", and insert "332,641".

Amendment No. 193
On page 68, line 42, of said bill, strike out "338,253", and insert "302,641".

Amendment No. 194
On page 70, line 8, of said bill, strike out "1,069,659", and insert "1,013,435".

Amendment No. 195
On page 70, line 19, of said bill, strike out "728,059", and insert "691,393".

Amendment No. 196
On page 70, line 20, of said bill, strike out "317,412", and insert "311,162".

Amendment No. 197
On page 70, line 27, of said bill, strike out "1,116,918", and insert "1,074,002".

Amendment No. 198
On page 70, line 35, of said bill, strike out "1,069,659", and insert "1,013,435".

Amendment No. 199
On page 71, line 24, of said bill, strike out "97,889", and insert "87,929".

Amendment No. 200
On page 71, line 26, of said bill, strike out "51,191", and insert "41,231".

Amendment No. 201
On page 71, line 30, of said bill, strike out "97,889", and insert "87,929".

Amendment No. 202
On page 71, line 35, of said bill, strike out "156,034", and insert "153,034".

Amendment No. 203
On page 71, line 37, of said bill, strike out "128,247", and insert "126,247".

Amendment No. 204
On page 71, line 38, of said bill, strike out "22,903", and insert "21,903".

Amendment No. 205
On page 71, line 43, of said bill, strike out "156,034", and insert "153,034".

Amendment No. 206
On page 71, line 46, of said bill, strike out "30,146", and insert "27,546".

Amendment No. 207
On page 71, line 49, of said bill, strike out "12,684", and insert "10,084".

Amendment No. 208
On page 71, line 51, of said bill, strike out "30,146", and insert "27,546".

Amendment No. 209
On page 72, line 14, of said bill, strike out "413,000", and insert "267,692".

Amendment No. 210
On page 74, line 24, of said bill, strike out "242,423", and insert "240,683".

Amendment No. 211
On page 74, line 32, of said bill, strike out "51,575", and insert "49,835".

Amendment No. 212
On page 74, line 37, of said bill, strike out "249,923", and insert "248,183".

Amendment No. 213
On page 74, line 44, of said bill, strike out "242,423", and insert "240,683".

Amendment No. 214
On page 75, line 11, of said bill, strike out "550,000", and insert "71,154".

Amendment No. 215
On page 76, line 4, of said bill, strike out "74,082", and insert "70,706".

Amendment No. 216
On page 76, line 9, of said bill, strike out "53,727", and insert "49,999".

Amendment No. 217
On page 76, line 11, of said bill, strike out "19,601", and insert "18,813".

Amendment No. 218
On page 76, line 12, of said bill, strike out "3,794", and insert "1,894".

Amendment No. 219
On page 76, line 15, of said bill, strike out "77,122", and insert "73,746".

Amendment No. 220
On page 76, line 20, of said bill, strike out "74,082", and insert "70,706".

Amendment No. 221
On page 76 of said bill, strike out lines 45-48, inclusive.

Amendment No. 222
On page 77, line 10, of said bill, strike out "370,000", and insert "344,740".

Amendment No. 223
On page 77, line 13, of said bill, strike out "940,000", and insert "590,000".

Amendment No. 224
On page 77, line 16, of said bill, strike out "400,000", and insert "200,000".

Amendment No. 225
On page 77, line 18, of said bill, strike out "200,000", and insert "150,000".

Amendment No. 226
On page 77, line 19, of said bill, strike out "200,000", and insert "100,000".

Amendment No. 227
On page 77, line 35, of said bill, strike out "940,000", and insert "590,000".

Amendment No. 228
On page 78, line 5, of said bill, strike out "399,126", and insert "100,000".

Amendment No. 229
On page 78, line 8, of said bill, strike out "322,986", and insert "23,860".

Amendment No. 230
On page 79, line 19, of said bill, strike out "399,126", and insert "100,000".

Amendments read, as corrected.

Speaker Presiding

At 10.45 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Sherwin is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Conrad is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Division of the Question

Mr. Dickey asked for a division of the question.

Division of the question ordered.

Consideration of Amendments Nos. 1, 2, 3, 4, 5, and 6

Amendment No. 1

On page 6, line 40, of the printed bill, as amended, strike out "4,321,638", and insert "4,129,380".

Amendment No. 2

On page 7, line 4, of said bill, strike out "2,996,592", and insert "2,936,920".

Amendment No. 3

On page 7, line 6, of said bill, strike out "1,578,869", and insert "1,337,849".

Amendment No. 4

On page 7, line 8, of said bill, strike out "100,447", and insert "95,635".

Amendment No. 5

On page 7, line 11, of said bill, strike out "4,675,908", and insert "4,370,404".

Amendment No. 6

On page 7, line 25, of said bill, strike out "4,434,884", and insert "4,129,380".

Amendments read.

Point of Order

Mr. Stewart arose to the following point of order: That Mr. Hahn is not speaking to the subject.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Hahn is not speaking to the question.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

The question being on the adoption of Amendments Nos. 1, 2, 3, 4, 5, and 6, offered by Mr. Hollibaugh to Assembly Bill No. 1100.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hollibaugh moved a call of the Assembly.

Motion carried. Time, 11.56 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Caldecott, Fletcher, and Price—3.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 11.57 a.m., on motion of Mr. Burkhalter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Burkhalter was granted permission to introduce a bill by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3165: By Mr. Burkhalter—An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 717

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 717, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 717

Assembly Bill No. 717—An act relating to the holding of Olympic games in California, creating the California Olympics Commission, describing the powers and duties thereof, and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 7, of the printed bill, strike out "or the Olympic games of 1956, or both."

Amendment No. 2

On page 4, line 9, of said bill, strike out "either", and after "1952", strike out "or the Olympic games of 1956"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

UNANIMOUS CONSENT GRANTED TO RECALL SENATE BILL NO. 114 FROM THE SENATE

Mr. Evans asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Senate Bill No. 114 for purpose of amendment and further consideration.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 2852, 2853, AND 2854 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bills Nos. 2852, 2853, and 2854 be withdrawn from the Committee on Judiciary, for purpose of amendment, and be re-referred to the Committee on Judiciary.

Above bills ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Stewart asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1173

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1718

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1840

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 86—Approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 3, 1949;

Assembly Concurrent Resolution No. 87—Approving an amendment to the charter of the City of Santa Barbara, State of California, voted for and ratified by the electors of such city at a general municipal election held therein on May 3, 1949;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the second day of June, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2096
Assembly Bill No. 2472

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 594
Assembly Bill No 2081

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR SPEAKER. Your Committee on Education, to which was referred.

Assembly Bill No. 2264

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 873
Senate Bill No. 995
Senate Bill No. 1031
Senate Bill No. 1034

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2682

Has had the same under consideration, and reports the same back with the recommendation: Do pass

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2261
Assembly Bill No. 2262
Assembly Bill No. 2263

Has had the same under consideration, and reports the same back without recommendation Be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bills ordered re-referred to Committee on Ways and Means

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1922

Has had the same under consideration, and reports the same back with no recommendation; and be re-referred to Committee on Ways and Means

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2160

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1405
Assembly Bill No. 1406
Assembly Bill No. 1952
Assembly Bill No. 3027

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1801

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 804
Senate Bill No. 808
Senate Bill No. 814
Senate Bill No. 815
Senate Bill No. 1412

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1209

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1117

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred.

Assembly Bill No. 1839

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 1172

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1678
Assembly Bill No 1898
Assembly Bill No. 1899

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 1

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 86

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 82
Assembly Constitutional Amendment No. 84

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 71
Assembly Constitutional Amendment No. 72
Assembly Constitutional Amendment No. 73

Has had the same under consideration, and reports the same back with the recommendation. Be adopted

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No 68
Assembly Constitutional Amendment No. 69
Assembly Constitutional Amendment No 70

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 12
Assembly Constitutional Amendment No. 66
Assembly Constitutional Amendment No. 67

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolutions ordered engrossed.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred

Assembly Bill No. 3158

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

REAGAN, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 153
Senate Bill No. 246
Senate Bill No. 479
Senate Bill No. 724
Senate Bill No. 1629

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

REAGAN, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 436
Senate Bill No. 1213

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

REAGAN, Vice Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR SPEAKER Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1733

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

REAGAN, Vice Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2700
Assembly Bill No. 3154

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

REAGAN, Vice Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2124

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 801
Senate Bill No. 1632

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 142
Assembly Bill No. 2170
Assembly Bill No. 2791

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR SPEAKER Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 1978
Assembly Bill No. 2936
Assembly Bill No 3003
Assembly Bill No 3004

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 1, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2225

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 386

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 385

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

EVANS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

MOTION TO WITHDRAW ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 79 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Burkhalter moved that Assembly Constitutional Amendment No. 79 be withdrawn from the Committee on Constitutional Amendments, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Coats, George D. Collins, Condon, Cooke, Davis, Doyle, Elliott, Geddes, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Lowrey, McMillan, Moss, Rumford, and Yorty—22.

NOES—Babbage, Berry, Burke, Butters, Caldecott, Clarke, Collier, Crichton, Crowley, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—43.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

Assembly Bill No. 279, on request of Mr. Hinckley.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 628—An act to amend Section 600 of the Vehicle Code, relating to throwing lighted substance from or upon a highway.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 628?

Amendment No. 1

On page 1, line 4, of the printed bill, following the first word "a", insert "private road or".

Amendment No. 2

On page 1, line 6, of said bill, following "a", insert "private road or".

Amendment No. 3

In the title of said bill, after "a", insert "private road or".

Amendment No. 4

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on May 25, 1949, strike out "a private road or highway.", and insert "roads or highways."

Amendment No. 5

On page 1, lines 3 and 4, of said bill, strike out "a private road or highway.", and insert "roads or highways"

Amendment No. 6

On page 1, line 6, of said bill, strike out "a private", and insert "any".

Amendment No. 7

On page 1, line 6, of said bill, after "highway", insert ", public or private,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 628 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Assembly Bill No. 628 ordered enrolled.

Assembly Bill No. 630—An act to amend Section 604.10 of the Vehicle Code, relating to the removal of persons injured on highways.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 630?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on March 28, 1949, strike out lines 12 to 16, inclusive, and insert "physician and surgeon or hospital, if the injured person does not object to such transportation. Any peace officer, any member of an organized fire department or fire protection district, any employee of the Division of Highways assigned to maintenance operations, or any member".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 630 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Assembly Bill No. 630 ordered enrolled.

Assembly Bill No. 643—An act to amend Section 32064 of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 643?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 13, 1949, after "employment", insert "except service in the armed forces of the United States".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 643 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Assembly Bill No. 643 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 1, 2, 3, 4, 5, AND 6 TO ASSEMBLY BILL NO. 1100

At 12.25 p.m., on motion of Mr. Hollibaugh, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendments Nos. 1, 2, 3, 4, 5, and 6, offered by Mr. Hollibaugh to Assembly Bill No. 1100 refused adoption by the following vote:

AYES—Anderson, Bennett, Brady, Burkhalter, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lipscomb, Luckel, McMillan, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—36.

NOES—Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hinckley, Huyck, Kirkwood, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Sherwin, Stewart, Thompson, and Waters—37.

RECESS

At 12.29 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBERS EXCUSED

At 2.02 p.m., Mr. Rumford asked for, and was granted, unanimous consent that Messrs. Price, Fletcher, and Lincoln be excused, for the legislative day, because of illness.

At 2.03 p.m., Mr. Fleury asked for, and was granted, unanimous consent that Mr. Lewis be excused, for the balance of the legislative day, because of legislative business elsewhere.

Absence of Quorum Suggested

Mr. Rumford suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Rumford moved a call of the Assembly.

Motion carried. Time, 2.03 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Burkhalter, Coats, Condon, Conrad, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Reagan, Rosenthal, Silliman, Stewart, Thomas, Tomlinson, and Waters—43.

Hon. George D. Collins Presiding

At 2.05 p.m., Hon. George D. Collins, Member of the Assembly from the Twenty-second District, presiding.

Speaker Presiding

At 2.17 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 2.18 p.m., on motion of Mr. Rumford, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Morris, Moss, Niebouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61

Quorum present.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORT BE DEEMED READ

Mr. Dunn asked for, and was granted, unanimous consent that the following report of the Committee on Education be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred

Assembly Bill No. 664	Assembly Bill No. 1366
Assembly Bill No. 672	Assembly Bill No. 2855
Assembly Bill No. 999	Assembly Bill No. 2961

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DUNN, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1379—An act to amend Sections 317 and 319 of the Education Code, relating to the compensation of members of county boards of education.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1379?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "shall", and insert "may".

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 7, inclusive, and insert "ten dollars ($10) a day for his services, and to each member who uses a privately owned automobile in the discharge of necessary official duties as a member of the county board of education seven cents ($0.07) a mile for the first 300 miles, six cents ($0.06) a mile for the next 400 miles, and five cents ($0.05) a mile for mileage in excess of 700 miles. The mileage rates allowed in this section should be based on the total mileage claimed in a calendar month."

Amendment No. 3

On page 1, line 9, of said bill, strike out "shall", and insert "may".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1379 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60.
NOES—Luckel—1.

Assembly Bill No. 1379 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 721

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 721, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 721

Assembly Bill No. 721—An act to add Section 11540.1 to the Business and Professions Code, relating to the regulation of real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—57.
NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 406

Mr. Cooke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 406, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 406

Assembly Bill No. 406—An act to amend Section 7044 of the Business and Professions Code, relating to licensing of contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Caldecott, Clarke, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Gaffney, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Lindsay, Lipscomb, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stewart, Thomas, Waters, Way, Weber, and Mr. Speaker—41.

NOES—Anderson, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Elliott, Evans, Fleury, Geddes, Hahn, Hawkins, Kirkwood, Levering, Lowrey, Moss, Reagan, Tomlinson, and Yorty—22.

Bill ordered transmitted to the Senate.

REMARKS ON CONDITION OF THE FILE

Mr. Sherwin spoke on the condition of the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2608

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2608, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2608

Assembly Bill No. 2608—An act to add Article 6.5 to Chapter 3 of Part 2 of Division 3 of Title 2 of the Government Code, relating to public records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lipscomb, Lowrey, Luckel, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 885

Mr. Thomas asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Tuesday, April 19, 1949, passed Assembly Bill No. 885; and that the approved Journal of that date be corrected to show said action.

Request for Unanimous Consent to Take Up Assembly Bill No. 885

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 885, for purpose of amendment, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 885

Assembly Bill No. 885—An act to add Section 869 to the Fish and Game Code, relating to bait nets.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "and queenfish", and insert "queenfish, and kingfish".

Amendment No. 2

On page 1, line 7, of said bill, strike out the period, and insert "except that such fish may be salted to be used as bait only or ground to be used as fish chum."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2852

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2852, on second reading, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2852

Assembly Bill No. 2852—An act to amend Section 1269a of the Code of Civil Procedure, relating to escheated estates.

Bill read second time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 1269a of", and insert "to add Section 1274bbb to".

Amendment No. 2

In line 2 of the title of said bill, strike out "escheated estates", and insert "abandoned property and escheats".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 15, inclusive, and insert

"SECTION 1. Section 1274bbb is added to the Code of Civil Procedure, to read:

1274bbb. All money or other property which shall have been, or shall hereafter be, paid to, or deposited in the custody of, or be under the control of, any officer, department, or agency of the United States of America, or shall have been, or hereafter shall be, in the custody of any depository, registry, or clerk of such department or agency, which money or other property had its situs or source in this State; and either, (a) the sender thereof was not known, or (b) the money or property was paid, deposited or received for an unknown purpose, or (c) the money or property was

not credited by such officer, department or agency, to the account of any person, firm or corporation, or (d) the money or property was credited by such officer, department or agency to an account designated as "unknown", or (e) the money or property was credited by such officer, department or agency to the account of any person, firm or corporation who has not made claim thereto after becoming entitled to the same or to claim the same, and if the rightful owner or owners thereof either (1) shall have been or shall be unknown, for a period of five consecutive years, or (2) shall have died or shall die without having disposed thereof, and without having left, or without leaving a will disposing thereof, and without having left, or without leaving heirs, devisees or legatees, or (3) shall have abandoned, or shall abandon such funds or property; are declared to have escheated, or to escheat, together with all interest accrued thereon, to and to have become, or to become, the property of the State.

It is the purpose of this section to include all funds and other property in the possession or under the control of the Government of the United States of America, the United States Treasury, the Comptroller of Currency, Department of Internal Revenue, and all other departments, agencies and officers of the United States of America, which funds or other property had their situs in this State or belonged to a resident thereof and not to limit the application of this section by the naming of any particular officer, department or agency.

In any proceeding authorized by this section, if it shall appear from the records of any officer, department or agency of the United States that the rightful owner or owners of money or property which have been or shall hereafter be paid to, or deposited in the custody of, or under the control of, any such officer, department, or agency of the United States, or in the custody of any depository, registry, or clerk of such officer, department or agency, have not made claim therefor for a period of five consecutive years, it shall be presumed for all purposes of this section that such rightful owner or owners are, and during such period have been, unknown, and that they have died without having disposed thereof, and without having left a will, and without having left any heirs, devisees, or legatees, and that such property has been abandoned. In a case where the rightful owner of such money or property was a corporation, it shall be presumed for purposes of this section that the corporation is dissolved and no longer in existence, and its charter forfeited, and all the foregoing presumptions set forth in this section shall be made with respect to the rightful owners or claimants to the assets of such corporation, including its stockholders and creditors. Any or all of the foregoing several presumptions may be rebutted by competent evidence to the contrary.

Whenever it shall appear that there exists or may exist escheated property under this section, the Attorney General may at any time commence proceedings under Section 1268 of this code to have it established that such property has escheated to the State. In such proceeding a copy of the petition and order shall be served upon the clerk, registrar or other officer, or person in charge of the department or agency into which or into whose registry or treasury the fund or property has been paid or deposited or which has control or custody thereof, or which has jurisdiction to make orders for the payment of such money to the rightful owners thereof, together with a notice that no personal claim is made against such officer, registry, or other person in charge of the agency or department having control or possession of the funds or property sought, and also upon the United States attorney for the district in which such escheat proceedings are commenced. The purpose of this section is to determine judicially whether an escheat or abandonment has occurred, and is not to be construed as authorizing a judgment in the escheat proceedings to require such officers, departments or agencies of the United States of America or the officers, agents, depositories, registries, or clerks thereof to pay or surrender funds or property to the State.

The Attorney General shall take appropriate action, by obtaining an order of the court of the United States, or otherwise, to collect and receive such funds or property."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2854

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2854 on second reading, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2854

Assembly Bill No. 2854—An act to amend Section 1274.3 of the Code of Civil Procedure, relating to escheated property.

Bill read second time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "1274.3", and insert "1274bb."

Amendment No. 2

In line 2 of the title of the printed bill, strike out "escheated property", and insert "unclaimed money or other property in custody of United States courts."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 1274bb of the Code of Civil Procedure is amended to read:

All money or other property which shall have been, or shall hereafter be, paid into or deposited in the custody of, or be under the control of, any court of the United States in and for any district within the State, or shall have been or hereafter shall be in the custody of any depository, registry, clerk, or other officer of such court, and the rightful owner or owners thereof either (a) shall have been or shall be unknown for a period of five consecutive years; or (b) shall have died or shall die without having disposed thereof, and without having left or without leaving a will disposing thereof, and without having left or without leaving heirs, devisees, or legatees; or (c) shall have abandoned or shall abandon such funds or property, are declared to have escheated or to escheat, together with all interest accrued thereon, to and to have become or to become the property of the State.

In any proceeding authorized by this section if it shall appear from the records of the court of the United States that the rightful owner or owners of money or property which has been or shall hereafter be deposited in the custody or be under the control of, such court, or in the custody of its depository, registry, clerk, or other officer have not made claim thereto for a period of five successive years, it shall be presumed for all purposes of this section that such rightful owner or owners are, and during such period have been, unknown, and that they have died without having disposed thereof, and without having left a will, and without having left any heirs, next-of-kin, or distributees, and that such property has been abandoned In a case where the rightful owners of such money or property a corporation it shall also be presumed for purposes of this section that the corporation is dissolved and no longer in existence, and its charter forfeited, and all the foregoing presumptions set forth in this section shall be made with respect to the rightful owners or claimants to the assets of such corporation, including its stockholders and creditors. Any or all of the foregoing several presumptions may be rebutted by competent evidence to the contrary.

Whenever it shall appear that there exists or may exist escheated property under this section, the Attorney General may at any time commence proceedings under Section 1268 of this code to have it established that such property has escheated to the State. In such proceeding a copy of the petition and order shall be served upon the clerk of the court into which or into whose registry the fund or property has been paid or deposited or which has control or custody thereof, or which has jurisdiction to make orders for the payment of such money to the rightful owners thereof, together with a notice that no personal claim is made against him, and also upon the United States Attorney for the district in which such court is located. This section does not authorize a judgment in the escheat proceedings to require such courts, officers, agents, depositories, registries, or clerks to pay or surrender funds or property to this State.

The Attorney General shall take appropriate action, by obtaining an order of the court of the United States or otherwise, to collect and receive such funds or property."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2853 BE WITHDRAWN FROM SECOND READING FILE, AND BE RE-REFERRED

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Bill No. 2853 be withdrawn from the second reading file, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1173

Mr. Conrad asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1173, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1173

Assembly Bill No. 1173—An act to repeal Section 1176 of the Labor Code, to renumber Section 1177 to be Section 1176 thereof, to renumber Section 1178 to be Section 1177 thereof, to amend and renumber Section 1179 to be Section 1178 thereof, to amend and renumber Section 1180 to be Section 1179 thereof, to amend and renumber Section 1181 to be Section 1180 thereof, to repeal Section 1182 of said code, to amend and renumber Section 1183 to be Section 1181 thereof, to amend and renumber Section 1184 to be Section 1182 thereof, to amend and renumber Section 1185 to be Section 1183 thereof, to amend and renumber Section 1186 to be Section 1184 thereof, and to add Section 1185 to said code, relating to women and minors.

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 25, of the printed bill, as amended in the Assembly on May 31, 1949, after "organization", insert "within this State"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2195

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2195, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2195—An act to add Sections 364.7 and 364.8 to the Agricultural Code, relating to public livestock sales yards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2195?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 364.8", and insert ", 364.8 and 380.70".

Amendment No. 2

In line 2 of the title of said bill, strike out "public livestock sales yards", and insert "livestock sales yards and sellers of horses, mules, and burros".

Amendment No. 3

On page 1 of said bill, after line 25, insert

"SEC. 3. Section 380.70 is added to Article 1 of Chapter 4 of Division 3 of the Agricultural Code, to read.

380.70. Any person engaged in the business of selling horses, mules, or burros on consignment at any public or private sales yard, shall keep after each such sale a certificate of consignment which contains the following information:

1. The name and address of the consignor

2. A description of each animal sold which shall include its color, approximate weight, approximate age, natural marks, and a description of each brand and its location.

3. Reasonable proof of the ownership of the animal.

4. The license number to any vehicle transporting the animal to the sales yard. In those cases where the animal is transported in a trailer the license number of both the trailer and the vehicle pulling it shall be given.

5. The signature of the consignor

The above certificate shall be kept on file in the office of the seller for a period of at least one year after the sale. All such certificates shall be exhibited on the demand of any peace officer or any agent of the Department of Agriculture."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2195 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Butters, Clarke, Coats, Colbert, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56

NOES—None

Assembly Bill No. 2195 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns:

Senate Bill No. 114

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON SENATE BILL NO. 114

Mr. Dickey asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Friday, May 20, 1949, passed Senate Bill No. 114; and that the approved Journal of that date be corrected to show said action.

Request for Unanimous Consent to Take Up Senate Bill No. 114

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 114, for purpose of amendment, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 114

Senate Bill No. 114—An act to amend Section 4764 of the Health and Safety Code, relating to the borrowing of money by county sanitation districts.

Bill read third time.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "annually or semiannually", and insert "at such time or times".

Amendment No. 2

On page 1 of said bill, strike out lines 14 to 19, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2480

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2480, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2480—An act to amend Section 3212.5 of the Labor Code, relating to workmen's compensation benefits for members of police departments and the State Highway Patrol.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2480?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 2, 1949, strike out lines 20 and 21, and insert "manifesting itself. This presumption is disputable and may be controverted by other evidence, but unless so controverted, the commission is bound to find in accordance with it."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2480 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2480 ordered enrolled.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 1

On page 6, line 40, of the printed bill as amended in the Assembly on May 31, 1949, strike out "4,434,884", and insert "3,843,212".

Amendment read.

Demand for Previous Question

Messrs. Weber, Luckel, Reagan, Silliman, and Rumford demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 1, offered by Mr. Erwin to Assembly Bill No. 1100.

Point of Order

Mr. Dunn arose to the following point of order: That Mr. Erwin has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The roll was called, and the amendment adopted by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Conrad, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—47.

NOES—Butters, Clarke, Coats, Cooke, Crichton, Crowley, Davis, Elliott, Gaffney, Heisinger, Hoffman, Lowrey, and Maloney—13.

(1 Amendment adopted. Total—721.)

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 2

On page 7, line 4, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "2,996,592", and insert "2,452,048".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Conrad, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hinckley, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—42.

NOES—Bennett, Clarke, Coats, Cooke, Crichton, Crowley, Elliott, Gaffney, Hagen, Heisinger, Hoffman, Lowrey, and McCarthy—13.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Amendment No. 2

Mr. Dickey asked for, and was granted, unanimous consent that his name be placed upon the roll call on Amendment No. 2, offered by Mr. Erwin, and that he be recorded as voting "Aye."

(1 Amendment adopted Total—722.)

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 3

On page 7, line 6, of the printed bill, as amended in the Assembly, on May 31, 1949, strike out "1,578,869", and insert "1,524,314".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Hahn, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—44.

NOES—Clarke, Coats, Cooke, Crichton, Gaffney, Hagen, Heisinger, Hoffman, Lowrey, and McCarthy—10.

(1 Amendment adopted. Total—723.)

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 4

On page 7, line 8, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "100,447", and insert "98,873".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Hahn, Hinckley, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—45

NOES—Brown, Clarke, Coats, Cooke, Crichton, Crowley, Hagen, Heisinger, Hoffman, Lowrey, and Maloney—11.

(1 Amendment adopted. Total—724.)

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 5

On page 7, line 11, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "4,675,908", and insert "4,075,235".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Fleury, Geddes, Grant, Hahn, Hinckley, Hollibaugh, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, Way, Yorty, and Mr. Speaker—41.

NOES—Brown, Clarke, Coats, Cooke, Crichton, Crowley, Evans, Gaffney, Hagen, Heisinger, Hoffman, Lowrey, and Maloney—13.

(1 Amendment adopted. Total—725.)

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 6

On page 7 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 19 to 22, inclusive.

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hinckley, Huyck, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Waters, Way, Yorty, and Mr. Speaker—41.

NOES—Brown, Clarke, Coats, Cooke, Crichton, Crowley, Gaffney, Hagen, Heisinger, Hoffman, Lowrey, and Maloney—12.

(1 Amendment adopted. Total—726.)

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment

Amendment No. 7

On page 7, line 25, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "4,434,884", and insert "3,843,212".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Hahn, Hinckley, Huyck, Lindsay, Lipscomb, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, Way, Yorty, and Mr. Speaker—41.

NOES—Brown, Clarke, Coats, Cooke, Crichton, Crowley, Gaffney, Hagen, Heisinger, Hoffman, Lowrey, and Maloney—12.

(1 Amendment adopted. Total—727.)

Explanations of Vote

I voted "yes" on Mr. Erwin's amendments to delete fixed amounts of money from Assembly Bill No. 1100 as a deduction from the Department of Agriculture as a whole, and was not intended to direct the department to discontinue meat inspection.

JONATHAN J. HOLLIBAUGH

I voted against all of Mr. Erwin's amendments because I believe should they become effective the result would be toward breaking the small packers of the State.

S. L. HEISINGER

We, the undersigned, are of the understanding that amendments to Item 39 of Assembly Bill No. 1100, as amended in the Assembly on May 31, are over-all budget cuts to the Department of Agriculture, and that there is no understanding or legislative intent that this cut applies to any single bureau or division of the Department of Agriculture.

LLOYD W. LOWREY
JONATHAN J. HOLLIBAUGH
RANDAL F. DICKEY
AUGUSTUS F. HAWKINS
T. J. DOYLE
ERNEST GEDDES

Consideration of Further Amendments
Motion to Amend

Mr. Erwin moved the adoption of the following amendment:

Amendment No. 8

The Erwin Amendments No. 1, No. 2, No. 3, No. 4, No. 5, No. 6, and Amendment No. 7, apply only to Bureau of Meat Inspection.

Amendment read.

Point of Order

Mr. Dickey arose to the following point of order: That Amendment No. 8 offered by Mr. Erwin to Assembly Bill No. 1100 is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Further Consideration of Amendments Offered by Mr. Hollibaugh
Consideration of Amendments Nos. 7 and 8
Amendment No. 7

On page 7 of said bill, strike out lines 31 to 36, inclusive.

Amendment No. 8

On page 7 of said bill, strike out lines 37 to 39, inclusive.

Amendments read.

Amendments Withdrawn

Mr. Hollibaugh withdrew the above amendments.

Consideration of Amendment No. 9
Amendment No. 9

On page 19, line 29, of said bill, strike out "1,443,873", and insert "1,389,313".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Brady, Burkhalter, Clayton A. Dills, Dolwig, Evans, Geddes, Hahn, Heisinger, Hoffman, Hollibaugh, Lipscomb, Lowrey, Luckel, Morris, Niehouse, Weber, and Mr. Speaker—17.

NOES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Hagen, Hinckley, Huyck, Kirkwood, Levering, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Stewart, Thomas, Thompson, Waters, Way, and Yorty—46.

Consideration of Amendments Nos. 10 to 91
Amendment No. 10

On page 19, line 37, of said bill, strike out "1,041,252", and insert "986,692".

Amendment No. 11

On page 19, line 44, of said bill, strike out "1,508,769", and insert "1,454,209".

Amendment No. 12

On page 20, line 8, of said bill, strike out "1,443,873", and insert "1,389,313".

Amendment No. 13

On page 20, line 51, of said bill, strike out "645,000", and insert "605,000".

Amendment No. 14

On page 21, line 43, of said bill, strike out "520,726", and insert "502,598".

Amendment No. 15

On page 22, line 4, of said bill, strike out "584,232", and insert "566,104".

Amendment No. 16

On page 22, line 9, of said bill, strike out "700,711", and insert "682,583".

Amendment No. 17
On page 22, line 20, of said bill, strike out "520,726", and insert "502,598".

Amendment No. 18
On page 22, line 23, of said bill, strike out "1,040,738", and insert "1,032,962".

Amendment No. 19
On page 22, line 33, of said bill, strike out "1,204,989", and insert "1,197,213".

Amendment No. 20
On page 22, line 38, of said bill, strike out "1,423,059", and insert "1,415,283".

Amendment No. 21
On page 22, line 52, of said bill, strike out "1,040,738", and insert "1,032,962".

Amendment No. 22
On page 23, line 45, of said bill, strike out "460,846", and insert "425,014".

Amendment No. 23
On page 24, line 15, of said bill, strike out "473,576", and insert "437,744".

Amendment No. 24
On page 24, line 20, of said bill, strike out "624,576", and insert "588,744".

Amendment No. 25
On page 24, line 31, of said bill, strike out "460,846", and insert "425,014".

Amendment No. 26
On page 24, line 36, of said bill, strike out "347,822", and insert "306,438".

Amendment No. 27
On page 24, line 43, of said bill, strike out "340,912", and insert "299,528".

Amendment No. 28
On page 24, line 47, of said bill, strike out "457,962", and insert "416,578".

Amendment No. 29
On page 25, line 11, of said bill, strike out "347,822", and insert "306,438".

Amendment No. 30
On page 25, line 14, of said bill, strike out "1,358,791", and insert "1,305,391".

Amendment No. 31
On page 25, line 22, of said bill, strike out "1,604,417", and insert "1,551,017".

Amendment No. 32
On page 25, line 28, of said bill, strike out "1,863,828", and insert "1,810,428".

Amendment No. 33
On page 25, line 39, of said bill, strike out "1,358,791", and insert "1,305,391"

Amendment No. 34
On page 25, line 42, of said bill, strike out "1,225,947", and insert "1,168,103".

Amendment No. 35
On page 26, line 4, of said bill, strike out "1,415,449", and insert "1,357,605".

Amendment No. 36
On page 26, line 10, of said bill, strike out "1,648,767", and insert "1,590,923".

Amendment No. 37
On page 26, line 21, of said bill, strike out "1,225,947", and insert "1,168,103".

Amendment No. 38
On page 26, line 24, of said bill, strike out "1,697,279", and insert "1,626,649".

Amendment No. 39
On page 26, line 33, of said bill, strike out "2,003,845", and insert "1,933,215".

Amendment No. 40
On page 26, line 38, of said bill, strike out "2,324,984", and insert "2,254,354".

Amendment No. 40.1
On page 26, line 49, of said bill, strike out "1,697,279", and insert "1,626,649".

Amendment No. 41
On page 27, line 47, of said bill, strike out "233,272".

Amendment No. 42
On page 28, line 12, of said bill, strike out "201,615".

Amendment No. 43
On page 28, line 14, of said bill, strike out "116,652".

Amendment No. 44
On page 28, line 15, of said bill, strike out "8,445".

Amendment No. 45
On page 28, line 18, of said bill, strike out "326,712".

Amendment No. 46
On page 28, line 20, of said bill, strike out "6,730".

Amendment No. 47
On page 28, line 24, of said bill, strike out "61,710".

Amendment No. 48
On page 28, line 26, of said bill, strike out "25,000".

Amendment No. 49
On page 28, line 29, of said bill, strike out "280,380".

Amendment No. 50
On page 29, line 35, of said bill, strike out "283,309", and insert "275,225".

Amendment No. 51
On page 29, line 41, of said bill, strike out "182,707", and insert "174,623".

Amendment No. 52
On page 29, line 47, of said bill, strike out "291,029", and insert "282,945".

Amendment No. 53
On page 30, line 7, of said bill, strike out "283,309", and insert "275,225".

Amendment No. 54
On page 30, line 13, of said bill, strike out "289,180", and insert "285,545".

Amendment No. 55
On page 30, line 19, of said bill, strike out "148,875", and insert "145,240".

Amendment No. 56
On page 30, line 25, of said bill, strike out "298,540", and insert "294,905".

Amendment No. 57
On page 30, line 31, of said bill, strike out "289,180", and insert "285,545".

Amendment No. 58
On page 32, line 3, of said bill, strike out "30,980,986", and insert "24,712,501".

Amendment No. 59
On page 32, line 29, of said bill, strike out "2,033,730", and insert "1,866,234".

Amendment No. 60
On page 32, line 36, of said bill, strike out "1,591,504", and insert "1,459,793".

Amendment No. 61
On page 32, line 38, of said bill, strike out "826,638", and insert "808,930".

Amendment No. 62
On page 32, line 40, of said bill, strike out "133,233", and insert "115,156".

Amendment No. 63
On page 32, line 45, of said bill, strike out "2,701,375", and insert "2,533,879".

Amendment No. 64
On page 33, line 10, of said bill, strike out "2,033,730", and insert "1,866,234".

Amendment No. 65
On page 34, line 19, of said bill, strike out "10,130,586", and insert "9,731,445".

Amendment No. 66
On page 34, line 26, of said bill, strike out "8,658,098", and insert "8,384,712".

Amendment No. 67
On page 34, line 28, of said bill, strike out "1,454,522", and insert "1,409,101".

Amendment No. 68
On page 34, line 30, of said bill, strike out "209,291", and insert "128,957".

Amendment No. 69
On page 34, line 33, of said bill, strike out "10,321,911", and insert "9,922,770".

Amendment No. 70
On page 34, line 43, of said bill, strike out "10,130,586", and insert "9,731,445".

Amendment No. 71
On page 35, line 22, of said bill, strike out "1,828,040", and insert "1,583,817".

Amendment No. 72
On page 35, line 32, of said bill, strike out "1,606,704", and insert "1,451,140".

Amendment No. 73
On page 35, line 34, of said bill, strike out "281,164", and insert "239,454".

Amendment No. 74
On page 35, line 36, of said bill, strike out "64,867", and insert "17,918".

Amendment No. 75
On page 35, line 39, of said bill, strike out "1,952,735", and insert "1,708,512".

Amendment No. 76
On page 35, line 50, of said bill, strike out "1,828,040", and insert "1,583,817".

Amendment No. 77
On page 36, line 33, of said bill, strike out "1,598,589", and insert "1,497,129".

Amendment No. 78
On page 36, line 36, of said bill, strike out "212,900", and insert "180,965".

Amendment No. 79
On page 39, line 47, of said bill, strike out "2,242,488", and insert "2,178,440".

Amendment No. 80
On page 40, line 4, of said bill, strike out "1,900,774", and insert "1,852,094".

Amendment No. 81
On page 40, line 6, of said bill, strike out "304,230", and insert "288,862".

Amendment No. 82
On page 40, line 11, of said bill, strike out "2,242,488", and insert "2,178,440".

Amendment No. 83
On page 40, line 14, of said bill, strike out "213,520", and insert "202,816".

Amendment No. 84
On page 40, line 17, of said bill, strike out "155,483", and insert "144,779".

Amendment No. 85
On page 40, line 24, of said bill, strike out "213,520", and insert "202,816".

Amendment No. 86
On page 41, line 6, of said bill, strike out "3,697,847", and insert "3,529,197".

Amendment No. 87
On page 41, line 13, of said bill, strike out "3,102,254", and insert "2,986,860".

Amendment No. 88

On page 41, line 14, of said bill, strike out "728,661", and insert "698,955".

Amendment No. 89

On page 41, line 16, of said bill, strike out "84,932", and insert "61,382".

Amendment No. 90

On page 41, line 19, of said bill, strike out "3,915,847", and insert "3,747,197".

Amendment No. 91

On page 41, line 27, of said bill, strike out "3,697,847", and insert "3,529,197".

Amendments read.

Amendments Withdrawn

Mr. Hollibaugh withdrew the above amendments.

Consideration of Amendment No. 92

Amendment No. 92

On page 41, line 34, of said bill, strike out "246,543", and insert "213,116".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Brady, Burkhalter, Condon, Dickey, Dolwig, Doyle, Dunn, Elliott, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Lowrey, Luckel, McMillan, Morris, Niehouse, Reagan, Silliman, Thomas, Way, Weber, and Mr Speaker—27

NOES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Erwin, Fleury, Gaffney, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Moss, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, and Yorty—39.

Consideration of Amendments Nos. 93 to 96

Amendment No. 93

On page 41, line 36, of said bill, strike out "177,925", and insert "157,341".

Amendment No. 94

On page 41, line 38, of said bill, strike out "62,786", and insert "53,453".

Amendment No. 95

On page 41, line 41, of said bill, strike out "5,832", and insert "2,322".

Amendment No. 96

On page 41, line 43, of said bill, strike out "246,543", and insert "213,116".

Amendments read.

Amendments Withdrawn

Mr. Hollibaugh withdrew the above amendments.

Motion to Set Special Order

Mr. Sherwin moved that Assembly Bill No. 1100 be made a special order of business for Friday, June 3, 1949, at 9.30 a.m.

Motion carried.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 259
And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 259 ordered referred to inactive file.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 2120
And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2120 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 61
And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 61 ordered re-referred to Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1132

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1132, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1132

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, after "28313", insert ", and 28280,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2, after line 19, insert
"Section 28280 of the Health and Safety Code is amended to read:
28280. "Food," as used in this [article] *chapter*, includes all articles used for food, drink, confectionery, or condiment, whether simple or compound, and all substances and ingredients used in the preparation thereof."

Amendments read, and adopted
Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2127

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2127, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2127

Assembly Bill No. 2127—An act to add Section 73f to the Code of Civil Procedure, relating to the holding of sessions of the superior court in places other than the county seat.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 5, 1949, strike out lines 3 to 13, inclusive, and insert

"73f. Except in those cities in which sessions of the superior court are, on the effective date of this section, required by law to be held, no sessions of the superior court shall be held in any city thereafter meeting the requirements of Sections 73, 73b or 142 of this code unless the city hall of that city is eight miles or more distant from the city hall of the nearest city in which one or more sessions of the superior court are held."

Amendment No. 2

On page 1, line 18, of said bill, strike out "December 30, 1949," and insert "the effective date of this section."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2909

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2909, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2909

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent or other juveniles are housed.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 27, 1949, strike out "all counties except".

Amendment No. 2

On page 1, line 19, of said bill, after "In", insert "all counties except".

Amendment No. 3

On page 1, line 23, of said bill, after "In", strike out "all counties except".

Amendment No. 4

On page 2, line 5, of said bill, after "counties", insert "except counties".

Amendment No. 5

On page 2, line 13, of said bill, strike out "counties other than".

Amendment No. 6

On page 2, line 16, of said bill, after "In", insert "all counties except".

Amendment No. 7

On page 2, line 21, of said bill, after "in", insert "all counties except".

Amendments read, and adopted.

Motion to Amend Title

Mr. Condon moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 27, 1949, after "Welfare", insert "and Institutions".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1278

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1278, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1278

Senate Bill No. 1278—An act to add Section 3332, and to repeal Sections 3259, 3304, and 3304.5 of, the Welfare and Institutions Code, relating to institutions for the blind under the jurisdiction of the Department of Education.

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 3252.5 and".

Amendment No. 2

In line 4 of the title of said bill, before the period, insert "and qualifications for admission thereto".

Amendment No. 3

On page 2 of said bill, after line 8, insert

"SEC. 3. Section 3252.5 is added to the said code, to read:

3252.5. A person shall be considered blind who has 20/200 or less visual acuity in the better eye with correction, as measured by the Snellen Test, or who has such limitation of field or other defect as to render him incapable of obtaining an education or making a living with ordinary visual proficiency."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1002 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Bill No. 1002 be withdrawn from the file, and be re-referred to the Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Senate Bill No. 625

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 625—An act to amend Section 6803 of the Education Code, relating to daily attendance.

Referred to Committee on Education.

RESOLUTIONS

The following resolution was offered:

By Messrs. Evans, Levering, and Reagan:

House Resolution No. 225

Commending the production of "The Red Menace"

WHEREAS, It must be evident to every sincere American citizen that our Country and our American way of life are being imperiled by insidious forces from within and without; and

WHEREAS, The need to employ the great force of the motion picture screen in the fight to alert the American people to dangers that confront us has been apparent for some time; and

WHEREAS, Republic Studios and its courageous president, Mr. Herbert J. Yates, is the first motion picture company to produce such a motion picture, entitled "The Red Menace," to assist in the fight against Communism and any other "Ism" whose purpose it is to destroy our form of government by force and violence, bloodshed and terror; and

WHEREAS, Mr Herbert J. Yates has publicly stated that the Republic organization will do everything in its power, regardless of expense and tribulations, to make certain that "The Red Menace" is shown in every city, town and village in the United States of America and other countries not under Communistic control; and

WHEREAS, Lloyd C. Davies, member of the Los Angeles City Council, has ably aided in the successful culmination of this production by the use of his name and person; now, therefore, be it

Resolved by the Assembly of the State of California, That, in recognition of the great contribution that has been made by Republic Studios in the fight against those forces who seek to deprive the American people of the freedoms we all cherish so dearly, the Assembly does commend the Republic Studios and those persons who have so courageously assisted in this production; and be it further

Resolved, That every individual in the United States be hereby urged to see this production in order to have knowledge of these forces that are seeking to destroy our Nation.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 12
Assembly Constitutional Amendment No 66
Assembly Constitutional Amendment No 67
Assembly Constitutional Amendment No 68

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 69
Assembly Constitutional Amendment No. 71
Assembly Constitutional Amendment No. 72

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1562

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 67
Assembly Bill No. 1384

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 1035
Senate Bill No. 1382

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2926

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 134

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislature Procedure has examined:

Assembly Bill No. 1734

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 223—An act to amend Section 426 of the Education Code, relating to county school superintendents' salaries in counties of the twenty-sixth class;

Assembly Bill No. 225—An act to amend Section 28145 of the Government Code, relating to compensation for public service in counties of the forty-fifth class;

Assembly Bill No. 226—An act to amend Section 28126 of the Government Code, relating to compensation for public service in counties of the twenty-sixth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 265—An act to add Section 3456a½ to the Political Code, relating to the raising of money for reclamation districts by means of taxation;

Assembly Bill No. 384—An act amending Section 58 of the Unemployment Insurance Act, relating to disqualification for benefits;

Assembly Bill No. 526—An act to amend Section 1 of an act entitled "An act granting certain tidelands and submerged lands of the State of California to the City of Santa Monica upon certain trusts and conditions," approved April 16, 1917, relating to the use of certain tidelands and submerged lands granted to the City of Santa Monica;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 588—An act to amend Section 6511 of the Business and Professions Code, relating to barbers;

Assembly Bill No. 616—An act to add Section 454.1 to the Vehicle Code, relating to the regulations of traffic on highways;

Assembly Bill No. 681—An act to add Section 6562 to the Business and Professions Code, relating to the practice of barbering;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 704—An act to amend Section 1570 of the Probate Code, relating to the appointment of guardians for minors and insane or incompetent persons;

Assembly Bill No. 725—An act to add Section 19333 to the Government Code, relating to authorizing absences from veterans' homes;

Assembly Bill No. 735—An act to amend Section 627.5 of the Agricultural Code, relating to chocolate drinks containing milk or skimmed milk;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1318—An act to amend Section 4162 of the Business and Professions Code, relating to hypodermic syringes and needles;

Assembly Bill No. 1451—An act to amend Sections 12184, 12185, 12186, and 12192 of the Government Code, relating to fees of the Secretary of State;

Assembly Bill No. 1629—An act to amend Section 18109 of the Health and Safety Code, relating to auto and trailer camps;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1630—An act to amend Sections 1187 and 1190 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property;

Assembly Bill No. 1643—An act to amend Section 26524 of the Government Code, relating to duties of district attorney;

Assembly Bill No. 1667—An act to amend Section 726 of the Welfare and Institutions Code, relating to the issuance of a citation to appear;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1873—An act to amend Section 8403 of, and to add Section 8402.1 to, the Water Code, relating to flood control;

Assembly Bill No. 2054—An act to add Section 19261 to the Government Code, relating to the powers and duties of the State Personnel Board;

Assembly Bill No. 2073—An act to amend Section 3209 3 of the Labor Code, relating to workmen's compensation and insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2150—An act to amend Section 7726 of the Business and Professions Code, relating to licenses of funeral directors and embalmers;

Assembly Bill No. 2248—An act to amend Section 925 of the Probate Code, relating to vouchers;

Assembly Bill No. 2367—An act to amend Section 7 of "An act entitled an act to provide for the protection of lands from overflow other than lands recognized as swamp lands," approved April 15, 1880, relating to protection districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2744—An act to amend Section 6627 of the Business and Professions Code, relating to barbers;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 256—An act to amend Sections 3047, 3048, and 3051 of the Business and Professions Code, relating to professional courses in optometry;

Assembly Bill No. 434—An act to amend Section 499b of, and to add Section 499d to, the Penal Code, relating to unauthorized taking or operation of vehicles or aircraft;

Assembly Bill No. 450—An act to amend Sections 21200 and 21201 of, and to add Section 21202 to the Corporations Code, relating to the property of certain unincorporated associations;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 781—An act to amend Section 690 24 of the Code of Civil Procedure, relating to the value of motor vehicle and house trailer exempt from execution;

Assembly Bill No. 970—An act to add Sections 4874, 4901 1, 4901 2, 4901 3, 4901 4, 4901 5, 4901.6, 4902 05, 4902.06, 4902 07, 4902 1, 4902.2, 4902.4, 4905, 4905 1, 4906, 4907, 4908, 4909, 4910, 4911.1, 4912 1, 4915.1, 4917.1, 4931.1, 4954, and 4965.1

to the Education Code; to amend Sections 4873, 4885, 4886, 4887, 4901, 4902, 4903, 4904, 4911, 4912, 4914, 4915, 4917, 4918, 4919, 4919.1, 4920, 4931, 4932, 4941, 4942, 4943, 4946, 4962, 4963, and 4964 of said code; to amend and renumber Sections 4902.1, 4912.1, 4915.1, and 4917.1 of said code; to amend the headings of Articles 2, 4, and 5 of Chapter 16 of Division 2 of said code; to repeal Sections 4881, 4882, 4883, 4884, 4886, and 4887 of said code; and to repeal Article 3 of Chapter 16 of Division 2 of said code, all relating to the reorganization of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 983—An act authorizing the Director of Finance, with the approval of the Director of the Department of Mental Hygiene, successor in interest of Norwalk State Hospital, to exchange certain lands with the Atchison, Topeka and Santa Fe Railway Company, a corporation, in the County of Los Angeles, State of California;

Assembly Bill No. 1564—An act to amend Sections 359, 359.3, 359.5, and 360.4, and to add Chapter 8, comprising Section 438, to Division 3, of the Agricultural Code, relating to licensed slaughterers and to injunctive remedy;

Assembly Bill No. 1863—An act to amend Sections 750 and 752 of the Vehicle Code, permitting members of the California Highway Patrol to make certain arrests of Division 9 while not in full uniform;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1893—An act to amend Section 214 of the Revenue and Taxation Code, relating to exemptions from taxation;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 573
Assembly Bill No. 1431

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 154	Assembly Bill No. 1511
Assembly Bill No. 341	Assembly Bill No. 1874
Assembly Bill No. 1484	Assembly Bill No. 2030
Assembly Bill No. 1510	Assembly Bill No. 2388

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 85
Assembly Concurrent Resolution No. 89

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 166	Assembly Bill No 1503
Assembly Bill No. 375	Assembly Bill No. 1888
Assembly Bill No. 892	Assembly Bill No. 1904
Assembly Bill No. 945	Assembly Bill No. 2666
Assembly Bill No. 1057	Assembly Bill No. 2775
Assembly Bill No. 1482	Assembly Bill No 3102

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight, at 8 p.m.—

Civil Service and State Personnel, in Room 430.
Public Morals, in Room 436.
Revenue and Taxation, in Room 435.
Transportation and Commerce, in Room 426.
Ways and Means, in Room 432.

Tomorrow, Friday, June 3d, at 8.30 a.m.—

Rules, in Room 430.

It was announced that the following committee would hold no meeting today:

Industrial Relations.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Waters, the usual courtesies of the Assembly for this day were unanimously extended to Miss Jean Ward of Los Angeles.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Elba Lytken of Sacramento.

On request of Mr. Clayton A. Dills, the usual courtesies of the Assembly for this day were unanimously extended to Everett S. Parker of Represa.

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Miss Peggy Davis, Washington, D. C., and Mrs. Thomas F. Magruder of Sacramento.

On request of Mr. Weber, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. E. Van Vlear, teacher of the Stockton College, and the following pupils: Sally Morris, Dianne Davinroy, Geneva Phillips, Norma Nash, Wilma Lou Wheeler, Barbara Webb, Sachi Shingu, Helen Samson, Eva Hinshaw, Ethel Floding, Betty Phillips, Marilyn Coleman, Masako Nokaoka, Beatrice Saiki, June Washburn, Ronald Burt, Ronnie Cary, Robert Hart, James Ingram, Howard Trikey, Jack Graham, June Rich, Jackie Nichols, and Bob De Ment.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Raymond Donohue, Miss McKeon, and Mr. and Mrs. James H. Coffey of San Francisco.

ADJOURNMENT

At 5.11 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a m., Friday, June 3, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-THIRD LEGISLATIVE DAY

ONE HUNDRED FIFTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Friday, June 3, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Babbage, Beck, Berry, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—51.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Light: In Thy world there is darkness as well as sunlight, and the shadows of sorrow, of undeserved suffering and of frustration of soaring hopes.

Darkness that comes from the conduct of heartless men; from their cruelty and rapacity, how often the innocent suffer

Darkness that springs from our unconscious ignorance of Thy cosmic laws, and often from disobedience to Nature's decrees.

But may we see behind all the shifting panorama of life a pattern slowly weaving, some with threads of silver and some with strands of gold, while often the darker colors are all the day unfolds

"But not 'til the loom is silent, and the shuttles cease to fly,
Shall Heaven reveal the pattern and show the reason why."

AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Reagan, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Elliott.

Mr. Fletcher, on motion of Mr. Elliott.

COMMUNICATIONS

By the Chief Clerk:

An unsigned communication and a resolution from the 1949 Grand Jury, County of Los Angeles, relative to Senate Bill No. 184 and urging its passage, was received, and ordered referred to the Committee on Judiciary.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1978—An act to add Article 12, comprising Sections 10210 and 10211, to Chapter 1 of Division 5 of the Education Code, relating to outdoor and conservation education courses and programs.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2936—An act to amend Section 11401 of the Water Code, relating to the Water Project Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3003—An act to repeal Part 8, comprising Sections 15530 to 15563, inclusive, of Division 3 of Title 2 of the Government Code, relating to planning and research, and to abolish the physical planning and economic advisory councils.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3004—An act to repeal Article 19, comprising Sections 95 and 96, of the Community Redevelopment Act, relating to the State Redevelopment Agency, and to abolish the State Redevelopment Agency.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3158—An act to add Section 1953.5 to the Government Code, relating to liability of public officers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1839—An act to amend Sections 3.4, 10.4, and 10.5 of the World Trade Center Authorities Act, relating to world trade centers.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. George D. Collins asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2682—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2225—An act to amend Section 26881 of the Water Code, relating to inclusion petitions in irrigation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "not be posted", and insert "only be posted in three public places".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2700—An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 1, of the printed bill, after "proposal", insert "requiring the approval of a county board of supervisors".

Amendment No. 2

On page 1, line 3, of said bill, strike out "function", and insert "functions".

Amendment No. 3

On page 1, line 7, of said bill, strike out "hereof", and insert "thereof".

Amendment No. 4

On page 2, line 9, of said bill, after "proponents", insert "and the district, if any, affected".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3154—An act to amend Sections 32204, 32262, 32322, 32324, 32334, 32335, 32351, 32354, and 32355 of, to add Sections 32204.5, 32235.5, 32330.5, 32339, 32363, 32364, and 32365 to, and to repeal Section 32363 of the Government Code, relating to County Fire Service Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 3 of the title of the printed bill, after "32339," insert "32340,".

Amendment No. 2

On page 4, line 8, of said bill, strike out "and (b)", and insert "(b) If a member has claimed credit for any time prior to the establishment of the system, during which time a retirement system pursuant to Chapter 2 of this part was in effect, an amount equal to that which he contributed as a member of such retirement system during the whole of such time or would have contributed had he been a member during the whole of that time but not for any time prior to the establishment of such retirement system, minus 2 percent of his aggregate salary or wages paid during such time, and (c)".

Amendment No. 3

On page 4, line 10, of said bill, strike out "assumption", and insert "assumptions

SEC. 10.5. Section 32340 is added to said code, to read:

32340. A member subject to the provisions of Section 32339, at the time he elects to make the payments provided for therein and who has elected to receive credit for time prior to the establishment of the system, may elect to receive no credit for such time, or to receive credit for less time. If he elects to receive no credit for such prior service he need not make the payments provided for in clause (b) of Section 32339. If he elects to receive credit for less prior service:

(a) If the amount which he contributed for the prior service for which he originally elected to receive prior service credit equals or exceeds the amount which would be due as contributions to a retirement system in the same county established pursuant to Chapter 2 of this part for the time or prior service subsequently elected he need not make the payments provided for in clause (b) of Section 32339.

(b) If the amount which he contributed for the prior service for which he originally elected to receive prior service credit is less than the amount which would be due as such contributions to such a retirement system, he shall pay the difference, instead of the amount provided for in clause (b) of Section 32339."

Amendment No. 4

On page 5, line 33, of said bill, strike out "or", and insert "but".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23a of Article IV thereof, relating to legislative expenses and employees.

Resolution read

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

In line 3 of the title of the printed measure, strike out "amending Section", and strike out lines 4 and 5, and insert "adding Section 38 to Article IV thereof, relating to the Chief Clerk of the Assembly"

Amendment No. 2

On page 1, line 6, of said measure, strike out "amending"; and strike out lines 7 to 20, inclusive, and insert "adding Section 38 to Article IV thereof to read:

38. The provisions of Article XXIV apply to and the term "State Civil Service" includes the Office of Chief Clerk of the Assembly. The Chief Clerk shall perform such duties as are prescribed by law and by the Rules of the Assembly, and shall devote his entire time to the duties of his office. He shall be elected by the Assembly and shall receive such compensation as shall be fixed by the Assembly.

The probationary term of the person who holds the Office Chief Clerk on the effective date of this section shall be until the date of final adjournment of the next general session of the Legislature. The probationary term of any other person elected to the office shall be until the date of final adjournment of the first general session which occurs after the session at which elected. A vacancy occurring in the interim between sessions shall be filled by appointment by the Speaker of the Assembly, the appointee to hold office until the commencement of the next regular or extraordinary session. None of the provisions of Section 23a of this article applies to the Chief Clerk

The amount of his compensation is excluded in computing the expenditure limitations of that section."

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 12, of the printed measure, after "sessions", insert "and no general session shall exceed one hundred days in duration"

Amendment No. 2

On page 2, line 4, of said measure, after "March", insert "and no budget session shall exceed thirty days in duration".

Amendment No. 3

On page 2 of said measure, strike out lines 6, 7, and 8, and insert "services the sum of $300 for each month of the term for which he is elected "

Amendment No. 4

On page 2, line 12, of said measure, strike out "twenty".

Amendment No. 5

On page 2, line 13, of said measure, strike out "such session or", and insert "general session or 30 days of any budget session or"

Amendment No. 6

On page 2, line 19, of said measure, strike out "fiscal year", and insert "biennium".

Amendment No. 7

On page 2 of said measure, after line 20, insert

"No member shall be reimbursed during any biennium for expenses incurred by him in serving on more than one committee, exclusive of service on the Senate Finance Committee or the Assembly Ways and Means Committee."

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 1801—An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 20, 1949, strike out lines 21 and 22, and insert "bor would prevent said board from meeting its current obligations from".

Amendment No. 2

On page 2, line 23, of said bill, strike out "fund", and insert "San Francisco Harbor Improvement Fund".

Amendment No. 3

On page 2, line 27, of said bill, strike out "shall", and insert "may".

Amendment No. 4

On page 2, line 29, of said bill, after "repayment", insert "solely".

Amendment No. 5

On page 2, lines 32 and 33, of said bill, strike out "or from any other source", and insert "if and when sold".

Amendment No. 6

On page 2, line 41, of said bill, after "might", insert "limit the source of or".

Amendment No. 7

On page 2 of said bill, strike out line 42, and insert "bursement of any".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1678—An act to amend Sections 11380, 11382, 11382.5, 11383, 11385, 11409, and 11422 of the Government Code, relating to rules and regulations of state agencies and providing for the transfer of certain records from the Secretary of State to the Department of Professional and Vocational Standards.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 6, of the printed bill, after "rates", insert ", prices".

Amendment No. 2

On page 2 of said bill, strike out line 11, and insert "printed copies of the California Administrative Code or of the California Administrative Register from the State Printing Office".

Amendment No. 3

On page 2, lines 12 and 13 of said bill, strike out "regulation or the order", and insert "particular issue of the code or register".

Amendment No. 4

On page 2 of said bill, strike out lines 15 to 20, inclusive.

Amendment No. 5

On page 3, line 14, of said bill, strike out the semicolon, and insert a colon.

Amendment No. 6

On page 3 of said bill, between lines 18 and 19, insert

"(b) It is a regulation prescribing an agency's organization or procedure, in which event it shall become effective upon filing or upon any later date specified by the state agency in a written instrument filed with, or as part of, the regulation or order of repeal."

Amendment No. 7

On page 3, line 19, of said bill, strike out "(b)", and insert "(c)".

Amendment No. 8

On page 3, line 21, of said bill, strike out "statement", and insert "finding".

Amendment No. 9

On page 3, line 24, of said bill, strike out "in", and insert "by the state agency in a written instrument filed with, or as a part of,".

Amendment No. 10

On page 3, line 26, of said bill, strike out "(c)", and insert "(d)".

Amendment No. 11

On page 3, line 26, of said bill, after "in", insert "a written instrument filed with, or as a part of,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1898—An act providing for the payment of employees of the Legislative Counsel Bureau for overtime worked subsequent to January 1, 1943, and prior to September 19, 1947, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "September 19, 1947", and insert "June 9, 1948".

Amendment No. 2

On page 1, line 9, of said bill, strike out "_____ ($_____)", and insert "sixteen thousand six hundred forty-two dollars ($16,642)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1899—An act to add Section 18005.5 to the Government Code, relating to payment for overtime of state employees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "September 19, 1947", and insert "June 9, 1948".

Amendment No. 2

On page 1, line 7, of said bill, after the period, insert "Payment shall be at the rate established by the pay scales of the State Personnel Board for the position as of the date of payment or the date of separation as the case may be."

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 14, inclusive, and insert

"SEC. 2. There is hereby appropriated to the State Board of Control the sum of five hundred six thousand six hundred ninety-one dollars ($506,691) to be allocated to the several state offices, departments, boards, bureaus, commissions and other state agencies in such amounts as said board finds necessary to pay, in accordance with Section 18005.5 of the Government Code, claims found by said board to be valid obligations of this State for overtime worked prior to June 9, 1948. The appropriation made by this act shall be payable from the following funds in the following amounts:

From the General Fund	$193,742
From the Department of Employment Contingent Fund	2,177
From the Motor Vehicle License Fee Fund	4,155
From the State Agricultural Society Contingent Fund	3,946
From the State Lands Act Fund	890
From the Motor Vehicle Fund	274,523
From the State Highway Fund	27,051
From the San Francisco Harbor Improvement Fund	207."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 385—An act to amend the Highway Carriers' Act by amending Sections 1, 3 and 8 thereof, and adding Section 8¼ thereto, relating to motor carriers of property for compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 22 to 37, inclusive, and insert

"Before a permit is issued hereafter the commission shall require the applicant to establish reasonable financial responsibility to initiate the proposed operations. The commission shall have power, with or without hearing, to issue said permit as prayed for, or to refuse to issue the same. If it be found that the applicant possesses such reasonable financial responsibility to initiate the proposed operations, a permit shall be issued as prayed for. Operating permits issued on or after the effective date of this act shall remain in effect without necessity for renewal; provided, however, that any such permit shall lapse and terminate if not exercised for a period of one year. Any such operating permit may be sold, assigned, leased, transferred or inherited."

Amendment No. 2

On page 3 of said bill, strike out line 42, and insert "commission shall, upon proof of the existence of such a continuous permit, with or without".

Amendment No. 3

On page 3 of said bill, strike out line 47, and insert "ations as authorized by the permit possessed by applicant on March 1, 1949, may be continued".

Amendment No. 4

On page 4 of said bill, strike out lines 35 to 39, inclusive.

Amendment No. 5

On page 2, line 35, of said bill, strike out "of unprocessed"; and strike out lines 36 to 38, inclusive, and insert "of fresh or dried unprocessed agricultural products or containers for such agricultural products from a point of production, concentrating or storage to a storage or processing plant for storing or processing purposes and the initial or return movement of containers to the same or nearby points of production."

Amendment No. 6

In line 6 of the title of said bill, strike out "8¼", and insert "10½".

Amendment No. 7

On page 4 of said bill, after line 39, insert

"SEC. 5. Section 10½ is added to the Highway Carriers Act, to read:

Sec. 10½. Notwithstanding any other provisions contained in this act, the Railroad Commission may establish or approve just, reasonable and nondiscriminatory minimum rates for the transportation of market milk, as defined in Article 2, Section 476 of the Agricultural Code, and the returning of empty containers, whenever the Director of Agriculture finds, and transmits his findings to the Railroad Commission, that in order to effectuate the purpose of the Agricultural Code such minimum rates are necessary."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 67—An act to add Chapter 10.5, comprising Sections 6401 to 6407, inclusive, to Division 3 of the Education Code, relating to payments to school districts by state agencies or departments providing housing for pupils in such districts, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on May 26, 1949, strike out lines 11 to 17, inclusive.

Amendment No. 2

On page 3, line 18, of the printed bill, strike out "SEC. 2", and insert "6407".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1384—An act to add Article 6 to Chapter 9 of Division 3 of the Education Code, relating to the audits of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 25, 1949, strike out lines 23 to 26, inclusive; and in line 27, strike out "and audit report", and insert "Instruction shall request the State Controller to make such an audit and audit report, and the State Controller shall make such an audit and audit report upon the receipt of such request".

Amendment No. 2

On page 4, line 31, of said bill, strike out "Superintendent of Public"; and in line 32, strike out "Instruction", and insert "State Controller".

Amendment No. 3

On page 4, line 34, of said bill, strike out "Superintendent of"; and in line 35, strike out "Public Instruction", and insert "State Controller".

Amendment No. 4

On page 4 of said bill, strike out lines 36 to 40, inclusive, and insert "All moneys received by the State Controller as reimbursements for the cost of an audit and audit report under the provisions of this section shall be deposited in the State Treasury to the credit of the support appropriation of the State Controller from which the cost of such audit and audit report was originally paid."

Amendment No. 5

On page 3, line 22, of said bill, strike out "Director of Public Education", and insert "Superintendent of Public Instruction".

Amendment No. 6

On page 3, line 30, of said bill, strike out "Director of Public Education", and insert "Superintendent of Public Instruction".

Amendment No. 7

On page 3, line 31, of said bill, strike out "Director of Public Education", and insert "Superintendent of Public Instruction".

Amendment No. 8

On page 4 of said bill, beginning in line 3, strike out "Director of Public Education", and insert "Superintendent of Public Instruction".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2926—An act to amend Section 401 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the first class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____ dollars ($_____)", and insert "fifteen thousand dollars ($15,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2124—An act to add Section 1243 of the Water Code, relating to appropriations and use of water declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 27, 1949, strike out lines 13 and 14.

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2160—An act to create an Industrial Relations Commission, defining its powers and duties.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on May 27, 1949, strike out line 1, and insert

"An act to add Chapter 1.6 to Division 1 of the Labor Code, relating to the creation of the Industrial Relations Commission, and defining".

Amendment No. 2

On page 1 of said bill, before line 1, insert

"SECTION 1. Chapter 1.6 is added to Division 1 of the Labor Code, to read:

CHAPTER 1.6. INDUSTRIAL RELATIONS COMMISSION"

Amendment No. 3

On page 1, line 17, of said bill, strike out "Each member"; and strike out lines 18 to 21, inclusive.

Amendment No. 4

On page 2 of said bill, strike out lines 9 to 12, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1405—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to expenditures to influence legislation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Chapter 8 to Part 1, Division 2, Title 2 of", and insert "Section 9056 to".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 9056 is added to the Government Code, to read:

9056. Any person who shall secure through his influence, knowingly exerted for that purpose, the introduction of any bill, resolution or amendment into the State Legislature and shall thereafter solicit or accept from any person other than a person upon whose request he secured such introduction, any pay or other valuable consideration for preventing or attempting to prevent, the enactment or adoption of such measure, while it retains its original purpose, shall be guilty of a crime and upon conviction thereof shall be punishable by a fine of not exceeding five thousand dollars ($5,000) or by imprisonment in the county jail for not more than one year or in the state prison for not more than five years, or by both such fine and imprisonment."

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out pages 2, 3, and 4.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1406—An act to add Chapter 8 to Part 1, Division 2, Title 2 of the Government Code, relating to expenditures to influence legislation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "LEGISLATURE", and insert "LEGISLATION".

Amendment No. 2

On page 1 of said bill, after line 15, insert

"(d) The term "to attempt to influence legislation" means to attempt to influence the passage or defeat of any legislation by the Legislature of the State of California."

Amendment No. 3

On page 1 of said bill, strike out line 18, and insert "influence legislation".

Amendment No. 4

On page 1, line 19, of said bill, strike out "lature of the State of California".

Amendment No. 5

On page 2, lines 13 and 14, of said bill, strike out "The provisions of this section shall not apply to any person who merely appears", and insert

"9902. The provisions of Section 9901 shall not apply:

(1) To any person who merely appears".

Amendment No. 6

On page 2, line 16, of said bill, strike out "; nor to any public", and insert a period and

"(2) To any public".

Amendment No. 7

On page 2, line 17, of said bill, strike out "; nor in the case of any", and insert a period and

"(3) In the case of any".

Amendment No. 8

On page 2 of said bill, after line 28, insert

"(4) To any person engaged in rendering clerical, stenographic, or technical service to a person who is engaged in attempting to influence legislation, provided the person rendering such service does not otherwise engage in attempting to influence legislation, but all amounts paid to such person as compensation or for expenses shall be included in the required report of the person engaged in attempting to influence legislation.

(5) To any person who is not to, or does not, receive, either as compensation or expenses, or both added together, for work performed in any one month in attempting to influence legislation, more than two hundred dollars ($200) or an equivalent consideration; and where such amount exceeds two hundred dollars ($200) in some months and not in others, monthly reports shall be required only for those months in which the two hundred dollars ($200) is exceeded.

9903 Where the duties of an employed person include another purpose in addition to that of attempting to influence legislation, he may, if he chooses, in reporting, as required by this chapter, the amount of compensation he is to, or does receive, report only an amount which bears the same ratio to his total compensation for the period involved as his time spent in attempting to influence legislation bears to his total working time for the same period, provided that in so reporting he shall state that ratio and the facts and figures used in computing it.

9904. The secretary shall prepare printed forms upon which the information or reports required by this chapter may be set forth in accordance with instructions formulated by him and printed upon such forms. Such instructions shall conform to the provisions of this chapter. The secretary shall make such forms, together with printed copies of this chapter, available upon request to all persons who may be subject to the provisions of this chapter. The fact that such a form is used in accordance with such instructions in filing any report or information required by this chapter shall be, for the person so filing, a good defense against any charge that the information or report is not filed in proper form.

9905. Any person intending to engage in any activity which may be subject to the provisions of this chapter, and being in doubt as to whether or not the provisions of this chapter are applicable to himself and his intended activity, may apply to the Attorney General for an opinion resolving such doubt. His application shall be accompanied by a full statement of his position, circumstances and intentions and all other facts which are pertinent and material to the question. The Attorney General shall prepare such an opinion, in conformity with the provisions of this chapter, and, if his opinion is that the provisions are not applicable to such person under the facts stated, it shall be a good defense to any prosecution of such person, upon the basis of such facts, for any alleged violation of this chapter committed after the rendition of such opinion and in reliance upon it.

9906 In the event that any person, acting in good faith, because of illness, physical inability, inadvertence, excusable neglect, misconduct of another person, or other reasonable cause, shall fail to file any report or information required by this chapter within the time limit specified therefor or shall file any report or information which is not correct, he may be permitted to file a late or corrected report or information not later than thirty days after the date upon which such report or information was due to be filed. He must accompany such filing with an affidavit, duly sworn, setting forth the facts constituting the cause for such lateness or error.

9907 In the event that he shall, for any valid cause described in Section 9906 above, fail to file such late or corrected report or information within the thirty day period prescribed in that section, he may, nevertheless, by order of the superior court of any county wherein such report could have been filed or of the county wherein he resides, issued after proper proceedings held upon his verified petition and upon proof of such valid cause, be permitted to file later. Any person filing such a petition shall, at least ten days before the hearing thereof, serve upon the district attorney of the county in which the petition is filed and upon the Attorney General, personally or by mail, a copy of the petition and a notice of the time and place of the hearing.

9908 Upon filing of the late or corrected report and accompanying affidavit, as prescribed in Section 9906, any prosecution theretofore initiated for violation of the provisions of Section 9901 shall be dismissed. Upon filing of the verified petition provided for in Section 9907, all proceedings in any prosecution for violation of the provisions of Section 9901 shall be suspended pending judgment upon the petition."

Amendment No. 9

On page 2, line 29, of said bill, strike out "(b)", and insert "9909."

Amendment No. 10

On page 2, line 38, of said bill, strike out "9902", and insert "9910".

Amendment No. 11

On page 2, line 41, of said bill, strike out "9903", and insert "9911".

Amendment No. 12

On page 2, line 43, of said bill, strike out "five", and insert "one".

Amendment No. 13

On page 2, line 44, of said bill, strike out "($5,000)", and insert "($1,000)".

Amendment No. 14

On page 2, line 44, of said bill, strike out "twelve", and insert "six".

Amendment No. 15

On page 2, line 51, of said bill, strike out "Congress", and insert "Legislature".

Amendment No. 16

On page 3, line 2, of said bill, strike out "felony", and insert "misdemeanor".

Amendment No. 17

On page 3, line 3, of said bill, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendment No. 18

On page 3, line 4, of said bill, strike out "five years", and insert "one year".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 1952—An act to repeal Section 17 of an act entitled "An act relating to aeronautics; providing for the development and regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing penalties; and to make uniform the law with reference to state development and regulation of aeronautics, and repealing acts inconsistent herewith," approved July 11, 1947, relating to aeronautics.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal Section 17", and insert "amend Section 12".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"*SECTION 1. Section 12 of the act cited in the title hereof is amended to read:*

Sec. 12. (a) The commission may make, promulgate, and amend general or special rules, regulations, and procedures and establish minimum standards all consistent with and clearly within the scope of the then current federal legislation governing aeronautics and the rules, regulations, and standards duly issued thereunder.

(b) [After appropriate public hearings the commission also may make, promulgate, and amend temporary general or special rules, regulations, and procedures and establish temporary minimum standards consistent with the provisions of this act as it shall deem necessary to carry out the provisions of this act and to perform its duties hereunder: All commensurate with and for the purpose of protecting and insuring the general public interest and safety, the safety of persons operating, using or traveling in aircraft and for the purpose of developing and promoting aeronautics in this State; providing, that such temporary rules, regulations, procedures and standards are drafted in the form of proposed aviation law for submission to the next succeeding general session of the Legislature; and provided further, that no such temporary rules, regulations, procedures, and standards remain in effect beyond 90 days after the final adjournment of that session of the Legislature.]

Notwithstanding any other section or provision of this act, no rule, regulation, procedure or minimum standard made, promulgated, amended or established by the commission shall remain in effect beyond 90 days after the final adjournment of the session of the Legislature before or during which such rules or regulations are made or amended, unless approved by concurrent resolution of the Legislature at such session.

(c) The commission shall keep on file with the Secretary of State, and at the principal office of the commission, a copy of all its rules and regulations for public inspection.

(d) The commission shall provide for the publication and general distribution of all its orders, rules, regulations and procedures having general effect."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3027—An act relating to prevention and elimination of practices of discrimination in employment and otherwise against persons because of race, creed, color, national origin, or ancestry, creating a State Commission on Fair Employment Practices, defining its functions, powers and duties, providing for the appointment and compensation of its officers and employees and making an appropriation for the purposes of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 6 of the printed bill, strike out lines 12 to 14, inclusive, and insert "to this act, or who shall in any manner willfully violate an order of the commission, shall be guilty of a misdemeanor,".

Amendment No. 2

In lines 7 and 8 of the title of the printed bill, strike out "and making an appropriation for the purposes of this act".

Amendment No. 3

On page 6 of said bill, strike out lines 34 to 37, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 664—An act to amend Section 3104 of the Education Code, relating to the Public School System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 3104 of", and insert "add Article 4.5 to Chapter 2 of Division 10 of".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Article 4.5 is added to Chapter 2 of Division 10 of the Education Code, to read:

Article 4.5. Maintenance of Laboratory Demonstration Schools

20411. The Director of Education, with the approval of the Director of Finance, and the governing board of any school district within which a state college is located, may enter into an agreement providing for the leasing by the State of a school building

of the school district for use by the state college as a laboratory demonstration elementary school on such terms and conditions as may be agreed upon by the Director of Education and the governing board of the elementary school district except as otherwise herein provided.

20412. The lease may be for a period of not to exceed twenty years and shall in addition to any other terms and conditions set forth therein (a) require the school district to maintain the building at its own expense, (b) require the state college to maintain a school therein open to pupils of the school district residing in the attendance district for the school as established by the governing board of the district, and (c) require the school district to pay annually to the State on or before the end of each fiscal year an amount determined by computing the current expenditures per pupil in the elementary schools of the district for the fiscal year and multiplying the amount so computed by the average daily attendance for the fiscal year in the school in excess of four hundred.

20413 Only the average daily attendance in the school in excess of four hundred shall be credited to the school district.

20414 The average daily attendance of pupils in the school shall be computed separately in the same manner as the average daily attendance in other schools of the same grade maintained by the school district."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 672—An act to amend the heading of Article 2 of Chapter 16 of Division 3 of the Education Code and to amend Sections 7211, 7212, 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, and 7222 of, and to add Section 7213 to, said code, all relating to the attendance of pupils residing in California and attending school in an adjoining state.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "heading of", and insert "headings of Article 6 of Chapter 14, Article 3 of Chapter 15, and".

Amendment No. 2

In line 1 of the title of said bill, after "16", insert a comma.

Amendment No. 3

In line 2 of the title of said bill, after "Sections", insert "6951, 7021, 7146, 7149, 7150".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. The heading of Article 6 of Chapter 14 of Division 3 of the Education Code is amended to read:

Article 6. County [High] School Tuition Fund

SEC. 2. The heading of Article 3 of Chapter 15 of Division 3 of said code is amended to read:

Article 3. Computation of Allowances to County [High] School Tuition Fund

SEC 3. Section 6951 of said code is amended to read:

6951. The average daily attendance for a fiscal year of pupils residing in any county of this State and attending a [high] school in an adjoining state under Chapter 16 of this division, shall be computed by dividing the total number of days of attendance of such pupils in the [high] school by the number of days the [high] school was maintained during said fiscal year, but by not less than one hundred seventy, and the average daily attendance so computed shall be credited to the county [high] school tuition fund.

SEC. 4. Section 7021 of said code is amended to read:

7021. *The Superintendent of Public Instruction shall allow to the county* [high] school tuition fund of each county ninety dollars ($90) for each unit of average daily attendance of pupils residing in the county and attending [high] school in an adjoining state during the preceding fiscal year

SEC. 5. Section 7146 of said code is amended to read:

7146. The Superintendent of Public Instruction shall apportion to the county [high] school tuition fund of each county the amount allowed the fund under Article 3 of this chapter.

SEC. 6. Section 7149 of said code is amended to read:

7149. The Superintendent of Public Instruction shall certify the apportionment made by him under this article to the State Controller, who shall draw his warrants *during the fiscal year on the State School Fund in favor of the treasurer of each county* for the amount apportioned to all the school districts of the county to the county school service fund and to the county [high] school tuition fund from the State School Fund.

SEC. 7. Section 7150 of said code is amended to read:

7150. All moneys received by the treasurer of any county from the apportionment of the State School Fund made under this article shall be immediately credited by the treasurer to the county school service fund, the county [high] school tuition fund, and the general funds of the several school districts of the county exactly as apportioned by the Superintendent of Public Instruction

SEC. 8. The heading of Article 2 of Chapter 16 of".

Amendment No. 5

On page 1, line 2, of said bill, strike out "the Education Code", and insert 'said code".

Amendment No. 6

On page 1, line 6, of said bill, strike out "2", and insert "9".

Amendment No. 7

On page 2, line 1, of said bill, strike out "3", and insert "10".

Amendment No. 8

On page 2 of said bill, strike out lines 17 to 22, inclusive.

Amendment No. 9

On page 2, line 23, of said bill, strike out "4", and insert "11"

Amendment No. 10

On page 2, line 28, of said bill, strike out "5", and insert "12"

Amendment No. 11

On page 2, line 49, of said bill, strike out "6", and insert "13".

Amendment No. 12

On page 3, line 3, of said bill, strike out "7", and insert "14"

Amendment No. 13

On page 3, line 14, of said bill, strike out "8", and insert "15".

Amendment No. 14

On page 3, line 27, of said bill, strike out "9", and insert "16"

Amendment No. 15

On page 3, line 31, of said bill, strike out "10", and insert "17".

Amendment No. 16

On page 3, line 35, of said bill, strike out "11", and insert "18".

Amendment No. 17

On page 3, line 41, of said bill, strike out "12", and insert "19"

Amendment No. 18

On page 3, line 47, of said bill, strike out "13", and insert "20".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 999—An act to add Section 370 to the Education Code, relating to public school exhibits at fairs and expositions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to add Article 4 to Chapter 2 of Division 1 of the Education Code, relating to public school exhibits at the State Fair."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Article 4 is added to Chapter 2 of Division 1 of the Education Code, to read.

Article 4. Exhibits at California State Fair

461. It is the purpose of this article to provide for the establishment and maintenance of an exhibit annually at the California State Fair under the auspices of county superintendents of schools depicting accurately and impartially the functions, objectives, and accomplishments of the Public School System of California.

462. In January of each year the county superintendents of schools of the several counties shall select, through a poll conducted by the Superintendent of Public Instruction, one of them to establish and maintain such exhibit at the California State Fair to be held that year. The county superintendent of schools selected by the largest number of county superintendents of schools responding to the poll has the duty of establishing and maintaining such exhibit.

463. Each county superintendent of schools may, at his discretion, contribute not more than one hundred dollars ($100) annually from the county school service fund toward the establishment and maintenance of such exhibit. The amount contributed shall be paid to the "California State Fair Fund" in the county treasury of the county the county superintendent of schools of which has been selected to establish and maintain the exhibit. Said county superintendent of schools shall expend the fund for the establishment and maintenance of the exhibit for that year.

464. Any balance in the fund remaining after all expenses incurred have been paid shall be retained therein until such time as the several county superintendents of schools select the county superintendent of schools of another county to establish and maintain the annual exhibit, whereupon such balance shall be transferred to the "California State Fair Fund" in the county treasury of such other county."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 1366—An act to add Section 14720.1 to the Education Code, relating to retirement of employees of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert "prior service as a school cafeteria employee rendered to the pupils of the district of which he is now an employee, whether".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 2855—An act to amend Sections 24202 and 24205 of the Education Code, relating to the conferring of diplomas and degrees by schools and colleges.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 24202 and 24205 of", and insert "add Section 24205.1 to".

Amendment No. 2

In line 3 of the title of said bill, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 24205.1 is added to the Education Code, to read:

24205.1. The provisions of Sections 24202 to 24205, inclusive, do not apply to any corporation furnishing courses of instruction and issuing certificates or diplomas or conferring degrees evidencing completion thereof in music, fine arts, and liberal arts, if the corporation files with the Secretary of State an affidavit by the president or other head of the corporation stating all of the following:

(a) That the corporation was incorporated prior to September 19, 1939.

(b) That the corporation has had an income of at least $10,000, from tuition, subscription, or otherwise, for the three years next preceding the date of filing.

(c) That the corporation has students enrolled in each year of a four-year, or more, course at the date of filing.

SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

There are music and fine arts schools in California which have been established for many years and which furnish courses of instruction of collegiate standard in music and fine arts subjects but are unable to confer degrees to their students. Since there are very few schools or colleges in the State offering a curriculum in music or in the fine arts and not all of these schools are authorized to confer degrees, it is a discrimination against those schools which have proven their stability and reputation to be denied the right to confer degrees to their students. The cultivation of the fine arts is an essential part of the structure of any civilization and the study of fine arts should be encouraged. The path of students, many of whom are veterans, who desire to enroll in established schools of fine arts should not be discouraged therefrom by the inability of schools offering a full curriculum with a distinguished faculty to confer degrees upon completion of the course.

As it is of vital public interest and necessity that recognized schools of music and fine arts further encourage education in such fields by being able to confer appropriate degrees upon the completion of the school year in June, it is necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 2961—An act making an appropriation to the Department of Education for the acquisition of real property for the San Francisco State College.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out lines 1 to 3 of the title of the printed bill, and insert

"An act authorizing the conveyance of property belonging to the State of California at San Francisco State College in the City and County of San Francisco, State of California, and the acquisition of property in payment therefor."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. The Director of Finance is hereby authorized and empowered, with the approval of the Director of Education, to grant and convey on such terms and

conditions as the Director of Finance may determine to be most advantageous to the State of California, not to exceed two and one-half acres of property belonging to the State of California and constituting a part of the site of the San Francisco State College in the City and County of San Francisco, State of California, to the San Francisco City Unified School District in lieu of payment for property of equal area for the San Francisco State College granted and conveyed to the State of California by said school district.

The Governing Board of the San Francisco Unified School District is hereby authorized and empowered to grant and convey property to the State of California under the provisions of this act without complying with any provisions of the Education Code or any other law."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 801—An act to amend Sections 8706, 8710, 8712, 8714, 8741, 8761, 8762, 8764, and 8784 of the Business and Professions Code, relating to the practice of land surveying.

Bill read second time, and ordered to third reading.

Senate Bill No. 1632—An act to add Sections 20.5, 20.6, 20.7, 49.5, and 81 to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to water conservation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 153—An act to authorize counties to establish and maintain retirement, disability and death benefit plans for peace officers, foresters, fire wardens and firemen; to permit the inclusion therein of city police officers and city firemen; to authorize the levy of taxes by such counties and cities to fund the county and city's share of the cost and expense of such plan; and in connection therewith, to add Chapter 6 to Part 3, Division 4, Title 3 of the Government Code.

Bill read second time, and ordered to third reading.

Senate Bill No. 246—An act to add Section 25643 to the Government Code, relating to the powers of boards of supervisors of each county to give fire protection.

Bill read second time, and ordered to third reading.

Senate Bill No. 479—An act to add Section 3.1 to the San Bernardino County Flood Control Act, relating to the creation of special zones.

Bill read second time, and ordered to third reading.

Senate Bill No. 724—An act to add Sections 15a and 68a to the County Water District Act and Sections 31416 and 32858 to the Water Code, relating to dissolution of county water districts.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Levering asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1629—An act to amend Section 5551 of the Streets and Highways Code, relating to appropriations to aid the construction of generally used structures.

Bill read second time, and ordered to third reading.

Senate Bill No. 804—An act to add Section 105 to, and to repeal Sections 2103, 2705, 4003, 5517, 6713, 7004, and 7304 of the Business and Professions Code, relating to certificates of appointment and oaths of office of members of boards within the Department of Professional and Vocational Standards.

Bill read second time, and ordered to third reading.

Senate Bill No. 808—An act to amend Section 9011 of the Business and Professions Code, relating to the Board of Social Work Examiners.

Bill read second time, and ordered to third reading.

Senate Bill No. 814—An act to amend Sections 7514, 7522, 7526, 7527, 7531, 7538, 7547, 7551, 7565, and 7582 of, and to add Sections 7529.5, 7529.6, 7540, 7541, 7542, 7543, and 7549 to, the Business and Professions Code, relating to private detectives.

Bill read second time, and ordered to third reading.

Senate Bill No. 815—An act to amend Section 403 of the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards.

Bill read second time, and ordered to third reading.

Senate Bill No. 1412—An act relating to quiet title to actions against the State of California to lands heretofore abandoned by the State and conveyed by an agency of the State.

Bill read second time, and ordered to third reading.

Senate Bill No. 873—An act to amend Section 11791 of the Education Code, relating to textbooks for junior college students.

Bill read second time, and ordered to third reading.

Senate Bill No. 995—An act to amend Sections 19302 and 19303 of the Education Code, relating to school cafeterias.

Bill read second time, and ordered to third reading.

Senate Bill No. 1031—An act to amend Section 21604 of the Education Code, relating to state schools for cerebral palsied children.

Bill read second time, and ordered to third reading.

Senate Bill No. 1034—An act to amend the heading of Article 3 of Chapter 9 of Division 4 and Sections 9651 and 9652 of the Education Code, relating to physically handicapped minors.

Bill read second time, and ordered to third reading.

Senate Bill No. 436—An act to amend Section 5 of the California Water District Act, relating to districts organized under said act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 47.5 to,".

Amendment No. 2

On page 2 of said bill, after line 10, insert

"SEC. 2. Section 47.5 is added to said act, to read:

Sec. 47.5. Upon the determination by the board of directors that the inclusion within the district of any contiguous or noncontiguous land owned by the district will be for the best interest of the district, the board may, by resolution, declare that such land be included within the district. Thereupon, the land shall be included in the district."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1213—An act to amend Sections 12463 and 12464 of, to repeal Sections 50054 to 50059, inclusive, of, and to add Section 12463.1 and Article 9, comprising Sections 53890 to 53896, inclusive, to Chapter 4, Part 1, Division 2, Title 5 of, the Government Code, relating to the compilation and publication of reports of the financial transactions of local agencies.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2, line 34, of the printed bill, as amended in the Senate on May 23, 1949, strike out "school district, or", and insert "and".

Amendment No. 2

On page 2, line 34, of said bill, strike out "other".

Amendment No. 3

On page 3 of said bill, between lines 27 and 28, insert

"53892.1. For the purpose of permitting the compilation and publication of annual reports of the financial transactions of school districts by the Controller, the Superintendent of Public Instruction shall furnish to the Controller, not later than six months following the close of each fiscal year, such data and other matters as are

required by this article by the Controller. The Superintendent of Public Instruction shall derive the data and other matters required for the purposes of this article by the Controller from reports furnished by school districts or by county officials to the Superintendent of Public Instruction as provided by law. No school district or county superintendent of schools shall be required to furnish separate reports to the Controller by the provisions of this article. The Superintendent of Public Instruction shall furnish average daily attendance or enrollment data in lieu of the general population data required of counties and other municipal corporations by this article. The Superintendent of Public Instruction shall add to the report forms furnished by him such items or such other matters as may be agreed by the Superintendent of Public Instruction and the Controller to be needed for the purposes of this article."

Amendment No. 4

On page 3, line 33, of said bill, after "officer", insert "of a local agency".

Amendment No. 5

On page 3, line 35, of said bill, after "officer", insert "of a local agency".

Amendment No. 6

On page 3, line 41, of said bill, after "officer", insert "of a local agency".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1117—An act to amend Section 4004 of the Public Resources Code, relating to state fire prevention and suppression.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 20, of the printed bill, after "claim", insert "for damages".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1035—An act to repeal Sections 17252 to 17261, inclusive, of the Education Code, and to add Section 17252 to said code, relating to the education of the deaf.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 6, of the printed bill, after "deaf", insert a comma.

Amendment No. 2

On page 1, line 6, of said bill, after "hearing", insert ", as defined by the State Board of Education,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1382—An act to amend Section 4901 of the Education Code, relating to the reorganization of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Senate on March 16, 1949, after "represent.", insert "For the purposes of constituting a quorum at the local survey committee meetings, all of the members of the governing board of one school district attending the meeting shall count only as one member of the committee. For the purposes of voting upon recommendations each school district so represented on the committee shall have only one vote"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 134—An act to amend Section 16484 of the Education Code, relating to school health reports.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on April 4, 1949, after "report", insert ", if made in writing,".

Amendment No. 2

On page 1, line 11, of said bill, after "prescribed", insert "or approved".

Amendment No. 3

On page 1 of said bill, following line 15, insert

"The provisions of this section do not prevent a supervisor of health from recommending in a written report made after he has personally examined a child, that the child be taken to a public clinic or diagnostic and treatment center operated by a public hospital or by the State, county, or city Department of Public Health."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Education.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. McMillan:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 10 to Division 8 of the Business and Professions Code, relating to the licensing of traveling shows and officers and employees thereof and imposing a tax on admissions to such shows and to all exhibitions or entertainments which are a part thereof.

Respectfully submitted

LESTER A. McMILLAN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. McMillan:

An act to add Chapter 10 to Division 8 of the Business and Professions Code, relating to the licensing of traveling shows and officers and employees thereof and imposing a tax on admissions to such shows and to all exhibitions or entertainments which are a part thereof.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McMillan moved a call of the Assembly.

Motion carried. Time, 9.08 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Bennett, Brady, Brown, Butters, Caldecott, Collier, Condon, Dickey, Clayton A. Dills, Dunn, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Lewis, Lincoln, Lowrey, Luckel, Meyers, Niehouse, Rosenthal, Silliman, Smith, Stewart, Thomas, Way, Weber, and Yorty—32.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lipscomb asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 577

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 70
Assembly Constitutional Amendment No. 73
Assembly Constitutional Amendment No. 86

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER. The Committee on Conference concerning:

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund or other disposition of certain optional contributions by state members of said system;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, as amended in the Senate on May 9, 1949, strike out ", by the provisions of its contract with the board, is subject to the provisions of this section", and insert "has amended or shall amend its contract with the board to subject itself to the provisions of this section".

Amendment No. 2

On page 1, lines 17 and 18, of said bill, strike out "consisting of state service rendered prior to the first day of October, 1947", and insert "rendered to the contracting agency prior to the effective date of such amendment".

Amendment No. 3

On page 1, line 20, of said bill, after "1950," insert "or within six months after said effective date, whichever is later,".

Amendment No. 4

On page 2, line 5, of said bill, after "contributions", and before the comma, insert "as an employee of such contracting agency".

Amendment No. 5

On page 2, line 6, of said bill, strike out "earnable", and insert "earned".

Amendment No. 6

On page 2, lines 7 and 8, of said bill, strike out "during the entire period of his membership in the system since January 1, 1932".

Amendment No. 7

On page 2, line 17, of said bill, strike out "state service", and insert "current service rendered".

Amendment No. 8

On page 2, line 18, of said bill, strike out "October 1, 1947.", and insert "the effective date of such amendment to the contract."

Amendment No. 9

On page 2 of said bill, strike out line 21, and insert "entire period of his current service rendered as an employee of such contracting agency and with which he is entitled to be".

Amendment No. 10

On page 2 of said bill, between lines 22 and 23, insert

"A local member's entire compensation shall be included in any computation to be made under this part for the period of his current service with which he is entitled to be credited and which was rendered as an employee of a contracting agency whose contract by express provision on its effective date made the contracting agency subject to the provisions of this section."

Amendment No. 11

On page 2, line 24, of said bill, strike out "the", and insert "its".

Amendment No. 12

On page 2, line 25, of said bill, strike out "of any contracting agency".

Amendment No. 13

On page 2, line 28, of said bill, strike out the semicolon, and insert a comma.

Amendment No. 14

"On page 2, lines 29, 30, and 31, of said bill, strike out ", in the case of contracts made after the date this section takes effect, by express provision in such contract making", and insert "unless an express provision included in the contract on its effective date, made".

Amendment No. 15

On page 3, line 31, of said bill, after "retirement", and before the comma, insert "on the effective date of this act".

Amendment No. 16

On page 3 of said bill, strike out lines 32 to 38, inclusive, and insert "credit at his retirement, together with interest accrued thereon, through the date of refund, shall be refunded to him, and if he elected optional settlement one, his annuity and current service pension shall be adjusted accordingly.

(c) If the member who made such optional contributions died prior to the effective date of this act and after his retirement, there shall be paid to his beneficiary or beneficiaries last designated by him, share and share alike or to the survivor or survivors, or if there be no survivor there shall be paid as determined under Section 21368, such optional contributions as remained to his credit at his retirement, with interest accrued thereon through the date of payment, less any such contributions paid on account of death under optional settlement one, and interest on said amount from the date of its payment through the date of payment hereunder."

BREED
DROBISH
Senate Committee on Conference

MOSS
FLEURY
LINDSAY
Assembly Committee on Conference

The roll was called, ~~and the report adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Reagan, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—51.

NOES—None.]

(On June 6, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, adopted the report of the Committee on Conference concerning Assembly Bill No. 1900. (Assembly Journal, page 4137.))

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 279, on request of Mr. Rosenthal.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1510—An act to amend Section 16255 of the Education Code, relating to the transportation of pupils.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1510?

Amendment No. 1

On page 1, line 11, of the printed bill, following the period, insert "No payments shall be made pursuant to this section unless it will be more economical to make the payments than to provide for said transportation."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1510 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Lindsay, Lipscomb, Luckel, Maloney,

McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 1510 ordered enrolled.

Assembly Bill No. 1511—An act to amend Section 16252 of the Education Code, relating to the letting of contracts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1511?

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "one thousand dollars ($1,000)", and insert "five hundred dollars ($500)".

Amendment No. 2

On page 1, line 7, of said bill, after "involved," insert "or in districts having an average daily attendance of sixty thousand or more, whenever an expenditure of more than one thousand dollars ($1,000) is involved".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1511 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—51.
NOES—None.

Assembly Bill No. 1511 ordered enrolled.

Assembly Bill No. 2555—An act to add Section 226a to the Civil Code, relating to consent of natural parents to adoption.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2555?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 25, 1949, strike out "Section 226a", and insert "Sections 226a and 226b".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out "consent of natural parents to".

Amendment No. 3

On page 1, line 5, of said bill, strike out "or by", and insert a comma

Amendment No. 4

On page 1, line 5, of said bill, after "petitioners", insert a comma.

Amendment No. 5

On page 1 of said bill, strike out line 8.

Amendment No. 6

On page 1, line 9, of said bill, strike out "request", and insert "Request".

Amendment No. 7

On page 1, lines 9 and 10, of said bill, strike out ", if there is no such proceeding pending,".

Amendment No. 8

On page 1, line 20, of said bill, after the period, insert "The State Department of Social Welfare or the licensed county adoption agency shall, prior to the hearing of the motion or petition for withdrawal, file a full report with the court and shall appear at the hearing to represent the interests of the child."

Amendment No. 9

On page 1, line 22, of said bill, strike out "may be had", and insert "shall be held"

Amendment No. 10

On page 1, line 22, of said bill, strike out "or in open court".

Amendment No. 11

On page 2 of said bill, after line 9, insert

"SEC. 2. Section 226b is added to said code, to read:

226b. Whenever, in any adoption proceeding in which an unrevoked consent to the adoption of the child has been given by the natural parent or parents, the petitioners desire to withdraw the petition for the adoption or to dismiss the proceeding, or the State Department of Social Welfare recommends that the petition for adoption be denied, the clerk of the court in which the proceeding is pending shall immediately notify the State Department of Social Welfare of such action. The State Department of Social Welfare or the licensed county adoption agency shall file a full report with the court recommending a suitable plan for the child and shall appear before the court for the purpose of representing the child."

Amendment No. 12

On page 1, line 5, of the printed bill, as amended in the Senate on May 18, 1949, strike out "the petitioners".

Amendment No. 13

On page 1, line 10, of said bill, after "court", insert "where the petition is pending,".

Amendment No. 14

On page 2 of said bill, strike out line 19, and in line 20, strike out "petition for adoption be denied.".

Amendment No. 15

On page 2, line 21, of said bill, strike out "proceedings", and insert "proceeding".

Amendment No. 16

On page 2, line 25, of said bill, after "child", insert "in every such case or where the department or county agency recommends that the petition for adoption be denied".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2555 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Grant, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 2555 ordered enrolled.

Assembly Bill No. 1874—An act to amend Sections 3454, 3457, 3476a, and 3479 of the Political Code, relating to reclamation districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1874?

Amendment No. 1

On page 1, line 21, of the printed bill, as amended in the Assembly on April 8, and April 15, 1949, strike out "received", and insert "receive".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1874 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1874 ordered enrolled.

Assembly Bill No. 341—An act to add Section 5082.2 to the Business and Professions Code, relating to the registration of public accountants.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 341?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "within sixty days of the effective date of this act section", and insert "prior to March 15, 1950".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 341 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lindsay, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—50.
NOES—Lipscomb—1.

Assembly Bill No. 341 ordered enrolled.

Assembly Bill No. 2030—An act to add Section 13926 to the Government Code, relating to powers of the State Board of Control.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2030?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 5, 1949, after the second "to", insert ", and to amend Section 11091 of,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, following line 22, insert

"SEC. 2. Section 11091 of the Government Code is amended to read:

11091. The head of each state agency shall made a [typewritten] *written* report *of its activities* to the Governor *at least biennially*, [covering each biennial period,] a copy of which shall be filed with the Secretary of State. [With the exception of the biennial report of the Controller which shall be printed, no] *No* biennial *or annual* report *of agency activities* shall be printed without the approval of the State Board of Control."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2030 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—58.
NOES—None.

Assembly Bill No. 2030 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO PRINT STATEMENT

Mr. Yorty asked for, and was granted, unanimous consent that he be permitted to print a statement in the Journal which exceeds 50 words.

(Mr. Yorty has informed the desk that his statement will not be in order for printing until next Monday. Above mentioned statement will appear in the Assembly Journal on next Monday, June 6th.)

REQUEST FOR UNANIMOUS CONSENT TO SPEAK UPON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to call to the attention of the Members of the Assembly the newspaper sponsorship being accorded Assembly Constitutional Amendment No. 84, which proposes to raise legislative salaries.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 220

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 220, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 220

By Mr. Lindsay:

House Resolution No. 220

Relative to former Assemblyman Ivan H. Parker

WHEREAS, The Members of this Assembly have learned with deep regret of the death of Ivan H. Parker of Placer County, long a distinguished leader in political life and in public service; and

WHEREAS, During the years from 1917 to 1922, Ivan H. Parker represented the then Ninth Assembly District, and as a Member of this Assembly ably and devotedly served the people of this State, serving continuously as Chairman of the Committee on Agriculture, and as a member of other committees, including those on Mines and Mining, Swamp and Overflowed Lands, Fish and Game, and Roads and Highways; now, therefore, be it

Resolved by the Assembly of the State of California, That when this Assembly this day adjourns, it do so out of respect to the memory of former Assemblyman Ivan H. Parker.

Resolution read, and adopted unanimously by a rising vote.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1132—An act to add Sections 1201.1, 1201.2, 1201.3, 1201.4, 1201.5, 1201.6, 1201.7, 1201.8, 1201.9, 1201.10, and 1201.11, to the Fish and Game Code, relating to pheasants and declaring the urgency thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1132?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on May 5, 1949, amended bill, strike out "neck", and insert "leg".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1132 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn,

Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1132 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 6

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 6, out of order, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 6

Senate Constitutional Amendment No. 6—Proposed amendment to Article XXIV, Section 4, of the Constitution, relative to exemptions from state civil service.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 240

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 240, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 240

Senate Bill No. 240—An act to amend Section 11b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and three-eighths class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hinckley, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—47.

NOES—Anderson, Burkhalter, George D. Collins, Hahn, Hollibaugh, Kilpatrick, and Luckel—7

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 29

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 29, out of order, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 29

Senate Joint Resolution No. 29—Relative to supplemental direct loans to veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Tomlinson, Way, Weber, and Mr. Speaker—52.

NOES—None

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 569

Mr Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 569, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 569

Senate Bill No. 569—An act to amend Section 8161 of the Education Code, relating to the maintenance of school classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—53.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 147

Mr. Erwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 147, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 147

Senate Bill No. 147—An act to amend Section 470 of the Agricultural Code, relating to market milk.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 115

Mr. Smith asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 115, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 115

Senate Bill No. 115—An act to amend Section 672 of the Penal Code, relating to fines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 137

Mr. Smith asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 137, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 137

Senate Bill No. 137—An act to amend Section 969(b) of the Penal Code, relating to proof of previous conviction of crime by certified records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 401

Mr. Smith asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 401, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 401

Senate Bill No. 401—An act to amend Sections 11540 and 11541 of the Business and Professions Code, relating to subdivision maps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Davis, Dickey, Dolwig, Doyle,

Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 799

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 799, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 799

Senate Bill No. 799—An act to add Section 161 to the Business and Professions Code, relating to the sale of copies of the public records of boards within the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 803

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 803, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 803

Senate Bill No. 803—An act to amend Section 6736 of the Business and Professions Code, relating to the practice of civil engineering.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1450

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1450, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1450

Senate Bill No. 1450—An act to amend Sections 28122 and 28135 of the Government Code, relating to compensation for public services in counties of the twenty-second and thirty-fifth classes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 792

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 792, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 792

Senate Bill No. 792—An act authorizing suits against the State of California to quiet title against it as to certain real property situated in the County of Modoc, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Unanimous Consent Granted for Unlimited Debate

By unanimous consent, debate will not be limited upon the proposed amendments to Assembly Bill No. 1100.

Further Consideration of Amendments Offered by Mr. Hollibaugh

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendments:

Amendment No. 97

On page 42, line 21, of said bill, strike out "605,367", and insert "554,134"

Amendment No. 98

On page 42, line 24, of said bill, strike out "496,309", and insert "459,567".

Amendment No. 99

On page 42, line 25, of said bill, strike out "94,361", and insert "91,241".

Amendment No. 100

On page 42, line 27, of said bill, strike out "14,697", and insert "3,326".

Amendment No. 101

On page 42, line 30, of said bill, strike out "605,367", and insert "554,134".

Amendment No. 102

On page 43, line 25, of said bill, strike out "1,808,161", and insert "1,618,839".

Amendment No. 103

On page 43, line 35, of said bill, strike out "1,529,128", and insert "1,448,378".

Amendment No. 104

On page 43, line 37, of said bill, strike out "479,323", and insert "384,023".

Amendment No. 105

On page 43, line 39, of said bill, strike out "49,905", and insert "36,633".

Amendment No. 106

On page 43, line 42, of said bill, strike out "2,058,356", and insert "1,869,034".

Amendment No. 107

On page 44, line 15, of said bill, strike out "1,808,161", and insert "1,618,839".

Amendment No. 108

On page 44 of said bill, strike out lines 25 to 29, inclusive.

Amendment No. 109

On page 44, line 35, of said bill, strike out "840,518", and insert "724,103".

Amendment No. 110

On page 44, line 38, of said bill, strike out "631,651", and insert "581,416".

Amendment No. 111

On page 44, line 40, of said bill, strike out "164,399", and insert "124,356".

Amendment No. 112

On page 44, line 42, of said bill, strike out "44,468", and insert "18,331"

Amendment No. 113

On page 44, line 45, of said bill, strike out "840,518", and insert "724,103".

Amendment No. 114

On page 45, line 44, of said bill, strike out "2,843,655", and insert "2,706,347".

Amendment No. 115

On page 46, line 4, of said bill, strike out "1,935,946", and insert "1,798,638".

Amendment No. 116

On page 46, line 11, of said bill, strike out "2,958,999", and insert "2,821,691".

Amendment No. 117

On page 46, line 18, of said bill, strike out "2,843,655", and insert "2,706,347".

Amendment No. 118

On page 46 of said bill, strike out lines 19 to 22, inclusive

Amendment No. 119
On page 46, line 25, of said bill, strike out "3,793,316", and insert "3,581,612".

Amendment No. 120
On page 46, line 31, of said bill, strike out "2,536,950", and insert "2,325,246".

Amendment No. 121
On page 46, line 38, of said bill, strike out "3,943,808", and insert "3,732,104".

Amendment No. 122
On page 46, line 45, of said bill, strike out "3,793,316", and insert "3,581,612".

Amendment No. 123
On page 46, line 49, of said bill, strike out "2,506,867", and insert "2,398,157".

Amendment No. 124
On page 47, line 4, of said bill, strike out "1,684,748", and insert "1,576,038".

Amendment No. 125
On page 47, line 10, of said bill, strike out "2,601,067", and insert "2,492,357".

Amendment No. 126
On page 47, line 15, of said bill, strike out "2,506,867", and insert "2,398,157".

Amendment No. 127
On page 47, line 18, of said bill, strike out "2,310,979", and insert "2,190,000".

Amendment No. 128
On page 47, line 25, of said bill, strike out "1,588,748", and insert "1,467,769".

Amendment No. 129
On page 47, line 32, of said bill, strike out "2,407,693", and insert "2,286,714".

Amendment No. 130
On page 47, line 39, of said bill, strike out "2,310,979", and insert "2,190,000".

Amendment No. 131
On page 47, line 43, of said bill, strike out "2,649,653", and insert "2,516,657".

Amendment No. 132
On page 48, line 4, of said bill, strike out "1,845,771", and insert "1,712,775".

Amendment No. 133
On page 48, line 10, of said bill, strike out "2,761,981", and insert "2,628,985".

Amendment No. 134
On page 48, line 15, of said bill, strike out "2,649,653", and insert "2,516,657".

Amendment No. 135
On page 48, line 18, of said bill, strike out "3,218,952", and insert "3,052,206".

Amendment No. 136
On page 48, line 24, of said bill, strike out "2,281,915", and insert "2,115,169".

Amendment No. 137
On page 48, line 31, of said bill, strike out "3,336,844", and insert "3,170,098".

Amendment No. 138
On page 48, line 38, of said bill, strike out "3,218,952", and insert "3,052,206".

Amendment No. 139
On page 48, line 41, of said bill, strike out "2,134,657", and insert "2,032,885".

Amendment No. 140
On page 49, line 4, of said bill, strike out "1,560,453", and insert "1,458,681".

Amendment No. 141
On page 49, line 10, of said bill, strike out "2,222,233", and insert "2,120,461".

Amendment No. 142
On page 49, line 17, of said bill, strike out "2,134,657", and insert "2,032,885".

Amendment No. 143
On page 49, line 20, of said bill, strike out "3,135,696", and insert "2,999,220".

Amendment No. 144
On page 49, line 26, of said bill, strike out "2,216,834", and insert "2,080,358".

Amendment No. 145
On page 49, line 33, of said bill, strike out "3,226,680", and insert "3,090,204".

Amendment No. 146
On page 49, line 40, of said bill, strike out "3,135,696", and insert "2,999,220".

Amendment No. 147
On page 49, line 43, of said bill, strike out "3,729,764", and insert "3,509,395".

Amendment No. 148
On page 50, line 3, of said bill, strike out "2,642,403", and insert "2,422,034".

Amendment No. 149
On page 50, line 10, of said bill, strike out "3,852,966", and insert "3,632,597".

Amendment No. 150
On page 50, line 17, of said bill, strike out "3,729,764", and insert "3,509,395".

Amendment No. 151
On page 50, line 20, of said bill, strike out "1,770,945", and insert "1,709,561".

Amendment No. 152
On page 50, line 27, of said bill, strike out "1,193,497", and insert "1,132,113".

Amendment No. 153
On page 50, line 34, of said bill, strike out "1,826,703", and insert "1,765,319".

Amendment No. 154
On page 50, line 41, of said bill, strike out "1,770,945", and insert "1,709,561".

Amendment No. 155
On page 50, line 44, of said bill, strike out "2,647,497", and insert "2,686,126".

Amendment No. 156
On page 51, line 3, of said bill, strike out "1,794,706", and insert "1,690,870".

Amendment No. 157
On page 51, line 10, of said bill, strike out "2,704,931", and insert "2,601,095".

Amendment No. 158
On page 51, line 18, of said bill, strike out "2,647,497", and insert "2,543,661".

Amendment No. 159
On page 51, line 25, of said bill, strike out "2,333,030", and insert "2,324,925".

Amendment No. 160
On page 51, line 46, of said bill, strike out "1,146,971", and insert "1,138,866".

Amendment No. 161
On page 51, line 50, of said bill, strike out "2,493,030", and insert "2,484,925".

Amendment No. 162
On page 53, line 20, of said bill, strike out "160,136", and insert "155,850".

Amendment No. 163
On page 53, line 27, of said bill, strike out "262,992", and insert "258,706".

Amendment No. 164
On page 53, line 40, of said bill, strike out "160,136", and insert "155,850".

Amendment No. 165
On page 54, line 10, of said bill, strike out "1,358,566", and insert "1,222,697".

Amendment No. 166
On page 54, line 12, of said bill, strike out "533,950", and insert "448,015".

Amendment No. 167
On page 54, line 14, of said bill, strike out "203,578", and insert "60,260".

Amendment No. 168
On page 54, line 17, of said bill, strike out "2,096,094", and insert "1,730,972".

Amendment No. 169
On page 54, line 19, of said bill, strike out "47,000", and insert "40,128".

Amendment No. 170
On page 54, line 24, of said bill, strike out "1,447,146", and insert "1,088,896".

Amendment No. 171
On page 54, line 42, of said bill, strike out "1,447,146", and insert "1,088,896".

Amendment No. 172
On page 57, line 46, of said bill, strike out "503,097", and insert "469,488".

Amendment No. 173
On page 58, line 16, of said bill, strike out "168,437", and insert "153,125".

Amendment No. 174
On page 58, line 20, of said bill, strike out "500,000", and insert "300,000".

Amendment No. 175
On page 58, line 34, of said bill, strike out "332,494", and insert "311,182".

Amendment No. 176
On page 58, line 37, of said bill, strike out "185,189", and insert "177,657".

Amendment No. 177
On page 58, line 39, of said bill, strike out "136,055", and insert "131,314".

Amendment No. 178
On page 58, line 41, of said bill, strike out "11,250", and insert "2,211".

Amendment No. 179
On page 58, line 44, of said bill, strike out "332,494", and insert "311,182".

Amendment No. 180
On page 65, line 52, of said bill, strike out "4,284,630", and insert "3,357,980".

Amendment No. 181
On page 67, line 25, of said bill, strike out "1,426,122", and insert "1,278,275".

Amendment No. 182
On page 67, line 28, of said bill, strike out "1,186,496", and insert "1,097,686".

Amendment No. 183
On page 67, line 30, of said bill, strike out "215,150", and insert "162,400".

Amendment No. 184
On page 67, line 32, of said bill, strike out "24,476", and insert "18,189".

Amendment No. 185
On page 67, line 35, of said bill, strike out "1,426,122", and insert "1,278,275".

Amendment No. 186
On page 68, line 5, of said bill, strike out "81,773", and insert "74,417".

Amendment No. 187
On page 68, line 11, of said bill, strike out "143,412", and insert "136,056".

Amendment No. 188
On page 68, line 15, of said bill, strike out "175,107", and insert "167,751".

Amendment No. 189
On page 68, line 20, of said bill, strike out "81,773", and insert "74,417".

Amendment No. 190
On page 68, line 24, of said bill, strike out "338,253", and insert "302,641".

Amendment No. 191
On page 68, line 30, of said bill, strike out "269,722", and insert "234,110".

Amendment No. 192
On page 68, line 36, of said bill, strike out "368,253", and insert "332,641".

Amendment No. 193
On page 68, line 42, of said bill, strike out "338,253", and insert "302,641".

Amendment No. 194
On page 70, line 8, of said bill, strike out "1,069,659", and insert "1,013,435".

Amendment No. 195
On page 70, line 19, of said bill, strike out "728,059", and insert "691,393".

Amendment No. 196
On page 70, line 20, of said bill, strike out "317,412", and insert "311,162".

Amendment No. 197
On page 70, line 27, of said bill, strike out "1,116,918", and insert "1,074,002".

Amendment No. 198
On page 70, line 35, of said bill, strike out "1,069,659", and insert "1,013,435".

Amendment No. 199
On page 71, line 24, of said bill, strike out "97,889", and insert "87,929".

Amendment No. 200
On page 71, line 26, of said bill, strike out "51,191", and insert "41,231".

Amendment No. 201
On page 71, line 30, of said bill, strike out "97,889", and insert "87,929".

Amendment No. 202
On page 71, line 35, of said bill, strike out "156,034", and insert "153,034".

Amendment No. 203
On page 71, line 37, of said bill, strike out "128,247", and insert "126,247".

Amendment No. 204
On page 71, line 38, of said bill, strike out "22,903", and insert "21,903".

Amendment No. 205
On page 71, line 43, of said bill, strike out "156,034", and insert "153,034".

Amendment No. 206
On page 71, line 46, of said bill, strike out "30,146", and insert "27,546".

Amendment No. 207
On page 71, line 49, of said bill, strike out "12,684", and insert "10,084".

Amendment No. 208
On page 71, line 51, of said bill, strike out "30,146", and insert "27,546".

Amendment No. 209
On page 72, line 14, of said bill, strike out "413,000", and insert "267,692".

Amendment No. 210
On page 74, line 24, of said bill, strike out "242,423", and insert "240,683".

Amendment No. 211
On page 74, line 32, of said bill, strike out "51,575", and insert "49,835".

Amendment No. 212
On page 74, line 37, of said bill, strike out "249,923", and insert "248,183".

Amendment No. 213
On page 74, line 44, of said bill, strike out "242,423", and insert "240,683"

Amendment No. 214
On page 75, line 11, of said bill, strike out "550,000", and insert "71,154".

Amendment No. 215

On page 76, line 4, of said bill, strike out "74,082", and insert "70,706".

Amendment No. 216

On page 76, line 9, of said bill, strike out "53,727", and insert "49,999".

Amendment No. 217

On page 76, line 11, of said bill, strike out "19,601", and insert "18,813".

Amendment No. 218

On page 76, line 12, of said bill, strike out "3,794", and insert "1,894".

Amendment No. 219

On page 76, line 15, of said bill, strike out "77,122", and insert "73,746".

Amendment No. 220

On page 76, line 20, of said bill, strike out "74,082", and insert "70,706".

Amendment No. 221

On page 76 of said bill, strike out lines 45-48, inclusive

Amendment No. 222

On page 77, line 10, of said bill, strike out "370,000", and insert "344,740".

Amendment No. 223

On page 77, line 13, of said bill, strike out "940,000", and insert "590,000".

Amendment No. 224

On page 77, line 16, of said bill, strike out "400,000", and insert "200,000".

Amendment No. 225

On page 77, line 18, of said bill, strike out "200,000", and insert "150,000".

Amendment No. 226

On page 77, line 19, of said bill, strike out "200,000", and insert "100,000".

Amendment No. 227

On page 77, line 35, of said bill, strike out "940,000", and insert "590,000".

Amendment No. 228

On page 78, line 5, of said bill, strike out "399,126", and insert "100,000".

Amendment No. 229

On page 78, line 8, of said bill, strike out "322,980", and insert "23,860.

Amendment No. 230

On page 79, line 19, of said bill, strike out "399,126", and insert "100,000".

Amendment No. 97 read.

Amendments Nos. 98 to 230, inclusive, deemed read, by unanimous consent.

Amendments Withdrawn

Mr. Hollibaugh withdrew the above amendments.

Consideration of Further Amendments

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

(Item 248)

Amendment No. 1

On page 69, line 27, of the printed bill, as amended in the Assembly on May 31, 1949, after "amended," insert "provided that no amount may be withdrawn from this item for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of the additional toll bridge over the waters of the Bay of San Francisco to be built on a line between Rincon Hill in the City and County of San Francisco and the City of Oakland, County of Alameda via Yerba Buena Island approximately parallel and northerly of the existing San Francisco Oakland Bridge referred to in the resolution adopted by the California Toll Bridge Authority on March 23, 1949, until the Congress of the United States enacts legislation permitting the

construction of the said additional bridge; provided further that all or part of the sum in this item may be used for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of a southerly toll bridge or toll highway across the waters of the Bay of San Francisco from the City and County of San Francisco to the County of Alameda and also".

Amendment read.

Point of Order

Mr. Morris arose to the following point of order: That Mr. Sherwin is reading from a document and is not in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken.

Hon. Albert I. Stewart Presiding

At 10.50 a.m., Hon. Albert I. Stewart, Member of the Assembly from the Forty-seventh District, presiding.

Speaker Presiding

At 11.05 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Kirkwood, Grunsky, Hahn, Luckel, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 1, offered by Mr Geddes to Assembly Bill No. 1100.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Geddes moved a call of the Assembly.

Motion carried. Time, 11.25 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Coats, Clayton A. Dills, Erwin, Hagen, Heisinger, Levering, Lowrey, McCollister, Rosenthal, and Smith—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ANNOUNCEMENTS

Mr. Hahn announced that the baseball game to be played between the team of the Assembly attaches, and the team of the Assembly, will be held tomorrow morning, Saturday, June 4th, at 10 a.m., at 28th and C Streets.

Mr. Maloney announced that Messrs. Roman Bentz, Lou Barbour, and Jack Powell, umpires of the Pacific Coast League, will be present at the baseball game, and have offered their services to the contesting teams.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Consideration of Further Amendments

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

(Item 345)

Amendment No. 1

On page 88, line 49, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "148,750", and insert "360,254".

Amendment No. 2

On page 88 of said bill, after line 51, insert

"(b) Participate with Sonoma Valley Sanitation District in construction of sanitation and sewage facilities	211,504
Total of projects	360,254".

Amendments read.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion lost.

The vote was announced, and the amendments refused adoption by the following vote:

AYES—Babbage, Berry, Brady, Burkhalter, Caldecott, Crowley, Dickey, Dolwig, Dunn, Fleury, Geddes, Lindsay, Maloney, McCollister, McMillan, Moss, Sherwin, Thomas, Thompson, Way, and Weber—21.

NOES—Anderson, Beck, Bennett, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Doyle, Elliott, Erwin, Evans, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stewart, Tomlinson, Yorty, and Mr. Speaker—42.

Request for Unanimous Consent That Action Be Rescinded

Mr. Yorty asked for, and was granted, unanimous consent that the action of the Assembly, taken this day by unanimous consent, that debate be unlimited on the proposed amendments being offered to Assembly Bill No. 1100, be rescinded.

Consideration of Further Amendments

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

(Item 139)

Amendment No. 1

On page 38 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 9, 10, 11, 12, 13, 14, and 15.

(Item 141)

Amendment No. 2

On page 38 of said bill, strike out lines 27 to 37, inclusive

(Item 357)

Amendment No. 3

On page 92, line 21, of said bill, strike out "Fair and Expo-", and all of lines 22, 23, 24, and 25; and in line 26, strike out "of the Business and Professions Code", and insert "General Fund not otherwise appropriated".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Condon, Connolly, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Thomas, Thompson, Way, and Weber—46.

NOES—Caldecott, Collier, Conrad, Crichton, Grunsky, Hinckley, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, Reagan, Sherwin, Smith, Stewart, Tomlinson, Waters, and Yorty—20.

(3 Amendments adopted. Total—730)

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 12.10 p.m., on motion of Mr. McMillan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. McMillan was granted permission to introduce a bill by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3166: By Mr. McMillan—An act to add Chapter 10 to Division 8 of the Business and Professions Code, relating to the licensing of traveling shows and officers and employees thereof and imposing a tax on admissions to such shows and to all exhibitions or entertainments which are a part thereof.

Referred to Committee on Public Morals.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that the United Airlines' legislative plane, which usually leaves Sacramento each Friday at 3 p.m., for Southern California, is departing today at 4 p.m., because of the afternoon session being held by the Assembly.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1559
Assembly Bill No. 3157
Assembly Bill No. 3159

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 861
Assembly Bill No. 965
Assembly Bill No. 1519
Assembly Bill No. 2007
Assembly Bill No. 2084
Assembly Bill No. 2362
Assembly Bill No. 2499

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Reagan asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 629
Assembly Bill No. 3093

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 476
Senate Bill No. 1305
Senate Bill No. 1306
Senate Bill No. 1613

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 626
Assembly Bill No. 2152
Assembly Bill No. 2807

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 2221
Assembly Bill No. 2631

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 492

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No 3055

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 3153

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 540
Assembly Bill No. 3111

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2265
Assembly Bill No. 2266

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Education, to which was referred.

Assembly Bill No. 2320

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 680

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Assembly Bill No. 2164

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred.

Senate Bill No. 133

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 2037
Assembly Bill No. 2492

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

PRINTER'S NOTE—There being no 7-point strikeout type available, the following House resolution, which should appear in strikeout type, is indicated by being enclosed within brackets:

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 221
[House Resolution No. 223]

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported House Resolution No. 221 ordered on file for adoption.

(On June 10, 1949, the above record was expunged, and the action rescinded, whereby House Resolution No. 223 was reported out of committee. (Assembly Journal, page 4342.))

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 92

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 990

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 557
Assembly Bill No. 1660
Assembly Bill No. 2093

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred.

Assembly Bill No. 3040

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

REAGAN, Vice Chairman

Above reported bill ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred.

Senate Bill No. 626

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MORRIS, Vice Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 2279

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MORRIS, Vice Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Assembly Bill No. 3142

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MORRIS, Vice Chairman

Above reported bill ordered to second reading.

MOTION THAT FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY BE DISPENSED WITH ON AMENDMENT NO. 1 OFFERED BY MR. GEDDES TO ASSEMBLY BILL NO. 1100

At 12.18 p.m., Mr. Dolwig moved that further proceedings under the call of the Assembly be dispensed with.

Roll Call Demanded

Messrs. Hollibaugh, Dolwig, and Sherwin demanded a roll call.

The roll was called, and the motion by Mr. Dolwig lost by the following vote:

AYES—Brady, Brown, Dickey, Dolwig, Dunn, Evans, Hahn, Heisinger, Hoffman, Hollibaugh, Luckel, McCollister, McMillan, Niehouse, Reagan, Silliman, and Stewart—17.

NOES—Anderson, Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hinckley, Huyck, Kirkwood, Levering, Lindsay, Lapsconb, Maloney, McCarthy, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—46.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 164
Senate Bill No. 623
Senate Bill No. 1222
Senate Bill No 1314
Senate Bill No 1634

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 164—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 623—An act to amend Section 28148 of the Government Code, relating to county officers' salaries.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1222—An act to add Section 873 to the Agricultural Code, relating to canned fruit and vegetables.

Referred to Committee on Agriculture.

Senate Bill No. 1314—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation and death benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1634—An act to amend Section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number 1 of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No 70

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 70—Relative to commending Mr. Robert Sibley for his work as Executive Manager of the California Alumni Association and Editor of the California Monthly.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 345
Assembly Bill No. 414
Assembly Bill No 522
Assembly Bill No 736
Assembly Bill No. 928
Assembly Bill No. 946
Assembly Bill No 1483
Assembly Bill No 1665
Assembly Bill No. 1954
Assembly Bill No 2900

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 438
Assembly Bill No. 1171
Assembly Bill No. 1524
Assembly Bill No. 1870
Assembly Bill No. 1941

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Consideration of Further Amendments

Motion to Amend

Mr. Sherwin moved the adoption of the following amendment:

(Item 278)

Amendment No. 1

On page 79, line 26, of said bill, as amended in the Assembly on May 31, 1949, *strike out* "1,500,000", and *insert* "1,600,000".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—66

NOES—None.

(1 Amendment adopted. Total—731.)

Consideration of Further Amendments

Motion to Amend

Mr. Moss moved the adoption of the following amendments:

(Item 202)

Amendment No. 1

On page 56, line 34, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "7,037,863", and insert "7,401,988".

Amendment No. 2

On page 56, line 41, of said bill, strike out "5,295,034", and insert "5,473,234".

Amendment No. 3

On page 56, line 43, of said bill, strike out "2,216,412", and insert "2,247,570".

Amendment No. 4

On page 56, line 45, of said bill, strike out "730,367", and insert "916,307".

Amendment No. 5

On page 56, line 48, of said bill, strike out "8,241,813", and insert "8,637,111".

Amendment No. 6

On page 57, line 4, of said bill, strike out "377,305", and insert "408,478".

Amendment No. 7

On page 57, line 14, of said bill, strike out "7,037,863", and insert "7,401,988".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Brown, Butters, Clarke, Coats, Condon, Cooke, Crichton, Davis, Dolwig, Fleury, Gaffney, Hagen, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, McCarthy, McCollister, Moss, Niehouse, Thomas, Thompson, Way, and Weber—25.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Connolly, Conrad, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, Meyers, Morris, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, and Yorty—42.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 1 OFFERED BY MR. GEDDES TO ASSEMBLY BILL NO. 1100

At 12.50 p.m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 1, offered by Mr. Geddes to Assembly Bill No. 1100, adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, George D. Collins, Connolly, Dickey, Dolwig, Doyle, Dunn, Evans, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Silliman, Smith, Stewart, Weber, and Mr. Speaker—38.

NOES—Babbage, Burke, Butters, Caldecott, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Elliott, Erwin, Fleury, Grant, Grunsky, Hagen, Hinckley, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Maloney, McCarthy, Moss, Rumford, Sherwin, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—34.

(1 Amendment adopted Total—732)

RECESS

At 12.55 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MEMBERS EXCUSED

At 2.31 p.m., Mr. Doyle asked for, and was granted, unanimous consent that Mr. Geddes be excused, for the balance of the legislative day, because of illness.

Mr. McCollister asked for, and was granted, unanimous consent that Mr. Clayton A. Dills be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Doyle (By request):

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 26 of the Penal Code, relating to persons capable of committing crimes.

Respectfully submitted. THOMAS J. DOYLE

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Doyle (By request):

An act to amend Section 26 of the Penal Code, relating to persons capable of committing crimes.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Doyle moved a call of the Assembly.

Motion carried. Time, 2.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Bennett, Brady, Coats, Collier, Condon, Conrad, Clayton A. Dills, Dolwig, Evans, Gaffney, Geddes, Hawkins, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stewart, Tomlinson, Way, Weber, and Yorty—38.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Brown asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Speaker Pro Tempore Presiding

At 2.34 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2183

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2183, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2183

Assembly Bill No. 2183—An act to add Chapter 5.5 to Division 21 of the Health and Safety Code, relating to frozen food.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out line 8, and insert

"28165 "Low acid frozen food" means a food which, by virtue of its low acid content, does not preclude the growth of Clostridium Botulinum."

Amendment No. 2

On page 1 of said bill, strike out lines 9 and 10.

Amendment No. 3

On page 1, line 14, of said bill, strike out "Nonacid", and insert "Low acid".

Amendment No. 4

On page 1 of said bill, strike out lines 18 to 21, inclusive.

Amendment No. 5

On page 1, line 24, of said bill, after "use", insert "and that the contents should not be heated before opening".

Amendment No. 6

On page 1 of said bill, strike out lines 25 to 28, inclusive, and insert

"28173 Low acid foods which are to be frozen and packaged in hermetically sealed metal containers, shall not be cooked in the container before freezing."

Amendment No. 7

On page 1 of said bill, after line 28, insert

"28174 Any person who violates any of the provisions of this chapter is guilty of a misdemeanor, and upon conviction shall be punished by a fine of not less than twenty-five dollars ($25) or more than five hundred dollars ($500), or by imprisonment in the county jail for a term not exceeding six months, or by both such fine and imprisonment."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Berry, Brown, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman,

Hollibaugh, Kilpatrick, Lincoln, Luckel, Maloney, Meyers, Morris, Moss, Reagan, Thomas, Waters, Way, and Mr. Speaker—41.

NOES—None.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1718

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1718, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1718

Assembly Bill No. 1718—An act to add Section 454.3 to the Vehicle Code and to amend Sections 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed bill, strike out "side arms and".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

ANNOUNCEMENTS

Mr. Dickey announced that Senator Weybret and Mr. Clarke will show a motion picture report in the Assembly Chamber next Wednesday, June 8th, at 2 p.m., of their investigation of the Oriental Fruit Fly in the Hawaiian Islands; and that the Committee on Rules will hold a meeting at 3 p.m., on that afternoon, at which time all interim committee resolutions now pending before this committee will be considered; and urged cooperation of all members to appear promptly before the Committee on Rules if they desire to be heard on resolutions.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 579, on request of Mr. Davis.

Assembly Bill No. 755, on request of Mr. Davis.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 755 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No. 755 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2068, on request of Mr. Moss.
Assembly Bill No. 112, on request of Mr. Dunn.
Assembly Bill No. 2890, on request of Mr. Meyers.
Assembly Bill No. 2620, on request of Mr. Dolwig.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 315

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 315, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 315

Senate Bill No. 315—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, after "bodies", insert "as herein defined".

Amendment No. 2

On page 1, line 13, of said bill, after "conservation districts," insert "pest control districts, weed abatement districts,".

Amendment No. 3

On page 2, line 16, of said bill, after the period, insert "The boundaries of every public body as heretofore established, defined or recorded in any judicial proceedings are hereby confirmed, ratified, and declared legally established."

Amendment No. 4

On page 2 of said bill, strike out lines 44 to 50, inclusive; and on page 3, strike out lines 1 to 8, inclusive, and insert

"SEC. 7. Whenever proceedings have been had in substantial conformity with the statutory provisions relating to the incorporation of a city and it has been judicially determined that a part of the area described as being within the boundaries of such city cannot lawfully constitute a part of such city, and when the area within such boundaries, excluding the area improperly included, contains more than 80 percent of the area, more than 85 percent of the assessed valuation, and more than 90 percent of the population of the whole area described as being within the boundaries of such city, then the incorporation of said city, excluding the area improperly included, is hereby ratified, confirmed and validated and such city, with its boundaries so diminished, is hereby declared to be legally incorporated and the board of supervisors of the county in which any such city is situated is authorized to file and record a corrected description of the boundaries of such city, excluding the area improperly included, in the manner and at the places provided by law for the filing and recording of the description of the boundaries of such city upon its original incorporation.

SEC. 8 This act shall".

Amendment No. 5

On page 3, line 10, of said bill, after "such", insert "acts and".

Amendment No. 6

On page 3, line 21, of said bill, strike out "in the manner and".

Amendment No. 7

On page 3, line 26, of said bill, after "undetermined", insert "and shall not operate to confirm, validate, or legalize any act, proceeding or other matter which has been finally determined in any legal proceeding to be illegal, void, or ineffective".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 314

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 314, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 314

Senate Bill No. 314—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, after "bodies", insert "as herein defined".

Amendment No. 2

On page 1, line 13, of said bill, after "conservation districts," insert "pest control districts, weed abatement districts,".

Amendment No. 3

On page 2, line 17, of said bill, after the period, insert "The boundaries of every public body as heretofore established, defined or recorded in any judicial proceedings are hereby confirmed, ratified, and declared legally established."

Amendment No. 4

On page 2 of said bill, strike out lines 44 to 51, inclusive; and on page 3, strike out lines 1 to 7, inclusive, and insert

"SEC. 7. Whenever proceedings have been had in substantial conformity with the statutory provisions relating to the incorporation of a city and it has been judicially determined that a part of the area described as being within the boundaries of such city cannot lawfully constitute a part of such city, and when the area within such boundaries, excluding the area improperly included, contains more than 80 percent of the area, more than 85 percent of the assessed valuation, and more than 90 percent of the population of the whole area described as being within the boundaries of such city, then the incorporation of said city, excluding the area improperly included, is hereby ratified, confirmed and validated and such city, with its boundaries so diminished, is hereby declared to be legally incorporated and the board of supervisors of the county in which any such city is situated is authorized to file and record a corrected description of the boundaries of such city, excluding the area improperly included, in the manner and at the places provided by law for the filing and recording of the description of the boundaries of such city upon its original incorporation.

SEC. 8 This act shall".

Amendment No. 5

On page 3, line 9, of said bill, after "such", insert "acts and".

Amendment No. 6

On page 3, line 20, of said bill, strike out "in the manner and".

Amendment No. 7

On page 3, line 25, of said bill, after "undetermined", insert "and shall not operate to confirm, validate, or legalize any act, proceeding or other matter which has been finally determined in any legal proceeding to be illegal, void, or ineffective".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BIRTHDAY GREETINGS EXPRESSED

Speaker pro Tempore Maloney expressed, on behalf of the Members of the Assembly, sincere birthday greetings and good wishes of the day to Mr. Crichton.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Waters and Dolwig:

House Resolution No. 226

Relative to entertainment for Members of the Legislature on May 25, 1949

WHEREAS, Members of the Legislature and their wives were the guests at a dinner and entertainment on May 25, 1949, given for the enjoyment of the Members of the Legislature and the constitutional officers of the State of California; and

WHEREAS, This entertainment of the highest order was made possible through the courtesy of Eric Johnston, President of Motion Picture Association of America, Inc., and Association of Motion Picture Producers, Inc., and Y. Frank Freeman, Chairman of the Board, Association of Motion Picture Producers, Inc., representing the following studios: Columbia Pictures Corp., Samuel Goldwyn Productions, Inc., Loew's Incorporated, Paramount Pictures, Inc., RKO-Radio Pictures, Inc., Republic Productions, Inc., 20th Century-Fox Film Corporation, Universal Pictures Company, Inc., Warner Bros. Pictures, Inc.; and

WHEREAS, The following named artists contributed most graciously to the success of the evening: Betty Garrett, Marina Koshetz, Rex Allen, Harry Crocker, Harry and Frances Usher, Richard Beavers, Louis Da Pron, and accompanists Earl Brent and Cy Miller; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Legislature make known by these presents and this inscription their hearty appreciation of the generosity of the concerns which contributed so kindly; of the good taste and discrimination of the director, Ida R. Koverman, in her selection of entertainers; and of the fine work of the artists who performed; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to present a suitably engrossed copy of this resolution to each of the above named artists and to the president and chairman of the board above named.

Request for Unanimous Consent

Mr. Waters asked for, and was granted, unanimous consent to take up House Resolution No. 226, at this time, without reference to committee or file.

Resolution read.

Motion to Amend

In accordance with the Standing House Rules, Mr. Lowrey moved that the words "suitably engrossed" be stricken from the last paragraph of House Resolution No. 226.

Mr. Dickey seconded the motion.

Motion carried.

Consideration of House Resolution No. 226, as Amended
Request for Unanimous Consent That All Members Present Be Named Co-authors of House Resolution No. 226

Mr. Maloney asked for, and was granted, unanimous consent that the names of the members present be placed upon House Resolution No. 226 as co-authors.

The roll was called, and the following members indicated their desire to be so recorded:

By Messrs. Waters, Dolwig, Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury,

Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, and Yorty:

House Resolution No. 226

Relative to entertainment for Members of the Legislature on May 25, 1949

WHEREAS, Members of the Legislature and their wives were the guests at a dinner and entertainment on May 25, 1949, given for the enjoyment of the Members of the Legislature and the constitutional officers of the State of California; and

WHEREAS, This entertainment of the highest order was made possible through the courtesy of Eric Johnston, President of Motion Picture Association of America, Inc., and Association of Motion Picture Producers, Inc, and Y. Frank Freeman, Chairman of the Board, Association of Motion Picture Producers, Inc, representing the following studios: Columbia Pictures Corp., Samuel Goldwyn Productions, Inc., Loew's Incorporated, Paramount Pictures, Inc, RKO-Radio Pictures, Inc., Republic Productions, Inc., 20th Century-Fox Film Corporation, Universal Pictures Company, Inc, Warner Bros. Pictures, Inc., and

WHEREAS, The following named artists contributed most graciously to the success of the evening: Betty Garrett, Marina Koshetz, Rex Allen, Harry Crocker, Harry and Frances Usher, Richard Beavers, Louis Da Pron, and accompanists Earl Brent and Cy Miller; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Legislature make known by these presents and this inscription their hearty appreciation of the generosity of the concerns which contributed so kindly; of the good taste and discrimination of the director, Ida R. Koverman, in her selection of entertainers; and of the fine work of the artists who performed, and be it further

Resolved, That the Chief Clerk of the Assembly be directed to present a copy of this resolution to each of the above named artists and to the president and chairman of the board above named

Resolution read, as amended, and adopted unanimously.

By Messrs. Dolwig, Maloney, Connolly, George D. Collins, Gaffney, Brady, Berry, Meyers, Sam L. Collins, Cooke, and McCarthy:

House Resolution No. 227—Relative to adjournment in respect to the memory of A. P. Giannini.

Request for Unanimous Consent

Mr. Dolwig asked for, and was granted, unanimous consent to take up House Resolution No. 227, at this time, without reference to committee or file.

Resolution read.

Request for Unanimous Consent That All Members Present Be Named Co-authors of House Resolution No. 227

Mr. Dolwig asked for, and was granted, unanimous consent that all members present be placed upon House Resolution No. 227 as co-authors.

The roll was called, and the following members indicated their desire to be so recorded.

By Messrs. Dolwig, Maloney, Connolly, George D. Collins, Gaffney, Brady, Berry, Meyers, Sam L. Collins, Cooke, McCarthy, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford,

Sherwin, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty:

House Resolution No. 227

Relative to adjournment in respect to the memory of A. P. Giannini

WHEREAS, At his home in San Mateo, California, on June 3, 1949, A. P. Giannini, suffered a heart attack which brought his long and eventful life to an end at the age of 79 years; and

WHEREAS, Born Peter Amadeo Giannini in San Jose May 6, 1870, he ended his formal schooling at 12 years of age to enter his father's commission business, the start of a career characterized by phenomenal success even at that early beginning for at 19 he was a full partner in the firm, and at 31 he had developed his own business to one of the largest commission firms in San Francisco; and

WHEREAS, He then retired from business only to found the Bank of America and Transamerica Corporation which controlled some 500 banks in five western states; and

WHEREAS, While his Bank of America grew to be the largest bank in the world, of which he was Founder Chairman at the time of his death, A. P. Giannini continued his life-long policy of "service to the little fellow," and retained the modest way of life of his younger years, living in his large but unpretentious home since 1900, and refusing large bonuses voted to him by the banking corporations; and

WHEREAS, A. P. Giannini was one of those rare individuals, who, though handling millions of dollars and controlling great financial power, yet was held in universally high regard, his genuine modesty and love for people communicating itself through the great modern financial structure built around him; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express profound shock and sorrow upon learning of the death of this man who had been a personal friend to many and whose banking enterprises were an enduring structure of financial strength contributing beyond measure to the development of California; and be it further

Resolved, That the Chief Clerk of the Assembly transmit suitably prepared copies of this resolution as an expression of the Assembly of California to A. P. Giannini's son, L. M. Giannini, now head of the Bank of America, and to Claire Giannini Hoffman, daughter of A. P. Giannini; and be it further

Resolved, That when this Assembly this day adjourns it do so out of respect to the memory of A. P. Giannini.

Resolution adopted unanimously.

Request for Unanimous Consent That Remarks by Mr. Dolwig Relative to House Resolution No. 227 Be Printed in Journal

Mr. McCarthy asked for, and was granted, unanimous consent that the remarks by Mr. Dolwig, relative to House Resolution No. 227, be reduced to writing, and ordered printed in the Journal in 10-point type as follows:

Remarks by Mr. Dolwig Relative to House Resolution No. 227

It is an honor to give tribute to one of the great men of this Country.

A. P. Giannini symbolized the "Horatio Alger" tradition in its truest sense. In true pioneer spirit he worked hard and acquired meager worldly goods.

After the San Francisco fire, he started in the banking business. He performed a real service to a growing community which now is one of the great metropolitan centers of the world. From that modest beginning, he built one of the greatest empires in this Country.

He never lost the common touch despite his association with the great people of our time. His passing is mourned by the multitude of friends he has made throughout his long and colorful career.

FURTHER CONSIDERATION OF SPECIAL ORDER

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several

public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Consideration of Further Amendments
Motion to Amend

Mr. Moss moved the adoption of the following amendments:

(Item 203)
Amendment No. 1

On page 57, line 19, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "581,497", and insert "612,428".

Amendment No. 2

On page 57, line 22, of said bill, strike out "2,118", and insert "2,230".

Amendment No. 3

On page 57, line 24, of said bill, strike out "170,628", and insert "179,704".

Amendment No. 4

On page 57, line 26, of said bill, strike out "183,929", and insert "193,712".

Amendment No. 5

On page 57, line 28, of said bill, strike out "42,011", and insert "44,246".

Amendment No. 6

On page 57, line 30, of said bill, strike out "56,765", and insert "59,784".

Amendment No. 7

On page 57, line 32, of said bill, strike out "63,023", and insert "66,376".

Amendment No. 8

On page 57, line 34, of said bill, strike out "63,023", and insert "66,376".

Amendment No. 9

On page 57, line 37, of said bill, strike out "581,497", and insert "612,428".

Amendments read.

Amendments Withdrawn

Mr. Moss withdrew the above amendments.

Consideration of Further Amendments
Motion to Amend

Mr. Brown moved the adoption of the following amendments:

(Item 254)
Amendment No. 1

On page 71, line 16, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "25,000"; and in line 14, after "Commission", insert ", in accordance with the following schedule 140,280"

Amendment No. 2

On page 71 of said bill, between lines 17 and 18, insert

"Schedule:

(a) Salaries and wages	87,950
(b) Operating expenses	50,830
(c) Equipment	1,500
Total of schedule	140,280".

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 3 32 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clayton A. Dills, Dolwig, Heisinger, Lowrey, Rumford, Silliman, and Waters—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Brown asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Consideration of Further Amendments

Motion to Amend

Mr. Grant moved the adoption of the following amendment:

(Item 306½)

Amendment No. 1

On page 84 of the printed bill, as amended in the Assembly on May 31, 1949, between lines 8 and 9, insert

"306½—For the acquisition and improvement of a site, construction of buildings, and the purchase of furnishings and equipment for the state college established in the area of Orange County and the southeastern part of Los Angeles County, outside the City of Los Angeles, payable from the Postwar Employment Reserve____ $2,125,000".

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Grant moved a call of the Assembly.

Motion carried. Time, 3.42 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brady, Clayton A. Dills, Dolwig, Hoffman, Levering, Lindsay, Lowrey, Morris, Silliman, Waters, and Weber—12

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Babbage asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Consideration of Further Amendments

Motion to Amend

Mr. Babbage moved the adoption of the following amendment:

(Item 372.5)

Amendment No. 1

On page 95 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 45 to 49; and on page 96, strike out lines 2 to 36, and insert

"372.5—For major construction, University of California, payable from the Postwar Employment Reserve, in accordance with the following projects $22,930,750

Projects:

Berkeley	
(a) School for public health	$1,068,750
(b) Classrooms	3,287,500
(c) Home economics plans	5,000
(d) Insectary unit	95,000
(e) Forest products laboratory, plans	5,000
La Jolla	
(f) Library, museum, and aquarium (partial cost)	148,000
Los Angeles	
(g) Social sciences, geology, and chemistry (partial cost)	1,650,250
(h) Life sciences unit No. 2	2,261,000
(i) Men and women's gymnasium plans	6,000
(j) Student health center	1,140,000
(k) Home economics, plans	5,000
(l) Administration building	1,425,000
(m) Education and art building	950,000
San Francisco	
(n) Teaching hospital (partial cost)	2,830,000
(o) Medical sciences (partial cost)	2,040,000
(p) Dental clinic expansion (partial cost)	65,000
Santa Barbara	
(q) Classrooms	600,000
(r) Gymnasium	500,000
Riverside campus of the Liberal Arts Branch, exempt from Section 13 of this act.	
(s) Library and classroom building	1,020,000
(t) Science building	935,000
(u) Utilities	344,250
(v) Social Science and Humanities Building	850,000
(w) Physical Education, Military Training and Student Health Building	1,275,000
(x) Dormitories and Dining Halls	425,000
Total of projects	$22,930,750"

Amendment read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Babbage moved a call of the Assembly.

Motion carried. Time, 4:01 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, Cooke, Clayton A. Dills, Evans, Hoffman, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McMillan, Silliman, and Waters—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Thomas asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Consideration of Further Amendments

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

(Item 85)

Amendment No. 1

On page 21, line 43, of the printed bill as amended in the Assembly on May 31, 1949, strike out "520,726", and insert "522,226".

Amendment No. 2

On page 22, line 4, of said bill, strike out "584,232", and insert "585,732".

Amendment No. 3

On page 22, line 9, of said bill, strike out "700,711", and insert "702,211".

Amendment No. 4

On page 22, line 20, of said bill, strike out "520,726", and insert "522,226".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Coats, George D. Collins, Condon, Crowley, Davis, Elliott, Gaffney, Grant, Hagen, Hawkins, Kilpatrick, Lewis, McCarthy, McCollister, McMillan, Moss, Rumford, and Thomas—22

NOES—Beck, Brady, Burke, Burkhalter, Caldecott, Collier, Connolly, Conrad, Crichton, Dolwig, Doyle, Erwin, Fleury, Grunsky, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Luckel, Maloney, Meyers, Morris, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stewart, Thompson, Waters, Way, and Yorty—36.

Notice of Motion to Reconsider Amendments Offered by Mr. Coats (Item 85) to Assembly Bill No. 1100

Mr. Coats gave notice that on the next legislative day he would move to reconsider the vote whereby his four amendments (Item 85) to Assembly Bill No. 1100 were this day refused adoption.

Consideration of Further Amendments

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

(Item 248)

Amendment No. 1

On page 69, line 14, of said bill, after "Crossings", insert ", payable from the State Highway Fund".

Amendment No. 2

On page 69, lines 20 and 21, of said bill, strike out "General", and insert "State Highway".

Amendment No. 3

On page 69, line 33, of said bill, strike out "General", and insert "State Highway".

Amendment No. 4

On page 70, line 3, of said bill, strike out "General", and insert "State Highway".

Amendments read, and adopted.

(4 Amendments adopted. Total—736.)

Consideration of Further Amendments
Motion to Amend

Mr. Lewis moved the adoption of the following amendment:

(Item 87.5)
Amendment No. 1

On page 23 of the printed bill, as amended in the Assembly on May 31, 1949, between lines 10 and 11, insert

"87.5—For the survey of sites and the purchase of real property as a site in the vicinity of Bakersfield for the Kern State College..... $250,000".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson Bennett, Berry, Coats, Cooke, Davis, Doyle, Elliott, Grant, Hawkins, Kilpatrick, Lewis, McCollister, McMillan, and Thomas—15

NOES—Beck, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Crichton, Dunn, Erwin, Evans, Gaffney, Grunsky, Hahn, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—41.

Notice of Motion to Reconsider the Amendment Offered by Mr. Lewis (Item 87.5) to Assembly Bill No. 1100

Mr. Lewis gave notice that on the next legislative day he would move to reconsider the vote whereby his amendment (Item 87.5) to Assembly Bill No. 1100 was this day refused adoption.

Consideration of Further Amendments
Motion to Amend

Mr. Levering moved the adoption of the following amendments:

(Item 29)
Amendment No. 1

On page 4, line 35, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "33,081", and insert "20,906, provided that the reduction of $12,175 herein made shall be applied to the budget of the Disaster Council as per the following detail:

Delete 1 Intermediate Steno-Clerk	$2,350
Delete Temporary Help	500
Reduce Telephone and Telegraph from $1,200 to $700, a reduction of	500
Reduce Postage from $400 to $300, a reduction of	100
Reduce Traveling-staff from $4,000 to $3,000, a reduction of	1,000
Reduce Auto Operation from $1,125 to $600, a reduction of	525
Delete Services of Field Representative, by contract with Los Angeles County	7,200
Total reductions	$12,175".

Amendment No. 2

On page 4, line 37, of said bill, strike out "13,539", and insert "10,689, provided that the reduction of $2,850 in salaries and wages herein made shall be applied to the budget of the Disaster Council as per the following detail.

Delete 1 Intermediate Steno-Clerk	$2,350
Delete Temporary Help	500
Total reductions	$2,850".

Amendment No. 3

On page 4, line 38, of said bill, strike out "19,350", and insert "10,025, provided that the reduction of $9,325 in operating expenses herein made shall be applied to the Budget of the Disaster Council in accordance with the following detail:

Reduce telephone and telegraph from $1,200 to $700, a reduction of	$500
Reduce postage from $400 to $300, a reduction of	100
Reduce traveling-staff from $4,000 to $3,000, a reduction of	1,000
Reduce auto operation from $1,125 to $600, a reduction of	525
Delete service of Field Representative, by contract with Los Angeles County	7,200
Total reduction in operating expenses	$9,325".

Amendment No. 4

On page 4, line 41, of said bill, strike out "33,081", and insert "20,906"

Amendments read.

Point of Order

Mr. Thomas arose to the following point of order: That the amendments being offered by Mr. Levering are not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Request for Unanimous Consent That Amendments Be Held at Desk Pending Changes

Mr. Levering asked for, and was granted, unanimous consent that the above four amendments be held at the desk temporarily, pending needed changes.

Consideration of Further Amendments
Motion to Amend

Mr. Levering moved the adoption of the following amendment:

(Item 254)
Amendment No. 1

On page 71 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 13 to 16, inclusive.

Amendment read.

Point of Order

Mr. Thomas arose to the following point of order: That the amendment being offered by Mr. Levering is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Above amendment ordered held at desk.

Consideration of Further Amendments
Motion to Amend

Mr. Levering moved the adoption of the following amendment:

(Item 263)
Amendment No. 1

On page 74 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 2 to 17, inclusive.

Amendment read.

Hon. Laughlin E. Waters Presiding

At 4.37 p.m., Hon Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

Demand for Previous Question

Messrs. Kirkwood, Morris, Lipscomb, Hahn, and Tomlinson demanded the previous question.

Demand for previous question sustained.

The question being on Amendment No. 1 offered by Mr. Levering to Assembly Bill No. 1100.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Brady, Clarke, George D. Collins, Doyle, Evans, Hagen, Hahn, Hollibaugh, Levering, Luckel, Meyers, Morris, Reagan, Smith, Weber, and Yorty—17

NOES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Dunn,

Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Tomlinson, and Way—41.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1530 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Lowrey asked for, and was granted, unanimous consent that Assembly Bill No. 1530 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Transportation and Commerce.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 1 BY MR. GRANT TO ASSEMBLY BILL NO. 1100

At 4.58 p.m., on motion of Mr. Grant, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 1 offered by Mr. Grant to Assembly Bill No. 1100 refused adoption by the following vote:

AYES—Anderson, Babbage, Brown, Burke, Butters, Coats, Collier, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Fleury, Grant, Hollibaugh, Kilpatrick, Lewis, Lipscomb, McCollister, McMillan, Moss, Thomas, Thompson, Tomlinson, and Way—27.

NOES—Beck, Berry, Burkhalter, Caldecott, Clarke, George D Collins, Condon, Connolly, Crichton, Dolwig, Dunn, Elliott, Evans, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Lincoln, Luckel, Maloney, McCarthy, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, and Yorty—35

Notice of Motion to Reconsider Amendment No. 1 (Item 306.5) Offered by Mr. Grant to Assembly Bill No. 1100

Mr. Grant gave notice that on the next legislative day he would move to reconsider the vote whereby his Amendment No. 1 (Item 306.5) to Assembly Bill No. 1100 was this day refused adoption.

Request for Unanimous Consent to Take Up Notice of Motion to Reconsider Amendment at This Time

Mr. Grant asked for unanimous consent that he be permitted to take up his notice of motion to reconsider the vote whereby his amendment to Assembly Bill No. 1100 was this day refused adoption, at this time.

Messrs. Hinckley and Collier withheld unanimous consent.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS NOS. 1 AND 2 BY MR. BROWN TO ASSEMBLY BILL NO. 1100

At 5 p.m., on motion of Mr. Brown, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendments Nos. 1 and 2 offered by Mr. Brown to Assembly Bill No. 1100 adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Kilpatrick, Lewis, Lincoln, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Thompson, Way, and Weber—35.

NOES—Beck, Bennett, Burke, Burkhalter, Butters, Collier, George D Collins, Connolly, Conrad, Dickey, Doyle, Erwin, Hagen, Hahn, Hawkins, Hinckley, Hoffman,

Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Luckel, McCarthy, Morris, Reagan, Sherwin, Smith, Stewart, Thomas, Tomlinson, Yorty, and Mr. Speaker—33.

(2 Amendments adopted Total—738)

Notice of Motion to Reconsider Amendments Nos. 1 and 2 (Item 254) Offered by Mr. Brown to Assembly Bill No. 1100

Mr. Stewart gave notice that on the next legislative day he would move to reconsider the vote whereby Amendments Nos. 1 and 2 (Item 254) offered by Mr. Brown to Assembly Bill No 1100, were this day adopted.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 228

Relating to adjournment in respect to the memory of Robert (Believe-It-or-Not) Ripley

WHEREAS, The Members of this Assembly have learned with profound sorrow of the death of Robert Ripley, world-famed connoisseur of the incredible; and

WHEREAS, Robert Ripley had traveled the world and achieved world fame as cartoonist and collector of oddities; and

WHEREAS, Robert Ripley was born in Santa Rosa, California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express profound regret and sorrow upon learning of the death of Robert Ripley, and extend to his family their deepest sympathy; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the family of Robert Ripley; and be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of Robert Ripley.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up House Resolution No 228, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1309

Mr Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1309, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1309

Assembly Bill No. 1309—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, as amended in the Assembly on May 27, 1949, strike out "eight hundred twenty-five dollars ($825)", and insert "eight hundred eighty-nine dollars ($889)".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

MOTION TO SET SPECIAL ORDER

Mr. Rosenthal moved that Assembly Constitutional Amendment No. 3 be made a special order of business for Monday, June 6, 1949, at 11 a.m.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Doyle, Elliott, Evans, Gaffney, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lipscomb, McCollister, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Thomas, Way, and Yorty—31.

NOES—Brady, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Dunn, Fleury, Grant, Grunsky, Heisinger, Hinckley, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, Moss, Sherwin, and Smith—22

MOTION TO SET SPECIAL ORDER

Mr. Sherwin moved that Assembly Bill No. 1100 be made a special order of business for Monday, June 6, 1949, at 10.30 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58.

NOES—None

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 473, on request of Mr. McMillan.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT NO. 1 BY MR. BABBAGE TO ASSEMBLY BILL NO. 1100

At 5.10 p.m., on motion of Mr. Babbage, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Amendment No. 1 offered by Mr. Babbage to Assembly Bill No. 1100 adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Doyle, Erwin, Fleury, Gaffney, Grant, Huyck, Levering, Lipscomb, McCarthy, McCollister, McMillan, Moss, Niehouse, Reagan, Smith, Stewart, Thomas, Tomlinson, and Way—34.

NOES—Anderson, Beck, Brady, Burkhalter, George D. Collins, Condon, Crichton, Dickey, Dolwig, Dunn, Elliott, Evans, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, Maloney, Meyers, Morris, Rosenthal, Rumford, Sherwin, Thompson, and Yorty—32.

(1 Amendment adopted. Total—739.)

Notice of Motion to Reconsider Amendment No. 1 (Item 372.5), Offered by Mr. Babbage to Assembly Bill No. 1100

Mr. Dunn gave notice that on the next legislative day he would move to reconsider the vote whereby the amendment offered by Mr. Babbage (Item 372.5) to Assembly Bill No. 1100 was this day adopted.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3148 FROM COMMITTEE

Mr Cooke gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 3148 from the Committee on Agriculture, and have it placed upon the file.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 473, on request of Mr. McMillan.

Assembly Bill No. 2204, on request of Mr. McMillan.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE UNFINISHED BUSINESS FILE

The following bill was withdrawn from the inactive file, and placed upon the unfinished business file:

Assembly Bill No 209, on request of Mr. Bennett.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 965

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 965, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 965

Assembly Bill No. 965—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4224, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read third time.

Motion to Amend

Mr. Lewis moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 1, 1949, strike out "4224", and insert "4225"

Amendment No. 2

On page 1, line 2, of said bill, strike out "4224", and insert "4225".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE BILL

At 5.20 p.m., on motion of Mr. Evans, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Doyle was granted permission to introduce a bill by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck,

Kilpatrick, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3167: By Mr. Doyle (By request)—An act to amend Section 26 of the Penal Code, relating to persons capable of committing crimes.

Referred to Committee on Judiciary.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Lewis asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1804
Assembly Bill No. 2255
Assembly Bill No. 2407

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

REAGAN, Vice Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2027

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2027 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 875
Assembly Bill No. 1079
Assembly Bill No. 1682
Assembly Bill No. 2512
Assembly Bill No. 2852

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 875 ordered re-referred to Committee on Fish and Game.

Assembly Bills Nos. 1079, 1682, 2512, and 2852 ordered re-referred to Committee on Judiciary.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bills Nos. 468 and 966 ordered re-referred to Committee on Public Health.

RESOLUTIONS

The following resolution was offered:

By Mr. Waters:

House Resolution No. 229

Relative to the creation of the Assembly Interim Committee on Aviation

WHEREAS, Following World War I a step was taken by our National Government, our State Government cooperating, for the road building program which has resulted in the creation of the automobile industry as we know it today; and

WHEREAS, In its infancy today we have the aviation industry embarking into a greater place in our economy; and

WHEREAS, With the federal direction now being given to the aviation industry, we in the State of California should take forward and progressive steps to encourage this infant industry; and

WHEREAS, Legislation will necessarily be presented to us in 1951 for our consideration; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1. The Assembly Interim Committee on Aviation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the aviation industry, specifically including the following subjects.

(a) The regulation and taxation of aircraft;

(b) The location, establishment, construction, improvement, and financing of landing facilities;

(c) The responsibilities and activities of the California Aeronautics Commission;

(d) The continuation of the study of zoning in relation to airports;

including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for

the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Mr. Heisinger again announced the invitation that all members come to Auburn next Sunday for luncheon and the Gold Revival entertainment.

Mr. Dickey again announced tomorrow's ball game between the team of the attaches and the team of members.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

ASSEMBLY, CALIFORNIA LEGISLATURE

Hon. Sam L. Collins and Members of the California State Assembly

Just a line to express to each and everyone my sincere thanks and appreciation for the kind encomiums and nice gifts given to me on my birthday. I cherish the friendship not only of the present Members of the Legislature, but those I have served with in the past as well.

THOMAS A. MALONEY

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Frank Doyle of Los Angeles.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. H. W. Jimerson of Redwood City.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Walter Poulsen, and Mrs. Anna Poulsen of South Gate.

On request of Messrs Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to B. Van Vranker, teacher of the French Camp School, and the following pupils: Virginia Adams, Roger Benedito, Sharon Blanchard, Miriam Brudirnich, Armando Canchola, Clark Dunnings, Caroline Estrada, Wanda Goforth, Vioma Heeter, Mike Hirata, Fred Hillious, Sara Ovando, Earl Pooley, Glenn Pulliam, Ramona Ratherford, Bill Ray, Frank Raya, Merry Richards, Charles Rose, Rita Shaw, Francis Strahorn, Janet Tablet, Nobuko Tanaka, Joan Itaya, Ellen Johnston, Coleen Korock, Tony Martinez, Rachel Mendoza, Elbert Miner, Julia Montantes, Rachel Moreno, Jack Thompson, Carol Walters, and Douglas Welliver.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Nellie Schwartz and Wanda Ramsey, teachers of the Penngrove School of Sonoma County, the following adults: Mesdames Victor Terrill, Jas. Paulsen, Virgil Miller, Anton Fisher, and Mr. C. D. Scott, and the following pupils: Janis Shimiza, Maxine Morita, Verna Pickrell, Janae Legge, Margaret Fisher, Doris Matteri, Kay Kint, Elaine Paulsen, Marjorie Cook, Mona Ray Leighty, Ronald Friedrickson, Edward Hussey, Tommy Terrill,

Buckley Rowley, Bobby Withington, Donald Barella, Willie Meesenburg, Gary De Graffenreid, Phyllis Friedrichsen, Marlene Goldbeck, Ella Ray Hays, June Herrup, Roberta Hussey, Wanda de Laney, Evelyn Lichau, Janice Ketchum, Jean Stewart, Betty Terrill, Vera Yant, Tommy Bostrom, Johnny Brians, Clyde Davis, Billy Davidson, Charles Hardy, Billy Miller, David Rogers, Karl Seff, Tom Snyder, and Leon Sosna.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Winfred Smith, teacher of the Pioneer School, Mrs. Chas. Doscher, parent, and the following pupils: Annette Doscher, Ruth Doscher, Luella Harlan, Jo Ann Wingfield, Marianne Huffman, Richard Lundgren, Jo Ann Dowdle, J. W. Aldridge, Earl Williams, and Pepper Conzatti

On request of Messrs. Weber and Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Dorothy Mahin, teacher of the French Camp School, and the following pupils: Dwight Tate, Patricia Hayes, Duane Beedy, Larry Hoover, Kenneth Holden, Frank Ovando, Floyd Martin, Charles Dodd, Frank Canchola, Richard Hamlow, Davis Johnston, Clarence Cowan, Jimmie Mayfield, Eliseo Mendoza, Jimmie Escobedo, Gary Meek, Roland Itaya, John Heeter, David Muratore, Billy Salmon, Billy Cowden, Oleta Davis, Gloria Calpito, Shirley Lee, Betty Tanabe, Darlene Eubanks, Vonda Beedy, Vera Pullium, Marcia Adams, June Mercado, Harlene Seegers, Eileen Anderson, Zona Rea, Ramona Shaw, Marie Lucas, Naomi Watanabe, Katherine Lowery, Doretta Boulware, Marie Westerman, Chester Desnoyer, Ronald Belinfante, Ken Hamamoto, Gary Gilbeau, Tokeshi Ogino, Richard Hotta, and Harlo Southwick.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Josephine Gordon, teacher of the Lincoln School, and the following pupils: Peggy Lee, Julie Wong, Junko Kojima, Eleanor Fong, Loretta Gin, Evelyn Jones, and Darlene Cushing.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Roman Benz and Lou Barbour of Los Angeles.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Rose Casey, teacher of the Campo School, Mrs. June Cook, and Mrs. Irene Cox, trustees; and the following pupils: Robert Blakely, Murnice Henley, Francis Aros, Melvin Aros, Eileen Aros, Verna Lee Henley, Jerry Villegas, Leonard Villegas, Edward Pereira, Carol Casey, Barbara Cummins, Blanche Erickson, and Marjory Erickson.

ADJOURNMENT

At 5.26 p.m., on motion of Mr. Dickey, Acting Speaker Waters declared the Assembly adjourned until 10 a.m., Monday, June 6, 1949, out of respect to the memory of the late Robert L. Ripley, the late Ivan H. Parker, former Assemblyman of Auburn, and the late A. P. Giannini.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FOURTH LEGISLATIVE DAY

ONE HUNDRED FIFTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, June 6, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Our Fathers: May we be glad this morning to pledge allegiance to this Republic in humble gratitude for all the blessings that America has given us.

Gladly vow our allegiance to these principles for which America stands among nations as the very paradise of earth, and to which the millions of other nations wish they might come.

Now we pray for those unwilling to pledge allegiance to this Republic, those to whom America gives their liberties and their very bread and butter; and yet who, with parasitic ingratitude, refuse to pledge their allegiance to this Republic that has mothered them.

In gratitude this morning may we proclaim unfaltering allegiance to this land that we love, this land hallowed by a heroic multitude, this land that has given us the most precious treasures of earth.

God grant that we may swear by the blood of the Founders that we shall forever keep America the land of the sane, and the home of the loyal.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Dickey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.
Mr. Geddes, on motion of Mr. Doyle.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lindsay, on motion of Mr. Hagen.
Mr. Dolwig, on motion of Mr. Connolly.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 92

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Hagen asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 118
Assembly Bill No. 717
Assembly Bill No. 885
Assembly Bill No. 947
Assembly Bill No. 1173
Assembly Bill No. 1560
Assembly Bill No. 2082
Assembly Bill No. 2110
Assembly Bill No. 2127
Assembly Bill No. 2469

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 121
Assembly Bill No. 1276
Assembly Bill No. 1839
Assembly Bill No. 1978
Assembly Bill No. 2682
Assembly Bill No. 2936
Assembly Bill No. 3003
Assembly Bill No. 3004
Assembly Bill No. 3158

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 67
Assembly Bill No. 385
Assembly Bill No. 965
Assembly Bill No. 1309
Assembly Bill No. 1384
Assembly Bill No 1718
Assembly Bill No. 1801

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 24—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1d to Article IV thereof, relating to measures submitted to the voters;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2849—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax;

And reports that the same has been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2305—An act to amend Sections 6901 and 6981 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 2306—An act to amend Sections 6481, 6511, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 2612—An act to add Section 459.7 to the Vehicle Code, relating to the regulation of traffic on private roads in housing projects or within the site of housing owned or operated by housing authorities, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1633—An act to amend Section 1143 of the Penal Code, relating to juror's fees;

Assembly Bill No. 1679—An act to amend Sections 1174, 1175, and 1176 of the Government Code, relating to the deposit and disbursement of moneys withheld from salaries or wages paid to any person by the State or other public agencies pursuant to the Internal Revenue Law of the United States or any requirements of the Commissioner of Internal Revenue pursuant thereto, and to provide for the transfer of money heretofore deposited;

Assembly Bill No. 2303—An act to amend Section 6362 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 981—An act to repeal Article 3, comprising Sections 35900 to 35914, inclusive, of Chapter 3, Part 2, Division 2, Title 4, of the Government Code, relating to consolidation of cities;

Assembly Bill No. 1011—An act to amend Section 5425 and Section 5426 of the Public Resources Code, relating to recreation, park and parkway districts;

Assembly Bill No. 1461—An act to repeal Section 169 of the Fish and Game Code, relating to the Mendota Pool Game Refuge and defining the boundaries thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 978—An act to amend Section 34080 of the Government Code, relating to proceedings altering city organization,

Assembly Bill No. 979—An act to repeal an act entitled "An act to provide for the incorporation of towns," approved April 19, 1856 (Chapter 133 of the Statutes of 1856), relating to the incorporation of towns;

Assembly Bill No. 980—An act to repeal Section 34610 of the Government Code, relating to the reorganization of cities of the sixth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 678—An act to amend Section 7056, Public Resources Code, relating to oil, gas and mineral leases by counties and other public or quasi public corporations, bodies or agencies;

Assembly Bill No. 688—An act to amend Section 2150 of the Streets and Highways Code, relating to moneys received by counties from the Highway Users Tax Fund,

Assembly Bill No. 820—An act to amend Section 20060 of the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services,

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 432—An act relating to labor, service and material liens on aircraft;

Assembly Bill No. 467—An act to amend Section 3045 of the Penal Code, relating to paroles,

Assembly Bill No. 554—An act to amend Section 28117 of the Government Code, relating to compensation for public services in counties of the seventeenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 232—An act to amend Section 799 of the Code of Civil Procedure, relating to partition of property,

Assembly Bill No. 429—An act to add Section 3370 to the Civil Code, relating to injunctive relief in connection with an act of unfair competition as defined in the Unfair Practices Act,

Assembly Bill No. 431—An act to add Section 15 to an act entitled the "State Aeronautics Commission Act," relating to liability of aircraft owners, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourth day of June, 1949, at 11 a m

HUYCK, Chairman

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No 88

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

STATEMENT BY MR. YORTY ORDERED PRINTED IN THE JOURNAL BY UNANIMOUS CONSENT

Pursuant to unanimous consent granted to Mr. Yorty on Friday, June 3, 1949 (see page 4042 of the Assembly Journal for said date), the following statement by Mr. Yorty was ordered printed in the Journal in 10-point type:

STATEMENT BY ASSEMBLYMAN SAM YORTY RELATIVE TO HIS VOTE ON THE TENNEY "LOYALTY" OATH BILLS

There is widespread interest in the Tenney bills introduced by Senator Jack B. Tenney, Chairman of the Senate Committee on Un-American Activities, for the purpose of attempting to expose and curb subversive activities Many persons have asked my opinion of the bills, due to the fact that I was the first chairman of the state legislative committee to combat subversive activities. Senator Tenney, then an Assemblyman, was originally appointed to the committee as a result of my suggestion to Speaker Gordon Garland. I wanted Mr. Tenney on the committee because at the time he was one of the active leaders in the American Federation of Labor who was already aware of the danger of penetration of the labor movement by the Communists.

Everyone, except the Communists and their sympathizers, is in favor of checking the influence of the Communist Party. The only question involved in the Tenney bills is whether or not they are proper vehicles by which to accomplish the purposes for which they have been proposed.

Let no one mistake the fact that in dealing with the Communist Party we are not dealing with ordinary American radicals or dissident groups. The Communist Party is international in scope, is directed from Moscow, and is engaged in a treasonable Russian-directed conspiracy against the people of the United States. The hard core of the Communist Party is this Country is made up of disciplined, well-trained spies and saboteurs. The theory of Communism, its merits or demerits, is irrelevant to the question of dealing with the Communist Party. The Communist Party is in fact a dictatorship of a ruling minority, which espouses theoretical Communism only as a propaganda tactic in its effort to extend its reactionary and stifling domination throughout the world.

No one should be fooled into believing that the Communist fight against efforts to curb them is based upon any appreciation of, or sympathy with, the Constitution of the United States simply because they attempt to invoke constitutional guarantees. The Communists believe in free speech, free press, and freedom of religion only for Communists and only as long as these rights are exercised in conformity with the Communist Party line. There are many rights under our laws which are extended only to persons who exercise them in good faith, and it ill becomes a foreign-directed conspiracy to attempt to use American constitutional liberties for the purpose of destroying them. This phase of Communist strategy merits further study. It is important that we be not misled into destroying the constitutional liberties of our people in an attempt to prevent the abuse of these liberties by the Communists.

The original state committee, which I headed, was created in 1939 for the purpose of investigating Communist infiltration into the California State Relief Administration. The committee proved conclusively that Communists were active in the State Relief Administration and the exposure lead to the dismissal of most of them. The Communists in the Relief Administration tried to hide behind a C. I. O. union, known as the State, County and Municipal Workers of America. They charged that the fight against them was really a fight against the union. Many C. I. O. unions in California joined in falsely condemning the committee as antilabor. It is very gratifying to note at this time the Reds, who then controlled so many C. I. O. unions, are now being driven out of the C. I. O., and the President of the C. I. O. himself recently bitterly denounced the Communist domination of the union to which the State Relief Administration employees belonged. The national C. I. O. itself has, therefore, now verified the charges made by the legislative committee which I headed, and has justified the action which we took. Incidentally, the woman who was Assistant Director of Relief in Los Angeles County at the time, and who vehemently denied her Communist affiliation, is now under arrest, awaiting a deportation hearing as a result of a charge brought by the Department of Immigration, which department has alleged that Alice Orans is in fact a Russian citizen and a Communist. She was one of the leaders of the so-called union, and was one of the most active opponents of the investigation by the legislative committee.

When we completed the job for which the legislative committee was appointed, we disbanded the committee. I did not return to the Legislature, and Senator Tenney, who had been vice chairman of the original committee, succeeded in having a new committee appointed for the purpose of further investigating subversive activities. Senator Tenney has headed this committee for almost ten years. He has worked very hard and faithfully, at this tiresome, nerve-wracking, and thankless job. It is obvious to me that he is completely exhausted, and that his constant scrutiny of Communist activities has resulted in distortion of his perspective, causing him to have an exaggerated opinion of the immediate threat of Communist success in the United States.

When the original committee was formed, the public was not aroused to the dangers of Communism. Ignorance of the nature and purposes of the Communist Party was widespread. Years of depression had made easy prey of many of our people, who were susceptible to the false promises of greater security, slyly made by the scheming Communist Party. Ill-informed reactionary groups were creating confusion, helpful to the Communists, by branding as Communists liberal-minded persons whose proposals these reactionaries disliked. Sweeping general charges by investigating committees, which smear loyal Americans, are to be condemned as not only a wrong against the citizens unjustifiably branded as Communists, but also because of the fact that when an innocent person is charged with being a Communist, the Communist Party is benefited by being better able to cover its real members. Procedures must be adopted by our investigating committees, which will guarantee protection to innocent persons, and limit the labelling of persons as Communists to the real members of the Communist Party conspiracy.

Since the original committee was formed, the fight against the foreign-directed Communist Party has entered an entirely different

phase. Today, the public is well aware of the antagonism of the Communists to our democratic form of government. A vitally important prosecution is taking place in New York, where the grand jury has charged leaders of the Communist Party with having engaged in a conspiracy to overthrow the Government of the United States by force and violence. This case is so important that the F.B.I. has, for the first time, uncovered some of its most secret operators who have posed as Communists for many years, and who have actively worked within the Communist Party. If the Communist leaders are convicted in New York, the real character of the Communist conspiracy will have been legally established, and a precedent for the prosecution of all active Communist conspirators will have been established. Federal grand juries are already delving into the various facets of Communist activity. Our police forces have been alerted to the need for scrutiny of Communist activity. What is more important, our two great Labor organizations are both actively and energetically fighting those Communists who have succeeded in infiltrating the Labor movement. The most effective opponents of the Communists are our liberal Labor leaders like Phil Murray, Walter Reuther, George Roberts, and John Despol, to name only a few.

If I were convinced that the Tenney bills were necessary to preserve our Democracy, and that they would effectively stop Communist activity without sacrificing the fundamental principles of our Constitution, I would vote for the bills, but I am not convinced that the bills are either necessary or wise. In fact, I am convinced that they are ill-advised, far too broad in scope, and that they propose a dangerous departure from democratic procedures.

The definition of Communism in the Tenney bills is much too sweeping It fails to maintain the distinction between Communism as a mere economic or political theory and our real enemy, which is the international Communist conspiracy. For instance, the definition of Communism in Senate Bills No. 129 and No. 297, describes Communism as a "totalitarian dictatorship in which the government holds title to all or substantially all raw materials and production and distribution facilities " The latter part of this definition actually defines Socialism and could easily be used as a weapon against American Socialists, who are certainly as loyal as any other group of Americans, irrespective of the unpopularity of their political program. I believe that the other parts of the definition would also prove difficult of application, and might be applied to innocent persons by anyone in authority whose ignorance of the subject lead him to become confused between loyal liberals or radicals, and Communist Party members. Certainly we do not want to destroy the constitutional guarantees of homespun American radicals, whose proposals which may have seemed radical during one era have sometimes proved acceptable during a later one

We must not forget that there was a time when public schools were considered very radical. The right to differ with constituted authority is one which every loyal American is bound to cherish and protect In order to eradicate traitorous Communist practices, we must not undermine the fundamental structure of our constitutional democracy. Such a price is far too high. We must rely upon and we are now employing methods in the New York trial which are consistent with the principles of Anglo-Saxon justice.

The affidavits proposed in the Tenney bills, which compel the affiant to disclose his affiliation with organizations considered subversive, might well create new Communists and permanently drive into the party temporarily misled dupes and fellow travelers, who might otherwise be saved. Many persons, particularly impetuous youthful ones, are apt at one time or another, to become identified with some legitimate-appearing Communist dominated "front" organization. In fact, the Communists strive to create "fronts" advocating worthy causes for the very purpose of ensnaring well-intentioned people, drawing them closer to sympathy, then partnership, and later membership in the Communist Party. Most of the well-intentioned persons who join such organizations eventually learn their true character and resign, wiser for the experience. Such persons join such organizations before becoming aware of the Communist influence in them. It seems probable that if such persons are once forced to sign an affidavit disclosing their affiliation with such organizations and thereby bringing their loyalty into question, they will have become a part of a suspected group, they will feel a kinship with other suspected persons, and this will render them more susceptible to Communist propaganda and tactics.

Young people should be given the opportunity to outgrow youthful ventures into questionable programs without being permanently branded as Communists. If our Educational System were fully effective, there would be fewer young people seeking security by listening to false prophets. We need to teach our young people a philosophy of life that makes life seem rational, meaningful, and a worthwhile experience. We must teach them to find security by development of inner strength, rather than by acquisition of material wealth, because security through materialism alone is part of the essence of Communism.

Communism teaches that man is a pathetic victim of material environment. The idealism on which Democracy is based teaches that man is endowed by his Creator with spiritual power and a consciousness capable of limitless unfoldment and development. In my judgment, we are failing to instill in our young people an appreciation of the real purpose of life. We are teaching them to dissect the material world down to the minutest electron, but we are not teaching them to understand their own inner selves and we are, therefore, leaving them wide open to the lure of materialistic Communist dogma.

In addition to their programs calculated to ensnare our youth, the Communists also have well thought out and directed programs calculated to entrap minority groups. In most cases, greater tolerance on the part of all of us would completely thwart Communist efforts In a nation which is composed largely of persons who profess to believe in the Christian religion, it is hard to understand how there can exist so many prejudices and discriminations based upon nothing more than the difference in the color of the pigment in the skin of some of our people. Such un-Christian prejudices are dramatized by the Communists. They pose as friends of these minority groups, whose liberties the Communists would destroy completely if they could obtain power. I would not like to see members of these minority groups permanently labelled Communists because of mistaken temporary affiliation with front organizations. Most of these people are unquestionably loyal Americans and will immediately resign

from any Communist dominated front organization once they really understand the role of the Communists in it.

There are other parts of the bills which I will not analyze in detail, but which I believe to be equally ill-advised. I feel that Communist teachers would not be curbed or frightened by the Tenney bill purportedly affecting them, but other teachers might be afraid to even teach the principles of theoretical Communism because of the fact that a few emotional young pupils might construe the analysis as being partial to Communism and, therefore, a crime under the Tenney proposal. Full, frank and open discussion of Communism should be encouraged because, as is pointed out in the government pamphlet *Gift of Freedom,* Communism as practiced in Russia cannot even hold a candle to American Democracy when the two are objectively compared.

Under proper circumstances, it is hard to understand how any American could object to taking a proper loyalty oath, and if the Tenney bills required nothing more than this they would not be objectionable to so many persons whose loyalty cannot be questioned. I was investigated by three security agencies before being admitted to the Army's highly secret Code and Cipher School. This was routine procedure. I certainly did not resent the investigations but rather appreciated the care that was being used to keep our codes and ciphers inviolate. The importance of the matter justified the investigation. Under similar conditions no loyal American would mind being investigated. Communists, however, always resent all investigations. Their opposition to the Tenney bills is in reality based upon their fear of exposure, and not upon the higher and more important fundamental premises which have caused loyal liberals and progressives to oppose the bills. Regardless of the desirability of exposing subversives, we must not burn down our house in order to destroy a few Communist rats which are infesting it.

The National C. I. O., which is fighting hard and effectively against the Communists, is also against the Tenney bills The National C. I. O. feels that the bills will help the Communists by giving them an excuse to form more fine-sounding "front" organizations and to collect large sums of money from persons who have bona fide objections to the bills. John A. Despol, Secretary-Treasurer of the California National C. I. O.-P. A. C., has sent all Members of the Legislature a critical analysis of the bills and has gone on record against them. Mrs. Despol, before her marriage, acted as my secretary when I headed the original Un-American Activities Committee. She was most helpful in the fight against Communists, and she and her husband have carried on the fight against them for many, many years. Their considered opposition to the Tenney bills commands attention.

It is my opinion that the Communists cannot become an important force in American politics without capturing control of one of our two large labor organizations. When I first commenced fighting the Communists, they dominated the C. I. O. in California. They reached their greatest strength when they were able to manipulate the California C. I. O. unions. Now that the C. I. O. itself is purging its ranks of the Communists, I believe that Communist strength is bound to rapidly wane. I believe that the F. B. I. and other law-enforcement agencies are capable of coping with the Communist Party. The sudden awakening of

many formerly apathetic persons to the international menace of Communism has caused them to become a little bit hysterical and to rush headlong into any program that looks like it might stop the Reds. I believe we should give the problem more study and that we should give our law-enforcement agencies a chance to do their work before resorting to measures like those proposed by Senator Tenney.

The free American Press is doing a splendid job of informing our people relative to Communist activities and at the same time keeping itself alert to the need to maintain our freedoms, including freedom of the press.

It is extremely distasteful to me to find myself in a position where I must oppose measures aimed at restricting Communist activities, but I feel the Tenney bills go far beyond the purpose for which they were intended and that further consideration of them should be postponed until more careful analysis can be made of the proper and sound avenues of activity which we can constitutionally employ to stop the nefarious and traitorous activities of the Russian-supported and directed Communist Party.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3142—An act to amend Sections 5601 and 5602 of the Education Code, relating to the support of schools from funds received from potash and potassium bearing lands.

Bill read second time, and ordered engrossed.

Assembly Bill No. 557—An act to amend Section 6512 of the Business and Professions Code, relating to compensation of members of the State Board of Barber Examiners.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1660—An act to amend Section 1722 of, and to add Section 1723.1 to, the Welfare and Institutions Code, relating to salaries of the Youth Authority.

Bill read second time, and ordered engrossed.

Assembly Bill No. 680—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2093—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2221—An act to amend Section 146.1 of the Vehicle Code, relating to the registration of vehicles.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2631—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Bill read second time.

Motion to Amend

Mr. Butters moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out line 25, and insert ", transported, moved or towed over a highway; provided that when an implement of husbandry is transported or moved over a highway on another vehicle, if such load exceeds ninety-six inches in width such vehicle and load shall not be operated for a distance in excess of twenty-five miles from the point of origin of the trip and shall not be operated at a speed in excess of thirty miles per hour. The above limitations as to width shall likewise not apply to special".

Amendment No. 2

On page 1, line 27, of said bill, strike out "such".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3040—An act to repeal Sections 22b and 22c of, and to add Sections 22b, 22c, 22d, 22e, and 22f to the County Water District Act, relating to assessment proceedings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to amend Section 31526 of the Water Code, relating to officers in assessment proceedings by county water districts."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 31526 of the Water Code is amended to read:

31526. "Treasurer" refers to the auditor of the county water district, *unless the district elects to use the county treasurer as provided in Section 31305, in which case it is the county treasurer as ex officio treasurer of the district.*"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 25, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 629—An act to amend Sections 700.5 and 709 of, and to add Section 604 to the Vehicle Code, and to amend Section 731 of the Streets and Highways Code, relating to the use of and damage to highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 11, 1949, strike out lines 43 to 47, inclusive, and insert "thing, and any vehicle which is parked or placed wholly or partly within any state highway for the purpose of storing, servicing, repairing, or otherwise working upon it, unless temporarily disabled, is a public nuisance and the".

Amendment No. 2

On page 3 of said bill, strike out lines 23 and 24, and insert "which is temporarily disabled in such a manner and to such an extent that it is impossible to avoid stopping such vehicle within such highway".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3093—An act to add Section 465 92 to the Vehicle Code, relating to street name signs on traffic signals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 23, 1949, strike out "on traffic signals", and insert "at signal controlled intersections".

Amendment No. 2

On page 1 of said bill, strike out lines 3 to 11, inclusive, and insert

"465.92. Street Name Signs Required at Signal Controlled Intersections. At each signal controlled intersection on state highways within cities, there shall be a street name sign clearly visible to the principal flow of traffic. Members of the California Highway Patrol shall report any violation of this section to the clerk of the governing body of the city. The cost of erecting and maintaining such street name signs may be paid out of funds received by the city from the Highway Users Tax Fund or the Motor Vehicle License Fee Fund."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Hollibaugh asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 626—An act to amend Sections 589.5, 589.6, 591, 595, and 596 6 of the Vehicle Code, relating to the parking or stopping of vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "589.6, 591, 595, and 596.6 of", and insert "and 589 6 of and to add Section 595.1 to".

Amendment No. 2

On page 2 of the printed bill, strike out lines 4 to 52, inclusive.

Amendment No. 3

On page 3 of the printed bill, strike out lines 1 to 20, inclusive, and insert

"SEC. 3. Section 595.1 is added to the Vehicle Code, to read:

595.1. Local Regulation of Parking on Hills. The provisions of this division shall not prevent local authorities, within the reasonable exercise of their police powers from adopting rules and regulations by ordinance or resolution providing that no person driving, or in control of, or in charge of, a motor vehicle shall permit it to stand on any highway unattended when upon any grade exceeding 3 percent within any business or residence district without blocking the wheels of said vehicle by turning them against the curb or by other means."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2152—An act to add Sections 140.3 and 377.6 to the Vehicle Code, relating to permits for the operation of vehicles and the payment of fees therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out the period, and insert "from a place within this State to another place either within or without this State."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2807—An act to amend Sections 153, 175, and 181 of the Vehicle Code, relating to transfers of title or interest in vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Sections 153, 175, and 181 of", and insert "add Section 187 to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 187 is added to the Vehicle Code, to read.

187. Alternative Procedures for Transfers of Title or Interest. Notwithstanding the provisions of this code relating to procedures for transfers of title to or interest in vehicles the department may, with the approval of the Department of Finance, and upon due notice given as provided by law, establish procedures enabling transfers of ownership to or interests in vehicles registered hereunder upon surrender of the properly endorsed certificate of ownership for validation and return to the respective owner or legal owner as provided herein. The department shall adhere to the provisions of this code so far as practical, in establishing such procedures, it being the intention of this Legislature to provide means for the development of an alternative procedure the objective of which is to provide multiple transfers of ownership to or interests in vehicles without the necessity of detention of the ownership certificate by the department.

Amendment No. 3

On page 2 of the printed bill, strike out lines 1 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2037—An act to add Section 18907 to the Government Code, relating to state civil service employment lists.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, after "to", strike out "add", and insert "amend"; after "Section", strike out "18907", and insert "18939"; and before "the", strike out "to", and insert "of".

Amendment No. 2

In line 2 of the title of the printed bill, after "lists", strike out the period, and insert "and examinations."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 18939 of the Government Code is amended to read:

18939. For classes of positions for which the board finds it difficult to maintain adequate eligible lists it may receive applications, conduct examinations, and [add names to the] *create* eligible list*s* continuously [on the basis of relative scores]."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2492—An act to amend Section 19572 of the Government Code, pertaining to political activity by state employees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 18, of the printed bill, after "or", insert "conviction of a".

Amendment No. 2

On page 2, line 5, of the printed bill, after "(q)", strike out "Violation of this part or board rule.", and insert "Misuse of state property."

Amendment No. 3

On page 2, line 6, of the printed bill, after "(r)", strike out "Any other failure of good behavior or acts which are incompatible with or inimical to the public service.", and insert "Violation of this part or board rule."

Amendment No. 4

On page 2, line 8, of the printed bill, after "(s)", strike out "Failure to take and subscribe the oath as prescribed by Chapter 4, Part 1.", and insert "Any other failure of good behavior or acts either during or outside of duty hours which are incompatible with or inimical to the public service."

Amendment No. 5

On page 2 of the printed bill, below line 9, insert

"(t) Failure to take and subscribe the oath as prescribed by Chapter 4, Part 1."

Amendment No. 6

On page 1, line 24, of the printed bill, strike out "partisan".

Amendment No. 7

On page 1, line 25, of the printed bill, after "for", insert "state".

Amendment No. 8

On page 1, line 25, of the printed bill, after "management", insert "for candidates for state office".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 3153—An act to amend Section 9654 of, and to add Sections 9655 and 9656 to, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "1950", and insert "1949".

Amendment No. 2

On page 2, lines 12 and 13, of said bill, strike out "amending Section 9654 of the Revenue and Taxation Code,".

Amendments read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2320—An act to amend Section 14601 of the Education Code, relating to retirement.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 and 14, and insert

"(c) Who is credited with at least twenty years of service, at least fifteen of which, including the 10 years immediately preceding retirement, have been served in this State, and who has attained the age of 55 years."

Amendment read, and adopted.
Bill ordered reprinted, and engrossed.

Assembly Bill No. 2265—An act to amend Section 13582 and the title of Article 6 of Chapter 11 of Division 7 of the Education Code and to add thereto Section 13653, relating to the rights of probationary employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended in the Assembly on April 15, 1949, and insert

"An act to amend the title of".

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 14, inclusive, and insert

"13653. If the services of any probationary employee are terminated because of a reduction in the attendance of pupils or the discontinuance of a particular kind of service, and such employee is reemployed within a period of 39 months from the last day of the school year within which his service was so terminated the period".

Amendment No. 3

On page 2, line 1, of said bill, strike out "4. The services of", and insert "The provisions of this section shall apply to".

Amendment No. 4

On page 2 of said bill, strike out lines 4 to 19, inclusive, and insert "kind of service."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Request for Unanimous Consent That Changes Be Made in Amendments to Assembly Bill No. 2265

Mr. Dunn asked for, and was granted, unanimous consent that technical changes be made in the amendments adopted, this day, to Assembly Bill No. 2265, at this time, so that errors in printing may be avoided.

Assembly Bill No. 2266—An act to amend Section 13652 of the Education Code, relating to rights of permanent employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 3, line 2, of the printed bill, as amended in the Assembly on April 15, 1949, after "may", insert "in the discretion of the governing board".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1804—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 16, 1949, after "districts", insert "in counties of 2,000,000 population, or over,".

Amendment No. 2

On page 2, line 3, of said bill, strike out "residents", and insert "registered voters".

Amendment No. 3

On page 2, line 4, of said bill, after "district", insert ", if the district contains 500 or more registered voters,".

Amendment No. 4

On page 2, line 7, of said bill, after "district", insert ", if the district contains less than 500 registered voters".

Amendment No. 5

On page 3, lines 7 and 8, of said bill, strike out "a majority of the residents", and insert "10 percent of the registered voters".

Amendment No. 6

On page 3, line 10, of said bill, strike out "residents", and insert "registered voters".

Amendment No. 7

On page 3, line 12, of said bill, strike out "a majority", and insert "10 percent".

Amendment No. 8

On page 3 of said bill, between lines 41 and 42, insert

"SEC. 22.5. If at any time before the adoption of the resolution declaring the district established a petition is filed with the board of supervisors signed by 1 percent of the registered voters in the proposed district and requesting that an election be held to determine whether the district should be established, the board of supervisors shall call an election to be held pursuant to Chapter 1, Part 1, Division 2, Title 4 of the Government Code. The district shall not be established unless the proposition is approved by a majority of the voters voting thereon."

Amendment No. 9

On page 4, line 18, of said bill, after "employees", insert ", not to exceed three,".

Amendment No. 10

On page 4 of said bill, strike out lines 22 to 40, inclusive, and insert

"SEC. 40. A board of selectmen consisting of five members and having the powers and duties hereinafter specified may be elected for the district in the manner provided herein.

SEC. 41. Each selectman shall serve for a term of four years except that two of the members of the first board of selectmen elected shall serve for a term of two years. The members of the board to serve for such term of two years shall be those receiving the smallest number of votes for the office of selectman

SEC. 42 Upon the petition of 1 percent or more of the registered voters residing within the district, addressed to and filed with the board of supervisors of the county requesting that an election be held within the district for the election of a board of selectmen, and nominating persons for membership upon such board, the board of supervisors shall cause the question of the election of selectmen and the names of the persons so nominated as candidates for the office of selectmen to be placed upon the ballot used in the district at the next general election.

SEC. 43. At the first election, the following propositions shall appear upon the ballot:

	YES	NO
(a) Shall a board of selectmen be elected for _____ Urban District? _____	☐	☐
(b) For Selectman _____ Urban District, vote for five.		
_____	☐	
_____	☐	
_____	☐	
_____	☐	
_____	☐	
_____	☐	

If a majority of the votes cast in the district are in favor of the election of a board of selectmen for the district, the five candidates receiving the highest number of votes shall be elected selectmen for a term commencing on the first day of January of the following year."

Amendment No. 11

On page 4, line 41, of said bill, strike out "42", and insert "44".

Amendment No. 12

On page 4, line 43, of said bill, strike out "residents of the county", and insert "registered voters of the district or assessees of property in the district, as the case may be".

Amendment No. 13

On page 4, line 46, of said bill, strike out "43", and insert "45".

Amendment No. 14

On page 4 of said bill, strike out lines 47 to 49, inclusive, and insert "elected or appointed and qualifies

SEC. 46 Not less than sixty days before each general election following the first election of a board of selectmen in the district 1 percent or more of the registered electors residing in the district may file with the board of supervisors a petition requesting that the names of certain persons specified in the petition be placed on the ballot as candidates for the office of selectman The names proposed by petition so filed, and no others, shall be printed on the general election ballot to be used in the district, but there shall be sufficient blank spaces provided in which electors may write other names if they so desire."

Amendment No. 15

On page 6, line 20, of said bill, strike out "residents", and insert "registered voters".

Amendment No. 16

On page 7, line 1, of said bill, strike out "residents", and insert "registered voters".

Amendment No. 17

On page 7, line 9, of said bill, strike out "a majority of the residents", and insert "10 percent of the registered voters".

Amendment No. 18

On page 7, line 11, of said bill, strike out "residents", and insert "registered voters".

Amendment No. 19

On page 7, line 12, of said bill, strike out "a majority", and insert "10 percent".

Amendment No. 20

On page 7, line 47, of said bill, strike out "residents", and insert "registered voters".

Amendment No. 21

On page 7, line 49, of said bill, strike out "residents", and insert "registered voters".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2407—An act to amend Section 28139 of the Government Code and Section 439 of the Education Code, relating to the compensation for public service in counties of the thirty-ninth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 13, 1949, strike out "Section 28139", and insert "Sections 28138 and 28139".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "of the thirty-ninth class".

Amendment No. 3

On page 1, line 22, of said bill, before the period, insert "a year".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 2 of said bill, after line 18, insert

"SEC. 3. Section 28138 of the Government Code is amended to read:

28138. In a county of the thirty-eighth class the following shall receive as compensation for the services required of them by law or by virtue of their offices the following sums:

(a) The auditor, four thousand two hundred fifty dollars ($4,250) a year.

(b) The district attorney, [three thousand five hundred dollars ($3,500)] *four thousand eight hundred dollars ($4,800)* a year.

(c) Each supervisor shall receive two hundred dollars ($200) a month, and his actual expenses while attending to the business of the county by the order of the board of supervisors and mileage at the rate of fifteen cents ($0.15) a mile, one way: (1) for traveling from his residence to the county seat to attend regular, special, and adjourned sessions of the board of supervisors, and (2) for all actual distances traveled by him in the performance of his duties as road commissioner.

(d) Grand jurors and jurors in the superior court shall receive three dollars ($3) for each day's attendance and fifteen cents ($0.15) for each mile actually traveled in attending court as a juror, and for attending regularly called grand jury meetings

and grand jury committee meetings, one way. Mileage shall be paid for each time a regularly empaneled jury or grand jury is called in separate session."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2255—An act to amend Sections 3, 5, 13, and 46 of, and to add Part 9 to, the Vehicle Parking District Act of 1943, relating to an additional method of financing vehicle parking districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Assembly on May 13, 1949, strike out "amend Sections 3, 5, 13, and 46 of, and to".

Amendment No. 2

In line 4 of the title of said bill, strike out the comma.

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 19, inclusive; strike out pages 2 and 3; and on page 4, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Part 9 is added to the act cited in the title, to read:".

Amendment No. 4

On page 4, line 11, of said bill, strike out "60", and insert "61".

Amendment No. 5

On page 4 of said bill, strike out lines 16 and 17.

Amendment No. 6

On page 4, line 21, of said bill, strike out "city", and insert "municipality".

Amendment No. 7

On page 4, line 22, of said bill, after "provided", insert "in the same manner as provided for petitions for formation of districts.

The petition may contain a request that the parking place commission be authorized to operate, maintain, and collect the revenues from existing parking meters on public streets and highways within the district. If the district lies partly within a city and partly within unincorporated territory, the legislative body of the city may approve the petition, but withhold approval of the request with respect to parking meters, in which event the board of supervisors shall not have jurisdiction to act upon such request, but may proceed on the petition."

Amendment No. 8

On page 4, line 35, of said bill, after "ordinance", insert "in which the request, if any, for authority with respect to existing parking meters may be granted or denied".

Amendment No. 9

On page 4 of said bill, between lines 35 and 36, insert

"SEC. 66. If a district is to be formed under this part, the petition provided for in Section 3 shall also contain a statement to that effect. The petition may also contain the request provided for in Section 62, with like effect as provided in that section and in Section 65.

SEC. 67. If the district is formed under this part, the assessment provided for under Section 13 shall also include the estimated cost of preparing and issuing repayment certificates.

SEC. 68. If the district is financed under this part the annual estimate of the parking place commission provided for in Section 46 shall also contain the estimated amount of revenues, if any, from parking meters on streets and highways within the district. Such parking place commission shall place in a special fund a sufficient sum, if available, out of the revenues of the district, after deducting the amount necessary for the proper maintenance, operation and repair of the district's parking places, to pay installments on the amounts due on repayment certificates or to make up deficiencies in the sinking fund provided for the payment of such certificates.

SEC. 69. The second and third paragraphs of Section 45 shall not be applicable to districts financed under this part."

Amendment No. 10

On page 4, line 36, of said bill, strike out "66", and insert "70".

Amendment No. 11

On page 4, line 39, of said bill, after "highways", insert "within the district".

Amendment No. 12

On page 4, line 41, of said bill, after "body", insert "having jurisdiction thereof".

Amendment No. 13

On page 4, line 42, of said bill, after "meters", insert "on such streets and highways".

Amendment No. 14

On page 4, line 44, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 15

On page 4, line 47, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 16

On page 4, line 50, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 17

On page 4, line 51, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 18

On page 5, line 2, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 19

On page 5, line 3, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 20

On page 5, line 4, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 21

On page 5, line 6, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 22

On page 5, line 7, of said bill, strike out "67", and insert "71".

Amendment No. 23

On page 5, line 10, of said bill, strike out "63", and insert "65".

Amendment No. 24

On page 5 of said bill, strike out line 13, and insert "sion shall issue repayment certificates as provided in Section 70(c)."

Amendment No. 25

On page 5 of said bill, strike out line 14, and insert
"SEC. 72. Repayment certificates shall be negotiable in form,".

Amendment No. 26

On page 5, line 16, of said bill, strike out "bonds", and insert "certificates".

Amendment No. 27

On page 5 of said bill, strike out line 18, and insert
"SEC. 73. Repayment certificates shall be in such form as the".

Amendment No. 28

On page 5 of said bill, strike out lines 21 to 32, inclusive

Amendment No. 29

On page 5, line 33, of said bill, strike out "72", and insert "74".

Amendment No. 30

On page 5, line 34, of said bill, strike out "when possible", and insert "if feasible".

Amendment No. 31

On page 5 of said bill, strike out lines 37 to 41, inclusive.

Amendment No. 32

On page 5, line 42, of said bill, strike out "73", and insert "75".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3055—An act to amend Section 94 of the Streets and Highways Code, relating to contracts for state highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 94 of", and insert "add Section 544 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "contracts", and insert "routes".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert "SECTION 1. Section 544 is added to the Streets and Highways Code, to read: 544 Route 232 is from Route 3 to Route 45 via Biggs."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Transportation and Commerce.

Request for Unanimous Consent That Correction Be Made in Amendments to Assembly Bill No. 3055

Mr. Dunn asked for, and was granted, unanimous consent that technical corrections be made in the amendments adopted, this day, to Assembly Bill No. 3055, so that errors in printing may be avoided.

SECOND READING OF SENATE BILLS

Senate Bill No. 626—An act to amend Sections 507, 2203, and 2207 of, and to add Section 507.1 to, the Public Resources Code, relating to the administration and functions of the Division of Mines.

Bill read second time, and ordered to third reading.

Senate Bill No. 476—An act to amend Section 6 of, and add Section 9 to, an act entitled "An act providing for preparation for postwar county highway construction projects, and making an appropriation therefor," approved May 18, 1943, relating to expenditure of funds for postwar county highway construction projects, and providing penalties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1305—An act to repeal Section 154 of the Vehicle Code, relating to registration of vehicles previously registered outside this State.

Bill read second time, and ordered to third reading.

Senate Bill No. 1306—An act to amend Section 206 of the Vehicle Code, relating to the issuance of special plates to dealers.

Bill read second time, and ordered to third reading.

Senate Bill No. 1613—An act to amend Section 704 of the Vehicle Code, relating to weight of vehicles.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Doyle asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 492—An act to amend Sections 511.2, 511.3, and 511.6 of the Vehicle Code, relating to speed limits upon highways.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 19, 1949, strike out "Sections 511.2, 511.3, and 511.6", and insert "Section 511.2".

Amendment No. 2

Strike out page 2 of said bill.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 133—An act to amend Section 19141 of the Government Code, relating to reinstatement of employees in the state civil service.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 2, line 16, of the printed bill, as amended in the Senate on March 23, 1949, strike out "shall".

Amendment No. 2

On page 2, line 17, of said bill, after the comma and before "be", insert "shall".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS
NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bill No. 533, on request of Mr. Doyle.

Assembly Bill No. 3027, on request of Mr. George D. Collins.

RECONSIDERATION OF ASSEMBLY BILL NO. 279

In compliance with a notice given on a previous day, Mr. Hinckley moved that the vote whereby Assembly Bill No. 279 was refused passage be reconsidered.

Request for Unanimous Consent to Be Permitted to Speak Twice on Motion

Mr. Rosenthal asked for unanimous consent that he be permitted to speak twice upon the motion being offered by Mr. Hinckley.

Mr. Collier withheld unanimous consent.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Hinckley has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Question of Personal Privilege

Mr. Rosenthal arose to a question of personal privilege.

Ruling by Speaker

Speaker Sam L. Collins ruled the question of personal privilege not well taken.

The roll was called, and Assembly Bill No. 279 reconsidered by the following vote:

AYES—Berry, Brady, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Clayton A. Dills, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Sherwin, Stanley, Thompson, Tomlinson, Weber, and Yorty—41.

NOES—Anderson, Babbage, Beck, Bennett, Brown, Caldecott, Crowley, Doyle, Dunn, Elliott, Evans, Fletcher, Hahn, Hawkins, Hollibaugh, Huyck, Lewis, Niehouse, Rosenthal, Rumford, Smith, Thomas, and Way—23.

Assembly Bill No. 279 ordered to third reading.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 699—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 699?

Amendment No. 1

On page 1, line 7, of the printed bill, after "married", insert "or was married at the time the homestead was declared".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 699 by the following vote:

AYES—Beck, Crowley, Evans, Geddes, and Stanley—5.

NOES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Thomas, Waters, Way, and Weber—56.

Appointment of Committee on Conference Concerning Assembly Bill No. 699

The Speaker announced the appointment of Messrs. Brown, Beck, and Caldecott as a Committee on Conference concerning Assembly Bill No. 699.

Assembly Bill No. 2106—An act to amend Section 9173 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of use fuel tax.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2106?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "ninety days", and insert "one year".

Amendment No. 2

On page 1, line 6, of said bill, strike out "ninety days", and insert "year".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2106 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Leverıng, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—64

NOES—None.

Assembly Bill No. 2106 ordered enrolled.

Assembly Bill No. 2107—An act to amend Section 8148 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle fuel license tax.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2107?

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "ninety days", and insert "one year".

Amendment No. 2

On page 1, line 6, of said bill, strike out "ninety days", and insert "year".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2107 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Leverıng, Lewis, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—67.

NOES—None.

Assembly Bill No. 2107 ordered enrolled.

Assembly Bill No. 2109—An act to amend Section 11573 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of private car tax.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2109?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "ninety days", and insert "one year".

Amendment No. 2

On page 1, line 6, of said bill, strike out "ninety days", and insert "year".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2109 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None

Assembly Bill No. 2109 ordered enrolled.

Assembly Bill No. 2308—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2308?

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "eight", and insert "five".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2308 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2308 ordered enrolled.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1095 FROM COMMITTEE

In compliance with a notice given on a previous day, Mrs. Niehouse moved that Assembly Bill No. 1095 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Doyle is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Heisinger arose to the following point of order: That Mr. Silliman is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mrs. Niehouse moved a call of the Assembly.

Motion carried. Time, 11.07 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Burkhalter, Dickey, Hagen, Hollibaugh, Lincoln, Lowrey, McCollister, McMillan, and Weber—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1484—An act to add Sections 4902.5, 4902.6, 4902.7, 4902.8, 4902.9, 4963.1, 4963.2, 4963.3, and 7431.1 to the Education Code and to amend Sections 4962 and 4963 of said code, all relating to school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1484?

Amendment No. 1

On page 3, line 46, of the printed bill, strike out "49631.1", and insert "4963.1".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1484 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—60.

NOES—None.

Assembly Bill No. 1484 ordered enrolled.

Speaker Pro Tempore Presiding

At 11.10 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

Assembly Bill No. 2388—An act to amend Sections 69, 73, and 74 of the Civil Code and to amend Section 10526 of the Health and Safety Code, relating to documents required in connection with marriage.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2388?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Senate on May 20, 1949, strike out the period, and insert "; and".

Amendment No. 2

On page 1, line 9, of said bill, insert
"4. Whether white, Mongolian, Negro, Malayan or mulatto."

Amendment No. 3

On page 1, line 13, of said bill, after "drug", insert "; and no license may be issued authorizing the marriage of a white person with a Negro, mulatto, Mongolian, or member of the Malay race".

Hon. Richard H. McCollister Presiding

At 11.15 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2388 by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dickey, Erwin, Fleury, Gaffney, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—44

NOES—Anderson, Beck, Coats, George D. Collins, Condon, Cooke, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Hagen, Hawkins, Kilpatrick, Lewis, Rosenthal, Rumford, and Thomas—19

Assembly Bill No. 2388 ordered enrolled

Speaker Pro Tempore Presiding

At 11.25 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced the presence of Miss Sue Howell of Bakersfield, the 1949 Maid of Cotton who won her title in a national contest, and has ably represented the cotton industry of California all over the United States.

Speaker pro Tempore Maloney announced the presence of Mrs. Oliver Howell of Bakersfield, her mother, and the other members of Miss Howell's party.

REMARKS ON CONDITION OF THE FILE

Mr. Bennett spoke on the condition of the file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 209—An act to amend Sections 70 and 73 of the Civil Code, relating to solemnizing marriage.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 209?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on March 30, 1949, strike out "certificate", and insert "statement, in the form prescribed by the State Department of Public Health."

Amendment No. 2

On page 1 of said bill, after line 19, insert

"The marriage license, thus endorsed, shall be returned to the county recorder of the county in which the license was issued within thirty days after the ceremony."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 209 by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—57.

NOES—None.

Assembly Bill No. 209 ordered enrolled.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Consideration of Further Amendments

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

(Item 163)

Amendment No. 1

On page 43, line 25, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "1,808,161", and insert "1,814,833".

Amendment No. 2

On page 43, line 35, of said bill, strike out "1,529,128", and insert "1,535,800".

Amendment No. 3

On page 43, line 42, of said bill, strike out "2,058,356", and insert "2,065,028".

Amendment No. 4

On page 44, line 15, of said bill, strike out "1,808,161", and insert "1,814,833".

Amendments read.

Speaker Presiding

At 11.35 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called, and the amendments offered by Mr. George D. Collins to Assembly Bill No. 1100 refused adoption by the following vote:

AYES—Berry, George D. Collins, Condon, Cooke, Elliott, Gaffney, Hagen, Kilpatrick, Lewis, and McCollister—10.

NOES—Babbage, Brady, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dickey, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, Morris, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—44.

Consideration of Further Amendments
Motion to Amend

Mr. Levering moved the adoption of the following amendments:

(Item 29)
Amendment No. 1

On page 4, line 35, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "33,081", and insert "20,906".

Amendment No. 2

On page 4, line 37, of said bill, strike out "13,539", and insert "10,689".

Amendment No. 3

On page 4, line 38, of said bill, strike out "19,350", and insert "10,025".

Amendment No. 4

On page 4, line 41, of said bill, strike out "33,081", and insert "20,906".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burkhalter, George D. Collins, Condon, Connolly, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lewis, Lowrey, Luckel, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Silliman, Smith, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—40

NOES—Babbage, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Erwin, Fleury, Gaffney, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Lincoln, Maloney, McCarthy, McCollister, Moss, Rumford, Sherwin, Stanley, Thompson, and Waters—31.

(4 Amendments adopted. Total—744.)

Consideration of Further Amendments
Motion to Amend

Mr. Levering moved the adoption of the following amendment:

(Item 267)
Amendment No. 1

On page 75, line 11, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "550,000", and insert "500,000".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Brady, Condon, Doyle, Dunn, Geddes, Hahn, Hollibaugh, Levering, Lipscomb, Luckel, McCarthy, McMillan, Morris, Reagan, Silliman, Smith, Way, Yorty, and Mr. Speaker—19.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kilpatrick, Lewis, Lincoln, Lowrey, Maloney, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—49.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW ASSEMBLY BILL NO. 1095 FROM COMMITTEE

At 12.10 p.m., on motion of Mrs. Niehouse, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mrs. Niehouse that Assembly Bill No. 1095 be withdrawn from the Committee

on Ways and Means, and be placed upon the file, lost by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Burkhalter, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Hagen, Hahn, Hawkins, Huyck, Kilpatrick, Lewis, Lincoln, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Way, and Yorty—38.

NOES—Babbage, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Dickey, Erwin, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, and Weber—34.

ANNOUNCEMENTS

Mr. Dickey announced a breakfast meeting and Republican Caucus at 7 a.m., tomorrow, Tuesday, June 7th, at the Hotel Sacramento.

RECESS

At 12.14 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

COMMUNICATIONS

By Speaker pro Tempore Maloney:

A communication from the Atlas Furniture Company of Los Angeles, relative to expressing opposition to the passage of Assembly Bill No. 1458, was received, and ordered noted in the Journal.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thompson:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 19563 of the Business and Professions Code, relating to horse racing.

Respectfully submitted.

JOHN F. THOMPSON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thompson:

An act to amend Section 19563 of the Business and Professions Code, relating to horse racing.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Doyle moved a call of the Assembly.

Motion carried. Time 2.02 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members.

Anderson, Beck, Bennett, Berry, Brady, Brown, Caldecott, George D. Collins, Condon, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Evans, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lowrey, McMillan, Meyers, Rosenthal, Rumford, Sillman, Stewart, Thomas, Thompson, Waters, Way, and Yorty—39.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grant asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Way, Condon, and Thompson:

House Resolution No. 230

Relating to the naming of the proposed four-lane freeway between Eureka and Arcata "Burns Freeway"

WHEREAS, On May 24, 1949, this body adopted a resolution (H. R. 199) requesting the Division of Highways to dedicate a suitable bridge or highway to the memory of the late Senator Michael J. Burns; and

WHEREAS, It has been proposed that a four-lane freeway be constructed from the north city limits of the City of Eureka to the north city limits of the City of Arcata within the constituency which Senator Michael J. Burns served so faithfully and well; and

WHEREAS, For the reasons set forth in the above mentioned resolution it is altogether fitting and proper that this freeway be dedicated to the memory of this beloved public servant; now, therefore, be it

Resolved by the Assembly of the State of California, That the Division of Highways is earnestly requested to name the proposed four-lane freeway between the Cities of Eureka and Arcata the "Burns Freeway"; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the Board of Supervisors of Humboldt County, the Director of Public Works and the Division of Highways

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Brown and Beck:

House Resolution No. 231

Congratulating Assemblyman James G. Crichton upon his birthday

WHEREAS, On June 4, 1949, our esteemed fellow-Assemblyman from the Thirty-fourth Assembly District, James G. (Judge) Crichton, celebrated the fifty-sixth anniversary of his birth, and

WHEREAS, Judge Crichton, now serving in his fourth term of office, has won the esteem and friendship of all who have had the pleasure of association with him, both in these Legislative Halls, and during his 12 years of public service as Police Judge of the City of Fresno, now therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly hereby extend hearty congratulations to James G. Crichton upon his fifty-sixth birthday, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Assemblyman Crichton as a token of the friendly esteem in which he is held by his colleagues in the Assembly.

Request for Unanimous Consent

Mr. Brown asked for, and was granted, unanimous consent to take up House Resolution No. 231, at this time, without reference to committee or file.

Resolution read, and adopted unanimously

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100

Consideration of Further Amendments

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

(Item 272)

Amendment No. 1

On page 76 of the printed bill, as amended in the Assembly on May 31, 1949, after line 26, insert

"272—The unexpended balance of the appropriation made by Item 352 of Section 2, Budget Act of 1948, is hereby reappropriated to plan for, provide for, assist in, sponsor and promote public celebrations, and exhibits which may be of patriotic, educational, or economic benefit to the people of this State in order to commemorate and publicize the centennial and other anniversaries of significant events in the history of the State of California during the years 1948 to 1950, inclusive, as provided by Chapters 456 and 478, Statutes of 1947, California Centennials Commission."

Amendment read, and ordered temporarily passed on file.

Consideration of Further Amendments

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendments:

(Item 275)

Amendment No. 1

On page 77, line 13, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "940,000", and insert "740,000".

Amendment No. 2

On page 77, line 16, of said bill, strike out "400,000", and insert "200,000".

Amendment No. 3

On page 77, line 35, of said bill, strike out "940,000", and insert "740,000".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Condon, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Fletcher, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thomas, Tomlinson, Way, Weber, and Yorty—41.

NOES—Babbage, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Elliott, Erwin, Fleury, Gaffney, Heisinger, Hinckley, Kilpatrick, Kirkwood, Lewis, Lincoln, Maloney, McCollister, Moss, Sherwin, Thompson, and Waters—28

(3 Amendments adopted. Total—747.)

Consideration of Further Amendments

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendment:

(Item 143)

Amendment No. 1

On page 39 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 27 to 32, inclusive.

Amendment read.

Speaker Presiding

At 2.51 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Doyle, Heisinger, Caldecott, Morris, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 1 (Item 148) offered by Mr. Tomlinson to Assembly Bill No. 1100.

The roll was called, and the amendment adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, George D. Collins, Condon, Connolly, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—52.

NOES—Butters, Caldecott, Clarke, Coats, Collier, Conrad, Crichton, Fleury, Gaffney, Heisinger, Hinckley, Kirkwood, Lewis, Lincoln, Lowrey, Moss, Sherwin, Stanley, and Waters—19.

(1 Amendment adopted. Total—748.)

Reconsideration of Grant Amendment to Assembly Bill No. 1100 (Item 306.5)

In compliance with a notice given on a previous day, Mr. Grant moved that the vote whereby his amendment to Assembly Bill No. 1100 (Item 306.5) was refused adoption be reconsidered.

The roll was called, and the amendment (Item 306.5) offered by Mr. Grant to Assembly Bill No. 1100 reconsidered by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—51.

NOES—Butters, Caldecott, Clarke, Connolly, Crichton, Gaffney, Hahn, Heisinger, Kirkwood, Lincoln, Luckel, Maloney, Sherwin, and Silliman—14.

Further consideration of above amendment ordered temporarily passed on file.

Consideration of Further Amendments

Motion to Amend

Mr. Coats moved the adoption of the following amendment, which was previously offered, and ordered temporarily passed on file:

(Item 272)

Amendment No. 1

On page 76 of the printed bill, as amended in the Assembly on May 31, 1949, after line 26, insert

"272—The unexpended balance of the appropriation made by Item 352 of Section 2, Budget Act of 1948, is hereby reappropriated to plan for, provide for, assist in, sponsor and promote public celebrations, and exhibits which may be of patriotic, educational, or economic benefit to the people of this State in order to commemorate and publicize the centennial and other anniversaries of significant events in the history of the State of California during the years 1948 to 1950, inclusive, as provided by Chapters 456 and 478, Statutes of 1947, California Centennials Commission."

Amendment read.

Amendment Withdrawn

Mr. Coats withdrew the above amendment.

Reconsideration of Babbage Amendment to Assembly Bill No. 1100 (Item 372.5)

In compliance with a notice given on a previous day, Mr. Dunn moved that the vote whereby the amendment offered by Mr. Babbage to Assembly Bill No. 1100 (Item 372.5) was adopted be reconsidered.

Point of Order

Mr. Babbage arose to the following point of order: That Mr. Dunn is not speaking to the motion.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The roll was called, and the amendment (Item 372.5) offered by Mr. Babbage to Assembly Bill No. 1100 reconsidered by the following vote:

AYES—Anderson, Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lipscomb, Lowrey, Luckel, McCollister, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thompson, Way, Weber, and Yorty—42.

NOES—Babbage, Bennett, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Doyle, Erwin, Fleury, Huyck, Kirkwood, Levering, Lewis, Lincoln, Maloney, Moss, Reagan, Sherwin, Stanley, Thomas, Tomlinson, and Waters—28.

Further consideration of above amendment ordered temporarily passed on file.

Reconsideration of Coats Amendments to Assembly Bill No. 1100 (Item 85)

In compliance with a notice given on a previous day, Mr. Coats moved that the vote whereby his four amendments to Assembly Bill No. 1100 (Item 85) were refused adoption be reconsidered.

The roll was called, and the four amendments (Item 85) offered by Mr. Coats to Assembly Bill No. 1100 reconsidered by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Way, Weber, and Yorty—44.

NOES—Burke, Butters, Caldecott, Clarke, Collier, Crichton, Erwin, Geddes, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Luckel, Maloney, Reagan, Sherwin, Sillman, Stewart, Thompson, and Waters—22

Further consideration of above amendments ordered temporarily passed on file.

Motion That Further Consideration of Amendment No. 1 Offered by Mr. Babbage to Assembly Bill No. 1100 (Item 372.5) Be Taken Up

Mr. Dunn moved that further consideration of Amendment No. 1 offered by Mr. Babbage to Assembly Bill No. 1100 (Item 372.5) be taken up, at this time.

Motion carried.

Further Consideration of Babbage Amendment (Item 372.5) to Assembly Bill No. 1100 (Item 372.5)

Amendment No. 1

On page 95 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 45 to 49; and on page 96, strike out lines 2 to 36, and insert

"372.5—For major construction, University of California, payable from the Postwar Employment Reserve, in accordance with the following projects $22,930,750

Projects:

Berkeley	
(a) School for public health	$1,068,750
(b) Classrooms	3,287,500
(c) Home economics plans	5,000
(d) Insectary unit	95,000
(e) Forest products laboratory, plans	5,000
La Jolla	
(f) Library, museum, and aquarium (partial cost)	148,000
Los Angeles	
(g) Social sciences, geology, and chemistry (partial cost)	1,650,250
(h) Life sciences unit No. 2	2,261,000
(i) Men and women's gymnasium plans	6,000
(j) Student health center	1,140,000
(k) Home economics, plans	5,000
(l) Administration building	1,425,000
(m) Education and art building	950,000
San Francisco	
(n) Teaching hospital (partial cost)	2,830,000
(o) Medical sciences (partial cost)	2,040,000
(p) Dental clinic expansion (partial cost)	65,000
Santa Barbara	
(q) Classrooms	600,000
(r) Gymnasium	500,000
Riverside campus of the Liberal Arts Branch, exempt from Section 13 of this act.	
(s) Library and classroom building	1,020,000
(t) Science building	935,000
(u) Utilities	344,250
(v) Social Science and Humanities Building	850,000
(w) Physical Education, Military Training and Student Health Building	1,275,000
(x) Dormitories and Dining Halls	425,000
Total of projects	$22,930,750"

Amendment read.

Motion Withdrawn

Mr. Dunn withdrew his motion that further consideration of the above amendment be taken up, at this time.

Further consideration of above amendment ordered temporarily passed on file.

Reconsideration of Lewis Amendment to Assembly Bill No. 1100 (Item 87.5)

In compliance with a notice given on a previous day, Mr. Lewis moved that the vote whereby his amendment to Assembly Bill No. 1100 (Item 87.5) was refused adoption be reconsidered.

The roll was called, and the amendment (Item 87.5) offered by Mr. Lewis to Assembly Bill No. 1100 reconsidered by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Grant, Hagen, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Thomas, Way, Weber, and Yorty—43.

NOES—Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Erwin, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kirkwood,

Lincoln, Luckel, Maloney, Reagan, Sherwin, Silliman, Stanley, Stewart, Tomlinson, and Waters—27.

Further consideration of above amendment ordered temporarily passed on file.

Motion to Reconsider Brown Amendments Nos. 1 and 2 to Assembly Bill No. 1100 (Item 254)

In compliance with a notice given on a previous day, Mr. Stewart moved that the vote whereby Amendments Nos. 1 and 2 offered by Mr. Brown to Assembly Bill No. 1100 (Item 254) were adopted be reconsidered.

The roll was called, and Amendments Nos. 1 and 2 (Item 254) offered by Mr. Brown to Assembly Bill No. 1100 refused reconsideration by the following vote:

AYES—Burke, Burkhalter, Butters, Collier, George D. Collins, Dickey, Erwin, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, McCarthy, Reagan, Sherwin, Smith, Stewart, Tomlinson, Yorty, and Mr Speaker—20

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Kilpatrick, Kirkwood, Lewis, Lincoln, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Waters, Way, and Weber—48

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 82
Assembly Constitutional Amendment No. 84

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 82

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 82, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 82

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23a of Article IV thereof, relating to legislative expenses and employees.

Resolution read.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 1, of the printed measure, as amended in the Assembly on June 3, 1949, after "Office", insert "of".

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1100
Motion That All Amendments to Assembly Bill No. 1100 Being Temporarily Passed on File Be Stricken From File

Mr. Sherwin moved that all pending amendments to Assembly Bill No. 1100, now being temporarily passed on file, be stricken from the file so that Assembly Bill No. 1100 may be reprinted.

Mr. Grunsky seconded the motion.

Motion Withdrawn

Mr. Grunsky withdrew his second.

Mr. Sherwin withdrew his motion.

Request for Unanimous Consent to Take Up Further Consideration of Babbage Amendment No. 1 (Item 372.5) to Assembly Bill No. 1100

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Amendment No. 1 (Item 372.5) which he offered to Assembly Bill No. 1100, at this time.

Further Consideration of Amendment No. 1 (Item 372.5) Offered by Mr. Babbage to Assembly Bill No. 1100

(Item 372.5)
Amendment No. 1

On page 95 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 45 to 49; and on page 96, strike out lines 2 to 36, and insert

"372.5—For major construction, University of California, payable from the Postwar Employment Reserve, in accordance with the following projects ---------- $22,930,750

Projects:

Berkeley	
(a) School for public health	$1,068,750
(b) Classrooms	3,287,500
(c) Home economics plans	5,000
(d) Insectary unit	95,000
(e) Forest products laboratory, plans	5,000
La Jolla	
(f) Library, museum, and aquarium (partial cost)	148,000
Los Angeles	
(g) Social sciences, geology, and chemistry (partial cost)	1,650,250
(h) Life sciences unit No. 2	2,261,000
(i) Men and women's gymnasium plans	6,000
(j) Student health center	1,140,000
(k) Home economics, plans	5,000
(l) Administration buildings	1,425,000
(m) Education and art building	950,000
San Francisco	
(n) Teaching hospital (partial cost)	2,830,000
(o) Medical sciences (partial cost)	2,040,000
(p) Dental clinic expansion (partial cost)	65,000
Santa Barbara	
(q) Classrooms	600,000
(r) Gymnasium	500,000
Riverside campus of the Liberal Arts Branch, exempt from Section 13 of this act.	
(s) Library and classroom building	1,020,000
(t) Science building	935,000
(u) Utilities	344,250
(v) Social Science and Humanities Building	850,000
(w) Physical Education, Military Training and Student Health Building	1,275,000
(x) Dormitories and Dining Halls	425,000
Total of projects	$22,930,750".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Bennett, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crowley, Doyle, Erwin, Fleury, Grant, Hoffman, Huyck, Lipscomb, McCarthy, Moss, Stanley, and Stewart—22.

NOES—Anderson, Beck, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Crichton, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Reagan, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Way, Weber, and Yorty—42.

Motion to Expunge Record, and Rescind Action on Reconsideration of Amendments to Assembly Bill No. 1100

Mr. Kirkwood moved to expunge the record, and rescind the action whereby the Assembly, on this day, granted reconsideration to the following amendments:

An amendment offered by Mr. Grant to Assembly Bill No. 1100 (Item 306.5); four amendments offered by Mr. Coats to Assembly Bill No. 1100 (Item 85); and an amendment offered by Mr. Lewis to Assembly Bill No. 1100 (Item 87.5).

Motion died for lack of a second.

Request for Unanimous Consent to Take Up Further Consideration of Grant Amendments to Assembly Bill No. 1100 (Item 306.5)

Mr. Grant asked for, and was granted, unanimous consent that he be permitted to take up further consideration of his amendment to Assembly Bill No. 1100 (Item 306.5), at this time.

Further Consideration of Amendment Offered by Mr. Grant to Assembly Bill No. 1100 (Item 306.5)

(Item 306½)

Amendment No. 1

On page 84 of the printed bill, as amended in the Assembly on May 31, 1949, between lines 8 and 9, insert

"306½—For the acquisition and improvement of a site, construction of buildings, and the purchase of furnishings and equipment for the state college established in the area of Orange County and the southeastern part of Los Angeles County, outside the City of Los Angeles, payable from the Postwar Employment Reserve.....$2,125,000".

Amendment read.

Amendment Withdrawn

Mr. Grant withdrew the above amendment.

Request for Unanimous Consent to Take Up Further Consideration of Coats Amendments to Assembly Bill No. 1100 (Item 85)

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up further consideration of his four amendments to Assembly Bill No. 1100 (Item 85), at this time.

Further Consideration of Amendments Offered by Mr. Coats to Assembly Bill No. 1100 (Item 85)

(Item 85)

Amendment No. 1

On page 21, line 43, of the printed bill as amended in the Assembly on May 31, 1949, strike out "520,726", and insert "522,226".

Amendment No. 2

On page 22, line 4, of said bill, strike out "584,232", and insert "585,732".

Amendment No. 3

On page 22, line 9, of said bill, strike out "700,711", and insert "702,211".

Amendment No. 4

On page 22, line 20, of said bill, strike out "520,726", and insert "522,226".

Amendments read.

Amendments Withdrawn

Mr. Coats withdrew the above amendments.

Request for Unanimous Consent to Take Up Further Consideration of Lewis Amendment to Assembly Bill No. 1100 (Item 87.5)

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up further consideration of his amendment to Assembly Bill No. 1100 (Item 87.5), at this time.

Further Consideration of Amendment Offered by Mr. Lewis to Assembly Bill No. 1100 (Item 87.5)

(Item 87.5)

Amendment No. 1

On page 23 of the printed bill, as amended in the Assembly on May 31, 1949, between lines 10 and 11, insert

"87.5—For the survey of sites and the purchase of real property as a site in the vicinity of Bakersfield for the Kern State College---------- $250,000".

Amendment read.

Amendment Withdrawn

Mr. Lewis withdrew the above amendment.

Consideration of Further Amendments to Assembly Bill No. 1100

Motion to Amend

Mr. Hahn moved the adoption of the following amendment:

Amendment No. 1

On page 73 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 31 to 45, inclusive.

Amendment read.

Speaker Pro Tempore Presiding

At 4.22 p.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs Connolly, Heisinger, Thompson, Waters, and Tomlinson demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hahn to Assembly Bill No. 1100.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Hahn moved a call of the Assembly.

Motion lost.

The vote was announced, and the amendment offered by Mr. Hahn to Assembly Bill No. 1100 refused adoption by the following vote:

AYES—Anderson, Brady, Burkhalter, George D. Collins, Condon, Cooke, Davis, Clayton A. Dills, Doyle, Elliott, Evans, Fletcher, Geddes, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, and Thomas—25.

NOES—Babbage, Beck, Berry, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—43.

Motion That Assembly Bill No. 1100 Be Reprinted, and Re-engrossed

Mr. Sherwin moved that Assembly Bill No. 1100 be reprinted, and re-engrossed.

Motion carried.

Assembly Bill No. 1100 ordered reprinted, and re-engrossed.

Motion to Set Special Order

Mr. Sherwin moved that Assembly Bill No. 1100 be made a special order of business for Wednesday, June 8, 1949, at 10 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—65.

NOES—Elliott—1.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2007

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2007, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2007

Assembly Bill No. 2007—An act to amend Sections 8200, 8201, 8203.1, 8207, 8209, 8212, and 8213 of the Government Code and Section 1183.5 of the Civil Code, relating to notaries public.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on June 1, 1949, after "Army," insert "Air Force,".

Amendment No. 2

On page 2, line 27, of said bill, after "Army", insert "or Air Force".

Amendment No. 3

On page 3, line 30, of said bill, after "Army," insert "Air Force,".

Amendment No. 4

On page 3, line 37, of said bill, strike out "General".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 2007

Mr. Brown moved that a rush order be placed upon the printing of Assembly Bill No. 2007.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 198

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 198, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 198

Senate Bill No. 198—An act to add Chapter 3 to Part 8, Division 1 of the Revenue and Taxation Code, relating to the distribution of property tax levies and collections on the secured roll.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 25, 1949, strike out the comma, and insert "and".

Amendment No. 2

On page 1, lines 14 and 15, of said bill, strike out "and an improvement in the accounting records on delinquent taxes".

Amendment No. 3

On page 1, line 24, of said bill, strike out "political subdivisions for which"; and strike out line 25, and insert "revenue districts in the county,".

Amendment No. 4

On page 4, line 21, of said bill, strike out "officers", and insert "officer".

Amendment No. 5

On page 4, line 32, of said bill, strike out "and any delinquency or redemption penalties"; strike out line 33; and in line 34, strike out "fund", and insert "The pro rata of redemption penalties or interest collected on assessment shall be prorated to the respective assessment funds and the balance of redemption penalties or interest together with delinquency penalties shall be apportioned to the tax losses reserve fund"

Amendment No. 6

On page 4 of said bill, strike out lines 41 and 42, and insert

"4711 After apportionment to the State of the amounts prescribed by Section 4653.1 of this code, the balance of the proceeds from the sale of property shall be distributed as follows:".

Amendment No. 7

On page 5, line 38, of said bill, after "chapter", insert "The amount remaining after determination of the share claims of other taxing agencies out of".

Amendment No. 8

On page 6, line 21, of said bill, strike out the comma, and insert "and the board of supervisors of the county,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1960, on request of Mr. Stanley.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 134 ordered re-referred to Committee on Education.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 664
Assembly Bill No. 672
Assembly Bill No. 999
Assembly Bill No 1366
Assembly Bill No. 1405
Assembly Bill No. 1406
Assembly Bill No 1952
Assembly Bill No 2855
Assembly Bill No 2961

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 664, 672, 999, 1366, 2855, and 2961 ordered re-referred to Committee on Education.

Assembly Bills Nos. 1405, 1406, and 1952 ordered re-referred to Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined
Assembly Bill No. 2160

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 2160 ordered re-referred to Committee on Governmental Efficiency and Economy.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2279

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2279, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2279

Assembly Bill No. 2279—An act to renumber Section 6403 of the Public Resources Code, as said section was added by Chapter 887, Statutes of 1947, and to add Sections 6405 and 6406 to said code, relating to the reservation of oil, gas, and mineral rights in state lands, and to the duties of the State Lands Commission with respect thereto.

Bill read third time.

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on May 27, 1949, after "6403," insert "other than lands acquired by the State under the provisions of the Streets and Highways Code,".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 457
Senate Bill No. 558
Senate Bill No. 699
Senate Bill No. 1299

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 457—An act to repeal Sections 750.1 and 750.2 of, and to add Article 6 to Chapter 1 of Part 6 of Division 2 of the Insurance Code, relating to the payment of rebates and commissions on title insurance business by title insurers and others.

Referred to Committee on Finance and Insurance.

Senate Bill No. 558—An act to add Section 16.5 to the Fish and Game Code, relating to the taking of deer in game refuges.

Referred to Committee on Fish and Game.

Senate Bill No. 699—An act to add Section 16.4 to the Fish and Game Code, relating to the taking of female deer.

Referred to Committee on Fish and Game.

Senate Bill No. 1299—An act to amend Sections 20025, 20032, and 20131 of, and to add Sections 20006, 20032.1, and 20071.5, and Article 4.5 to Chapter 1, Part 1, Division 14 of, the Health and Safety Code, relating to police protection districts.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 755 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Davis asked for, and was granted, unanimous consent that Assembly Bill No. 755 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1132

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1132, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1132

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Assembly on June 2, 1949, before "Section 28280", insert
"SEC. 5."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1632

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1632, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1632

Senate Bill No. 1632—An act to add Sections 20.5, 20.6, 20.7, 49.5, and 81 to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to water conservation districts.

Bill read third time.

Motion to Amend

Mr. Thompson moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 10, 11, 12, 13, 14, and 15, and "construction" in line 9, and insert "acquisition and/or construction of works authorized by this act to be acquired or constructed, or for a water supply, or for the acquisition and/or disposal of water and/or water rights and/or water storage or conservation facilities and rights, and any interest in such water, water rights, or water storage or conservation facilities, or the acquisition or construction of works for any useful purpose, or for any or all thereof, or for the assumption as principal or guarantor of indebtedness to the United States, and to carry out and perform the terms of any contract so made"

Amendment No. 2

On page 2, lines 2 and 3, of the printed bill, strike out "carry out the enlarged powers enumerated in", and insert "exercise the authority conferred by".

Amendment No. 3

On page 2, lines 5 and 6, of the printed bill, strike out "for the voting and issuance of bonds as provided in this act", and insert "provided in this act for the incurring of bonded indebtedness of the district"

Amendment No. 4

On page 2, lines 11 and 12, of the printed bill, strike out "in the amount to be paid by the district to the United States, or any part thereof", and insert "to the amount or any part thereof to be paid by the district to the United States,".

Amendment No. 5

On page 2, lines 22 and 23, of the printed bill, strike out "adopted by", and insert "established under".

Amendment No. 6

On page 2, line 38, of the printed bill, substitute a comma in lieu of the period after "district", and insert "pursuant to such contract".

Amendment No. 7

On page 3 of the printed bill, strike out lines 5, 6, 7, and 8, and insert

"In the event that a district is annexed to a cooperating district, all bonds of the annexed district authorized for payment of its said agreed share of the cost and expense of the construction and operation of works or the acquisition of property by the annexing cooperating district, shall be issued and shall be delivered to and received by said annexing district in such an amount at not less than par value and shall become the property of said annexing district and may be collected at maturity, or sold by said annexing district at not less than par value and the proceeds of sale applied to the purpose for which said bonds were issued."

Amendment No. 8

On page 3, lines 48, 49, and 50, of the printed bill, strike out "set forth for the voting of bonds as provided in this act as nearly as practicable," and insert "provided in this act for elections for the purpose of authorizing the incurring of a bonded indebtedness of the district,".

Amendment No. 9

On page 4 of the printed bill, strike out lines 34 to 52, inclusive, and insert

"In the event that the question of annexation is submitted to the electors of the annexing district, the election shall be held in the same manner as herein provided for the election in the petitioning district. If a majority of all votes cast at said election shall be against the proposed annexation, the annexation petition shall be denied. If a majority of all votes cast at said election shall be in favor of the proposed annexation, the board of directors of the annexing district shall thereupon adopt an order annexing the petitioning district. Such order shall describe the boundaries of the land to be annexed to the annexing district, and if said land adjoins any portion of the district the order shall also describe that portion of the boundary of the district which coincides with the boundaries of the land so annexed, and for the purposes of said order the board may cause a survey to be made of such portions of said boundaries as may be deemed necessary."

Amendment No. 10

On page 5 of the printed bill, strike out lines 6 to 12, inclusive, and insert

"As a condition to annexation, the petitioning district and the annexing district may agree to any financial adjustments and may provide for the payment by the petitioning district of such sums as may be mutually determined to be just and equitable as compensation for any benefits that it may receive by virtue of the annexation. Bonds of the petitioning district may be voted upon and issued in the manner provided for the incurring of bonded indebtedness of the district and may thereafter be delivered at not less than par value to constitute such payment."

Amendment No. 11

On page 5 of the printed bill, strike out lines 22, 23, 24, 25, and 26, and insert "the amount needed (computed as provided in Section 28 of this act) for the payment of such outstanding indebtedness of the petitioning district in like manner as though the district had not been dissolved, and the board or boards of supervisors shall levy an assessment on the lands comprising the petitioning district, in the manner provided in Section 30 of this act and the board of directors of the annexing district shall cause the obligations evidencing such indebtedness to be paid according to their tenor out of the money raised from such assessments."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3128, on request of Mr. Burke.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 28

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2307

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 2481

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 137
Senate Bill No. 147

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Donnelly, Ward, and Jespersen as a Committee on Conference concerning:

Assembly Bill No. 699—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

RESOLUTIONS

The following resolutions were offered:

By Mr. Brown:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on the Judicial System and Judicial Process

WHEREAS, There is great need of a thorough investigation into all phases of the Judicial System of the State, and the administration of justice therein, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on the Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) The composition, structure, jurisdiction and administration of the several courts;

(b) The method of selection, compensation and retirement of judicial officers and attaches;

(c) The procedure, process, and rules of the courts, statutory and otherwise;

(d) All provisions of the law relating to civil actions and remedies, and all laws relating to criminal procedure;

(e) All laws relating to publication of notices and service of process;

(f) All laws relating to family relations including marriage, divorce and adoptions and the administration of such laws, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman of said standing committee shall be the chairman of this interim committee.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Burkhalter:

House Resolution No. 233

Relative to the creation of the Assembly Investigating Committee on Traffic Control

WHEREAS, It is common knowledge that great and constantly increasing numbers of motor vehicles are present on the streets and highways of this State, with the result that most serious problems of traffic congestion and safety, particularly noticeable in metropolitan areas, have manifested themselves; and

WHEREAS, It is necessary for this Legislature to undertake an investigation of the causes, effects, and remedies of these problems so as to enable it to abate the inconveniences and hazards to which the public is subjected under the existing circumstances; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Traffic Control is hereby created and authorized and directed to ascertain, study and analyze all facts relating to traffic safety and congestion generally and rapid transit problems in metropolitan

areas and any allied problems, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its preliminary report not later than the fifteenth legislative day of the 1950 Regular Session and its final report not later than the fifteenth legislative day of the 1951 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To employ engineers to assist and advise it in carrying out the objects and purposes herein.

(g) To travel within or without the State of California in connection with its investigations.

(h) To meet and confer with the representatives of the board of supervisors of Los Angeles County and the City of Los Angeles who are now engaged in a similar survey.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur within or without the State of California under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE A BILL

At 4.45 p.m., on motion of Mr. Geddes, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Thompson was granted permission to introduce a bill by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3168: By Mr. Thompson—An act to amend Section 19563 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Public Morals.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 68

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 68, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 68

Senate Concurrent Resolution No. 68—Relative to approving a certain amendment to the charter of the City of Oakland, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the seventeenth day of May, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1213

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1213, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1213

Senate Bill No. 1213—An act to amend Sections 12463 and 12464 of, to repeal Sections 50054 to 50059, inclusive, of, and to add Section 12463.1 and Article 9, comprising Sections 53890 to 53896, inclusive, to Chapter 4, Part 1, Division 2, Title 5 of, the Government Code, relating to the compilation and publication of reports of the financial transactions of local agencies.

Bill read third time.

Motion to Amend

Mr. Butters moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on June 3, 1949, following line 6, insert

"53897. Whenever, under the provisions of Section 12463.1, reports of financial transactions are required to be furnished to the Controller from districts which make comprehensive annual financial reports to the California Districts Securities Commission, the provisions of this article shall be satisfied if a copy of the report to the Districts Securities Commission is furnished to the Controller within the time limits specified herein."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Hollibaugh:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Respectfully submitted

JONATHAN J. HOLLIBAUGH

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Hollibaugh:

An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Way, Weber, and Yorty—64.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3169: By Mr. Hollibaugh—An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Referred to Committee on Judiciary.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals of Tuesday, May 31, 1949; Wednesday, June 1, 1949; Thursday, June 2, 1949; and Friday, June 3, 1949, be approved as corrected by the Minute Clerk.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON CONFERENCE REPORT CONCERNING ASSEMBLY BILL NO. 1900

Mr. Fleury asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Friday, June 3, 1949, adopted a report of the Committee on Conference concerning Assembly Bill No. 1900.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Evans asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1678	Assembly Bill No. 2225
Assembly Bill No. 1898	Assembly Bill No. 2700
Assembly Bill No. 1899	Assembly Bill No. 2926

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3154

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 166—An act to amend Sections 5410 and 5804 of the Labor Code, relating to workmen's compensation;

Assembly Bill No. 375—An act to add Chapter 3 to Part 2, Division 2 of the Military and Veterans Code, relating to the creation and organization of a security force and a reserve force, the authority for the organization of military forces when the National Guard is absent in federal service or Congress has consented thereto, the rules and regulations for the government of such forces and reserves, the pay, allowances, expenses, supply, equipment, maintenance, training, discipline and administration of such security and reserve forces, the use of armories and buildings, the use of the forces without the State, the authority to use the forces of other states within this State, federal service, civil groups, disqualifications, oaths of office, Articles of War, freedom from arrest, jury duty, unemployment, exemption from civil service, workmen's compensation, removal from service and the employment of such forces in the service of the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 628—An act to amend Section 600 of the Vehicle Code, relating to throwing lighted substance from or upon roads or highways;

Assembly Bill No. 630—An act to amend Section 604 10 of the Vehicle Code, relating to the removal of persons injured on highways;

Assembly Bill No. 643—An act to amend Section 32064 of the Government Code, relating to retirement benefits of members of the county peace officers' retirement system;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 892—An act to amend Section 3447 of the Welfare and Institutions Code, relating to the blind;

Assembly Bill No. 945—An act to amend Sections 1670 and 1679 of the Business and Professions Code, relating to disciplinary action against licensed dentists;

Assembly Bill No. 1057—An act to add Sections 14307, 14308, and 14309 to the Revenue and Taxation Code, relating to the lien of inheritance tax;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1379—An act to amend Sections 317 and 319 of the Education Code, relating to the compensation of members of county boards of education;

Assembly Bill No. 1482—An act to add Sections 20607 5 and 21252.4 to the Government Code, relating to the State Employees' Retirement System, and providing for contribution rates by and in respect to local safety members, and for the benefits payable to such members;

Assembly Bill No. 1503—An act to amend Section 18705 of the Government Code, relating to days, hours and conditions of work for state employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1888—An act to amend Section 18712 of the Government Code, relating to reports of the Personnel Board;

Assembly Bill No. 1904—An act to add Section 20921.1 to the Government Code, relating to contributions in the State Employees' Retirement System for federal service;

Assembly Bill No. 2195—An act to add Sections 364.7, 364.8, and 380.70 to the Agricultural Code, relating to livestock sales yards and sellers of horses, mules, and burros;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2480—An act to amend Section 3212 5 of the Labor Code, relating to workmen's compensation benefits for members of police departments and the State Highway Patrol;

Assembly Bill No. 2666—An act to amend Section 301 of, and to add Sections 318 1, 318 2, 318.3, and 318 4 to, the Agricultural Code, relating to meat inspection;

Assembly Bill No. 2775—An act to amend Sections 86, 87, and 96 of, and to add Sections 86.1 and 97 to, the Agricultural Code, relating to the powers of district agricultural associations and to the use of property for fair purposes by counties and district agricultural associations;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixth day of June, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3102—An act to amend the title of Chapter 5.5 of Division 3 of, and to amend Section 2426 of, the Health and Safety Code, relating to mosquito and gnat control, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixth day of June, 1949, at 3 p m.

HUYCK, Chairman

ANNOUNCEMENTS

Mr. Geddes announced that the meeting to be held tonight by the Committee on Finance and Insurance will consider, next to the last time, Assembly bills, and urged cooperation of all Members who have bills pending in this committee.

Mr. Brown announced that Assembly bills are being considered tonight, for the last time, by the Committee on Judiciary.

Mr. Luckel announced that all Assembly bills to be heard in the Committee on Transportation and Commerce must be in before next Thursday evening, June 9th.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight—At 8 p.m.

Finance and Insurance, in Room 433.
Public Utilities and Corporations, in Room 432.
Ways and Means.
Judiciary. Subject: Assembly bills.

Tomorrow, Tuesday, June 7th, at 3 p m.

Agriculture.
Livestock and Dairies upon adjournment of Agriculture.

Next Thursday, June 9th.

Transportation and Commerce.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Sue Howell, 1949 Maid of Cotton, of Bakersfield.

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Harold F. Petersen of Petaluma.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs Leonard I. Beller of Huntington Park.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. G. A. Wessitsh, teacher of the Jenny Lind School, Calaveras County, the following adults, G. A. Wessitsh, Mesdames Emmet Gregory, Leslie Gregory, Arnold Nicholls, Charles Messing, Ray Meyer, Buford Oller, and Seppie, and the following pupils: Marjorie Gregory, Arlene Nicholls, Eileen Messing, Donald

Edwards, Bob Edwards, Alex Wessitsh, George Wessitsh, Judy Wessitsh, Patty Meyer, Patsy Gregory, Wilma Oller, Louann Oller, Russel Gregory, and Alva Mouser.

ADJOURNMENT

At 4.58 p.m., on motion of Mr. Dickey, Speaker pro Tempore Maloney declared the Assembly adjourned until 9 a.m., Tuesday, June 7, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-FIFTH LEGISLATIVE DAY

ONE HUNDRED FIFTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, June 7, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Liberty: Upon this day when the first resolution for the independence of the American colonies was introduced let us honor the colonists who had the audacity to defy tyranny, and let us reaffirm the right of freedom of expression.

Rejoice that in America we have liberty of thought and of speech without the danger of being persecuted, imprisoned, or shot.

May we behold again how fundamental to American character is the right of independence of belief, and how quickly the stamina of a people is tamed by the suppression of freedom of expression.

But heaven forbid that any one should think that he has any right by violence or stealth to undermine the foundation of freedom

Let us glorify that independent spirit glorified in Richard Henry Lee and Patrick Henry, and keep America forever the land of people with the courage of their righteous convictions—AMEN.

(Richard Henry Lee introduced this resolution, June 7, 1776, in the Continental Congress.)

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Erwin, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Lipscomb, on motion of Mr. Smith.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lewis:

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Chapter 8 to Division 9 of the Public Resources Code, relating to soil conservation districts for dust control purposes.

Respectfully submitted,

JOE C. LEWIS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lewis:

An act to add Chapter 8 to Division 9 of the Public Resources Code, relating to soil conservation districts for dust control purposes.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly.

Motion carried. Time, 9.09 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Bennett, Brady, Collier, Condon, Conrad, Dickey, Dunn, Fletcher, Geddes, Grunsky, Hawkins, Heisinger, Huckley, Huyck, Kilpatrick, Lincoln, Lowrey, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Stewart, Thomas, Thompson, Waters, Weber, and Yorty—30.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Luckel asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Smith:

House Resolution No. 234

Relating to Hoover High School track teams

WHEREAS, The track teams of Hoover High School, Glendale, California, have achieved an unprecedented victory in winning three championship titles, the Varsity, the B, and C Divisions at the track and field meet of the C I F Southern Section, recently held at Long Beach, California; and

WHEREAS, The Hoover High Varsity track team has won the C.I F Southern Section championship cup for the second time in three years; and

WHEREAS, These signal triumphs were made under the outstanding coaching of Coach Vic Francy, bringing well-deserved credit and honors to himself and to Hoover High School; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby tenders its congratulations and commendations to Hoover High School, to the members of its track teams, to Coach Vic Francy, to Principal William McDonald, and to Superintendent of Schools, Normal Hayhurst; and be it further

Resolved, That the Clerk of the Assembly is hereby directed to send suitably prepared copies of this resolution to the Hoover High School, to Coach Vic Francy, and to Superintendent of Schools Normal Hayhurst.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75 and 76 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 21 of the Corporate Securities Act, and Section 25301 of the Corporations Code, and Section 10055 of the Business and Professions Code, and Section 107.5 of the Health and Safety Code, relating to state officers

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 23, 1949, strike out "and 76", and insert ", 76 and 77".

Amendment No. 2

On page 3, line 45, of said bill, strike out "ten thousand dollars ($10,000)", and insert "twelve thousand dollars ($12,000)".

Amendment No. 3

On page 3, line 47, of said bill, strike out "eleven thousand dollars ($11,000)", and insert "twelve thousand dollars ($12,000)".

Amendment No. 4

On page 3 of said bill, following line 50, insert

"*SEC 9. Section 77 of the Unemployment Insurance Act is amended to read:*

77. The California Unemployment Insurance Appeals Board, to consist of three members to be appointed by the Governor, subject to the approval of the Senate, is

hereby created in the Department of Employment. Each member of such board shall devote his full time to the performance of his duties in this act defined and shall receive a salary of [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)* per year."

Amendment No. 5

On page 4, line 1, of said bill, strike out "8", and insert "9".

Amendment No. 6

On page 4, line 10, of said bill, strike out "9", and insert "10".

Amendment No. 7

On page 4, line 18, of said bill, strike out "10", and insert "11".

Amendment No. 8

On page 4, line 34, of said bill, strike out "11", and insert "12".

Amendment No. 9

On page 4, line 40, of said bill, strike out "12", and insert "13".

Amendment No. 10

On page 4, line 46, of said bill, strike out "10", and insert "14".

Amendment No. 11

On page 5, line 5, of said bill, strike out "10", and insert "15".

Amendment No. 12

On page 4, line 40, of said bill, strike out "Section 11.", and insert "Section 12".

Amendment No. 13

On page 5 of said bill, following line 17, insert

"SEC. 16. Section 21 of the Agricultural Code is amended to read:

21. The department shall be conducted by an executive officer known as the Director of Agriculture. The director shall be appointed by and hold office at the pleasure of the Governor and shall receive a salary of [twelve thousand dollars ($12,000)] *thirteen thousand five hundred dollars ($13,500)* per annum. Before entering upon the duties of his office, the director shall execute an official bond in the sum of twenty-five thousand dollars ($25,000)."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 533 WAIVED

Mr. Doyle waived his notice of motion to reconsider the vote whereby Assembly Bill No. 533 was refused passage.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1171—An act to amend Section 806 of the Agricultural Code, relating to plum and fresh prune standards.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1171?

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on April 8, 1949, strike out "inconspicuously", and insert "conspicuously".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1171 by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn,

Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Way, and Mr. Speaker—46.

NOES—None.

Assembly Bill No. 1171 ordered enrolled.

Assembly Bill No. 1524—An act to amend Section 6028 of the Penal Code, relating to the creation of Special Commissions to Study Crime.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1524?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "Section", and insert "Sections"; and after "5047", insert ", 5050.8, and 5125".

Amendment No. 2

On page 1, line 17, of said bill, after "proceeding", insert "when requested by the party who is to file the petition or other form"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 21, insert

"SEC. 2. Section 5050.8 of said code is amended to read

5050.8 If no demand is made for a hearing in behalf of the alleged mentally ill person after [five days from] the service of the notice, petition, orders or detention as provided in this chapter, the judge may *in his discretion* proceed [immediately] *forthwith* to determine the mental status of the alleged mentally ill person. If the judge is satisfied that the person is so mentally ill as to be in need of supervision, treatment, care and restraint, the judge may [immediately] *forthwith* issue an order for the commitment of the person to an institution for the custody and treatment of persons who are mentally ill.

No order for commitment shall issue unless two medical examiners have jointly made an examination of the person alleged to be mentally ill and have filed with the judge a report containing the facts and circumstances upon which the judgment of the examiners is based and stating that the condition of the person examined is such as to require care and treatment in an institution for the mentally ill.

If no one has secured the services of two medical examiners, the court may designate two such examiners. If it appears that the mentally ill person is harmless and his relatives or guardian are willing and able properly to care for him at some place other than such institution, upon their written consent, the judge may order that the person be placed in the care and custody of his relatives or guardian.

The judge may require other proof in addition to the petition and the report of the medical examiners.

SEC. 3. Section 5125 of said code is amended to read

5125. If an alleged mentally ill person ordered to be cared for or detained in any licensed hospital or sanitarium as a mentally ill person or committed to a state hospital, or any friend in his behalf, is dissatisfied with the order of the judge so detaining or committing him, he may, within [five] *thirty* days after the making of such order, demand that the question of his mental illness be tried by a jury before the superior court of the county in which he was committed or the order of detention was issued. Thereupon the court shall cause a jury to be summoned and to be in attendance at a date stated, not less than five nor more than ten days from the date of the demand for a jury trial. The court shall submit to the jury the question: Is the person mentally ill?"

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on May 19, 1949, strike out "5050.8,".

Amendment No. 5

On page 2 of said bill, strike out lines 3 to 29, inclusive.

Amendment No. 6

On page 2, line 30, of said bill, after "Sec.", strike out "3", and insert "2".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1524 by the following vote:

AYES—Brown, Evans, and Kilpatrick—3

NOES—Anderson, Babbage, Beck, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Clayton A. Dills, Dolwig, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Tomlinson, Waters, Way, and Mr. Speaker—46.

Appointment of Committee on Conference Concerning Assembly Bill No. 1524

The Speaker announced the appointment of Messrs. Crowley, Kilpatrick, and Crichton as a Committee on Conference concerning Assembly Bill No. 1524.

Assembly Bill No. 1870—An act to amend Section 3480 of the Political Code, relating to reclamation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1870?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 8, 1949, strike out "Section", and insert "Sections 3466a and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 3466a of the Political Code is amended to read:

3466a. Sale or Lease of Unredeemed Land. After the lapse of one year from and after the expiration of the period of redemption of any land sold to the district, or county treasurer as trustee for the district, either pursuant to the provisions of Sections 3466, 3480 or Section 3480a of this code, the county treasurer of the main county, when and as directed by the board of trustees of the district, may in their discretion then sell the whole or any part of any tract of land remaining unsold to the highest bidder for cash at the front door of the courthouse of the main county of the district after giving previous notice of such sale, and the time and place of holding the same, by publication thereof in some newspaper published in the county in which the land to be sold or some portion thereof is situated for two times, to wit: once a week for two successive weeks. It shall be sufficient to describe said land in said notice by reference number as set forth in the assessment lists to which reference shall be made in said notice, and to the date and time of filing same, for further particulars. In the event of a sale of a part of any tract of land remaining unsold then the assessment or assessments thereon shall be reapportioned as provided in Sections 3454 and 3460 of the Political Code.

Conduct of Sale; Effect of Deed. The trustees of the district shall have the right to reject any and all bids and no bid shall be accepted for an amount less than such price as shall be approved by them. No parcel shall be sold for an amount less than the fair market value thereof as such value shall be ascertained by the board of trustees. One or more parcels of such land may be included in the same notice and sold severally at the time and place set forth in said notice. Upon such last mentioned sale being made as herein provided the said county treasurer shall execute a deed to the purchaser conveying the land sold, upon payment of the price bid, which deed shall have the effect of conveying title to the land sold to the purchaser free of encumbrance, except district assessments (including the unpaid balance of said assessment for the delinquency of which said property was sold) which upon the date of the sale herein provided had not been called, and except as may be otherwise provided by law, and such deed duly executed and acknowledged shall be prima facie evidence that all the proceedings for the levy and collection of the delinquent assessment for which said land was sold, and all of the proceedings for the sale of said land have been duly and regularly taken, and all notices required to be given or published have been so duly given and published for the time and manner as required by law.

Rights of District After Default; Leases. Where any land has been sold for a delinquent assessment, pursuant to the provisions of Sections 3466, 3480 or 3480a of the Political Code for a delinquent assessment or installment of the same and no redemption has been made and the time for redemption has expired, the district shall have the right to the possession of the land so sold and unredeemed and the board of

trustees shall have the right to bring and maintain any and all actions in equity or law in connection with said land and the protection of the district's rights therein to the same extent as any other owner, and the costs and expenses of such action or actions shall be a charge against the district. The board of trustees shall also have the right to expend funds of the district in such amounts that may from time to time be necessary for the purpose of retiring any and all liens against such land superior to the title of the county treasurer therein

The trustees of the district shall have the management and control of, and right to lease out to a tenant or tenants for such reasonable rental and upon such terms as such trustees may deem advisable, any and all lands in the district which have been sold to the county treasurer, as trustee, for delinquent assessments, where the time for redemption has expired and said lands remain unsold and to receive and collect the rental for the same

Out of said rentals the trustees shall annually pay to the county treasurer of the county in which the land is situated, in lieu of taxes, such sum of money as the county assessor shall determine annually on or before November 1st, as will equal the taxes that would have been assessed and levied for that year if the land were in private ownership.

Disposition of Rents All rents collected or moneys received by the trustees of the district from such lease of land or for the use or occupation of such land may be applied by them to the payment of the incidental expenses of holding and leasing said lands and to the payment of any other incidental expenses of, or legal charge against the district or for the purpose of purchasing any outstanding bonds of the district matured or unmatured together with the coupons thereunto appertaining at not more than the face value of such bonds plus the accrued interest thereon; which said bonds and/or coupons when so purchased shall be forthwith delivered to the county treasurer and canceled, and to the payment of any call of any maintenance assessment on any tract of land theretofore bought in by county treasurer as trustee of the district for a delinquent installment of any assessment theretofore levied on any such tract of land and then remaining unsold by said county treasurer; provided, however, that after the period of redemption has expired all rentals collected or moneys received from lease of land sold to the county treasurer as trustee of the district pursuant to the provisions of Section 3480 or 3480a of this code or for the use or occupation of such land, less the incidental expenses of leasing or holding the same and less the amount required to pay any called or delinquent installment of any maintenance assessment on any tract of land which has been theretofore bought in by the said county treasurer for the payment of any delinquent installment of any assessment theretofore levied on any such tract of land, and then remaining unsold by such county treasurer, shall, in the event said district shall be in default for the interest or principal payments on any of said bonds issued by said district, be deposited in said county treasury of the main county, to the credit of the bond fund of the district. An amount equal to the revenues derived from each tract by reason of the leasing, use or occupation thereof, less the incidental expenses of leasing and holding same, shall be credited by the county treasurer on the assessment lists against the delinquent charges on said tract.

Application of Section The provisions hereof shall apply to all lands heretofore sold for delinquency to a district or to the county treasurer, as trustee as well as to future sales under assessments whether heretofore, or hereafter to be, levied

SEC. 2. Section 3480 of said code is amended to read:

The present provisions of Assembly Bill No 1870 as amended April 8

SEC. 3 If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it will have passed this act, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill as amended in the Senate on May 12, 1949, strike out lines 5 to 25, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 42, inclusive, and insert

"3466a. After the lapse of one year from and after the expiration of the period of redemption of any land sold to the district, or county treasurer as trustee for the district, either pursuant to the provisions of Sections 3466, 3480 or Section 3480a of this code, the county treasurer of the main county, when [and as] directed by the board of trustees of the district [as herein provided, may in their discretion then] *shall* sell the whole or any part of any tract of land remaining unsold to the highest bidder for cash at the front door of the courthouse of the main county of the district after

giving previous notice of such sale, and the time and place of holding the same, by publication thereof in some newspaper published in the county in which the land to be sold or some portion thereof is situated for two times, to wit: Once a week for two successive weeks. It shall be sufficient to describe said land in said notice by reference number as set forth in the assessment lists to which reference shall be made in said notice, and to the date and time of filing same, for further particulars. *One or more parcels of such land may be included in the same notice and sold severally at the time and place set forth in said notice.*

Such land shall be offered for sale within three years from and after the expiration period of redemption thereof, or within two years from and after the effective date of this amendment, whichever period is greater, in parcels of 160 acres or such lesser number of acres as the board of trustees may determine will be most desirable for purposes of assuring the sale thereof.

Prior to the sale of any parcel, the county treasurer of the main county shall cause its fair market value to be ascertained by means of an appraisal made by a board of appraisement consisting of:

(a) One member who is an officer or an authorized appraiser of a banking corporation formed under the laws of this State, or by the manager of a branch bank of such banking corporation, or an officer or cashier of a national banking association, having a place of business in the county in which the parcel or some portion thereof is situated. If there is no such banking corporation or national banking association having a place of business in the county in which the parcel or some portion thereof is situated, one member shall be an officer or an authorized appraiser, or the manager of a branch bank of such a banking corporation, or an officer or cashier of a national banking association, having a place of business in a county adjacent thereto

(b) One member who is an inheritance tax appraiser of the county in which the parcel is located.

(c) One member, a disinterested person, who is a licensed real estate broker, selected by the two other members of the board.

In the event that all of the members of the board of appraisement cannot agree as to the fair market value of the parcel, (a) if two of the members of the board agree as to the fair market value, the amount so agreed upon shall constitute the board's appraisal, or, (b) if no two members of the board agree as to the fair market value, then each member of the board shall make a separate appraisal and the average of the three appraisals shall constitute the board's appraisal

Each appraisal shall be verified by the members of the board of appraisement The verification shall state that the appraisal is made in good faith, and that the valuation is honestly determined and represents the bona fide opinion of the board If any member of the board of appraisement does not concur in the appraisal, the verification shall contain a statement as to the manner in which the board determined the appraised fair market value.

At the time of the sale of any parcel of such land, the county treasurer of the main county shall announce the fair market value of the parcel, as appraised, and shall not accept any bid therefor less than such fair market value.

In the event that any parcel of such land remains unsold for want of an acceptable bid, the county treasurer shall have the parcel reappraised and offer it for sale to the highest bidder for cash in the manner herein provided, at least once each year until the parcel is sold.

In the event of a sale of a part of any tract of land remaining unsold then the assessment or assessments thereon shall be reapportioned as provided in Sections 3454 and 3460 of the Political Code.

[The trustees of the district shall have the right to reject any and all bids and no bid shall be accepted for an amount less than such price as shall be approved by them No parcel shall be sold for an amount less than the fair market value thereof as such value shall be ascertained by the board of trustees. One or more parcels of such land may be included in the same notice and sold severally at the time and place set forth in said notice.] Upon such last mentioned sale being made as herein provided the said county treasurer shall execute a deed to the purchaser conveying the land sold, upon payment of the price bid, which deed shall have the effect of conveying title to the land sold to the purchaser free of encumbrance, except district assessments (including the unpaid balance of said assessment for the delinquency of which said property was sold) which upon the date of the sale herein provided had not been called, and except as may be otherwise provided by law, and such deed duly executed and acknowledged shall be prima facie evidence that all the proceedings for the levy and collection of the delinquent assessment for which said land was sold, and all of the proceedings for the sale of said land have been duly and regularly taken, and all notices required to be given or published have been so duly given and published for the time and manner as required by law.

Where any land has been sold for a delinquent assessment, pursuant to the provisions of Sections 3466, 3480 or 3480a of the Political Code for a delinquent assessment or installment of the same and no redemption has been made and the time for redemption has expired, *and until the sale thereof*, the district shall have the right to the possession of the land so sold and unredeemed and the board of trustees shall have the right to bring and maintain any and all actions in equity or law in connection with

said land and the protection of the district's rights therein to the same extent as any other owner; and the costs and expenses of such action or actions shall be a charge against the district. The board of trustees shall also have the right to expend funds of the district in such amounts that may from time to time be necessary for the purpose of retiring any and all liens against such land superior to the title of the county treasurer therein.

The trustees of the district shall have the management and control of, and the right to lease out to a tenant or tenants for such reasonable rental and upon such terms as such trustees may deem advisable, any and all lands in the district which have been sold to the county treasurer, as trustee, for delinquent assessments, where the time for redemption has expired and said lands remain unsold and to receive and collect the rental for the same.

All rentals collected or moneys received by the trustees of the district from such lease of land or for the use or occupation of such land may be applied by them to the payment of the incidental expenses of holding and leasing said lands and to the payment of any other incidental expenses of, or legal charge against the district or for the purpose of purchasing any outstanding bonds of the district matured or unmatured together with the coupons thereunto appertaining at not more than the face value of such bonds plus the accrued interest thereon; which said bonds and/or coupons when so purchased shall be forthwith delivered to the county treasurer an canceled, and to the payment of any call of any maintenance assessment or any tract of land theretofore brought in by county treasurer as trustee of the district for a delinquent installment of any assessment theretofore levied on any such tract of land and then remaining unsold by said county treasurer; provided, however, that after the period of redemption has expired all rentals collected or moneys received from lease of land sold to the county treasurer as trustee of the district pursuant to the provisions of Section 3480 or 3480a of this code or for the use or occupation of such land, less the incidental expenses of leasing or holding the same and less the amount required to pay any called or delinquent installment of any maintenance assessment on any tract of land which has been theretofore bought in by the said county treasurer for the payment of any delinquent installment of any assessment theretofore levied on any such tract of land, and then remaining unsold by such county treasurer, shall, in the event said district shall be in default for interest or principal payments on any of said bonds issued by said district, be deposited in said county treasury of the main county, to the credit of the bond fund of the district. An amount equal to the revenues derived from each tract by reason of the leasing, use or occupation thereof, less the incidental expenses of leasing and holding same, shall be credited by the county treasurer on the assessment lists against the delinquent charges on said tract.

The provisions hereof shall apply to all lands heretofore sold for delinquency to a district or to the county treasurer, as trustee as well as to future sales under assessments whether heretofore, or hereafter to be, levied."

Amendment No. 4

On page 3 of said bill, strike out lines 44 to 52, inclusive.

Amendment No. 5

On page 16 of said bill, following line 18, insert

"*SEC. 3. If any section, subsection, sentence, clause or phrase of this act is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portions of this act. The Legislature hereby declares that it will have passed this act, and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional.*"

Amendment No. 6

On page 13, line 41, of the printed bill, as amended in the Senate on May 20, 1949, after "code", insert "or derived from the sale of lands by the county treasurer as trustee of the district under the provisions of this section or Sections 3466a and 3480a of this code"

Amendment No. 7

On page 1, line 25, of the printed bill, as amended in the Senate on May 26, 1949, strike out "160", and insert "320".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1870 by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Rumford, Sherwin, Sillman, Smith, Stanley, Thompson, Waters, Way, and Mr. Speaker—49

NOES—None.

Assembly Bill No. 1870 ordered enrolled.

Assembly Bill No. 2481—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2481?

Amendment No. 1

On page 1, line 11, of the printed bill, after "paid," insert "and in the case of members of the warden service of the Bureau of Patrol and Law Enforcement of the Division of Fish and Game of the Department of Natural Resources whose principal duties consist of active law enforcement service, excepting those whose principal duties are clerical or otherwise do not clearly fall within the scope of active law enforcement service such as stenographer, telephone operators, and other office workers,".

Amendment No. 2

On page 1, line 17, of said bill, after "fighting", insert ", and in the case of members of the warden service of the Bureau of Patrol and Law Enforcement of the Division of Fish and Game of the Department of Natural Resources whose principal duties consist of active law enforcement service, excepting those whose principal duties are clerical or otherwise do not clearly fall within the scope of active law enforcement service such as stenographer, telephone operators, and other office workers,".

Amendment No. 3

On page 2 of said bill, strike out lines 4 and 5, and insert "This presumption is disputable and may be controverted by other evidence, but unless so controverted, the commission is bound to find in accordance with it"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2481 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Way, Yorty, and Mr Speaker—55

NOES—None.

Assembly Bill No. 2481 ordered enrolled.

Assembly Bill No. 438—An act to amend Section 5402 of the Welfare and Institutions Code, relating to appearance in court, time and place of hearing, and commitment to rehabilitation center.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 438?

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on March 17, 1949, after "shall", insert "immediately"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 438 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Way, Yorty, and Mr. Speaker—54

NOES—None.

Assembly Bill No. 438 ordered enrolled.

FURTHER CONSIDERATION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 1900

Report of Committee on Conference

The following report of Committee on Conference was read:

ASSEMBLY CHAMBER, SACRAMENTO, June 3, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund or other disposition of certain optional contributions by state members of said system;

Consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, as amended in the Senate on May 9, 1949, strike out ", by the provisions of its contract with the board, is subject to the provisions of this section", and insert "has amended or shall amend its contract with the board to subject itself to the provisions of this section".

Amendment No. 2

On page 1, lines 17 and 18, of said bill, strike out "consisting of state service rendered prior to the first day of October, 1947", and insert "rendered to the contracting agency prior to the effective date of such amendment".

Amendment No. 3

On page 1, line 20, of said bill, after "1950," insert "or within six months after said effective date, whichever is later,".

Amendment No. 4

On page 2, line 5, of said bill, after "contributions", and before the comma, insert "as an employee of such contracting agency".

Amendment No. 5

On page 2, line 6, of said bill, strike out "earnable", and insert "earned".

Amendment No. 6

On page 2, lines 7 and 8, of said bill, strike out "during the entire period of his membership in the system since January 1, 1932".

Amendment No. 7

On page 2, line 17, of said bill, strike out "state service", and insert "current service rendered".

Amendment No. 8

On page 2, line 18, of said bill, strike out "October 1, 1947.", and insert "the effective date of such amendment to the contract."

Amendment No. 9

On page 2 of said bill, strike out line 21, and insert "entire period of his current service rendered as an employee of such contracting agency and with which he is entitled to be".

Amendment No. 10

On page 2 of said bill, between lines 22 and 23, insert

"A local member's entire compensation shall be included in any computation to be made under this part for the period of his current service with which he is entitled to be credited and which was rendered as an employee of a contracting agency whose contract by express provision on its effective date made the contracting agency subject to the provisions of this section."

Amendment No. 11

On page 2, line 24, of said bill, strike out "the", and insert "its".

Amendment No. 12

On page 2, line 25, of said bill, strike out "of any contracting agency".

Amendment No. 13

On page 2, line 28, of said bill, strike out the semicolon, and insert a comma.

Amendment No. 14

"On page 2, lines 29, 30, and 31, of said bill, strike out ", in the case of contracts made after the date this section takes effect by express provision in such contract making", and insert "unless an express provision included in the contract on its effective date, made".

Amendment No. 15

On page 3, line 31, of said bill, after "retirement", and before the comma, insert "on the effective date of this act".

Amendment No. 16

On page 3 of said bill, strike out lines 32 to 38, inclusive, and insert "credit at his retirement, together with interest accrued thereon, through the date of refund, shall be refunded to him, and if he elected optional settlement one, his annuity and current service pension shall be adjusted accordingly

(c) If the member who made such optional contributions died prior to the effective date of this act and after his retirement, there shall be paid to his beneficiary or beneficiaries last designated by him, share and share alike or to the survivor or survivors, or if there be no survivor there shall be paid as determined under Section 21368, such optional contributions as remained to his credit at his retirement, with interest accrued thereon through the date of payment, less any such contributions paid on account of death under optional settlement one, and interest on said amount from the date of its payment through the date of payment hereunder."

BREED
DROBISH
Senate Committee on Conference

MOSS
FLEURY
LINDSAY
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—55

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 734—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of four additional Superior Court Judges in and for the City and County of San Francisco, and providing for their compensation.

Bill read third time.

The roll was called, ~~and the bill refused passage by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets:

[AYES—Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A Dills, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Grant, Huyck, Kilpatrick, Kirkwood, Levering, Maloney, McCarthy, McCollister, Moss, Niehouse, Reagan, Rumford, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr Speaker—41.

NOES—Anderson, Beck, Brady, Burkhalter, George D. Collins, Davis, Elliott, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Lowrey, Luckel, Morris, Sherwin, and Tomlinson—17]

Motion to Expunge Record, and Rescind Action on Assembly Bill No. 734

Mr Maloney moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Assembly Bill No. 734.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—56.

NOES—George D Collins—1.

Further Consideration of Assembly Bill No. 734

Assembly Bill No. 734—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of four additional Superior Court Judges in and for the City and County of San Francisco, and providing for their compensation.

Bill read third time.

Motion to Amend

Mr. Brady moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 27, 1949, strike out "four", and insert "one".

Amendment No. 2

In line 4 of the title of the printed bill, strike out "judges", and insert "judge".

Amendment No. 3

On page 1, line 4, of the printed bill, strike out "twenty-three", and insert "twenty-two".

Amendment No. 4

On page 1, line 18, of the printed bill, strike out "two judges", and insert "one judge".

Amendment No. 5

On page 2, line 1, of the printed bill, strike out "two", and insert "one".

Amendment No. 6

On page 2, line 1, of the printed bill, strike out "judges", and insert "judge".

Amendment No. 7

On page 2, line 3, of the printed bill, strike out "judges", and insert "judge".

Amendment No. 8

On page 2, line 5, of the printed bill, strike out "judges", and insert "judge".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Speaker Pro Tempore Presiding

At 9.52 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1160—An act to add Section 66f to the Code of Civil Procedure, and to repeal an act entitled "An act increasing the

number of Judges of the Superior Court of the State of California, in and for the County of San Mateo, and providing for the appointment of an additional judge and for his compensation," approved May 28, 1931, relating to Superior Court Judges in the County of San Mateo.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 10.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L Collins, Crowley, Davis, Dickey, Dunn, Elliott, Geddes, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lowrey, Meyers, Tomlinson, and Waters—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1309—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary, and clerks.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—54.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Assembly Bill No. 1898 re-referred to Committee on Ways and Means.

Assembly Bill No. 1899 re-referred to Committee on Ways and Means.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 234 FROM THE SENATE

Mr. Babbage asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 234 for further consideration.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 139 FROM THE SENATE

Mr. Way asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No 139 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1311—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—53.

NOES—Burkhalter and Luckel—2.

Bill ordered transmitted to the Senate.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 29 FROM THE SENATE

Mr. McCollister asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 29 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1306—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties or cities and counties, of 900,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, and Yorty—51.

NOES—Burkhalter and Luckel—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1307—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Lewis, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—52.

NOES—Burkhalter and Luckel—2

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1941

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1941, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1941—An act to amend Sections 4740, 4741, 4742, 4744, 4748, 4760, and 4761 of the Health and Safety Code, relating to refuse collection and disposal by county sanitation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1941?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 15, 1949, strike out lines 15 and 16, and in line 17, strike out "treatment plant", and insert

"4741. It may acquire, construct and complete within or without the district, sewerage collection, treatment and disposal systems, including sewerage treatment plants, outfall, intercepting, collecting and lateral sewers, pipes, pumps, machinery, easements, rights of way, and other works, property or structures necessary or convenient for sewage collection, treatment and disposal".

Amendment No. 2

On page 1, line 18, of said bill, after the period, insert "No such sewage system or refuse collection and disposal system shall be constructed, maintained, or operated in any city not in the district except by consent granted by the unanimous vote of the governing body of the city."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1941 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholson, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—61

NOES—None.

Assembly Bill No. 1941 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT OPINIONS OF THE LEGISLATIVE COUNSEL BE PRINTED IN THE JOURNAL

Mr. Sam L. Collins asked for, and was granted, unanimous consent that the following opinions of the Legislative Counsel be ordered printed in the Journal, in 10-point type:

OPINIONS OF THE LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, MAY 26, 1949

Hon. Sam L. Collins
Assembly Chamber

VOTE NECESSARY FOR PASSAGE OF BUDGET BILL—No. 7199

DEAR MR. COLLINS: You have asked us to write you an opinion with reference to the vote necessary to pass the Budget Bill.

For all practical purposes, the Budget Bill must be passed by a two-thirds vote of all the members elected to each house of the Legislature. Unless it is passed by a two-thirds vote, all appropriations therein from the General Fund are void and ineffective except appropriations for the support of the Public School System. Only the appropriations from special funds would be effective.

The relevant provisions of our State Constitution on this subject are contained in Section 34a of Article IV of the Constitution. This section was added to the Constitution in 1933. As so added, it provided that appropriations from the General Fund for any biennium (exclusive of appropriations for support of the Public School System) shall not exceed by more than 5 percentum the appropriations from such fund for the preceding biennium unless two-thirds of all the members elected to each house of the Legislature vote in favor thereof. No amount in excess of such 5 percentum shall become part of the base for determining the maximum appropriation for a succeeding biennium.

The section further provided that the first bill passed (whether it be the Budget Bill or any other bill) by less than a two-thirds vote which exceeded the 5 percent limit should be reduced by the amount in excess of that limit *and all other subsequent appropriations from the General Fund not passed by such two-thirds vote shall be void.*

This section was amended in 1946 but only to put it on a fiscal year rather than a biennial basis in view of the provisions for annual sessions.

The "base" applicable to appropriations from the General Fund under this section is the total appropriated from the General Fund, other than for public schools, for the 1933-35 Biennium plus 5 percent accumulated for each two years thereafter until 1947. Since that time the base has been one-half the 1945-47 base plus 5 percentum. During the years immediately following the adoption of Section 34a of Article IV a number of continuing appropriations from the General Fund were enacted or amended to increase the total amount paid from the General Fund to such an extent that for a number of years these continuing appropriations alone exceeded the original base plus the 5 percent accumulated increases.

Because of this situation the appropriations from the General Fund for any fiscal year are in excess of the base when the Legislature convenes. Hence, any appropriation by the Legislature from the General Fund for other than public school purposes is void unless it is passed by a two-thirds vote. This is equally true whether the appropriation is in the Budget Bill or in a separate bill.

For the foregoing reasons, it is obvious that failure to pass the Budget Bill by a two-thirds vote is substantially the equivalent of failure to pass the bill at all, since the appropriations therein from the General Fund would be void and ineffective, and no funds would be available for expenditure for the operation of a major portion of the state agencies, institutions and prisons.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 18, 1949

Hon. Sam L. Collins
Assembly Chamber

APPROPRIATIONS FROM GENERAL FUND—No. 6967

DEAR MR. COLLINS: In connection with Section 34a of Article IV of the Constitution you ask to be advised as to the "base" amount in excess of which appropriations from the General Fund are required to be enacted by a two-thirds vote.

Section 34a was adopted by vote of the people on June 27, 1933, having been submitted pursuant to Senate Constitutional Amendment No. 30 as part of what is known as the Riley-Stewart Plan. It then provided that appropriations for the General Fund for any biennium (exclusive of appropriations for support of the Public School System) shall not exceed by more than 5 percentum the appropriations from such fund (exclusive of public school appropriations) for the preceding biennium unless two-thirds of all the members elected to each house of the Legislature vote in favor thereof. The section further provided that "no amount appropriated in excess of such 5 percentum shall become a part of the base for determining the maximum appropriation for a succeeding biennium."

This section was amended at the 1946 general election as part of the proposal for annual sessions This amendment, however, did not substantially affect the base, since it provided in substance that the base for the 1947-48 Fiscal Year shall be one-half the base in effect for the 1945-47 Biennium plus 5 percentum.

The base, therefore, is the total amount appropriated from the General Fund (other than for school purposes) for the 1933-35 Biennium plus 5 percent for each succeeding two-year period until the end of the 1945-47 Biennium. Thereafter the base is one-half of that for the 1945-47 Biennium plus 5 percent for each fiscal year. Appropriations in excess of the 5 percent increase are disregarded in determining the base.

For your further information we have heretofore been advised by state fiscal officers that the total amount of continuing appropriations

that have heretofore been made since the enactment of Section 34a of Article IV is in excess of the base permitted by that section. Hence as a practical matter all appropriation bills at any session from the General Fund require a two-thirds vote in order to be effective.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, May 19, 1949

Hon. Sam L. Collins
Assembly Chamber

FAILURE TO ENACT BUDGET BILL—No. 6967

DEAR MR. COLLINS: You have asked us to advise you whether, if in a given year a Budget Bill is not enacted by the Legislature, the Budget Bill for the preceding year becomes the Budget Bill for the next or current fiscal year.

There is no provision made in the Constitution of this State for the automatic renewal of appropriations upon failure to enact a Budget Bill.

Section 22 of Article IV of our Constitution provides in part that no money shall be drawn from the Treasury but in consequence of appropriations made by law Failure to enact a Budget Bill in any year would mean that as of the succeeding first day of July no appropriations would be available for those state agencies that are supported from the General Fund and whose support appropriations are normally included in the Budget Bill These state agencies would, therefore, of necessity cease to function.

This situation would not be true, however, as to those agencies that are supported from special funds. Special funds in the State Treasury are generally continuously appropriated for the respective purposes for which these funds were created, which ordinarily includes support of the agency administering the particular activity. The inclusion in the Budget Bill of appropriations for the support of such agencies from special funds does not constitute making an appropriation but rather, in effect, imposes a limit upon the amount that may be spent by the particular agency from the special fund during the fiscal year. Failure to enact the Budget Bill or the omission of such items from the Budget Bill would not preclude such agencies from spending special funds, insofar as they have been heretofore appropriated for their support.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 798—An act to amend Section 5837 of the Streets and Highways Code, relating to maintenance districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONCURRENT RESOLUTION NO. 90 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Cooke asked for, and was granted, unanimous consent that Assembly Concurrent Resolution No. 90 be withdrawn from the file, and be re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2099—An act to amend Sections 43604, 43608, 43610, 43612, and 43613 of the Government Code, relating to city bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Lewis, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Way, and Weber—53.

NOES—Yorty—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1417—An act to add Section 535 to the Streets and Highways Code, relating to state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Lewis, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Way, and Weber—46.

NOES—Burke, Caldecott, Grunsky, Luckel, Reagan, Stanley, and Tomlinson—7.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3146—An act to add Sections 674 5, 678.3, and 678.9 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 to 9, inclusive, and insert "Any common carrier passenger motor vehicle, other than one operated in local service wholly within the limits of a city or town, shall be equipped with rear vision mirrors

on each side of the front end of said vehicle, so placed that the driver of such vehicle will be able to fully utilize such mirrors without detracting from his view of the road ahead of the vehicle. Each such mirror shall be not less than six inches wide and not less than twelve inches long."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Way, and Weber—51.

NOES—Butters and Gaffney—2.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 1718—An act to add Section 454.3 to the Vehicle Code and to amend Sections 475, 476, and 640 thereof, relating to exemptions of funeral processions from obeying traffic signs and signals and authorizing the commissioning of motorcycle officer escorts and the use of red lights.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, and Weber—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2096—An act to add Section 304.5 to the Streets and Highways Code, relating to state highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 154

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 154, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 154—An act to amend Section 4652 of the Labor Code, relating to waiting period under the Workmen's Compensation Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 154?

Amendment No. 1

On page 1, line 1, of the title of the printed bill, as amended in the Assembly on May 4, 1949, strike out "Section 4652", and insert "Sections 4650 and 4652."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, and insert

"SECTION 1. Section 4650 of the Labor Code is amended to read:

4650. If an injury causes temporary disability, a disability payment shall be made for one week in advance as wages on the eighth day after the injured employee leaves work as a result of the injury *; provided, that in case the injury causes disability of more than forty-nine days the disability payment shall be made from the first day the injured employee leaves work as a result of the injury.* If the injury causes permanent disability, a disability payment shall be made for one week in advance as wages on the eighth day after the injury becomes permanent *or the date of last payment for temporary disability, whichever date first occurs.*

SEC. 2. Section 4652 of the Labor Code is amended to read

4652. [Irrespective of the length of the period of disability no] *No* disability payment is recoverable for the disability suffered during the first seven days after the employee leaves work as a result of the injury *, except as otherwise provided in Section 4650 of the code.*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 154 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, Way, Weber, and Yorty—53

NOES—None.

Assembly Bill No. 154 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2472—An act to amend Section 5439 of, and to add Section 5459 to, the Public Resources Code, relating to county recreation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1734—An act to amend Sections 1, 2 3, 5, 7, 9, 10, 13, 14, 28, 44, 46, 47, 48, 49, 51, and 55 of, and to add Section 45.1 to, the Vehicle Parking District Act of 1943, relating to vehicle parking districts and the formation and financing thereof, the acquisition and improvement of parking places and of means of ingress thereto, contributions by cities and counties to pay portions of the cost thereof, the levy of taxes, and the management and operation of parking places.

Bill read third time and ordered temporarily passed on file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 3027
Assembly Bill No. 3055
And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 3027 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3055 ordered re-referred to Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 3093
And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 3093 ordered re-referred to Committee on Transportation and Commerce.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No 2854
And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2854 ordered re-referred to Committee on Judiciary.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2499

Mr. Yorty asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 2499, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2499

Assembly Bill No. 2499—An act to amend Sections 13216, 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13377, 13390, 13392, 13397.1, and 13450 of; to amend the title of Article 3 of, to amend and renumber the title of Article 5 of, and to add a new Article 5 to, Chapter 2 of Part 2 of Division 12 of; and to add Sections 13203.1 and 13204.1 to the Health and Safety Code, relating to dry cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—60.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2081—An act amending Sections 32056, 32062, 32064, 32355, and 32361 of, and adding Section 32361.5 to, the Government Code, relating to county pension systems.

Bill read third time.

Motion to Amend

Mr. Morris moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 31, 1949, strike out lines 17 to 24, inclusive, and insert

"32064. The board shall reduce the monthly disability or retirement pension of an officer or employee who accepts any of the benefits under this chapter to an amount which, when added to the compensation earned monthly by him, shall not exceed the amount of the maximum compensation earned by him at the time of his retirement if such person engages in any public employment except service in the armed forces of the United States under either of the following conditions:

(1) Prior to attaining the age of 60 years.

(2) If he is a recipient of a disability retirement allowance prior to attaining the minimum age for voluntary retirement for service applicable to a member of his class."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

UNFINISHED BUSINESS (RESUMED)
MOTION TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. George D. Collins moved that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

Point of Order

Mr. Sherwin arose to the following point of order: That the motion by Mr. George D. Collins is not in order because the bill has not yet been returned from the printer.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

Point of Order

Mr. Collier arose to the following point of order: That Mr. George D. Collins is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Collier arose to the following point of order: That Mr. George D. Collins is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Reagan arose to the following point of order: That Mr. George D. Collins is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Thomas arose to the following point of order: That Mr. Collier is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Hawkins is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr Reagan arose to the following point of order: That Mr. Hawkins has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Yorty is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Conrad is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Thomas arose to the following point of order: That Mr. Conrad is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Demand for Previous Question

Messrs Hoffman, Silliman, Lincoln, Levering, and Heisinger demanded the previous question.

Demand for previous question sustained

The question being on the motion by Mr. George D. Collins that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. George D. Collins is not speaking to the motion.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thomas moved a call of the Assembly.

Motion carried. Time, 11.43 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Crowley, Dickey, Evans, Fletcher, Geddes, Heisinger, Kirkwood, Lincoln, and Weber—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 3, out of order, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3

Assembly Constitutional Amendment No. 3—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article IV thereof a new section to be numbered 31e, relating to bonuses to members of the armed forces between December 7, 1941, and September 2, 1945, and authorizing the issuance of bonds therefor.

Resolution read.

Demand for Previous Question

Messrs. Levering, Conrad, Reagan, Luckel, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 3.

Point of Order

Mr. Heisinger arose to the following point of order: That Mr. Rosenthal has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Request for Unanimous Consent to Grant Additional Time for Debate

Mr. Rosenthal asked for, and was granted, unanimous consent that he be granted one minute additional time for closing his debate.

The question being on the adoption of Assembly Constitutional Amendment No. 3.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Condon, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Evans, Gaffney, Geddes, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Maloney, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Thomas, and Yorty—30

NOES—Babbage, Beck, Brady, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Dolwig, Dunn, Erwin, Fleury, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lowrey, Luckel, McCarthy, McCollister, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—42.

Notice of Motion to Reconsider Assembly Constitutional Amendment No. 3

Mr. Thomas gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Constitutional Amendment No. 3 was this day refused adoption.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1160

At 12.45 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1160 passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—62

NOES—Anderson, Beck, Burkhalter, George D. Collins, Condon, Hahn, Luckel, McMillan, and Morris—9.

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Morris, Geddes, and Maloney:

House Resolution No. 235—Congratulating Assemblyman and Mrs. Hollibaugh upon their Twenty-ninth Wedding Anniversary.

Request for Unanimous Consent

Mr Morris asked for, and was granted, unanimous consent to take up House Resolution No. 235, at this time, without reference to committee or file.

Request for Unanimous Consent That Names of Members Present Be Placed Upon House Resolution No. 235 as Co-authors

Mr. Geddes asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 235, as co-authors.

The roll was called, and the following indicated a desire to be so recorded:

By Messrs. Morris, Geddes, Maloney, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty:

House Resolution No. 235

Congratulating Assemblyman and Mrs. Hollibaugh upon their Twenty-ninth Wedding Anniversary

WHEREAS, On the seventh of June, 1920, at Council Bluffs, Iowa, Jonathan J. Hollibaugh persuaded Mary Ann Shields to marry him, and then to take him home with her to dine on her mother's excellent fried chicken; and

WHEREAS, This combination of happy circumstances immediately convinced Joe Hollibaugh that for him life was to be one happy song, and he therefore brought his bride to Huntington Park, California, and went into the music business; and

WHEREAS, Now in his fourth term of office here, Joe Hollibaugh and his wife Mary Ann reflect the harmonious symphony of happiness their years together have meant to them; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly congratulate Joe and Mary Ann Hollibaugh upon their Twenty-ninth Wedding Anniversary and wish them untold years of continued happiness and success; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman and Mrs. Hollibaugh.

Resolution read, and adopted unanimously.

By Mr. Thomas:

House Resolution No. 236

Relating to removal of the Goodyear Synthetic Rubber Corporation plant from Torrance, California

WHEREAS, The Reconstruction Finance Corporation, generally known as the RFC, Office of Rubber Reserve, is the owner of the Goodyear Synthetic Rubber Corporation, now located in Torrance, California; and

WHEREAS, The Members of the Assembly of the State of California have been informed that the RFC is planning to shut down the Torrance plant and transfer all synthetic rubber operations to Texas; and

WHEREAS, The annual pay roll at the Torrance plant is in excess of $700,000, and the welfare and livelihood of thousands of workers and their families depend on the continued operation of the plant at Torrance; and

WHEREAS, The effects of any shutdown would be felt not only by the Torrance plant but also by its supplying companies, i.e., Standard Oil of El Segundo which furnishes butadiene, and Dow Chemical which supplies styrene; and

WHEREAS, Further loss of jobs would have disastrous consequences on the economic structure of the State because of the tremendous post-war population increase; and

WHEREAS, Consideration of national defense are consistent with the retention of the Torrance plant in its present location, since RFC already has three such plants operating in Texas, and the advantages of decentralization of production facilities are well known; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly requests that the RFC abandon any plans for moving the Torrance plant to Texas; and be it further

Resolved, That the Clerk of the Assembly be directed to send copies of this resolution to the Director of the RFC and to each Member of Congress from the State of California.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Thompson and Connolly:

House Resolution No. 237

Relative to the creation of the Assembly Interim Committee on Public Health

WHEREAS, Experience has shown that, in order to protect and safeguard the public health, there is a continuous need for legislation on numerous subjects; and

WHEREAS, In order to enable it to consider and enact proper legislation relating to public health, it is necessary that the Assembly be fully informed on all facts relating to those matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon public health including, but not limited to, the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON REQUEST FOR PERMISSION TO INTRODUCE BILL

At 1.04 p.m., on motion of Mr. Hollibaugh, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Lewis granted permission to introduce a bill by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3170: By Mr. Lewis—An act to add Chapter 8 to Division 9 of the Public Resources Code, relating to soil conservation districts for dust control purposes.

Referred to Committee on Conservation, Planning, and Public Works.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE

At 1.08 p.m , on motion of Mr. George D. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. George D. Collins that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file, carried by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hahn, Hawkins, Kilpatrick, Lewis, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—41.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Grant, Grunsky, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCarthy, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Mr. Speaker—34.

Notice of Motion to Reconsider Motion by Mr. George D. Collins to Withdraw Assembly Bill No. 3027 From Committee

Mr. Hinckley gave notice that on the next legislative day he would move to reconsider the vote whereby the motion by Mr. George D. Collins that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file, was this day carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2700

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2700, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2700

Assembly Bill No. 2700—An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on June 3, 1949, after "district," insert "except a school district,"

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 393

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 393, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 393

Senate Bill No. 393—An act to amend Sections 730.2, 731, 733.4, and 734 of, and to add a new Article 3, consisting of Section 734.5 to, the Agricultural Code, relating to the marketing of milk and other dairy products.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 19, 1949, after "734.5", strike out "to," and insert ", to Chapter 12, Division 4 of".

Amendment No. 2

On page 5, line 33, of said bill, after "added to", insert "Chapter 12, Division 4 of".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 67

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 67, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 67

Assembly Bill No. 67—An act to add Chapter 10.5, comprising Sections 6401 to 6407, inclusive, to Division 3 of the Education Code,

relating to payments to school districts by state agencies or departments providing housing for pupils in such districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 3, 1949, strike out "6407", and insert "6406"

Amendment No. 2

On page 1, line 2, of said bill, strike out "6407", and insert "6406"

Amendment No. 3

On page 2, line 50, of said bill, strike out "6407", and insert "SEC. 2"

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2204

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2204, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2204

Assembly Bill No. 2204—An act providing for license fees for the privilege of operating aircraft, providing for the exemption of such vehicles from all taxes according to value for state, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Aircraft Fee Fund and making an appropriation of the moneys therein.

Bill read third time.

Motion to Amend

Mr. McMillan moved the adoption of the following amendments:

Amendment No. 1

On page 7, line 1, of the printed bill, after "counties", insert "and cities".

Amendment No. 2

On page 7 of said bill, between lines 40 and 41, insert

"SEC. 81 In each county within which there is one or more cities owning airports, fifty percent (50%) of the amount paid to the county shall be paid to the city or cities quarterly by the county in the proportion that the population of each airport-owning city bears to the total population of all such airport-owning cities within the county For the purpose of this section, the population in each such city is that determined by the last preceding Federal Special or Decennial Census. The amounts paid by the county to the airport-owning cities within such county shall be paid into a special aviation fund established by the airport-owning city and shall be expended only for the development and maintenance of aviation and airport facilities, and for aircraft not operated by an air carrier in air transportation under a certificate issued therefore by the Civil Aeronautics Board of the United States"

Amendments read, and adopted

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 238

All bills and resolutions on the Daily Third Reading File shall be called for consideration in the order of their appearance on file, starting with the first number on the Third Reading File Any bill or resolution which is passed on file shall thereupon be placed at the end of the file.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Geddes:

House Resolution No. 239

Pertaining to the creation of the Assembly Interim Committee on Finance and Insurance

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance

(b) Unemployment disability insurance.

(c) Workmen's compensation insurance

(d) Commercial insurance in all its branches

(e) Self insurers authorized by and operating subject to California laws.

(f) Voluntary plans of hospital and/or health insurance or plans operating to protect persons from the high costs of sickness and accident in this State.

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public

(h) Banks, saving and loan and other investment and loaning institutions.

(i) Other matters pertaining to the subject of legislation referred to the Standing Committee on Finance and Insurance of the Assembly under the 1949 Rules.

(j) The conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

2. The committee shall consist of the same members as the Standing Committee on Finance and Insurance Vacancies occurring in the membership of the committee shall be filled by the Speaker

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties

(a) The chairman shall be appointed by the Speaker.

(b) To select a vice chairman from its membership.

(c) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(d) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman.

(e) To meet outside of this State within the United States to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated in paragraph 1, hereof.

(f) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(g) To report its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided

(h) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and

disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1213

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1213, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1213

Senate Bill No. 1213—An act to amend Sections 12463 and 12464 of, to repeal Sections 50054 to 50059, inclusive, of, and to add Section 12463.1 and Article 9, comprising Sections 53890 to 53896, inclusive, to Chapter 4, Part 1, Division 2, Title 5 of, the Government Code, relating to the compilation and publication of reports of the financial transactions of local agencies.

Bill read third time.

Motion to Amend

Mr. Butters moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 6, 1949, strike out "53896", and insert "53897".

Amendment No. 2

On page 2, line 20, of said bill, strike out "53896", and insert "53897".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2706, on request of Mr. Weber.

REQUEST FOR UNANIMOUS CONSENT THAT REASON FOR ABSENCE BE NOTED IN THE JOURNAL

Mr. Dickey asked for, and was granted, unanimous consent that it be noted in the Journal that his temporary absence from the Assembly Chamber this morning was because of having to appear before a Senate committee for the purpose of presenting some bills.

ANNOUNCEMENTS

Mr. Beck announced a Democratic Caucus upon adjournment.

REQUEST FOR UNANIMOUS CONSENT THAT REASON FOR ABSENCE BE NOTED IN THE JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent, that it be noted in the Journal that his early morning absences, at the time the roll is called, are because of his having to visit the office of his doctor each morning for a check-up.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2167

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 629
Assembly Bill No. 1804
Assembly Bill No. 2255
Assembly Bill No. 2265
Assembly Bill No. 2266
Assembly Bill No. 2279
Assembly Bill No. 2407

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2007

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No 82

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No 557
Assembly Bill No. 680
Assembly Bill No 1660
Assembly Bill No 2093
Assembly Bill No. 2221
Assembly Bill No 3142

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 1136
Assembly Bill No. 2183
Assembly Bill No. 2909

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1435
Assembly Bill No. 1436

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 181

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1467
Assembly Bill No. 1877
Assembly Bill No. 3124

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 175

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1314

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 2639

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER. Your Committee on Ways and Means, to which were referred:

Assembly Bill No 1116
Assembly Bill No. 2120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 1626

Has had the same under consideration, and reports the same back with the recommendation · Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred ·

Senate Bill No. 1252

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 645

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR SPEAKER Your Committee on Judiciary, to which were referred:

Assembly Bill No 240
Assembly Bill No 241
Assembly Bill No 242
Assembly Bill No. 488
Assembly Bill No. 492
Assembly Bill No. 493
Assembly Bill No 525
Assembly Bill No. 1025
Assembly Bill No. 1308
Assembly Bill No. 2589
Assembly Bill No 3162

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER Your Committee on Judiciary, to which was referred:

Assembly Bill No 1784

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 281
Assembly Bill No. 1340
Assembly Bill No. 1537
Assembly Bill No. 3156

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 99
Senate Bill No. 279
Senate Bill No. 421

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2468
Assembly Bill No. 2510

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 6, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1049
Assembly Bill No. 2383
Assembly Bill No. 2852
Assembly Bill No. 2854
Assembly Bill No. 2949
Assembly Bill No. 2964

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Agriculture.
Livestock and Dairies, after adjournment of Agriculture.
Public Health, in Room 436.

Tonight, at 8 p.m.—

Fish and Game (last night for consideration of Assembly bills).

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mary Thompson of San Francisco.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Sadie Lorge of Santa Ana.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Miss Lillian McDermott, Mrs. Pearl Maritzen, and Mrs. Lillian Forbes of San Francisco.

On request of Messrs. Connolly and Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Edgar C. Levy, Raymond B. Cosser, Robert Fry, former Assemblymen, and the following members of the San Francisco Republican County Central Committee and precinct chairmen; Mrs. Pearl M. Maritzen, Leslie M. Matthews, Mrs. L. M. Matthews, Miss Lillian McDermott, Miss Lois Minter, Phil Morgan, Jr., Trafton Muller, Arthur D. Nearon, Mrs. Gladys H. Nearon, Fred C. Neermann, Mrs. Helen Nichols, John Nichols, Edward G. Olsen, Mrs. Joyce A. Olsen, Fred Pazutte, Mrs. Alice L. Peach, Chris Pedersen, Miss Frances Pleasants, Mrs. Viola Polson, Mrs Esther Raphel, Mrs Emily E. Reed, Miss Janice Rosenfield, Viggo Rugaard, Mrs. Angela Rivers, George Schreiner, Mrs. Jessie W. Sheehan, M. M. Smith, Mrs. M. M. Smith, Mrs. L. M. Timmons, Wm J. Traner, Mrs. Wm. J. Traner, Mrs Maude Turner, Vadim V. von Hartmann, Milton Aftergut, Mrs Milton Aftergut, Mrs. Victoria Anderson, O. C. Baldwin, Catherine F. Brown, E. J. Cardinal, Mrs. Laura M. Carter, Miss Jeanette B. Davis, Arthur Derrickson DuRose, B. E. Esser, Hugh J. Fleming, Mrs. Lillian Forbes, Mrs. Jennie Gardner, Mrs. Josephine Gerhard, Miss Jean Gillio, Herbert Hanley, Mrs. Herbert Hanley, Mrs. John B. Helland, John B. Helland, J. Hollzer, B. B. Hunter, Ellis Hymes, Mrs. Lillie E. Hyams, D. C. Lawrence, John J. Lewis, Mrs John Lewis, A E. Lorber, Mrs. A. E. Lorber, Miss Ida Lord, Abraham Lincoln, Peter Watson, Mrs. Jessie Waldron, Jane Zimmerman, Edgar M Kahn, Boswell F. King, Clarence C. King, Mrs. Clarence C. King, K. Klippel, Mrs. K. Klippel, Leslie D. Knowlton, Mrs. L. D. Knowlton, John Cunfermann, Mrs. John Cunfermann, J. J. Doyle, Louis Nonnemann, John B. Quigley, Miss Quigley, Phil Sheridan, and Mary Sweeney.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to John C. McPherson, teacher of the Alta School of Placer County, and the following pupils: Arlen Crane, Patsy O'Donnell, John Randolph, Terry Hussman, Faye Wortell, Nancy Seater, Jean Molhen, Joan Molhen, Wayne Patterson, Bobara White, Beverly Kent, Jack Bilderbach, Jim Bilderbach, and Raul Rameriez.

ADJOURNMENT

At 1.19 p.m., on motion of Mr. Dickey, Speaker pro Tempore Maloney declared the Assembly adjourned until 9 a.m., Wednesday, June 8, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SIXTH LEGISLATIVE DAY

ONE HUNDRED FIFTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, June 8, 1949

The Assembly met at 9 a.m

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Our Fathers: Upon this day, when Abraham Lincoln was nominated, let us celebrate his immortal services.

Born in a log cabin, self taught by the light of a pine torch, showing that America is still the land of opportunity.

His faith in the ordinary man for self government, that the "Government is best which governs least" and that "Government should do for people only what they cannot do for themselves."

His scrupulous honesty, infinite patience with irritating people, his tender mercy and magnanimity, and his efforts ever to touch the mystic chords of affection

His aim to pluck a thorn and plant a rose, wherever he thought a rose would grow.

Above all, his faith in righteousness and justice as the safeguard of America, and "that those nations only are blessed whose God is the Lord"—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr Smith, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.
Mr. Stewart, on motion of Mr. Waters.
Mr. Geddes, on motion of Mr. Doyle.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Davis, on motion of Mr. Lowrey.
Mr. Lindsay, on motion of Mr. Fleury.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1100

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 282
Senate Bill No. 285
Senate Bill No. 604
Senate Bill No. 1389

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 282—An act to amend Section 4 of an act entitled "An act to provide for the rights, powers, privileges, exemptions, and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions, and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, relating to joint tenancy shares and accounts.

Referred to Committee on Finance and Insurance.

Senate Bill No. 285—An act to amend the Building and Loan Association Act by amending Sections 9.07 and 9.10 thereof, relating to loans.

Referred to Committee on Finance and Insurance.

Senate Bill No. 604—An act to amend Section 432 of the Education Code, relating to the superintendent of schools of a county of the thirty-second class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1389—An act to add Section 955.5 to the Fish and Game Code, relating to nets.

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate, on this day, pursuant to your request, returns:

Assembly Bill No. 29
Assembly Bill No. 139
Assembly Bill No. 234

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 160
Assembly Bill No. 330
Assembly Bill No. 2080
Assembly Bill No. 2358

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1071
Assembly Bill No. 1761
Assembly Bill No. 3119

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Busch, Brown, and Ward as a Committee on Conference concerning.

Assembly Bill No. 1524—An act to amend Sections 5047 and 5125 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 64

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 64—Relative to Y. M. C. A. Youth and Government Model Legislature.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 85—Approving amendments to the charter of the City of Berkeley, a municipal corporation in the County of Alameda, State of California, voted for and ratified by the qualified electors of said city at the regular municipal election held therein on the third day of May, 1949;

Assembly Concurrent Resolution No. 89—Approving the charter of the City of Sunnyvale, County of Santa Clara, State of California, voted for and ratified by the qualified electors of said city at a special municipal election held therein on the tenth day of May, 1949.

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the seventh day of June, 1949, at 3 p m

HUYCK, Chairman

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 281—An act to amend Section 1033.7 of the Code of Civil Procedure, relating to judgment creditors claiming costs or disbursements.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1340—An act to amend Section 8201 of the Government Code, relating to notaries public.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1537—An act to amend Section 6025 of the Business and Professions Code, relating to the State Bar.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. McCollister asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3156—An act to add Section 26 5 to, and to amend Section 1026 of, the Penal Code, relating to the insanity of an accused.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2639—An act amending Section 1031 of the Education Code, relating to insurance.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1784—An act to amend Section 1269b of the Penal Code, relating to authority to accept bail in city courts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on April 7, 1949, after "justice's", insert "or city".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 240—An act to amend Section 10b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and one-half class, and the marshals and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 10 and 11, of the printed bill, strike out "three hundred seventy-five dollars ($375)", and insert "three hundred eighty-five dollars ($385)".

Amendment No. 2

On page 1 of said bill, strike out lines 12 and 13, and insert

"Four deputy marshals, who shall each receive three hundred nineteen dollars ($319) per month;".

Amendment No. 3

On page 1, line 19, of said bill, strike out "Four", and insert "Three".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 241—An act to amend Section 10a of the Municipal Court Act of 1925, relating to clerks and attaches.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 4 and 5, of the printed bill, strike out "five hundred dollars ($500)", and insert "five hundred twenty-five dollars ($525)".

Amendment No. 2

On page 1, lines 16 and 17, of said bill, strike out "three hundred fifty dollars ($350)", and insert "Three hundred eighty dollars ($380)".

Amendment No. 3

On page 2 of said bill, strike out lines 1 and 2, and insert

"Two deputy clerks (typists), who shall each receive two hundred thirty-three dollars ($233) per month;

Three deputy clerks (typists), who shall each receive two hundred twenty-five ($225) per month."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 242—An act to amend Section 10 of the Municipal Court Act of 1925, relating to the constitution of said court and the judges, clerks, marshals and attaches thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 11 and 12, of the printed bill, strike out "six hundred fifty dollars ($650)", and insert "seven hundred dollars ($700)".

Amendment No. 2

On page 1, lines 13 and 14, of said bill, strike out "six hundred fifty dollars ($650)", and insert "seven hundred dollars ($700)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 488—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 and 7, and insert "and receive a salary of seven hundred fifty dollars ($750) per month."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed

Assembly Bill No. 492—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 8, and insert "five hundred forty-five dollars ($545)".

Amendment No. 2

On page 1 of the printed bill, strike out line 10, and insert "five hundred forty-five dollars ($545)".

Amendment No. 3

On page 1 of the printed bill, strike out line 12, and insert "five hundred forty-five dollars ($545)".

Amendment No. 4

On page 1 of the printed bill, strike out line 14, and insert "five hundred forty-five dollars ($545)".

Amendment No. 5

On page 1 of the printed bill, strike out lines 15 to 20, inclusive; and on page 2, strike out lines 1 to 18, inclusive, and insert

"Four deputy clerks, four hundred forty-five dollars ($445);
Twelve deputy clerks, four hundred dollars ($400);
Forty deputy clerks, three hundred eighty dollars ($380);
Five deputy clerks, three hundred twenty-five dollars ($325);
Twenty deputy clerks, two hundred ninety dollars ($290);

Sixteen deputy clerks, two hundred seventy dollars ($270) ;
Forty deputy clerks, two hundred fifty dollars ($250) ;
Thirty-five deputy clerks, two hundred twenty-five dollars ($225) ;
Thirty deputy clerks, one hundred ninety dollars ($190) ,
Fifty deputy clerks, one hundred eighty dollars ($180)."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 493—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to deputy marshals and attaches in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after "at", insert "five hundred fifty".

Amendment No. 2

On page 1 of the printed bill, strike out lines 8 to 19, inclusive; and on page 2, strike out lines 1 to 9, inclusive, and insert "lars ($550) ;
One deputy (chief clerk) at four hundred seventy-five dollars ($475) ;
Three deputies (captains) at four hundred seventeen dollars ($417) ;
Four deputies (lieutenants) at three hundred eighty-five dollars ($385) ;
Twenty deputies (crew heads) at three hundred fifty-five dollars ($355) ;
Fifty deputies at three hundred nineteen dollars ($319) ;
One deputy (senior clerk) at two hundred seventy-three dollars ($273) ;
One deputy (bookkeeping machine operator) at two hundred fifty-nine dollars ($259) ;
Two deputies (senior clerk typists) at two hundred thirty-three dollars ($233) ;
Six deputies (senior clerk typists) at two hundred thirty-three dollars ($233) ;
Three deputies (clerk typists) at two hundred eleven dollars ($211) ;
One hundred deputies (custodians) at the fee"

Amendment No. 3

On page 2, line 17, of the printed bill, strike out "including traveling expenses,".

Amendment No. 4

On page 2 of the printed bill, strike out line 20, and insert "service of writs and processes".

Amendment No. 5

On page 2 of the printed bill, strike out line 22, and insert "six cents ($0.06) per mile for the opera-".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 525—An act to amend Sections 11 and 11d of the Municipal Court Act of 1925, relating to municipal courts and the attaches of said courts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 15, 16, and 17, and insert "seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;".

Amendment No. 2

On page 1 of said bill, strike out lines 24 and 25; and on page 2, strike out lines 1 and 2, and insert "three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;".

Amendment No. 3

On page 2 of said bill, strike out lines 8 to 11, inclusive, and insert "three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;".

Amendment No. 4

On page 2 of said bill, strike out lines 29 to 32, inclusive, and insert "salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;".

Amendment No. 5

On page 2 of said bill, strike out lines 33 to 42, inclusive, and insert

"Two deputy clerks, each of whom shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly;".

Amendment No. 6

On page 2 of said bill, strike out lines 43 to 47, inclusive, and insert

"Six deputy clerks, each of whom shall receive a salary of one hundred eighty-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly."

Amendment No. 7

On page 3 of said bill, strike out lines 2 and 3, and insert "seven thousand two hundred dollars ($7,200) per annum, payable in".

Amendment No. 8

On page 3 of said bill, strike out lines 11 to 15, inclusive, and insert "three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;".

Amendment No. 9

On page 3 of said bill, strike out lines 26 to 31, inclusive, and insert

"Two deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16), and eighteen dollars ($18), to a maximum of three hundred thirty-seven dollars ($337) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;".

Amendment No. 10

On page 3 of said bill, strike out lines 32 to 36, inclusive, and insert

"One deputy marshal, who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred eighty-eight dollars ($288) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly."

Amendment No. 11

On page 4 of said bill, strike out lines 19 to 21, inclusive, and insert "seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;".

Amendment No. 12

On page 4 of said bill, strike out lines 28 to 31, inclusive, and insert "three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;"

Amendment No. 13

On page 4 of said bill, strike out lines 37 to 40, inclusive, and insert "three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;".

Amendment No. 14

On page 5 of said bill, strike out lines 5 to 8, inclusive, and insert "salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;".

Amendment No. 15

On page 5 of said bill, strike out lines 9 to 18, inclusive, and insert

"Two deputy clerks, each of whom shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly;".

Amendment No. 16

On page 5 of said bill, strike out lines 19 to 23, inclusive, and insert

"Six deputy clerks, each of whom shall receive a salary of one hundred eighty-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly."

Amendment No. 17

On page 5 of said bill, strike out lines 29 and 30, and insert "seven thousand two hundred dollars ($7,200) per annum, payable in".

Amendment No. 18

On page 5 of said bill, strike out lines 38 to 42, inclusive, and insert "three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;".

Amendment No. 19

On page 5 of said bill, strike out lines 43 to 51, inclusive, and insert

"Two deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16), and eighteen dollars ($18), to a maximum of three hundred thirty-seven dollars monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;".

Amendment No. 20

On page 6 of said bill, strike out lines 1 to 9, inclusive, and insert

"One deputy marshal, who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred eighty-eight dollars ($288) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1025—An act to add Section 7f to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of traffic commissioner in municipal courts in cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out line 6, and insert "salary of seven hundred dollars ($700) per month."

Amendment No. 2

On page 1 of the printed bill, strike out lines 7 to 20, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1308—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "_____", and insert "66"

Amendment No. 2

On page 1, line 9, of the printed bill, strike out "_____", and insert "34".

Amendment No. 3

On page 1, line 18, of the printed bill, strike out "_____", and insert "nine".

Amendment No. 4

On page 1, line 24, of the printed bill, strike out "_____", and insert "nine"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2589—An act to amend Section 1203 of the Penal Code and Section 11715.6 of the Health and Safety Code, relating to the granting of probation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 3, line 20, of the printed bill, after "sections," insert "or upon a second or subsequent conviction of Section 11712,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3162—An act to add Section 953.1 to the Probate Code, relating to contingent claims against the estates of decedents.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "given", and insert "stated".

Amendment No. 2

On page 1, line 15, of said bill, after "decree", insert ", order or judgment".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1435—An act to amend Section 85 of the Bank Act, relating to deposits of funds.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

Commencing in line 1 of the title of the printed bill, strike out "amend Section 85 of the Bank Act, relating to deposits of funds", and insert "add a section to the Banking Code, relating to the payment of claims to trust property or money deposited with the State Treasurer".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. A new section, to be numbered 3166, is hereby added to the Banking Code, to read as follows:

3166 There is hereby appropriated out of the School Land Fund such moneys as may be necessary to pay the warrants drawn by the State Controller upon presentation of the order of the Superior Court or upon presentation of the order of the State Board of Control for the payment of a claim allowed by it issued pursuant to the provisions of this article."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1436—An act to amend Section 94 of the Bank Act, relating to funds deposited with trust company under order of court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

Commencing in line 1 of the title of the printed bill, strike out "amend Section 94 of the Bank Act, relating to funds deposited with trust company under order of court", and insert "add two sections to the Banking Code, to be numbered 274 and 275, relating to the State Banking Fund and the revolving fund in the State Banking Department."

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. A new section, to be numbered 274, is hereby added to the Banking Code, to read as follows:

274. The State Banking Fund is continued in existence as the State Banking Fund, subject to all of the provisions of this code. All expenses and salaries of the department shall be paid out of the State Banking Fund. Expenses and salaries incurred in the liquidation or conservation of banks, including the compensation of employees of the department to the extent that they are engaged in such liquidation

or conservation, if possible, and if advanced from the State Banking Fund, shall constitute a first charge against the assets of the bank

SEC. 2. A new section, to be numbered 275, is hereby added to the Banking Code, to read as follows:

275. The superintendent shall deliver all money collected by him pursuant to Sections 270, 271, and 272 to the State Treasurer who shall deposit the money to the credit of the State Banking Fund The superintendent may withdraw from the fund and retain and maintain in his possession and under his control the sum of fifteen thousand dollars ($15,000), to be used by him as a revolving fund in the operation of the department.

SEC. 3. Sections 123.1 and 123.2 of the Bank Act are hereby repealed."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1467—An act to amend Sections 4, 6, 14, 15, and 22 of, and to add Section 20.1 to the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of loans and lenders.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on May 25, 1949, after "name", strike out the comma, and insert "and".

Amendment No. 2

On page 2 of said bill, strike out lines 26 and 27, and insert "address (both of the residence and place of business) of the applicant, and if the applicant is a copart-".

Amendment No. 3

On page 2 of said bill, strike out lines 45 and 46.

Amendment No. 4

In line 2 of the title of said bill, strike out ", and to add Section 20.1 to".

Amendment No. 5

On page 4 of said bill, strike out lines 33 to 47, inclusive

Amendment No. 6

In line 1 of the title of said bill, strike out "15,".

Amendment No. 7

On page 3 of said bill, strike out lines 48 to 52, inclusive; and on page 4, strike out lines 1 to 32, inclusive.

Amendment No. 8

In line 2 of the title of said bill, strike out "SECTION", and insert "SECTIONS 17.1 AND".

Amendment No. 9

On page 4 of said bill, after line 47, insert

"SEC. 2.3. Section 17.1 is added to the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, to read:

Sec. 17.1. Charges According to Scheduled Balances; Refund. This section shall apply only to loan contracts payable in substantially equal and consecutive monthly installments, the first of which shall be due not less than fifteen days nor more than forty-five days from the date the loan is made. In lieu of computing charges and applying payments as provided in the second sentence of the third paragraph of Section 17, a licensee may pre-compute charges and apply payments as hereinafter provided. The total charges which would be earned if the contract were repaid exactly according to its terms, at the monthly rate or rates stated in the contract not exceeding the maximum provided in Section 17, may be pre-computed when the loan is made by applying each payment first to charges and then to principal. If the contract is pre-paid in full (by cash, renewal or refinancing) on or after the third installment date or more than fifteen days before final maturity, the portion of the pre-computed charges which applies to the period of the contract and principal balances scheduled to follow the installment date nearest the date of pre-payment in full shall be refunded or credited to the borrower. If pre-payment in full occurs before the third installment

date, or if on the installment date immediately preceding pre-payment in full the total amount which has been paid on the contract exceeds by more than three scheduled payments the total of the payments scheduled to be made by that date, the charges shall be re-computed and collected as provided in Section 17 and any excess shall be refunded or credited to the borrower.

The number and amount of installments required to pay the principal and pre-computed charges shall be stated in the contract and all payments received thereon may be applied to the aggregate amount contracted to be repaid. The statement to be given to the borrower as provided in Section 18 (a) (1) and the contract shall disclose in addition to other required information the principal amount of the loan exclusive of charges and the basis for computing the refund of pre-computed charges in case of pre-payment in full or acceleration of maturity. The delivery of a receipt for each payment showing the total amount of each payment shall be deemed to comply with Section 18 (a) (4)

If the maturity of the contract is accelerated for any reason, the licensee shall make the same refund or credit as would be required for pre-payment in full.

If the contract so provides, the licensee may re-compute and collect the charges, at the rate or rates agreed for due performance, on the basis provided in Section 17 in lieu of all charges under this section.

The penalty provisions of this act shall apply to any violation of this section."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1877—An act to add Sections 310, 310.1, and 311 to the California Unemployment Insurance Act, relating to the payment of unemployment compensation disability benefits.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 18, 1949, after "are", insert "properly".

Amendment No. 2

On page 1, line 7, of said bill, strike out " of from the", and insert "from a voluntary plan or the"

Amendment No. 3

On page 1, lines 7 and 8, of said bill, strike out "and voluntary plan".

Amendment No. 4

On page 1, line 8, of said bill, after "be", insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3124—An act to amend Section 2982 of the Civil Code, relating to the conditional sale of personal property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 41, of the printed bill, as amended in the Assembly on May 18, 1949, after "differential", insert ", after first deducting from such time price differential a minimum charge of not to exceed twenty-five dollars ($25),"

Amendment No. 2

On page 3, line 3, of said bill, strike out "or holder of such contract,".

Amendment No. 3

On page 3, line 6, of said bill, after the comma, insert "except by a bona fide purchaser for value,".

Amendment No. 4

On page 3, line 7, of said bill, strike out "or holder".

Amendment No. 5

On page 3 of said bill, after line 9, insert

"(f) If the holder of such contract, except as the result of an accidental or bona fide error in computation, shall violate any provision of subdivision (d) of this section, the buyer may recover from such holder in a civil action the total amount paid on the contract balance by the buyer to such holder pursuant to the terms of such contract."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1116—An act making an appropriation for the state college established in the area of Orange County and the southeastern part of Los Angeles County.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on April 22, 1949, strike out "State Treasury", and insert "Postwar Employment Reserve".

Amendment No. 2

On page 1, line 3, of said bill, strike out "three million dollars ($3,000,000)", and insert "two million, one hundred twenty-five thousand dollars ($2,125,000)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; to amend Section 16256 of said code, and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 6, line 2, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "dental,".

Amendment No. 2

On page 6 of said bill, following line 6, insert

"6805. No absence of a pupil from school for the purpose of having dental services rendered shall be deemed an absence in computing average daily attendance."

Amendment No. 3

On page 24 of said bill, after line 50, insert

"7116. No equalization aid shall be allowed to any high school district on account of any pupils attending the high schools of the district but who do not reside in any high school district.

For the purposes of this section, the county superintendent of schools shall report the attendance of such pupils to the Superintendent of Public Instruction separately."

Amendment No. 4

On page 5 of said bill, between lines 29 and 30, insert

"6717. No allowance from the State School Fund shall be made to any high school district established after the Fiscal Year 1948-1949 unless the establishment of such district has been approved by the Superintendent of Public Instruction."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2468—An act to amend Section 689.6 of the Code of Civil Procedure, relating to executions.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 7, of the printed bill, after the period, insert "If the tender is accepted, all right, title and interest of the seller shall pass to the party to the action making the payment. If the tender is refused, the levying officer is bound to keep the property."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 2510—An act to amend Section 1194 of the Code of Civil Procedure, relating to enforcement of liens.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1194", and insert "Sections 1187 and 1191".

Amendment No. 2

In line 2 of the title of said bill, strike out "enforcement of liens", and insert "liens of mechanics and others upon real property".

Amendment No. 3

On page 1, line 1, of said bill, strike out "1194", and insert "1187".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 4

On page 1 of said bill, strike out lines 3 to 8, inclusive, and insert

"1187. Every original contractor, claiming the benefit of this chapter, within sixty days after the completion of his contract, and every person save the original contractor claiming the benefit of this chapter, at any time after he has ceased to perform labor or furnish material, or both, for any work or improvement mentioned in this chapter, and until 30 days after the completion of such work of improvement, as a whole, may file for record with the county recorder of the county or city and county in which such property or some part thereof is situated a claim of lien containing a statement of his demand after deducting all just credits and offsets, the name of the owner or reputed owner, if known, a general statement of the kind of work done or materials furnished by him, or both, the name of the person by whom he was employed or to whom he furnished the materials, and a description of the property sought to be

charged with the lien sufficient for identification; which claim of lien must be verified by oath of claimant or some other person.

In all cases, any of the following shall be deemed equivalent to a completion for all the purposes of this chapter: The occupation or use of a building, improvement or structure by the owner, or his representative, accompanied by cessation from labor thereon; or the acceptance by the owner, or said agent, of said building, improvement or structure, or cessation from labor for 30 days upon any contract or upon any *building, improvement or structure, or the alteration, addition to, or repair thereof*; the filing of the notice hereinafter provided for.

The owner shall within ten days after the completion of any contract or work of improvement provided for in this chapter, or within ten days after there has been a cessation from labor thereon for a period of 30 days, file for record in the office of the county recorder where the property is situated a notice setting forth the date when the same was completed, or on which cessation from labor occurred, together with his name, address and the nature of his title, and a description of the property sufficient for identification, together with the name of the original contractor, if any, for the work of improvement as a whole, or if the notice is given only of the work under a particular contract, then the name of the contractor under such contract, which notice shall be signed and verified by the owner or by some other person on his behalf The fee for recording the same shall be as provided in [Section 4300e of the Political] *Sections 27361 to 27382, inclusive, of the Government* Code for the recording of instruments, papers and notices required by law to be recorded.

The word "owner" as used in this section is hereby defined to mean the owner who caused the building, improvement, or structure to be constructed, altered, or repaired (or his successor in interest at the date a notice of completion or cessation from labor is filed for record) whether the interest or estate of such owner be in fee, as vendee under a contract of purchase, as lessee, or other interest or estate less than the fee, and where such interest or estate is held by several person as joint tenants or tenants in common, any one or more of the cotenants may be deemed to be the "owner" within the meaning of this section; provided, any notice of completion or cessation from labor signed by less than all of such co-owners recites the names and addresses of all of such co-owners

[Where the ownership of the property is in several persons, any one or more of the several owners may execute and file such notice but the notice must state the names, addresses, and nature of title of all of such owners.]

In case such notice be not so filed, then all persons claiming the benefit of this chapter, shall have 90 days after the completion of said work of improvement within which to file their claims or lien.

The phrase "work of improvement" and the word "improvement" as used in this chapter are each hereby defined to mean the entire structure or scheme of improvement as a whole; provided, that where a work of improvement as so defined consists in the construction of two or more separate residential units, each such separate residential unit, shall be considered a separate "work of improvement" or "improvement" [, and the time for filing claims of lien against each such residential unit as provided in this chapter shall commence to run upon the completion of each such residential unit]. A separate residential unit is defined as consisting of one residential structure together with *any* garage or other outbuildings appurtenant thereto. *Liens provided for in this chapter which are claimed for work done or materials furnished in connection with any such separate residential unit shall attach as of the time of actual commencement of work upon the site of such separate residential unit. The time for filing claims of lien against each such residential unit as provided in this chapter shall commence to run upon the completion of each such residential unit.* The provisions of this proviso shall not impair any rights conferred under the provisions of Sections 1184e, 1188, and 1191 of this code. Materials delivered to or upon any portion of said entire work of improvement or furnished to be used in said entire work of improvement and ultimately used or consumed in one of such separate residential units shall, for all the purposes of this chapter, be deemed to have been furnished to be used or consumed in the separate residential unit in which the same shall have been actually used or consumed: provided, however, that if the lien claimant is unable to segregate the amounts used on or consumed in such separate residential units he shall be entitled to all the benefits of Section 1188 of this code.

SEC. 2. Section 1191 of the Code of Civil Procedure is amended to read:

1191. *(a)* Any person who, at the *instance or* request of the owner *(or any other person acting by his authority or under him, as contractor or otherwise)* of any lot or tract of land, grades, fills in, or otherwise improves the same, or the street, highway, or sidewalk in front of or adjoining the same, *or constructs or installs sewers or other public utilities thereon*, or constructs any areas, or vaults, or cellars or rooms, under said sidewalks, or makes any improvements in connection therewith, has a lien upon said lot or tract of land for his work done and materials furnished; provided, that in cases where improvement or work done is subject to acceptance by any municipal board or officer, the time for filing claims of lien shall not commence to run until after such acceptance shall have been made.

Every contractor, subcontractor, architect, builder, or other person having charge of the construction, alteration, addition to, or repair, either in whole or in part, of

such improvement shall be held to be the agent of the owner for the purposes of this chapter.

(b) If the work of improvement of the character referred to in this section is provided for in a separate contract from any contract or agreement with respect to the erection of residential units or other structures upon said lot or tract of land, then the work of improvement of the character referred to in this section shall be deemed a separate work of improvement and the commencement thereof shall not constitute a commencement of the work of improvement consisting of the erection of any residential unit or other structure upon said lot or tract of land.

(c) The liens provided for in this section are preferred to (1) any mortgage, deed of trust, or other encumbrance which may have attached subsequent to the time when the work of improvement of the character referred to in this section in connection with which the lien claimant has done his work or furnished his materials was commenced; or to (2) any mortgage, deed of trust, or other encumbrance of which the lien claimant had no notice and which was unrecorded at the time when such work of improvement was commenced; or to (3) any mortgage, deed of trust, or other encumbrance recorded before the commencement of such work of improvement which was given for the sole or primary purpose of financing such work of improvement unless the loan proceeds are, in good faith, placed in the control of the lender under a binding agreement with the borrower to the effect that such proceeds are to be applied to the payment of claims for labor performed or materials used or consumed in such work of improvement and that no portion of such proceeds will be paid to the borrower in the absence of satisfactory evidence that all claims for such labor or materials have been paid or that the time for filing claims of lien arising out of such work of improvement has expired and no such claims have been filed; provided, however, that in the event the owner of the land or the holder of any mortgage, deed of trust, or other encumbrance thereon shall procure or cause to be procured, a bond with good and sufficient sureties which shall be conditioned for the payment in full of the claims of all persons performing labor upon or furnishing materials to be used in, or furnishing appliances, teams or power contributing to such work of improvement, and shall cause to be incorporated in said bond a provision by its express terms making it inure to the benefit of any and all persons who perform labor upon, or furnish materials to be used in, or furnish appliances, teams or power contributing to such work of improvement, so as to give such persons a right to recover upon said bond in any suit brought to foreclose the liens provided for in this chapter, or in a separate suit brought on said bond, then such mortgage, deed of trust, or other encumbrance shall be prior and paramount to the liens provided for in this section arising out of such work of improvement, irrespective of whether or not such mortgage, deed of trust, or other encumbrance, attached before or after the time when the work of improvement commenced, and irrespective of the nature or provisions for payment of the consideration of such mortgage, deed of trust or encumbrance. Such bond given under this section must, in order to comply with its requirements, be either (1) a statutory labor and materials bond, complying with all of the provisions of Section 1183 of this code, save and except that said last mentioned bond may instead of being filed with the original contract, before the work of improvement is commenced, in the office of the county recorder of the county where the property is situated, be filed in such office at any time before such work of improvement has been completed, or such bond may be (2) a bond with good and sufficient sureties in an amount not less than fifty (50) percent of the face principal amount of such mortgage, deed of trust, or other encumbrance, and shall be given for the sole benefit of persons performing labor upon, or furnishing materials to be used in, or furnishing appliances, teams or power contributing to the work of improvement to which said bond refers, upon which last mentioned bond either the contractor or the owner may be principal, and which last mentioned bond shall be filed, in order to comply with the requirements of this section, before the work of improvement to which said bond refers is completed No change or alteration, or modification in the work or scheme of improvement referred to in said bond nor in the plans, specifications, or agreements pertaining to the work of improvement, or agreements pertaining to the furnishing of labor or materials therein, or change in the terms of payment or extension of time thereof, nor rescission of said bond, nor conditions precedent, nor conditions subsequent contained therein, attempting to limit the right of recovery under said bond shall release or exonerate any surety or sureties on said bond If the bond for the benefit of laborers, subcontractors and materialmen, and others coming within the protection of Section 1183 of this code given under any of the provisions of this chapter, be a bond on which the surety is a corporate surety, licensed to do a surety business in the State of California, then such a bond otherwise complying with the provisions of this chapter shall be conclusively presumed to be a good and sufficient bond within the meaning of this chapter."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 181—An act to amend Section 203 of the Unemployment Insurance Act, relating to disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 11, 1949, strike out lines 27 to 32, inclusive, and insert

"540.00- and over----------30".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

Assembly Bill No. 175—An act to amend Section 54 of the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 54", and insert "Sections 54 and 39."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of the printed bill, strike out lines 8 to 18, inclusive, and insert

"540.00- and over----------30

SEC. 2. Section 39 of the Unemployment Insurance Act is amended to read:

Sec. 39. (a) The provisions of the first paragraph of subsection (c) of Section 38 of this act shall not apply in fixing contributions for any period subsequent to December 31, 1940. After December 31, 1940, employers shall pay into the Unemployment Fund contributions upon all wages with respect to which contributions become due and payable for employment subject to this act at rates as provided in this section. The contribution rate for an employer for any rating period after December 31, 1940 (including any rating period after December 31, 1947, except as otherwise provided in subsection (b) *and, (c), (d), and (e)* shall be:

(1) If as of the computation date for such rating period the employer's net balance of reserve is less than 7½ percent of his average base payroll, 2.7 percent, which rate is hereby defined as the "general rate."

(2) If as of such computation date the employer's net balance of reserve is 7½ percent or more, but less than 9 percent of his average base payroll, 2.5 percent.

(3) If as of such computation date for such rating period the employer's net balance of reserve is 9 percent or more, but less than 10 percent of his average base payroll, 2 percent.

(4) If as of such computation date the employer's net balance is 10 percent or more, but less than 11 percent of his average base payroll, 1½ percent.

(5) If as of such computation date the employer's net balance of reserve is 11 percent or more of his average base payroll, 1 percent.

(6) After December 31, 1949, *and prior to January 1, 1950*, whenever the balance in the Unemployment Fund, on January 1st of any calendar year exclusive of any amounts available for transfer to the Disability Fund, equals 7½ percent of the wages in employment subject to this act paid during the 12-month period ending upon the computation date immediately preceding such January 1st employers shall pay into the Unemployment Fund contributions for such calendar year upon all wages with respect to which contributions become due and payable for employment subject to this act at rates as provided hereinafter.

The contribution rate for an employer for any rating period shall be:

(1) If as of the computation date for such rating period the employer's net balance of reserve is less than 6 percent of his average base payroll, 2.7 percent, which rate is hereby defined as the general rate.

(2) If as of such computation date the employer's net balance of reserve is 6 percent or more but less than 6½ percent of his average base payroll, 2.5 percent.

(3) If as of such computation date the employer's net balance of reserve is 6½ percent or more but less than 7 percent of his average base payroll, 2.3 percent.

(4) If as of such computation date the employer's net balance of reserve is 7 percent or more but less than 7½ percent of his average base payroll, 2.1 percent.

(5) If as of such computation date the employer's net balance of reserve is 7½ percent or more but less than 8 percent of his average base payroll, 1.9 percent.

(6) If as of such computation date the employer's net balance of reserve is 8 percent or more but less than 8½ percent of his average base payroll, 1.7 percent.

(7) If as of such computation date the employer's net balance of reserve is 8½ percent or more but less than 9 percent of his average base payroll, 1.5 percent.

(8) If as of such computation date the employer's net balance of reserve is 9 percent or more but less than 9½ percent of his average base payroll, 1.3 percent.

(9) If as of such computation date the employer's net balance of reserve is 9½ percent or more but less than 10 percent of his average base payroll, 1.1 percent.

(10) If as of such computation date the employer's net balance of reserve is 10 percent or more but less than 10½ percent of his average base payroll, .9 percent.

(11) If as of such computation date the employer's net balance of reserve is 10½ percent or more but less than 11 percent of his average base payroll, .7 percent.

(12) If as of such computation date the employer's net balance of reserve is 11 percent or more but less than 11½ percent of his average base payroll, .5 percent.

(13) If as of such computation date the employer's net balance of reserve is 11½ percent or more but less than 12 percent of his average base payroll, .3 percent.

(14) If as of such computation date the employer's net balance of reserve is 12 percent or more but less than 12½ percent of his average base payroll, .1 percent.

(15) If as of such computation date the employer's net balance of reserve is 12½ percent or more of his average base payroll, there shall be no contribution.

(c) After December 31, 1949, whenever the balance in the Unemployment Fund, on January 1st of any calendar year exclusive of any amounts available for transfer to the Disability Fund, equals 9 percent of the wages in employment subject to this act paid during the 12-month period ending upon the computation date immediately preceding such January 1st the employer shall pay into the Unemployment Fund contributions for such calendar year upon all wages with respect to which contributions become due and payable for employment subject to this act at rates as provided hereinafter.

The contribution rate for an employer for any rating period shall be:

(1) If as of the computation date for such rating period the employer's net balance of reserve is less than 5 percent of his average base pay roll, 2.7 percent, which rate is hereby defined as the general rate.

(2) If as of such computation date the employer's net balance of reserve is 5 percent or more but less than 5½ percent of his average base pay roll, 2.5 percent.

(3) If as of such computation date the employer's net balance of reserve is 5½ percent or more but less than 6 percent of his average base pay roll, 2.3 percent.

(4) If as of such computation date the employer's net balance of reserve is 6 percent or more but less than 6½ percent of his average base pay roll, 2.1 percent.

(5) If as of such computation date the employer's net balance of reserve is 6½ percent or more but less than 7 percent of his average base pay roll, 1.9 percent.

(6) If as of such computation date the employer's net balance of reserve is 7 percent or more but less than 8 percent of his average base pay roll, 1.7 percent.

(7) If as of such computation date the employer's net balance of reserve is 7½ percent or more but less than 8 percent of his average base pay roll, 1.5 percent.

(8) If as of such computation date the employer's net balance of reserve is 8 percent or more but less than 8½ percent of his average base pay roll, 1.3 percent.

(9) If as of such computation date the employer's net balance of reserve is 8½ percent or more but less than 9 percent of his average base pay roll, 1.1 percent.

(10) If as of such computation date the employer's net balance of reserve is 9 percent or more but less than 9½ percent of his average base pay roll, .9 percent.

(11) If as of such computation date the employer's net balance of reserve is 9½ percent or more but less than 10 percent of his average base pay roll, .7 percent.

(12) If as of such computation date the employer's net balance of reserve is 10 percent or more but less than 10½ percent of his average base pay roll, .5 percent.

(13) If as of such computation date the employer's net balance of reserve is 10½ percent or more but less than 11 percent of his average base pay roll, .3 percent.

(14) If as of such computation date the employer's net balance of reserve is 11 percent or more but less than 11½ percent of his average base pay roll, .1 percent.

(15) If as of such computation date the employer's net balance of reserve is 11½ percent or more of his average base pay roll, there shall be no contributions.

(d) After December 31, 1949, whenever the balance in the Unemployment Fund on January 1st of any calendar year exclusive of any amounts available for transfer

to the Disability Fund, equals 7½ percent but is less than 9 percent of the wages in employment subject to this act paid during the 12-month period ending upon the computation date immediately preceding such January 1st employers shall pay into the Unemployment Fund contributions for such calendar year upon all wages with respect to which contributions become due and payable for employment subject to this act at rates as provided hereinafter

The contribution rate for an employer for any rating period shall be:

(1) If as of the computation date for such rating period the employer's net balance of reserve is less than 6 percent of his average base pay roll, 2.7 percent, which rate is hereby defined as the general rate.

(2) If as of such computation date the employer's net balance of reserve is 6 percent or more but less than 6½ percent of his average base pay roll, 2.5 percent.

(3) If as of such computation date the employer's net balance of reserve is 6½ percent or more but less than 7 percent of his average base pay roll, 2.3 percent

(4) If as of such computation date the employer's net balance of reserve is 7 percent or more but less than 7½ percent of his average base pay roll, 2.1 percent.

(5) If as of such computation date the employer's net balance of reserve is 7½ percent or more but less than 8 percent of his average base pay roll, 1.9 percent

(6) If as of such computation date the employer's net balance of reserve is 8 percent or more but less than 8½ percent of his average base pay roll, 1.7 percent.

(7) If as of such computation date the employer's net balance of reserve is 8½ percent or more but less than 9 percent of his average base pay roll, 1.5 percent

(8) If as of such computation date the employer's net balance of reserve is 9 percent or more but less than 9½ percent of his average base pay roll, 1.3 percent.

(9) If as of such computation date the employer's net balance of reserve is 9½ percent or more but less than 10 percent of his average base pay roll, 1.1 percent.

(10) If as of such computation date the employer's net balance of reserve is 10 percent or more but less than 10½ percent of his average base pay roll, .9 percent.

(11) If as of such computation date the employer's net balance of reserve is 10½ percent or more but less than 11 percent of his average base pay roll, .7 percent

(12) If as of such computation date the employer's net balance of reserve is 11 percent or more but less than 11½ percent of his average base pay roll, .5 percent.

(13) If as of such computation date the employer's net balance of reserve is 11½ percent or more but less than 12 percent of his average base pay roll, .3 percent.

(14) If as of such computation date the employer's net balance of reserve is 12 percent or more but less than 12½ percent of his average base pay roll, .1 percent

(5) If as of such computation date the employer's net balance of reserve is 12½ percent or more of his average base pay roll, there shall be no contribution.

(e) After December 1, 1949, whenever the balance in the Unemployment Fund, on January 1st of any calendar year exclusive of any amounts available for transfer to the Disability Fund, equals 6 percent but is less than 7½ percent of the wages in employment subject to this act paid during the 12-month period ending upon the computation date immediately preceding such January 1st the employers shall pay into the Unemployment Fund contributions for such calendar year upon all wages with respect to which contributions become due and payable for employment subject to this act at rates as provided hereinafter.

The contribution rate for an employer for any rating period shall be:

(1) If as of the computation date for such rating period the employer's net balance of reserve is less than 7 percent of his average base pay roll, 2.7 percent, which rate is hereby defined as the general rate.

(2) If as of such computation date the employer's net balance is 7 percent or more but less than 7½ percent of his average base pay roll, 2.5 percent.

(3) If as of such computation date the employer's net balance of reserve is 7½ percent or more but less than 8 percent of his average base pay roll, 2.3 percent.

(4) If as of such computation date the employer's net balance of reserve is 8 percent or more but less than 8½ percent of his average base pay roll, 2.1 percent.

(5) If as of such computation date the employer's net balance of reserve is 8½ percent or more but less than 9 percent of his average base pay roll, 1.9 percent.

(6) If as of such computation date the employer's net balance of reserve is 9 percent or more but less than 9½ percent of his average base pay roll, 1.7 percent.

(7) If as of such computation date the employer's net balance of reserve is 9½ percent or more but less than 10 percent of his average base pay roll, 1.5 percent

(8) If as of such computation date the employer's net balance of reserve is 10 percent or more but less than 10½ percent of his average base pay roll, 1.3 percent.

(9) If as of such computation date the employer's net balance of reserve is 10½ percent or more but less than 11 percent of his average base pay roll, 1.1 percent.

(10) If as of such computation date the employer's net balance of reserve is 11 percent or more but less than 11½ percent of his average base pay roll, .9 percent.

(11) If as of such computation date the employer's net balance of reserve is 11½ percent or more but less than 12 percent of his average base pay roll, .7 percent.

(12) If as of such computation date the employer's net balance of reserve is 12 percent or more but less than 12½ percent of his average base pay roll, .5 percent.

(13) If as of such computation date the employer's net balance of reserve is 12½ percent or more but less than 13 percent of his average base pay roll, 3 percent.

(14) If as of such computation date the employer's net balance of reserve is 13 percent or more but less than 13½ percent of his average base pay roll, 1 percent.

(15) If as of such computation date the employer's net balance of reserve is 13½ percent or more of his average base pay roll, there shall be no contribution.

(f) No employer shall be considered eligible for a contribution rate of less than 2.7 percent for the rating period January 1, 1941, to June 30, 1941, unless such employer has had a pay roll subject to tax under this act in each of the five years preceding January 1, 1941, and unless the separate account of such employer shall have been subject to benefit charges during the period of 12 complete consecutive calendar quarters ending on the computation date for such rating period and he is qualified under subsection (a) of this section, no employer shall be considered eligible for a contribution rate of less than 2.7 percent for any subsequent rating period unless the reserve account of such employer shall have been subject to benefit charges during the period of 12 complete consecutive calendar quarters ending on the computation date for such rating period and he is qualified under subsection *(a)*, [or] *(b)*, *(c)* **or** *(d)* of his section

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Finance and Insurance.

SECOND READING OF SENATE BILLS

Senate Bill No. 1626—An act to add Section 35.5 to the Public Utilities Act, relating to regulation of state-owned railroads as to safety of operation.

Bill read second time, and ordered to third reading.

Senate Bill No. 99—An act to add Article 5 to Chapter 2, Title 1, Part 3 of Division 1 of the Civil Code, relating to the recognition of a divorce obtained in another jurisdiction.

Bill read second time, and ordered to third reading.

Senate Bill No. 279—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Lowrey asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 421—An act to amend Sections 5091 and 5093 of the Penal Code, relating to the production of goods by institutions subject to the jurisdiction of the Correctional Industries Commission

Bill read second time, and ordered to third reading.

Senate Bill No. 1314—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation and death benefits.

Bill read second time, and ordered to third reading.

Senate Bill No. 1252—An act to amend Sections 3, 4, and 5 of the Sanitation and Sewer Revenue Bond Act of 1941, relating to sanitation and sewer revenue-producing enterprises.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

Strike out lines 1 to 5, inclusive, of the title of the printed bill, as amended in the Senate on April 28, 1949, and insert

"An act to amend Sections 54352, 54380, and 54410 of the Government Code, relating to sanitation and sewer"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 2, and insert

"SECTION 1 Section 54352 of the Government Code is amended to read:

54352. If the local agency acquires, constructs, or improves a sewer system pursuant to this chapter, it may declare that the further maintenance or use of cesspools or other local means of sewage disposal constitutes a public nuisance. If the buildings are within a reasonable distance, but not more than [one] *two* hundred feet, from connection with the sewer system, the local agency may require all buildings inhabited or used by human beings *and in which any sewage is produced* to be connected with the sewer system within the period prescribed by it, but not less than [ninety days from the completion of the enterprise] *thirty days from the time when such a connection can be made, as may be prescribed by the local agency*.

SEC. 2 Section 54380 of said code is amended to read

54380 By resolution of its legislative body to take effect upon adoption, a local agency may submit to its qualified voters, at an election held for that purpose, the proposition of issuing bonds pursuant to this chapter to provide funds for the acquisition, construction, [and] improving *or financing* of an enterprise, *including any or all expenses incidental thereto or connected therewith or any combination of two or more* of such purposes.

SEC. 3 Section 54410 of said code is amended to read:

54410. In determining the amount of bonds to be issued, the legislative body may include:

(a) All costs and estimated costs [of issuance] *incidental to or connected with the acquisition, construction, improving or financing of the enterprise*

(b) All engineering, inspection, [fiscal agent's, and legal expenses, working capital, and interest which is estimated to accrue during construction and up to twelve months thereafter on money borrowed or which it is estimated will be borrowed pursuant to this chapter] *legal and fiscal agent's fees, costs of the bond election and of the issuance of said revenue bonds, bond reserve funds and working capital and bond interest estimated to accrue during the construction period and for a period of not to exceed twelve months after completion of construction*"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 23, inclusive; and strike out pages 2 to 5, inclusive

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 645—An act authorizing suit against the State of California to quiet title to certain real property, and regulating the procedure therein.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Senate on April 25, 1949, after the period, strike out "Before".

Amendment No. 2

On page 2 of said bill, strike out lines 4 and 5.

Amendment No. 3

On page 2, line 6, of said bill, strike out "described therein has been duly issued by the State"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1173—An act to repeal Section 1176 of the Labor Code, to renumber Section 1177 to be Section 1176 thereof, to renumber Section 1178 to be Section 1177 thereof, to amend and renumber Section 1179 to be Section 1178 thereof, to amend and renumber Section 1180 to be Section 1179 thereof, to amend and renumber Section 1181 to be Section 1180 thereof, to repeal Section 1182 of said code, to amend and renumber Section 1183 to be Section 1181 thereof, to amend and renumber Section 1184 to be Section 1182 thereof, to amend and renumber Section 1185 to be Section 1183 thereof, to amend and renumber Section 1186 to be Section 1184 thereof, and to add Section 1185 to said code, relating to women and minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Crichton, Dickey, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—49

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 717 HOLD PLACE ON FILE

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Bill No. 717 be passed on file, and hold its place on file on the next legislative day

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1412—An act to amend Section 992 of the Fish and Game Code, relating to commercial fishing licenses.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Butters moved a call of the Assembly.

Motion carried. Time, 9.30 a.m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Bennett, Brady, Brown, Collier, George D. Collins, Conrad, Crowley, Dickey, Clayton A. Dills, Elliott, Grant, Huyck, Lincoln, Lipscomb, McCollister, McMillan, Sherwin, Thomas, and Youtz—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Tomlinson asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1639—An act to add Section 801.5 to the Fish and Game Code, relating to abalones.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thompson, Tomlinson, Waters, Way, and Weber—55

NOES—Grunsky, Hagen, and Silliman—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1972—An act to repeal Section 951.5 of, and to add Section 951.5 to, the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—59

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 590—An act to amend Section 17702 of the Health and Safety Code, relating to the State Housing Act.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Evans, Fleury, Gaffney, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—42.

NOES—Butters, George D. Collins, Elliott, Hagen, and Lowrey—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3157—An act to amend Sections 1252 and 1311 of the Fish and Game Code, relating to mammals.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 44, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 5 of Article XI thereof, relating to compensation of officers.

Resolution read.

Motion to Amend

Mr. Hagen moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, as amended in the Assembly on April 8, 1949, strike out line 13, and insert "appointed

The Legislature by a two-thirds vote of the members of each house may suspend the provision hereof prohibiting the increase of compensation of any county, township or municipal officer after his election or during his term of office for any period during which the United States is engaged in war and for one year after the termination of hostilities therein as proclaimed by the President of the United States

The provisions of this section shall not prevent the".

Amendment read, and adopted.

Resolution ordered reprinted, and re-engrossed.

Hon. Vincent Thomas Presiding

At 9.55 a.m., Hon. Vincent Thomas, Member of the Assembly from the Sixty-eighth District, presiding.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Senate Bill No 470, on request of Mr. Babbage.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 121—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

Demand for Previous Question

Messrs. Conrad, Silliman, Connolly, Morris, and Hahn demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 121.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Maloney moved a call of the Assembly.

Motion carried. Time, 10.22 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brown, Sam L. Collins, Clayton A. Dills, Dunn, Fleury, Grunsky, Hagen, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lipscomb, McMillan, Moss, Reagan, Thompson, Tomlinson, Waters, and Weber—21

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 118—An act to amend Section 6a to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges,

clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thompson, Waters, Way, and Yorty—51

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2110—An act to amend Sections 8 and 23 of, and to add Sections 8.1, 8.2, 8.3, and 8.4 to, an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the establishment of municipal courts in cities of the second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—57

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 234

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No 234, on the unfinished business file, at this time.

MOTION TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 234

Mr. Babbage moved to expunge the record, and rescind the action whereby the Assembly on Thursday, June 2, 1949, passed Assembly Bill No. 234.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—58

NOES—None

Further Consideration of Assemby Bill No. 234

Assembly Bill No. 234—An act to add Section 667 to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of judges of the Superior Court of the County of Riverside, and to provide for the appointment of an additional judge," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of an additional superior court judge in and for the County of Riverside.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—56.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 139

Mr. Way asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 139, on the unfinished business file, at this time.

MOTION TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 139

Mr. Way moved to expunge the record, and rescind the action whereby the Assembly on Thursday, June 2, 1949, passed Assembly Bill No. 139.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Rosenthal, Sherwin, Sillman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—57

NOES—None.

Further Consideration of Assembly Bill No. 139

Assembly Bill No. 139—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act to reduce the number of Judges of the Superior Court in and for the County of Humboldt and to repeal an act entitled 'An act to provide for the appointment and election of one additional Judge for the County of Humboldt,' approved March 8, 1895," approved June 10, 1933, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Humboldt.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood,

Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2084

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2084, passed on file, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2084

Assembly Bill No. 2084—An act to amend Section 1048 of the Penal Code, relating to the order of trial of criminal prosecutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 947—An act to amend Section 1628 of the Business and Professions Code, relating to qualifications of applicants for examination to practice dentistry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thompson, Waters, Way, and Yorty—54

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1560—An act to amend Sections 452, 476, 504, and 936 of the Health and Safety Code, relating to the regulation of public health.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers,

Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Way, and Yorty—57.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.43 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Hon. Vincent Thomas Presiding

At 10.45 a.m., Hon. Vincent Thomas, Member of the Assembly from the Sixty-eighth District, presiding.

Motion to Amend

Mr. Way moved the adoption of the following amendment:

(Item 337.5)
Amendment No. 1

On page 75 of the printed bill, as amended in the Assembly on June 6, 1949, between lines 1 and 2, insert

"337.5—For major construction, Mendocino State Hospital, payable from the Postwar Employment Reserve, in accordance with the following projects 150,000

Projects.
(a) Employees' dormitory ..... $150,000".

Amendment read.

Speaker Pro Tempore Presiding

At 10.50 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Point of Order

Mr. Hawkins arose to the following point of order: That Mr. Sherwin is not speaking to the subject.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Question of Personal Privilege

Mr. Sherwin arose to a question of personal privilege.

The question being on the adoption of the amendment offered by Mr. Way to Assembly Bill No. 1100.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Berry, Crowley, Clayton A. Dills, Dolwig, Doyle, Elliott, Fletcher, Gaffney, Hawkins, Lewis, McCollister, Meyers, Niehouse, Rosenthal, Rumford, Thomas, and Way—18.
NOES—Beck, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen,

Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Reagan, Sherwin, Silliman, Smith, Thompson, and Yorty—38.

Consideration of Further Amendments

Motion to Amend

Mr. Lewis moved the adoption of the following amendment:

(Item 347.5)

Amendment No. 1

On page 76 of the printed bill, as amended in the Assembly on June 6, 1949, between lines 30 and 31, insert

"347.5—For major construction, improvements, repairs and equipment, Adjutant General and California National Guard, payable from the Postwar Employment Reserve, in accordance with the following projects 94,000

Projects:

(a) Construction of an armory at Taft..... 94,000".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Brady, Burkhalter, Coats, Crowley, Clayton A. Dills, Fletcher, Hagen, Hawkins, Lewis, Meyers, Thomas, and Way—13

NOES—Babbage, Beck, Berry, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Crichton, Dolwig, Dunn, Erwin, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Thompson, and Yorty—40

Consideration of Further Amendments

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

On page 18, line 45, of the printed bill, as amended in the Assembly on June 6, 1949, strike out "584,232", and insert "585,732".

Amendment No. 2

On page 18, line 38, of said bill, strike out "520,726", and insert "522,226".

Amendment No. 3

On page 19, line 11, of said bill, strike out "520,726", and insert "522,226".

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Caldecott, Coats, George D. Collins, Condon, Clayton A. Dills, Elliott, Fletcher, Gaffney, Hagen, Hawkins, Kilpatrick, Lewis, McCarthy, Meyers, Moss, Niehouse, Rumford, and Thomas—22.

NOES—Babbage, Beck, Burke, Burkhalter, Butters, Collier, Connolly, Conrad, Crichton, Dickey, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Morris, Reagan, Sherwin, Silliman, Smith, Thompson, Way, Yorty, and Mr. Speaker—38.

Consideration of Further Amendments

Motion to Amend

Messrs. Yorty and Levering moved the adoption of the following amendments:

(Item 347)

Amendment No. 1

On page 75 of the printed bill, as amended in the Assembly on June 6, 1949, strike out lines 38 to 42, inclusive; and on page 76, strike out lines 2 to 30, inclusive.

(Item 3)

Amendment No. 2

On page 82, lines 25 and 26, of said bill, strike out "in accordance with", and insert "to be selected from".

Amendment No. 3

On page 82, line 26, of said bill, after "projects", strike out "4,000,000", and insert "3,000,000".

Amendment No. 4

On page 82 of said bill, strike out lines 28 to 50, inclusive, and insert

"City	Type
Alhambra	C
Anaheim-Fullerton	B
Arcadia	E
Atascadero	A
Bakersfield	E
Beaumont	A
Burbank	H
Calexico	A
Concord-Walnut Creek	B
Delano	A
Dixon	A
El Centro	C
Fontana	A
Fresno	H
Glendale	H
Hemet	A
Long Beach	G
Los Angeles	H
Madera	A
Manhattan Beach	C
Monterey	A
Mount Shasta	A
Paso Robles	A
Placerville	A
Quincy	A
Red Bluff	C
Richmond	H
San Diego	H
San Francisco	H
San Jose	H
San Mateo	C
San Rafael	A
Santa Ana	C
Santa Cruz	B
Santa Maria	A
Santa Monica	E
Southgate	H
Susanville	A
Torrance	B
Ukiah	A
Vallejo	B
Ventura	A
Watsonville	A
Woodland	A
Yreka	A"

Amendments read.

Hon. Augustus F. Hawkins Presiding

At 11:40 a.m., Hon. Augustus F. Hawkins, Member of the Assembly from the Sixty-second District, presiding

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, George D. Collins, Condon, Crowley, Dickey, Doyle, Dunn, Elliott, Fletcher, Gaffney, Hahn, Heisinger, Hinckley, Hollibaugh, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney,

McMillan, Morris, Niehouse, Reagan, Rumford, Sherwin, Thomas, Way, Yorty, and Mr. Speaker—34.

NOES—Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Clayton A. Dills, Dolwig, Fleury, Geddes, Grant, Grunsky, Hawkins, Hoffman, Huyck, Lewis, McCarthy, McCollister, Meyers, Moss, Silliman, Smith, Stanley, Thompson, and Tomlinson—29

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Amendments Offered by Mr. Yorty to Assembly Bill No. 1100

Mr. Hagen asked for unanimous consent that his name be placed upon the roll call on the amendments offered by Mr. Yorty to Assembly Bill No. 1100, and that he be recorded as voting "No."

Mr. Dunn withheld unanimous consent.

Speaker Pro Tempore Presiding

At 11:47 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Consideration of Further Amendments
Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

(Item 263)

Amendment No. 1

On page 63, line 20, of the printed bill, as amended in the Assembly on June 6, 1949, strike out "Fair and Exposition Fund"; and strike out lines 21, 22, 23, and 24; and in line 25, strike out "ness and Professions Code", and insert "General Fund not otherwise appropriated".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Beck, Brady, Burkhalter, Coats, Doyle, Evans, Fletcher, Fleury, Geddes, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lincoln, Lowrey, McCollister, Morris, Moss, Niehouse, Reagan, Stanley, Thomas, Way, and Weber—26.

NOES—Anderson, Babbage, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Elliott, Erwin, Gaffney, Grant, Hinckley, Huyck, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Rumford, Sherwin, Silliman, Smith, Thompson, Waters, and Yorty—39.

Consideration of Further Amendments
Motion to Amend

Mr. Lewis moved the adoption of the following amendment:

Amendment No. 1

On page 17 of the printed bill, as amended in the Assembly on June 6, 1949, between lines 22 and 23, insert

"78.5—For the purchase by the Department of Education of California dried fruits, nuts, and dairy products to be used for the School Lunch Program ..... $2,234,000".

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Clayton A. Dills, Elliott, Fletcher, Hawkins, Lewis, Meyers, Rosenthal, and Thomas—17.

NOES—Babbage, Beck, Burke, Butters, Caldecott, Clarke, Collier, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hoffman, Huyck, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—46.

Consideration of Further Amendments
Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

(Item 112)
Amendment No. 1

On page 28, line 8, of the printed bill, as amended in the Assembly on June 6, 1949, strike out "2,033,730", and insert "2,043,160"

Amendment No. 2

On page 28, line 14, of said bill, strike out "1,591,504", and insert "1,600,528".

Amendment No. 3

On page 28, line 16, of said bill, strike out "133,233", and insert "133,639".

Amendment No. 4

On page 28, line 20, of said bill, strike out "2,701,375", and insert "2,710,805".

Amendment No. 5

On page 28, line 34, of said bill, strike out "2,033,730", and insert "2,043,160".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—46.

NOES—Beck, Bennett, Coats, Dunn, Evans, Geddes, Hagen, Heisinger, Levering, Lowrey, Morris, and Reagan—12.

Assembly Bill No. 1100 ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 1100

Mr. Sherwin moved that a rush order be placed upon the printing of Assembly Bill No. 1100.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2706

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2706, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2706

Assembly Bill No. 2706—An act relating to regional development districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 22, inclusive; and strike out pages 2 and 3, and insert

"CHAPTER 1. GENERAL PROVISIONS

SECTION 1. This act shall be known and may be cited as the "Regional Development Act."

SEC. 2. "District" means a regional development district unless the context clearly indicates otherwise.

SEC. 3 "Board" means the board of directors of a district.

SEC. 4 "Project" means any undertaking to carry out a plan

SEC. 5. "Regional commission" means a regional planning commission established pursuant to the Conservation and Planning Act.

SEC. 6. "Plan" means any plan for the development, improvement, or rehabilitation of the area within a district. A plan may include, but is not limited to, any, all or any combination of the following plans: For the conservation, development and utilization of natural resources including water; for the establishment of a comprehensive system of recreation areas; for the development of a comprehensive transportation system, including port, harbor, aviation and related activities; for the development of a system of transit lines, including rapid transit, street car, motor coach and trolley coach lines and related plans; for the improvement and development of sewerage, drainage and utilities systems; for the construction, improvement, or development of civic centers and all other public buildings; for the provision of adequate housing.

SEC. 7. Except as otherwise provided in this act, all elections held by the district shall be as nearly as practicable in accordance with the general election laws of the State.

SEC 8. No irregularity or informality in calling or conducting a district election which has otherwise been fairly conducted shall invalidate or affect the election.

CHAPTER 2. FORMATION OF A DISTRICT

SEC. 20. A district may be formed as herein provided.

SEC. 21 A district may consist of part or all of one or more contiguous counties, or regional planning districts. Cities may not be divided in forming a district.

SEC. 22. Proceedings for the formation of a district may be instituted by a regional commission by the adoption of a resolution of its intention to do so.

SEC. 23. The resolution shall contain:

(a) A statement of the intention to form the district.

(b) A statement of the plan, for the carrying out of which the district is proposed to be formed

(c) The boundaries of the proposed district or some other designation of its location and territorial extent.

SEC. 24. The statement of the plan shall contain:

(a) A description of the project to be constructed.

(b) An estimate of the cost of construction of the project.

(c) An estimate of the cost of operation and maintenance of the completed project and of the revenues, if any, to be derived from its operation.

SEC. 25. A certified copy of the resolution and of the plan shall be transmitted forthwith to the board of supervisors of each county lying wholly or partly within the proposed district

SEC. 26. The board of supervisors shall forthwith transmit copies of the plan to the county planning commission and to the planning commission of each city within both the county and the district.

SEC. 27. Within forty days after receipt of a copy of the resolution and plan, the county planning commission shall, and any city planning commission may, report in writing to the board of supervisors.

The report shall contain a recommendation that the plan should or should not be adopted, the reasons therefor and any comments the planning commission wishes to make

SEC. 28. Within ten days of the expiration of the time for filing reports, the board of supervisors shall cause copies of the resolution, plan and reports to be posted at the county courthouse, the city hall of each incorporated city within the county, and at such other public places as the board of supervisors designates.

There shall be posted therewith, a notice that at a time and place specified, the board of supervisors will hear objections to the inclusion of particular parcels of land within the district on the grounds that such parcels will not be benefited by the project.

SEC. 29. The board of supervisors shall also cause the notice and resolution to be published once a week for two consecutive weeks in a newspaper published in the county. The notice shall state that copies of the plan and of the reports of the

planning commissions are open to public inspection at the office of the clerk of the board of supervisors.

SEC. 30. The first publication shall be made not less than twenty days prior to the date of the hearing

SEC. 31. The hearing shall be held not less than forty nor more than sixty days after the time for filing reports by the planning commissions has expired.

SEC. 32 The hearing may be continued from time to time and from place to place for a period of not more than sixty days in all.

SEC. 33. Within sixty days after the termination of the hearing, the board of supervisors may adopt an ordinance declaring that the county, or part of the county, intends to unite with such other counties as may adopt like ordinances to form the district

SEC. 34 If the board of supervisors fails to adopt such an ordinance within sixty days after the termination of the hearing, the ordinance may be submitted to the electors of the county under the provisions of the initiative applicable to ordinances generally in the county.

SEC 35 If the ordinance is adopted by the board of supervisors, the board shall call a special election for the purpose of submitting the question of the inclusion of the county, or that part of the county which is proposed to be included, in the district, to the electors of the county, or to the electors of that portion of the county proposed to be included in the district

SEC 36. If a majority of the registered voters voting at the election vote in favor of including the county or a specified part thereof, in the district, the county or the part thereof approved for inclusion in the district, shall be included therein.

SEC 37. The election shall be called and held in accordance with the general provisions of the election laws governing the calling and holding of special elections in counties

SEC. 38 The county clerk shall certify the results of the election to the Secretary of State together with a copy of the resolution of the board of supervisors calling the election.

CHAPTER 3. ORGANIZATION OF THE DISTRICT

SEC. 50. When all of the certifications of the result of elections have been received from the county clerks of the counties having any portion of their territory within the boundaries of the proposed district the Secretary of State shall publish the ordinances adopted, together with a notice fixing the time within which protests against the inclusion of property within the proposed district may be filed.

SEC. 51. The ordinances shall be published for at least three weeks prior to the last day in which protests may be filed in at least one and not to exceed three newspapers printed and published in each of the counties from which petitions have been presented.

SEC. 52. Any owner of property which is subject to taxation within the boundaries of the proposed district may, within the time specified, protest against the formation of the district.

The protest shall be in writing and shall be filed with the Secretary of State. The protest shall contain:

(a) The name and address of the person protesting and the name and address of his attorney, if he has one.

(b) The grounds upon which the protestant claims that his property will not be benefited by the formation of the proposed district.

SEC. 53. The Secretary of State shall forward the protests to the superior court of that county. The superior court in each county shall have jurisdiction to hear and determine the protests so received The clerk of the court shall set the protests for hearing, and give notice thereof in writing to the protestants, and to their attorneys if they have any, at least ten days before the date set for the hearing

SEC. 54 At the time specified in the notice, or at such other time to which the said hearing may be continued, the superior court shall have jurisdiction to hear and determine all matters urged by the protestants against the formation of the proposed district, or against the inclusion of their lands therein.

SEC. 55. The superior court shall have jurisdiction to exclude any lands from the proposed district, together with any other lands contiguous to the excluded lands, and contiguous to the exterior boundaries of the proposed district which are similarly situated to the lands of the protestants, to the end that isolated tracts may not be excluded from the district without also rectifying the boundaries thereof so that the district when finally formed shall be compact, continuous and without tracts of land excluded therefrom which are totally surrounded by other lands which are left within the district.

SEC 56. The judgment of the superior court shall not be appealable, and all questions of fact therein contained shall be final and conclusive.

SEC. 57. The judgment shall only be subject to review by the Supreme Court of this State, upon a writ of review issued out of that court in such cases as writs of review are now permissible against superior courts.

Proceedings for a writ of review may only be taken within ten days after the entry of the judgment in the superior court and if not so taken all such judgments of the superior court shall become final.

SEC. 58. After the judgment of the court has become final the county clerk shall certify the judgment together with the petition and the protests which he received, to the Secretary of State.

SEC. 59. When the results of the final judgments upon all protests have been certified to the Secretary of State, he shall issue a certificate declaring the district with the boundaries as finally established to be duly formed. He shall file the original certificate in his office, and have a certified copy of the certificate recorded in the office of the county recorder of each of the counties having any territory within the boundaries of the district.

SEC. 60. Upon the issuance of the certificate the district shall come into existence and shall have all the rights, powers and privileges expressly or impliedly conferred upon it by this act.

SEC. 61. No informality in any proceeding not substantially affecting adversely the legal rights of any person shall invalidate the formation of any district.

SEC. 62. All proceedings to contest the validity of the formation of any district may only be commenced within three months from the date of the issuance of the certificate of formation. If no such proceedings are commenced within the time allowed, the formation of the district, and all proceedings in connection therewith, shall be valid and incontestable.

CHAPTER 4. APPOINTMENT AND TENURE OF THE BOARD OF DIRECTORS

SEC. 80. Within five days after the issuance of the certificate of formation, the Secretary of State shall notify the boards of supervisors of each of the counties in which any portion of the territory of the district is located, and the Governor, of the formation of the district.

SEC. 81. After the receipt of the notice of formation of the district, the Governor shall appoint a Board of Directors for the district composed of seven members, subject to confirmation by the Senate. The members of the Board of Directors shall be selected so as to provide, as far as possible, representation on the board of all areas and regions included within the district.

SEC. 82. The term of office of all directors shall be four years from and after their appointment and until the appointment and qualification of their successors.

SEC. 83. The members of the first Board of Directors shall be appointed for the following terms: Four of the directors shall hold office for two years only; three of the directors shall hold office for four years.

CHAPTER 5. ORGANIZATION AND POWERS OF THE BOARD AND THE EXECUTIVE OFFICERS

SEC. 100. The board shall be the governing body of the district.

SEC. 101. At the first meeting the board shall organize by choosing one of its members as president, and choosing a secretary, who shall not be a member of the board. At its first meeting the board shall also provide for the time and place of holding its meetings, and the manner in which its special meetings may be called.

SEC. 102. All meetings of the board, whether regular or special, shall be open to the public. A majority of the board shall constitute a quorum for the transaction of business.

SEC. 103. The board shall adopt rules to govern its proceedings.

SEC. 104. The board shall select an office and place of business within the district.

SEC. 105. For the purpose of considering local questions affecting a particular county or group of counties the board may hold meetings in the chambers of the boards of supervisors of that county or of any county in the group, if suitable for the purpose, or at any other suitable place the board may designate which is conveniently located with respect to the county or group of counties concerned.

SEC. 106. All official action of the board shall be by ordinance or resolution.

SEC. 107. Each member of the board shall receive the sum of twenty dollars ($20) for attending each meeting of the board and his necessary traveling expenses, and he shall receive no other compensation.

SEC. 108. The board shall at its first meeting, or as soon thereafter as practicable, appoint by a majority vote a general manager, an auditor and a secretary. No director shall be eligible for appointment to any district office except president or vice president of the board. The compensation of the general manager, auditor, and secretary shall be fixed by the board, and such officers shall serve during the pleasure of the board.

SEC. 109. The general manager shall be the executive officer of the district. He shall employ and discharge at pleasure all subordinate officers, employees and assistants, prescribe their duties, and subject to the approval of the board, he shall fix their compensation. He shall have full charge and control of the construction, maintenance and operation of all works of the district. The general manager shall report to the board in accordance with such rules and regulations as the board may adopt.

SEC 110. The board shall appoint an attorney and all subordinate officers not provided to be appointed by the general manager, and shall fix their salaries. Subordinate officers appointed by the board shall serve at its pleasure.

SEC. 111 The general manager, secretary, auditor, engineer, and attorney, and any other officers or employees of the district who may be required to do so by the board, shall give such bonds to the district, conditioned upon the faithful performance of their duties, as the board may prescribe.

SEC. 112. After the organization of the district the board, the general manager, and all of the other officers of the district shall prepare plans, both engineering and financial, for the purpose of putting into operation the plan for which the district has been formed, and secure the necessary data, contracts, agreements, plans, and specifications.

CHAPTER 6 DISTRICT POWERS

SEC 120. The authority is a body corporate and politic exercising essential and public governmental functions as an agency of the State.

SEC. 121. The district may sue and be sued in its corporate name in all actions and proceedings in all courts and tribunals of competent jurisdiction.

SEC. 122. The district may take by grant, purchase, gift, devise or lease, and hold, use, enjoy and lease and dispose of real or personal property of every kind within or without the district necessary to the full exercise of its powers

SEC. 123. The district may do all things necessary or convenient to successfully carry out the plan for which the district was formed

SEC. 124 The district may have and exercise, in the name of the district, the right of eminent domain for the condemnation of any property necessary for the carrying out of the plan for which the district was formed. In any proceding to exercise the right of eminent domain the district shall have the same rights, powers and privileges as the State of California If property is condemned by the district, the district may take possession and use the property in accordance with the provisions of Section 1254 of the Code of Civil Procedure.

SEC. 125. The district may borrow money, incur indebtedness and issue bonds or other evidences of such indebtedness; and refund or retire any indebtedness or lien that may exist against the district or any of its property.

SEC. 126 The district may have taxes levied and collected in accordance with the provisions of this act for the purpose of carrying out the plan for which the district was organized.

SEC 127. The district may make contracts, employ labor, and all kinds of employees, whether skilled or unskilled, for the purpose of carrying on the business of the district

SEC 128. For the purpose of constructing or operating the works or property of any public agency included within the district or for the purpose of facilitating the functioning of such public agency the district may contract with any city, county, county and city, district, or local agency or authority, the area of operation of which is contained in the district, to perform any of their functions or services on such terms as may be agreed upon

CHAPTER 7. DUTIES OF DISTRICT OFFICERS

SEC. 140 The president shall sign all contracts on behalf of the district, and perform such other duties as may be imposed by the board

SEC 141. The secretary shall countersign all contracts on behalf of the district and perform such other duties as may be imposed by the board. The secretary shall devote his full time during office hours to the affairs of the district

SEC 142. The auditor shall install and maintain a system of auditing and accounting which shall completely show the financial condition of the district at all times He shall draw warrants to pay those demands made against the district which have been approved by the general manager, and the auditing committee, consisting of at least three members of the board, and passed by the board.

SEC. 143. The engineer, under the direction of the general manager, shall have full charge of the constructions and of the works of the district.

SEC. 144. The attorney shall have full charge of the legal matters pertaining to the district, and shall be the legal adviser to the board, the general manager, and all of the officers of the district.

SEC. 145. The board shall designate a bank of good standing as the depositary for district funds The board may also designate other banks as branch depositaries. The depositary and each branch depositary shall give security sufficient to secure the district against possible loss, and shall pay the warrants drawn by the auditor for demands against the district under such rules as the board may prescribe.

SEC. 146. The board may also deposit all or part of the funds of the district in the State Treasury, and the State Treasurer shall receive any district funds sent to him for deposit and pay out said funds upon warrants of the district, under such rules as the board may prescribe.

CHAPTER 8. TAXATION

SEC. 148 During July of each year the board shall determine the amount of money required by the district which must be raised by taxation, and shall fix a rate of taxation which will raise that amount.

SEC 149. The district may be divided into zones for the purpose of assessing the property therein on an ad valorem basis in accordance with benefits to be derived from the project. All property within a zone, established as herein provided, is presumed to be equally benefited by the project

SEC 150. Within a reasonable time prior to the time that the boards of supervisors of the counties having any portion of their territory within the boundaries of the district are required by law to fix their tax rates, the board shall certify to the board of supervisors of each of the said counties the rate of taxation fixed for district purposes and at the time and in the manner required by law for the levying of taxes for county purposes each shall levy and collect a tax for district purposes in addition to any other tax levied by such board of supervisors at the rate certified by the board.

SEC 151. All county officers charged with the duty of collecting taxes shall collect district taxes at the same time and in the same form and manner as county taxes are collected, and when collected pay the proceeds to the district The appropriate county officers shall pay the taxes collected for the district to the secretary of the district who shall deposit them in the district depositary or in the State Treasury to the credit of the district.

SEC. 152. Taxes levied by the board of supervisors of a county for the benefit of the district shall be a lien upon all property within the district, and shall have the same force and effect as other liens for taxes. Their collection may be enforced in the same manner as liens for county taxes are enforced.

CHAPTER 9. AUTHORITY FOR ISSUANCE AND SALE OF DISTRICT BONDS

SEC 170. Whenever the board deems it necessary for the district to incur a bonded indebtedness it shall, by resolution, so declare. The resolution shall contain:

(a) A statement of the proposition to be submitted to the electors, including the purpose for which the proposed debt is to be incurred.

(b) The amount of debt to be incurred, which shall not exceed 15 percent of the assessed value of all taxable property in the district.

(c) The maximum term, which shall not exceed 40 years, that the bonds proposed to be issued shall run before maturity

(d) The maximum rate of interest to be paid, which shall not exceed 6 percent per annum.

(e) A statement that interest, to be paid upon such bonds, during the period of construction of the works of the district and before any revenue is obtained therefrom shall be a capital charge, and shall be payable out of the principal sum realized from the sale of the bonds.

SEC. 171. The board shall fix a date upon which a special election shall be held for the purpose of authorizing the bonded indebtedness to be incurred and shall provide for holding the election on the date so fixed.

SEC. 172. The board shall give notice of the holding of the election.

The notice shall:

(a) Refer to the resolution adopted by the board calling the election.

(b) Specify the precincts or consolidated precincts in each county or portion of a county which are adopted for the purposes of the election.

(c) Designate the location of the balloting places, and the names of the officers selected to conduct the election, who shall consist of one inspector and two judges in each precinct.

SEC. 173. The notice shall be published for two weeks in at least one newspaper and not more than three newspapers designated by the board, which are published in each county or portion of a county within the district The notice as published in each county shall contain only the reference to the precincts, polling places and election officers in the county or portion of the county in which it is published.

If there is no newspaper published in any county the notice shall be posted in three public places in that county.

SEC. 174 All the expenses of holding the election shall be borne by the district

SEC. 175 The returns of the election shall be made and the votes canvassed by the board within thirty days after the holding of the election, and the results thereof designated and declared in accordance with the general elections laws of the State in so far as they may be applicable, and except as otherwise provided in this chapter.

As soon as the result is declared the secretary shall enter a statement of the results in the records of the board.

SEC. 176. If more than two-thirds of the votes cast at the election are in favor of incurring the indebtedness, the board may by resolution at any time it deems proper provide for the form and execution of the bonds, and for the issuance of any part thereof, and may sell or dispose of the bonds so issued at such times or in such manner either for cash in lawful money of the United States, or its equivalent as it may deem to be the public interest.

SEC. 177. All bonds issued by the district shall be legal investments for savings banks, and shall have the same force and effect and shall be equivalent to bonds issued by any municipality, and shall be exempt from all taxation within this State.

CHAPTER 10. ISSUANCE OF DISTRICT BONDS AND DISPOSITION OF SURPLUS PROCEEDS

SEC. 200. At or before the time of issuing any bonds the board shall estimate.

(a) The total cost for carrying out the plan for which the bonds are to be issued.

(b) The amount of bonds which will be required to pay the total estimated cost.

SEC. 201. Bonds may be issued in accordance with the estimate.

SEC. 202. Prior to the preparation of definitive bonds the board may issue temporary bonds of any denomination and with or without coupons and subject to the same restrictions imposed upon the issuance of definitive bonds. Temporary bonds shall be exchangeable for definitive bonds upon the issuance of the latter.

SEC. 203. If, after any bond has been duly signed by any properly authorized officer, that officer ceases to hold office, the bond may nevertheless be delivered with the same effect as if it had been signed by the person holding the office at the time of delivery.

SEC. 204. The district bonds may be made registerable as to principal alone or as to both principal and interest under such terms and conditions as may be fixed by the board prior to the issuance thereof.

SEC. 205. The board may purchase district bonds from money in the sinking or other fund for the payment of bonds, at not more than the par value thereof. All bonds so purchased shall be canceled and shall not be issued again

CHAPTER 11. DISPOSITION AND MAINTENANCE OF ADEQUATE DISTRICT REVENUES

SEC. 220. The board shall in each fiscal year set aside in separate funds out of the revenues of the district sufficient sums to:

(a) Pay the operating expenses of the district.

(b) Provide for repairs and depreciation of the works.

(c) Pay the interest on district bonds as it becomes due

(d) Provide a sinking or other fund for the payment of the principal of such bonds as they become due.

The revenues of the district are hereby pledged to the aforesaid purposes.

SEC. 221 When the plan has been carried out the board shall, in the month of July in each year, cause a tax to be levied and collected in the manner provided in Chapter 11 of this part. The amount of such tax, after deducting any available and applicable moneys on hand (exclusive of moneys in the reserve interest fund) and the estimated amount of revenues of the district for the ensuing 12 months, shall be sufficient to produce the sums required to be set aside into separate funds by Section 220, as well as any deficit in such fund.

SEC. 222 The taxes required to be levied and collected under this chapter shall be in addition to all other taxes levied for county purposes, and all taxable property of the district shall be and remain liable to be taxed as provided in this chapter until the entire principal and interest of the bonded indebtedness of the district has been paid in full

CHAPTER 12 ANNEXATION OF TERRITORY

SEC. 240 Any county or any portion thereof may be added to the district at any time, in accordance with the provisions of this chapter by resolution of the board upon request of the board of supervisors of the county by an ordinance applying for permission for the county or portion thereof to become a part of the district.

SEC 241. If the annexation of any county or portion thereof is proposed to any district already organized the board shall prescribe the terms upon which the territory proposed to be annexed shall be admitted, including the payment of a just proportion of the organization and preliminary expenses originally incurred by the district No county or portion thereof shall be annexed without first complying with those terms

SEC 242 If the board consents to the annexation after any bonded debt of this district has been authorized, the board of supervisors so applying for annexation shall call an election at which the proposition to join the district and assume the obligation of the bonds of the district along with the territory already included therein, shall be submitted to the electors of the county or portion thereof as one proposition. Unless the proposition receives two-thirds of the vote cast at the election the county or part thereof shall not be annexed to the district. If the proposition carries by two-thirds or more of the votes cast at the election the result of the election shall be certified to the Secretary of State by the county clerk of the county and thereupon the Secretary of State shall give notice and call for protests in the same manner as upon the original formation of the district.

SEC 243 If the district has not incurred a bonded indebtedness at the time of the application by the board of supervisors to join the district, the county or part thereof may be annexed if the board of supervisors passes an ordinance declaring its intention to join the district and an election is held as provided in this part for the formation of the district The certification of the result of the election shall be presented to the Secretary of State who shall give notice of the presentation thereof, and of the date set for receiving protests against the annexation in the same manner as provided for the original formation of the district.

SEC 244 After all protests have been disposed of in the same manner as protests upon the formation of the district, the Secretary of State shall issue his certificate certifying to the annexation and describing the boundaries of the district as finally determined, which certificate shall be recorded in the office of the county recorder of each county wherein any portion of the annexed territory is located

SEC. 245. Upon the issuance of the certificate of annexation by the Secretary of State the territory named therein shall become a part of the district."

Amendments read, and ordered printed in the Journal without action at this time.

RESOLUTIONS

The following resolution was offered:

By Mr. McMillan:

House Resolution No. 240

Relative to the creation of the Assembly Interim Committee on Public Morals

WHEREAS, Each session of the Legislature is confronted with numerous bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that the Assembly be fully informed on all phases of such subjects and of the administration and adequacy of the existing laws relating thereto, in order that it may intelligently propose and consider legislation in those fields; and

WHEREAS, The Committee on Public Morals created by House Resolution No. 213 of the 1947 Session has declared a need exists for further studies in this field and has recommended that a new committee be created for that purpose; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Morals is hereby created and authorized and directed to ascertain, study and analyze all facts relating to public morality, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 632

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 632, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 632

Senate Bill No. 632—An act to amend Sections 20126, 20362, 20894.5, 21028, 21251.1, 21253, 21452, and 21453 of the Government Code and to add Section 20337 to Article 2 of Chapter 3 and Section 21371 to Article 5 of Chapter 9 of Part 3 of Division 5 of Title 2 thereof, all relating to the State Employees' Retirement System.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 1, 1949, after "20362," insert "20583,".

Amendment No. 2

On page 5, line 9, of said bill, after the comma, insert "for a prison member,".

Amendment No. 3

On page 5, lines 11 and 12, of said bill, strike out "for whom a different current service pension is not prescribed by other provisions of this part,".

Amendment No. 4

On page 5, line 21, of said bill, after "service", insert "except service in a category of membership other than that of a state miscellaneous member, prison member, or local miscellaneous member,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 7 of said bill, between lines 32 and 33, insert

"SEC. 10. Section 20583 of the Government Code is amended to read:

20583. Whenever by any provision of this part an election is given to contracting agencies to subject themselves and their employees to provisions of this part otherwise not applicable to contracting agencies and their employees, contracts made pursuant to this chapter shall subject the contracting agency and its employees to the provisions applicable to the State and state employees of the same or similar classes[ ], *and all of the provisions of this part applicable to state miscellaneous employees, as such provisions have been or may be amended from time to time, shall apply to the employees of contracting agencies under this chapter and to such contracting agencies, notwithstanding anything in said provisions giving an election to be subject thereto to contracting agencies other than contracting agencies under this chapter.* The percentage of compensation allowed as credit to local miscellaneous members under this chapter for each year of prior service established pursuant to Section 20835 shall be 100 percent of the percentage applicable to the same or similar classes of state employees."

Amendment No. 6

On page 7, line 33, of said bill, strike out "SEC. 10.", and insert "SEC. 11."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Speaker Presiding

At 12.18 p m, Hon. Sam L. Collins, Speaker of the Assembly, presiding.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ALL BILLS PASSED TEMPORARILY ON FILE HOLD THEIR PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that all bills passed temporarily on file, hold their places on file on the next legislative day.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 95: By Mr. George D. Collins—Relative to adding a new rule to be numbered 36.1 to the Joint Rules of the Senate and Assembly, relating to investigating committees.

Referred to Committee on Rules.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sherwin:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1 That the Assembly Standing Committee on Ways and Means is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1949-50 and 1950-51 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1949 and 1950 Regular Sessions

2 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until April 30, 1951, with authority to file its final report not later than that date

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution

5. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dunn, Mrs. Niehouse, Messrs. Huyck, Kirkwood, and Geddes:

House Resolution No. 242

Relative to the creation of the Assembly Interim Committee on Public Education

WHEREAS, In order to properly carry out its legislative function it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To meet at the State Capitol or at any place within the State or within the United States

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Kilpatrick, Burke, Hahn, Babbage, Bennett, Cooke, Fleury, Smith, Beck, Rosenthal, Doyle, Crowley, Coats, Moss, Hagen, Way, Morris, Luckel, Thomas, Fletcher, Hawkins, Anderson, Huyck, Grant, McMillan, Caldecott, Mrs. Niehouse, Messrs. Elliott, Reagan, McCarthy, Thompson, Geddes, McCollister, George D. Collins, Evans, Dunn, Conrad, Berry, Lowrey, Burkhalter, Crichton, Rumford, Gaffney, Yorty, Lipscomb, Levering, Condon, Dolwig, Clayton A. Dills, Erwin, Butters, Heisinger, Stanley, Connolly, Clarke, and Meyers:

House Resolution No. 243

Relative to the creation of the Assembly Interim Committee on Crime and Corrections

WHEREAS, The continued increase in population in this State and the lack of new custodial facilities has intensified the need for information by the Legislature with respect to custodial institutions in this State; and

WHEREAS, Available information indicates a rising tide of adult and juvenile delinquency and crime without the development of adequate means of custody and properly caring for the adults and juveniles involved in order to restrain and re-educate them; and

WHEREAS, It is important that this Assembly continue to have complete information as to the planning, construction and costs thereof, management, discipline, educational and curative facilities, food cleanliness, and adequacy of all custodial institutions for juvenile and adult persons in this State, except those expressly maintained for the insane and feeble-minded; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Crime and Correctons is hereby created and authorized and directed to ascertain, study and analyze all facts relating to custodial institutions for juvenile and adult persons in this State except those expressly maintained for the insane and feeble-minded, including the planning, design, and construction of such institutions, the cost thereof, management, discipline, facilities, cleanliness, educational program, curative program, all facts relating to the prevention of crime and process by which adult persons suspected or charged with criminal or delinquent conduct are apprehended and convicted or acquitted, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims

it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dolwig:

House Resolution No. 244

Relative to augmenting the funds of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings (created by House Resolution No. 44, 1949 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 245

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (pro rate cost of telephone service)	$122 44
Department of Finance (supplies)	146 04
H. S. Crocker, Inc. (supplies)	264 45
Cascade Towel Supply (towel supply)	57 20
The Shasta Water Company (drinking water)	15 45
Western Union (telegrams)	37 08

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 245, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

By Mr. Way:

House Resolution No. 246

Relating to a survey and the preparation of plans by the Department of Public Works for a highway from three miles northeast of Hale's Grove near Westport to a point about ten miles south of the Humboldt-Mendocino County line.

WHEREAS, Roads from Westport northeasterly through Hale's Grove to a point about three miles northeast of said Hale's Grove and from a point about ten miles southerly of the Mendocino-Humboldt County line northerly through Four Corners to the said county line have been improved; and

WHEREAS, The section of roadway between these two improved sections is in need of improvement to a standard similar to that of the improved sections; and

WHEREAS, It is desirable that the State Division of Highways make a preliminary survey for this section of incomplete road about ten miles in length as soon as possible, as authorized by Section 75 of the Streets and Highways Code; and

WHEREAS, It is possible funds for the construction of said section of unimproved road may be available from other than state sources; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission and the Department of Public Works are hereby requested to make a preliminary survey of said section of road to ascertain a possible alignment thereof that would meet the requirements of the Federal Government with respect to federal aid secondary highways; and be it further

Resolved, That in the event, upon completion of said survey, funds are made available to the Department of Public Works by the County of Mendocino or from any other source, pursuant to the provisions of Section 131 of the Streets and Highways Code of the State of California, said department shall use such funds for the preparation of detailed plans and specifications to be used in the construction of said highway; and be it further

Resolved, That this resolution shall completely supersede House Resolution No. 202, adopted by this Assembly on June 1, 1949 (Assembly Journal, June 1, 1949, Pages 3918, 3919); and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the California Highway Commission, to the Director of Public Works, and to the State Highway Engineer.

Resolution read, and ordered referred to the Committee on Rules.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 121

At 12.24 p.m., on motion of Mr. Maloney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 121 passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Hagen, Hollibaugh, Kirkwood, Lewis, Lincoln, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Silliman, Stanley, Thomas, Thompson, Way, Weber, and Yorty—41.

NOES—Anderson, Bennett, Burke, Burkhalter, Clarke, Collier, Conrad, Cooke, Elliott, Evans, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lipscomb, Luckel, Morris, Reagan, Rosenthal, Sherwin, and Smith—25.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 29

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 29, on the unfinished business file, at this time.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 29

Mr. McCollister asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Thursday, June 2, 1949, passed Assembly Bill No. 29.

Further Consideration of Assembly Bill No. 29

Assembly Bill No. 29—An act to add Section 66k to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick,

Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1412

At 12.30 p.m., on motion of Mr. Butters, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1412 refused passage by the following vote:

AYES—Babbage, Burke, Burkhalter, Butters, Clarke, Coats, Conrad, Crichton, Dolwig, Erwin, Evans, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lowrey, Moss, Smith, and Way—24.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Caldecott, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hawkins, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—46.

MOTION TO SET SPECIAL ORDER

Mr. Sherwin moved that Assembly Bill No. 1100 be made a special order of business for Thursday, June 9, 1949, at 10 a.m.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 67	Assembly Bill No. 2204
Assembly Bill No. 88	Assembly Bill No. 2700
Assembly Bill No. 734	Assembly Bill No. 3146
Assembly Bill No. 2081	

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 281	Assembly Bill No. 2639
Assembly Bill No. 1340	Assembly Bill No. 3156
Assembly Bill No. 1537	

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 626
Assembly Bill No. 2037
Assembly Bill No. 2152
Assembly Bill No. 2320
Assembly Bill No. 2492
Assembly Bill No. 2631
Assembly Bill No. 2807
Assembly Bill No. 3040
Assembly Bill No. 3153

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 993
Assembly Bill No. 1682
Assembly Bill No. 1861

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1305

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 856
Senate Bill No. 1393

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1449

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2653
Assembly Bill No. 2859

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2695

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 3045

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 170

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER. Your Committee on Public Health, to which were referred:

Assembly Bill No. 1925
Assembly Bill No. 2798

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 797

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 1005

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 11
Senate Bill No. 36
Senate Bill No. 962

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 966

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 811
Senate Bill No. 945
Senate Bill No. 1188
Senate Bill No. 1190
Senate Bill No. 1191
Senate Bill No. 1193
Senate Bill No. 1195
Senate Bill No. 1196
Senate Bill No. 1198

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1514

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2210

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2873

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 485

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 70

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CLARKE, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 875

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 886

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Senate Bill No. 638

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

ERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1001

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and re-refer to the committee .

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER · Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 1273

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2027

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

SHERWIN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Beck asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal in 10-point type:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 7, 1949

Honorable Julian Beck
Assembly Chamber

PROCEDURE ON PASSAGE OF BUDGET BILL—No. 7588

DEAR MR. BECK: You have asked us whether the Budget Bill would be legally enacted and all of its appropriations completely effective under the following circumstances:

Suppose that the Budget Bill is passed by the Assembly at this time by a vote of less than two-thirds of the elected members The bill is then sent to the Senate, where it is amended, passed by a two-thirds vote, and returned to the Assembly for concurrence in the amendments. The Assembly thereupon concurs in the Senate amendments by an affirmative recorded vote of two-thirds of its membership.

It is our opinion that under such circumstances, the Budget Bill would have been passed by a two-thirds vote of each house of the Legislature and that all of its appropriation provisions would be fully effective insofar as such a vote is necessary to make them so.

We had occasion to consider this question in 1939 (1939 Assembly Journal for April 21, p. 1418) and again in 1945 (1945 Assembly Journal for May 19, p. 3184). Our opinion is still the same as indicated in those opinions. The conclusions expressed therein find further support in the fact that such a procedure was followed in the course of enactment of the Budget Bill at the 1945 Session (A. B. No. 500) and no question was subsequently raised as to the effectiveness of that measure.

The problem arises by reason of the provisions of Section 34a of Article IV of the Constitution which section provides that under the circumstances specified therein appropriations from the General Fund are either reduced or are void unless passed by a two-thirds vote of both houses of the Legislature. *While it is true as a practical matter that the Budget Bill must ultimately be passed by a two-thirds vote of both houses since the appropriations therein from the General Fund are essential to the continued functioning of the State Government, nevertheless a failure to obtain such a vote in the Assembly when the bill is initially up for passage does not constitute a refusal to pass the bill since the measure as so passed would be effective at least as to appropriations from special funds Hence, if the bill receives at least a majority vote, it may properly be transmitted to the Senate for action by that house.*

If the Budget Bill is then amended by the Senate, passed by that house by a two-thirds vote and returned to the Assembly for concurrence in the Senate amendments, it is our opinion that the vote in the Assembly on such concurrence is the vote on final passage by that body. If upon

such vote the amendments are concurred in by two-thirds of the Members of the Assembly, it is our opinion that the measure has then been passed by both houses by the required two-thirds vote.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

ANNOUNCEMENTS

Mr. Dickey announced that all resolutions, with the exception of interim committee resolutions, will be acted upon by the Committee on Rules tomorrow morning.

Mr. Clarke announced that all Assembly bills will be considered for the last time in the Committee on Agriculture next Tuesday, June 14th.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2 p.m.—

Motion picture report on Oriental fruit fly in the Hawaiian Islands, in Assembly Chamber.

At 3 p.m.—

Rules, in Room 430.
Conservation, Planning and Public Works, in Assembly Chamber.

Tonight—at 8 p.m.—

Constitutional Amendments, in Room 430.
Education, in Room 432.
Governmental Efficiency and Economy, in Room 435.
Municipal and County Government, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Louise Courtright and Jean Moreland, guardians of the Camp Fire Girls of Wilsyville, and the following members: Lorene Courtright, Carla Keeland, Barbara Anderson, Nellie Moses, Martha Moses, Lorraine Manly, Garnet Manly, and Barbara La Teer.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Geneva Murrison, Alice Phillips, and Elizabeth Bennett, guardians of the Camp Fire Girls of West Point, and the following members: Lynda Baird, Geraldine Duchell, Grace Adams, Shirley Bennett, Donna Bennett, Janet Miller, Jana Lu Cantrell, Marlene Beam, Kathleen Lowry, Karen Korver, Doris Brooks, Lila Brown, Alice Sefried, Patsy Calvin, Betty Lowe, Betty Robertson, Edith Owensby, and Betty Lou Conneld.

On request of Messrs. Hoffman and Weber, the usual courtesies of the Assembly for this day were unanimously extended to Glenn Babcock, teacher of the Delphi School, and the following pupils: Virginia

Engstrom, Lena Gogna, Buddy Engstrom, Jack Harmon, Helen Greco, Steve Campora, Wesley Atkins, Melvin Williamson, Darrell Wiggam, Jimmy Stoll, Teddy Omlin, Jo Anne Oliver, Richard Asman, Betty Peters, Bobbie Jo Walker, Charmie Devencenzi, Shirley Bowling, Evelyn Ghio, Ayionne Trebuna, Roselin Malatretti, Mable Rose, Dorothy Combs, Francis Thompson, Bob Rassmusson, Bobbie Ghio, Remo Baffics, Jimmy Devencenzi, Helen Yokoi, Harvey Mack, Billy Peters, Dorothy Colwell, Sandy King, and Callie Wilson.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Dave Cavagnaro of Napa.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Betty Armstrong, Mrs. June Belyea, and Mrs. Elsie Craig, guardians; Miss Dorothy Ruthardt, field director of the Camp Fire Girls of San Andreas, and the following members: Carolyn Acosta, Carol Armstrong, Betty Craig, Rosalind Gary, Patty Gilmore, Carlene Hengen, Dorothy Heard, Rosie Hernandez, Joan McNider, Erma Main, Shirley Outcalt, Mary Jane Outcalt, Consuelo Quinones, Rosalind Quinones, Janice Ransdell, Frances Rousey, Janice Swain, Joyce Taylor, Shirley Vassey, Lois Weaver, and Pauline Belyea.

ADJOURNMENT

At 12.35 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Thursday, June 9, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED FIFTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, June 9, 1949

The Assembly met at 9 a m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—55.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Great Spirit, You have always been, and before You nothing has been.

The star nations all over the heavens are Yours, and Yours are the grasses of the earth. You are older than all need, older than all pain and prayer

Great Spirit, all over the world the faces of living ones are alike. With tenderness they have come up out of the ground.

Look upon Your children, with children in their arms, that they may face the winds and walk the good road to the day of quiet.

Great Spirit, fill us with the light Give us the strength to understand and the eyes to see

Teach us to walk the soft earth as relatives to all that live. Help us, for without You we are nothing.—AMEN.

(A reported prayer offered by the Chieftain of the Sioux Indians.)

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Burkhalter, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Speaker Pro Tempore Presiding

At 9.06 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

THE AMERICAN LEGION, DEPARTMENT OF CALIFORNIA
OFFICE OF CAMP DIRECTOR, CALIFORNIA BOYS' STATE
400 COLOMA WAY, SACRAMENTO, CALIFORNIA, June 6, 1949

Mr. Arthur A. Ohnimus,
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: For the past several years the Assembly Chamber has been made available to the boys attending the annual session of California Boys' State, which is sponsored by the American Legion, Department of California.

As camp director for this program this year I would like to request that we be permitted to use the Assembly Chamber for the annual Inauguration Ceremonies of Boys' State, Thursday, June 23d.

You are aware, I am sure, that this trip to the Capitol and the ceremonies in the Assembly Chamber are really the heart of our Boys' State session. Through the kindness of the Members of the Assembly in granting us this privilege, the boys have come to look upon this as the real highlight of the session. The basic principle of our Boys' State program is good citizenship and an appreciation of our governmental structure, and in order for the boys to enjoy this real contact, I sincerely trust that we may again be permitted to use the Assembly.

We anticipate an attendance this year of 730 boys.

Thanking you for your cooperation, I remain,

Yours very truly,

CARLISLE CRAMER, Camp Director

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1100

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 341—An act to add Section 5082.2 to the Business and Professions Code, relating to the registration of public accountants;

Assembly Bill No. 345—An act to repeal Section 6010 of, to add Sections 6010 and 6010.5 to, and to amend Sections 6011, 6013, 6018 and 6020 of, the Insurance Code, relating to insurance and to the standard form of fire insurance policy for county mutual fire insurers;

Assembly Bill No. 414—An act to add Section 246 to the Penal Code, relating to the discharging of firearms or throwing of missiles at dwelling houses or occupied buildings;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 522—An act to amend Sections 4890 and 4910 of the Health and Safety Code, relating to sewer maintenance districts;

Assembly Bill No. 736—An act amending Section 5838 of the Streets and Highways Code, relating to the annexation of territory to county maintenance districts;

Assembly Bill No. 928—An act to amend Sections 737t and 737x of the Political Code, relating to salaries of Superior Court Judges in the Counties of Madera and Merced;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 946—An act to repeal Article 4 of Chapter 2 of Part 1 of Division 1 of the Health and Safety Code consisting of Sections 350 to 354, inclusive, and to add Article 4 to Chapter 2 of Part 1 of Division 1 consisting of Sections 350 to 356, inclusive, relating to a Division of Dental Health;

Assembly Bill No. 1132—An act to add Sections 1201.1, 1201.2, 1201.3, 1201.4, 1201.5, 1201.6, 1201.7, 1201.8, 1201.9, 1201.10, and 1201.11, to the Fish and Game Code, relating to pheasants, and declaring the urgency thereof;

Assembly Bill No. 1483—An act to add Section 801.5 to the Agricultural Code, relating to the marketing of juice grapes;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1484—An act to add Sections 4902.5, 4902.6, 4902.7, 4902.8, 4902.9, 4963.1, 4963.2, 4963.3, and 7431.1 to the Education Code, and to amend Sections 4962 and 4963 of said code, all relating to school districts;

Assembly Bill No. 1510—An act to amend Section 16255 of the Education Code, relating to the transportation of pupils;

Assembly Bill No. 1511—An act to amend Section 16252 of the Education Code, relating to the letting of contracts;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1665—An act to amend Section 37900 of, and to add an article heading and Article 2, comprising Sections 37930 to 37935, inclusive, to Chapter 6, Part 2, Division 3, Title 4 of, the Government Code, relating to public works;

Assembly Bill No. 1874—An act to amend Sections 3454, 3457, 3476a, and 3479 of the Political Code, relating to reclamation districts;

Assembly Bill No. 1954—An act to amend Section 1601 of the Health and Safety Code, relating to biologics;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2106—An act to amend Section 9173 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of use fuel tax;

Assembly Bill No. 2107—An act to amend Section 8148 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of motor vehicle fuel license tax;

Assembly Bill No. 2109—An act to amend Section 11573 of the Revenue and Taxation Code, relating to actions for the recovery of overpayments of private car tax;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2302—An act to amend Sections 6902, 6903, and 6907 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 2308—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 2900—An act to amend Section 28118 of the Government Code, relating to compensation for public services in counties of the eighteenth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lindsay:

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Article 5.1 to Chapter 11 of Division 2 of the Education Code and to add Section 4919.2 to said code, all relating to the formation of union high school districts.

Respectfully submitted,

FRANCIS C. LINDSAY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lindsay:

An act to add Article 5.1 to Chapter 11 of Division 2 of the Education Code and to add Section 4919.2 to said code, all relating to the formation of union high school districts.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

Motion carried. Time, 9:10 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Bennett, Brady, Caldecott, Coats, Collier, George D. Collins, Conrad, Davis, Clayton A. Dills, Dunn, Evans, Fletcher, Fleury, Grant, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lowrey, McMillan, Meyers, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Thomas, Way, Weber, and Yorty—36.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 138

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund or other disposition of certain optional contributions by state members of said system

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1900 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 799

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted.

Senate Constitutional Amendment No. 30
Senate Concurrent Resolution No. 66
Senate Concurrent Resolution No. 69
Senate Joint Resolution No. 31

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to the holding of other trust or employment by Senators and Members of the Assembly.

Referred to Committee on Constitutional Amendments.

Senate Concurrent Resolution No. 66—Relative to the creation of the Joint Committee on Water Problems.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 69—Relative to protection at locations where school children cross state highways in rural areas.

Referred to Committee on Rules.

Senate Joint Resolution No. 31—Relative to federal control of forest cutting practices.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 14
Senate Bill No. 84
Senate Bill No. 644
Senate Bill No. 700
Senate Bill No. 832
Senate Bill No. 1414
Senate Bill No. 1637

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 14—An act to add Division 3.5 to the Water Code, relating to tunnels, and providing for the licensing, inspection and approval of tunnels through water bearing strata and preserving the rights to water flowing into such tunnel.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 84—An act to add Section 37a to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to inclusion of land.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 644—An act to repeal Sections 9.5, 41.1, and 102 of, and amend Sections 9, 9.2, 45, 45.5, 53, 54, 55, 57, 71, 151, 205, and 40 of, and add Section 41.1 to the Unemployment Insurance Act, relating to unemployment insurance and disability insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 700—An act to amend Section 207 of the Unemployment Insurance Act, relating to unemployment compensation disability benefits.

Referred to Committee on Finance and Insurance.

Senate Bill No. 832—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to unemployment insurance and refunds of wage-earner contribution.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1414—An act to amend Sections 21155, 21155.1, and 21156 of the Education Code, relating to the State Nautical School.

Referred to Committee on Education.

Senate Bill No. 1637—An act creating the "Sonoma County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface

waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Referred to Committee on Municipal and County Government.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1514—An act to amend Sections 5, 6, 8, 9, and 16 of the California Agricultural Products Marketing Act of 1943, relating to the marketing of agricultural products, declaring the urgency of this act to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 170—An act to amend Section 32001 of the Health and Safety Code, relating to the establishment, organization, government and powers of hospital districts.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1305—An act to amend Section 8202 of the Government Code, relating to eligibility to, and performing the duties of, the office of notary public.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2027—An act to amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to 758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 756, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all relating to property taxation and providing for the assessment of property, the equalization of assessments and the adjustment thereof for allocations of state funds, and making an appropriation for the purposes of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on May 31, 1949, and as corrected in engrossment on June 2, 1949, strike out "756", and insert "757".

Amendment No. 2

In the last three lines of the title of said bill, strike out "making an appropriation for the purposes of this act", and insert "the adjustment of tax rates to promote equity in tax burdens and providing when certain provisions of this act shall take effect".

Amendment No. 3

On page 3, line 11, of said bill, strike out "8140", and insert "1840".

Amendment No. 4

On page 3, line 36, of said bill, strike out "9", and insert "11".

Amendment No. 5

On page 3, line 48, of said bill, strike out "10", and insert "12".

Amendment No. 6

On page 4, line 14, of said bill, strike out "11. Section 756", and insert "13. Section 757".

Amendment No. 7

On page 4, line 16, of said bill, strike out "756", and insert "757".

Amendment No. 8

On page 4, line 32, of said bill, strike out "12", and insert "14".

Amendment No. 9

On page 4 of said bill, strike out line 36 after "board"; strike out lines 37 to 46, inclusive, and strike out all of line 47 before "shall".

Amendment No. 10

On page 5, line 8, of said bill, strike out "13", and insert "15"

Amendment No. 11

On page 5, line 17, of said bill, strike out "14", and insert "16"

Amendment No. 12

On page 5, line 19, of said bill, after "survey", insert "for each county".

Amendment No. 13

On page 5, line 20, of said bill, strike out "first", and insert "second".

Amendment No. 14

On page 5, line 21, of said bill, strike out "second", and insert "third".

Amendment No. 15

On page 5, line 24, of said bill, strike out "delivered", and insert "transmitted".

Amendment No. 16

On page 5, line 26, of said bill, strike out "15", and insert "17".

Amendment No. 17

On page 5, line 29, of said bill, after "the", insert "assessment ratio based upon the".

Amendment No. 18

On page 5, line 37, of said bill, strike out "16", and insert "18".

Amendment No. 19

On page 6, line 36, of said bill, strike out "17", and insert "19".

Amendment No. 20

On page 7, line 1, of said bill, strike out "18", and insert "20".

Amendment No. 21

On page 7, line 3, of said bill, strike out "In all other instances", and insert "Whenever the percentage of assessed to market value in any county as determined by the board differs from the state-wide average of assessed to market value, as likewise determined, by more than 10 percent of that state-wide average".

Amendment No. 22

On page 7, line 12, of said bill, strike out "19", and insert "21".

Amendment No. 23

On page 7, line 20, of said bill, strike out "20", and insert "22".

Amendment No. 24

On page 7, line 30, of said bill, strike out "21", and insert "23".

Amendment No. 25

On page 7, line 32, of said bill, strike out "second", and insert "third".

Amendment No. 26

On page 7, line 37, of said bill, strike out "22", and insert "24".

Amendment No. 27

On page 7, line 48, of said bill, strike out "23", and insert "25".

Amendment No. 28

On page 8, line 5, of said bill, strike out "24", and insert "26".

Amendment No. 29

On page 8, line 15, of said bill, strike out "25", and insert "27".

Amendment No. 30

On page 8, line 15, of said bill, strike out "2004", and insert "2005".

Amendment No. 31

On page 8, line 41, of said bill, after "average.", insert "Similar adjustment shall be made for the purpose of determining eligibility for a payment of state funds whenever such eligibility is affected by the assessed value of property owned by the prospective recipient."

Amendment No. 32

On page 9 of said bill, strike out lines 24 to 27, inclusive, and insert

"SEC. 28. The provisions of Sections 1 to 27, inclusive, of this act shall take effect on September 2, 1950, to the end that they shall be operative for the first time with respect to assessments made as of the first Monday in March, 1951, and taxes levied and funds allocated on the basis thereof. Meanwhile, when funds are available for that purpose, the State Board of Equalization shall proceed with surveys in the manner directed by Section 1831 of the Revenue and Taxation Code, as added by this act, to assure completion of a survey pursuant to that section with respect to each county by the second Monday in July, 1951."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2210—An act to amend Section 20527 of the Water Code, relating to irrigation district elections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "20527", and insert "21100".

Amendment No. 2

In line 2 of the title of said bill, strike out "elections", and insert "offices".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 21100 of the Water Code is amended to read:

21100. Each director shall, except as otherwise provided in this division, be a voter and a freeholder of the district and a resident of the division which he represents *at the time of his nomination or appointment and during his entire term, except in the case of a director elected at a formation election he shall be a resident and freeholder in the proposed district at the time of his nomination and a resident of the division which he represents during his entire term.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 875—An act to amend Sections 782 and 786.5 of, and to add Section 786.3 to, the Fish and Game Code, and to add Chapter 8.5, comprising Sections 28460 and 28461, to Division 21 of the Health and Safety Code, relating to lobsters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 2, 1949, strike out "Sections 782 and 786.5", and insert "Section 786.5".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive

Amendment No. 3

On page 1, line 6, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 1, line 6, of said bill, strike out "said code", and insert "the Fish and Game Code".

Amendment No. 5

On page 1, line 21, of said bill, strike out "3", and insert "2".

Amendment No. 6

On page 2, line 15, of said bill, strike out "4", and insert "3".

Amendment No. 7

On page 2, line 37, of said bill, strike out "5", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 886—An act to amend Section 795 of the Fish and Game Code, relating to abalones.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 795", and insert "Sections 794.5, 795, 799, and 802".

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 794.5 of the Fish and Game Code is amended to read:

794.5. In Districts *6, 7, 15, 16, 17, 19-A, and* 118, *and in District 10 north of Point Lobos,* it is unlawful to take abalone for the purpose of selling same commercially, *except when abalone become so old that they are attacked by borers and parasites, in which case the commission shall authorize the removal of the senile abalone from the affected areas, to provide clean spaces in the visible parts of the beds, and thus increase the chances of survival for abalone of intermediate sizes when they emerge from hiding. Written authorization designating the area shall be carried aboard at all times, and a per dozen charge not to exceed ten dollars ($10) per ton shall be made, the revenues to be used for restoring the natural habitat near recreational centers, where beach developments have caused abalone to become scarce in shallow waters, for transplanting suitable species to sportsmen's zones where the habitat makes this feasible, and for cleaning marine growths off the visible rock slabs in open districts, to make space for more abalone. Size limits as specified in Section 802 shall be observed, except where there is a smaller local variant, in which case the commission shall establish size limits on the basis of the average maturity size of the variant. Divers shall report to the commission for further investigation, local changes in underwater visibility, and any evidence of controllable pollution filling the cracks in which young abalone hide, or killing kelp which furnishes the abalone's food.*

SEC. 2. Section 795 of the said code is".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 7, insert

"SEC. 3. Section 799 of the said code is amended to read:

799. [Diving apparatus may not be used for the taking of abalones in Districts 6, 7, 15, 16, 17, and 19-A.] *Any citizen of the United States may take up unallotted state water bottoms for the purpose of cultivating abalone and abalone pearls, under such regulations as the commission may prescribe.*

SEC. 4. Section 802 of the said code is amended to read:

802. Aabalones may not be taken for commercial purposes *except with full deep-sea diving gear, which covers the diver's body completely except for the hands,*

and makes possible prolonged submersion [under a revocable permit issued by the commission and under such rules and regulations as the commission shall prescribe.] *Every abalone diver shall carry a measuring device and shall measure all abalone before sending them up to the boat. If he accidentally detaches any abalone under the sizes herein specified, he must replace them The tender must measure any doubtful abalone a second time, and if any undersize abalone have accidentally reached the boat, they must not be thrown overboard, but must be returned in a sack to the diver who must place them on a clean space on the rock slab shell side up.* Diving apparatus may be used to take abalones in water not less than 20 feet in depth in those portions of District[s 18, 19,] 20 [and 20-A] lying on the southerly side of Catalina Island between Southeast Rock and Little Harbor, [as may be designated by the commission,] *and in Districts 18, 19, and 20-A*, and in District 10 only in the waters lying south of Point Lobos. It is unlawful to take abalones for commercial purposes, the shell of which, measured in the greatest diameter, is less than the following specifications: Red abalone, eight inches; green abalone, seven and one-quarter inches; pink abalone, six inches; black abalone, [six inches] *may not be taken commercially.*"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3045—An act to add Section 604.14 to the Vehicle Code, relating to ambulance drivers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "604.14", and insert "44.12".

Amendment No. 2

Strike out line 2 of the title of said bill, and insert "emergency vehicles."

Amendment No. 3

On page 1, line 1, of said bill, strike out "604.14", and insert "44.12".

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 6, inclusive, and insert

"44.12. In addition to the vehicles designated as "authorized emergency vehicles" by Section 44, the provisions of this code relating to authorized emergency vehicles shall apply to:

(a) Any motor vehicle owned or operated by any department or agency of the United States Government engaged primarily in law enforcement work when used in response to an emergency call or when used in the immediate pursuit of an actual or suspected violator of the law.

(b) Any fire fighting equipment owned or operated by any department or agency of the United States Government when used in responding to emergency fire calls and in combating fires."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2653—An act to amend Section 963 of the Code of Civil Procedure, relating to appeals.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "963", and insert "1089".

Amendment No. 2

In line 2 of the title of said bill, strike out "appeals", and insert "answers and returns to applications for writs".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1089 of the Code of Civil Procedure is amended to read:

1089. On the return of the alternate *writ*, or on the day on which the application for the writ is noticed, *or, if the Judicial Council shall adopt rules relating to the return and answer, then at the time provided by those rules,* the party on whom the writ or notice has been served may answer the petition under oath, in the same manner as an answer to a complaint in a civil action."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2859—An act to amend Section 209 of the Penal Code, relating to kidnaping.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "torture or".

Amendment No. 2

On page 1, line 19, of said bill, strike out "or not torture or"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1449—An act to add Section 9003 to the Corporations Code, relating to nonprofit corporations

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2, lines 20 and 21, of the printed bill, as amended in the Assembly on May 4, 1949, strike out "without the necessity of any prior notice from the Secretary of State and thereupon", and insert " After written notice is mailed to the corporation by the Secretary of State".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2873—An act to amend Section 1300.8 of the Agricultural Code, relating to processors of farm products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1300.8", and insert "Sections 1300.8 and 1300.9".

Amendment No. 2

On page 1, line 4, of said bill, strike out "no producer shall", and insert "a producer shall not".

Amendment No. 3

On page 1, line 9, of said bill, strike out "ten", and insert "15".

Amendment No. 4

On page 1 of said bill, after line 23, insert

"(c) The name and mailing address of every producer who has a lien under Section 1300.7 of this code upon the farm products to be hypothecated or pledged

In order to be effectively filed, such statement must be accompanied by a number of copies thereof not less than the number of producers' names and addresses listed thereon."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 2 of said bill, after line 20, insert

"SEC. 2. Section 1300.9 of said code is amended to read:

1300.9. It shall be the duty of the director to mark each such statement with a consecutive filing number and with the date and hour of the filing and to keep such statement in a separate file; [and] to note and index the filing in a suitable index, indexed according to the name of the processor and the lender and containing a notation of the chief place of business of both and the branch office, if any, of the lender as given in the statement *; and to promptly mail to each producer listed on the statement at the address shown thereon a copy of such statement bearing the filing number and the date and hour of the filing*. The fee for such shall be [one dollar ($1)] *two dollars ($2), plus ten cents ($0.10) for each producer's name and address shown thereon*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 1001—An act to amend Section 971 of, and to add Section 785.5 to, the Fish and Game Code, relating to lobsters.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 971 and to add Section 785.5 to", and insert "Sections 785 and 971 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 785 of the Fish and Game Code is amended to read.

785. It is unlawful to pickle, can, or otherwise preserve any spiny lobster, *except by freezing whole spiny lobster*, or [to sell any] spiny lobster meat not in the shell.

SEC. 2. Section 971 of the said code is amended to read:

971. Lobster traps *or other methods which do not injure lobsters or prevent survival of undersize lobsters released*, may be used in Districts 17, 18, [and] 19, *20-A and those portions of District 20 lying on the southerly side of Catalina Island between Southeast Rock and Little Harbor*, to take lobsters [only]. *Lobster traps may not be used to take fish and crustaceans other than lobsters, and any other species accidentally taken in such traps, except the predatory fish known as the sheepshead (Pimlcopeton pulcher) shall be released. Lobster traps set in District 19-A shall be confiscated*."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Fish and Game.

Assembly Bill No. 1925—An act to amend Section 14089 of the Health and Safety Code, relating to fire protection districts.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

Strike out lines 3 to 7, inclusive, of the printed bill, and insert

"14089 Any person desiring or required to burn inflammable material pursuant to Section 14084 shall do so only under permit issued by the district board with approval and under such regulations as may be imposed by the district fire chief."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2798—An act to amend Section 29022 of the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 29020 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

Preceding line 1 of the printed bill, insert

"SECTION 1. Section 29020 of the Health and Safety Code is amended to read:

29020. No person shall furnish any dangerous drug, *other than any hypnotic drug*, except upon the prescription of a physician, dentist, chiropodist or veterinarian.

The provisions of this section do not apply to the [sale] *furnishing* of any dangerous drug, *other than any hypnotic drug*, by a manufacturer or wholesaler or pharmacy to each other or to a physician, dentist, chiropodist or veterinarian or to a laboratory under sales and purchase records that correctly give the date, the names and addresses of the supplier and the buyer, the drug and its quantity.

No person shall furnish any hypnotic drug except upon the prescription of a physician, dentist, chiropodist or veterinarian, or upon the receipt of a properly executed official hypnotic drug purchase order form.

It shall be unlawful for any person to furnish any hypnotic drug upon telephonic or oral order, unless within forty-eight hours thereafter he shall secure written prescription therefor, executed in the handwriting of and signed by the prescriber."

Amendment No. 3

On page 1, line 1, of the printed bill, strike out "SECTION 1." and insert "SEC. 2."

Amendment No. 4

On page 1, lines 4 and 5, of the printed bill, strike out "or amphetamine, desoxyephedrine, or compounds or mixtures thereof, nor shall any", and insert ". No".

Amendment No. 5

On page 1, line 6, of the printed bill, after "drug", insert "other than a hypnotic drug".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2695—An act to add Section 261d to the Code of Civil Procedure, relating to fees for phonographic reporters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 26, inclusive; and strike out page 2, and insert

"261d. In each county, or city and county, having a population of more than seventy-four thousand and less than one hundred thousand inhabitants, the judges of the superior court in and for such county, or city and county, a majority thereof concurring therein, to assist the court in the transaction of the judicial business of said court, may appoint the following employees:

Phonographic Reporters. The judges of the superior court, a majority concurring, may appoint as many regular official phonographic reporters as necessary to report the proceedings in said court, except that the number of reporters so appointed shall not exceed at any one time the number of offices of judge provided by law for said court, said reporters to hold office during the pleasure of the judges of said court, a majority concurring. The duties of such official reporters shall be performed as elsewhere defined in this code. Each of said reporters shall receive as full compensation for taking notes in criminal cases in the superior court a monthly salary of five hundred dollars ($500) All other fees of such reporters shall be as elsewhere defined or prescribed in this code In cases where it is necessary that a pro tem reporter be appointed, such reporter shall be allowed the fees as prescribed elsewhere in this code."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Hon. Randal F. Dickey Presiding

At 9.15 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

SECOND READING OF SENATE BILLS

Senate Bill No. 485—An act to add Chapter 1a to Division 2 to, and to repeal Section 150 of, the Agricultural Code, relating to agricultural pest control operators.

Bill read second time, and ordered to third reading.

Senate Bill No. 811—An act to repeal Section 4132.5 of the Business and Professions Code, relating to qualifications for registration as a licentiate in pharmacy.

Bill read second time, and ordered to third reading.

Senate Bill No. 945—An act to amend Section 1205 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read second time, and ordered to third reading.

Senate Bill No. 1188—An act to amend Section 8506 of the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1190—An act to amend Sections 8507, 8520, 8554, and 8620 of the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1191—An act to add Sections 8514 and 8515 to the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1193—An act to amend Sections 8592 and 8610 of the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1195—An act to amend Section 8567 of, and to repeal Section 8572 of the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1196—An act to amend Section 8674 of the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1198—An act to amend Sections 8560, 8562, 8564, 8565, and 8566 of the Business and Professions Code, relating to structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 856—An act to amend Section 737eee of the Political Code, relating to the salary of Superior Judges in and for the County of Yolo.

Bill read second time, and ordered to third reading.

Senate Bill No. 1393—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Monterey, State of California.

Bill read second time, and ordered to third reading.

Senate Bill No. 1273—An act to amend Section 630 of, and to add Sections 630.1 and 630.2 to, the Agricultural Code, relating to dried milk and dried milk products.

Bill read second time, and ordered to third reading.

Senate Bill No. 797—An act to amend Sections 2141, 2142, 2319, 2426, and 2435 of the Business and Professions Code, relating to the practice of the healing arts and the regulation and licensing thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, lines 12 and 13, of the printed bill, as amended in the Senate on May 13, 1949, strike out "less than one hundred dollars ($100) or".

Amendment No. 2

On page 2, lines 10 and 11, of said bill, strike out "less than one hundred dollars ($100) or".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 11—An act to amend Sections 3041 and 3042 of the Business and Professions Code, relating to the practice of optometry.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 4, of the printed bill, as amended in the Senate on April 8, 1949, strike out the period, and insert ", nor prevent a qualified technician acting under the responsibility and direction of a physician and surgeon or an optometrist from fitting contact lenses or using any optical device in connection with ocular exercises, visual training, vision training or orthoptics."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 36—An act to add Section 2137.1 to the Business and Professions Code, relating to the practice of medicine within state institutions, prisons, or homes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Senate on April 25, 1949, strike out the period, and insert "; provided, that qualified physicians and surgeons cannot be recruited in the State of California"

Amendment No. 2

On page 1, line 27, of said bill, after the period, insert "The provisions of this section shall terminate on October 1, 1951."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 962—An act to amend Sections 4031, 4039, 4063, 4090, 4095, 4096, 4221, 4236, and 4255 to, and to repeal Sections 4092, 4121, 4131, 4132, 4133, 4134, and 4135 of the Business and Professions Code, relating to the practice of pharmacy, and the sale of drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Health:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in the Assembly on May 27, 1949, after "board.", insert "*The amendments to this section shall be effective January 1, 1950.*"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 638—An act to amend Section 3 of the Wildlife and Conservation Act of 1947, relating to expenditure of moneys in the Wildlife Restoration Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and".

Amendment No. 2

On page 1, line 1, of said bill, strike out "and".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Fish and Game.

Senate Bill No. 1005—An act to amend Sections 29001, 29020, 29022, 29023, 29026, and 29031 of, and to add Sections 29012, 29013, and 29014 to the Health and Safety Code, relating to dangerous drugs.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on May 18, 1949, strike out "are", and insert "*may be*".

Amendment No. 2

On page 2, line 13, of said bill, after "renewed.", insert "*The annual fee for such license shall be five dollars ($5).*"

Amendment No. 3

On page 2, line 38, of said bill, after "years.", insert

"*Within twenty-four hours after any purchaser in this State gives any order to, or makes any contract or agreement for purchases from or sales by, any out-of-State person of any hypnotic drug for delivery in this State, the purchaser shall forward the original order to the out-of-State person, forward a duplicate of such order, contract or agreement for such purchase to the board by registered mail, and retain a triplicate for not less than three years.*"

Amendment No. 4

On page 3, line 38, of said bill, after "of", strike out "said", and insert "*any hypnotic*".

Amendment No. 5

On page 4 of said bill, strike out line 6, and insert "*maintain proceedings for the revocation or suspension of such license. The proceedings shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and such board shall have all of the powers granted therein.*"

Amendment No. 6

On page 4, line 14, of said bill, after "with", insert "*the Administrative Procedure Act,*".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

Speaker Pro Tempore Presiding

At 9.20 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

ANNOUNCEMENTS

Mr. Geddes announced that the Committee on Rules will shortly place across the desk, for adoption, a House resolution which provides that from now, until the end of the session, all bills on the third reading file will be taken up numerically, and those passed on file each day, will

go to the end of the file; and that any Member of the Assembly, in order to have a bill passed temporarily, instead of on file, must sign a request pad on the desk of the Speaker, explaining his reason for having to be absent from the Assembly Chamber at the time his bill is listed for consideration on the calendar of the day.

MOTION THAT REPORT OF INTERIM COMMITTEE ON FAIRS AND EXPOSITIONS BE PRINTED AS SEPARATE DOCUMENT

Mr. Geddes moved that the Report of the Interim Committee on Fairs and Expositions be printed as a separate document, and that 1,000 copies be ordered printed in 10-point type.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, and Way—53.

NOES—None.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Constitutional Amendment No. 49

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 877
Assembly Bill No. 2059

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 973

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 160?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 15, inclusive, and insert

"1197.5. No employer shall pay any female in his employ at wage rates less than the rates paid to male employees in the same establishment for the same quantity and quality of the same classification of work; provided, that nothing herein shall prohibit a variation of rates of pay based upon a difference in seniority, length of service, ability, education, experience, training, skill, difference in duties or services performed, whether regularly or occasionally, or in the shift or time of day worked, or in availability for other operations normally performed in the business of the employer or other reasonable differentiation, factor or factors other than sex.

A variation in rates of pay as between the sexes is not prohibited where the variation is provided by contract between the employer and the recognized bargaining agent of the employees.

Differences in time, hours of work, interruptions of work for rest periods or restrictions or prohibitions on lifting or moving of objects in excess of a specified weight, when in good faith based on such differences, whether or not required by any statute or regulation or order of any board or commission, whether federal, state or local, authorized to issue the same shall justify a difference in the rate of pay for male and female employees engaged in the same classification of work.

Any action based upon or arising under this section shall be instituted within six months after the date of the alleged violation, but in no event shall any employer be liable for any pay due under this section for more than thirty days prior to receipt by the employer of written notice of claim thereof from the employee.

The burden of proof shall be upon the person bringing the claim to establish that the differentiation in rate of pay is based upon the factor of sex and not upon other factors."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 160 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—60

NOES—None

Notice of Motion to Reconsider Vote Whereby Assembly Concurred in Senate Amendments to Assembly Bill No. 160

Mr. Anderson gave notice that on the next legislative day he would move to reconsider the vote whereby the Assembly on this day concurred in Senate amendments to Assembly Bill No. 160.

APPOINTMENT OF SELECT COMMITTEE

Speaker pro Tempore Maloney announced the appointment of Messrs. Beck, Hinckley, and Clayton A. Dills as a Select Committee to escort to the rostrum, Mr. Will Fisher, who, during the 48 years in which he ably represented newspapers and business interests in Sacramento, gained the lasting friendship of Members of the Legislature.

RECESS

At 9.35 a.m., on motion of Mr. Geddes, the Assembly recessed until 9.38 a.m., to hear remarks from Mr. Will Fisher.

REASSEMBLED

At 9.38 a.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28011, 28012, 28013, 18014, and 28015 to said code, relating to horse, mule and burro meat, declaring the urgency thereof, to take effect immediately.

The question being, Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2080?

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Assembly on May 6, 1949, strike out "at any establishment", and insert "in any establishment or part thereof".

Amendment No. 2

On page 3, line 14, of said bill, strike out "in a", and insert "by the addition thereto of one twentieth of 1 percent of powdered charcoal or in any other".

Amendment No. 3

On page 3 of said bill, following line 48, insert

"SEC. 11.5. Section 28010 is added to said code, to read:

28010. All uninspected horse meat not produced in the State of California shall be decharacterized before entering the State in the manner outlined in Section 28007 (b) or in keeping with federal laws. All inspected horse meat not produced in the State of California shall be delivered to the warehouse, or distributor in the original shipping containers; provided, further, that any processing, grinding, trimming or repackaging shall be done only at an establishment which is under federal, state or state approved municipal inspection."

Amendment No. 4

In line 3 of the title of the printed bill, as amended in the Senate on May 25, 1949, after "28009", insert "28010".

Amendment No. 5

On page 3, line 15, of said bill, after "the addition thereto of", insert "not more than".

Amendment No. 6

On page 3, line 15, of said bill, strike out "powdered", and insert 'granular or crystal".

Amendment No. 7

On page 4, line 11, of said bill, strike out "enacting regulations", and insert "regulating".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2080 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister,

McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—59.
NOES—None.

Assembly Bill No. 2080 ordered enrolled.

Speaker Presiding

At 9.40 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 2358—An act to amend Sections 5400, 5402, and 5404 of the Public Resources Code, relating to recreation, park and parkway districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2358?

Amendment No. 1

On page 2, line 26, of the printed bill, as amended in the Assembly on April 15, 1949, after "acquire", insert "by gift, lease, purchase, eminent domain, or any other manner,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2358 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.
NOES—None.

Assembly Bill No. 2358 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3032

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 3032, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3032—An act to amend Section 469 of the Vehicle Code, relating to railroad warning approach signs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3032?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on April 18, 1949, strike out "enameled".

Amendment No. 2

On page 1, line 16, of said bill, strike out "an enameled", and insert "a".

Amendment No. 3

On page 1, line 17, of said bill, strike out "an enameled", and insert "a".

Amendment No. 4

On page 1, line 19, of said bill, strike out "enamel".

Amendment No. 5

On page 1, line 22, of said bill, after "reflecting", insert "buttons or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3032 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—64

NOES—None.

Assembly Bill No. 3032 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 84, out of order, from the rostrum, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Resolution read.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, as amended in the Assembly on June 3, 1949, after "dred", insert "legislative".

Amendment No. 2

On page 2, line 11, of said measure, strike out the comma, and insert a period.

Amendment No. 3

On page 2, line 15, of said measure, after "Legislature", insert "(the expense allowances for which may equal but not exceed the expense allowances at the time authorized for other elected state officers)".

Amendment No. 4

On page 2, line 15, of said measure, after "hundred", insert "legislative".

Amendment No. 5

On page 2, line 17, of said measure, after "sion or", insert "the duration of a special or extraordinary session or".

Amendments read, and adopted.

Resolution ordered reprinted, and re-engrossed.

REMARKS ON CONDITION OF THE FILE

Mr. Silliman spoke on the condition of the file.

Point of Order

Mr. Geddes arose to the following point of order: That Mr. Silliman is out of order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 28, on request of Mr. Morris.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 142—An act to amend Section 2 of the Community Redevelopment Act, relating to the rehabilitation and redevelopment of blighted areas in urban and suburban communities of this State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 573

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 573, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 573

Assembly Bill No. 573—An act to repeal Division 9 of and to add Division 9 to the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—64.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2170—An act to add Section 13¼ to the Los Angeles County Flood Control Act, relating to storm waters, the expenditure of moneys for improvements, the control of same and the levy of taxes therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—60.

NOES—None.

Motion to Amend Title

Mr. Doyle moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on May 27, 1949, after "waters", insert "and drainage"

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 86

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 86, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 86

Assembly Constitutional Amendment No. 86—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article IV thereof, relating to initiative measures

Resolution read.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Babbage, Burke, Connolly, Conrad, Dolwig, Erwin, Hinckley, Levering, Lincoln, Reagan, Sherwin, Stewart, Waters, and Mr. Speaker—14.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Clayton A. Dills, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Way, Weber, and Yorty—48

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 106, on request of Mr. Doyle.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 71

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 71, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 71

Assembly Constitutional Amendment No. 71—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 4, 5, 6, 7, 8, and 9 of Article XXII, relating to the putting into effect of said Constitution of 1879 and the election for that purpose.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Holhbaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 72

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 72, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 72

Assembly Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 26a of Article I thereof, relating to the suspension of nonexistent Sections 26 and 27 of said article, said sections not having been adopted.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Holhbaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 73

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 73, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 73

Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Sections 3, 5, and 18 of Article IV, Sections 17 and 22 of Article V, Section 25 of Article VI, Section 2 of Article IX, Section 20 of Article XX, and to repeal Section 19 of Article V, Section 17 of Article VI, and Section 10 of Article XXII, relating to state officers and deleting and repealing obsolete and superseded provisions relating to state officers and the election and compensation thereof.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 68

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 68, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 68

Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 1a of Article IV thereof, as adopted June 27, 1933, relating to the effective dates of statutes enacted in the year 1933.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 69

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 69, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 69

Assembly Constitutional Amendment No. 69—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 1 6, 8a, 14½, 14¾, 15½, and 16½ and amending Sections 14 and 14¾ of Article XIII thereof, relating to taxation.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 70

Mr Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 70, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 70

Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Assembly Constitutional Amendment No. 31, 1927 Regular Session and amending Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Senate Constitutional Amendment No. 21, 1927 Regular Session.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 12

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 12, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 12

Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 1 of Article II thereof, relating to the right to vote.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 66

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 66, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 66

Assembly Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Sections 7½a, 8a, and 18½ and amending Section 18 of Article XI thereof, relating to local government, thereby repealing and deleting certain obsolete and superseded provisions.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 67

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 67, temporarily passed on file, at this time

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 67

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by repealing Section 19 of Article XX thereof, relating to expenses of the Constitutional Convention of 1879.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2217

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be re-referred to Joint Interim Committee on Water Problems (created by S.C.R. 60, Res. Chap. 194, Stats. 1949—S.C.R. 11, Res. Chap. 58, Stats. 1948).

WEBER, Chairman

CONSIDERATION OF ASSEMBLY BILL NO. 2217 (BY UNANIMOUS CONSENT)

Assembly Bill No. 2217—An act creating the San Luis Rey Water Authority, providing for its organization and government, and defining its duties and powers relating to the preparation and adoption of plans for and the acquisition, construction, operation and maintenance of a system of works, designated as the San Luis Rey Project, for the appropriation, diversion, storage, conservation, development, distribution and utilization of water of San Luis Rey River for flood control, domestic use, irrigation of lands, and drainage and reclamation connected therewith, and for any beneficial use; providing that certain state agencies may contract or cooperate with said San Luis Rey Water Authority for the purposes of the act; providing that the San Luis Rey Water Authority may cooperate and contract with the United States and its agencies for any of the purposes of the act; defining the manner of providing funds and the issuance, sale and redemption of bonds to carry out the purposes of the act; repealing the San Luis Rey Project Act, which became a law

June 6, 1939, without the Governor's approval, and declaring the urgency thereof to take effect immediately.

Bill read third time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 18, 19, and 20 of the title of the printed bill, as amended in the Assembly on May 27, 1949, strike out "the San Luis Rey Project Act, which became a law June 6, 1939, without the Governor's approval, and declaring the urgency thereof to take effect immediately.", and insert "Part 4 of Division 6, comprising Sections 12000 to 12046, inclusive, of the Water Code."

Amendment No. 2

On page 5, line 21, of said bill, strike out "Section 3720 of the Political Code", and insert "Sections 54900 to 54903, inclusive, of the Government Code".

Amendment No. 3

On page 5, line 28, of said bill, strike out "Section 3720", and insert "Sections 54900 to 54903, inclusive, of the Government Code"

Amendment No. 4

On page 15, line 33, of said bill, after "In", insert "the"

Amendment No. 5

On page 15, line 42, of said bill, after "In", insert "the"

Amendment No. 6

On page 18, line 18, of said bill, before "Excepting", insert "SEC. 25."

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Burke, Burkhalter, George D. Collins, Connolly, Crichton, Crowley, Dickey, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sillman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—48.

NOES—Butters, Clarke, Kilpatrick, Lowrey, and Smith—5.

Assembly Bill No. 2217 ordered reprinted, re-engrossed, and to be re-referred to Committee on Rules.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

DEPARTMENT HIKER COMMITTEE
UNITED SPANISH WAR VETERANS
SACRAMENTO, CALIFORNIA, June 7, 1949

Samuel L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

HONORABLE SIR: The Department of California United Spanish War Veterans, cordially invite you and the Members of the Assembly, to be present at the dedication, and presentation to the State of California, of a Hiker Monument in the Memorial Grove, State Capitol Grounds, Tuesday, June 14th, at 12 30 p.m.

Enclosed find the history of the Hiker

Respectfully,

WM. B. LEMASTERS, Chairman

NOTICE OF MOTION TO RECONSIDER VOTE ON WITHDRAWAL OF ASSEMBLY BILL NO. 3027 FROM COMMITTEE WAIVED

Mr. Hinckley waived his notice of motion to reconsider the vote whereby Assembly Bill No. 3027 was withdrawn from the Committee on Governmental Efficiency and Economy, and placed upon the file.

RECONSIDERATION OF VOTE ON WITHDRAWAL OF ASSEMBLY BILL NO. 3027 FROM COMMITTEE

Mr. Stewart moved that the vote whereby Assembly Bill No. 3027 was withdrawn from the Committee on Governmental Efficiency and Economy, and placed upon the file, be reconsidered.

Demand for Previous Question

Messrs. Condon, Silliman, Lewis, Thompson, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Stewart to reconsider the vote whereby Assembly Bill No. 3027 was withdrawn from the Committee on Governmental Efficiency and Economy, and placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Messrs. Hawkins and Beck moved a call of the Assembly.

Roll Call Demanded

Messrs. Beck, Elliott, and Hawkins demanded a roll call.

The roll was called, and the motion for a call of the Assembly carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Elliott, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Levering, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—53.

NOES—Connolly, Geddes, Huyck, Silliman, and Smith—5.

Time, 10.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Davis, Dunn, Evans, Fletcher, Hoffman, and McMillan—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Erwin asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 1100 was taken up.

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several

public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendment:

(Item 263)
Amendment No. 1

On page 62 of the printed bill, as amended in the Assembly on June 8, 1949, strike out lines 40 to 49, inclusive; and on page 63, strike out lines 2 to 7.

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Brady, Doyle, Fletcher, Geddes, Hollibaugh, Lewis, Morris, Reagan, and Thomas—9

NOES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—46.

The question being on the passage of Assembly Bill No. 1100.

Point of Order

Mr. Waters arose to the following point of order: That Mr. Hawkins has exceeded his time.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Motion That Additional Time Be Granted Mr. Hawkins

Mr. Hollibaugh moved that five minutes additional time be granted Mr. Hawkins for debate on Assembly Bill No. 1100.

Motion carried.

Parliamentary Inquiry

Mr. Thomas arose to the following parliamentary inquiry: How many votes are needed in the Assembly for the purpose of passing the Budget Bill, Assembly Bill No. 1100?

Ruling by Speaker

Speaker Sam L Collins ruled, pursuant to the opinion of the Legislative Counsel (see the Assembly Daily Journal for Wednesday, June 8, 1949—pages 4233 and 4234), that it will take 54 votes for final passage of Assembly Bill No. 1100; and that the bill can be passed to the Senate with 41 votes with the necessity of the Assembly later concurring in Senate amendments by 54 votes.

Parliamentary Inquiry

Mr. Hahn arose to the following parliamentary inquiry: Is it a fact that the Budget Bill, Assembly Bill No. 1100, was passed out of the Committee on Ways and Means without a do pass recommendation?

Ruling by Speaker

Speaker Sam L. Collins stated that the record so shows.

Demand for Previous Question

Messrs. Grant, Conrad, Evans, McMillan, and Reagan demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1100.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Way—46.

NOES—Anderson, Bennett, Brady, Burkhalter, Condon, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Geddes, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Luckel, McMillan, Meyers, Morris, Niehouse, Rosenthal, Stewart, Thomas, Weber, Yorty, and Mr. Speaker—29.

Bill ordered transmitted to the Senate.

Point of Order

Mr. Yorty arose to the following point of order: That Assembly Bill No. 1100 is not legally passed, and that certification by the Speaker will be in violation of the Constitution of the State of California.

Ruling by Speaker

Speaker Sam L. Collins ruled that, since the point of order has been raised, it is well taken; and stated that he will not certify passage of the bill unless the Assembly finally passes the bill by 54 votes.

Parliamentary Inquiry

Mr. Collier arose to the following parliamentary inquiry: Is it possible to bring Assemblyman Ralph C. Dills back to Sacramento for the purpose of voting in case of an emergency?

Ruling by Speaker

Speaker Sam L. Collins ruled that he has been excused, by unanimous consent, for the balance of the legislative session.

Parliamentary Inquiry

Mr. Hahn arose to the following parliamentary inquiry: If the budget fails of passage, is it possible that the 1948 Budget, plus a 5 percent increase, will go into effect in lieu of the present proposed budget?

Ruling by Speaker

Speaker Sam L. Collins ruled that the Legislative Counsel has already passed on this point to the contrary.

EXPLANATION OF VOTE ON AMENDMENT TO ASSEMBLY BILL NO. 1100

I deplore the adoption of the amendment to Item 39 of the Budget Bill which was proposed by Mr. Erwin, and which eliminated the inspection fees of the local meat packers within California.

The inspection is required by law and guards our health, and should be paid by the State.

S. L. HEISINGER

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Yorty asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal in 10-point type:

OPINION OF LEGISLATIVE COUNSEL

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 7, 1949

Honorable Samuel W. Yorty
Assembly Chamber

PROCEDURE UPON CONSIDERATION OF BILLS REQUIRING MORE THAN MAJORITY VOTE—No. 7544

DEAR MR. YORTY: You ask what procedure should be followed with respect to an Assembly bill that has been reported to the Senate as having been passed by the Assembly where such bill received only a majority vote and the Constitution requires passage by a two-thirds vote. As an example you cite the possibility of this occurring in connection with a bill to increase the number of superior court judges in a county and the provision of Section 9 of Article VI requiring that such a bill be passed by a two-thirds vote. You state it has been suggested that it is unnecessary to recall such a bill from the Senate for further consideration in view of what is known as the "Enrolled Bill Rule."

It is our opinion that when a bill which requires a two-thirds vote for enactment is reported to the Senate as having been passed by the Assembly, although it did not receive the required vote, it should be recalled from the Senate for further consideration. This same procedure should be followed in the case of any other bill as to which constitutional requirements applicable to its enactment are not complied with.

What is known as the Enrolled Bill Rule was originally set forth by the Supreme Court of this State in *Sherman* vs. *Story*, 30 Cal. 253 and in *County of Yolo* vs. *Colgan*, 132 Cal. 265. The rule was reaffirmed in *Taylor* vs. *Cole*, 201 Cal. 327, and is in substance that an act of the Legislature properly enrolled and authenticated, conclusively establishes not only the contents of the law but the due performance of all steps requisite to its passage by the Legislature.

The essence of the rule is that the courts of this State accept as conclusive the authentication of due passage of a bill as indicated by the signatures of the proper officers of the two houses and that the court will not look to the Journals to confirm or refute the propriety of such authentication.

The effect of the rule is to place upon the Legislature and the officers of the houses the responsibility of determining whether legislative bills have been passed in compliance with constitutional requirements and to charge those officers with the duty of certifying as passed only those bills which have been enacted in accordance with the requirements of the Constitution.

It is true that under this rule, if a bill is duly enrolled and chaptered the courts will refuse to consider any question as to whether the bill was properly passed. However, we find nothing in any of the cases that indicates in any way that the rule is intended to permit wilful

deviations by the Legislature from specific constitutional requirements regarding passage of bills or that it relaxes the obligation of a legislative officer to refuse to authenticate a bill as duly passed if he knows that such is not the fact.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

REQUEST FOR UNANIMOUS CONSENT THAT 500 COPIES OF REVISED EDITION OF LIST OF LEGISLATIVE CHANGES IN BUDGET ACT OF 1949 BE PRINTED

Mr. Sherwin asked for, and was granted, unanimous consent that 500 copies of the revised edition of the list of legislative changes in the Budget Act of 1949 be ordered printed.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 12.12 p.m., on motion of Mr. Lindsay, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Lindsay granted permission to introduce a bill by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3171: By Mr. Lindsay—An act to add Article 5.1 to Chapter 11 of Division 2 of the Education Code and to add Section 4919.2 to said code, all relating to the formation of union high school districts.

Referred to Committee on Education.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER VOTE ON WITHDRAWAL OF ASSEMBLY BILL NO. 3027 FROM COMMITTEE

At 12.18 p.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. Stewart to reconsider the vote whereby Assembly Bill No. 3027 was withdrawn from the Committee on Governmental Efficiency and Economy, and placed upon the file, carried by the following vote:

AYES—Babbage, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln,

Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Morris, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—46.

NOES—Anderson, Beck, Bennett, Berry, Burkhalter, Coats, George D Collins, Condon, Cooke, Crichton, Crowley, Clayton A Dills, Doyle, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Maloney, Meyers, Moss, Niehouse, Rosenthal, Rumford, Thomas, and Yorty—28.

Assembly Bill No. 3027 ordered re-referred to the Committee on Governmental Efficiency and Economy.

MEMBERS EXCUSED

At 12.20 p.m., Mr. McCollister asked for, and was granted, unanimous consent that Messrs. Davis and Hoffman be excused, for the balance of the legislative day, because of legislative business elsewhere.

ANNOUNCEMENTS

Mr. Beck announced a Democratic Caucus upon adjournment.

RECESS

At 12.21 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

RESOLUTIONS

The following resolution was offered:

By Mr. McCollister:

House Resolution No. 247

Relating to the Sonoma State Home

WHEREAS, An inmate of the Sonoma State Home recently escaped from that home and is alleged to have committed murder, kidnapping, and robbery; and

WHEREAS, Criminal type juveniles have recently been confined at the Sonoma State Home; and

WHEREAS, It is essential for the safety and security of the people in the area surrounding the Sonoma State Home and of the people of this State that the inmates of said home be prevented from escaping; and

WHEREAS, It is desirable that the Sonoma State Home be used solely for the detention of incompetents; now, therefore, be it

Resolved by the Assembly of the State of California, That the Director of Mental Hygiene and the Superintendent of the Sonoma State Home be requested and directed to take every precaution to enforce stronger discipline among the inmates of said home and to prevent any inmates of said home from escaping; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the Director of Mental Hygiene and the Superintendent of the Sonoma State Home.

Request for Unanimous Consent

Mr. McCollister asked for, and was granted, unanimous consent to take up House Resolution No. 247, at this time, without reference to committee or file.

Resolution read, and adopted.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Condon.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 37 to the Construction and Employment Act making an appropriation to be allocated to sanitary and sanitation districts, for the prevention of pollution of streams, rivers, bays and oceans in and adjacent to the State

Respectfully submitted

ROBERT L. CONDON

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Condon:

An act to add Section 37 to the Construction and Employment Act making an appropriation to be allocated to sanitary and sanitation districts, for the prevention of pollution of streams, rivers, bays and oceans in and adjacent to the State

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dickey moved a call of the Assembly.

Motion carried Time, 2.01 p m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burkhalter, Coats, George D. Collius, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Tomlinson, Weber, and Yorty—50

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 458

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 458, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 458

Senate Bill No. 458—An act to amend Sections 2039, 2045.4, 5003, and 6105 and the article heading of Article 5 of Chapter 1 of Title 1 of Part 3 of the Penal Code, and to add Article 6, comprising Sections 2046

to 2046.6, to Chapter 1 of Title 1 of Part 3 thereof, relating to institutions subject to the jurisdiction of the Department of Corrections, providing for the establishment of the Southern California Medium Security Prison and for the commitment and transfer of persons thereto and therefrom.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendment:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 2, line 32, of the printed bill, as amended in the Senate on March 31, 1949, insert

"SEC. 4. Article 6050 of the Penal Code is amended to read:

The Governor, upon recommendation of the director, and with the advice and consent of the Senate, shall appoint the wardens of the various state prisons and the Superintendent of the California Institution for Women. The superintendent and each warden shall be subject to removal by the director, but before a warden or a superintendent may be removed by the director, charges against him, which charges may be preferred by any person, shall be heard by the Board of Corrections. The Board of Corrections shall make detailed findings with respect to the charges and submit the findings to the director. The director may, but need not, abide by the findings of the Board of Corrections, and may retain or remove the warden or superintendent. If the director removes the warden or superintendent his action shall be final. The superintendent and wardens shall continue to be exempt from civil service.

The Personnel Board shall fix the compensation of the wardens of the state prisons [at not to exceed seven thousand two hundred dollars ($7,200) per annum] and of the Superintendent of the California Institution for Women [at not to exceed six thousand dollars ($6,000)]. In addition to the compensation thus fixed the wardens and superintendent shall receive full maintenance for self and family and any increase in compensation provided by general law for state officers or employees]."

Amendment read, and adopted.

Motion to Amend Title

Mr. Silliman moved the adoption of the following amendment to the title:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 20, 1949, strike out "Sections 2039, 2045.4, 5003, and 6105", and insert "Section 5003"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 205
House Resolution No. 234
House Resolution No. 236
House Resolution No. 238
House Resolution No. 244

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 359
Assembly Bill No. 2318

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1486

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1130

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2855

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2321

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 134

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 463

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 835
Assembly Bill No. 2369
Assembly Bill No. 3152

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2259
Assembly Bill No. 2401
Assembly Bill No. 2467
Assembly Bill No. 3013

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER. Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 366
Senate Bill No. 684
Senate Bill No. 809

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to was referred:

Assembly Bill No. 1838

Has had the same under consideration, and reports the same back with the recommendation · Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 1952

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 644
Assembly Bill No. 2280
Assembly Bill No. 2905
Assembly Bill No. 3155

Has had the same under consideration, and reports the same back with the recom mendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 437
Senate Bill No. 1093
Senate Bill No. 1420
Senate Bill No. 1634

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2190

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 577

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 91

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 172
House Resolution No. 224
House Resolution No. 230

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 23

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 67

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 164
Senate Bill No. 592

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 2010

Has had the same under consideration, and reports the same back with the recommendation: Amend, and be re-referred to Committee on Judiciary.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 3085

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Crichton asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 664
Assembly Bill No. 672
Assembly Bill No. 1007
Assembly Bill No. 2961

Has had the same under consideration, and reports the same back with the recommendation: Do pass

DUNN, Chairman

Above reported bills ordered to third reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Assembly Bill No. 1697

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Senate Bill No. 958

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Joint Resolution No. 43: By Messrs. Moss and Fleury—Relative to California State Employees' Association's Eighth Annual Institute on Government.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1325 BE WITHDRAWN FROM COMMITTEE, AND BE PLACED UPON THE FILE

Mr. Way asked for, and was granted, unanimous consent that Assembly Bill No. 1325 be withdrawn from the Committee on Judiciary, and be placed upon the third reading file.

ANNOUNCEMENTS

Mr. Dickey announced that he has had the construction of the balcony thoroughly checked, and that, for the sake of safety, people will be accommodated in the gallery in numbers comparable to the number of fixed seats, only.

Mr. Dickey announced that on next Monday morning, June 13th workmen will begin work on the parking area in Capitol Park immediately outside of the building; and that everyone should move his car to the state garage or some other parking place, prior to this time, and date.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2791—An act to add Section 5003.1 to, and to amend Section 5013 of the Public Resources Code, relating to the State Park Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes,

Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1172—An act to add Section 74 to the Labor Code, relating to administration of the Division of Industrial Welfare.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, George D Collins, Condon, Connolly, Conrad, Crichton, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Sillman, Smith, Thomas, Thompson, Waters, Weber, Yorty, and Mr. Speaker—51

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 386—An act to amend an act entitled "An act relating to fees to be paid to the Railroad Commission by railroad corporations, express corporations, freight forwarders, persons, or corporations operating vessels, and persons or corporations owning or operating motor vehicles in the transportation of property for hire upon the public highways under the jurisdiction of the Railroad Commission of the State of California, providing for the collection thereof by the Railroad Commission, and providing penalties for the violation of this act," approved July 16, 1935, by amending Sections 1 and 3 thereof, relating to fees payable by such persons, corporations and forwarders, including motor transportation brokers, and the collection and disopsition of such fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3003—An act to repeal Part 8, comprising Sections 15530 to 15563, inclusive, of Division 3 of Title 2 of the Government Code, relating to planning and research, and to abolish the physical planning and economic advisory councils.

Bill read third time.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3003, on motion of Mr. Reagan.

Assembly Bill No. 3004, on motion of Mr. Reagan.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2682—An act to add Section 2208.5 to the Education Code, relating to the powers and duties of the governing boards of city school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sillman, Smith, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2225—An act to amend Section 26881 of the Water Code, relating to inclusion petitions in irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Smith, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2700—An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sillman, Smith, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None

Bill ordered transmitted to the Senate.

Hon. Clayton A. Dills Presiding

At 2.45 p m., Hon. Clayton A. Dills, Member of the Assembly from the Sixty-seventh District, presiding.

Assembly Bill No. 3154—An act to amend Sections 32204, 32262, 32322, 32324, 32334, 32335, 32351, 32354, and 32355 of, to add Sections 32204.5, 32235.5, 32330.5, 32339, 32340, 32363, 32364, and 32365 to, and to repeal Section 32363 of the Government Code, relating to county fire service retirement system.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 23a of Article IV thereof, relating to legislative expenses and employees.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Rosenthal moved a call of the Assembly.

Motion carried. Time 2.55 p m

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Butters, George D. Collins, Conrad, Erwin, Fletcher, Heisinger, Hollibaugh, Huyck, Kirkwood, Niehouse, Sherwin, Silliman, Stewart, and Yorty—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1801—An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 1801 Be Withdrawn From File, and Be Re-referred

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Bill No. 1801 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

Assembly Bill No. 1678—An act to amend Sections 11380, 11382, 11382.5, 11383, 11385, 11409, and 11422 of the Government Code, relating to rules and regulations of state agencies and providing for the transfer of certain records from the Secretary of State to the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Huyck, Kilpatrick, Lewis, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 385 HOLD PLACE ON FILE

Mr. Way asked for, and was granted, unanimous consent that Assembly Bill No. 385 be temporarily passed on file, and hold its place on file this day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2936

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2936, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2936

Assembly Bill No. 2936—An act to amend Section 11401 of the Water Code, relating to the Water Project Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 885

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 885, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 885

Assembly Bill No. 885—An act to add Section 869 to the Fish and Game Code, relating to bait nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin,

Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—64.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 67—An act to add Chapter 10.5, comprising Sections 6401 to 6407, inclusive, to Division 3 of the Education Code, relating to payments to school districts by state agencies or departments providing housing for pupils in such districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—64
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—64
NOES—None

Bill ordered transmitted to the Senate.

Speaker Presiding

At 3.08 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 1384—An act to add Article 6 to Chapter 9 of Division 3 of the Education Code, relating to the audits of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Mr Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3145 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Sherwin asked for unanimous consent that Assembly Bill No. 3145 be withdrawn from the Committee on Governmental Efficiency and Economy, for purpose of amendment, and be re-referred to the Committee on Governmental Efficiency and Economy.

Mr. Geddes withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Sherwin moved that the Rules be temporarily suspended for the purpose of withdrawing Assembly Bill No. 3145 from the Committee on Governmental Efficiency and Economy, for purpose of amendment, at this time, and that the bill be re-referred to the Committee on Governmental Efficiency and Economy.

Mr. Waters seconded the motion.

Substitute Motion

Mr. Lowrey moved, as a substitute motion, that the Committee on Governmental Efficiency and Economy be excused, at this time, 3.25 p.m., for the purpose of meeting in the Cloak Room to consider the proposed amendments to Assembly Bill No. 3145.

Mr. Clayton A. Dills seconded the substitute motion.

Substitute motion carried by unanimous consent.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2926—An act to amend Section 401 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the first class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—58

NOES—Heisinger, Lowrey, and Luckel—3.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Assembly Bill No. 2926

Mr. Dunn asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2926, and that he be recorded as voting "Aye."

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 82

At 3.38 p.m., on motion of Mr. Rosenthal, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called; ~~and Assembly Constitutional Amendment No. 82 refused adoption by the following vote:~~

PRINTER'S NOTE—There being on 7-point strikeout type available, the material which should appear in strikeout type in the following roll call is indicated by being inclosed within brackets.

[AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—51

NOES—Brady, Collier, Grunsky, Hahn, Hinckley, McCarthy, and Waters—7.]

Request for Unanimous Consent to Expunge Record, and Rescind Action on Assembly Constitutional Amendment No. 82

Mr. Rosenthal asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to Assembly Constitutional Amendment No. 82.

Request for Unanimous Consent That Assembly Constitutional Amendment No. 82 Hold Place on File

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 82 be passed on file, and hold its place on file on the next legislative day.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE BILL

At 3.29 p.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Condon granted permission to introduce a bill by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—63

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3172: By Mr. Condon—An act to add Section 37 to the Construction and Employment Act making an appropriation to be allocated to sanitary and sanitation districts, for the prevention of pollution of streams, rivers, bays and oceans in and adjacent to the State.

Referred to Committee on Public Health.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 385

Mr. Way asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 385, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 385

Assembly Bill No. 385—An act to amend the Highway Carriers' Act by amending Sections 1, 3 and 8 thereof, and adding Section 8¼ thereto, relating to motor carriers of property for compensation.

Bill read third time.

Motion to Amend

Mr. Way moved the adoption of the following amendments:

Amendment No. 1

Strike out line 2 of the title of the printed bill, as amended in the Assembly on June 3, 1949, and insert "Sections 1 and 8 thereof, and adding Sections 3.5 and 10½".

Amendment No. 2

On page 3 of said bill, strike out lines 7 to 35, inclusive, and insert
"SEC. 2. Section 3.5 is added to said act, to read:
Sec. 3.5. Before a permit is issued hereafter the commission shall".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2706

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2706, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2706

Assembly Bill No. 2706—An act relating to regional development districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 22, inclusive; and strike out pages 2 and 3, and insert

"CHAPTER 1. GENERAL PROVISIONS

SECTION 1. This act shall be known and may be cited as the "Regional Development Act."

SEC. 2. "District" means a regional development district unless the context clearly indicates otherwise.

SEC. 3. "Board" means the board of directors of a district.

SEC. 4. "Project" means any undertaking to carry out a plan.

SEC. 5. "Regional commission" means a regional planning commission established pursuant to the Conservation and Planning Act

SEC. 6. "Plan" means any plan for the development, improvement, or rehabilitation of the area within a district. A plan may include, but is not limited to, any, all or any combination of the following plans: For the conservation, development and utilization of natural resources; for the establishment of a comprehensive system of recreation areas; for the development of a comprehensive transportation system, including port, harbor, aviation and related activities; for the development of a system of transit lines, including rapid transit, street car, motor coach and trolley coach lines

and related plans; for the improvement and development of sewerage, drainage and utilities system; for the construction, improvement, or development of civic centers and all other public buildings; for the provision of adequate housing.

SEC. 7. Except as otherwise provided in this act, all elections held by the district shall be as nearly as practicable in accordance with the General Election Laws of the State.

SEC. 8. No irregularity or informality in calling or conducting a district election which has otherwise been fairly conducted shall invalidate or affect the election.

CHAPTER 2. FORMATION OF A DISTRICT

SEC 20. A district may be formed as herein provided

SEC. 21. A district may consist of a part or all of one or more contiguous counties, or regional planning districts. Cities may not be divided in forming a district.

SEC. 22. Proceedings for the formation of a district may be instituted by a regional commission by the adoption of a resolution of its intention to do so.

SEC. 23. The resolution shall contain:

(a) A statement of the intention to form the district.

(b) A statement of the plan, for the carrying out of which the district is proposed to be formed.

(c) The boundaries of the proposed district or some other designation of its location and territorial extent.

SEC. 24. The statement of the plan shall contain:

(a) A description of the project to be constructed.

(b) An estimate of the cost of construction of the project

(c) An estimate of the cost of operation and maintenance of the completed project and of the revenues, if any, to be derived from its operation

SEC. 25. A certified copy of the resolution and of the plan shall be transmitted forthwith to the board of supervisors of each county lying wholly or partly within the proposed district.

SEC. 26. The board of supervisors shall forthwith transmit copies of the plan to the county planning commission and to the planning commission of each city within both the county and the district.

SEC. 27. Within forty days after receipt of a copy of the resolution and plan, the county planning commission shall, and any city planning commission may, report in writing to the board of supervisors.

The report shall contain a recommendation that the plan should or should not be adopted, the reasons therefor and any comments the planning commission wishes to make.

SEC. 28. Within ten days of the expiration of the time for filing reports, the board of supervisors shall cause copies of the resolution, plan and reports to be posted at the county courthouse, the city hall of each incorporated city within the county, and at such other public places as the board of supervisors designates.

There shall be posted therewith, a notice that at a time and place specified, the board of supervisors will hear objections to the inclusion of particular parcels of land within the district on the grounds that such parcels will not be benefited by the project

SEC. 29. The board of supervisors shall also cause the notice and resolution to be published once a week for two consecutive weeks in a newspaper published in the county. The notice shall state that copies of the plan and of the reports of the planning commissions are open to public inspection at the office of the clerk of the board of supervisors.

SEC. 30. The first publication shall be made not less than twenty days prior to the date of the hearing.

SEC. 31. The hearing shall be held not less than forty nor more than sixty days after the time for filing reports by the planning commissions has expired.

SEC. 32. The hearing may be continued from time to time and from place to place for a period of not more than sixty days in all.

SEC. 33. Within sixty days after the termination of the hearing, the board of supervisors may adopt an ordinance declaring that the county, or part of the county, intends to unite with such other counties as may adopt like ordinances to form the district.

SEC. 34. If the board of supervisors fails to adopt such an ordinance within sixty days after the termination of the hearing, the ordinance may be submitted to the electors of the county under the provisions of the initiative applicable to ordinances generally in the county.

SEC. 35. If the ordinance is adopted by the board of supervisors, the board shall call a special election for the purpose of submitting the question of the inclusion of the county, or that part of the county which is proposed to be included, in the district, to the electors of the county, or to the electors of that portion of the county proposed to be included in the district.

SEC 36. If a majority of the registered voters voting at the election vote in favor of including the county or a specified part thereof, in the district, the county or the part thereof approved for inclusion in the district, shall be included therein.

SEC. 37. The election shall be called and held in accordance with the general provisions of the Election Laws governing the calling and holding of special elections in counties.

SEC. 38. The county clerk shall certify the results of the election to the Secretary of State together with a copy of the resolution of the board of supervisors calling the election.

CHAPTER 3. ORGANIZATION OF THE DISTRICT

SEC. 50. When all of the certifications of the result of elections have been received from the county clerks of the counties having any portion of their territory within the boundaries of the proposed district the Secretary of State shall publish the ordinances adopted, together with a notice fixing the time within which protests against the inclusion of property within the proposed district may be filed

SEC. 51. The ordinances shall be published for at least three weeks prior to the last day in which protests may be filed in at least one and not to exceed three newspapers printed and published in each of the counties from which petitions have been presented.

SEC. 52. Any owner of property which is subject to taxation within the boundaries of the proposed district may, within the time specified, protest against the formation of the district.

The protest shall be in writing and shall be filed with the Secretary of State. The protest shall contain:

(a) The name and address of the person protesting and the name and address of his attorney, if he has one.

(b) The grounds upon which the protestant claims that his property will not be benefited by the formation of the proposed district

SEC. 53. The Secretary of State shall forward the protests to the superior court of that county. The superior court in each county shall have jurisdiction to hear and determine the protests so received. The clerk of the court shall set the protests for hearing, and give notice thereof in writing to the protestants, and to their attorneys if they have any, at least ten days before the date set for the hearing

SEC. 54. At the time specified in the notice, or at such other time to which the said hearing may be continued, the superior court shall have jurisdiction to hear and determine all matters urged by the protestants against the formation of the proposed district, or against the inclusion of their lands therein.

SEC. 55. The superior court shall have jurisdiction to exclude any lands from the proposed district, together with any other lands contiguous to the excluded lands, and contiguous to the exterior boundaries of the proposed district which are similarly situated to the lands of the protestants, to the end that isolated tracts may not be excluded from the district without also rectifying the boundaries thereof so that the district when finally formed shall be compact, continuous and without tracts of land excluded therefrom which are totally surrounded by other lands which are left within the district.

SEC. 56. The judgment of the superior court shall not be appealable, and all questions of fact therein contained shall be final and conclusive

SEC. 57. The judgment shall only be subject to review by the Supreme Court of this State, upon a writ of review issued out of that court in such cases as writs of review are now permissible against superior courts.

Proceedings for a writ of review may only be taken within ten days after the entry of the judgment in the superior court and if not so taken all such judgments of the superior court shall become final.

SEC. 58. After the judgment of the court has become final the county clerk shall certify the judgment together with the petition and the protests which he received, to the Secretary of State.

SEC. 59. When the results of the final judgments upon all protests have been certified to the Secretary of State, he shall issue a certificate declaring the district with the boundaries as finally established to be duly formed. He shall file the original certificate in his office, and have a certified copy of the certificate recorded in the office of the county recorder of each of the counties having any territory within the boundaries of the district.

SEC. 60. Upon the issuance of the certificate the district shall come into existence and shall have all the rights, powers and privileges expressly or impliedly conferred upon it by this act.

SEC. 61. No informality in any proceeding not substantially affecting adversely the legal rights of any person shall invalidate the formation of any district.

SEC. 62. All proceedings to contest the validity of the formation of any district may only be commenced within three months from the date of the issuance of the certificate of formation. If no such proceedings are commenced within the time allowed, the formation of the district, and all proceedings in connection therewith, shall be valid and incontestable.

CHAPTER 4. APPOINTMENT AND TENURE OF THE BOARD OF DIRECTORS

SEC. 80. Within five days after the issuance of the certificate of formation, the Secretary of State shall notify the boards of supervisors of each of the counties in which any portion of the territory of the district is located, and the Governor, of the formation of the district.

SEC. 81. After the receipt of the notice of formation of the district, the Governor shall appoint a Board of Directors for the district composed of seven members, subject to confirmation by the Senate The members of the Board of Directors shall be selected so as to provide, as far as possible, representation on the board of all areas and regions included within the district.

SEC. 82. The term of office of all directors shall be four years from and after their appointment and until the appointment and qualification of their successors.

SEC 83. The members of the first Board of Directors shall be appointed for the following terms: Four of the directors shall hold office for two years only; three of the directors shall hold office for four years.

CHAPTER 5. ORGANIZATION AND POWERS OF THE BOARD AND THE EXECUTIVE OFFICERS

SEC. 100. The board shall be the governing body of the district.

SEC. 101. At the first meeting the board shall organize by choosing one of its members as president, and choosing a secretary, who shall not be a member of the board. At its first meeting the board shall also provide for the time and place of holding its meetings, and the manner in which its special meetings may be called.

SEC 102 All meetings of the board, whether regular or special, shall be open to the public. A majority of the board shall constitute a quorum for the transaction of business.

SEC. 103. The board shall adopt rules to govern its proceedings.

SEC. 104. The board shall select an office and place of business within the district.

SEC. 105. For the purpose of considering local questions affecting a particular county or group of counties the board may hold meetings in the chambers of the boards of supervisors of that county or of any county in the group, if suitable for the purpose, or at any other suitable place the board may designate which is conveniently located with respect to the county or group of counties concerned.

SEC. 106. All official action of the board shall be by ordinance or resolution.

SEC. 107. Each member of the board shall receive the sum of twenty dollars ($20) for attending each meeting of the board and his necessary traveling expenses, and he shall receive no other compensation.

SEC 108. The board shall at its first meeting, or as soon thereafter as practicable, appoint by a majority vote a general manager, an auditor and a secretary. No director shall be eligible for appointment to any district office except president or vice president of the board. The compensation of the general manager, auditor, and secretary shall be fixed by the board, and such officers shall serve during the pleasure of the board.

SEC. 109 The general manager shall be the executive officer of the district. He shall employ and discharge at pleasure all subordinate officers, employees and assistants, prescribe their duties, and subject to the approval of the board, he shall fix their compensation He shall have full charge and control of the construction, maintenance and operation of all works of the district. The general manager shall report to the board in accordance with such rules and regulations as the board may adopt.

SEC. 110 The board shall appoint an attorney and all subordinate officers not provided to be appointed by the general manager, and shall fix their salaries. Subordinate officers appointed by the board shall serve at its pleasure.

SEC. 111. The general manager, secretary, auditor, engineer, and attorney, and any other officers or employees of the district who may be required to do so by the board, shall give such bonds to the district, conditioned upon the faithful performance of their duties, as the board may prescribe.

SEC. 112 After the organization of the district the board, the general manager, and all of the other officers of the district shall prepare plans, both engineering and financial, for the purpose of putting into operation the plan for which the district has been formed, and secure the necessary data, contracts, agreements, plans, and specifications.

CHAPTER 6. DISTRICT POWERS

SEC. 120. The authority is a body corporate and politic exercising essential and public governmental functions as an agency of the State.

SEC. 121. The district may sue and be sued in its corporate name in all actions and proceedings in all courts and tribunals of competent jurisdiction

SEC. 122. The district may take by grant, purchase, gift, devise or lease, and hold, use, enjoy and lease and dispose of real or personal property of every kind within or without the district necessary to the full exercise of its powers.

SEC. 123. The district may do all things necessary or convenient to successfully carry out the plan for which the district was formed.

SEC. 124. The district may have and exercise, in the name of the district, the right of eminent domain for the condemnation of any property necessary for the carrying out of the plan for which the district was formed. In any proceeding to exercise the right of eminent domain the district shall have the same rights, powers and privileges as the State of California. If property is condemned by the district, the district

may take possession and use the property in accordance with the provisions of Section 1254 of the Code of Civil Procedure.

SEC. 125. The district may borrow money, incur indebtedness and issue bonds or other evidences of such indebtedness; and refund or retire any indebtedness or lien that may exist against the district or any of its property.

SEC. 126. The district may have taxes levied and collected in accordance with the provisions of this act for the purpose of carrying out the plan for which the district was organized.

SEC. 127. The district may make contracts, employ labor, and all kinds of employees, whether skilled or unskilled, for the purpose of carrying on the business of the district.

SEC. 128. For the purpose of constructing or operating the works or property of any public agency included within the district or for the purpose of facilitating the functioning of such public agency the district may contract with any city, county, county and city, district, or local agency or authority, the area of operation of which is contained in the district, to perform any of their functions or services on such terms as may be agreed upon.

CHAPTER 7. DUTIES OF DISTRICT OFFICERS

SEC. 140. The president shall sign all contracts on behalf of the district, and perform such other duties as may be imposed by the board.

SEC. 141. The secretary shall countersign all contracts on behalf of the district and perform such other duties as may be imposed by the board. The secretary shall devote his full time during office hours to the affairs of the district

SEC. 142. The auditor shall install and maintain a system of auditing and accounting which shall completely show the financial condition of the district at all times. He shall draw warrants to pay those demands made against the district which have been approved by the general manager, and the auditing committee, consisting of at least three members of the board, and passed by the board.

SEC. 143. The engineer, under the direction of the general manager, shall have full charge of the constructions and of the works of the district.

SEC. 144. The attorney shall have full charge of the legal matters pertaining to the district, and shall be the legal adviser to the board, the general manager, and all of the officers of the district.

SEC. 145. The board shall designate a bank of good standing as the depositary for district funds. The board may also designate other banks as branch depositaries. The depositary and each branch depositary shall give security sufficient to secure the district against possible loss, and shall pay the warrants drawn by the auditor for demands against the district under such rules as the board may prescribe.

SEC. 146. The board may also deposit all or part of the funds of the district in the State Treasury, and the State Treasurer shall receive any district funds sent to him for deposit and pay out said funds upon warrants of the district, under such rules as the board may prescribe.

CHAPTER 8. TAXATION

SEC. 148. During July of each year the board shall determine the amount of money required by the district which must be raised by taxation, and shall fix a rate of taxation which will raise that amount

SEC. 149. The district may be divided into zones for the purpose of assessing the property therein on an ad valorem basis in accordance with benefits to be derived from the project. All property within a zone, established as herein provided, is presumed to be equally benefited by the project.

SEC. 150. Within a reasonable time prior to the time that the boards of supervisors of the counties having any portion of their territory within the boundaries of the district are required by law to fix their tax rates, the board shall certify to the board of supervisors of each of the said counties the rate of taxation fixed for district purposes and at the time and in the manner required by law for the levying of taxes for county purposes each shall levy and collect a tax for district purposes in addition to any other tax levied by such board of supervisors at the rate certified by the board.

SEC. 151. All county officers charged with the duty of collecting taxes shall collect district taxes at the same time and in the same form and manner as county taxes are collected, and when collected pay the proceeds to the district. The appropriate county officers shall pay the taxes collected for the district to the secretary of the district who shall deposit them in the district depositary or in the State Treasury to the credit of the district.

SEC 152. Taxes levied by the board of supervisors of a county for the benefit of the district shall be a lien upon all property within the district, and shall have the same force and effect as other liens for taxes. Their collection may be enforced in the same manner as liens for county taxes are enforced.

CHAPTER 9. AUTHORITY FOR ISSUANCE AND SALE OF DISTRICT BONDS

SEC. 170. Whenever the board deems it necessary for the district to incur a bonded indebtedness it shall, by resolution, so declare. The resolution shall contain:

(a) A statement of the proposition to be submitted to the electors, including the purpose for which the proposed debt is to be incurred.

(b) The amount of debt to be incurred, which shall not exceed 15 percent of the assessed value of all taxable property in the district.

(c) The maximum term, which shall not exceed forty years, that the bonds proposed to be issued shall run before maturity.

(d) The maximum rate of interest to be paid, which shall not exceed 6 percent per annum.

(e) A statement that interest, to be paid upon such bonds, during the period of construction of the works of the district and before any revenue is obtained therefrom shall be a capital charge, and shall be payable out of the principal sum realized from the sale of the bonds.

SEC. 171. The board shall fix a date upon which a special election shall be held for the purpose of authorizing the bonded indebtedness to be incurred and shall provide for holding the election on the date so fixed

SEC. 172. The board shall give notice of the holding of the election.

The notice shall:

(a) Refer to the resolution adopted by the board calling the election.

(b) Specify the precincts or consolidated precincts in each county or portion of a county which are adopted for the purposes of the election.

(c) Designate the location of the balloting places, and the names of the officers selected to conduct the election, who shall consist of one inspector and two judges in each precinct

SEC. 173. The notice shall be published for two weeks in at least one newspaper and not more than three newspapers designated by the board, which are published in each county or portion of a county within the district. The notice as published in each county shall contain only the reference to the precincts, polling places and election officers in the county or portion of the county in which it is published

If there is no newspaper published in any county the notice shall be posted in three public places in that county

SEC. 174. All the expenses of holding the election shall be borne by the district.

SEC 175 The returns of the election shall be made and the votes canvassed by the board within thirty days after the holding of the election, and the results thereof designated and declared in accordance with the General Election Laws of the State insofar as they may be applicable, and except as otherwise provided in this chapter.

As soon as the result is declared the secretary shall enter a statement of the results in the records of the board.

SEC 176. If more than two-thirds of the votes cast at the election are in favor of incurring the indebtedness, the board may by resolution at any time it deems proper provide for the form and execution of the bonds, and for the issuance of any part thereof, and may sell or dispose of the bonds so issued at such times or in such manner either for cash in lawful money of the United States, or its equivalent as it may deem to be the public interest.

SEC. 177. All bonds issued by the district shall be legal investments for savings banks, and shall have the same force and effect and shall be equivalent to bonds issued by any municipality, and shall be exempt from all taxation within this State

CHAPTER 10. ISSUANCE OF DISTRICT BONDS AND DISPOSITION OF SURPLUS PROCEEDS

SEC 200 At or before the time of issuing ny bonds the board shall estimate:

(a) The total cost for carrying out the plan for which the bonds are to be issued.

(b) The amount of bonds which will be required to pay the total estimated cost.

SEC. 201. Bonds may be issued in accordance with the estimate

SEC. 202. Prior to the preparation of definitive bonds the board may issue temporary bonds of any denomination and with or without coupons and subject to the same restrictions imposed upon the issuance of definitive bonds. Temporary bonds shall be exchangeable for definitive bonds upon the issuance of the latter

SEC. 203 If, after any bond has been duly signed by any properly authorized officer, that officer ceases to hold office, the bond may nevertheless be delivered with the same effect as if it had been signed by the person holding the office at the time of delivery.

SEC. 204. The district bonds may be made registerable as to principal alone or as to both principal and interest under such terms and conditions as may be fixed by the board prior to the issuance thereof

SEC. 205 The board may purchase district bonds from money in the sinking or other fund for the payment of bonds, at not more than the par value thereof All bonds so purchased shall be canceled and shall not be issued again.

CHAPTER 11 DISPOSITION AND MAINTENANCE OF ADEQUATE DISTRICT REVENUES

SEC. 220. The board shall in each fiscal year set aside in separate funds out of the revenues of the district sufficient sums to:

(a) Pay the operating expenses of the district.

(b) Provide for repairs and depreciation of the works.

(c) Pay the interest on district bonds as it becomes due.

(d) Provide a sinking or other fund for the payment of the principal of such bonds as they become due.

The revenues of the district are hereby pledged to the aforesaid purposes.

SEC. 221. When the plan has been carried out the board shall, in the month of July in each year, cause a tax to be levied and collected in the manner provided in Chapter 11 of this part. The amount of such tax, after deducting any available and applicable moneys on hand (exclusive of moneys in the reserve interest fund) and the estimated amount of revenues of the district for the ensuing 12 months, shall be sufficient to produce the sums required to be set aside into separate funds by Section 220, as well as any deficit in such fund.

SEC. 222. The taxes required to be levied and collected under this chapter shall be in addition to all other taxes levied for county purposes, and all taxable property of the district shall be and remain liable to be taxed as provided in this chapter until the entire principal and interest of the bonded indebtedness of the district has been paid in full.

CHAPTER 12. ANNEXATION OF TERRITORY

SEC. 240. Any county or any portion thereof may be added to the district at any time, in accordance with the provisions of this chapter by resolution of the board upon request of the board of supervisors of the county by an ordinance applying for permission for the county or portion thereof to become a part of the district.

SEC. 241. If the annexation of any county or portion thereof is proposed to any district already organized the board shall prescribe the terms upon which the territory proposed to be annexed shall be admitted, including the payment of a just proportion of the organization and preliminary expenses originally incurred by the district. No county or portion thereof shall be annexed without first complying with those terms.

SEC. 242. If the board consents to the annexation after any bonded debt of this district has been authorized, the board of supervisors so applying for annexation shall call an election at which the proposition to join the district and assume the obligation of the bonds of the district along with the territory already included therein, shall be submitted to the electors of the county or portion thereof as one proposition. Unless the proposition receives two-thirds of the vote cast at the election the county or part thereof shall not be annexed to the district. If the proposition carries by two-thirds or more of the votes cast at the election the result of the election shall be certified to the Secretary of State by the county clerk of the county and thereupon the Secretary of State shall give notice and call for protests in the same manner as upon the original formation of the district.

SEC. 243. If the district has not incurred a bonded indebtedness at the time of the application by the board of supervisors to join the district, the county or part thereof may be annexed if the board of supervisors passes an ordinance declaring its intention to join the district and an election is held as provided in this part for the formation of the district. The certification of the result of the election shall be presented to the Secretary of State, who shall give notice of the presentation thereof, and of the date set for receiving protests against the annexation in the same manner as provided for the original formation of the district.

SEC. 244. After all protests have been disposed of in the same manner as protests upon the formation of the district, the Secretary of State shall issue his certificate certifying to the annexation and describing the boundaries of the district as finally determined, which certificate shall be recorded in the office of the county recorder of each county wherein any portion of the annexed territory is located.

SEC. 245. Upon the issuance of the certificate of annexation by the Secretary of State the territory named therein shall become a part of the district."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3144, on request of Mr. Meyers.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1978 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 1978 be withdrawn from file, and be re-referred to the Committee on Education.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2124—An act to add Section 1243 to the Water Code, relating to appropriations and use of water, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1132

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1132, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1132

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the bill, as amended in the Assembly on June 6, 1949, after "liquor", insert "produced or packaged by such purchaser".

Amendment read, and adopted.
Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 990—An act to amend Section 141 of the Education Code, relating to the salary of the Superintendent of Public Instruction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Butters, Clarke, Collier, Condon, Connolly, Conrad, Cooke Crichton, Crowley, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—43

NOES—Anderson, Burkhalter, Evans, Hahn, Heisinger, Hollibaugh, Lowrey, Luckel, and Morris—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2164—An act to amend Section 107 of the Welfare and Institutions Code and to add Section 18598 to the Government Code, relating to employees of the Department of Social Welfare, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2279

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2279, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2279

Assembly Bill No. 2279—An act to renumber Section 6403 of the Public Resources Code, as said section was added by Chapter 887, Statutes of 1947, and to add Sections 6405 and 6406 to said code, relating to the reservation of oil, gas, and mineral rights in state lands, and to the duties of the State Lands Commission with respect thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Luckel, McCollister, Meyers, Morris,

Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—56

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 236

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 236, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 236

By Mr. Thomas:

House Resolution No. 236

Relating to removal of the Goodyear Synthetic Rubber Corporation plant from Torrance, California

WHEREAS, The Reconstruction Finance Corporation, generally known as the RFC, Office of Rubber Reserve, is the owner of the Goodyear Synthetic Rubber Corporation, now located in Torrance, California, and

WHEREAS, The Members of the Assembly of the State of California have been informed that the RFC is planning to shut down the Torrance plant and transfer all synthetic rubber operations to Texas; and

WHEREAS, The annual pay roll at the Torrance plant is in excess of $700,000, and the welfare and livelihood of thousands of workers and their families depend on the continued operation of the plant at Torrance; and

WHEREAS, The effects of any shutdown would be felt not only by the Torrance plant but also by its supplying companies, i.e., Standard Oil of El Segundo which furnishes butadiene, and Dow Chemical which supplies styrene; and

WHEREAS, Further loss of jobs would have disastrous consequences on the economic structure of the State because of the tremendous postwar population increase, and

WHEREAS, Considerations of national defense are consistent with the retention of the Torrance plant in its present location, since RFC already has three such plants operating in Texas, and the advantages of decentralization of production facilities are well known; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly requests that the RFC abandon any plans for moving the Torrance plant to Texas; and be it further

Resolved, That the Clerk of the Assembly be directed to send copies of this resolution to the Director of the RFC and to each Member of Congress from the State of California.

Resolution read, and adopted unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR SPEAKER. Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 3145

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

STEWART, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3145—An act to implement the provisions of Article XXV of the State Constitution by providing for the transfer to the Director of the Department of Social Welfare of the possession and control of all county records, books, papers, equipment, and other personal property belonging to the State and used in connection with the administration of the aid to the aged and aid to the needy blind

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "all", and insert "certain".

Amendment No. 2

In lines 5 and 6 of the title of said bill, strike out "belonging to the State and".

Amendment No. 3

In line 7 of the title of said bill, strike out the period, and insert ", and declaring the urgency thereof, to take effect immediately."

Amendment No. 4

On page 1, line 2, of said bill, strike out "iniative", and insert "initiative".

Amendment No. 5

On page 1, line 14, of said bill, after "California", insert a comma.

Amendment No. 6

On page 1, line 15, of said bill, strike out "Director of the State Department of Social Welfare", and insert "State Director of the Department of Social Welfare,".

Amendment No. 7

On page 1, line 18, of said bill, strike out the comma, and insert a semicolon.

Amendment No. 8

On page 1, line 19, of said bill, strike out "Director of the State", and insert "State Director of the".

Amendment No. 9

On page 2, line 1, of said bill, strike out "Director of the State", and insert "State Director of the".

Amendment No. 10

On page 2, line 2, of said bill, strike out "all", and insert "certain".

Amendment No. 11

On page 2, lines 3 and 4, of said bill, strike out "belonging to the State and".

Amendment No. 12

On page 2 of said bill, strike out lines 8 to 10, inclusive, and insert

"And whereas since 1936 the United States Government has made substantial financial contributions toward the administrative costs of aged and blind aid in California, including participation in the cost of county records, books, papers, equipment and other personal property used in connection with the administration of these aid programs;".

Amendment No. 13

On page 2, line 11, of said bill, strike out "all", and insert "certain".

Amendment No. 14

On page 2, line 12, of said bill, strike out "belonging to the State and".

Amendment No. 15

On page 2, line 14, of said bill, strike out "is", and insert "are".

Amendment No. 16

On page 2, line 25, of said bill, before "Director", insert "State".

Amendment No. 17

On page 2, line 26, of said bill, strike out "State".

Amendment No. 18

On page 2 of said bill, strike out lines 28 to 49, inclusive; and on page 3, strike out lines 1 to 15, inclusive, and insert "records, books, and papers used in connection with the administration of aid to the aged and aid to the needy blind and, in addition, equipment and other personal property used in connection with the administration of such aid in an amount equal in value to the federal interest in all such equipment and other personal property due to financial contributions by the United States Government toward aged and blind aid administrative costs in each county prior to January 1, 1949.

SEC. 2. Any such county records, books, and papers, and one-half of the equipment and other personal property, which, on December 31, 1948, were used by such counties in connection with the administration of aid to the aged and aid to the needy blind shall, upon demand by the Director of the Department of Social Welfare, be immediately delivered by said counties to said Director pursuant to this act and Article XXV of the State Constitution. Such demand by the Director of the Department of Social Welfare shall not be made prior to the expiration of the contract entered into between the Director of the Department of Social Welfare and the county concerned for the temporary administration of aged and blind aid under Article XXV of the State Constitution.

SEC. 3 With respect to all such property, the Director of the Department of Social Welfare and the board of supervisors of the county involved shall:

(a) determine the market value of such property as of January 1, 1949, and

(b) determine the ratio that the federal contributions toward the cost of such property in connection with the administration of aid to the aged and aid to the needy blind bear to the total cost of such property."

Amendment No. 19

On page 3, line 20, of said bill, strike out "SEC. 5.", and insert "SEC. 4."

Amendment No. 20

On page 3, line 21, of said bill, strike out "4", and insert "3".

Amendment No. 21

On page 3, line 23, of said bill, before "Director", insert "State".

Amendment No. 22

On page 3, line 24, of said bill, before "Social", insert "the Department of".

Amendment No. 23

On page 3, line 24, of said bill, after "items of", insert "such property of".

Amendment No. 24

On page 3, line 24, of said bill, strike out the period, and insert "or the Director of the Department of Social Welfare shall immediately deliver to the county board of supervisors items of a value equal to the resulting figure, as the case may be, after taking into consideration the delivery to the State of equipment and other personal property made under Section 2 of this act."

Amendment No. 25

On page 3, line 25, of said bill, after "item", insert "of such property".

Amendment No. 26

On page 3, line 26, of said bill, strike out "State, a cash", and insert "uninterrupted operations of the State and county welfare programs, an".

Amendment No. 27

On page 3, of said bill, between lines 27 and 28, insert

"In any event, the board of supervisors of each county shall have the right to make a cash adjustment with the State in lieu of the delivery of any equipment and other personal property hereunder, and the amount of said cash adjustment shall be arrived at by the method prescribed by this section and Section 3 of this act."

Amendment No. 28

On page 3, line 28, of said bill, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 29

On page 3, line 29, of said bill, after "the", insert "determination of value or ratio or cash adjustment, as provided for in Sections 3 and 4 of this act, or as to the".

Amendment No. 30

On page 3, line 34, of said bill, before "Director", insert "State".

Amendment No. 31

On page 3, line 37, of said bill, after "by the", insert "State".

Amendment No. 32

On page 3, line 38, of said bill, strike out "State".

Amendment No. 33

On page 3, line 44, of said bill, after "dispute", insert "and to make an award thereon".

Amendment No. 34

On page 3 of said bill, strike out line 52, and insert "board shall constitute the award.

All awards shall be final, conclusive, and binding upon the parties, except to the extent provided by Section 10 of this act"

Amendment No. 35

On page 4, line 1, of said bill, strike out "SEC. 7.", and insert "SEC. 6."

Amendment No. 36

On page 4, line 1, of said bill, strike out "arbitration", and insert "arbitrators".

Amendment No. 37

On page 4, line 5, of said bill, strike out "Director of the State", and insert "State Director of the".

Amendment No. 38

On page 4, line 8, of said bill, strike out the period, and insert ", and if necessary shall provide for the payment of a cash adjustment by either party to the other."

Amendment No. 39

On page 4, line 19, of said bill, after "1948", insert a comma.

Amendment No. 40

On page 4 of said bill, between lines 29 and 30, insert

"(e) Where it is impossible or impracticable to determine the amount of funds originating with the Federal Government which contributed toward the purchase of any items of such property, a presumption shall arise and be accepted as evidence of the fact that such federal contribution was fifty percent (50%) of the market value of such property on January 1, 1949.

(f) Where equipment has been used on a semi-rental basis or without charge, and it was obtained solely by the use of county funds other than welfare funds, as in the operation of county-wide motor pools, such equipment may be excluded from consideration as property used in the operation of the aged aid and blind programs, in the discretion of the parties or any board of arbitrators, in view of the particular circumstances of each situation

SEC. 8. The State Department of Social Welfare shall, for a period of two years after the effective date of this act, keep a complete and current inventory of all items delivered to the State by any county under the provisions of this act This requirement is in addition to any other requirement of law or any regulation relative to the keeping of inventories of state property."

Amendment No. 41

On page 4 of said bill, strike out lines 30 to 33, inclusive, and insert

"SEC. 9. The costs of arbitration shall be borne equally by the State and the particular county, and such costs of arbitration and any cash adjustment shall be a proper charge against funds available for the operation of the State Department of Social Welfare and shall likewise be a proper county charge against such county."

Amendment No. 42

On page 4 of said bill, strike out lines 34 to 46, inclusive, and insert

"SEC. 10. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action or proceeding, in any court against this State or against any officer thereof or against any county or any officer thereof, or against any of the arbitrators herein, to prevent or enjoin them or any of them from following the procedure established herein for the allocation and apportionment of all county records, books, papers, equipment, and other personal property used in connection with the administration of aid to the aged and aid to the blind under the Welfare and Institutions Code on December 31, 1948, and prior thereto; nor to interfere with the appointment of an arbitrator pursuant to this act or the compliance with an arbitration award made pursuant to this act.

Within thirty calendar days after the filing of the award in the superior court the State Department of Social Welfare or any county aggrieved thereby, may file a petition in the Superior Court in and for the County of Sacramento, County of Los Angeles, or the City and County of San Francisco, praying for a review of the entire proceedings in the matter solely upon questions of law involved in the case. Such review, if granted, is a distinct and cumulative remedy. The Director and State Department of Social Welfare or the county board of supervisors, as the case may be, shall be the sole respondents in such proceedings. Failure to file such a petition within the

time specified shall constitute a waiver of any and all rights affected by said arbitration award."

Amendment No. 43

On page 4 of said bill, strike out lines 47 to 52, inclusive; and on page 5, strike out lines 1 to 5, inclusive.

Amendment No. 44

On page 5, line 6, of said bill, strike out "SEC. 12 ", and insert "SEC. 11."

Amendment No. 45

On page 5 of said bill, between lines 10 and 11, insert

"In this act a reference to "county" includes "city and county."

In executing the provisions of this act the State, the State Department of Social Welfare, the counties and the arbitrators, shall at all times observe the obligation of the State to account to the Federal Government for the moneys granted to it by the Federal Government for the administration of the old age security and aid to the needy blind programs.

SEC. 12 If any provision of this act, or the application thereof to any person or circumstance, is held invalid, the remainder of this act, or the application of such provision to other persons or circumstances, shall not be affected thereby."

Amendment No. 46

On page 5, line 23, of said bill, strike out "all the necessary ", and insert "certain".

Amendment No. 47

On page 5, line 27, of said bill, strike out "ownership", and insert "origin".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 92—Relating to requesting the Judicial Council to study pretrial practice and procedure.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Luckel, McCarthy, McCollister, Meyers, Moss, Nicholson, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—54.

NOES—George D. Collins, Crichton, Heisinger, and Sherwin—4

Resolution ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 4.03 p.m., Mr. Geddes asked for, and was granted, unanimous consent that Messrs. Levering, Brady, and Meyers be excused, for the purpose of holding a meeting of the Subcommittee on Finance and Insurance on Workmen's Compensation, in Room 430, at this time, in order to consider Assembly Bill No. 1940.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1371, on request of Mr. George D. Collins.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. George D. Collins asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 223

By Mr. Stewart:

House Resolution No. 223

Relative to commending the Report of the Assembly Interim Committee on Governmental Efficiency and Economy to the attention of the Personnel Board

WHEREAS, The Interim Committee on Governmental Efficiency and Economy has conducted an exhaustive survey of the organization, policies, procedures and practices of the State Personnel Board; and

WHEREAS, Many of the findings and recommendations of this survey do not require legislative action but should be adopted by the State Personnel Board in the interests of more efficient and economical personnel administration, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly commends the Report of its Interim Committee on Governmental Efficiency and Economy to the attention of the State Personnel Board, and urges its careful consideration; and be it further

Resolved, That the board be, and it is hereby, requested to report upon its actions on the recommendations therein in its next Biennial Report to the Governor for transmission to the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to each member of the Personnel Board, and to its executive officer.

Resolution read ~~; and adopted~~.

(On June 10, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, adopted House Resolution No. 223 (Assembly Journal, page 4342.).)

RESOLUTIONS

The following resolution was offered:

By Messrs. Huyck, Silliman, Waters, Hawkins, and Stewart:

House Resolution No. 248

Relative to the operation of the State Personnel Board and the State Civil Service System

WHEREAS, The State of California employs over forty thousand employees to make effective the various laws and policies enacted by the Legislature covering many fields of activity; and

WHEREAS, The Legislature of the State of California is greatly concerned with the operation of the State Personnel Board and the State Civil Service System and desirous of facilitating the most efficient operation of said board and system; and

WHEREAS, The Legislature has demonstrated such concern by the creation of the Assembly Interim Committee on Governmental Efficiency and Economy; and

WHEREAS, This committee, after considerable effort and expenditure of public funds, has rendered a Partial Report of the Study of the Personnel Board and Its Operations; and

WHEREAS, This committee has commended to the attention of the Legislature the Final Staff Report to the Committee on the Investigation of the State Personnel Board by Louis J. Kroeger and Associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Personnel Board and the Director of Finance are hereby requested to render to the Legislature by January 4, 1951 separate reports which are to include:

1 Summary of progress made in putting into effect each of the 157 recommendations made in the Final Staff Report on the Investigation of the State Personnel Board;

2. Explanation as to why any of these recommendations have not been put into effect;

3. Estimates of the savings which are expected to accrue in the 1951-52 Annual Budget as the result of these recommendations; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the State Personnel Board and the Director of Finance.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 297
Assembly Bill No. 299
Assembly Bill No. 301
Assembly Bill No. 1161
Assembly Bill No. 1447

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1638

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 1638—An act to amend Section 10 of, to repeal Sections 13 and 1420 of, and to add Sections 2.5 and 13 to, the Fish and Game Code, relating to the enforcement and administration of the laws relating to fish and game, creating the Office of State Fish and Wildlife Administrator, and prescribing the duties, powers, and jurisdiction of said administrator and the Fish and Game Commission.

Referred to Committee on Fish and Game.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2082

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2082, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2082

Assembly Bill No. 2082—An act to amend Sections 2410 and 2411 of the Labor Code, relating to labor camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3142

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3142, out of order, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3142

Assembly Bill No. 3142—An act to amend Sections 5601 and 5602 of the Education Code, relating to the support of schools from funds received from potash and potassium bearing lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62

NOES—None

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 96: By Mr. Rumford—Relative to the creation of the Joint Interim Committee on Elections and Election Procedure.

Referred to Committee on Rules

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 23

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 91

And reports the same correctly engrossed

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 181
Assembly Bill No. 1116
Assembly Bill No. 2120

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 181 ordered re-referred to Committee on Finance and Insurance.

Assembly Bills Nos 1116 and 2120 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 175
Assembly Bill No. 2468

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 175 ordered re-referred to Committee on Finance and Insurance.

Assembly Bill No. 2468 ordered re-referred to Committee on Judiciary.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight—

At 7.30 p.m.—

Ways and Means.

At 8 p.m.—

Industrial Relations.

Transportation and Commerce.

It was announced that the following committee would not hold a meeting today:

Civil Service and State Personnel.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Percy J. Creede of San Francisco.

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Will Fisher of Los Angeles.

On request of Messrs. Reagan and Cooke, the usual courtesies of the Assembly for this day were unanimously extended to General Arnold S. Gladden of Pasadena.

ADJOURNMENT

At 4:12 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Friday, June 10, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED FIFTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, June 10, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Lights: Upon this day when Benjamin Franklin drew lightning from the skies with a kite, let us look with awe upon the celestial forces which surround us, and pulse from pole to pole.

Let us hear again the voice which came out of the clouds at the dawn of Creation, "Let there be Light."

Let us honor the scientists whose inventions have turned night into day, sent our voices around the earth, healed human ills with invisible light, and created the countless marvels of the Electrical Age.

Let us revere the memory of all inventors, who have starved in garrets and died unknown because of a blind public, and let us encourage the inventive genius which will add to the comfort and culture of the world.

Above all, may scientific progress equal growth in character and devotion to human welfare, so the Wizardry of Science will not destroy, but advance the betterment of mankind.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Crowley, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Stanley.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Cooke, on motion of Mr. Stanley.

Mr. Smith, on motion of Mr. Stanley.

COMMUNICATIONS

By Speaker Sam L. Collins:

A resolution from the California State Apartment Conference, relative to urging the Legislature to make a declaration that federal rent control is no longer necessary in the State of California, was received, and ordered referred to the Committee on Governmental Efficiency and Economy.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 73

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 184
Senate Bill No. 593
Senate Bill No. 616
Senate Bill No. 1045
Senate Bill No. 1435

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 184—An act to amend Sections 460 and 464 of the Penal Code, relating to burglary of the first degree and burglary with explosives.

Referred to Committee on Judiciary.

Senate Bill No. 593—An act to amend Section 382 of the Vehicle Code, relating to fees for duplicate operators and chauffeurs licenses.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 616—An act to add Section 27174 to the Streets and Highways Code, relating to trespass upon district toll bridges; declaring the urgency thereof, to take effect immediately.

Referred to Committee on Judiciary.

Senate Bill No. 1045—An act to add Section 10783 to the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1435—An act to amend Sections 21, 28, 29, 34, 40, 41, 45.6, 63, 64, and 70 of, and to add Section 2.1 to, the Community Redevelopment Act, relating to land use, development and redevelopment.

Referred to Committee on Conservation, Planning, and Public Works.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 240
Assembly Bill No. 241
Assembly Bill No. 242
Assembly Bill No. 488
Assembly Bill No. 492
Assembly Bill No. 493
Assembly Bill No. 1025
Assembly Bill No. 1308
Assembly Bill No. 1435
Assembly Bill No. 1436
Assembly Bill No. 3162

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 3085—An act to add Section 32050.5 to the Government Code, relating to retirement of county peace officers, including but not limited to constables, deputy constables, and employees of the sheriff's office.

Bill read second time, and ordered engrossed.

Assembly Bill No. 644—An act to repeal Article 7.5, comprising Sections 7125 and 7126, of Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors, including workmen's compensation reports of such contractors and reports of their insurers.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2280—An act to amend Section 7011 of the Business and Professions Code, relating to contractors.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2905—An act to amend Section 5082.1 of the Business and Professions Code, relating to the practice of public accountancy.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3155—An act to add Sections 5030.1, 5030.2, 5030.3, and 5030.4 to the Business and Professions Code, relating to accountants.

Bill read second time, and ordered engrossed.

Assembly Bill No. 835—An act to add Section 13668 to the Government Code, relating to mailing lists maintained by state agencies for distribution of publications or other printed matter.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 12, of the printed bill, after "lists", insert "The responses of those desiring to be on the mailing list shall be retained by these agencies for one year."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Burkhalter asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2369—An act to add Article 3.5 to Chapter 1, Part 1 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 26, inclusive, and strike out all of page 2 and insert

"11034. The Director of Finance shall certify monthly to each state department or agency which operates state-owned motor vehicles, the number of spaces in state garage facilities allocated to each such department or agency, and the location thereof.

Each state department or agency so notified shall assign the garage storage spaces allocated to their use to the state-owned motor vehicles under their control to make maximum use of such facilities.

11035. Within the first ten days of each month every state employee who during the preceding month has operated a state automobile shall file a sworn statement with the Director of Finance as provided in this article.

11036. The statement of the operator shall certify:

1. To the proper identification of each automobile operated during the preceding month.

2. That each trip made during such period was necessary in the performance of the operator's specific assignment of state duties.

3. As to each automobile which was not placed in overnight storage in a state garage facility each night while under his custody.

(a) That the vehicle was en route on an official trip, or

(b) That the operator was leaving upon or returning from a trip away from his headquarters before or after usual office hours, or

(c) That the duties of the operator involve meeting emergencies outside of regular office hours as evidenced by a permit issued by the Director of Finance pursuant to Section 11037, or

(d) That the head of the department or agency has determined that no state garage facility is available for such automobile.

11037. The Director of Finance may issue permits to state officers and employees whose duties involve the meeting of emergencies outside of regular office hours which would require the use of state automobiles.

11038. Statements filed by operators of state-owned motor vehicles pursuant to this article shall be retained by the Director of Finance for one year from the date of filing.

11039. The wilful certification to any false statement or knowingly to fail to disclose any fact in a statement filed pursuant to this article shall constitute an act incompatible and inimical to the public service under Section 19572 of the Government Code, and shall constitute cause for disciplinary action pursuant to the provisions of the State Civil Service Act."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3152—An act to amend Sections 11512, 11513, 11517, and 11521 of the Government Code, relating to administrative adjudication.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 2, line 17, of the printed bill, strike out "shall", and insert "need not".

Amendment No. 2

On page 2, lines 18 and 19, of said bill, strike out "the rules of evidence recognized in civil actions in California.", and insert "technical rules relating to evidence and witnesses. Any relevant evidence shall be admitted if it is the sort of evidence on which responsible persons are accustomed to rely in the conduct of serious affairs, regardless of the existence of any common law or statutory rule which might make improper the admission of such evidence over objection in civil actions."

Amendment No. 3

On page 2, line 30, of said bill, after the period, insert "Notwithstanding the above, no hearsay evidence may be introduced."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2855—An act to add Section 24205.1 to the Education Code, relating to the conferring of diplomas and degrees by schools and colleges, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on June 3, 1949, strike out ", fine arts, and liberal arts," and insert "and fine arts,".

Amendment No. 2

On page 1 of said bill, between lines 18 and 19, insert

"24205.2. Provided however that such corporation shall have been incorporated in California prior to September 19, 1939 as a nonprofit corporation and shall have continued in such status

24205.3 All rights granted by Section 24205.1 shall cease if such corporation becomes other than a nonprofit corporation"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 359—An act to amend Section 24526 of the Education Code, relating to uniform fire signals in schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 4, of the printed bill, after "students", insert "or more than one classroom".

Amendment No. 2

On page 1, line 6, of the printed bill, after "building", insert "having six or more classrooms or"; and in lines 6 and 7, strike out "three hundred (300)", and insert "two hundred (200)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2318—An act to amend Section 8274 of the Education Code, relating to the pupils of the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, line 17, of the printed bill, after the period, insert

"In making solicitations for contributions to such funds no principal, teacher, or school official shall do or permit to be done on the school premises anything that would violate the spirit of the proviso in Section 10302 of this code"

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2190—An act to amend Section 4000 of the Government Code and to add Section 4000.1 thereto, relating to public works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out "Section 4000 of the Government Code and to add Section 4000.1 thereto", and insert "Sections 14293 and 25452 of the Government Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 14293 of the Government Code is amended to read:

14293 The notices shall state the time and place for the receiving and opening of sealed bids and that the bids [will] *shall* be required for the entire project [and for the performance of segregate designated parts of the entire project, when the department determines that segregation is advisable]

SEC. 2. Section 25452 of said code is amended to read:

25452. The board shall cause an advertisement for bids for the performance of the work to be published for at least ten consecutive times in a daily newspaper, or for at least two consecutive times in a weekly newspaper, of general circulation published in the county. If there is no such newspaper published in the county, the notice shall be given by posting in three public places for at least two weeks. *The advertisement for bids shall state the time and place for the receiving and opening of sealed bids, together with the requirement that all bids shall pertain to the performance of the entire project.*"

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 18, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2010—An act to amend Section 28151 of the Government Code, relating to compensation for public service in counties of the fifty-first class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "28151 of the Government", and insert "737q of the Political".

Amendment No. 2

In line 2 of the title of said bill, strike out "for public service", and insert "of superior court judges".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 737q of the Political Code is amended to read:

737q. The annual salary of the Judge of the Superior Court in and for the County of Lake is [nine thousand dollars ($9,000] *eleven thousand five hundred dollars ($11,500).*"

Amendment No. 4

On page 1 of said bill, strike out lines 3 to 25, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

Assembly Bill No. 1697—An act to amend an initiative act entitled "An act prescribing the terms upon which licenses may be issued to practitioners of chiropractic, creating the State Board of Chiropractic

Examiners and declaring its powers and duties, prescribing penalties for violation hereof, and repealing all acts and parts of acts inconsistent herewith," approved by electors November 7, 1922, by adding Section 20 to that act, relating to chiropractic, including the regulation and practice thereof, said amendment to take effect upon the approval thereof by the electors, and providing for the submission thereof to the electors pursuant to Section 1b of Article IV of the State Constitution.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out line 3, and insert

"SEC. 20. The board shall discontinue the issuance of the certificate listed in Section 7 of this act, on and after the first day of August, 1952. Persons holding valid unrevoked certificates as provided in Section 7 may continue to practice as provided in this act, upon payment of the annual dues as provided in this act.

Beginning January 1, 1953, the board may issue to those it finds qualified by written examination, any certificate now or hereafter issued by the Board of Medical Examiners or the Board of Osteopathic Examiners; provided, however, that the total hours of instruction in all professional subjects to qualify for licensure by the Chiropractic Board of Examiners shall equal the total hours in all professional subjects required by the Board of Osteopathic Examiners or the Board of Medical Examiners. The fees for examination, license renewal, rules relative to unprofessional conduct, provisions for revocation of license or certificate, rights and privileges of practice shall be the same as those applying to licentiates holding like certificates issued by the Board of Medical Examiners or the Board of Osteopathic Examiners.

The board may approve a nonprofit professionally owned school, teaching a professional course of instruction equal in respect to subjects taught and total hours of instruction as required by the Board of Osteopathic Examiners or the Board of Medical Examiners for approval. The school shall have adequate classrooms, laboratories and clinic facilities The financial assets of a school to secure approval by the board shall exceed one hundred fifty thousand dollars ($150,000).

Students entering upon a course of professional instruction to qualify for any certificate, shall after January, 1951, have one year pre-professional instruction in the subjects of physics, biochemistry and English.

The enactment of Section 20 of this act shall repeal any section of the act in conflict herewith.

The Legislature may enact enabling legislation to add provisions of law to carry out the broad purposes of this act; such broad purposes being defined as permitting advanced educational and professional development of licentiates of the Chiropractic Board of Examiners."

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 16, inclusive; and on page 2, strike out lines 1 to 14, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

Assembly Bill No. 2259—An act to amend Section 7003 of the Business and Professions Code, relating to licensing of contractors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "7003", and insert "7056".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 21, inclusive, and insert

"SECTION 1. Section 7056 of the Business and Professions Code is amended to read:

7056. A general engineering contractor is a contractor whose principal contracting business is in connection with fixed works for any or all of the following divisions or subjects: Irrigation, drainage, water power, water supply, flood control, inland waterways, harbors, railroads, highways, tunnels, airports and airways, *sewers and sewage disposal systems,* [sewerage] and bridges; *paving, grading, excavating, trenching, and concrete pipe laying.*"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2401—An act to add Section 12171 to the Government Code, relating to the duties of the Secretary of State and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to make an appropriation to the Secretary of State for the establishment and maintenance of a records preservation laboratory in the Central Record Depository."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary, is appropriated from the General Fund to the Secretary of State to be expended for the establishment and maintenance of a records preservation laboratory in the Central Record Depository.

This appropriation shall be available for the 1949-50 Fiscal Year."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2467—An act relating to farm labor housing, creating an Itinerant Farm Labor Housing Commission, providing for the purchase, construction or other acquisition of such facilities, creating the Farm Labor Housing Fund in the State Treasury, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed to the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 23 of the printed bill, strike out "500", and insert "100"

Amendment No. 2

On page 2, line 7, of said bill, strike out "condi-"; and strike out lines 8 to 12, inclusive, and insert "additional housing facilities for farm workers, hereinafter in this act referred to as 'projects', are urgently needed."

Amendment No. 3

On page 2 of said bill, strike out line 14, and insert "that additional facilities are needed for properly".

Amendment No. 4

On page 2, line 22, of said bill, strike out "purchase the housing facility"; and strike out line 23, and insert "take".

Amendment No. 5

On page 2, line 24, of said bill, strike out "other", and strike out line 25, and insert "such facilities".

Amendment No. 6

On page 2, line 29, of said bill, strike out "The commission shall acquire and"; and strike out lines 30 to 36, inclusive.

Amendment No. 7

On page 3, lines 44 and 45, of said bill, strike out "one hundred million dollars ($100,000,000)", and insert "twelve million dollars ($12,000,000)"

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 3013—An act to require the State to reimburse all counties for revenue lost due to state ownership of lands within the county.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, after line 4, insert

"No reimbursement pursuant to this act shall be made for land owned by the State which is acquired from the United States pursuant to Article IX, Section 4, of the Constitution of the State of California, or pursuant to the act of Congress approved September 28, 1850, or which is held by the State pursuant to Article XV of the Constitution of the State of California."

Amendment No. 2

On page 1, line 4, of the printed bill, after the period, insert "This act shall not apply to property devoted to state highway purposes."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2321—An act to add Section 14727.1 to the Education Code, relating to district retirement systems.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 14727.1 to", and insert "amend Section 13083 of".

Amendment No. 2

Strike out line 2 of the title of the printed bill, and insert "probationary employees of school districts with 60,000 or more average daily attendance."

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert

"SEC. 2. Section 13083 of the Education Code is amended to read:

13083. At the discretion of the governing board of a district with 60,000 average daily attendance or more every employee of the district who, after having been employed by the district for two consecutive school years in a position or positions requiring certification qualifications, is reelected for the next succeeding school year to a position requiring certification qualifications may, at the commencement of the succeeding school year, be classified as and become a permanent employee of the district. In any such district in which the school year is divided into two terms, an employee who serves four consecutive school terms and is reelected for the next succeeding school year may, at the discretion of the governing board, be classified as and become a permanent employee of the district. In such case the percentages specified in Section 13099 shall be deemed to apply to school terms instead of school years."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

Assembly Bill No. 1486—An act to amend Section 4913 of the Education Code, relating to the unification and reorganization of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 4913 of", and insert "add Section 4917.3 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert

"SECTION 1. Section 4917.3 is added to the Education Code, to read:

4917.3. Notwithstanding the provisions of Chapter _____ of the Statutes of 1949, elections for reorganization of school districts approved by the State Commission on School Districts prior to the effective date of Chapter _____ of the Statutes of 1949 shall be conducted in accordance with the provisions of Article 5 of this chapter as they existed on September 1, 1949, except that the public hearings specified in Section 4912 shall be conducted in each school district by a member of the governing board of said district to be appointed by the county superintendent of schools.

Elections for reorganization of school districts conducted under the authority of this section may include recommendations made to the State Commission on School Districts prior to the effective date of Chapter _____ of the Statutes of 1949 by the local survey committees for dividing a proposed unified school district into five or seven trustee areas in accordance with the provisions of Section 4905 of Chapter _____ of the Statutes of 1949. If the State Commission on School Districts approves the proposal for the establishment of a unified school district, any recommendation for trustee areas submitted as hereinbefore authorized shall be deemed an integral part of the proposal to be submitted to the electors."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Education.

SECOND READING OF SENATE BILLS

Senate Bill No. 577—An act to amend Section 5003.5 of the Public Resources Code, relating to highway and road easements across state park lands.

Bill read second time, and ordered to third reading.

Senate Bill No. 437—An act to amend Section 11611 of the Business and Professions Code, relating to streets and easements in real estate subdivisions.

Bill read second time, and ordered to third reading.

Assembly Bill No. 1093—An act to add Article 6 to Chapter 1 of Part 5 of Division 12, and amend and renumber Sections 31026 and 31027, of the Water Code, relating to the acquisition, construction, maintenance, and operation of sewer facilities by or in county water districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1420—An act to amend Section 425 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the twenty-fifth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1634—An act to amend Section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number 1 of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district.

Bill read second time, and ordered to third reading.

Senate Bill No. 366—An act to amend Section 205 5 of the Agricultural Code, relating to animal diseases.

Bill read second time, and ordered to third reading.

Senate Bill No. 684—An act to amend Sections 2, 3, 25, 26, 27, 28, and 29 of the Retirement Systems Act, and to amend Sections 28001, 28002, 28100, 28101, 28102, 28103, 28104, 28301, and 28402 of, and to add Section 28002.5 to, the Corporations Code, relating to what constitutes a retirement system and the exemption of certain retirement systems from various provisions of the act.

Bill read second time, and ordered to third reading.

Senate Bill No. 809—An act to amend Sections 6722, 7017, 8537, 8714, and 8926 of the Business and Professions Code, relating to reports to the Governor by certain officers and boards within the Department of Professional and Vocational Standards.

Bill read second time, and ordered to third reading.

Senate Bill No. 164—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on *Municipal and County Government*:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on June 2, 1949, after "board", strike out the comma and insert a period; strike out lines 7 and 8; and in line 9, strike out "district is not so represented."

Amendment No. 2

On page 2, line 3, of said bill, after "part", strike out "excepting cities"; strike out line 4; and in line 5, strike out "mation of a sanitation district".

Amendment No. 3

On page 2, line 11, of said bill, after "district", strike out the comma and insert a period; and strike out the balance of line 11, and all of lines 12 and 13.

Amendment No. 4

On page 2, line 16, of said bill, after the comma, strike out "excepting cities wholly"; strike out line 17; and in line 18, strike out "sanitation district,".

Amendment No. 5

On page 2 of said bill, after line 30, insert "As used in this section, "sanitary districts existing at the time of the formation of a sanitation district" means sanitary districts existing at the time of the formation of a sanitation district and a part and member thereof."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Rumford asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 592—An act to authorize cities, cities and counties, counties, parking districts and parking authorities and the legislative bodies thereof to acquire, construct, maintain and operate public parking places for automobiles and to issue and sell revenue bonds to finance the same and to provide for the use and expenditure of the proceeds of such bonds and the use and disposition of revenue arising from public parking places so financed.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 3 of the printed bill, as amended in the Senate on May 19, 1949, strike out lines 6 to 26, inclusive, and insert "or city and county, county, parking district or parking authority shall lease any project acquired by it under the provisions of this act to the highest responsible bidder after notice, which shall consist of the publication of a notice inviting bids, by two or more insertions thereof, not less than five days apart, in a newspaper of general circulation printed and published in such city, city and county, or county, which publication shall be commenced not less than fifteen days prior to the date set in the notice for the opening of bids; or if there be no newspaper of general circulation printed or published therein, by posting copies of said notice inviting bids in at least three public places in the city, city and county, or county, not less than fifteen days prior to the date set in the notice for the opening of bids. Such notice shall distinctly and specifically describe the public parking places and facilities in connection therewith proposed to be leased, the period of time for which said public parking places and facilities are to be leased and the minimum rental to be paid under such lease. If no valid bid is received after giving the notice as hereinabove provided, then and only then may the legislative body operate such public parking places and facilities. In the event the legislative body so operates such public parking places and facilities, it must upon the expiration of each year the authority so operates such public parking places and facilities advertise for bids for the leasing of said public parking places and facilities in the manner hereinabove specified."

Amendment No. 2

On page 14, line 52, of said bill, strike out "six months", and insert "two (2) years".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 463—An act to amend Sections 12701, 12704, 12706, and 12707 of the Business and Professions Code, relating to public weighmasters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 4 of the printed bill, as amended in the Senate On May 13, 1949, strike out lines 6 to 9, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 134—An act to amend Section 16484 of the Education Code, relating to school health reports.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Education:

Amendment No. 1

On page 1, lines 14 and 15, of the printed bill, as amended in the Assembly on June 3, 1949, strike out "made after he has personally examined a child,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 958—An act to amend Section 2377 of, and to repeal Sections 2378, 2379, 2380, 2380.5, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2391.5, 2392, 2393, 2394, 2395, 2396, 2397, 2398, and 2399 of, the Business and Professions Code, all relating to the grounds for denial, suspension or revocation of certificates to practice medicine and surgery, drugless practitioner certificates, chiropody certificates, or certificates to practice midwifery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on April 8, 1949, strike out "of, and to repeal Sections", and insert a comma; in line 2 of the title, strike out "2379, 2381, 2382, 2383, 2384, 2385, 2387,"; in line 3 of the title, strike out "2389, 2390, 2391, 2391.5,", and insert "*and*" after the strikeout and before "2392"; and strike out ", 2393, 2394, 2395, 2396,".

Amendment No. 2

In line 4 of the title of said bill, strike out "2397, 2398, and 2399"; strike out the comma after "of"; and at the end of said line 4 after "Code", insert "*and to repeal Sections 2385, 2389 and 2393 of said code and to add Sections 2392.5 and 2412 to said code*".

Amendment No. 3

In line 6 of the title of said bill, strike out "to practice medicine and surgery," and insert "*issued under the chapter on medicine of the Business and Professions Code.*"; and strike out lines 7 and 8 of the title.

Amendment No. 4

On page 1 of said bill, strike out lines 3 and 4, and insert

"*2377. The procuring or aiding or abetting or attempting or agreeing or offering to procure a criminal abortion is unprofessional conduct.*"

Amendment No. 5

On page 1 of said bill, between lines 4 and 5, insert

"*SEC. 2. Section 2378 of said code is amended to read:*".

Amendment No. 6

On page 1, line 5, of said bill, strike out "(a)", and insert

"*2378.*"

Amendment No. 7

On page 1, line 7, of said bill, strike out the semicolon, and insert ", *is unprofessional conduct.*"

Amendment No. 8

On page 1 of said bill, strike out line 8, and insert

"*SEC. 3. Section 2380 of said code is amended to read:*".

Amendment No. 9

On page 1, line 9, of said bill, strike out "(c)", and insert

"*2380.*"

Amendment No. 10

On page 1, line 11, of said bill, strike out the semicolon, and insert ", *is unprofessional conduct.*"

Amendment No. 11

On page 1 of said bill, between lines 11 and 12, insert

"*SEC. 4. Section 2380.5 of said code is amended to read:*".

Amendment No. 12

On page 1, line 12, of said bill, strike out "(d)", and insert

"*2380.5.*"

Amendment No. 13

On page 1, line 18, of said bill, strike out the semicolon, and insert ", *is unprofessional conduct.*"

Amendment No. 14

On page 1 of said bill, strike out lines 19 to 21, inclusive; and on page 2, strike out lines 1 to 30, inclusive, and insert

"*SEC. 5. Section 2386 of said code is amended to read:*".

Amendment No. 15

On page 2, line 31, of said bill, strike out "(i)", and insert

"*2386.*"

Amendment No. 16

On page 2, line 39, of said bill, strike out the semicolon, and insert ", *is unprofessional conduct.*"

Amendment No. 17

On page 2 of said bill, strike out lines 40 to 42, inclusive.

Amendment No. 18

On page 2 of said bill, between lines 42 and 43, insert

"*SEC. 6. Section 2388 of said code is amended to read:*".

Amendment No. 19

On page 2, line 43, of said bill, strike out "(k)", and insert

"*2388.*"

Amendment No. 20

On page 2, line 48, of said bill, strike out the semicolon, and insert ", *is unprofessional conduct.*"

Amendment No. 21

On page 2 of said bill, strike out lines 49 to 51, inclusive; and on page 3, strike out lines 1 and 2, and insert

SEC. 7. Section 2392.5 is hereby added to said code, to read:

2392.5. 'Unlicensed person' as used in this chapter includes any corporation, trust, foundation or other entity, engaging, directly or indirectly, in the practice of any

system or mode of treating the sick or afflicted; provided that performance of services as expressly permitted or authorized under Section 2008 of this code or Section 9201 of the Corporations Code shall not constitute unprofessional conduct."

Amendment No. 22

On page 3 of said bill, strike out lines 3 to 26, inclusive, and insert
SEC. 8. Section 2412 is hereby added to said code, to read:".

Amendment No. 23

On page 3, line 27, of said bill, strike out "In addition, the", and insert
"*2412. The*".

Amendment No. 24

On page 3 of said bill, strike out lines 38 to 41, inclusive, and insert
"*SEC. 9. Sections 2385, 2389 and 2393 of the Business and Professions Code are hereby repealed.*"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following resolution was continued until the next legislative day:

Assembly Constitutional Amendment No. 3, on request of Mr. Thomas.

MEMBER EXCUSED

At 9.12 a.m., Mr. Hinckley asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 973—An act to amend Sections 28111, 28116, 28126, 28133, 28142, 28146, and 28149, and to repeal Sections 28123, 28124, 28125, and 28134 of the Health and Safety Code, relating to the preservation of the public health, including the sanitation and regulation of establishments where food used for human consumption is stored, prepared, kept, manufactured or distributed.

The question being: Shall the Assembly concur in the following amendments to Assembly Bill No. 973?

Amendment No. 1

Strike out lines 1, 2, and 3 of the title of the printed bill, and insert
"An act to amend Sections 28111, 28112, 28116, 28120, 28126, 28133, 28142, 28146, and 28149, and to add Section 28117, and to repeal Sections 28123, 28124, 28125, 28134, and 28151 of the Health and Safety Code, relating".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 10, and insert
"SEC. 2 Section 28112 of said code is amended to read:
28112 "Cold Stored" means the keeping of articles of food in cold storage for a period exceeding [30] *10* days.
SEC. 3. Section 28116 of said code is amended to read:".

Amendment No. 3

On page 1 of said bill, strike out line 18, and insert

"SEC. 4. Section 28117 is added to said code, to read

28117. The term "locker plant" as used in this chapter shall mean any building or portion thereof which is artificially cooled to or below a temperature above zero of 45 degrees Fahrenheit and used exclusively for the storage of any article of food for the sole use of the storer, and which article or articles of food are not for resale

If any article or articles of food stored in locker plants are for resale and/or to be used for manufacturing purposes, said locker plant is subject to the license provisions of this chapter and all sections thereof

SEC. 5. Section 28120 of the said code is amended to read

28120. Any person desiring to operate a cold storage or refrigerating warehouse for storing articles of food shall make application in writing to the board for a license for that purpose, stating the location of his plant—*or plants For the purpose of securing the proper enforcement of this* chapter, each separate building or structure, physically separated from another by a through street or highway open to public use, shall be considered as a separate cold storage or refrigerating warehouse or plant. Separate application for a license shall be made for each plant.

SEC. 6. Section 28126 of said code is amended to read .".

Amendment No. 4

On page 2, line 1, of said bill, strike out "SEC. 4.", and insert "SEC. 7."

Amendment No. 5

On page 2, line 6, of said bill, strike out "SEC. 5 ", and insert "SEC. 8 "

Amendment No. 6

On page 2, line 12, of said bill, strike out "SEC. 6.", and insert "SEC. 9."

Amendment No. 7

On page 2, line 19, of said bill, strike out "SEC. 7.", and insert "SEC. 10."

Amendment No. 8

On page 2 of said bill, strike out line 27, and insert "SEC. 11. Sections 28123, 28124, 28125, 28134, and 28151 of said"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 973 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 973 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 330

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 330, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 330—An act to add Section 729 to the Welfare and Institutions Code, relating to the detention of minors by peace officers and probation officers when such detention is necessary for the health and welfare of such minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 330?

Amendment No. 1

On page 2, line 9, of the printed bill, as amended in the Assembly on March 18, 1949, strike out "or" after "care", and insert a comma.

Amendment No. 2

On page 2, line 10, of said bill, strike out "and" after "treatment", and insert a comma; and after "hospitalization", insert ", or other remedial care".

Amendment No. 3

On page 2, line 12, of said bill, strike out "or" after "treatment", and insert a comma; and after "hospitalization", insert ", or other remedial care".

Amendment No. 4

On page 1, line 7, of the printed bill, as amended in the Senate on April 29, 1949, after "descriptions", insert "when such custody or detention is a matter of immediate and urgent necessity for the protection of the welfare of the child".

Amendment No. 5

On page 2, line 14, of said bill, after "officer", insert "shall give immediate notice to the parents or guardians of the person taken into custody or placed in detention under the provisions of this section and thereafter".

Amendment No. 6

On page 2 of the printed bill, as amended in the Senate on May 4, 1949, after line 24, insert

"In all cases such minor shall, while being so detained, be segregated from minors charged with any criminal offense under Section 700 of the Welfare and Institutions Code, or section of any other code or provision of law."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 330 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Way, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 330 ordered enrolled.

MEMBER EXCUSED

At 9.17 a.m., Mr. Rumford asked for, and was granted, unanimous consent that Mr. Lincoln be excused, for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2204 HOLD PLACE ON FILE

Mr. McMillan asked for, and was granted, unanimous consent that Assembly Bill No. 2204 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 877

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate Amendments to Assembly Bill No. 877, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 877—An act to amend Section 87 of the Fish and Game Code, relating to districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 877?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 87 of", and insert "repeal Sections 86, 87, 89, and 90 of, and to add Sections 86, 87, 89, and 90 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Sections 86, 87, 89, and 90, of the Fish and Game Code are hereby repealed.

SEC. 2. Section 86 is added to the Fish and Game Code, to read:

86. District 18. The following shall constitute Fish and Game District 18: The ocean waters of the State and tidelands to highwater mark not included in other districts, lying between a line extending due west from Yankee Point, Carmel Highlands, in Monterey County, and a line extending from Point Rincon near or at the common boundaries between Santa Barbara and Ventura Counties westerly through Richardson Rock, and excluding all rivers, streams, sloughs, and lagoons.

SEC. 3. Section 87 is added to said code, to read:

87. District 19. The following shall constitute Fish and Game District 19: The ocean waters of the State and tidelands to highwater mark, and islands off the coast and waters adjacent thereto, lying southerly of Fish and Game District 18, and northerly of a westerly extension of the boundary line between the Republic of Mexico and San Diego County, excepting Districts 19A, 20, and 20A, and excluding all rivers, streams, sloughs, lagoons, and bays.

SEC. 4. Section 89 is added to said code, to read:

89. District 20. The following shall constitute Fish and Game District 20: Santa Catalina Island and the portion of the state waters within three nautical miles of said island's coastline on the northerly, easterly, and southerly side of said island lying between a line extending three nautical miles west magnetically from the extreme westerly end of Santa Catalina Island to a line extending three nautical miles southwest magnetically from the southerly headland of Little Harbor.

SEC. 5. Section 90 is added to said code, to read:

90. District 20A. The following shall constitute Fish and Game District 20A: The waters lying around Santa Catalina Island, within three nautical miles of the coastline of said island, which are not included in District 20."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 877 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Connolly, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Mr Speaker—50

NOES—None.

Assembly Bill No. 877 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2204 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. McMillan asked for, and was granted, unanimous consent that Assembly Bill No. 2204 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 557—An act to amend Section 6512 of the Business and Professions Code, relating to compensation of members of the State Board of Barber Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Crichton, Crowley, Davis, Clayton A. Dills, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, and Way—46

NOES—Evans, Hahn, McMillan, and Silliman—4.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1660—An act to amend Section 1722 of, and to add Section 1723.1 to, the Welfare and Institutions Code, relating to salaries of the Youth Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Huyck, Kilpatrick, Kirkwood, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, and Way—42.

NOES—Anderson, Burkhalter, Davis, Clayton A. Dills, Evans, Hahn, Heisinger, Hoffman, Levering, Lowrey, Luckel, Morris, and Silliman—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2093—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—56.

NOES—Levering and Yorty—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2221—An act to amend Section 146.1 of the Vehicle Code, relating to the registration of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2631—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Stillman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 680—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3040—An act to repeal Sections 22b and 22c of, and to add Sections 22b, 22c, 22d, 22e, and 22f to the County Water District Act, relating to assessment proceedings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niebouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—64

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 629—An act to amend Sections 700 5 and 709 of, and to add Section 604 to the Vehicle Code, and to amend Section 731 of the Streets and Highways Code, relating to the use of and damage to highways.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 626—An act to amend Sections 589.5, 589.6, 591, 595, and 596.6 of the Vehicle Code, relating to the parking or stopping of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2152—An act to add Sections 140.3 and 377.6 to the Vehicle Code, relating to permits for the operation of vehicles and the payment of fees therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Huyck, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Way, Weber, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2037—An act to add Section 18907 to the Government Code, relating to state civil service employment lists.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thompson, Way, Weber, and Mr. Speaker—53.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3153—An act to amend Section 9654 of, and to add Sections 9655 and 9656 to, the Revenue and Taxation Code, relating to the motor vehicle transportation license tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2320—An act to amend Section 14601 of the Education Code, relating to retirement.

Bill read third time.

Motion to Amend

Mr. Huyck moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on June 6, 1949, after "then", strike out "retired", and insert "attained".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Bill No. 2265—An act to amend Section 13582 and the title of Article 6 of Chapter 11 of Division 7 of the Education Code and to add thereto Section 13653, relating to the rights of probationary employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1804—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 2407—An act to amend Section 28139 of the Government Code and Section 439 of the Education Code, relating to the compensation for public services in counties of the thirty-ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3128—An act to amend Section 6364 of the Revenue and Taxation Code, relating to exemptions from sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley,

Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 629

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 629, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 629

Assembly Bill No. 629—An act to amend Sections 700.5 and 709 of, and to add Section 604 to the Vehicle Code, and to amend Section 731 of the Streets and Highways Code, relating to the use of and damage to highways.

Bill read third time

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thomas moved a call of the Assembly.

Motion carried. Time, 10.30 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Bennett, Brady, Caldecott, Crowley, Dickey, Geddes, Hollibaugh, Lewis, Morris, Silliman, Stewart, Thompson, Tomlinson, and Waters—16.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Kirkwood asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 67

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 67, out of order, at this time.

Speaker Pro Tempore Presiding

At 10.37 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 67

Senate Concurrent Resolution No. 67—Relative to approving a charter of the County of Santa Clara, State of California, voted for and ratified by the qualified electors of said county at the general election held therein on the second day of November, 1948.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thompson, Way, Weber, and Yorty—58.

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2240—An act relating to the acquisition, construction, establishment, operation, maintenance and financing of off-street parking facilities for the parking of motor vehicles and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue bonds and other obligations and defining the powers and duties of parking authorities, cities, and cities and counties with respect to off-street parking facilities.

Bill read third time.

Demand for Previous Question

Messrs. Caldecott, Morris, Silliman, Kirkwood, and Rumford demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2240.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Brown has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Request for Unanimous Consent That Additional Time Be Granted Mr. Brown

Mr. Brady asked for unanimous consent that additional time be granted to Mr Brown for the purpose of answering questions relative to Assembly Bill No. 2240.

Mr. Waters withheld unanimous consent.

The question being on the passage of Assembly Bill No. 2240.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Geddes, Heisinger, Hoffman, Huyck, Lewis, Lindsay, Lipscomb, McCarthy, McCollister, Meyers, Moss, Rosenthal, Rumford, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Yorty—41.

NOES—Brady, Burkhalter, Collier, Dunn, Elliott, Fletcher, Gaffney, Grant, Hagen, Hahn, Hawkins, Kirkwood, Levering, Luckel, Maloney, McMillan, Morris, Niehouse, Reagan, Sherwin, Silliman, Thomas, and Thompson—23.

Notice of Motion to Reconsider Assembly Bill No. 2240

Mr. Brady gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 2240 was this day passed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 39

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 39, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 39

Assembly Bill No. 39—An act to add Article 4, comprising Sections 17390 to 17394, inclusive, to Chapter 4, Part 10, Division 2, of the Revenue and Taxation Code, relating to the personal income tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—48.

NOES—George D. Collins, Condon, Dunn, Lewis, Maloney, and Rumford—6.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1804

Mr. Reagan asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 1804, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1804

Assembly Bill No. 1804—An act relating to urban districts, providing for the organization, operation, and government of such districts, and defining the powers and duties of the same.

Bill read third time.

Demand for Previous Question

Messrs. Morris, Silliman, Grant, Levering, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1804.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Maloney, Meyers, Morris, Moss, Niebouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—49

NOES—George D. Collins, Davis, Elliott, Erwin, Fletcher, Grant, Hahn, Holibaugh, Luckel, Sherwin, and Thomas—11.

Bill ordered transmitted to the Senate.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 97: By Mr. Dickey—Relative to the adjournment sine die of the 1949 Regular Session of the Legislature of the State of California.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2807

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2807, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2807

Assembly Bill No. 2807—An act to amend Sections 153, 175, and 181 of the Vehicle Code, relating to transfers of title or interest in vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP MOTION TO RECONSIDER CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 160

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up motion to reconsider concurrence in Senate amendments to Assembly Bill No. 160, temporarily passed on the unfinished business file, at this time.

Hon. Richard J. Dolwig Presiding

At 12.20 p.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-seventh District, presiding.

RECONSIDERATION OF CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 160

In compliance with a notice given on a previous day, Mr. Anderson moved that the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 160 be reconsidered.

Demand for Previous Question

Messrs. Conrad, Luckel, Kirkwood, Silliman, and Connolly demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Anderson that the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 160 be reconsidered.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Anderson moved a call of the Assembly.

Motion carried. Time, 12 40 p.m.

Acting Speaker Dolwig directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Dickey, Evans, Lindsay, Lowrey, and Way—6.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Thomas asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 629

At 12.41 p.m., on motion of Mr. Thomas, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 629 passed by the following vote:

AYES—Anderson, Babbage, Berry, Clarke, George D. Collins, Condon, Connolly, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Stewart, Thomas, Tomlinson, Waters, Weber, and Yorty—46

NOES—Brown, Burke, Burkhalter, Butters, Coats, Collier, Conrad, Davis, Clayton A. Dills, Erwin, Grunsky, Hahn, Hoffman, Huyck, Kirkwood, Levering, Lowrey, Rumford, Stanley, Way, and Mr. Speaker—21

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 112

Mr. Fletcher asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 112, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 112

Assembly Bill No. 112—An act to amend Section 451 of the Unemployment Insurance Act, dealing with disability insurance.

Bill read third time.

Demand for Previous Question

Messrs. Kirkwood, Luckel, Conrad, Babbage, and Reagan demanded the previous question.

Demand for previous question sustained

The question being on the passage of Assembly Bill No. 112.

The roll was called, and the vote announced.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Assembly Bill No. 112

Mr. Evans asked for unanimous consent that his name be placed upon the roll call on Assembly Bill No 112, and that he be recorded as voting "Aye."

Mr. Grunsky withheld unanimous consent because the vote had been announced.

Point of Order

Mr. Dunn arose to the following point of order: That the Acting Speaker has not completely announced the vote, and that Mr. Evans is not out of order.

Ruling by Speaker

Acting Speaker Dolwig ruled that, as he had announced the vote, the point of order was not well taken.

Motion to Temporarily Suspend the Rules

Mr. Crowley moved that the Rules be temporarily suspended for the purpose of placing the name of Mr. Evans on the roll call on Assembly Bill No. 112, and that he be recorded as voting, "Aye."

Motion carried, there being more than a quorum present and voting.

The vote was again announced, with the addition of the vote by Mr. Evans, and Assembly Bill No. 112 passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Collier, George D. Collins, Condon, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—46

NOES—Babbage, Burke, Butters, Clarke, Connolly, Erwin, Grunsky, Hoffman, Huyck, Kirkwood, Levering, Lipscomb, Reagan, Silliman, Stanley, Stewart, Thompson and Waters—18

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2890

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2890, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2890

Assembly Bill No. 2890—An act to amend Section 4658 of the Labor Code, relating to computation of payment for permanent disability under the Workmen's Compensation Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin,

Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 160

At 1.20 p m., on motion of Mr. Anderson, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called:

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Roll Call Demanded

Messrs. Beck, Clayton A. Dills, and Dunn demanded a roll call.

The roll was called, and the motion by Mr. Beck for a call of the Assembly carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Waters, Way, Weber, and Yorty—54.

NOES—Hoffman, Silliman, and Stewart—3.

Time, 1.25 p.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Lindsay, and Lowrey—3.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCarthy asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Waters withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. McCarthy moved that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

The roll was called, and Rule No. 85 temporarily suspended by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Coats, George D. Collins, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Grant, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Lewis, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Thomas, Way, and Weber—42.

NOES—Butters, Collier, Connolly, Erwin, Gaffney, Grunsky, Hoffman, Kirkwood, Lindsay, Lipscomb, Reagan, Sherwin, Silliman, Stewart, and Waters—15.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 473

Mr. Fletcher asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 473, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 473

Assembly Bill No. 473—An act relating to the operation of airports and airparks, providing for procedure to abate as a nuisance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—56.

NOES—Beck, Hagen, and Moss—3.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 1.30 p.m., Mr. Clarke asked for, and was granted, unanimous consent that he and the other members of the Committee on Agriculture, be excused, for the purpose of holding a meeting of the committee in the Cloak Room, at this time in order to consider some amendments.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1308

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1308, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1308

Assembly Bill No. 1308—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number thereof.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendment:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 8, 1949, after "number", insert "of judges".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3084

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3084, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3084

Assembly Bill No. 3084—An act to amend Section 19399 of the Government Code, relating to employees returning or who have returned from military service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.

NOES—None

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 1.32 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2059

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2059, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal Sections 19501 and 19577, and to add Sections 19583.1, 19575.5, and 19583.5 of the Government Code, relating to disciplining state employees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2059?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 19, 1949, strike out line 13, and in line 14, strike out "(p)", and insert "(o)".

Amendment No. 2

On page 2, line 15, of said bill, strike out "(q)", and insert "(p)".

Amendment No. 3

On page 2, line 16, of said bill, strike out "(r)", and insert "(q)".

Amendment No. 4

On page 2, line 17, of said bill, strike out "(s)", and insert "(r)".

Amendment No. 5

On page 2, line 20, of said bill, strike out "(t)", and insert "(s)"

Amendment No. 6

On page 4, line 3, of said bill, following "19583.5", strike out the remainder of the line and line 4, and insert "The appointing power may file charges".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2059 by the following vote:

AYES—George D Collins, Evans, Geddes, and Kilpatrick—4.

NOES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hollibaugh, Huyck, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—53.

Appointment of Committee on Conference Concerning Assembly Bill No. 2059

The Speaker pro Tempore announced the appointment of Messrs. Stewart, Fleury, and Beck as a Committee on Conference concerning Assembly Bill No. 2059.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 49

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Constitutional Amendment No. 49, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Sections 1, 11, and 23 and repealing Sections 11a and 13 of Article VI thereof, relating to inferior courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 49?

Amendment No. 1

On page 1 of the printed measure, as amended in the Assembly on April 29, 1949, strike out lines 22 and 23, and insert "there shall be a municipal court; in each district containing a population of forty thousand inhabitants or less, as ascertained in the manner prescribed by the Legislature, there shall be a justice court, except that the Legislature may provide that each incorporated city the boundaries of which were co-extensive with those of the township two years before the effective date of this amendment and which is entirely surrounded by another incorporated city containing a population of more than forty thousand inhabitants shall constitute a judicial district in which there shall be a municipal court. For each".

Amendment No. 2

On page 3, line 4, of said measure, after "capacity", insert "by election or appointment".

Amendment No. 3

On page 3 of said measure, strike out line 10, and insert "reelected The requirement of consecutive years of judicial service shall be deemed to have been met even

though interrupted by service in the armed forces of the United States during the period of war."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 49 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—62.

NOES—None.

Assembly Constitutional Amendment No. 49 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO RECONSIDER CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 160

At 1.41 p.m., on motion of Mr. Beck, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and reconsideration of the vote whereby the Assembly concurred in Senate amendments to Assembly Bill No. 160 granted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Hersinger, Hollibaugh, Kilpatrick, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Thomas, Way, Weber, and Yorty—42.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Grant, Grunsky, Hahn, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, McCollister, Niehouse, Reagan, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, and Waters—30.

Assembly Bill No. 160 ordered to unfinished business file.

Explanation of Vote

My reasons for desiring reconsideration of Assembly Bill No. 160, equal pay for equal work

I was co-author on Assembly Bill No. 160 because it provided for unconditional equal pay for equal work as between the sexes. The Senate amendments provide for unequal pay for equal work. Burden of proof of injury is placed upon the injured party, therefore I have now voted to reconsider this bill, as amended in the Senate and passed yesterday.

VERNON KILPATRICK

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1536

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1536, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1536

Assembly Bill No. 1536—An act to add Section 299 to the Penal Code, making it a crime to sell, give away or furnish to persons under the age of 18 years any illustrated crime comic book or magazine in which there is prominently featured an account of crime, and which

depicts by the use of drawings or photographs the commission or attempted commission of certain crimes of force, violence or bloodshed.

Bill read third time.

Motion to Amend

Mr. Brady moved the adoption of the following amendments:

Amendment No. 1

In lines 4 and 5 of the title of the printed bill, as amended in the Assembly on May 19, 1949, strike out "illustrated crime comic book or magazine", and insert "book, magazine or other publication".

Amendment No. 2

In line 8 of the title of said bill, after "bloodshed", insert "or to depict by television, motion picture or radio, the commission or attempted commission of certain crimes of force, violence or bloodshed".

Amendment No. 3

On page 1 of said bill, strike out line 6, and insert "book, magazine or other publication".

Amendment No. 4

On page 1, line 12, of said bill, after "manslaughter", insert "or who depicts the commission or attempted commission of any of those crimes by means of television, motion picture or radio".

Amendment No. 5

On page 1, line 19, of said bill, strike out "comic book or magazine", and insert "books, magazines and other publications".

Amendment No. 6

On page 2, line 3, of said bill, strike out "or magazines", and insert "magazines or publications".

Amendments read.

Demand for Previous Question

Messrs. Waters, Lindsay, Grant, Burkhalter, and Geddes demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Brady to Assembly Bill No. 1536.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Berry, Brady, Brown, George D. Collins, Dunn, and Yorty—6

NOES—Anderson, Beck, Bennett, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Morris, Moss, Reagan, Rosenthal, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—50.

The question being on the passage of Assembly Bill No. 1536.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.

NOES—Clayton A. Dills and Lewis—2

Notice of Motion to Reconsider Assembly Bill No. 1536

Mr. Lewis gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1536 was this day passed.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from the Pasadena Association for Child Care Centers, relative to expressing appreciation that messages of urgency, pertaining to child care centers had ben read to the Assembly, was received, and ordered referred to the Committee on Ways and Means.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolutions were offered:

Assembly Concurrent Resolution No. 98: By Messrs. Huyck, Stewart, Lipscomb, Waters, and Brown—Relative to the establishment of inter-departmental pools of state-owned automobiles.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 99: By Messrs. Doyle, Bennett, and Geddes—Relative to designating the California State Rose.

Referred to Committee on Rules

Assembly Concurrent Resolution No. 100: By Messrs. Geddes, Silliman, Erwin, Evans, Beck, Butters, Clarke, Coats, Conrad, Doyle, Dunn, Gaffney, Grunsky, Hoffman, Kilpatrick, Kirkwood, Lewis, Lindsay, Maloney, Meyers, Morris, Mrs. Niehouse, Messrs. Thomas, and Weber—Relative to the acceptance of the Kellogg Ranch by the State Director of Education and the State Director of Finance on behalf of the State of California for the use of the California State Polytechnic College in accordance with Section 184 of the Education Code.

Referred to Committee on Rules.

MOTION TO EXPUNGE RECORD, AND RESCIND ACTION ON HOUSE RESOLUTION NO. 223

Mr. Stewart moved that the record be expunged, and the action rescinded, whereby House Resolution No. 223 was reported out of the Committee on Rules on June 3, 1949, and adopted by the Assembly on June 9, 1949.

Motion carried unanimously.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 32—Relative to Colorado River water.

Request for Unanimous Consent

Mr. Butters asked for, and was granted, unanimous consent to take up Senate Joint Resolution No. 32, at this time, without reference to committee, print, or file.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 32

Senate Joint Resolution No. 32—Relative to Colorado River water.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 238

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 238, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 238

By Mr. Dickey:

House Resolution No. 238

Resolved by the Assembly, That all bills and resolutions on the Daily Third Reading File shall be called for consideration in the order of their appearance on file, starting with the first number on the Third Reading File. Any bill or resolution which is passed on file shall thereupon be placed at the end of the file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Morris, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—43.

NOES—Beck, Berry, Brady, Coats, George D. Collins, Condon, Dunn, Elliott, Hagen, Heisinger, Lewis, Lowrey, Meyers, Moss, and Rosenthal—15.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL BILL NO. 3027 FROM COMMITTEE CONTINUED

Mr. George D. Collins asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 3027 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 28

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 28, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 28

Assembly Bill No. 28—An act to add Section 1.5 to Chapter 1 of the Statutes of the 1938 Extraordinary Session of the Legislature, exempting from all taxation the property and bonds of certain corporations under the Limited Dividend Housing Corporations Act.

Bill read third time.

Motion to Amend

Mr. Morris moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 2, 1949, after "thereof.", insert "The exemption provided in Section 2 of this act with respect to taxes on the real property and improvements thereon of these corporations, shall extend only to that portion of the taxes on such property which represents the increased assessed valuation of such property over its assessed valuation for the lien date next preceding the acquisition of such property by the corporation."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

ALL MATTERS ON UNFINISHED BUSINESS FILE CONTINUED BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following Senate messages and reports of standing committees be deemed read:

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 48

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Joint Resolution No. 40

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 19
Assembly Bill No. 718
Assembly Bill No. 776
Assembly Bill No. 1729
Assembly Bill No. 1730
Assembly Bill No. 1855
Assembly Bill No. 2317
Assembly Bill No. 2345
Assembly Bill No. 3132

J. A. BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 164
Assembly Bill No. 848
Assembly Bill No. 994
Assembly Bill No. 2835

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 42

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 1289

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Assembly Bill No. 16

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 549

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 8, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 238

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Senate Bill No. 357
Senate Bill No 1078

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Senate Bill No 1113
Senate Bill No. 1164
Senate Bill No. 1298

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No 2437

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2432
Assembly Bill No. 2440
Assembly Bill No 2441
Assembly Bill No. 2786
Assembly Bill No. 3125

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No 363
Assembly Bill No. 759

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Senate Bill No. 75

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 224
Senate Bill No. 254
Senate Bill No. 1387

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER. Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 3093

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

LUCKEL, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred

Assembly Bill No. 25
Assembly Bill No. 47
Assembly Bill No. 1119
Assembly Bill No. 2251
Assembly Bill No. 3160

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

LUCKEL, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 9, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which was referred:

Assembly Bill No. 1530

Has had the same under consideration, and reports the same back with the recommendation Do pass, and be re-referred to Committee on Ways and Means

LUCKEL, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 170
Assembly Bill No. 1305
Assembly Bill No. 1514

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 154—An act to amend Sections 4650 and 4652 of the Labor Code, relating to waiting period under the Workmen's Compensation Act;

Assembly Bill No. 209—An act to amend Sections 70 and 73 of the Civil Code, relating to solemnizing marriage;

Assembly Bill No. 438—An act to amend Section 5402 of the Welfare and Institutions Code, relating to appearance in court, time and place of hearing, and commitment to rehabilitation center;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of June, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1171—An act to amend Section 806 of the Agricultural Code, relating to plum and fresh prune standards;

Assembly Bill No. 1941—An act to amend Sections 4740, 4741, 4742, 4744, 4748, 4760, and 4761 of the Health and Safety Code, relating to refuse collection and disposal by county sanitation districts;

Assembly Bill No. 2030—An act to add Section 13926 to, and to amend Section 11091 of, the Government Code, relating to powers of the State Board of Control;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of June, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2307—An act to amend Sections 6014, 6015, and 6702 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 2388—An act to amend Sections 69, 73, and 74 of the Civil Code and to amend Section 10526 of the Health and Safety Code, relating to documents required in connection with marriage,

Assembly Bill No. 2481—An act to amend Section 3212 of the Labor Code, relating to workmen's compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of June, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2555—An act to add Sections 226a and 226b to the Civil Code, relating to adoption;

And reports that the same has been correctly enrolled, and presented to the Governor on the tenth day of June, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2706

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1071—An act to amend Sections 7401 and 7452 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes, providing for special license tax refund procedure for distributions of liquefied petroleum gas and providing that this act shall take effect immediately;

Assembly Bill No. 1761—An act to amend Sections 4845.20 and 4845.21; to repeal Sections 4845.26 and 4845.27; and to add Sections 4845.31, 4845.32, 4845.33, and 4845.34 to the Health and Safety Code, relating to county sanitation districts;

Assembly Bill No. 1870—An act to amend Sections 3466a and 3480 of the Political Code, relating to reclamation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the tenth day of June, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 28—A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 1¾a to Article XIII of said Constitution, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the tenth day of June, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 385

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2510

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2510 ordered re-referred to Committee on Judiciary.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 525
Assembly Bill No. 2589

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1467
Assembly Bill No. 1784
Assembly Bill No. 1877
Assembly Bill No. 3124

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 44

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 359
Senate Bill No. 430
Senate Bill No. 769
Senate Bill No. 889
Senate Bill No. 1347
Senate Bill No. 1478
Senate Bill No. 1614

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time

Senate Bill No. 359—An act to add Section 1044.5 to the Agricultural Code, relating to the powers and duties of the Director of Agriculture with reference to noncomplying fertilizing materials.

Referred to Committee on Agriculture.

Senate Bill No. 430—An act to amend Section 51 (a) of the Public Utilities Act.

Referred to Committee on Public Utilities and Corporations.

Senate Bill No. 769—An act to amend Sections 50023, 50024, and 53679 of the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Referred to Committee on Municipal and County Government.

Senate Bill No. 889—An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1347—An act to amend Section 5071 of the Public Resources Code, relating to California riding and hiking trails.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1478—An act to amend Sections 5631 and 5658 of the Public Resources Code, relating to park, recreation and parkway districts.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1614—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1948, for legislative printing, binding, mailing, etc., to take effect immediately.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 520

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 520—An act to add Section 12.5 to the Fish and Game Code, relating to the location of offices for the administration and enforcement of the Fish and Game Laws and Regulations.

Referred to Committee on Fish and Game.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 54
Senate Concurrent Resolution No. 65

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolutions were read:

Senate Concurrent Resolution No. 54—Relative to the creation of a Fact-Finding Committee on Agriculture and Livestock Problems.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 65—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Referred to Committee on Rules.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bill No. 638 ordered re-referred to Committee on Fish and Game.

Senate Bill No. 1005 ordered re-referred to Committee on Public Health.

ANNOUNCEMENTS

Mr. Dickey announced again that all legislative cars being parked on the east side of the Capitol must be moved by 4 a.m., next Monday morning, June 13th, because work has been started on the new Capitol parking area.

Speaker pro Tempore Maloney announced appreciation to every Member, officer of the Assembly, and attache, for conscientious efforts expended during the past week to expedite, in all ways possible, the work of a heavy calendar.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. J. S. Hutcheson of Palo Alto.

On request of Mr. Hollibaugh and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Virginia Lyons of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to E. Glenn Drake of Yreka.

MOTION TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1536, AT THIS TIME

Mr. Collier moved that the motion by Mr. Lewis to reconsider the vote whereby Assembly Bill No. 1536 was this day passed be taken up, at this time.

Mr. Yorty seconded the motion.

Point of Order

Mr. Waters arose to the following point of order: That the motion is out of order because, pursuant to an opinion rendered by the Legislative Counsel, the Rules must first be suspended for the purpose of taking up a notice of motion to reconsider a bill on the day such notice is given.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

ADJOURNMENT

At 2.22 p.m., on motion of Mr. Dickey, Speaker pro Tempore Maloney declared the Assembly adjourned until 10 a.m, Monday, June 13, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

EIGHTY-NINTH LEGISLATIVE DAY

ONE HUNDRED SIXTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, June 13, 1949

The Assembly met at 10 a.m.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Spirit of Loyalty: As we approach Flag Day may we look with loving eye upon the historic banner of our Country.

May we see it waving over Lexington, in the epoch making shot that changed the maps of the world, and see it waving over the Bon Homme Richard when it began the glorious history of the American Navy.

See it leading the Rough Riders up San Juan Hill, driving despotism from this Western Continent, and see it leading at Argonne and at Normandy to free all the world from the menace of tyrannies.

May we feel the outburst of hope that springs up in the hearts of the oppressed everywhere and of every loyal citizen, whenever its glistening bars and stripes unfold and flash in the sunlight.

Now may the Red, White and Blue forever proclaim those rights and freedoms of the mind and soul from which spring the fame and greatness of America.—AMEN.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker pro Tempore, the Assembly gave the pledge of allegiance to the Flag.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Heisinger, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Lincoln, on motion of Mr. Rumford.

Mr. Price, on motion of Mr. Reagan.

Mr. Berry, on motion of Mr. Thompson.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Thomas, on motion of Mr. Fletcher.

ANNOUNCEMENTS

Mr. Dickey announced that, through the courtesy of Messrs. Fleury, Moss, and Bart Cavanaugh, Sacramento City Manager, adequate parking facilities have been provided for the legislative cars which have been forced to vacate the parking area on the east side of the Capitol, as of this date; that proper signs will be placed today on the park side of L Street starting at 12th Street to 10th Street, along 10th Street on the park side to N Street, and up the park side of N Street to 12th Street; and that legislative cars may be parked without placing coins in the parking meters.

REQUEST FOR UNANIMOUS CONSENT THAT CHIEF CLERK BE INSTRUCTED TO WRITE LETTERS

Messrs. Cooke and Dickey asked for, and were granted, unanimous consent that the Chief Clerk be instructed to write letters to Messrs. Fleury, Moss, and Bart Cavanaugh, on behalf of the Members of the Assembly, and express appreciation of their efforts in securing needed parking facilities for legislative cars.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2369
Assembly Bill No 3152

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 28
Assembly Bill No 1308
Assembly Bill No 2320
Assembly Bill No. 2855

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 644
Assembly Bill No 2280
Assembly Bill No. 2905
Assembly Bill No. 3085
Assembly Bill No 3155

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2210
Assembly Bill No. 2653
Assembly Bill No. 2859
Assembly Bill No. 3045

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 84

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 875
Assembly Bill No. 2027

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 359
Assembly Bill No 835
Assembly Bill No. 2318

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 138—An act to amend Section 404 of the Fish and Game Code, and to repeal Section 432 thereof, relating to licenses;

Assembly Bill No. 2080—An act to repeal Sections 28000 to 28004, inclusive, of the Health and Safety Code and to add Sections 28000, 28001, 28002, 28003, 28004, 28005, 28006, 28007, 28008, 28009, 28010, 28011, 28012, 28013, 28014, and 28015 to said code, relating to horse, mule and burro meat, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 3032—An act to amend Section 469 of the Vehicle Code, relating to railroad warning approach signs;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1949, at 9 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3119—An act to amend Sections 14480 2, 14503, and 14505 of, and to add Sections 14516, 14532, 14550, and 14594 to, the Health and Safety Code, relating to county fire protection districts, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1949, at 9 a.m.

HUYCK, Chairman

Hon. Richard H. McCollister Presiding

At 10.10 a.m., Hon. Richard H McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 16—An act to amend Section 7.5 of the Bank and Corporation Franchise Tax Act, Section 5.5 of the Corporation Income Tax Act, and Sections 6051, 6201, 17053.5, 19200, 19201.5, 19202, 19203.5, 19204.5, and 19205.5 of the Revenue and Taxation Code, relating to state taxation and providing for rates and exemptions, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 363—An act adding Section 31114 to the Government Code, relating to county civil service systems.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1 of the printed bill, between lines 12 and 13, insert

"(c) Nothing in this section shall prevent the board of supervisors from abolishing any job if, in the opinion of the board of supervisors, the job is no longer needed."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 759—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, lines 6 and 7, of the printed bill, strike out "_____ dollars ($_____)", and insert "three thousand six hundred dollars ($3,600)".

Amendment No. 2

On page 1, line 11, of said bill, strike out "_____ dollars ($_____)", and insert "three thousand six hundred dollars ($3,600)".

Amendment No. 3

On page 1, lines 12 and 13, of said bill, strike out "_____ dollars ($_____)", and insert "two thousand four hundred dollars ($2,400)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 25—An act to add Section 544 to the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "a freeway running".

Amendment No. 2

On page 1, line 5, of said bill, after "via", insert "the mainland portion of Long Beach Outer Harbor and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 47—An act to add Section 254.6 to the Vehicle Code, relating to student temporary licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, following "An act to", insert "amend Section 253 of and to".

Amendment No. 2

In line 2 of the title of the printed bill, strike out "temporary licenses", and insert "licenses and instruction permits".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of the printed bill, strike out lines 1 to 10, inclusive, and insert

"SECTION 1. Section 253 of the Vehicle Code is amended to read:

253. Instruction Permits. Any person over the age of 14 years may apply to the department for an instruction permit. The department for good cause may issue to the applicant an instruction permit which shall entitle the applicant while having such permit in his immediate possession to drive a motor vehicle upon the highways for a period not exceeding [90 days] *six months* when accompanied by, and under the immediate supervision of, a licensed operator or chauffeur, but the applicant need not be so accompanied when operating a motorcycle. The department may further restrict such permits as the department may determine to be appropriate to assure the safe operation of a motor vehicle by the permittee.

SEC. 2. Section 254.6 is added to the Vehicle Code, to read:

254.6. Student Licenses. (a) Any student over fourteen years of age taking a course in automobile driver training, maintained pursuant to Article 2 of Chapter 1 of Division 5 of the Education Code in a secondary school may apply to the principal of the school for a student license. Application shall be made upon a form provided by the department. The application form must be signed by the applicant before the principal of the school, or a staff member assigned to such duty. The application must be accompanied by a statement, on a form provided by the department, signed by the parents or guardian or person having custody of the minor, consenting to the issuance

of a student license to the student and accepting liability for civil damages arising out of the student's driving a motor vehicle upon a highway as provided for in Section 352 of this code.

(b) The principal or staff member assigned such duty may issue or reissue a student license without cost whenever in his opinion the applicant is qualified to take the course of instruction and has filed a proper application therefor.

(c) Upon the issuance of a student license the application together with the statement of consent signed by the parents, or other persons required to sign, shall be forwarded to the department for filing.

(d) A student license shall limit the operation of a motor vehicle to such times as the licensee is taking driver training in connection with the driver education program and then only at the direction and under the supervision of the instructor, and shall be valid only for the period covered by the course and for not more than six months from the date of issuance.

(e) A student license may be canceled by the principal of the school or by the department whenever in the opinion of either the safety of the licensee or other persons requires such action, and shall be canceled upon the written request of the parent or other person who signed the consent to issue the license.

(f) All student licenses shall be surrendered and returned to the department whenever canceled or upon completion of the course of instruction for which issued.

(g) The department may make rules relative to the issuance of a student license."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1119—An act to amend the title of, and to add Section 1.5 to, an act entitled "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, relating to the purposes of expenditure of said appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, strike out ", an act entitled".

Amendment No. 2

In line 5 of the title of said bill, after "1945," insert "and to validate contracts executed by the State of California and the Golden Gate Bridge and Highway District in pursuance of said act, relating to public bridges and highways,".

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 5, inclusive, and insert

"An act to provide for approaches to the Golden Gate Bridge and making an appropriation relating to public bridges and highways."

Amendment No. 4

On page 1 of said bill, between lines 15 and 16, insert

"SEC. 3. Any contracts heretofore entered into by the State of California and the Golden Gate Bridge and Highway District in pursuance of "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, are hereby declared to be valid, binding, and mutually enforceable obligations of the parties thereto, in accordance with the terms thereof, and the parties and their duly authorized representatives and agents shall have the full power to carry out, perform and observe such contracts in accordance with the terms thereof."

Amendment No. 5

On page 1, line 16, of said bill, strike out "3", and insert "4".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2251—An act to amend Section 326 of Article 3 of Chapter 2 of the Streets and Highways Code, relating to the Ramona Freeway (Route 26) of the State Highway System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, strike out "in a certain initiative ordinance, to wit Ordinance No.____".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3160—An act to amend Section 306 of the Streets and Highways Code, relating to state highway routes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "the"; and strike out lines 5 to 7, inclusive, and insert "if any portion of the existing State Highway Route 6 from the west end of the M Street Sacramento River Bridge to the east end of the Yolo Causeway is superseded by relocation, such portion shall be retained for maintenance as a state highway."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3093—An act to add Section 465.92 to the Vehicle Code, relating to street name signs at signal controlled intersections.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on June 6, 1949, strike out "state", and insert "streets and".

Amendment No. 2

On page 1, line 14, of said bill, strike out "Members of the California"; strike out line 15, and in line 16, strike out "clerk of the governing body of the city"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 238—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "shall", and insert "may suspend or".

Amendment No. 2

On page 1, line 5, of said bill, strike out "not literally true", and insert "false or misleading"

Amendment No. 3

On page 1, line 10, of said bill, strike out "shall", and insert "may suspend or".

Amendment No. 4

On page 1, line 12, of said bill, strike out "completely", and insert "reasonably".

Amendment No. 5

On page 1 of said bill, after line 13, insert

"Proceedings for suspension or revocation shall be conducted in accordance with the Administrative Procedure Act, Chapter 5 of Part 1 of Division 3 of Title 2 of the Government Code, and the commissioner shall have all the powers granted therein."

Amendment No. 6

On page 1, line 15, of said bill, strike out "shall", and insert "may suspend or".

Amendment No. 7

On page 1, line 16, of said bill, strike out "or salesman", and insert ", agent or solicitor".

Amendment No. 8

On page 1, lines 16 and 17, of said bill, strike out "not literally true", and insert "false or misleading".

Amendment No. 9

On page 1, line 22, of said bill, strike out "shall", and insert "may suspend or".

Amendment No. 10

On page 1, line 23, of said bill, strike out "completely", and insert "reasonably".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Joint Resolution No. 42—Relative to requesting the Congress of the United States to enact legislation concerning the burning qualities of cigarettes.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1 of the printed measure, strike out lines 22 to 26, inclusive, and insert

"WHEREAS, The affect of this smoking hazard is national in scope and can be more effectively dealt with by national legislation than by individual state regulations; now, therefore, be it".

Amendment No. 2

On page 2, line 2, of said measure, strike out "a certain distance", and insert "ninety one hundredths of an inch (.90)"; and in line 3, strike out "definite", and after "humidity", insert "of fifty percent (50%)".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 2432—An act to provide for an increase in the salaries of prison guards, making an appropriation, and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, strike out ", and declaring the urgency of this act, to take effect immediately".

Amendment No. 2

On page 1, lines 6 and 7, of said bill, strike out "_____ dollars ($_____)", and insert "one hundred and ninety-five thousand dollars ($195,000)".

Amendment No. 3

On page 1 of said bill, strike out lines 9 to 24, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2440—An act to add Section 34 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "_____ thousand dollars"; and in line 4, strike out "($_____)", and insert "fifty-two thousand nine hundred and fifty-three dollars ($52,953)"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2441—An act to add Sections 35 and 36 to the Construction and Employment Act, making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "_____ thousand dollars ($_____)", and insert "three hundred twenty-eight thousand nine hundred eighty-three dollars ($328,983)".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2786—An act making an appropriation to the State Personnel Board for the purpose of reimbursing employees who are required to wear uniforms.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out the blank, and insert "one hundred ninety thousand three hundred fifty".

Amendment No. 2

On page 1, line 3, of said bill, strike out the blank, and insert "190,350".

Amendment No. 3

On page 1, line 4, of said bill, strike out "_____ dollars ($_____)", and insert "fifty dollars ($50)".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 3125—An act to add Section 13.6 to the Construction and Employment Act, relating to allocations to counties for repair, restoration, and repair and restoration of county roads, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 16, of the printed bill, strike out "act", and insert "section".

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2437—An act making an appropriation for allocation to county sanitation districts and to sanitary districts for the prevention of the pollution of waters in and adjacent to the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 20, 1949, strike out lines 19 and 20, and insert "taken jointly by the State and by the county sanitation districts and sanitary districts, making provision in".

Amendment No. 2

On page 2, line 2, of said bill, after "program", insert "of building and constructing sewage disposal plants in their respective districts".

Amendment No. 3

On page 2 of said bill, strike out lines 4 to 7, inclusive, and insert "ten million dollars ($10,000,000 00) which sum shall be distributed and appropriated to such districts in the proportion that the assessed valuation of each of such districts bears to the total assessed valuation of all districts in the State

SEC. 4. Such moneys shall only be paid to the districts making application for the same where the State of California has ordered the construction of a sewage disposal plant to eliminate such pollution, and where the district has submitted to the State Department of Public Health its plans and specifications for the construction of said sewage disposal plant, and where the same have been approved by the State Department of Public Health.

All applications for such funds shall be addressed by districts to the State Allocation Board heretofore created under Section 7 of the Construction and Employment Act (Stats. 1st Extra Session, 1946, Chapter 20, as amended); and the State Allocation Board shall have, and is hereby given, all powers and duties with respect to the administration of this act and the distribution of the funds herein allocated and appropriated to districts that are given to said board under said Construction and Employment Act; and said Allocation Board shall prescribe rules and regulations for the general administration of this act, requiring such procedure, forms and information as it deems necessary consistent with the terms and provisions of this act.

SEC 5. Any sanitary or sanitation district having, within one year immediately preceding the final passage and adoption of this act, proceeded with construction of a sewage disposal plant, or having passed its resolution of intention to do so, shall be deemed to come within the provisions of this act and shall be entitled to have distributed, allocated and appropriated to such district its proportionate share of the sums herein appropriated; and where bonds have already been issued, such sums when received by the sanitary district or sanitation district may be deposited in the interest and redemption fund of any voted bond issue, or applied in redemption of any special assessments levied for the cost of said project.

SEC. 6 The construction of sewage disposal plants by county sanitary and sanitation districts in order to eliminate stream, river, bay and ocean pollution is a state interest; and the Legislature hereby finds and declares that there is a state interest in the projects enumerated in this act.

SEC. 7 The funds herein appropriated, allocated and distributed shall be in addition to all sums appropriated, allocated and distributed to sanitary and sanitation districts under Section 37 of the Construction and Employment Act (Stats. 1st Extra Session, 1946, Chapter 20, as amended) "

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 1289—An act to add Sections 87.7 and 97 to the Agricultural Code, relating to buildings and grounds of county fairs and district agricultural associations.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 21, 1949, strike out "Sections 87 7 and 97 to", and insert "Article 4, comprising Sections 98 to 98.10, inclusive, to Chapter 3 of Division 1 of".

Amendment No. 2

In line 3 of the title of said bill, after "fairs", insert ", the State Agricultural Society,".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 4, comprising Sections 98 to 98.10, inclusive, is added to Chapter 3 of Division 1 of the Agricultural Code, to read:

Article 4. Civic Centers

98. The term "governing boards" as used in this article shall refer to the governing board of a district agricultural association, the board of supervisors of a county owning fairgrounds or fair facilities, or the governing board of the State Agricultural Society.

98.1. There is a civic center at each building, surrounding grounds and properties of each district agricultural association, fairgrounds and fair facilities owned by any county and at the buildings, grounds and properties of the State Agricultural Society, where the citizens, civic associations and clubs, voluntary recreation agencies, public recreation agencies, clubs and associations formed for recreational, educational, political, economic, artistic, or moral activities may engage in supervised recreational activities and where they may meet from time to time to discuss as they may desire, any subjects and questions which in their judgment appertain to interests of the community in which they reside. Governing boards may authorize the use, by such citizens and organizations, of any properties under their control for supervised recreational activities.

98.2. The use of any public buildings, surrounding grounds and properties for any meeting or for supervised recreation is subject to such reasonable rules and regulations as the governing board prescribes and shall in no way interfere with the use and occupancy of the public buildings, grounds or properties as is required for the purposes of fairs and expositions or for other purposes under the law.

98.3. The management, direction, and control of the civic center is vested in the governing board having jurisdiction over fair buildings, grounds and properties and such governing board may delegate management of these facilities to public recreation agencies operating under the jurisdiction of counties, cities and counties, cities, recreation districts, school districts or any combination of them. The governing board may designate one or more members, officers, or employees as members of board of recreation commissioners when such board of commissioners has been legally established by some other jurisdiction of government.

98.4. The governing board shall make all needful rules and regulations for conducting the civic meetings and for such supervised recreational activities which aid, assist, and lend encouragement to the organization and operation of these activities.

98.5. The governing board may appoint a person or persons who shall have charge of the grounds, preserve order, protect the property, plan, promote and supervise recreation activities, and do all things necessary in the capacity of a representative of the governing board. The person or persons shall have the power of a peace officer, to carry out the provisions, intents and purposes of this article.

98.6. The use of these public buildings, grounds and properties pursuant to this act shall be granted on the following basis:

a. (When charge is to be made.) In the case of entertainment or meetings where admission fees are charged or contributions are solicited and the net receipts of the admission fees or contributions are not expended for charitable purposes, a charge shall be made for the use of the facilities.

b. (Authority to permit use without charge.) The governing board may, however, permit such use, without charge, by organizations, clubs, associations, voluntary and public recreation agencies, when membership dues or contributions are used solely for the support of the organization, club, association, agency or for the advancement of a recreation program for citizens of the community.

98.7. Lighting, heating, janitor service, and the services of the persons or persons needed, and other necessary expenses, in connection with the use of fair buildings, ground and properties pursuant to this act shall be provided out of any money appropriated by the State for the encouragement of district or county fairs or for the State Fair.

98.8. Any use, by any individual, society, association, club or organization which has as its object or as one of its objects, or is affiliated with any group, society, or organization which has as its object or one of its objects, the overthrow or the advocacy of the overthrow of the present form of government of the United States or of the State by force, violence, or other unlawful means shall not be granted, permitted, or suffered.

98.9. No use shall be granted of such public buildings, grounds and properties in such a manner as to constitute a monopoly for the benefit of any persons or organizations.

98.10. No privilege of using the buildings or grounds or properties shall be granted for a period exceeding one year. The privilege is renewable and revocable in the discretion of the governing board at any time."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Hollibaugh asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted

CONSIDERATION OF DAILY FILE (RESUMED)

SECOND READING OF SENATE BILLS

Senate Bill No. 224—An act to add Sections 1128, 1129, 1130, 1131, and 1132 to the Streets and Highways Code, and to repeal Section 2692 of the Political Code, relating to private or by-roads for timber access purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 254—An act to amend Section 44 of the Vehicle Code, relating to emergency vehicles.

Bill read second time, and ordered to third reading.

Senate Bill No. 1387—An act to amend Section 257 of the Vehicle Code, relating to drivers licenses of minors.

Bill read second time, and ordered to third reading.

Senate Bill No. 357—An act to amend Section 19539 of the Business and Professions Code, relating to harness horse racing.

Bill read second time, and ordered to third reading.

Senate Bill No. 1078—An act to amend Section 19432 of the Business and Professions Code, relating to reports of the California Horse Racing Board.

Bill read second time, and ordered to third reading.

Senate Bill No. 1113—An act to amend Section 19480.5 of the Business and Professions Code, relating to the issuance of licenses to conduct horse racing meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Senate on May 17, 1949, strike out "tract", and insert "track".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1164—An act to amend Section 19482 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on May 17, 1949, after "or", insert "other".

Amendment No. 2

On page 1, line 14, of said bill, after "California", insert "to which such meeting may be transferred and the consent of the licensee of any race track from which such meeting may be transferred".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1298—An act to amend Section 19511 of the Business and Professions Code, relating to licensing of persons participating in or having to do with the racing of horses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section", and insert "Sections 19463 and".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 19463 of the Business and Professions Code is amended to read:

19463. The action of the board in revoking or suspending a license issued under this chapter is final, except that the propriety of such action is subject to review [, upon questions of law only, by the superior court of the county within which such license was to be exercised] *by any court of competent jurisdiction.* The action of the board shall stand unless and until reversed by the court.

SEC. 2. Section 19511 of said code is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 549—An act to amend Section 374 of the Vehicle Code, to add Section 381.1 thereto, and to amend Section 10782 of the Revenue and Taxation Code, relating to exemptions from fees for the operation of motor vehicles.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

On page 1 of the printed bill, strike out line 16, and insert "is entitled to compensation for the loss, or loss of use, of one or both legs at or above the ankle, or

for the loss, or loss of use, of one or both arms at or above the wrist, as a result of his war service, under the laws administered by the Veterans' Administration of the United States,"

Amendment No. 2

On page 2, lines 29 and 30, of said bill, strike out "has suffered a major amputation as a result of his war service", and insert "is entitled to compensation for the loss, or loss of use, of one or both legs at or above the ankle, or for the loss, or loss of use, of one or both arms at or above the wrist, as a result of his war service, under the laws administered by the Veterans' Administration of the United States".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

Senate Bill No. 75—An act to amend Section 381.1 of the Vehicle Code, relating to penalties for failure to renew licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on March 24, 1949, after "unless", insert "the applicant presents an operators or chauffeurs license issued to him by the State of California and unless".

Amendment No. 2

On page 1, line 8, of said bill, strike out the period, and insert a comma and "or within thirty days subsequent to first driving a motor vehicle on the highways of California following the expiration of such license"

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Transportation and Commerce.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 10, 1949

MR. SPEAKER: The Committee on Conference concerning,

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes,

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 26, 1949, strike out lines 10 to 21, inclusive, and insert

"526 Route 226 is from.

(a) A point in the vicinity of the intersection of Davis Street and East Fourteenth Street in San Leandro thence via Davis Street through the City of San Leandro and through the City of Oakland via Bayshore Boulevard and Doolittle Drive thence through the City of Alameda via Webster Street and the Posey Tube to a point in the vicinity of the intersection of Harrison Street and Eighth Street in the City of Oakland.

(b) A point in the vicinity of the intersection of Harrison Street and Eighth Street in Oakland to a point on Route 5 in Oakland"

BREED	DICKEY
MILLER	CLAYTON A. DILLS
COOMBS	BRADY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called ~~, and the report adopted by the following vote:~~.

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—59.
NOES—None.]

(On June 30, 1949, the above record was expunged, and the action rescinded, whereby the Assembly, on this day, adopted the report of the Committee on Conference concerning Senate Bill No. 596. (Assembly Journal, page 5290.))

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3148 FROM COMMITTEE WAIVED

Mr. Cooke waived his notice of motion that Assembly Bill No. 3148 be withdrawn from the Committee on Agriculture, and be placed upon the file.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Concurrent Resolution No. 73—Relative to a study by the Judicial Council of the Juvenile Court of the State and the feasibility of the establishment of a family and children's court.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 73?

Amendment No. 1

In lines 3 and 4 of the title of the printed measure, strike out "of the establishment of a family and children's court.", and insert "or desirability of extending its jurisdiction"

Amendment No. 2

On page 1, lines 4 and 5, of said measure, strike out "creating, through an extension of", and insert "extending".

Amendment No. 3

On page 1, line 5, of said measure, strike out ", or otherwise, a family"; strike out line 6, and in line 7 strike out "of the present juvenile court, jurisdiction".

Amendment No. 4

On page 1, lines 7 and 8, of said measure, strike out "domestic relations and".

Amendment No. 5

On page 1, line 8, of said measure, strike out "other".

Amendment No. 6

On page 1, line 18, strike out "so as", strike out all of lines 19, 20, and 21, and in line 22 strike out "or in substitution for, the present juvenile court".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 73 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Reagan,

Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, Waters, Way, and Yorty—61.

NOES—None.

Assembly Concurrent Resolution No. 73 ordered enrolled.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE CONTINUED

Mr. George D. Collins asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 3027 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file, be continued until the next legislative day.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 2240, on request of Mr. George D. Collins.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Joint Resolution No. 40—Relative to memorializing the President and the Congress of the United States to take whatever steps are necessary to release unneeded Army, Navy, Air Force and Marine Corps warehouse space in the San Francisco Bay area and Stockton-Tracy area for the storage of the California cotton crop.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 40?

Amendment No. 1

In line 6 of the title of the printed measure, after "crop", insert ", and to make a survey of the feasibility of using ships which are owned by the Federal Government and anchored in Suisun Bay for such storage purposes".

Amendment No. 2

On page 1, line 15, of said measure, strike out "now, therefore, be it", and insert "and

WHEREAS, Ships which are owned by the Federal Government and are now anchored in Suisun Bay might also possibly be suitable for cotton storage; now, therefore, be it".

Amendment No. 3

On page 1, line 22, of said measure, after "crops", insert "and to make a survey of the feasibility of using ships which are owned by the Federal Government and are anchored in Suisun Bay for such storage purposes".

Amendment No. 4

On page 1 of said measure, after line 22, insert

"*Resolved*, That it is the purpose of this resolution that the management and operation of warehouses or storage space released be vested, under lease or sale, in private ownership, consistent with current competitive rates within the district; and be it further".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No 40 by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Waters, Way, Weber, and Yorty—58.

NOES—None.

Assembly Joint Resolution No. 40 ordered enrolled.

Assembly Bill No. 164—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation benefits.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 164?

Amendment No. 1

On page 1, line 11, of the printed bill as amended in the Assembly on May 4, 1949, strike out the first "The", and insert "In accordance with the rules of practice and procedure of the Commission, the".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 164 by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Waters, Way, Weber, and Yorty—60.
NOES—None.

Assembly Bill No. 164 ordered enrolled.

Assembly Bill No. 848—An act to add Section 13841.3 to the Education Code, relating to leaves of absence for employees of school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 848?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 15, 1949, beginning in line 5, strike out "his spouse, parent, child, brother, sister, grandparent, or grandchild", and insert "any member of his immediate family".

Amendment No. 2

On page 1, line 7, of said bill, after "days", insert "therefor".

Amendment No. 3

On page 1 of said bill, following line 11, insert

"'Member of his immediate family' as used in this section means the mother, father, husband, wife, son, daughter, brother, or sister of the employee, or any relative living in the immediate household of the employee."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 848 by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Thompson, Waters, Way, Weber, and Yorty—57.
NOES—None.

Assembly Bill No. 848 ordered enrolled.

Assembly Bill No. 994—An act to establish a Banking Code and to revise, rearrange and consolidate the law relating to banks and banking, including that relating to the State Banking Department, the organization and establishment of banks and trust companies and branch offices, deposits and withdrawals, the deposit of funds by fiduciaries, collections, the assertion of adverse claims to deposits and property, regulation of loans and investments, maintenance of reserves, safe deposit business and enforcement of remedies, the trust business, foreign

banking corporation, the receiving of money for transmission to foreign countries, the sale, merger, consolidation and conversion of banks and trust companies, and the liquidation, conservatorship, reorganization and dissolution of banks and trust companies, and providing for certain repeals.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 994?

Amendment No. 1

On page 3, line 45, of the printed bill, following "state", insert "or".

Amendment No. 2

On page 4, line 49, of said bill, following "2", insert ". Superintendent".

Amendment No. 3

On page 9, line 7, of said bill, following "banks", insert "and trust companies".

Amendment No. 4

On page 18, line 6, of said bill, before "Notwithstanding", insert "622."

Amendment No. 5

On page 20, line 2, of said bill, following "to", insert "Title I".

Amendment No. 6

On page 21, line 37, of said bill, strike out "stock", and insert "real property".

Amendment No. 7

On page 21, line 41, of said bill, strike out "stock", and insert "real property".

Amendment No. 8

On page 21, line 45, of said bill, strike out "stock", and insert "real property".

Amendment No. 9

On page 22, line 11, of said bill, following the comma, insert "in the stock of one or more corporations authorized by Section 758 of this chapter,".

Amendment No. 10

On page 22 of said bill, commencing on line 24, strike out ", in the stock of one or more corporations authorized by Section 758 of this chapter,".

Amendment No. 11

On page 28, line 27, of said bill, following "filed", insert "by the bank".

Amendment No. 12

On page 43, line 48, of said bill, strike out "; and", and insert a period.

Amendment No. 13

On page 64, line 19, of said bill, strike out "for", and insert "or".

Amendment No. 14

On page 110, line 41, of said bill, strike out "(1)", and insert "(*l*)".

Amendment No. 15

On page 114, line 29, of said bill, strike out "driectors", and insert "directors".

Amendment No. 16

On page 42 of the printed bill, as amended in the Senate on May 19, 1949, strike out lines 28 and 29, and insert

"1355.1. In the bonds of any county, city and county, city, metropolitan water district, municipal utility district, flood control district, or school district of the State of California (herein referred to generally as public corporations) except the bonds of any particular such public corporation which may be declared ineligible for investment by savings banks by regulations of the superintendent, provided an amount exceeding 25 percent of the paid up capital and surplus of the savings bank or exceeding 2 percent of the bank's savings deposits, whichever is greater, may not be invested in the bonds of any one such public corporation.

1356. In the bonds of any other political subdivision, public corporation, or district of the State".

Amendment No. 17

On page 55, line 30, of said bill, following "under", insert "Section 1355.1 or".

Amendment No. 18

On page 55, line 42, of said bill, following "under", insert "Section 1355.1 or".

Amendment No. 19

On page 43, line 4, of the printed bill, as amended in the Senate on May 26, 1949, strike out "15", and insert "20".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 994 by the following vote:

AYES—Babbage, Bennett, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—56.

NOES—None.

Assembly Bill No. 994 ordered enrolled.

Assembly Bill No. 2835—An act to amend Sections 18737 and 18742 of, and to add Sections 18736.5 and 18736.6 to the Business and Professions Code, relating to boxing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2835?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 2, 1949, strike out lines 4 to 11, inclusive.

Amendment No. 2

On page 2, line 12, of said bill, after "Sec.", strike out "4", and insert "3".

The roll was called, ~~and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2835 by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following roll call and action is indicated by being enclosed with brackets.

[AYES—Caldecott, Geddes, Kilpatrick, Rumford, and Waters—5.

NOES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, and Yorty—52.]

[Appointment of Committee on Conference Concerning Assembly Bill No. 2835]

~~The Speaker announced the appointment of Messrs. Bennett, Doyle, and Kilpatrick as a Committee on Conference concerning Assembly Bill No. 2835.~~

(On this day the above record was expunged, and the action rescinded, whereby the Assembly refused to concur in Senate amendments to Assembly Bill No. 2835, and a Conference Committee was appointed (Assembly Journal, page 4374.))

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 594—An act to add Section 20374.1 to the Education Code, relating to the termination of employment of employees of state colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1056—An act to repeal Sections 6, 7, 8, 14, 15, and 16, and to amend Sections 2, 5, 10, and 12, of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, as amended, and to add Sections 6, 7, and 8 thereto, relating to county facilities for the detention of persons charged with or convicted of crime, the commitment of persons for placement therein, the transfer of persons thereto and therefrom, and the release of persons therefrom, and providing for the establishment of county classification committees to authorize such placements and transfers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 577—An act to amend Section 18059 of, and to add Section 18861 to, the Education Code, relating to the letting of contracts by school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10:55 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 1840—An act to develop public recreation, and providing the procedure for allocation of funds to cities, counties, cities

and counties, recreation districts and school districts, creating the Recreation Fund and prescribing the powers and duties of the State Allocation Board, the Controller, and the Director of Finance under this act.

Bill read third time.

Demand for Previous Question

Messrs. Caldecott, Heisinger, Grunsky, Levering, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1840.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Stanley, Thompson, Way, Weber, and Yorty—53.

NOES—Brady, Geddes, Hollibaugh, Levering, Reagan, Sherwin, and Smith—7.

Bill ordered transmitted to the Senate.

MOTION TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 2835

Mr. Bennett moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused to concur in Senate amendments, and appointed a Committee on Conference concerning Assembly Bill No. 2835.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—64.

NOES—None.

FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2835

Assembly Bill No. 2835—An act to amend Sections 18737 and 18742 of, and to add Sections 18736.5 and 18736.6 to the Business and Professions Code, relating to boxing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2835?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 2, 1949, strike out lines 4 to 11, inclusive.

Amendment No. 2

On page 2, line 12, of said bill, after "Sec.", strike out "4", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2835 by the following vote:

AYES—Anderson, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins,

Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—64.

NOES—None.

Assembly Bill No. 2835 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1674—An act to amend Section 459 of the Streets and Highways Code, relating to state highway routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—64.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2127—An act to add Section 73f to the Code of Civil Procedure, relating to the holding of sessions of the superior court in places other than the county seat.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1519—An act to add Section 502.5 to the Vehicle Code, relating to driving a vehicle while under the influence of liquor.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Anderson, Brown, Burke, Burkhalter, Collier, George D. Collins, Crowley, Davis, Evans, Hagen, Hahn, Heisinger, Huyck, Luckel, Morris, Moss, and Niehouse—17.

NOES—Babbage, Brady, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Fletcher, Gaffney, Geddes, Grunsky, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Maloney, McCarthy, McCollister, Meyers, Reagan, Rumford, Sherwin, Smith, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—40.

Assembly Bill No. 327—An act to amend Section 151 of the Unemployment Insurance Act, dealing with disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad,

Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lapscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thompson, Way, Weber, and Yorty—60.

NOES—Levering—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 160

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate amendments to Assembly Bill No. 160, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 160?

Amendment No. 1

On page 1 of the printed bill, strike out lines 3 to 15, inclusive, and insert

"1197.5. No employer shall pay any female in his employ at wage rates less than the rates paid to male employees in the same establishment for the same quantity and quality of the same classification of work; provided, that nothing herein shall prohibit a variation of rates of pay based upon a difference in seniority, length of service, ability, education, experience, training, skill, difference in duties or services performed, whether regularly or occasionally, or in the shift or time of day worked, *or in availability for other operations normally performed in the business of the* employer or other reasonable differentiation, factor or factors other than sex.

A variation in rates of pay as between the sexes is not prohibited where the variation is provided by contract between the employer and the recognized bargaining agent of the employees

Differences in time, hours of work, interruptions of work for rest periods or restrictions or prohibitions on lifting or moving of objects in excess of a specified weight, when in good faith based on such differences, whether or not required by any statute or regulation or order of any board or commission, whether federal, state or local, authorized to issue the same shall justify a difference in the rate of pay for male and female employees engaged in the same classification of work.

Any action based upon or arising under this section shall be instituted within six months after the date of the alleged violation, but in no event shall any employer be liable for any pay due under this section for more than thirty days prior to receipt by the employer of written notice of claim thereof from the employee.

The burden of proof shall be upon the person bringing the claim to establish that the differentiation in rate of pay is based upon the factor of sex and not upon other factors"

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 160 by the following vote:

AYES—Conrad, Crowley, Geddes, Grunsky, Kirkwood, Maloney, McCarthy, and Morris—8.

NOES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Hagen, Hawkins, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Tomlinson, Way, Weber, and Yorty—46.

Appointment of Committee on Conference Concerning Assembly Bill No. 160

The Speaker pro Tempore announced the appointment of Messrs. Grunsky, Anderson, and Condon as a Committee on Conference concerning Assembly Bill No 160.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2183—An act to add Chapter 5.5 to Division 21 of the Health and Safety Code, relating to frozen food.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2362—An act to amend Sections 32125 and 32126 of the Health and Safety Code, and to add Section 32128 to said code, all relating to hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thompson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.45 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 541, on motion of Mr. Connolly.

CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 183

By Messrs. Stanley, Tomlinson, Sherwin, Way, Burke, Thompson, Grunsky, Reagan, Dolwig, Weber, Conrad, Kirkwood, Huyck, Connolly, Caldecott, Waters, Silliman, Lincoln, and Babbage:

House Resolution No. 183

Requesting the Assembly Interim Committee on Governmental Efficiency and Economy to study and investigate building laws and regulations and the administration and effect thereof

WHEREAS, Statements in the press and communications to Members of the Assembly indicate a growing feeling that the costs of building construction and the

time and difficulty encountered in such construction is increased because of overlapping and uncoordinated regulations by state agencies; and

WHEREAS, The laws administered by such agencies and the numerous regulations adopted pursuant thereto affect the regulation of building construction by city and county governments; and

WHEREAS, It appears that in the construction of some types of buildings the architect must anticipate all the requirements of the State Fire Marshal, the Division of Industrial Welfare, including those set forth in the Labor Code, the Health and Safety Code, and the regulations adopted thereunder, and in addition must satisfy the requirements of the city or county relating thereto; and

WHEREAS, Such overlapping regulation may force departments of the cities and counties into conflict and duplication of functions because of duties delegated to them with respect to enforcement of state laws; and

WHEREAS, It is necessary that the Assembly be fully informed as to all facts relating to any phase of this subject, in order that it may determine what, if any, legislative action is needed; and

WHEREAS, The ascertainment of such facts and the investigation of such subject falls within the scope of the powers and duties conferred and imposed upon the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy be, and it hereby is, requested to study and investigate all laws and regulations of the State of California or its agencies in any way affecting building construction, including but not limited to those relating to buildings, exits, ventilation, sanitation and safety, and all other matters relating to or in any way bearing upon the recitals of this resolution including the operation, effect, administration, enforcement and need revision of any and all laws or regulations relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Kilpatrick, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—56

NOES—None

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 987—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Levering, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare Code, relating to institutions in which delinquent or other juveniles are housed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey,

Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 734—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of four additional Superior Court Judges in and for the City and County of San Francisco, and providing for their compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Huyck, Kilpatrick, Kirkwood, Lewis, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—55.

NOES—Anderson, George D. Collins, Dunn, Geddes, Hawkins, and Luckel—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1333—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—Geddes, Luckel, and Sherwin—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 631 HOLD PLACE ON FILE

Mr. Luckel asked for, and was granted, unanimous consent that Assembly Bill No. 631 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3146—An act to add Sections 674.5, 678.3, and 678.9 to the Vehicle Code, relating to equipment on common carrier passenger vehicles.

Bill read third time.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. Coats has closed his debate, and the question addressed to him by Mr. Silliman is not in order.

Ruling by Speaker

Acting Speaker McCollister ruled the point of order not well taken.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burkhalter, Butters, Clarke, Coats, George D Collins, Condon, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Weber, and Yorty—43.

NOES—Babbage, Burke, Caldecott, Collier, Conrad, Dolwig, Grant, Grunsky, Hoffman, Huyck, Levering, Morris, Reagan, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, and Way—20.

Notice of Motion to Reconsider Assembly Bill No. 3146

Mr. Thompson gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 3146 was this day passed.

MEMBER EXCUSED

At 12.32 p.m., Mr. Collier asked for, and was granted, unanimous consent that Mr. Hinckley be excused, at this time, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 660

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 660, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 660

Assembly Bill No. 660—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nichouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1407

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1407, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1407

Assembly Bill No. 1407—An act to add Section 20570 to the Water Code, relating to irrigation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—69.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1114—An act to amend Sections 27281 and 27300 of the Streets and Highways Code and to add Sections 27174, 27281a, and 27300a thereto, relating to bridge and highway districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—68

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1536

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider the vote whereby Assembly Bill No. 1536 was passed, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
RECONSIDERATION OF ASSEMBLY BILL NO. 1536

In compliance with a notice given on a previous day, Mr. Lewis moved that the vote whereby Assembly Bill No 1536 was passed be reconsidered.

Demand for Previous Question

Messrs. Caldecott, Heisinger, Silliman, Thompson, and Kirkwood demanded the previous question

Demand for previous question sustained.

The question being on the motion by Mr Lewis that the vote whereby Assembly Bill No. 1536 was passed be reconsidered.

The roll was called, and Assembly Bill No. 1536 refused reconsideration by the following vote:

AYES—Anderson, Brady, Brown, Burkhalter, Clarke, Coats, Condon, Cooke, Crichton, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Geddes, Hawkins, Hollibaugh, Lewis, McCollister, McMillan, Morris, Smith, Thompson, Way, and Yorty—26

NOES—Babbage, Beck, Bennett, Burke, Butters, Caldecott, Collier, George D. Collins, Conrad, Davis, Dolwig, Dunn, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lindsay, Lowrey, Maloney, McCarthy, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Tomlinson, Waters, Weber, and Mr Speaker—40

Assembly Bill No. 1536 ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2677

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2677, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2677

Assembly Bill No. 2677—An act to add Chapter 8, comprising Sections 9700 to 9707, inclusive, to Division 9 of the Public Resources Code, relating to soil conservation.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 13, 1949, strike out "9700", and insert "9701".

Amendment No. 2

On page 1, line 1, of said bill, strike out "9700", and insert "9701".

Amendment No. 3

On page 1 of said bill, strike out lines 7 to 16, inclusive.

Amendment No. 4

On page 1, line 20, of said bill, strike out "Service Administration", and insert "Commission".

Amendment No. 5

On page 1, lines 20 and 21, of said bill, strike out "administration", and insert "commission".

Amendment No. 6

On page 2, line 1, of said bill, strike out "administration", and insert "commission".

Amendment No. 7

On page 2, line 8, of said bill, strike out "administration", and insert "commission".

Amendment No. 8

On page 2, line 27, of said bill, strike out "administration", and insert "commission".

Amendment No. 9

On page 2, line 33, of said bill, strike out "administration", and insert "commission".

Amendment No. 10

On page 2, line 38, of said bill, strike out "administration", and insert "commission".

Amendment No. 11

On page 2, line 47, of said bill, strike out "administration", and insert "commission".

Amendment No. 12

On page 3, line 1, of said bill, strike out "administration", and insert "commission".

Amendment No. 13

On page 3, line 3, of said bill, strike out "administration", and insert "commission".

Amendment No. 14

On page 3, line 5, of said bill, strike out "Administration", and insert "commission".

Amendment No. 15

On page 3, line 14, of said bill, strike out "administration", and insert "commission".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1877

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1877, out of order, for purpose of amendment, at this time

CONSIDERATION OF ASSEMBLY BILL NO. 1877

Assembly Bill No. 1877—An act to add Sections 310, 310.1, and 311 to the California Unemployment Insurance Act, relating to the payment of unemployment compensation disability benefits.

Bill read third time.

Motion to Amend

Mr. Grunsky moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1949, strike out "Sections 310, 310.1 and", and insert "Section".

Amendment No. 2

In line 1 of the title of said bill, after "311 to", insert "and to amend Section 459 of".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 21.

Amendment No. 4

On page 2, line 1, of said bill, strike out "SEC. 3", and insert "SECTION 1".

Amendment No. 5

On page 2 of said bill, strike out lines 3 to 6, and insert

"Sec. 311 Whenever an individual is entitled to benefits under this article but there is a dispute whether such benefits are payable from the Disability Fund or from one or another voluntary plan, such individual shall, pursuant to authorized regulations, be paid benefits from whichever of the aforementioned sources against which his claim has been first filed, at not less than the Disability Fund rate, pending the determination of such dispute If it is finally determined that the benefits should have been paid from one of said sources other than the one which paid such benefits, reimbursement shall be promptly made from the Disability Fund or the voluntary plan, as the case may be, and the claimant shall be promptly paid the accumulated excess, if any, to which he is entitled Reimbursement shall also be made to the extent of actual liability for benefits from one to another of the above mentioned sources when it is determined that benefits have been paid in error from one source which should have been paid from another."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 6

On page 2 of said bill, after line 6, insert

"SEC. 2 Section 459 of the California Unemployment Insurance Act is amended to read:

Sec. 459 (*a*) If any employer or insurer denies liability in whole or in part upon the claim of an employee for disability benefits under an approved plan, the employee may appeal the denial in like manner as is provided by law and authorized regulations for an appeal on a claim for benefits payable out of the Disability Fund. *All decisions of the appeals board denying benefits under this section shall be subject to review by the courts of this state by the exclusive remedy of filing a petition for writ of mandate. No such petition may be filed, however, until the employee exhausts the administrative remedies provided for in this act, nor may any other action be commenced by an employee upon a denial of his claim by his employer or insurer, as the case may be, other than that prescribed herein.*

(*b*) In the event it is the decision that the employee is entitled to receive disability benefits and the employer or insurer fails to pay the same within fifteen days after *notice of* a decision by a referee or within [10] *fifteen* days after *notice of* a decision by the Appeals Board, the commission shall pay such benefits and assess the amount thereof against the employer or the insurer, and the provisions of Article 4 of this act with respect to the assessment and collection of contributions shall apply to the recovery of such benefit payments. Amounts so collected shall be deposited in the Disability Fund."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2653

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2653, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2653

Assembly Bill No. 2653—An act to amend Section 1089 of the Code of Civil Procedure, relating to answers and returns to applications for writs.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on June 9, 1949, strike out "alternate", and insert "alternative".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2855

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2855, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2855

Assembly Bill No. 2855—An act to add Section 24205.1 to the Education Code, relating to the conferring of diplomas and degrees by

schools and colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 10, 1949, strike out "Section 24205.1", and insert "Sections 24205.1 and 24205.2".

Amendment No. 2

On page 1, line 16, of said bill, strike out the period, and insert a semicolon.

Amendment No. 3

On page 1, line 17, of said bill, strike out "24205.2 Provided", and insert "provided".

Amendment No. 4

On page 1 of said bill, between lines 20 and 21, insert
"SEC. 2. Section 24205.2 is added to said code, to read .".

Amendment No. 5

On page 1, line 21, of said bill, strike out "24205.3 ", and insert
"24205.2."

Amendment No. 6

On page 2, line 1, of said bill, strike out "SEC. 2.", and insert
"SEC. 3."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1514

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1514, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1514

Assembly Bill No. 1514—An act to amend Sections 5, 6, 8, 9, and 16 of the California Agricultural Products Marketing Act of 1943, relating to the marketing of agricultural products, declaring the urgency of this act to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 7, of the printed bill, after "with", insert "a".

Amendment No. 2

On page 5, line 28, of said bill, before "To", insert
"(e)".

Amendment No. 3

On page 7 of said bill, between lines 47 and 48, insert
"(3) The Attorney General of this State, or any district attorney of this State, may, upon his own initiative, and shall upon complaint of any person, if after investigation he believes a violation to have occurred, bring an action in the name of the people of this State in the Superior Court of the State of California for an injunction against any person violating any provisions of any marketing agreement or marketing order, or rule or regulation duly made or promulgated thereunder, to which he is subject.

(4) Any administrative agency under any marketing agreement or marketing order may, with the approval of the director, bring an action similar to that described in paragraph (2) of this section.

(5) In any action brought to enforce any of the provisions of this act, as provided in this section:

(a) Upon compliance with Section 527 of the Code of Civil Procedure of the State of California, the court may issue a temporary restraining order and preliminary injunction as in other actions for injunctive relief and upon the trial of such action, if judgment be in favor of plaintiff, the court shall permanently enjoin defendant from further violations.

(b) The judgment, if in favor of the plaintiff, shall provide that the defendant pay to the plaintiff a reasonable attorney's fee and any and all costs of suit.

(c) Any such action may be commenced either in the county where any defendant resides, or where any act or omission or part thereof complained of occurred.

(6) The penalties and remedies herein prescribed with regard to any violation mentioned in this section shall be concurrent and neither singly or combined shall the same be exclusive and either singly or combined the same shall be cumulative with any and all other civil, criminal or administrative rights, remedies, forfeitures or penalties provided or allowed by law with respect to any such violation."

Amendment No. 4

On page 7, line 48, of said bill, strike out "(3)", and insert "(7)".

Amendment No. 5

On page 8, line 1, of said bill, strike out "(4)", and insert "(8)".

Amendment No. 6

On page 8 of said bill, strike out lines 14 to 32, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 1514 Hold Place on File

Mr. Lindsay asked for, and was granted, unanimous consent that Assembly Bill No. 1514, when returned from the printer, hold its place on file on the next legislative day.

REMARKS ON CONDITION OF THE FILE

Mr. Yorty spoke on the condition of the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 470

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 470, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 470

Senate Bill No. 470—An act to amend Section 12126 of the Education Code, relating to credentials authorizing service in the public schools.

Bill read third time.

Motion to Amend

Mr. Babbage moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on May 6, 1949, after "required", insert "(1)".

Amendment No. 2

On page 1 of said bill, strike out line 8; and in line 9, strike out "by", and insert "in".

Amendment No. 3

On page 1, line 10, of said bill, after "State", insert "or, as to a provisional credential, given by a county superintendent of schools in the State".

Amendment No. 4

On page 1, line 10, of said bill, after "or", insert "(2)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO APPROVE JOURNALS

Mr. Dickey moved that the Assembly Journals of Monday, June 6, 1949; Tuesday, June 7, 1949; Wednesday, June 8, 1949; Thursday, June 9, 1949; and Friday, June 10, 1949, be approved as corrected by the Minute Clerk.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 101: By Mr. Waters—Relative to five certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the thirty-first day of May, 1949.

Referred to Committee on Rules.

ANNOUNCEMENTS

Acting Speaker McCollister announced, on behalf of Mr. Stanley, a breakfast meeting and Republican Caucus at the Hotel Sacramento at 7.30 a.m., tomorrow morning, Tuesday, June 14th.

RESOLUTIONS

The following resolutions were offered:

By Mr. Conrad:

House Resolution No. 249

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study traffic-management procedures of the State Government and its agencies

WHEREAS, It appears that a saving to the State might be effected by establishing an agency qualified and authorized to see that shipments made by the State or its agencies, and goods shipped to the State or its agencies, are routed and accomplished in the most expeditious, economical and efficient manner possible; and

WHEREAS, It appears that further savings could be effected by adequate state representation, through such agency, before administrative and other bodies authorized to act on rates, tariffs, traffic and related matters; and

WHEREAS, In order to ascertain whether legislation to create such an agency is necessary, and to determine the nature and extent thereof, it is essential that the Assembly be fully informed as to the adequacy and efficiency of existing procedures in state governmental agencies with respect to such shipments, rates, tariffs and traffic problems, and as to the qualifications, experience and efficiency of the persons engaged therein or dealing therewith; and

WHEREAS, Such study falls within the scope of the duties generally imposed on the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy to be created at this session of the Legislature is hereby authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or

relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Dickey, Hollibaugh, Anderson, Silliman, Dolwig, Doyle, Crowley, and McCollister:

House Resolution No. 250

Relative to the creation of a Fact-Finding Committee on Problems of Water Pollution resulting from sewage and industrial waste disposal

WHEREAS, The problem of water pollution resulting from the disposal of industrial wastes and sewage is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, Substantial progress toward solution of this problem by proper legislation has been made out of an investigation and study by an interim committee, and continuation of this progress is essential to the health and welfare of the people; and

WHEREAS, It is essential that the Legislature be thoroughly informed on the continued progress made toward eventual solution of this problem; and

WHEREAS, In the interests of the welfare of the public health, agriculture, industry and all others concerned, it is deemed advisable that continued study be given to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Water Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to procedures designed to abate, prevent and control pollution of

1 The underground waters of the State; and

2. The lakes, streams and other surface waters, and

3. The lower reaches of the river systems, and harbor, bay and coastal waters; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of _____ Members of the Assembly appointed by the Speaker thereof Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the _____ legislative day of the next regular general session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5 The committee or any subcommittee may meet and travel within or outside of this State in pursuing the investigations committed to it

6. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other persons or agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purpose for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

7 The sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under

this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Erwin, Doyle, Hahn, Butters, Heisinger, Burkhalter, and Lindsay:

House Resolution No. 251

Relative to the creation of the Assembly Interim Committee on Fish and Game

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly Standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the opening and closing of waters around Catalina Island; netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wildlife, the taking of fish and wildlife by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1951, with authority to file its final report not later than the last legislative day of the 1951 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

COMMUNICATIONS

By the Chief Clerk:

A communication from the Director of Public Works, relative to a proposed study of the feasibility of reclaiming sewage of the principal metropolitan areas for possible re-use for irrigation and industrial purposes, was received, and ordered referred to the Committee on Rules.

By the Chief Clerk:

A communication from W. M. Cornish, Deputy City Clerk, City of Arcadia, with several letters attached, relative to racing at Santa Anita Park, Arcadia, was received, and ordered referred to the Committee on Public Morals.

By Speaker Sam L. Collins:

A communication from P. Merlino, Acting Secretary, Los Angeles Cloak Joint Board, relative to protesting passage of 13 bills, being presented by Senator Tenney, was received, and ordered referred to the Committee on Education.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 958 ordered re-referred to Committee on Public Health.

RESOLUTIONS

The following resolution was offered:

By Mr. Lowrey:

House Resolution No. 252

WHEREAS, In 1939 Assembly Bill 773 was passed adding to the California Fish and Game Code Chapter 5, Division 1, wherein landowners were licensed to collect fees for the privilege of shooting pheasant or quail thereon; and

WHEREAS, In 1943 Assembly Bill 1692 amending sections of Chapter 5 of the Fish and Game Code proposing to "foster and increase the upland game bird population in the State of California" and further stating that "such area must be open to any license hunter for shooting during the entire game management season upon payment of the fee as set forth in the application"; and

WHEREAS, In 1947 Section 50 of the Fish and Game Code was so amended that such an area would be classed as a "commercial" area and that another area would be established as a "non-commercial" area which would restrict hunters to the landowners or lessees choice upon payment of certain fees; and

WHEREAS, Section 51 of the Fish and Game Code states, "if the commission is satisfied, after investigation, that the tract is suitable for the purpose of a game management area and that the establishment of such an area will not conflict with the public interest"; and

WHEREAS, The Bureau of Game Conservation, Division of Fish and Game, has indicated in their reports that such areas can be construed as in conflict with the public interest because records at hand show these areas are recovering not in excess of 17 percent on the average of the birds they are releasing; and

WHEREAS, It follows that a large percentage of the balance of the birds taken under such permits can logically be assumed to be state raised and released birds which have taken refuge on these areas; and

WHEREAS, The 60-day hunting season allowed on such areas as against the 10 days allowed the balance of the State generally, and the seasonal bag limit, on such hunting areas, of 360 pheasants of either sex per hunter as against the seasonal bag limit of 10 male pheasants allowed for the balance of the State generally, creates in the minds of the general public a feeling of being discriminated against; now, therefore, be it

Resolved, That the Fish and Game Commission shall examine in greater detail the evidence as presented by the Bureau of Game Conservation, Division of Fish and Game, *which shows a preponderance of unbanded birds being taken on such game* management areas; and be it further

Resolved, That the commission shall establish additional rules and regulations, prior to the renewal of game management permits for the season 1950, that will bring into better balance the ratio of birds legally taken upon such areas with the number of birds released, to the end that greater assurance may be had that the percentage of game management area banded birds taken will be appreciably increased.

Copies of this resolution to be forwarded to the members of the Fish and Game Commission and the Executive Officer of the Division of Fish and Game.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1486	Assembly Bill No. 2321
Assembly Bill No. 1697	Assembly Bill No. 2401
Assembly Bill No. 1925	Assembly Bill No. 2695
Assembly Bill No 2010	Assembly Bill No. 2798
Assembly Bill No 2190	Assembly Bill No 2873
Assembly Bill No. 2259	Assembly Bill No 3145

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 2321 and 1486 ordered re-referred to Committee on Education.

Assembly Bills Nos. 1925, 1697, and 2798 ordered re-referred to Committee on Public Health.

Assembly Bills Nos. 2010 and 2695 ordered re-referred to Committee on Judiciary.

Assembly Bill No. 2190 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bills Nos. 2259, 2401, and 3145 ordered re-referred to Committee on Governmental Efficiency and Economy.

Assembly Bill No. 2873 ordered re-referred to Committee on Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2217

And reports the same correctly re-engrossed

HUYCK, Chairman

Assembly Bill No. 2217 ordered re-referred to Committee on Rules.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2467

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2467 ordered re-referred to Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 16

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Public Utilities and Corporations.
Ways and Means.
Subcommittee, Finance and Insurance, in Room 430.

Tonight, at 8 p.m.—

Fish and Game, in Room 432.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Ernest Wiebe, Los Angeles; Edward Wiebe, Tacoma, Washington; J. D. Wiebe, Oak Harbor, Washington, and A. C. Woodress of Benicia.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Los Angeles County Supervisor John Anson Ford.

On request of Mr. Moss, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Christine Astobiza, leader of the Oroville Girl Scouts, Troop 3; Mrs. Irma Y Barra, Mrs. Florence Wyman, mothers; and the following members: Donna Salsberry, Priscilla Lambert, Gloria Henderson, Gloria Jones, Sonia Collon, Rachel Y Barra, Lorene McLemore, Judy Westman, Ilene Wyman, Mary Broch, Barbara Irvin, Colleen Curtis, Clarice Bradish, Ella Putman, Jerry Conn, Juanita Smith, Joyce Hendricks, and Dolores Astobiza.

ADJOURNMENT

At 1 11 p.m , on motion of Mr. Dickey, Acting Speaker McCollister declared the Assembly adjourned until 9 a.m., Tuesday, June 14, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETIETH LEGISLATIVE DAY

ONE HUNDRED SIXTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, June 14, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Eternal God: Upon this day when Herbert Hoover was nominated, let us proclaim our gratitude for the great men who made California

Juan Cabrillo, who discovered the State, and Junipero Serra, who established the first white settlers and the Mission System

Charles Fremont, whose surveys and pictorial maps started people Westward, and Benjamin Ide, the first President of the Bear Flag Republic

James Marshall, who began the gold rush; Samuel Brannon, Vigilante leader The business leaders—William C. Ralston in finance and Hugh Glenn in agriculture.

The big four who left their names and influence upon our industrial and educational life.

Honor the moral leaders—Edwin Markham who sang of the "Man With the Hoe", Bret Harte of the Mother Lode, and Thomas Starr King who helped keep California in the Union.

May they shine as stars in the memory of grateful citizens—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Sherwin, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.
Mr. Lincoln, on motion of Mr. Rumford.
Mr. Berry, on motion of Mr. Way.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Dickey, on motion of Mr. Butters.
Mr. Thompson, on motion of Mr. Butters.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, in commemoration of Flag Day, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

The following communications were received, read, and ordered printed in the Journal:

UNITED PRESS ASSOCIATIONS
SACRAMENTO BUREAU, SACRAMENTO, June 13, 1949

Mr. Arthur A. Ohnimus
Chief Clerk, The Assembly
State Capitol, Sacramento

DEAR ARTHUR Will you please issue a press card to Thomas Page, who was added to our staff today?

Sincerely,

LLOYD LAPHAM

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
STATE CAPITOL, SACRAMENTO, June 13, 1949

Hon. Arthur A. Ohnimus
Chief Clerk, The Assembly
Sacramento, California

DEAR MR. OHNIMUS: The Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative and recommends the following action:

Approved for Press Card

Thomas Page, United Press.
Page replaces Peter Gruening, transferred.

Sincerely,

EARL C. BEHRENS, President

Ratification of Press Credentials

Above action, as taken by the Capitol Correspondents Association of California, ratified by the Assembly, by unanimous consent.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER. Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1956

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Committee on Judiciary

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1956—An act to repeal the Judges' Retirement Act and the Judges' Retirement Fund Act, and to add Sections 20041, 20301.1, 20685, and 21210 to the Government Code, relating to the retirement of judicial officers, abolishing the Judges' Retirement System, making members thereof members of the State Employees' Retirement System with the status of state miscellaneous members, providing for the membership of judicial officers in the State Employees' Retirement System, and for the payment of benefits to retired judges and justices by the State Employees' Retirement System, and transferring the moneys in the Judges' Retirement Fund to the State Employees' Retirement Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "repeal", and insert "amend Section 1 of, and to add Sections 3.5, 6.1, 6.2, 6 3, 6.4, 6 5, 6.6, and 6.7 to,".

Amendment No. 2

In line 1 of the title of said bill, after "Act and", insert "to amend Section 5 of, to repeal Sections 6 and 7 of, and to add Section 6 to,".

Amendment No. 3

In the title of said bill, strike out lines 2 to 12, inclusive, and insert "Retirement Fund Act, relating to the retirement of judicial officers, providing for the administration of the Judges' Retirement System by the Board of Administration of the State Employees' Retirement System, and for the administration, investment, and custody of the Judges' Retirement Fund."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 1 of the Judges' Retirement Act is amended to read:

Section 1. (a) Every justice of the Supreme Court, or of a district court of appeal, or judge of a superior court or municipal court

(1) Who has attained the age of 70 years and who has been a Judge or Justice of the Supreme Court, a district court of appeal or superior court or municipal court, or any two or more of said courts, for 10 years in the aggregate within the period of 15 years immediately preceding, or

(2) Who has attained the age of 65 years, and who has been a Judge or Justice of the Supreme Court, a district court of appeal or superior court or municipal court, or any two or more of said courts, for 20 years in the aggregate within the period of 24 years immediately preceding, or

(3) Who has attained the age of 70 years and who has been a Judge or Justice of the Supreme Court, a district court of appeal, superior court or municipal court, or any two or more of said courts, for 20 years in the aggregate, the last five years of which period or periods shall have been served as said judge or justice immediately prior to the filing of the notice of retirement herein provided, and who has paid into the Judges' Retirement Fund a sum equal to the amount he would have paid had he been a Judge or Justice of the Supreme Court, a district court of appeal, superior court or municipal court for a period of 10 years immediately preceding the filing of said notice, may [retire by filing written notice of retirement with the Secretary of State] *be retired after filing written application therefor with the Board of Administration*, and a successor shall thereupon be appointed to fill the vacancy.

(b) Every Justice of the Supreme Court, or of a district court of appeal, or judge of a superior court

(1) Who has attained the age of 70 years and who has been a judge of a municipal court or a Judge or Justice of the Supreme Court, a district court of appeal or superior court, or any two or more of said courts, for 10 years in the aggregate within the period of 15 years immediately preceding, having served over six years of that

period as a Judge or Justice of the Supreme Court, a district court of appeal, superior court, or any two or more of said courts, or

(2) Who has attained the age of 65 years, and who has been a judge of a municipal court or a Judge or Justice of the Supreme Court, a district court of appeal or superior court, or any two or more of said courts for 20 years in the aggregate within the period of 24 years immediately preceding, having served over six years of that period as a Judge or Justice of the Supreme Court, a district court of appeal or superior court, or any two or more of said courts, may [retire] *be retired after filing written application therefor with the Board of Administration* if he pays into the Judges' Retirement Fund a sum equal to the amount he would have paid had he been a Judge or Justice of the Supreme Court, a district court of appeal or superior court during the time he was a judge of the municipal court during the 15- or 24-year period. Any sums paid into any State Retirement Fund under any existing law or under any law hereafter adopted for the retirement of judges of a municipal court, shall be deemed paid into the fund for the retirement of Judges or Justices of the Supreme Court, a district court of appeal or superior court or municipal court if such funds are transferred to the fund for the retirement of such judges or justices.

Any justice or judge who has served 30 days less than the aggregate number of years required for retirement shall be deemed to have been a justice or judge for such aggregate number of years within the meaning of this section.

Any justice or judge whose term of office expires within 30 days before he shall have attained the age required for his retirement, shall be deemed to have attained such age within the meaning of this section at any time during the 30-day period immediately preceding his actual attainment of such age

SEC. 2. Section 3.5 is added to the Judges' Retirement Act, to read:

Sec. 3.5. When there is filed with the Secretary of State a certificate of retirement of any judge or justice for disability, pursuant to Section 3 of this act, the Secretary of State shall immediately cause a copy thereof, certified by him to be a true copy, to be transmitted to the Board of Administration.

SEC. 3. Section 6.1 is added to the Judges' Retirement Act, to read:

Sec. 6.1. Except as otherwise expressly provided in this act, the Judges' Retirement System established by this act shall be administered by the Board of Administration of the State Employees' Retirement System. Wherever in this act or in the Judges' Retirement Fund Act reference is made to the Board of Administration" or to "the board," such reference means and shall be construed to refer to the Board of Administration of the State Employees' Retirement System, and wherever in this act or in the Judges' Retirement Fund Act reference is made to "this system," such reference means and shall be construed to refer to the Judges' Retirement System established by this act.

SEC. 4. Section 6.2 is added to the Judges' Retirement Act, to read

Sec. 6.2. The board may make such rules as it deems necessary and proper for the administration of this system. The board shall determine who are the members of this system, and is the sole judge of the conditions under which persons may be admitted to and continue to receive benefits under this system. Each member of this system shall file with the board such information affecting his status as a member as the board may require.

SEC. 5. Section 6.3 is added to the Judges' Retirement Act, to read:

Sec. 6.3. The Secretary of State shall give the board immediate written notice of any change in status of any judge or justice resulting from induction into office, resignation, expiration of term, death, or any other circumstance terminating his office as judge or justice, of which the Secretary of State has official knowledge, and the county clerk shall give the board written notice of any such change in status of which he has official knowledge.

SEC. 6. Section 6.4 is added to the Judges' Retirement Act, to read:

Sec. 6.4. If it is impractical for the board to determine from the records the length of service, compensation, or age of any member of this system, or if any member refuses or fails to give the board a statement of his judicial service, compensation, or age, the board may estimate such length of service, compensation, or age.

SEC. 7. Section 6.5 is added to the Judges' Retirement Act, to read:

Sec. 6.5. In addition to other records and accounts, the board shall keep such records and accounts as may be necessary to show at any time:

(a) The total accumulated contributions of members

(b) The accumulated contributions of the State held on account of members, which shall include the amounts available to meet the obligation of the State on account of benefits granted to retired members.

SEC. 8. Section 6.6 is added to the Judges' Retirement Act, to read.

Sec. 6.6. If more or less than the correct amount of contribution required of members or the State is paid proper adjustment shall be made in connection with subsequent payments, or such adjustments may be made by direct cash payments between the member or the State and the board. Adjustments to correct any other errors in payments to or by the board may be made in the same manner.

SEC. 9. Section 6.7 is added to the Judges' Retirement Act, to read:

Sec. 6.7 As soon as practicable after the close of each fiscal year, the board shall file with the Governor a report of its work for such fiscal year. Not later than March 15th next following the close of the fiscal year, the board shall transmit a copy of such report to each house of the Legislature.

SEC. 10. Section 5 of the Judges' Retirement Fund Act is amended to read:

Sec. 5 Should any justice or judge of any of the said courts die, resign or cease to be a justice or judge of any of the said courts, except in the event of his appointment or election to a court of higher rank, prior to the time he shall have been retired as provided by law, the amount of his accumulated contribution shall be paid to his beneficiary nominated by written designation duly filed with the [Secretary of State] *Board of Administration*, or to him, as the case may be.

SEC. 11. Sections 6 and 7 of the Judges' Retirement Fund Act are repealed.

SEC. 12 Section 6 is added to the Judges' Retirement Fund Act, to read

Sec 6 The board has the exclusive control of the administration and investment of the Judges' Retirement Fund, with the same powers and duties, and subject to the same restrictions, that are applicable to the administration and investment of the State Employees' Retirement Fund All of the provisions of the State Employees' Retirement Law applicable to the administration, investment, and custody of the State Employees' Retirement Fund are hereby made applicable to the Judges' Retirement Fund, to the same extent and with the same effect as if the Judges' Retirement Fund were expressly mentioned therein."

Amendment No. 5

On page 1 of said bill, strike out lines 2 to 21, inclusive; and on page 2, strike out lines 1 to 51, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Judiciary.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 282
Assembly Bill No. 2510

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 1048
Senate Bill No. 1303

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: You Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No 2327

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2358—An act to amend Sections 5400, 5402 and 5404 of the Public Resources Code, relating to recreation, park and parkway districts;

And reports that the same has been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1161—An act to amend Section 331 of the Elections Code, relating to affidavits of registration;

Assembly Bill No. 1447—An act to amend Section 3301 of the Corporations Code, relating to the service of process on corporations and the designation of officers, agent and address of principal office of corporations;

Assembly Bill No. 1900—An act to amend Sections 20025, 21250, and 21251 of, and to add Sections 20024.1 and 20685 to, the Government Code, relating to the State Employees' Retirement System, the contributions required thereunder, and the benefits payable therefrom, and providing for the refund or other disposition of certain optional contributions by state members of said system;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 330—An act to add Section 729 to the Welfare and Institutions Code, relating to the detention of minors by peace officers and probation officers when such detention is necessary for the health and welfare of such minors;

Assembly Bill No. 877—An act to repeal Sections 86, 87, 89, and 90 of, and to add Sections 86, 87, 89, and 90 to the Fish and Game Code, relating to districts;

Assembly Bill No. 973—An act to amend Sections 28111, 28112, 28116, 28120, 28126, 28133, 28142, 28146 and 28149, and to add Section 28117, and to repeal Sections 28123, 28124, 28125, 28134 and 28151 of the Health and Safety Code, relating to the preservation of the public health, including the sanitation and regulation of establishments where food used for human consumption is stored, prepared, kept, manufactured or distributed;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1949, at 2 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 297—An act to amend Sections 7930 and 7931 of the Elections Code, relating to canvass of election returns;

Assembly Bill No. 299—An act to repeal Section 7103 of, and to amend Section 7104 of, the Elections Code, relating to the return of precinct supplies to the county clerk;

Assembly Bill No. 301—An act to amend Section 2571 of the Elections Code, relating to registration of voters;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirteenth day of June, 1949, at 2 p.m.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Crichton asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2468
Assembly Bill No 2695

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 194
Assembly Bill No. 491
Assembly Bill No. 740

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1047

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1220
Assembly Bill No 2636
Assembly Bill No. 3165

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1100

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Judah, Ward, and Williams as a Committee on Conference concerning

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Tenney, Mayo, and Collier as a Committee on Conference concerning:

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal Sections 19501 and 19577, and to add Sections 19583.1, 19575.5, and 19583.5 of the Government Code, relating to disciplining state employees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR SPEAKER: The Committee on Conference concerning

Assembly Bill No. 699—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Senate on May 25, 1949, after "married", strike out "or was married at the time", and insert a semicolon.

Amendment No. 2

On page 1, line 8, of the printed bill, as amended in the Senate on May 25, 1949, strike out the whole line.

DONNELLY	BROWN
WARD	BECK
JESPERSEN	CALDECOTT
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Beck, Brown, Burke, Burkhalter, Butters, Clarke, Condon, Cooke, Crichton, Davis, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Morris, Reagan, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—46

NOES—None

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 3 WAIVED

Mr. Thomas waived his notice of motion to reconsider the vote whereby Assembly Constitutional Amendment No. 3 was refused adoption.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1734—An act to amend Sections 1, 2, 3, 5, 7, 9, 10, 13, 14, 28, 44, 46, 47, 48, 49, 51, and 55 of, and to add Section 45.1 to, the Vehicle Parking District Act of 1943, relating to vehicle parking

districts and the formation and financing thereof, the acquisition and improvement of parking places and of means of ingress thereto, contributions by cities and counties to pay portions of the cost thereof, the levy of taxes, and the management and operation of parking places.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Brown, Burke, Burkhalter, Butters, Clarke, Connolly, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—48

NOES—None

Bill ordered transmitted to the Senate.

Notice of Motion to Reconsider Assembly Bill No. 1734

Mr. Brady gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1734 was this day passed.

Assembly Bill No. 2081—An act amending Sections 32056, 32062, 32064, 32355, and 32361 of, and adding Section 32361.5 to, the Government Code, relating to county pension systems

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Beck, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Connolly, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1291—An act to amend Sections 32002 and 32100 of, to repeal Section 32004 of, and to add Sections 32002.1, 32002.2, 32002.3, 32004, 32004.1, 32004.2, 32004.3, 32004.4, 32004.5, 32004.6, 32100.5, 32100.6, 32100.7, 32100.8, and 32130 to, the Health and Safety Code, relating to hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Connolly, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—48.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1559—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to local public health administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1276—An act to amend Section 432.5 of the Fish and Game Code, relating to permits.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Brown, Burke, Butters, Clarke, Crichton, Davis, Doyle, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—43.

NOES—Burkhalter, Collier, and Stanley—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 1733—An act to provide for the formation of districts within municipalities for the acquisition and construction of public parking places, including garages and other improvements, for the parking of motor vehicles; the acquisition and construction of public ways for ingress to and egress from such parking places; the issuance, sale and payment of bonds for the acquisition and construction of such parking places and public ways; the levy and collection of taxes, assessments, rentals, fees and charges for the payment of principal and interest of such bonds; the maintenance and operation of such parking places; the collection of rentals, fees and charges for the use of such parking places; contributions by cities of moneys, tax revenues, parking meter revenues or other funds for the payment of such bonds and interest or the acquisition and construction of parking places; relating to the powers and duties of cities and city officials; and declaring the urgency of this act to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hollibaugh moved a call of the Assembly.

Motion carried Time, 9.36 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Burke, Caldecott, Coats, Connolly, Conrad, Crowley, Clayton A. Dills, Dunn, Erwin, Evans, Hawkins, Kirkwood, Luckel, Rosenthal, Sherwin, Sillman, and Smith—18.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2264—An act to amend Section 13502 of the Education Code, as amended by Statutes 1947, Chapter 1356, and to repeal the same section as amended by Statutes 1947, Chapter 271, relating to reemployment of certificated employees after resignation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brown, Burke, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hersinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—54

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2677

And reports the same correctly re-engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2677

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2677, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2677

Assembly Bill No. 2677—An act to add Chapter 8, comprising Sections 9700 to 9707, inclusive, to Division 9 of the Public Resources Code, relating to soil conservation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Cooke, Crichton, Davis, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hersinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Starley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3158—An act to add Section 1953.5 to the Government Code, relating to liability of public officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Cooke, Crichton, Davis, Doyle, Elliott, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—50

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1839—An act to amend Sections 3.4, 10.4, and 10.5 of the World Trade Center Authorities Act, relating to world trade centers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 385—An act to amend the Highway Carriers' Act by amending Sections 1, 3 and 8 thereof, and adding Section 8¼ thereto, relating to motor carriers of property for compensation.

Bill read third time.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, strike out lines 11 to 15, inclusive.

Amendment read.

Request for Unanimous Consent That Assembly Bill No. 385 Be Temporarily Passed on File

Mr. Way asked for unanimous consent that Assembly Bill No. 385 be temporarily passed on file, at this time.

Mr. Silliman withheld unanimous consent.

The question being on the adoption of the amendment offered by Mr. Lindsay to Assembly Bill No. 385.

Roll Call Demanded

Messrs. Gaffney, Hagen, and Yorty demanded a roll call.

The roll was called, and the amendment offered by Mr. Lindsay to Assembly Bill No. 385 refused adoption by the following vote:

AYES—*Babbage, Brady, Collier, Conrad, Fleury, Lindsay, Thompson, and* Weber—8.

NOES—Anderson, Beck, Bennett, Brown, Burke, Butters, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Huyck, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Reagan, Rosenthal, Rumford, Stillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, and Yorty—47.

The question being on the passage of Assembly Bill No. 385.

The roll was called, and the bill refused passage by the following vote:

AYES—Condon, Connolly, Dolwig, Doyle, Dunn, Fletcher, Gaffney, Hollibaugh, Maloney, Meyers, Morris, Niehouse, Sherwin, Smith, Thomas, Tomlinson, Way, and Mr. Speaker—18.

NOES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Davis, Elliott, Erwin, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, McCarthy, Moss, Reagan, Rosenthal, Rumford, Stanley, Stewart, Thompson, Weber, and Yorty—43.

Notice of Motion to Reconsider Assembly Bill No. 385

Mr. Way gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 385 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 631

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 631, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 631

Assembly Bill No. 631—An act to amend Sections 641 and 650.6 of the Vehicle Code, relating to lights and reflectorized materials on vehicles.

Bill read third time.

Point of Order

Mr. Doyle arose to the following point of order: That Mr. Thomas is not in order because his bill should have gone to the foot of the file.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because said bill had held its place on file, by unanimous consent.

The question being on the passage of Assembly Bill No. 631.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Coats, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse,

Reagan, Rosenthal, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.20 a m , Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2167

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2167, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2167

Assembly Bill No. 2167—An act to amend Section 80 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, as amended in the Assembly on June 2, 1949, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 2

On page 1, lines 11 and 12, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 3

On page 1, lines 14 and 15, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 4

On page 1, lines 18 and 19, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 5

On page 1, line 20, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 6

On page 1, line 26, of said bill, strike out "four hundred dollars ($400)", and insert "three hundred dollars ($300)".

Amendment No. 7

On page 2, line 2, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)"

Amendment No. 8

On page 2, line 5, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 9

On page 2, line 10, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 10

On page 2, lines 16 and 17, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendment No. 11

On page 2, lines 46 and 47, of said bill, strike out "four thousand dollars ($4,000)", and insert "three thousand dollars ($3,000)".

Amendments read and adopted.

Bill ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3159

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3159, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3159

Assembly Bill No. 3159—An act to add Section 6503.1 to the Welfare and Institutions Code, relating to rights of way across state property and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3111—An act to add Section 13805 to the Revenue and Taxation Code, relating to inheritance tax exemptions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Yorty—56.

NOES—Anderson, George D. Collins, Hagen, Lewis, and Lowrey—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 579—An act to amend Section 737ff of the Political Code, relating to the salary of the Judge of the Superior Court in the County of Plumas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, and Yorty—58.

NOES—Hahn and Heisinger—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2320—An act to amend Section 14601 of the Education Code, relating to retirement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Waters, Weber, and Yorty—60.

NOES—None

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON THE URGENCY CLAUSE TO ASSEMBLY BILL NO. 1733

At 10.30 a.m., on motion of Mr. Hollibaugh, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause to Assembly Bill No. 1733 adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—Brady, Collier, Dunn, Hahn, Hinckley, Levering, and Reagan—7.

The question being on the passage of Assembly Bill No. 1733.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—56

NOES—Brady, Collier, Connolly, Dunn, and Hahn—5

Notice of Motion to Reconsider Assembly Bill No. 1733

Mr. Brady gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1733 was this day passed.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No 2240, on request of Mr. Brady.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 84, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Resolution read

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 13, of the printed measure, as amended in the Assembly on June 9, 1949, strike out "legislative days", and insert "twenty calendar days, exclusive of the recess required to be taken in pursuance of this section.".

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Niehouse, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Resolution ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1049—An act to add Section 28304 and amend Section 28409 of the Corporations Code, relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger,

Hollibaugh, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, and Yorty—47.

NOES—Anderson, Geddes, Lowrey, Rumford, and Way—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2383—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

Bill read third time.

Speaker Presiding

At 10.52 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stewart moved a call of the Assembly.

Motion carried. Time, 11.05 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brown, Caldecott, Clarke, Erwin, Evans, Fletcher, Grunsky, Hoffman, Kilpatrick, Kirkwood, Levering, Lindsay, McMillan, Meyers, Morris, Reagan, and Tomlinson—18.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF CONFERENCE REPORT CONCERNING ASSEMBLY BILL NO. 1524

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up consideration of Conference report concerning Assembly Bill No. 1524, temporarily passed on the unfinished business file, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1524—An act to amend Sections 5047 and 5125 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons; consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 25, 1949, strike out "Sections 5047, and 5125", and insert "Section 5047".

Amendment No. 2

On page 2 of said bill, strike out lines 28 to 40, inclusive.

BUSCH	CROWLEY
WARD	KILPATRICK
BROWN	CRICHTON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Waters, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1431

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1431, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1431

Assembly Bill No. 1431—An act to create a flood control district to be called Alameda County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—66

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1100

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1100, out of order, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1100?

Amendment No. 1

On page 5, line 19, of the printed bill, as amended in the Assembly on June 8, 1949, strike out "1,453,784", and insert "1,444,399".

Amendment No. 2

On page 5, line 24, of said bill, strike out "1,228,949", and insert "1,221,269".

Amendment No. 3

On page 5, line 26, of said bill, strike out "56,821", and insert "55,116".

Amendment No. 4

On page 5, line 28, of said bill, strike out "1,556,842", and insert "1,547,457".

Amendment No. 5

On page 5, line 33, of said bill, strike out "1,453,784", and insert "1,444,399".

Amendment No. 6

On page 5, line 29, of said bill, strike out "receipts", and insert "reimbursements".

Amendment No. 7

On page 6, line 20, of said bill, strike out "3,843,212", and insert "4,395,268".

Amendment No. 8

On page 6, line 26, of said bill, strike out "2,452,048", and insert "3,005,976".

Amendment No. 9

On page 6, line 27, of said bill, strike out "1,524,314", and insert "1,529,869".

Amendment No. 10

On page 6, line 28, of said bill, strike out "98,873", and insert "100,447".

Amendment No. 11

On page 6, line 30, of said bill, strike out "4,075,235", and insert "4,636,292".

Amendment No. 12

On page 6, line 39, of said bill, strike out "3,843,212", and insert "4,395,268".

Amendment No. 13

On page 6 of said bill, between lines 37 and 38, insert "Reimbursements by packing plants for overtime and expenses..... 9,000".

Amendment No. 14

On page 6 of said bill, after line 39, insert

"39 5—For additional support, Department of Agriculture, for trapping, supplying host fruits, and for treatments and investigations in connection with Oriental and other fruit flies..... 34,800"

Amendment No. 15

On page 8, line 19, of said bill, strike out "222,019", and insert "210,871".

Amendment No. 16
On page 8, line 24, of said bill, strike out "183,988", and insert "176,174".

Amendment No. 17
On page 8, line 25, of said bill, strike out "31,785", and insert "30,335".

Amendment No. 18
On page 8, line 26, of said bill, strike out "11,076", and insert "9,192".

Amendment No. 19
On page 8, line 28, of said bill, strike out "226,849", and insert "215,701".

Amendment No. 20
On page 8, line 33, of said bill, strike out "222,019", and insert "210,871".

Amendment No. 21
On page 10, line 17, of said bill, strike out "1,536,544", and insert "1,521,821".

Amendment No. 22
On page 10, line 24, of said bill, strike out "976,143", and insert "966,683".

Amendment No. 23
On page 10, line 26, of said bill, strike out "59,714", and insert "54,451".

Amendment No. 24
On page 10, line 29, of said bill, strike out "1,734,379", and insert "1,719,656".

Amendment No. 25
On page 10, line 37, of said bill, strike out "1,536,544", and insert "1,521,821".

Amendment No. 26
On page 10, line 40, of said bill, strike out "2,072,771", and insert "2,046,680".

Amendment No. 27
On page 10, line 47, of said bill, strike out "1,180,361", and insert "1,157,845".

Amendment No. 28
On page 10, line 49, of said bill, strike out "68,728", and insert "65,153".

Amendment No. 29
On page 10, line 51, of said bill, strike out "2,179,801", and insert "2,153,710".

Amendment No. 30
On page 11, line 9, of said bill, strike out "2,072,771", and insert "2,046,680".

Amendment No. 31
On page 11, line 12, of said bill, strike out "3,373,380", and insert "3,329,721".

Amendment No. 32
On page 11, line 19, of said bill, strike out "2,026,475", and insert "1,996,747".

Amendment No. 33
On page 11, line 21, of said bill, strike out "77,947", and insert "64,016".

Amendment No. 34
On page 11, line 24, of said bill, strike out "3,792,287", and insert "3,748,628".

Amendment No. 35
On page 11, line 36, of said bill, strike out "3,373,380", and insert "3,329,721".

Amendment No. 36
On page 11, line 39, of said bill, strike out "784,160", and insert "761,984".

Amendment No. 37
On page 11, line 46, of said bill, strike out "505,126", and insert "485,770".

Amendment No. 38
On page 11, line 48, of said bill, strike out "37,475", and insert "33,655".

Amendment No. 39
On page 11, line 51, of said bill, strike out "910,840", and insert "887,664".

Amendment No. 40
On page 12, line 8, of said bill, strike out "784,160", and insert "760,984".

Amendment No. 41
On page 12, line 11, of said bill, strike out "983,999", and insert "967,062".

Amendment No. 42
On page 12, line 17, of said bill, strike out "672,448", and insert "664,624".

Amendment No. 43
On page 12, line 19, of said bill, strike out "36,652", and insert "27,539".

Amendment No. 44
On page 12, line 21, of said bill, strike out "1,004,639", and insert "987,702"

Amendment No. 45
On page 12, line 27, of said bill, strike out "983,999", and insert "967,062".

Amendment No. 46
On page 12, line 30, of said bill, strike out "425,557", and insert "420,787".

Amendment No. 47
On page 12, line 37, of said bill, strike out "228,019", and insert "225,739".

Amendment No. 48
On page 12, line 39, of said bill, strike out "21,440", and insert "18,950".

Amendment No. 49
On page 12, line 41, of said bill, strike out "444,742", and insert "439,972".

Amendment No. 50
On page 12, line 48, of said bill, strike out "425,557", and insert "420,787".

Amendment No. 51
On page 13, line 4, of said bill, strike out "558,449", and insert "555,109".

Amendment No. 52
On page 13, line 10, of said bill, strike out "418,550", and insert "412,118".

Amendment No. 53
On page 13, line 11, of said bill, strike out "119,360", and insert "120,455".

Amendment No. 54
On page 13, line 12, of said bill, strike out "23,539", and insert "25,536".

Amendment No. 55
On page 13, line 14, of said bill, strike out "561,449", and insert "558,109".

Amendment No. 56
On page 13, line 19, of said bill, strike out "558,449", and insert "555,109".

Amendment No. 57
On page 13, line 23, of said bill, strike out "57,577", and insert "50,566".

Amendment No. 58
On page 13, line 25, of said bill, strike out "35,424", and insert "32,208".

Amendment No. 59
On page 13, line 26, of said bill, strike out "19,190", and insert "17,290".

Amendment No. 60
On page 13, line 27, of said bill, strike out "2,963", and insert "1,068".

Amendment No. 61
On page 13, line 29, of said bill, strike out "57,577", and insert "50,566".

Amendment No. 62
On page 13, line 62, of said bill, strike out "863,353", and insert "853,316".

Amendment No. 63
On page 13, line 34, of said bill, strike out "638,232", and insert "631,260".

Amendment No. 64

On page 13, line 36, of said bill, strike out "25,476", and insert "22,411".

Amendment No. 65

On page 13, line 38, of said bill, strike out "863,153", and insert "855,116".

Amendment No. 66

On page 13, line 43, of said bill, strike out "863,353", and insert "853,316".

Amendment No. 67

On page 13 of said bill, strike out lines 44 to 48, inclusive

Amendment No. 68

On page 14, line 20, of said bill, strike out "199,345", and insert "196,273".

Amendment No. 69

On page 14, line 26, of said bill, strike out "127,199", and insert "125,207".

Amendment No. 70

On page 14, line 28, of said bill, strike out "8,492", and insert "7,412".

Amendment No. 71

On page 14, line 30, of said bill, strike out "218,920", and insert "215,848".

Amendment No. 72

On page 14, line 35, of said bill, strike out "199,345", and insert "196,273"

Amendment No. 73

On page 14, line 38, of said bill, strike out "628,209", and insert "613,199".

Amendment No. 74

On page 14, line 44, of said bill, strike out "482,116", and insert "468,653".

Amendment No. 75

On page 14, line 46, of said bill, strike out '20,497", and insert "18,950".

Amendment No. 76

On page 14, line 48, of said bill, strike out "668,709", and insert "653,699".

Amendment No. 77

On page 15, line 6, of said bill, strike out "628,209", and insert "613,199".

Amendment No. 78

On page 15, line 9, of said bill, strike out "253,103", and insert "244,787".

Amendment No. 79

On page 15, line 15, of said bill, strike out "172,376", and insert "164,060".

Amendment No. 80

On page 15, line 19, of said bill, strike out "262,668", and insert "254,352".

Amendment No. 81

On page 15, line 24, of said bill, strike out "253,103", and insert "244,787".

Amendment No. 82

On page 15, line 27, of said bill, strike out "1,207,462", and insert "1,202,480".

Amendment No. 83

On page 15, line 36, of said bill, strike out "32,442", and insert "27,460".

Amendment No. 84

On page 15, line 38, of said bill, strike out "1,278,577", and insert "1,273,595".

Amendment No. 85

On page 15, line 44, of said bill, strike out "1,207,462", and insert "1,202,480".

Amendment No. 86

On page 15, line 47, of said bill, strike out "231,632", and insert "228,900".

Amendment No. 87
On page 16, line 5, of said bill, strike out "12,911", and insert "10,179".

Amendment No. 88
On page 16, line 7, of said bill, strike out "242,842", and insert "240,110".

Amendment No. 89
On page 16, line 12, of said bill, strike out "231,632", and insert "228,900".

Amendment No. 90
On page 16, line 15, of said bill, strike out "447,950", and insert "442,896".

Amendment No. 91
On page 16, line 21, of said bill, strike out "326,396", and insert "323,316".

Amendment No. 92
On page 16, line 23, of said bill, strike out "21,223", and insert "19,249".

Amendment No. 93
On page 16, line 25, of said bill, strike out "475,150", and insert "470,096".

Amendment No. 94
On page 16, line 30, of said bill, strike out "447,950", and insert "442,896".

Amendment No. 95
On page 16, line 37, of said bill, strike out "1,443,873", and insert "1,531,404".

Amendment No. 96
On page 16, line 44, of said bill, strike out "1,041,252", and insert "1,088,951".

Amendment No. 97
On page 16, line 45, of said bill, strike out "410,670", and insert "440,087".

Amendment No. 98
On page 16, line 46, of said bill, strike out "56,847", and insert "67,762".

Amendment No. 99
On page 16, line 48, of said bill, strike out "1,508,769", and insert "1,596,800".

Amendment No. 100
On page 17, line 8, of said bill, strike out "1,443,873", and insert "1,531,404".

Amendment No. 101
On page 17, line 6, of said bill, strike out "64,896", and insert "65,396".

Amendment No. 102
On page 18, line 38, of said bill, strike out "520,726", and insert "522,226".

Amendment No. 103
On page 18, line 45, of said bill, strike out "584,232", and insert "585,732".

Amendment No. 104
On page 18, line 49, of said bill, strike out "700,711", and insert "702,211".

Amendment No. 105
On page 19, line 11, of said bill, strike out "520,726", and insert "522,226".

Amendment No. 106
On page 20, line 3, of said bill, strike out "366,567", and insert "366,711".

Amendment No. 107
On page 20, line 10, of said bill, strike out "383,576", and insert "383,720".

Amendment No. 108
On page 20, line 14, of said bill, strike out "478,517", and insert "478,661".

Amendment No. 109
On page 20, line 24, of said bill, strike out "366,567", and insert "366,711".

Amendment No. 110

On page 20, lines 25 and 26, of said bill, strike out "Los Angeles State College of Applied Arts and Sciences", and insert "four-year state institution of higher education established in the City of Los Angeles by Chapter 1082 of the Statutes of 1947".

Amendment No. 111

On page 20, line 27, of said bill, strike out "460,846", and insert "434,446".

Amendment No. 112

On page 20, line 44, of said bill, strike out "473,576", and insert "447,176".

Amendment No. 113

On page 20, line 48, of said bill, strike out "624,576", and insert "598,176".

Amendment No. 114

On page 21, line 11, of said bill, strike out "460,846", and insert "434,446".

Amendment No. 115

On page 21 of said bill, strike out lines 12 to 15, inclusive.

Amendment No. 116

On page 21, line 20, of said bill, strike out "347,822", and insert "328,716".

Amendment No. 117

On page 21, line 27, of said bill, strike out "340,912", and insert "321,806"

Amendment No. 118

On page 21, line 31, of said bill, strike out "457,962", and insert "438,856".

Amendment No. 119

On page 21, line 41, of said bill, strike out "347,822", and insert "328,716".

Amendment No. 120

On page 21, line 43, of said bill, strike out "1,358,791", and insert "1,317,871".

Amendment No. 121

On page 22, line 3, of said bill, strike out "1,604,417", and insert "1,563,497".

Amendment No. 122

On page 22, line 7, of said bill, strike out "1,863,828", and insert "1,822,908".

Amendment No. 123

On page 22, line 17, of said bill, strike out "1,358,791", and insert "1,317,871".

Amendment No. 124

On page 22, line 19, of said bill, strike out "1,225,947", and insert "1,186,484".

Amendment No. 125

On page 22, line 26, of said bill, strike out "1,415,449", and insert "1,377,264".

Amendment No. 126

On page 22, line 28, of said bill, strike out "80,088", and insert "78,810".

Amendment No. 127

On page 22, line 30, of said bill, strike out "1,648,767", and insert "1,609,304".

Amendment No. 128

On page 22, line 40, of said bill, strike out "1,225,947", and insert "1,186,484".

Amendment No. 129

On page 22, line 42, of said bill, strike out "1,697,279", and insert "1,640,963".

Amendment No. 130

On page 23, line 3, of said bill, strike out "2,003,845", and insert "1,948,354".

Amendment No. 131

On page 23, line 5, of said bill, strike out "99,592", and insert "98,767".

Amendment No. 132

On page 23, line 7, of said bill, strike out "2,324,984", and insert "2,268,668".

Amendment No. 133

On page 23, line 17, of said bill, strike out "1,697,279", and insert "1,640,963".

Amendment No. 134

On page 23, line 22, of said bill, strike out "1,409,351", and insert "1,422,614".

Amendment No. 135

On page 23, line 36, of said bill, strike out "1,553,553", and insert "1,562,816".

Amendment No. 136

On page 23, line 38, of said bill, strike out "122,001", and insert "126,001".

Amendment No. 137

On page 23, line 40, of said bill, strike out "1,931,261", and insert "1,944,524".

Amendment No. 138

On page 24, line 17, of said bill, strike out "1,409,351", and insert "1,422,614".

Amendment No. 139

On page 26, line 34, of said bill, strike out "266,802", and insert "268,602".

Amendment No. 140

On page 26, line 39, of said bill, strike out "189,239", and insert "189,839".

Amendment No. 141

On page 26, line 41, of said bill, strike out "3,135", and insert "4,335".

Amendment No. 142

On page 26, line 43, of said bill, strike out "276,258", and insert "278,058".

Amendment No. 143

On page 26, line 49, of said bill, strike out "266,802", and insert "268,602".

Amendment No. 144

On page 27, after line 10, insert

"103.1—For rental of facilities for the Los Angeles Workshop for the Blind, Industrial Workshop for the Blind, Los Angeles_____ 118,365".

Amendment No. 145

On page 27, following line 10, of said bill, insert

"103.2—For moving expenses, Industrial Workshop for the Blind, Los Angeles _____ 10,000".

Amendment No. 146

On page 27, line 38, of said bill, strike out "30,980,986", and insert "31,121,086".

Amendment No. 147

On page 27 of said bill, after line 38, insert

"107.5—For research work in and investigation of the Oriental and other fruit flies, University of California, to be expended in the Territory of Hawaii and elsewhere and for the development of methods of controlling and eradicating said flies_____ 165,000".

Amendment No. 148

On page 29, line 42, of said bill, strike out "10,130,586", and insert "10,120,531".

Amendment No. 149

On page 29, line 48, of said bill, strike out "8,658,098", and insert "8,649,578".

Amendment No. 150

On page 29, line 50, of said bill, strike out "209,291", and insert "207,756".

Amendment No. 151

On page 29, line 52, of said bill, strike out "10,321,911", and insert "10,311,856".

Amendment No. 152

On page 30, line 10, of said bill, strike out "10,130,586", and insert "10,120,531".

Amendment No. 153

On page 30, line 33, of said bill, strike out "1,828,040", and insert "1,851,812".

Amendment No. 154

On page 30, line 42, of said bill, strike out "1,606,704", and insert "1,626,876".

Amendment No. 155

On page 30, line 43, of said bill, strike out "281,164", and insert "282,964".

Amendment No. 156

On page 30, line 4, of said bill, strike out "64,867", and insert "66,667".

Amendment No. 157

On page 30, line 46, of said bill, strike out "1,952,735", and insert "1,976,507".

Amendment No. 158

On page 31, line 10, of said bill, strike out "1,828,040", and insert "1,851,812".

Amendment No. 159

On page 32, line 37, of said bill, strike out "1,764,630", and insert "918,752".

Amendment No. 160

On page 32 of said bill, strike out all of lines 38 to 52, inclusive; and on page 33, strike out all of lines 2 to 5, inclusive.

Amendment No. 161

On page 33 of said bill, strike out all of lines 6 to 16, inclusive, and insert

"139—For additional support, State Agricultural Society, Division of Fairs and Expositions, Department of Finance 839,878
to be transferred to the State Agricultural Society Contingent Fund by the State Controller in augmentation of Item 138."

Amendment No. 162

On page 33, line 21, of said bill, strike out "110,827", and insert "45,827".

Amendment No. 163

On page 33 of said bill, between lines 27 and 28, insert

"Less amount payable from General Fund
(Item 141) 65,000
Net appropriation ..... 45,827".

Amendment No. 164

On page 33 of said bill, between lines 27 and 28, insert

"141—For additional support, Sixth District Agricultural Association, Division of Fairs and Expositions, Department of Finance 65,000
to be transferred to the Sixth District Agricultural Association Fund by the State Controller in augmentation of Item 140."

Amendment No. 165

On page 34 of said bill, after line 15, insert

"148—For comprehensive survey and report with recommendations to the Legislature on the land title law, commonly called the Torrens Title Law, Division of State Lands, Department of Finance, payable from the State Lands Act Fund ..... 10,000".

Amendment No. 166

On page 34, line 26, of said bill, strike out "2,242,488", and insert "2,243,811".

Amendment No. 167

On page 34, line 29, of said bill, strike out "304,230", and insert "305,553".

Amendment No. 168

On page 34, line 32, of said bill, strike out "2,242,488", and insert "2,243,811".

Amendment No. 169

On page 35, line 13, of said bill, strike out "3,697,847", and insert "3,651,079".

Amendment No. 170

On page 35, line 19, of said bill, strike out "3,102,254", and insert "3,074,349".

Amendment No. 171

On page 35, line 20, of said bill, strike out "728,661", and insert "720,808".

Amendment No. 172
On page 35, line 21, of said bill, strike out "84,032", and insert "73,922".

Amendment No. 173
On page 35, line 23, of said bill, strike out "3,915,847", and insert "3,869,079".

Amendment No. 174
On page 35, line 30, of said bill, strike out "3,697,847", and insert "3,651,079".

Amendment No. 175
On page 35, line 36, of said bill, strike out "246,543", and insert "242,003".

Amendment No. 176
On page 35, line 38, of said bill, strike out "177,925", and insert "171,385".

Amendment No. 177
On page 35, line 39, of said bill, strike out "62,786", and insert "64,329".

Amendment No. 178
On page 35, line 42, of said bill, strike out "246,543", and insert "242,003"

Amendment No. 179
On page 35, line 40, of said bill, strike out "5,832", and insert "6,289".

Amendment No. 180
On page 38 of said bill, strike out all of lines 2, 3, and 4.

Amendment No. 181
On page 38, line 9, of said bill, strike out "840,518", and insert "850,046".

Amendment No. 182
On page 38, line 11, of said bill, strike out "631,651", and insert "638,587".

Amendment No. 183
On page 38, line 12, of said bill, strike out "164,399", and insert "164,999".

Amendment No. 184
On page 38, line 13, of said bill, strike out "44,468", and insert "46,460".

Amendment No. 185
On page 38, line 15, of said bill, strike out "840,518", and insert "850,046".

Amendment No. 186
On page 39, line 16, of said bill, strike out "2,843,655", and insert "2,851,707".

Amendment No. 187
On page 39, line 22, of said bill, strike out "1,935,946", and insert "1,943,998".

Amendment No. 188
On page 39, line 26, of said bill, strike out "2,958,999", and insert "2,967,051".

Amendment No. 189
On page 39, line 31, of said bill, strike out "2,843,655", and insert "2,851,707".

Amendment No. 190
On page 40, line 3, of said bill, strike out "Department of Mental Hygiene".

Amendment No. 191
On page 40, line 4, of said bill, strike out "2,506,867", and insert "2,509,507".

Amendment No. 192
On page 40, line 9, of said bill, strike out "1,684,748", and insert "1,687,388".

Amendment No. 193
On page 40, line 13, of said bill, strike out "2,601,067", and insert "2,603,707".

Amendment No. 194
On page 40, line 17, of said bill, strike out "2,506,867", and insert "2,509,507".

Amendment No. 195
On page 40, line 19, of said bill, strike out "2,310,979", and insert "2,311,389".

Amendment No. 196
On page 40, line 25, of said bill, strike out "1,588,748", and insert "1,589,108".

Amendment No. 197
On page 40, line 29, of said bill, strike out "2,407,693", and insert "2,408,053".

Amendment No. 198
On page 40, line 34, of said bill, strike out "2,310,979", and insert "2,311,339".

Amendment No. 199
On page 40, line 36, of said bill, strike out "Department of Mental Hygiene".

Amendment No. 200
On page 40, line 37, of said bill, strike out "2,649,653", and insert "2,651,813".

Amendment No. 201
On page 40, line 42, of said bill, strike out "1,845,771", and insert "1,847,931".

Amendment No. 202
On page 40, line 46, of said bill, strike out "2,761,981", and insert "2,761,141".

Amendment No. 203
On page 40, line 50, of said bill, strike out "2,649,653", and insert "2,651,813".

Amendment No. 204
On page 41, line 20, of said bill, strike out "2,134,657", and insert "2,138,077".

Amendment No. 205
On page 41, line 26, of said bill, strike out "1,560,453", and insert "1,563,873".

Amendment No. 206
On page 41, line 30, of said bill, strike out "2,222,233", and insert "2,225,653".

Amendment No. 207
On page 41, line 35, of said bill, strike out "2,134,657", and insert "2,138,077".

Amendment No. 208
On page 42, line 3, of said bill, strike out "3,729,764", and insert "3,729,064".

Amendment No. 209
On page 42, line 11, of said bill, strike out "59,214", and insert "58,514".

Amendment No. 210
On page 42, line 13, of said bill, strike out "3,852,966", and insert "3,852,266".

Amendment No. 211
On page 42, line 18, of said bill, strike out "3,729,764", and insert "3,729,064".

Amendment No. 212
On page 42, line 20, of said bill, strike out "1,770,945", and insert "1,772,985".

Amendment No. 213
On page 42, line 26, of said bill, strike out "1,193,497", and insert "1,195,537".

Amendment No. 214
On page 42, line 30, of said bill, strike out "1,826,903", and insert "1,828,743".

Amendment No. 215
On page 42, line 35, of said bill, strike out "1,770,945", and insert "1,772,985".

Amendment No. 216
On page 43, line 13, of said bill, strike out "2,333,030", and insert "2,418,200".

Amendment No. 217
On page 43, line 23, of said bill, strike out "1,120,693", and insert "1,204,516".

Amendment No. 218
On page 43, line 24, of said bill, strike out "1,146,971", and insert "1,148,318".

Amendment No. 219
On page 43, line 27, of said bill, strike out "2,493,030", and insert "2,578,200".

Amendment No. 220

On page 43, line 33, of said bill, strike out "2,333,030", and insert "2,418,200".

Amendment No. 221

On page 43, line 48, of said bill, strike out "7,863,107", and insert "7,940,014".

Amendment No. 222

On page 44, line 3, of said bill, strike out "6,794,530", and insert "6,858,867".

Amendment No. 223

On page 44, line 4, of said bill, strike out "2,264,887", and insert "2,269,887".

Amendment No. 224

On page 44, line 5, of said bill, strike out "115,235", and insert "127,417".

Amendment No. 225

On page 44, line 7, of said bill, strike out "9,174,652", and insert "9,256,171".

Amendment No. 226

On page 44, line 10, of said bill, strike out "1,311,545", and insert "1,316,157".

Amendment No. 227

On page 44, line 12, of said bill, strike out "7,863,107", and insert "7,940,014".

Amendment No. 228

On page 44, line 15, of said bill, strike out "1,311,545", and insert "1,316,157".

Amendment No. 229

On page 44, line 28, of said bill, strike out "250,000", and insert "350,000".

Amendment No. 230

On page 45, line 10, of said bill, strike out "598,448", and insert "245,474".

Amendment No. 231

On page 45, line 25, of said bill, strike out "1,447,146", and insert "1,800,120".

Amendment No. 232

On page 45, line 27, of said bill, strike out "598,448", and insert "245,474".

Amendment No. 233

On page 45 of said bill, strike out lines 28 through 31, inclusive.

Amendment No. 234

On page 45, line 41, of said bill, strike out "1,447,146", and insert "1,800,120".

Amendment No. 235

On page 47, line 27, of said bill, strike out "7,037,863", and insert "7,055,696".

Amendment No. 236

On page 47, line 33, of said bill, strike out "5,295,034", and insert "5,306,134".

Amendment No. 237

On page 47, line 34, of said bill, strike out "2,216,412", and insert "2,218,195".

Amendment No. 238

On page 47, line 35, of said bill, strike out "730,367", and insert "735,317".

Amendment No. 239

On page 47, line 37, of said bill, strike out "8,241,813", and insert "8,259,646".

Amendment No. 240

On page 47, line 48, of said bill, strike out "7,037,863", and insert "7,055,696".

Amendment No. 241

On page 49 of said bill, between lines 33 and 34, insert

"214.1—For improvement of streets adjacent to Division of Forestry headquarters in King City, pursuant to special assessment by City of King, Division of Forestry, Department of Natural Resources__ 4,305".

Amendment No. 242

On page 55, line 4, of said bill, strike out "4,284,630", and insert "4,312,329".

Amendment No. 243

On page 55, line 20, of said bill, strike out "3,085,524", and insert "3,101,781".

Amendment No. 244

On page 55, line 21, of said bill, strike out "3,472,405", and insert "3,478,024".

Amendment No. 245

On page 55, line 22, of said bill, strike out "251,955", and insert "256,478".

Amendment No. 246

On page 55, line 25, of said bill, strike out "246,842", and insert "248,142".

Amendment No. 247

On page 55, line 27, of said bill, strike out "7,056,726", and insert "7,084,425".

Amendment No. 248

On page 56, line 4, of said bill, strike out "4,284,630", and insert "4,312,329".

Amendment No. 249

On page 57, line 42, of said bill, strike out "9".

Amendment No. 250

On page 57, line 43, of said bill, strike out "payable from the State Highway Fund".

Amendment No. 251

On page 57, lines 49 and 50, of said bill, strike out "State Highway", and insert "General".

Amendment No. 252

On page 58, line 6, of said bill, after "provided", strike out "that no amount may be"; and on page 58, strike out lines 7 to 28, inclusive; and on page 58, line 29, strike out "meda and also provided".

Amendment No. 253

On page 58, lines 35 and 36, of said bill, strike out "State Highway", and insert "General".

Amendment No. 254

On page 59, line 8, of said bill, strike out "State Highway", and insert "General".

Amendment No. 255

On page 59, line 12, of said bill, strike out "1,069,659", and insert "1,056,642".

Amendment No. 256

On page 59, line 22, of said bill, strike out "728,059", and insert "715,511".

Amendment No. 257

On page 59, line 23, of said bill, strike out "317,412", and insert "316,762".

Amendment No. 258

On page 59, line 24, of said bill, strike out "47,325", and insert "47,506".

Amendment No. 259

On page 59, line 28, of said bill, strike out "1,116,918", and insert "1,103,901".

Amendment No. 260

On page 59, line 35, of said bill, strike out "1,069,659", and insert "1,056,642".

Amendment No. 261

On page 60 of said bill, strike out lines 14 to 21, inclusive, and insert "Commission ---------- 109,642".

Amendment No. 262

On page 60, line 33, of said bill, strike out "156,034", and insert "157,144".

Amendment No. 263

On page 60, line 37, of said bill, strike out "4,884", and insert "5,994".

Amendment No. 264

On page 60, line 39, of said bill, strike out "156,034", and insert "157,144".

Amendment No. 265

On page 62, line 49, of said bill, strike out "88,799", and insert "86,888".

Amendment No. 266

On page 63, line 3, of said bill, strike out "49,413", and insert "48,213".

Amendment No. 267

On page 63, line 5, of said bill, strike out "1,066", and insert "355".

Amendment No. 268

On page 63, line 7, of said bill, strike out "88,799", and insert "86,888".

Amendment No. 269

On page 63, line 13, of said bill, strike out "242,423", and insert "251,723".

Amendment No. 270

On page 63, line 18, of said bill, strike out "196,913", and insert "202,913".

Amendment No. 271

On page 63, line 20, of said bill, strike out "1,435", and insert "4,735".

Amendment No. 272

On page 63, line 22, of said bill, strike out "249,923", and insert "259,223".

Amendment No. 273

On page 63, line 28, of said bill, strike out "242,423", and insert "251,723".

Amendment No. 274

On page 63, line 48, of said bill, strike out "1,269,277", and insert "1,258,450".

Amendment No. 275

On page 64, line 9, of said bill, strike out "1,386,219", and insert "1,375,899".

Amendment No. 276

On page 64, line 11, of said bill, strike out "41,660", and insert "41,153".

Amendment No. 277

On page 64, line 13, of said bill, strike out "2,101,119", and insert "2,090,292".

Amendment No. 278

On page 64, line 21, of said bill, strike out "1,269,277", and insert "1,258,450".

Amendment No. 279

On page 64, line 23, of said bill, strike out "74,082", and insert "71,802".

Amendment No. 280

On page 64, line 28, of said bill, strike out "53,727", and insert "51,447".

Amendment No. 281

On page 64, line 32, of said bill, strike out "77,122", and insert "74,842".

Amendment No. 282

On page 64, line 36, of said bill, strike out "74,082", and insert "71,802".

Amendment No. 283

On page 64 of said bill, between lines 43 and 44, insert

"272—The unexpended balance of the appropriation made by Item 352 of Section 2, Budget Act of 1948, is hereby reappropriated to plan for, provide for, assist in, sponsor and promote public celebrations, and exhibits which may be of patriotic, educational, or economic benefit to the people of this State in order to commemorate and publicize the centennial and other anniversaries of significant events in the history of the State of California during the years 1948 to 1950, inclusive, as provided by Chapters 456 and 478, Statutes of 1947, California Centennials Commission. Notwithstanding any other provisions of this act, the appropriation made by this item shall be available for such expenditure during the 1949-50 and the 1950-51 Fiscal Years."

Amendment No. 284

On page 65, line 9, of said bill, strike out "740,000", and insert "1,215,000".

Amendment No. 285

On page 65, line 12, of said bill, strike out "200,000", and insert "400,000".

Amendment No. 286

On page 65, line 13, of said bill, strike out "200,000", and insert "400,000".

Amendment No. 287

On page 65, line 17, of said bill, strike out "30,000", and insert "60,000".

Amendment No. 288

On page 65, line 19, of said bill, strike out "40,000", and insert "85,000".

Amendment No. 289

On page 65, line 25, of said bill, strike out "740,000", and insert "1,215,000".

Amendment No. 290

On page 65, line 45, of said bill, strike out "399,126", and insert "417,645".

Amendment No. 291

On page 65, line 47, of said bill, strike out "322,986", and insert "330,071".

Amendment No. 292

On page 65, line 49, of said bill, strike out "311", and insert "344".

Amendment No. 293

On page 65 of said bill, between lines 49 and 50, insert

"(bb)—From that part of the Alcohol Beverage Control Fund allocated by subsection (a) of Section 37 of the Alcoholic Beverage Control Act 6,825".

Amendment No. 294

On page 65, line 51, of said bill, strike out "Engineers", and insert "Engineer's".

Amendment No. 295

On page 65, following line 52, of said bill, insert

"(ee)—Department of Employment Contingent Fund_____ 8".

Amendment No. 296

On page 66, line 14, of said bill, strike out "2,528", and insert "4,127".

Amendment No. 297

On page 66, line 15, of said bill, strike out "3,238", and insert "4,992".

Amendment No. 298

On page 66 of said bill, as amended, strike out lines 20 and 21, and insert

"(n)—Contingent Fund of the Board of Osteopathic Examiners_____ 15".

Amendment No. 299

On page 66, line 23, of said bill, strike out "28", and insert "1,243".

Amendment No. 300

On page 66, line 36, of said bill, strike out "399,126", and insert "417,645".

Amendment No. 301

On page 66, lines 20 and 21, of said bill, strike out "Board of Osteopathic Examiners' Contingent Fund", and insert "Contingent Fund of the Board of Osteopathic Examiners".

Amendment No. 302

On page 68, line 35, of said bill, after "from", strike out "Item 372.11 of this act", and insert "Postwar Employment Reserve".

Amendment No. 303

On page 68, line 43, of said bill, strike out "10,625", and insert "29,825".

Amendment No. 304

On page 68 of the printed bill, strike out lines 44 to 50, inclusive.

Amendment No. 305

On page 68 of the printed bill, after line 43, insert

"284a—For major construction and improvements, three staff residences, California Institution for Men, Department of Corrections, payable from the Postwar Employment Reserve_____ 18,000".

Amendment No. 306

On page 69, line 5, of said bill, strike out "Item 372.11 of this act", and insert "Postwar Employment Reserve".

Amendment No. 307

On page 69 of said bill, strike out lines 6 to 15, inclusive.

Amendment No. 308

On page 69 of said bill, after line 5, insert

"286a—For major construction and improvements, showers for cell blocks and furniture for cells, California State Prison at Folsom, Department of Corrections, payable from the Postwar Employment Reserve ..... $41,650."

Amendment No. 309

On page 69 of said bill, after line 5, insert

"286b—For major construction and improvements, industrial buildings, California State Prison at Folsom, Department of Corrections, payable from the Postwar Employment Reserve..... $38,250".

Amendment No. 310

On page 69 of said bill, strike out lines 20 to 32, inclusive.

Amendment No. 311

On page 69, line 41, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 312

On page 69, line 45, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 313

On page 70, lines 4 and 5, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 314

On page 70 of said bill, strike out lines 27 to 30, inclusive.

Amendment No. 315

On page 70, line 33, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 316

On page 70 of said bill, strike out lines 42 to 44, inclusive, and insert

"306—For minor improvements, repairs and equipment, the four-year state institution of higher education established in the City of Los Angeles by Chapter 1082 of the Statutes of 1947, payable from the Postwar Employment Reserve..... 87,550".

Amendment No. 317

On page 70 of said bill, strike out lines 45 to 50, inclusive; and on page 71, strike out lines 1 to 11, inclusive.

Amendment No. 318

On page 71, line 16, of said bill, strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 319

On page 71, line 24, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 320

On page 71 of said bill, strike out lines 25 to 36, inclusive.

Amendment No. 321

On page 71, line 39, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 322

On page 71 of said bill, strike out lines 40 to 46, inclusive.

Amendment No. 323

On page 71, line 49, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 324

On page 72, lines 16 and 17, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 325

On page 72 of said bill, strike out lines 44 to 49, inclusive; and on page 73, strike out lines 1 to 14, inclusive; and on page 72, after line 43, insert

"327a—Major construction and improvement of addition to annex to Public Works Building, Sacramento, Department of Finance, payable from the Postwar Employment Reserve 425,000

327b—Major construction, improvements and alterations, Office Building No. 1, Sacramento, Department of Finance, payable from the Postwar Employment Reserve ..... 225,000".

Amendment No. 326

On page 73, line 36, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 327

On page 73, line 43, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 328

On page 73, line 47, of said bill, strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 329

On page 73, line 50, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 330

On page 74, line 5, of said bill, strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 331

On page 74, line 8, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 332

On page 74 of said bill, strike out lines 9 to 15, inclusive, and insert

"340a—For major construction and improvements, addition to laundry building and equipment, Norwalk State Hospital, payable from the Postwar Employment Reserve ..... 192,950".

Amendment No. 333

On page 74, line 18, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 334

On page 74, line 25, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 335

On page 74, line 28, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 336

On page 74 of said bill, strike out lines 29 to 34, inclusive, and insert

"345a—For major construction and improvements, to raise Suttenfield Dam, Sonoma State Home, payable from the Postwar Employment Reserve ..... 148,750".

Amendment No. 337

On page 69, line 31, of said bill, strike out "93,700", and insert "79,645".

Amendment No. 338

On page 74, line 37, of said bill, after "from", strike out "Item 372.11", and insert "the Postwar Employment Reserve".

Amendment No. 339

On page 75, line 42, of said bill, after "park", insert "No portion of the money appropriated by this item shall be expended unless there shall have been deposited

in the State Treasury a fund from some source other than appropriation by the State equal to the amount to be expended from said funds, or a donation equal in value to the amount of said funds intended to be expended shall have been made from sources other than appropriation by the State in the form of real property or in money or a combination of property and money."

Amendment No. 340

On page 75, line 47, of said bill, strike out "15,000", and insert "7,500".

Amendment No. 341

On page 75 of said bill, following line 47, insert "provided no portion of the money appropriated by this item shall be expended unless there shall have been deposited in the State Treasury a fund from some source other than appropriation by the State equal to the amount to be expended from said funds, or a donation equal in value to the amount of said funds intended to be expended shall have been made from sources other than appropriation by the State in the form of real property or in money or a combination of property and money."

Amendment No. 342

On page 76, line 14, of said bill, strike out the period, and insert a comma and the following: "and provided further that no portion of the money appropriated by this item shall be expended unless there shall have been deposited in the State Treasury a fund from some source other than appropriation by the State equal to the amount to be expended from said funds, or a donation equal in value to the amount of said funds intended to be expended shall have been made from sources other than appropriation by the State in the form of real property or in money or a combination of property and money."

Amendment No. 343

On page 76, line 35, of said bill, after "State", insert "beaches and".

Amendment No. 344

On page 76, line 36, of said bill, strike out "375,965", and insert "393,890".

Amendment No. 345

On page 76 of said bill, between lines 36 and 37, insert "in accordance with the following projects:

Projects:	
Clear Lake	62,475
Curry Bidwell Bar	37,485
Fort Tehon State Historical Monument	62,993
McConnel State Park	60,000
Turlock Lake	111,839
Various parks balance	59,098
	393,890".

Amendment No. 346

On page 77, of said bill, strike out lines 10 to 16, inclusive.

Amendment No. 347

On page 78, line 5, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 348

On page 78, line 18, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 349

On page 78, line 50, of said bill, after "from", strike out "Item 372.11 of this act", and insert "the Postwar Employment Reserve".

Amendment No. 350

On page 79 of said bill, strike out lines 6 to 48, inclusive; strike out pages 80 to 82, inclusive, and on page 83, strike out lines 1 to 37, inclusive, and insert "372.1a—For construction and equipment of Vocational and Agricultural Institution, Department of Corrections, payable from the Postwar Employment Reserve (partial cost) 5,187,663
provided that no money in this appropriation shall be spent for the following items as scheduled in Estimate No. 984-A, WFD 5-6-49, W O. 1782, C.I. as of 5-6-49, prepared by the State Architect:

Chapels (1 and 1 court)	132,593
Canteen building	32,657
Garages and service station	107,689

	Receiving warehouse	33,166
	Public address system	8,400
	Field house and bleachers	306,785
	Bleachers, field and elsewhere	18,000
	Public parking lot	29,640
	Property line fencing	10,000
372 1b	—For construction and equipment of New Women's Prison, Department of Corrections, payable from Postwar Employment Reserve	3,600,000
372.2a	—For construction and equipment of hospital, Paso Robles School for Boys, Youth Authority, payable from Postwar Employment Reserve	109,000
372 2b	—For construction and equipment of detention building, Paso Robles School for Boys, Youth Authority, payable from Postwar Employment Reserve	125,000
372 2c	—For construction and equipment of kitchen, dining room, and commissary, Paso Robles School for Boys, Youth Authority, payable from Postwar Employment Reserve	200,000
372 2d	—For construction and equipment of two dormitories, Paso Robles School for Boys, Youth Authority, payable from Postwar Employment Reserve	228,000
372 3a	—For construction and equipment of industrial arts building, Fresno State College, Department of Education, payable from Postwar Employment Reserve	419,580
372 3b	—For construction and equipment of physical education facilities, Fresno State College, Department of Education, payable from Postwar Employment Reserve	931,770
372 3c	—For construction and equipment of science building, Fresno State College, Department of Education, payable from Postwar Employment Reserve	455,490
372 3d	—For utility and grounds improvement, Fresno State College, Department of Education, payable from Postwar Employment Reserve	500,000
372.3e	—For construction and equipment of administration building, Fresno State College, Department of Education, payable from Postwar Employment Reserve	360,360
372.3f	—For construction and equipment of demonstration school (partial cost), Fresno State College, Department of Education, payable from Postwar Employment Reserve	49,700
372 3½	—For major construction, Sacramento State College, Department of Education, payable from the Postwar Employment Reserve	2,000,000
372 4a	—For construction and equipment of music and speech building, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve	889,500
372.4b	—For construction and equipment of library, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve	682,800
372 4c	—For construction and equipment of classrooms, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve	712,800
372.4d	—For construction and equipment of fine arts building (partial cost), San Francisco State College, Department of Education, payable from the Postwar Employment Reserve	428,270
372.4e	—For construction and equipment of administration building, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve	374,400
372 4f	—For construction and equipment of cafeteria, San Francisco State College, Department of Education, payable from the Postwar Employment Reserve	279,680
372 5a	—For construction and equipment of school for public health at Berkeley, University of California, payable from the Postwar Employment Reserve	1,060,000
372 5b	—For construction and equipment of classrooms at Berkeley, University of California, payable from the Postwar Employment Reserve	3,282,000
372 5c	—For construction and equipment of insectary at Berkeley, University of California, payable from the Postwar Employment Reserve	95,000
372.5d	—For purchase of land and construction of buildings for Institute of Transportation and Traffic Engineering, College of Engineering, at Berkeley, University of California, payable from the Postwar Employment Reserve	1,250,000
372 5e	—For construction and equipment of library, museum and aquarium *(partial cost)* at La Jolla, University of California, payable from the Postwar Employment Reserve	148,000
372 5f	—For construction and equipment of social sciences, geology, and chemistry buildings *(partial cost)*, at Los Angeles, University of California, payable from the Postwar Employment Reserve	1,650,000

372.5g—For construction and equipment of life sciences unit No 2, at Los Angeles, University of California, payable from the Postwar Employment Reserve 2,260,000

372.5h—For construction and equipment of student health center at Los Angeles, University of California, payable from the Postwar Employment Reserve 1,140,000

372.5i—For construction and equipment of administration building at Los Angeles, University of California, payable from the Postwar Employment Reserve 1,420,000

372.5j—For construction and equipment of education and art building at Los Angeles, University of California, payable from the Postwar Employment Reserve 950,000

372.5k—For construction and equipment of teaching hospital (partial cost) at San Francisco, University of California, payable from Postwar Employment Reserve 2,830,000

372.5l—For construction and equipment of medical sciences building (partial cost) at San Francisco, University of California, payable from the Postwar Employment Reserve 2,040,000

372.5m—For construction and equipment of dental clinic expansion (partial cost) at San Francisco, University of California, payable from Postwar Employment Reserve 65,000

372.5n—For construction and equipment of classrooms at Santa Barbara, University of California, payable from the Postwar Employment Reserve 600,000

372.5o—For construction and equipment of gymnasium (partial cost) at Santa Barbara, University of California, payable from the Postwar Employment Reserve 500,000

372.5p—For construction and equipment of library and classrooms at Riverside, University of California, payable from the Postwar Employment Reserve 1,020,000

372.5q—For construction and equipment of utilities at Riverside, University of California, payable from the Postwar Employment Reserve 344,000

372.5r—For construction and equipment of science building at Riverside, University of California, payable from the Postwar Employment Reserve 935,000

372.5s—For construction and equipment of social science and humanities building at Riverside, University of California, payable from the Postwar Employment Reserve 850,000

372.5t—For construction and equipment of physical education, military and student health facilities at Riverside, University of California, payable from the Postwar Employment Reserve 1,270,000

372.5u—For construction and equipment of dormitories and dining halls at Riverside, University of California, payable from the Postwar Employment Reserve 420,000

372.5v—For preparation of plans for home economics building and forest products laboratory at Berkeley and men's and women's gymnasium and home economics building at Los Angeles, University of California, payable from the Postwar Employment Reserve 21,000

372.6a—For construction and equipment of an education building in Sacramento, Department of Finance, payable from the Postwar Employment Reserve 2,300,000
provided that no money in this appropriation shall be spent for granite facing, trim and floor.

372.6b—For construction and equipment of printing plant at Sacramento, Department of Finance, payable from the Postwar Employment Reserve 2,780,000
provided that no money shall be spent for kitchen and cafeteria equipment.

372.6c—For construction and equipment of a state garage at Sacramento, Department of Finance, payable from the Postwar Employment Reserve 1,020,000

372.7a—For construction and equipment of women employees' quarters, Veterans' Home of California, payable from the Postwar Employment Reserve 273,000

372.7b—For construction and equipment of two officers' residences, Veterans' Home of California, payable from the Postwar Employment Reserve 35,700

372.7c—For construction and equipment of ground lighting system, Veterans' Home of California, payable for the Postwar Employment Reserve 30,000

372.7d—For construction and equipment of road and utilities for two officers' residences, Veterans' Home of California, payable from the Postwar Employment Reserve 12,750

372.7e—For construction and equipment of road and ground improvements, Veterans' Home of California, payable for the Postwar Employment Reserve 45,000

372.8—For construction and equipment of office building in Sacramento (partial cost), Department of Motor Vehicles, payable from the Postwar Employment Reserve 1,434,449

372.9a—For construction and equipment of armory at Alhambra, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 121,500

372.9b—For construction and equipment of armory at Anaheim-Fullerton, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 112,500

372.9c—For construction and equipment of armory at Arcadia, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 170,000

372.9d—For construction and equipment of armory at Atascadero, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9e—For construction and equipment of armory at Bakersfield, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 171,000

372.9f—For construction and equipment of armory at Beaumont, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9g—For construction and equipment of armory at Burbank, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 295,000

372.9h—For construction and equipment of armory at Calexico, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9i—For construction and equipment of armory at Concord-Walnut Creek, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 112,500

372.9j—For construction and equipment of armory at Delano, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9k—For construction and equipment of armory at Dixon, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9l—For construction and equipment of armory at El Centro, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 121,500

372.9m—For construction and equipment of armory at Fontana, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9n—For construction and equipment of armory at Fresno, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 314,500

372.9o—For construction and equipment of armory at Glendale, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 307,250

372.9p—For construction and equipment of armory at Hemet, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9q—For construction and equipment of armory at Long Beach, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 453,000

372.9r—For construction and equipment of armory at Los Angeles, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 297,500

372.9s—For construction and equipment of armory at Madera, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9t—For construction and equipment of armory at Manhattan Beach, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 121,500

372.9u—For construction and equipment of armory at Monterey, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9v—For construction and equipment of armory at Mount Shasta, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9w—For construction and equipment of armory at Paso Robles, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9x—For construction and equipment of armory at Placerville, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9y—For construction and equipment of armory at Quincy, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9z—For construction and equipment of armory at Red Bluff, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 121,000

372.9aa—For construction and equipment of armory at Richmond, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 297,500

372.9bb—For construction and equipment of armory at San Diego, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 297,500

372.9cc—For construction and equipment of armory at San Francisco, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 297,500

372.9dd—For construction and equipment of armory at San Jose, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 297,500

372.9ee—For construction and equipment of armory at San Mateo, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 121,500

372.9ff—For construction and equipment of armory at San Rafael, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

392.9gg—For construction and equipment of armory at Santa Ana, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 121,000

372.9hh—For construction and equipment of armory at Santa Cruz, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 112,500

372.9ii—For construction and equipment of armory at Santa Maria, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

392.9jj—For construction and equipment of armory at Santa Monica, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 230,000

392.9kk—For construction and equipment of armory at South Gate, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 307,250

372.9*ll*—For construction and equipment of armory at Susanville, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

392.9mm—For construction and equipment of armory at Torrance, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 112,500

372.9nn—For construction and equipment of armory at Ukiah, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9oo—For construction and equipment of armory at Vallejo, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 112,500

372.9pp—For construction and equipment of armory at Ventura, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9qq—For construction and equipment of armory at Watsonville, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9rr—For construction and equipment of armory at Woodland, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.9ss—For construction and equipment of armory at Yreka, Adjutant General and California National Guard, payable from the Postwar Employment Reserve 94,000

372.10—For construction and equipment, Division of Forestry, Department of Natural Resources, payable from the Postwar Employment Reserve 1,203,861

372.11—For carrying out further the provisions of Chapter 145, Statutes of 1946, in augmentation of the appropriation made by Section 6 thereof, payable from the Postwar Employment Reserve---------- 1,164,936
Schedule set forth in said Section 6 shall be augmented as follows:
Miscellaneous repairs and improvements---------- 1,164,936
372.12—For surveys, preparation of plans and specifications and other preliminary work in connection with the so-called Unified Construction Program of the Department of Finance provided for by Chapter 572 of the Statutes of 1943, Division of Architecture, Department of Public Works, payable from the Postwar Employment Reserve------ 3,000,000
to be allocated by the Department of Finance subject to Sections 3 and 4 of Chapter 145 of the Statutes of 1946 (First Extraordinary Session) The appropriation made by this item is made without approving or disapproving any of the specific projects in said program, nor does the Legislature commit itself expressly or impliedly to appropriate the money for any or all of said projects, but reserves the determination of when and how much money shall hereafter be appropriated for each project in the program or whether any appropriation shall be made at all"

Amendment No. 351

On page 86, line 32, of said bill, following "30", strike out "1950", and insert "1953"

Amendment No. 352

On page 88, line 7, of said bill, strike out "San Francisco,"

Amendment No. 353

On page 91, lines 19 and 20, of said bill, strike out "Such revolving fund must, at any time, upon the demand of the Department of Finance," and insert "Any state agency that withdraws a revolving fund shall remain fully accountable therefor. All disbursements must be substantiated by vouchers filed with and audited by the Controller. Disbursements may be reported, substantiated by vouchers, from time to time to the Controller in connection with claims for reimbursement of the revolving fund At the close of each fiscal year, and at any time upon the demand of the Department of Finance every revolving fund must".

Amendment No. 354

On page 92 of said bill, strike out all of lines 47 to 52, inclusive, and on page 93, strike out all of lines 1 to 8, inclusive

Amendment No. 355

On page 92, after line 46, of said bill, insert

"SEC 16 1. None of the money appropriated by this act or for an expenditure which is supplemented from money appropriated by this act shall be used to purchase furnishings for any house or apartment of three or more rooms other than a dormitory which is rented to a state employee except for a superintendent of an institution, warden of a prison, or physicians This provision shall not apply to the purchase of refrigerators, heaters, air conditioning equipment, stoves, linoleum, or equipment normally furnished in construction of the house as may be determined by the Board of Control. Any such funds that are appropriated by this act for this purpose shall be held intact and reverted to the fund from which they were appropriated. It is the intent of the Legislature that no money shall be appropriated henceforth for the purpose of house furnishings. Such furnishings are not to be provided by the State nor shall any money be paid from this appropriation for their replacement, repair or otherwise except in connection with the disposal of the same"

Amendment No. 356

On page 93 of said bill, after line 8, insert

"SEC. 16 2 None of the money appropriated by this act or for an expenditure which is supplemented for money appropriated by this act shall be used to furnish rugs or carpets for any state office except those provided for the constitutional officers or the heads of departments Any funds that are appropriated by this act for this purpose as is shown in the document entitled "State of California Budget for the Fiscal Year July 1, 1949 to June 30, 1950" submitted by the Governor to the Legislature at the 1949 Regular Session for such purchases, shall be held intact by the Director of Finance for the reversion to funds from which appropriated. Report shall be made to the Legislature of the 1950 Session as to the amount of savings that have been accumulated from this source.

SEC 16 3 No money appropriated by this act shall be used to pay the salary of any authorized state position, which position was vacant and had been vacant or continuously unfilled during the period between October 15, 1948 and July 1, 1949, except with the specific approval of the Director of Finance subsequent to July 1, 1949

The Director of Finance shall present to the Joint Legislative Budget Committee, assembled in meeting, a report of all authorizations to fill vacant positions pursuant to this section during the preceding quarter."

Amendment No. 357

On page 93, line 11, of said bill, after "support" strike out ", or".

Amendment No. 358

On page 93, line 12, of said bill, strike out "repairs,".

Amendment No. 359

On page 4, line 34, of said bill, strike out "20,906", and insert "33,081".

Amendment No. 360

On page 4, line 36, of said bill, strike out "10,689", and insert "13,539".

Amendment No. 361

On page 4, line 37, of said bill, strike out "10,025", and insert "19,350".

Amendment No. 362

On page 4, line 40, of said bill, strike out "20,906", and insert "33,081".

Demand for Previous Question

Messrs. Hinckley, Grant, Reagan, Levering, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 1100.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Roll Call Demanded

Messrs. Conrad, Hinckley, and Waters demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Fleury, Gaffney, Grunsky, Hagen, Heisinger, Hinckley, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, and Weber—39.

NOES—Anderson, Bennett, Burke, Burkhalter, Connolly, Dickey, Clayton A. Dills, Doyle, Elliott, Evans, Geddes, Grant, Hahn, Hawkins, Hollibaugh, Kilpatrick, Luckel, McMillan, Meyers, Morris, Niehouse, Silliman, Smith, and Yorty—24.

Time, 11.35 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent member:

Lewis—1.

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grunsky asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Lowrey withheld unanimous consent.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2383

At 11.38 a.m., on motion of Mr. Stewart, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2383 passed by the following vote:

AYES—Babbage, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Erwin, Evans,

Grant, Grunsky, Hahn, Hinckley, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, Morris, Niehouse, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr Speaker—43

NOES—Anderson, Bennett, Burkhalter, Coats, George D. Collins, Condon, Cooke, Davis, Dolwig, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Luckel, Maloney, McMillan, Moss, Rosenthal, Rumford, Thomas, and Way—28.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1100

At 11.42 a.m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1100 by the following vote:

AYES—Babbage, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Dunn, Erwin, Fleury, Grant, Grunsky, Hagen, Hinckley, Huyck, Kirkwood, Lindsay, Maloney, McCarthy, McMillan, Moss, Sherwin, Smith, Stanley, Thomas, Thompson, and Waters—32.

NOES—Anderson, Beck, Bennett, Burke, Burkhalter, George D. Collins, Condon, Connolly, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCollister, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stewart, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—43.

Appointment of Committee on Conference Concerning Assembly Bill No. 1100

The Speaker announced the appointment of Messrs. Hollibaugh, Yorty, and Kirkwood as a Committee on Conference concerning Assembly Bill No. 1100.

REQUEST FOR UNANIMOUS CONSENT THAT SUMMARY STATEMENT PREPARED BY LEGISLATIVE AUDITOR BE PRINTED IN THE JOURNAL

Mr. Sherwin asked for, and was granted, unanimous consent that the following summary statement of the Legislative Auditor be ordered printed in the Journal in 10-point type:

SUBJECT: SUMMARY STATEMENT OF ASSEMBLY BILL NO. 1100 AS AMENDED BY THE SENATE JUNE 10th AND APPROVED BY THE SENATE ON JUNE 13, 1949

Prepared by Legislative Auditor

June 13, 1949

The principal changes in Assembly Bill No. 1100 by the Senate are as follows:

(1) A total budget as found in the Assembly bill as amended by the Assembly amounted to ____	$1,041,051,077
The Senate version amounted to a total of _____	1,048,446,993
This is a Senate increase of _____	7,395,916

The increases are as follows:

State Operations	
General Fund, state operations, increase of	$3,311,913
Decrease in special funds, state operations	2,040,685
A net increase in state operations of	1,271,228
Capital Outlay	
Decrease from General Fund	53,631
Increase from reserve funds for capital outlay	5,124,550
Increase from special funds	459,560
Net increase for capital outlay	5,530,479
Local Assistance	
From special funds increase of	594,209

Principal Items of Increase in General Fund Making Up the Total Increase of $3,311,913

There are many miscellaneous changes, increases and decreases, in the various departmental appropriations from the General Fund. The net increase for operations is influenced primarily by the following items of increase:

Department of Agriculture's elimination of meat inspection by Assembly decrease	$544,544
Added new Item 39.5 for oriental fruit flies	34,800
Added new Item 103.1 for rental by Industrial Workshop for the Blind, Los Angeles	118,365
Moving expense for the same	10,000
Item 107, University of California, support of Institute on Transportation and Traffic	140,000
Item 107.5, University of California, research on Oriental fruit flies	165,000
Item 123, Department of Finance, support, for coordinating architect	23,772
Item 138 provided that the deficit of the State Fair of $839,878 be appropriated from the General Fund instead of transfer from the Fair and Exposition Fund, contrary to previous practice and precedence	839,878
Likewise in Item 141, the deficit of the Sixth District Agricultural Society appropriated from the General Fund in place of Fair and Exposition Fund from which such deficit had been previously appropriated	65,000

Item 241, Department of Public Health, support, reduction of Assembly $72,394 reduced to	27,699	
Division of San Francisco Bay Toll Crossing, changed appropriation from Highway Fund to General Fund	893,049	
Item 275, augmentation of revolving fund, placed by the Assembly at $740,000 increased to $1,215,000, or an increase of	475,000	
Total Increase, General Fund, these items		$3,387,107

Principal Items of Decrease from the General Fund:

		Net Decrease
Item 39, Tuberculosis indemnity, reduced from $100,000 to	$50,000	—$50,000
Item 55, California Institutions for Men, decrease of $88,672, changed to decrease of	103,395	—14,723
Item 56, Folsom State Prison, decrease from $177,202 to decrease of	203,123	—25,921
Item 58, San Quentin, decrease changed from $210,570 to	254,229	—43,659
Item 59, Soledad changed from decrease of $43,911 to	67,087	—23,176
Item 64, Youth Authority, a $5,383 decrease to a decrease of	15,420	—10,037
Item 65 eliminated, added decrease of	6,000	—6,000
Item 71, Fred C. Nelles School for Boys, a decrease of $24,904 changed to	39,914	—15,010
Item 89, Los Angeles State College, reduced from $460,846 to $434,446 (—26,400)		
Item 89.5, Orange County State College, eliminated	125,000	—125,000
Item 91, San Diego State College, reduced from $1,358,791 to $1,317,871 (—40,920) (Similar reductions are made in other state colleges by accepting the student-teacher ratio recommended by the Legislative Auditor.)		
Items 75-93 inclusive (excluding Item 89.5)		—161,455
Item 154, Department of Industrial Relations, added reduction from $5,474 to	52,242	—46,768
Item 167 eliminated, a reduction of $22,272 or reduction of $17,530 from increase of $4,742		—22,272
Item 254, Aeronautics Commission, Assembly decrease of $44,602 changed to decrease of	75,240	—30,638
Total Decrease, these items		$574,659

Principal Changes in Capital Outlay Made by the Senate Differing From Assembly Approved Bill:

	Increase	*Decrease*
Item 283, Poultry Improvement Commission, increase for added poultry houses from Fair and Exposition Fund	$17,325	
Item 288, major construction San Quentin, item eliminated, and additional reduction of		$551,800
Item 301.5, Fresno State College, from State College Fund, eliminated		65,000
Item 307, Sacramento State College, is eliminated for $2,125,000 but is replaced by Item 372.3½ for $2,000,000		125,000
Item 312, San Francisco State College, the amount of $1,700,000 first is found as Item 372.4 in the sum of $2,235,000 and in the Senate version becomes Items 372.4a, 372.4b, 372.4c, 372.4d, 372.4e, and 372.4f for $3,367,450	2,780,333	
Item 314, major construction at San Jose State College eliminated with further reduction of		160,225
Item 327, Items 327a and 327b eliminated in the sum of $5,482,500, and two new items added.		
Item 327a adds to Public Works Building $425,000		
Item 327b, alteration of Office Building No. 1 255,000		
Total of $680,000		
Net reduction of Senate below Assembly of		4,802,500
Item 357, riding and hiking trails, a reduction of $57,172, changed to a reduction of $128,728, eliminating the appropriation from the General Fund in the sum of $71,566		71,556
Items 372.1—372.12 in Assembly version were all stricken and appropriations made as separate items with the following changes:		
372.1 becomes 372.1a with a reduction of being reduced from $6,020,148 to $5,187,663. A list of specific items of reduction or elimination is set up.		832,485
A new Item 372.1b for the construction of the California Institution for Women of $3,600,000 is added by the Senate on the recommendation of the Director of Finance and Director of Corrections, following the holding of Senate Bill 740 in Senate Governmental Efficiency, which bill prohibited the moving of the women's prison	3,600,000	
Item 372.2 is changed to 372.2a, 372.2b, 372.2c and 372.2d but without change.		
Item 372.3, Fresno State College becomes separate appropriations 372.3a, 372.3b,		

372.3c, 372.3d, 372 3e and 372.3f, but no change in amount.		
Item 372.3½, Sacramento State College, is a new item for $2,000,000, which was allowed in lieu of Item 307 in the Assembly version for $2,125,000, making a net reduction of--	125,000	
Item 372.4, which was approved by the Assembly for $2,135,340, becomes Items 372.4a, 372.4b, 372.4c, 372.4d, 372.4e, and 372.4f in the total sum of $3,367,450, a net increase by the Senate of $1,232,110, all out of the Postwar Employment Reserve, and an increase over the Governor's Budget of $2,780,333 ----------	1,232,110	
Item 372.5 for major construction at the University, approved by the Assembly for $18,081,500 becomes Items 372.5a, b, c, d, e, f, g, h, i, j, k, l, m, n, o, p, q, r, s, t, u, and v, and in the total sum of $24,150,000, or a net increase over the Assembly version of-----	6,068,500	
The miscellaneous decreases are as follows:		
School Public Health Building---------- leaving $1,060,000.		8,750
Classrooms, decrease of---------- leaving $3,282,000.		5,500
* Home economics plans and Forest Products Laboratory plans each eliminated, $10,000.		
Social sciences, geology (partial cost) reduction of ---------- leaving $1,650,000.		250
Life sciences, reduction of---------- leaving $2,260,000.		1,000
* Gymnasium plans $6,000.		
* Home economics plans $5,000.		
Administration building ---------- leaving $1,420,000.		5,000
The increases which are substantial are as follows:		
Item 372.5d, new item, land and building for Institute for Transportation and Traffic ----------	1,250,000	
The following items for Riverside State College:		
Item 372.5p—Library and classrooms--	1,020,000	
Item 372 5q—Utilities ----------	344,000	
Item 372.5r—Science building----------	935,000	
Item 372.5s—Social science and humanities ----------	850,000	

* Consolidated in Item 372.5v.

Item 372.5t—Physical education and student health	1,270,000	
Item 372.5u—Dormitories and dining halls	420,000	
Total	$4,839,000	
Item 372.6 for major construction, Department of Finance, in the sum of $6,410,000 in the Assembly version becomes Items 372.6a, 372.6b and 372.6c.		
Item 372.6a, the Education Building approved by Assembly for $2,435,000 is reduced to $2,300,000		135,000
Item 372.6b, printing plant, approved for $2,850,000 was reduced to $2,780,000 by the Senate		70,000
Item 372.6c, state garage, approved by the Assembly for $1,125,000, reduced to $1,020,000		105,000
Items 372.6a, 372.6b, and 372.6c total $6,100,000, making a net reduction in the Senate version of		310,000
Item 372.7, Veterans Home, becomes 372.7a, b, c, d, and e. Approved by the Assembly for $1,090,700 and reduced by the Senate as follows:		
372.b, Two officers residences—from $50,000 to $35,700. Auditorium eliminated, $600,000		614,300
372.c, Ground lighting—from $60,000 to $30,000		30,000
372.d, Road and utilities—from $15,000 to $12,750		2,250
372.e, Ground improvements—from $92,500 to $45,000		47,500
Total appropriation approved by the Senate for $396,450, a reduction below the Assembly of $694,050.		
Item 372.8 is given the same number and no change.		
Item 372.9 for National Guard armories becomes 372.9a to 372.9ss, inclusive, with a specific listing of armories, type and amount for each of these separate items. The total is increased from $3,000,000 to $7,000,000, making a net increase of the Senate version over Ways and Means of	4,000,000	
Item 372.11, miscellaneous repairs and improvements by Department of Finance, from $2,471,250, Assembly version, to $1,164,936, a reduction of		1,305,064

Item 372.12, Division of Architecture for plans, Assembly version, $3,600,000, reduced by Senate to $3,000,000, a reduction of		600,000
Total, these items	$23,786,935	$9,642,680
Net Increase	$14,144,255	

Changes Made by the Senate by Elimination and Addition of General Restrictive Provisions

The Assembly placed certain restrictive provisions in Assembly Bill No 1100. Some of these were eliminated and certain other restrictive provisions originating in the Senate Finance Committee were inserted. These changes were as follows:

Page 1, Section 1.5, which set up a priority for capital outlay expenditures so that they would first take care of overcrowded and distressed living conditions in mental institutions and hospitals, unanimously approved by the Assembly, was stricken.

Item 138, a restriction placed in this item by the Ways and Means Committee, approved by the Assembly and added thereto on the floor of the Assembly, *that no part of this appropriation shall be used to print or issue passes to the State Fair was eliminated, largely through the fact that it was not brought up for consideration in the subcommittee of the Senate.*

Item 139.1, which provided that savings of $69,122 from capital outlay for fairs from the Fair and Exposition Fund should be transferred to the General Fund.

Item 248, a loan to the Toll Bridge Authority. Besides striking out the Assembly amendment that this was to be a loan from the State Highway Fund, which was agreed to by the Division of Public Works, the Senate likewise struck out the Geddes Amendment placing a restriction on the expenditure of this money until the Congress of the United States enacts legislation permitting construction of such bridge.

In Item 348, acquisition of state parks, the Senate provided that this money had to be matched. The same provision was placed in Items 349 and 350.

Item 16.1. *On the floor of the Assembly a section numbered 16.1 was* placed in the bill providing that no appropriation could be expended by any state agency for passes or free permits to state or district fairs. Without considering this specific amendment already existing in Assembly Bill No. 1100, an amendment was presented by the Senate Finance Committee numbered 16.1 providing that no appropriation could be used for furnishings for houses or dwellings rented by the State to employees, except to superintendents of institutions, wardens and doctors. The Senate Finance 16.1 was substituted for 16 1 in the Assembly version of the bill without any discussion of it by the Senate Finance Committee.

Section 16.2 by the Senate, an added section, provides that no money appropriated by this act shall be used to furnish rugs or carpets for state offices.

Section 16.3, a new section, provides that no money appropriated by this act shall be used to pay salaries of positions which were vacant

between October 15, 1948, and July 1, 1949, except with specific approval of the Director of Finance.

The Assembly likewise had a provision that provided that any money saved from specific appropriations for capital outlay which were limited to the specific items would revert to the fund from which appropriated. This was made unnecessary by setting up individual items of appropriations for the specific capital outlay projects in the Budget so that anything left over would revert to the particular appropriation from which they were made. This is not quite as specific as the other procedure, and it is believed that the intent of the Legislature can be more definitely expressed in determining what these appropriations for capital outlay are to be as a basis on which savings are to be calculated.

Item 372.12 appropriates $3,000,000 for plans for future building. The Senate put in a restrictive provision that the Legislature does not commit itself expressly or impliedly for any particular project for which plans are drawn. This is in keeping with the previous action of the Legislature as respects the Postwar Employment Reserve.

Miscellaneous Items

There are some miscellaneous items of change, although not very important. Some should be noted as follows:

Item 148 for $10,000 for the survey of the Torrens Lands Title Act was eliminated by the Assembly on a floor amendment. It was not further considered by the Senate Finance Committee and so was amended back in.

Item 272, the reappropriation of the money for the Centennials Commission, which was stricken out by floor amendment in the Assembly, was placed back in the appropriation as it originally appeared in the Budget.

COMMUNICATIONS

By the Chief Clerk:

A communication from the Director of Public Works, relative to House Resolution No. 202, was received, and ordered referred to the author of House Resolution No. 202, Mr. Way.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1589

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1589, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1589

Assembly Bill No. 1589—An act to amend Sections 54310, 54427, 54610, and 54611 of, to amend and renumber Section 54353 of, and to add Section 54353 to, the Government Code, relating to sanitation and sewer enterprises.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton

A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, Yorty and Mr. Speaker—62

NOES—None.

Bill ordered transmitted to the Senate.

RECESS

At 11.45 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Constitutional Amendment No. 8
Assembly Joint Resolution No. 38

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 963

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 20
Assembly Bill No. 252
Assembly Bill No. 404
Assembly Bill No. 930
Assembly Bill No. 1010
Assembly Bill No. 2024
Assembly Bill No. 2229

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 53

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 7, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1627

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

RESOLUTIONS

The following resolutions were offered:

By Mr. Stewart:

House Resolution No. 253

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate; and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of eleven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the final legislative day of the 1951 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Rosenthal:

House Resolution No. 254

Relative to the creation of the Assembly Interim Committee on Fire Hazards and Prevention

WHEREAS, Disastrous fires in hotels and other buildings and disastrous explosions, both resulting in great loss of life and damage to property, continue to occur throughout the Nation and in the State of California; and

WHEREAS, It is necessary that the facts be ascertained concerning the origins and causes of fires and explosions in hotels, apartment houses, manufacturing plants and other buildings, and that modern fire prevention methods be studied and investigated, in order that the Legislature may enact proper legislation to remedy the situation; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fire Hazards and Prevention is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution as expressed in the recitals thereof, including but not limited to facts concerning the origins, causes and methods of prevention of fires and explosions in hotels, apartment houses, manufacturing plants, and other buildings, establishments and facilities, and any proposed plans, methods or systems for fireproofing buildings, plants and property and combating or preventing the spread of fires, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Huyck, Levering, Smith, and Connolly:

House Resolution No. 255

Relative to the creation of the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classification of Public Employees

WHEREAS, Each session of the Legislature is confronted with numerous bills affecting the salaries of persons employed in various capacities in local governmental subdivisions of the State; and

WHEREAS, The enactment of laws affecting these matters in some local governmental subdivisions and failure to enact similar laws affecting other subdivisions widens the existing disparity between salaries, classifications and qualifications among city, county and state governmental agencies; and

WHEREAS, These conditions hamper the efforts of the state and local governmental subdivisions to stabilize and equalize governmental wage scales, job classifications and qualifications of public employees and to insure the payment to all of the prevailing wage for similar work, and result in the 'pirating' of employees among such agencies; and

WHEREAS, In order that the Assembly may take appropriate action to alleviate these conditions it is necessary that it be fully informed on all matters relating to wage scales, job classifications and qualifications in all branches of public employment, federal, state and local, and on all other matters relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1. The Assembly Interim Committee on Equalization of Salaries, Qualifications, and Job Classification of Public Employees is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 886

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER. Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 972
Senate Bill No. 1038
Senate Bill No. 1444

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and re-refer to the committee.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 1969

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1805
Assembly Bill No. 2551

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 457
Senate Bill No. 605
Senate Bill No. 711

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2901

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 768

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2312

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 68
Senate Bill No. 75

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 101

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1449

And reports the same correctly re-engrossed.,

HUYCK, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolution was offered:

By Messrs. Berry, Brady, George D. Collins, Connolly, Maloney, McCarthy, and Meyers:

House Resolution No. 256

Congratulating Assemblyman and Mrs. Edward M. Gaffney on their twenty-third wedding anniversary

WHEREAS, On June 14, 1926, Edward McGlynn Gaffney and Mary Catherine Wright were joined in holy wedlock at St. Louis Bertrand's Church in Oakland, California; and

WHEREAS, God has blessed their union with the following named sons and daughters who have contributed to the happiness of Ed and Mary and the family circle throughout the years: Sister Eleanor Marie, N. D., Helen Regina, Matthew Thomas Peter Joseph, Edward McGlynn, Jr., and Margaret Mary; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly congratulate Ed and Mary Gaffney on their twenty-third wedding anniversary and wish them many happy returns of the day; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman and Mrs Gaffney.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 256, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 234

Mr Smith asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 234, out of order, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 234

By Mr. Smith:

House Resolution No. 234

Relating to Hoover High School track teams

WHEREAS, The track teams of Hoover High School, Glendale, California, have achieved an unprecedented victory in winning three championship titles, the Varsity, the B, and C Divisions at the track and field meet of the C. I. F. Southern Section, recently held at Long Beach, California, and

WHEREAS, The Hoover High School Varsity track team has won the C. I. F. Southern Section championship cup for the second time in three years; and

WHEREAS, These signal triumphs were made under the outstanding coaching of Coach Vic Francy, bringing well-deserved credit and honors to himself and to Hoover High School; now, therefore, be it

Resolved by the Assembly of the State of California, That this Assembly hereby tenders its congratulations and commendations to Hoover High School, to the members of its track teams, to Coach Vic Francy, to Principal William McDonald, and to Superintendent of Schools, Normal Hayhurst, and be it further

Resolved, That the Clerk of the Assembly is hereby directed to send suitably prepared copies of this resolution to the Hoover High School, to Coach Vic Francy, and to Superintendent of Schools Normal Hayhurst

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2852—An act to add Section 1274bbb to the Code of Civil Procedure, relating to abandoned property and escheats.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McCollister moved a call of the Assembly.

Motion carried. Time, 1.42 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Brady, Burkhalter, Coats, Collier, George D. Collins, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Lewis, Landsay, Lowrey, McCarthy, McMillan, Meyers, Moss, Rosenthal, Rumford, Stanley, Stewart, Thomas, and Yorty—39.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 458

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 458, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 458

Senate Bill No. 458—An act to amend Sections 2039, 2045.4, 5003, and 6105 and the article heading of Article 5 of Chapter 1 of Title 1 of Part 3 of the Penal Code, and to add Article 6, comprising Sections 2046 to 2046.6, to Chapter 1 of Title 1 of Part 3 thereof, relating to institutions subject to the jurisdiction of the Department of Corrections, providing for the establishment of the Southern California Medium Security Prison and for the commitment and transfer of persons thereto and therefrom.

Bill read third time.

Motion to Amend

Mr. Silliman moved the adoption of the following amendments:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 9, 1949, strike out "Section 5003", and insert "Sections 5003 and 6050".

Amendment No. 2

In line 6 of the title of said bill, strike out the comma, and insert "and to the wardens and superintendents thereof, and".

Amendment No. 3

On page 2 of said bill, strike out lines 12 and 13, and insert

"2046.4. A warden for the said prison shall be appointed pursuant to Section 6050, and the Director of Corrections shall appoint, subject to civil service, such other offi-".

Amendment No. 4

On page 2, line 36, of said bill, strike out "Article", and insert "Section".

Amendment No. 5

On page 2 of said bill, strike out line 38, and insert

"6050. The Governor, upon recommendation of the director, and".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2854—An act to amend Section 1274bb of the Code of Civil Procedure, relating to unclaimed money or other property in custody of United States courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—61.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2949—An act to amend Sections 553.5, 541, 545, and 1480 of the Probate Code, relating to substitution and discharge of surety and approval of bonds.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2964—An act to amend Section 146 of the Civil Code, relating to disposition of community property on divorce.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.
NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2706—An act relating to regional development districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Weber is not in order because the bill he is discussing is not, in substance, the bill previously considered in committee.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Request for Unanimous Consent That Assembly Bill No. 2706 Be Withdrawn From File, and Be Re-referred

Messrs. Lowrey and Weber asked for, and were granted, unanimous consent that Assembly Bill No. 2706 be withdrawn from the file, and be re-referred to the Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 281—An act to amend Section 1033.7 of the Code of Civil Procedure, relating to judgment creditors claiming costs or disbursements.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1340—An act to amend Section 8201 of the Government Code, relating to notaries public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—53.

NOES—Coats and Sillman—2

Bill ordered transmitted to the Senate.

Assembly Bill No. 1537—An act to amend Section 6025 of the Business and Professions Code, relating to the State Bar.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Waters, Weber, and Yorty—56

NOES—Butters, Lowrey, and Smith—3

Bill ordered transmitted to the Senate

Assembly Bill No. 3156—An act to add Section 26.5 to, and to amend Section 1026 of, the Penal Code, relating to the insanity of an accused.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh,

Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2639—An act amending Section 1031 of the Education Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1784—An act to amend Section 1269b of the Penal Code, relating to authority to accept bail in city courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 240—An act to amend Section 10b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and one-half class, and the marshals and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—Dunn, Geddes, Hahn, Luckel, and Morris—5.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.35 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 241—An act to amend Section 10a of the Municipal Court Act of 1925, relating to clerks and attaches.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hinckley, Hollibaugh, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—50.

NOES—Connolly, Dolwig, Dunn, Geddes, Hahn, Luckel, and Morris—7.

Motion to Amend Title

Mr. Grant moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 8, 1949, after "attaches", insert "of municipal courts".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 242—An act to amend Section 10 of the Municipal Court Act of 1925, relating to the constitution of said court and the judges, clerks, marshals and attaches thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—56.

NOES—Dunn, Geddes, Hahn, Luckel, and Morris—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 488—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hollibaugh, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—55.

NOES—Dunn, Geddes, Hahn, Heisinger, Luckel, and Sherwin—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 492—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—55.

NOES—Dunn, Geddes, Heisinger, Luckel, Morris, and Sherwin—6.

Bill ordered transmitted to the Senate.

Assembly Bill No. 493—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to deputy marshals and attaches in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—55.

NOES—Heisinger, Luckel, and Reagan—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 525—An act to amend Sections 11 and 11d of the Municipal Court Act of 1925, relating to municipal courts and the attaches of said courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.

NOES—Geddes, Heisinger, and Luckel—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1025—An act to add Section 7f to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of traffic commissioner in municipal courts in cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Clarke, Coats, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Fletcher, Fleury, Grunsky, Hagen, Kilpatrick, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Nicholson, Rosenthal, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—42.

NOES—Burkhalter, Doyle, Evans, Geddes, Hahn, Heisinger, Lowrey, Luckel, Morris, and Reagan—10.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1308—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number of judges thereof.

Bill read third time.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. George D. Collins has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. Waters has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

Demand for Previous Question

Messrs. Caldecott, Silliman, Kirkwood, Burke, and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1308.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Rosenthal moved a call of the Assembly.

Motion carried. Time, 3.24 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Coats, Crichton, Evans, Hawkins, Hinckley, and Meyers—7

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

ANNOUNCEMENTS

Mr. Levering announced that he has, at his desk, an Assembly concurrent resolution which commends the University of California for its action in demanding loyalty oaths from members of its faculty; and that he is temporarily holding said resolution at his desk for the purpose of permitting all members who desire to be co-authors to have this opportunity.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1289

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 1289 ordered re-referred to Committee on Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2432
Assembly Bill No. 2440
Assembly Bill No. 2441
Assembly Bill No. 2786
Assembly Bill No. 3125

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 2432, 2440, 2441, 2786, and 3125 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2437

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2437 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 25
Assembly Bill No. 47
Assembly Bill No. 238
Assembly Bill No. 363
Assembly Bill No. 759
Assembly Bill No. 2251
Assembly Bill No. 3160

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 42

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2653
Assembly Bill No. 2855
Assembly Bill No. 3093

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1119

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 19—An act to amend Section 7137 of the Business and Professions Code, relating to contractors' licenses,

Assembly Bill No. 164—An act to amend Section 4600 of the Labor Code, relating to workmen's compensation benefits;

Assembly Bill No. 718—An act to amend Sections 7372 and 7396 of the Business and Professions Code, relating to the practice of cosmetology;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1949, at 4 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 776—An act to amend Section 7100 of the Business and Professions Code, relating to contractors;

Assembly Bill No. 848—An act to add Section 13841.3 to the Education Code, relating to leaves of absence for employees of school districts;

Assembly Bill No. 1729—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1949, at 4 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1730—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 1855—An act to amend Section 185 of the Streets and Highways Code, relating to the Revolving Fund of the Division of Highways;

Assembly Bill No. 2317—An act to add Sections 1192.2 and 1192.3 to the Insurance Code, relating to investments of insurers;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2345—An act to amend Sections 26821, 26822, 26823, 26824, 26826, 26827, 26828, 26829, 26830, 26831, 26832, 26833, 26837, 26838, 26839, 26841, 26842, 26843, 26844, 26845, 26846, 26847, 26848, 26849, 26850, 26851, and 26852 of the Government Code, relating to fees of county clerks;

Assembly Bill No. 3132—An act to amend Section 20880 of the Business and Professions Code, relating to sales of petroleum products;

And reports that the same have been correctly enrolled, and presented to the Governor on the fourteenth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 48—Relating to accountants;

Assembly Concurrent Resolution No. 73—Relative to a study by the Judicial Council of the Juvenile Court of the State and the feasibility or desirability of extending its jurisdiction;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the fourteenth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 40—Relative to memorializing the President and the Congress of the United States to take whatever steps are necessary to release unneeded Army, Navy, Air Force and Marine Corps warehouse space in the San Francisco Bay area and Stockton-Tracy area for the storage of the California cotton crop, and to make a survey of the feasibility of using ships which are owned by the Federal Government and anchored in Suisun Bay for such storage purposes;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fourteenth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1001
Assembly Bill No. 3013

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1001 ordered re-referred to Committee on Fish and Game.

Assembly Bill No. 3013 ordered re-referred to Committee on Governmental Efficiency and Economy.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1956

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 1956 ordered re-referred to Committee on Judiciary.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bill No. 75 ordered re-referred to Committee on Transportation and Commerce.

Senate Bill No. 958 ordered re-referred to Committee on Public Health.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2589—An act to amend Section 1203 of the Penal Code and Section 11715.6 of the Health and Safety Code, relating to the granting of probation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood,

Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—60.

NOES—Burkhalter and Lowrey—2.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3162—An act to add Section 953.1 to the Probate Code, relating to contingent claims against the estates of decedents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Waters, Way, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1682—An act to amend Sections 425, 438 and 439 of the Vehicle Code and Sections 3051, 3051a, and 3052 of the Civil Code, relating to liens.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1514 HOLD PLACE ON FILE

Mr. Lindsay asked for, and was granted, unanimous consent that Assembly Bill No. 1514 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 170—An act to amend Section 32001 of the Health and Safety Code, relating to the establishment, organization, government and powers of hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1467

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1467, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1467

Assembly Bill No. 1467—An act to amend Sections 4, 6, 14, 15, and 22 of, and to add Section 20.1 to the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of loans and lenders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR UNANIMOUS CONSENT THAT BILLS HOLD PLACES ON FILE

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Bill No. 1877 be passed on file, and hold its place on file on the next legislative day.

Messrs. Tomlinson and Fleury asked for, and were granted, unanimous consent that Assembly Bill No. 1861 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3124

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3124, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3124

Assembly Bill No. 3124—An act to amend Section 2982 of the Civil Code, relating to the conditional sale of personal property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Butters, Caldecott Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stewart, Thompson Tomlinson, Waters, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Mr. Hagen asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 44, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 44

Assembly Constitutional Amendment No. 44—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 5 of Article XI thereof, relating to compensation of officers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Yorty—61.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1305—An act to amend Section 8202 of the Government Code, relating to eligibility to, and performing the duties of, the office of notary public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1664, on request of Mr. Hollibaugh.

Speaker Presiding

At 4.06 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2027—An act to amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to

758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 757, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all relating to property taxation and providing for the assessment of property, the equalization of assessments and the adjustment thereof for allocations of state funds, and the adjustment of tax rates to promote equity in tax burdens and providing when certain provisions of this act shall take effect

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Waters, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2210—An act to amend Section 21100 of the Water Code, relating to irrigation district offices.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Waters, Yorty, and Mr Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 281—An act to amend the Building and Loan Association Act by amending Section 2.02 thereof, relating to restrictions on corporate name, Section 2.04 thereof, relating to approval of articles of incorporation by the Building and Loan Commissioner, Section 2.07 thereof, relating to branches, Section 4.01 thereof, relating to guarantee stock, Section 8.03 thereof, relating to minors and married women, Section 10.03a thereof, relating to federal insurance reserve account, Section 11.04 thereof, relating to licenses for agents and salesmen, Section 12.04 thereof, relating to foreign associations, Section 12.06 thereof, relating to restrictions on advertising, Section 13.02 thereof, relating to appointees, employees and offices of the Building and Loan Commissioner, Section 13.05 thereof, relating to general duties of such commissioner, Section 13.07 thereof, relating to appraisements, Section 13.17 thereof, relating to assessments by such commissioner for salaries and expenses, and Section 15.16 thereof, relating to supervision and control of borrowers' mutual building and loan associations; amending and repealing Section 5.03 of said act, relating to investment certificate reserve; and adding to said act Section 2.10, relating to investment certificate and withdrawable share reserve, and Section 8.13, relating to authorization to execute certificates, all relating to building and loan associations;

And appointed Senators McBride, Cunningham, and Parkman, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 281

The Speaker announced the appointment of Messrs. Geddes, Beck, and Morris as a Committee on Conference concerning Senate Bill No. 281.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2653 HOLD PLACE ON FILE

Mr. Connolly asked for, and was granted, unanimous consent that Assembly Bill No. 2653 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3045

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3045, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3045

Assembly Bill No. 3045—An act to add Section 604.14 to the Vehicle Code, relating to ambulance drivers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2859—An act to amend Section 209 of the Penal Code, relating to kidnaping.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Sherwin, Smith, Stanley, Thompson, Waters, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1449—An act to add Section 9003 to the Corporations Code, relating to nonprofit corporations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans.

Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Waters, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2653

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2653, passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2653

Assembly Bill No. 2653—An act to amend Section 1089 of the Code of Civil Procedure, relating to answers and returns to applications for writs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thompson, Waters, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 4.25 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 28—An act to add Section 1.5 to Chapter 1 of the Statutes of the 1938 Extraordinary Session of the Legislature, exempting from all taxation the property and bonds of certain corporations under the Limited Dividend Housing Corporations Act.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Morris moved a call of the Assembly.

Motion carried. Time, 4.32 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Conrad, Crowley, Fletcher, Gaffney, Grunsky, Hagen, Lindsay, McCollister, Meyers, Rosenthal, Rumford, Thomas, Tomlinson, Waters, Way, and Weber—17.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Morris asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 106—An act to add Section 1630.1 to the Labor Code, relating to employment agencies.

Bill read third time, and ordered temporarily passed on file.

Speaker Presiding

At 4.40 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Joint Resolution No. 23—Relative to the construction of navigable channels on the Sacramento and Feather Rivers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Coats, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Elliott, Evans, Fleury, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Waters, Yorty, and Mr. Speaker—51.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 205

By Mr. Hawkins:

House Resolution No. 205

Relative to immediate provision for the continuation of child care centers

WHEREAS, Under the present law all child care centers must be closed on or before June 30, 1949, and the moneys made available by the Budget Act of 1948 for their administration and support will cease to be available on that date; and

WHEREAS, There are pending in the Legislature bills to permit the continuance of child care centers after June 30, 1949, and to provide funds for their support until June 30, 1950, namely Assembly Bill No. 707, now in the Senate Committee on Finance, and Assembly Bill No. 1138, now in the Assembly Committee on Ways and Means, after having received from the Assembly Committee on Education the recommendation "Do pass, and re-refer to Committee on Ways and Means"; and

WHEREAS, Unless provision for the continuation of child care centers and provision for funds for their administration and support are made at once the parents of the children cared for in such centers will be notified of their immediate closing, and preparations will be made therefor; and to alleviate the fears and mental anguish of such parents and prevent the disruption of the child care center program through loss of personnel and otherwise it is necessary that such legislative action be taken at once; and

WHEREAS, The passage of Assembly Bill No. 707, providing for the continuation of child care centers without the passage of Assembly Bill No 1138, making the necessary funds available, would not allay the apprehensions of the parents nor assure the continued operation of the child care centers; and

WHEREAS, Section 34a of Article IV of the Constitution provides that until the Budget Bill has been finally enacted, neither house shall place upon final passage any other appropriation bill, except emergency bills recommended by the Governor or appropriations for the salaries, mileage, and expenses of the Senate and Assembly; and, therefore, Assembly Bills Nos. 1138 and 707 cannot be placed upon final passage in the Assembly or Senate without such recommendation from the Governor; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor is hereby requested to issue the letters of recommendation necessary to permit the Assembly and the Senate to place Assembly Bills Nos. 1138 and 707 upon final passage prior to the final enactment of the Budget Bill; and be it further

Resolved, That the Chief Clerk of the Assembly is directed immediately to transmit a copy of this resolution to the Honorable Earl Warren, Governor of California.

Resolution read.

Roll Call Demanded

Messrs. Dunn, Anderson, and Hawkins demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Conrad moved a call of the Assembly.

Roll Call Demanded

Messrs. Anderson, Hawkins, and Dunn demanded a roll call.

The roll was called, and the motion for a call of the Assembly carried by the following vote:

AYES—Babbage, Beck, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fleury, Grunsky, Hahn, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, Meyers, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, and Weber—40.

NOES—Anderson, Burkhalter, Condon, Connolly, Cooke, Evans, Geddes, Hagen, Lewis, McMillan, Moss, Niehouse, Reagan, Silliman, and Yorty—15.

Time, 5.10 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Davis, Fletcher, Gaffney, Grant, Hoffman, Lowrey, McCollister, Moss, Thomas, Waters, and Way—11

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 106

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 106, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 106

Assembly Bill No. 106—An act to add Section 1630.1 to the Labor Code, relating to employment agencies.

Bill read third time.

Motion to Amend

Mr. Doyle moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 25, 1949, strike out "and the"; and strike out lines 7, 8, and 9, and insert a period.

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Bill No. 106 Hold Place on File

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Bill No. 106 hold its place on file when returned from the printer, on the next legislative day.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1308

At 5.11 p.m., on motion of Mr. Rosenthal, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1308 refused passage by the following vote:

AYES—Babbage, Bennett, Brady, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Erwin, Fleury, Hahn, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—44

NOES—Anderson, Beck, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Clayton A. Dills, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hollibaugh, Lewis, Lowrey, Luckel, McCarthy, McMillan, and Rumford—26.

Notice of Motion to Reconsider Assembly Bill No. 1308

Mr. Rosenthal gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No 1308 was this day refused passage.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 28

At 5.15 p.m., on motion of Mr. Morris, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 28 refused passage by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Coats, George D. Collins, Condon, Cooke, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Geddes, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, and Yorty—31

NOES—Babbage, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dunn, Erwin, Fleury, Grant, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, Reagan, Sherwin, Silliman, Smith, Stewart, and Tomlinson—30.

Notice of Motion to Reconsider Assembly Bill No. 28

Mr. Morris gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 28 was this day refused passage.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 244

By Mr. Dolwig:

House Resolution No. 244

Relative to augmenting the funds of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings (created by House Resolution No. 44,

1949 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Clarke, Coats, George D Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, Weber, and Yorty—50.

NOES—Burkhalter, Collier, and Hinckley—3.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 91—Relating to liquefied petroleum gas.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Tomlinson, Weber, and Yorty—56

NOES—Silliman—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT HOUSE RESOLUTION NO. 172 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Thompson asked for, and was granted, unanimous consent that House Resolution No. 172 be withdrawn from the file, and be re-referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 3146, on request of Mr. Coats.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE CONTINUED

Mr. George D. Collins asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 3027 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file, be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1136 HOLD PLACE ON FILE

Mr. Burkhalter asked for, and was granted, unanimous consent that Assembly Bill No. 1136 be passed on file, and hold its place on file on the next legislative day.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 205

At 5.30 p.m., on motion of Mr. Conrad, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 205 adopted by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Geddes, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, and Yorty—36

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dolwig, Erwin, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Weber, and Mr. Speaker—33.

Notice of Motion to Reconsider House Resolution No. 205

Mr. Grunsky gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 205 was this day adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Joint Resolution No. 44: By Mr. Elliott—Relative to memorializing Congress to extend the provisions of the Servicemen's Readjustment Act pertaining to payment of readjustment allowances to unemployed World War II veterans.

Referred to Committee on Rules.

Assembly Joint Resolution No. 45: By Messrs. Levering, Reagan, Hoffman, Luckel, Caldecott, Collier, Connolly, Conrad, Fleury, Grant, Hahn, Huyck, Maloney, Morris, and Rumford—Relative to the requirement by the Board of Regents of the University of California of a loyalty oath by faculty members.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE MESSAGES BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following Senate messages be deemed read, and that appropriate action on the bills deemed read, be taken.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 194

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 194—An act to provide for the incorporation and government of Metropolitan Rapid Transit Districts; prescribing the powers thereof, and providing for the performance of certain functions relating thereto by officers of counties and cities and counties, and relating to rail, monorail, and subway transportation in metropolitan areas.

Referred to Committee on Municipal and County Government.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 13, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 149

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bill was read the first time:

Senate Bill No. 149—An act to repeal Section 3720 of the Elections Code, thereby repealing certain temporary provisions for ballots and envelopes for absent voting during wartime.

Referred to Committee on Elections and Reapportionment.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 578
Senate Bill No. 652
Senate Bill No. 668
Senate Bill No. 707
Senate Bill No. 900
Senate Bill No. 1641
Senate Bill No. 1650

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 578—An act to add Section 4458.5 to the Labor Code, relating to benefits under the Workmen's Compensation Act.

Referred to Committee on Industrial Relations

Senate Bill No. 652—An act to amend Sections 1804 and 1829 of the Education Code, and to add Article 18.5 to Chapter 11 of Division 3 of said code, all relating to school districts.

Referred to Committee on Education.

Senate Bill No. 668—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Referred to Committee on Judiciary.

Senate Bill No. 707—An act to add Article 8, comprising Sections 18745 to 18749, inclusive, to Chapter 5 of Division 9 of the Education Code, relating to the use of public property for school purposes.

Referred to Committee on Education.

Senate Bill No. 900—An act to repeal Article 8, comprising Sections 230 and 231, of Chapter 1 of Division 2 of, to amend Section 806 of, and to add Section 804.5 to, the Fish and Game Code, relating to the taking of clams.

Referred to Committee on Fish and Game.

Senate Bill No. 1641—An act to authorize the sale of certain state-owned property now held for the use of the California State Prison at San Quentin.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1650—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 409
Assembly Bill No. 535
Assembly Bill No. 605

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1222
Assembly Bill No. 2899

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 699—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 699 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Thompson asked for, and was granted, unanimous consent that the Committee on Public Health be permitted to use the Assembly Chamber tonight, Tuesday, June 14th, at 8 p.m., for the purpose of holding a meeting.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2852

At 5.33 p.m., on motion of Mr. McCollister, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2852 passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 7.30 p.m.—

Agriculture, in Room 432.

At 8 p.m.—

Fish and Game, in Room 432.

Elections and Reapportionment, in Room 436.

Public Health, in Assembly Chamber.

Social Welfare, in Room 430.

Judiciary, in Room 435.

Subcommittee on Finance and Insurance. Subject: Horse Racing, in Room 426.

Subcommittee on Education, in Speaker's Office.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Rev. W. C. Sample of San Mateo.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to James Moss of Ventura.

On request of Messrs. Dolwig and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to James Scott of Roseville and Robert W. Jackson of Rocklin.

On request of Mr. Babbage, the usual courtesies of the Assembly for this day were unanimously extended to Harlan Grayson, Mrs. Lauren Grayson, and Miss Cynthia Grayson of Riverside.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Sgt. Glenn Smith of Hawthorne.

On request of Mr. Grunsky, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. A. J. Meidl of Watsonville.

ADJOURNMENT

At 5.38 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Wednesday, June 15, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-FIRST LEGISLATIVE DAY

ONE HUNDRED SIXTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 15, 1949

The Assembly met at 9 a.m
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of Silence: In this world of strain and pressure, when heavy problems weigh upon us and sap our nervous energy, let us cherish these moments of stillness as a health giving tonic

May this be a moment when we silence our busy thoughts, and seek to be in tune with Thy Infinite mind.

Let us beware of living in a state of emotional tension, which overtaxes brain and heart, and creates the irritability of temper which makes us hard to work with.

May we see the many people today who live at the breaking point, who fret and fume, and disorder thereby their health and hasten their departure from this earthly scene.

During the course of the day, may we take time for the pauses which enhance our efficiency for public service and, like the musical rests on the score of a song, add to the harmony of life —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Stanley, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. McCollister.

Mr. Lincoln, on motion of Mr. McCollister.

Mr. Berry, on motion of Mr. Thompson.

REQUEST FOR UNANIMOUS CONSENT THAT TELEGRAM BE PRINTED IN JOURNAL

Mr. McCollister asked for, and was granted, unanimous consent that the following telegram be ordered printed in the Journal:

LOS ANGELES, CALIFORNIA, June 14, 1949

Richard H. McCollister
Member of Assembly, Sacramento, California

Information reaching me reveals members committing Disabled American Veterans, Department of California on Assembly Bill No. 1113. No one authorized to speak in behalf of DAV, especially on Assembly Bill No. 1113.

S/TEX ROSE, Department Commander
Disabled American Veterans

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No 101

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Lindsay:

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER. In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Section 10401, and to repeal Sections 10454 and 10455 of the Revenue and Taxation Code, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicles, and providing for the administration thereof.

Respectfully submitted.

FRANCIS C. LINDSAY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Lindsay:

An act to amend Section 10401, and to repeal Sections 10454 and 10455 of the Revenue and Taxation Code, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicles, and providing for the administration thereof.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lindsay moved a call of the Assembly.

Motion carried. Time 9.09 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Bennett, Brady, Butters, George D. Collins, Condon, Conrad, Dickey, Clayton A. Dills, Dunn, Fletcher, Fleury, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Lewis, Lowrey, Luckel, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Tomlinson, Way, Weber, and Yorty—37.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Waters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1220—An act to add Section 5815 to the Labor Code, relating to the Industrial Accident Commission.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2636—An act to prohibit the inclusion of questions relative to race or religion in application blanks or forms.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3165—An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Bill read second time, and ordered engrossed.

Assembly Bill No. 1969—An act to amend Section 2 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to interest paid upon deposits.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2312—An act to add Section 1705.5 to the Harbors and Navigation Code, relating to the appointment of a member secretary.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2327—An act to amend Section 72 of the Public Utilities Act, relating to enforcement of constitutional and statutory provisions affecting public utilities.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Geddes asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 282—An act to amend Section 472b of and to add Sections 466 and 467 to the Code of Civil Procedure, relating to demurrers and motions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on May 26, 1949, strike out "and to add Sections 466 and 467 to".

Amendment No. 2

Strike out line 3 of the title of said bill, and insert a period.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 24, inclusive; and on page 2, strike out lines 1 to 16, inclusive, and insert

"SECTION 1. Section 472b of the Code of Civil Procedure is amended to read:".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2510—An act to amend Sections 1187 and 1191 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 8, 1949, strike out "Sections 1187 and", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 52, inclusive.

Amendment No. 4

On page 3 of said bill, strike out lines 1 to 29, inclusive

Amendment No. 5

On page 3, line 30, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 6

On page 3, line 41, of said bill, after "where", insert "the".

Amendment No. 7

On page 3, line 42, of said bill, after "ment", insert "made".

Amendment No. 8

On page 4, line 30, of said bill, strike out "therein", and insert "thereon".

Amendment No. 9

On page 5, line 1, of said bill, strike out "my", and insert "may".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 194—An act to amend and renumber Section 66a of the Code of Civil Procedure as added by Chapter 415 of the 1945 Statutes of California to be Section 66a-1, relating to the number of Judges of the Superior Court in the County of San Diego, and providing for the appointment of two additional judges and for their compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In lines 5 and 6 of the title of the printed bill, strike out "two additional judges and for their", and insert "one additional judge and for his".

Amendment No. 2

On page 1, line 6, of said bill, strike out "nine", and insert "eight".

Amendment No. 3

On page 1, line 8, of said bill, strike out "two additional judges", and insert "one additional judge".

Amendment No. 4

On page 1, line 12, of said bill, strike out "two judges", and insert "one judge".

Amendment No. 5

On page 1, line 14, of said bill, strike out "sors to the judges", and insert "sor to the judge".

Amendment No. 6

On page 1, line 16, of said bill, strike out "judges", and insert "judge".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 491—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7", and insert "Sections 7, 10, 11 and 11d".

Amendment No. 1.5

In lines 8 and 9 of the title of said bill, strike out "of cities of the first and one-half class".

Amendment No. 2

On page 1, line 8, of said bill, strike out "_____", and insert "40".

Amendment No. 3

On page 1, lines 13 and 14, of said bill, strike out "_____ dollars ($_____)", and insert "thirteen thousand five hundred dollars ($13,500)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, after line 20, insert

"SEC. 2. Section 10 of said act is amended to read.

Sec. 10. The municipal court in a city or city and county of the second and one-half class shall be constituted, and the judges, officers and attaches thereof shall be as herein and in Sections 10a and 10b enumerated and shall receive compensation as provided in this section and Sections 10a and 10b.

There shall be five judges, each of whom shall receive twelve thousand five hundred dollars ($12,500) annually, payable in equal monthly installments; one clerk to be appointed by the judges of the court, who shall receive [six hundred and fifty dollars ($650)] *seven hundred dollars ($700)* per month, one marshal, to be appointed by the judges of the court, who shall receive [six hundred and fifty dollars ($650)] *seven hundred dollars ($700)* per month.

SEC. 3. Section 11 of said act is amended to read:

Sec. 11. The municipal court in a city or city and county of the second and three-fourths class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be two judges, each of whom shall receive twelve thousand five hundred dollars ($12,500) per annum, payable in equal monthly installments;

(b) There shall be one clerk, to be appointed by the judges of the court, who shall receive [a minimum salary of four hundred sixty-four dollars ($464) monthly, with annual increments of twenty-five dollars ($25), twenty-seven dollars ($27), twenty-nine dollars ($29), and thirty dollars ($30), to a maximum of five hundred seventy-five dollars ($575) monthly] *seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;*

(c) The clerk may appoint the following:

One chief deputy clerk, who shall receive a minimum salary of [three hundred thirty-seven dollars ($337) monthly, with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22), to a maximum of four hundred seventeen dollars ($417) monthly] *three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;*

Two deputy clerks, each of whom shall receive a minimum salary of [two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly] *three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly;*

[One senior legal stenographer, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly;

One senior typist-clerk, who shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly;

Three deputy clerks, each of whom shall receive a minimum salary of one hundred eighty-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly;]

Two deputy clerks each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly;

Two deputy clerks, each of whom shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly;

Six deputy clerks, each of whom shall receive a salary of one hundred eighty-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars

($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly.

(d) There shall be one marshal, to be appointed by the judges of the court, who shall receive a minimum salary of [four hundred sixty-four dollars ($464) monthly, with annual increments of twenty-five dollars ($25), twenty-seven dollars ($27), twenty-nine dollars ($29), and thirty dollars ($30), to a maximum of five hundred seventy-five dollars ($575) monthly;] *seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments;*

The marshal may appoint the following:

One chief deputy marshal, who shall receive a minimum salary of [three hundred thirty-seven dollars ($337) monthly, with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22), to a maximum of four hundred seventeen dollars ($417) monthly;] *three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly;*

[Three deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly;]

Two deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16) and eighteen dollars ($18), to a maximum of three hundred thirty-seven dollars ($337) monthly;

Two deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15) and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred eighty-eight dollars ($288) monthly;

One deputy marshal, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly.

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

(e) Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service

(f) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments.

SEC 4 Section 11d of said act is amended to read:

Sec 11d. The municipal court in a city or city and county of the fifth class shall be constituted, and the judges, officers and attaches thereof shall receive compensation as follows:

(a) There shall be two judges, each of whom shall receive twelve thousand five hundred dollars ($12,500) per annum, payable in equal monthly installments;

(b) There shall be one clerk, to be appointed by the judges of the court, who shall receive [a minimum salary of four hundred sixty-four dollars ($464) monthly, with annual increments of twenty-five dollars ($25), twenty-seven dollars ($27), twenty-nine dollars ($29), and thirty dollars ($30), to a maximum of five hundred seventy-five dollars ($575) monthly] *seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments* ;

(c) The clerk may appoint the following:

One chief deputy clerk, who shall receive a minimum salary of [three hundred thirty-seven dollars ($337) monthly, with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22), to a maximum of four hundred seventeen dollars ($417) monthly] *three hundred fifty-five*

dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23) to a maximum of four hundred forty dollars ($440) monthly ;

Two deputy clerks, each of whom shall receive a minimum salary of [two hundred eighty-eight dollars ($288) monthly, with annual increments of fifteen dollars ($15), sixteen dollars ($16), eighteen dollars ($18), and eighteen dollars ($18), to a maximum of three hundred fifty-five dollars ($355) monthly] *three hundred three dollars ($303) monthly, with annual increments of sixteen dollars ($16), eighteen dollars ($18), eighteen dollars ($18), and twenty dollars ($20), to a maximum of three hundred seventy-five dollars ($375) monthly* ;

[One senior legal stenographer, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly ;

One senior typist-clerk who shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly.

Three deputy clerks each of whom shall receive a minimum salary of one hundred eighty-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly ;]

Two deputy clerks, each of whom shall receive a minimum salary of two hundred forty-six dollars ($246) monthly, with annual increments of thirteen dollars ($13), fourteen dollars ($14), fifteen dollars ($15), and fifteen dollars ($15), to a maximum of three hundred three dollars ($303) monthly:

Two deputy clerks, each of whom shall receive a minimum salary of two hundred dollars ($200) monthly, with annual increments of eleven dollars ($11), ten dollars ($10), twelve dollars ($12), and thirteen dollars ($13), to a maximum of two hundred forty-six dollars ($246) monthly:

Six deputy clerks, each of whom shall receive a salary of one hundred eighty-one dollars ($181) monthly, with annual increments of nine dollars ($9), ten dollars ($10), eleven dollars ($11), and ten dollars ($10), to a maximum of two hundred twenty-one dollars ($221) monthly

(d) There shall be one marshal, to be appointed by the judges of the court, who shall receive a minimum salary of [four hundred sixty-four dollars ($464) monthly, with annual increments of twenty-five dollars ($25), twenty-seven dollars ($27), twenty-nine dollars ($29), and thirty dollars ($30), to a maximum of five hundred seventy-five dollars ($575) monthly] *seven thousand two hundred dollars ($7,200) per annum, payable in equal monthly installments* ;

[(e)] The marshal may appoint the following:

One chief deputy marshal, who shall receive a minimum salary of [three hundred thirty-seven dollars ($337) monthly, with annual increments of eighteen dollars ($18), twenty dollars ($20), twenty dollars ($20), and twenty-two dollars ($22), to a maximum of four hundred seventeen dollars ($417) monthly] *three hundred fifty-five dollars ($355) monthly, with annual increments of twenty dollars ($20), twenty dollars ($20), twenty-two dollars ($22), and twenty-three dollars ($23), to a maximum of four hundred forty dollars ($440) monthly* ;

[Three deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly ;]

Two deputy marshals, each of whom shall receive a minimum salary of two hundred seventy-three dollars ($273) monthly, with annual increments of fifteen dollars ($15), fifteen dollars ($15), sixteen dollars ($16), and eighteen dollars ($18), to a maximum of three hundred thirty-seven dollars ($337) monthly:

Two deputy marshals, each of whom shall receive a minimum salary of two hundred fifty-nine dollars ($259) monthly, with annual increments of fourteen dollars ($14), fifteen dollars ($15), fifteen dollars ($15), and sixteen dollars ($16), to a maximum of three hundred nineteen dollars ($319) monthly:

[One deputy marshal, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly, with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly ;]

One deputy marshal, who shall receive a minimum salary of two hundred thirty-three dollars ($233) monthly, with annual increments of thirteen dollars ($13), thirteen dollars ($13), fourteen dollars ($14), and fifteen dollars ($15), to a maximum of two hundred eighty-eight dollars ($288) monthly:

One deputy marshal, who shall receive a minimum salary of two hundred twenty-one dollars ($221) monthly with annual increments of twelve dollars ($12), thirteen dollars ($13), thirteen dollars ($13), and fourteen dollars ($14), to a maximum of two hundred seventy-three dollars ($273) monthly.

Ten deputies (custodians) at the fee allowed by law for keeping property. The deputy marshals serving as custodians shall be paid only for their actual service as

keepers of property taken under legal process and shall be paid out of the funds deposited by the parties to the action in which such services are rendered.

[(f)] *(e)* Persons employed in the service on the effective date of the amendment to this section shall receive credit for prior service in the justice's court, police court or municipal court of the city and in the sheriff's department or constabulary of the county, and shall receive, in addition to the minimum rate, the annual increments commensurate with years of prior service up to the maximum rate set. Changes of title created in establishing the municipal court shall not detract from said years of prior service.

(f) The annual increments shall be dependent upon the employee maintaining the minimum efficiency rating designated by the appointing authority and at any time the efficiency rating falls below the minimum standard the appointing authority shall have the power to suspend all or any part of the annual increments."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 740—An act to amend Section 5076 of the Penal Code, relating to the compensation of members of the Adult Authority.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "fifteen thousand dollars ($15,000)", and insert "twelve thousand dollars ($12,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1805—An act to amend Section 4702 of the Labor Code, relating to death benefits under the Workmen's Compensation Act.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 16 and 17, of the printed bill, strike out "where there is left surviving a dependent widow", and insert "in the case of a surviving widow".

Amendment No. 2

On page 1 of said bill, strike out line 23, and insert "Dis-".

Amendment No. 3

On page 1, line 25, of said bill, after "benefit", insert "when the disability resulting in death occurs after the effective date of the amendment to this section adopted at the 1949 Regular Session of the Legislature".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2551—An act to add Section 24.5 to the Unemployment Insurance Act, relating to the Department of Employment Contingent Fund.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "_____", and insert "six hundred fifty thousand".

Amendment No. 2

On page 1, line 6, of said bill, strike out "($_____)", and insert "($650,000)".

Amendment No. 3

On page 1 of said bill, after line 6, insert

"SEC. 2. The unexpended balance as of the effective date of this act in the appropriations made by Item 142 of the Budget Act of 1948 and Item 324 of the Budget Act of 1949 shall be transferred to the General Fund and shall continue to be available therein for the purposes for which they were heretofore appropriated"

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 768—An act to amend Section 956 of the Welfare and Institutions Code, relating to the care of wards of the juvenile court, in juvenile homes or camps, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Crime and Correction:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 27, 1949, strike out lines 15 to 17, inclusive, and insert "100 children at any one time"

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 1048—An act to amend Section 1144 of the Probate Code, relating to administration by the public administrator of estates of a value not exceeding two hundred dollars ($200).

Bill read second time, and ordered to third reading.

Senate Bill No. 1303—An act to amend Section 428 of the Vehicle Code, relating to liens on vehicles.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Erwin asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1047—An act to amend Section 932 of the Probate Code, relating to accounts of deceased or incompetent executor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 11, 1949, strike out "Section 932", and insert "Sections 932 and 1555".

Amendment No. 2

In line 2 of the title of said bill, strike out "deceased or incompetent executor", and insert "executors, administrators, and guardians".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 457—An act to repeal Sections 750.1 and 750.2 of, and to add Article 6 to Chapter 1 of Part 6 of Division 2 of the Insurance Code, relating to the payment of rebates and commissions on title insurance business by title insurers and others.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 26, 1949, after "of," insert "to amend Section 12400 of,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 605—An act to amend Sections 11493, 11505, and 11508 of, and to add Sections 11511 and 11515 to the Insurance Code, relating to nonprofit hospital service corporations and plans.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Senate on May 19, 1949, after "reimbursement", insert ", at a uniform rate,".

Amendment No. 2

On page 1, line 16, of said bill, after "reimbursement", insert ", at a uniform rate,".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 711—An act to amend Sections 10310, 10270.95, 10291.5 and 12957 of, and to add Section 10310.5 to the Insurance Code, relating to disability insurance policies.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on May 25, 1949, strike out lines 19 to 23, inclusive, and insert

"(j) The provisions of this section do not apply to accident policies including those providing hospitalization benefits on account of sickness, which are issued through newspapers or other publications of general circulation to their subscribers, readers, carrier boys, newspaper vendors or district men"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 972—An act to add Section 704.7 to the Insurance Code, relating to the denial, suspension and revocation of certificates of authority to insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 1, lines 3, 4, and 5, of the printed bill, as amended in the Senate on April 21, 1949, strike out "any other proper ground for denying, suspending or revoking a certificate of authority", and insert "*and without in any way limiting his power to proceed under any other provision of this code*".

Amendment No. 2

On page 1, line 6, of said bill, after "authority", insert "*in the manner herein after provided*".

Amendment No. 3

On page 1, line 9, of said bill, after "refuse", insert ", *without sanction of law,*".

Amendment No. 4

On page 1, line 20, of said bill, after "refuses", insert ", *without sanction of law,*".

Amendment No. 5

On page 2 of said bill, between lines 7 and 8, insert

"*In proceeding under this section the commissioner, if he has good cause to believe that any of the conditions hereinabove enumerated exist, shall give written notice to the insurer, specifying the matters and grounds alleged by him to exist which he believes warrants him in suspending, revoking or declining to grant or renew a certificate of authority, and demanding that the insurer eliminate within a time specified, which shall be not less than ten days after service of the notice, the conditions alleged to exist and complained of by the commissioner, which conditions shall be specified in detail and not in general language. If within such time the insurer does not eliminate the conditions specified by the commissioner or establish to his satisfaction that they do not exist, the commissioner shall, before suspending, revoking or declining to grant or renew a certificate of authority, hold a public hearing in connection with the matters specified in the written notice to the insurer. The hearing shall not include any additional matters not specified in the notice. In addition to any other defense provided by law, the insurer may establish as a defense that the matters specified in the notice of hearing as existing have been corrected and eliminated subsequent to receipt of the notice of hearing*"

Amendment No. 6

On page 2, line 8, of said bill, strike out "for suspension or revocation", and insert "*to suspend, revoke or decline to grant or renew a certificate of authority under this section*".

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Finance and Insurance.

Senate Bill No. 1038—An act to amend Section 4458 of the Labor Code, relating to workmen's compensation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 6, 1949, strike out "Section 4458", and insert "Sections 4458 and 4460".

Amendment No. 2

On page 1, line 5, of said bill, strike out "or death".

Amendment No. 3

On page 1, line 8, of said bill, after "earnings", insert "and disability payments".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 10 to 14, inclusive, and insert "benefits of Sections 4452, 4453, and 4460 In the event of death, the death benefit shall be in accordance with the provisions of Section 4702

SEC. 2 Section 4460 of said code is amended to read:

4460. For the purpose of computing the temporary or permanent disability indemnity payable to any employee [, including "volunteer firemen" as defined in Section 3361,] who sustains an original injury causing temporary or permanent disability, the maximum average weekly earnings shall be taken at forty-six dollars and sixteen cents ($46 16)."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Finance and Insurance.

Senate Bill No. 1444—An act to add Section 10202 8 to, and to amend Sections 10203.4, 10204, 10270 5, and 10270.6 of, the Insurance Code, relating to group life and disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Senate on May 19, 1949, before the comma, insert "(no part of which funds for the payment of life insurance premiums shall have been contributed by such insured persons)".

Amendment No. 2

On page 2, line 5, of said bill, before "by", insert "from funds contributed".

Amendment No. 3

On page 2, line 6, of said bill, strike out "No policy may be issued on which any part of the"; strike out line 7; and in line 8, strike out "persons specifically for their insurance"

Amendment No. 4

On page 2 of said bill, after line 31, insert

"Such insurance may be issued with or without medical examination For the purpose of this section the word "industry" shall not include licensed professions, such as medicine, dentistry, pharmacy, law and accountancy."

Amendment No. 5

On page 2 of said bill, after line 42, insert

"Age of Dependent at Death — Maximum Insurance
Under six months — One hundred dollars ($100)
Six months and under two years — Two hundred dollars ($200)
Two years and under three years — Four hundred dollars ($400)
Three years and under four years — Six hundred dollars ($600)
Four years and under five years — Eight hundred dollars ($800)
Five years and over — One thousand dollars ($1,000)

A dependent shall be the spouse or a child under eighteen years of age of the insured employee. The premiums for the insurance on such dependents may be paid by the employer or by the employee or by the employer and the employee jointly."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Finance and Insurance.

Senate Bill No. 68—An act to amend Section 660 of the Vehicle Code, relating to the sale of used vehicles

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 660 of ', and insert "add Section 635 2 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "the sale of used".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 635 2 is added to the Vehicle Code, to read:

635 2. Other Permitted Fender Lights. In addition to the lights permitted in Section 635 hereof, any motor vehicle may be equipped with not more than two fender lights designed and of sufficient intensity for the purpose of revealing objects only in the direction of turn while the vehicle is turning Such lights shall be designed so that no glaring light is projected into the eyes of an approaching driver Such lights shall be subject to approval by the department as provided in Chapter 4 of this division and shall comply with photometric requirements which the department shall by regulation prescribe."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 15, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Transportation and Commerce.

Senate Bill No. 75—An act to amend Section 381.1 of the Vehicle Code, relating to penalties for failure to renew licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Transportation and Commerce:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 13, 1949, strike out "thirty", and insert "sixty".

Amendment No. 2

On page 1, line 10, of said bill, after the strikeout period, insert a comma.

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Transportation and Commerce.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA, DEPARTMENT OF MENTAL HYGIENE
SONOMA STATE HOME, ELDRIDGE, CALIFORNIA, June 14, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly, California Legislature
State Capitol, Sacramento 14, California

DEAR MR. OHNIMUS: I wish to acknowledge receipt of the copy of House Resolution No. 247, which was adopted by the California Assembly on June 9, 1949. I have carefully studied this resolution and I wish you to know that as Superintendent of the Sonoma State Home I am doing as requested and directed by this Assembly resolution, namely "To take every precaution to enforce stronger discipline among the inmates of said home and to prevent any inmates of said home from escaping" The 160 patients who may be considered to be potentially dangerous are securely locked on the two locked cottages of this institution, and will be given no freedom whatsoever without adequate guard. We are taking every possible precaution to prevent any further escapes of any patients that may be a menace to the surrounding community.

Sincerely yours,

M. E. PORTER, M. D.
Superintendent and Medical Director

By Speaker Sam L. Collins:

A communication and resolution from the Hon. Winifred McDonald, Secretary of State of the State of Connecticut, relative to making application to Congress to call a Constitutional Convention to consider amendments to the United States Constitution to facilitate participation in a World Federation was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 638
Senate Bill No. 1389

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which was referred:

Assembly Bill No. 1001

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 84

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 106
Assembly Bill No 1514
Assembly Bill No 1877

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No 408

Has had the same under consideration, and reports the same back with the recommendation. Do pass.

CLARKE, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Agriculture, to which was referred:

Assembly Bill No. 2873

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

CLARKE, Chairman

Above reported bill ordered to second reading

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 963—An act to add Section 25252.5 to the Government Code, relating to probationer's loan funds.

The question being: Shall the Assembly concur in the following Senate amendment to Asembly Bill No. 963?

Amendment No. 1

On page 1, line 3, of the printed bill, after "may", insert "in its discretion".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 963 by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burke, Burkhalter, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Niehouse, Reagan, Stanley, Thomas, Tomlinson, Waters, Yorty, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 963 ordered enrolled.

Assembly Joint Resolution No. 38—Relative to the Sacramento River Flood Control Project.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Joint Resolution No. 38?

Amendment No. 1

On page 1, line 8, of the printed measure, strike out "Shasta Dam", and insert "vicinity Red Bluff, California".

Amendment No. 2

On page 1, line 11, of said measure, after "River", insert "and its tributaries".

Amendment No. 3

On page 1, line 17, of said measure, strike out "Shasta Dam", and insert "one mile north of Red Bluff, California".

Amendment No. 4

On page 1, line 19, of said measure, after "River", insert "and its tributaries".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Joint Resolution No. 38 by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burke, Burkhalter, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Nicholse, Reagan, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr Speaker—52

NOES—None.

Assembly Joint Resolution No 38 ordered enrolled

Assembly Bill No. 1627—An act to add Section 834 to the Welfare and Institutions Code, relating to procedure in the juvenile court concerning minors alleged to have committed violations of law.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No 1627?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on April 20, 1949, strike out "on the basis", and insert "after consideration".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1627 by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burke, Burkhalter, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis Dolwig, Doyle, Elliott, Evans, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Nicholse, Reagan, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr Speaker—50

NOES—None.

Assembly Bill No. 1627 ordered enrolled.

Assembly Bill No. 409—An act to add Section 1028 to the Government Code, relating to disqualification from office or employment as peace officers for persons convicted of felonies and prescribing fingerprint records to be made of peace officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 409?

Amendment No. 1

On page 1 of the printed bill, strike out lines 14 to 21, inclusive

Amendment No. 2

On page 1, line 22, of said bill, strike out "person; except that nothing", and insert "Nothing"

Amendment No. 3

On page 2 of said bill, strike out lines 5 to 7, inclusive

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 409 by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky,

Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—54.

NOES—None.

~~Assembly Bill No. 409 ordered enrolled.~~

(On this day, Assembly Bill No. 409 was recalled from enrollment, and the above record was expunged, and the action rescinded, whereby the bill was ordered enrolled. (Assembly Journal, page 4520.).)

Assembly Bill No. 535—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 535?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on March 24, 1949, strike out the period after "Class A", and insert "in a city having a population of thirty thousand or more. Every such court in cities having a population of less than thirty thousand shall have the same jurisdiction in criminal cases as justices' courts of Class B, except where the charter of such city has, prior to the effective date of this act, provided for the exercise of the same jurisdiction in criminal cases as justices' courts of Class A, in which event such court shall have the same jurisdiction in criminal cases as justices' courts of Class A".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 535 by the following vote:

AYES—Anderson, Bennett, Brady, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Stanley, Stewart, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 535 ordered enrolled.

Assembly Bill No. 605—An act to amend Sections 140.1 and 142 of, and to add Section 140.2 to the Vehicle Code, relating to permits for the operation of and registration of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 605?

Amendment No. 1

On page 2 following line 37 of the printed bill, as amended in the Assembly on March 14, 1949, insert

"(9) Any vehicle which is operated upon a highway only for the purpose of transporting agricultural products across a highway and is in no event operated along a highway for a greater distance than one-quarter mile."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 605 by the following vote:

AYES—Anderson, Bennett, Brady, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Stanley, Stewart, Thompson, Waters, Yorty, and Mr. Speaker—50.

NOES—None.

Assembly Bill No. 605 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Rich, Hatfield, and Miller as a Committee on Conference concerning:

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 224

By Mr. Morris:

House Resolution No. 224

Relating to public transportation facilities in highway construction

WHEREAS, The 1946 Report on "Engineering Facts" to the California Legislature following extensive investigation and public hearings by the "Joint Fact-Finding Committee On Highways, Streets and Bridges" (Collier Committee) recommended a network of freeways or expressways; and

WHEREAS, Said report recommended that design should take into consideration all elements of use including provision for mass transportation where necessary, off-street parking facilities and terminals for transit systems, and stated that modern urban freeway design incorporates separate lanes for bus loading and off-street bus terminals; and

WHEREAS, Said report stated "In the proposed State Expressway System design standards must be high enough to accommodate all types of vehicles that will constitute the traffic over the system * * *. It is essential that bus routes be determined before expressways are designed, because special provision must be made for the safety of bus passengers and the general traffic, with facilities for loading and unloading passengers outside the traffic lanes.", and stated that "Bus lines operating over expressways properly designed to handle such traffic will add materially to the State's highway transportation facilities and serve large numbers of people who rely on mass transportation."; and

WHEREAS, Increased highway user taxes have been imposed to construct expressways or freeways for the purposes of relief of traffic congestion and more rapid travel; and

WHEREAS, There is an ever increasing need for more rapid travel by public transit vehicles as well as by private automobile; and

WHEREAS, Present patrons of motor coach operations are contributing to the construction cost of freeways through the increased highway user and fuel taxes imposed for that purpose; and

WHEREAS, Many more persons would undoubtedly use this means of travel if adequate facilities for the handling of passengers by bus were included in freeways or expressways with resulting benefit to the public at large through reduced traffic congestion because of the far greater carrying capacity of the bus as compared to the private vehicle; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Division of Highways be requested to give diligent attention to the incorporation in the design and construction of such expressways and freeways of those features which will insure to the public at large the fullest possible advantages from freeways by mass transit as well as by private vehicle, all in keeping with the above mentioned engineering recommendations; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to transmit a copy of this resolution to the State Highway Engineer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In paragraph 18 of the measure, as printed in the Assembly Journal of June 1, 1949, at pages 3940 and 3941, in line 6, after "recommendations", insert "and report its recommendations for enabling legislation to the Legislature at the 1950 Budget Session".

Amendment read, and adopted.

Consideration of House Resolution No. 224, as Amended

By Mr. Morris:

House Resolution No. 224

Relating to public transportation facilities in highway construction

WHEREAS, The 1946 Report on "Engineering Facts" to the California Legislature following extensive investigation and public hearings by the "Joint Fact-Finding Committee On Highways, Streets and Bridges" (Collier Committee) recommended a network of freeways or expressways; and

WHEREAS, Said report recommended that design should take into consideration all elements of use including provision for mass transportation where necessary, off-street parking facilities and terminals for transit systems, and stated that modern urban freeway design incorporates separate lanes for bus loading and off-street bus terminals; and

WHEREAS, Said report stated "In the proposed State Expressway System design standards must be high enough to accommodate all types of vehicles that will constitute the traffic over the system * * *. It is essential that bus routes be determined before expressways are designed, because special provision must be made for the safety of bus passengers and the general traffic, with facilities for loading and unloading passengers outside the traffic lanes.", and stated that "Bus lines operating over expressways properly designed to handle such traffic will add materially to the State's highway transportation facilities and serve large numbers of people who rely on mass transportation"; and

WHEREAS, Increased highway user taxes have been imposed to construct expressways or freeways for the purposes of relief of traffic congestion and more rapid travel; and

WHEREAS, There is an ever increasing need for more rapid travel by public transit vehicles as well as by private automobile; and

WHEREAS, Present patrons of motor coach operations are contributing to the construction cost of freeways through the increased highway user and fuel taxes imposed for that purpose; and

WHEREAS, Many more persons would undoubtedly use this means of travel if adequate facilities for the handling of passengers by bus were included in freeways or expressways with resulting benefit to the public at large through reduced traffic congestion because of the far greater carrying capacity of the bus as compared to the private vehicle; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Division of Highways be requested to give diligent attention to the incorporation in the design and construction of such expressways and freeways of those features which will insure to the public at large the fullest possible advantages from freeways by mass transit as well as by private vehicle, all in keeping with the above mentioned engineering recommendations and report its recommendations for enabling legislation to the Legislature at the 1950 Budget Session; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to transmit a copy of this resolution to the State Highway Engineer.

Resolution read, as amended.

House Resolution No. 224 ordered printed in the Journal, as amended, and temporarily passed on file.

Request for Unanimous Consent That House Resolution No. 224 Hold Place on File

Messrs Morris and Beck asked for, and were granted, unanimous consent that House Resolution No. 224 hold its place on file on the next legislative day.

CONSIDERATION OF HOUSE RESOLUTION NO. 230

By Messrs. Way, Condon, and Thompson:

House Resolution No. 230

Relating to the naming of the proposed four-lane freeway between Eureka and Arcata "Burns Freeway"

WHEREAS, On May 24, 1949, this body adopted a resolution (H. R. 199) requesting the Division of Highways to dedicate a suitable bridge or highway to the memory of the late Senator Michael J. Burns; and

WHEREAS, It has been proposed that a four-lane freeway be constructed from the north city limits of the City of Eureka to the north city limits of the City of Arcata within the constituency which Senator Michael J. Burns served so faithfully and well, and

WHEREAS, For the reasons set forth in the above mentioned resolution it is altogether fitting and proper that this freeway be dedicated to the memory of this beloved public servant, now, therefore, be it

Resolved by the Assembly of the State of California, That the Division of Highways is earnestly requested to name the proposed four lane freeway between the Cities of Eureka and Arcata the "Burns Freeway"; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the Board of Supervisors of Humboldt County, the Director of Public Works and the Division of Highways.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In line 2 of the title of the measure, as printed in the Assembly Journal for June 6, 1949, at page 4117, after "Arcata", strike out "'Burns Freeway'", and insert "'Michael J. Burns Memorial Freeway'".

Amendment No. 2

In paragraph 4, line 3, of said measure, after "the", strike out "'Burns Freeway'", and insert "'Michael J. Burns Memorial Freeway'".

Amendments read, and adopted.

Consideration of House Resolution No. 230, as Amended

By Messrs. Way, Condon, and Thompson:

House Resolution No. 230

Relating to the naming of the proposed four-lane freeway between Eureka and Arcata "Michael J Burns Memorial Freeway"

WHEREAS, On May 24, 1949, this body adopted a resolution (H R 199) requesting the Division of Highways to dedicate a suitable bridge or highway to the memory of the late Senator Michael J. Burns; and

WHEREAS, It has been proposed that a four-lane freeway be constructed from the north city limits of the City of Eureka to the north city limits of the City of Arcata within the constituency which Senator Michael J. Burns served so faithfully and well, and

WHEREAS, For the reasons set forth in the above mentioned resolution it is altogether fitting and proper that this freeway be dedicated to the memory of this beloved public servant; now, therefore, be it

Resolved by the Assembly of the State of California, That the Division of Highways is earnestly requested to name the proposed four-lane freeway between the Cities of Eureka and Arcata the "Michael J Burns Memorial Freeway"; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to the Governor, the Board of Supervisors of Humboldt County, the Director of Public Works and the Division of Highways

Resolution read, as amended, and adopted unanimously.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 672—An act to amend the headings of Article 6 of Chapter 14, Article 3 of Chapter 15, and Article 2 of Chapter 16, of Division 3 of the Education Code and to amend Sections 6951, 7021, 7146, 7149, 7150, 7211, 7212, 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, and 7222 of, and to add Section 7223 to said code, all relating to the attendance of pupils residing in California and attending school in an adjoining state

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Gaffney, Geddes,

Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rumford, Stanley, Thomas, Thompson, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1007—An act to amend Sections 16001 and 16002 of, and to add Section 16001.1 to, the Education Code, relating to admission to the public schools, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Rumford, Stanley, Stewart, Thomas, Thompson, Weber, Yorty, and Mr. Speaker—56.

NOES—Anderson—1.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Reagan, Rumford, Stanley, Stewart, Thomas, Thompson, Weber, Yorty, and Mr Speaker—56.

NOES—Anderson—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1952—An act to amend Section 12 of an act entitled "An act relating to aeronautics; providing for the development and regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing the powers and duties of such commission and director; prescribing penalties; and to make uniform the law with reference to state development and regulation of aeronautics, and repealing acts inconsistent herewith," approved July 11, 1947, relating to aeronautics.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Stewart, Thomas, Thompson, Waters, Weber, and Mr. Speaker—47.

NOES—Anderson, Beck, Condon, Cooke, Hagen, Kilpatrick, Lowrey, and Stanley—8.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.50 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 3085—An act to add Section 32050.5 to the Government Code, relating to retirement of county peace officers, including but not limited to constables, deputy constables, and employees of the sheriff's office.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thompson, Weber, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2280—An act to amend Section 7011 of the Business and Professions Code, relating to contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—54

NOES—Geddes and Hagen—2

Bill ordered transmitted to the Senate.

Hon. Robert C. Kirkwood Presiding

At 10 a.m., Hon. Robert C. Kirkwood, Member of the Assembly from the Twenty-eighth District, presiding.

Assembly Bill No. 2905—An act to amend Section 5082.1 of the Business and Professions Code, relating to the practice of public accountancy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 835—An act to add Section 13668 to the Government Code, relating to mailing lists maintained by state agencies for distribution of publications or other printed matter.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—61

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2369—An act to add Article 3.5 to Chapter 1, Part 1 of Division 3 of Title 2 of the Government Code, relating to state-owned motor vehicles.

Bill read third time.

Demand for Previous Question

Messrs. Conrad, Luckel, Connolly, Heisinger, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2369.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59.

NOES—Thomas—1

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred

Assembly Concurrent Resolution No. 97

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DICKEY, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent to take up Assembly Concurrent Resolution No. 97, at this time, without reference to file, for purpose of amendment, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 97

Assembly Concurrent Resolution No. 97—Relative to the adjournment sine die of the 1949 Regular Session of the Legislature of the State of California.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 4, of the printed measure, strike out "Tuesday, June 28,", and insert "Thursday, June 30,".

Amendment read.

Parliamentary Inquiry

Mr. Dunn arose to the following parliamentary inquiry: If the proposed amendment to Assembly Concurrent Resolution No. 97 is adopted, will it disenfranchise future notices of motion to reconsider votes on bills?

Ruling by Speaker

Acting Speaker Kirkwood ruled that, until the resolution is adopted, as amended, such cannot be the case.

Roll Call Demanded

Messrs. Beck, Rosenthal, and Grant demanded a roll call.

The roll was called, and the amendment proposed to Assembly Concurrent Resolution No. 97 adopted by the following vote:

AYES—Babbage, Burke, Butters, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Evans, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, McCarthy, McCollister, Morris, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—34

NOES—Anderson, Beck, Brady, Brown, Burkhalter, Coats, George D Collins, Cooke, Clayton A Dills, Dunn, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Lewis, Lowrey, McMillan, Moss, Niehouse, Rosenthal, Rumford, Stanley, and Thomas—24.

Resolution ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1514

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1514, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1514

Assembly Bill No. 1514—An act to amend Sections 5, 6, 8, 9, and 16 of the California Agricultural Products Marketing Act of 1943, relating to the marketing of agricultural products, declaring the urgency of this act to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Connolly, Crichton, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—62

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Connolly, Crichton, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—62

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 8

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate Amendments to Assembly Constitution Amendment No. 8, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 8?

Amendment No. 1

On page 1, line 17, of the printed measure, strike out "be less than", and insert "exceed".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Constitutional Amendment No. 8 by the following vote:

AYES—Beck, Elliott, Evans, Geddes, Hollibaugh, and Rosenthal—6.

NOES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Stanley, Thomas, Tomlinson, Waters, Way, and Yorty—47.

Appointment of Committee on Conference Concerning Assembly Constitutional Amendment No. 8

The Speaker announced the appointment of Messrs. Brown, Connolly, and Beck as a Committee on Conference concerning Assembly Constitutional Amendment No. 8.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO RECONSIDER ASSEMBLY BILL NO. 2240

In compliance with a notice given on a previous day, Mr. Brady moved that the vote whereby Assembly Bill No. 2240 was passed be reconsidered.

The roll was called, and Assembly Bill No. 2240 refused reconsideration by the following vote:

AYES—Anderson, Brady, Burkhalter, Dunn, Elliott, Gaffney, Levering, McCollister, McMillan, Niehouse, Rumford, and Thomas—12.

NOES—Babbage, Beck, Bennett, Brown, Burke, Butters, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, Morris, Moss, Rosenthal, Silliman, Stanley, Stewart, Tomlinson, Way, and Yorty—43.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 385, on request of Mr. Way.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3152—An act to amend Sections 11512, 11513, 11517, and 11521 of the Government Code, relating to administrative adjudication.

Bill read third time.

Motion That Assembly Bill No. 3152 Be Withdrawn From File, and Be Re-referred

Mr. Condon moved that Assembly Bill No. 3152 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

Mr. Luckel seconded the motion.

Demand for Previous Question

Messrs. Levering, Luckel, Conrad, Burke, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Condon that Assembly Bill No. 3152 be withdrawn from the file, and be re-referred to the Committee on Judiciary.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Davis, Clayton A. Dills, Dunn, Geddes, Hagen, Hawkins, Lewis, Luckel, McCollister, Rosenthal, Rumford, Thomas, and Way—20.

NOES—Babbage, Brady, Brown, Burke, Butters, Collier, Connolly, Conrad, Cooke, Crichton, Dickey, Doyle, Erwin, Fleury, Grant, Hinckley, Huyck, Kirkwood, Levering, Lindsay, Moss, Niehouse, Silliman, Stanley, Stewart, Thompson, Tomlinson, Weber, and Yorty—29.

The question being on the passage of Assembly Bill No. 3152.

Assembly Bill No. 3152 ordered temporarily passed on file.

Assembly Bill No. 2855—An act to add Section 24205.1 to the Education Code, relating to the conferring of diplomas and degrees by schools and colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lipscomb, Luckel, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—57.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke,

Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lipscomb, Luckel, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—57

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 359—An act to amend Section 24526 of the Education Code, relating to uniform fire signals in schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Luckel, McCarthy, McCollister, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—54.

NOES—Beck, Coats, Davis, Hagen, Lowrey, and Silliman—6

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 106

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 106, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 106

Assembly Bill No. 106—An act to add Section 1630.1 to the Labor Code, relating to employment agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, McCarthy, McCollister, Morris, Niehouse, Rumford, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2318—An act to amend Section 8274 of the Education Code, relating to the pupils of the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh,

Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, McCarthy, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Yorty—57.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 644

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 644, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 644

Assembly Bill No. 644—An act to repeal Article 7.5 comprising Sections 7125 and 7126, of Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors, including workmen's compensation reports of such contractors and reports of their insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Yorty—58.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2492—An act to amend Section 19572 of the Government Code, pertaining to political activity by state employees.

Bill read third time.

Speaker Pro Tempore Presiding

At 11.50 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Brady, Brown, Burke, Butters, Caldecott, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Fleury, Geddes, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—48

NOES—Bennett, Burkhalter, Coats, George D. Collins, Gaffney, Hagen, Hawkins, Heisinger, Moss, Thomas, and Yorty—11.

Motion to Amend Title

Mr. Geddes moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 6, 1949, strike out "pertaining to political activity by", and insert "relating to grounds for discipline of".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT

Mr. Moss asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 43, at this time, out of order, without reference to file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 43

Assembly Joint Resolution No. 43—Relative to California State Employees' Association's Eighth Annual Institute on Government.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—None.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 257

Resolved by the Assembly of the State of California, That the Controller be and he is hereby directed to draw his warrant upon the Contingent Fund of the Assembly in favor of the Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, in the sum of three thousand nine hundred fifty dollars ($3,950), said amount being for the purchase of postage stamps to be used by Members of the Assembly for official mail; and be it further

Resolved, That the Chief Clerk be and he is hereby directed to purchase postage stamps in such amounts and denominations, not exceeding three thousand nine hundred fifty dollars ($3,950) in the aggregate, as shall be necessary for the use of the Members of the Assembly for official mail; and be it further

Resolved, That the amount of stamps requisitioned by any one Member of the Assembly for official mail shall not exceed the sum of fifty dollars ($50).

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 257, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—60.

NOES—None

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 1638 FROM COMMITTEE

Mr. Thomas gave notice that on the second legislative day he would move to withdraw Senate Bill No. 1638 from the Committee on Fish and Game, and have it placed upon the file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 11.58 a.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Lindsay granted permission to introduce a bill by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—72

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3173: By Mr. Lindsay—An act to amend Section 10401, and to repeal Sections 10454 and 10455 of the Revenue and Taxation Code, relating to the taxation of persons engaged in the transportation of persons or property upon the public highways by motor vehicles, and providing for the administration thereof.

Referred to Committee on Revenue and Taxation.

MEMBERS EXCUSED

At 12 01 p.m., Mr. George D. Collins asked for, and was granted, unanimous consent that Mr. Meyers be excused, for the balance of the legislative day, because of illness.

At 12 02 p.m., Mr. Silliman asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere.

At 12.03 p m., Mr. Yorty asked for, and was granted, unanimous consent that he and Messrs. Hollibaugh and Kirkwood be excused, for the balance of the legislative day, for the purpose of attending to legislative business elsewhere.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 2067 FROM COMMITTEE

Mr. Moss gave notice that on the second legislative day he would move to withdraw Assembly Bill No 2067 from the Committee on Public Utilities and Corporations, and have it placed upon the file

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1468

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2219

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No 93	Senate Bill No. 670
Senate Bill No. 113	Senate Bill No. 752
Senate Bill No. 493	Senate Bill No. 1317

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1195

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 3172

Respectfully reports the same back without recommendation, and re-refer to the Committee on Ways and Means.

THOMPSON, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 958

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 1925

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 795
Senate Bill No. 1620
Senate Bill No 1635

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No. 2532

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 1005

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to third reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 43

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 162

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 43

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1220	Assembly Bill No. 2327
Assembly Bill No 1969	Assembly Bill No. 2636
Assembly Bill No. 2312	Assembly Bill No. 3165

And reports the same correctly engrossed

HUYCK, Chairman

Above reported bills ordered to third reading.

RECESS

At 12 04 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1960 HOLD PLACE ON FILE

Mr. Stanley asked for, and was granted, unanimous consent that Assembly Bill No. 1906 be passed on file, and hold its place on file on the next legislative day.

MEMBERS EXCUSED

At 2.02 p.m., Mr. Beck asked for, and was granted, unanimous consent that Mr. Geddes be excused, for the balance of the legislative day, because of illness.

At 2.03 p.m., Mr. Lindsay asked for, and was granted, unanimous consent that Mr. Way be excused, for the balance of the legislative day, because of illness.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Gaffney:

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for research leading to the treatment and cure of multiple sclerosis

Respectfully submitted,

EDWARD M GAFFNEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Gaffney:

An act making an appropriation for research leading to the treatment and cure of multiple sclerosis.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Kirkwood moved a call of the Assembly.

Motion carried. Time, 2.04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Butters, Clarke, Collier, Condon, Davis, Dickey, Clayton A. Dills, Dolwig, Evans, Fleury, Gaffney, Grant, Hagen, Hinckley, Kilpatrick, Levering, Lowrey, Luckel, Maloney, Morris, Niehouse, Rosenthal, and Thomas—24.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1877

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1877, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1877

Assembly Bill No. 1877—An act to add Section 311 to and to amend Section 450 of the California Unemployment Insurance Act, relating to the payment of unemployment compensation disability benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Doyle, Dunn, Elliott, Erwin, Grunsky, Hahn Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Lewis, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—45.

NOES—None.

Motion to Amend Title

Mr. Grunsky moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 13, 1949, strike out "450", and insert "459".

Amendment read, ~~and adopted.~~

Motion to Expunge Record, and Rescind Action on Title Amendment to Assembly Bill No. 1877

Mr. Grunsky moved to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the title amendment to Assembly Bill No. 1877.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury,

Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lowrey, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, and Weber—50.

NOES—None.

Title Amendment Withdrawn

Mr. Grunsky withdrew his amendment to the title of Assembly Bill No. 1877.

Bill ordered transmitted to the Senate.

Hon. Gordon R. Hahn Presiding

At 2.10 p.m., Hon. Gordon R. Hahn, Member of the Assembly from the Sixty-sixth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2068

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2068, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2068

Assembly Bill No. 2068—An act to amend Section 8101 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fletcher, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Mr. Speaker—50.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3155

Mr. Lipscomb asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3155, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3155

Assembly Bill No. 3155—An act to add Sections 5030.1, 5030.2, 5030.3, and 5030.4 to the Business and Professions Code, relating to accountants.

Bill read third time.

Point of Order

Mr. Lipscomb arose to the following point of order: That Mr. McMillan is not speaking to the subject.

Ruling by Speaker

Acting Speaker Hahn ruled the point of order well taken.

Demand for Previous Question

Messrs. Connolly, Heisinger, Burke, Reagan, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3155.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—53.

NOES—Condon, Evans, Fletcher, Heisinger, Lowrey, McMillan, and Tomlinson—7.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 14, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS. I am returning herewith, without my signature,

Assembly Bill No. 2849, entitled: "An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax."

My objections to this bill are as follows:

Although this bill purports to provide an exemption from the use tax for any livestock, including horses, cattle, sheep and swine, purchased outside the State for use within the State for breeding purposes, or in the case of horses, for racing purposes, it actually only adds the exemption for horses brought into the State for breeding or racing purposes. This is true since cattle, sheep and swine are now exempt from the sales and use tax under Section 6358 of the Revenue and Taxation Code, (Ruling 47 on the Sales and Use Tax Law, interpreting Section 6358 of the Revenue and Taxation Code).

As effecting only the use tax on horses for breeding or racing purposes, this bill is discriminatory on at least two points. Since racing is a luxury sport, it discriminates in tax exemption in favor of a luxury as against the many necessity items which remain subject to the tax. As an exemption from the use tax only and not the sales tax, it discriminates against California horses which would remain subject to the sales tax, in favor of out-of-State horses which would be exempt from the use tax. This discrimination violates the purpose of our Horse Racing Laws, which are designed to encourage the breeding of horses in this State, and violates the purpose of our Use Tax Law which is designed to remove any discrimination against sales made in this State, and not to promote such discrimination.

Not only does this bill introduce these two objectionable discriminations into our tax system, but it increases tax exemptions and constitutes a certain invitation to further exemptions. It has always been the history of any sales or use tax exemption that other exemptions are asked on the basis of a precedent set.

I find no justification whatever for this new and discriminatory tax exemption.

Respectfully submitted,

EARL WARREN, Governor

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 540, on request of Mr. Geddes.

UNANIMOUS CONSENT GRANTED TO RECALL ASSEMBLY BILL NO. 447 FROM THE SENATE

Mr. Morris asked for, and was granted, unanimous consent that the Chief Clerk be instructed to request the Senate to return Assembly Bill No. 447 for further consideration.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 759—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—58.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2266

Mr. Lipscomb asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2266, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2266

Assembly Bill No. 2266—An act to amend Section 13652 of the Education Code, relating to rights of permanent employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Waters, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 965

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No 965, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 965

Assembly Bill No. 965—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4225, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 4, line 26, of the printed bill, insert

"4025. This section and Section 4024 shall become operative when this chapter takes effect. The provisions of this chapter other than this section and Section 4024 shall become operative only if and when grants-in-aid as assistance to disabled persons are provided or made available to this State by the Government of the United States."

Amendment No. 2

On page 11, line 31, of said bill, after "to", strike out "one-half", and insert "three-fourths".

Amendments read.

Amendments found not in order.

Assembly Bill No. 965 ordered temporarily passed on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 25—An act to add Section 544 to the Streets and Highways Code, relating to state highway routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lindsay, Lowrey, Luckel, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Waters, and Weber—53.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 47—An act to amend Section 253 of and to add Section 254.6 to the Vehicle Code, relating to student licenses and instruction permits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO SPEAK ON CONDITION OF THE FILE

Mr. Lowrey asked for unanimous consent that he be permitted to speak on the condition of the file.

Mr. Dickey withheld unanimous consent.

PARLIAMENTARY INQUIRY

Mr. Lowrey arose to the following parliamentary inquiry: Will members be excused at 3 p m. for the purpose of permitting the Committee on Conservation, Planning, and Public Works to hold a scheduled committee meeting at that hour?

Ruling by Speaker

Acting Speaker Hahn ruled that whatever announcement Majority Floor Leader Dickey puts forward at this time, relative to the subject, would be the answer.

Announcement

Mr. Dickey announced that, because of the crowded condition of the file, no members will be excused this afternoon for the purpose of attending committee meetings; and that all committee meetings will be held at 8 p.m. tonight.

Motion to Adjourn

Mr. Lowrey moved that the Assembly do now adjourn, for the purpose of holding committee meetings at 3 p.m., until 9.30 a.m., tomorrow, Thursday, June 16, 1949.

Ruling by Speaker

Acting Speaker Hahn ruled Mr. Lowrey's motion out of order because there was no second to the motion.

Motion to Adjourn

Mr. Lowrey moved that the Assembly do now adjourn until 9.30 a.m., tomorrow, Thursday, June 16, 1949.

Mr. Crowley seconded the motion.

Point of Order

Mr. Collier arose to the following point of order: That, pursuant to Standing House Rule No 66, Mr. Lowrey's motion is not in order.

Ruling by Speaker

Acting Speaker Hahn ruled the point of order well taken, and the motion by Mr. Lowrey out of order.

Appeal From the Decision of the Chair

Mr. Lowrey appealed from the decision of the Chair.

Ruling by Speaker

Acting Speaker Hahn declared Mr. Lowrey out of order, pursuant to Standing House Rule No. 66.

Renewal of Appeal From the Decision of the Chair

Mr. Lowrey renewed his appeal from the decision of the Chair.

Speaker Presiding

At 3:05 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Appeal From Decision of Chair Withdrawn

Mr. Lowrey withdrew his appeal from the decision of the Chair.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2251—An act to amend Section 326 of Article 3 of Chapter 2 of the Streets and Highways Code, relating to the Ramona Freeway (Route 26) of the State Highway System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hollibaugh, Levering, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Thomas, Way, Weber, and Mr. Speaker—47

NOES—Collier, Conrad, Grunsky, Hinckley, and Sherwin—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3160—An act to amend Section 306 of the Streets and Highways Code, relating to state highway routes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Gaffney, Geddes, Grunsky, Hagen Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Reagan, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Way, Weber, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3093—An act to add Section 465.92 to the Vehicle Code, relating to street name signs at signal controlled intersections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 238—An act to add Sections 704.1 and 1731.1 to the Insurance Code, relating to false advertising regarding health, hospital, or medical insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott,

Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Leverng, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 42—Relative to requesting the Congress of the United States to enact legislation concerning the burning qualities of cigarettes.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Smith, Stanley, Stewart, Thompson, Way, Weber, and Mr. Speaker—53.

NOES—Collier, Conrad, and Evans—3.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 664

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 664, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 664

Assembly Bill No. 664—An act to add Article 4.5 to Chapter 2 of Division 10 of the Education Code, relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1119

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1119, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1119

Assembly Bill No. 1119—An act to amend the title of, and to add Section 1.5 to "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, and to validate

contracts executed by the State of California and the Golden Gate Bridge and Highway District in pursuance of said act, relating to public bridges and highways, relating to the purposes of expenditure of said appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr Speaker—59

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—59

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 965

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 965, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 965

Assembly Bill No. 965—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4225, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on June 3, 1949, between lines 25 and 26, insert

"4025. This section and Section 4024 shall become operative when this chapter takes effect. The provisions of this chapter other than this section and Section 4024 shall become operative only if and when grants-in-aid as assistance to disabled persons are provided or made available to this State by the Government of the United States."

Amendment No. 2

On page 11, line 44, of said bill, strike out "one-half", and insert "three-fourths".

Amendments read.

Speaker Pro Tempore Presiding

At 3.54 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Division of the Question

Mr. Coats asked for a division of the question.

Division of the question ordered.

Consideration of Amendment No. 1

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on June 3, 1949, between lines 25 and 26, insert

"4025. This section and Section 4024 shall become operative when this chapter takes effect. The provisions of this chapter other than this section and Section 4024 shall become operative only if and when grants-in-aid as assistance to disabled persons are provided or made available to this State by the Government of the United States."

Amendment read.

Roll Call Demanded

Messrs. Elliott, Lewis, and Coats demanded a roll call.

The roll was called, ~~and Amendment No. 1, offered by Mr. Levering to Assembly Bill No. 965, adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Fleury, Geddes, Grant, Grunsky, Hagen, Hinckley, Hoffman, Levering, Lipscomb, Lowrey, Luckel, Maloney, Reagan, Sherwin, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—30

NOES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dunn, Elliott, Evans, Gaffney, Hawkins, Heisinger, Kilpatrick, Lewis, Lindsay, Niehouse, Rosenthal, and Rumford—26.]

Motion to Expunge Record, and Rescind Action on Adoption of Amendment No. 1 Offered by Mr. Levering to Assembly Bill No. 965

Mr Hawkins moved to expunge the record, and rescind the action whereby the Assembly, on this day, adopted Amendment No. 1, offered by Mr. Levering to Assembly Bill No. 965.

Mr. Rosenthal seconded the motion

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Moss, Reagan, Rosenthal, Rumford, Stanley, Thomas, Waters, and Weber—51.

NOES—Butters, Connolly, Grant, Hinckley, Hoffman, Sherwin, Thompson, and Tomlinson—8.

Further Consideration of Amendment No. 1

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on June 3, 1949, between lines 25 and 26, insert

"4025 This section and Section 4024 shall become operative when this chapter takes effect. The provisions of this chapter other than this section and Section 4024 shall become operative only if and when grants-in-aid as assistance to disabled persons are provided or made available to this State by the Government of the United States."

Amendment read.

The roll was called, and the amendment adopted by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dolwig, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman,

Levering, Lindsay, Lapsconb, Lowrey, Luckel, Maloney, McCollister, Reagan, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—35.

NOES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Elliott, Evans, Gaffney, Hawkins, Heisinger, Kilpatrick, Lewis, Niehouse, Rosenthal, Rumford, and Thomas—25.

Consideration of Amendment No. 2

Amendment No. 2

On page 11, line 44, of said bill, strike out "one-half", and insert "three-fourths".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 965

Mr. Lewis moved that a rush order be placed upon the printing of Assembly Bill No. 965.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1562—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—59

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 88

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 88, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 88

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75 and 76 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 21 of the Corporate Securities Act, and Section 25301 of the Corporations Code, and Section 10055 of the Business and Professions Code, and Section 107.5 of the Health and Safety Code, relating to state officers.

Bill read third time.

Demand for Previous Question

Messrs. Caldecott, Connolly, Luckel, Babbage, and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 88.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Motion carried. Time, 4.33 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Brown, Butters, Crowley, Clayton A. Dills, Dolwig, Erwin, Fletcher, Geddes, Hollibaugh, Huyck, Levering, Morris, and Rumford—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 409 BE RECALLED FROM ENROLLMENT

Mr. George D. Collins asked for, and was granted, unanimous consent that Assembly Bill No. 409 be recalled from enrollment, for the purpose of amending the title, and that the record be expunged and the action rescinded whereby Assembly Bill No. 409 was ordered enrolled.

Assembly Bill No. 409 ordered recalled from enrollment.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2468—An act to amend Section 689.6 of the Code of Civil Procedure, relating to executions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Stanley, Thomas, Thompson, Waters, Way, and Weber—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Concurrent Resolution No. 101—Relative to five certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the thirty-first day of May, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—56.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2901

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2901, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2901

Assembly Bill No. 2901—An act to add Chapter 4, comprising Sections 10500 to 10526, inclusive, to Part 2 of Division 2 of Title 2 of the Government Code, relating to the Legislative Library and providing for the appointment of a librarian responsible to a legislative committee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Brady, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—42.

NOES—Bennett, Burkhalter, Butters, Crowley, Huyck, Luckel, and Smith—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 224

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up further consideration of House Resolution No. 224, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 224, AS AMENDED

By Mr. Morris:

House Resolution No. 224

Relating to public transportation facilities in highway construction

WHEREAS, The 1946 Report on "Engineering Facts" to the California Legislature following extensive investigation and public hearings by the "Joint Fact-Finding Committee On Highways, Streets and Bridges" (Collier Committee) recommended a network of freeways or expressways; and

WHEREAS, Said report recommended that design should take into consideration all elements of use including provision for mass transportation where necessary, off-street parking facilities and terminals for transit systems, and stated that modern urban freeway design incorporates separate lanes for bus loading and off-street bus terminals; and

WHEREAS, Said report stated "In the proposed State Expressway System design standards must be high enough to accommodate all types of vehicles that will constitute the traffic over the system * * * It is essential that bus routes be determined before expressways are designed, because special provision must be made for the safety of bus passengers and the general traffic, with facilities for loading and unloading passengers outside the traffic lanes.", and stated that "Bus lines operating over expressways properly designed to handle such traffic will add materially to the State's highway

transportation facilities and serve large numbers of people who rely on mass transportation."; and

WHEREAS, Increased highway user taxes have been imposed to construct expressways or freeways for the purposes of relief of traffic congestion and more rapid travel; and

WHEREAS, There is an ever increasing need for more rapid travel by public transit vehicles as well as by private automobile; and

WHEREAS, Present patrons of motor coach operations are contributing to the construction cost of freeways through the increased highway user and fuel taxes imposed for that purpose; and

WHEREAS, Many more persons would undoubtedly use this means of travel if adequate facilities for the handling of passengers by bus were included in freeways or expressways with resulting benefit to the public at large through reduced traffic congestion because of the far greater carrying capacity of the bus as compared to the private vehicle; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Division of Highways be requested to give diligent attention to the incorporation in the design and construction of such expressways and freeways of those features which will insure to the public at large the fullest possible advantages from freeways by mass transit as well as by private vehicle, all in keeping with the above mentioned engineering recommendations and report its recommendations for enabling legislation to the Legislature at the 1950 Budget Session; and be it further

Resolved, That the Chief Clerk of the Assembly be instructed to transmit a copy of this resolution to the State Highway Engineer.

Resolution read, as amended, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2007

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2007, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2007

Assembly Bill No. 2007—An act to amend Sections 8200, 8201, 8203.1, 8207, 8209, 8212, and 8213 of the Government Code and Section 1183.5 of the Civil Code, relating to notaries public.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—53.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2695

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2695, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2695

Assembly Bill No. 2695—An act to add Section 261d to the Code of Civil Procedure, relating to fees for phonographic reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hahn, Hawkins, Hinckley, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—53.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3134 FROM COMMITTEE

Mr. Lewis gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 3134 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 482 FROM COMMITTEE

Mr. Lewis gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 482 from the Committee on Finance and Insurance, and have it placed upon the file.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2469, on request of Mr. Lewis.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1435—An act to add a section to the Banking Code, relating to the payment of claims to trust property or money deposited with the State Treasurer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—55.

NOES—None.

Motion to Amend Title

Mr. Waters moved the adoption of the following amendments to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 8, 1949, after "add", strike out "a".

Amendment No. 2

In line 2 of the title of said bill, after "Section", insert "3166".

Amendments read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3152

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 3152, temporarily passed on file, for purpose of amendment, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 3152

Assembly Bill No. 3152—An act to amend Sections 11512, 11513, 11517, and 11521 of the Government Code, relating to administrative adjudication.

Bill read third time.

Motion to Amend

Mr. Stewart moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 10, 1949, strike out "Sections 11512, 11513, 11517 and 11521", and insert "Section 11513".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 15, inclusive, and insert "SECTION 1. Section 11513 of the Government Code is amended to read:".

Amendment No. 3

On page 2, line 12, of said bill, strike out "introduced", and insert "admitted unless it will be admissible over objection in civil actions".

Amendment No. 4

On page 2 of said bill, strike out lines 13 to 35, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1436—An act to add two sections to the Banking Code, to be numbered 274 and 275, relating to the State Banking Fund and the Revolving Fund in the State Banking Department.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 993—An act to amend Section 423 of the Probate Code, relating to the administration of estates of decedents.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan,

Rosenthal, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—55.
NOES—None.

Bill ordered transmitted to the Senate.

Explanation of Vote

In re: Action taken on Assembly Bill No. 993.
At the time a vote was taken on this bill, I was absent at a committee hearing. Had I been present I would have voted "No."

HARLAN HAGEN

Assembly Bill No. 875—An act to amend Section 786.5 of, and to add Section 786.3 to, the Fish and Game Code, and to add Chapter 8.5, comprising Sections 28460 and 28461, to Division 21 of the Health and Safety Code, relating to lobsters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—54.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1664 HOLD PLACE ON FILE

By order of the Speaker pro Tempore, and by unanimous consent, Assembly Bill No. 1664 was passed on file, and ordered to hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 886—An act to amend Sections 794.5, 795, 799, and 802 of the Fish and Game Code, relating to abalones.

Bill read third time.

Motion to Amend

Mr. Thomas moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 9, 1949, strike out "799,".

Amendment No. 2

In line 2 of the title of said bill, after "of", insert ", and to repeal Section 799 of,".

Amendment No. 3

On page 1, line 5, of said bill, after the comma, insert "and in waters less than twenty feet deep in other districts,".

Amendment No. 4

On page 1, line 6, of said bill, strike out ", except when", and insert a period.

Amendment No. 5

On page 1 of said bill, strike out lines 7 to 27, inclusive.

Amendment No. 6

On page 2 of said bill, strike out lines 6 to 11, inclusive.

Amendment No. 7

On page 2, line 12, of said bill, strike out "4", and insert "3".

Amendment No. 8

On page 2, line 13, of said bill, after "purposes", insert "except under a revocable permit issued by the commission and under such rules and regulations as the commission shall prescribe."

Amendment No. 9

On page 2 of said bill, strike out lines 16 to 25, inclusive.

Amendment No. 10

On page 2, line 26, of said bill, strike out "shell side up."

Amendment No. 11

On page 2, line 37, of said bill, after "commercially ', insert "along the mainland coast".

Amendment No. 12

On page 2 of said bill, after line 37, insert
"SEC. 4. Section 799 of said code is repealed."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Clayton A. Dills:

House Resolution No. 258

Relating to the creation of the Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and similar associations

WHEREAS, The Assembly has been informed that a need exists for new and additional legislation concerning the associations named in the title hereof; and

WHEREAS, Such organizations are quasi-public corporations and their activities affect the health, welfare and safety of the citizens of the State; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such organizations in order that it may intelligently legislate thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and similar associations is hereby created and authorized and directed to ascertain, study and analyze all facts and laws in any way bearing upon or relating to the subject of this resolution and the recitals thereof, including, but not limited to, the investment and management of perpetual care funds of such associations, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To employ auditors and other technical and clerical assistance

6. The sum of_____dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced the invitation of Mr. Sebastian, president of the Hotel Senator, that all members be his guests from 5 30 p.m. until 7.30 p.m., tonight, at the Hotel Senator.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2255

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2255, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2255

Assembly Bill No. 2255—An act to amend Sections 3, 5, 13, and 46 of, and to add Part 9 to, the Vehicle Parking District Act of 1943, relating to an additional method of financing vehicle parking districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—54.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 315

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 315, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 315

Senate Bill No. 315—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 16, of the printed bill, as amended in the Assembly on June 3, 1949, strike out "cannot", and insert "does not".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 314

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 314, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 314

Senate Bill No. 314—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 3, line 12, of the printed bill, as amended in the Assembly on June 3, 1949, strike out "cannot", and insert "does not".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 863 FROM COMMITTEE

Mr. George D. Collins gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 863 from the Committee on Public Health, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 983

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 983, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 983

Senate Bill No. 983—An act to amend Section 2848 of the Elections Code, relating to termination of membership in a county central committee.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, after "committee", insert "*The amendments to this section shall be effective July 1, 1950.*"

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bills Nos. 1734 and 1733, on request of Mr. Brady.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Keating, Salsman, and Rich as a Committee on Conference concerning:

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 30

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 451
Senate Bill No 901
Senate Bill No 921
Senate Bill No 1016
Senate Bill No 1019
Senate Bill No 1353

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 451—An act to amend Section 40 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control.

Referred to Committee on Public Morals.

Senate Bill No. 901—An act to amend the title and to repeal Sections 56, 58, 101, 101.5, 101.6, 101.8, and 101.9, to renumber Section 57.7, to amend and renumber Section 57.5, and to amend the title and Sections 1, 3, 13, 53, 54, 56.6, 57, 67, 86, 92, 100, 201, and 204 of the Unemployment Insurance Act, and to add Sections 57.2, 57.3, 59, 84, and 103 thereto.

Referred to Committee on Finance and Insurance.

Senate Bill No. 921—An act to amend Section 2 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1016—An act to amend Section 29741 of the Government Code, relating to the audit and allowance of claims against counties.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1019—An act to add Chapter 1.5 to Division 10 of the Education Code, relating to the System of Publicly Supported Higher Education.

Referred to Committee on Education.

Senate Bill No. 1353—An act to amend Sections 5, 6, 7, 8, 11, 11a, 24.5, 24.6, 27b, and 60 of the Alcoholic Beverage Control Act, relating to alcoholic beverages control.

Referred to Committee on Public Morals.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 53—Relative to the survey of a state highway from MacArthur in Shasta County to Susanville in Lassen County;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 20—An act to add Sections 1595, 1596, and 1597 to the Vehicle Code, relating to motor vehicle registration;

Assembly Bill No. 252—An act to add Section 7114 to the Health and Safety Code, relating to authorizations for the performance of autopsies;

Assembly Bill No. 404—An act to add Section 212 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 930—An act to add Section 16275.5 to the Education Code, relating to the use of school busses;

Assembly Bill No. 1010—An act to add Section 2175.1 to the Business and Professions Code, relating to persons authorized to practice medicine and surgery under the Department of Corrections;

Assembly Bill No. 1222—An act to repeal Article 9 of Chapter 1 of Division 2 of the Fish and Game Code, and to add Sections 1260, 1261, 1262, and 1263, to Article 3, Chapter 3, Part 3, Division 4, of said code, relating to taking of deer with bow and arrow;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2024—An act to amend Section 3728 of the Revenue and Taxation Code, relating to the sale of tax-deeded property and the interest of the purchasers at such sales;

Assembly Bill No. 2229—An act to amend Section 6652 of the Welfare and Institutions Code, relating to the collection of costs and charges for the maintenance of state hospital patients by the Department of Mental Hygiene;

Assembly Bill No. 2835—An act to amend Sections 18737 and 18742 of, and to add Section 18736.6 to the Business and Professions Code, relating to boxing;

And reports that the same have been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2899—An act to amend Section 418 of the Education Code, relating to compensation of the county superintendent of schools in a county of the eighteenth class;

And reports that the same has been correctly enrolled, and presented to the Governor on the fifteenth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 49—A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Sections 1, 11, and 23 and repealing Sections 11a and 13 of Article VI thereof, relating to inferior courts;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the fifteenth day of June, 1949, at 3 p.m.

HUYCK, Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Assembly Bill No. 2102

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which was referred:

Assembly Bill No. 2340

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

NIEHOUSE, Chairman

Above reported bill ordered to second reading

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 5.15 p.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Gaffney granted permission to introduce a bill by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr Speaker—64.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3174: By Mr. Gaffney—An act making an appropriation for research leading to the treatment and cure of multiple sclerosis.

Referred to Committee on Public Health.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 88

At 5.20 p.m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 88 passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown. Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Huyck, Levering, Lindsay, Maloney, McCarthy, McCollister, Morris, Moss, Reagan, Rosenthal, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—45.

NOES—Anderson, Burkhalter, Condon, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Evans, Geddes, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, McMillan, Niehouse, Smith, and Way—23.

Motion to Amend Title

Mr. Sherwin moved the adoption of the following amendment to the title:

Amendment No. 1

In line 10 of the title of the printed bill, as amended in the Assembly on June 7, 1949, after "Code," insert "and Section 21 of the Agricultural Code,".

Amendment read, and adopted.

(Notice of motion to reconsider passage of Assembly Bill No. 88 given later in day.)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER VOTE ON ASSEMBLY BILL NO. 3146

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider vote on Assembly Bill No. 3146, temporarily passed on the unfinished business file, at this time.

MOTION TO RECONSIDER ASSEMBLY BILL NO. 3146

In compliance with a notice given on a previous day, Mr. Thompson moved that the vote whereby Assembly Bill No. 3146 was passed be reconsidered.

The roll was called, and Assembly Bill No. 3146 refused reconsideration by the following vote:

AYES—Brady, Burke, Clarke, Collier, Connolly, Conrad, Crichton, Gaffney, Grunsky, Kirkwood, Morris, Niehouse, Reagan, Sherwin, Stewart, Thompson, Tomlinson, and Way—18.

NOES—Anderson, Beck, Bennett, Brown, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Cooke, Crowley, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Lewis, Lindsay, Lowrey, McCarthy, Moss, Rumford, and Weber—33.

Assembly Bill No. 3146 ordered transmitted to the Senate.

CONSIDERATION OF ASSEMBLY BILL NO. 409 (OUT OF ORDER) (BY UNANIMOUS CONSENT)

Assembly Bill No. 409—An act to add Section 1028 to the Government Code, relating to disqualification from office or employment as peace officers for persons convicted of felonies and prescribing fingerprint records to be made of peace officers.

Bill read.

Motion to Amend Title

Mr. George D. Collins moved the adoption of the following amendment to the title:

Amendment No. 1

In lines 3 and 4 of the title of the printed bill, as amended in the Senate on May 19, 1949, strike out "and prescribing fingerprint records to be made of peace officers".

Amendment read, and adopted.

Bill ordered returned to enrollment.

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE BE CONTINUED

Mr. George D. Collins asked for unanimous consent that his notice of motion to withdraw Assembly Bill No. 3027 from the Committee on Governmental Efficiency and Economy, and have it placed upon the file, be continued until the next legislative day.

Mr. Dickey withheld unanimous consent.

Motion That Notice of Motion to Withdraw Assembly Bill No. 3027 From Committee Be Continued

Mr. Beck moved that the notice of motion by Mr. George D. Collins, that Assembly Bill No. 3027 be withdrawn from committee, and be placed upon the file, be continued until the next legislative day.

Mr. McCarthy seconded the motion.

Roll Call Demanded

Messrs. Collier, Levering, and Reagan demanded a roll call.

Demand for Previous Question

Messrs. Levering, Hawkins, Reagan, Connolly, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Beck that the notice of motion by Mr. George D. Collins to withdraw Assembly Bill No. 3027 from committee be continued until the next legislative day.

Motion Withdrawn

Mr. McCarthy withdrew his second.

Mr. Beck withdrew his motion.

Objections Withdrawn

Mr. Dickey withdrew his objections to the unanimous consent request of Mr. George D. Collins that his notice of motion be continued until the next legislative day.

Notice of Motion Continued

By unanimous consent, the notice of motion by Mr. George D. Collins was continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ALL MATTERS ON UNFINISHED BUSINESS FILE BE CONTINUED

Mr. Dickey asked for unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

Mr. Hawkins withheld unanimous consent.

NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 205 WAIVED

Mr. Grunsky waived his notice of motion to reconsider the vote whereby House Resolution No. 205 was adopted.

REQUEST FOR UNANIMOUS CONSENT THAT ALL MATTERS ON THE UNFINISHED BUSINESS FILE BE CONTINUED

Mr. Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1136 HOLD PLACE ON FILE

Mr. Burkhalter asked for unanimous consent that Assembly Bill No. 1136, previously passed on file, hold its place on file on the next legislative day.

Mr. Dickey withheld unanimous consent.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1833 FROM COMMITTEE

Mr. Waters gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1833 from the Committee on Revenue and Taxation, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 198

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 198, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 198

Senate Bill No. 198—An act to add Chapter 3 to Part 8, Division 1 of the Revenue and Taxation Code, relating to the distribution of property tax levies and collections on the secured roll.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Assembly on June 6, 1949, strike out "political subdivisions".

Amendment No. 2

On page 3 of said bill, between lines 12 and 13, insert

"The board of supervisors shall provide which moneys in the county treasury, including but not limited to those credited to the tax losses reserve, shall be available to be drawn on to the extent of the amount of uncollected taxes credited to each fund for which a tax levy has been included, and such moneys may thereafter be drawn against in an amount not to exceed the amount of uncollected taxes credited to each fund for which a tax levy has been included in the same manner as if the amount credited had been collected. To the extent that moneys are so expended for a fund in advance of receipt of tax revenue therefor, the tax revenue may not be expended upon receipt. Moneys in the amount credited to the tax losses reserve, as well as tax revenues actually received for funds to the extent moneys have been expended therefor in advance of receipt, shall be available in the county treasury for payment for the same purposes and in the same amounts as the money advanced was available prior to being advanced."

Amendment No. 3

On page 4, line 22, of said bill, after the period, insert "After apportionment to the State of the amounts prescribed by Section 4653.1 of this code,".

Amendment No. 4

On page 5, line 1, of said bill, strike out "shall be distributed as"; strike out lines 3 to 14, inclusive; and in line 15, strike out "(b) Amounts received from sales made".

Amendment No. 5

On page 5, line 16, of said bill, strike out "Chapter 7 and 8 of".

Amendment No. 6

On page 5, line 17, of said bill, strike out "share".

Amendment No. 7

On page 5, line 20, of said bill, strike out "(1)", and insert "(a)".

Amendment No. 8

On page 5, line 28, of said bill, strike out "(2)", and insert "(b)".

Amendment No. 9

On page 5, line 31, of said bill, strike out "(3)", and insert "(c)".

Amendment No. 10

On page 5, line 39, of said bill, strike out "(4)", and insert "(d)".

Amendment No. 11

On page 5, line 51, of said bill, strike out "share".

Amendment No. 12

On page 5, line 52, of said bill, strike out "from the State".

Amendment No. 13

On page 6, line 1, of said bill, strike out "Chapter 6 of".

Amendment No. 14

On page 6 of said bill, after line 38, insert

"4716 There shall, notwithstanding any other provision of this chapter, be distributed to each fund not less than the amount which must under the Constitution be distributed thereto."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 88

Mr. Hahn gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 88 was this day passed.

Motion That Notice of Motion to Reconsider Assembly Bill No. 88 Be Taken Up at This Time

Mr. Cooke moved that the notice of motion by Mr. Hahn that the vote whereby the Assembly, on this day, passed Assembly Bill No. 88 be reconsidered, be taken up, at this time.

Parliamentary Inquiry

Mr. Beck arose to the following parliamentary inquiry: Is it possible to take up a notice of motion to reconsider the vote on a bill on the same day that the bill is passed or refused passage without suspending the Standing House Rules?

Ruling by Speaker

Speaker pro Tempore Maloney ruled that the Rules must be temporarily suspended in order to take up, on the same day, such notice of motion to reconsider the vote on a bill.

Motion to Temporarily Suspend the Rules

Mr. Brady moved that the Rules be temporarily suspended for the purpose of taking up, at this time, Mr. Hahn's notice of motion to reconsider the vote whereby Assembly Bill No. 88 was passed.

Mr. Gaffney seconded the motion.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Babbage, Brady, Burke, Butters, Caldecott, Clarke, Collier, Condon, Conrad, Cooke, Crichton, Dunn, Gaffney, Grant, Hagen, Hinckley, Maloney, Reagan, Sherwin, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—27.

NOES—Anderson, Beck, Brown, Coats, George D. Collins, Dickey, Doyle, Evans, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lowrey, Morris, Moss, and Rumford—21.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 945

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 945, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 945

Senate Bill No. 945—An act to amend Section 1205 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Senate on May 23, 1949, after "1205", insert "of the Business and Professions Code".

Amendment No. 2

On page 1, line 2, of said bill, strike out "Same: "Clinical laboratory." "

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Weber asked for, and was granted, unanimous consent that the Committee on Conservation, Planning, and Public Works be permitted to use the Assembly Chamber tonight, at 8 p.m., for the purpose of holding a meeting.

REQUEST FOR UNANIMOUS CONSENT THAT DESK BE AUTHORIZED TO CORRECT AMENDMENT

Mr. Dickey asked for, and was granted, unanimous consent that the desk be authorized to correct the amendment to Assembly Concurrent Resolution No. 97 to include:

"Striking out Tuesday," and inserting "Thursday."

RESOLUTIONS

The following resolution was offered:

By Mr. Doyle:

House Resolution No. 259

Relating to commending the Chaplain of the Assembly, Reverend Torrance Phelps, and authorizing the printing of the prayers of the Assembly in book form

WHEREAS, During this session of the Legislature it has been the good fortune of the Assembly to secure Reverend Torrance Phelps as its Chaplain; and

WHEREAS, Reverend Torrance Phelps, by his prayers each morning, has brought to this body spiritual guidance and inspiration in the day's work; and

WHEREAS, His devout utterances have reminded the members of their obligation not only to their God, but to their fellow men, the State and the Nation, and have aided them in their efforts to merit the trust imposed in them by the people of California; and

WHEREAS, The broad vision, the tolerance, the human understanding and the intellectual attainments of Reverend Torrance Phelps have compelled the admiration of all within his hearing and won the personal regard of each Member of this Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to Reverend Torrance Phelps its sincere appreciation for the spiritual guidance he has rendered this body during this session of the Legislature, and for the inspiration which the members have derived from his prayers; and be it further

Resolved, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly; and that he transmit the remaining copies to Reverend Torrance Phelps together with an engrossed copy of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1 FROM COMMITTEE

Mr. Anderson gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 1 from the Committee on Elections and Reapportionment, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1398 FROM COMMITTEE

Mr. Lewis gave notice that on the second legislative day he would move to withdraw Assembly Bill No 1398 from the Committee on Ways and Means, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 175 FROM COMMITTEE

Mr. Dunn gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 175 from the Committee on Finance and Insurance, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 673 FROM COMMITTEE

Mr. Crowley gave notice that on the second legislative day he would move to withdraw Assembly Bill No. 673 from the Committee on Elections and Reapportionment, and have it placed upon the file.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 8 p.m.—

Conservation, Planning, and Public Works, in the Assembly Chamber.

Constitutional Amendments, in Room 430.

Education, in Room 432.

Governmental Efficiency and Economy, in Room 435.

Municipal and County Government, in Room 426.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Nina Cummins and Mrs. Mary Hecking of Santa Rosa.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Earl, Bess, and Orville Cester, of Napa.

On request of Mr. Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Dale G. Vaughan and Joseph F. Holt, Jr., of Los Angeles.

On request of Messrs. Hahn and Lipscomb, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Louis Hahn and son, Brian, of Los Angeles.

On request of Mr. Rumford, the usual courtesies of the Assembly for this day were unanimously extended to W. M Moffatt, Sr., and Vernon McCalla, of Oakland.

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to Robert McCarthy of San Francisco.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Glenn E. Welsh and John Lutz, Jr., of Santa Ana.

On request of Messrs. Lipscomb and Conrad, the usual courtesies of the Assembly for this day were unanimously extended to W. H. Goodrich of Los Angeles.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Oliver Thornton of Los Angeles.

On request of Mr. Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. E. S. Hass of Grass Valley, and Mr. and Mrs. Carroll Shirley of Downey.

On request of Messrs. Levering and Grant, the usual courtesies of the Assembly for this day were unanimously extended to Joe Waugh of Santa Monica, and M. C. Hauser of Long Beach.

ADJOURNMENT

At 5.50 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Thursday, June 16, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-SECOND LEGISLATIVE DAY

ONE HUNDRED SIXTY-FIFTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, June 16, 1949

The Assembly met at 9 a m.

Hon. Sam L Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Almighty God: In this age of doubt and uncertainty may we see the evidence of Thy presence in the sky above and the world about us.

In the universal Principle that organizes the stars into constellations and upholds them in their vast orbits.

In the spectacle of universal law and order that pervades all nature from distant nebula to the flowers of the earth.

May we acknowledge the Divine in the urge for truth and peace that have enlightened history, and in the warm desires of goodwill within us

Above all in the mystic feelings of felicity that breathe from the silence when the rush of the world is still —AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Elliott, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mrs. Niehouse.

Mr. Berry, on motion of Mrs. Niehouse.

Mr. Lincoln, on motion of Mrs. Niehouse.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Davis, on motion of Mr. Lowrey.

ANNOUNCEMENTS

Mr. Maloney announced that he had talked with Mr. Berry, who is absent because of illness, and found him slightly improved; and that Mr. Berry asked him to convey his best wishes to the Members of the Assembly, and to state that he will make every effort to return soon to his legislative duties.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred.

Senate Constitutional Amendment No. 33

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended

CROWLEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 30

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

CROWLEY, Chairman

Above reported resolution ordered on file for adoption.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred.

Assembly Bill No. 942	Assembly Bill No. 2397
Assembly Bill No. 1178	Assembly Bill No 2723

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 574	Senate Bill No. 889
Senate Bill No. 769	Senate Bill No. 1299

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No 1633

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 2706

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Senate Bill No. 1347
Senate Bill No. 1435
Senate Bill No. 1478

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 3170

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 768

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 768 ordered re-referred to Committee on Ways and Means.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bills Nos. 972, 1038, and 1444 ordered re-referred to Committee on Finance and Insurance.

Senate Bills Nos. 68 and 75 ordered re-referred to Committee on Transportation and Commerce.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 408—An act to amend Section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903, as amended, and relating to compensation of directors.

Bill read second time, and ordered engrossed

Assembly Bill No. 1195—An act adding Sections 5446, 5447, 5448, and 5449 to the Health and Safety Code, relating to the control of the disposal of sewage and other industrial waste.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2102—An act to amend Section 7 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to the period of operation of such housing projects.

Bill read second time, and ordered engrossed

Assembly Bill No. 1001—An act to amend Sections 785 and 971 of the Fish and Game Code, relating to lobsters.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 9, 1949, strike out lines 11 to 24, inclusive, and insert

"785. It is unlawful to pickle, can or otherwise preserve any spiny lobster. Nothing in this section shall prohibit the preparation of spiny lobsters by freezing or cooking for consumption in the fresh state.

SEC. 2. Section 971 of said code is amended to read:

971. Lobster traps or other methods which do not injure spiny lobsters or prevent survival of undersize spiny lobsters, may be used in Districts 17, 18, 19, 20A, and those portions of District 20 lying on the southerly side of Catalina Island between Southeast Rock and Little Harbor, to take spiny lobsters. Lobster traps may be used to take spiny lobsters, rock crabs and sheepshead only, and any other species taken in such traps shall be released. Such traps may be used only during the season prescribed for spiny lobsters in Section 782. Spiny lobsters may be taken in any district by the use of the hands in the manner commonly known as skin diving, provided that spiny lobsters so taken in District 19A may not be sold."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2219—An act to add Chapter 4.5 comprising Sections 5600 to 5606, inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the commitment, care and treatment of mentally-abnormal sex offenders.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on May 18, 1949, strike out "being", and insert "by".

Amendment No. 2

On page 2, line 8, of said bill, strike out "by any of", and insert "only by".

Amendment No. 3

On page 2 of said bill, strike out lines 10, 11, and 12, and insert "Or the person himself."

Amendment No. 4

On page 2 of said bill, after line 15, insert "accompanied by the written consent of the person himself voluntarily requesting examination and hearing by the court as provided in this chapter. The petition shall also be".

Amendment No. 5

On page 2, line 17, of said bill, strike out "may be", and insert "is".

Amendment No. 6

On page 2, line 30, of said bill, strike out ", to"; and strike out lines 31 and 32, and insert "of said county, and the hearing".

Amendment No. 7

On page 2 of said bill, strike out line 40, and insert "hospital designated by the court for supervision, care and treatment, or the judge may dismiss the petition. If the court makes an order of commitment, the person and".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2340—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sexual sterilization.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Social Welfare:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 1

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1 Section 6624 of the Welfare and Institutions Code is amended to read:

6624. The provisions of this section apply to any person who has been lawfully committed to any state hospital, and who is afflicted with, or suffers from, any of the following conditions:

(a) Mental disease which may have been inherited and is likely to be transmitted to descendants.

(b) Feeble-mindedness, in any of its various grades.

(c) Perversion or marked departures from normal mentality.

(d) Disease of a syphilitic nature.

Before any such person is released or discharged from a state hospital, the State Department of Institutions may, [in its discretion] *if authorized by order, as herein provided,* cause such person to be sterilized [Such sterilization] *To obtain such order, the department shall file a petition in the superior court of the county from which such person was committed, setting forth the facts which, in its opinion, make it proper that such person be sterilized. Upon the filing of such petition, the court shall set it for hearing not less than thirty (30) days from the time of its filing. A copy of the petition, together with a copy of the notice of the time and place appointed for the hearing thereof, shall be served upon the person who has been lawfully committed to any state hospital and upon the legal guardian of such person, or, if he or*

she be a minor, then upon his or her guardian, if any, and also upon the parent or parents who would be entitled to his or her custody except for the fact of commitment. Upon the hearing, if the court shall find that the facts stated in the petition are true and that such person is suffering from conditions that will probably be transmitted to his or her offspring unless he or she is sterilized, or that sterilization will be medically beneficial to such person, the court may order such sterilization. Any sterilization performed in accordance with such an order following the procedure herein set forth shall be lawful, whether performed with or without the consent of the patient [, shall be lawful and shall not render] *and neither* the department [,] *nor* its officers or employees, [or] *nor* any person participating [in the operation] *therein, shall be* liable, either civilly or criminally *therefor.*"

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 27, inclusive; and on page 2, strike out lines 1 to 9, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2873—An act to amend Sections 1300.8 and 1300.9 of the Agricultural Code, relating to processors of farm products.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 9, 1949, after the first "of", insert ", and add Sections 1300.9j and 1300.9k to,".

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 6, inclusive.

Amendment No. 3

On page 2, line 31, of said bill, after the semicolon, insert "and".

Amendment No. 4

On page 2 of said bill, strike out lines 35 to 40, inclusive, and insert "ment. The fee for such filing shall be five ($5) dollars.

SEC. 3. Section 1300.9j is added to said code, to read:

1300.9j. Every processor who signs the statement described in Section 1300.8 shall, within five days thereafter, mail a copy thereof to every producer who has a lien under Section 1300.7 upon the farm products to be hypothecated or pledged and shall thereafter, *before purchasing or otherwise acquiring title to, any farm products upon* which any producer, but for the filing of such statement, would acquire such a lien, deliver a copy thereof to each such producer.

SEC. 4. Section 1300.9k is added to said code, to read:

1300.9k. Any producer may file with the director a request for notification of the filing of any statement signed by any particularly named processor and filed under the provisions of Section 1300.8. Upon receipt of such request the director shall, *within five days thereafter, mail a copy of all such statements on file to such producer* and shall thereafter, for a period of one year, or until otherwise notified by the producer, mail to such producer a copy of each such statement, as filed, within five days after the filing thereof."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Agriculture.

Assembly Bill No. 2532—An act relating to privately owned ambulances, including the regulation of the owners and operators thereof and prohibiting certain practices by such owners and operators and by hospitals in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1 of the printed bill, strike out line 1, and insert

"SECTION 1. "Ambulance operator," as used in this act, means any person, partnership or corporation owning and operating one or more ambulances, or owning or operating one or more ambulances within the State of California.

SEC. 2. No person, partnership or corporation shall operate a privately owned ambulance or fleet of ambulances within the State of California, or offer or furnish ambulance service therein without first obtaining from the State Board of Public Health, hereafter called the "board," a license authorizing said person, partnership or corporation to operate said ambulance within the State of California.

SEC. 3. Any person, partnership or corporation desiring to be licensed as an owner or operator of a private ambulance or fleet of ambulances shall file an application with the board on the form prescribed by it, together with the fee of twenty-five dollars ($25) for the first ambulance and ten dollars ($10) for each additional ambulance.

SEC. 4. "Ambulance," as used in this act, means a motorized vehicle specially constructed to carry only sick and injured persons from one point to another, and shall be used for no other purpose except on business connected therewith Ambulances used in this State for the above described purposes shall be not older than the year 1938 models, specially fitted as ambulances and shall be large enough to provide sufficient space to accommodate two four-wheel stretchers, and shall be adequately equipped with medicine cabinets containing full first aid equipment and supplies, including splints, heater, fan, thermos bottle of water, emesis basin, bedpan, urinal, rubber rings, linen, bandages and rubber sheeting Said vehicle shall carry at all times one four-wheel stretcher fully equipped with pillows, blankets and linen. Said vehicle shall also be equipped with tanks containing sufficient oxygen to treat two patients for two hours each, and all equipment necessary for the administration of said oxygen. They shall also be equipped with a sufficient supply of restraints and pole canvas stretchers for difficult loading Said vehicles shall also be equipped with a siren and red lamp as required for authorized emergency vehicles by Section 454, subsection (b), of the Vehicle Code; must pass all requirements of the State Highway Patrol, including brake tests and light tests; and shall conform to Section 44 of the Vehicle Code, relating to authorized emergency vehicles. Each ambulance shall be fully insured as an ambulance and the ambulance operator shall carry insurance at not less than the following amounts:

(1) Fifty thousand dollars ($50,000) public liability for injury to one person;

(2) One hundred thousand dollars ($100,000) public liability for injury to more than one person;

(3) Five thousand dollars ($5,000) property damage.

SEC 5. "Ambulance driver-attendant," as used in this act, means a person properly qualified, as hereinafter specified, to act as a driver or an attendant of an ambulance. No person shall act as a driver or an attendant of an ambulance operating within this State unless he shall have qualified as follows and there has been issued to him by the board a license therefor: Qualified in the prescribed Red Cross first aid courses, and after having obtained a bond from a recognized bonding company, the person applying shall submit to the board an application furnished by said board, fully filled out and executed, and accompanied by a fee of five dollars ($5) The board, after examining the application and the applicant and being fully satisfied that the requirements have been met, will grant said applicant a license accordingly.

The Red Cross first aid courses are as follows:

(a) Standard American Red Cross first aid course: Must have within three months after passage of act.

(b) Advanced American Red Cross first aid course: Must have within six months after passage of act.

(c) Instructors American Red Cross first aid course: Must have within one year after passage of act.

After one year the board shall have set up its minimum requirements for ambulance driver-attendants and type of examination that must be passed, or continue with the American Red Cross standard, advanced and instructors first aid courses"

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 25, inclusive; and on page 2, strike out lines 1 to 5, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Health.

SECOND READING OF SENATE BILLS

Senate Bill No. 1389—An act to add Section 955.5 of the Fish and Game Code, relating to nets.

Bill read second time, and ordered to third reading.

Senate Bill No. 93—An act to add Section 273 to the Penal Code, relating to participation of minors in equestrian events.

Bill read second time, and ordered to third reading.

Senate Bill No. 113—An act to amend Section 4532 of the Penal Code, relating to punishment and escape from a county or city jail, prison, industrial farm, or road camp.

Bill read second time, and ordered to third reading.

Senate Bill No. 493—An act to add Section 48.5 to the Civil Code, relating to defamation by radio.

Bill read second time, and ordered to third reading.

Senate Bill No. 670—An act to amend Section 2472 of the Civil Code and Section 15700 of the Corporations Code, relating to service of process on foreign partnerships, and specifying the duties of the Secretary of State in connection therewith.

Bill read second time, and ordered to third reading.

Senate Bill No. 752—An act to add Section 233 to the Code of Civil Procedure, relating to jurors in justices' courts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1317—An act to amend Section 340 of the Code of Civil Procedure, relating to limitation of actions.

Bill read second time, and ordered to third reading.

Senate Bill No. 795—An act to add Article 6 to Chapter 1, Division 2 of the Business and Professions Code, relating to licentiates of boards within the Department of Professional and Vocational Standards and including unearned rebates, refunds and discounts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1620—An act to amend Sections 4010, 4011, 4031, and 4035 of the Health and Safety Code, relating to water and water supply systems.

Bill read second time, and ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Crowley asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1635—An act to add Section 7437.5 to the Business and Professions Code, relating to cosmetology.

Bill read second time, and ordered to third reading.

Senate Bill No. 162—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read second time, and ordered to third reading.

Senate Bill No. 1468—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 19, of the printed bill, strike out "two hundred thirty-five dollars ($235)", and insert "two hundred fifty dollars ($250)".

Amendment No. 2

On page 1, line 21, of said bill, strike out "two hundred thirty-five dollars ($235)", and insert "two hundred fifty dollars ($250)".

Amendment No. 3

On page 1, line 23, of said bill, strike out "two hundred fifteen dollars ($215)", and insert "two hundred thirty dollars ($230)".

Amendment No. 4

On page 1, line 25, of said bill, strike out "one hundred eighty-five dollars ($185)", and insert "two hundred dollars ($200)".

Amendment No. 5

On page 2, lines 4 and 5, of said bill, strike out "three hundred forty dollars ($340)", and insert "three hundred fifty dollars ($350)".

Amendment No. 6

On page 2, line 7, of said bill, strike out "two hundred ninety-five dollars ($295)", and insert "three hundred ten dollars ($310)".

Amendment No. 7

On page 2, line 8, of said bill, strike out "Four", and insert "Seven".

Amendment No. 8

On page 2, line 9, of said bill, strike out "two hundred eighty dollars ($280)", and insert "two hundred ninety-five dollars ($295)".

Amendment No. 9

On page 2, lines 12 and 13, of said bill, strike out "two hundred thirty-five dollars ($235)", and insert "two hundred fifty dollars ($250)".

Amendment No. 10

On page 2, line 16, of said bill, strike out "two hundred thirty-five dollars ($235)", and insert "two hundred fifty dollars ($250)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 958—An act to amend Section 2377 of, and to repeal Sections 2378, 2379, 2380, 2380.5, 2381, 2382, 2383, 2384 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2391.5, 2392, 2393, 2394, 2395, 2396, 2397, 2398, and 2399 of, the Business and Professions Code, all relating

to the grounds for denial, suspension or revocation of certificates to practice medicine and surgery, drugless practitioner certificates, chiropody certificates, or certificates to practice midwifery.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 10, 1949, strike out "Section", and insert "Sections".

Amendment No. 2

In line 3 of the title of said bill, strike out "2388, and 2392," and insert "and 2388".

Amendment No. 3

On page 2, line 2, of said bill, after "sons", and before the comma, insert "and so be harmful or injurious to public morals or safety".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2167

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 491
Assembly Bill No. 740
Assembly Bill No. 1805
Assembly Bill No. 2551

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 97

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 1967—An act to amend Section 6359 of the Revenue and Taxation Code, relating to food products exempt from sales and use taxes.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1967 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Connolly, Cooke, Crichton, Crowley, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Lewis, Lindsay, Lowrey, Luckel, Maloney, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Stanley, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—41.

REMARKS ON CONDITION OF THE FILE

Mr. Doyle spoke on the condition of the file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day, pursuant to your request, returns

Assembly Bill No 447.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 965
Assembly Bill No. 3152

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE TO CONSIDER ASSEMBLY BILL NO. 3174

At 9.20 a.m., Mr. Thompson asked for unanimous consent to hold a special meeting of the Committee on Public Health in the Cloak Room, at this time. Subject: Assembly Bill No. 3174.

Mr. Beck withheld unanimous consent.

Request for Unanimous Consent That Assembly Bill No. 3174 Be Withdrawn From Committee, and Be Re-referred

Mr. Condon asked for unanimous consent that Assembly Bill No. 3174 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Ways and Means.

Mr. Stewart withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Lowrey moved that the Rules be temporarily suspended for the purpose of permitting the Committee on Public Health to hold a special meeting in the Cloak Room at this time.

Mr. Moss seconded the motion.

Substitute Motion

Mr. Thompson moved, as a substitute motion, that the Committee on Public Health be excused for a period of five minutes.

Ruling by Speaker

Speaker Sam L. Collins ruled the substitute motion not in order.

The question being on the motion that the Rules be temporarily suspended for the purpose of permitting the Committee on Public Health to hold a special meeting in the Cloak Room, at this time.

Substitute Motion

Mr. Weber moved, as a substitute motion, that Assembly Bill No. 3174 be re-referred to the Committee on Ways and Means.

Ruling by Speaker

Speaker Sam L. Collins ruled the substitute motion not in order, because it is not a proper motion.

The question being on the motion that the Rules be temporarily suspended for the purpose of permitting the Committee on Public Health to hold a special meeting in the Cloak Room, at this time.

Motion Withdrawn

Mr. Moss withdrew his second.

Mr. Lowrey withdrew his motion.

Motion That Assembly Bill No. 3174 Be Withdrawn From Committee, and Be Re-referred

Mr. Weber moved that Assembly Bill No. 3174 be withdrawn from the Committee on Public Health, and be re-referred to the Committee on Ways and Means.

Mr. Lowrey seconded the motion.

Motion carried.

REMARKS ON CONDITION OF THE FILE

Mr. Maloney spoke on the condition of the file.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

CAPITOL CORRESPONDENTS ASSOCIATION OF CALIFORNIA
SACRAMENTO, June 15, 1949.

Hon. Arthur A. Ohnimus
Chief Clerk, The Assembly
Sacramento, California

DEAR MR. OHNIMUS: The Standing Committee of the Capitol Correspondents Association has examined application for authentication as accredited press representative, and recommends the following action:

Approved for Press Card

Bob Letts, *National Broadcasting Company*

Sincerely,

EARL C. BEHRENS, President

RATIFICATION OF PRESS CREDENTIALS

Above action, as taken by the Capitol Correspondents Association, was ratified by the Assembly by unanimous consent.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Clayton A. Dills:

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to add Section 5157.4 to the Public Resources Code, relating to the acquisition of public recreation areas and facilities and to the powers and duties of counties and the State Park Commission and the Department of Natural Resources in connection therewith.

Respectfully submitted.

CLAYTON A. DILLS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Clayton A. Dills:

An act to add Section 5157.4 to the Public Resources Code, relating to the acquisition of public recreation areas and facilities and to the powers and duties of counties and the State Park Commission and the Department of Natural Resources in connection therewith.

HUYCK, Chairman

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thompson moved a call of the Assembly.

Motion carried. Time, 9.30 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Butters, Caldecott, Clarke, Coats, Conrad, Dickey, Clayton A. Dills, Dunn, Evans, Fletcher, Geddes, Hahn, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Sherwin, Silliman, Smith, and Thomas—31

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

Speaker Pro Tempore Presiding

At 9.31 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 2167—An act to amend Section 80 of the Code of Civil Procedure, relating to jurisdiction of municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—52.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 9.40 a.m., Mrs. Niehouse asked for, and was granted, unanimous consent that she and Mr. Hahn be excused for a period of five minutes, at this time for the purpose of conferring with the Capitol Police relative to a dangerous uncovered excavation just outside the Capitol.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3152—An act to amend Sections 11512, 11513, 11517, and 11521 of the Government Code, relating to administrative adjudication.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Doyle, Fleury, Geddes, Grant, Grunsky, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Reagan, Rosenthal, Rumford, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—44.

NOES—Moss—1

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILLS NOS. 16 AND 1664 HOLD THEIR PLACES ON FILE

By order of Speaker pro Tempore Maloney, and by unanimous consent, Assembly Bills Nos. 16 and 1664 were passed on file, and ordered to hold their places on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1220—An act to add Section 5815 to the Labor Code, relating to the Industrial Accident Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Moss, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—52.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Assembly Bill No. 1636

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

WEBER, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1636—An act to add Article 1A, comprising Sections 14260 to 14264, inclusive, to Chapter 3, Part 5, Division 2, Title 2 of the Government Code, and to repeal Section 14270 of the Government Code, relating to public works.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

In line 3 of the title of the printed bill, strike out "repeal", and insert "amend".

Amendment No. 2

On page 1 of the printed bill, strike out lines 15 and 16, and insert "hospital, or other building structure."

Amendment No. 3

On page 1 of the printed bill, between lines 18 and 19, insert
"(d) "Board" means State Allocation Board."

Amendment No. 4

On page 1 of the printed bill, strike out lines 19 and 20, and insert
"14261. All plans and specifications".

Amendment No. 5

On page 1, line 24, of the printed bill, strike out "shall enter", and insert "may enter into".

Amendment No. 6

On page 2, line 15, of the printed bill, after "persons", insert ", approved by the board from time to time,".

Amendment No. 7

On page 2 of the printed bill, strike out lines 18 to 26, inclusive, and insert "department shall receive the approval of the board."

Amendment No. 8

On page 2 of the printed bill, strike out line 34, and insert "amended to read:
14270. Before entering into any contract for a project the department shall prepare *or have caused to be prepared as provided in Article 1A* full, complete, and accurate plans and specifications and estimates of costs, giving such directions as will enable any competent mechanic or other builder to carry them out."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

Motion to Place Rush Order on Printing of Assembly Bill No. 1636

Mr. Weber moved that a rush order be placed upon the printing of Assembly Bill No. 1636.

Motion carried.

Hon. Richard H. McCollister Presiding

At 9.50 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1969—An act to amend Section 2 of "An act to authorize and control the deposit in banks of money belonging to or in the custody of any county, city and county, city, town, municipality or other public or municipal corporation within this State, and to repeal all acts or parts of acts in conflict with this act," approved April 28, 1933, relating to interest paid upon deposits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Waters, and Weber—53.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 282
Assembly Bill No. 886

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 886

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 886, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 886

Assembly Bill No. 886—An act to amend Sections 794.5, 795, 799, and 802 of the Fish and Game Code, relating to abalones.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick,

Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Way, and Weber—57.
NOES—Burkhalter—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2312—An act to add Section 1705.5 to the Harbors and Navigation Code, relating to the appointment of a member secretary.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2327—An act to amend Section 72 of the Public Utilities Act, relating to enforcement of constitutional and statutory provisions affecting public utilities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.03 a.m., Hon. Thomas A Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 282—An act to amend Section 472b of and to add Sections 466 and 467 to the Code of Civil Procedure, relating to demurrers and motions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Huyck, Kilpatrick, Levering, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—50.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1308

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up his notice of motion to reconsider the vote whereby Assembly Bill No. 1308 was refused passage, temporarily passed on the unfinished business file, at this time.

RECONSIDERATION OF ASSEMBLY BILL NO. 1308

In compliance with a notice given on a previous day, Mr. Rosenthal moved that the vote whereby Assembly Bill No. 1308 was refused passage, be reconsidered.

The roll was called, and Assembly Bill No. 1308 reconsidered by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—56.

NOES—George D. Collins, Elliott, Geddes, and Luckel—4.

Assembly Bill No. 1308 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1308

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1308, for purpose of amendment, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 1308

Assembly Bill No. 1308—An act to amend Section 67a of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number of judges thereof.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 8, 1949, after "to", insert "judges of".

Amendment No. 2

On page 1, line 4, of said bill, strike out "66", and insert "62".

Amendment No. 3

On page 1, line 9, of said bill, strike out "34", and insert "32".

Amendment No. 4

On page 1, line 18, of said bill, strike out "nine", and insert "five".

Amendment No. 5

On page 2, line 2, of said bill, strike out "nine", and insert "five".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1861—An act to amend Section 6 of the Dangerous Weapons Control Law, permitting retired highway patrolmen to carry arms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, and Way—45.

NOES—Anderson, Babbage, Beck, Burkhalter, Elliott, Evans, Hawkins, Kilpatrick, Lewis, Waters, and Weber—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2961—An act making an appropriation to the Department of Education for the acquisition of real property for the San Francisco State College.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Weber—56

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Assembly Bill No. 2961

Mr Gaffney asked for, and was granted, unanimous consent that his name be placed upon the roll call on Assembly Bill No. 2961, and that he be recorded as voting, "Aye."

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1325, on motion of Mr. Way.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3144—An act to add Section 5082.5 to the Business and Professions Code, relating to refund of application fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1371—An act to repeal Sections 3352, 3358.5, 4250, 4251, 4252, 4253, 4255, and 4256 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

Motion to Amend

Mr. George D. Collins moved the adoption of the following amendments:

Amendment No. 1

Strike out line 1 of the title of the printed bill, and insert
"An act to amend Section 3352 of, and to repeal Sections 3358.5, 4250, 4251, 4252, 4253,".

Amendment No. 2

On page 1, line 1, of said bill, strike out "3352,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, after line 2, insert
"SEC. 2. Section 3352 of said code is amended to read:
3352. "Employee" excludes [:
(a) Any person whose employment is both casual and not in the course of the trade, business, profession, or occupation of his employer.
(b) Any person employed in farm, dairy, agricultural, viticultural or horticultural labor, or in steel or poultry raising where the compensation provisions of this division are rejected, or do not apply, in accordance with Chapter 9 of this part.
(c) Any] *any* person engaged in vending, selling, offering for sale, or delivering directly to the public, any newspaper, magazine or periodical where the title thereto has passed to the person so engaged *where they are otherwise covered by insurance giving them benefits equal to or greater than the provisions of this division.*
[(d) Any person performing services in return for aid or sustenance only, received from any religious, charitable or relief organization.
(e) Any person holding an appointment as deputy clerk, deputy sheriff, or deputy constable appointed for his own convenience and who receives no compensation from the county or municipal corporation or from the citizens thereof for his services as such deputy. This exclusion is operative only as to employment by the county or municipal corporation and does not deprive any person so deputized from recourse against a private person employing him for injury occurring in the course of and arising out of such employment.
(f) Any convict whose labor is used by the State Highway Commission on State Highways or roads.
(g) Any person engaged in household domestic service except as provided in Section 3358.5.]"

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 10.38 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Sam L. Collins, Clayton A. Dills, Fletcher, Fleury, Hollibaugh, Kirkwood, Moss, Sillman, and Yorty—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. George D. Collins asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

PRESIDENCIA DE LA REPUBLICA
CORRESPONDENCIA DEL OFICIAL MAYOR DE LA SECRETARIA
LOS PINOS, a 14 de junio de 1949

Sr. Arthur A. Ohnimus,
Oficial Mayor de la
H. Legislatura del Estado.
Sacramento 14, Cal., E.U.A.

MUY ESTIMABLE SEÑOR: El señor Presidente de la República agradece cumplidamente a esa H. Legislatura, por el estimable conducto de usted, la Resolución 190 que tuvo a bien adoptar en ocasión de la memorable jornada del 5 de mayo de 1862, así como las felicitaciones y saludos que se formulan con tal motivo, de cuyo documento se sirvió enviarle un tanto con atenta carta fecha 3-del actual.

Sin otro particular quedo de usted afectísimo y atento seguro servidor.

LUIS GARCÍA LARRAÑAGA

Translation of Above Letter by Mr. Geddes

PRESIDENCY OF THE REPUBLIC
CORRESPONDENCE OF THE CHIEF CLERK OF THE SECRETARY
LOS PINOS, June 14, 1949

Mr. Arthur A. Ohnimus
Chief Clerk of the
Honorable Legislature of the State
Sacramento 14, California

RESPECTED SIR: The President of the Republic is appreciative of the thoughtful action taken by the Legislature in enacting (House) Resolution No 190 which marked the anniversary of the memorable Battle of the Fifth of May, 1862, together with the felicitations and greetings which accompanied the document and also for your letter dated the third of this month.

Respectfully, your attentive servant.

/S/ LUIS GARCÍA LARRAÑAGA

REQUEST FOR UNANIMOUS CONSENT THAT PROPOSED AMENDMENTS TO THE STANDING RULES BE PRINTED IN JOURNAL

Mr. Weber asked for, ~~and was granted, unanimous consent, that he be permitted to print some proposed amendments to the Standing House Rules in the Journal, prior to asking for action upon said amendments.~~

Request for Unanimous Consent to Expunge Record, and Rescind Action on Request That Amendments Be Printed in the Journal

Mr. Weber asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, granted him permission to print in the Journal proposed amendments to the Standing House Rules.

Request for Unanimous Consent That Proposed Amendments to the Standing House Rules Be Referred to the Committee on Rules

Mr. Weber asked for, and was granted, unanimous consent that his proposed amendments to the Standing House Rules be referred to the Committee on Rules prior to printing same.

Above mentioned amendments ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2551

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2551, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2551

Assembly Bill No. 2551—An act to add Section 24.5 to the Unemployment Insurance Act, relating to the Department of Employment Contingent Fund.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2636

Mr. Hawkins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2636, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2636

Assembly Bill No. 2636—An act to prohibit the inclusion of questions relative to race or religion in application blanks or forms.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Way, and Weber—51.

NOES—Butters, Levering, Lowrey, and Reagan—4.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Permission Be Granted to Change Vote

Mr. Meyers asked for, and was granted, unanimous consent that he be given permission to change his vote from "No" to "Aye" on the roll call on Assembly Bill No. 2636, and that he be recorded as voting "Aye."

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 194

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 194

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Assembly Bill No. 194, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 194

Assembly Bill No. 194—An act to amend and renumber Section 66a of the Code of Civil Procedure as added by Chapter 415 of the 1945 Statutes of California to be Section 66a-1, relating to the number of Judges of the Superior Court in the County of San Diego, and providing for the appointment of two additional judges and for their compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—56.

NOES—Anderson, George D. Collins, Dunn, Geddes, and Luckel—5.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2510

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2510

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2510, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2510

Assembly Bill No. 2510—An act to amend Sections 1187 and 1191 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1960

Mr. Stanley asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1960, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1960

Assembly Bill No. 1960—An act to add Section 597 to the Fish and Game Code, relating to kelp.

Bill read third time.

Demand for Previous Question

Messrs. Hinckley, Connolly, Luckel, Burke, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1960.

Question of Personal Privilege

Mr. Thomas arose to a question of personal privilege.

The question being on the passage of Assembly Bill No. 1960.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stanley moved a call of the Assembly.

Motion carried. Time, 11.43 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Brady, Clarke, Condon, Connolly, Dunn, Fletcher, Hollibaugh, Kirkwood, Levering, Meyers, Rosenthal, Silliman, Waters, Weber, and Yorty—16.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Stanley asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

Mr. Sam L. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 84, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Resolution read.

Motion to Amend

Mr. Sam L. Collins moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 24, of the printed measure, as amended in the Assembly on June 14, 1949, after "thirty", insert "calendar".

Amendment No. 2

On page 2, line 1, of said measure, after "thirty", insert "calendar".

Amendment No. 3

On page 2, line 6, of said measure, after "thirty", insert "calendar".

Amendment No. 4

On page 2, lines 16 and 17, of said measure, strike out "legislative", and insert "twenty calendar".

Amendment No. 5

On page 2, line 17, of said measure, after "thirty", insert "calendar".

Amendments read, and adopted.

Resolution ordered reprinted, and re-engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 965

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 965, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 965

Assembly Bill No. 965—An act to add Part 2, comprising Chapter 1, Sections 4000 to 4225, inclusive, to Division 5 of the Welfare and Institutions Code, relating to aid for needy disabled persons.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly.

Motion carried. Time, 12.04 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Dickey, Dolwig, Dunn, Fletcher, Geddes, Hoffman, Hollibaugh, Kirkwood, McMillan, Silliman, Weber, and Yorty—13.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grunsky asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 160

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up the report of the Committee on Conference concerning Assembly Bill No. 160, temporarily passed on the unfinished business file, at this time.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 1, of the printed bill, as amended in the Senate on May 13, 1949, after "pay", insert "for male and female employees engaged in the same classification of work".

Amendment No. 2

On page 2, lines 2 and 3, of said bill, strike out "education, experience, training,".

Amendment No. 3

On page 2, line 4, of said bill, strike out "or", following the comma, and insert "difference".

Amendment No. 4

On page 2 of said bill, strike out line 5; and in line 6, strike out "the business of the employer", and insert "hours of work, interruptions of work for rest periods or restrictions or prohibitions on lifting or moving objects in excess of specified weight, whether or not required by any statute or regulation or order of any board or commission, whether federal, state or local, authorized to issue the same,".

Amendment No. 5

On page 2, line 7, of said bill, after "sex", insert ", when in good faith based upon such differences, factor or factors".

Amendment No. 6

On page 2, line 10, of said bill, strike out "the recognized", and insert "a bona fide labor organization recognized as a".

Amendment No. 7

On page 2 of said bill, strike out lines 11 to 18, inclusive.

Amendment No. 8

On page 2, line 27, of said bill, after "other", insert "differences, factor or".

JUDAH	GRUNSKY
WARD	ANDERSON
WILLIAMS	CONDON
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—61.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2551

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 2551, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2551

Assembly Bill No. 2551—An act to add Section 24.5 to the Unemployment Insurance Act, relating to the Department of Employment Contingent Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—56.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON PERMISSION TO INTRODUCE A BILL

At 12 17 p.m., on motion of Mr. Clayton A. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Mr. Clayton A. Dills granted permission to introduce a bill by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3175: By Clayton A. Dills—An act to add Section 5157.4 to the Public Resources Code, relating to the acquisition of public recreation areas and facilities and to the powers and duties of counties and the State Park Commission and the Department of Natural Resources in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1960

At 12.18 p.m., on motion of Mr. Stanley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Call of the Assembly

Pending the announcement of the vote, Mr. Stanley moved a call of the Assembly.

Motion carried. Time, 12.26 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Connolly, Fletcher, Hollibaugh, Meyers, Rosenthal, Silliman, and Yorty—8.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS TO ASSEMBLY BILL NO. 1371

At 12.27 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. George D. Collins to Assembly Bill No. 1371 refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Dunn, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Maloney, McCarthy, McMillan, Meyers, Rosenthal, Rumford, Sherwin, Thomas, and Way—31

NOES—Babbage, Burke, Butters, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, McCollister, Morris, Niehouse, Reagan, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—36.

Further Consideration of Assembly Bill No. 1371

Assembly Bill No. 1371—An act to repeal Sections 3352, 3358.5, 4250, 4251, 4252, 4253, 4255, and 4256 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, strike out line 1, and insert

"An act to amend Section 3352 of, and to repeal Sections 3358.5, 4250, 4251, 4252, 4253,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 3352 of the Labor Code is amended to read:

3352. "Employee" excludes:

(a) [Any person whose employment is both casual and not in the course of the trade, business, profession, or occupation of his employer.

(b) Any person employed in farm, dairy, agricultural, viticultural or horticultural labor, or in stock or poultry raising where the compensation provisions of this division are rejected, or do not apply, in accordance with Chapter 9 of this part

(c)] Any person engaged in vending, selling, offering for sale, or delivering directly to the public, any newspaper, magazine or periodical where the title thereto has passed to the person so engaged

[(d) Any person performing services in return for aid or sustenance only, received from any religious, charitable or relief organization.

(e) Any person holding an appointment as deputy clerk, deputy sheriff, or deputy constable appointed for his own convenience and who receives no compensation from the county or municipal corporation or from the citizens thereof for his services as such deputy. This exclusion is operative only as to employment by the county or municipal corporation and does not deprive any person so deputized from recourse against a private person employing him for injury occurring in the course of and arising out of such employment.

(f) Any convict whose labor is used by the State Highway Commission on state highways or roads.

(g) Any person engaged in household domestic service except as provided in Section 3358.5.]

SEC. 2. Sections 3358.5, 4250, 4251, 4252, 4253,".

Amendments read.

The roll was called, and the amendments adopted by the following vote:

AYES—Brown, Burke, Caldecott, Clarke, Collier, Connolly, Dickey, Dolwig, Doyle, Erwin, Fleury, Geddes, Grant, Grunsky, Hahn, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, McCollister, Morris, Moss, Niehouse, Reagan, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—34

NOES—Anderson, Beck, Brady, Burkhalter, Coats, George D. Collins, Condon, Crichton, Clayton A. Dills, Elliott, Gaffney, Hawkins, Heisinger, Maloney, McCarthy, McMillan, Meyers, Rosenthal, Rumford, Sherwin, Thomas, and Way—22.

Bill ordered reprinted, and re-engrossed.

MOTION THAT ASSEMBLY BILL NO. 1535 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Thomas moved that Assembly Bill No. 1535 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Interim Committee on Interstate Cooperation.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the motion by Mr. Thomas not in order.

Speaker Presiding

At 12.40 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 965

At 12.42 p.m., on motion of Mr. Lewis, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 965 passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas and Way—43.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Conrad, Erwin, Grant, Grunsky, Hinckley, Huyck, Levering, Lipscomb, Lowrey, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—24.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1960

At 12.45 p.m., on motion of Mr. Stanley, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1960 refused passage by the following vote:

AYES—Babbage, Brown, Butters, Caldecott, Clarke, Collier, Crichton, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kirkwood, Lindsay, Lipscomb, Lowrey, McCarthy, Moss, Reagan,

Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—37.

NOES—Anderson, Beck, Bennett, Burke, Burkhalter, Coats, George D. Collins, Condon, Conrad, Cooke, Crowley, Dickey, Clayton A. Dills, Dunn, Elliott, Fletcher, Gaffney, Hawkins, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCollister, McMillan, Morris, Niehouse, Rumford, Thomas, and Thompson—31.

ANNOUNCEMENT OF INVITATION

Mr. Stanley announced an invitation to all members and their families to visit Newport-Balboa this summer, when convenient, to go fishing with him in the Orange County kelp beds.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 30

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 30, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 30—An act to amend Sections 642 and 666 of the Agricultural Code, relating to products which are substitutes for or imitations of dairy products.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 30?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "and 666 of", and insert ", 644, and 666 of, and to add Sections 640.1, 644.1, and 648.1 to,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out line 22, and insert

"SEC. 2. Section 640.1 is added to said code, to read:

640.1. Colored oleomargarine is oleomargarine as defined in Section 640 having a tint or shade containing more than one and six-tenths degrees of yellow, or of yellow and red collectively, but with an excess of yellow over red, measured in terms of the Lovibond tintometer scale or its equivalent. Such measurement shall be made in accordance with the regulations prescribed by the United States Commissioner of Internal Revenue pursuant to Section 2301 of the United States Code as said regulations existed on June 7, 1949.

Except as otherwise provided, the provisions of this code relating to oleomargarine are likewise applicable to colored oleomargarine.

SEC. 3. Section 644 of said code is amended to read

644. It is unlawful to sell any *colored oleomargarine*, oleomargarine or any renovated butter, unless the same shall have printed upon each and every package, roll, print, square, and upon any container of such renovated butter, [or] oleomargarine, *or colored oleomargarine*, the words "renovated butter," or the word "oleomargarine," *or the words "colored oleomargarine,"* as the case may be, in letters not less than one-half inch in height. *The word "colored" shall be at least 2 inches in length and the word "oleomargarine" shall be at least 3½ inches in length and both shall be of a color in strong contrast to that of the container.*

SEC. 4. Section 644.1 is added to said code, to read:

644.1. Colored oleomargarine may be sold at retail for consumption off the premises but shall not be sold except in a package or container containing two pounds or less.

SEC 5. Section 648 1 is added to said code, to read:

648 1 No colored oleomargarine shall be served to any patron in any restaurant or any other place where food is served to the public for consumption on the premises of sale The presence of any colored oleomargarine in any such place shall be prima facie evidence of a violation of this section.

SEC. 6. Section 666 of said code is amended to read:".

Amendment No. 3

On page 2, line 5, of said bill, after "oleomargarine," insert "colored oleomargarine,".

Amendment No. 4

On page 2 of said bill, between lines 16 and 17, insert

"SEC. 7 If any provision of this act, or the applicability thereof to any person or circumstance, is held invalid, the remainder thereof, or the application of such provision to other persons or circumstances, shall not be affected thereby."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 30 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—66

NOES—None.

Assembly Bill No 30 ordered enrolled.

Request for Unanimous Consent That Permission Be Given to Change Vote

Mr. Hagen asked for unanimous consent that he be permitted to change his vote from, "No." to "Aye" on the roll call on concurrence in Senate amendments to Assembly Bill No. 30, and that he be recorded as voting, "Aye."

Mr. Dickey withheld unanimous consent.

Objections Withdrawn

Mr Dickey withdrew his objections to the unanimous consent request of Mr. Hagen.

Vote Ordered Changed

By unanimous consent Mr. Hagen was granted permission that his vote be changed on the roll call on the concurrence in Senate amendments to Assembly Bill No. 30, and that he be recorded as voting "Aye."

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 88 WAIVED

Mr. Hahn waived his notice of motion to reconsider the vote whereby Assembly Bill No. 88 was passed.

Assembly Bill No. 88 ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Thomas announced a luncheon meeting of the Los Angeles Delegation, upon recess today, in the Jubilee Room of the Hotel Senator.

RECESS

At 12.56 p m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER Your Committee on Education, to which was referred:

Assembly Bill No. 2260

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2260—An act to add Chapter 1.6 to Division 3 of the Education Code, providing for school district public works, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 and 2, and insert

"SECTION 1. Chapter 1.6 is added to DIVISION 3 of the Education Code, to read:

CHAPTER 1 6. STATE SCHOOL BUILDING AID

5041. The Legislature hereby declares that it is in the interest of the State and of the people thereof for the State to aid school districts of the State in providing necessary and adequate school sites and buildings for the pupils of the Public School System, such system being a matter of general concern inasmuch as the education of the children of the State is an obligation and function of the State.

In adopting this act, the Legislature considers that the great need in school construction is for adequate classrooms for the education of the pupils of the Public School System. It is the intent of the Legislature to first satisfy this primary need to the greatest extent possible before providing additional educational facilities, regardless of how desirable such additional facilities may be. To the end that school classrooms may be made available at once and to all school districts in need of such classrooms, provision for other needed school facilities is necessarily subordinated.

5042. As used in this chapter:

(a) "Board" means the State Allocation Board, created by Section 7 of the Construction and Employment Act as amended."

(b) "Director" means the Director of Education,

(c) "Project" means the purposes for which a school district has applied for an apportionment under this chapter,

(d) "Grade level maintained by a district" means (1) the kindergarten, if any, and grades 1 to 6, or grades 1 to 8, inclusive, maintained by an elementary school district or a unified school district; or (2) grades 7 to 12, grades 9 to 12, inclusive, or grades 7 to 10, inclusive, maintained by a high school district or unified school district; and (3) grades 13 and 14 maintained by a high school district, unified school district, or junior college district, but not more than one grade level shall be claimed by any district under any one of the subdivisions of this paragraph,

(e) "Apportionment" means an apportionment made under this chapter unless the context otherwise requires.

5043. The Director of Finance shall administer this chapter and shall provide such assistance to the board as it may require.

5044. The State Allocation Board is continued in existence for the purposes of this chapter. The members of the board and the Members of the Legislature meeting with the board in an advisory capacity shall receive no compensation for their services under this chapter but shall be reimbursed for their actual and necessary expenses incurred in connection with the performance of their duties hereunder, to be paid out of the Public School Building Loan Fund.

5045. In addition to such other powers and duties as are granted the board by this chapter, the board shall (1) establish such qualifications not in conflict with other provisions of this chapter as it deems will best serve the purposes of this chapter for determining the eligibility of school districts to apportionments of funds under this chapter; (2) establish such procedures and policies in connection with the administration of, and the expenditure of funds made available for the purposes of, this chapter as it deems necessary and which are not in conflict with the powers and duties of the Department of Education or of the director granted or imposed by this chapter; and (3) adopt such rules and regulations for the administration of this chapter, requiring such procedure, forms, and information, as it may deem necessary.

5046. Apportionments from the Public School Building Loan Fund to school districts shall be made in the manner and subject to the conditions herein provided and in accordance with policies adopted by the board, for the following purposes: (a) the purchase and improvement of school sites which have been approved by the State Department of Education; (b) the purchase of built-in or fixed equipment, except desks, as listed in Part III of the California School Accounting Manual contained in the Bulletin of the California State Department of Education, Volume XIII, No. 2, June 1944, or as amended or revised, and (c) the planning and construction, reconstruction, alteration of, and addition to, school buildings for such facilities as are approved by the Department of Education as essential, all of which purposes are hereby declared to be, and are, public works.

5047. In making application for, and in expending, apportionments of funds under this chapter, a school district acts as an agent of the State and all sites purchased and improved, all equipment purchased, and all buildings constructed, reconstructed, altered, or added to through the expenditure of funds apportioned under this chapter, are declared to be, and are, the property of the State. Upon the payment by the district of the amounts required to be paid by it to the State under this chapter, the board shall, in the name of the State, convey such property to the district.

5048. Each school district which desires an apportionment for a grade level maintained by it, shall submit through its governing board to the director an application therefor in such form and number of copies as the State Allocation Board shall prescribe Each copy of the application shall be accompanied by a statement of the estimated cost of the project certified by an architect or structural engineer, and by layout plans showing the entire project for which the district desires an apportionment. Estimates of cost for new construction appearing in an application shall not exceed typical current costs of comparable new construction by school districts in the same area not receiving or not eligible for apportionments under this chapter, as determined by the Director of Finance, or if there has been no new construction by school districts in the area, the estimates of cost shall not exceed the reasonable current cost of similar construction in the area as determined by the Director of Finance Immediately upon receipt of an application in the prescribed form accompanied by the required estimate of cost, a copy thereof shall be transmitted by the director to the Director of Finance.

A school district may at any time amend or supplement its application.

The Director of Finance shall determine the school district's financial ability to meet all or a portion of the cost of the project and the amount which the school district can contribute toward the cost of the project out of its available funds, and shall submit his report thereon to the board.

The director shall as promptly as possible prepare a report and recommendation with respect to the application and refer the application, report, and recommendation to the Director of Finance, who shall, if he finds said documents to be in proper form and otherwise sufficient, refer them to the board. If the Director of Finance finds said documents to be lacking in any respect as to any matter which is subject to the jurisdiction or approval of the director or Department of Education, he shall refer them to the director who shall take such action as may be necessary The board shall, subject to the provisions of this chapter approve or reject each application referred to it by the Director of Finance If the board approves of the application, either in whole or in part, it shall, by a resolution adopted by it, apportion to the district from the Public School Building Loan Fund the amount applied for, or such portion thereof as the board may deem appropriate. This shall be known as a conditional apportionment and shall become final only if the vote provided for in Section 5050 is favorable and if bonds are authorized and sold in the amounts prescribed by the board, and the proceeds of the bonds sold earmarked for the project as approved. The conditional apportionment shall remain effective for a period of nine months from the date of said resolution of the board, and if it does not become a final apportionment by that date, it shall become void and the money so apportioned shall become again available for apportionment pursuant to this chapter.

5049. No apportionment shall be made for new construction which when added to the area of adequate school construction existing in the applicant school district at

the time of application, will provide a total area of school building construction per pupil of the estimated enrollment in excess of that computed under the following schedule:

Type of school	Enrollment	Sq. ft. per pupil
Elementary school comprising kindergarten and grades 1 to 6, inclusive	300 or more	55
Elementary school comprising grades 7 and 8	750 or more	75
Junior high school comprising grades 7 to 9, inclusive	750 or more	75
Junior high school comprising grades 7 to 10, inclusive	750 or more	75
High school comprising grades 7 to 12, inclusive	750 or more	80
High school comprising grades 9 to 12, inclusive	750 or more	80
High school comprising grades 10 to 12, inclusive	750 or more	80
Junior college comprising grades 13 and 14	750 or more	80
Junior college comprising grades 11 to 14, inclusive	750 or more	80

The maximum total building areas per pupil allowed to applicants having schools with smaller estimated enrollments than shown in the above schedule shall be determined by the Department of Education, and shall be building areas to provide comparable facilities to those enumerated above, and shall be the least building area required to house adequately the estimated enrollment and the normal instructional and other services.

No estimate of enrollment made by an applicant for the purpose of justifying an apportionment shall be made for a longer time than the second fiscal year beyond the fiscal year in which an application is made, and in no case shall be given effect unless approved by the Department of Education.

5050. No apportionment to a school district shall become final unless: (a) the total amount of bonds of the district exceeds ninety-five percent (95%) of the total amount of the bonds of the district permitted by the Education Code, or any law, to be issued, or (b) if the total amount of the bonds of the district outstanding and unpaid is less than ninety-five percent (95%) of the amount of the bonds permitted to be issued by the district, the amount of district bonds outstanding is within ten thousand dollars ($10,000) of the total bond limit permitted. At the time the board makes a conditional apportionment pursuant to Section 5048, it shall determine the amount of bonds required to be issued and sold by the district, the proceeds of which shall be applied to the cost of the project for which the apportionment is sought, and shall make such apportionment conditioned upon the approval and sale of such bonds by the district.

No apportionment to a school district shall become final unless, at an election called by the governing board of the district, two-thirds of the qualified electors of the district voting thereat have authorized the governing board of the district to accept, expend, and repay, as provided in this chapter, an apportionment under the provisions of this chapter. Such election shall be combined with and held at the same time as the bond election to authorize the amount of bonds required by the board, if any, and shall be called, held, and conducted in the same manner as are elections to authorize the issuance of school district bonds, except that the ballot, in addition to the bond proposition, shall contain substantially the following words:

"Shall the governing board of the _____ school district be authorized to accept and expend an apportionment in an amount not to exceed $_____ from the State of California under and subject to the provisions of Chapter 16 of Division 3 of the Education Code which amount is subject to repayment as provided by said Chapter? Yes_____ No_____"

5050.1 Immediately after the result of the election has been determined, the county superintendent of schools shall make a certificate in duplicate stating whether the bonds have been authorized in the amount prescribed by the board and whether the school district has authorized the acceptance and expenditure of the apportionment. One copy of the certificate shall be sent to the board and one copy to the State Controller. When the bonds authorized have been issued and sold and the proceeds thereof made available for the purposes of the application, the county superintendent of schools shall also certify this fact to the board and the State Controller. Upon the receipt by the board of the certificate stating that the bonds have been issued and sold and the proceeds thereof made available for the purposes of the application, the apportionment shall become final.

5051. No apportionment shall be made to a school district for any grade level if the estimated cost of the project, as approved by the Director of Finance, is (1) an amount which would result in an apportionment to the district exceeding the amount authorized at the district election held under Section 5050, or (2) is an amount which if raised by the issuance and sale of bonds of the district running for 25 years bearing the current going rate of interest as determined by the board and the principal of which is payable in 25 equal annual payments, would require the levy of a tax under Section 7516 upon property in the district which would, when added

to the tax actually being levied upon property in the district for the grade level as determined by the Director of Finance under said section, amount to less than thirty cents ($0.30) on each one hundred dollars ($100) of assessed valuation of property in the district during the next fiscal year.

At the time the board makes an apportionment, it shall, with the approval of the Director of Finance fix the interest to be paid by the district on the sum apportioned to it at a rate equal to the effective rate paid by the State upon the bonds sold from the proceeds of which the apportionment is made, giving effect to the price at which the bonds are sold and the premium, if any, paid thereon, adjusted to the next highest one-eighth of 1 percent, to cover the costs of sale and issuance of the bonds and costs of administration, to be compounded annually on the first day of January of each year.

5052. No apportionment shall be made to a district for the construction, reconstruction, or alteration of, or addition to, school buildings if the requirements prescribed by this code for the construction of school buildings are not met by the plans for the entire building program of the district in connection with which the district applied for an apportionment or for any project or part thereof which has not been approved by the Department of Education.

5053. Each district to which an apportionment has been made under this chapter shall repay the principal amount of such apportionment and the accrued interest thereon in the amount and in the manner hereinafter provided in this chapter.

5054. On or before the first day of January of each fiscal year, the State Controller shall compute for each grade level of a district for which an apportionment has been made during any preceding fiscal year the amount that would be produced by a tax of thirty cents ($0.30) on each one hundred dollars ($100) of assessed valuation for the current fiscal year within the district. Such amount is designated as the "first computation."

5055. On or before the first day of December preceding the first day of January of each fiscal year, the Director of Finance shall determine and certify to the State Controller the amount raised and to be raised by the district during the current fiscal year for the payment of principal and interest on that portion of the bonded indebtedness of the district that was incurred for each such grade level prior to the making of the apportionment referred to in Section 5054, which amount is designated as the "second computation." The Director of Finance shall determine the amount of the bonded indebtedness that was incurred by the district for each grade level, when bonds were issued and sold for purposes of more than one grade level.

5056. On or before the first day of December preceding the first day of January of each fiscal year, the Director of Finance shall determine and certify to the State Controller for each grade level the amount that was or will be produced by the rate of tax levied under Section 7516 of this code, but not exceeding the first ten cents ($0.10) thereof, that is required to pay during the current fiscal year the principal and interest on that portion of the bonded indebtedness of the district that was incurred for each such grade level prior to the making of the apportionment referred to in Section 5054, which amount is designated as the "third computation."

5057. On or before the first day of January of each fiscal year, the State Controller shall compute the "annual" repayment, if any, due from each district during the next succeeding fiscal year as herein provided. If, for any grade level of a district, the amount, if any, by which the second computation exceeds the third computation is greater than the first computation, the amount of such excess, herein called a "negative difference," shall be disregarded, and no reimbursement shall be due the State from such district with respect to such grade level during the next succeeding fiscal year. If, for any grade level of a district, the amount of the first computation is greater than the amount, if any, by which the second computation exceeds the third computation, the amount of such excess, herein called a "positive difference," shall constitute the amount of reimbursement due the State from such district with respect to such grade level during the next succeeding fiscal year. The sum of the "positive differences" so computed for all grade levels having a "positive difference" within each district is herein designated as the "annual repayment" of such district.

5058. The State Controller shall, during the next fiscal year following that in which he determines the annual repayment as herein provided, deduct the total amount of the annual repayment of each district in equal amounts from each installment of the apportionments made to such district from the State School Fund under Chapter 15 of this division; and, on order of the State Controller, the amount so deducted shall be transferred to the State General Fund.

5059. The State Controller shall make the deduction provided by Section 5058 during each fiscal year, as herein provided, until the principal amount of the apportionment made to the district for such grade level, and all accrued interest due thereon, has been withheld; but no interest shall accrue or become due and payable to the State with respect to the principal amount of any such apportionment after the expiration of 25 years from the first day of January of the fiscal year next succeeding the date of the warrant issued by the State Controller covering the payment to the county treasurer of the original amount of such apportionment. At the expiration of 30 years from the first day of January of the fiscal year next succeeding the date of

the warrant issued by the State Controller covering the payment to the county treasurer of the original amount of such apportionment, any unpaid balance of the principal amount of any such apportionment, including all interest included in such principal amount, shall be canceled on the books of the State Controller, and the State shall have no further right to the repayment of such unpaid balance.

5060. The State Controller shall certify to the board the cancellation of the unpaid balance of the principal amount of such apportionment; and upon receipt of such certification, the board shall, in the name of the State, convey to the district all sites purchased and improved, all equipment purchased, and all buildings constructed, reconstructed, altered, or added to, from moneys provided by the apportionment covered by such cancellation.

5061. The State Controller shall determine and maintain a record of the amount due the State in connection with each apportionment made to each grade level of a district under the provisions of this chapter. He shall compute interest on the original amount of the apportionment at the rate fixed by the board, from the date of issuance of the State Controller's warrant covering the payment to the county treasurer of the original amount of the apportionment until the first day of January of the fiscal year next succeeding that in which the warrant was issued. Thereafter, interest shall accrue to and be compounded as a part of the principal amount due the State pursuant to such apportionment, on the first day of the following January of each year, until the principal and interest have been paid, or until the interest ceases to accrue, as provided in this chapter. No interest shall accrue on the principal amount of any apportionment because of the withholding of the annual repayment from apportionments made to school districts from the State School Fund on dates subsequent to the first day of January of the year in which the computation of the annual repayment is determined.

5062. Upon computing in any fiscal year the amount to be deducted from the apportionments to the district from the State School Fund during the succeeding fiscal year, the State Controller shall notify the governing board of the district of the amount to be deducted.

5063. The maximum tax rate fixed by Section 6357 or authorized by Section 6358 for any district which under this chapter will have moneys withheld by the State Controller from the apportionments to be made to it from the State School Fund during any fiscal year is hereby increased, for such fiscal year, by such amount as will produce an amount equal to that to be deducted by the State Controller during the fiscal year from apportionments made to the district from the State School Fund.

5064. The board shall prescribe in such detail as it deems necessary, the purposes for which moneys apportioned by it to a school district under this chapter may be expended and such prescription shall be binding upon the governing board of such district except as it may be, for good cause, modified by the board.

5065. Unless the board has received the certificates of the county superintendent of schools required by Section 5050.1 within nine months from the date of the conditional apportionment, it shall, at the expiration of said nine-months' period, void said conditional apportionment and shall certify this fact to the State Controller. Each final apportionment made by the board under this chapter shall be certified by it to the State Controller who shall thereupon draw his warrant on the State Treasurer in favor of the county treasurer of the county having jurisdiction over the district. The warrant shall be exempt from the provisions of Division 4 of Title 2 of the Government Code and shall be paid by the State Treasurer from the Public School Building Loan Fund.

5066. A public school building fund is hereby created in the county treasury in each county for each school district in such county. The county treasurer of each county shall pay into the public school building fund of each school district, exactly as apportioned by the board, all moneys received by him under this chapter with respect to each such school district.

5067. A fund in the State Treasury is hereby created, to be known as the Public School Building Loan Fund. All money in the Public School Building Loan Fund, including any money deposited in said fund from any source whatsoever after the effective date of this chapter, is hereby continuously appropriated without regard to fiscal years for expenditure pursuant to apportionments made under the provisions of this chapter.

5068. The governing board of each school district to which an apportionment has been made under this chapter shall expend the moneys in the Public School Building Fund of the school district exactly as apportioned by the board and only for the purposes for which said moneys were apportioned to the district, and for no other purpose, and shall make such reports relating to the expenditure of such moneys as the board and the State Controller shall require.

5069. A complete detailed report of expenditure of funds allocated pursuant to this chapter shall be made by the board annually to the Legislature. The report shall contain a detailed statement of facilities provided, type of construction, square footage provided and all other items which will enable the Legislature fully to understand the nature of the construction performed by the school districts.

5070. It shall be the duty of the State Controller to make such audit or audits of the books and records of counties and school districts receiving apportionments

under this chapter, as he may deem necessary from time to time, for the purpose of determining that the money received by school districts as apportionments hereunder has been expended for the purposes and under the conditions authorized by this chapter.

5071. Whenever the State Controller determines that any money apportioned to a school district has been expended by such school district for purposes not authorized by this chapter, or exceeds the final cost of the project which is authorized by this chapter to be paid therefrom, the State Controller shall furnish written notice to the board, the governing board of the school district, the county superintendent of schools, the county auditor, and the county treasurer of the county whose county superintendent of schools has jurisdiction over the school district, directing the school district and the county treasurer to pay into the State Treasury, at the time of the next county settlement following receipt of such notice, the amount of such unauthorized expenditures, or the amount of such excess apportionment, as the case may be. Upon receipt of such notice, such governing board shall, at the time specified herein, order the county treasurer to pay to the State Treasurer, out of any moneys in the county treasury available to the school district for that purpose, the amount set forth in such notice. Such amount shall, upon order of the State Controller, be deposited in the State Treasury to the credit of the Public School Building Loan Fund.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State

5072. An apportionment paid to a school district under this chapter shall be available for expenditure by its governing board for three years after the date on which the warrant covering the apportionment was issued by the State Controller For the purposes of this chapter, an apportionment shall be deemed to be expended at the time and to the extent that the amount thereof on deposit in the county treasury has been encumbered by the creation of a valid obligation on the part of the school district. Upon the expiration of its period of availability, the unencumbered balance of any apportionment made under this chapter shall become due and payable to the State of California; and the governing board of the school district and the county treasurer shall, at the time of the next county settlement following the expiration of such period of availability, pay the amount of such unencumbered balance to the State Treasurer, out of the funds, and in the manner specified in Section 5071 of this code. Such payment shall, on order of the State Controller, be deposited in the Public School Building Loan Fund in the State Treasury.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State

5073. Whenever a school district receives an apportionment under this chapter for the purchase or improvement of a school building site and within a period of three years after the date on which the warrant covering the apportionment was drawn on the State Treasurer from the Public School Building Loan Fund, sells or otherwise disposes of such site or the improvements thereon, or any portion thereof, purchased or improved in whole or in part from such apportionment, or within said period of three years does not begin to use such site or the improvements thereon for the purpose or purposes for which such apportionment was made, the board shall demand the return by the school district of the total amount apportioned to and received by the school district for such purpose or purposes or, in the case of a sale of a portion of such site or the improvements thereon, a proportionate share of such apportionment, taking into consideration any improvement of the site from such apportionment. Written notice of such demand, setting forth the amount due the State pursuant thereto, shall be furnished by the board to the governing board of the school district, the county superintendent of schools, the county auditor, the county treasurer of the county whose county has jurisdiction over the school district, and the State Controller Upon receipt of such notice and demand, the governing board of the school district shall, at the time of the next county settlement following receipt of such notice, order the county treasurer to pay to the State Treasurer, out of any moneys in the county treasury available to the school district for that purpose, the amount set forth in such notice. Such amount shall, upon order of the State Controller, be deposited in the State Treasury to the credit of the Public School Building Loan Fund.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State

SEC 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There are hundreds of impoverished school districts in California that do not have the financial means to provide either suitable buildings or adequate instruction. Many of these districts and other districts have had tremendous population increases as well as a disproportionate increase in the number of children of kindergarten and grammar school age. The children living in those districts are being denied their birthright of a good education There must be equalization of educational opportunities by helping the poorer districts to render more adequate service to the children upon whom

the future of the State depends They are our future citizens, and it is clearly our duty to give them every opportunity to become useful and happy people. The need is great, and the State is under a direct obligation

In order that the benefits arising from this measure may inure to the children of the State at the earliest possible time, it is necessary that this act take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 4 to 24, inclusive; and strike out pages 2 to 6, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 2260

Mr. Babbage moved that a rush order be placed upon the printing of Assembly Bill No. 2260.

Motion carried.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1524—An act to amend Sections 5047 and 5125 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Crichton asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 408
Assembly Bill No. 1195
Assembly Bill No. 2102

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 994—An act to establish a Banking Code and to revise, rearrange and consolidate the law relating to banks and banking, including that relating to the State Banking Department, the organization and establishment of banks and trust companies and branch offices, deposits and withdrawals, the deposit of funds by fiduciaries, collections, the assertion of adverse claims to deposits and property, regulation of loans and investments, maintenance of reserves, safe deposit business and enforcement of remedies, the trust business, foreign banking corporations, the receiving of money for transmission to foreign countries, the sale, merger, consolidation and conversion of banks and trust companies, and the liquidation, conservatorship, reorganization and dissolution of banks and trust companies, and providing for certain repeals;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixteenth day of June, 1949, at 10 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 535—An act to amend Section 1425 of the Penal Code, relating to criminal jurisdiction of justices', municipal and police courts;

Assembly Bill No. 605—An act to amend Sections 140.1 and 142 of, and to add Section 140.2 to the Vehicle Code, relating to permits for the operation of and registration of vehicles;

Assembly Bill No. 963—An act to add Section 25252.5 to the Government Code, relating to probationer's loan funds;

And reports that the same have been correctly enrolled, and presented to the Governor on the sixteenth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1627—An act to add Section 834 to the Welfare and Institutions Code, relating to procedure in the juvenile court concerning minors alleged to have committed violations of law;

And reports that the same has been correctly enrolled, and presented to the Governor on the sixteenth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 38—Relative to the Sacramento River Flood Control Project;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the sixteenth day of June, 1949, at 11 a.m.

HUYCK, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 1486

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 1386
Assembly Bill No. 2310
Assembly Bill No. 3140

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Bill No. 3126

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended

CROWLEY, Chairman

Above reported bill ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 2276

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 293
Senate Bill No. 969

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2698
Assembly Bill No. 3163
Assembly Bill No. 3164

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3145

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 2259

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No 17

Has had the same under consideration, and reports the same back with no recommendation, and be re-referred to Committee on Education.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Education.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2401

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 15, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2467

Has had the same under consideration, and reports the same back with no recommendation, and be re-referred to Committee on Ways and Means.

STEWART, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 1558

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 33
Senate Joint Resolution No 34

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Joint Resolution No. 33—Relative to memorializing the President and the Congress of the United States in relation to the Oriental fruit fly.

Referred to Committee on Rules.

Senate Joint Resolution No. 34—Relative to memorializing the Congress of the United States in relation to providing facilities for the prevention of the spread of Oriental fruit fly from the Hawaiian Islands to the mainland.

Referred to Committee on Rules.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 3027 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. George D. Collins moved that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

Question of Personal Privilege

Mr. Hinckley arose to a question of personal privilege.

Point of Order

Mr. Hawkins arose to the following point of order: That Mr. Hinckley is not speaking to a question of personal privilege because the remarks by Mr. George D. Collins involved the Speaker, and not Mr. Hinckley.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Silliman arose to the following point of order: That Mr. George D. Collins is not in order because he is reading from a periodical.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Parliamentary Inquiry

Mr. Thomas arose to the following parliamentary inquiry: How do you rule, Mr. Speaker, on how far a member may go on arguing on a motion to withdraw a bill from committee?

Ruling by Speaker

Speaker pro Tempore Maloney ruled that the answer to this parliamentary inquiry may be found in Mason's Manual of Legislative Procedure on page 254, Section 309.

Demand for Previous Question

Messrs. Silliman, Levering, Connolly, Clarke, and Reagan demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. George D. Collins that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hawkins moved a call of the Assembly.

Motion carried. Time, 3.08 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Dickey, Doyle, Dunn, Fletcher, Geddes, Grunsky, Hagen, Hoffman, Hollibaugh, Kirkwood, Lindsay, McMillan, and Morris—14.

Request for Temporary Suspension of Assembly Rule No. 85

Mr. Hawkins asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Sherwin withheld unanimous consent.

Point of Order

Mr. Hawkins arose to the following point of order: That nothing is before the House, and the remarks by Mr. Sherwin are not in order.

Remarks Withdrawn

Mr. Sherwin withdrew the above mentioned remarks.

Request for Unanimous Consent to Hold Special Meeting of Committee

At 3.10 p.m., Mr. Sherwin asked for unanimous consent that he and the members of the Committee on Ways and Means, be excused, for the purpose of holding a meeting of the Committee on Ways and Means, at this time.

Mr. Beck withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Beck moved that the Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file, at this time.

Mr. Lowrey seconded the motion.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burkhalter, Clarke, Coats, George D. Collins, Condon, Cooke, Crichton, Doyle, Elliott, Gaffney, Hawkins, Heisinger, Kilpatrick, Lowrey, Luckel, McCarthy, McCollister, Meyers, Moss, Rumford, Thomas, Weber, and Yorty—27.

NOES—Burke, Butters, Caldecott, Collier, Connolly, Conrad, Crowley, Dolwig, Erwin, Evans, Fleury, Grant, Hahn, Hinckley, Huyck, Levering, Lipscomb, Maloney, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Waters, Way, and Mr. Speaker—27.

Motion to Temporarily Suspend the Rules

Mr. Heisinger moved that the Rules be temporarily suspended for the purpose of permitting the Committee on Ways and Means to hold a meeting, at this time.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Heisinger is out of order because he is making the same motion that has previously been ruled on.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Hon. Thomas W. Caldecott Presiding

At 3.23 p.m., Hon. Thomas W. Caldecott, Member of the Assembly from the Eighteenth District, presiding.

Speaker Pro Tempore Presiding

At 3.49 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Further Proceedings Under Call of the Assembly Dispensed With on Motion to Withdraw Assembly Bill No. 3027 From Committee

At 3.50 p.m., on motion of Mr. Hawkins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. George D. Collins that Assembly Bill No. 3027 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file lost by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Clayton A. Dills, Elliott, Evans, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Maloney, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Thomas, and Yorty—31.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hinckley, Huyck, Levering, Lindsay, Lipscomb, Luckel, McCarthy, Reagan, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—35

Explanation of Vote

As chairman of a committee, I favor the legislative processes; therefore, I am opposed to efforts to withdraw bills from committee. The committee procedure is the democratic process, and should we begin withdrawing bills, we will be here all summer. While I would support an FEPC bill that is fair to everyone, I must, in this instance, refuse to withdraw any bill from a committee that has held a hearing on it.

G. DELBERT MORRIS

APPRECIATION EXPRESSED

Speaker pro Tempore Maloney expressed appreciation, on behalf of the Members of the Legislature, officers, and attaches, to Mr. Frank Sebastian, president of the Hotel Senator, for his delightful party, given yesterday, at the Hotel Senator.

RESOLUTIONS

The following resolutions were offered:

By Mr. Crichton:

House Resolution No. 260

Relative to the creation of the Assembly Interim Committee to Investigate Waste of Forest Resources Through Unregulated Cutting and Sale of Christmas Trees

WHEREAS, More than 500,000 Christmas trees are cut annually within this State, and more than 2,000,000 Christmas trees cut in other states are imported into this State annually; and

WHEREAS, A large number of those trees are not sold and are wasted, the number of such wasted trees ranging from 275,000 to 825,000 annually; and

WHEREAS, If this situation continues unchecked the forests and timber resources of this State may be laid waste and the needs of future generations of citizens made impossible of fulfillment; and

WHEREAS, In order to protect the public welfare through proper legislation on this subject it is essential that the Assembly be fully informed on all phases thereof, and on all matters relating to, affecting or in any way bearing thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee to Investigate Waste of Forest Resources Through Unregulated Cutting and Sale of Christmas Trees is hereby created and authorized and directed to ascertain, study and analyze all facts relating to, bearing upon, or in any way affecting the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or relating thereto, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act at any place within this State or within the United States in carrying out the duties imposed upon it.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Geddes:

House Resolution No. 261

Relating to highway maintenance and driveway entrances

Resolved by the Assembly of the State of California, That the California State Highway Commission be, and hereby is requested to review the policies and methods of the Division of Contracts and Rights of Way of the Department of Public Works relative to the width and number of Driveway Entrances granted business establishments in incorporated and unincorporated areas traversed by state highways; and be it further

Resolved, That C. H. Purcell, Director of the Department of Public Works, be, and he hereby is, requested to make an initial survey and report the policies and procedure of said Division of Contracts and Rights of Way to the Highway Commission at its July meeting and to the Assembly by June 30, 1949; and be it further

Resolved, That the Chief Clerk of the Assembly be, and hereby is, directed to transmit copies of this resolution to the California State Highway Commission and to C. H. Purcell, Director of the Department of Public Works.

Resolution read, and ordered referred to the Committee on Rules.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bills Nos. 1734 and 1733, on request of Mr. Brady.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 491

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 491, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 491

Assembly Bill No. 491—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read third time.

Motion to Amend

Mr. Rosenthal moved the adoption of the following amendments:

Amendment No. 1

On page 2, lines 7 and 8, of the printed bill, as amended in the Assembly on June 15, 1949, strike out "twelve thousand five hundred dollars ($12,500)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 2

On page 2, line 21, of said bill, strike out "twelve thousand five hundred dollars ($12,500)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendment No. 3

On page 5, line 6, of said bill, strike out "twelve thousand five hundred dollars ($12,500)", and insert "thirteen thousand five hundred dollars ($13,500)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 1136, on motion of Mr. Burkhalter.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 385, on request of Mr. Way.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Weber asked for, and was granted, unanimous consent that the Committee on Conservation, Planning, and Public Works be permitted to use the Assembly Chamber tomorrow, Friday, June 17, 1949, at 3 p.m., for the purpose of holding a meeting.

Speaker Presiding

At 4 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

QUESTION OF PERSONAL PRIVILEGE

Mr. Dickey arose to a question of personal privilege.

MOTION THAT STATEMENTS BE PRINTED IN THE JOURNAL

Mr. Doyle moved that the Joint Statement in Opposition to the Dickey Bills, as printed in the Senate Journal on Wednesday, June 15, 1949, on pages 2743, and 2744, followed by Mr. Dickey's statement, just given in rebuttal when he arose to a question of personal privilege, be ordered printed in the Assembly Journal, in 10-point type.

Mr. Brady seconded the motion.

Motion to Amend

Mr. Waters moved the adoption of the following amendment:

That those persons named by Mr. Dickey in his remarks, while speaking on a question of personal privilege, be granted the privilege of having their statements printed in the Assembly Journal.

Ruling by Speaker

Speaker Sam L. Collins ruled that, until such time as these statements are presented, there is nothing before the House, and for this reason must rule the amendment offered by Mr. Waters to Mr. Doyle's motion not in order.

Parliamentary Inquiry

Mr. Crowley arose to the following parliamentary inquiry: Is it understood that the joint statement, as printed in the Senate Journal, will precede the remarks just made by Mr. Dickey?

Ruling by Speaker

Speaker Sam L. Collins ruled that this is to be the order in which the above mentioned material will appear in the Journal.

The question being on the motion by Mr. Doyle.

Parliamentary Inquiries

Messrs. Hinckley, Waters, and Weber arose to questions of parliamentary inquiries.

The question being the motion by Mr. Doyle.

Motion carried unanimously.

EXCERPT FROM SENATE JOURNAL OF WEDNESDAY, JUNE 15, 1949, ON PAGES 2743 AND 2744

COMMUNICATIONS

The following communications were received and read and on motion of Senator Hulse, ordered printed in the Journal:

JOINT STATEMENT IN OPPOSITION TO THE DICKEY BILLS (A.B. 2034 AND A.B. 2156)

June 15, 1949

To the Senate of the State of California:

The undersigned representatives of public and private water works and state and local governmental organizations and agencies, mindful of their obligation to protect the public welfare and all users of water, urge the State Senate to defeat the Dickey Water Pollution bills (A.B. 2034 and A.B. 2156) because:

1. They endanger the purity of the water supply of the people of the entire State;

2. They endanger the public health because of inadequate controls to prevent the dangerous pollution of waters;

3. They jeopardize the quality of industrial water supply;

4. They threaten the interests of the farmers because the quality of waters used for agricultural purposes cannot be protected.

These statements are not made without awareness of their grave implications. We submit them to the Senate because, believing them to be true, we strongly feel that the Members of the Senate should not act on these bills without full knowledge in advance of what the result of such action would be.

It is not often in the career of any legislator that proposals so dangerous to the health, safety and welfare of the State are presented for adoption. It is difficult for us even now to believe that such legislation is so close to final passage.

The Senate is confronted with contending forces. On the side of these Dickey bills are the very industries causing pollution, who seek to be excused from the financial burden of regulations requiring them to provide proper treatment of their industrial waste. Inquiry will reveal that this is the real and the *only* real support for these bills. All else is

token support stemming in one way or another from this basic industrial sponsorship.

And on the other side, opposing these bills, what does the Senate find? The representatives of public and private water works and State and local government whose only purpose is to serve and protect the public interest. There is no selfish purpose to be served by this opposition and the loose charges of bureaucracy do not alter that fact.

We have tried in good faith for months to correct the deficiencies in these bills by submitting amendments to the author. Numerous amendments have in fact been adopted to conceal the real purpose of these bills so boldly stated in earlier drafts. Adequate amendments have never been adopted and the proponents of these bills refuse to accept amendments essential to protect the people and the quality of the waters of the State.

Therefore, to protect the waters of the State upon which all the people depend for their lives and livelihood, we urge the Senate to defeat A.B. 2034 and A.B. 2156.

LAUREN W. GRAYSON, BY R. V. M.
California Section, American Water Works Association
F. V. FREY
California Municipal Utilities Association
ROBERT T. DURBROW
Irrigation Districts Association of California
BRENNAN S. THOMAS
California Water Association
WILLIAM E. TURNER, M. D., BY A. P. Z.
Conference of Local Health Officers
WILTON L. HALVERSON
State Department of Public Health
C. H. PURCELL, Director of Public Works
By FRANK B. DURKEE, Deputy Director
State Department of Public Works
A. A. BROCK
State Department of Agriculture
WARREN G. HANNUM
State Department of Natural Resources
FREDERIC L. ALEXANDER
County Supervisors Association of California
RICHARD GRAVES
League of California Cities

June 15, 1949

SAN JOSE, CALIF., June 15, 1949

Albert S. Zipf, M.D., care Howard Carpenter
Rm. 321, Senator Hotel, Sacramento, Calif.

This is to authorize you to sign my name as Secretary of the California Conference of Local Health Officers to a letter opposing the Dickey bills on water pollution. This action has been authorized by the executive committee acting under instructions of the conference.

W. ELWYN TURNER, M.D.

RIVERSIDE, CALIF., June 15, 1949

Roy O. Van Meter
Care League of California Cities
Room 321, Senator Hotel, Sacramento, Calif.

Reference our telephone conversation 9.30 a.m. this date you are authorized to affix my name as Chairman California Section American Water Works Association to the drafted letter read to me over telephone to be directed to the Senate and Senators in the State Legislature opposing Assembly Bills 2034 and 2156, the placing of my name thereon to be initialed by you. Result of Senate committee hearing yesterday the 14th was disappointing. Am sorry business required my return to Riverside last night.

LAUREN W. GRAYSON
Chairman California Section American Water Works Association

STATEMENT OF ASSEMBLYMAN RANDAL F. DICKEY ON POINT OF PERSONAL PRIVILEGE

Mr. Speaker and Members of the Assembly:

I rise at this time on point of personal privilege to speak upon a matter of great seriousness. It is a matter which affects not only myself personally, but which is also an affront to every Member of this Assembly, to every Member of the Senate, and to every citizen of this State.

I wish to speak upon a matter which primarily involves a flagrant breach of faith with this Legislature—and which *may* possibly involve outright fraudulent or corrupt actions.

The things which I am about to say are not easy to say. I have not wanted to say them before this; I would rather not have to say them now. However, I *must* rise now to say these things in order to carry out my oath of office. And so that there may be no uncertainty about the things which I will say, I have reduced them to writing so that if it is the wish of this body they may be printed in the Journal.

Specifically I wish to speak to three points. First, a most serious breach of faith; second, a possible fraudulent action, and third, a possible corrupt action—all of which, as I have said, are of serious concern to me personally, but are of far greater concern to this Legislature and to the citizens of this State.

I wish to direct your attention to a communication which is printed in the Senate Journal of June 15th which you have on your desks; on page 2743, entitled "JOINT STATEMENT IN OPPOSITION TO THE DICKEY BILLS (A.B. 2034 and A.B. 2156)," dated June 15, 1949.

I do not direct your attention to the matter contained in the statement. The things which are said are *untrue,* and they must certainly be known to be untrue by the persons whose signatures purport to be on the document. The statements made are scurrilous and vicious; they are intended to create a fear among you for the purpose of covering up actual conditions which exist today which are far more fearful. They are absolutely insupportable by any facts or by any logic.

But I say to you, I do not direct your attention to those statements. It is not to those that I rise to a point of personal privilege. I cannot quarrel with the *right* of anyone to make such statements, whether true or untrue, whether out of ignorance or out of intentional deceit. By now

I am accustomed to such thoughtless and irresponsible tactics on the part of persons opposing these bills.

I do direct your attention to the signatures which are subscribed to this document. There are 11 names, four of which are the names of directors of departments of this State. In the hectograph copy of this document, which you have no doubt received and which has been widely circulated, these signatures appear, as they do also in the Senate Journal, *in print. It would seem that a director of a state department might take* the time to affix his signature to a communication which he directs individually to the Members of this Legislature—and even if that were too great a burden, I respectfully submit that the process of hectograph which has been used to reproduce this piece is fully capable of reproducing written signatures.

The questions therefore arise, first, as to whether or not the original of this document was actually signed by these men, and second, if they did sign their names, whether the document, as they saw it, is the one which is today printed in the Senate Journal.

Several other things give rise to these doubts. First, it is almost *impossible for me to believe that any one of these four men* would subscribe to these statements. Second, I call your attention to the fact that the name of General Hannum does not carry his proper initial—which is "T", not "G" as printed in the Journal. And, finally, doubt is raised by the unusual action which is ascribed to the persons who organized this broadside, when they took advantage of our good friend Senator Dilworth to substitute alterations of their Senate Bill 1639 between the time that the bill crossed the Senate desk and the time it was returned from the printer.

For all these reasons, therefore, I must demand that each of these four officials of our government immediately communicate with the Chairman of the Senate Committee on Public Health, and either affirm that on June 15th they did sign this statement as printed in the Journal, or else repudiate it.

As to the signatures of the other officials, I have no concern to know whether they are spurious or not. However, I do wish to direct your attention to each of the signatures to this document separately. Before doing so I must briefly review the events which led up to the action which I consider to be the most flagrant breach of faith which could be perpetrated upon this Legislature or upon any Member of the Legislature.

The Assembly bills referred to were introduced by the Assembly Interim Committee on Water Pollution to effectuate the recommendations contained in the committee's preliminary and second reports. Some time ago they were passed out of this Chamber to the Senate by an overwhelming majority. With my consent and agreement, the bills were held in abeyance for some weeks in the Senate Committee on Public Health until a counter proposal could be completed by the men whose signatures we find on this document in the Senate Journal. After that counter proposal had been prepared, introduced by Senator Dilworth (and, as I have said, irregularly amended in transit), and referred to the same committee of the Senate, a full hearing was held on Tuesday, June 7th—and the two Assembly bills *and* the Senate bill were debated before the Senate committee in a hearing in the Senate Chamber which lasted for some four

hours. At the conclusion of that hearing, the committee saw fit to hold the matter over for one week.

We now go to *the heart* of this matter. During the intervening week, realizing there were still some issues which were controversial, I directed my secretary to continue the effort—which has persisted since the bills were first introduced in skeleton form in January—to continue to attempt to develop amendments which would be acceptable to all concerned. Fortunately, at that time, at my specific request, the principal attorney of the Los Angeles Department of Water and Power, Mr. Gilmore Tillman, came to Sacramento to sit in these continued deliberations. Mr. Tillman is a gentleman who is extremely skilled in these matters, is one of the outstanding attorneys on water problems in the Nation today, and represents the largest and most important organization of all those who up to that time had been unable to agree with the full detail of the Assembly bills.

The work of attempting to define proper amendments continued actually night and day for a full week with conferences between Mr. Tillman and myself, my secretary, representatives of other interests, and the Legislative Counsel. At the end of that week, final agreement had not been reached although there remained only two points to be composed.

Therefore, in the second hearing before the Senate Public Health Committee, I gave my assurance to the committee, and to all of the persons concerned, that an effort to reach agreement would be continued and amendments finally introduced on the Senate floor.

Now, at that second hearing, upon my assurance that this work would be continued with Mr. Tillman, representatives of the four organizations which head this list of signers of this statement—as well as representatives of other groups—gave their assurance to the Senate committee that the provisions which would be finally acceptable to Mr. Tillman would be acceptable to them and would enable them to support the bills.

Conferences with Mr. Tillman again continued literally night and day with agreement reached yesterday; and at 5 o'clock in the afternoon Mr. George Murphy, of the Legislative Counsel, was drafting the last words of the amendments agreed upon. IT WAS AT THAT TIME THAT THIS DOCUMENT WAS HANDED TO ME.

Here, Gentlemen of the Assembly, is the counterpart of the methods employed by our enemy at Pearl Harbor. While the negotiations were in progress, the bombing was ordered—with this exception however, that, in this case, the negotiator was not a party to the treachery.

This, Gentlemen of the Assembly, to my mind constitutes the most flagrant breach of faith upon the part of the men here involved, and forces me to look further into the motives and the real purpose behind this treacherous action. To do that, I must direct your attention successively to each of the names which appear here.

The first name is that of Lauren W. Grayson by R. V. M., who is, according to the authorization printed below, Mr. Roy O. Van Meter. Mr. Van Meter, to whom Mr. Grayson has assigned his authority, was fully aware of the continued effort which was being made with Mr. Tillman, and he had himself assured the Senate committee that an agreement reached by Mr. Tillman would be subscribed to by the American

Water Works Association Mr. Van Meter in his private capacity is a Sanitary Engineer for the Los Angeles Department of Water and Power, the largest single operation supplying public water in the West. For his information I will merely read from the endorsement which has been handed to me by Mr. Tillman following the agreement on amendments which was reached yesterday.

> "If these latter amendments be incorporated, we believe that the bills, as so amended, will constitute a definite and constructive contribution toward the solution of the water pollution problem in California; legislation of which the members of your Committee may properly be proud. We sincerely hope that the bills, in that form, will be adopted and become law.
>
> "In conclusion I should like to say that we consider that the work done by your Committee in its investigation and report upon water pollution conditions in California constitutes an invaluable public service."

Proceeding now to the next name we find Mr F. V. Frey, of the California Municipal Utilities Association, which *also* gave their assurance in purported good faith to the Senate committee that agreements reached by Mr. Tillman would be acceptable to them.

The next name is that of Robert T Durbrow of the Irrigation Districts Association of California. Mr. Durbrow, likewise in purported good faith, gave the same assurance to the Senate committee I wish to return to the subject of Mr. Durbrow's signature in a moment.

Next signature is that of Brennan S Thomas, California Water Association. Mr. Thomas was present when similar assurance in purported good faith was made by Mr. Van Meter and he did not object to it.

The remaining gentlemen on this list did not participate in these assurances to the Senate committee, but let us see who they are and what their purposes and motives may be.

First there is Dr. William E. Turner as signed by Dr. Zipf of Sacramento for the Conference of Local Health Officers. This signature upon this document will lead the Members of this Legislature to believe that all of the local health officers of this State support the statement that the proposals which have resulted out of two years study and negotiation between honest and sincere and capable men—that these proposals will "endanger the purity of the water supply * * * (and) * * * endanger the public health" of the people of this State.

The alternative which is here recommended is continuation of the present statutes and administrative procedures. I therefore wish to ask Dr. Turner if, in this statement, he represents the Health Officer of San Diego County, where contamination of a public reservoir is this day continuing in spite of every effort to bring action under the state law?

Does he represent the Health Officer of Riverside County, where, under the present law it has been said that people in one district are literally drinking the effluent from sewage settling tanks? Does he represent the Health Officer of Los Angeles County where a so-called irrigation district, serving 80 percent of its water through meters for domestic use, has continued in operation for years without the permit required by law until publicly exposed by the interim committee—and where the permit in any case could not have been granted for the simple

reason that the principle wells of the district were practically located in an underground sewage field?

Does he represent the Health Officer of Sonoma County where the newspapers carry the pictures of children playing in pools of sewage? Does he represent the Health Officers of Alameda County, of Contra Costa County, of San Mateo, of Marin, in all of which serious problems exist under the present law?

Does he represent the eminent and nationally known public health authority who was able to obtain action to correct the condition in the resort areas on the Donner Summit only after some 100 people contracted an intestinal disease and only through intervention of Dr. Gieger did the State Department of Public Health correct same.

Does he represent the Health Officer of Sutter and Yuba Counties who says "We are sitting on a keg of dynamite"? Finally, does he represent the health officer who states that "continuing epidemics of dysentery exist in the mountain counties of the Central Valley" from the contaminated water served *illegally* from irrigation systems throughout that area?

I do not believe that he represents any of these men, and, particularly, he does not represent the men who have been unable over the years to get relief under state law from the practices which have resulted in this continuing epidemic of dysentery, and which every day and every hour threatens more serious diseases, or for all we know, may actually be causing them now!

On this subject I turn now to the next name, that of Dr. Wilton L. Halverson, Director of the State Department of Public Health. I do not impugn the integrity or the intention of Dr. Halverson. However, I may be able to give him some information concerning his department which he may not now have. Dr. Halverson is aware of the conditions surrounding the distribution and sale of irrigation ditch water for private use. He is aware, certainly, of the statements made by officials of his department, that they were helpless, or unwilling, to go behind the perjured affidavits which are forced from the consumers of these water systems which state that the water is being used solely for agricultural purposes, when it is, in fact, piped and metered into the homes, and charged at a different rate from that which is actually used for agricultural purposes.

Dr. Halverson must also know, that following the exposure of this horrible condition by the interim committee, officials from his department went into the mountain counties to crack down upon these flagrant violations. This crack-down operation has occurred very belatedly, only within the past month or so, although the matter was exposed one year ago.

This following piece of information, however, Dr. Halverson may not have.

And it is here that I wish to return to the name of Robert T. Durbrow of the Irrigation Districts Association above. Dr. Halverson may not know that Mr. Durbrow, who represents here the companies which are engaging in this fraudulent and illegal practice, some week or so ago, following the excursion of the Department of Health officials into the mountains, wrote a lengthy letter to the Chief of the Bureau of Sanitary Engineering in vigorous complaint against the program of the Health

Department to clean up this situation. I do not have a copy of that letter but it is in the files of the department, and I think that Dr. Halverson should see it.

Is it possible here that there is only a coincidence that the names of Dr. Halverson, who is charged with the duty of protecting the health of the citizens of this State, and the name of the representative of the persons who are wilfully and illegally creating the condition most threatening to the public health—is it only coincidence that these two names appear on a statement opposed to legislation to adequately control this grave problem?

Can it be possible that, perhaps unknown to Dr. Halverson, the endorsement of Mr. Durbrow has been obtained here in exchange for something?

Now, this, Gentlemen of the Assembly, I submit is a matter which *must* be fully investigated by this Legislature, and I demand that a copy of the letter to which I refer be furnished to the Senate Committee on Public Health for action.

The following three names, the Directors of Public Works, Agriculture, and Natural Resources, I have mentioned previously, and I again state that these gentlemen either affirm their genuine signatures to this document or else repudiate.

We now come to Mr. Frederic L. Alexander, of the County Supervisors Association of California. In the interests of brevity, I ask merely whether Mr. Alexander does actually represent the position of the supervisors of the counties of California. Does he represent the County of Orange? I have in my hand a letter from Mr. Joel E. Ogle, County Counsel of Orange, which reads in part "acting for and on behalf of the Board of Supervisors of Orange with specific instructions from them" . . . that county supports and approves the Assembly Water Pollution Bills as modified by the Tillman Amendments.

Briefly, does Mr. Alexander represent the Supervisors of San Francisco County, of Los Angeles County, of Alameda County? I submit that he does not.

We now come to the final name on the list, that of Mr. Richard Graves, League of California Cities. Mr. Graves, out of his thorough and competent knowledge of this subject which he has developed without benefit of attending any single one of the 30 full days of hearings of the interim committee, and even prior to reading the complete second report of the committee—out of this thorough knowledge of this complex subject, Mr. Graves has been the principle organizer of the opposition to the Assembly bills. I will not ask whether or not Mr. Graves does actually represent the cities of California.

But I submit that, on behalf of his clients, Mr. Graves did not attend one *single* meeting of our interim committee, he did not offer one single suggestion for drafting these bills, he did not offer one single amendment at *any* time during the lengthy conferences which have been conducted to develop these bills to their present form. For what devious purpose does Mr. Graves follow this course on behalf of the Cities of California?

Now, for Mr. Graves' information, I refer him here to the written statement of the representative of the City of Los Angeles which supports without qualification the Assembly bills and the Tillman Amendments. I advise him also that he does not represent the City of San Francisco in

this matter. I do not know how many other cities he does *not* represent, but I venture the opinion that it will turn out to be many of them.

An interesting point develops with this final signature on the document. I have here in my hand a set of amendments which were handed to the secretary of our interim committee by Mr. Graves, and which are said to be acceptable to the cities and to the state departments. These amendments incorporate the substance of the Tillman Amendments with two major differences. Those two differences represent basic and fundamental changes both in the concept of government and in principles of law. They are as follows:

First, they propose that the laws and ordinances of all cities and local agencies be subject to review and acceptance or approval by a state bureau. Likewise a state bureau would pass upon the competence of any local agencies to enforce its own laws. The second proposal involves a principal of law wherein the courts would be required to issue injunctions upon simple violations of administrative orders. Now, who is it that proposes these major changes? It is Mr. Richard Graves who does have the well earned reputation of being possibly the most able *amateur lawyer* in Sacramento. And in this problem of water pollution, which is admitted by all to be the most complex and most critical problem facing the State today, our Governor has taken as his advisor this amateur practitioner of the law.

As I have said from the beginning of this controversy, it is my firm belief that our Governor, without his own knowledge, has been poorly advised and intentionally mislead. This "Joint Statement of Opposition to the Dickey Bills" is another step in this long process of misinformation which is being handed to the Governor, for what reasons I can NOT guess.

Is it so, as has been reported, that the hectograph copies of this statement were distributed by Mr. Vasey, the Governor's Confidential Secretary?

Can it be that the Governor's Office, possibly without his knowledge, is violating the principle which he enunciated in his address opening this session of the Legislature of the purpose to support the constitutional separation of the Legislative, Judicial, and Administrative functions?

If this is so, Gentlemen of the Assembly, I submit that the Governor owes it to this body, he owes it to the people of California, and he owes it to himself to personally inform himself upon this grave subject of water pollution so that he may properly know both what conditions exist now under our present laws and administration, and the tremendous forward step which can be made by adoption of the legislation which is now before the Senate.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

Upon adjournment—

Ways and Means.

Transportation and Commerce.

At 8 p.m.—

Revenue and Taxation.

It was announced that the following committees would hold no meetings today:

Industrial Relations.

Civil Service and State Personnel.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to George H. Jess of Atherton.

On request of Mr. Brady and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to United Spanish War Veterans' Auxiliary of San Francisco, including the following members: Gertrude New, Carry Mallary, Mamie Verden, Grace Pratt, Ellen Barrett, Dolores Menzie, Lucy Burchard, and Eva Gignac.

On request of Mr. Condon, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles Brombacker of Richmond.

ADJOURNMENT

At 4.30 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Friday, June 17, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-THIRD LEGISLATIVE DAY

ONE HUNDRED SIXTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, June 17, 1949

The Assembly met at 9 a m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Spirit: How sublime it is that in the midst of the furor of life, there are a few minutes in which we can escape into the presence of that which is altogether beautiful and altogether perfect

We would tarry in this moment in the presence of the perfect truth, the perfect beauty and peace so that every discord and ugliness about us might pass away.

May some gleam of that Divine beauty and Divine majesty that dwells at the heart of things enter into our spirit and lighten us with a touch of the Infinite

Some touch of indescribable awe, some feeling of unutterable exaltation that sets our hearts asinging to the rhythm of Eternity and makes our noisy days seem but a second in the great Eternal Stillness.

A transcendent moment when we dwell in thought on the margin of the horizonless vastness.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Brown, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Geddes, on motion of Mr. Doyle.
Mr. Price, on motion of Mr. Doyle.
Mr. Lincoln, on motion of Mr. Doyle.
Mr. Berry, on motion of Mr. Doyle.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Davis, on motion of Mr. Moss.

REQUEST FOR UNANIMOUS CONSENT TO EXCUSE MEMBER

At 9.09 a.m., Mr. Collier asked for unanimous consent that he be excused at an unknown time later in the day, for the purpose of attending to legislative business elsewhere.

Messrs. Cooke and Grunsky withheld unanimous consent.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 87

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

CROWLEY, Chairman

Above reported resolution ordered on file.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 84

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 101

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 14, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 409

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 409—An act to amend Section 2009.1 of the Government Code, relating to the definition of public agencies authorized to become local members of the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 64
Senate Bill No. 109
Senate Bill No. 110
Senate Bill No. 903
Senate Bill No. 906
Senate Bill No. 913
Senate Bill No. 1404
Senate Bill No 1453
Senate Bill No 1563
Senate Bill No. 1567
Senate Bill No. 1579
Senate Bill No. 1648
Senate Bill No. 1649

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 64—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Referred to Committee on Education.

Senate Bill No. 109—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to transfer of licenses.

Referred to Committee on Public Morals.

Senate Bill No. 110—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Referred to Committee on Public Morals.

Senate Bill No. 903—An act to add Section 4 to the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 906—An act to add Section 36 to the Unemployent Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 913—An act to amend Section 42 of the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1404—An act to amend Sections 19485 and 19597 of the Business and Professions Code, relating to horse racing and state revenues therefrom.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1453—An act to amend Sections 21, 28, 29, 34, 40, 41, 45.6, 63, 64, and 70 of, and to add Section 2.1 to, the Community Redevelopment Act, relating to land use, development and redevelopment.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 1563—An act to amend Section 15530 of the Government Code, relating to the Economic Advisory Council.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1567—An act to repeal Article 19 of the Community Redevelopment Act, relating to the Redevelopment Agency.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1579—An act to amend Section 752 of the Political Code, relating to fees collected by the Clerk of the Supreme Court.

Referred to Committee on Judiciary.

Senate Bill No. 1648—An act to add Section 11031.5 to the Government Code, relating to the headquarters and residence of the Franchise Tax Commissioner.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1649—An act creating the "Mendocino County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Referred to Committee on Conservation, Planning, and Public Works.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2698—An act to amend Section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3163—An act to amend Section 14311 of the Government Code, relating to contracts for public works.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3164—An act to add Chapter 7 to Part 3, Division 3, Title 2 of the Government Code, relating to the State Department of Finance, providing for the establishment of a Bureau of Traffic Management, and specifying its powers and duties.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2706—An act relating to regional development districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 4, line 18, of the printed bill, as amended in the Assembly on June 9, 1949, after "resources", insert ", including water".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 942—An act to amend Section 13 of the County Waterworks District Act, relating to property and obligations of county waterworks districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 13 of", and insert "add Section 19 to".

Amendment No. 2

In line 2 of the title of said bill, strike out "and obligations".

Amendment No. 3

On page 1, line 1, of said bill, strike out "13 of", and insert "19 is added to".

Amendment No. 4

On page 1, line 2, of said bill, strike out "is amended".

Amendment No. 5

On page 1 of said bill, between lines 2 and 3, insert

"SEC. 19. The board of supervisors exercising jurisdiction over any county water works district or the board of directors of any county water works district may sell or lease any property of the district, real or personal, no longer needed for the uses of the district. If the governing board of the district determines the value of the property to be sold or leased to be of a value of $100 or less or is being leased for one year or less, it may be leased without notice.

If the board determines the property to have a value of more than $100 or is being leased for more than one year, the notice of time and place of sale or leasing must be given by posting three notices in three public places within the district five days before the date of sale or leasing. At the time fixed for the sale or leasing, bids shall be received and the governing board may sell or lease to the highest bidder or may reject any or all bids."

Amendment No. 6

On page 1 of said bill, strike out lines 3 to 24, inclusive; and on page 2, strike out lines 1 to 44, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1178—An act to amend Section 28125 of the Government Code, relating to compensation for public services in counties of the twenty-fifth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, strike out lines 16 and 17, and insert "dollars ($4,800) a year."

Amendment No. 2

On page 1, lines 20 and 21, of said bill, strike out "six cents ($0.06)", and insert "eight cents ($0.08)".

Amendment No. 3

On page 2, lines 1 and 2, of said bill, strike out "three dollars ($3)", and insert "five dollars ($5)".

Amendment No. 4

On page 2, line 5, of said bill, strike out "two dollars ($2)", and insert "three dollars ($3)".

Amendment No. 5

On page 2, line 13, of said bill, strike out "one dollar ($1)", and insert "two dollars ($2)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2397—An act to add Section 25450.1 to the Government Code, relating to county property, providing for construction and repairs thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "25450.1 to the Government Code, relating", and insert "25502.4 to and to amend Section 25501 of the Government Code, relating".

Amendment No. 2

In line 2 of the title of said bill, strike out "providing for construction and repairs", and insert "and the duties of the purchasing agent in connection therewith and in connection with the performance of services for the county."

Amendment No. 3

Strike out line 3 of the title of said bill.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 25502.4 is added to the Government Code, to read:

25502.4. In counties having a population of less than 900,000 the purchasing agent shall have the duty to engage independent contractors to perform sundry services for the county and the offices thereof, with or without the furnishing of material, where the aggregate cost does not exceed two thousand dollars ($2,000).

SEC. 2. Section 25501 of the Government Code is amended to read:

25501. The purchasing agent shall:

(a) Purchase for the county and its offices all materials, supplies, furnishings, equipment, livestock and other personal property.

(b) Rent for the county and its offices furnishings, equipment and livestock.

[(c) Engage independent contractors to perform sundry services for the county and its offices, with or without furnishing material, where the aggregate cost does not

exceed two thousand dollars ($2,000)] The purchasing agent shall make purchases, rentals and contracts only upon proper written requisition."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2723—An act to provide for the establishment of master and official plans in cities, cities and counties, and counties, and for adoption of ordinances pursuant thereto; to prescribe the manner of adoption of such plans, portions thereof and amendments thereto, and the composition and effects thereof; to provide for the establishment of planning departments by cities, cities and counties, and counties, for the creation of regional and community planning districts and the appointment of planning commissions; to define the powers and duties of such departments, and to provide for appropriations and for the levy of special taxes for the support of planning departments, and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; and to repeal the Conservation and Planning Act, and an act entitled "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, Chapter 734, page 1419, Statutes of 1917, relating to conservation and planning, and any other acts inconsistent or in conflict therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

Strike out lines 16 to 21, inclusive, of the title of the printed bill, and insert "and Planning Act, and Article 4, comprising Sections 38690 to 38706, inclusive, Chapter 10, Part 2, Division 3, Title 4 of the Government Code,".

Amendment No. 2

On page 15 of said bill, strike out lines 48 to 52, inclusive, and insert

"SEC. 181. The Conservation and Planning Act, and Article 4, comprising Sections 38690 to 38706, inclusive, Chapter 10, Part 2, Division 3, Title 4 of the Government Code,".

Amendment No. 3

On page 16 of said bill, strike out line 1; and in line 2, strike out "1917,".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Erwin asked for, and was granted, unanimous consent that the remaining bills on the Assembly second reading file, with and without proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3145—An act to implement the provisions of Article XXV of the State Constitution by providing for the transfer to

the Director of the Department of Social Welfare of the possession and control of certain county records, books, papers, equipment, and other personal property used in connection with the administration of the aid to the aged and aid to the needy blind, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 3, line 45, of the printed bill, as amended in the Assembly on June 9, 1949, strike out "such property", and insert "equipment and other personal property, except records, books, and papers".

Amendment No. 2

On page 5, line 24, of said bill, strike out "8", and insert "7".

Amendment No. 3

On page 2, line 38, of said bill, after "said", insert "State"; and after "the", strike out "State"

Amendment No. 4

On page 3, line 33, of said bill, after "which", strike out the comma, and insert "were in the possession of such counties".

Amendment No. 5

On page 3, line 34, of said bill, after "1948," insert "and which".

Amendment No. 6

On page 3, line 36, of said bill, after "blind", insert "during any portion of the calendar year 1948".

Amendment No. 7

On page 4, line 34, of said bill, after "property", insert "which were in the possession of any county on December 31, 1948, and which were".

Amendment No. 8

On page 4, line 36, of said bill, strike out "on or before December 31, 1948", and insert "during any portion of the calendar year 1948".

Amendment No. 9

On page 3, line 41, of said bill, strike out "expiration", and insert "termination".

Amendment No. 10

On page 5 of said bill, strike out lines 26, 27, and 28; and in line 29, strike out "prior to December 31, 1948", and insert "which were in the possession of any county on December 31, 1948, and which were used in connection with the administration of aid to the aged and aid to the needy blind during any portion of the calendar year 1948".

Amendment No. 11

On page 6, line 40, of said bill, after "property", insert "which were in the possession of any county on December 31, 1948, and which were".

Amendment No. 12

On page 6, line 41, of said bill, strike out "blind"; strike out line 42; and in line 43, strike out "1948, and prior thereto", and insert "needy blind during any portion of the calendar year 1948".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2276—An act to amend Section 11000 of the Business and Professions Code, relating to real estate subdivisions.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 5, of the printed bill, after "lands", and before the comma, insert "within incorporated areas,".

Amendment No. 2

On page 1, line 6, of the printed bill, strike out "necessary public utilities", and insert "water mains and sewers".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1386—An act to repeal Sections 2205 and 4629 of the Education Code, relating to the government of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Beginning in line 1 of the title of the printed bill, strike out "repeal Sections 2205 and 4629 of the Education Code, relating to the government", and insert "amend Section 6358 of the Education Code, relating to elections respecting increases in the maximum tax rate".

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 6358 of the Education Code is amended to read:

6358. Any maximum rate of tax for any district may be increased by a majority vote of the qualified electors of the school district at an election which may be called by the governing board of the school district of its own motion and shall be called whenever a petition requesting that an election be called and signed by 10 percent of the qualified electors of the district is presented to the governing board. The election shall be called, held, and conducted in as nearly the same manner as is practicable as are elections for governing boards, *except that notices of the election need not be posted or published more than thirty days before the election.* The ballot used in the election shall contain the words "For the proposed increase in the maximum tax rates from _____ to _____, to provide money for the purpose of _____, such rate to be in effect in the _____school district for the year (or years) 19_____ to 19_____, —Yes" and "For the proposed increase in the maximum tax rates from _____ to _____, to provide money for the purpose of _____, such rate to be in effect in the _____ school district for the year (or years) 19_____ to 19_____, —No." Each voter shall stamp or print a cross after the answer he desires to give."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2310—An act to amend Sections 14479, 14632, 14635, 14636, and 14640 of the Education Code, relating to the retirement of teachers and other persons connected with the Educational System of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Beginning in line 1, of the title of the printed bill, strike out "amend Sections 14479, 14632, 14635, 14636, and 14640 of the Education", and insert "add Section 20585 to the Government".

Amendment No. 2

Beginning in line 2, of the title of said bill, strike out "teachers and other".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 25, inclusive; on page 2, strike out lines 1 to 51, inclusive; and on page 3, strike out lines 1 to 21, inclusive, and insert "SECTION 1. Section 20585 is added to the Government Code, to read:

20585. The county superintendent of schools at the close of each month shall draw requisitions against the county school service fund and the funds of the respective school districts for amounts equal to the total of the employees' contributions required to be paid from the county school service fund and from the funds of the districts, and the contributions deducted from the compensation of employees paid from such funds. The amounts shall be deposited in the county treasury to the credit of the Contract Retirement Fund, which fund is hereby created. The employers of persons paid from other funds, at the close of each month, shall pay into the Contract Retirement Fund the amounts required to be paid by such employers together with the contributions deducted from the compensation of such employees.

Thereafter the county superintendent of schools shall draw his requisitions against the Contract Retirement Fund and in favor of the board which when allowed by the county auditor shall constitute warrants against said fund for the amount of the employees' contributions transferred to or otherwise paid into said fund during *said month and for the amount of employers' contributions transferred to or otherwise* paid into said fund. The county superintendent of schools shall forward the warrants to the board."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3140—An act to add Section 7015 to the Education Code, relating to the transportation of pupils.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 7015", and insert "Sections 7015 and 7016".

Amendment No. 2

On page 1 of said bill, strike out lines 18 to 21, inclusive, and insert "pupils is provided by contract

SEC. 2. Section 7016 is added to said code, to read:

7016. The Superintendent of Public Instruction in approving, under this article, current expenditures of school districts for the transportation of pupils shall apply the same standards and bases for such approval to expenditures for such transportation provided by a school district in school busses owned and operated by the school district and expenditures for such transportation provided by contract with a private party except that with respect to expenditures for transportation by contract with a private party, he shall make due allowance for all expenditures by the private party required of it by law and not required of a school district in connection with the operation of busses owned by the district."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1486—An act to add Section 4917.3 to the Education Code, relating to the unification and reorganization of school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on June 10, 1949, strike out "_____", and insert "637".

Amendment No. 2

On page 1, line 22, of said bill, strike out "_____", and insert "637".

Amendment No. 3

On page 2, line 1, of said bill, strike out "_____", and insert "637".

Amendment No. 4

On page 1, line 12, of said bill, strike out "_____", and insert "637".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3126—An act to add Section 1509.5 to the Elections Code, relating to initiative measures.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, after "estimate", insert "of not over 500 words in length".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1558—An act to amend Section 7110 of the Business and Professions Code, relating to violation of the Contractors Bidding Law.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "or of laws relating to bidding for public work,".

Amendment No. 2

On page 1, line 6, of said bill, after "State", insert ", or of any provision of the Health and Safety Code or of the Water Code,".

Amendment No. 3

In line 2 of the title of the printed bill, strike out "violation of the contractors' bidding law", and insert "causes for disciplinary action against contractors".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3170—An act to add Chapter 8 to Division 9 of the Public Resources Code, relating to soil conservation districts for dust control purposes.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 3 of the printed bill, strike out lines 38 to 41, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Conservation, Planning, and Public Works.

SECOND READING OF SENATE BILLS

Senate Bill No. 1347—An act to amend Section 5071 of the Public Resources Code, relating to California riding and hiking trails.

Bill read second time, and ordered to third reading.

Senate Bill No. 1435—An act to amend Sections 21, 28, 29, 34, 40, 41, 45.6, 63, 64, and 70 of, and to add Section 2.1 to, the Community Redevelopment Act, relating to land use, development and redevelopment.

Bill read second time, and ordered to third reading.

Senate Bill No. 1478—An act to amend Sections 5631 and 5658 of the Public Resources Code, relating to park, recreation and parkway districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 574—An act to add Chapter 3 5, comprising Sections 26880 to 26885, inclusive, to Part 3, Division 2, Title 3 of the Government Code, relating to the county controller.

Bill read second time, and ordered to third reading.

Senate Bill No. 769—An act to amend Sections 50023, 50024, and 53679 of the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Bill read second time, and ordered to third reading.

Senate Bill No. 889—An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1299—An act to amend Sections 20025, 20032, and 20131 of, and to add Sections 20006, 20032.1, and 20071.5, and Article 4.5 to Chapter 1, Part 1, Division 14 of, the Health and Safety Code, relating to police protection districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1633—An act to add Section 13.8 to the Construction and Employment Act, relating to projects for which the county allocation thereunder is available, providing for the construction and improvement of waterworks systems by county waterworks districts, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 293—An act to amend Section 11005 of, and to add Section 11005.1 to, the Government Code, relating to the acquisition of real and personal property and the powers of the Director of Finance relative thereto.

Bill read second time, and ordered to third reading.

Senate Bill No. 969—An act to amend Section 9516, and to repeal Section 9543 of the Business and Professions Code, relating to the practice of cleaning and dyeing.

Bill read second time, and ordered to third reading.

Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XI thereof a new section to be numbered 18¼, empowering any city, county, city and county, parking authority, or other public body, agency, or district, to pledge revenues derived from parking meters as additional security for the payment of revenue bonds.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1 of the printed measure, as amended in the Senate on May 26, 1949, strike out lines 9 to 18, inclusive, and insert

"SEC. 18¼. Whenever under the laws of this State or under its charter any city, county, city and county, parking authority, district, or other public body is authorized to acquire or construct public parking lots, garages, or other automotive parking facilities, and for the payment of the cost of any thereof, to issue any bonds or other securities payable in whole or in part from revenues of any such parking facilities, such public body, and any other public body within the territorial area of which such public parking facilities are or will be situated, is also authorized to pledge, place a charge upon, or otherwise make available, as additional security for the payment of such securities, any or all revenues from any or all street parking meters then owned or controlled or to be acquired or controlled by it."

Amendment read, and adopted.

Resolution ordered reprinted, and to third reading.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 17, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to Assembly Bill No. 820, entitled: "An act to amend Section 20060 of the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to Arthur A. Ohnimus, Chief Clerk of the Assembly, at 6 o'clock p.m. on the sixteenth day of June, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 16, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 820, entitled: "An act to amend Section 20060 of the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services."

This bill would break down the policy of the State Retirement System and is contrary to the policy which the Legislature has strengthened at this session. Heretofore state employees, under the interpretation given to our retirement statute, could receive compensation from public agencies provided they did not actually receive retirement benefits although entitled thereto.

In order to strengthen the policy of compulsory retirement, the Legislature unanimously passed Senate Bill No. 330, which I have signed and which is now Chapter 298 of the Statutes of 1949, the purpose of which was to prohibit any employment by the State or a contracting agency so long as the retired employee was entitled to receive a retirement allowance. This bill would undo what was done by Chapter 298 and would reverse the State's policy on this subject.

The Executive Officer of the State Employees' Retirement System points out the inconsistency of the bill and requests that it be vetoed, as does also the California State Employees Association, which claims that it is discriminatory against state employees. I vetoed a similar bill two years ago for this reason. Every department of State Government at one time or another is faced with the compulsory retirement of valued employees whose services would be of great benefit to state service, but who are compelled to leave in view of the compulsory features of the State Retirement System. If this feature is broken down for one agency there is no valid reason why it should be retained for another.

Respectfully submitted,

EARL WARREN, Governor

Receipt of Bill Acknowledged

I acknowledge receipt this sixteenth day of June, 1949, at 6 o'clock p.m., of Assembly Bill No. 820 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 385, on request of Mr. Way.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 9.22 a.m., Mr. Sherwin asked for, and was granted, unanimous consent that Messrs. Hollibaugh, Yorty, and Kirkwood be excused, for the purpose of holding a meeting of the Committee on Conference concerning Assembly Bill No. 1100, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notices of motion to reconsider votes on the following bills were continued until the next legislative day:

Assembly Bills Nos. 1734 and 1733, on request of Mr. Brady, if Mr. Hollibaugh is unable to be present before the day is over.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 491
Assembly Bill No. 1001
Assembly Bill No. 1371
Assembly Bill No. 2219

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2340

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1308

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO WITHDRAW ASSEMBLY BILL NO. 2067 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Moss moved that Assembly Bill No. 2067 be withdrawn from the Committee on Public Utilities and Corporations, and be placed upon the file.

Question of Personal Privilege

Mr. Moss arose to a question of personal privilege.

Ruling by Speaker

Speaker Sam L. Collins ruled that Mr. Moss is not arising to a question of personal privilege, and is not in order.

The question being on the motion by Mr. Moss that Assembly Bill No. 2067 be withdrawn from the Committee on Public Utilities and Corporations, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Moss moved a call of the Assembly.

Motion carried. Time, 9.45 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Burke, Butters, Caldecott, Clarke, Connolly, Dickey, Clayton A. Dills, Dunn, Fletcher, Grunsky, Hagen, Hinckley, Huyck, Kilpatrick, McCollister, Meyers, Stanley, Stewart, Thompson, and Waters—20.

Request for Unanimous Consent to Temporarily Suspend Assembly Rule No. 85

Mr. Silliman asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Lowrey withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Silliman moved that the Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file, at this time.

Mr. Maloney seconded the motion.

The roll was called, and the motion for temporary suspension of the Rules lost by the following vote:

AYES—Coats, Collier, Connolly, Conrad, Cooke, Crichton, Doyle, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hoffman, Huyck, Lindsay, Lipscomb, Luckel, Maloney, McMillan, Moss, Sherwin, Silliman, Smith, Tomlinson, and Weber—25

NOES—Anderson, Babbage, Beck, George D. Collins, Condon, Crowley, Elliott, Erwin, Evans, Fletcher, Hahn, Hawkins, Levering, Lewis, Lowrey, McCarthy, Morris, Niehouse, Reagan, Rosenthal, Thomas, and Way—22

Speaker Pro Tempore Presiding

At 9.52 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Hon. Kathryn T. Niehouse Presiding

At 10.01 a.m., Hon. Kathryn T. Niehouse, Member of the Assembly from the Seventy-ninth District, presiding.

Speaker Pro Tempore Presiding

At 10.10 a m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Further Proceedings Under Call of the Assembly Dispensed With on Motion to Withdraw Assembly Bill No. 2067 From Committee

At 10.18 a.m., on motion of Mr. Moss, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. Moss that Assembly Bill No. 2067 be withdrawn from the Committee on Public Utilities and Corporations, and be placed upon the file, lost by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Clarke, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Elliott, Fleury, Gaffney, Hagen, Heisinger, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCarthy, Meyers, Moss, Rosenthal, Rumford, Sherwin, Stanley, and Thomas—30.

NOES—Babbage, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Levering, Lipscomb, Luckel, McMillan, Morris, Niehouse, Reagan, Silliman, Smith, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—34.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 3134 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Lewis moved that Assembly Bill No. 3134 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly.

Motion lost.

The vote was announced, and the motion that Assembly Bill No. 3134 be withdrawn from the Committee on Governmental Efficiency and Economy, and be placed upon the file, lost by the following vote:

AYES—Anderson, Beck, Brady, Brown, Coats, George D Collins, Condon, Cooke, Crichton, Crowley, Elliott, Gaffney, Hawkins, Lewis, Meyers, Moss, Rosenthal, Rumford, Smith, Thomas, Tomlinson, and Way—22.

NOES—Bennett, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Erwin, Evans, Grant, Grunsky, Hagen, Hahn, Kilpatrick, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Reagan, Sherwin, Silliman, Stewart, Thompson, and Weber—27.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 482 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Lewis moved that Assembly Bill No. 482 be withdrawn from the Committee on Finance and Insurance, and be placed upon the file.

The roll was called.

Motion for Call of the Assembly

Pending the announcement of the vote, Mr. Lewis moved a call of the Assembly.

Motion lost.

The vote was announced, and the motion that Assembly Bill No. 482 be withdrawn from the Committee on Finance and Insurance, and be placed upon the file, lost by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burkhalter, George D. Collins, Condon, Cooke, Crichton, Crowley, Doyle, Elliott, Gaffney, Hawkins, Heisinger, Kilpatrick, Lewis, Maloney, McCarthy, McMillan, Meyers, Rosenthal, and Rumford—23.

NOES—Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Dunn, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Morris, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—38.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 863 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. George D. Collins moved that Assembly Bill No. 863 be withdrawn from the Committee on Public Health, and be placed upon the file.

Speaker Presiding

At 10.38 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Coats, George D. Collins, Condon, Cooke, Crichton, Elliott, Gaffney, Hawkins, Heisinger, Kilpatrick, Lewis, Maloney, McMillan, Meyers, Moss, Rosenthal, and Rumford—20.

NOES—Babbage, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Morris, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—43.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Anderson moved that Assembly Bill No. 1 be withdrawn from the Committee on Elections and Reapportionment, and be placed upon the file.

Demand for Previous Question

Messrs. Caldecott, Hagen, Silliman, Morris, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Anderson that Assembly Bill No. 1 be withdrawn from the Committee on Elections and Reapportionment, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Burkhalter, Coats, George D. Collins, Condon, Conrad, Cooke, Dunn, Elliott, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, Morris, Moss, Rosenthal, and Smith—23.

NOES—Babbage, Brady, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Crichton, Dickey, Doyle, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—40.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Hollibaugh asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Assembly Bill No. 1402

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1402—An act relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and preventing the spread of the same and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 7, 1949, after "act", insert "to add Sections 153.1, 153.2, and 153.3 to the Agricultural Code,".

Amendment No. 2

In line 4 of the title of said bill, after "therefor", insert "declaring the urgency of this act, to take effect immediately".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 153.1 is added to the Agricultural Code, to read:

153.1. It is hereby declared that the prevention of the introduction or the spread within this State of the Oriental fruit fly (Dacus dorsalis) is essential to the welfare of the agricultural industry of this State. Once introduced this pest is likely to spread very rapidly and inflict a calamitous loss on agriculture. It is therefore essential that all steps possible must be taken to eradicate this pest before it obtains a foothold by finding and destroying the plants affected as soon as the pest is introduced. It is hereby declared to be the policy of the State, in order to encourage the owners of plants which might be infested to report the same immediately to the appropriate authorities and in order to minimize resistance to the destruction of plants found to be, or to be likely to be, infested, to provide for the reimbursement to the owners of plants which it is found necessary to destroy.

SEC. 2. Section 153.2 is added to said code, to read:

153.2. All plants which are hosts of Oriental fruit fly (Dacus dorsalis) are hereby declared to be a public nuisance. The director and each commissioner or the authorized agents of either shall cause the destruction of any such host in a summary manner.

SEC. 3. Section 153.3 is added to said code, to read:

153.3. To the extent that money is available for the purpose the director may pay to the owner of any plant destroyed pursuant to Section 153.2 the value thereof determined as provided in this section. The director may establish a table of values for plants likely to be infested with Oriental fruit fly (Dacus dorsalis) which as to any type of plant may vary in accordance with its stage of maturity or other conditions. The price so established shall be that which will reimburse the owner of the plant which is destroyed for the loss which he would have sustained if the plant had not been infested and had not been destroyed. For the purpose of facilitating payments pursuant to this section the director may establish as a revolving fund all or any portion of the money appropriated to carry out the purposes of this section and may authorize withdrawals from said revolving fund for payments in accordance with the table or tables of values provided for in this section.

SEC. 4. There is hereby appropriated out of the General Fund the sum of one hundred thousand dollars ($100,000) to be expended by the Director of Agriculture for the making of payments pursuant to Section 153.3 of the Agricultural Code.

SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

Oriental fruit fly is an extremely dangerous agricultural pest which is not susceptible to any effective method of eradication or control. This pest has recently spread rapidly over the Hawaiian Islands and there is imminent danger that it will be introduced into and spread within this State. Such an occurrence would be a calamity of the greatest magnitude to the agriculture of this State and the United States. Precautionary measures of the greatest intensity must therefore be taken to detect the presence of this pest immediately upon its arrival within the State and to destroy the pest and host plants which harbor it without delay. Unless provision is made at once for the detection and destruction of this pest whenever found it may get a foothold in the State and spread rapidly until it is beyond effective control. Therefore, in order that the necessary preventive steps may be taken before it is too late it is necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 22, and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Motion to Place Rush Order on Printing of Assembly Bill No. 1402

Mr Sherwin moved that a rush order be placed upon the printing of Assembly Bill No. 1402.

Motion carried.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1403

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1403—An act making an appropriation to the Regents of the University of California for the purpose of conducting research work on fruit flies, declaring the urgency thereof to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, strike out "thirty thousand dollars ($30,000)", and insert "one hundred sixty-five thousand dollars ($165,000)"

Amendment No. 2

On page 1 of said bill, strike out lines 5 to 11, inclusive, and insert "the 1949-1950 Fiscal Year for research work and investigation of the Oriental and other fruit flies to be expended in the Territory of Hawaii and elsewhere for the development of methods of controlling and eradicating said flies."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Motion to Place Rush Order on Printing of Assembly Bill No. 1403

Mr. Sherwin moved that a rush order be placed upon the printing of Assembly Bill No. 1403.

Motion carried.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 4, line 36, of said bill, strike out "33,081", and insert "20,906".

Amendment No. 2

On page 4, line 39, of said bill, strike out "13,539", and insert "10,689".

Amendment No. 3

On page 4, line 41, of said bill, strike out "19,350", and insert "10,025".

Amendment No. 4

On page 4, line 45, of said bill, strike out "33,081", and insert "20,906".

Amendment No. 5

On page 7 of said bill, strike out lines 16 to 19, inclusive.

Amendment No. 6

On page 10 of said bill, between lines 7 and 8, insert "Provided further that no part of this appropriation shall be used for the dissemination of propaganda for or against legalized wagering. Provided further that this item may not be augmented by any allotment from the Emergency Fund or from any other appropriation."

Amendment No. 6.5

On page 10 of said bill, following line 36, insert "Provided that this item may not be augmented from the Emergency Fund or from any other appropriation."

Amendment No. 7

On page 12, line 37, of said bill, strike out "761,984", and insert "760,984".

Amendment No. 8

On page 15 of said bill, after line 21, insert

"65—For per diem and other necessary expenses in connection with consulting services and conferences of the California Youth Committee, created pursuant to Section 1520 of the Military and Veterans Code.. 6,000".

Amendment No. 9

On page 18, line 46, of said bill, strike out "1,531,404", and insert "1,502,601".

Amendment No. 10

On page 19, line 4, of said bill, strike out "1,088,951", and insert "1,065,079".

Amendment No. 11

On page 19, line 6, of said bill, strike out "440,087", and insert "436,897".

Amendment No. 12

On page 19, line 8, of said bill, strike out "67,762", and insert "66,021".

Amendment No. 13

On page 19, line 11, of said bill, strike out "1,596,800", and insert "1,567,997".

Amendment No. 14

On page 19, line 20, of said bill, strike out "1,531,404", and insert "1,502,601".

Amendment No. 15

On page 23 of said bill, after line 46, insert

"89½—For support of the state college established in the area of Orange County and the southeastern part of Los Angeles County, outside the City of Los Angeles ..... 125,000".

Amendment No. 16

On page 30, line 41, of said bill, strike out "31,121,086", and insert "30,480,986".

Amendment No. 17

On page 30 of said bill, after line 41, insert

"107.4—For additional support for Institute on Transportation and Traffic Engineering, University of California ..... 140 100".

Amendment No. 18

On page 30 of said bill, strike out lines 42 to 47, inclusive.

Amendment No. 19

On page 35, line 46, of said bill, strike out "918,752", and insert "1,418,752".

Amendment No. 20

On page 36 of said bill, strike out lines 26 to 31, inclusive, and insert

"139—For augmentation of the State Agricultural Society Contingent Fund, payable from any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code 500,006

to be transferred to the State Agricultural Society Contingent Fund by the State Controller."

Amendment No. 21

On page 36 of said bill, strike out lines 38 to 47, inclusive.

Amendment No. 22

On page 37, line 4, of said bill, strike out "65,000", and insert "35,000".

Amendment No. 23

On page 42, line 16, of said bill, strike out "850,046", and insert "840,518".

Amendment No. 24

On page 42, line 19, of said bill, strike out "638,587", and insert "631,651".

Amendment No. 25

On page 42, line 21, of said bill, strike out "164,999", and insert "164,399".

Amendment No. 26

On page 42, line 23, of said bill, strike out "46,460", and insert "44,468".

Amendment No. 27

On page 42, line 26, of said bill, strike out "850,046", and insert "840,518".

Amendment No. 28

On page 44, line 22, of said bill, strike out "2,509,507", and insert "2,506,867".

Amendment No. 29

On page 44, line 28, of said bill, strike out "1,687,388", and insert "1,684,748".

Amendment No. 30

On page 44, line 33, of said bill, strike out "2,603,707", and insert "2,601,067".

Amendment No. 31

On page 44, line 38, of said bill, strike out "2,509,507", and insert "2,506,867".

Amendment No. 32

On page 44, line 41, of said bill, strike out "2,311,339", and insert "2,310,979".

Amendment No. 33

On page 45, line 4, of said bill, strike out "1,589,108", and insert "1,588,748".

Amendment No. 34

On page 45, line 9, of said bill, strike out "2,408,053", and insert "2,407,693".

Amendment No. 35

On page 45, line 15, of said bill, strike out "2,311,339", and insert "2,310,979".

Amendment No. 36

On page 45, line 30, of said bill, strike out "2,761,141", and insert "2,764,141".

Amendment No. 37

On page 46, line 4, of said bill, strike out "2,138,077", and insert "2,137,717".

Amendment No. 38

On page 46, line 11, of said bill, strike out "1,563,873", and insert "1,563,513".

Amendment No. 39

On page 46, line 16, of said bill, strike out "2,225,653", and insert "2,225,293".

Amendment No. 40

On page 46, line 22, of said bill, strike out "2,138,077", and insert "2,137,717".

Amendment No. 41

On page 48, line 14, of said bill, strike out "2,418,200", and insert "2,333,030".

Amendment No. 42

On page 48, line 25, of said bill, strike out "1,204,516", and insert "1,120,693".

Amendment No. 43

On page 48, line 27, of said bill, strike out "1,148,318", and insert "1,146,971".

Amendment No. 44

On page 48, line 31, of said bill, strike out "2,578,200", and insert "2,493,030".

Amendment No. 45

On page 48, line 38, of said bill, strike out "2,418,200", and insert "2,333,030".

Amendment No. 46

On page 50, line 31, of said bill, strike out "245,474", and insert "598,448".

Amendment No. 47

On page 50, line 47, of said bill, strike out "1,800,120", and insert "1,447,146".

Amendment No. 48

On page 50, line 50, of said bill, strike out "245,474", and insert "598,448".

Amendment No. 49

On page 50 of said bill, following line 50, insert "Of which amount there shall be made available by transfer to the State Park Maintenance Fund by the State Controller the sum of $352,974 from the State Beach Fund."

Amendment No. 50

On page 51, line 14, of said bill, strike out "1,800,120", and insert "1,447,146".

Amendment No. 51

On page 55, line 8, of said bill, after "For", insert "reimbursement to King City for".

Amendment No. 52

On page 55, line 10, of said bill, strike out "pursuant to special assessment by City of".

Amendment No. 53

On page 55, line 11, of said bill, strike out "King".

Amendment No. 54

On page 60, line 38, of said bill, strike out "4,312,329", and insert "4,269,571".

Amendment No. 55

On page 61, line 6, of said bill, strike out "3,101,781", and insert "3,082,265".

Amendment No. 56

On page 61, line 8, of said bill, strike out "3,478,024", and insert "3,470,605".

Amendment No. 57

On page 61, line 10, of said bill, strike out "256,478", and insert "251,955".

Amendment No. 58

On page 61, line 14, of said bill, strike out "248,142", and insert "246,842".

Amendment No. 59

On page 61, line 17, of said bill, strike out "7,084,425", and insert "7,041,667".

Amendment No. 60

On page 61, line 43, of said bill, strike out "4,312,329", and insert "4,269,571".

Amendment No. 61

On page 63, line 38, of said bill, insert ", payable from the State Highway Fund".

Amendment No. 62

On page 63, line 45, of said bill, strike out "General", and insert "State Highway".

Amendment No. 63

On page 63, line 51, of said bill, insert "that no amount may be withdrawn from this item for surveys, plans, estimates, preliminary engineering and other preliminary expenses for the construction of any additional toll bridge over the waters of the Bay of San Francisco until a full and complete engineering investigation and study is made, including public hearings by the California Toll Bridge Authority, of the findings and recommendations contained in the "Report on San Francisco Bay Vehicular Crossings," dated June 1, 1949, and filed with the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings, created by House Resolution No. 44, by its engineering consultants. Monies appropriated by this item may be expended for said engineering investigation and study; provided further".

Amendment No. 64

On page 64, lines 30 and 31, of said bill, strike out "General", and insert "State Highway".

Amendment No. 65

On page 64, line 51, of said bill, strike out "General", and insert "State Highway".

Amendment No. 66

On page 67, line 44, of said bill, strike out "9,010,682", and insert "9,021,382".

Amendment No. 67

On page 68, line 8, of said bill, strike out "10,071,170", and insert "10,077,170".

Amendment No. 68

On page 68, line 9, of said bill, strike out "2,938,194", and insert "2,940,694".

Amendment No. 69

On page 68, line 12, of said bill, strike out "1,074,207", and insert "1,076,407".

Amendment No. 70

On page 68, line 16, of said bill, strike out "15,677,096", and insert "15,687,796".

Amendment No. 71

On page 68, line 22, of said bill, strike out "9,010,682", and insert "9,021,382".

Amendment No. 72

On page 68, line 37, of said bill, after "ation", strike out "for at least ninety days".

Amendment No. 73

On page 68, line 46, of said bill, strike out "payable from".

Amendment No. 74

On page 68 of said bill, strike out lines 47 and 48.

Amendment No. 75

On page 69 of said bill, strike out lines 2 to 5, inclusive.

Amendment No. 76

On page 69, line 6, of said bill, strike out "tion shall be expended".

Amendment No. 77

On page 69, line 24, of said bill, strike out "251,723", and insert "242,423".

Amendment No. 78

On page 69, line 30, of said bill, strike out "202,913", and insert "196,913".

Amendment No. 79

On page 69, line 33, of said bill, strike out "4,735", and insert "1,435".

Amendment No. 80

On page 69, line 36, of said bill, strike out "259,223", and insert "249,923".

Amendment No. 81

On page 69, line 43, of said bill, strike out "251,723", and insert "242,423".

Amendment No. 82

On page 71 of said bill, strike out lines 22 to 38, inclusive.

Amendment No. 83

On page 71 of said bill, after line 38, insert

"272—To plan for, provide for, assist in, sponsor, and promote public celebrations, and exhibits which may be of patriotic, educational, or economic benefit to the people of this State in order to commemorate and publicize the centennial and other anniversaries of significant events in the history of the State of California during the years 1948 to 1950, inclusive, as provided by Chapters 456 and 478, Statutes of 1947, California Centennials Commission---------- 400,000".

Amendment No. 84

On page 72, line 7, of said bill, strike out "1,215,000", and insert "740,000".

Amendment No. 85

On page 72, line 11, of said bill, strike out "400,000", and insert "200,000".

Amendment No. 86

On page 72, line 13, of said bill, strike out "400,000", and insert "200,000".

Amendment No. 87

On page 72, line 18, of said bill, strike out "60,000", and insert "30,000".

Amendment No. 88

On page 72, line 21, of said bill, strike out "85,000", and insert "40,000".

Amendment No. 89

On page 72, line 28, of said bill, strike out "1,215,000", and insert "740,000".

Amendment No. 90

On page 78 of said bill, after line 19, insert

"301.5—For minor construction, improvements, repairs, and equipment, for the School of Agriculture of Fresno State College, payable from the State College Fund---------- 65,000".

Amendment No. 91

On page 81, line 15, of said bill, strike out "225,000", and insert "255,000".

Amendment No. 92

On page 82, line 12, of said bill, strike out "Department of Mental Hygiene".

Amendment No. 93

On page 82, line 21, of said bill, strike out "Department of Mental Hygiene".

Amendment No. 94

On page 94 of said bill, strike out lines 10 to 14, inclusive.

Amendment No. 95

On page 95 of said bill, strike out lines 14 to 36, inclusive.

Amendment No. 96

On page 96 of said bill, strike out lines 39 to 46, inclusive.

Amendment No. 97

On page 97 of said bill, strike out lines 6 to 9, inclusive.

Amendment No. 98

On page 97 of said bill, strike out lines 10 to 13, inclusive.

Amendment No. 99

On page 97 of said bill, strike out lines 18 to 33, inclusive.

Amendment No. 100

On page 97 of said bill, strike out lines 38 to 41, inclusive.

Amendment No. 101

On page 97, line 45, of said bill, strike out "314,500", and insert "314,000".

Amendment No. 102

On page 97 of said bill, strike out lines 46 to 49, inclusive.

Amendment No. 103

On page 98, line 9, of said bill, strike out "453,000", and after "Reserve", insert "(partial cost)_____ 400,000".

Amendment No. 104

On page 98 of said bill, strike out lines 10 to 13, inclusive.

Amendment No. 105

On page 98 of said bill, strike out lines 22 to 25, inclusive.

Amendment No. 106

On page 98 of said bill, strike out lines 30 to 45, inclusive.

Amendment No. 107

On page 99 of said bill, strike out lines 2 to 5, inclusive.

Amendment No. 108

On page 99 of said bill, strike out lines 18 to 29, inclusive.

Amendment No. 109

On page 99 of said bill, strike out lines 34 to 49, inclusive.

Amendment No. 110

On page 100 of said bill, strike out lines 2 to 17, inclusive.

Amendment No. 111

On page 100 of said bill, strike out lines 22 to 25, inclusive.

Amendment No. 112

On page 105, line 26, of said bill, strike out "San Francisco, payable from", and insert ", payable from San Francisco".

Amendment No. 113

On page 111, line 21, of said bill, strike out "July", and insert "June."

Amendment No. 114

On page 42 of said bill, following line 7, insert

"167—For enforcement of provisions of Chapter 530, Statutes of 1907, and the Unfair Practices Act, Department of Justice_____ 22,272".

RICH	HOLLIBAUGH
HATFIELD	KIRKWOOD
MILLER	YORTY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman,

Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—Anderson, Burkhalter, Clayton A. Dills, Evans, Fletcher, Hahn, and Hawkins—7.

Request for Unanimous Consent That Name Be Placed Upon Roll Call

Mr. Morris asked for unanimous consent that his name be placed upon the roll call on the report of the Committee on Conference concerning Assembly Bill No. 1100, and that he be recorded as voting "No."

Mr. Dunn withheld unanimous consent.

Reason for Not Voting on Report of Committee on Conference Concerning Assembly Bill No. 1100

Just before the vote on the budget of over a billion dollars was taken, I was called to the telephone. Had I been in the Assembly Chamber when the vote was taken I would have voted "No."

Upon my return, I asked the Speaker of the Assembly for recognition for the purpose of recording my vote on the budget On being recognized I explained to the members the reason for my not being on the roll call and asked for unanimous consent to be recorded as voting "No" stating that I could not in good conscience vote for a budget calling for the expenditure of over a billion dollars of tax money for one year. Unanimous consent was withheld by one member, therefore I am not recorded as voting "No" on the Budget for 1949-50.

G. DELBERT MORRIS

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 3106, on request of Mr. Maloney.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1398 FROM COMMITTEE CONTINUED

Mr. Hawkins asked for, and was granted, unanimous consent that the notice of motion given by Mr. Lewis to withdraw Assembly Bill No. 1398 from committee be continued until the next legislative day.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Constitutional Amendment No. 80, on request of Mr. Dunn.

Assembly Bills Nos. 3003 and 3004, on request of Mr. Reagan.

Assembly Constitutional Amendment No. 82 and Assembly Bill No. 279, on request of Mr. Rosenthal.

Speaker Pro Tempore Presiding

At 11.38 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 2873
And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2873 ordered re-referred to Committee on Agriculture.

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:
Assembly Bill No. 1636
Assembly Bill No. 2532
And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1636 ordered re-referred to Committee on Conservation, Planning, and Public Works.

Assembly Bill No. 2532 ordered re-referred to Committee on Public Health.

MOTION TO WITHDRAW SENATE BILL NO. 1638 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Thomas moved that Senate Bill No. 1638 be withdrawn from the Committee on Fish and Game, and be placed upon the file.

Point of Order

Mr. Erwin arose to the following point of order: That Mr. Thomas has closed and no longer has the floor, so is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thomas moved a call of the Assembly.

Motion carried. Time, 12 m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Sam L. Collins, Clayton A. Dills, Elliott, Evans, Grunsky, McMillan, Silliman, Waters, and Yorty—10

Request for Unanimous Consent to Temporarily Suspend Assembly Rule No. 85

Mr. Dunn asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Messrs. Beck and Lowrey withheld unanimous consent.

Hon. Arthur H. Connolly Presiding

At 12.40 p.m., Hon. Arthur H. Connolly, Member of the Assembly from the Twenty-first District, presiding.

Speaker Presiding

At 12.45 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Further Proceedings Under Call of the Assembly Dispensed With on Motion to Withdraw Senate Bill No. 1638 From Committee

At 12.48 p.m., on motion of Mr. Thomas, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. Thomas that Senate Bill No. 1638 be withdrawn from the Committee on Fish and Game, and be placed upon the file, lost by the following vote:

AYES—Brady, Burke, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Elliott, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Nicholse, Rumford, Thomas, and Way—34.

NOES—Anderson, Babbage, Beck, Bennett, Brown, Burkhalter, Butters, Caldecott, Collier, Conrad, Clayton A Dills, Doyle, Dunn, Erwin, Evans, Geddes, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, McMillan, Morris, Reagan, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—38.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE BE EXCUSED

Mr. Weber asked for unanimous consent that the Committee on Conservation, Planning, and Public Works be excused at 3 p.m., today, for the purpose of holding a meeting.

Mr. Brady withheld unanimous consent.

RECESS

At 12.50 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 2523

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Assembly Committee on Ways and Means.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 2200

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2779

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Assembly Bill No. 3171

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to second reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Crichton asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2260

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 30—An act to amend Sections 642, 644, and 666 of, and to add Sections 640.1, 644.1, and 648.1 to, the Agricultural Code, relating to products which are substitutes for or imitations of dairy products;

And reports that the same has been correctly enrolled, and presented to the Governor on the seventeenth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2698
Assembly Bill No. 3163
Assembly Bill No. 3164

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 409—An act to add Section 1028 to the Government Code, relating to disqualification from office or employment as peace officers for persons convicted of felonies;

Assembly Bill No. 699—An act to amend Section 1243 of the Civil Code, relating to homesteads, and methods of abandonment thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the seventeenth day of June, 1949, at 2 p.m

HUYCK, Chairman

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1200
Assembly Bill No. 2268

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 68
Senate Bill No. 619

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 128
Assembly Bill No. 1455
Assembly Bill No. 2204

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2703

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2263

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

STATEMENT BY MR. LOWREY

June 17, 1949

In case I am attending a committee hearing or conference at the time Assembly Bill No 2263 is called up on second reading for adoption of Ways and Means Committee amendments, I hereby respectfully request to be notified when Assembly Bill No. 2263 is considered for amendment.

LLOYD W. LOWREY

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 3166

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

McMILLAN, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 72

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Concurrent Resolution No. 72—Relating to the use of Sonoma State Home for the custody of psychopathic delinquents.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 168
Senate Bill No. 681
Senate Bill No. 793
Senate Bill No. 1080
Senate Bill No. 1469
Senate Bill No. 1643
Senate Bill No. 1647
Senate Bill No. 1651

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 168—An act to amend Sections 56 and 61 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Referred to Committee on Public Morals.

Senate Bill No. 681—An act to amend Sections 9351, 9351.3, 9353.6, 9359, and 9359.1 of, and to add Sections 9355.4 and 9355.5 to, the Government Code, relating to the retirement of legislators and state officers.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 793—An act to amend Section 737ff of the Political Code, relating to salaries of judges of the superior court.

Referred to Committee on Judiciary.

Senate Bill No. 1080—An act to add Article 5B to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1950.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1469—An act to amend Section 9.3 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Referred to Committee on Judiciary.

Senate Bill No. 1643—An act to amend Section 13.1 of, and to add Section 11b to, the County Waterworks District Act, relating to county waterworks districts.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1647—An act to add Section 391.7 to the Agricultural Code, relating to estrays and trespassing animals.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 1651—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF ATTORNEY GENERAL BE PRINTED IN JOURNAL

Mr. Heisinger asked for, and was granted, unanimous consent that the following opinion of the Attorney General be ordered printed in the Journal in 10-point type:

OPINION OF ATTORNEY GENERAL

STATE OF CALIFORNIA, DEPARTMENT OF JUSTICE
OFFICE OF THE ATTORNEY GENERAL
STATE BUILDING, SAN FRANCISCO 2, June 16, 1949

Honorable S. L. Heisinger
Member of the Assembly
State Capitol, Sacramento, California

DEAR MR. HEISINGER: Reference is had to your favor of May 27, 1949, as well as to our previous correspondence on the same subject and to Opinion 49/68.

In that opinion we pointed out that the Statutes of California have not stated specifically that the use of water for recreational purposes or for the maintenance of fish life is a beneficial use, although the latter may be reasonably inferred from Sections 29 and 525 of the Fish and Game Code. We also noted that the courts have held such use to be beneficial. Hence when you ask whether the provisions of Assembly Bill No. 3108 "represent the law of this State", the answer is that it represents the case law of this State and is inferentially, but not specifically, a part of its statutory law.

Trusting this will clarify the situation to your satisfaction, we are

Yours very truly,

FRED N. HOWSER, Attorney General
By RALPH W. SCOTT, Deputy Attorney General

RESOLUTIONS

The following resolutions were offered:

By Mr. Dolwig:

House Resolution No. 262

Relative to augmenting the funds of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings (created by House Resolution No. 44, 1949 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution, to be paid from said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Lindsay:

House Resolution No. 263

Relative to adjournment in respect to former Assemblywoman Mrs. Cora M. Woodbridge

WHEREAS, The Members of this Assembly are deeply grieved to learn of the death on June 14, 1949, in Sacramento, California, of a former Member of this Assembly, Mrs. Cora M. Woodbridge of Placer County; and

WHEREAS, A native of Franklin, California, Mrs. Woodbridge came to Roseville in about 1906 with her husband, Dr. Bradford Woodbridge, who served as mayor for 25 years; and

WHEREAS, Mrs. Cora M. Woodbridge quickly attained a position of fraternal, civic, and political leadership, and was at the time of her election to this Assembly in 1922 from the then Ninth Assembly District, a member of the Republican State Central Committee and Chairman of the Placer County Republican Central Committee; and

WHEREAS, As a Member of this Assembly Mrs. Woodbridge was the possessor of great womanly grace and charm as well as unusual ability as a legislator, and during her three terms in office she accomplished much in the enactment of legislation beneficial to the welfare of women and children; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly deeply regret the passing of Mrs. Cora M. Woodbridge and extend sincere sympathy to her family in their bereavement; and be it further

Resolved, That the Chief Clerk of the Assembly transmit copies of this resolution to Mrs. Anna M. Young of San Francisco, daughter of Mrs. Woodbridge, and to her grandson, Dr. Bradford Young of San Jose; and be it further

Resolved, That when this Assembly this day adjourns, it do so out of respect to the memory of former Assemblywoman, Mrs. Cora M. Woodbridge.

Request for Unanimous Consent

Mr. Lindsay asked for, and was granted, unanimous consent to take up House Resolution No. 263, at this time, without reference to committee or file.

Resolution read, and adopted unanimously by a rising vote.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 175 FROM COMMITTEE WAIVED

Mr. Dunn waived his notice of motion that Assembly Bill No. 175 be withdrawn from the Committee on Finance and Insurance, and be placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 673 FROM COMMITTEE WAIVED

Mr. Crowley waived his notice of motion that Assembly Bill No. 673 be withdrawn from the Committee on Elections and Reapportionment, and be placed upon the file.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1664—An act to add Sections 6381.1 and 6405 to the Revenue and Taxation Code, relating to the exemption of cities and school districts from sales and use taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger,

Hoffman, Hollibaugh, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Rosenthal, Rumford, Smith, Stewart, Thomas, Way, and Yorty—53.

NOES—Conrad, Moss, Reagan, Sherwin, Stanley, and Tomlinson—6.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 2.49 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Assembly Bill No. 491—An act to amend Section 7 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts of cities of the first and one-half class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hollibaugh, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Waters, Way, Yorty, and Mr. Speaker—48.

NOES—Anderson, Burkhalter, George D. Collins, Dunn, Geddes, Heisinger, Hoffman, Luckel, Sherwin, Thomas, and Tomlinson—11.

Bill ordered transmitted to the Senate.

Assembly Bill No. 740—An act to amend Section 5076 of the Penal Code, relating to the compensation of members of the Adult Authority.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Dickey, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hollibaugh, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, and Yorty—46.

NOES—Anderson, Burkhalter, Coats, Geddes, Heisinger, Hoffman, Luckel, Silliman, and Tomlinson—9.

Bill ordered transmitted to the Senate.

Assembly Bill No. 540—An act to amend Section 105 of the Revenue and Taxation Code, relating to property taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Crichton, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lipscomb, Luckel, McCollister, Meyers, Morris, Nicholson, Reagan, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Yorty—48.

NOES—Beck, George D. Collins, Lowrey, McCarthy, and Moss—5.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Clarke announced that the Special Report of the Joint Legislative Commitee on Agriculture and Livestock Problems has been printed in book form and distributed to members; that a second report will soon follow relative to the hoof-and-mouth disease; and that the third report of this committee, relative to the Oriental fruit fly, will then appear.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 447

Mr. Morris asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on Wednesday, May 18, 1949, passed Assembly Bill No. 447; and that the approved Journal for said date be corrected to show said action.

Re-Reference of Assembly Bill No. 447

By order of the Speaker, Assembly Bill No. 447 was withdrawn from the file, and ordered re-referred to the Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

REQUEST FOR UNANIMOUS CONSENT THAT NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1833 FROM COMMITTEE BE CONTINUED

Mr. Waters asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 1833 from the Committee on Revenue and Taxation, and to place it upon the file, be continued until the next legislative day.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 717, on request of Mr. Sam L. Collins.
Assembly Bill No. 363, on request of Mr Rosenthal.
House Resolution No. 221, on request of Mr. Sam L. Collins.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today upon adjournment—

Ways and Means.
Interim Committee on Tidelands and Related Traffic Problems, in Room 430.
Conservation, Planning, and Public Works, in Room 432.
Rules.
Judiciary.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Conrad, the usual courtesies of the Assembly for this day were unanimously extended to A. Ronald Button and J. C. Chambers of Hollywood.

On request of Mr. Anderson, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Serene W. Anderson of Hawthorne, Mrs. Deena Johnson of San Marino, and Miss Cora Christopher of Graettinger, Iowa.

ADJOURNMENT

At 3.14 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Saturday, June 18, 1949, out of respect to the memory of the late Cora M. Woodbridge, former Assemblywoman from Roseville.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-FOURTH LEGISLATIVE DAY

ONE HUNDRED SIXTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Saturday, June 18, 1949

The Assembly met at 9 a.m.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

Quorum present.

PRAYER

Upon request of the Speaker, the following prayer was offered by the Acting Chaplain, Rev. John R. McAulay, Minister of the Bethany Presbyterian Church:

Mighty God: Who by Thy holy prophets and apostles hast taught us that all power is a trust from Thee, we stand humbled in Thy presence at the very thought.

We thank Thee individually and as an Assembly for the trust that is ours and pray that Thy Spirit will make and keep us sensitive to the problems and needs of the people of this State.

May our minds and hearts never be hardened by legislative detail, personal animosity or disinterest.

Lord, help us to be aware. Grant us the mind of the Master.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Hollibaugh, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.
Mr. Berry, on motion of Mr. Reagan.
Mr. Lincoln, on motion of Mr. Rumford.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Collier, on motion of Mr. Reagan.
Mr. Tomlinson, on motion of Mr. Reagan.
Mr. Rosenthal, on motion of Mr. Yorty.
Mr. Davis, on motion of Mr. Lowrey.

APPRECIATION EXPRESSED BY SPEAKER

Speaker Sam L. Collins announced that the Budget Bill—Assembly Bill No. 1100—was presented to the Secretary to the Governor at 8.45 a.m., this morning.

The Speaker expressed his personal appreciation and the appreciation of the members of this House to Mr. Paul Gallagher, State Printer, and to his entire staff; Mr. Charles Robbins, Assembly Engrossing and Enrolling Clerk; Mr. John Wendt, Assembly Assistant Clerk; and to the officers and attaches who made possible the preparation and presenting of this bill and its delivery to the Governor in less than twenty-four hours after its final passage by the Legislature.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that the Senate has adopted two resolutions, one of which sets the date of adjournment sine die for Saturday, July 2d; and one of which provides for 10 days, instead of 14 days, as provided in the Joint Rules, as the period prior to adjournment sine die during which the Senate may pass only Assembly bills, and the Assembly only Senate bills.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1100—An act making appropriations for the support of the Government of the State of California and for several public purposes in accordance with the provisions of Section 34 of Article IV of the Constitution of the State of California, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the eighteenth day of June, 1949, at 8.45 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1402

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1403

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 1029

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

BROWN, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1637

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1093
Assembly Bill No. 1827
Assembly Bill No. 1860
Assembly Bill No. 1862
Assembly Bill No. 1864
Assembly Bill No. 2564
Assembly Bill No. 2565
Assembly Bill No. 3116

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No 66
Assembly Constitutional Amendment No 67
Assembly Constitutional Amendment No 68
Assembly Constitutional Amendment No. 71
Assembly Constitutional Amendment No 72
Assembly Constitutional Amendment No. 73
Assembly Joint Resolution No. 41

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 69
Assembly Constitutional Amendment No. 70

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1750
Assembly Bill No. 1859
Assembly Bill No. 2136

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 17, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 73
Senate Concurrent Resolution No. 74

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered temporarily held at the desk.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1200—An act to amend Section 17053.5 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2268—An act to amend Section 4a of the Bank and Corporation Franchise Tax Act, relating to the levy and collection of taxes upon banks, and providing that this act shall take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 3171—An act to add Article 5.1 to Chapter 11 of Division 2 of the Education Code and to add Section 4919.2 to said code, all relating to the formation of union high school districts.

Bill read second time, and ordered engrossed.

Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 5 of Article XI, relating to compensation for public service.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, after the period, insert "It shall regulate the compensation of boards of supervisors in the respective counties and for this purpose may classify the counties by population."

Amendment No. 2

On page 1, line 21, of said measure, after "ties", insert "other than boards of supervisors,".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 2200—An act to add Section 5034.1 to the Education Code, relating to state aid to impoverished school districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to add Section 5034.1 to the Education Code, and to add Section 4.5 to Chapter 24, Statutes of 1948, relating to distressed school districts."

Amendment No. 2

On page 1, line 5, of said bill, strike out "and", and insert "it shall not, without the approval of the State Allocation Board,".

Amendment No. 3

On page 1, line 7, of said bill, strike out "sells", and insert "sell".

Amendment No. 4

On page 1, line 7, of said bill, strike out "disposes", and insert "dispose".

Amendment No. 5

On page 1, line 8, of said bill, after "site", insert "or the improvements thereon".

Amendment No. 6

On page 1, line 8, of said bill, after "thereof", insert a comma.

Amendment No. 7

On page 1 of said bill, beginning in line 9, strike out ", or within said period of three years does not begin", and insert "or fail".

Amendment No. 8

On page 1, line 11, of said bill, strike out "the", and insert a period and "The".

Amendment No. 9

On page 1, line 12, of said bill, after "Board", insert ", in the event a school district fails to comply with the provisions of this section,".

Amendment No. 10

On page 1, line 17, of said bill, strike out the period, and insert "and in the event a school district has sold such site or the improvements, or any portion of such site or improvements, the State Allocation Board shall demand the refund of the same amount, or of the sale price, whichever is the lesser. Written notice of such demand, *setting forth the amount due the State pursuant thereto, shall be furnished by the* Director of Finance to the governing board of the school district, the county superintendent of schools, the county auditor, the county treasurer of the county whose county has jurisdiction over the school district, and the State Controller. Upon receipt of such notice and demand, the governing board of the school district shall, at the time of the next county settlement following receipt of such notice, order the county treasurer to pay to the State Treasurer, out of any moneys in the county treasury available to the school district for that purpose, the amount set forth in such notice. Such amount shall, upon order of the State Controller, be deposited in the State Treasury in augmentation of the unallocated balance of the fund and appropriation from which such money was apportioned. It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

SEC. 2. Section 4.5 is added to Chapter 24, Statutes of 1948, to read:

Sec. 4.5. The appropriation made by Section Four of Chapter 24, Statutes of 1948, shall be deemed to be in addition to and in augmentation of the appropriation made by Section 5022 of the Education Code."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2703—An act making an appropriation for the support of the State Conservation and Planning Board during the 1949-1950 Fiscal Year.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 1, line 2, of the printed bill, after "of", strike out "_____", and insert "Ninety-one thousand six hundred and twenty-two".

Amendment No. 2

On page 1, line 3, of the printed bill, strike out "($_____)", and insert "$91,622."

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 2523—An act to add Section 205.5 to the Welfare and Institutions Code, relating to the establishment and maintenance of alcoholic rehabilitation clinics and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Public Morals:

Amendment No. 1

On page 1 of the printed bill, strike out lines 6 to 15, inclusive, and insert

"SEC. 2. The sum of five hundred thousand dollars ($500,000) is hereby appropriated out of any money in the General Fund to be expended by the State Controller in making apportionments, during the 1949-1950 Fiscal Year, on a matching basis, to those counties and cities and counties which have been certified to the State Controller by the State Director of Public Health as having established an alcoholic rehabilitation clinic which meets such standards as may be formulated by the said director to assure in such clinics proper diagnostic, psychiatric, therapeutic, and general treatment of alcoholics in accordance with good medical practice. Such moneys shall be apportioned among the qualified counties and cities and counties on the basis of population as shown by the 1940 Decennial Census, and only to match funds appropriated by such counties or cities and counties for the purpose of establishing, maintaining, and operating such alcoholic rehabilitation clinics."

Amendment read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

Assembly Bill No. 3166—An act to add Chapter 10 to Division 8 of the Business and Professions Code, relating to the licensing of traveling shows and officers and employees thereof and imposing a tax on admissions to such shows and to all exhibitions or entertainments which are a part thereof.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 2, line 6, of the printed bill, strike out "twenty dollars ($20).", and insert "ten dollars ($10)."

Amendment No. 2

On page 2, line 9, of the printed bill, strike out "fifty dollars ($50).", and insert "twenty-five dollars ($25)."

Amendment No. 3

On page 2, line 18, of the printed bill, strike out "may", and insert "shall".

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Public Morals.

Assembly Bill No. 2779—An act to amend Sections 80 and 91 of, and to add Section 92.3 to, the Agricultural Code, relating to agricultural districts, creating new agricultural districts, and providing for the distribution of funds and assets, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Agriculture:

Amendment No. 1

On page 3, line 16, of the printed bill, as amended in the Assembly on April 28, 1949, strike out "The County of Riverside.", and insert "All that portion of Riverside County not included in Agricultural District 46A.

District 46A. All that portion of Riverside County described as follows:

Beginning at the N E. corner of Section 13, T 2 S., R. 1 W. San Bernardino Base & Meridian; thence south along township lines about nine and three-quarters miles to the intersection of the N E. boundary of Rancho San Jacinto Nuevo y Portrero; thence southeasterly, westerly and northeasterly following the boundary of said Rancho in all its various courses to the intersection of the southerly boundary of T 3 S, R. 1 W.; thence west along the township lines to the S.W. corner of Section 33 of said township; thence north along section lines four miles to the N.E. corner of Section 17 of said township; thence west along section lines two miles; thence north along section line one mile to the N E. corner of Section 12, T. 3 S, R. 2 W.; thence west along section lines five miles; thence north along section lines three miles; thence west along section lines three miles; thence north along section lines two miles to the N W. corner of Section 14, T. 2 S., R. 3 W.; thence east along section lines to the point of beginning, this last line being also a portion of the northerly boundary of Riverside County."

Amendment No. 2

On page 2 of said bill, strike out lines 42 to 46, inclusive, and insert "District 28. The County of San Bernardino."

Amendment No. 3

On page 6 of said bill, strike out lines 27 to 32, inclusive.

Amendment No. 4

On page 6, line 33, of said bill, strike out "SEC. 6.", and insert "SEC. 5."

Amendment No. 5

On page 6, line 42, of said bill, strike out "SEC. 7.", and insert "SEC. 6."

Amendments read, and adopted.

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 619—An act to amend Sections 27281 and 27300 of the Streets and Highways Code and to add Sections 27174, 27281a, and 27300a thereto, relating to bridge and highway districts.

Bill read second time, and ordered to third reading.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 385, on request of Mr. Way.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2849—An act to add Section 6404 to the Revenue and Taxation Code, relating to exemption of livestock from the use tax.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2849 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Doyle and Geddes—2.

NOES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Way, Yorty, and Mr. Speaker—50.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1833 FROM COMMITTEE CONTINUED

Mr. Waters asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 1833 from committee be continued until the next legislative day.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1398 FROM COMMITTEE CONTINUED

Mr. Hawkins asked for, and was granted, unanimous consent that the notice of motion, given by Mr. Lewis, to withdraw Assembly Bill No. 1398 from committee be continued until the next legislative day.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 942
Assembly Bill No. 1178
AssemblyBill No. 2397

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2706

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 820—An act to amend Section 26060 of the Government Code, relating to the State Employees' Retirement System, authorizing the employment by contracting agencies of retired members to render consulting services.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 820 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nichouse, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Way, Yorty and Mr. Speaker—53.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84 HOLD PLACE ON FILE

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 84 be passed on file, and hold its place on file on the next legislative day.

THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 408—An act to amend Section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp or overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903, as amended, and relating to compensation of directors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Connolly, Conrad, Cooke, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nichouse, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Way, Yorty, and Mr. Speaker—54.

NOES—None.

Motion to Amend Title

Mr. Brown moved the adoption of the following amendment to the title:

Amendment No. 1

In line 4 of the title of the printed bill, strike out "or", and insert "and".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1001—An act to amend Sections 785 and 971 of the Fish and Game Code, relating to lobsters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thompson, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2340—An act to amend Section 6624 of the Welfare and Institutions Code, relating to sexual sterilization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

ASSEMBLY BILL NO. 1308 TO HOLD PLACE ON FILE BY UNANIMOUS CONSENT

By unanimous consent, Assembly Bill No. 1308 was passed on file, and will hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2102

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2102, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2102

Assembly Bill No. 2102—An act to amend Section 7 of an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the State and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to the period of operation of such housing projects.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2259—An act to amend Section 7056 of the Business and Professions Code, relating to licensing of contractors.

Bill read third time, and ordered temporarily passed on file.

Assembly Bill No. 3165—An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2469—An act to add Section 2271.1 to the Health and Safety Code, relating to breeding places of mosquitoes and prescribing the penalties for the maintenance thereof.

Bill read third time.

Motion to Amend

Mr. Lewis moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 2, 1949, strike out "add Section 2271.1 to", and insert "amend Section 2271 of".

Amendment No. 2

On page 1, of said bill, strike out line 1, and insert

"SECTION 1 Section 2271 of the Health and Safety Code is amended to read:

2271. Any breeding place for mosquitoes *upon any property in a district* which exists by reason of any use made of the land on which it is found or of any artificial change in its natural condition, is a public nuisance *; any person who wilfully and knowingly maintains, permits, or allows any such breeding place upon property in a district is guilty of a misdemeanor punishable by a fine not less than twenty-five dollars ($25) nor more than two hundred dollars ($200).*"

Amendment No. 3

On page 1 of said bill, strike out lines 2 to 8, inclusive.

Amendments read, and ordered temporarily passed on file.

Bill ordered temporarily passed on file.

Assembly Bill No. 2698—An act to amend Section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

BEST WISHES EXTENDED TO SENATOR HATFIELD

Speaker Sam L. Collins acknowledged the presence of Senator Hatfield in the Assembly Chamber and expressed best wishes on behalf of the Members of the Assembly for a happy and successful trip to Europe in the near future.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3163—An act to amend Section 14311 of the Government Code, relating to contracts for public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Holhbaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Niehouse, Rumford, Smith, Stewart, Thompson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3164—An act to add Chapter 7 to Part 3, Division 3, Title 2 of the Government Code, relating to the State Department of Finance, providing for the establishment of a Bureau of Traffic Management, and specifying its powers and duties.

Bill read third time.

Demand for Previous Question

Messrs. Thompson, Caldecott, Burke, Grant, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3164.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Conrad moved a call of the Assembly.

Motion carried. Time, 10.30 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Butters, Clayton A. Dills, Dunn, Kirkwood, Lewis, Meyers, Rumford, and Stanley—9.

Request for Temporary Suspension of Assembly Rule No. 85

Mr. Doyle asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Lowrey withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Silliman moved that the Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file, at this time.

Mr. Waters seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Brady, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Heisinger, Hinckley, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Luckel, Maloney, McMillan, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—45.

NOES—Anderson, Beck, Brown, Crowley, Elliott, Evans, Hagen, Hahn, Hawkins, Kilpatrick, Lewis, Lowrey, McCarthy, Meyers, Morris, and Niehouse—16.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2260

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2260, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2260

Assembly Bill No. 2260—An act to add Chapter 1.6 to Division 3 of the Education Code, providing for school district public works, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—Burkhalter and Smith—2.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—Brady, Burkhalter, Smith, and Stewart—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2259

Mr. Grant asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 2259, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2259

Assembly Bill No. 2259—An act to amend Section 7056 of the Business and Professions Code, relating to licensing of contractors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 3164

At 10.49 a.m., on motion of Mr. Conrad, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 3164 passed by the following vote:

AYES—Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—47.

NOES—Anderson, Babbage, Beck, Bennett, Brady, Burkhalter, George D. Collins, Crowley, Evans, Fletcher, Hawkins, Heisinger, Hoffman, Hollibaugh, Luckel, McCollister, McMillan, Niehouse, Stewart, and Mr. Speaker—20

Bill ordered transmitted to the Senate.

Explanation of Vote on Assembly Bill No. 3164

I object to fixing a minimum salary in a statute which may be raised to an unreasonable amount.

S. L. HEISINGER

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2219

Mr. Kilpatrick asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2219, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2219

Assembly Bill No. 2219—An act to add Chapter 4.5 comprising Sections 5600 to 5606, inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the commitment, care and treatment of mentally-abnormal sex offenders.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TEMPORARILY SUSPEND THE RULES

Mr. Dickey asked for, and was granted, unanimous consent that the Rules be temporarily suspended for the balance of the legislative session relating to the provisions of House Resolution No. 120 which stipulate that, if a bill is passed twice on file, it will be dropped from the third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 128—An act authorizing the State Director of Finance to sell, exchange or otherwise dispose of certain state property located in the County of Sacramento, and providing for the disposition of funds received from the sale thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bills were withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 2799, on request of Mr. Anderson.

Assembly Bill No. 933, on request of Mr. Anderson.

Assembly Bill No. 324, on request of Mr. Bennett.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 324 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Bennett asked for, and was granted, unanimous consent that Assembly Bill No. 324 be withdrawn from the file, and be re-referred to the Committee on Industrial Relations.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 942

Mr. Cooke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 942, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 942

Assembly Bill No. 942—An act to amend Section 13 of the County Waterworks District Act, relating to property and obligations of county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1178

Mr. Way asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1178, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1178

Assembly Bill No. 1178—An act to amend Section 28125 of the Government Code, relating to compensation for public services in counties of the twenty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2397

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2397, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2397

Assembly Bill No. 2397—An act to add Section 25450.1 to the Government Code, relating to county property, providing for construction and repairs thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.08 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 717—An act relating to the holding of Olympic games in California, creating the California Olympics Commission, describing the powers and duties thereof, and making an appropriation therefor.

Bill read third time.

The roll was called.

Request for Unanimous Consent That Announcement of Vote Be Deferred

Messrs. Evans and Maloney asked for, and were granted, unanimous consent that the announcement of the vote on Assembly Bill No. 717 be temporarily deferred until word is received that the Governor has signed Assembly Bill No. 1100, the Budget Bill.

(Above mentioned roll call will appear immediately after the announcement that Governor Warren has signed the Budget Bill.)

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 16, on motion of Mr. Hollibaugh.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1805—An act to amend Section 4702 of the Labor Code, relating to death benefits under the Workmen's Compensation Act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1080 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. McCollister asked for, and was granted, unanimous consent that Senate Bill No. 1080 be withdrawn from the Committee on Governmental Efficiency and Economy, and be re-referred to the Committee on Military Affairs.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2219

Mr. Kilpatrick asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 2219, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2219

Assembly Bill No. 2219—An act to add Chapter 4.5 comprising Sections 5600 to 5606, inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the commitment, care and treatment of mentally-abnormal sex offenders.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Way, and Weber—60.
NOES—Smith—1.

Bill ordered transmitted to the Senate.

Hon. John F. Thompson Presiding

At 11.19 a.m., Hon. John F. Thompson, Member of the Assembly from the Twenty-ninth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1925

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1925, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1925

Assembly Bill No. 1925—An act to amend Section 14089 of the Health and Safety Code, relating to fire protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conolly, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, and Yorty—60.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1371

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1371, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1371

Assembly Bill No. 1371—An act to amend Section 3352 of, and to repeal Sections 3358.5, 4250, 4251, 4252, 4253, 4255, and 4256 of the Labor Code, dealing with workmen's compensation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. George D. Collins moved a call of the Assembly.

Roll Call Demanded

Messrs. Brady, Condon, and McCarthy demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Maloney, McCarthy, McMillan, Moss, Niehouse, Rumford, Sullivan, Stanley, Thomas, Waters, and Way—45.
NOES—Burke, Butters, Reagan, and Stewart—4.

Time, 11.40 a.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Sam L. Collins, Clayton A. Dills, Grunsky, Hahn, Kirkwood, and Sherwin—7.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Evans asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 221

By Mr. Evans:

House Resolution No. 221

Relative to investigation of the activities and conduct of the Office of the State Insurance Commissioner

WHEREAS, It has come to the attention of this Legislature that the Insurance Commissioner of this State has been charged with conducting himself in a high-handed and dictatorial manner with regard to the regulation of insurance and with undertaking to act arbitrarily, either in excess of his powers as they are set out in the Insurance Code or not in accord with the dictates of good reason or prudence; and

WHEREAS, The following is typical of numerous complaints and comments by persons engaged in the insurance business:

"For two years California's autocratic Insurance Commissioner, Wallace K. Downey has been engaged in what seems to be persecution against . . . (out of state insurers) (and their) Pacific Coast representatives;" and

WHEREAS, It appears that the activities of the Insurance Commissioner have been such as to embroil him in litigation, and that at the present time one insurance company has filed suit against him for $50,000 damages alleged to have been caused by illegal destruction of the company's business by the Insurance Commissioner; and

WHEREAS, The Insurance Commissioners of a majority of the states by mutual cooperation have set up a method whereby through the process of a "Conference Examination" investigation may be made of any insurance company to determine its solvency while protecting its policy holders from the effects of premature publicity or other impairment of their policies; and

WHEREAS, The Insurance Commissioner is a member of the Interstate Organization of Insurance Commissioners and failed to attend although invited to a "Conference Examination" requested by the commissioner of the home state of a company doing business in California; and

WHEREAS, The California Commissioner proceeded to institute other action which has destroyed the value of policies held by more than a hundred thousand California policy holders; and

WHEREAS, It has further been charged that the commissioner has authorized the expenditure of state funds to send operatives outside of the State for the purpose of investigating and securing information, which work might as effectively be done by correspondence with the insurance commissioners of the various states or by investigations conducted entirely within the State; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Finance and Insurance is hereby authorized and directed to immediately ascertain, study and analyze all facts relating to the activities of the Insurance Commissioner of this State and all subjects and facts referred to in the recitals hereinabove set forth, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, but not after final adjournment, with authority to file a final report not later than June 25, 1949.

Resolution read, and adopted.

UNFINISHED BUSINESS (RESUMED)

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILLS NOS. 1734 AND 1733 WAIVED

Mr. Brady waived his notices of motion to reconsider the votes whereby Assembly Bills Nos. 1734 and 1733 were passed.

Assembly Bills Nos. 1734 and 1733 ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Levering moved that Senate Bills Nos. 132, 280, and 515, and Senate Constitutional Amendment No. 14 be made a special order of business for Tuesday, June 21, 1949, at 11 a.m.

Motion Withdrawn

Mr. Levering withdrew his motion.

MOTION TO SET SPECIAL ORDER

Mr. Beck moved that Senate Bill No. 132 be made a special order of business for Tuesday, June 21, 1949, at 11 a.m.

Motion Withdrawn

Mr. Beck withdrew his motion.

ANNOUNCEMENTS

Mr. Dickey announced that His Excellency, the Honorable Earl Warren, Governor of California, has, this morning, signed Assembly Bill No. 1100, the Budget Bill.

ROLL CALL ANNOUNCED ON ASSEMBLY BILL NO. 717

Acting Speaker Thompson, pursuant to a unanimous consent request previously granted, that the roll call be deferred on Assembly Bill No. 717 until after Governor Warren had signed Assembly Bill No. 1100, announced the vote on the passage of Assembly Bill No. 717 as follows:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 3145

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No 2723

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2723

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2723, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2723

Assembly Bill No. 2723—An act to provide for the establishment of master and official plans in cities, cities and counties, and counties, and for adoption of ordinances pursuant thereto; to prescribe the manner of adoption of such plans, portions thereof and amendments thereto, and the composition and effects thereof; to provide for the establishment of planning departments by cities, cities and counties, and counties, for the creation of regional and community planning districts and the appointment of planning commissions; to define the powers and duties of such departments, and to provide for appropriations and for the levy of special taxes for the support of planning departments, and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; and to repeal the Conservation and Planning Act, and an act entitled "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, Chapter 734, page 1419, Statutes of 1917, relating to conservation and planning, and any other acts inconsistent or in conflict therewith.

Bill read third time.

Motion to Amend

Mr. Weber moved the adoption of the following amendment:

Amendment No. 1

On page 5 of the printed bill, between lines 7 and 8, insert

"Article 6 1. The State Planning and Conservation Board

SEC. 56. The State Planning and Conservation Board is the State Reconstruction and Reemployment Commission, and any state board or commission which succeeds to the powers of said commission in relation to planning.

SEC. 57. The board shall adopt rules for the transaction of its business and shall keep a record of its official actions, making reports as may be requested to the Governor, the Legislature and the Director of Finance. It shall annually select a chairman from its appointive members and a secretary who need not be a member of the board.

SEC. 58. The board shall employ a director of planning who shall be qualified by special training, experience and demonstrated ability in the field of planning and may employ subject to the approval of the Governor such other persons as may be necessary for its work.

SEC. 59. The board shall have authority to cooperate with any persons or organizations interested, for devising means to develop the natural and economic resources of the State, and it is authorized to accept grants from the Federal or State Governments or their agencies, and may accept gifts for the purposes of state planning. The board shall encourage the extension and correlation of state planning by agencies of the State Government and participate in interstate and national planning efforts, both with a view to benefit to be derived by the larger region or Nation, and by the State.

SEC 60. The board shall ascertain from each department, board or other agency of the State, and where possible, from agencies of the Federal Government, all contemplated public improvements or projects and where necessary shall implant upon the master regional and county plans those things which it considers pertinent to such master plans. Any agency of the State concerned with any public improvement or project may request the imposition of such improvement or project on any regional or county master plan. The board shall make available to each state department, board

or other agency all regional and county master plans, as well as information concerning other state projects. Each state department, board or agency shall given consideration to such other state projects and to the regional and county master plans, to the end that, where in the judgment of such state department, board or other agency it is practical and feasible, its projects may be properly coordinated with those of all other governmental agencies."

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 2723

Mr. Geddes moved that a rush order be placed upon the printing of Assembly Bill No. 2723.

Motion carried.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Thomas:

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

"An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluding employments thereunder."

Respectfully submitted.

VINCENT THOMAS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. Thomas:

"An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluding employments thereunder."

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3176: By Mr. Thomas—An act to amend Section 7 of the Unemployment Insurance Act, relating to unemployment insurance and excluding employments thereunder.

Referred to Committee on Finance and Insurance.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Moss and Fleury:

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for the support of the State Agricultural Society, Department of Finance, for the 1949-50 Fiscal Year.

Respectfully submitted.

JOHN E. MOSS
GORDON A. FLEURY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it:

By Messrs. Moss and Fleury:

An act making an appropriation for the support of the State Agricultural Society, Department of Finance, for the 1949-50 Fiscal Year.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—70

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3177: By Messrs. Moss and Fleury—An act making an appropriation for the support of the State Agricultural Society Department of Finance, for the 1949-50 Fiscal Year.

Referred to Committee on Ways and Means.

CONGRATULATIONS EXTENDED

Speaker pro Tempore Maloney extended, on behalf of the Members of the Assembly, officers, and attaches, sincere congratulations to John Wendt, Assistant Clerk, on his graduation yesterday, Friday, June 17th, from the University of California at Berkeley with the degree of Bachelor of Arts in Physiology.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 18, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 2308, entitled: "An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately."

As introduced by the author, at the request of the State Board of Equalization, this bill established a statute of limitations on deficiency assessments with regard to the sales and use tax of eight years in cases of fraud, intent to evade the law, or failure to make a return. This bill was amended in the Senate to reduce this period of limitation to five years. As so amended the measure no longer has the support of the State Board of Equalization as it is the belief of the board that five years is too short a period of limitation in cases of actual fraud or intent to evade the law. Under the circumstances, the author of the bill has agreed to its return without my approval.

Respectfully submitted,

EARL WARREN, Governor

Above bill ordered to unfinished business file.

Receipt of Assembly Bill No. 2308 Acknowledged

I acknowledge receipt this eighteenth day of June, 1949, at 11 o'clock a.m., of Assembly Bill No. 2308 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS
Chief Clerk of the Assembly

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2204

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2204, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2204

Assembly Bill No. 2204—An act providing for license fees for the privilege of operating aircraft, providing for the exemption of such vehicles from all taxes according to value for state, county or municipal purposes, providing for the administration and enforcement of this act, creating a fund to be known as the Aircraft Fee Fund and making an appropriation of the moneys therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Thomas, Thompson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1402

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1402, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1402

Assembly Bill No. 1402—An act relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and preventing the spread of the same and making an appropriation therefor.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—59.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Stricken From Roll Call on Assembly Bill No. 1402

Messrs. Sam L. Collins and Hinckley asked for, and were granted, unanimous consent that their names be stricken from the roll call on the passage of Assembly Bill No. 1402, and that they be recorded as not having voted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1403

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1403, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1403

Assembly Bill No. 1403—An act making an appropriation to the Regents of the University of California for the purpose of conducting research work on fruit flies, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Speaker Presiding

At 12.25 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Urgency Clause

Urgency clause read.

Parliamentary Inquiry

Messrs. Sherwin and Hinckley arose to the following parliamentary inquiry: Because Assembly Bill No. 1403 has been re-referred to the Committee on Ways and Means, is it now properly before the House for consideration at this time?

Ruling by Speaker

Speaker Sam L. Collins ruled that, as Assembly Bill No. 1403 has been previously considered by the Committee on Ways and Means, it is now properly before the House, and may be considered at this time.

The question being on the adoption of the urgency clause to Assembly Bill No. 1403.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.
NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Names Be Stricken From Roll Calls

Messrs. Sam L. Collins and Hinckley asked for, and were granted, unanimous consent that their names be stricken from the roll call on the adoption of the urgency clause to Assembly Bill No. 1403, and on the roll call on the passage of Assembly Bill No. 1403, and that they be recorded as not having voted on either roll call.

ANNOUNCEMENT OF COMMITTEE APPOINTMENTS

Pursuant to the provisions of Senate Bill No. 25 (Chapter 288), Speaker Sam L. Collins announced the appointment of Messrs. Beck, Smith, and McCarthy as members of said Assembly Capitol Committee of the State Capitol Committee which further provides that the Speaker and Chairman of the Committee on Rules also serve on said committee.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:
Assembly Bill No. 2120

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code;

to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; to amend Section 16256 of said code, and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 19, line 32, of the printed bill, as amended in the Assembly on June 8, 1949, strike out "(a) of this section", and insert "Section 7058".

Amendment No. 2

On page 19, line 33, of said bill, strike out "(1)", and insert "(a)".

Amendment No. 3

On page 19, line 34, of said bill, strike out "(2)", and insert "(b)".

Amendment No. 4

On page 19, line 36, of said bill, strike out "(3)", and insert "(c)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

SPECIAL ORDER SET BY UNANIMOUS CONSENT

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 2120 be made a special order of business for Monday, June 20, 1949, at 11 a.m.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2487 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 2487 be withdrawn from the Committee on Finance and Insurance, and be re-referred to the Committee on Revenue and Taxation.

PETITIONS

By Speaker Sam L. Collins:

A petition from adult residents in the San Diego area, signed by Henry L. Pope and hundreds of other citizens, relative to requesting the Legislature to provide more funds for state psychiatric hospitals, was received, and ordered referred to the Committee on Social Welfare.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1371

At 12.35 p.m., on motion of Mr. Lowrey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1371 refused passage by the following vote:

AYES—Anderson, Bennett, Brady, Burkhalter, Caldecott, George D Collins, Condon, Cooke, Crichton, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Hawkins, Hollibaugh, Kilpatrick, Lewis, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Thomas, and Yorty—31.

NOES—Babbage, Beck, Burke, Butters, Clarke, Coats, Connolly, Conrad, Dolwig, Erwin, Fleury, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Huyck, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Waters, Way, and Weber—34.

Notice of Motion to Reconsider Assembly Bill No. 1371

Mr. George D. Collins gave notice that on the next legislative day he would move to reconsider the vote whereby Assembly Bill No. 1371 was this day refused passage.

RESOLUTIONS

The following resolutions were offered:

By Mr. Evans:

House Resolution No. 264

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly Standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the Public Utilities and Corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the Standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filled by the Speaker.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Weber:

House Resolution No. 265

Relative to the resignation of Chief Deputy Legislative Counsel Clarence H. Langstaff

WHEREAS, Since 1932 Clarence H. "Nic" Langstaff has served the State in the capacity of Deputy Legislative Counsel, and has held the position of Chief Deputy Legislative Counsel since July 1, 1936, except for the period from January 1, 1943, to June 17, 1946, during which he served in the United States Navy, where he rose to the rank of Lieutenant Commander, U.S.N.R.; and

WHEREAS, During all of his state service the Members of the Legislature have received from Nic Langstaff legal counsel of the highest quality, and constant, courteous, unfailing devotion to the welfare of the State and the interests of the Legislature and its members, and the individual Members of the Legislature have come to have the greatest confidence in and reliance upon him, and feelings of the warmest friendship for him; and

WHEREAS, In the position of Chief Deputy Legislative Counsel Nic Langstaff has demonstrated not only outstanding legal and administrative ability and effective leadership, but also such kindliness, consideration, and geniality as to win him the admiration and affection of the Members of this Assembly, as well as of his colleagues in the Office of the Legislative Counsel; and

WHEREAS, The Assembly has learned with regret that Nic Langstaff has resigned from the position of Chief Deputy Legislative Counsel, as of June 17, 1949, in order to direct his professional activities into a different legal field in his home County of Los Angeles; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby express their appreciation of the invaluable services that Clarence H. "Nic" Langstaff has rendered to the State of California and to the Legislature, their confidence that he will continue to further the interests of and serve the people of California, directly or indirectly, in whatever channel his professional activities may be directed, and their very sincere good wishes to him for success in his chosen field. "Well done, Commander!" And be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to Clarence H. Langstaff, former Chief Deputy Legislative Counsel.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 995

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 995, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 995

Senate Bill No. 995—An act to amend Sections 19302 and 19303 of the Education Code, relating to school cafeterias.

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, strike out "the cost of the", and insert "if provided the cost of the said".

Amendment No. 2

On page 1, line 13, of said bill, strike out "is", and insert "may be".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 1080

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 351	Assembly Bill No. 1894
Assembly Bill No. 447	Assembly Bill No. 3125
Assembly Bill No. 1767	Assembly Bill No. 3129
Assembly Bill No. 1801	Assembly Bill No. 2339

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1130

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 466

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 16, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 451

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bill ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 72

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 69

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 44

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Bill No. 1614
Senate Bill No. 1650

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 98
Assembly Concurrent Resolution No. 100

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No 248
House Resolution No. 259
House Resolution No. 261
House Resolution No. 252

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Joint Resolution No. 31
Senate Joint Resolution No. 33
Senate Joint Resolution No. 34

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1084
Assembly Bill No. 1207
Assembly Bill No. 1775
Assembly Bill No. 1948
Assembly Bill No. 2218
Assembly Bill No. 2615
Assembly Bill No. 2616

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 360
Assembly Bill No. 809

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 169
Assembly Bill No. 362
Assembly Bill No. 469
Assembly Bill No. 543
Assembly Bill No. 553
Assembly Bill No. 683
Assembly Bill No. 684
Assembly Bill No. 847
Assembly Bill No. 1363
Assembly Bill No. 1865
Assembly Bill No. 1868
Assembly Bill No. 2004
Assembly Bill No. 2011
Assembly Bill No. 2101
Assembly Bill No. 2207
Assembly Bill No. 2348
Assembly Bill No. 3041

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

MEMBER EXCUSED

At 12.40 p.m., Mr. Geddes asked for, and was granted, unanimous consent that Mr. Kirkwood be excused, for the balance of the legislative day, because of legislative business elsewhere.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCarthy, the usual courtesies of the Assembly for this day were unanimously extended to C. Harold Caulfield and C. Harold Caulfield, Jr., of San Francisco.

ADJOURNMENT

At 12.41 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Monday, June 20, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-FIFTH LEGISLATIVE DAY

ONE HUNDRED SIXTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, June 20, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Almighty God of Our Fathers: Upon this day when the statue of the Goddess of Liberty was received from France, let us pledge allegiance to all for which it stands.

Stands for the innate importance of every man of every race, for his ability to think for himself and govern himself without dictation.

Stands for universal education that trains brain and soul to think and act wisely and nobly for the welfare of the Country.

Stands for the right of every man to enjoy the fruits of his labor, to own and control his own possessions and stands for unlimited opportunity for growth.

Stands as a sentinel guarding our shores from the alien anarchy that would destroy us, and stands for America's dream of Liberty enlightening the world.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Anderson, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

Mr. Lincoln, on motion of Mr. Reagan.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Thomas, on motion of Mr. Reagan.

Mr. McMillan, on motion of Mr. Fletcher.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By the Chief Clerk:

A communication from the Rhode Island Insurance Co. of Providence, Rhode Island, relative to the action of California Insurance Commissioner Wallace K. Downey in seizing assets of the Rhode Island Insurance Company, was received, and ordered referred to the Committee on Finance and Insurance.

By the Chief Clerk:

A communication from the Hon. F. L. Hagaman, Lieutenant Governor of the State of Kansas, acknowledging receipt of Assembly Joint Resolution No. 26, was received, and ordered filed with the Secretary of State.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2120
Assembly Bill No. 2723

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1486

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1386
Assembly Bill No. 1558
Assembly Bill No. 2276
Assembly Bill No. 2310
Assembly Bill No 3126
Assembly Bill No. 3140

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1200
Assembly Bill No. 2268
Assembly Bill No. 3171

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 87

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2200

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 98
Assembly Concurrent Resolution No. 100

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 92

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 18, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 600
Senate Bill No. 866
Senate Bill No. 928
Senate Bill No. 1284
Senate Bill No. 1295
Senate Bill No. 1426

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 600—An act to amend Section 9.15 of the Building and Loan Association Act, relating to limitation on single loans.

Referred to Committee on Finance and Insurance.

Senate Bill No. 866—An act to amend Section 1591 of the Insurance Code, relating to alien insurers.

Referred to Committee on Finance and Insurance.

Senate Bill No. 928—An act to amend Sections 69, 70, 72, and 77 of, and to add Section 78 1 to, the Unemployment Insurance Act, relating to unemployment insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1284—An act to add Section 10270.96 to the Insurance Code, relating to group disability insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1295—An act to add Section 1370.5 to the Insurance Code, relating to insurance.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1426—An act to amend Sections 5083, 5097, 5100 and 5132 of the Business and Professions Code, relating to the State Board of Accountancy.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE
SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 1029—An act to amend Section 204f of the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, strike out "three hundred twenty-five dollars ($325)", and insert "three hundred dollars ($300)".

Amendment No. 2

On page 1, line 11, of said bill, strike out "three hundred dollars ($300)", and insert "two hundred eighty-two dollars ($282)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 466—An act to add Section 932 to the Penal Code, relating to the preparation of a manual for grand jurors by the Attorney General, and making an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 2 of the printed bill, strike out line 4, and insert "otherwise appropriated the sum of one thousand dollars ($1,000), or so".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Joint Resolution No. 44—Relative to memorializing Congress to extend the provisions of the Servicemen's Readjustment Act pertaining to payment of readjustment allowances to unemployed World War II veterans.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 18, of the printed measure, after "1951", strike out "or".

Amendment No. 2

On page 1, line 19, of the printed measure, strike out line 19.

Amendment No. 3

On page 1, line 20, of the printed measure, strike out to and including "week".

Amendments read, and adopted.

Resolution ordered reprinted, and engrossed.

Assembly Bill No. 1130—An act making an additional appropriation to the Regents of the University of California for all or any of the following purposes: The acquisition of lands, construction, improvements and equipment for and at the University of California.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, strike out "nineteen million eight hundred seventy-five thousand dollars ($19,875,000)", and insert "six million one hundred thousand dollars ($6,100,000)".

Amendment No. 2

On page 1, lines 4 and 5, of said bill, strike out "any money in the State Treasury not otherwise appropriated", and insert "the Postwar Employment Reserve".

Amendments read, and adopted

Bill ordered reprinted, engrossed, and to be re-referred to Committee on Ways and Means.

SECOND READING OF SENATE BILLS

Senate Bill No. 451—An act to amend Section 40 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control.

Bill read second time, and ordered to third reading.

Senate Bill No. 1614—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1948, for legislative printing, binding, mailing, etc., to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1650—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1080—An act to add Article 5B to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1950.

Bill read second time, and ordered to third reading.

Senate Bill No. 1637—An act creating the "Sonoma County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 7, 1949, strike out lines 13 and 14, and insert "nomical for water conservation, the control of floods, and generating electric energy, and to that end the district is hereby".

Amendment No. 2

On page 8, line 49, of said bill, after "the", insert "conservation,".

Amendment No. 3

On page 9, line 1, of said bill, after "district," insert "generating electric energy,".

Amendment No. 4

On page 14, lines 33 and 34, of said bill, strike out "including any property which is the operative property of any public utility and".

Amendment No. 5

On page 15, line 11, of said bill, strike out "made by the assessor", and insert "on the equalized roll".

Amendment No. 6

On page 15, line 24, of said bill, strike out "assessment-book", and insert "equalized roll".

Amendment No. 7

On page 15, lines 25 and 26, of said bill, strike out "as equalized and corrected by the board of supervisors of said county".

Amendment No. 8

On page 15 of said bill, strike out lines 28 to 38, inclusive.

Amendment No. 9

On page 15, in lines 45 to 47, of said bill, strike out ", using as a basis the value of property as it is assessed by the county assessor and returned to the board by the county auditor as hereinabove provided", and insert "on the equalized roll".

Amendment No. 10

On page 16 of said bill, between lines 24 and 25, insert

"SEC. 29. Notwithstanding Section 3720 of the Political Code, the Sonoma County Flood Control and Water Conservation District is validly created for the purposes of assessment and taxation. The creation of any zone in the district shall not be effective for purposes of assessment or taxation for the Fiscal Year 1949-1950 and shall not be effective for such purposes for any fiscal year thereafter unless the statement and map or plat required by Section 3720 of the Political Code are filed with the county assessor and the State Board of Equalization on or before the first of February of the year in which the assessments or taxes are to be levied. Until such time as the creation of any zone shall be effective for purposes of assessment or taxation, any tax or assessment levied by the board shall be levied at a uniform rate on all property in the district.

For the Fiscal Year 1949-1950, but for no other fiscal year, notwithstanding Section 28 of this act, the assessment and equalization of property for the purpose of district taxation shall be effected as provided in this section.

Assessments of the district for the Fiscal Year 1949-1950 are liens on the property the same as if they were county taxes, except that the district assessment liens attach as of noon on the day after this act becomes effective.

It is presumed that the assessments of property made by the county assessor and by the State Board of Equalization for county taxation purposes for the Fiscal Year 1949-1950 are the correct assessments for purposes of assessment by the district and the rolls prepared by the county assessor and the State Board of Equalization shall be used for purposes of levying and collecting the assessments for the district. If the ownership or taxable situs or value of any property changes between noon on the first Monday in March, 1949, and the date on which attaches the lien for assessments of the district for the Fiscal Year 1949-1950, then, on petition of the taxpayer affected to the assessing authority, suitable entry shall be made on the assessment roll, in the manner prescribed by the State Board of Equalization, to indicate such change in the ownership or taxability or value of the property for purposes of assessment by the district.

In equalizing the assessments made by the county assessor, the Board of Supervisors of Sonoma County, sitting as the county board of equalization, in addition to its regular equalization duties, shall also, in the same manner and under the same rules, equalize the valuation of property for purposes of assessment by the district in accordance with the requirements of this section and any such changes made by the county board of equalization in the assessment roll shall be entered in the manner prescribed by the State Board of Equalization.

If, for purposes of assessments by the district, a change in the assessment for county taxation purposes is not sought under this section before the end of the period during which such assessment may be equalized, or corrected on a petition for reassessment, such assessment, if valid for county taxation purposes, is conclusively presumed to be the correct assessment for assessment purposes of the district.

The board may prescribe by ordinance any necessary procedure, in accordance with the policy of this act, for the purpose of assessing, equalizing, levying, and collecting taxes or assessments for the district for the Fiscal Year 1949-1950. Except as provided in this section, Section 28 of this act is applicable to the assessment and equalization of property for the purpose of district assessments for the Fiscal Year 1949-1950."

Amendment No. 11

On page 16, line 25, of said bill, strike out "29", and insert "30".

Amendment No. 12

On page 16, line 46, of said bill, strike out "30", and insert "31".

Amendment No. 13

On page 17, line 4, of said bill, strike out "31", and insert "32".

Amendment No. 14

On page 17, line 12, of said bill, strike out "32", and insert "33".

Amendment No. 15

On page 17, line 16, of said bill, strike out "33", and insert "34".

Amendment No. 16

On page 17, line 18, of said bill, strike out "34", and insert "35".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Concurrent Resolution No. 69—Relative to protection at locations where school children cross state highways in rural areas.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 1, line 4, of the printed measure, after "rural", insert "suburban".

Amendment No. 2

On page 1, line 12, of the printed measure, after "rural", insert "suburban".

Amendment No. 3

On page 2, line 2, of the printed measure, after "rural", insert "suburban".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

UNFINISHED BUSINESS

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 385 WAIVED

Mr. Way waived his notice of motion to reconsider the vote whereby Assembly Bill No. 385 was refused passage.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1750—An act to amend Section 160 of the Welfare and Institutions Code, relating to the transfer of mental patients to the states of their residence.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1750?

Amendment No. 1

On page 1 of the printed bill, strike out lines 25 to 27, inclusive, and insert "person shall be released at the earliest possible time or committed in accordance with law."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1750 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Thompson, Tomlinson, Way, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 1750 ordered enrolled.

Assembly Bill No. 1859—An act to amend Sections 621, 625, 627, 633, 640, and 646 of the Vehicle Code, respecting the mounting height, use of certain lamps and testing fees for lamps and devices.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1859?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 21, 1949, strike out "625,".

Amendment No. 2

On page 2 of said bill, strike out lines 36 to 51, inclusive; and on page 3, strike out lines 1 to 11, inclusive.

Amendment No. 3

On page 3, line 19 of said bill, strike out "SEC 3", and insert "SEC. 2".

Amendment No. 4

On page 3, line 39, of said bill, strike out "SEC. 4", and insert "SEC. 3".

Amendment No. 5

On page 4, line 11, of said bill, strike out "SEC. 5", and insert "SEC. 4".

Amendment No. 6

On page 4, line 47, of said bill, strike out "SEC. 6", and insert "SEC. 5".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1859 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Thompson, Tomlinson, Way, and Mr. Speaker—56.

NOES—None

Assembly Bill No. 1859 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 2308—An act to amend Section 6487 of the Revenue and Taxation Code, relating to sales and use taxes, and providing that this act shall take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 2308 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—61.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1084—An act to amend Sections 19006, 19007, 19008, 19014, 19016, 19033, 19034, 19049, 19060, 19061.5, 19070, 19080, 19121, 19122, 19123.4, 19123.5, 19123.6, 19124, 19127, 19129, 19158, 19170, 19171, 19172, 19173, 19174, 19200, 19201, 19202, 19208, and 19221 of, and repeal Sections 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19013, 19015, 19018, 19050, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19072, 19080.5, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19089.5, 19090, 19091, 19092, 19093, 19094, 19095, 19096, 19097, 19098, 19099, 19100, 19101, 19102, 19103, 19104, 19105, 19125, 19126, 19128, 19151, 19153, 19154, 19157, 19159, and 30030 of, and add Sections 19008.5, 19008.6, 19009, 19010, 19010.5,

19011, 19012, 19012.5, 19015, 19016.5, 19034.5, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19059.5, 19060.5, 19060.6, 19062, 19072, 19072.5, 19072.6, 19073, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19092, 19093, 19122.5, 19124.5, 19127.5, 19127.6, 19171.5, 19171.6, 19173.5, 19200.5, 19209, and 19210 to the Business and Professions Code, relating to the licensing and regulation of the upholstered furniture and bedding industries.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1084?

Amendment No. 1

On page 4, line 29, of the printed bill, following "Chapter", strike out "5", and insert "4".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1084 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 1084 ordered enrolled.

Assembly Bill No. 1207—An act to amend Section 20894.5 of the Government Code and Sections 14702 and 14495.2 of the Education Code, relating to contributions of members of retirement system absent in military service.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1207?

Amendment No. 1

On page 3, line 10, of the printed bill, as amended in the Assembly on April 15, 1949, after "made", insert "by the school district or districts".

Amendment No. 2

On page 3 of said bill, strike out line 11, and insert "shall be available only for the purpose of retirement for service or for disability, and shall be made available only for the purpose of retirement, and a member whose services are terminated for reasons other than retirement after reinstatement from military service shall be entitled to withdraw only that portion of his accumulated contributions personally made by him."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1207 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 1207 ordered enrolled.

Assembly Bill No. 1775—An act to amend Sections 4881, 4882, and 4883 of, and to add Section 4880 to, the Public Resources Code, relating

to burning of brush-covered lands, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1775?

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on April 15, 1949, strike out "Section 4883", and insert "Sections 4881, 4882, and 4883".

Amendment No. 2

In line 8 of the title of said bill, after "lands", insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 3

On page 2 of said bill, strike out lines 17 and 18, and in line 19 strike out "thereof", and insert "chapter, with persons desiring to use controlled burning as a means of converting brush-covered lands into grass-covered lands".

Amendment No. 4

On page 2, line 25, of said bill, strike out "regarding", and strike out line 26, and insert "to applicants for controlled burning permits as to precautions to be taken by the applicant to prevent damage to the property of others by reason of such burning,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 2 of said bill, between lines 32 and 33, insert

"SEC. 2. Section 4881 of said code is amended to read:

4881. Any person, firm or corporation, or any group or combination thereof, owning or controlling brush covered land within an area the fire protection of which is primarily State responsibility may apply to the Division of Forestry for permission to burn the brush from such lands. The application shall be on a form prescribed by the division and shall contain a description of the lands[, the period of time during which the burning is proposed to be conducted, a statement of the precautions and preventive measures that the applicant proposes to prevent the spread of fire to other lands,] and such other pertinent information as the division may require.

SEC. 3. Section 4882 of said code is amended to read.

4882. Upon receipt of an application the division shall [make such investigation as may be necessary to determine whether a permit shall be granted and may require the applicant to submit additional information if needed for that purpose] *inspect such land in company with the applicant and shall suggest such precautions to be taken by the applicant as may be considered reasonable to prevent damage to the property of others by reason of such burning. Such suggested precautions shall, if deemed necessary, include the advance preparation of firebreaks and the fire fighting equipment and personnel desirable to conduct such controlled burning.*"

Amendment No. 6

On page 2 of said bill, strike out lines 33 to 44, inclusive, and insert

"SEC. 4. Section 4883 of said code is amended to read:

4883. Upon the conclusion of the examination provided for in Section 4882 the division shall thereupon issue to the applicant a brush burning permit which shall specify the suggested precautions to be exercised prior to and during the".

Amendment No. 7

On page 2 of said bill, after line 48, insert

"SEC. 5. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

The conversion of lands covered with undesirable brush to grass-covered lands by controlled burning will increase the productivity of the lands and will allow greater utilization, protection, and conservation of the natural resources of the State.

In order that the procedure provided for in this measure can be used during the 1949 burning season it is necessary that this measure take effect immediately."

Amendment No. 8

On page 1, lines 7 and 8, of the printed bill, as amended in the Senate on June 1, 1949, strike out "grass-covered", and insert "forage".

Amendment No. 9

On page 2, line 22, of said bill, after "applicant," insert "to determine whether a permit shall be granted".

Amendment No. 10

On page 2, line 28, of said bill, after the period, insert "The division may require the applicant to submit additional information if needed to determine whether a permit should be granted."

Amendment No. 11

On page 2 of said bill, strike out lines 42 to 45, inclusive; and in line 46, strike out "burning.", and insert

"4883. If the division determines that the proposed burning of brush can be conducted at a time and in a manner that will reasonably avoid damage to property of others, it shall issue to the applicant a permit for the burning of the brush-covered lands. The permit shall describe the lands which are authorized to be burned, the period of time during which burning may be conducted, and shall specify the precautions to be taken by the applicant to prevent damage to the property of others by reason of such burning including, if deemed necessary, the advance preparation of firebreaks and the fire fighting equipment and personnel required to be present during such burning."

Amendment No. 12

On page 3, line 5, of said bill, strike out "grass covered", and insert "forage".

Amendment No. 13

On page 1 of the printed bill, as amended in the Senate on June 8, 1949, strike out lines 18 and 19; and on page 2, strike out lines 1 and 2.

Amendment No. 14

On page 2, line 21, of said bill, strike out "The division may require the applicant", and strike out lines 22 and 23.

Amendment No. 15

On page 2 of said bill, strike out lines 30 to 44, inclusive, and insert

"4883. Upon the conclusion of the examination provided for in Section 4882 the division may thereupon issue to the applicant a brush burning permit which shall specify the suggested precautions to be exercised prior to and during the burning. The issuance of a permit by the division shall not be construed to relieve the holder thereof from the duty of exercising due diligence to avoid damage to property of others in conducting the burning of brush as authorized by such permit."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1775 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1775 ordered enrolled.

Assembly Bill No. 2218—An act to amend Sections 18541, 18543, 18973, 18974.5, 19390, 19392, 19394, 19395, 19397, 19398, 19399, 19401, 19402, 19403, and 19404 of, to repeal Sections 18540, 18970, 19391, 19393, and 19393.5 of, and to add Sections 18540, 18540.1, 18540.2, 18540.3, 18540.4, and 19401.1 to, the Government Code, relating to civil service rights of veterans and widows of veterans.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2218?

Amendment No. 1

On page 3, line 5, of the printed bill as amended in the Assembly on April 20, 1949, after "enters", insert "or enlists in the".

Amendment No. 2

On page 3, line 14, of said bill, strike out "gency, or", and insert "gency or, where the employee has enlisted, not later than six months following the term of the enlistment, excluding any extension thereof, or, in either case,"

Amendment No. 3

On page 1, line 10, of the printed bill, as amended in the Senate on May 16, 1949, after "National emergency", insert "as used in this part".

Amendment No. 4

On page 1, line 11, of said bill, after "war", insert "prior to the declaration by the Governor of a state military emergency."; and strike out "or any period in which the".

Amendment No. 5

On page 1 of said bill, strike out lines 12 and 13.

Amendment No. 6

On page 1, line 11, of the printed bill, as amended in the Senate on June 3, 1949, strike out "or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2218 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thompson, Tomlinson, Way, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 2218 ordered enrolled.

Speaker Pro Tempore Presiding

At 10 23 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

Resolution read.

Demand for Previous Question

Messrs. Thompson, Kirkwood, Heisinger, Waters, and Hollibaugh demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 84.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sam L Collins moved a call of the Assembly.

Motion carried. Time, 10.55 a m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Burkhalter, Condon, Dolwig, Hagen, Hawkins, Lowrey, Luckel, Meyers, Silliman, Stanley, and Yorty—12.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Butters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1308—An act to amend Section 67a of the Code of Civil Procedure, relating to judges of the superior court in counties of the first class and the number of judges thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—57.

NOES—George D Collins, Heisinger, and Luckel—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2706—An act relating to regional development districts, including the definition, formation, operation, maintenance, powers, duties, officers, employees, merger, consolidation, alteration, and dissolution thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brown, Clarke, Collier, George D. Collins, Cooke, Crichton, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Thompson, Tomlinson, Way, and Weber—41.

NOES—Caldecott, Coats, and Davis—3.

Bill ordered transmitted to the Senate.

Hon. Laughlin E. Waters Presiding

At 10.23 a m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

Assembly Bill No. 2723—An act to provide for the establishment of master and official plans in cities, cities and counties, and counties, and for adoption of ordinances pursuant thereto; to prescribe the manner of adoption of such plans, portions thereof and amendments thereto, and the composition and effects thereof; to provide for the establishment of planning departments by cities, cities and counties, and counties, for the creation of regional and community planning districts and the appointment of planning commissions; to define the powers and duties of such departments, and to provide for appropriations and for the levy of special taxes for the support of planning departments, and making certain expenditures legal charges against the funds of cities, cities and counties, and counties; and to repeal the Conservation and Planning Act, and an act entitled "An act to provide for the establishment within

municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, Chapter 734, page 1419, Statutes of 1917, relating to conservation and planning, and any other acts inconsistent or in conflict therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Thompson, Tomlinson, Waters, Way, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

SPECIAL ORDER CONTINUED BY UNANIMOUS CONSENT

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Bill No. 2120, heretofore set as a special order of business for today at 11 a.m., be continued until 8.30 p.m., tonight.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3145—An act to implement the provisions of Article XXV of the State Constitution by providing for the transfer to the Director of the Department of Social Welfare of the possession and control of certain county records, books, papers, equipment, and other personal property used in connection with the administration of the aid to the aged and aid to the needy blind, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1486—An act to add Section 4917.3 to the Education Code, relating to the unification and reorganization of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1455—An act to amend Section 776 of the Vehicle Code and to add Section 373.1 thereto, and to amend Section 10758 of the Revenue and Taxation Code, relating to registration and registration and license fees for trailer coaches and disposition of the funds received therefrom.

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 20, 1949, after "Code", insert "and to add Section 10760 thereto".

Amendment No. 2

On page 2 of said bill, after line 35, insert

"SEC. 4. Section 10760 is added to the Revenue and Taxation Code, to read:

10760. For 1950 and each year thereafter there shall be allowed as a credit against the license fee imposed by this part for the privilege of operating any trailer coach, as defined in the Vehicle Code, the amount of local taxes according to value paid on such trailer coach in such year. Upon the request of any taxpayer paying taxes on any such trailer coach, the tax-collecting officer of a county, city, or other political subdivision shall furnish an official receipt for taxes according to value paid to him on such trailer coach, which receipt shall describe such trailer coach."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

Assembly Constitutional Amendment No. 80—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 14 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Resolution read.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1, lines 9 and 10, of the printed measure, strike out "four hundred million dollars ($400,000,000)", and insert "two hundred fifty million dollars ($250,000,000)".

Amendment No. 2

On page 2 of said measure, after line 7, insert

"The people of the State of California in adopting this section hereby declare that it is in the interests of the State and of the people thereof for the State to aid school districts of the State in providing necessary and adequate school sites and buildings

for the pupils of the public school system, such system being a matter of general concern inasmuch as the education of the children of the State is an obligation and function of the State."

Amendments read, and adopted.

Resolution ordered reprinted, and re-engrossed.

Request for Unanimous Consent That Assembly Constitutional Amendment No. 80 Hold Place on File

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 80 hold its place on file on the next legislative day.

Motion to Place Rush Order on Printing of Assembly Constitutional Amendment No. 80

Mr. Dunn moved that a rush order be placed on the printing of Assembly Constitutional Amendment No. 80.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1386

Mr. Lewis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1386, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1386

Assembly Bill No. 1386—An act to repeal Sections 2205 and 4629 of the Education Code, relating to the government of school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 84

At 11 45 a.m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Constitutional Amendment No 84 adopted by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—Anderson, Beck, Bennett, Coats, George D. Collins, Condon, Davis, Elliott, Heisinger, Lewis, McCarthy, Moss, and Rosenthal—13

Resolution ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3003, on motion of Mr. Reagan.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3004—An act to repeal Article 19, comprising Sections 95 and 96, of the Community Redevelopment Act, relating to the State Redevelopment Agency, and to abolish the State Redevelopment Agency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Niehouse, Reagan, Rosenthal, Silliman, Smith, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—53.

NOES—Beck and Elliott—2.

Bill ordered transmitted to the Senate.

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 38 to Article IV thereof, relating to the Chief Clerk of the Assembly.

Resolution read, and ordered temporarily passed on file.

Assembly Bill No. 3171—An act to add Article 5.1 to Chapter 11 of Division 2 of the Education Code and to add Section 4919.2 to said code, all relating to the formation of union high school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Randal F. Dickey Presiding

At 11.55 a.m., Hon. Randal F. Dickey, Member of the Assembly from the Fourteenth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1200

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1200, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1200

Assembly Bill No. 1200—An act to amend Section 17053.5 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—57.

NOES—Anderson, George D. Collins, Dunn, Fletcher, Heisinger, and Lewis—6.

Motion to Amend Title

Mr. Waters moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, strike out "incomes", and insert "income".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2268

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2268, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2268

Assembly Bill No. 2268—An act to amend Section 4a of the Bank and Corporation Franchise Tax Act, relating to the levy and collection of taxes upon banks, and providing that this act shall take effect immediately.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 82

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Constitutional Amendment No. 82, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 82

Assembly Constitutional Amendment No. 82—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 38 to Article IV thereof, relating to the Chief Clerk of the Assembly.

Resolution read.

Demand for Previous Question

Messrs. Silliman, Burke, Condon, Heisinger, and Hoffman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Constitutional Amendment No. 82.

The roll was called, ~~and the resolution refused adoption by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Beck, Bennett, Condon, Crowley, Elliott, Gaffney, Hagen, Hawkins, Lowrey, Luckel, Moss, Rosenthal, Weber, and Mr. Speaker—14.

NOES—Babbage, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, and Way—52.]

Motion to Expunge Record, and Rescind Action on Assembly Constitutional Amendment No. 82

Mr. Rosenthal moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to Assembly Constitutional Amendment No. 82.

Mr. Silliman seconded the motion.

Motion carried unanimously.

Request for Unanimous Consent That Assembly Constitutional Amendment No. 82 Be Withdrawn From File, and Be Re-referred

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 82 be withdrawn from the file, and be re-referred to the Committee on Constitutional Amendments.

MOTION THAT CONFIDENCE VOTE BE EXTENDED CHIEF CLERK

Mr. Maloney moved that a confidence vote be extended to the Chief Clerk.

Mr. Rosenthal seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—72.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2268

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 2268, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2268

Assembly Bill No. 2268—An act to amend Section 4a of the Bank and Corporation Franchise Tax Act, relating to the levy and collection of taxes upon banks, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—67.

NOES—Anderson and Heisinger—2.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 12.28 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2310

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2310, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2310

Assembly Bill No. 2310—An act to amend Sections 14479, 14632, 14635, 14636, and 14640 of the Education Code, relating to the retirement of teachers and other persons connected with the educational system of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1005

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1005, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1005

Senate Bill No. 1005—An act to amend Sections 29001, 29020, 29022, 29023, 29026, and 29031 of, and to add Sections 29012, 29013, and 29014 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

Motion to Amend

Mr. Rumford moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 9, 1949, strike out "Business and Professions", and insert "Health and Safety".

Amendment No. 2

On page 1, line 12, of said bill, after "effects", insert ", except combinations of hypnotic drugs with amphetamine or desoxyephedrine".

Amendment No. 3

On page 2, line 28, of said bill, after "book", insert "at cost".

Amendment No. 4

On page 3, line 16, of said bill, after "dispensed", insert "or administered".

Amendment No. 5

On page 3, line 18, of said bill, strike out "so".

Amendment No. 6

On page 3, lines 31 and 32, of said bill, strike out "which may be given with the original prescription".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1468

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1468, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1468

Senate Bill No. 1468—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 16, 1949, strike out "fifty dollars ($450)", and insert "*eighty-five dollars ($485)*".

Amendment No. 2

On page 1, line 10, of said bill, strike out "three hundred seventy-"; and in line 11, strike out "five dollars ($375)", and insert "*four hundred dollars ($400)*".

Amendment No. 3

On page 1, line 13, of said bill, strike out "two hundred ninety-five dollars ($295)", and insert "*three hundred ten dollars ($310)*".

Amendment No. 4

On page 1, line 15, of said bill, strike out "three hundred twenty dollars ($320)", and insert "*three hundred thirty-five dollars ($335)*".

Amendment No. 5

On page 1, line 17, of said bill, strike out "seventy dollars ($270)", and insert "*eighty-five dollars ($285)*".

Amendment No. 6

On page 2, line 2, of said bill, strike out "fifty dollars"; and in line 3, strike out "($450)", and insert "*eighty-five dollars ($485)*".

Amendment No. 7

On page 2, line 5, of said bill, strike out "three hundred"; and in line 6, strike out "seventy-five dollars ($375)", and insert "*four hundred dollars ($400)*".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 933

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 933, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 933

Assembly Bill No. 933—An act to add Section 2751 to the Labor Code, relating to minimum wages.

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, strike out "one dollar ($1)", and insert "seventy-five cents ($0.75)".

Amendment No. 2

On page 1, line 6, of said bill, strike out "one dollar ($1)", and insert "seventy-five cents ($0.75)".

Amendment No. 3

On page 1 of said bill, after line 6, insert "The provisions of this section shall not be applicable to wages paid for services which do not constitute "employment" as defined in the Unemployment Insurance Act, nor to contracts for such services."

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

RESOLUTIONS

The following resolution was offered:

By Mr. Burke:

House Resolution No. 266

Congratulating Cliff Cooper of Alhambra, California upon his election as President of the United States Junior Chamber of Commerce

WHEREAS, At the conclusion of a whirlwind campaign, which wound up in an unrestrained demonstration of cheering, parading bands, and extended ovations worthy of a major political convention, Cliff Cooper of Alhambra, California, was elected President of the United States Junior Chamber of Commerce on June 11, 1949, at a convention in Colorado Springs; and

WHEREAS, California can well be proud of Alhambra's handsome and youthful candidate, already known as an up and coming industrialist, and who has demonstrated his ability and leadership in winning the election and national recognition for himself, his home community, and his State; now, therefore, be it

Resolved by the Assembly of the State of California, That Cliff Cooper of Alhambra, California, is hereby congratulated upon the successful outcome of the hard fought campaign which elected him President of the United States Junior Chamber of Commerce, and the Members of this Assembly extend to him good wishes for a successful administration; and be it further

Resolved, That the Chief Clerk of this Assembly transmit a copy of this resolution to Cliff Cooper of Alhambra.

Resolution read, and ordered referred to the Committee on Rules.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 102: By Messrs. Lewis, Geddes, Hagen, Crichton, and Heisinger—Relative to a survey of a Central Valley Road by the Division of Highways.

Referred to Committee on Rules.

ANNOUNCEMENTS

Mr. Dickey announced that at tonight's session consideration will be given to the amendment being proposed by Senator Powers to the Joint Rules; and that the adoption of the 10-day provision in said amendment will necessitate finishing the consideration of all Assembly bills by tomorrow night, Tuesday, June 21st; and that the adjournment resolution is being temporarily held at the desk.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

Mr. Hollibaugh asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Revenue and Taxation on the fourth floor at 2.30 p.m.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from Jacob Gitelman, Attorney and Counselor at Law, Rochester, New York, accompanied by an Incentive Traffic Safety Plan adaptable for usage in the State of California, were received, and ordered referred to the Committee on Transportation and Commerce.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2779

And reports the same correctly re-engrossed.

HUYCK, Chairman

Assembly Bill No. 2779 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2523

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 2523 ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3170

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 3170 ordered re-referred to Committee on Conservation, Planning, and Public Works.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2703
Assembly Bill No. 3166

And reports the same correctly engrossed

HUYCK, Chairman

Assembly Bill No. 2703 ordered re-referred to Committee on Ways and Means.

Assembly Bill No. 3166 ordered re-referred to Committee on Public Morals.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 2.30 p.m.

Ways and Means.
Revenue and Taxation.

At 3 p.m.—

Public Morals.
Public Utilities and Corporations.

RECESS

At 1.39 p m, on motion of Mr. Dickey, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

THIRD READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 92—An act to add Article 2.5, consisting of Sections 1045 to 1049, inclusive, to Chapter 7 of Division 5 of the Agricultural Code, establishing a California Board of Plant Food Investigation, providing for its support and making an appropriation.

Bill read third time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on May 26, 1949, strike out the period, and insert ", and to amend Section 1038 of the Agricultural Code, relating to fertilizing materials."

Amendment No. 2

On page 2 of said bill, strike out lines 35 to 42, inclusive.

Amendment No. 3

On page 2, line 49, of said bill, strike out "to the Plant Food Fund".

Amendment No. 4

On page 2, line 50, of said bill, after "Investigation", insert "during the 1949-50 Fiscal Year".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 2 of said bill, following line 51, insert

"SEC. 3. Section 1038 of the Agricultural Code is amended to read as follows:

1038. Upon any sale not exempt from the provisions of this article, of commercial fertilizer, the registered person selling the same shall pay [twenty cents ($0.20)] *fifteen cents ($0.15)* per ton or fraction thereof, and upon such a sale of agricultural minerals, [ten cents ($0.10)] *seven and one-half cents ($0.075)* per ton or fraction thereof, except where the agricultural mineral is sold to be used and is used in the manufacture of commercial fertilizer. Each registered person shall keep accurate accounts of sales of commercial fertilizers and/or agricultural minerals, and such accounts shall be open at all times to inspection by the director. A statement of sales, shall be rendered to the director quarterly within one calendar month after March 31st, June 30th, September 30th, and December 31st, of each year, and shall be accompanied by the amount of tonnage license tax required by this section. Any delinquency in making a statement and return, or any deficiency in any return, shall subject the registrant to the payment of a penalty of ten percent (10%) of the amount due.

On receipt of the tonnage license tax and statement, the director shall issue to the registered seller a certificate of compliance with this section.

Whenever a registered person shall have paid the tonnage license tax herein required, any person acting as his selling agent shall not be required to pay the tonnage license tax."

Amendment No. 6

On page 1 of the printed bill, as amended in the Assembly on May 26, 1949, strike out lines 14 and 15.

Amendment No. 7

On page 1, line 16, of said bill, strike out "(e)", and insert "(d)".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1130

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bill No. 1130 ordered re-referred to Committee on Ways and Means.

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Assembly Bill No. 3168

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CRICHTON, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3168—An act to amend Section 19563 of the Business and Professions Code, relating to horse racing.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "19563", and insert "19421".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. Section 19421 of the Business and Professions Code is amended to read:

19421. The board consists of [three] *five* members, appointed by the Governor *with the advice and consent of the Senate*.

Members shall hold office for a term of four years, commencing at the expiration of the previous term.

The term of the members of the board in office when this chapter takes effect shall expire as follows: One member July 26, 1943, one member July 26, 1944, and one member July 26, 1945. The terms shall expire in the same relative order as to each member as the term for which he holds office before this chapter takes effect. *The terms of the new members first appointed after this amendment takes effect shall expire as follows: One member July 26, 1950 and one member July 26, 1951.*

Vacancies shall be filled by the Governor *with the advice and consent of the Senate* for the unexpired term. Each member of the board shall be eligible for reappointment in the discretion of the Governor *with the advice and consent of the Senate*.

After the effective date of this amendment, appointments and reappointments shall be made and vacancies shall be filled so that the membership of the board shall consist of at least two members residing south, and at least two members residing north, of the sixth standard parallel south, Mount Diablo Base and Meridian, and at least one member shall be either a breeder or owner of standard bred race horses."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR SPEAKER. Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 31

Has had the same under consideration, and respectfully reports the same back with amendments but without recommendation.

CROWLEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 31 (BY UNANIMOUS CONSENT)

Assembly Constitutional Amendment No. 31—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 21 to Article XI, relating to regulation and taxation by cities, counties, and cities and counties, in fields occupied by the State.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Constitutional Amendments:

Amendment No. 1

On page 1, line 13, of the printed measure, after "charge", insert "Notwithstanding this section a city or city and county may levy a sales or use tax, that is, a tax for the privilege of selling tangible personal property at retail or a tax on the storage, use or other consumption of tangible personal property."

Amendment read, and adopted.

Resolution ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 72—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 26a of Article I thereof, relating to the suspension of nonexistent Sections 26 and 27 of said article, said sections not having been adopted;

Assembly Constitutional Amendment No. 73—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3, 5, and 18 of Article IV, Sections 17 and 22 of Article V, Section 25 of Article VI, Section 2 of Article IX, Section 20 of Article XX, and to repeal Section 19 of Article V, Section 17 of Article VI, and Section 10 of Article XXII, relating to state officers and deleting and repealing obsolete and superseded provisions relating to state officers and the election and compensation thereof;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 66—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 7½a, 8a, and 18¾ and amending Section 18 of Article XI thereof, relating to local government, thereby repealing and deleting certain obsolete and superseded provisions;

Assembly Constitutional Amendment No. 67—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 19 of Article XX thereof, relating to expenses of the Constitutional Convention of 1879;

Assembly Constitutional Amendment No. 68—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 1a of Article IV thereof, as adopted June 27, 1933, relating to the effective dates of statutes enacted in the year 1933;

Assembly Constitutional Amendment No. 71—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 4, 5, 6, 7, 8, and 9 of Article XXII, relating to the putting into effect of said Constitution of 1879 and the election for that purpose;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 41—Relative to completion of the Four States Highway;

Assembly Concurrent Resolution No. 101—Approving five certain amendments to the charter of the City of Los Angeles, a municipal corporation, in the County of Los Angeles, State of California, voted for and ratified by the electors of said city at a general municipal election held therein on the thirty-first day of May, 1949;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 169—An act to amend Section 4553 of the Labor Code, dealing with workmen's compensation;

Assembly Bill No. 362—An act amending Sections 31672 and 31700 of the Government Code, and adding Section 31700.5 thereto, relating to rights of members of county employees' retirement systems;

Assembly Bill No. 469—An act to add Section 4018.5 to the Penal Code, relating to prisoners confined in county jails;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 543—An act to amend Sections 6032 and 6038 of the Harbors and Navigation Code, relating to elections in harbor districts;

Assembly Bill No. 553—An act to add Section 12700.6 to Chapter 7, Division 5 of the Business and Professions Code, relating to public weighmasters;

Assembly Bill No. 683—An act making an appropriation in augmentation of the appropriation in Item 144 of the Budget Act of 1948, for support of the State Controller, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 684—An act making an appropriation in augmentation of the appropriation in Item 337 of the Budget Act of 1948, for support of the Department of Social Welfare, to take effect immediately;

Assembly Bill No. 847—An act to amend Section 4753 of the Labor Code, relating to subsequent injuries payments under the Workmen's Compensation Act;

Assembly Bill No. 1093—An act to amend Section 45.11 of the Unemployment Insurance Act, relating to claims for refund and authorizing civil action against the commission for recovery;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1363—An act making an appropriation in augmentation of the appropriation in Item 244 of the Budget Act of 1948, for support of the Department of Motor Vehicles, to take effect immediately;

Assembly Bill No. 1524—An act to amend Section 5047 of the Welfare and Institutions Code, relating to procedure for examination of the mental health of a person alleged to be mentally ill and to court hearings for such persons;

Assembly Bill No. 1827—An act to add Section 6103.5 to the Government Code, relating to filing fees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1860—An act to amend Sections 484, 488 and 488.5 of the Vehicle Code, relating to accident reports and defining their use;

Assembly Bill No. 1862—An act to add Section 737.5 to the Vehicle Code, permitting certain nonresident violators to be taken immediately before a magistrate and procedure when magistrate is not available;

Assembly Bill No. 1864—An act to add Section 717 to the Vehicle Code, relative to closing highways by peace officers in emergencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 1865—An act to amend Sections 675 5, 676, and 697 of the Vehicle Code, regarding safety glass, windshield wipers and height of loads on vehicles;

Assembly Bill No. 1868—An act to amend Sections 139 37 of, and to add Section 139.43 to the Vehicle Code, relating to authority of the California Highway Patrol;

Assembly Bill No. 2004—An act to add Section 642 to the Vehicle Code, relating to the mounting height of lamps and reflectors on vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2011—An act to amend Section 28123 of the Government Code, relating to compensation for public service in counties of the twenty-third class;

Assembly Bill No. 2101—An act to amend Sections 1113, 1160, 1190, and 1191 of the Harbors and Navigation Code, and to repeal Sections 1160 5, 1160 6, and 1161 thereof, relating to pilots;

Assembly Bill No. 2207—An act to amend Section 18679 of the Business and Professions Code, *relating to boxing and wrestling licenses*;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2348—An act to amend Section 29610 of the Government Code, relating to county charges;

Assembly Bill No. 2564—An act to amend Section 3051 of the Penal Code, relating to persons sentenced for petty theft after felony conviction;

Assembly Bill No. 2565—An act to amend Sections 1157 and 1192 of the Penal Code, relating to the degree of crime;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3041—An act to add Section 6915 to the Health and Safety Code, relating to sanitary districts;

Assembly Bill No. 3116—An act to amend Section 1241 of the Code of Civil Procedure, relating to the taking of property by eminent domain;

And reports that the same have been correctly enrolled, and presented to the Governor on the twentieth day of June, 1949, at 3 p m

HUYCK, Chairman

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 861, on request of Mr. Dickey.

MEMBERS EXCUSED

At 8.09 p m., Mr. Lipscomb asked for, and was granted, unanimous consent that Mr. Yorty be excused, for the balance of the legislative day, because of illness.

At 8.10 p.m., Mr. Dickey asked for, and was granted, unanimous consent that Mr. Dolwig be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 324 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Bennett asked for, and was granted, unanimous consent that Assembly Bill No. 324 be withdrawn from the file, and be re-referred to the Committee on Industrial Relations.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that the Legislative Bill Room requests that the books containing the bills on file be allowed to remain on the members' desks; and that, due to the night session, the Bill Room will try to supplement the files of the members with all bills that are on tomorrow's third reading file.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 248

By Messrs. Huyck, Silliman, Waters, Hawkins, and Stewart:

House Resolution No. 248

Relative to the operation of the State Personnel Board and the State Civil Service System

WHEREAS, The State of California employs over 40,000 employees to make effective the various laws and policies enacted by the Legislature covering many fields of activity; and

WHEREAS, The Legislature of the State of California is greatly concerned with the operation of the State Personnel Board and the State Civil Service System and desirous of facilitating the most efficient operation of said board and system; and

WHEREAS, The Legislature has demonstrated such concern by the creation of the Assembly Interim Committee on Governmental Efficiency and Economy; and

WHEREAS, This committee, after considerable effort and expenditure of public funds, has rendered a Partial Report of the Study of the Personnel Board and Its Operations; and

WHEREAS, This committee has commended to the attention of the Legislature the Final Staff Report to the Committee on the Investigation of the State Personnel Board by Louis J. Kroeger and Associates; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Personnel Board and the Director of Finance are hereby requested to render to the Legislature by January 4, 1951 separate reports which are to include:

1. Summary of progress made in putting into effect each of the 157 recommendations made in the Final Staff Report on the Investigation of the State Personnel Board;

2. Explanation as to why any of these recommendations have not been put into effect;

3. Estimates of the savings which are expected to accrue in the 1951-52 Annual Budget as the result of these recommendations, and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit copies of this resolution to the State Personnel Board and the Director of Finance.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 259

By Mr. Doyle:

House Resoluiton No. 259

Relating to commending the Chaplain of the Assembly, Reverend Torrance Phelps, and authorizing the printing of the prayers of the Assembly in book form

WHEREAS, During this session of the Legislature it has been the good fortune of the Assembly to secure Reverend Torrance Phelps as its Chaplain; and

WHEREAS, Reverend Torrance Phelps, by his prayers each morning, has brought to this body spiritual guidance and inspiration in the day's work; and

WHEREAS, His devout utterances have reminded the members of their obligation not only to their God, but to their fellow men, the State and the Nation, and have aided them in their efforts to merit the trust imposed in them by the people of California; and

WHEREAS, The broad vision, the tolerance, the human understanding and the intellectual attainments of Reverend Torrance Phelps have compelled the admiration

of all within his hearing and won the personal regard of each Member of this Assembly; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly does hereby express to Reverend Torrance Phelps its sincere appreciation for the spiritual guidance he has rendered this body during this session of the Legislature, and for the inspiration which the members have derived from his prayers; and be it further

Resolved, That the Chief Clerk is hereby authorized and instructed to have printed 350 copies of a booklet containing the prayers offered in the Assembly at this session; that he send one of said copies to each Member of the Assembly; and that he transmit the remaining copies to Reverend Torrance Phelps together with an engrossed copy of this resolution.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 261

By Mr. Geddes:

House Resolution No. 261

Relating to Highway Maintenance and Driveway Entrances

Resolved by the Assembly of the State of California, That the California State Highway Commission be, and hereby is requested to review the policies and methods of the Division of Contracts and Rights of Way of the Department of Public Works relative to the width and number of driveway entrances granted business establishments in incorporated and unincorporated areas traversed by state highways; and be it further

Resolved, That C. H. Purcell, Director of the Department of Public Works, be, and he hereby is, requested to make an initial survey and report the policies and procedure of said Division of Contracts and Rights of Way to the Highway Commission at its July meeting and to the Assembly by June 30, 1949; and be it further

Resolved, That the Chief Clerk of the Assembly be, and hereby is, directed to transmit copies of this resolution to the California State Highway Commission and to C. H. Purcell, Director of the Department of Public Works.

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 98—Relative to the establishment of interdepartmental pools of state-owned automobiles.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Caldecott, Clarke, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—53

NOES—None.

Resolution ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1948

Mr. Clayton A. Dills asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1948, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1948—An act to amend Sections 2210, 2211, 2213, and 2216 of the Business and Professions Code, relating to application for physician's and surgeon's certificate.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1948?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "of", and insert "as".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1948 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Coats, George D. Collins, Connolly, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1948 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 447—An act to add Chapter 10, comprising Sections 21700 to 21722, inclusive, to Division 8 of the Business and Professions Code, relating to the sale, standards and labeling of antifreeze substances and preparations for use in internal combustion engines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Weber, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 8.20 p.m., Mr. Hagen asked for, and was granted, unanimous consent that Mr. Condon be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 8 25 p.m., Mr. Crowley asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Constitutional Amendments, in the Cloak Room, at this time.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2136—An act to amend Sections 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers licenses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2136?

Amendment No. 1

On page 1, lines 18 and 19 of the printed bill, as amended in the Assembly on May 5, 1949, strike out "under Section 502", and insert "of driving a motor vehicle while under the influence of intoxicating liquor".

Amendment No. 2

On page 2, lines 1 and 2, of said bill, strike out "under Section 502".

Amendment No. 3

On page 2, line 6, of said bill, strike out "under Section 502", and insert "except as provided in subdivision (c)".

Amendment No. 4

On page 2, line 12, of said bill, strike out "permanent", and insert "bodily".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2136 by the following vote:

AYES—Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—53.

NOES—Anderson—1.

Assembly Bill No. 2136 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 8.30 p.m., Mr. Brown asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Judiciary in the Cloak Room, at this time.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 1138
Assembly Bill No. 3138

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1138—An act making an appropriation for the support of child care centers, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 2, of the printed bill, strike out "$5,951,500", and insert "$5,848,500".

Amendment No. 2

On page 1, lines 13 and 14, of said bill, strike out "fifty thousand dollars ($50,000)", and insert "forty-six thousand dollars ($46,000)".

Amendment No. 3

On page 1, lines 1 and 2, of said bill, strike out "nine hundred fifty-one", and insert "eight hundred forty-eight".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3138—An act making an appropriation to the Retirement Annuity Fund of the State Teachers' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 and 2, and insert "SECTION 1. There is hereby appropriated from the General Fund for trans-".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1894—An act to add Section 91.6 to the Agricultural Code, relating to agricultural districts and the powers and duties of district agricultural associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Maloney, McCollister, Morris, Niehouse, Reagan, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—42.

NOES—Clayton A. Dills, Hagen, Hahn, Hawkins, Hoffman, and Luckel—6.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 80

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 261
Assembly Bill No. 331
Assembly Bill No. 768
Assembly Bill No. 891
Assembly Bill No 1116
Assembly Bill No. 1346
Assembly Bill No. 1604
Assembly Bill No 1879
Assembly Bill No. 2157
Assembly Bill No. 2440
Assembly Bill No. 2441
Assembly Bill No. 2650
Assembly Bill No 2779
Assembly Bill No. 1130

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to third reading.

THIRD READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 891—An act to add Section 20975 to the Education Code, relating to the education of blind children and making an appropriation therefor.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 15, 1949, strike out lines 6 and 7, and insert "It shall be the duties of such visiting teacher to assist".

Amendment No. 2

On page 1, line 9, of said bill, strike out "said", and insert "their blind".

Amendment No. 3

On page 1, line 15, of said bill, strike out "in", and insert "including".

Amendment No. 4

On page 1, lines 16 and 17, of said bill, strike out ", and who has not had experience in the care of babies".

Amendments read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2486
Assembly Bill No 2487
Assembly Bill No. 2488

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2486—An act to amend Sections 17301, 17351, and 17782 of the Revenue and Taxation Code, relating to deduction of farm expenses in computing personal income tax.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2487—An act to amend Sections 8, 9, and 21 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read second time, and ordered engrossed.

Assembly Bill No. 2488—An act to amend Sections 7, 8, and 12 of the Corporation Income Tax Act, relating to taxes on the income of corporations, associations and Massachusetts or business trusts.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1767

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1767, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1767

Assembly Bill No. 1767—An act to repeal Section 92.1 of, and to add Section 92.2 to, the Agricultural Code, and to amend Sections 19622, 19624, and 19626 of, and to add Sections 19622.1 and 19624.1 to, the Business and Professions Code, relating to the appropriation and allocation of money from the Fair and Exposition Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, Meyers, Morris, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—57.

NOES—George D. Collins, Hagen, Luckel, Niehouse, and Sillman—5.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2969

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Assembly Bill No. 3115

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3115—An act to amend Section 57 of the Public Utilities Act, relating to fees and charges to be made and collected by the Public Utilities Commission.

Bill read second time, and ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 861

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 861, out of order, for purpose of amendment, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 861

Assembly Bill No. 861—An act to add Section 5711 to the Labor Code, relating to proof of pneumonoconiosis.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on June 1, 1949, after "5711.", strike out all of the text down to and including "each" in line 14, and insert "Where the commission makes and award based on silicosis, upon application of the liable employer, the commission shall determine the percentage of exposure to silicotic hazard to which the employee has been subjected in each".

Amendment read, and adopted.

Bill ordered reprinted, and re-engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1055

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1055—An act making an appropriation to the Department of Mental Hygiene for the establishment and maintenance of state inebriate hospitals.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, strike out lines 4 and 5, and insert "expended for the acquisition of real property and for the construction of the two state inebriate hospitals pro-".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Assembly Bill No. 569

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 569—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on April 1, 1949, strike out "four thousand two hundred dollars ($4,200)", and insert "three thousand six hundred dollars ($3,600)".

Amendment No. 2

On page 2, lines 9 and 10, of said bill, strike out "nine thousand dollars ($9,000)", and insert "eight thousand four hundred dollars ($8,400)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 85
Assembly Bill No. 426

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 85—An act authorizing the sale, exchange, or other disposition of certain state property located in the City of Los Angeles, appropriating the proceeds thereof, and declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered engrossed.

Assembly Bill No. 426—An act to add Section 1292 to the Military and Veterans Code, relating to headquarters for the United Spanish War Veterans, Department of California; preparation and preservation of

war records, history and mementos; the conducting of the office business rehabilitation service thereof and making an appropriation therefor.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Senate Bill No. 70

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 70—An act to amend Section 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation and expenditure of the second balance in said fund.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Senate on March 23, 1949, strike out "or other", and insert "and".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred: Assembly Bill No. 2887

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2887—An act to add Section 11006 to the Revenue and Taxation Code, relating to vehicle license fee money allocable to cities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "add Section 11006 to", and insert "amend Section 11005 of".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 7, inclusive, and insert

"SECTION 1. Section 11005 of the Revenue and Taxation Code is amended to read:

11005. The balance of all motor vehicle license fees and any other money deposited, in accordance with law, in the Motor Vehicle License Fee Fund and remaining unexpended therein at the close of business on the last day of the calendar month immediately preceding the month in which such balance is required to be disbursed under the provisions of this section, after payment of refunds therefrom and after making the deductions authorized by Sections 11003 and 11004 shall, on order of the Controller be disbursed during the months of December and June of each fiscal year as follows:

(a) Fifty percent thereof shall be paid to the cities and cities and counties of this State in the proportion that the population of each city or city and county bears to the total population of all cities and cities and counties in this State, as determined by the Controller. For the purpose of this subdivision the population of each city or city and county is that determined by the last Federal Census. In the case of a city incorporated subsequent to the last census, or in the case of an unincorporated territory being annexed to a city subsequent to the last census, the Controller shall ascertain the population of the city or the annexed territory by multiplying the number of registered electors therein by three. In the case of the consolidation of one city with another subsequent to the last census the population of the consolidated city for the purpose of this subdivision is the aggregate population of the respective cities as determined by the last Federal Census.

The money so paid shall be expended by the cities and cities and counties for law enforcement, [and] the regulation and control and fire protection of highway traffic, *and any other State purpose*.

(b) Fifty percent thereof shall be paid to the counties and cities and counties of the State in the proportion that the population of each county or city and county bears to the total population of all the counties and cities and counties of the State, as determined by the Controller. For the purpose of this subdivision the population of each county or city and county is that determined by the last Federal Census."

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 2702

Assembly Bill No. 2715

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2702—An act to amend Sections 20 and 22 of the Conservation and Planning Act, relating to the State Planning and Conservation Board.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 3 of the title of the printed bill, after "Board", insert ", prescribing its powers and duties and providing for its succession to the powers and duties of specified state officers and agencies, and creating a Conservation and Planning Advisory Board".

Amendment No. 2

On page 1, line 4, of said bill, after "Board", insert "shall consist of five members appointed by the Governor with the advice and consent of the Senate The terms of the members of said board shall be four years except that of the members first appointed one shall be appointed for a term of one year, one for a term of two years, one for a term of three years and two for terms of four years. Any vacancy shall be filled for the unexpired term.

The Conservation and Planning Board shall succeed to and is hereby vested with the powers, duties, jurisdiction and responsibilities of the Recreation Commission, the Director of Recreation, the State Redevelopment Agency, the Physical Planning Advisory Council, the Director of Planning Research and of the Governor under Section 15560 of the Government Code and each said officer and agency shall cease to have or exercise the powers, duties, jurisdiction and responsibilities hereby transferred to and vested in the Conservation and Planning Board.

The Conservation and Planning Advisory Board is hereby created. Said board and any individual member thereof shall meet with and advise the Conservation and Planning Board in connection with any matter within the jurisdiction of the latter. The Conservation and Planning Advisory Board".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2715—An act making an appropriation for a state office building in the City of Stockton.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "Gen-"; and in line 2, strike out "eral Fund", and insert "Postwar Employment Reserve".

Amendment No. 2

On page 1, lines 2 and 3, of said bill, strike out "_____ dollars ($_____)", and insert "seventy-five thousand dollars ($75,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3140

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3140, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3140

Assembly Bill No. 3140—An act to add Section 7015 to the Education Code, relating to the transportation of pupils.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 7	Assembly Bill No. 1917
Assembly Bill No 1492	Assembly Bill No. 2770
Assembly Bill No. 1566	Assembly Bill No. 3177
Assembly Bill No. 1899	

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 16, 1949, after "Department," insert "Riverside Sheriff's Office Substation at Indio,".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1492—An act providing for loans to municipalities and districts for sewerage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 19, 1949, strike out lines 1 to 5, inclusive, and insert

"SECTION 1. The sum of one million dollars ($1,000,000) is hereby appropriated out of any money in the Postwar Unemployment and Construction Fund, not otherwise appropriated, to the State Water Pollution Control Fund,".

Amendment No. 2

On page 2, line 2, of said bill, strike out "applicant", and insert "inhabitants of the State".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1566—An act to add Sections 335, 348.1a, 348.1b, 348.1c, 350.2, and 353.10 to, and to amend Sections 337, 348.1, 348.6, and 349.9 of, the Agricultural Code, relating to livestock identification and hide and brand inspection, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 3 of the printed bill, strike out lines 39 to 43, inclusive, and insert "destination. The order shall specify the point to which and the area from which such shipments may be made. All cattle so shipped shall be accompanied by a certificate of ownership or certificate of consignment, the original of which shall be surrendered to the inspector prior to the inspection of the cattle. The certificate of consignment may be attached to and become a part of the brand certificate issued by the inspector, in lieu of the information required by Section 3494."

Amendment No. 2

On page 4, line 13, of said bill, after "ownership", insert "or a certificate of consignment".

Amendments read, and adopted

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1899—An act to add Section 18005.5 to the Government Code, relating to payment for overtime of state employees, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on June 3, 1949, strike out "by the pay scales of the State Personnel Board".

Amendment No. 2

On page 1, line 19, of said bill, after "Control", insert "for expenditure during the 1949-1950 fiscal year

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 1917—An act to add Section 225q to the Welfare and Institutions Code, relating to the adoption of children.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Welfare and Institutions Code", and insert "Civil Code".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 2770—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 22 and 23, of the printed bill, as amended in the Assembly on March 25, 1949, strike out "one hundred eighty-one thousand dollars ($181,000)", and insert "one hundred thirty thousand dollars ($130,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

Assembly Bill No. 3177—An act making an appropriation for the support of the State Agricultural Society Department of Finance, for the 1949-50 Fiscal Year.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "General Fund", and insert "Fair and Exposition Construction Fund".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1530

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1530—An act making an appropriation for turnout spaces, lights and safety equipment for the Yolo Causeway on State Highway Route 6.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, lines 1 and 2, of the printed bill, strike out "State Treasury not otherwise appropriated", and insert "State Highway Fund".

Amendment No. 2

On page 1, line 3, of said bill, strike out "_____", and insert "forty thousand".

Amendment No. 3

On page 1, line 4, of said bill, strike out "($_____)", and insert "($40,000)".

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Assembly Bill No. 2692

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2692—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Bill read second time, and ordered engrossed.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2033

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2033—An act making an appropriation for research in technical problems of disposal of sewage, garbage and industrial waste, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 19, 1949, strike out lines 1 to 9, inclusive, and insert

"SECTION 1. There is hereby appropriated to the Regents of the University of California, out of any money in the State Treasury not otherwise appropriated, the sum of one hundred thousand dollars ($100,000), to be available for expenditure by the Regents of the University of California until June 30, 1951, in providing for and carrying on research relating to the technical problems of disposal of sewage, garbage and industrial waste and for the dissemination of such research information to all persons within the State affected by or interested therein."

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF THE COMMITTEE ON REVENUE AND TAXATION ON REVENUE DERIVED FROM HORSE RACING LICENSES BE PRINTED IN JOURNAL

Mr. Hollibaugh asked for, and was granted, unanimous consent that the Report of the Subcommittee of the Assembly Committee on Revenue

and Taxation on Revenue Derived from Horse Racing Licenses be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 351

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 351, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 351

Assembly Bill No. 351—An act to amend Sections 19624 and 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation and expenditure of the money in said fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM INACTIVE FILE, AND PLACED ON THE THIRD READING FILE

The following bill was withdrawn from the inactive file, and placed upon the third reading file:

Assembly Bill No. 1666, on request of Mr. Tomlinson.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 246

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Joint Resolution No. 45

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3125

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3125, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3125

Assembly Bill No. 3125—An act to add Section 13.6 to the Construction and Employment Act, relating to allocations to counties for repair, restoration, and repair and restoration of county roads, making an appropriation, and declaring the urgency hereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, and Weber—60.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, and Weber—60.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 2120 was taken up.

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; to amend Section 16256 of said code, and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time, and ordered temporarily passed on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 267

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed

below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	59 86
Department of Finance (mimeograph service)	32 73
Department of Finance (typewriter service)	3 33
A. W Herron Company (filing cabinets)	9,431 03
H S Crocker Company, Inc (supplies)	15 87
Pacific Telephone & Telegraph Company (tolls)	432 85
Pacific Telephone & Telegraph Company (exchange service charges)	9 30
International Business Machines Corp. (supplies)	1 38

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 267, at this time, without reference to committee or file.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals of Monday, June 13, 1949; Tuesday, June 14, 1949; Wednesday, June 15, 1949; Thursday, June 16, 1949; Friday, June 17, 1949; and Saturday, June 18, 1949, were approved as corrected by the Minute Clerk.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1398 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Hawkins moved that Assembly Bill No. 1398 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Demand for Previous Question

Messrs. Heisinger, Conrad, Lincoln, Silliman, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Hawkins that Assembly Bill No. 1398 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following roll call is indicated by being enclosed within brackets:

AYES—Anderson, Beck, Bennett, Berry, Brady, Coats, George D. Collins, Cooke, Davis, Dunn, Elliott, Gaffney, Hawkins, Kilpatrick, Lewis, Meyers, Moss, Rosenthal, and Rumford—19.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, [Condon,] Connolly, Conrad, Crichton, Dickey, Doyle, Erwin, Evans, Fleury, Geddes, Grunsky, Hagen, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Morris, Reagan, Sherwin, Silliman,

Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—[43] 42.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Mr. Condon's Name on Roll Call

Mr. Elliott asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby Mr. Condon's name appeared on the roll call whereby the Assembly, this day, refused to withdraw Assembly Bill No. 1398 from committee.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3129

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3129, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3129

Assembly Bill No. 3129—An act to amend Sections 20013, 20014, 20604, 20751, 20950, 20980, 21020.5, 21208, 21257, 21292, 21295, and 21363 of, and to add Sections 20017.7, 20602.9, 20602.95, 20603.3, 20750.5, 20803.7, 21252.4, and 21256.3 to the Government Code, relating to the State Employees' Retirement System, in respect to the law enforcement personnel of the Division of Narcotic Enforcement, Department of Justice.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—59.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 9.35 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

FURTHER CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 2120 was again taken up.

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; to amend Section 16256 of said code, and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Request for Unanimous Consent That All Pending Amendments Be Considered Prior to Reprinting Assembly Bill No. 2120

Mr. Dunn asked for, and was granted, unanimous consent that all pending amendments to Assembly Bill No. 2120 be considered prior to the reprinting of Assembly Bill No. 2120.

Motion to Amend

Mr. Hollibaugh moved the adoption of the following amendment:

Amendment No. 1

On page 16 of the printed bill, as amended in the Assembly on June 18, 1949, strike out lines 23 to 42, inclusive, and insert

"7035. The Superintendent of Public Instruction may approve current expenditures for impoverished school districts for the transportation of pupils as, in his judgment, is necessary to provide such impoverished school districts with adequate transportation facilities. The total allowances made under this section shall not exceed, when taking into consideration the capacity of the impoverished school district to pay, an amount which will exceed the average cost of such transportation in a school district similarly situated. Such allowances by the Superintendent of Public Instruction may be for the purpose of permitting the impoverished school district to purchase and operate its own busses or to provide transportation by contract with private carriers."

Amendment read.

Demand for Previous Question

Messrs. Thompson, Silliman, Lipscomb, Hahn, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Hollibaugh to Assembly Bill No. 2120.

Roll Call Demanded

Messrs. Dunn, Beck, and Kirkwood demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dunn moved a call of the Assembly.

Motion carried Time, 10.09 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Crowley, Clayton A. Dills, Lindsay, and Rosenthal—5.

Request for Temporary Suspension of Assembly Rule No. 85

Mr. Dunn asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Evans withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Sherwin moved that the Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Grunsky seconded the motion.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln,

Lipscomb, Luckel, Maloney, McCarthy, McCollister, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—55.

NOES—George D. Collins, Evans, Hahn, and Morris—4.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. Dickey:

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

Respectfully submitted,

RANDAL F. DICKEY

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 20, 1949

MR SPEAKER. Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr Dickey

An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Weber—63.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following bill was introduced, and read the first time:

Assembly Bill No. 3178: By Mr. Dickey—An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

Without reference to committee.

Motion to Place Rush Order on Printing of Assembly Bill No. 3178

Mr. Dickey moved that a rush order be placed upon the printing of Assembly Bill No. 3178.

Motion carried.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2120

Consideration of Further Amendments

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 20 of the printed bill, as amended in the Assembly on June 18, 1949, between lines 38 and 39, insert

"7062. Sections 7051, 7052, 7053, 7054, 7055, 7056, 7058, 7058.1, 7059, and 7061 shall remain in effect only until July 1, 1950."

Amendment No. 2

On page 22 of said bill, between lines 13 and 14, insert

"7102. This article shall remain effective for one year commencing July 1, 1949."

Amendment No. 3

On page 24 of said bill, between lines 26 and 27, insert

"7117. This article shall remain effective for one year commencing July 1, 1949."

Amendments read, and adopted.

Consideration of Further Amendments

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

On page 30 of the printed bill, as amended in the Assembly on June 18, 1949, strike out line 11, and insert "school district which came into existence for all purposes on or after July 1, 1948 and".

Amendment No. 2

On page 30, line 13, of said bill, strike out "thereafter", and insert "hereafter".

Amendments read, and adopted.

Consideration of Further Amendments

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments (Set 1):

Amendment No. 1

On page 15, line 7, of the printed bill, as amended in the Assembly on June 18, 1949, strike out "90", and insert "95".

Amendment No. 2

On page 15, line 35, of said bill, strike out "90", and insert "95".

Amendment No. 3

On page 16, line 10, of said bill, strike out "90", and insert "95".

Amendment No. 4

On page 17, line 22, of said bill, strike out "90", and insert "95".

Amendment No. 5

On page 22, line 5, of said bill, strike out "90", and insert "95".

Amendment No. 6

On page 23, line 44, of said bill, strike out "90", and insert "95".

Amendments read.

Demand for Previous Question

Messrs. Condon, Silliman, Grunsky, Conrad, and Lipscomb demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments (Set 1) offered by Mr. Sherwin to Assembly Bill No 2120.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Motion carried. Time, 10.45 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Dickey, Erwin, and Rosenthal—4.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Waters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2120

Consideration of Further Amendments

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments (Set 2):

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 18, 1949, after "to", insert "provide for the Public School System and the raising of revenue therefor, and for that purpose to".

Amendment No. 2

In line 9 of the title of said bill, after "code," insert "and to add Part 13, comprising Sections 30001 to 30473, inclusive, to Division 2 of the Revenue and Taxation Code, imposing a state tax on cigarettes, prescribing the method and manner of levying and collecting the tax, conferring powers and imposing duties on the State Board of Equalization, and providing penalties for violations thereof,".

Amendment No. 3

In lines 9 and 10 of the title of said bill, strike out "all relating to the Public School System,".

Amendment No. 4

On page 36 of said bill, between lines 19 and 20, insert

"SEC. 13.7 It is hereby declared to be the finding of the Legislature that additional revenue is needed to finance the provisions of this act. Existing sources of revenue are insufficient for this purpose The tax levied by Section 13 8 of this act is enacted to provide this additional source of revenue for the purpose of financing the other provisions of this act.

SEC. 13 8. Part 13, comprising Sections 30001 to 30473, inclusive, is added to Division 2 of the Revenue and Taxation Code, to read:

PART 13. CIGARETTE TAX

CHAPTER 1. DEFINITIONS

30001. This part is known and may be cited as the "Cigarette Tax Law."

30002. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

30003. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a

wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

30004. "Untaxed cigarette" means any cigarette which has not yet been distributed in such manner as to result in a tax liability under this part.

30005. "Sale" includes any transfer of title or possession for a consideration, exchange or barter, in any manner or by any means whatever.

30006 "Distribution" includes

(a) The first sale of cigarettes manufactured in this State,

(b) The use or consumption by the manufacturer of cigarettes manufactured in this State,

(c) The first sale of untaxed cigarettes after transportation to this State, and

(d) The use or consumption by the first person in possession in this State of untaxed cigarettes transported to the State in quantities of 200 or more in a single shipment.

30007 "Use or consumption" includes the exercise of any right or power over cigarettes incident to the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale

30008. "Person" includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, trustee, syndicate, this State, any county, city and county, municipality, district, or other political subdivision of the State, or any other group or combination acting as a unit.

30009. "Distributor" includes

(a) Every person who, after 4 o'clock a m on July 1, 1949, and within the meaning of the term "distribution" as defined in this chapter, distributes cigarettes, and

(b) Every person who sells or accepts orders for cigarettes which are to be transported from a point outside this State to a consumer within this State in quantities of 200 or more in a single shipment.

30010. "Dealer" includes every person other than one holding a distributor's license, who engages in this State in the sale of cigarettes.

30011 "In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America.

CHAPTER 2. IMPOSITION OF TAX

Article 1. Tax on Distributors

30101 For the privilege of distributing cigarettes, a tax is hereby imposed upon every distributor at the rate of $ 0015 for the distribution after 4 o'clock a m. on July 1, 1949, of each cigarette weighing not more than three pounds per thousand and at the rate of $.003 for the distribution after 4 o'clock a.m. on July 1, 1949, of each cigarette weighing over three pounds per thousand.

30102 Every distributor maintaining a place of business in this State and selling or accepting orders for cigarettes with respect to the sale of which the tax imposed by Section 30101 is inapplicable, shall at the time of making the sale or accepting the order, or if the distribution of the cigarettes is not then taxable hereunder at the time the distribution becomes taxable, collect the tax from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the board.

30103. Unless the contrary is established, it shall be presumed that all cigarettes manufactured in this State, or transported to this State and no longer in the possession of the distributor, have been distributed.

Article 2 Only One Distribution Taxed

30104. Any cigarette with respect to which a tax has once been imposed under Article 1 or Article 3 of this chapter shall not be subject upon a subsequent distribution to the tax imposed under Article ___ of this chapter.

Article 3. Floor Stocks Tax on Dealers

30121. For the privilege of distributing cigarettes, a floor stocks tax is hereby imposed upon every dealer at the rate of one mill ($ 0015) for each cigarette weighing not more than three pounds per thousand in his possession or under his control at 4 o'clock a m on July 1, 1949, and at the rate of two mills ($ 003) for each cigarette weighing over three pounds per thousand in his possession or under his control at that time.

30122 The tax imposed by this article is due and payable on or before July 15, 1949.

30123 Each dealer, on or before July 15, 1949, shall file a report with the board in such form as the board may prescribe The report shall state the number of cigarettes on hand at 4 o'clock a m. on July 1, 1949, and the amount of tax due thereon Each report shall be accompanied by a remittance payable to the board for the amount of tax due.

30124. All the provisions of Chapters 3 to 9, inclusive, of this part, relating to the tax imposed by Article ___ of this chapter, shall be applicable, so far as pertinent, to the tax imposed by this article.

CHAPTER 3. LICENSES, BONDS AND REGISTRATION

Article 1. Licenses and Bonds

30150. Every person desiring to engage in the sale of cigarettes as a distributor, except a person who desires merely to sell or accept orders for cigarettes which are to be transported from a point outside this State to a consumer within this State, shall file with the board an application, in such form as the board may prescribe, for a distributor's license. The application shall be accompanied by a license fee of one dollar ($1) payable to the board.

30151 The board, whenever it deems it necessary to insure compliance with this part, may require any person subject thereto, to deposit with it such security as the board may determine. The amount of the security shall be fixed by the board but shall not be greater than three times the estimated average liability of persons required to file monthly reports, determined in such manner as the board deems proper, or ten thousand dollars ($10,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided. The board may sell the security at public auction if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest, or penalty due Notice of the sale may be served upon the person who deposited the security personally or by mail; if by mail, service shall be made in the manner prescribed for service of a notice of a deficiency determination and shall be addressed to the person at his address as it appears in the records of the board. Security in the form of a bearer bond issued by the United States or the State of California which has a prevailing market price may, however, be sold by the board at private sale at a price not lower than the prevailing market price thereof. Upon any sale any surplus above the amounts due shall be returned to the person who deposited the security.

30152. On receipt of an application and license fee and after the deposit of such security as may be required pursuant to Section 30151, the board shall issue a distributor's license to the applicant. The license is not transferable and is valid until canceled or revoked.

30153. Whenever any distributor fails to comply with any provision of this part or any rule or regulation of the board prescribed and adopted under this part, the board upon hearing, after giving the distributor at least ten days' notice in writing specifying the time and place of hearing and requiring him to show cause why his license should not be revoked, may revoke the license held by him. The notice may be served personally or by mail in the manner prescribed for service of notice of a deficiency determination The board shall not issue a new license to a distributor whose license has been revoked unless it is satisfied that he will comply with the provisions of this part and the rules and regulations of the board.

30154. Any person required to obtain a license as a distributor under this chapter who engages in business as a distributor without a license or after a license has been canceled or revoked, and each officer of any corporation which so engages in business, is guilty of a misdemeanor.

Article 2. Registration

30161. Every distributor, except one to whom a license is issued under Article 1 of this chapter, required under Section 30102 to collect the tax imposed under this part from a purchaser shall register with the board and give the names and addresses of all agents operating in this State, the location of all distribution or sales houses or offices or other places of business in this State, and such other information as the board may require.

CHAPTER 4. DETERMINATIONS

Article 1. Reports and Payments

30181. The tax imposed by this part is due and payable monthly on or before the fifteenth day of the month following each calendar month in which a distribution of cigarettes occurs.

30182. On or before the fifteenth day of each month, every distributor shall file on forms prescribed by the board a report showing the number of cigarettes distributed during the preceding calendar month by the distributor in this State and such other information as the board may require to carry out the purposes of this part.

30183. The distributor shall accompany each report with a remittance payable to the board for the amount of tax due.

30184. The board for good cause may extend for not to exceed fifteen days the time for making any report or paying any amount of tax required under this part. The extension may be granted at any time provided a request therefor is filed with the board within or prior to the period for which the extension may be granted.

Any distributor to whom an extension is granted shall pay, in addition to the amount of tax, interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the amount of tax would have been due without the extension to the date of payment.

Article 2. Deficiency Determinations

30201. If the board is dissatisfied with the report filed, it may compute and determine the amount to be paid upon the basis of any information available to it.

One or more deficiency determinations may be made of the amount of tax due for one or for more than one month.

30202 The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount of the tax, or any portion thereof, should have been reported until the date of payment.

30203 In making a determination the board may offset overpayments for a month or months against underpayments for another month or months and against the interest and penalties on the underpayments.

30204. If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this part or the rules and regulations adopted under this part, a penalty of 10 percent of the amount of the determination shall be added thereto

30205. If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade this part or the rules and regulations adopted under this part, a penalty of 25 percent of the amount of the determination shall be added thereto

30206. The board shall give the distributor written notice of its determination The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the distributor at his address as it appears in the records of the board, but the service shall be deemed complete at the time of deposit of the notice in the mail without extension of time on account of the distance between the place of deposit and the place of address

30207 Except in the case of fraud, intent to evade the tax, or failure to make a report, every notice of a deficiency determination shall be given within three years after the date when the amount should have been reported

Article 3 Determinations if No Report Made

30221. If any distributor fails to make a report, the board shall make an estimate of the number of cigarettes distributed by him The estimate shall be made for the month or months in respect to which the distributor failed to make a report and shall be based upon any information available to the board. Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus fixed a penalty equal to 10 percent thereof. One or more determinations may be made for one or for more than one month

30222. In making a determination the board may offset overpayments for a month or months against underpayments for another month or months and against interest and penalties on the underpayments

30223 The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount, or any portion thereof, should have been reported until the date of payment

30224. If the failure of a distributor to file a report is due to fraud or an intent to evade the tax, a penalty of 25 percent of the amount required to be paid by the distributor, exclusive of penalties, shall be added thereto in addition to the 10 percent penalty provided in Section 30221.

30225 Promptly after making its determination the board shall give to the distributor written notice of its estimate and determination, and penalty, the notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 4. Jeopardy Determinations

30241 If the board believes that the collection of any amount of tax imposed under this part will be jeopardized by delay, it shall thereupon make a determination of the amount of tax, noting that fact upon the determination. The amount determined is immediately due and payable

30242 If the amount of the tax, interest, and penalty specified in the jeopardy determination is not paid within ten days after service upon the distributor of notice of the determination, the determination becomes final, unless a petition for redetermination is filed within the ten days, and the delinquency penalty and interest provided in Article 6 of this chapter shall attach to the amount specified

30243 The distributor against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to Article 5 of this chapter He shall, however, file the petition for redetermination with the board within ten days after the service upon him of notice of the determination The distributor shall at the time of filing the petition for redetermination deposit with the board such security as it may deem necessary to insure compliance with this part The security may be sold by the board in the manner prescribed by Section 30151

Article 5 Redeterminations

30261 Any distributor against whom a determination is made under Article 2 or 3 of this chapter may petition for a redetermination within fifteen days after service upon the distributor of notice thereof. If a petition for redetermination is not

filed within the 15-day period, the determination becomes final at the expiration of the period.

30262. If a petition for redetermination is filed within the 15-day period, the board shall reconsider the determination and, if the distributor has so requested in his petition, shall grant him an oral hearing and shall give him at least 10 days' notice of the time and place of the hearing. The board may continue the hearing from time to time as may be necessary.

30263. The order or decision of the board upon a petition for redetermination becomes final 15 days after mailing of notice thereof.

30264. All determinations made by the board under Article 2 or 3 of this chapter are due and payable at the time they become final. If they are not paid when due and payable, a penalty of 10 percent of the amount of the determination, exclusive of interest and penalties, shall be added thereto.

30265 Any notice required by this article shall be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 6. Interest and Penalties

30281. Any distributor who fails to pay any tax, except taxes determined by the board under Article 2 or 3 of this chapter, within the time required shall pay a penalty of 10 percent of the amount of the tax, in addition to the tax, plus interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the tax became due and payable until the date of payment.

CHAPTER 5. COLLECTION OF TAX

Article 1. Suit for Tax

30301. At any time within three years after any amount of tax becomes due and payable and at any time within three years after the last recording of a certificate under Section 30322, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State.

30302. In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required.

30303. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax, interest, and penalty set forth, and of compliance by the board with all provisions of this part in relation to the computation and levy of the tax.

Article 2. Priority and Lien of Tax

30321. The amounts required to be paid by any person under this part together with interest and penalties shall be satisfied first in any of the following cases:

(a) Whenever the person is insolvent

(b) Whenever the person makes a voluntary assignment of his assets.

(c) Whenever the estate of the person in the hands of executors, administrators, or heirs is insufficient to pay all the debts due from the deceased.

(d) Whenever the estate and effects of an absconding, concealed, or absent person required to pay any amount under this part are levied upon by process of law.

This section does not give the State a preference over any recorded lien which attached prior to the date when the amounts required to be paid became a lien.

The preference given to the State by this section shall be subordinate to the preferences given to claims for personal services by Sections 1204 and 1206 of the Code of Civil Procedure.

30322 If any amount required to be paid to the State under this part is not paid when due, the board may within three years after the amount is due file for record in the office of any county recorder a certificate specifying the amount, interest, and penalty due, the name and address as it appears on the records of the board of the person liable for the same, and the fact that the board has complied with all provisions of this part in the determination of the amount required to be paid. From the time of the filing for record, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterwards and before the lien expires acquired by him. The lien has the force, effect, and priority of a judgment lien and shall continue for five years from the time of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within five years from the date of the filing of the certificate or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property and such county for five years unless sooner released or otherwise discharge.

30323. The board may at any time release all or any portion of the property subject to any lien provided for in this part from the lien or subordinate the lien to other liens and encumbrances if it determines that the amount, interest, and penalties are sufficiently secured by a lien on other property or that the release or subordination of the lien will not jeopardize the collection of the amount, interest, and penalties.

30324. A certificate by the board to the effect that any property has been released from the lien or that the lien has been subordinated to other liens and encumbrances shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate.

Article 3. Warrant for Collection of Tax

30341. At any time within three years after any person is delinquent in the payment of any amount herein required to be paid, or within three years after the last recording of a certificate under Section 30322, the board or its authorized representative may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the State under this part. The warrant shall be directed to any sheriff, marshal or constable and shall have the same effect as a writ of execution. The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution.

30342. The board shall pay the sheriff, marshal or constable, upon the completion of his services pursuant to a warrant, the same fees, commissions, and expenses for his services as are provided by law for similar services pursuant to a writ of execution. The board, and not the court, shall approve the fees for publication in a newspaper.

30343. The fees, commissions, and expenses are the obligation of the person required to pay any amount under this part and may be collected from him by virtue of the warrant or in any other manner provided in this part for the collection of the tax.

Article 4. Miscellaneous Provisions

30351 The remedies of the State provided for in this chapter are cumulative, and no action taken by the board or Attorney General constitutes an election by the State to pursue any remedy to the exclusion of any other remedy for which provision is made in this part.

30352 In all proceedings under this chapter the board may act on behalf of the people of the State of California.

CHAPTER 6. OVERPAYMENTS AND REFUNDS

Article 1. Claim for Refund

30361. If the board determines that any amount not required to be paid under this part has been paid by any person, the board shall set forth in its records and certify to the State Board of Control the amount paid in excess of the amount legally due and the person by whom the excess was paid to the board. If the State Board of Control approves, the excess shall be credited on any amounts then due and payable from the person under this part, and the balance shall be refunded to the person, or his successors, administrators, executors, or assigns.

30362. No credit or refund shall be allowed after three years from the date of overpayment unless a claim therefor is filed with the board within three years from the date of overpayment.

30363. The claim shall be in writing and shall state the specific grounds upon which it is founded.

30364. In the case, however, of a determination by the board that an amount not exceeding twenty-five dollars ($25) was not required to be paid under this part, the board without obtaining approval of the State Board of Control, may credit the amount on any amounts then due and payable under this part from the person by whom the amount was paid and may refund the balance to the person or his successors, administrators, or executors.

Article 2. Recovery of Erroneous Refunds

30381. The board may recover any refund or part thereof which is erroneously made and any credit or part thereof which is erroneously allowed in an action brought in a court of competent jurisdiction in the County of Sacramento in the name of the people of the State of California.

30382 The action shall be tried in the County of Sacramento unless the court with the consent of the Attorney General orders a change of place of trial.

30383. The Attorney General shall prosecute the action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings.

Article 3. Suit for Refund

30401. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this part of any amount of tax or to prevent or enjoin the revocation of any license issued under this part or any other action whereby it is sought to enforce the payment of any amounts required to be paid

30402. After payment of any amount, the person making the payment may bring an action against the board in a court of competent jurisdiction in the County of Sacramento for the recovery of the amount paid.

30403. No action may be instituted more than ninety days after the payment of the amount sought to be recovered. Failure to bring suit within ninety days constitutes a waiver of any demand against the State on account of alleged overpayments.

30404. If judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any amounts due from the plaintiff under this part, and the balance of the judgment shall be refunded to the plaintiff. In any judgment, interest shall be allowed at the rate of 6 percent per annum upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment or to a date preceding the date of the refund warrant by not more than thirty days, the date to be determined by the board.

30405. A judgment shall not be rendered in favor of the plaintiff in any action brought against the board to recover any amount paid when the action is brought by or in the name of an assignee of the person making the payment or by any person other than the person making the payment.

Article 4. Cancellations

30421. If any amount has been illegally determined, the board shall set forth in its records and certify to the State Board of Control the amount determined in excess of the amount legally due and the person against whom the determination was made. If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board.

CHAPTER 7. ADMINISTRATION

30451. The board shall enforce the provisions of this part and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this part. The board may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

30452. The board may employ accountants, auditors, investigators, assistants, and clerks necessary for the efficient administration of this part and may designate representatives to conduct hearings, prescribe regulations, or perform any other duties imposed by this part or other laws of this State upon the board.

30453. Every distributor and every person dealing in, transporting, or storing cigarettes in this State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto in such form as the board may require.

30454. The board or its authorized representative may examine the books, papers, records, and equipment of any person dealing in, transporting, or storing cigarettes and may investigate the character of the disposition which the person makes of the cigarettes in order to ascertain whether all taxes due under this part are being properly reported and paid.

30455. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any report, or to permit any report or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person. However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person.

Any violation of this section is a misdemeanor and is punishable by a fine not exceeding one thousand dollars ($1,000), by imprisonment not exceeding one year, or by both in the discretion of the court.

CHAPTER 8. DISPOSITION OF PROCEEDS

30461. All amounts required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California. The board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Cigarette Tax Fund, which fund is hereby created.

30462. All money deposited in the Cigarette Tax Fund under this part shall, upon order of the State Controller be drawn therefrom for refunds under this part, for the support of the State Board of Equalization in administering this part, or be transferred to the State School Fund.

30463. The sum of two hundred and fifty thousand dollars ($250,000), or so much thereof as may be necessary, may be expended in the administration of this part by the State Board of Equalization during each fiscal year.

CHAPTER 9. VIOLATIONS

30471. Any person who fails or refuses to file any report required to be made, or who fails or refuses to furnish a supplemental report or other data required by the board, or who renders a false or fraudulent report is guilty of a misdemeanor and subject to a fine of not exceeding five hundred dollars ($500) for each offense.

30472. Any person required to make, render, sign, or verify any report who makes any false or fraudulent report with intent to defeat or evade the determination

required by law to be made is guilty of a misdemeanor. He shall for each offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000), or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment in the discretion of the court.

30473 Any violation of the provisions of this part, except as otherwise provided, is a misdemeanor and is punishable as such

SEC. 14. Section 13 8 of this act, inasmuch as it provides for a tax levy, shall, under the provisions of Article IV of the Constitution, take effect immediately."

Amendment No. 5

On page 36, line 20, of said bill, strike out "SEC. 14. This act is", and insert "SEC. 15 Sections 1 to 13, inclusive, of this act are".

Amendments read.

Point of Order

Mr. Hawkins arose to the following point of order: That the amendments (Set 2) offered by Mr. Sherwin to Assembly Bill No. 2120, are not germane.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order not well taken.

Motion to Table

Mr. Evans moved that the amendments (Set 2) offered by Mr. Sherwin be laid upon the table

Mr. Morris seconded the motion.

Point of Order

Mr. Sherwin arose to the following point of order: That the Speaker had previously recognized Mr George D Collins to speak upon the amendments, and that the motion by Mr. Evans is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Appeal From the Decision of the Chair

Mr. Evans appealed from the decision of the Chair.

Ruling by Chair Sustained

The ruling of the Chair was sustained.

The question being on the adoption of the amendments (Set 2) offered by Mr. Sherwin to Assembly Bill No. 2120.

Motion to Table

Mr. Evans moved that the amendments (Set 2) offered by Mr. Sherwin be laid upon the table.

Point of Order

Mr. Waters arose to the following point of order: That the Speaker had previously recognized him to speak upon the amendments, and that the motion by Mr Evans is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendments (Set 2) offered by Mr. Sherwin to Assembly Bill No. 2120.

Demand for Previous Question

Messrs. Silliman, Connolly, Rosenthal, Hahn, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments (Set 2) offered by Mr. Sherwin to Assembly Bill No. 2120.

Motion to Table

Mr. Evans moved that the amendments (Set 2) offered by Mr. Sherwin to Assembly Bill No. 2120 be laid upon the table.

Mr. Morris seconded the motion.

Roll Call Demanded

Messrs. Conrad, Evans, and Silliman demanded a roll call.

The roll was called, and the motion by Mr. Evans that the amendments (Set 2) offered by Mr. Sherwin to Assembly Bill No. 2120 be laid upon the table carried by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Coats, Collier, Cooke, Clayton A. Dills, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Tomlinson, Weber, and Mr. Speaker—37

NOES—Babbage, Berry, Burke, Butters, Caldecott, Clarke, Conrad, Crichton, Doyle, Erwin, Fleury, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, McCarthy, Sherwin, Stanley, Stewart, Waters, and Way—27.

Explanation of Vote

I voted, "No" on the motion to table the Sherwin Amendments as I never vote to table a member's bill or amendments I would have voted against the amendment.

T. J. DOYLE

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT OFFERED BY MR. HOLLIBAUGH TO ASSEMBLY BILL NO. 2120

At 11.34 p.m., on motion of Mr. Dunn, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Hollibaugh to Assembly Bill No. 2120 refused adoption by the following vote:

AYES—Bennett, Brady, Burke, Butters, Caldecott, Collier, Connolly, Conrad, Dickey, Clayton A. Dills, Erwin, Evans, Grant, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lipscomb, Luckel, Maloney, McCarthy, Morris, Reagan, Sherwin, Silliman, Smith, Stanley, Stewart, and Waters—32.

NOES—Anderson, Babbage, Beck, Berry, Brown, Burkhalter, Clarke, Coats, George D. Collins, Cooke, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Thompson, Tomlinson, Way, Weber, and Mr Speaker—41.

FURTHER CONSIDERATION OF ASSEMBLY BILL NO. 2120

Consideration of Further Amendments

Motion to Amend

Mr. Hinckley moved the adoption of the following amendments:

Amendment No. 1

In line 10 of the title of the printed bill, as amended in the Assembly on June 18, 1949, after "System," insert "making an appropriation therefor.",

Amendment No. 2

On page 36 of said bill, between lines 19 and 20, insert

"SEC. 13.5 The sum of two million dollars ($2,000,000) is hereby transferred from the Fair and Exposition Fund to the State School Fund for the purposes of this act The money as transferred shall be payable from any money in the Fair and Exposition Fund available for improvements upon the property of the state, city, county, or district agricultural associations, allocated by Section 19626 of the Business and Professions Code."

Amendments read.

Motion to Table

Mr. Dunn moved that the amendments offered by Mr. Hinckley be laid upon the table.

Mr. Weber seconded the motion.

Point of Order

Mr. Sherwin arose to the following point of order: That Mr. Dunn has spoken upon the amendments and then followed his debate with a motion, and that his motion is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion Withdrawn

Mr. Weber withdrew his second.

Mr. Dunn withdrew his motion.

Motion to Table

Mr. Weber moved that the amendment offered by Mr. Hinckley to Assembly Bill No. 2120 be laid upon the table.

Mr. Morris seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Coats, Connolly, Cooke, Crowley, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thompson, Way, and Weber—44.

NOES—Babbage, Burke, Butters, Caldecott, George D. Collins, Conrad, Crichton, Erwin, Hinckley, Huyck, Kirkwood, Levering, Maloney, McCarthy, Sherwin, Smith, Stewart, and Waters—18.

Consideration of Further Amendments

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

On page 36 of the printed bill, as amended in the Assembly on June 18, 1949, between lines 19 and 20, insert

"Sec. 1301. Any provisions of this act to the contrary notwithstanding, the total apportionment to any school district shall not exceed $120 per average daily attendance, except allowances for the mentally retarded and physically handicapped pupils."

Amendment read.

Demand for Previous Question

Messrs. Dunn, Smith, Luckel, Morris, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Levering to Assembly Bill No. 2120.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Hinckley, Huyck, Levering, Reagan, Sherwin, and Waters—6.
NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Way, and Weber—53.

MOTION TO RECESS

Mr. Reagan moved that the Assembly do now recess for a period of 10 minutes.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the motion not in order because the House is under a call of the Assembly.

REQUEST FOR UNANIMOUS CONSENT THAT PORTION OF RULE 81 BE TEMPORARILY SUSPENDED

Mr. Dickey asked that that portion of Rule 81 which requires a two-day notice for the withdrawal of Assembly bills from committee be temporarily suspended.

Speaker Presiding

At 11.45 p.m., Hon Sam L. Collins, Speaker of the Assembly, presiding.

Parliamentary Inquiry

Mr. Waters arose to the following parliamentary inquiry: What will be the net result if we adopt the adjournment resolution?

Ruling by Speaker

Speaker Sam L. Collins directed the Chairman of the Committee on Rules to answer the parliamentary inquiry.

Statement by Chairman of Committee on Rules

Mr. Dickey, Chairman of the Committee on Rules, stated as follows: That the Constitution will be suspended for the purpose of reading bills a second and third time on the same day.

Point of Information

Mr. Kirkwood arose to ask Mr. Dickey the following point of information: Are you just asking for unanimous consent to waive that portion of Rule 81 which pertains to the two-day notice?

Answer

Mr. Dickey's answer was, "Yes."

The question being on the request for unanimous consent that that portion of Rule 81 which requires a two-day notice for the withdrawal of Assembly bills from committee be temporarily suspended.

Unanimous consent granted.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS (SET 1) OFFERED BY MR. SHERWIN TO ASSEMBLY BILL NO. 2120

At 11.47 p.m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments (Set 1) offered by Mr. Sherwin to Assembly Bill No. 2120 refused adoption by the following vote:

AYES—Babbage, Berry, Brady, Burke, Butters, Caldecott, George D Collins, Connolly, Conrad, Crichton, Dickey, Erwin, Gaffney, Grant, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lowrey, Maloney, McCarthy, Meyers, Reagan, Sherwin, Sillman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Mr. Speaker—35

NOES—Anderson, Beck, Bennett, Brown, Burkhalter, Clarke, Coats, Collier, Cooke, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Grunsky, Hagen, Hahn, Hawkins, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Thompson, and Weber—37.

Assembly Bill No. 2120 ordered reprinted and re-engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 2120

Mr. Dunn moved that a rush order be placed upon the printing of Assembly Bill No. 2120.

Motion carried.

NOTICE OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 1371, on request of Mr. George D. Collins.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 73

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 73, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 73

Senate Concurrent Resolution No. 73—Relative to amending Rule No. 23 of the Joint Rules of the Senate and Assembly, relating to passage of bills preceding final adjournment.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—69

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 1833 FROM COMMITTEE CONTINUED

Mr. Waters asked for, and was granted, unanimous consent that his notice of motion to withdraw Assembly Bill No. 1833 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2263

Mr. Babbage asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2263, out of order, for purpose of amendment, at this time.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 2263—An act making an appropriation for school district public works, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

Strike out lines 1 and 2 of the title of the printed bill, and insert

"An act to provide for school district public works, and for that purpose to add Part 13 comprising Sections 30001 to 30043, inclusive, to Division 2 of the Revenue and Taxation Code, imposing a state tax on cigarettes, prescribing the method and manner of levying and collecting the tax, conferring powers and imposing duties on the State Board of Equalization, providing penalties for violations thereof, and making an appropriation, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, between lines 11 and 12, insert

"SEC. 2. Part 13, comprising Sections 30001 to 30473, inclusive, is added to Division 2 of the Revenue and Taxation Code, to read:

PART 13. CIGARETTE TAX

CHAPTER 1. DEFINITIONS

30001. This part is known and may be cited as the "Cigarette Tax Law."

30002. Except where the context otherwise requires, the definitions given in this chapter govern the construction of this part.

30003. "Cigarette" means any roll for smoking, made wholly or in part of tobacco, irrespective of size or shape and irrespective of whether the tobacco is flavored, adulterated or mixed with any other ingredient, where such roll has a wrapper or cover made of paper or any other material, except where such wrapper is wholly or in the greater part made of tobacco.

30004. "Untaxed cigarette" means any cigarette which has not yet been distributed in such manner as to result in a tax liability under this part.

30005. "Sale" includes any transfer of title or possession for a consideration, exchange or barter, in any manner or by any means whatever.

30006. "Distribution" includes

(a) The first sale of cigarettes manufactured in this State,

(b) The use or consumption by the manufacturer of cigarettes manufactured in this State,

(c) The first sale of untaxed cigarettes after transportation to this State, and

(d) The use or consumption by the first person in possession in this State of untaxed cigarettes transported to the State in quantities of 200 or more in a single shipment.

30007. "Use or consumption" includes the exercise of any right or power over cigarettes incident to the ownership thereof, other than the sale of the cigarettes or the keeping or retention thereof for the purpose of sale.

30008. "Person" includes any individual, firm, copartnership, joint venture, association, social club, fraternal organization, corporation, estate, trust, business trust, receiver, trustee, syndicate, this State, any county, city and county, municipality, district, or other political subdivision of the State, or any other group or combination acting as a unit.

30009. "Distributor" includes

(a) Every person who, after 4 o'clock a.m. on July 1, 1949, and within the meaning of the term "distribution" as defined in this chapter, distributes cigarettes, and

(b) Every person who sells or accepts orders for cigarettes which are to be transported from a point outside this State to a consumer within this State in quantities of 200 or more in a single shipment.

30010. "Dealer" includes every person, other than one holding a distributor's license, who engages in this State in the sale of cigarettes.

30011. "In this State" or "in the State" means within the exterior limits of the State of California and includes all territory within these limits owned by or ceded to the United States of America.

CHAPTER 2. IMPOSITION OF TAX

Article 1. Tax on Distributors

30101. For the privilege of distributing cigarettes, a tax is hereby imposed upon every distributor at the rate of $ 0025 for the distribution after 4 o'clock a.m. on July 1, 1949, of each cigarette.

30102. Every distributor maintaining a place of business in this State and selling or accepting orders for cigarettes with respect to the sale of which the tax imposed by Section 30101 is inapplicable, shall at the time of making the sale or accepting the order, or if the distribution of the cigarettes is not then taxable hereunder at the time the distribution becomes taxable, collect the tax from the purchaser and give to the purchaser a receipt therefor in the manner and form prescribed by the board

30103. Unless the contrary is established, it shall be presumed that all cigarettes manufactured in this State, or transported to this State and no longer in the possession of the distributor, have been distributed.

Article 2 Only One Distribution Taxed

30104. Any cigarette with respect to which a tax has once been imposed under Article 1 or Article 3 of this chapter shall not be subject upon a subsequent distribution to the tax imposed under Article ___ of this chapter.

Article 3. Floor Stocks Tax on Dealers

30121 For the privilege of distributing cigarettes, a floor stocks tax is hereby imposed upon every dealer at the rate of $ 0025 for each cigarette in his possession or under his control at 4 o'clock a.m on July 1, 1949.

30122 The tax imposed by this article is due and payable on or before July 15, 1949.

30123. Each dealer, on or before July 15, 1949, shall file a report with the board in such form as the board may prescribe. The report shall state the number of cigarettes on hand at 4 o'clock a.m. on July 1, 1949, and the amount of tax due thereon. Each report shall be accompanied by a remittance payable to the board for the amount of tax due.

30124. All the provisions of Chapters 3 to 9, inclusive, of this part, relating to the tax imposed by Article ___ of this chapter, shall be applicable, so far as pertinent, to the tax imposed by this article.

CHAPTER 3. LICENSES, BONDS AND REGISTRATION

Article 1. Licenses and Bonds

30150. Every person desiring to engage in the sale of cigarettes as a distributor, except a person who desires merely to sell or accept orders for cigarettes which are to be transported from a point outside this State to a consumer within this State, shall file with the board an application, in such form as the board may prescribe, for a distributor's license. The application shall be accompanied by a license fee of one dollars ($1) payable to the board.

30151. The board, whenever it deems it necessary to insure compliance with this part, may require any person subject thereto, to deposit with it such security as the board may determine. The amount of the security shall be fixed by the board but shall not be greater than three times the estimated average liability of persons required to file monthly reports, determined in such manner as the board deems proper, or ten thousand dollars ($10,000), whichever amount is the lesser. The amount of the security may be increased or decreased by the board subject to the limitations herein provided. The board may sell the security at public auction if it becomes necessary so to do in order to recover any tax or any amount required to be collected, interest, or penalty due. Notice of the sale may be served upon the person who deposited the security personally or by mail; if by mail, service shall be made in the manner prescribed for service of a notice of a deficiency determination and shall be addressed to the person at his address as it appears in the records of the board. Security in the

form of a bearer bond issued by the United States or the State of California which has a prevailing market price may, however, be sold by the board at private sale at a price not lower than the prevailing market price thereof. Upon any sale any surplus above the amounts due shall be returned to the person who deposited the security.

30152. On receipt of an application and license fee and after the deposit of such security as may be required pursuant to Section 30151, the board shall issue a distributor's license to the applicant. The license is not transferable and is valid until canceled or revoked.

30153. Whenever any distributor fails to comply with any provision of this part or any rule or regulation of the board prescribed and adopted under this part, the board upon hearing, after giving the distributor at least ten days' notice in writing specifying the time and place of hearing and requiring him to show cause why his license should not be revoked, may revoke the license held by him. The notice may be served personally or by mail in the manner prescribed for service of notice of a deficiency determination. The board shall not issue a new license to a distributor whose license has been revoked unless it is satisfied that he will comply with the provisions of this part and the rules and regulations of the board.

30154. Any person required to obtain a license as a distributor under this chapter who engages in business as a distributor without a license or after a license has been canceled or revoked, and each officer of any corporation which so engages in business, is guilty of a misdemeanor.

Article 2. Registration

30161. Every distributor, except one to whom a license is issued under Article 1 of this chapter, required under Section 30102 to collect the tax imposed under this part from a purchaser shall register with the board and give the names and addresses of all agents operating in this State, the location of all distribution or sales houses or offices or other places of business in this State, and such other information as the board may require.

CHAPTER 4. DETERMINATIONS

Article 1. Reports and Payments

30181. The tax imposed by this part is due and payable monthly on or before the fifteenth day of the month following each calendar month in which a distribution of cigarettes occurs.

30182. On or before the fifteenth day of each month, every distributor shall file on forms prescribed by the board a report showing the number of cigarettes distributed during the preceding calendar month by the distributor in this State and such other information as the board may require to carry out the purposes of this part.

30183. The distributor shall accompany each report with a remittance payable to the board for the amount of tax due.

30184. The board for good cause may extend for not to exceed fifteen days the time for making any report or paying any amount of tax required under this part. The extension may be granted at any time provided a request therefor is filed with the board within or prior to the period for which the extension may be granted.

Any distributor to whom an extension is granted shall pay, in addition to the amount of tax, interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the amount of tax would have been due without the extension to the date of payment.

Article 2. Deficiency Determinations

30201. If the board is dissatisfied with the report filed, it may compute and determine the amount to be paid upon the basis of any information available to it. One or more deficiency determinations may be made of the amount of tax due for one or for more than one month.

30202. The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount of the tax, or any portion thereof, should have been reported until the date of payment.

30203. In making a determination the board may offset overpayments for a month or months against underpayments for another month or months and against the interest and penalties on the underpayments.

30204. If any part of the deficiency for which a deficiency determination is made is due to negligence or intentional disregard of this part or the rules and regulations adopted under this part, a penalty of 10 percent of the amount of the determination shall be added thereto.

30205. If any part of the deficiency for which a deficiency determination is made is due to fraud or an intent to evade this part or the rules and regulations adopted under this part, a penalty of 25 percent of the amount of the determination shall be added thereto.

30206. The board shall give the distributor written notice of its determination. The notice may be served personally or by mail; if by mail, service shall be made pursuant to Section 1013 of the Code of Civil Procedure and shall be addressed to the distributor at his address as it appears in the records of the board, but the service

shall be deemed complete at the time of deposit of the notice in the mail without extension of time on account of the distance between the place of deposit and the place of address.

30207. Except in the case of fraud, intent to evade the tax, or failure to make a report, every notice of a deficiency determination shall be given within three years after the date when the amount should have been reported.

Article 3 Determinations if No Report Made

30221. If any distributor fails to make a report, the board shall make an estimate of the number of cigarettes distributed by him The estimate shall be made for the month or months in respect to which the distributor failed to make a report and shall be based upon any information available to the board. Upon the basis of this estimate the board shall compute and determine the amount required to be paid to the State, adding to the sum thus fixed a penalty equal to 10 percent thereof. One or more determinations may be made for one or for more than one month.

30222 In making a determination the board may offset overpayments for a month or months against underpayments for another month or months and against interest and penalties on the underpayments.

30223 The amount of the determination, exclusive of penalties, shall bear interest at the rate of one-half of 1 percent per month, or fraction thereof, from the fifteenth day after the close of the month for which the amount, or any portion thereof, should have been reported until the date of payment.

30224 If the failure of a distributor to file a report is due to fraud or an intent to evade the tax, a penalty of 25 percent of the amount required to be paid by the distributor, exclusive of penalties, shall be added thereto in addition to the 10 percent penalty provided in Section 30221.

30225. Promptly after making its determination the board shall give to the distributor written notice of its estimate and determination, and penalty, the notice to be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 4. Jeopardy Determinations

30241. If the board believes that the collection of any amount of tax imposed under this part will be jeopardized by delay, it shall thereupon make a determination of the amount of tax, noting that fact upon the determination. The amount determined is immediately due and payable

30242. If the amount of the tax, interest, and penalty specified in the jeopardy determination is not paid within ten days after service upon the distributor of notice of the determination, the determination becomes final, unless a petition for redetermination is filed within the ten days, and the delinquency penalty and interest provided in Article 6 of this chapter shall attach to the amounts specified.

30243 The distributor against whom a jeopardy determination is made may petition for the redetermination thereof pursuant to Article 5 of this chapter. He shall, however, file the petition for redetermination with the board within ten days after the service upon him of notice of the determination. The distributor shall at the time of filing the petition for redetermination deposit with the board such security as it may deem necessary to insure compliance with this part. The security may be sold by the board in the manner prescribed by Section 30151.

Article 5 Redeterminations

30261 Any distributor against whom a determination is made under Article 2 or 3 of this chapter may petition for a redetermination within fifteen days after service upon the distributor of notice thereof. If a petition for redetermination is not filed within the 15-day period, the determination becomes final at the expiration of the period

30262 If a petition for redetermination is filed within the 15-day period, the board shall reconsider the determination and, if the distributor has so requested in his petition, shall grant him an oral hearing and shall give him at least 10 days' notice of the time and place of the hearing The board may continue the hearing from time to time as may be necessary.

30263. The order or decision of the board upon a petition for redetermination becomes final 15 days after mailing of notice thereof.

30264. All determinations made by the board under Article 2 or 3 of this chapter are due and payable at the time they become final. If they are not paid when due and payable, a penalty of 10 percent of the amount of the determination, exclusive of interest and penalties, shall be added thereto

30265 Any notice required by this article shall be served personally or by mail in the manner prescribed for service of notice of a deficiency determination.

Article 6. Interest and Penalties

30281. Any distributor who fails to pay any tax, except taxes determined by the board under Article 2 or 3 of this chapter, within the time required shall pay a penalty of 10 percent of the amount of the tax, in addition to the tax, plus interest at the rate of one-half of 1 percent per month, or fraction thereof, from the date on which the tax became due and payable until the date of payment.

CHAPTER 5. COLLECTION OF TAX

Article 1. Suit for Tax

30301. At any time within three years after any amount of tax becomes due and payable and at any time within three years after the last recording of a certificate under Section 30322, the board may transmit notice of the delinquency to the Attorney General who shall at once proceed by appropriate legal action to collect all sums due the State.

30302 In the action a writ of attachment may issue, and no bond or affidavit previous to the issuing of the attachment is required.

30303. In the action a certificate by the board showing the delinquency shall be prima facie evidence of the levy of the tax, of the delinquency of the amount of tax, interest, and penalty set forth, and of compliance by the board with all provisions of this part in relation to the computation and levy of the tax.

Article 2. Priority and Lien of Tax

30321. The amounts required to be paid by any person under this part together with interest and penalties shall be satisfied first in any of the following cases:

(a) Whenever the person is insolvent.

(b) Whenever the person makes a voluntary assignment of his assets.

(c) Whenever the estate of the person in the hands of executors, administrators, or heirs is insufficient to pay all the debts due from the deceased.

(d) Whenever the estate and effects of an absconding, concealed, or absent person required to pay any amount under this part are levied upon by process of law.

This section does not give the State a preference over any recorded lien which attached prior to the date when the amounts required to be paid became a lien.

The preference given to the State by this section shall be subordinate to the preferences given to claims for personal services by Sections 1204 and 1206 of the Code of Civil Procedure.

30322. If any amount required to be paid to the State under this part is not paid when due, the board may within three years after the amount is due file for record in the office of any county recorder a certificate specifying the amount, interest, and penalty due, the name and address as it appears on the records of the board of the person liable for the same, and the fact that the board has complied with all provisions of this part in the determination of the amount required to be paid. From the time of the filing for record, the amount required to be paid together with interest and penalty constitutes a lien upon all real property in the county owned by the person or afterwards and before the lien expires acquired by him The lien has the force, effect, and priority of a judgment lien and shall continue for five years from the time of the filing of the certificate unless sooner released or otherwise discharged. The lien may, within five years from the date of the filing of the certificate or within five years from the date of the last extension of the lien in the manner herein provided, be extended by filing for record a new certificate in the office of the county recorder of any county and from the time of such filing the lien shall be extended to the real property and such county for five years unless sooner released or otherwise discharged.

30323 The board may at any time release all or any portion of the property subject to any lien provided for in this part from the lien or subordinate the lien to other liens and encumbrances if it determines that the amount, interest, and penalties are sufficiently secured by a lien on other property or that the release or subordination of the lien will not jeopardize the collection of the amount, interest, and penalties.

30324. A certificate by the board to the effect that any property has been released from the lien or that the lien has been subordinated to other liens and encumbrances shall be conclusive evidence that the property has been released or that the lien has been subordinated as provided in the certificate

Article 3. Warrant for Collection of Tax

30341. At any time within three years after any person is delinquent in the payment of any amount herein required to be paid, or within three years after the last recording of a certificate under Section 30322, the board or its authorized representative may issue a warrant for the enforcement of any liens and for the collection of any amount required to be paid to the State under this part. The warrant shall be directed to any sheriff, marshal or constable and shall have the same effect as a writ of execution. The warrant shall be levied and sale made pursuant to it in the same manner and with the same effect as a levy of and a sale pursuant to a writ of execution.

30342. The board shall pay the sheriff, marshal or constable, upon the completion of his services pursuant to a warrant, the same fees, commissions, and expenses for his services as are provided by law for similar services pursuant to a writ of execution. The board, and not the court, shall approve the fees for publication in a newspaper.

30343. The fees, commissions, and expenses are the obligation of the person required to pay any amount under this part and may be collected from him by virtue of the warrant or in any other manner provided in this part for the collection of the tax.

Article 4. Miscellaneous Provisions

30351. The remedies of the State provided for in this chapter are cumulative, and no action taken by the board or Attorney General constitutes an election by the State to pursue any remedy to the exclusion of any other remedy for which provision is made in this part.

30352. In all proceedings under this chapter the board may act on behalf of the people of the State of California.

CHAPTER 6. OVERPAYMENTS AND REFUNDS

Article 1. Claim for Refund

30361 If the board determines that any amount not required to be paid under this part has been paid by any person, the board shall set forth in its records and certify to the State Board of Control the amount paid in excess of the amount legally due and the person by whom the excess was paid to the board If the State Board of Control approves, the excess shall be credited on any amounts then due and payable from the person under this part, and the balance shall be refunded to the person, or his successors, administrators, executors, or assigns.

30362. No credit or refund shall be allowed after three years from the date of overpayment unless a claim therefor is filed with the board within three years from the date of overpayment.

30363. The claim shall be in writing and shall state the specific grounds upon which it is founded.

30364. In the case, however, of a determination by the board that an amount not exceeding twenty-five dollars ($25) was not required to be paid under this part, the board without obtaining approval of the State Board of Control, may credit the amount on any amounts then due and payable under this part from the person by whom the amount was paid and may refund the balance to the person or his successors, administrators, or executors.

Article 2. Recovery of Erroneous Refunds

30381. The board may recover any refund or part thereof which is erroneously made and any credit or part thereof which is erroneously allowed in an action brought in a court of competent jurisdiction in the County of Sacramento in the name of the people of the State of California.

30382. The action shall be tried in the County of Sacramento unless the court with the consent of the Attorney General orders a change of place of trial.

30383. The Attorney General shall prosecute the action, and the provisions of the Code of Civil Procedure relating to service of summons, pleadings, proofs, trials, and appeals are applicable to the proceedings.

Article 3. Suit for Refund

30401. No injunction or writ of mandate or other legal or equitable process shall issue in any suit, action, or proceeding in any court against this State or against any officer of the State to prevent or enjoin the collection under this part of any amount of tax or to prevent or enjoin the revocation of any license issued under this part or any other action whereby it is sought to enforce the payment of any amounts required to be paid

30402. After payment of any amount, the person making the payment may bring an action against the board in a court of competent jurisdiction in the County of Sacramento for the recovery of the amount paid.

30403 No action may be instituted more than ninety days after the payment of the amount sought to be recovered. Failure to bring suit within ninety days constitutes a waiver of any demand against the State on account of alleged overpayments.

30404. If judgment is rendered for the plaintiff, the amount of the judgment shall first be credited on any amounts due from the plaintiff under this part, and the balance of the judgment shall be refunded to the plaintiff. In any judgment, interest shall be allowed at the rate of 6 percent per annum upon the amount found to have been illegally collected from the date of payment of the amount to the date of allowance of credit on account of the judgment or to a date preceding the date of the refund warrant by not more than thirty days, the date to be determined by the board

30405 A judgment shall not be rendered in favor of the plaintiff in any action brought against the board to recover any amount paid when the action is brought by or in the name of an assignee of the person making the payment or by any person other than the person making the payment.

Article 4 Cancellations

30421. If any amount has been legally determined, the board shall set forth in its records and certify to the State Board of Control the amount determined in excess of the amount legally due and the person against whom the determination was made. If the State Board of Control approves, it shall authorize the cancellation of the amount upon the records of the board.

CHAPTER 7. ADMINISTRATION

30451 The board shall enforce the provisions of this part and may prescribe, adopt, and enforce rules and regulations relating to the administration and enforcement of this part The board may prescribe the extent to which any ruling or regulation shall be applied without retroactive effect.

30452 The board may employ accountants, auditors, investigators, assistants, and clerks necessary for the efficient administration of this part and may designate representatives to conduct hearings, prescribe regulations, or perform any other duties imposed by this part or other laws of this State upon the board.

30453 Every distributor and every person dealing in, transporting, or storing cigarettes in this State shall keep such records, receipts, invoices, and other pertinent papers with respect thereto in such form as the board may require

30454 The board or its authorized representative may examine the books, papers, records, and equipment of any person dealing in, transporting, or storing cigarettes and may investigate the character of the disposition which the person makes of the cigarettes in order to ascertain whether all taxes due under this part are being properly reported and paid.

30455. It is unlawful for the board or any person having an administrative duty under this part to make known in any manner whatever the business affairs, operations, or information obtained by an investigation of records and equipment of any person visited or examined in the discharge of official duty, or the amount or source of income, profits, losses, expenditures, or any particular thereof, set forth or disclosed in any report, or to permit any report or copy thereof or any book containing any abstract or particulars thereof to be seen or examined by any person However, the Governor may, by general or special order, authorize examination of the reports by other state officers, by tax officers of another state, by the Federal Government, if a reciprocal arrangement exists, or by any other person.

Any violation of this section is a misdemeanor and is punishable by a fine not exceeding one thousand dollars ($1,000), by imprisonment not exceeding one year, or by both in the discretion of the court.

CHAPTER 8. DISPOSITION OF PROCEEDS

30461. All amounts required to be paid to the State under this part shall be paid to the board in the form of remittances payable to the State Board of Equalization of the State of California The board shall transmit the payments to the State Treasurer to be deposited in the State Treasury to the credit of the Cigarette Tax Fund, which fund is hereby created.

30462. All money deposited in the Cigarette Tax Fund under this part shall, upon order of the State Controller be drawn therefrom for refunds under this part, for the support of the State Board of Equalization in administering this part, or be transferred to the Public School Building Fund

CHAPTER 9. VIOLATIONS

30471 Any person who fails or refuses to file any report required to be made, or who fails or refuses to furnish a supplemental report or other data required by the board, or who renders a false or fraudulent report is guilty of a misdemeanor and *subject to a fine of not exceeding five hundred dollars ($500) for each offense.*

30472 Any person required to make, render, sign, or verify any report who makes any false or fraudulent report with intent to defeat or evade the determination required by law to be made is guilty of a misdemeanor. He shall for each offense be fined not less than three hundred dollars ($300) and not more than five thousand dollars ($5,000), or be imprisoned for not exceeding one year in the county jail, or be subject to both fine and imprisonment in the discretion of the court.

30473 Any violation of the provisions of this part, except as otherwise provided, is a misdemeanor and is punishable as such."

Amendment No. 3

On page 1, line 12, of said bill, strike out "SEC. 2. This", and insert "SEC. 3. Section 1 of this".

Amendment No. 4

On page 2 of said bill, after line 8, insert

"SEC. 4. Section 2 of this act, inasmuch as it provides for a tax levy shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately."

Amendments read.

Motion to Table

Mr. Evans moved that the amendments offered by the Committee on Ways and Means to Assembly Bill No. 2263 be laid upon the table.

Mr. McMillan seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Collier, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Tomlinson, Way, Weber, and Mr. Speaker—43.

NOES—Babbage, Brady, Burke, Butters, Caldecott, Clarke, George D. Collins, Conrad, Erwin, Fleury, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Maloney, McCarthy, Sherwin, Stanley, Stewart, and Waters—24.

Consideration of Further Amendments

Motion to Amend

Mr. Babbage moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 1, of the printed bill, strike out "_____ dollars ($_____)", and insert "twenty-five million dollars ($25,000,000)".

Amendment read, and adopted.

Bill ordered reprinted, and engrossed.

ANNOUNCEMENTS

Mr. Stanley announced a breakfast meeting and Republican Caucus at 7.30 a.m., tomorrow, Tuesday, June 21st, at the Hotel Sacramento.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 219 FROM COMMITTEE

Mr. Burkhalter gave notice that on the next legislative day he would move to withdraw Assembly Bill No. 219 from the Committee on Ways and Means, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 317 FROM COMMITTEE

Mr. Kirkwood gave notice that on the next legislative day he would move to withdraw Senate Bill No. 317 from the Committe on Public Morals, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILL NO. 777 FROM COMMITTEE

Mr. Anderson gave notice that on the next legislative day he would move to withdraw Assembly Bill No. 777 from the Committee on Ways and Means, and have it placed upon the file.

MOTION TO SET SPECIAL ORDER

Mr. Dunn moved that Assembly Bill No. 2120 be made a special order of business for Tuesday, June 21, 1949, at 11 a.m.

Motion carried unanimously.

NOTICE OF MOTION TO WITHDRAW ASSEMBLY BILLS NOS. 81 AND 1493 FROM COMMITTEE

Mr. Lewis gave notice that on the next legislative day he would move to withdraw Assembly Bills Nos. 81 and 1493 from the Committee on Ways and Means, and have them placed upon the file.

RESOLUTIONS

The following resolutions were offered:

By Messrs Moss and Fleury:

House Resolution No. 268

Relative to the public service career of Captain Joseph Calvin Beard

WHEREAS, Joseph Calvin Beard entered the state service in 1911 and through the intervening years has well and faithfully performed all duties imposed upon him; and

WHEREAS, By reason of his efficiency he has attained the rank of Captain in the California State Police; and

WHEREAS, His devotion to the service and never-failing tact and courtesy in performing the duties of his office have won for him the friendship, admiration and respect of all who came in contact with him, including the Members of the Legislature; and

WHEREAS, Captain Beard's long and distinguished career of public service is about to be terminated by his retirement in August of 1949; now, therefore, be it

Resolved by the Assembly of the State of California, the Senate thereof concurring, That Captain Beard be congratulated upon his fine career of public service and that he be hereby assured of the best wishes of all members for his continuous good health and prosperity; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Joseph Calvin Beard.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Gaffney, Burke, and Berry:

House Resolution No. 269

Relative to the creation of the Assembly Interim Committee on Industrial Safety

WHEREAS, Industrial deaths and accidents continue to cause misery to thousands of citizens of this State annually, and result in hardship to workers and their dependents and a loss in the purchasing power of the State, and

WHEREAS, At each session of the Legislature numerous bills on this subject are introduced; and

WHEREAS, In order that the Assembly may properly legislate on this subject it is necessary that it be fully informed as to all matters relating thereto or affecting or bearing thereon; and

WHEREAS, A continuous study of all facts relating to this subject is in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial accidents in this State, the promulgation and enforcement of safety measures in connection therewith, the scope and adequacy of existing agencies in this field, and the nature and extent of needed development in this field including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of three Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

(COPY)

REPORT OF THE SUBCOMMITTEE OF THE COMMITTEE ON REVENUE AND TAXATION ON REVENUE DERIVED FROM HORSE RACING LICENSES

June 16, 1949

Honorable Jonathan J. Hollibaugh, Chairman
Assembly Committee on Revenue and Taxation
State Capitol, Sacramento, California

MR. CHAIRMAN: Your subcommittee appointed to hear Assembly bills relating to revenue and taxation derived from horse racing licenses desires to make a preliminary report which follows herewith.

There were before us those bills which are tabulated, on the attached sheet immediately following, in order to show sections of the Business and Professions Code effected, the purposes of the bill and the action taken by the subcommittee.

In hearing these bills, statement was made by the chairman of the subcommittee that it was felt revenue measures should be considered from four viewpoints. (1) Necessity, including the purposes for which revenue is to be used; (2) Source from which the revenue is to be derived; (3) The amount to be derived from adopting any particular proposal; (4) The equity of the proposal.

While there was a great deal of argument concerning several of the bills we believe that there was no objection against viewing the proposed legislation in the light of the above criteria. As will be noted from the above referred to tabulation, the majority of the bills were not pressed by their authors or authority was given the chairman to withdraw them from consideration.

We particularly call attention to Assembly Bills Nos. 70 and 71 which are allocation measures, and contain no racing revenue provisions.

HORSE RACING TAX BILLS

Assembly Bill No.	*Sections of Code Affected*	*Remarks*	*Action*
70	19622	Allocation, not revenue	None
71	Do.	Do.	Do.
308	19485, 19597, 19620, 19627	Increased revenues allocated to special purpose	Author has withdrawn
358	19485.1, 19620.1	Breakage for special purpose	Withdrawn by author
380	19488	Increases amount of local excise or license	Not considered
381	19620	Divides Fair and Exposition money with General Fund	See report
478	19485, 19597	License increase in all brackets	See report
851	19485, 19597, 19620, 19627	Do., and allocation for special purpose	Withdrawn by author
1521	Repeals	All money to General Fund	Abandoned by author
1581	Repeal 19485.1, 19620.1, 19627.1, 19597, 19627, 19485	License take increase and allocation of for special purpose	Not pressed by author
1582	19596.5	Do.	Do.
1583	19485, 19597	Do.	Do.
1637	19485.1, 19620.1	Breakage for special purpose	Do.
1833	19485, 19597	License increase over $30,000,000	See report
1841	19485, 19597, 19627	License take increase and allocation for special purpose	See report
2534	19485, 19597	License increase, allocation for special purpose	Not taken up by author

Assembly Bill No. 381 does not purport to increase the revenues but makes a division of the revenue by dividing the present 4 percent of revenue which now goes to Fairs and Expositions Fund equally with the General Fund.

We also point out that in Assembly Bill No. 1841, which increases the license rate, the additional money received by the State is dedicated to a special purpose, to wit: Support of the Recreation Commission set forth in the policy bill, Assembly Bill No. 1840. Proponents of this measure stated that their interest in the bill was to receive the revenue as a subvention from the State, and if there were sufficient funds in the State Treasury, the support of the program from the General Fund or any other source would be just as acceptable.

Assembly Bill No. 1521 is a measure which would repeal all allocations and continuing appropriation provisions of the code so that the

money would all go to the General Fund for appropriation by the Legislature each year to whatever purpose intended and does not propose any increase, but merely a different use of the fund. In view of Senate action on a similar measure, Mr. Sherwin did not press for consideration of this bill.

This leaves for consideration by the entire committee the following: Assembly Bill No. 478 by Mr. Anderson, Assembly Bill No. 1833 by Mr. Waters, and, as stated above, Assembly Bill No. 1841 by Mr. Dolwig.

It was clearly stated by the author of Assembly Bill No. 1833 that the purpose of the bill was to seek increased revenue for the State by leveling an increased license fee on that track or tracks bettter able to afford it because of higher earnings recorded for the past years. The author of the bill definitely stated, in speaking to the equity of the proposal, reliance was had on the fact that the State provides "a guaranteed monopoly" to licensees of horse racing establishments in California and that because two of the tracks, namely, Santa Anita and Hollywood, being in the upper brackets and having made excessive earnings and paid large salaries should per se be subject to, and, by converse reasoning, willing, to pay higher license. Data provided the committee by the author of 1841 made a comparison between that bill and 1833. The bill would provide an increase of some $3,000,000.

Your subcommittee thoroughly disagrees with the position taken by the author of 1833 inasmuch as the legislation seems to be punitive, and was so labeled by spokesmen for the two major tracks more affected, as well as by Golden Gate Fields, who, because of the fact that they have had a fortunate year, find themselves over the $30.000,000 mark, and would also be subject to being included under the provisions of the bill. The author stated that he was sorry that they had been inadvertently included.

Assembly Bill No. 478 not only makes an increase in the license fees in each of the $10,000,000 brackets, but provides more revenue than would be provided by either of the other bills mentioned herein. Such a proposal will not be well received by all the tracks, but it is in accord with the theory that no particular establishment should be singled out for discriminatory action,.

Your subcommittee feels that it should be noted in passing that a statement was made by representatives of the larger tracks affected by the proposal contained in Assembly Bill No. 1833 that they had been in conference with the Department of Finance, endeavoring to show from their books and records that the administration's proposal is unfair and would result in greatly diminished earnings and impairments of the services.

Attached hereto are Exhibits A, B, and C, which are: (a) statement of the Los Angeles Turf Club, Incorporated, being a copy of the exhibit offered to the Senate Committee on Governmental Efficiency which had a bill of similar nature to 1833, (b) a sheet furnished the chairman of the committee in conformity with the stipulation made by the representative of the Hollywood Turf Club, Incorporated, and (c) a sheet introduced by Mr. Dolwig, which was prepared by the Department of Finance and shows estimated pari-mutuel pools for the season 1949-50,

that expected revenue which would be derived under the existing code sections and the revenue which would be expected from either Assembly Bill No. 1833 or Assembly Bill No. 1841, as amended May 13, 1949.

It should be noted before closing that the Turf Clubs provided a court reporter who took a transcript of all the testimony and it is understood that a copy thereof will be made available to this committee when completed. It is the recommendation of the subcommittee that this transcript be fully studied and the data analized before action is taken.

In addition to this recommendation, we add the recommendation that this entire subject matter is one which might properly come before an Interim Committee on State and Local Taxation.

Respectfully,

ERNEST R. GEDDES, Chairman
CLAYTON A. DILLS
AUGUSTUS F. HAWKINS

Exhibit A

LOS ANGELES TURF CLUB, INC.

SENATE COMMITTEE ON GOVERNMENTAL EFFICIENCY LEGISLATURE, STATE OF CALIFORNIA

REVENUE TO STATE OF CALIFORNIA FROM RACING AND PROPOSED CHANGES IN CALIFORNIA HORSE RACING LAW

I. Introduction

This committee has the task of considering numerous bills proposing changes in the California Horse Racing Law and the request of Governor Earl Warren for additional revenue to the State of California from racing.

We know that you will want to base your decisions on a consideration of the facts with regard to the conduct of racing at the present time. For this reason, we are pleased to have the opportunity to be of assistance by presenting some of these facts for this purpose. For your future reference we are submitting this memorandum to you to supplement our oral presentation.

II. The Desired Additional Revenue to the State of California Cannot Be Produced by Reduction of Commission Rates on Pari-mutuel Gross Handle to the Tracks With Corresponding Increase in Rates on Tax to the State

1. We believe that it is generally agreed that it is not possible to produce additional revenue to the State of California by reducing the revenue to the smaller race tracks in the State.

2. Therefore, this leaves for consideration only the two large race tracks, Santa Anita Park and Hollywood Park. Based on what has happened at Santa Anita Park during the last two years and the general downward trend, it is likewise obvious that additional revenue to the State of California from racing cannot be obtained by decreasing the commission rate on the pari-mutuel gross handle in the upper brackets affecting Santa Anita Park and Hollywood Park for the purpose of a corresponding increase in the tax rate on the pari-mutuel pools to the State of California. This is evidenced by the following:

A. The costs of operations have continued to increase every year up to this year due primarily to increases in purses and wages and to the

expanded facilities which have made possible the increase in the volume of business. For example, the daily average expenses for the fiscal year ended November 30, 1948 in connection with the 45 regular racing days in the 1947-1948 meeting amounted to $144,719.83 as compared to the daily average expenses of $21,055.40 for the fiscal year ended June 30, 1935, in which the first race meeting was conducted at Santa Anita Park. This is an increase to nearly seven times the daily average expenses in the first year. In the fiscal year ended June 30, 1941, in which the last race meeting before the war was conducted, the daily average expenses amounted to $58,319.62, so that even since that time the expenses have increased to approximately two and one-half times that amount.

B. On the other hand, in the last two years at Santa Anita Park, there has been a drastic reduction in volume in pari-mutuel wagering accompanied by a reduction in attendance, which resulted in a tremendous decrease in the gross income. The daily average gross handle in the 1948-1949 meeting at Santa Anita Park was $1,748,389 as compared to a daily average gross handle of $2,468,737 in the 1946-1947 meeting. This is a decrease in the daily average gross handle of $720,348, which is a decrease of 29.18 percent.

The total pari mutuel gross handle in the 1947-1948 meeting, including the five charity days, was $14,709,123 less than the pari mutuel gross handle in the 1946-1947 meeting. This was a decrease of 11.92 percent. In the 1948-1949 meeting which has just recently closed, the decrease was even greater, showing a decrease of $21,308,265 as compared to the 1947-1948 meeting, which is a decrease of 19.60 percent.

On the 45 regular racing days, exclusive of the five charity days, in the 1947-1948 meeting the reduction in the average pari mutuel gross handle was $302,730 per racing day, which was a decrease of 12.14 percent as compared to the 1946-1947 meeting. The decrease in the average pari mutuel gross handle in the 1948-1949 meeting was even greater, being $438,956 per day, which is a decrease of 20.03 percent as compared to the 1947-1948 meeting.

Likewise, there was also a decrease of 7.22 percent in the attendance on the 45 regular racing days in the 1947-1948 meeting as compared to the 1946-1947 meeting, and a decrease of 14.34 percent in the attendance on the 45 regular racing days in the 1948-1949 meeting as compared to the 1947-1948 meeting.

C. Under a change in the California Horse Racing Law effective September 19, 1947 the breakage on the pari mutuel gross handle in excess of $27,000,000 in any one meeting goes to the State of California, whereas prior to the 1947-1948 meeting under the law the breakage was income of the track. The actual loss of gross income to the track at Santa Anita Park on breakage which went to the State of California in the 1947-1948 meeting, exclusive of charity days, was $525,360. Likewise, the actual loss of gross income to the track on breakage which went to the State of California in the 1948-1949 meeting, exclusive of charity days, was $384,556.43.

D. As a result, the daily gross income from racing at Santa Anita Park, in the 1947-1948 meeting, exclusive of charity days was down 15.22 percent, and there was a further reduction in the daily gross income on the regular racing days in the 1948-1949 meeting of 17.94 percent, as compared to the 1947-1948 meeting. The total reduction in

daily gross income for the two years as compared to the 1946-1947 meeting was $3,499,230.17. This is a reduction of 30.43 percent as compared to the daily gross income for the 1946-1947 meeting.

E. With the expenses increasing during the same period, this drastic reduction in the gross income reflects itself in a very large reduction in the net income to the corporation even after offset for reduction in federal income taxes. Based on actual figures to date and estimates for the balance of the fiscal year the estimated net income after federal income taxes from racing operations at Santa Anita Park during the current fiscal year ending November 30, 1949 is $1,210,958.97. This is based on the present federal income tax rates on corporations and if the federal income taxes of the corporation are increased in the present session of Congress this net income will be still further reduced. The net income to the corporation from the racing operations conducted at Santa Anita Park in the year 1947-1948 was down 31.83 percent as compared to 1946-1947. The estimated net income for the year 1948-1949 is down 44.71 percent as compared to 1947-1948. This estimated net income for the year 1948-1949 is down 62.31 percent as compared to the year 1946-1947. This is certainly an alarming decrease in a two-year period!

F. The estimated net income to the corporation from racing operations in the year ending November 30, 1949 is 8.01 percent of the total revenue produced from racing at Santa Anita Park during the 1948-1949 meeting, as compared to 37.22 percent of the total revenue paid to the State of California for taxes. Other taxes amount to 10.06 percent, making the total taxes 47.28 percent of the total revenue produced.

The increase in the size of the operations and the volume of pari mutuel wagering at Santa Anita Park has not reflected itself in any substantial or assured increase in net income to the corporation. This estimated net income for the current fiscal year is very little more than the average net income during the first seven years of operations at Santa Anita Park prior to the war when the daily average pari mutuel gross handle ranged from approximately $244,000 in the first year to approximately $707,000 in the 1940-1941 meeting. On the other hand, the fact that we have increased the size of the operations and the volume of wagering has directly reflected itself in a very large increase in revenue to the State of California resulting from the increased tax on the pari mutuel pools. For example, the total direct revenue to the State of California from pari mutuel wagering in our first meeting was $635,907.36 as compared to $8,235,718.51 in the 1945-1946 meeing, and approximately $5,450,000 in our 1948-1949 meeting.

III. Allocation of the Revenue Dollar From Racing

1. For the purpose of seeing what has actually happened with regard to the revenue produced from racing operations and the allocation of the revenue dollar from racing, we have developed figures showing the total revenue produced from racing operations at Santa Anita Park and the allocation of this revenue for the first year of operation in 1934-1935, the last year before the war, 1940-1941, and the last two years, 1947-1948 and 1948-1949. A true reflection of this comparison can best be shown in percentages of the revenue dollar. In order to show this comparison pictorially we have attached to this memorandum a chart, designated as Chart Number 1, which shows the allocation of the total revenue in comparative form for each of these four years.

2. This chart clearly shows that as previously stated in this memorandum the increase in the size of operations and volume in pari mutuel wagering at Santa Anita Park has not reflected itself in any substantial or assured increase in net income to the corporation but on the other hand the tremendous increase in the volume of wagering has been directly reflected in a very large increase in revenue to the State of California, this increase resulting from the increased tax on the pari mutuel pools. A glance at this chart shows that over the period of years with an increasing volume of business the percentage of revenue remaining as net income of the corporation has continued to decrease from 27.06 percent in the first year to 8.01 percent in the current year. On the other hand, the percentage of the revenue dollar paid as taxes to the State of California showed a continual increase from 21.69 percent in the first year to 37.53 percent in 1947-1948 and 37.22 percent in 1948-1949.

3. Chart Number 2 shows even more graphically this comparison of the revenue to the State of California from racing operations at Santa Anita Park to the net income of the corporation with 37.22 percent of the total revenue in the year 1948-1949 going to the State of California as compared to 8.01 percent net income to the corporation.

4. Who gets what out of the revenue from racing? Some of the net income to the corporation each year has been retained in the business for investment in additional land, plant and facilities, and therefore the actual real participation of the stockholders of the corporation in the revenue produced from racing is represented by cash dividends. Chart Number 3 shows a comparison of the revenue received by the State of California in the first year, 1934-1935, the last year before the war, 1940-1941, and the year 1947-1948, to the cash dividends paid to the stockholders in those years. This shows the tremendous increase in the percentage of the revenue dollar going to the State of California resulting from the increased volume of business with a greatly reducing percentage of the revenue dollar going in cash dividends to the stockholders. The 37.53 percent of the revenue dollar which went to the State of California in 1947-1948 is approximately seven times as much as the 5.40 percent paid in cash dividends to the stockholders.

Including the city, county, and federal taxes, the percentage of the revenue dollar in 1947-1948 paid in taxes amounted to 49.13 percent as compared to 5.40 percent in cash dividends to stockholders. Thus, over nine times as much was paid in taxes as was received by the stockholders.

IV. Total Revenue to the State of California From Racing Operations

1. During the Fiscal Year 1934-1935 the total direct revenue to the State of California from racing throughout the State was $1,005,103.36. During the peak year, 1945-1946, this amounted to $22,778,671.67. The estimated total revenue from this source included in the Governor's Budget is $17,685,380 for the Fiscal Year 1948-1949 and $16,040,392 for the Fiscal Year 1949-1950. Therefore, even with the reduced volume of wagering this is still 16 times the revenue from pari mutuel operations in the State in 1934-1935. This, of course, is exclusive of other revenue produced for the State as a result of racing operations, such as corporation franchise tax and sales tax.

2. During the period that racing has been conducted at Santa Anita Park commencing with the 1934-1935 meeting and even with three years when no racing was conducted because the property was in the possession of the United States Government during the war, the total taxes paid by Los Angeles Turf Club, Inc. to the State of California resulting from racing operations to and including the current year amounted to approximately $44,000,000. This certainly is a large amount of revenue to the State resulting from the operations of one corporation.

V. Policy of Los Angeles Turf Club, Inc., to Increase Investment in Plant and Facilities for the Public

1. It has always been the policy of Los Angeles Turf Club, Inc. to increase its investment in plant and facilities for the public which has resulted in the tremendously increased volume of pari mutuel wagering and the resulting direct increase in revenue to the State of California. Since the first year the actual cost of additional investment in fixed assets is over $3,100,000. This includes the additional improvements made during the last year at a cost of approximately $800,000. This is an increase of approximately 271 percent in the cost of the fixed assets, and the present cost of the total fixed assets is nearly three and three-quarter times the total original cost.

As a result of the continued increase in the investment in plant and facilities for the conduct of racing operations at Santa Anita Park the same dollar profit is a much smaller return on the investment.

Furthermore, Los Angeles Turf Club, Inc., has announced a major improvement program at Santa Anita Park to be completed before the next race meeting, in which it will spend approximately the same amount as the net income from racing operations at Santa Anita Park in the current fiscal year. This expenditure of $1,250,000 will consist principally of a 261 foot x 103 foot reinforced concrete and steel extension to the grandstand with related expansion of the paddock gardens, new stable buildings which will give accommodations to approximately 250 additional horses, and the re-building of the entire main mile racing course with its chutes so that it will be serviceable in all weather conditions. These additional facilities for the public will reflect themselves in an increased volume of pari mutuel wagering with a direct increase in the revenue to the State of California. We believe that this is one of the best ways that we can continue to maintain the large revenue to the State from racing operations.

VI. State of California Is Principal Beneficiary From the Conduct of Racing

1. Aside from other taxes, such as corporation franchise tax and sales tax, the State of California receives a tax and breakage based on the pari mutuel gross handle and also uncashed winning tickets regardless of the results of operations of the race tracks. In other words, the very fact that racing operations are conducted produces large revenue for the State of California.

2. This large revenue is without any investment by the State of California and for all practical purposes the State's gross income is also its net income.

3. As has been shown above, the increased investment which has been made by the stockholders in plant and facilities which has made possible the tremendous increase in the volume of pari mutuel wagering

has resulted in a direct large increase in the revenue to the State of California, but this has not resulted in any material lasting increase in income to the corporation and cash dividends to the stockholders. As stated before the actual dollars of net income for the current year will be no more than the average net income to the corporation in the first seven years of its operation prior to the war on a comparatively much smaller operation and with a much smaller investment.

4. Furthermore, the original investment and continued increase in investment in buildings and improvements at Santa Anita Park has no value to the corporation and to the stockholders except for the continued use in the conduct of racing. If racing should be discontinued these improvements would have to be removed at tremendous cost in order to make the land useable for any other purpose, and therefore this investment would actually become a liability. This is because the investment is in a specialty plant designed for the conduct of horse racing.

5. It should also be remembered that the value of the inflationary dollar at the present time is much less than the value of the dollar in 1935 and that the profit dollars are worth less to the corporation and the stockholders in the same way that dollars are worth less to anyone else.

6. Earnings in terms of dollars in any business may appear to be large but percentagewise they may not be large enough. In his statement before the Subcommittee on Profits of the Joint Congressional Committee on the Economic Report, Washington, D. C., on December 21, 1948, Mr. Enders M. Voorhees, Chairman of the Finance Committee, United States Steel Corporation, stated:

> "It is equally an abuse of the elemental principles of comparison to compare dollars in one period with dollars of widely different purchasing power in other periods. The simplest and quickest way of avoiding this error is to express the income or less as a percent of the sales dollar, thus establishing a ratio of profit compensation to economic contribution, with both being measured in the same kinds of dollars."

This is what we have done in the use of percentages in the attached charts showing the allocation of the revenue dollar from racing in the various years since racing has been conducted at Santa Anita Park.

7. As is shown on Charts Number 2 and 3 the percentage of the total revenue from racing at Santa Anita Park which was paid to the State of California in 1947-1948, was 37.53 percent as compared to 8.01 percent for net income of the corporation and 5.40 percent for the cash dividends paid to stockholders. This certainly is not an excessive return to the stockholders. This fact is evidenced by a comparison to percentages in the case of other businesses For example, in the May 16, 1947 issue of the United States News an advertisement of the Standard Oil Company of New Jersey shows that of the total income dollar of that company for the year 1946 the net income amounted to 10.08 percent, of which 5.08 percent was put back into the business and 5 percent paid in dividends to the stockholders. In the statement of Enders M. Voorhees, Chairman of the Finance Committee of United States Steel Corporation, before the Subcommittee on Profits of the Joint Congressional Committee

on the Economic Report, referred to above, he stated that the net income of United States Steel Corporation in 1947 as a percentage of sales was 6 percent and that this was the smallest percentage for any year of anywhere nearly comparable rates of operation in United States Steel's entire peacetime history.

The published annual report for 1948 of Lane-Wells Company, a national oil well supply company, shows a statistical comparison of various figures for the years 1946, 1947, and 1948. These figures indicate that the percentages of gross income remaining as net income in the three years were 12.15 percent in 1946, 17.73 percent in 1947, and 17.64 percent in 1948.

The published annual report for the year ended December 31, 1948 of National Gypsum Company, a large national building materials company, shows that the net income for the year was 11.74 percent of sales.

In a recent newspaper advertisement of the Union Oil Company of California, a chart is shown of the division of the 1948 sales dollar. This shows that the total profit for the year consisted of 15 percent of the sales dollar, of which 9.6 percent was retained in the business and 5.4 percent paid in dividends to the stockholders This is exactly the same percentage as in the case of cash dividends to the stockholders of Los Angeles Turf Club, Inc. in the fiscal year ended November 30, 1948 as shown in the charts referred to above.

8. As evidenced by the percentages based on actual figures, there is no question as to who is the principal beneficiary of the expansion and increase in the size of racing operations conducted at Santa Anita Park. This is the State of California, and the State receives by far the greatest share of the revenue produced from racing at Santa Anita Park, amounting to 37.53 percent of the total revenue in 1947-1948 and 37.22 percent in 1948-1949. Therefore, the State's principal interest at this time should be in the preservation of conditions which will make possible a continuation of this large revenue to the State.

VII. Effect of Any Reduction in Commission Rates With Corresponding Increase in Tax Rates to the State of California on Pari Mutuel Pools

1. As has been shown above, over a period of the last two years the gross income from racing at Santa Anita Park has reduced approximately $3,500,000 and the estimated net income for the current year to the corporation even assuming no increase in federal income tax rates shows a decrease of 62.31 percent as compared to the year 1946-1947.

2. Even in actual dollars the net income of Los Angeles Turf Club, Inc. from racing operations for the current year is down to the point that it is obvious that the profits are not excessive and that additional revenue to the State of California cannot be obtained by taking it out of the profits of the race track. There is also the possibility that the downward trend in the attendance and the pari mutuel wagering may continue with a further reduction in the gross income which will result in a drastic reduction in the net income unless steps are taken to reduce purses and wages, which are the principal items of expense, to offset the reduction in gross income.

3. In the same way if the gross income should be reduced by a reduction of the commission rate to the track on the pari mutuel gross handle it would also necessitate consideration of the matter of reduction of

purses and wages and a change in the present standard of operations. This in turn would naturally reflect itself in a further reduction in the pari mutuel wagering with a resulting direct reduction in the revenue to the State. We are satisfied that the same situation would be true in the case of Hollywood Park.

VIII. Conclusion

As has been shown above, a drastic change has taken place in the past two years in the conduct of racing at Santa Anita Park which has reflected itself in a tremendous reduction in the profits of the race track. There is reason to believe that the present trend in reduction in attendance and wagering may continue. Under these circumstances the present standard of operations at Santa Anita Park, which produces very large revenue to the State under the present law, cannot be maintained if the pari mutuel commission rate is reduced for the purpose of increasing the tax rate to the State.

The net income to the race track from the conduct of racing under conditions existing at the present time is not too large and is a much smaller return on the investment in dollars which are worth less than the dollars earned on a smaller investment and much smaller operation in the years prior to the war. The State of California enjoys a huge revenue from the racing operations conducted at Santa Anita Park and a similarly large revenue from the operations conducted at Hollywood Park, and the State receives by far the greatest share of their revenue produced by racing. The best way to assure continued maximum revenue to the State from racing is to permit the continuation of the present standards of operation and continued expansion of facilities for the public. It is our earnest desire to conduct racing for the best interests of the State and the racing industry in California as a whole. To be permitted to do so requires a consideration of conditions as they now exist and not the unusual conditions which existed for a short time but which are now history. Therefore, we respectfully urge your consideration of the facts under present conditions, and we are confident that based on this consideration this committee will agree that no change should be made in the California Horse Racing Law with regard to the tax and commission rates on the pari mutuel gross handle.

Respectfully submitted.

LOS ANGELES TURF CLUB, INC.
By ROBERT E. KING, Controller

May 5, 1949.

Supplement

Since this memorandum was originally prepared, the major portion of the plant at Hollywood Park was destroyed by fire on the night of May 5, 1949, and Los Angeles Turf Club, Inc., has turned its plant and all facilities over to Hollywood Turf Club for the conduct of the Hollywood Park meeting during the period from May 17, 1949, to July 23, 1949 inclusive. Not only is the use of the property at Santa Anita Park for the conduct of the Hollywood Park meeting of assistance to Hollywood Turf Club at a time when it has suffered a catastrophe, but the conduct of this meeting at Santa Anita Park is of great benefit to the racing

industry in California as a whole. Furthermore, this will save approximately $5,000,000 in revenue to the State of California which otherwise would have been lost to the State.

This catastrophe at Hollywood Park is very concrete evidence of the fact that present-day profit-dollars of race tracks should be considered in relation to values in present-day dollars of plant and facilities, and not to the book values or costs in terms of dollars of an entirely different value in earlier years when the plants were built. Now we will have a situation where although some portion of the plant at Hollywood Park was not destroyed, the major portion will have to be re-built at present-day inflated costs, so that property values and profits will both be in terms of the present-day dollar. Therefore, Hollywood Turf Club will be faced with the necessity of earning a reasonable return on an investment in plant and facilities at present-day costs. We have stated above in this memorandum that there has been an indication that the trend in reduction in pari mutuel wagering and attendance will continue. This has been more than borne out in the Hollywood Park meeting at Santa Anita Park to date, on which we have been informed that the reduction in pari mutuel wagering as compared to the meeting at Hollywood Park in 1948 is approximately 25.58 percent and the reduction in attendance is approximately 19.65 percent. These drastic reductions which reflect themselves in a direct reduction in the gross income of the race track following the reductions which have been experienced by Los Angeles Turf Club, Inc., at Santa Anita Park during the past two years accentuate the problems which are faced by Hollywood Turf Club and Los Angeles Turf Club, Inc. Even without any reduction in gross income by changes in the California Horse Racing Law. Certainly, it should be clear to anyone who looks at the facts that additional revenue from racing to the State of California cannot be produced by taking this out of the profits of Los Angeles Turf Club, Inc. and Hollywood Turf Club.

LOS ANGELES TURF CLUB, INC.
By ROBERT E. KING, Controller

NOTE—The charts referred to in Appendix A have not been printed due to insufficient time in which to have the cuts made.—Ed.

Exhibit B

COMPUTATION OF 1950 HANDLE

1948 handle—45 days	$85,000,000
1949 estimated normal decrease—15%	12,750,000
(Note: 1949 drop through first 20 days—25.7%)	
	$72,250,000
1950 estimated decrease—15%	10,837,500
1950 estimated handle	$61,412,500

1948 gross income					$8,605,000
Less 15%—1949					1,290,750
					$7,314,250
Less 15%—1950					1,097,138
Revised gross—1950					$6,217,112
Expenses					5,641,254
Revised net under present rates					$575,858
Handle Millions	Present rates	Proposed rates	Difference %		
10	9	9	-		
10	8	8	-		
10	7	7	-		
10	7	5	2%	$200,000	
10	7	3	4%	400,000	
10	7	3	4%	400,000	
2	7	3	4%	80,000	1,080,000
Loss before reduction of expenses					$504,142
Reduction in tote cost—⅛% of 23 million				$28,750	
5% charity				148,634	
Franchise tax				90,000	
Reduction in salaries and other expenses				200,000	467,384
Estimated loss under above proposed rates					$36,758

Exhibit C

COMPARISON OF EFFECT OF ASSEMBLY BILLS 1833 AND 1840 AMENDING SECTION 19485, BUSINESS AND PROFESSIONS CODE, WITH EXISTING LAW

	Estimated *pari-mutuel* pools, 1949-50	Existing law	A B 1833	A B 1840 as amended 5-13-49
License Fee Based on Amount of Pari-Mutuel Pool:				
First $10,000,000		4%	4%	4%
$10,000,001 to $20,000,000		5	5	5
$20,000,001 to $30,000,000		6	6	6
$30,000,001 to $40,000,000		6	8	9
Over $40,000,000		6	10	9
Estimated Revenue by Tracks Under Section 19485, Business and Professions Code:				
Hollywood Park:				
Summer 1949 (Last 24 days)	$41,428,000	$2,485,680	$4,142,800	$3,728,520
Summer 1950 (First 26 days)	37,690,458	1,961,427	2,115,237	2,192,141
Del Mar	23,370,000	1,102,200	1,102,200	1,102,200
Santa Anita	84,250,000	4,755,000	6,725,000	6,382,500
San Francisco Area Tracks:				
Fall 1949 (First meeting)	23,821,000	1,129,260	1,129,260	1,129,260
Fall 1949 (Second meeting)	23,821,000	1,129,260	1,129,260	1,129,260
Spring 1950	23,165,000	1,089,900	1,089,900	1,089,900
Southern Harness Meeting	14,000,000	600,000	600,000	600,000
Northern Harness Meeting:				
Last 12 days 1949	1,200,000	48,000	48,000	48,000
First 16 days 1950	1,600,000	64,000	64,000	64,000
State, County, and District Fairs	14,625,000	585,000	585,000	585,000
TOTALS	$288,970,458	$14,949,727	$18,730,657	$18,050,781

	Existing law	A B 1833	A B. 1840 as amended 5-13-49
Estimated Other Revenue from Horse Racing.			
Miscellaneous license fees—Section 19510, Business and Professions Code	$19,000	$19,000	$19,000
Breakage on pools in excess of $27,000,000—Section 19485 1, Business and Professions Code	820,263	820,263	820,263
Unclaimed pari-mutuel tickets—Section 19598, Business and Professions Code	251,402	251,402	251,402
TOTALS, ESTIMATED REVENUE FROM HORSE RACING	$16,040,392	$19,821,322	$19,141,446
Distribution of Estimated Revenue by Fund:			
Fair and Exposition Fund	$11,577,818	$11,577,818	$11,577,818
General Fund			
From license fees	390,909	4,171,839	**3,491,963
From unclaimed pari-mutuel tickets	251,402	251,402	251,402
TOTALS, GENERAL FUND	$642,311	$4,423,241	**$3,743,365
Wildlife Restoration Fund	$3,000,000	$3,000,000	$3,000,000
State College Fund	820,263	820,263	820,263
TOTALS	$16,040,392	$19,821,322	$19,141,446

** Assembly Bill 1841 is to be amended to provide that the increased revenue under A B 1840 is to be paid into the Recreation Fund Under the proposed amendments the revenue for the General Fund as shown by this statement will be reduced from $3,743,365 to $642,311 The revenue for the Recreation Fund is estimated to be $3,101,054

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Randal F. Dickey, Mrs. May Shade, Mrs. Marion Thompson, Mrs. Esther Childs, and Mr. and Mrs. Max McMurry of Alameda.

On request of Mr. Morris, the usual courtesies of the Assembly for this day were unanimously extended to Hampton Hutton of Pasadena, Commander, Department of California American Veterans of World War II (Amvets).

On request of The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to M. Phillip Davis of Los Angeles, former Assemblyman.

On request of Messrs. Grant and Levering, the usual courtesies of the Assembly for this day were unanimously extended to Geoffrey F. Morgan, former Assemblyman from Santa Monica, and Kenneth Sampson, former Assemblyman of Long Beach.

On request of Mr. Huyck, the usual courtesies of the Assembly for this day were unanimously extended to John C. Mayes of Beverly Hills, and Margie Thornberry of Walsenburg, Colorado.

ADJOURNMENT

At 11.59 p m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Tuesday, June 21, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-SIXTH LEGISLATIVE DAY

ONE HUNDRED SEVENTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, June 21, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Sympathy: We commend to Thee today all those who are sick and in pain, who suffer from bodily afflictions, or physical handicaps and pray for the recovery of health.

May they cherish the tonic belief that tomorrow will be brighter than today because healing forces which Thou hast implanted perform their curative office.

Believe that the genius which has unlocked the atom will yet discover some new knowledge that will come to their relief.

We pray that those who have the means will establish and promote research for mysterious afflictions so that numberless people in city and village may return to useful life.

May the philanthropic spirit which has distinguished our citizens show its generosity for the well-being of the stricken who cry out from the depths of misery for health and happiness.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. McCarthy, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Reagan.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mr. Clarke, on motion of Mr. Crichton.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication and a resolution from Hugo S. Srb, Clerk of the Legislature of Nebraska, relative to memorializing the Congress of the United States for the calling of a convention to propose an amendment to the Constitution of the United States, relating to the taxing power by the Federal Government, were received, and ordered referred to the Committee on Revenue and Taxation.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 85
Assembly Bill No. 426
Assembly Bill No. 2486
Assembly Bill No. 2487
Assembly Bill No. 2488
Assembly Bill No. 2692
Assembly Bill No. 3115

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 45

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1455

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2120

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1138
Assembly Bill No. 1530

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 7
Assembly Bill No. 92

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 44

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 466

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 569
Assembly Bill No. 861
Assembly Bill No. 891
Assembly Bill No. 1492

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2702
Assembly Bill No. 2715

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 31

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1029

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 933

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1055
Assembly Bill No. 2263

And reports the same correctly engrossed.

HUYCK, Chairman

Assembly Bills Nos. 1055 and 2263 ordered re-referred to Committee on Ways and Means.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 2703

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to third reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 70 re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Constitutional Amendment No. 6

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 20, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 87
Senate Bill No. 116
Senate Bill No. 128
Senate Bill No. 274
Senate Bill No. 424
Senate Bill No. 453
Senate Bill No. 474
Senate Bill No. 517
Senate Bill No. 553
Senate Bill No. 554
Senate Bill No. 559
Senate Bill No. 687
Senate Bill No. 702
Senate Bill No. 718
Senate Bill No 719
Senate Bill No. 802
Senate Bill No. 1166
Senate Bill No. 1178
Senate Bill No. 1240
Senate Bill No 1256
Senate Bill No. 1268
Senate Bill No. 1341
Senate Bill No. 1364
Senate Bill No. 1368
Senate Bill No. 1405
Senate Bill No. 1418
Senate Bill No. 1482
Senate Bill No. 1568
Senate Bill No. 1642
Senate Bill No. 1645
Senate Bill No. 512

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 87—An act to amend Section 9359.8 of, and to add Sections 9359.85, 9360.2, 9360.3, 9360.4, 9360.5, and 9360.6, to, the Government Code, relating to retirement of, and allowances to, members of the Legislators' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 116—An act to provide for leasing additional facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 128—An act to amend Section 737hh of the Political Code, relating to salaries of Superior Judges in Sacramento County.

Referred to Committee on Judiciary.

Senate Bill No. 274—An act to amend Section 16272 of the Education Code, relating to the operation of school busses.

Referred to Committee on Education.

Senate Bill No. 424—An act to amend Section 2700 of the Penal Code, relating to compensation of prisoners.

Referred to Committee on Judiciary.

Senate Bill No. 453—An act to add Section 7209 to the Education Code, relating to the county school service fund.

Referred to Committee on Education.

Senate Bill No. 474—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 517—An act making an additional appropriation to the Legislators' Retirement Fund.

Referred to Committee on Ways and Means.

Senate Bill No. 553—An act relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and preventing the spread of the same and making an appropriation therefor, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 554—An act relating to the acquisition of a bridge or bridges across the Bay of San Francisco connecting the Counties of San Mateo and Alameda, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, providing for the inclusion thereof in the State Highway System upon the acquisition thereof, and amending Sections 405 and 407 of the Streets and Highways Code in connection therewith.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 559—An act to amend the heading of Chapter 3 of Division 10 of, and to add Sections 20656 and 20657 to, the Education Code, relating to the California State Polytechnic College, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 687—An act to amend Section 135 of the Streets and Highways Code, relating to properties acquired for highway purposes.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 702—An act to add Sections 12026, 12027, 12028, and 12029 to the Education Code, relating to the Accreditation Committee of the State Board of Education and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 718—An act to add Section 70.3 to the Streets and Highways Code, relating to the California Highway Commission.

Referred to Committee on Transportation and Commerce.

Senate Bill No. 719—An act to amend Section 6401 of the Public Resources Code, relating to the reservation of oil, gas, and mineral rights in state lands.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 802—An act to amend Section 7205, and to add Sections 7214, 7215, 7216, and 7217 to of the Business and Professions Code, relating to the members of the State Board of Guide Dogs for the Blind, and the regulation of guide dog schools.

Referred to Committee on Social Welfare.

Senate Bill No. 1166—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1178—An act to repeal Sections 314, 314.5, 315, 316, and 317 of and to add Sections 314, 315, 316, 317, 318, 319, and 319.1 to the Vehicle Code, relating to proceedings in reference to refusal to issue or the suspension or revocation or other action pertaining to drivers' licenses.

Referred to Committee on Judiciary.

Senate Bill No. 1240—An act to amend Articles 4, 5, 6, 7, and 8, and Sections 45.5, 45.6, 45.7, 46, 49, 55, 59, 63, 64, 68, 70, 71, 73, 87, and 89, and to repeal Sections 56, 57, and 58 of, and to add Section 2.1 to, the Community Redevelopment Act, relating to housing and redevelopment.

Referred to Committee on Conservation, Planning, and Public Works.

Senate Bill No. 1256—An act to add Section 34 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20,

1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Referred to Committee on Ways and Means.

Senate Bill No. 1268—An act to provide for the acceptance of the old State Capitol Building at Benicia as a state monument, authorizing the City of Benicia to grant such property to the State, and authorizing the Division of Beaches and Parks in the Department of Natural Resources to lease portions of the property and building to the City of Benicia.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1341—An act to amend Section 19433 of the Business and Professions Code, relating to the salary of the Secretary of the California Horse Racing Board, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 1364—An act to repeal Sections 187 to 192, inclusive, 9034.1, 16276, 16277, 18058, and 19155, and Article 5 of Chapter 8 of Division 4 of the Education Code; to amend Sections 12142, 13831, and 16273 of said code; to amend the heading of Article 3.5 of Chapter 5 of Division 9 of said code; and to amend and renumber the headings of Article 4.5 of Chapter 13 of Division 2, comprising Sections 4321 to 4325, inclusive, Article 9 of Chapter 1 of Division 10, comprising Sections 20221 and 20222, and Chapter 8 of Division 10, comprising Sections 21601 to 21613, inclusive, of said code, all relating to the Public School System.

Referred to Committee on Education.

Senate Bill No. 1368—An act to amend Section 3 of an act entitled "An act to cede certain property to the town of Crescent City," approved March 26, 1868, as amended, relating to the cession of certain tidelands and submerged lands to the town of Crescent City.

Referred to Committee on Manufacturing, Oil, and Mining Industry.

Senate Bill No. 1405—An act to amend Section 28154 of the Government Code, relating to compensation for public services in counties of the fifty-fourth class.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1418—An act to add Section 171c to the Civil Code, relating to the management and control of community property.

Referred to Committee on Judiciary.

Senate Bill No. 1482—An act to add Chapter 2.5, comprising Sections 18120 to 18122, inclusive, to Division 9 of the Education Code, relating to plans for school buildings, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 1568—An act to amend Section 16305 of, and to add Sections 16305.1, 16305.2, 16305 3, 16305.4, 16305.5, 16305.6, 16305.7, and 16305.8 to the Government Code, relating to money held in trust

by the State Treasurer as provided in Section 29 of Article IV of the Constitution of California, and to provide a support appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 1642—An act to add Section 261d to the Code of Civil Procedure, relating to phonographic reporters.

Referred to Committee on Judiciary.

Senate Bill No. 1645—An act making an appropriation to the Regents of the University of California for the support and maintenance in the University of California of an Institute of Real Estate.

Referred to Committee on Ways and Means.

Senate Bill No. 512—An act making an appropriation for the construction and equipment of buildings for a liberal arts college on the campus of the University of California at Riverside.

Referred to Committee on Ways and Means.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3178—An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read second time.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Dickey:

Resolved, That Assembly Bill No. 3178 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, considered engrossed, and placed upon its passage.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dickey moved a call of the Assembly.

Motion carried. Time, 9.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Berry, Brady, Caldecott, Collier, George D. Collins, Connolly, Conrad, Cooke, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Grunsky, Hagen, Hinckley, Hollibaugh, Lincoln, Lipscomb, Lowrey, McCollister, McMillan, Meyers, Niehouse, Stewart, Waters, Weber, and Yorty—31.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Crichton asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of plac ing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE
THIRD READING OF ASSEMBLY BILLS

Assembly Bill No. 1455—An act to amend Section 776 of the Vehicle Code and to add Section 373.1 thereto, and to amend Section 10758 of the Revenue and Taxation Code, relating to registration and registration and license fees for trailer coaches and disposition of the funds received therefrom.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being inclosed within brackets.

[AYES—Anderson, Babbage, Beck, Bennett, Burke, Caldecott, Coats, Condon, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—49.

NOES—Burkhalter—1.]

~~Bill ordered transmitted to the Senate.~~

(On this day the above record was expunged, and the action rescinded, whereby the Assembly passed Assembly Bill No. 1455. (Assembly Journal, page 4768.).)

Assembly Bill No. 2200—An act to add Section 5034.1 to the Education Code, and to add Section 4.5 to Chapter 24, Statutes of 1948, relating to distressed school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr Speaker—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 1801 HOLD PLACE ON FILE

Mr. Maloney asked for unanimous consent that Assembly Bill No. 1801 be temporarily passed on file, and hold its place on file until the arrival in the Assembly Chamber of Mr. Collier.

Motion That Assembly Bill No. 1801 Be Taken Up at This Time

Mr. Doyle moved that Assembly Bill No. 1801 be taken up, at this time.

Mr. Hoffman seconded the motion.

Motion carried.

CONSIDERATION OF ASSEMBLY BILL NO. 1801

Assembly Bill No. 1801—An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 69

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Constitutional Amendment No. 69, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 69—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 1.6, 8a, 14½, 14¾, 15½, and 16½ and amending Sections 14 and 14¼ of Article XIII thereof, relating to taxation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 69?

Amendment No. 1

In line 4 of the title of the printed measure, after "16½", insert "of, adding Section 18 to,".

Amendment No. 2

On page 7 of said measure, after line 9, insert

"Fourth. That Section 18 be added to Article XIII, to read:

SEC. 18. The repeal or deletion of any provision of this article, regardless of when effected, shall not affect the collectibility of any tax assessed pursuant to such provisions while such provision was in effect."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 69 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Constitutional Amendment No. 69 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 70

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Constitutional Amendment No. 70, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Assembly Constitutional Amendment No. 31, 1927 Regular Session and amending Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Senate Constitutional Amendment No. 21, 1927 Regular Session.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 70?

Amendment No. 1

On page 2, line 21, of the printed measure, strike out "State Department of Institutions", and insert "Department of Mental Hygiene".

Amendment No. 2

On page 2, line 36, of said measure, strike out "State Department of Institutions", and insert "Department of Mental Hygiene".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 70 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Coats, George D Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Constitutional Amendment No. 70 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2615

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2615, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2615—An act to amend the Streets and Highways Code by adding Section 5829.1, relating to joint sanitary disposal sewers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2615?

Amendment No. 1

On page 1, line 8, of the printed bill, after "sewage", insert "or industrial waste".

Amendment No. 2

On page 1, line 20, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 3

On page 1, line 23, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 4

On page 2, line 9, of said bill, after "sewage", insert "or industrial waste".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2615 by the following vote:

AYES—Anderson, Beck, Bennett, Brown, Burke, Burkhalter, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.
NOES—None.

Assembly Bill No. 2615 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2616

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2616, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2616—An act to amend the Health and Safety Code by adding Sections 4636.8, 4667, 4843, 4888, and 6823, relating to joint sanitary disposal sewers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2616?

Amendment No. 1

On page 1, line 9, of the printed bill, after "sewage", insert "or industrial waste".

Amendment No. 2

On page 1, line 21, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 3

On page 1, line 23, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 4

On page 2, line 4, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 5

On page 2, line 10, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 6

On page 2, line 22, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 7

On page 2, line 34, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 8

On page 2, line 36, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 9

On page 2, line 42, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 10

On page 2, line 49, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 11

On page 3, line 9, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 12

On page 3, line 22, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 13

On page 3, line 24, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 14

On page 3, line 29, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 15

On page 3, line 36, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 16

On page 3, line 47, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 17

On page 4, line 9, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 18

On page 4, line 11, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 19

On page 4, line 16, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 20

On page 4, line 23, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 21

On page 4, line 34, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 22

On page 4, line 46, of said bill, after "sewage", insert "or industrial waste"

Amendment No. 23

On page 4, line 48, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 24

On page 5, line 2, of said bill, after "sewage", insert "or industrial waste".

Amendment No. 25

On page 5, line 9, of said bill, after "sewage", insert "or industrial waste"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2616 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris,

Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.
NOES—None

Assembly Bill No. 2616 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2339—An act relating to the acquisition of property in connection with the Butano Forest State Park in San Mateo County, making an appropriation therefor, and declaring the urgency thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.
NOES—Reagan and Waters—2.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.05 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 252

By Mr. Lowrey:

House Resolution No. 252

WHEREAS, In 1939 Assembly Bill 773 was passed adding to the California Fish and Game Code Chapter 5, Division 1, wherein landowners were licensed to collect fees for the privilege of shooting pheasant or quail thereon, and

WHEREAS, In 1943 Assembly Bill 1692 amending sections of Chapter 5 of the Fish and Game Code proposing to "foster and increase the upland game bird population in the State of California" and further stating that "such area must be open to any license hunter for shooting during the entire game management season upon payment of the fee as set forth in the application"; and

WHEREAS, In 1947 Section 50 of the Fish and Game Code was so amended that such an area would be classed as a "commercial" area and that another area would be established as a "noncommercial" area which would restrict hunters to the landowners or lessees choice upon payment of certain fees; and

WHEREAS, Section 51 of the Fish and Game Code states, "if the commission is satisfied, after investigation, that the tract is suitable for the purpose of a game management area and that the establishment of such an area will not conflict with the public interest"; and

WHEREAS, The Bureau of Game Conservation, Division of Fish and Game, has indicated in their reports that such areas can be construed as in conflict with the public interest because records at hand show these areas are recovering not in excess of 17 percent on the average of the birds they are releasing; and

WHEREAS, It follows that a large percentage of the balance of the birds taken under such permits can logically be assumed to be state raised and released birds which have taken refuge on these areas; and

WHEREAS, The 60-day hunting season allowed on such areas as against the 10 days allowed the balance of the State generally, and the seasonal bag limit, on such hunting areas, of 360 pheasants of either sex per hunter as against the seasonal bag limit of 10 male pheasants allowed for the balance of the State generally, creates in the minds of the general public a feeling of being discriminated against; now, therefore, be it

Resolved, That the Fish and Game Commission shall examine in greater detail the evidence as presented by the Bureau of Game Conservation, Division of Fish and Game, which shows a preponderance of unbanded birds being taken on such game management areas; and, be it further

Resolved, That the commission shall establish additional rules and regulations, prior to the renewal of game management permits for the season 1950, that will bring into better balance the ratio of birds legally taken upon such areas with the number of birds released, to the end that greater assurance may be had that the percentage of game management area banded birds taken will be appreciably increased.

Copies of this resolution to be forwarded to the members of the Fish and Game Commission and the Executive Officer of the Division of Fish and Game.

Resolution read.

Motion That House Resolution No. 252 Be Withdrawn From File, and Be Re-referred

Mr. Heisinger moved that House Resolution No. 252 be withdrawn from the file, and be re-referred to the Interim Committee on Fish and Game.

Mr. Thompson seconded the motion.

Point of Order

Mr. Lowrey arose to the following point of order: That, because there is, at this time, no Interim Committee on Fish and Game, the motion by Mr. Heisinger is not in order.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That House Resolution No. 252 Be Withdrawn From File, and Be Re-referred

Mr. Thompson moved that House Resolution No. 252 be withdrawn from the file, and be re-referred to the Committee on Rules, and then be re-referred to the Interim Committee on Fish and Game, when created.

Mr. Heisinger seconded the motion.

Roll Call Demanded

Messrs. Lowrey, Beck, and Thompson demanded a roll call.

The roll was called, and the motion by Mr. Thompson that House Resolution No. 252 be withdrawn from the file, and be re-referred to the Committee on Rules, and then be re-referred to the Interim Committee on Fish and Game, when created, lost by the following vote:

AYES—Babbage, Burkhalter, Butters, Collier, Connolly, Doyle, Erwin, Fletcher, Geddes, Grunsky, Heisinger, Hinckley, Hoffman, Huyck, Levering, Sherwin, Smith, and Thompson—18.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burke, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Dunn, Elliott, Fleury, Gaffney, Hagen, Hahn, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Moss, Niehouse, Rumford, Stanley, Tomlinson, Waters, Way, and Yorty—35.

The question being on the adoption of House Resolution No. 252.

Demand for Previous Question

Messrs. Kirkwood, Thompson, Lipscomb, Luckel, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 252.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Butters, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dunn, Elliott, Fletcher, Fleury, Gaffney, Grant, Hagen, Hawkins, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Stanley, Thomas, Tomlinson, Way, Weber, and Yorty—40.

NOES—Babbage, Burke, Burkhalter, Caldecott, Doyle, Erwin, Evans, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Huyck, Lindsay, Sherwin, Smith, Thompson, and Waters—18.

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 100—Relative to the acceptance of the Kellogg Ranch by the State Director of Education and the State Director of Finance on behalf of the State of California for the use of the California State Polytechnic College in accordance with Section 184 of the Education Code.

Resolution read.

Demand for Previous Question

Messrs. Kirkwood, Morris, Stanley, Hahn, and Rumford demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Concurrent Resolution No. 100.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Geddes moved a call of the Assembly.

Motion carried. Time, 10.45 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Bennett, Brady, Brown, Burkhalter, Coats, Connolly, Cooke, Davis, Clayton A. Dills, Evans, Fletcher, Fleury, Hinckley, Lincoln, Lipscomb, Thomas, Thompson, and Waters—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Anderson asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON ASSEMBLY BILL NO. 1455

Mr. Anderson asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Assembly Bill No. 1455.

Request for Unanimous Consent to Take Up Further Consideration of Assembly Bill No. 1455

Mr. Anderson asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Assembly Bill No. 1455, at this time.

Further Consideration of Assembly Bill No. 1455

Assembly Bill No. 1455—An act to amend Section 776 of the Vehicle Code and to add Section 373.1 thereto, and to amend Section 10758 of the Revenue and Taxation Code, relating to registration and license fees for trailer coaches and disposition of the funds received therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Collier, Condon, Conrad, Cooke, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2799—An act to add Section 216 to the Revenue and Taxation Code, relating to the exemption of household and personal effects from property taxation.

Bill read third time.

Request for Unanimous Consent That Assembly Bill No. 2799 Be Withdrawn From File, and Be Re-referred

Mr. Anderson asked for, and was granted, unanimous consent that Assembly Bill No. 2799 be withdrawn from the file, and be re-referred to the Committee on Revenue and Taxation.

Hon. James W. Silliman Presiding

At 10.57 a.m., Hon. James. W. Silliman, Member of the Assembly from the Thirty-third District, presiding.

Assembly Bill No. 933—An act to add Section 2751 to the Labor Code, relating to minimum wages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Weber, and Yorty—42.

NOES—Butters, Erwin, Hoffman, Kirkwood, Levering, Lipscomb, Lowrey, Reagan, Sherwin, Smith, Stanley, Tomlinson, and Way—13.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1029—An act to amend Section 204f of the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Waters, Way, Weber, and Yorty—52.

NOES—George D. Collins, Heisinger, and Hoffman—3.

Bill ordered transmitted to the Senate.

Assembly Bill No. 466—An act to add Section 932 to the Penal Code, relating to the preparation of a Manual for Grand Jurors by the Attorney General, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, and Yorty—56.

NOES—Kirkwood—1.

Bill ordered transmitted to the Senate.

Assembly Joint Resolution No. 44—Relative to memorializing Congress to extend the provisions of the Servicemen's Readjustment Act pertaining to payment of readjustment allowances to unemployed World War II veterans.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lindsay, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Rosenthal, Rumford, Stanley, Thomas, Waters, Way, and Yorty—44.

NOES—Burke, Butters, Heisinger, Hoffman, Levering, and Reagan—6.

Resolution ordered transmitted to the Senate

MOTION TO WITHDRAW ASSEMBLY BILL NO. 81 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Lewis moved that Assembly Bill No. 81 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Demand for Previous Question

Messrs. Reagan, Luckel, Hahn, Hoffman, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Lewis that Assembly Bill No. 81 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Bennett, Berry, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Fletcher, Fleury, Hawkins, Kilpatrick, Lewis, Moss, Rosenthal, Rumford, Thomas, and Way—23.

NOES—Burke, Butters, Caldecott, Collier, Connolly, Dickey, Dunn, Erwin, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, Morris, Reagan, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, and Waters—30.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 3115—An act to amend Section 57 of the Public Utilities Act, relating to fees and charges to be made and collected by the Public Utilities Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Way—56.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 261—An act to add Article 4 to Chapter 2 of Division 9 of the Public Resources Code, relating to soil conservation, providing for a special fund for the acquisition of soil conservation machinery and equipment and the rental thereof to soil conservation districts, making an appropriation, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 331—An act to amend Section 957 of the Welfare and Institutions Code, relating to state reimbursement of counties for juvenile homes and camps.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, Meyers, Morris,

Moss, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Way, and Yorty—54.

NOES—Kirkwood, Levering, Luckel, Reagan, and Tomlinson—5.

Bill ordered transmitted to the Senate.

Assembly Bill No. 768—An act to amend Section 956 of the Welfare and Institutions Code, relating to the care of wards of the juvenile court, in juvenile homes or camps, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Lipscomb, Maloney, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Way, and Yorty—54.

NOES—Luckel, Reagan, and Tomlinson—3

Bill ordered transmitted to the Senate.

Assembly Bill No. 891—An act to add Section 20975 to the Education Code, relating to the education of blind children and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Assembly Bill No. 1365

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 1365—An act making an appropriation in augmentation of the appropriation in Item 162 of the Budget Act of 1948, for support of the Department of Finance, to take effect immediately.

Bill read second time, and ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
MOTION TO WITHDRAW ASSEMBLY BILL NO. 777 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Anderson moved that Assembly Bill No. 777 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Demand for Previous Question

Messrs. Reagan, Grunsky, Thompson, Levering, and Rumford demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Anderson that Assembly Bill No. 777 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Clayton A. Dills, Doyle, Elliott, Fletcher, Gaffney, Hawkins, Heisinger, Kilpatrick, Lewis, Meyers, Moss, Rosenthal, Rumford, Thomas, and Way—27.

NOES—Babbage, Burke, Butters, Caldecott, Collier, Connolly, Dickey, Dunn, Erwin, Fleury, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, Morris, Reagan, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, and Yorty—31.

MOTION TO WITHDRAW ASSEMBLY BILL NO. 219 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Burkhalter moved that Assembly Bill No. 219 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Demand for Previous Question

Messrs. Reagan, Luckel, Grunsky, Thompson, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Burkhalter that Assembly Bill No. 219 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Burkhalter moved a call of the Assembly.

Roll Call Demanded

Messrs. Anderson, Elliott, and Burkhalter demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Maloney, Meyers, Reagan, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, and Yorty—41.

NOES—None.

Time, 11.40 a.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Butters, Sam L. Collins, Conrad, Dolwig, Dunn, Evans, Fletcher, Geddes, Hagen, Hinckley, Huyck, Lincoln, Lowrey, McCarthy, McCollister, McMillan, Moss, Niehouse, Stewart, and Weber—21.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Lewis asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO WITHDRAW ASSEMBLY BILL NO. 1493 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Lewis moved that Assembly Bill No. 1493 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

Demand for Previous Question

Messrs. Grunsky, Waters, Hoffman, Levering, and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Lewis that Assembly Bill No. 1493 be withdrawn from the Committee on Ways and Means, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Gaffney, Hawkins, Kilpatrick, Lewis, Maloney, Meyers, Moss, Rosenthal, Thomas, Way, and Yorty—25.

NOES—Babbage, Burke, Butters, Caldecott, Collier, Connolly, Crichton, Dickey, Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, and Mr. Speaker—34.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY CONCURRENT RESOLUTION NO. 100

At 11.50 a.m., on motion of Mr. Geddes, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Concurrent Resolution No. 100 adopted by the following vote:

AYES—Anderson, Beck, Berry, Brady, Burke, Burkhalter, Butters, Coats, Collier, Condon, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, McMillan, Morris, Moss, Reagan, Rosenthal, Silliman, Stewart, Thompson, Way, and Weber—46.

NOES—Caldecott, George D. Collins, Crowley, Dickey, Grant, Grunsky, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lowrey, Luckel, McCarthy, Meyers, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Tomlinson, Waters, Yorty, and Mr Speaker—25.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1116—An act making an appropriation for the state college established in the area of Orange County and the southeastern part of Los Angeles County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lincoln, Lindsay, Lipscomb, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thomas, Thompson, Yorty, and Mr. Speaker—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1604—An act making an appropriation to the Youth Authority for payments under Section 957 of the Welfare and Institutions Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Maloney, McMillan, Meyers, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, and Yorty—57.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1879—An act to amend Sections 2160.7, 2182, and 3044.1 of and to add Section 121.5 to the Welfare and Institutions Code, relating to public assistance, including aid to the aged and aid to the blind, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Yorty—63.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1492—An act providing for loans to municipalities and districts for sewerage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lipscomb, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way and Yorty—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2157—An act making an appropriation to the State Pollution Control Board for administrative expenses and providing for the allocation of any portion thereof to the several regional pollution control boards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lipscomb, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way and Yorty—58.
NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2033—An act making an appropriation for research in technical problems of disposal of sewage, garbage and industrial waste, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Yorty—62.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Yorty—62.
NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ADOPTION OF RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

At 12.10 p.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the resolution to suspend the constitutional provision on Assembly Bill No. 3178 adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris,

Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—69.
NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 3178

Assembly Bill No. 3178—An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—69.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—69.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 12.15 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW ASSEMBLY BILL NO. 219 FROM COMMITTEE

At 12.16 p.m., on motion of Mr. Burkhalter, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. Burkhalter that Assembly Bill No. 219 be withdrawn from the Committee on Ways and Means, and be placed upon the file, lost by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Gaffney, Hagen, Hawkins, Kilpatrick, Lewis, Lindsay, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Stanley, Thomas, and Way—30.
NOES—Babbage, Burke, Butters, Caldecott, Collier, Connolly, Dickey, Dunn, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lipscomb, Luckel, Maloney, Morris, Reagan, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—34.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Hahn asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal in 10-point type:

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 21, 1949

Honorable Gordon R. Hahn
Assembly Chamber

Healing Arts—Senate Bill No. 797—No. 8030

DEAR MR. HAHN: You have requested an opinion as to the extent Senate Bill No. 797 as amended in the Assembly June 9, 1949, would, if enacted, change the existing law.

The bill would amend Sections 2141, 2142, 2319, 2426, and 2435 of the Business and Professions Code, relating to the practice of the healing arts.

Section 2141 presently prohibits the practice of any branch of the healing arts without an appropriate license. This bill would make it clear that the prohibition against practicing without a license refers to the treatment of mental and nervous as well as physical diseases and disorders.

A reading of the bill does not disclose the scope of the prohibition against the treatment of mental conditions and disorders. It seems clear that educational, vocational, marriage, religious, and similar types of counseling would not be prohibited.

Section 2141 presently makes any violation of that section a misdemeanor, but does not define the punishment. This bill would provide that the punishment shall be by fine not to exceed $1,500, by imprisonment not to exceed six months, or by both such fine and imprisonment.

Section 2142 presently provides that any unlicensed person, who uses in any sign or in an advertisement the terms "doctor," "Dr.," "M.D.," or any other term implying that he is a physician, surgeon, or practitioner, is guilty of a misdemeanor. This bill would specifically prohibit the use of such terms on business or social cards, letterheads, envelopes or other means of visual presentation intended to or likely to be read by members of the public.

Section 2319 provides that an applicant for a reciprocity certificate shall have been a resident of the state issuing the certificate on which his application is based for a period of one year subsequent to its issuance or he may show, by evidence satisfactory to the Board of Medical Examiners, two years of licensed practice of his profession in another state. This bill would recast the section to require that the certificate on which his application is based must have been issued at least one year prior to the date of application.

Section 2426 presently provides that unless it is otherwise expressly provided, any person who violates any provision of Chapter 2, Division 2 of the Business and Professions Code, is guilty of a misdemeanor and shall be punishable by a fine of not less than one hundred dollars nor more than six hundred dollars or by imprisonment for a term not less than sixty days nor more than one hundred eighty days or by

both such fine and imprisonment. This bill would delete the minimum punishment provisions and would increase the maximum fine to $1,500.

Section 2435 presently provides that every physician who, in a state of intoxication does any act as a physician which endangers the life of another person, is guilty of a misdemeanor. This bill would recast this section to provide that every physician who, while practicing as a physician, is intoxicated to such an extent as to impair his ability to conduct the practice authorized by his certificate with safety to the public and his patients, is guilty of a misdemeanor.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By DELBERT E. WONG, Deputy

Copies to authors of S.B. 797 pursuant to Joint Rule 34.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of Mr. Beck, a Democratic Caucus at the Hotel Sacramento upon recess at noon.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2887
Assembly Bill No. 3138
Assembly Bill No. 3168
Assembly Bill No. 3177

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1566
Assembly Bill No. 1899
Assembly Bill No. 1917
Assembly Bill No. 2033
Assembly Bill No. 2770

And reports the same correctly re-engrossed.

HUYCK, Chairman

Above reported bills ordered to third reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1365

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR SPEAKER: Your Committee on Agriculture, to which was referred:

Senate Bill No. 359

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

COOKE, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 359—An act to add Section 1044.5 to the Agricultural Code, relating to the powers and duties of the Director of Agriculture with reference to noncomplying fertilizing materials.

Bill read second time, and ordered to third reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 3161

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3161—An act to add Chapter 5 to Division 5, Title 1, of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 11, of the printed bill, insert

"4401. "Public agency," as used in this chapter, includes the State, its various commissions, boards and departments and any county, city, district or state agency authorized to enter into contracts for public work."

Amendment No. 2

On page 1, line 15, of said bill, after "work", insert ", being performed by contract,".

Amendment No. 3

On page 1, line 18, of said bill, strike out "or action of any federal or state", and insert "of any federal".

Amendment No. 4

On page 1, line 20, of said bill, strike out "to proceed with", and insert "within a reasonable time to proceed with a substantial portion of".

Amendment No. 5

On page 2 of said bill, between lines 5 and 6, insert

"Compensation to the contractor shall be determined on the basis of the reasonable value of the work done, including preparatory work. As an exception to the foregoing, in the case of any fully completed separate item or portion of the work for which there is a separate contract price, the contract price shall control. The parties may in any other case adopt the contract price as the reasonable value of the work done or any portion thereof.

4412. It shall be competent for any public agency to provide in the specifications for any public works contract detailed provisions as to the conditions under which the contractor shall be entitled, as a matter of right, to termination of the contract on account of conditions such as are described in Section 4410 and as to the terms of such termination."

Amendment No. 6

On page 2 of said bill, strike out lines 7 to 49, inclusive; and on page 3, strike out lines 1 to 13, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and engrossed.

Motion to Place Rush Order on Printing of Assembly Bill No. 3161

Mr. Lincoln moved that a rush order be placed upon the printing of Assembly Bill No. 3161.

Motion carried.

RECESS

At 12.20 p.m., on motion of Mr. Dickey, the Assembly recessed until 2.30 p.m.

REASSEMBLED

At 2.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, June 20, 1949

Honorable Arthur A. Ohnimus
Chief Clerk, California State Assembly
State Capitol, Sacramento, California

DEAR MR. OHNIMUS: This will acknowledge receipt of your letter of June 16th, enclosing a copy of House Resolution No. 205. In this resolution the Assembly asked the Governor for a letter permitting consideration of the appropriation bill for child care centers before the adoption of the budget.

Inasmuch as the Governor signed Assembly Bill No. 1100, now Chapter 700, on June 18th, there is now no occasion for the writing of such a letter.

Sincerely,

BEACH VASEY, Legislative Secretary

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 270

Relative to the preparation and printing of a Summary Digest

Resolved by the Assembly of the State of California, That the Legislative Counsel is directed to prepare a Summary Digest of statutes enacted and constitutional amendments proposed at the 1949 Regular Session of the Legislature; and be it further

Resolved, That copies of the Summary Digest be mailed to all Members of the Legislature as soon as possible after the "bill-signing" period; and be it further

Resolved, That the Chief Clerk of the Assembly is instructed to cause to be printed not to exceed 2,000 copies of the Summary Digest, the cost thereof to be paid from the legislative printing appropriation.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 270, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr. Evans:

House Resolution No. 271

Relating to the completion of exhibits for the Sixth District Agricultural Association

WHEREAS, The Sixth District Agricultural Association of the State of California operates a permanent exposition which operates 363 days per year; and attracts upward of 400,000 visitors per year, and

WHEREAS, Said exposition consists of exhibits depicting the agriculture and industry and other resources and activities of the State; and

WHEREAS, Said exhibits are permanent in nature, in that they are constructed as part of the Exposition Building and stand until torn down and remodeled; and

WHEREAS, Many exhibits now in the exposition have not been remodeled for more than fifteen years and hence do not correctly depict and represent their subject matter; and

WHEREAS, Two major exhibits, namely mining and minerals, and water and other natural resources have been under preparation and considerable sums have been expended upon them during the past year; and

WHEREAS, Although they are approximately half completed, funds are lacking to complete them under the operating budget of the Sixth District; and

WHEREAS, There is available to the Director of Finance and the Board of Public Works a certain fund known as the Second Balance of the Fair and Exposition Fund which is specifically allocated for permanent improvements such as the above, on the grounds of district agricultural associations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Director of Finance and the Board of Public Works are hereby requested to make available to the Sixth District Agricultural Association sufficient funds from the Emergency Fund, not to exceed $50,000, in the next two fiscal years, for the completion of these exhibits; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to send copies of this resolution to the Director of Finance and the Board of Public Works

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Burke:

House Resolution No. 272

Relative to commending Herbert G. Klein

WHEREAS, Herbert G. Klein has served during 1948-1949 as President of the Alhambra Junior Chamber of Commerce; and

WHEREAS, During Mr. Klein's term of office 27 projects of community development were successfully completed, redounding to the benefit of the people of the City of Alhambra and the San Gabriel Valley; and

WHEREAS, Largely due to the efforts and tireless endeavor of Mr. Klein, the Alhambra Junior Chamber of Commerce succeeded in sponsoring and electing one of its own members, Clifford D Cooper, as President of the United States Junior Chamber of Commerce at the National Convention of the organization at Colorado Springs, Colorado, in June, 1949; and

WHEREAS, Mr. Klein, by his clearness of vision, his principles and outstanding leadership, has contributed in large measure to the civic betterment of the City of Alhambra and the San Gabriel Valley; now, therefore, be it

Resolved by the Assembly of the State of California, That Herbert G. Klein be hereby commended for his career of constructive service; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit to Herbert G. Klein a copy of this resolution.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Babbage:

House Resolution No. 273—Congratulating Assemblyman and Mrs. Earl W. Stanley on their Twenty-seventh Wedding Anniversary.

Resolution read.

Request for Unanimous Consent That All Members Present Be Named Co-authors

Mr. Babbage asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 273, as co-authors.

The roll was called, and the following members indicated a desire to be so recorded:

By Messrs. Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Sam. L. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Silliman, Smith, Stewart, Thompson, Waters, Way, and Yorty:

House Resolution No. 273

Congratulating Assemblyman and Mrs. Earl W. Stanley on their Twenty-Seventh Wedding Anniversary

WHEREAS, Not too many years ago there resided in the City of Pasadena, State of California, an ambitious young man by the name of Earl Stanley, and a lovely and beauteous girl named Mildred Twitchell; and

WHEREAS, That happy sprite, Cupid, caused the paths of these two fine young people to cross; and

WHEREAS, *In that same City of Pasadena*, Earl Stanley, bewitched by the grace and charm of Mildred Twitchell, wooed her and won her hand in marriage on June 21, 1922; and

WHEREAS, That union which has been so rich in happiness, affection and congenial companionship throughout the intervening years has been blessed by the birth of two lovely girls named Donna and Earlynne, who have since married and made our genial colleague and his spouse grandparents seven times over; and

WHEREAS, Earl Stanley during those years distinguished himself by taking an active interest in his community affairs as one of the city fathers of Newport Beach, and has, during this 1949 Regular Session of the California Legislature, ably and efficiently represented that city and the Seventy-fourth Assembly District; and

WHEREAS, His colleagues have benefited during their deliberations from his sage advice and counsel and enjoyed the friendliness and geniality of his rotund and jovial presence; and

WHEREAS, June 21, 1949, finds Earl Stanley and Mildred Stanley celebrating the conclusion of their twenty-seventh year of married life; now, therefore, be it

Resolved by the Assembly of the State of California, That our esteemed colleague and his good wife be congratulated upon this, their Twenty-seventh Wedding Anniversary, and that our best wishes be extended that their next 27 years of married life may be just as rich and happy as the years which have passed; and, be it further

Resolved, That the Chief Clerk of this Assembly transmit a suitably prepared copy of this resolution to Mr. and Mrs. Earl W. Stanley as an expression of the esteem in which they are held by all its members.

Request for Unanimous Consent

Mr. Babbage asked for, and was granted, unanimous consent to take up House Resolution No. 273, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2440—An act to add Section 34 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage, and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making

an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2441—An act to add Sections 35 and 36 to the Construction and Employment Act, making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 2.45 p.m., Mr. Waters asked for unanimous consent to hold a special meeting of the Committee on Elections and Reapportionment in the Cloak Room, at this time. Subject: Senate Bill No. 191.

Mr. Levering withheld unanimous consent, because Senate Bill No. 191 has not been scheduled for a public hearing.

Point of Order

Mr. Waters arose to the following point of order: That yesterday a committee held a meeting under similar circumstances, and that, if the Committee on Public Morals was in order, he is in order.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken, and ruled the action of the Committee on Public Morals, yesterday, not in order.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 3168 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Thompson asked for, and was granted, unanimous consent that Assembly Bill No. 3168 be withdrawn from the file, and be re-referred to the Committee on Public Morals.

Parliamentary Inquiry

Mr. Lowrey arose to the following parliamentary inquiry: Is it proper to present amendments to Senate bills on either the second or third reading?

Ruling by Speaker

Speaker Sam L. Collins ruled that, as long as the amendments are germane to the subject, such action is proper.

ANNOUNCEMENT OF COMMITTEE MEETING

Mr. Waters announced that the following committee would hold a meeting today, upon adjournment, at his desk:

Elections and Reapportionment.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 363 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Weber asked for, and was granted, unanimous consent that Assembly Bill No. 363 be withdrawn from the file, and be re-referred to the Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1346

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1346, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1346

Assembly Bill No. 1346—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2650—An act to amend Sections 20013 and 20604 of the Government Code, and to add Sections 20014.6, 20017.8, 20602.9, 20602.95, 20603.3, 20750.7, 20803.7, 20950.7, 20980.7, 21020.7, 21210, 21252.4, 21256 3, 21257.2, 21290.7, 21292.7, 21294.5, and 21363.6 thereto, relating to the State Employees' Retirement System in respect to the Alcoholic Beverage Control Act enforcement personnel of the State Board of Equalization.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—Beck, Burke, Butters, Collier, George D. Collins, Conrad, Erwin, Hahn, Heisinger, Hinckley, Kirkwood, Levering, Morris, and Waters—14.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2779—An act to amend Sections 80 and 91 of, and to add Section 92.3 to, the Agricultural Code, relating to agricultural districts, creating new agricultural districts, and providing for the distribution of funds and assets, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—Hagen, Heisinger, Hoffman, Levering, Reagan, Silliman, and Smith—7.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.15 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.16 p.m., Mr. Dickey asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Rules in the Post Office, at this time. Subject: Assembly Concurrent Resolution No. 102 and Assembly Concurrent Resolution No. 95.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1130—An act making an additional appropriation to the Regents of the University of California for all or any of the following purposes: The acquisition of lands, construction, improvements and equipment for and at the University of California.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Levering moved a call of the Assembly.

Motion carried. Time, 3.20 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Burkhalter, Butters, Coats, George D. Collins, Sam L. Collins, Condon, Crichton, Dickey, Doyle, Fletcher, Geddes, Hahn, Hawkins, Hollibaugh, Huyck, Lewis, Lapscomb, Sherwin, Smith, Thomas, Waters, and Weber—23.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Stewart asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 85—An act authorizing the sale, exchange, or other disposition of certain state property located in the City of Los Angeles, appropriating the proceeds thereof, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, Connolly, Conrad, Cooke, Davis, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Way, and Yorty—56.

NOES—Elliott—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, Connolly, Conrad, Cooke, Davis, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Way, and Yorty—56.

NOES—Elliott—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2486—An act to amend Sections 17301, 17351, and 17782 of the Revenue and Taxation Code, relating to deduction of farm expenses in computing personal income tax.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 426

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 426, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 426

Assembly Bill No. 426—An act to add Section 1292 to the Military and Veterans Code, relating to headquarters for the United Spanish War Veterans, Department of California; preparation and preservation of war records, history and mementos; the conducting of the office business rehabilitation service thereof and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Motion carried. Time, 3.28 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Butters, Caldecott, Coats, George D. Collins, Sam L. Collins, Condon, Crichton, Crowley, Dickey, Doyle, Dunn, Fletcher, Geddes, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lowrey, McCollister, Sherwin, Thomas, Tomlinson, Waters, and Weber—27.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Hagen asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 2487—An act to amend Sections 8, 9, and 21 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 2488—An act to amend Sections 7, 8, and 12 of the Corporation Income Tax Act, relating to taxes on the income of corporations, associations and Massachusetts or business trusts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 3.45 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

Assembly Bill No. 2692—An act to amend Sections 736 and 736a of the Political Code, relating to the salaries of Justices of the Supreme Court and of the district courts of appeal.

Bill read third time.

Speaker Pro Tempore Presiding

At 3.50 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Levering, Thompson, Morris, Grunsky, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 2692.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Rosenthal moved a call of the Assembly.

Motion carried. Time, 3.52 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Coats, Sam L. Collins, Clayton A. Dills, Elliott, Evans, Geddes, Grant, Hawkins, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Meyers, Sherwin, Thomas, and Weber—17.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Rosenthal asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1130

At 3.53 p.m., on motion of Mr. Babbage, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1130 passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Collier, Condon, Connolly, Conrad, Cooke, Crichton Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney,

Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nicholse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—Evans, Hinckley, Kirkwood, and Luckel—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 3.55 p.m., Mr. Thompson asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Public Health, in Room 426, at this time. Subject: Assembly Bill No. 2532 and Senate Bill No. 1197.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Mr. George D. Collins:

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, I request permission to introduce a bill, the title of which is as follows:

An act to amend Sections 108, 148, 160, and 181 of, and to add Sections 62.5, 77, 158.5, 158.6, 224, 239.5, 239.6, and Division 4a, comprising Sections 340.1 to 345.95, inclusive, to, the Vehicle Code, and to add Chapter 3, comprising Sections 138.11 to 138.34 to Division 2 of the Vehicle Code; to amend Sections 100, 108, 110, 1371, 1390, 10511, 11551, 11580, 11600, 11602, 11604, and 12054 of, and to add Section 108.5 to, the Insurance Code, and to add Chapter 1.5, comprising Sections 11628.1 to 11628.34, inclusive, Chapter 1.6, comprising Sections 11628.4 to 11628.46, inclusive, and Chapter 1.7, comprising Sections 11628.5 to 11629.5, inclusive, to Part 3, Division 2, of the Insurance Code; relating to the establishment and creation of a complete system of motor vehicle accident compensation for the protection of persons injured or the dependents of persons killed by reason of the operation of motor vehicles on the highways of this State, including the creation of the Motor Vehicle Accident Commission for the determination of rights and liabilities created by this act; the creation of a State Motor Vehicle Insurance Fund for insurance against liability imposed by this act; compulsory insurance against the liability created by this act in the State Motor Vehicle Fund or other admitted insurers; the regulation of motor vehicle accident insurers; the abrogation, in certain cases of the right of action for damages arising out of the operation of motor vehicles; and the making of an appropriation for the purposes of this act.

Respectfully submitted,

GEORGE D. COLLINS

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the author be permitted to introduce it:

By Mr. George D. Collins:

An act to amend Sections 108, 148, 160, and 181 of, and to add Sections 62.5, 77, 158.5, 158.6, 224, 239.5, 239.6, and Division 4a, comprising Sections 340.1 to 345.95, inclusive, to, the Vehicle Code, and to add Chapter 3, comprising Sections 138.11 to 138.34 to Division 2 of the Vehicle Code; to amend Sections 100, 108, 110, 1371, 1390, 10511, 11551, 11580, 11600, 11602, 11604, and 12054 of, and to add Section 108.5 to, the Insurance Code, and to add Chapter 1.5, comprising Sections 11628.1 to 11628.34, inclusive, Chapter 1.6, comprising Sections 11628.4 to 11628.46, inclusive, and Chapter 1.7, comprising Sections 11628.5 to 11629.5, inclusive, to Part 3, Division 2, of the Insurance Code; relating to the establishment and creation of a complete system of motor vehicle accident compensation for the protection of persons injured or the dependents

of persons killed by reason of the operation of motor vehicles on the highways of this State, including the creation of the Motor Vehicle Accident Commission for the determination of rights and liabilities created by this act; the creation of a State Motor Vehicle Insurance Fund for insurance against liability imposed by this act; compulsory insurance against the liability created by this act in the State Motor Vehicle Fund or other admitted insurers; the regulation of motor vehicle accident insurers; the abrogation, in certain cases of the right of action for damages arising out of the operation of motor vehicles; and the making of an appropriation for the purposes of this act.

GRUNSKY, Vice Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—67.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3179: By Mr. George D. Collins—An act to amend Sections 108, 148, 160, and 181 of, and to add Sections 62.5, 77, 158.5, 158.6, 224, 239.5, 239.6, and Division 4a, comprising Sections 340.1 to 345.95, inclusive, to, the Vehicle Code, and to add Chapter 3, comprising Sections 138.11 to 138.34 to Division 2 of the Vehicle Code; to amend Sections 100, 108, 110, 1371, 1390, 10511, 11551, 11580, 11600, 11602, 11604, and 12054 of, and to add Section 108.5 to, the Insurance Code, and to add Chapter 1.5, comprising Sections 11628.1 to 11628.34, inclusive, Chapter 1.6, comprising Sections 11628.4 to 11628.46, inclusive, and Chapter 1.7, comprising Sections 11628.5 to 11629.5, inclusive, to Part 3, Division 2, of the Insurance Code; relating to the establishment and creation of a complete system of motor vehicle accident compensation for the protection of persons injured or the dependents of persons killed by reason of the operation of motor vehicles on the highways of this State, including the creation of the Motor Vehicle Accident Commission for the determination of rights and liabilities created by this act; the creation of a State Motor Vehicle Insurance Fund for insurance against liability imposed by this act; compulsory insurance against the liability created by this act in the State Motor Vehicle Fund or other admitted insurers; the regulation of motor vehicle accident insurers; the abrogation, in certain cases of the right of action for damages arising out of the operation of motor vehicles; and the making of an appropriation for the purposes of this act.

Referred to Committee on Governmental Efficiency and Economy.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 102

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 160—An act to add Section 1197.5 to the Labor Code, relating to the prohibition of discrimination on the basis of sex by employers in the payment of wages or salaries;

Assembly Bill No. 1084—An act to amend Sections 19006, 19007, 19008, 19014, 19016, 19033, 19034, 19049, 19060, 19061.5, 19070, 19080, 19121, 19122, 19123.4, 19123.5, 19123.6, 19124, 19127, 19129, 19158, 19170, 19171, 19172, 19173, 19174, 19200, 19201, 19202, 19208, and 19221 of, and repeal Sections 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19013, 19015, 19018, 19050, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19072, 19080.5, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19089.5, 19090, 19091, 19092, 19093, 19094, 19095, 19096, 19097, 19098, 19099, 19100, 19101, 19102, 19103, 19104, 19105, 19125, 19126, 19128, 19151, 19153, 19154, 19157, 19159, and 30030 of, and add Sections 19008.5, 19008.6, 19009, 19010, 19010.5, 19011, 19012, 19012.5, 19015, 19016.5, 19034.5, 19051, 19052, 19053, 19054, 19055, 19056, 19057, 19058, 19059, 19059.5, 19060.5, 19060.6, 19062, 19072, 19072.5, 19072.6, 19073, 19081, 19082, 19083, 19084, 19085, 19086, 19087, 19088, 19089, 19092, 19093, 19122.5, 19124.5, 19127.5, 19127.6, 19171.5, 19171.6, 19173.5, 19200.5, 19209, and 19210 to, the Business and Professions Code, relating to the licensing and regulation of the upholstered furniture and bedding industries;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1948—An act to amend Sections 2210, 2211, 2213, and 2216 of the Business and Professions Code, relating to application for physician's and surgeon's certificate;

Assembly Bill No. 2136—An act to amend Section 298, 307, and 502 of the Vehicle Code, relating to suspension of drivers licenses;

Assembly Bill No. 2218—An act to amend Sections 18541, 18543, 18973, 18974.5, 19390, 19392, 19394, 19395, 19397, 19398, 19399, 19401, 19402, 19403, and 19404 of, to repeal Sections 18540, 18970, 19391, 19393, and 19393.5 of, and to add Sections 18540, 18540.1, 18540.2, 18540.3, 18540.4, and 19401.1 to, the Government Code, relating to civil service rights of veterans and widows of veterans;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1750—An act to amend Section 160 of the Welfare and Institutions Code, relating to the transfer of mental patients to the states of their residence;

Assembly Bill No. 1775—An act to amend Sections 4881, 4882, and 4883 of, and to add Section 4880 to, the Public Resources Code, relating to burning of brush-covered lands, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1859—An act to amend Sections 621, 627, 633, 640, and 646 of the Vehicle Code, respecting the mounting height, use of certain lamps and testing fees for lamps and devices;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-first day of June, 1949, at 3 p.m.

HUYCK, Chairman

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 102

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 3178

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 74

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 74, temporarily passed on the unfinished business file, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 74

Senate Concurrent Resolution No. 74—Relative to the adjournment sine die of the 1949 Regular Session of the Legislature of the State of California.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF HOUSE RESOLUTION NO. 246

By Mr. Way:

House Resolution No. 246

Relating to a survey and the preparation of plans by the Department of Public Works for a highway from three miles northeast of Hale's Grove near Westport to a point about ten miles south of the Humboldt-Mendocino County line

WHEREAS, Roads from Westport northeasterly through Hale's Grove to a point about three miles northeast of said Hale's Grove and from a point about ten miles southerly of the Mendocino-Humboldt County line northerly through Four Corners to the said county line have been improved; and

WHEREAS, The section of roadway between these two improved sections is in need of improvement to a standard similar to that of the improved sections; and

WHEREAS, It is desirable that the State Division of Highways make a preliminary survey for this section of incomplete road about ten miles in length as soon as possible, as authorized by Section 75 of the Streets and Highways Code, and

WHEREAS, It is possible funds for the construction of said section of unimproved road may be available from other than state sources; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Highway Commission and the Department of Public Works are hereby requested to make a preliminary survey of said section of road to ascertain a possible alignment thereof that would meet the requirements of the Federal Government with respect to federal aid secondary highways; and be it further

Resolved, That in the event, upon completion of said survey, funds are made available to the Department of Public Works by the County of Mendocino or from any other source, pursuant to the provisions of Section 131 of the Streets and Highways Code of the State of California, said department shall use such funds for the preparation of detailed plans and specifications to be used in the construction of said highway; and be it further

Resolved, That this resolution shall completely supersede House Resolution No. 202, adopted by this Assembly on June 1, 1949 (Assembly Journal, June 1, 1949, Pages 3918, 3919); and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit copies of this resolution to the California Highway Commission, to the Director of Public Works, and to the State Highway Engineer.

Resolution read, and adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 569—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Hagen, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Way, Weber, and Yorty—49.

NOES—Heisinger and Luckel—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY JOINT RESOLUTION NO. 45

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Assembly Joint Resolution No. 45, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 45

Assembly Joint Resolution No. 45—Relative to the requirement by the Board of Regents of the University of California of a loyalty oath by faculty members.

Resolution read.

Point of Order

Mr. Hoffman arose to the following point of order: That Mr. Hawkins has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Motion That Mr. Hawkins Be Granted Additional Time

Mr. Evans moved that five additional minutes be granted Mr. Hawkins for the purpose of debate on Assembly Joint Resolution No. 45.

Mr. Sherwin seconded the motion.

Motion carried.

Demand for Previous Question

Messrs. Stewart, Evans, Connolly, Thompson, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Assembly Joint Resolution No. 45.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin,

Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hoffman, Hollibaugh, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—56.

NOES—Anderson, Bennett, George D. Collins, Condon, Davis, Elliott, Hawkins, Heisinger, Kilpatrick, Lewis, McMillan, Rosenthal, Thomas, and Yorty—14.

Resolution ordered transmitted to the Senate.

Explanation of Vote Against Assembly Joint Resolution No. 45 by Assemblyman Sam Yorty

The university officials are in disagreement over the particular oath the resolution commends. If Communist Party members are teaching at our university they should be fired. The oath would not accomplish this. Dr. Sproul is university president. If he tolerates Communist Party members on the faculty, he should be dismissed.

SAM YORTY

Explanation of Vote

The reason for my "No" vote on Assembly Joint Resolution No. 45 was that I believe that this resolution tends to drive a wedge between the Board of Regents of the University of California and the faculty members of this outstanding university, in that it is made to appear that the faculty are opposed to a loyalty oath, and inferentially indicating a lack of loyalty and patriotism.

As indicated by a Member of the Assembly, the faculty of the University of California have subscribed to a loyalty oath since 1942, and have indicated every desire to subscribe to an additional loyalty oath if one is requested of them. The faculty and the board of regents are at this moment engaged in the preparation of a loyalty oath to which these outstanding educators would subscribe. Our hasty action of this date indicts the faculty members as being: 1. Disloyal, 2 Unpatriotic, and 3. Un-American.

It would have been wiser had we permitted both these bodies to iron out their simple difficulties, and then a resolution from this body commending both the board of regents and the faculty upon their intelligent approach to the current desire for loyalty oaths would be in order.

I sincerely hope that the action taken by the Legislature will in no way intrude upon the negotiations between the board of regents and the faculty for I have the utmost faith in the spirit and loyalty of both these outstanding bodies.

WM. H. ROSENTHAL
GEORGE D. COLLINS
ROBERT L. CONDON
ELWYN S. BENNETT
S. L. HEISINGER
AUGUSTUS F. HAWKINS

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY MR. GAFFNEY RELATIVE TO ASSEMBLY JOINT RESOLUTION NO. 45 BE PRINTED

Mr. Doyle asked for, and was granted, unanimous consent that the remarks by Mr. Gaffney relative to Assembly Joint Resolution No. 45 be reduced to writing, and ordered printed in the Journal, in 10-point type.

REMARKS BY MR. GAFFNEY ON PASSAGE OF ASSSEMBLY JOINT RESOLUTION NO. 45

Mr. Speaker and Members of the Assembly:

I rise to support this resolution commending the Board of Regents of the University of California in seeking means to assure the loyalty of members of the faculty.

Communism is not only a theory of economics, which if expounded on the economic level would fall from its innate fallacy, it is interwoven with a philsosophy which is the very negation of the Jewish-Christian concept of civilization, which for 5,000 years has been built on the dignity of the individual man, woman, and child. This concept we Americans hold is that man derives that dignity from being created in the image and likeness of God, and being endowed with an horizon of moral action

that permits him to sink to the level of a beast and yet rise again to be the envy of the angels.

Objectively, college professors, in their claim of academic freedom, can discuss economic systems that may or may not improve man's material status, but, to expound a theory of philosophy and government that condemns man to a dead, common, slave level in economics and degrades him to the common level of beasts by robbing him of his belief in God, which is the only guarantor of his dignity and freedom, is subversive of the whole American concept of life.

The chief exponent of this decadent, politico-economic atheistic doctrine joined up with Nazi Germany to crush and divide liberty loving Poland, and despite this spoliation we were, because of the stratagems of war obliged to accept this totalitarian nation as an ally. The war of force has been followed by an interminable cold war of irreconciliable ideologies. You cannot fight a cold war with force, guns or atom bombs. It can only be fought and won by the counter-militant affirmation of Americanism and the American way of life.

In any discussion or lecture on foreign "isms" or governments, or comparisons with our own, an American scholar, teacher or professor will spontaneously project an affirmative Americanism which is the last, one hope of a troubled world, and our young men and women students are entitled to just such affirmation and no other.

I ask an "Aye" vote.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Senate Bill No. 468

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 468—An act to add Section 32100.5 to the Health and Safety Code, relating to local hospital districts.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred: Senate Bill No. 1197

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1197—An act to amend Sections 8505, 8550, and 8671 and to repeal Section 8572 of the Business and Professions Code, relating to the regulation of structural pest control.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 1029
Senate Bill No. 1250

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

THOMPSON, Chairman

Above reported bills ordered to second reading.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Assembly Bill No. 2120 was taken up.

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; to amend Section 16256 of said code, and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Speaker Presiding

At 5.15 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Rosenthal, Clayton A. Dills, Silliman, Thompson, and Smith demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Assembly Bill No. 2120.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—67.

NOES—Butters, Hinckley, Kirkwood, Levering, Reagan, Sherwin, and Waters—7.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—67.

NOES—Butters, Hinckley, Kirkwood, Levering, Reagan, Sherwin, and Waters—7.

Bill ordered transmitted to the Senate.

Explanations of Vote

I voted "No" on Assembly Bill No. 2120 upon the basis of a complete lack of any means of financing the program, the unsound principle of state financed purchase of transportation equipment, the lack of any real reason for any fourth round salary increases for teachers, and the precarious economic outlook.

BRUCE V. REAGAN

It is our desire to provide all that is necessary for the proper education of the school children of our State. The only wise and honest course in recognizing these necessities requires that we must raise the money that will finance these services.

That money is not presently available and the Assembly has rejected every effort to raise the money This action by the Assembly is a direct repudiation of the principle of economy to which this session was presumably dedicated. And further, this measure, without adequate financing, directly evades the responsibility of providing sufficient funds and will, in our opinion, ultimately work a serious disservice to the cause of education itself by deluding the people as to our ability to finance the program on a long range basis.

For these reasons we are compelled to vote "No" on Assembly Bill No. 2120.

HAROLD K. LEVERING
MARVIN SHERWIN
GEORGE R. BUTTERS
L. STEWART HINCKLEY
LAUGHLIN E. WATERS
ROBERT C. KIRKWOOD

I voted for Assembly Bill No. 2120 because I recognize that tax legislation will have to be enacted to pay the cost thereof.

The bill is complicated and much time has been consumed in research. I believe that the bill will be amended in the Senate to raise the taxes to cover the expenditure.

A. I. STEWART

Explanation of "Aye" Vote on Assembly Bill No. 2120

We are proud to support this "Aid-to-Education" Bill.

One-half of state income derives from sales tax; only one-third of tax dollar goes to education. Reversion of sales tax to 3 cents on June 30th will itself produce an extra $50,000,000 a year which is $18,000,000 more than Assembly Bill No. 2120 will cost. If a sales tax is justified at all, it is to help education and not to be spent on big departmental agencies.

There is $75,000,000 in Revenue Deficiency Fund and millions in other reserves.

If we can spend millions for fairs, expositions, and celebrations, certainly we can support the education of our children.

AUGUSTUS F. HAWKINS
GLENN W. ANDERSON
BILL ROSENTHAL

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 2692

At 5.26 p.m., on motion of Mr. Rosenthal, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 2692 passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Caldecott, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen,

Hawkins, Huyck, Kilpatrick, Lewis, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—47.

NOES—Anderson, Burke, Burkhalter, Butters, Collier, George D. Collins, Dunn, Erwin, Geddes, Hahn, Heisinger, Hoffman, Hollibaugh, Levering, Lincoln, Lindsay, Lowrey, Luckel, McMillan, Morris, Reagan, Rumford, Silliman, and Smith—24.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 426

At 5.30 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 426 passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—64.

NOES—Reagan—1.

Bill ordered transmitted to the Senate.

Explanation of Vote

I was absent when Assembly Bill No. 426 was passed. Had I been present I would have voted "Aye."

LAUGHLIN E. WATERS

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 31 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Crowley asked for, and was granted, unanimous consent that Assembly Constitutional Amendment No. 31 be withdrawn from the file, and be re-referred to the Committee on Constitutional Amendments.

COMMUNICATIONS

By Speaker Sam L. Collins:

A telegram from Annie Ellerberger, of Hayward, relative to impeachment, was received, and ordered referred to the Committee on Judiciary.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, Upon Recess—

Elections and Reapportionment.

Social Welfare. Subject: Senate Bill No. 802.

It was announced that the following committees would hold no meetings today:

Fish and Game.

Livestock and Dairies.

Agriculture.

RECESS

At 5.43 p.m., on motion of Mr. Dickey, the Assembly recessed until 7.30 p.m.

REASSEMBLED

At 7.30 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Doyle suggested the absence of a quorum.

The roll was called.

Call of the Assembly

Mr. Doyle moved a call of the Assembly.

Motion carried. Time, 7.32 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—60.

Further Proceedings Under Call of the Assembly Dispensed With on Quorum Call

At 7.54 p.m., on motion of Mr. Doyle, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Beck, Berry, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Lewis, Lincoln, Lindsay, Luckel, Maloney, Morris, Moss, Niehouse, Reagan, Rumford, Silliman, Stanley, Way, Weber, and Mr. Speaker—42.

Quorum present.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3161

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1899—An act to add Section 18005.5 to the Government Code, relating to payment for overtime of state employees, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Doyle moved a call of the Assembly.

Motion carried. Time, 8.01 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Brady, Brown, Caldecott, Connolly, Crowley, Dickey, Clayton A. Dills, Dolwig, Dunn, Geddes, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, McCarthy, McCollister, McMillan, Meyers, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, and Waters—32.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1195—An act adding Sections 5446, 5447, 5448, and 5449 to the Health and Safety Code, relating to the control of the disposal of sewage and other industrial waste.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Luckel, Maloney, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 3106—An act to add Section 6368 to the Revenue and Taxation Code, relating to the exemption of watercraft used in interstate or foreign commerce or in commercial deep sea fishing operations and property and charges used and incurred in the construction or repair of such watercraft from the sales and use taxes.

Bill read third time.

Demand for Previous Question

Messrs. Grunsky, Silliman, Connolly, Luckel, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3106.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Luckel,

Maloney, McCarthy, Morris, Niehouse, Rosenthal, Rumford, Silliman, Way, Weber, and Mr. Speaker—45.

NOES—Collier, Conrad, Davis, Grunsky, Hinckley, Hoffman, Kirkwood, Stanley, Stewart, Tomlinson, Waters, and Yorty—12.

Bill ordered transmitted to the Senate.

Explanation of Vote

When Assembly Bill No. 3106, introduced by Assemblyman Maloney, came up for vote in the Assembly on June 21, 1949, I was in the Senate taking up one of my bills.

Had I been present, I would have voted for it.

(Signed) CHARLES W. MEYERS

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2770

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2770, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2770

Assembly Bill No. 2770—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1138

Mr. Conrad asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1138, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1138

Assembly Bill No. 1138—An act making an appropriation for the support of child care centers, to take effect immediately.

Bill read third time.

Demand for Previous Question

Messrs. Grunsky, Connolly, Luckel, Hollibaugh, and Lincoln demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 1138.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans,

Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Waters, Way, Weber, and Yorty—60

NOES—Butters, Hoffman, Levering, Reagan, Smith, Tomlinson, and Mr. Speaker—7.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 8.25 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2702

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2702, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2702

Assembly Bill No. 2702—An act to amend Sections 20 and 22 of the Conservation and Planning Act, relating to the State Planning and Conservation Board.

Bill read third time.

Motion to Amend

Mr. Dolwig moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, as amended in the Assembly on June 20, 1949, strike out "the Recreation Commission, the Director of Recreation,".

Amendment read.

Point of Order

Mr. Cooke arose to the following point of order: That Mr. Weber is not speaking to the amendment.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr Dolwig to Assembly Bill No. 2702.

Roll Call Demanded

Messrs. Beck, Weber, and Doyle demanded a roll call.

The roll was called, and the amendment offered by Mr. Dolwig to Assembly Bill No. 2702 refused adoption by the following vote:

AYES—Beck, Brown, Butters, Caldecott, Coats, Cooke, Crowley, Dolwig, Elliott, Evans, Kilpatrick, Lewis, Niehouse, Rosenthal, Rumford, and Tomlinson—16.

NOES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Collier, George D. Collins, Condon, Crichton, Dickey, Doyle, Erwin, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Levering, Lincoln, Luckel, Meyers, Reagan, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—36

The question being on the passage of Assembly Bill No. 2702.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Collier, George D Collins, Condon, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln,

Luckel, Maloney, Meyers, Reagan, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—47.

NOES—Beck, Butters, Caldecott, Coats, Cooke, Dolwig, Rumford, and Tomlinson—8.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1917

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1917, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1917

Assembly Bill No. 1917—An act to add Section 225q to the Welfare and Institutions Code, relating to the adoption of children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Maloney, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2715

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2715, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2715

Assembly Bill No. 2715—An act making an appropriation for a state office building in the City of Stockton.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Luckel, Maloney, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 87

Mr. George D. Collins asked for, and was granted, unanimous consent that he be permitted to take up Assembly Constitutional Amendment No. 87, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 87

Assembly Constitutional Amendment No. 87—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 5 of Article XI, relating to compensation for public service.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Luckel, Maloney, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—61.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3138

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3138, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3138

Assembly Bill No. 3138—An act making an appropriation to the Retirement Annuity Fund of the State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62

NOES—Butters, Evans, and Smith—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2887

Mr. Meyers asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2887, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2887

Assembly Bill No. 2887—An act to add Section 11006 to the Revenue and Taxation Code, relating to vehicle license fee money allocable to cities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn,

Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62.

NOES—Levering, Luckel, Reagan, and Smith—4

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 3177

Mr. Moss asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 3177, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 3177

Assembly Bill No. 3177—An act making an appropriation for the support of the State Agricultural Society, Department of Finance, for the 1949-50 Fiscal Year.

Bill read third time.

Demand for Previous Question

Messrs. Grunsky, Connolly, Thompson, Lindsay, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 3177.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Heisinger, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Moss, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—46.

NOES—Anderson, Beck, Burkhalter, Butters, Cooke, Elliott, Evans, Grant, Hahn, Hawkins, Hoffman, Hollibaugh, Levering, Luckel, Morris, Reagan, Rosenthal, Smith, and Yorty—19

Bill ordered transmitted to the Senate.

Hon. Laughlin E. Waters Presiding

At 9.12 p.m., Hon. Laughlin E. Waters, Member of the Assembly from the Fifty-eighth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 861

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 861, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 861

Assembly Bill No. 861—An act to add Section 5711 to the Labor Code, relating to proof of pneumonoconiosis.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Lincoln, Lindsay, Lipscomb, Luckel, McCollister,

Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—49

NOES—Beck, Berry, George D. Collins, Davis, Elliott, Gaffney, Levering, Maloney, and Meyers—9.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1666

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1666, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1666

Assembly Bill No. 1666—An act to amend Sections 46 and 48 of the Fish and Game Code, relating to the disposition of fish and game fines and forfeitures, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 2276

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 2276, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 2276

Assembly Bill No. 2276—An act to amend Section 11000 of the Business and Professions Code, relating to real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rosenthal, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—56.

NOES—Collier, Hagen, Hinckley, and Stanley—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COPY OF COMMUNICATION BE PRINTED IN JOURNAL

Mr. Brady asked for, and was granted, unanimous consent that the following copy of a communication be ordered printed in the Journal in 10-point type:

STATE OF CALIFORNIA, DIVISION OF REAL ESTATE, June 20, 1949

RE. SECTION 11000 ET SEQ. OF THE BUSINESS AND PROFESSIONS CODE OF THE STATE OF CALIFORNIA

Honorable Bernard Brady
Assemblyman, Nineteenth District
State Capitol, Sacramento, California

DEAR MR. BRADY: Confirming my conversation with you this date on the telephone, this is to advise that I am immediately initiating a revision of the Rules and Regulations of the Real Estate Commissioner in respect to "Article 10 subdivisions" to eliminate the mandatory requirement that a subdivision questionnaire be filed on all subdivisions and a filing fee be paid on all subdivisions.

My revision of said Rules and Regulations will permit the commissioner to waive the filing of a questionnaire and the payment of a filing fee at his discretion.

I am quite sure the above will satisfactorily take care of the San Francisco situation.

With kind personal regards, I am

Sincerely yours,

(Signed) D. D. WATSON, Commissioner

CC: Mr. Eugene P Conser, Secretary, California Real Estate Association
Hotel Senator
Sacramento, California

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 1558

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 1558, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 1558

Assembly Bill No. 1558—An act to amend Section 7110 of the Business and Professions Code, relating to violation of the Contractors Bidding Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—56.

NOES—Beck, Butters, Hinckley, and Lewis—4.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 279—An act to amend Section 736b of the Political Code, relating to the salaries of superior court judges.

Bill read third time.

Demand for Previous Question

Messrs Levering, Reagan, Morris, Silliman, and Kirkwood demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 279.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Beck, Brady, Brown, Condon, Clayton A. Dills, Fletcher, Hahn, Hawkins, Huyck, Kilpatrick, Niehouse, Rosenthal, Smith, Thomas, and Yorty—16

NOES—Bennett, Berry, Burke, Burkhalter, Butters, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lincoln, Lindsay, Luckel, Maloney, McCarthy, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, and Weber—42

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP ASSEMBLY BILL NO. 7

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Assembly Bill No. 7, temporarily passed on file, at this time.

CONSIDERATION OF ASSEMBLY BILL NO. 7

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—59

NOES—Bennett, Geddes, Luckel, and Reagan—4.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined

Assembly Bill No. 3178—An act making an appropriation for the contingent expenses of the Assembly, without regard to fiscal years, including committee expenses, to take effect immediately;

And reports that the same has been correctly enrolled and presented to the Governor on the twenty-first day of June, 1949, at 8 p.m.

HUYCK, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Constitutional Amendment No. 80—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding Section 14 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—George D. Collins and Heisinger—2.

Resolution ordered transmitted to the Senate.

Assembly Bill No. 2969—An act making an appropriation to the Division of Forestry, Department of Natural Resources, to provide for special standby brush burning fire protection services, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—Hinckley—1.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—68.

NOES—Hinckley—1.

Bill ordered transmitted to the Senate.

Assembly Bill No. 92—An act to add Article 2.5, consisting of Sections 1045 to 1049, inclusive, to Chapter 7 of Division 5 of the Agricultural Code, establishing a California Board of Plant Food Investigation, providing for its support and making an appropriation.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Kirkwood, Reagan, Conrad, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Assembly Bill No. 92.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Sherwin moved a call of the Assembly.

Motion carried. Time, 10.25 p.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Brady, Caldecott, Connolly, Dickey, Dunn, Hawkins, Hinckley, Huyck, Kilpatrick, Kirkwood, Levering, McMillan, and Rosenthal—14.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Elections

ASSEMBLY CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: Your Committee on Elections, to which was referred:

Senate Bill No. 191

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

WATERS, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Bill No. 1566—An act to add Sections 335, 348.1a, 348.1b, 348.1c, 350.2, and 353.10 to, and to amend Sections 337, 348 1, 348 6, and 349.9 of, the Agricultural Code, relating to livestock identification and hide and brand inspection, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

Assembly Bill No. 1530—An act making an appropriation for turnout spaces, lights and safety equipment for the Yolo Causeway on State Highway Route 6.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—69.

NOES—None

Bill ordered transmitted to the Senate.

Assembly Bill No. 2703—An act making an appropriation for the support of the State Conservation and Planning Board during the 1949-1950 Fiscal Year.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—58

NOES—Butters, Levering, and Reagan—3

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Sherwin:

Resolved, That Assembly Bill No. 1365 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 1365

Assembly Bill No. 1365—An act making an appropriation in augmentation of the appropriation in Item 162 of the Budget Act of 1948, for support of the Department of Finance, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Sullman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—63

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF ASSEMBLY BILLS (RESUMED)

Assembly Concurrent Resolution No. 102—Relative to a survey of a Central Valley Road by the Division of Highways

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sullman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—60

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2469 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Lewis asked for, and was granted, unanimous consent that Assembly Bill No. 2469 be withdrawn from the file, and be re-referred to the Committee on Public Health.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Lincoln:

Resolved, That Assembly Bill No. 3161 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Sullman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—69

NOES—None

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF ASSEMBLY BILL NO. 3161

Assembly Bill No. 3161—An act to add Chapter 5 to Division 5, Title 1, of the Government Code, relating to the termination of contracts

for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—57.

NOES—Elliott—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 1899

At 10.50 p.m., on motion of Mr. Doyle, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 1899 passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—67.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10.55 p.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ASSEMBLY BILL NO. 92

At 10.56 p.m., on motion of Mr. Sherwin, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Assembly Bill No. 92 passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dunn, Erwin, Fleury, Grant, Hagen, Hinckley, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Meyers, Moss, Sherwin, Silliman, Stanley, Stewart, Waters, Way, Weber, and Mr. Speaker—42.

NOES—Anderson, Beck, Bennett, Burkhalter, Cooke, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Luckel, McCollister, Morris, Niehouse, Reagan, Rumford, Smith, Thomas, Thompson, Tomlinson, and Yorty—32.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO RECONSIDER ASSEMBLY BILL NO. 1371 WAIVED

Mr. George D. Collins waived his notice of motion to reconsider the vote whereby Assembly Bill No. 1371 was refused passage.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 15
Senate Bill No. 29
Senate Bill No. 94
Senate Bill No. 138
Senate Bill No. 234
Senate Bill No. 235
Senate Bill No. 238
Senate Bill No. 316
Senate Bill No. 319
Senate Bill No. 336
Senate Bill No. 447
Senate Bill No. 449
Senate Bill No. 486
Senate Bill No. 581
Senate Bill No. 606
Senate Bill No. 690
Senate Bill No. 694
Senate Bill No. 720
Senate Bill No. 831
Senate Bill No. 887
Senate Bill No. 1030
Senate Bill No. 1128
Senate Bill No. 1323
Senate Bill No. 1391
Senate Bill No. 1424
Senate Bill No. 1425
Senate Bill No. 1646
Senate Bill No. 1652
Senate Bill No. 1655
Senate Bill No. 1656
Senate Bill No. 1657

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 15—An act to add Section 66m to the Code of Civil Procedure and to repeal an act entitled "An act increasing the number of Judges of the Superior Court in the State of California, in and for the County of San Bernardino, and providing for the appointment of an additional judge and for his compensation," approved May 17, 1927, relating to the number of judges in the County of San Bernardino, the appointment of an additional judge, and for his compensation.

Referred to Committee on Judiciary.

Senate Bill No. 29—An act relating to officers and employees of the Supreme Court and district courts of appeal, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 94—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act to reduce the number of Judges of the Superior Court in and for the County of Humboldt and to repeal an act entitled 'An act to provide for the appointment and election of one additional judge for the County of Humboldt,' approved March 8, 1895," approved June 10, 1933, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Humboldt.

Referred to Committee on Judiciary.

Senate Bill No. 138—An act to add Section 66q to the Code of Civil Procedure, relating to the number of Judges of the Superior Court

in the County of Butte, and providing for the appointment of an additional judge and for compensation.

Referred to Committee on Judiciary.

Senate Bill No. 234—An act making an appropriation to the Vocational Education Fund for fire training, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 235—An act making an appropriation to the Vocational Education Fund for fire training institutes, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 238—An act to add Section 9165 to the Education Code, relating to instructors for fire training programs, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 316—An act making an appropriation to the Department of Agriculture for the purpose of extending market news service.

Referred to Committee on Ways and Means.

Senate Bill No. 319—An act to amend Sections 7102.1 and 7104 of the Education Code, relating to the excess cost of educating mentally retarded minors.

Referred to Committee on Education.

Senate Bill No. 336—An act to amend Section 20361 of, and to add Section 20334.1 to the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 447—An act to add Section 66p to the Code of Civil Procedure, and to repeal an act entitled "An act to provide one additional Judge of the Superior Court in the County of Fresno," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of two additional Superior Court Judges in and for the County of Fresno.

Referred to Committee on Judiciary.

Senate Bill No. 449—An act to authorize the Department of Finance to purchase property for Fresno State College and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 486—An act to amend Sections 14305, 14307, 14379, 14382, 14401, 14402, 14601, 14606, 14610, 14612, 14613, 14632, 14639, 14641, 14669, of the Education Code, and to add Section 14314 and Section 14663.1 to said code, all relating to the State Teachers' Retirement System.

Referred to Committee on Education.

Senate Bill No. 581—An act to amend Sections 3301.5 and 3301.6 of the Health and Safety Code, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from tuberculosis, and declaring the urgency thereof, to take effect immediately.

Referred to Committee on Public Health.

Senate Bill No. 606—An act to add Sections 35 and 36 to the Construction and Employment Act, making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Referred to Committee on Ways and Means.

Senate Bill No. 690—An act making an appropriation to the Department of Agriculture for the purpose of establishing and equipping a livestock and poultry diagnostic and testing laboratory at Petaluma.

Referred to Committee on Livestock and Dairies.

Senate Bill No. 694—An act to add Sections 20355, 20356, and 20357 to the Education Code, relating to student housing facilities at state colleges, making an appropriation, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 720—An act making an appropriation to the State Department of Public Health for tuberculosis subsidies under Division 4 of the Health and Safety Code.

Referred to Committee on Ways and Means.

Senate Bill No. 831—An act to amend Section 1 of an act entitled "An act establishing a four-year state institution of higher education in the City of Sacramento, County of Sacramento," approved by the Governor July 1, 1947, relating to the four-year institution of higher education in Sacramento.

Referred to Committee on Education.

Senate Bill No. 887—An act to provide for the purchase of the "Alvarado Adobe" building in the City of San Pablo as a part of the State Park System, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 1030—An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children.

Referred to Committee on Ways and Means.

Senate Bill No. 1128—An act to amend Section 9.17 of, and to add Section 9.15a to, the Building and Loan Association Act, relating to the regulation of building and loan associations.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1323—An act to amend Section 20361 of the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1391—An act to add Section 3300.4 to the Health and Safety Code, relating to operation of necessary facilities to care for persons suffering from tuberculosis, and making an appropriation.

Referred to Committee on Ways and Means.

Senate Bill No. 1424—An act to add Article 9 to Chapter 2, Part 1, Division 1, of the Health and Safety Code, relating to cancer and other chronic diseases, providing for a chronic disease program and establishing the Advisory Chronic Disease Council.

Referred to Committee on Public Health.

Senate Bill No. 1425—An act to provide an appropriation for the chronic disease program of the State Department of Public Health.

Referred to Committee on Ways and Means.

Senate Bill No. 1646—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Referred to Committee on Ways and Means.

Senate Bill No. 1652—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Referred to Committee on Rules.

Senate Bill No. 1655—An act making an appropriation for support of the California Centennials Commission.

Referred to Committee on Ways and Means.

Senate Bill No. 1656—An act to amend Section 11535 of the Business and Professions Code, relating to the regulation of real estate subdivisions.

Referred to Committee on Governmental Efficiency and Economy.

Senate Bill No. 1657—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 329
Senate Bill No. 542
Senate Bill No. 685
Senate Bill No. 770
Senate Bill No. 835
Senate Bill No. 850
Senate Bill No. 1037
Senate Bill No. 1318
Senate Bill No. 1358
Senate Bill No. 1658

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following bills were read the first time:

Senate Bill No. 329—An act to add Chapter 12, comprising Sections 4950.01 to 4950.48, inclusive, to Division 2 of the Business and Professions Code, relating to the practice of naturopathy.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 542—An act to amend Section 672 of the Code of Civil Procedure, relating to the superior court in counties of the first class and the number thereof.

Referred to Committee on Judiciary.

Senate Bill No. 685—An act to add Section 5044.5 to the Education Code, relating to school district public works.

Referred to Committee on Education.

Senate Bill No. 770—An act to amend Section 50362 of the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Referred to Committee on Municipal and County Government.

Senate Bill No. 835—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of four additional Superior Court Judges in and for the City and County of San Francisco, and providing for their compensation.

Referred to Committee on Judiciary.

Senate Bill No. 850—An act to add Chapter 1.6 to Division 3 of the Education Code, providing for school district public works, declaring the urgency thereof, to take effect immediately.

Referred to Committee on Education.

Senate Bill No. 1037—An act making an appropriation for services for physically handicapped children suffering from rheumatic fever and rheumatic heart disease.

Referred to Committee on Ways and Means.

Senate Bill No. 1318—An act to amend Sections 20603, 20750.2, 21250, 21330 of the Government Code and to add Section 21262 thereto, relating to the State Employees' Retirement System, and providing for status, rights, privileges, contributions, and benefits of patrol members thereof, and for the state contribution thereto in respect to such members.

Referred to Committee on Civil Service and State Personnel.

Senate Bill No. 1358—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of a water works, to take effect immediately.

Referred to Committee on Ways and Means.

Senate Bill No. 1658—An act to add Section 31506 to the Water Code, relating to improvements by county water districts.

Referred to Committee on Municipal and County Government.

REQUEST FOR UNANIMOUS CONSENT THAT ALL BILLS BE PLACED UPON THE INACTIVE FILE WHICH ARE PASSED ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that all bills which are now left on the third reading file, after being twice passed upon the third reading file, today, be now placed upon the inactive file.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Assembly Bill No. 3126, on motion of Mr. Dickey.

Assembly Concurrent Resolution No. 97, on motion of Mr. Dickey.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Stewart, the usual courtesies of the Assembly for this day were unanimously extended to Patricia Marshall and Patricia Carman of Pasadena.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Miss Carol Wheeler of Alameda.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mesdames O. Gaston, K. Giant, E. Baker, and W. Pine, guardians of Wapo Meos Camp Fire Girls of Vallejo, and the following members: Edith Pine, Eleanor Pine, Nadine Butler, Marilyn Yates, Janet Gaston, Kerin Baker, Edith Ann Giant, Barbara Giant, Janet Wanger, Lois Belden, Peggy Gerick, Gretchen Courtland, and Ellen Locke.

On request of Mr. Huyck, the usual courtesies of the Assembly for this day were unanimously extended to Misses Estelle Churchill and Mary Frick of Los Angeles.

On request of the San Diego Delegation and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to former Senator Edward Fletcher of San Diego.

On request of Mr Maloney and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to Miss Jodine Collins of Fullerton.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Rosemary Rood of Chico, Governor of Girls' State, Eleanor Combs of Alhambra, Lieutenant Governor, and the following members:

Barbara Jean Bentrup, Gertrude Blake, Mary Bolstad, Joanne Burkett, Patricia Butler, Sally Ann Carr, Frances Jane Cooke, Irma Linda Fiechtner, Helen Hirohata, Jean Ann Holmquist, Irma Jean Levet, Anita Lynd, Barbara Lee Moore, Rachel McDonald, Ronnie Payne, Claire L. Rominger, Helga E. Schugt, Merle M. Seglie, Eleanor Shumway, Betty Jean Silva, Joan A. Stauffer, Joy D. Strickland, Charlotte E. Tarleton, Retha Walker, Lois Irene Walsh, Rose Whittmann, Mary Jean Wilkinson, Elma Weaver.

Lorna Lee Boyd, Ruth Cherry, Margot Mary Coons, Beverly Jean Dickson, Ann Farr, Marlene Herman, Mary Ellen Hufstetler, Roberta C. Howson, Esther Irving, Anne Theodora Jensen, Jennie King, Yolande Licht, Frances Murphy, Pat McFall, Marlene McGinnis, Janet Perdew, Jane Pittman, Donna Seipal, Jean Shores, Sarah Phoebe Sweet, Betty Smithpeter, Glenda Stevens, Betty J. Stringer, Martha Ann Taylor,

Geraldine Valverde, Lavonne Whitely, Marlene Wetmore, Lorraine Wood,

Pearlyne Crowley, Mary Donzelli, Jean Ann Elliott, Ruth L. Gail, Lois Gilfilen, Yvonne Wauna Grundy, Alice Louise Hansen, Kathryn Louise Hardin, Shirley Lou Harrawood, Jo Ann Marie Hart, Marilyn Sue Jenkins, Marilouise Johnson, Edith Kay, Germaine P. Kentra, Opal Genevieve Lavender, Maralee May Lupien, Alberta (Becky) Lynch, Jackie Muller, Kathryn Anne Myers, Winifred McGinnis, Thelma Jean Mason, Carolyn Olsson, Marianne Gayle Pease, Carol Renz, Sue Schellstede, Barbara J. Shankey, Helen E. Sletten, Beverly Voorhees, Joan Adair, Marlene Adams, Gwendolyn Elise Berryman, Sheila Cooney, Joy Delano, Shirley Detwiler, Jane Dowling, Anne Rees Elliott, Barbara Ferreri, Sally Ann Foster, Pauline Galewick, Eleanor Rae Gilpin, Helen Glazer, Janet Gleason, Marlene Estelle Hiebert, Mary Sonja Krabbe, Maryetta Lawson, Marylou Pereira, Ann Peters, Eleanor Adele Rippon, Barbara D. Rose, Nancy Simms, Carol S. Southard, Billie Jean Thomas, Bonnie Urry, Jacqueline Whiteman, Anzella Willie, Francis Winton,

Lina Aebi, Doris Bird, Kay Black, Una Fay Brokaw, Mary Cain, Joanne R. Colledge, Joan Davis, Marion Downing, Claudette Drennan, Kathleen Adele Duffy, Ellen, Dunn, Alicia Marie Ench, Lorraine Feliciano, Virginia Funk, Dorothy Goins, Priscella Marie Gurr, Ida Mae Harris, Carolyn F. Heaton, Martha Joyce Hill, Eleanor Jessen, Adelle Lehrer, Jackie Manuel, Patricia Ann Marlo, Pola Jean Massoni, Irene Paternostro, Jo Ann Penquilley, Laureen Platt, Betty Poettgen, Patricia J. Sheehan,

Irma Deens Aldridge, Adelene Anderson, Angelina Azzolino, Janis Bailey, Mary Bladholm, Margaret Buckner, Zoe Chalmers, Patricia Louise Clark, Marilyn Cram, Joan Culford, Barbara Down, Anne Estelle, Mary Lee Everson, Marlene Hight, Patricia Lou Hines, Helen Jungjohann, Carol Kircher, Betty Logan, Clara Maggini, Carmelita Grazella Mallea, Carol Montgomery, Coleen McCullough, Charlene Pohlman, Lawanna Rogers, Jennie C. Savage, Bernice Taylor, Jeanne Taylor, Rose Marie Ufholtz,

Frances Sue Andoe, Christine Beardslee, Nancy Bryant, Mary Dora Caragosian, Yola Centoni, Dorene Chesmore, Polly Dean, Joan DeDecker, Judy Ann Draper, Margaret Jean Evan, Carleen Sue Hennige, Peggy Ann House, Joan Stephanie Koenig, Joan Krieger, Marcia Munger, Lydia Ann McCullough, Joan Noble, Margaret Grace Orr, Betty Barbara Roscoe, Barbara L. Rowley, Lorraine Salazar, Beverly Jean Shirley, Alice L. Skinner, Joyce Sterling, Nancy Stevens, Barbara Tantau, Judy Thomas, Beverly Tucker, Friesia Marie Williams,

Cecily Aggeler, Nancy Lee Andrus, Barbara Beck, Alice Bennett, Patricia Brookes, Barbara May Haught, Doris Ada Hill, Raedene Hunter, Jacqueline J. Key, Betty La Sarte, Dolly Medlock, Marilyn Janet Moag, Diane Norris, Joan Odiorne, Agatha Ott, Patricia Anne Raymond, Carolyn Ann Read, Ruth Reid, Joyce Richardson, Pauline Rogers, Rita R Schroeder, Betty Jo Stephenson, Jacqueline L. Stovall, Ann K. Sutton, Sarah Frances Vaughn, Arlene Williams, Olga Louise Wirtz, Marjorie Wright,

June Marilyn Abercrombie, Louise Darlene Barber, Joan Bolden, Mary Lou Buttrill, Lois Carney, Jane Christensen, Barbara Clark, Eleanore Combs, Gloria Day, Georgia Carol Early, Jo Ruth East, Louise

Farrar, Jola Thorton Gorsuch, Vera Mae Hartley, Janice Hatton, Mary Catherine Just, Anne Kim, Patricia Ann Lee, Virginia Ann Maier, Sherrie Martin, Joan Novack, Beverly Parvanian, Kathy Riskin, Patricia Seekins, Patricia Joanne Stoft, Geneva Tibbs, Betsy Turk, Barbara Viland,

Virginia Abbott, Vicki Bates, Vivian Brannan, Connie Brown, Grace Burton, Betty Canet, Phyllis Crawford, Theresa Mary Cram, Claudia Dane, Lorraine De Giordano, Eloise Dillard, Caroline Ruth Enright, Betty Firpo, Nina Foran, Joana Geniella, Jeanne Gonsolin, Barbara Hall, Nancy La Rue Harris, Fay Humphrey, Margaret Joyce Johnson, Betty Ellen Jones, Julia Knott, Nellie Maloof, Jane Flo Moss, Evelyn R. Newbury, Patricia Lou Noland, Joanne Triplett, Gladys Whitehurst,

Mathein Bahrs, Marilyn Bowman, Joanna June Carlotti, Louise Coker, Nancy Cooper, Martha Dickman, Louise Divine, Margaret Garcia, Carol Ann Heysel, Lillian Moreno, Sidney McFarland, Phyllis Dawn Parsons, Gloria Pedroncelli, Ann Poulson, Shirley Jean Rehfeld, Carolyn M. Richter, Natalie M. Shaw, Mary A. Shear, Helen E. Skov, Marian E. Sousa, Lewellyn Jane Stevens, Joan Ungersma, Jo-Ann Valine, Margaret Walker, Patsey Carroll Wamsley, Carolee Wheeler, Marilyn Ann Willems, and Hazel Wolf,

Joyce Abbot, Roberta Jean Barnes, Mary Lou Bollvine, Martha E. Brown, Carolyn Daniels, Mary Jane Eblen, Alice Diane Ferraria, Gloria Franzen, Oleta Gay Gallagher, Lois Garcia, Helen Anne Hadley, Terry LaJean Haisch, Sue Ann Heyman, Anna May Houghton, Betty Ann Jacinto, Lilla Ellen Jeffers, Martha Kuehl, Anne Larkey, Joan Margaret Lawson, Harriet Lefkowitz, Phyllis Joan Mattson, Anita Elaine Myers, Kathryn Ruth McNurry, Rosemary Rood, Margaret Shortt, Colleen J. Smith, Peggy Spalt, and Joann Taylor.

ADJOURNMENT

At 11.08 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 10 a.m., Wednesday, June 22, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-SEVENTH LEGISLATIVE DAY

ONE HUNDRED SEVENTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Wednesday, June 22, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—76.

Speaker Pro Tempore Presiding

At 10.03 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Divine Spirit: How tiny a spot of the boundless dimensions of time has been appointed to us In but a moment measured by infinity, every one will enter into the palace of memory.

How short lived are all mortal things that worry us, and how evanescent the treasures of yesterday when we think of the eternal centuries before we were, and the flying centuries that follow us

Our lives are but a ripple on the far swelling waves of the future and each wave but a ripple on the flowing river of eternity.

What are the names that resounded yesterday, but a far off echo

But while we have time let us work with justice, live with reverence and charity and rejoice that we live on the boundary of immensity.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Rumford, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Levering
Mr. Geddes, on motion of Mr. Doyle.

EXPLANATION OF ABSENCE

On the date June 22d, I was in the Senate Finance Committee in the morning, presenting Assembly Bill No. 996 and Assembly Bill No 2139. This is the reason for my not answering roll calls.

KATHRYN T NIEHOUSE

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 20
Senate Bill No. 287
Senate Bill No. 594
Senate Bill No 680
Senate Bill No. 1319
Senate Bill No. 1417
Senate Bill No 1487
Senate Bill No. 1594
Senate Bill No 1653
Senate Bill No 1654

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bills were read the first time:

Senate Bill No. 20—An act to add Part 2, comprising Chapters 1 to 13, inclusive, and Sections 8100 to 8268, inclusive, to Division 9 of the Streets and Highways Code, providing for the formation, government, and dissolution of separation of grade districts, prescribing their powers, providing for the performance of certain functions relating thereto by county officers, and relating to separation of grade by overpass, underpass and tunnel.

Referred to Committee on Municipal and County Government.

Senate Bill No. 287—An act to amend Section 14813 of the Revenue and Taxation Code, relating to confidential nature of inheritance tax records.

Referred to Committee on Revenue and Taxation.

Senate Bill No. 594—An act to establish a Commission on Organization of the Executive Department of the State Government prescribing its duties and functions, and making an appropriation.

Referred to Committee on Rules.

Senate Bill No. 680—An act to amend Section 20580 of the Government Code, relating to the State Employees' Retirement System.

Referred to Committee on Municipal and County Government.

Senate Bill No. 1319—An act to amend Section 7 of, and Section 57.2 to, the Unemployment Insurance Act, relating to agricultural labor and services for nonprofit organizations.

Referred to Committee on Finance and Insurance.

Senate Bill No. 1417—An act to add Chapter 1.7 to Division 3 of the Education Code to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

Referred to Committee on Education.

Senate Bill No. 1487—An act to create the Old Age and Blind Security Fund in the State Treasury, to transfer certain moneys thereto, and to raise revenue for and to make all moneys in said fund available for expenditure to meet the appropriation made by Section 10 of Article XXV of the Constitution before other money is available therefor.

Referred to Committee on Social Welfare.

Senate Bill No. 1594—An act to repeal Section 987 of and add Section 987 to the Revenue and Taxation Code, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board.

Referred to Committee on Military Affairs

Senate Bill No. 1653—An act to amend Section 19421 of the Business and Professions Code, relating to horse racing.

Referred to Committee on Public Morals.

Senate Bill No. 1654—An act to add Section 13114 to the Government Code, relating to the power of the Director of Finance to lease state property.

Referred to Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE
SECOND READING OF SENATE BILLS

Senate Bill No. 359—An act to add Section 1044.5 to the Agricultural Code, relating to the powers and duties of the Director of Agriculture with reference to noncomplying fertilizing materials.

Bill read second time, and ordered to third reading.

Senate Bill No. 1197—An act to amend Sections 8505, 8550, and 8671 and to repeal Section 8572 of the Business and Professions Code, relating to the regulation of structural pest control.

Bill read second time, and ordered to third reading.

Senate Bill No. 191—An act to amend Sections 5932, 7003, and 7791.5, to add Sections 5911.5, 5931.1, 7103.5, 7208.5, and 7208.7 and

Article 1.5, consisting of Sections 7031 to 7038, inclusive, to Chapter 1 of Division 9, all of the Elections Code, relating to elections, including provisions relating to ballots and absent voting.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Elections and Reapportionment:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 12, 1949, after "Sections", insert "5902.5,".

Amendment No. 2

On page 2 of said bill, strike out line 22, and insert

"SECTION 1. Section 5902.5 is added to the Elections Code to read:

5902.5. In counties having a population of fourteen thousand or less according to the 1940 Census, the county clerk shall furnish an ink pad and a rubber stamp to each absent voter and shall inform him that he must mark his ballot with the rubber stamp if he returns the ballot to his voting place.

Such ink pad and rubber stamp shall be of such a color, size and style that the mark made by the stamp when used in conjunction with the ink pad cannot be distinguished from the marks made by the stamps which are used at the regular polling places.

SEC. 2. Section 5911.5 is added to said".

Amendment No. 3

On page 3, line 49, of said bill, strike out "2", and insert "3".

Amendment No. 4

On page 3, line 52, of said bill, after "that", insert "he shall mark the ballot with the rubber stamp if he is going to return it to his voting place and except that".

Amendment No. 5

On page 4, line 5, of said bill, after "Sec.", strike out "3", and insert "4".

Amendment No. 6

On page 4, line 18, of said bill, strike out "4", and insert "5".

Amendment No. 7

On page 4, line 26, of said bill, after "Sec.", strike out "5", and insert "6".

Amendment No. 8

On page 5, line 17, of said bill, strike out "6", and insert "7".

Amendment No. 9

On page 5, line 21, of said bill, after "Sec.", strike out "7", and insert "8".

Amendment No. 10

On page 5, line 25, of said bill, after "Sec.", strike out "8", and insert "9"

Amendment No. 11

On page 5, line 31, of said bill, after "Sec.", strike out "9", and insert "10".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1029—An act to amend Sections 32004 and 32100 of the Health and Safety Code, and to add Sections 32100.1, 32100.5, 32100.6, 32100.7 to said code, relating to local hospital districts, and declaring the urgency of this act, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on May 12, 1949, strike out "Sections 32100.1, 32100.5, 32100.6, 32100.7," and insert "Section 32100.1".

Amendment No. 2

On page 1, line 7, of said bill, strike out "pursuant to"; and strike out line 8, and insert "upon the petition,".

Amendment No. 3

On page 2, line 8, of said bill, strike out "upon the election and qualification"; strike out lines 9 to 12, inclusive; and in line 13, strike out "formed.", and insert "the first Tuesday in January next following the election or appointment if no election is held and qualification of their successors as herein provided, and three members will go out of office two years thereafter."

Amendment No. 4

On page 3 of said bill, strike out lines 40 to 50, inclusive; and on page 4, strike out lines 1 to 27, inclusive.

Amendment No. 5

On page 4, line 28, of said bill, strike out "Sec. 7.", and insert "SEC. 4."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

Senate Bill No. 1250—An act to add Chapter 8, comprising Sections 5500 to 5656, inclusive, to Part 3, Division 5, of the Health and Safety Code, to provide for the formation, organization, and operation of sanitation districts within the counties of the State.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 5 of the printed bill, as amended in the Senate on May 4, 1949, strike out lines 4 to 14, inclusive.

Amendment No. 2

On page 17 of said bill, strike out lines 7 to 51, inclusive; and on page 18, strike out lines 1 to 14, inclusive, and insert

"5645.20. All or any portion of the unincorporated territory within a district, or all or any portion of territory within a district which territory was, subsequent to the formation of the district, annexed to a city, may be withdrawn from the district when all of the following conditions exist:

(a) The district has been in existence for at least one year;

(b) In the event the district has indebtedness evidenced by bonds and the indebtedness is outstanding and owing either on the date of the election or upon receipt of the verified petition by the board of supervisors, the property within any territory withdrawing from the district shall nevertheless be liable for assessment and payment of the tax for its pro rata share thereof.

Provided, however, that no portion of a city shall be withdrawn from a sanitation district under the provisions of this article if such city is in its entirety within one or more sanitation districts.

5645.21. The withdrawal may either be effected by the vote of majority of the qualified electors of the territory seeking to withdraw voting at an election on the proposition to withdraw, in which case the election procedure as hereafter provided in Sections 5645.22 to and including Section 5645.28 shall be followed, or by verified petition presented to the board of supervisors in the manner as hereafter provided in Sections 5645.31 to and including Section 5645.34.

5645.22. The election shall be called and conducted by the board of directors of the district whenever a petition signed by twenty-five percent (25%) of the qualified electors residing in the territory seeking to withdraw, is presented to the board. The

petition shall describe the exterior boundaries of the unincorporated territory seeking to withdraw, and request that an election shall be called and conducted on the proposition to withdraw.

5645.23. The election then shall be called and conducted in the same manner as other elections of the district except that the resolution calling the election shall be published in a newspaper having a general circulation within the territory seeking to withdraw.

5645.24. The board of directors shall canvass the returns of the election within thirty days after the election, and if a majority of the votes cast are in favor of the proposition to withdraw from the district, then the board shall so find and declare, and thereupon the territory no longer shall be a part of the district.

5645.25. A certified copy of the resolution shall be filed with the clerk of the board of supervisors of the county in which the district is situated, within fifteen days after the resolution is adopted.

5645.28. The unincorporated territory shall not thereafter become a part of the same or any other county sanitation district unless the question of annexation or inclusion within a district is approved by a majority of the qualified electors of the territory so withdrawing, voting at an election on the proposition of annexation or inclusion.

5645.31. A verified petition signed by the owners of real property in the portion to be excluded, said owners owning more than fifty percent (50%) in value of the assessed real property, shall be presented to the board of supervisors of the county within which the district is located. Said petition shall contain the following:

(a) A legal description of the area to be withdrawn together with a map thereof;

(b) The amount of indebtedness of a district presently outstanding, if any;

(c) Factual data establishing that the exclusion will not interfere with the operation of the sewage system in the balance of the district;

(d) A statement by the county assessor of said county that the petition appears to be signed by the owners of more than 50 percent of value of the assessed real property of the area described in the petition as appears from the current assessment roll of the county or city within which the area to be withdrawn is situated.

5645.32. Upon receipt of such petition, the board of supervisors shall set the same for hearing on a day not less than twenty days nor more than thirty-five days thereafter. The clerk of the board of supervisors shall cause a notice of the hearing, which shall contain a description of the property to be excluded, to be published once prior to the date fixed for such hearing, in a newspaper of general circulation circulated within the district and within the area proposed to be withdrawn which the board deems most likely to give notice to the inhabitants thereof.

5645.33. The board of directors of the county sanitation district in which the area proposed to be excluded is situated shall report in writing to the board of supervisors at the time set for the public hearing as to the extent of the district, indebtedness, present obligations, and the effect of such exclusion upon the operation of its sewage system.

5645.34. At the time designated, the board of supervisors shall hear the petition and any person interested and may adjourn the hearing from time to time not to exceed sixty days. The board of supervisors, if it finds that the portion of the district sought to be withdrawn will not be benefited by remaining in the district, and that the territory not sought to be withdrawn will be benefited by continuing as a district, may upon the conclusion of final hearing upon said petition, grant such withdrawal, describing the area withdrawn, from the district; and subject to Sections 54900 to 54903, inclusive, of the Government Code said portion thereafter is no longer a portion of the district for any purpose, except that in the event district indebtedness or district expense is outstanding and owing on the date of the order granting said exclusion, the property within any territory so excluded from the district shall nevertheless remain liable for assessment and payment of the tax for its pro rata share thereof until the extinguishment of said indebtedness or expense."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

Senate Bill No. 468—An act to add Section 32100.5 to the Health and Safety Code, relating to local hospital districts.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 2, 1949, strike out "Sections 32100 3," and insert "Section 32100 3 and".

Amendment No. 2

In line 2 of the title of said bill, strike out "32100 5, and 32100 6".

Amendment No. 3

On page 1 of said bill, strike out lines 5 to 25, inclusive; and on page 2, strike out lines 1 to 5, inclusive, and insert

"32100.3 Not less than ninety days prior to the day fixed for the hospital district general election, the secretary shall publish at least once, in a newspaper of general circulation published in the district, if there is one, and if not, in a newspaper of general circulation in the county, a notice stating the date of the election and the number of offices to be filled at said election, together with a statement that nominations for said offices may be filed with him on forms to be supplied by the district not later than sixty-five days prior to the election.

SEC. 2. Section 32100.4 is added to said code, to read:

32100.4. If, on the sixty-fifth day prior to the day fixed for the hospital district general election, only one person has been nominated for each office of member of the board of directors to be filled at that election, or no one has been nominated for such office, and if a petition signed by 5 percent of the qualified electors in the district, requesting that the hospital district general election in the district be held, has not been presented to the board of directors of the district, said board of directors shall by resolution entered in their minutes order that an election shall not be held, and shall immediately request that the board of supervisors of the county in which the district, or a greater portion thereof, is situated at a regular or special meeting held prior to the day fixed for the election, appoint, and the board of supervisors shall thereupon appoint, to the office or offices the person or persons, if any, who have been nominated. If no person has been nominated for any office, the board of supervisors shall appoint any qualified person to the office prior to the date when the election would have been held. The person appointed shall qualify and take office and serve exactly as if elected at a hospital district general election.

In such instances notices shall be posted in three public places in the district at least ten days before the date fixed for the election, which notices shall state that no election is to be held and that the board of supervisors will appoint, or has appointed, a member or members of the board of directors to serve for the ensuing term."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Health.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Lewis and Hagen:

House Resolution No. 274

WHEREAS, The people of Kern County have indicated their interest and desire that a four-year state college be established in Kern County; and

WHEREAS, The tax revenue contributed by Kern County to the State Treasury, both as to General Fund and as to the expenses of higher education, is more than some areas where a state college or university now exists; and

WHEREAS, The population of Kern County and adjoining counties is larger than some areas where a state college or university now exists; and

WHEREAS, The number of residents of college age is larger than in some areas where a state college or university now exists; now, therefore, be it

Resolved, That the State Assembly respectfully urges any legislative Interim Committee on Education make a survey and study of the needs and potentialities of establishing a four-year state college in Kern County in the vicinity of Bakersfield.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Reagan:

House Resolution No. 275

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to Investigate Transportation Facilities in Metropolitan Areas

WHEREAS, Public utilities operating rapid transit and other public transportation facilities in heavily populated metropolitan areas have failed to expand existing facilities sufficiently to meet the public need caused by the unprecedented increase in population in such areas; and

WHEREAS, This failure may be due to a number of reasons, including inability to finance renewals, extensions and improvements; and

WHEREAS, Officials and citizens of such metropolitan areas are vitally interested in the problem and have expressed their desire to cooperate with the State in the solution thereof; and

WHEREAS, In order to properly legislate on this subject it is vital that the Assembly be fully informed as to all facts relating thereto or bearing thereon; and

WHEREAS, The Assembly Interim Committee on Governmental Efficiency and Economy created at this session is well equipped by experience to ascertain such facts; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy or a duly constituted subcommittee thereof is hereby authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subject expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or relating thereto, and to cooperate with and secure the cooperation of, local governmental agencies in such metropolitan areas in ascertaining such facts, and to report thereon to the Assembly, including in its reports its recommendations for legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Thomas and Fletcher:

House Resolution No. 276

Relative to the creation of the Assembly Interim Committee on Fish and Game

WHEREAS, It is important that the pertinent facts bearing upon the fish and game problems of the State of California be ascertained, assembled and analyzed to the end that the Assembly shall be fully informed thereon and be enabled thereby to act advisedly upon legislation designed to preserve to the people their constitutionally guaranteed rights in and to fish and game and to fully protect the interests of sportsmen and commercial interests with respect thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fish and Game is hereby created and authorized and directed to ascertain, study and analyze all facts relating to fish and game; including specifically: Game farms, game and management areas, game refuges, fish hatcheries, the opening and closing of waters around Catalina Island, netting in the inland waters of the State, the utilization of the public domain for the propagation of fish and wildlife, and all other matters dealing with, relating to or otherwise pertaining to fish and game, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membreship of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope

of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Luckel:

House Resolution No. 277

Relating to straight percentage reductions in the next annual budget estimates of the various state departments

WHEREAS, The economic stability of the State depends in large measure upon an intelligent and thrifty spending of public moneys; and

WHEREAS, The effects of unnecessary high expenditures of public moneys touch all citizens in the form of higher taxes and higher costs of living; and

WHEREAS, It is of paramount importance in these days of high costs of government to recognize the economic consequences of such costs upon the taxpayers, manufacturers, businessmen, farmers, and consumers in this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the responsible officers of the various state departments, when preparing their next annual budgets, be required to make such straight percentage reductions on all estimates as may be deemed practicable; and be it further

Resolved, That the Director of Finance is hereby directed to transmit copies of this resolution to each department of the State of California which submits annual budget estimates.

Resolution read, and ordered referred to the Committee on Rules.

CHIEF CLERK INSTRUCTED TO CONTACT SECRETARY OF THE SENATE

By order of Speaker pro Tempore Maloney, the Chief Clerk was instructed to contact the Secretary of the Senate, and request him to urge Senators to provide the Assemblymen presenting their bills with needed explanations of their bills.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 1421—An act to amend Section 10337 of the Government Code, relating to the California Code Commission and Legislative Committees on Revision of the Law.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Grunsky, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—42.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 198

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 198, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 198

Senate Bill No. 198—An act to add Chapter 3 to Part 8, Division 1 of the Revenue and Taxation Code, relating to the distribution of property tax levies and collections on the secured roll.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—44.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1314

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1314, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1314

Senate Bill No. 1314—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation and death benefits.

Bill read third time.

Motion to Amend

Mr. Tomlinson moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 1, 1949, after "of", insert ", and to add Section 4753.5 to,".

Amendment No. 2

On page 2 of said bill, after line 5, insert

"SEC. 3. Section 4753.5 is added to the Labor Code, to read:

4753.5. In any such hearing, investigation or proceeding, the Attorney General shall represent the State and may, in accordance with law, reimburse himself for costs of investigations, medical examination and other expert reports, fees of witnesses, and other expenses incident to proper representation of the State before the commission and in court in such cases, excluding from such reimbursement the salary of any of his deputies rendering the services. Such reimbursement shall be made out of the appropriations for the payments of the special additional compensation specified in Section 4751. No such witness fees or fees for medical services shall exceed those fees prescribed by the commission for the same services in those cases where the commission, by rule, has prescribed such fees. Such reimbursement shall be in addition to and in augmentation of any other appropriations made or funds available for his use or support."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 461

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 461, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 461

Senate Bill No. 461—An act to add Section 12011.6 to, and to amend Sections 12024.5 and 12211 of, the Business and Professions Code, relating to containers and commodities therein.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 18, of the printed bill, strike out "from," and insert "or into which it was packed".

Amendment No. 2

On page 1, line 19, of said bill, strike out the comma.

Amendments read, and adopted

Bill ordered reprinted, and to third reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 592

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 592, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 592

Senate Bill No. 592—An act to authorize cities, cities and counties, counties, parking districts and parking authorities and the legislative bodies thereof to acquire, construct, maintain and operate public parking places for automobiles and to issue and sell revenue bonds to finance the same and to provide for the use and expenditure of the proceeds of such bonds and the use and disposition of revenue arising from public parking places so financed.

Bill read third time.

Motion to Amend

Mr. Brown moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 18, of the printed bill, as amended in the Assembly on June 10, 1949, after "hearing", and before the period, insert "; provided however, that no property being used as a facility or facilities for the parking and/or storing of motor vehicles shall be acquired by a city as provided for herein, unless the project to be provided or constructed by a city which necessitates the acquisition of such parking facility or facilities will contain a capacity for parking of not less than three (3) times the capacity of the parking area or existing facilities used for parking purposes of the existing parking facility to be acquired."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1635

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1635, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1635

Senate Bill No. 1635—An act to add Section 7437.5 to the Business and Professions Code, relating to cosmetology.

Bill read third time.

Motion to Amend

Mr. Fleury moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "December 7", and insert "September 25".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 727—An act to amend Sections 10275.5, 10301, 10302, 10331, and 10333.5 of, to add Sections 10275.6, 10284.5, 10302.5, and 10302.6 to, and to renumber and amend Section 10428.1 of the Business and Professions Code, relating to business opportunity regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Doyle, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Morris, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—41.

NOES—Anderson, Beck, Condon, Elliott, Lewis, McCarthy, and Rosenthal—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 728—An act to amend Sections 10376, 10382, 10401, 10402, and 10432.5 of, and to add Sections 10375.5, 10385.5, 10402.5, 10402.6, and 10433 to the Business and Professions Code, relating to cemetery brokerage regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Morris, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—48.

NOES—Elliott and Yorty—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 729—An act to amend Sections 10521, 10561, 10562, 10591, and 10593.5 of, and to add Sections 10515.5, 10524.5, 10562.5, and 10562.6 to, the Business and Professions Code, relating to mineral, oil and gas brokerage.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—48.

NOES—Condon, Davis, Elliott, Lowrey, and Yorty—5.

Bill ordered transmitted to the Senate.

Senate Bill No. 730—An act to add Section 11021 to the Business and Professions Code, relating to subdivided lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Dolwig, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—50

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 858—An act to amend Section 10454 of the Business and Professions Code, relating to the Division of Real Estate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kirkwood, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—49.

NOES—Lowrey—1

Bill ordered transmitted to the Senate.

Senate Bill No. 726—An act to amend Sections 10150.5, 10158, 10176, 10177, 10177.5, 10211, and 10213.5 of, and to add Sections 10161.5, 10150.6, and 10177.6 to the Business and Professions Code, relating to real estate regulations, including licenses and disciplinary action.

Bill read third time.

Demand for Previous Question

Messrs. Silliman, Luckel, Heisinger, Morris, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 726.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Conrad, Dickey, Clayton A. Dills, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Moss, Niehouse, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Weber, and Mr. Speaker—41

NOES—Anderson, Beck, Bennett, Clarke, Coats, George D. Collins, Condon, Cooke, Crichton, Davis, Doyle, Elliott, Fletcher, Hagen, Heisinger, Lewis, McCarthy, Meyers, Rosenthal, Rumford, Way, and Yorty—22.

Bill ordered transmitted to the Senate.

Senate Bill No. 1131—An act to amend Sections 26472, 26541, 26542, and 26586 of the Health and Safety Code, and to add Sections 26606 and 26625 to said code, relating to the California Pure Food Act and its administration.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Weber, and Yorty—62

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read third time, and ordered temporarily passed on file.

Senate Bill No. 1133—An act to repeal Sections 28214, 28231, and 28232 and to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 221

Mr. Hoffman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 221, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 221

Senate Bill No. 221—An act to add Section 1066.7 to the Agricultural Code, relating to herbicides injurious to crops, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Grunsky, Connolly, Luckel, Kirkwood, and Thompson demanded the previous question.

Demand for previous question sustained

The question being on the adoption of the urgency clause to Senate Bill No. 221.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey,

Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Way, Weber, and Yorty—55

NOES—Anderson, Brady, George D. Collins, Condon, Elliott, Fletcher, Kilpatrick, Levering, McMillan, Sherwin, and Tomlinson—11.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Way, Weber, and Yorty—56.

NOES—George D. Collins and Tomlinson—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 315

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 315, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 315

Senate Bill No. 315—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Way, Weber, and Yorty—59

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 314

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 314, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 314

Senate Bill No. 314—An act to validate the organization, boundaries, governing officers or boards, acts, proceedings, elections, and bonds of public bodies, declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley,

Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Way, Weber, and Yorty—59.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Way, Weber, and Yorty—59.
NOES—None.

Bill ordered transmitted to the Senate.

Hon. Everett G. Burkhalter Presiding

At 11.38 a.m., Hon. Everett G Burkhalter, Member of the Assembly from the Forty-second District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 89

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 89, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 89

Senate Bill No. 89—An act to amend Section 11 of the Conservation and Planning Act, relating to local planning commissions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, and Yorty—59.
NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1321—An act to add Section 20567.1 to the Government Code, relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Stanley, Thompson, Way, Weber, and Yorty—61
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 28—An act to amend Section 6363 of the Business and Professions Code, relating to the effect of Division 3, Chapter 5 of

the Business and Professions Code on law libraries formed under prior laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 418—An act to amend Sections 5077 and 5079 of the Penal Code, relating to the State Correctional System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Stanley, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 26—An act to amend Section 6341 of the Business and Professions Code, relating to the establishment of branch law libraries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 420—An act to amend Section 2082 of the Penal Code, relating to the distribution of identification data concerning prisoners to identification bureaus.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 428—An act to amend Sections 2085 and 5006 of, and to add Section 5061 to, the Penal Code, relating to disposition of moneys and valuables of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 431

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 431, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 431

Senate Bill No. 431—An act to amend Section 13196 of the Government Code, relating to use of water of the Napa State Farm.

Bill read third time, and ordered temporarily passed on file.

CONSIDERATION OF DAILY FILE (RESUMED) THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 481—An act to amend Section 3952 of the Revenue and Taxation Code, relating to actions by purchasers of tax deeded property to determine adverse claims to, or clouds upon that property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—65

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 496—An act to amend Sections 608, 609, 613, 614, 619, 620, and 620.5 of the Agricultural Code and to add Section 612.5, relating to cheese.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury,

Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 12.05 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 1081—An act to amend Sections 28478, 28479, and 28480 of the Health and Safety Code, relating to olive oil.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1357—An act to amend Section 19806 of Chapter 5 of Division 8 of the Business and Professions Code, relating to bread.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 957—An act to amend Section 2326 of the Business and Professions Code, relating to practice of chiropody.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—Heisinger and Hoffman—2.

Bill ordered transmitted to the Senate.

MOTION THAT PORTION OF HOUSE RESOLUTION NO. 120 BE DISPENSED WITH, AND THAT PROVISIONS OF HOUSE RESOLUTION NO. 248 BE CONTINUED

Mr. Dickey moved that that portion of House Resolution No. 120 be dispensed with which provides that bills go to the inactive file if twice

passed on file, and that they be placed at the foot of the file; and that the provisions of House Resolution No 248 be continued.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 431

Mr. Crowley asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 431, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 431

Senate Bill No. 431—An act to amend Section 13196 of the Government Code, relating to use of water of the Napa State Farm

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1394—An act to amend Sections 6, 16, 17, 50, 51, and 66 of the Orange County Water District Act, relating to powers, duties and compensation of the board of directors of, inclusion of lands in, and exclusion of lands from, the Orange County Water District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 132

Mr. Levering asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 132, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 132

Senate Bill No. 132—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declarations of candidacy.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 6, of the printed bill, as amended in the Senate on April 11, 1949, strike out "same", and insert "Constitution of the United States and the Constitution of the State of California".

Amendment No. 2

On page 3, line 21, of said bill, strike out "same", and insert "Constitution of the United States and the Constitution of the State of California"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Senate Bill No. 132 Hold Place on File

Mr. Levering asked for, and was granted, unanimous consent that Senate Bill No. 132, when returned from the printer, hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1132

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 1132, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 1132

Senate Bill No. 1132—An act to repeal Section 28292 and to amend Sections 28312, 28313, and to add Section 28321 of the Health and Safety Code, relating to food processing, and the regulation of food containers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1133

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 1133, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 1133

Senate Bill No. 1133—An act to repeal Sections 28214, 28231, and 28232 and to amend Section 28230 of the Health and Safety Code, relating to bread and its preparation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher,

Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 983—An act to amend Section 2848 of the Elections Code, relating to termination of membership in a county central committee.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Colbert, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1331 HOLD PLACE ON FILE

Mr. Stanley asked for, and was granted, unanimous consent that Senate Bill No. 1331 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 142—An act to amend the heading of Article 4 of Chapter 1 of Division 4, and Section 4126 of the Public Resources Code, relating to the closing of parks and forestry areas.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 143—An act to add Section 4006.5 to the Public Resources Code, relating to cooperative agreements for reforestation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans,

Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 249—An act to amend Section 4165 of the Public Resources Code, relating to fire protection and regulating the disposal of waste material.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 250—An act to amend Section 4167 of the Public Resources Code, relating to fire hazards in the vicinity of forest, brush, grass or grain covered land.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 248—An act to amend Sections 4151 and 4159 of the Public Resources Code, relating to permits for the setting of fire.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1279—An act to amend Section 5531 of the Public Resources Code, relating to regional park districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 165—An act to add Section 2.2 to the Orange County Flood Control Act, relating to the powers of the Orange County Flood Control District.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 322—An act to add Section 20454.1 to the Education Code, relating to the giving of bonds in connection with the maintenance of Reserve Officer Training Corps units at state colleges, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1427—An act to amend Sections 3896 and 3897 of, and to repeal Article 13, comprising Sections 3741 to 3750, inclusive, of Chapter 11 of Division 2 of, and to add Section 38899 to, the Education

Code, relating to the organization of high school districts, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—71

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1462—An act to add Chapter 4 to Division 4 of the Elections Code, relating to propositions submitted at district elections.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—71.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 332—An act to add Article 4, comprising Sections 21100 to 21103, inclusive, to Chapter 8 of Part 3 of Division 5 of Title 2 of the Government Code, and to add Section 21251.15 and Section 21261 thereto, all relating to the State Employees' Retirement System.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Way, Weber, and Yorty—65.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 458—An act to amend Sections 2039, 2045.4, 5003, and 6105 and the article heading of Article 5 of Chapter 1 of Title 1 of Part 3 of the Penal Code, and to add Article 6, comprising Sections 2046 to 2046.6, to Chapter 1 of Title 1 of Part 3 thereof, relating to institutions subject to the jurisdiction of the Department of Corrections, providing for the establishment of the Southern California Medium Security Prison and for the commitment and transfer of persons thereto and therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—66.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 632—An act to amend Sections 20126, 20362, 20894.5, 21028, 21251.1, 21253, 21452, and 21453 of the Government Code and to add Section 20337 to Article 2 of Chapter 3 and Section 21371 to Article 5 of Chapter 9 of Part 3 of Division 5 of Title 2 thereof, all relating to the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1637

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1637, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1637

Senate Bill No. 1637—An act creating the "Sonoma County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on June 20, 1949, strike out "of floods, and", and insert "and disposition of flood, storm and other waters of the district, and the".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 305—An act to amend Section 1601 of the Probate Code, relating to notices and procedure.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 98—An act to amend Sections 5404 and 5406 of the Welfare and Institutions Code, relating to the support and parole of persons committed to industrial farms, industrial road camps or branches of county jails for addiction to the intemperate use of stimulants, dipsomania or inebriety.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1387

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1387, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1387

Senate Bill No. 1387—An act to amend Section 257 of the Vehicle Code, relating to drivers licenses of minors.

Bill read third time.

Motion to Amend

Mr. McCarthy moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 27, 1949, after "is", insert a colon.

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 10, inclusive, and insert

"(a) A bona fide resident or employee of a ranch or farm other than a resident of an incorporated city of the State with a population in excess of fifteen thousand persons.

(b) A bona fide resident of a sparsely populated rural area in which transportation facilities are deemed inadequate by the department

Further, the department may place such limitations on a junior operator's license as it may deem proper."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1487 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mrs. Niehouse asked for, and was granted, unanimous consent that Senate Bill No. 1487 be withdrawn from the Committee on Social Welfare, and be re-referred to the Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 416—An act to amend Section 5005 of the Penal Code, relating to the maintenance of canteens in prisons and institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 419—An act to repeal Section 2728 of, and to amend Section 2055 of, the Penal Code, relating to insuring prison made goods and the materials and equipment used in the production thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 423—An act to add an article heading for Article 1 and to add Article 2 comprising Section 956 to Chapter 1 of Title 2 of Part 3 of Division 2 of the Civil Code; and to amend Sections 376 and 377 of the Code of Civil Procedure; and to amend Sections 573, 574, and 707 of the Probate Code; and to amend Section 402 of the Vehicle Code; and to amend Section 11580 of the Insurance Code; all relating to actions for personal injury and actions for wrongful death generally, and the survival of such actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR SPEAKER: Your Committee on Social Welfare, to which was referred:

Senate Bill No. 802

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and re-refer to Committee on Ways and Means.

NIEHOUSE, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which was referred:

Senate Bill No. 1594

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McCOLLISTER, Chairman

Above reported bill ordered to second reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 851

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the committee.

EVANS, Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 35

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Joint Resolution No. 35—Relative to the retrocession by the Congress of the United States of jurisdiction over certain territory granted by the War Department within the Presidio of San Francisco Military Reservation, California, to permit the use of additional areas to the Golden Gate Bridge and Highway District.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1005

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1005, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1005

Senate Bill No. 1005—An act to amend Sections 29001, 29020, 29022, 29023, 29026, and 29031 of, and to add Sections 29012, 29013, and 29014 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

Motion to Amend

Mr. Rumford moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 20, 1949, strike out lines 10 to 13, inclusive.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT ALL MATTERS ON UNFINISHED BUSINESS FILE BE CONTINUED

Mr. Dickey asked for unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

RESOLUTIONS

The following resolution was offered:

By Messrs. Lewis, Heisinger, Crichton, Clarke, Crowley, Thompson, Brown, Fleury, Anderson, Lindsay, George D. Collins, Lowrey, Hoffman, Coats, Hagen, Elliott, Rosenthal, Beck, Davis, Condon, Yorty, and Moss:

House Resolution No. 278—Relating to honoring the memory of Colonel Robert Bradford Marshall, outstanding proponent for the conservation of the water resources of this State.

Request for Unanimous Consent That All Members Present Be Named Co-authors of House Resolution No. 278

Mr. Lewis asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 278, as co-authors.

The roll was called, and the following indicated a desire to be so recorded:

By Messrs. Lewis, Heisinger, Crichton, Clarke, Crowley, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty:

House Resolution No. 278

Relating to honoring the memory of Colonel Robert Bradford Marshall, outstanding proponent for the conservation of the water resources of this State

WHEREAS, In 1867 in the State of Virginia, Robert Bradford Marshall, a descendant of Chief Justice Marshall of the United States Supreme Court, was born; and

WHEREAS, In 1891 Robert Bradford Marshall, a young civil engineer, came to California like so many other courageous and energetic citizens; and

WHEREAS, As a topographer employed by the United States Geological Survey and traveling by mule team and buckboard over the mountains and valleys of California, Robert Bradford Marshall became thoroughly familiar with the lands of this great State; and

WHEREAS, During the course of these travels Robert Bradford Marshall conceived visions of mighty dams impounding great quantities of water formed by the melting snows of the Sierras; and

WHEREAS, Robert Bradford Marshall further foresaw the effective utilization of these waters so as to transform barren valleys into lands as verdant and productive as the land of Canaan upon which the messengers of Moses and the children of Israel gazed; and

WHEREAS, In 1921 Robert Bradford Marshall went before the California Legislature seeking an appropriation to further his water conservation and irrigation studies; and

WHEREAS, Robert Bradford Marshall, although subjected to severe censure and vilification, persevered and secured an appropriation of two hundred thousand dollars; and

WHEREAS, When the blue waters flowed through Shasta Dam, Robert Bradford Marshall knew that a great victory for his State and his people had been won; and

WHEREAS, On June 21, 1949, at his home in San Francisco, at the sunset of a long, good life with his loving wife and daughters beside him, Robert Bradford Marshall, father of the Central Valley Project and a great American citizen, passed away; now, therefore, be it

Resolved by the Assembly of the State of California, That the Legislature of this State hereby acknowledges its debt of gratitude to the wisdom and foresight of Colonel Robert Bradford Marshall and humbly thanks Colonel Marshall for his vast contributions to the development of the wealth and heritage of this State; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to each member of the immediate family of Colonel Robert Bradford Marshall.

Request for Unanimous Consent

Mr. Lewis asked for, and was granted, unanimous consent to take up House Resolution No. 278, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today, at 3 p.m.—

Judiciary.
Conservation, Planning, and Public Works.
Governmental Efficiency and Economy.
Manufacturing, Oil, and Mining Industry. Subject: Senate Bill No. 1368.

Tonight, at 8 p.m.—

Municipal and County Government.
Education.
Fish and Game.

It was announced that the following committees would hold no meetings tonight:

Constitutional Amendments.
Finance and Insurance.

Next Monday, June 27th, at 8 p.m.—

Finance and Insurance.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to Carol Bond and Eugene Giedt, teachers, of the College and High School of Weimar, and the following pupils: Dena Minton, Lennie Borges, Albert Owyoung, Mildred Cizmich, and Manuel Martinez.

On request of Mr. Hoffman, the usual courtesies of the Assembly for this day were unanimously extended to Miss Marolyn Hoffman of Acampo.

On request of Mr. Collier, the usual courtesies of the Assembly for this day were unanimously extended to Alfred F. Baughn of Hollywood.

On request of Mr. Butters, the usual courtesies of the Assembly for this day were unanimously extended to Patricia Clark of Calexico, Martha Dickman of Calipatria, and Marlene Hiebert of El Centro.

On request of Mr. Maloney, the usual courtesies of the Assembly for this day were unanimously extended to Warren Maloney of San Francisco.

ADJOURNMENT

At 1.16 p.m., on motion of Mr. Dickey, Speaker pro Tempore Maloney declared the Assembly adjourned, until 9 a.m., Thursday, June 23, 1949, out of respect to the memory of the late Robert Bradford Marshall.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-EIGHTH LEGISLATIVE DAY

ONE HUNDRED SEVENTY-SECOND CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Thursday, June 23, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—73.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

O God of Hope: In this generation, when the world seems to be growing worse, let us behold the steady rise of man since Time began

Survey the past and see how barbarism, bigotry, and superstition have steadily declined, how Caesars, feudalism, and dynasties have vanished and how intelligence and Democracy have extended their emancipating sway

Hope in the deep seated love of freedom and justice in human nature, which is intolerant of any tyranny over the mind or the soul

Hope in the intellectual faculties of man, in the imperious faculty of reason, which despises error and ignorance, and incessantly searches for Truth, and fearlessly proclaims it.

Let us see that the innate social qualities of altruism, sympathy, and the kindly impulses to help a neighbor in distress make all races feel akin, and hasten the age of universal brotherhood—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Crichton, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Levering.

Mr. Lincoln, on motion of Mr. Rumford.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Reagan, on motion of Mr. Levering.

Mr. Sherwin, on motion of Mr. Caldecott.

Mr. Waters, on motion of Mr. Stewart.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1207—An act to amend Section 20894.5 of the Government Code and Sections 14702 and 14495.2 of the Education Code, relating to contributions of members of retirement system absent in military service;

Assembly Bill No. 2615—An act to amend the Streets and Highways Code by adding Section 5829.1, relating to joint sanitary disposal sewers;

Assembly Bill No. 2616—An act to amend the Health and Safety Code by adding Sections 4636.8, 4667, 4843, 4888, and 6823, relating to joint sanitary disposal sewers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-second day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 69—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 16, 8a, 14½, 14¾, 15½, and 16½ of, adding Section 18 to, and amending Sections 14 and 14¾ of Article XIII thereof, relating to taxation;

Assembly Constitutional Amendment No. 70—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Assembly Constitutional Amendment No. 31, 1927 Regular Session and amending Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Senate Constitutional Amendment No. 21, 1927 Regular Session;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the twenty-second day of June, 1949, at 4 p.m.

HUYCK, Chairman

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 1594—An act to repeal Section 987 of and add Section 987 to the Revenue and Taxation Code, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board.

Bill read second time, and ordered to third reading.

Senate Bill No. 851—An act to amend the title and Sections 1, 2, 3, 15, and 16 of the Sanitation and Sewer Revenue Bond Act of 1941, relating to the financing of revenue-producing enterprises by municipalities.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Utilities and Corporations:

Amendment No. 1

On page 1, lines 17 and 18, of the printed bill, as amended in the Assembly on May 25, 1949, strike out ", a sewer system, a water system, or any or all thereof", and insert "or a sewer system, or both".

Amendment No. 2

On page 2 of said bill, between lines 24 and 25, insert

"(c) The production, transmission, and distribution of water for public or private purposes; except, that as to incorporated cities "enterprise" shall include the production, transmission, and distribution of water for public or private uses."

Amendments read, and adopted.

Bill ordered reprinted, and to be re-referred to Committee on Public Utilities and Corporations.

THIRD READING OF SENATE BILLS

Senate Bill No. 427—An act to amend Section 2870 of the Penal Code, relating to marking of prison made goods.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Fleury moved a call of the Assembly.

Motion carried. Time, 9.12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Coats, Collier, Conrad, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Geddes, Hagen, Hawkins, Hinckley, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Silliman, Smith, Stanley, Stewart, Thomas, Weber, and Yorty—40.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Crichton asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 279

Commending Mr. Jerry Ohlrich for his conscientious and fine work as State Gardener

WHEREAS, The beauty of the gardens cared for by Mr. Jerry Ohlrich, State Gardener, has been and remains a constant source of pride for all citizens of this State; and

WHEREAS, The floral beauty directly attributable to the efforts of Mr. Jerry Ohlrich has, further, been a source of pleasure and enjoyment to the legislators and state employees during the 1949 Regular Session; and

WHEREAS, Mr. Jerry Ohlrich has demonstrated extremely good taste and aesthetic sensitivity in his work as State Gardener; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby commend and congratulate Mr. Jerry Ohlrich for his outstanding and competent fulfillment of his responsibilities as State Gardener; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit a copy of this resolution to Mr Jerry Ohlrich.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No 304 — Senate Bill No. 1436
Senate Bill No 424 — Senate Bill No 1579

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER Your Committee on Judiciary, to which was referred:

Senate Bill No 447

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER Your Committee on Judiciary, to which was referred:

Senate Bill No. 616

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Above reported bill ordered to second reading.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bills were withdrawn from the file, and re-referred as follows:

Senate Bills Nos. 1029, 1250, and 468 ordered re-referred to Committee on Public Health.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 427

At 9.25 a m, on motion of Mr. Fleury, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No. 427 passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr Speaker—56

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 565—An act to add Section 5004 to the Penal Code, relating to agreements for mutual police aid

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate

Senate Bill No. 570—An act to add Section 2703 to the Penal Code, relating to employment of prisoners, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Burke, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—55.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—55

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 426

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 426, temporarily passed on file, at this time

CONSIDERATION OF SENATE BILL NO. 426

Senate Bill No. 426—An act to amend Section 2726 of the Penal Code, relating to prison made goods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey,

Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Smith, Way, Yorty, and Mr. Speaker—47.
NOES—Gaffney, Maloney, and Silliman—3

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 288—An act to amend Section 27 of the Bank and Corporation Franchise Tax Act, relating to overpayment of taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 846—An act to amend Section 20 of the Corporation Income Act, relating to overpayment of taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 847—An act to amend Section 19062 of, and to add Sections 19062.1, 19062.2, 19062.3, 19062.4, 19062.5, 19062.6, 19062.7, 19062.8, and 19062.9 to the Revenue and Taxation Code, relating to overpayment of taxes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—54.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 415—An act to amend Section 2724 of the Penal Code, relating to prison made goods, and making the resale for personal profit by a purchaser thereof a misdemeanor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Way, and Mr Speaker—43.

NOES—Conrad, Dolwig, Geddes, Levering, Sillman, Thompson, and Tomlinson—7.

Bill ordered transmitted to the Senate.

Senate Bill No. 1431—An act to amend Sections 7621, 7622, 7623, 7624, 7650, 7654, 7681, 7682, 7691, 7692, 7720, and 7721 of the Labor Code; to amend and renumber Sections 7722, 7723, and 7724 of said code; and to add Sections 7722, 7724, and 7725 to said code; all relating to regulation of and inspection of tanks and boilers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—47.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 864—An act to add to Chapter 1, Part 2, Division 1 of the Insurance Code, a new article to be numbered 7.5, relative to remuneration of insurance claims adjusters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 975—An act to add Sections 922.1, 922.2, 922.3, 922.4 and 922.5 to the Insurance Code, relating to the credits which may be taken by an insurer against loss and unearned premium reserves as the result of reinsuring the whole or a portion of its business and the allowance as admitted assets of certain accounts receivable from reinsurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 867—An act to amend Section 952 of the Insurance Code, relating to deposits with the Insurance Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 306—An act to amend Section 1461 of the Probate Code, relating to the appointment of guardians for insane or incompetent persons.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—55.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1413—An act authorizing suits against the State to quiet title against it to swamp or overflowed lands by certain persons entitled to the benefits of Section 7523 of the Public Resources Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 824—An act to amend and renumber Section 1703 of, to add Section 1703 to, to amend Sections 1705.2, 1706.85, 1706, and 1706.95 of, and to repeal Section 1703.5 of, the Insurance Code, relating to life agents' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—George D. Collins, Gaffney, and Lowrey—3.

Bill ordered transmitted to the Senate.

Explanation of Vote on Senate Bill No. 824

My "No" vote was recorded in error. I am in accord with provisions of Senate Bill No. 824.

EDWARD M. GAFFNEY

Senate Bill No. 146—An act to amend Section 602 of the Penal Code, relating to trespass.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—57

NOES—Silliman—1.

Bill ordered transmitted to the Senate.

Hon. Robert I. McCarthy Presiding

At 10.08 a.m., Hon. Robert I. McCarthy, Member of the Assembly from the Twenty-fifth District, presiding.

Senate Bill No. 497—An act to add Sections 749.1 and 751.1 to the Code of Civil Procedure, relating to the determination of conflicting claims to real property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Way, and Yorty—60.

NOES—George D. Collins and Stanley—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 997—An act to add Section 532b to the Penal Code, relating to false personation, and providing penalties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Tomlinson, Way, Weber, and Yorty—59

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 996

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 996, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 996

Senate Bill No. 996—An act to amend Section 108 of the Civil Code, relating to divorce actions on grounds of insanity.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Anderson, Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty —58

NOES—None.]

Notice of Motion to Reconsider Senate Bill No. 996

Mr. Doyle gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 996 was this day passed.

Notice of Motion to Reconsider Senate Bill No. 996 Waived

Mr. Doyle waived his notice of motion to reconsider the vote whereby Senate Bill No. 996 was passed.

Motion to Expunge Record, and Rescind Action on Senate Bill No. 996

Mr. Weber moved to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 996.

Mr. Doyle seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Lindsay, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Thomas, Thompson, and Weber—46

NOES—Bennett, Condon, and Smith—3.

Senate Bill No. 996 ordered to third reading.

Request for Unanimous Consent That Senate Bill No. 996 Hold Place on File

Mr. Kirkwood asked for, and was granted, unanimous consent that Senate Bill No. 996 hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 998—An act to amend Sections 4573 and 4573.5 of, and to add Section 4573.6 to the Penal Code, relating to the bringing of narcotics, drugs, and alcoholic beverages into state and local prisons, and making possession of such articles within such institutions a felony.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Huyck,

Levering, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sillman, Stanley, Thomas, Thompson, and Tomlinson—42.

NOES—Brady, Condon, Elliott, Evans, Hawkins, Hollibaugh, Lewis, Rosenthal, Smith, Way, and Yorty—11.

Bill ordered transmitted to the Senate.

Senate Bill No. 367—An act to repeal Sections 89.5, 89.6, 89.7, 89.8, and 92.1 of the Agricultural Code, relating to county and district agricultural association fairs, thereby repealing certain obsolete provisions relating to the allocation of funds and the powers of district agricultural associations and counties in relation to property and funds for fair purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 271—An act to amend Sections 735.3, 736.1-1, and 736.3 of, and to add Section 735.10 to, the Agricultural Code, relating to fluid milk and fluid cream.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Huyck, Kilpatrick, Levering, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Nichouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 697—An act to add Chapter 2.5 and Section 4250 to Division 5, Part 2 of the Health and Safety Code, relating to contracts for the collection and disposal of garbage and other refuse matter.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Nichouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 247—An act to amend Section 4011 of the Public Resources Code, relating to peace officers who enforce fire laws.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Brady, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Lowrey, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Stanley, Thomas, Thompson, Way, Weber, and Yorty—46.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 475—An act to amend Section 1023 of, and to add Section 1023.1 to, the Agricultural Code, relating to fertilizing materials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Lindsay, Lowrey, Luckel, McCarthy, McCollister McMillan, Morris, Moss, Niehouse, Rumford, Thomas, Thompson, Weber, and Yorty—46.
NOES—Stanley—1.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 62—Relative to the apportionment and expenditure of federal aid secondary highway funds under the Federal-Aid Highway Act of 1948.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Morris Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—56
NOES—None.

Resolution ordered transmitted to the Senate

Senate Bill No. 31—An act to repeal Chapter 3, Part 2, Division 12, of the Health and Safety Code, and to add a new Article 9, Sections 9598 and 9607, both inclusive, to, and amend Section 9575 of Chapter 18, of, the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Morris, Moss, Niehouse, Rumford, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—51.
NOES—None.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 10:40 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 351

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No 351, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 351

Senate Bill No. 351—An act to amend Section 28108 of the Government Code, relating to compensation for public service in counties of the eighth class, including fees for phonographic reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—59.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1492—An act to amend Sections 2, 27, 28, and 30 of the Water Conservation Act of 1927, relating to the power and authority of water conservation districts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.50 a.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 662—An act to amend Sections 6303 and 6897 of the Public Resources Code, relating to state lands and providing for the extraction or removal of minerals, other than oil and gas, and of other material therefrom.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers,

Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Weber, and Yorty—55.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1209 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Butters asked for, and was granted, unanimous consent that Senate Bill No. 1209 be withdrawn from the file, and be re-referred to the Committee on Governmental Efficiency and Economy.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 869—An act to amend Section 1 of an act entitled "An act to provide a stenographer and typist for judges of the superior courts and providing for their salaries and the payment thereof," approved May 31, 1927, relating to superior court stenographers and secretaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stewart, Thomas, Thompson, Way, Weber, and Yorty—56.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 635—An act to repeal "An act in relation to the act of Congress known as the Carey Act, and all acts amendatory thereof and supplemental thereto, and giving authority to a commission in the investigation, selection, reclamation, control and disposal of all lands granted the State under the provisions thereof," approved June 4, 1915.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, and Weber—53.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1277—An act adding Section 12.5 to the State Aeronautics Commission Act, relating to the operation of helicopters and similar aircraft.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan,

Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, Way, Weber, and Yorty—58.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1522—An act authorizing the sale of certain real property in the City of Sacramento not required for existing state functions and providing for the disposition of the proceeds of such sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—54
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 204—An act to add Sections 31553.5, 31645.5, and 31648.5 to the Government Code, relating to the membership in county retirement associations, and to the rights and privileges of members.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—59
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 583—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment:

Amendment No. 1

On page 1, lines 14 to 16, of the printed bill, as amended in the Senate on May 11, 1949, strike out "The chairman of the board of supervisors, six thousand dollars ($6,000) a year for all services as chairman or road overseer"

Amendment read.

Roll Call Demanded

Messrs. Crichton, Heisinger, and Hahn demanded a roll call.

The roll was called, ~~and the amendment offered by Mr. Heisinger to Senate Bill No. 583 adopted by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strike out, is indicated by being enclosed within brackets:

[AYES—Anderson, Beck, Bennett, Burke, Burkhalter, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Davis, Clayton A. Dills, Doyle, Elliott, Gaffney,

Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, McMillan, Morris, Rosenthal, Smith, Stanley, Tomlinson, and Yorty—35

NOES—Berry, Brown, Clarke, Crichton, Crowley, Dolwig, Dunn, Evans, Fletcher, Fleury, Kirkwood, Levering, Maloney, Moss, Niehouse, Thomas, and Thompson—17.]

Motion to Expunge Record, and Rescind Action on Heisinger Amendment to Senate Bill No. 583

Mr. Kirkwood moved to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the amendment offered by Mr. Heisinger to Senate Bill No. 583.

Mr. Fleury seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Conrad, Crichton, Crowley, Davis, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—50.

NOES—George D. Collins, Cooke, Heisinger, Hoffman, and Luckel—5.

Senate Bill No 583 ordered temporarily passed on file.

Hon. Francis Dunn, Jr., Presiding

At 11.20 a.m., Hon. Francis Dunn, Jr., Member of the Assembly from the Thirteenth District, presiding.

Senate Bill No. 617—An act to amend Section 27122 of the Streets and Highways Code, relating to bridge and highway districts, and the number of directors thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.22 a m , Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1526

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1526, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1526

Senate Bill No. 1526—An act authorizing the gift of certain real property in Tuolumne County which is not required for existing state functions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1395—An act to amend Section 411 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the eleventh class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1472—An act amending Section 28134 of the Government Code, relating to salaries of officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 231—An act to amend Section 1170 of the Harbors and Navigation Code, relating to pilotage rates.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1177

Mr. Gaffney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1177, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1177

Senate Bill No. 1177—An act to amend Section 419, to repeal Sections 420, 420.1, 420.2, 420.3, 420.4, 420.5, 420 6. 420.7, 420.8, and 420.9, and to add Sections 420, 421, 422, 422.1, 422.2, 422.3, 422.4, 422.5, 422.6, 423, and 423.1, of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

Bill read third time.

Urgency Clause

Urgency clause read.

Demand for Previous Question

Messrs. Grant, Conrad, Kirkwood, Babbage, and Connolly demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the urgency clause to Senate Bill No. 1177.

The roll was called, and the urgency clause adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—55.

NOES—Burkhalter, George D. Collins, Cooke, Hahn, and Lowrey—5.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—54

NOES—Butters, George D. Collins, Cooke, Elliott, Hahn, and Lowrey—6

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 706—An act to amend Section 737jj of the Political Code, relating to the salary of judges of the superior court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Dickey, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Hollibaugh, Huyck, Kirkwood,

Lindsay, Maloney, Meyers, Niehouse, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—41.

NOES—Anderson, Burkhalter, George D. Collins, Clayton A. Dills, Elliott, Evans, Geddes, Hahn, Hawkins, Heisinger, Hoffman, Lewis, Luckel, and Morris—14.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED FOR COMMITTEE MEETING

At 11.50 a.m., Mr. Huyck asked for, and was granted, unanimous consent that he and Messrs. Beck, Kirkwood, and Anderson be excused, for the purpose of holding a meeting of the Subcommittee on Education in the Cloak Room, at this time. Subject: Assembly Bill No. 2260 and Senate Bill No. 850.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 583

Mr. Crichton asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 583, temporarily passed on file, for purpose of amendment, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 583

Senate Bill No. 583—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read third time.

Motion to Amend

Mr. Crichton moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Senate on May 11, 1949, after "supervisor", insert "other than the chairman of the board".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Request for Unanimous Consent That Senate Bill No. 583 Hold Place on File

Mr. Crichton asked for, and was granted, unanimous consent that Senate Bill No. 583, when returned from the printer, hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 307—An act to amend Section 619 of the Vehicle Code, relating to headlamps on motor vehicles

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1302—An act to amend Sections 208 and 378 of the Vehicle Code, relating to expiration of special plates and when fees become delinquent.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1251—An act to amend Section 185 of the Vehicle Code, relating to transfer without probate.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1304—An act to amend Section 222 of the Vehicle Code, relating to stolen vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1018—An act to amend Section 28129 of the Government Code, and to amend Section 429 of the Education Code, relating to counties and increasing the salaries of certain county officials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lipscomb, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—54.

NOES—Burkhalter, Heisinger, and Luckel—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 509—An act to add Sections 1.1, 1.2, and 1.3 to the Orange County Water District Act, relating to the exclusion of certain areas from the district.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1001—An act to amend Section 13252.1 of the Labor Code, relating to hours of labor for women.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1278—An act to add Section 3332, and to repeal Sections 3259, 3304, and 3304.5 of, the Welfare and Institutions Code, relating to institutions for the blind under the jurisdiction of the Department of Education.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Senate Bill No. 1278

Mr. Rosenthal asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 1278, and that he be recorded as voting, "Aye".

Senate Bill No. 69—An act to amend Section 707.5 of the Agricultural Code, relating to penalties for delinquent licensee fees under the Milk and Milk Products Act of 1947.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 126—An act to add Section 639 to the Agricultural Code, relating to milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 159—An act to add Section 387 to the Agricultural Code, relating to care of dairy cows offered for sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 393—An act to amend Section 730.2, 731, 733.4, and 734 of, and to add a new Article 3, consisting of Section 734.5 to, the Agricultural Code, relating to the marketing of milk and other dairy products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott,

Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the Boys' State be permitted to use the Assembly Chamber today, at 1 p.m., for the purpose of holding a meeting

QUESTION OF PERSONAL PRIVILEGE

Mr. Cooke arose to a question of personal privilege.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 446—An act to amend Section 737j of the Political Code, relating to salaries of Superior Court Judges in Fresno County.

Bill read third time.

Motion to Amend

Mr. Heisinger moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, strike out lines 5 and 6, and insert "twelve thousand dollars ($12,000)".

Amendment read.

Roll Call Demanded

Messrs. Heisinger, Crichton, and Luckel demanded a roll call.

The roll was called, and the amendment offered by Mr. Heisinger to Senate Bill No. 446 refused adoption by the following vote:

AYES—Bennett, Burkhalter, George D. Collins, Cooke, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Hawkins, Heisinger, Lewis, Luckel, McMillan, Morris, Stewart, Thomas, and Yorty—19.

NOES—Babbage, Beck, Berry, Brown, Burke, Butters, Coats, Connolly, Conrad, Crichton, Dickey, Dolwig, Erwin, Fleury, Hagen, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Niehouse, Silliman, Smith, Stanley, Thompson, and Weber—32.

The question being on the passage of Senate Bill No. 446.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, Meyers, Moss, Niehouse, Silliman, Stanley, Thomas, Thompson, Way, Weber, and Yorty—44.

NOES—Anderson, George D. Collins, Doyle, Geddes, Hahn, Heisinger, Lewis, Luckel, McMillan, and Morris—10.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1637

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1637, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1637

Senate Bill No. 1637—An act creating the "Sonoma County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

On page 8, line 23, of the printed bill, as amended in the Assembly on June 20, 1949, after "from", insert "and".

Amendment No. 2

On page 18, line 3, of said bill, strike out "knows", and insert "known".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 738

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 738, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 738

Senate Bill No. 738—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on May 20, 1949, strike out "ninety", and insert "sixty".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1468

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1468, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1468

Senate Bill No. 1468—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on June 20, 1949, strike out "four hundred dollars ($400)", and insert "*three hundred seventy-five dollars ($375)*".

Amendment No. 2

On page 2, line 8, of said bill, strike out "four hundred dollars ($400)", and insert "*three hundred seventy-five dollars ($375)*".

Amendment No. 3

On page 2, line 17, of said bill, strike out "eighty dollars ($280)", and insert "*ninety-five dollars ($295)*".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1261—An act to amend Section 6b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks, and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

MOTION TO SET SPECIAL ORDER

Mr. Levering moved that Senate Bills Nos. 280, 515, 132, and Senate Constitutional Amendment No. 14 be made a special order of business for Friday, June 24, 1949, at 11 a.m.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Way, and Yorty—54.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 967

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 967, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 967

Senate Bill No. 967—An act to amend Section 18711 of, and to add Section 18753 to, the Business and Professions Code, relating to boxing and wrestling.

Bill read third time.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Assembly on May 23, 1949, after "18711 ", strike out "Except as provided in Section 18713".

Amendment No. 2

On page 1, line 16, of said bill, strike out "Every club, manager, boxer"; and strike out lines 17 to 23, inclusive

Amendment No. 3

On page 2 of said bill, strike out lines 12 to 26, inclusive

Amendments read, and ordered passed on file.

Request for Unanimous Consent That Senate Bill No. 967 Be Withdrawn From File, and Be Re-referred

Mr. Doyle asked for, and was granted, unanimous consent that Senate Bill No. 967 be withdrawn from the file, and be re-referred to the Committee on Revenue and Taxation

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1262—An act to add Section 274e to the Code of Civil Procedure, relating to phonographic reporters for certain municipal courts; fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hawkins, Hollibaugh, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Moss, Niehouse, Rumford, Sillman, Stanley, Stewart, Thomas, Way, and Yorty—46

NOES—Condon, Hagen, and Heisinger—3

Bill ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. McMillan:

House Resolution No. 280

Relating to the retirement of Joseph S. Hunter

WHEREAS, Joseph S. Hunter is retiring after 42 years service with the Division of Fish and Game; and

WHEREAS, Joseph S. Hunter entered the Division of Fish and Game on May 16, 1907, as a field deputy and was brought into the head office in 1910; and

WHEREAS, He has assisted in building up the Division of Fish and Game from a staff of less than one hundred employees to more than six hundred employees and has assisted in building up the income of the Division of Fish and Game from $119,000 to over $3,000,000, and

WHEREAS, He has been in attendance at every legislative session since 1913 as advisor on conservation problems; and

WHEREAS, He has drafted many of the conservation acts adopted by the Legislature and has helped to place California in the lead among conservation states; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their congratulations and appreciation to Joseph S. Hunter for his long and faithful service to the Division of Fish and Game and to the people of the State of California and extend their best wishes for his future happiness; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to Joseph S. Hunter.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Morris and Geddes:

House Resolution No. 281

Relative to the creation of the Assembly Fact-Finding Committee on Highways, Streets and Bridges and the allocation of costs for the construction, maintenance and improvement thereof

WHEREAS, The public highways, streets and bridges of California are useful, necessary and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, Such facilities have been built and are maintained by the use of funds derived from taxes on property, from federal aid, and from registration fees, gasoline taxes and other fees collected as compensation for road use; and

WHEREAS, The development and growth of this State during and since the war have subjected the streets and highways of this State to unusual and destructive burdens; and

WHEREAS, It is recognized that pavements and other highway improvements are not permanent, but must be rebuilt, resurfaced and modernized, indicating the need of foresight in the treatment of financial problems in connection with the inevitable program of reconstruction; and

WHEREAS, The planning and construction of highways, streets and bridges in California must include a complete analysis of all the problems involved, including the fullest economic development of the State by opening up under-developed areas to economic opportunity and to provide proper transportation to meet changing economic and industrial conditions; and

WHEREAS, Careful study is required to determine whether the funds contributed for highway, street and bridge construction and maintenance have been levied equitably either on property or business in relation to its benefits or upon the users in direct proportion to their use; and

WHEREAS, Complete information should be available to the Legislature as to the actual annual cost of roads and streets and the fair apportionment of such costs between those who use them; and to that end the Legislature is in need of data as to the total mileage of roads and streets, the capital investment therein, the total sum which should be collected each year in road use charges or other fees in order to maintain, replace and modernize the same, and the proper amount which should be paid each year by users of public thoroughfares to meet the total annual cost of all public roads and streets; and

WHEREAS, The Legislaure is in need of additional information on the foregoing matters, including (a) the present status of the highway system, state, county and local, (b) existing deficiencies therein to meet present demands, (c) a schedule of progressive improvements necessary to keep abreast of future demands, (d) a schedule of maintenance to keep the capital investment up to standard, (e) a schedule of improvements necessary to develop areas of the State that should be opened up to economic opportunity, (f) special problems relating to highways and matters incidental thereto, (g) the financing of highways and the administration of the highway system including alternate plans to those heretofore proposed for financing a highway construction program with the purpose of reducing as much as is equitable the burden of taxation which the motorist of the next decade must bear, (h) the interrelationship between state and local governments in relation to the foregoing and the interrelationship of the State and Federal Government, and (i) the control of traffic on the highways in the interest of safety, which information should include

so far as feasible both present needs and future needs for a period of at least ten years; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Fact-Finding Committee on Highways, Streets and Bridges is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts and matters relating or pertaining to the subjects set forth in the foregoing recitals, including but not limited to all facts relative to the cost of constructing, maintaining and improving public highways, streets and bridges in the State, the need and cost for bringing them up to acceptable standards, the cost of maintaining them in such condition, and the need and cost of expanding the highway system of the State to meet the increasing demands for travel, the demands arising from changing economic and industrial conditions, and the opening up of undeveloped areas, the use now and hereafter to be made of such highways, streets and bridges, and the proper distribution and allocation of the cost and burden of construction and maintenance in proportion to benefits both to users and to property as demonstrated by impartial engineering studies, and also including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly, one of which shall be the Speaker of the Assembly, appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The Committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the fifteenth legislative day of the next regular general session. The committee may prepare and submit preliminary reports containing such information and data as then may be available to it to be submitted to the Legislature and the Governor during any recess or at the next regular budget session or at any extraordinary session which is convened to act upon problems bearing upon or related to the subject of this resolution

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter, within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its employees, and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund, and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Doyle, Geddes, and Hollibaugh:

House Resolution No. 282

Expressing the gratitude of the Members of the Assembly to the Christian Science Monitor and the Los Angeles Daily News for free copies of newspapers supplied during the 1949 Regular Session

WHEREAS, The consideration and enactment of sound laws for the State depend in large part upon a familiarity with many facts of current political and social significance; and

WHEREAS, The Christian Science Monitor and Los Angeles Daily News have sent free copies of their respective newspapers to Members of the Assembly during the 1949 Regular Session; and

WHEREAS, Such service has been highly successful in bringing to the attention of the Members of the Assembly those political and social realities with reference to which all enlightened legislative activities should be framed; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby express their gratitude to the Christian Science Monitor and to the Los Angeles Daily News for the service rendered; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the central offices of the Christian Science Monitor and the Los Angeles Daily News.

Resolution read, and ordered referred to the Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 28
Senate Concurrent Resolution No. 77

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolutions were read:

Senate Concurrent Resolution No. 28—Relative to creating an Interim Committee on the State Program for the Adult Blind.

Referred to Committee on Rules.

Senate Concurrent Resolution No. 77—Relative to the powers of the Legislative Budget Committee.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Constitutional Amendment No. 32

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS (RESUMED)

The following resolution was read:

Senate Constitutional Amendment No. 32—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 15 to Article XVI thereof, relating to the issuance of bonds to provide aid to school districts of the State.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees and Senate reports be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 64
Senate Bill No. 320
Senate Bill No. 398
Senate Bill No. 404
Senate Bill No. 432
Senate Bill No. 603
Senate Bill No. 652
Senate Bill No. 701
Senate Bill No. 1414

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 238

Has had the same under consideration, and reports the same back with the recommendation: Be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 318
Senate Bill No. 625

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1649

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

WEBER, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 1240

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WEBER, Chairman

Above reported bill ordered to second reading.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1651

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STANLEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 604
Senate Bill No. 20
Senate Bill No. 194
Senate Bill No. 469
Senate Bill No 623
Senate Bill No. 770
Senate Bill No. 1016
Senate Bill No 1643
Senate Bill No 1405

Has had the same under consideration, and reports the same back with the recommendation: Do pass

STANLEY, Chairman

Above reported bills ordered to second reading.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 520
Senate Bill No. 900

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

ERWIN, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Senate Bill No. 558
Senate Bill No. 699
Senate Bill No. 1053
Senate Bill No. 1236

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

ERWIN, Chairman

Above reported bills ordered to second reading.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Assembly Bill No. 2776

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 462
Senate Bill No. 1338

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 554
Senate Bill No. 1563
Senate Bill No. 1567
Senate Bill No. 1641
Senate Bill No. 1648

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 976
Assembly Bill No 1158
Assembly Bill No. 2103
Assembly Bill No. 2138
Assembly Bill No. 3117

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 2035

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 21, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 1208
Assembly Bill No. 2001

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 22, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 366
Assembly Bill No. 368
Assembly Bill No. 369
Assembly Bill No. 446
Assembly Bill No. 1323

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Public Morals, in Room 426.
Transportation and Commerce, in Room 430.
Ways and Means, in Room 435.

At 3.30 p.m.—
Rules, in Room 432.

Tonight at 8 p.m.—
Industrial Relations.
Civil Service and State Personnel.
Revenue and Taxation.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Geddes, the usual courtesies of the Assembly fo this day were unanimously extended to Rolland George Moody, Milai Glen Moody, James Francis Regan, Richard Alan Humble, Willian Link, and Anthony Wynn of Arcadia; and Jan Campbell, Robert Bills, Donald Ames Montgomery, Horace Gillett, and Everett T. Wood of Monrovia.

On request of Mr. Erwin, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Carroll McComb, Miss Joanne McComb, Miss Carol Marian McComb, and William Timmons of Rosemead.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Dr. George Gibson of San Francisco.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Dr. Ulysses Grant Bixby Meyer of Los Angeles.

On request of Speaker pro Tempore Maloney and The Assembly, the usual courtesies of the Assembly for this day were unanimously extended to the following Members of the Boys' State: James Adams, James S. Adams, Ted A. Adams, Henry Aguilera, John M. Aitkins, William H. Albee, John W. Alden, Kenneth M. Alexander, Jerry R. Allaire Duane E. Allen, James G. Allen, Raymond H. Allen, William Allen Philip E. Allsen, A. Robert Anderson, Douglas R. Anderson, Edward F. Anderson, Jan W. Anderson, William Anderson, Geno Andreatta, Dave Armstrong, Robert F. Armstrong, Alfred J. Arnaudon, William T. Ashurst, Kenneth Austin, Joseph I. Azalde, Donald J. Azevedo,

Robert F. Bagley John M. Bakker, Gordon P. Balabanis, Paul Barbour, Grant Barnes, Roderick Barnes, Jodie O. Barnett, Jim Barrow, William A. Bartlett, Albert R. Bates, Donald L. Bath, Stanley E. Bauman, Douglas Beach, John H. Beal, Richard L. Bechelli, Alvin L. Beilby, Stuart B Belknap, Frank Bellinghausen, Raymond A. Bengs, Kenneth Bentley, Bill F. Berger, Ronald Bernheisel, William L. Berry, Jack W. Betterfreund, Albert Bettiga, Floyd H. Bettiag, Bob D. Bills, William G. Binckley, Richard Bird, Bruce H. Blake, Robert Bobik, Russell A. Bonham, William C. Bonngard, Bert C. Bontrager, Manuel Borges, Dix Boring, James F. Bosick, Edwin B. Bosse, William A. Bosworth, Donall G. Bourke, Roger B. Braach, James W. Bradshaw, Donald E. Bragg, George L. Bragg, J. Don Brammer, Fred W. Brandt, Edgar A. Brekke, William Breon, Robert H. Brewer, Roy T. Breyer, Mardis E. Bristow, Lawrence J. Britten, Hartmond D. Brodks, Gene R. Brown, James D. Brown, Ray H. Brown, Woodrow W. Brown, James D. Brownell, Frederick D. Bruner, Daniel L. Bryant, William R. Bryant, Robert G. Buchanan,

Richard A. Buckman, Doug W. Buckmaster, William E. Buckner, John C. Budicin, Robert E. Buhner Kempe, Robert P. Bunnett, Willis L. Burgess, Hector R. Burke, Neal C. Burmaster, William R. Burnside, Douglas R. Burrichter, William S. Burtness, Ronald J. Bush, Alfred K. Butler, David Butler,

Barry R. Campbell, Ian M. Campbell, Robert L. Campbell, Robert W. Capps, Ray Cardenas, Arthur Carlsberg, Dwight A. Carlson, Raymond M. Carlson, Russel L. Carlson, Merle Carnegie, Jr., David C. Carr, Gerald P. Carr, William E. Carr, Tony G. Carranza, Jack K. Carter, Robert Carvajal, Dave V. Chambers, James W. Chamblee, Charles S Chapman, Harold A. Chase, John P. Chovanec, James F. Church, William H. Clark, Gordon H. Clarke, Donald Clawson, William James Clawson, David I. Clayton, Thomas H. Cline, Dale Clipper, Elon R. Close, Russ Cobbs, Bill Coe, Cecil H. Coggins, Melvin L. Conner, Noel G. Conway, Ronald M. Cook, Ellingworth J. Cooley, Gerald F. Cooper, Vince F. Corsale, Ted M. Coss, Howard P. Courtney, William M. Covington, Glendon Craig, Maynard C. Craig, Howard H. Crampton, Bob C. Crandall, John R. Crockett, J. P. Cronic, Donald Cudney, Don J. Cunningham, Pat L. Cunningham,

Myron R. Dahl, Eugene E. Dais, Douglass S. Davidson, Don A. Davis, Don L. Davis, Frank D. Davis, Kent D. Davis, Richard E. Davis, Sherman L. Davis, Don F. De Long, Noel H. de Nevers, Ernie De Soto, George E. De Weese, Ronnie S. De Wing, Rico D. Della-Mora, Daniel B. Demaree, Frank H. Dennis, Don Denton, Roy A. Devincenzi, Edwin W. Dey, Gene F. Dias, Charles W. Dickens, Leroy Dildine, Bill G. Dito, Gerald F. Doan, Robert E. Dodson, Gerald E. Donegan, Alfred L. Donlevy, Richard D. Donnell, William E. Dooley, Patrick C. Dougherty, Ellwood Douglas, William G. Douglas, James Ronald Dozier, Thomas N. Draper, Frank E. Druham, Franklin D. Dryden, Robert E. Dulles, Jerry Duncan, Paul Dunham, Robert Eugene Dyer, Patrick Dyer, William J. Eckert, Richard C. Economidis, Vernon L. Edde, William H. Edgar, Cyril C. Edmead, Ralph Edmister, Art Edwards, Kenneth Edwards, Robert M. Eiselen, Dirk C. Eldredge, Norman Ellis, Odia Ellison, Albert B. Elias, Jon Evan Engberg, Roger Entz, Richard M. Ericson, Rodney Ermine, Carlos B. Escalona, Jesse G. Evangelista, Howard T. Evans, Allen R. Evansen,

Hal D. Farley, Gerald Faulkner, James F. Fergeson, Richard Ferguson, DeVere Ferrin, Jack R. Ferrucci, Donald L. Feverstein, Bernard Fields, John N. Fifield, Elbert L. Fish, Richard B. Fish, Kenneth G. Fitgerald, James F. Flanagan, Ward Flynn, Marvin V. Foley, Marvin E. Forbes, Jay S. Forni, David E. Frederick, David N. Freeman, Stephen Freitas, Charles French, Robert M. Fridlund, Richard E. Gaffery, Ronald L. Garabedian, Raymond Garavaglia, Howard T. Garrick, Alan Gaylord, David George, Ted J. George, Bruce B. Gettys, Billy Giaconi, Robert L. Gibson, Lee G. Gilbert, Ralph L. Gile, Ronald V. Gile, Horace Gillett, Ralph Gillette, John C. Gilmore, Don E. Ginter, Phil Giriodi, Jack L. Godsey, Bill E. Gonsalves, Russell C. Goodrich, Peter Gouailhardou, John Gowdy, Joe J. Graffio, Ronnie L. Graham, Paul Graner, George O. Granger, Stanley, Graves, Stanley W. Gum, George E. Guynes,

Max L. Hale, Wally Hale, William Hamamoto, James P. Hamill, James W. Hamilton, Craig S. Hammond, Elton F. Hankins, Delcimore L. Hardy, John B. Harrell, Harold C. Harris, John F. Harris, Phillip

Hart, Gerald A. Hartman, Tom Hatfield, Donald L. Hauser, Bob H. Hays, Louis E. Head, Ken A. Hedstrom, Dan W. Heil, Elvie H. Henderson, Ted E. Hendricks, Raymond L. Henry, Ashley C. Hewitt, Charles Hiatt, Clifford E. Hiatt, Ronald L. Higday, Lemuel E. Higgs, Ronald E. Hillblom, James T. Hilliard, Rodney R. Hines, Earsei Hinoki, James H. Hitchman, Bill L. Hoisington, Austin Holmes, Richard J. Holmes, Marvin W. Holsinger, Thomas Holt, Jesse F. Holt, Melville Hone; Joseph M. Hood, George Hoogeveen, John F. Hopkins, Alden R. Houbein, Eugene Howard, Loren R. Hufstetler, Jay S. Hughes, Richard A. Humble, Rick W. Humphrey, John Imbernon, Paul E Irvin, Thomas Jadoon, Glenn R. James, Hal M Jensen, Jerry Jensen, Lorry Jensen, Jerry Johns, Carl Johnson, Gordon Johnson, Marvin Johnson, Tom E. Johnston, Donald G. Jones, Derl W. Keen, Tom Kelly, John L. Kemp, Clark J. Kenyon, Bob J. Kerr, Vernon L. Key, Archie D Kidwell, Robert J. Kimber, Richard Kiner, Russell Eugene Kinney, Thomas I. Kirkpatrick, James Kleaver, James F. Kline, Ronald I. Klingelhofer, Joseph P. Kochevar, John E. Koehn, Kenneth A. Kopp, John F. Kraushaar, Frederick K. Kunzel, Richard J. Kuri, Bob Kurtovich, Steve M. Kuzmanic,

Paul T Labins, Douglas M. Lackey, Ernest B. Lageson, Marvin G. Lamborn, Wayne J Lamson, Donald W Lane, Robert A. Langworthy, Russell D. Lapham, Edward P. Larmer, Melford Larson, William Laux, John T. Lavrischeff, Charlie A. Laws, Douglas C. Lawson, James R. Le Baron, Lewis E. Leeburg, Philip M. Leslie, Mark C Levy, Arne S. Lindgren, James L. Lindsey, Clifford F. Linz, Burton M. Liskey, John Cleveland Little, Bob D. Liverman, Frank Loder, Bob Long, Ward Longueville, Wayne E. Lord, William T Lothridge, Richard Lott, Dan B. Lucas, Kenneth Lucas, Ralph E. Luick, Richard Lundy, Mario D. Lunghi,

Richard W. Maas, Charles E. Maier, Burt S. Malech, Milton Manoukian, Eric H. Marcus, Edwin Marcy, Thomas G. Markou, Fred W. Marler, Thomas Marren, George Marten, Floyd Leslie Martin, Harry Mathis, Donald L. Matson, John S. Mauldin, William E. Meacham, John Meadows, Bill Mears, Arthur C. Meigs, Robert T. Meloy, Joe W. Mell, Lee M. Mendelson, Paul M. Merifield, Joseph E. Mestyanek, Glenn Henry Meyer, Alfred Michelotti, Dick A. Miller, Donald S. Miller, Jack F. Miller, Robert J. Miller, J. Ogden Mills, Howard Mimura, Philip E. Mishler, Norman Mondz, Arthur J. Montgomery, Don A. Montgomery, Edwin M. Montgomery, Keith Moody, Milan G. Moody, Rolland G. Moody, Bill Moore, Lawrence Moore, Theodore E. Moore, Alfred Frank Morales, Douglas Moran, Sam R. Morley, Robert E. Morris, Allen Morrow, David G. Morse, Frank Mortensen, Neil W. Motter, Philip E. Moxley, Gerald A. Mulrooney, Bill N Myers, Norman Myers, Clyde L. MacGowan, Robert F MackKay, Richard E. MacMillen, Bob McClay, Wilson M. McClelland, Edward E. McCombs, Doug K. McCullough, Wallace L. McFall, Michael S. McGregor, Thomas K. McGuire, Chester H. McIntosh, Jack R. McNally, Robert McReynolds,

LeRoy W. Nattress, Merice T. Nelles, Don A. Nelson, Jerry Nelson, Robert G. Nelson, Leon A. Newman, Gordon Newton, Wilbert Ng, Dereb D. Niblo, Douglas J. Nichols, Tom Nichols, Richard L. Nickson, Albert R. Nieto, Raymond Niez, Erwin R. Nimz, James T. Noe, Mike F. Nolan, William H. Northway, George L. Norville, George W. Novinger, Dave L. Nuffer, Rey Nystrom, Fred F. O'Brien, Patrick O'Brien, Ronny P. O'Reilly, Harvey L. Olander, R. Frank Olds, James C. Olsen, Dan M.

Oredson, Roger F. Osborn, Richard D. Ostrowski, Dal G. Ott, Glenn A. Otto, Herbert L. Owens, Roger A. Parkinson, Benjamin D. Parmeter, Riley L. Patten, Gill R. Patterson, Leonard E. Payne, Kenneth V. Payzant, Calvin Pecson, Melvin L Pedersen, Arthur Pellegrin, Bill Duprea Pence, Bruce I. Penner, Francis J. Pereira, John Perrott, Roland Pesante, James Peters, Dan Peterson, John C. Petroni, Ronnie L. Peyton, David S. Phelps, Paul Phelps, Kerry R. Philleo, Jerry L. Phillips, Myrl O. Pierce, Roger N. Pierce, Donald S. Pine, David L. Pitts, Gene Platz, Norman D. Poe, Robert Pokorny, James M. Pollak, James E. Pommier, Ronald J. Posey, Dennis Pottete, Joe W. Potts, Jack O. Poulsen, Ralph J. Preciado, Donald T. Pratt, Myria H. Presley, Floyd J. Price,

Robert Rash, Norman Rasmussen, Kenneth J. Ravizza, Marvin R. Reed, William C. Reeves, James F. Regan, James M. Reinertson, Roger V. Reitano, Allen A. Remes, George D. Rendell, Laurence J. Resseguie, Dale C. Reynolds, Freddie A. Rianda, Richard E. Rigby, Bert Rimmer, Charles L. Rimply, Edward J. Riordan, John P. Riordan, Gary S. Risch, Stan M. Rivera, Henry G. Robbins, Charles T. Roberts, Doren D. Roberts, Bill L. Robertson, C. Altan Robertson, Jay L. Robinson, Joe F. Rodgers, Bob W. Rodolf, Kenneth S. Roe, Ernest H. Rogers, Robert W. Roger, Thomas M. Rogers, Joe Rojtcher, John H. Roney, Robert Rose, Ronny S. Rosen, Carl J. Rossi, Don L. Ruh, Dick L. Russell, Boyd A. Ryan,

Warren G. Sanborn, Gary Schaad, William R. Scheidecker, Fred Schildmeyer, Edward A. Schmidt, Daniel J. Schneider, Bruce W. Schutte, Dwaine B. Sergent, Lionel Serimian, Fred R. Setting, Ray K. Sexton, Jesse N. Shaffer, Roger M. Shalz, Howard Shanks, Allen J. Shellnut, William M. Shipps, Samuel A Shirley, Richard P. Shooshan, Marion F Sims, Robert A Sims, William C. Sink, Andrew F. Siri, Derrell Slatten, Harold Smith, Henry R. Smith, James H. Smith, James M. Smith, Philip D. Smith, Robert D. Smith, Robert E. Smith, Allen J. Smurthwaite, James B. Snodgrass, Fred Solorio, Ronald E. Sorenson, Hubert A Sparkes, Kenneth L. Spaur, Dale R. St. John, Doyle Stansel, Milton D. Stark, Billy R. Stark, Orlo K. Steele, Tom J. Stehly, Joe Stein, Paul S. Steinhauser, Ralph Stephenson, Gerald V. Stevens, Ronald L. Stirling, Donald W. Stone, Ottis J. Stone, Brent W. Street, Herbert J. Strickstein, Deryl G. Strong, Steve Suffin, Gus R. Suhr, Russell D. Summers, Ronald K. Sundfors, Charles Sutton, Glenn Stewart, Gerald G. Swaim, Ray E. Swarts, Norman L. Sweet, Ted Swift, Harold D. Sykes,

Alfred F. Talley, Russell R. Talley, Mario Tarabini, Eugene W. Taresh, Dean C. Taylor, Evan Thompson, Jr., Alan H. Thomson, John Tilbury III, Bill R. Tipton, Birger O Tinglof, Michael S. Tormey, Robert Trainer, Douglas L. Travis, Dean L. Trier, Robert Trujillo, Ronald Trupp, Troy S Tuggle, Warren A. Turney, Tom W. Uland, Jack F. Underhill, Larry G. Valentine, Richard R. Valentine, William P. Valladao, Moss B. Van Blaricom, Roger B. Van Pelt, Peter L. Vander Horck, George Veal, Jr., Martin W. Von Bargen, Thomas J Voekel, Robert Volk, Robert M. VredenBurgh, Wilmer Vujovich.

Carl A. Walker, William R. Walker, Richard C. Walker, Newton Wakeman, Franklin Warren, Paul Washburn, Jerry Watterson, Marvin J. Weber, Danny L. Webster, Harry B. Weir, Donald D. Welch, Douglas L. Work, James F. Wertz, Bill E. Weseloh, Elton West, Robert West, David L. Westwater, Philip A. Whitacre, Eugene F. White, Richard

White, Jimmie D. Whitley, Norman O. Wike, Allen L. Wiley, James A. Willot, Charles Williams, Gary G. Williams, Ronald Williams, Robert C Williamson, Charles B. Wilson, Danny L. Wilson, John E. Wilson, Jack E. Winkler, Monty K. Winkler, William Wise, John H. Wisely, George C. Wiswall, Ty R. Wivell, Richard H. Wolkenhauer, Bock-Wah Wong, Donald R. Wong, Thor E. Wood, Charles D. Woolever, Bill Wordon, Ray H. Worley, Donald E. Wright, George E. Wright, Duff Wyllie, Anthony M. Wynn, Gary Wynn, Dick D. Yee, Harvey N. Ziegler, William Zidback, Fred A. Zielesch, Marion Zigman, and Kenneth D. Zug.

On request of Mr. Brown, the usual courtesies of the Assembly for this day were unanimously extended to Frank Collier, Mrs. Catherine Everett, Robert Elliott, and James Corson of Modesto.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Doris Sutter, Catherine Heller, and Betty Lawrence of Los Angeles.

On request of Mr. Meyers and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. John J. Goodwin of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Michael J. Brennan and John J. Taheny of San Francisco.

ADJOURNMENT

At 12.45 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Friday, June 24, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

NINETY-NINTH LEGISLATIVE DAY

ONE HUNDRED SEVENTY-THIRD CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, June 24, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Mankind: Upon this day when John Cabot sailed to discover the New World, may we see that another frontier is opening in the great Pacific Area.

A vast and undeveloped Eldorado, where the missionaries of the Cross pioneered, and where the bold and resourceful can carve out new Americas.

The immense areas in the South Seas, Africa and Asia, with their billion inhabitants, primitive in circumstances, offering us a fabulous market to develop, and

Enough purchasing power in virgin territory to keep the machinery of America operating day and night for decades to come.

Let us face the opportunity of spreading our American ideals, and of raising the living standards in the backward lands, so the countless peasants of the Orient may not only possess our comforts and agencies of enlightenment, but may also help solve the unemployment problem of the machine age.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Beck, further reading of the Journal of the previous legislative day was dispensed with

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Doyle.

Mr. Lincoln, on motion of Mr. Rumford.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Waters, on motion of Mr. Doyle.

Mr. Reagan, on motion of Mr. Levering.

ASSEMBLY BILL NO. 1371 INADVERTENTLY SENT TO SENATE

Assembly Bill No. 1371, which was refused passage in the Assembly, through inadvertance, was sent to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 687
Senate Bill No. 718

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

LUCKEL, Chairman

Above reported bills ordered to second reading.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Senate Bill No. 1368

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

MORRIS, Vice Chairman

Above reported bill ordered to second reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day returns pursuant to request:

Assembly Bill No. 1371

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 281—An act to amend the Building and Loan Association Act by amending Section 2.02 thereof, relating to restrictions on corporate name, Section 2.04 thereof, relating to approval of articles of incorporation by the Building and Loan Commissioner, Section 2.07 thereof, relating to branches, Section 4.01 thereof, relating to guarantee stock, Section 8.03 thereof, relating to minors and married women, Section 10.03a thereof, relating to federal insurance reserve account, Section 11.04 thereof, relating to licenses for agents and salesmen, Section 12.04 thereof, relating to foreign associations, Section 12.06 thereof, relating to restrictions on advertising, Section 13.02 thereof, relating to appointees, employees and offices of the Building and Loan Commissioner, Section 13.05 thereof, relating to general duties of such

commissioner, Section 13.07 thereof, relating to appraisements, Section 13.17 thereof, relating to assessments by such commissioner for salaries and expenses, and Section 15.16 thereof, relating to supervision and control of borrowers' mutual building and loan associations; amending and repealing Section 5.03 of said act, relating to investment certificate reserve; and adding to said act Section 2.10, relating to investment certificate and withdrawable share reserve, and Section 8.13, relating to authorization to execute certificates, all relating to building and loan associations

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 352
Assembly Bill No. 1097
Assembly Bill No. 1113
Assembly Bill No. 1168
Assembly Bill No. 1914
Assembly Bill No. 1958
Assembly Bill No. 1959
Assembly Bill No. 1995
Assembly Bill No. 2344
Assembly Bill No. 2361
Assembly Bill No. 2618
Assembly Bill No. 2624
Assembly Bill No. 3113
Assembly Bill No. 3137

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 26
Senate Bill No. 89
Senate Bill No. 221
Senate Bill No. 332
Senate Bill No. 632
Senate Bill No. 726
Senate Bill No. 727
Senate Bill No. 728
Senate Bill No. 729
Senate Bill No. 957
Senate Bill No. 983
Senate Bill No. 1131
Senate Bill No. 1132
Senate Bill No. 1133
Senate Bill No. 1321
Senate Bill No. 1394

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 77
Assembly Bill No. 152
Assembly Bill No. 576
Assembly Bill No. 635
Assembly Bill No. 1068
Assembly Bill No. 1120
Assembly Bill No. 1240
Assembly Bill No. 1376
Assembly Bill No. 1670
Assembly Bill No. 1759
Assembly Bill No. 1846
Assembly Bill No. 1933
Assembly Bill No. 2060
Assembly Bill No. 2082
Assembly Bill No. 2407
Assembly Bill No. 2472
Assembly Bill No. 2622
Assembly Bill No. 2755
Assembly Bill No. 2846
Assembly Bill No. 2847
Assembly Bill No. 3157

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

CONSIDERATION OF DAILY FILE

SECOND READING OF ASSEMBLY BILLS

Assembly Bill No. 2776—An act to amend Section 14256 of the Government Code, relating to state contracts.

Bill read second time, and ordered engrossed.

SECOND READING OF SENATE BILLS

Senate Bill No. 304—An act to amend Section 1382 of the Penal Code, relating to the dismissal of criminal actions for delay in bringing a case to trial.

Bill read second time, and ordered to third reading.

Senate Bill No. 424—An act to amend Section 2700 of the Penal Code, relating to compensation of prisoners.

Bill read second time, and ordered to third reading.

Senate Bill No. 1436—An act to amend Section 330.24 of the Civil Code, relating to mutual water companies.

Bill read second time, and ordered to third reading.

Senate Bill No. 1579—An act to amend Section 752 of the Political Code, relating to fees collected by the Clerk of the Supreme Court

Bill read second time, and ordered to third reading.

Senate Bill No. 616—An act to add Section 27174 to the Streets and Highways Code, relating to trespass upon district toll bridges; declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 604—An act to amend Section 432 of the Education Code, relating to the superintendent of schools of a county of the thirty-second class.

Bill read second time, and ordered to third reading.

Senate Bill No. 20—An act to add Part 2, comprising Chapters 1 to 13, inclusive, and Sections 8100 to 8268, inclusive, to Division 9 of the Streets and Highways Code, providing for the formation, government, and dissolution of separation of grade districts, prescribing their powers, providing for the performance of certain functions relating thereto by county officers, and relating to separation of grade by overpass, underpass and tunnel.

Bill read second time, and ordered to third reading.

Senate Bill No. 194—An act to provide for the incorporation and government of metropolitan rapid transit districts; prescribing the powers thereof, and providing for the performance of certain functions relating thereto by officers of counties and cities and counties, and relating to rail, monorail, and subway transportation in metropolitan areas.

Bill read second time, and ordered to third reading.

Senate Bill No. 469—An act to add Section 14.5 to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the

method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred,'' approved June 16, 1931, relating to water conservation districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 623—An act to amend Section 28148 of the Government Code, relating to county officers' salaries.

Bill read second time, and ordered to third reading.

Senate Bill No. 770—An act to amend Section 2010 of the Streets and Highways Code, relating to duties of boards of supervisors on county road systems.

Bill read second time, and ordered to third reading.

Senate Bill No. 1016—An act to amend Section 29741 of the Government Code, relating to the audit and allowance of claims against counties.

Bill read second time, and ordered to third reading.

Senate Bill No. 1643—An act to amend Section 13 1 of, and to add Section 11b to, the County Waterworks District Act, relating to county waterworks districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 1405—An act to amend Section 28154 of the Government Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read second time, and ordered to third reading.

Senate Bill No. 1240—An act to amend Articles 4, 5, 6, 7, and 8, and Sections 45 5, 45 6, 45.7, 46, 49, 55, 59, 63, 64, 68, 70, 71, 73, 87, and 89, and to repeal Sections 56, 57, and 58 of, and to add Section 2.1 to, the Community Redevelopment Act, relating to housing and redevelopment.

Bill read second time, and ordered to third reading.

Senate Bill No. 554—An act relating to the acquisition of a bridge or bridges across the Bay of San Francisco connecting the Counties of San Mateo and Alameda, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, providing for the inclusion thereof in the State Highway System upon the acquisition thereof, and amending Sections 405 and 407 of the Streets and Highways Code in connection therewith.

Bill read second time, and ordered to third reading.

Senate Bill No. 1563—An act to amend Section 15530 of the Government Code, relating to the Economic Advisory Council.

Bill read second time, and ordered to third reading.

Senate Bill No. 1567—An act to repeal Article 19 of the Community Redevelopment Act, relating to the Redevelopment Agency.

Bill read second time, and ordered to third reading.

Senate Bill No. 1641—An act to authorize the sale of certain state-owned property now held for the use of the California State Prison at San Quentin.

Bill read second time, and ordered to third reading.

Senate Bill No. 1648—An act to add Section 11031.5 to the Government Code, relating to the headquarters and residence of the Franchise Tax Commissioner.

Bill read second time, and ordered to third reading.

Senate Bill No. 64—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 320—An act to repeal Sections 6309 and 6360 of the Education Code, and to amend Sections 6301, 6302, 6303, 6304, 6305, 6306, and 6361 of said code, relating to school district budgets.

Bill read second time, and ordered to third reading.

Senate Bill No. 398—An act to amend Section 11151 of the Education Code, relating to teachers' manuals for use in kindergarten schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 404—An act to add Section 20344.2 to the Education Code, relating to the education in state colleges of persons in the service of the Federal Government.

Bill read second time, and ordered to third reading.

Senate Bill No. 432—An act to add Article 2.5 to Chapter 2 of Division 10 of the Education Code, relating to state college advisory boards.

Bill read second time, and ordered to third reading.

Senate Bill No. 603—An act to add Section 6962 to the Education Code, relating to the education of adults.

Bill read second time, and ordered to third reading.

Senate Bill No. 652—An act to amend Sections 1804 and 1829 of the Education Code, and to add Article 18.5 to Chapter 11 of Division 3 of said code, all relating to school districts.

Bill read second time, and ordered to third reading.

Senate Bill No. 701—An act to add Section 9.5 to the Property Acquisition Act, relating to sites for student housing on the campuses of state colleges.

Bill read second time, and ordered to third reading.

Senate Bill No. 1414—An act to amend Sections 21155, 21155.1, and 21156 of the Education Code, relating to the State Nautical School.

Bill read second time, and ordered to third reading.

Senate Bill No. 520—An act to add Section 12.5 to the Fish and Game Code, relating to the location of offices for the administration and enforcement of the fish and game laws and regulations.

Bill read second time, and ordered to third reading.

Senate Bill No. 900—An act to repeal Article 8, comprising Sections 230 and 231, of Chapter 1 of Division 2 of, to amend Section 806 of, and to add Section 804.5 to, the Fish and Game Code, relating to the taking of clams.

Bill read second time, and ordered to third reading.

Senate Bill No. 447—An act to add Section 66p to the Code of Civil Procedure, and to repeal an act entitled "An act to provide one additional Judge of the Superior Court in the County of Fresno," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of two additional Superior Court Judges in and for the County of Fresno.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Judiciary:

Amendment No. 1

On page 1, line 13, of the printed bill, strike out "judge", and insert "judges".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1651—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Municipal and County Government:

Amendment No. 1

On page 2 of the printed bill, strike out lines 10 and 11.

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mrs. Niehouse asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1649—An act creating the "Mendocino County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 6, line 3, of the printed bill, as amended in the Senate on June 15, 1949, after "thousand", strike out "five hundred".

Amendment No. 2

On page 6, line 4, of said bill, after "dollars", strike out "($2,500)", and insert "($2,000)".

Amendment No. 3

On page 6, line 23, of said bill, strike out "two thousand five hundred dollars ($2,500)", and insert "two thousand dollars ($2,000)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 462—An act to add Section 12500.5 to, and to amend Sections 12500 and 12501 of, the Business and Professions Code, relating to weighing and measuring instruments.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 25, 1949, strike out lines 12 to 16, inclusive, and insert

"(c) Weights or measures or weighing, measuring, or counting instruments for sale or use for commercial purposes shall include person weighers and devices which are used at the time of, or for the purposes of, the trading in, exchanging, selling or purchasing of commodities but shall not include such devices when for use or operation solely within a plant or business as a part of the manufacturing, processing or preparing for market of commodities."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1338—An act authorizing the sale, exchange or other disposition of certain state property located in Alameda County.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1, line 7, of the printed bill, after "school", insert ", described as follows: All that certain real property situate, lying and being in the City of Berkeley and the City of Oakland, Alameda County, State of California, described as follows: Beginning at a point on the Northerly line of that certain 130 acre parcel of land

conveyed by deed from John Kearney and Elizabeth, his wife, to the State of California, recorded April 8, 1867 in Book "X" of Deeds, Pages 559, 560 and 561, in the Office of the Recorder of Alameda County, State of California; from which point of beginning the Northwest corner of said 130 acre parcel, which is also the intersection of the center lines of Dwight Way and Warring Street, bears S. 85° 00′ W., 1435.91 feet; thence, from said point of beginning along the Northerly line of said 130 acre parcel N. 85° 00′ E., 2860.62 feet to the Northeast corner of said parcel; thence, along the Easterly line of said parcel S. 5° 00′ E., 1320 feet to the southeast corner of the said parcel; thence, along the Southerly line of said parcel S. 85° 00′ W., 2151.62 feet; thence, leaving said Southerly line, N. 5° 00′ W., 1110.36 feet; thence, S. 85° 00′ W., 124.63 feet; thence N. 89° 20′ 04″ W., 493.89 feet; thence N. 35° 00′ W., 185.77 feet to the point of beginning. Said parcel containing 68.063 acres, more or less".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 318—An act to amend Sections 9802, 9807, and 12143.5 of the Education Code and to add Sections 9802.1, 9807.2, and 9807.3 to said code, all relating to the education of mentally retarded minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Senate on May 9, 1949, strike out the period, and insert ", declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 2 of said bill, following line 41, insert

"SEC. 8. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

The education of mentally retarded minors is of the greatest importance to the social and economic welfare of the State and all its citizens. This act provides for the establishment of more effective methods in the education of mentally retarded minors. In order that the welfare of the State and its citizens may be advanced by this act without delay, it is necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 625—An act to amend Section 6803 of the Education Code, relating to daily attendance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 3, 1949, strike out "amend Section 6803 of", and insert "add Section 6803.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive, and insert

"SECTION 1. *Section 6803.5 is added to the Education Code, to read:*

6803.5. The absences of a pupil due to his quarantine under the direction of a county or city health officer is not an absence in computing the total days of attendance. Absence due to quarantine shall be verified by the district in such manner as the Superintendent of Public Instruction shall require."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 558—An act to add Section 16.5 to the Fish and Game Code, relating to the taking of deer in game refuges.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on May 27, 1949, after "once", insert "and at least thirty (30) days prior to the hearing".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 699—An act to add Section 16.4 to the Fish and Game Code, relating to the taking of female deer.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on May 27, 1949, after "once", insert "and at least thirty (30) days prior to the hearing".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1053—An act to amend Sections 14.2, 15, 15.1, 15.2, 15.3, 18, and 19.6 and to repeal Sections 16, 16.1, and 16.2 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Fish and Game:

Amendment No. 1

On page 2, line 35, of the printed bill, as amended in the Senate on April 26, 1949, strike out "thirty", and insert "sixty".

Amendment No. 2

On page 2, line 40, of said bill, strike out "thirty", and insert "sixty".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1236—An act to repeal Section 24 of, and to add Section 24 to, the Fish and Game Code, relating to seizure of illegal birds, mammals or fish.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Fish and Game:

Request for Unanimous Consent That Permission Be Granted That Amendment Be Corrected

Mr. Erwin asked for, and was granted, unanimous consent that permission be granted to the desk to correct the following proposed amendment to Senate Bill No. 1236 by inserting a comma after "bait."

Amendment No. 1

On page 1, line 20, of the printed bill, as amended in the Senate on April 28, 1949, after "bait," insert "used for fish food in state-owned fish hatcheries,".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 75

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 75—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Referred to Committee on Rules

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2776

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 446—An act authorizing the Division of Beaches and Parks to establish and develop the old Overland Emigrant Trail as part of the California Riding and Hiking Trails Project.

The question being, Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 446?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on May 6, 1949, and insert

"An act relating to the establishment of the Old Overland Emigrant Trail as a State Historical Monument"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 446 by the following vote:

AYES—Anderson, Babbage, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Doyle Dunn, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—44.

NOES—None.

Assembly Bill No. 446 ordered enrolled.

Assembly Bill No. 366—An act to amend Section 24260 of the Government Code, relating to office hours of county offices.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 366?

Amendment No. 1

Between lines 1 and 2 of the title of the printed bill, insert "and to repeal Section 24256 of the Government Code,"

Amendment No. 2

On page 1 of said bill, after line 6, insert

"SEC 2 Section 24256 of the Government Code is hereby repealed."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 366 by the following vote:

AYES—Anderson, Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Crichton, Crowley, Doyle, Dunn, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—45

NOES—None

Assembly Bill No. 366 ordered enrolled

Assembly Bill No. 368—An act adding Section 31676.5 to the Government Code, relating to retirement pensions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 368?

Amendment No. 1

On page 1, line 1, of the title of the printed bill, as amended in the Assembly on May 5, 1949, strike out "31676.5", and insert "31676.9".

Amendment No. 2

On page 1, line 1, of said bill, strike out "31676.5", and insert "31676.9".

Amendment No. 3

On page 1, line 3, of said bill, strike out "31676.5", and insert "31676.9".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 368 by the following vote:

AYES—Anderson, Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Crichton, Crowley, Doyle, Dunn, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—45.

NOES—None

Assembly Bill No 368 ordered enrolled.

Assembly Bill No. 369—An act to amend Section 31679 of the Government Code, relating to retirement allowances

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 369?

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 31676.7 to,".

Amendment No. 2

In line 2 of the title of said bill, strike out "allowances", and insert "systems".

Amendment No. 3

On page 1 of said bill, after line 11, insert

"SEC. 2. Section 31676.7 is added to said code, to read:

31676.7. Any member who was retired between May 6, 1949 and the effective date of this section because of attainment of compulsory retirement age may elect to have his retirement allowance recalculated pursuant to Section 31676.1 if he makes all the payments required by Section 31676.2 and 31676.3, in which case Sections 31676.5 and 31676.6 shall also apply to such member"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 369 by the following vote:

AYES—Anderson, Babbage, Beck, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Crichton, Crowley, Doyle, Dunn, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—45

NOES—None

Assembly Bill No. 369 ordered enrolled.

Assembly Bill No. 2001—An act to amend Sections 1018 and 1073 of the Fish and Game Code, relating to commercial fishing reports.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2001?

Amendment No. 1

On page 1, line 9, of the printed bill, after "correct", insert "No person shall render any such report that is not true and correct."

Amendment No. 2

On page 1, line 19, of said bill, after "month.", insert "No person shall file any such report that is not true and correct."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2001 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Erwin, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lindsay, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thompson, Way, Yorty, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 2001 ordered enrolled.

Assembly Bill No. 1323—An act to amend the Building and Loan Association Act by amending Section 11.01 thereof, relating to licenses of agents, salesmen and collectors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1323?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on May 4, 1949, after "collectors", insert ", and Section 12.06 thereof, relating to restrictions on advertising".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, as amended, commencing in the line following line 10, insert

"SEC. 2. Section 12.06 of said act is hereby amended to read as follows:

Sec. 12.06 Restrictions on Advertising. No association shall issue or publish or cause or permit to be issued or published, any advertisement that it is doing or permitted to do any business which is prohibited by law to an association, or any advertisement which shall misrepresent the nature of the shares, stock or investment certificates of such association, or the rights of investors in respect thereto. Any association whose corporate name does not include the words "building and loan," "building-loan" or "savings and loan" shall in all advertisements state "This is a building and loan association" or "This is a savings and loan association," or words to that effect. The commissioner shall have power to require any or all associations, before issuing, circulating or publishing any advertisement, to file a true copy of the proposed text thereof in the office of the commissioner at least [one day] *five days* prior thereto; and if the commissioner shall have made the aforesaid requirement as to any association, such association shall comply therewith and shall not issue, circulate or publish any advertisement after notice in writing from the commissioner that in his opinion the same is unauthorized, false, misleading or otherwise likely to deceive a reader or hearer thereof, *but an association may issue, circulate and publish without delay any advertisement expressly approved by the commissioner*. No association in any advertisement shall state that it is under state supervision or control, or shall include in any advertisement or in any instrument used by it, a replica of the Great Seal of the State of California, *or shall state or imply in any advertisement that funds may be invested with such association at any place other than the principal office or a branch of such association*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1323 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1323 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR SPEAKER: The Committee on Conference concerning:

Senate Bill No. 281—An act to amend the Building and Loan Association Act by amending Section 2.02 thereof, relating to restrictions on corporate name, Section 2.04 thereof, relating to approval of articles of incorporation by the Building and Loan Commissioner, Section 2.07 thereof, relating to branches, Section 4.01 thereof, relating to guarantee stock, Section 8.03 thereof, relating to minors and married women, Section 10.03a thereof, relating to federal insurance reserve account, Section 11.04 thereof, relating to licenses for agents and salesmen, Section 12.04 thereof, relating to foreign associations, Section 12.06 thereof, relating to restrictions on advertising, Section 13.02 thereof, relating to appointees, employees and offices of the Building and Loan Commissioner, Section 13.05 thereof, relating to general duties of such commissioner, Section 13.07 thereof, relating to appraisements, Section 13.17 thereof, relating to assessments by such commissioner for salaries and expenses, and Section 15.16 thereof, relating to supervision and control of borrowers' mutual building and loan associations; amending and repealing Section 5.03 of said act, relating to

investment certificate reserve; and adding to said act Section 2 10, relating to investment certificate and withdrawable share reserve, and Section 8 13, relating to authorization to execute certificates, all relating to building and loan associations;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be not concurred in, and the bill be further amended as follows:

Amendment No. 1

In line 20 of the title of the printed bill as amended in the Assembly on May 13, 1949, strike out "amending and".

Amendment No. 2

On page 4, line 23, of said bill, strike out "No association", strike out lines 24 to 31, inclusive; and in line 32, strike out "opened".

Amendment No. 3

On page 4, line 34, of said bill, strike out "after the effective date of the repeal of said Section 5 03".

Amendment No. 4

On page 5 of said bill, strike out lines 8 to 16, both inclusive, and insert

"The specified amount of the investment certificate and withdrawable share reserve for each association shall be the sum of the following:

(1) On or after December 31, 1953, five percent (5%) of the aggregate value of its outstanding investment certificates, and prior to December 31, 1953, the following percentages of the aggregate value of its outstanding investment certificates:

(a) Ten percent (10%) of any amount up to and including one million dollars ($1,000,000);

(b) Seven and one-half percent (7½%) of any amount in excess of one million dollars ($1,000,000) up to and including two million dollars ($2,000,000);

(c) Five percent (5%) of any amount in excess of two million dollars ($2,000,000) up to and including five million dollars ($5,000,000);

(d) Three percent (3%) of any amount in excess of five million dollars ($5,000,000).

(2) The following percentages of the aggregate value of its outstanding shares:

(a) On or after December 31, 1950 and prior to December 31, 1951, two percent (2%);

(b) On or after December 31, 1951 and prior to December 31, 1952, three percent (3%);

(c) On or after December 31, 1952 and prior to December 31, 1953, four percent (4%);

(d) On or after December 31, 1953, five percent (5%).

(3) Twenty-five thousand dollars ($25,000) in respect of each branch maintained by it, opened prior to October 1, 1949; and

(4) Fifty thousand dollars ($50,000) in respect of each branch maintained by it, opened on or after October 1, 1949."

Amendment No. 5

On page 5, line 17, of said bill, strike out "On or after October 1, 1954, no", and insert "No".

Amendment No. 6

On page 5, lines 21 and 22, of said bill, strike out "On or after October 1, 1954, no", and insert "no".

Amendment No. 7

On page 5, line 27, of said bill, strike out "On or after October 1, 1954, no", and insert "No".

Amendment No. 8

On page 5, line 40, of said bill, strike out ", and for the six months"; strike out line 41, and in line 42, strike out "shall continuously have been.".

Amendment No. 9

On page 6 of said bill, strike out lines 4 and 5.

Amendment No. 10

On page 6, line 40, of said bill, strike out ", effec-", and insert a period; and strike out lines 41 to 51, inclusive, on said page 6, and lines 1 to 25, inclusive, on page 7.

CUNNINGHAM	GEDDES
PARKMAN	BECK
McBRIDE	MORRIS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—53.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Bill No. 583—An act to amend Section 28105 of the Government Code, relating to compensation for public services in counties of the fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hinckley, Hollibaugh, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—43.

NOES—Anderson, Elliott, Geddes, Hahn, Heisinger, Hoffman, Kilpatrick, Lewis, Luckel, and Morris—10.

Bill ordered transmitted to the Senate.

Explanation of "No" Vote on Senate Bill No. 583

There has been, at every election, a flock of candidates for Supervisors in Fresno County, and there is no need to raise salaries and travel expense accounts to get good officers

The same applies to Superior Judges in Fresno County.

The bills increase the number of judges by 50 percent, and increase their salaries from $10,000 to $12,500 annually, or 25 percent.

S. L. HEISINGER

MEMBER EXCUSED

At 9.36 a.m., Mr. Davis asked for, and was granted, unanimous consent that Mr. Lowrey be excused, for the balance of the legislative day, because of legislative business elsewhere.

Speaker Pro Tempore Presiding

At 9.38 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 325—An act to amend Section 8961.3 of the Health and Safety Code, relating to the powers of public cemetery districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 461—An act to add Section 12011.6 to, and to amend Sections 12024.5 and 12211 of, the Business and Professions Code, relating to containers and commodities therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Thompson, Tomlinson, Way, Weber, and Yorty—45.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Donald L. Grunsky Presiding

At 9.41 a.m., Hon. Donald L. Grunsky, Member of the Assembly from the Thirty-second District, presiding.

Senate Bill No. 717—An act to amend Sections 2205 and 2206 of the Health and Safety Code, relating to the organization and powers of mosquito abatement districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 960—An act to amend Section 2496 of the Business and Professions Code, relating to fees of Board of Osteopathic Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 477—An act to add Article 4 to Chapter 7 of Division 5 of the Agricultural Code, relating to injurious materials for use in agricultural operations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dolwig, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kirkwood, Lindsay,

Lipscomb, Luckel, McCollister, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—41.

NOES—Anderson, Beck, Bennett, Burke, George D Collins, Condon, Conrad, Doyle, Elliott, Geddes, Hawkins, Kilpatrick, Maloney, McCarthy, Rosenthal, Sherwin, Tomlinson, and Yorty—18

Bill ordered transmitted to the Senate.

Senate Bill No. 114—An act to amend Section 4764 of the Health and Safety Code, relating to the borrowing of money by county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Holbbaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 246—An act to add Section 25643 to the Government Code, relating to the powers of boards of supervisors of each county to give fire protection.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 479—An act to add Section 3 1 to the San Bernardino County Flood Control Act, relating to the creation of special zones.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—56.

NOES—Condon—1.

Bill ordered transmitted to the Senate.

MEMBER EXCUSED

At 10.07 a.m., Mr. Hinckley asked for, and was granted, unanimous consent that he be excused, for the balance of the legislative day, because of legislative business elsewhere.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1208

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1208, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1208—An act to amend Sections 125, 127, 324, 325, 369, 398, 439, 612, and 615 of the Military and Veterans Code and to amend Section 718c of the Civil Code, relating to the military forces of the State, including the exemption from military service, the detail of federal officers for service with the National Guard or Naval Militia, the detail of officers for special duty and waiver of part of compensation, performance of emergency service, the performance of military duty on election day, the declaration of places as "off limits," the leasing of property owned by a municipality for a term not to exceed fifty years for military or armory purposes, the colors and standards of organizations of the National Guard, the delivery of the colors to members of the family of a deceased member of the National Guard, the use of the National Flag, and assignment of command.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1208?

Amendment No. 1

Strike out lines 1 to 17, inclusive, of the title of the printed bill, as amended in the Assembly on March 23, 1949, and insert

"An act to amend Section 439 of the Military and Veterans Code and Section 37392 of the Government Code, relating to the leasing of property owned by local agencies for a term not to exceed fifty years for military or armory purposes."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 18, inclusive, and strike out all of page 2.

Amendment No. 3

On page 3 of said bill, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 439 of the Military and Veterans Code is amended to read:".

Amendment No. 4

On page 3, line 35, of said bill, strike out "718c of the Civil Code", and insert "37392 of the Government Code"

Amendment No. 5

On page 3, lines 39 and 40, of said bill, strike out "718c of the Civil Code", and insert "37392 of the Government Code".

Amendment No. 6

On page 4 of said bill, strike out lines 3 to 51, inclusive, and insert

"SEC. 2 Section 37392 of the Government Code is amended to read:

37392 A city or any of its departments may lease or sublease land to the Department of Natural Resources for housing men and equipment, *or to the State Adjutant General for military or armory purposes*, for not to exceed fifty years."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 1208 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister,

McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—57.
NOES—None.

Assembly Bill No. 1208 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 724—An act to add Sections 15a and 68a to the County Water District Act and Sections 31416 and 32858 to the Water Code, relating to dissolution of county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—58.
NOES—Lewis—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1629—An act to amend Section 5551 of the Streets and Highways Code, relating to appropriations to aid the construction of generally used structures.

Bill read third time, and ordered temporarily passed on file.

Senate Bill No. 804—An act to add Section 105 to, and to repeal Sections 2103, 2705, 4003, 5517, 6713, 7004, and 7304 of the Business and Professions Code, relating to certificates of appointment and oaths of office of members of boards within the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—59.
NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 153

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 153, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 153

Senate Bill No. 153—An act to authorize counties to establish and maintain retirement, disability and death benefit plans for peace officers, foresters, firewardens and firemen; to permit the inclusion therein of city police officers and city firemen; to authorize the levy of taxes by

such counties and cities to fund the county and city's share of the cost and expense of such plan; and in connection therewith, to add Chapter 6 to Part 3, Division 4, Title 3 of the Government Code.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 808—An act to amend Section 9011 of the Business and Professions Code, relating to the Board of Social Work Examiners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—58.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 814—An act to amend Sections 7514, 7522, 7526, 7527, 7531, 7538, 7547, 7551, 7565, and 7582 of, and to add Sections 7529.5, 7529.6, 7540, 7541, 7542, 7543, and 7549 to, the Business and Professions Code, relating to private detectives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—62.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1629

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 1629, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 1629

Senate Bill No. 1629—An act to amend Section 5551 of the Streets and Highways Code, relating to appropriations to aid the construction of generally used structures.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 791

Mr. Caldecott asked for unanimous consent that he be permitted to take up Senate Bill No. 791, temporarily passed on file, at this time.

Mr. Dickey withheld unanimous consent.

Motion to Take Up Senate Bill No. 791 at This Time

Mr. Collier moved that Senate Bill No. 791 be taken up, at this time.

Mr. Lipscomb seconded the motion

Motion Withdrawn

Mr. Lipscomb withdrew his second.

Mr. Collier withdrew his motion.

Motion to Set Special Order

Mr. Caldecott moved that Senate Bill No. 791 be made a special order of business for Monday, June 27, 1949, at 11 a m.

Mr. Doyle seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—63.

NOES—None

MEMBER EXCUSED

At 10 26 a m., Mr. Kirkwood asked for, and was granted, unanimous consent that Mr Silliman be excused, for the balance of the legislative day, because of illness.

MOTION THAT PROPOSED AMENDMENT TO SENATE BILL NO. 791 BE PRINTED IN JOURNAL

Mr. Doyle moved that the proposed amendment by Mr. Silliman to Senate Bill No 791, being held at the desk, at this time, be ordered printed in the Journal, without action.

Mr Geddes seconded the motion.

Motion carried.

PROPOSED AMENDMENT TO SENATE BILL NO. 791

By Mr. Silliman:

Amendment No. 1

On page 4, line 40, of the printed bill, as amended in the Assembly on June 2, 1949, after "discretion", strike out the period, and insert a comma and "and the board in its discretion may extend to bank cashiers, bank tellers, bank presidents, stock and bond brokers, real estate brokers, trustees and administrators of estates, receivers in bankruptcy and any others who, in the discretion of the board deserve such consideration, a period of grace which may, in the discretion of the board, run into perpetuity, when such persons are found to have invested funds in their care in violation of the Health and Safety Code or any other code, or have become short in said funds or have misappropriated said funds or have embezzled said funds."

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 815—An act to amend Section 403 of the Business and Professions Code, relating to buildings of the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1412—An act relating to quiet title to actions against the State of California to lands heretofore abandoned by the State and conveyed by an agency of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—53.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 873—An act to amend Section 11791 of the Education Code, relating to textbooks for junior college students.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 995—An act to amend Sections 19302 and 19303 of the Education Code, relating to school cafeterias.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lewis, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—51.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1031—An act to amend Section 21604 of the Education Code, relating to state schools for cerebral palsied children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fletcher, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Way, Weber, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1034—An act to amend the heading of Article 3 of Chapter 9 of Division 4 and Sections 9651 and 9652 of the Education Code, relating to physically handicapped minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1213—An act to amend Sections 12463 and 12464 of, to repeal Sections 50054 to 50059, inclusive, of, and to add Section 12463.1 and Article 9, comprising Sections 53890 to 53896, inclusive, to Chapter 4, Part 1, Division 2, Title 5 of, the Government Code, relating to the compilation and publication of reports of the financial transactions of local agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Way, and Weber—53.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1614

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1614, out of order, for purpose of re-reference, at this time.

Request for Unanimous Consent That Senate Bill No. 1614 Be Withdrawn From File, and Be Re-referred

Mr. Lindsay asked for, and was granted, unanimous consent that Senate Bill No. 1614 be withdrawn from the file, and be re-referred to the Committee on Ways and Means.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 436

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 436, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 436

Senate Bill No. 436—An act to amend Section 5 of the California Water District Act, relating to districts organized under said act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Way, Weber, and Yorty—51.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1035—An act to repeal Sections 17252 to 17261, inclusive, of the Education Code, and to add Section 17252 to said code, relating to the education of the deaf.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Way, Weber, and Yorty—55.

NOES—Thompson—1.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 1382, on motion of Mr. McCollister.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 476—An act to amend Section 6 of, and add Section 9 to, an act entitled "An act providing for preparation for postwar county highway construction projects, and making an appropriation therefor," approved May 18, 1943, relating to expenditure of funds for postwar county highway construction projects, and providing penalties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1305—An act to repeal Section 154 of the Vehicle Code, relating to registration of vehicles previously registered outside this State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1117

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1117, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1117

Senate Bill No. 1117—An act to amend Section 4004 of the Public Resources Code, relating to state fire prevention and suppression.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1306—An act to amend Section 206 of the Vehicle Code, relating to the issuance of special plates to dealers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 492—An act to amend Sections 511.2, 511.3, and 511.6 of the Vehicle Code, relating to speed limits upon highways.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—Geddes—1.

Bill ordered transmitted to the Senate.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Dickey:

Resolved, That Senate Bill No. 1652 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—61.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1652

Senate Bill No. 1652—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Bill read second time.

Senate Bill No. 1652—An act making an appropriation for payment of the expenses of Members of the Senate necessarily incurred by them while attending a session of the Legislature, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1650

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1650, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1650

Senate Bill No. 1650—An act making an appropriation for the contingent expenses of the Senate, without regard to fiscal years, including committee expenses, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 626

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 626, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 626

Senate Bill No. 626—An act to amend Sections 507, 2203, and 2207 of, and to add Section 507.1 to, the Public Resources Code, relating to the administration and functions of the Division of Mines.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick,

Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thompson, Way, and Weber—54.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1626—An act to add Section 35.5 to the Public Utilities Act, relating to regulation of state-owned railroads as to safety of operation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 99 HOLD PLACE ON FILE

Mr. Caldecott asked for, and was granted, unanimous consent that Senate Bill No. 99 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1314—An act to amend Sections 4751 and 4753 of the Labor Code, relating to workmen's compensation and death benefits.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—52

NOES—Berry, George D. Collins, Gaffney, and Geddes—4.

Motion to Amend Title

Mr. Tomlinson moved the adoption of the following amendment to the title:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 22, 1949, strike out "and death benefits".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 133

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 133, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 133

Senate Bill No. 133—An act to amend Section 19141 of the Government Code, relating to reinstatement of employees in the state civil service.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McMillan, Morris, Moss, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Way, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1482 BE WITHDRAWN FROM COMMITTEE, AND BE RE-REFERRED

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Senate Bill No. 1482 be withdrawn from the Committee on Ways and Means, and be re-referred to the Committee on Education.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bills Nos. 132, 280, 515, and Senate Constitutional Amendment No. 14 were taken up.

Senate Bill No. 132—An act to amend Sections 2601 and 2619 of the Elections Code, relating to declarations of candidacy.

Bill read third time.

Speaker Pro Tempore Presiding

At 11.20 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Motion That Senate Bills Nos. 132, 280, 515, and Senate Constitutional Amendment No. 14 Be Withdrawn From File, and Be Re-referred

Mr. Yorty moved that Senate Bills Nos. 132, 280, 515, and Senate Constitutional Amendment No. 14 be withdrawn from the file, and be re-referred to the Committee on Rules.

Messrs. Geddes, Morris, and McMillan seconded the motion.

Motion carried.

Explanation of Vote

Had there been a recorded vote, I would have voted in favor of the Tenney Bills.

GORDON A. FLEURY

Explanation of Vote Against Re-reference of Senate Bill No. 132, Senate Bill No. 280, Senate Bill No. 515, and Senate Constitutional Amendment No. 14, to the Assembly Rules Committee

We wish to express our disapproval of the motion whereby the so-called Loyalty Bills were this day re-referred to the Committee on Rules. We are satisfied that the motion was designed to cut off debate on these bills and to cause them to die in

committee. We believe these bills are of such importance to the people of this State, that we, as their representatives should have been recorded on a roll call vote after a full and complete debate thereon.

STANLEY T. TOMLINSON
WILLARD M. HUYCK
HAROLD K. LEVERING
JOHN L. E. COLLIER
ARTHUR H. CONNOLLY, JR.
VERNE W. HOFFMAN
GEORGE A. CLARKE
GEORGE BUTTERS

Request for Unanimous Consent That Remarks by Speaker Be Printed in the Journal

Mr. Doyle asked for, and was granted, unanimous consent that the remarks of Speaker Sam L. Collins, relative to Senate Bill No. 132, be reduced to writing, and ordered printed in the Journal in 10-point type.

REMARKS BY SPEAKER SAM L. COLLINS RELATIVE TO SENATE BILL NO. 132

We are in the midst of celebrating the Centennial, the Golden Jubilee of the beginning, the birth, the advance, and the progress of the State of the Golden West. A hundred years has seen California develop from the rowdyism and rough and tumble Days of '49, (1849) to the present development of 1949—through the Governors of Pio Pico and Pacheco, and on down through the line of renowned Governors down to and including our inimitable and illustrious Governor Earl Warren.

Why do I say these things? Well, because the oath of office that was taken by the Governors and by the Members of the Assembly and the Senate, and by all the public officials throughout the history of the State of California has been substantially in the words, "I do solemnly swear that I will support the Constitution of the United States and the Constitution of the State of California, and perform the duties of the office to which I am elected to the best of my ability."

When you repeat that oath and you contemplate it, those illustrious men that I have enumerated standing with their right hands raised before God and repeating the oath that I have just recited, don't you thrill? Doesn't your pulse quicken? Doesn't your heart swell with pride that you are an American, and that you have taken that oath to support the Constitution of the United States of America and the Constitution of the State of California? The word "support" is all inclusive. To stand and support means as Atlas stood with the world upon his shoulders to support it. You can't support it and step aside and let it fall asunder. When you said that you were supporting it, there was no mental reservation. There was no equivocation in your heart. You meant just what you said, and so these men before you meant just what they said. When you thrill to a classic such as this oath or you recall those words that were spoken when Old Ironsides was to be demolished, "Aye, tear her tattered ensign down. Long has it waved on high." Another one of the classics that you were taught in school that makes you thrill at the thought of America and swell with pride that you, too, have played a part in the growth and development of California and of America. Ah, you remember too, "Breathes there a man with soul so dead that never to himself hath said: 'This is my own, my native land'."

Friends, you are dealing in classics—the classics of your childhood and the classics of your growth from childhood to manhood and your growth from child to the stature of a man in the support of the Constitution. Not only in public office but on the battlefields. What are we asked

to do now? We are asked to substitute for the classics. Words such as these, "to defend it against all enemies, foreign and domestic." If you are supporting it, whom do you support it against? These meaningless phrases add nothing—could add nothing—to the solemnity of the oath that has been taken throughout the years. "I'll bear true faith and allegiance to the same." To the same what? To the same enemies, foreign and domestic? They would write confusion into the Constitution, ambiguity into the law. That's what they want to do. "That I am not now a member secretly or openly." What's all that have to do with the oath of your office? All the recitation in there has nothing to do with your oath of office but a negative allegation of the fact that you have no mental reservation or equivocation in your heart concerning your oath of office. We hired someone to tell us of the presence of our enemy, to keep our house in order, and they have mistook their mission. They now try to rewrite the classics. Probably, their next endeavor will be to rewrite the Star Spangled Banner. It would be just as pretentious on their part and just as presumptive on their part as to rewrite this classic that through the ages has stood the test. They would substitute this mumble jumble of words for this classic oath that has meant so much and proved its worth throughout the years. When you substitute this mumble jumble of meaningless phrases, words, period, commas, colons, etc., you accomplish naught. Naught except the tinkling of cymbals and the sounding of brass.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1252—An act to amend Sections 3, 4, and 5 of the Sanitation and Sewer Revenue Bond Act of 1941, relating to sanitation and sewer revenue-producing enterprises.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Smith, Stewart, Thomas, Thompson, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 996

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 996, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 996

Senate Bill No. 996—An act to amend Section 108 of the Civil Code, relating to divorce actions on grounds of insanity.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lindsay, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Tomlinson, and Way—53.
NOES—Doyle and Luckel—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1613

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1613, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1613

Senate Bill No. 1613—An act to amend Section 704 of the Vehicle Code, relating to weight of vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—56.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 470—An act to amend Section 12126 of the Education Code, relating to credentials authorizing service in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—55.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 421

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 421, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 421

Senate Bill No. 421—An act to amend Sections 5091 and 5093 of the Penal Code, relating to the production of goods by institutions subject to the jurisdiction of the Correctional Industries Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUESTS FOR PERMISSION TO INTRODUCE BILLS

The following request for permission to introduce a bill was presented:

By Messrs. Sam L. Collins and Dunn:

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: In accordance with the provisions of Article IV, Section 2, of the Constitution, we request permission to introduce a bill, the title of which is as follows:

An act calling a special election to submit to the electors of California certain amendments to the Constitution of the State proposed by the Legislature, to take effect immediately.

Respectfully submitted.

SAM L. COLLINS
FRANCIS DUNN

Request referred to Committee on Legislative Procedure.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure, to which was referred the following bill, herewith returns the same with the recommendation that the authors be permitted to introduce it:

By Messrs. Sam L. Collins and Dunn:

An act calling a special election to submit to the electors of California certain amendments to the Constitution of the State proposed by the Legislature, to take effect immediately.

HUYCK, Chairman

The roll was called, and permission granted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following bill was introduced, and read the first time:

Assembly Bill No. 3180: By Messrs. Sam L. Collins and Dunn—An act calling a special election to submit to the electors of California certain

amendments to the Constitution of the State proposed by the Legislature, to take effect immediately.

Referred to Committee on Elections and Reapportionment.

Motion to Place Rush Order on Printing of Assembly Bill No. 3180

Mr. Sam L. Collins asked for, and was granted, unanimous consent that a rush order be placed upon the printing of Assembly Bill No. 3180.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 966—An act to repeal Article 9, and to amend Section 3125 of Article 3, Chapter 5, Division 2, of the Business and Professions Code, relating to midwives.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 279

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 279, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 279

Senate Bill No. 279—An act to amend Section 189 of the Code of Civil Procedure, relating to destruction of court records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Holibaugh, Huyck, Kilpatrick, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Way, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 811—An act to repeal Section 4132.5 of the Business and Professions Code, relating to qualifications for registration as a licentiate in pharmacy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Way, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 945—An act to amend Section 1205 of the Business and Professions Code, relating to clinical laboratory technology.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—63

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1188—An act to amend Section 8506 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1190—An act to amend Sections 8507, 8520, 8554, and 8620 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced, on behalf of Senator Rich, that many Assemblymen have not taken explanations of their Assembly bills to Members of the Senate; that the Senate file is overcrowded with bills awaiting action when explanations arrive; and urged that members immediately cooperate with the Senate on this matter.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1191—An act to add Sections 8514 and 8515 to the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1193—An act to amend Sections 8592 and 8610 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1195—An act to amend Section 8567 of, and to repeal Section 8572 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1196—An act to amend Section 8674 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1198—An act to amend Sections 8560, 8562, 8564, 8565, and 8566 of the Business and Professions Code, relating to structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Charles M. Weber Presiding

At 11.55 a.m., Hon. Charles M. Weber, Member of the Assembly from the Eleventh District, presiding.

ANNOUNCEMENTS

Mr. Dickey announced that the usual legislative pictures, taken each session, will be scheduled on the Capitol lawn on Monday, June 27th, at the noon recess; and that the members of both houses are urged to be present as promptly as possible.

Mr. Dickey announced that the next Air Materiel Command Directors of Supply Conference will be held in Sacramento on September 15th and 16th under the auspices of the United States Air Force.

REQUEST FOR UNANIMOUS CONSENT TO USE ASSEMBLY CHAMBER

Mr. Dickey asked for, and was granted, unanimous consent that the United States Air Force be permitted to use the Assembly Chamber on Thursday and Friday, September 15th and 16th, for the purpose of holding a Conference for the Air Materiel Command Directors of Supply.

RECESS

At 12 m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1273—An act to amend Section 630 of, and to add Sections 630.1 and 630.2 to, the Agricultural Code, relating to dried milk and dried milk products.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott, Erwin, Fletcher, Grant, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Stanley, Stewart, Tomlinson, Way, Weber, Yorty, and Mr. Speaker —45.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 962—An act to amend Sections 4031, 4039, 4063, 4090, 4095, 4096, 4221, 4236, and 4255 to, and to repeal Sections 4092, 4121, 4131, 4132, 4133, 4134 and 4135 of the Business and Professions Code, relating to the practice of pharmacy, and the sale of drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Erwin, Fletcher, Grant, Hagen, Hahn, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Stanley, Stewart, Way, Weber, Yorty, and Mr. Speaker —45.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 797

Mr. Crichton asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 797, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 797

Senate Bill No. 797—An act to amend Sections 2141, 2142, 2319, 2426, and 2435 of the Business and Professions Code, relating to the practice of the healing arts and the regulation and licensing thereof.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets:

[AYES—Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Elliott,

Erwin, Fletcher, Grant, Hagen, Hahn, Heisinger, Hoffman, Kilpatrick, Kirkwood, Levering, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Way, Weber, Yorty, and Mr. Speaker—44.

NOES—None.]

Request for Unanimous Consent to Expunge Record, and Rescind Action on Passage of Senate Bill No. 797

Mr. Crichton asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 797.

Further Consideration of Senate Bill No. 797

Senate Bill No. 797—An act to amend Sections 2141, 2142, 2319, 2426, and 2435 of the Business and Professions Code, relating to the practice of the healing arts and the regulation and licensing thereof.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Burke, Caldecott, Clarke, Collier, George D. Collins, Connolly, Crichton, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Way, Weber, and Mr. Speaker—41

NOES—Beck, Bennett, Burkhalter, Coats, Condon, Cooke, Davis, Dunn, Elliott, Hahn, Kilpatrick, Lewis, McMillan, Sherwin, and Yorty—15.

Bill ordered transmitted to the Senate.

Explanation of Vote on Senate Bill No. 797

In the Assembly Journal, page 4778, there is an opinion stating that certain counseling would not be prohibited by this bill. Argument on the floor brought this to the attention of the members. Notwithstanding the statement I voted "No."

GORDON R. HAHN

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 577—An act to amend Section 5003.5 of the Public Resources Code, relating to highway and road easements across state park lands.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaddes, Grant, Hagen, Hahn, Hoffman, Hollibaugh, Kilpatrick, Levering, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Rosenthal, Stanley, Stewart, Thompson, Way, Weber, and Mr. Speaker—44.

NOES—Caldecott, Lewis, Moss, Tomlinson, and Yorty—5.

Bill ordered transmitted to the Senate.

Requests for Unanimous Consent That Permission Be Granted to Change Votes

Mr. Lewis asked for, and was granted, unanimous consent that he be granted permission to change his vote from "Aye" to "No," on the roll call on Senate Bill No. 577, and that he be recorded as voting "No."

Mr. Tomlinson asked for, and was granted, unanimous consent that he be granted permission to change his vote from "Aye" to "No," on the roll call on Senate Bill No. 577, and that he be recorded as voting "No."

Senate Bill No. 1420—An act to amend Section 425 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the twenty-fifth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 11

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 11, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 11

Senate Bill No. 11—An act to amend Sections 3041 and 3042 of the Business and Professions Code, relating to the practice of optometry.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 366—An act to amend Section 205.5 of the Agricultural Code, relating to animal diseases.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 164—An act to amend Section 4730 of the Health and Safety Code, relating to county sanitation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 134—An act to amend Section 16484 of the Education Code, relating to school health reports.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 224—An act to add Sections 1128, 1129, 1130, 1131, and 1132 to the Streets and Highways Code, and to repeal Section 2692 of the Political Code, relating to private or by-roads for timber access purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—58.

NOES—Beck—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 254—An act to amend Section 44 of the Vehicle Code, relating to emergency vehicles.

Bill read third time, and ordered temporarily passed on file.

Speaker Pro Tempore Presiding

At 2.45 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 357—An act to amend Section 19539 of the Business and Professions Code Code, relating to harness horse racing.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clarke moved a call of the Assembly.

Motion carried. Time, 3.50 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Burkhalter, Butters, Conrad, Elliott, Erwin, Evans, Hagen, Hawkins, Heisinger, Huyck, Lipscomb, Luckel, Moss, Sherwin, Smith, Way, and Yorty—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Clarke asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1078—An act to amend Section 19432 of the Business and Professions Code, relating to reports of the California Horse Racing Board.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Stewart, Thomas, Thompson, Way, and Weber—49.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1164—An act to amend Section 19482 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Brown, Butters, Caldecott, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Gaffney, Grant, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—47.

NOES—George D. Collins—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1298—An act to amend Section 19511 of the Business and Professions Code, relating to licensing of persons participating in or having to do with the racing of horses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Brown, Caldecott, Clarke, Connolly, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Thompson, Tomlinson, and Weber—42.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 549—An act to amend Section 374 of the Vehicle Code, to add Section 381.1 thereto, and to amend Section 10782 of the Revenue and Taxation Code, relating to exemptions from fees for the operation of motor vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grunsky, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1303—An act to amend Section 428 of the Vehicle Code, relating to liens on vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 457—An act to repeal Sections 750.1 and 750.2 of, and to add Article 6 to Chapter 1 of Part 6 of Division 2 of the Insurance Code, relating to the payment of rebates and commissions on title insurance business by title insurers and others.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Burke, Caldecott, Clarke, Coats, Collier, Conrad, Cooke, Crichton, Davis, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Hoffman, Kilpatrick, Kirkwood, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—43.

NOES—George D. Collins, Condon, Connolly, Gaffney, and Heisinger—5.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Permission Be Granted That Votes Be Changed

Messrs. Gaffney and Connolly asked for, and were granted, unanimous consent that permission be granted that they change their votes on the roll call on Senate Bill No. 457 from "Aye" to "No," and that they be recorded as voting, "No."

Senate Bill No. 605—An act to amend Sections 11493, 11505, and 11508 of, and to add Sections 11511 and 11515 to the Insurance Code, relating to nonprofit hospital service corporations and plans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 357

At 3 05 p.m., on motion of Mr. Clarke, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 357 passed by the following vote:

AYES—Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—47.

NOES—Babbage, Beck, Bennett, Burke, Coats, Collier, George D. Collins, Condon, Conrad, Evans, Geddes, Hahn, Hawkins, Huyck, Levering, Lewis, Morris, Rosenthal, and Yorty—19.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 856

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 856, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 856

Senate Bill No. 856—An act to amend Section 737eee of the Political Code, relating to the salary of Superior Judges in and for the County of Yolo.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Crichton, Crowley, Davis, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Huyck, Kirkwood, Levering, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—44

NOES—George D Collins, Evans, Hahn, Heisinger, Hoffman, Luckel, and Morris—7.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 638—An act to amend Section 3 of the Wildlife and Conservation Act of 1947, relating to expenditure of moneys in the Wildlife Restoration Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1005—An act to amend Sections 29001, 29020, 29022, 29023, 29026, and 29031 of, and to add Sections 29012, 29013, and 29014 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time, and ordered passed on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 590	Assembly Bill No. 2700
Assembly Bill No. 801	Assembly Bill No. 2762
Assembly Bill No. 1988	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary.

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 204	Senate Bill No. 869
Senate Bill No. 314	Senate Bill No. 1001
Senate Bill No. 315	Senate Bill No. 1018
Senate Bill No. 393	Senate Bill No. 1278
Senate Bill No. 458	Senate Bill No. 1431
Senate Bill No. 475	Senate Bill No. 1462
Senate Bill No. 509	

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED) (BY UNANIMOUS CONSENT)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2762—An act to amend Sections 11001, 11104, 11166, 11166.05, 11166.11, 11166.12, 11170, 11200, 11331.5, 11391, 11392, 11393, 11530, 11555, 11556, 11611, 11715, 11715.7, 11721, and 11780 of, and to add Sections 11002.1, 11002.2, 11163.5, 11166.02, 11166.13, 11166.14, 11170.5, and 11390.5 to the Health and Safety Code, relating to the sale, possession, transportation, distribution, and use of habit forming narcotics and other dangerous drugs and providing penalties for the

violation thereof, and to the Division of Narcotic Enforcement, Department of Justice.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2762?

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Assembly on May 19, 1949, strike out "Section 11002.1 11002 2", and insert "Sections 11002.1".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2762 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Stanley, Stewart, Thomas, Thompson, Way, and Weber—53.
NOES—None.

Assembly Bill No. 2762 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1389—An act to add Section 955.5 of the Fish and Game Code, relating to nets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—52.
NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Permission Be Granted to Change Vote

Mr. Brown asked for, and was granted, unanimous consent that permission be granted that his vote be changed on the roll call on Senate Bill No. 1389 from "No," to "Aye," and that he be recorded as voting "Aye."

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1005

Mr. Rumford asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1005, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 1005

Senate Bill No. 1005—An act to amend Sections 29001, 29020, 29022, 29023, 29026, and 29031 of, and to add Sections 29012, 29013, and 29014 to the Health and Safety Code, relating to dangerous drugs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher,

Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1387

Mr. McCarthy asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1387, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1387

Senate Bill No. 1387—An act to amend Section 257 of the Vehicle Code, relating to drivers licenses of minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thompson, Tomlinson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 254

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 254, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE BILL NO. 254

Senate Bill No. 254—An act to amend Section 44 of the Vehicle Code, relating to emergency vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—54

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 93—An act to add Section 273 to the Penal Code, relating to participation of minors in equestrian events.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Cooke, Crichton, Crowley, Dickey, Elliott, Evans, Fleury, Gaffney, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—48.

NOES—Luckel—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 113—An act to amend Section 4532 of the Penal Code, relating to punishment and escape from a county or city jail, prison, industrial farm, or road camp.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kirkwood, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 493—An act to add Section 48.5 to the Civil Code, relating to defamation by radio.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 670—An act to amend Section 2472 of the Civil Code and Section 15700 of the Corporations Code, relating to service of process on foreign partnerships, and specifying the duties of the Secretary of State in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 752—An act to add Section 233 to the Code of Civil Procedure, relating to jurors in justices' courts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1317—An act to amend Section 340 of the Code of Civil Procedure, relating to limitation of actions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—51.

NOES—Anderson, George D. Collins, Condon, Hagen, and Yorty—5

Bill ordered transmitted to the Senate.

Senate Bill No. 795—An act to add Article 6 to Chapter 1, Division 2 of the Business and Professions Code, relating to licentiates of boards within the Department of Professional and Vocational Standards and including unearned rebates, refunds and discounts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1620—An act to amend Sections 4010, 4011, 4031, and 4035 of the Health and Safety Code, relating to water and water supply systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman.

Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Stanley, Thomas, Thompson, Tomlinson, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 162—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Babbage moved a call of the Assembly.

Motion carried. Time, 3.50 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brady, Clarke, Collier, Sam L. Collins, Cooke, Dickey, Dunn, Evans, Geddes, Grant, Grunsky, Hollibaugh, Kirkwood, Lindsay, Lipscomb, Lowrey, McMillan, and Smith—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1635—An act to add Section 7437.5 to the Business and Professions Code, relating to cosmetology.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Fleury moved a call of the Assembly.

Motion carried. Time, 3.55 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Bennett, Brady, Brown, Sam L. Collins, Condon, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Geddes, Grunsky, Hagen, Hahn, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lipscomb, McMillan, Meyers, Morris, Smith, and Tomlinson—29.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Fleury asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1468—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hoffman, Kilpatrick, Levering, Lindsay, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—50.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 958—An act to amend Section 2377 of, and to repeal Sections 2378, 2379, 2380, 2380.5, 2381, 2382, 2383, 2384, 2385, 2386, 2387, 2388, 2389, 2390, 2391, 2391.5, 2392, 2393, 2394, 2395, 2396, 2397, 2398, and 2399 of, the Business and Professions Code, all relating to the grounds for denial, suspension or revocation of certificates to practice medicine and surgery, drugless practitioner certificates, chiropody certificates, or certificates to practice midwifery.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 30—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to the holding of other trust or employment by Senators and Members of the Assembly.

Resolution read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Motion carried. Time, 4.05 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Sam L. Collins, Dolwig, Evans, Geddes, Hollibaugh, Kirkwood, Lipscomb, Luckel, McMillan, and Smith—11.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Beck asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1347—An act to amend Section 5071 of the Public Resources Code, relating to California riding and hiking trails.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rumford, Stanley, Stewart, Thompson, Way, and Weber—47.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1435—An act to amend Sections 21, 28, 29, 34, 40, 41, 45.6, 63, 64, and 70 of, and to add Section 2.1 to, the Community Redevelopment Act, relating to land use, development and redevelopment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1478—An act to amend Sections 5631 and 5658 of the Public Resources Code, relating to park, recreation and parkway districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 574—An act to add Chapter 3.5, comprising Sections 26880 to 26885, inclusive, to Part 3, Division 2, Title 3 of the Government Code, relating to the county controller.

Bill read third time, and ordered temporarily passed on file.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 287
Senate Bill No 1453
Senate Bill No 1627

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

HOLLIBAUGH, Chairman
By CLAYTON A DILLS

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 66
Senate Bill No. 1045

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

HOLLIBAUGH, Chairman
By CLAYTON A DILLS

Above reported bills ordered to second reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 850
Senate Bill No. 1417

Has had the same under consideration, and reports the same back with amendments with the recommendation. Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 976—An act to amend Section 103g of the Code of Civil Procedure, relating to justices of the peace in cities of the second class;

Assembly Bill No. 1158—An act to amend Section 737p of the Political Code, relating to the salary of Superior Court Judges in and for the County of Kings;

Assembly Bill No. 2035—An act to amend Section 737bbb of the Political Code, relating to the salary of Superior Court Judges in and for the County of Tulare;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of June, 1949, at 12 m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2103—An act to add Section 13530.1 to the Government Code, relating to the State Printing Office;

Assembly Bill No. 2138—An act to add Section 13091.1 to the Education Code, relating to the classification of persons employed by school districts in positions requiring certification qualifications;

Assembly Bill No. 3117—An act to amend Section 4311 of the Education Code, relating to the annexation of high school districts to junior college districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fourth day of June, 1949, at 12 m.

HUYCK, Chairman

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which was referred:

Senate Bill No. 578

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

FLETCHER, Chairman

Above reported bill ordered to second reading.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Senate Bill No. 109
Senate Bill No. 110

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 35

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Bill No. 1652

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DICKEY, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 265
House Resolution No. 266
House Resolution No. 268
House Resolution No. 271
House Resolution No. 272
House Resolution No. 277
House Resolution No. 279
House Resolution No. 280
House Resolution No. 282

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 1318

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

CALDECOTT, Chairman

Above reported bill re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Senate Bill No. 87
Senate Bill No. 681

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 23, 1949

MR SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Senate Bill No. 409
Senate Bill No. 1323

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

CALDECOTT, Chairman

Above reported bills ordered to second reading.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 61

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bill ordered to second reading.

ASSEMBLY CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred:

Senate Bill No. 70

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 769—An act to amend Sections 50023, 50024, and 53679 of the Government Code, relating to the organization, government, and powers of counties, cities, and other agencies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hollibaugh, Kilpatrick, Levering, Lindsay, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Way, Weber, and Yorty—51.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 889—An act to amend Section 28115 of the Government Code, relating to compensation for public service in counties of the fifteenth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—51.
NOES—Hahn, Heisinger, Luckel, and Morris—4.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1635

At 4:24 p.m., on motion of Mr. Fleury, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1635 passed by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Erwin, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Maloney, McCarthy, McCollister, Morris, Moss, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—47.
NOES—Beck, Bennett, Berry, George D. Collins, Davis, Gaffney, Heisinger, Levering, Luckel, Niehouse, Sherwin, and Yorty—12.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Geddes announced that he and Mr. Conrad have conferred with Senator Rich relative to the two pending Child Care Center Bills; and that a Senate committee hearing on said bills is set for next Monday morning, June 27th, at 11 a.m.

Mr. Geddes announced that tonight, at 8 p.m., in the Senate Agriculture Committee, Assembly Bill No. 2779, the Omnibus Bill on the Fairs, will be heard.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE CONSTITUTIONAL AMENDMENT NO. 30

At 4:30 p.m., on motion of Mr. Beck, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Constitutional Amendment No. 30 adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse,

Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—56.

NOES—George D. Collins, Condon, Elliott, Hagen, Hawkins, Heisinger, Kilpatrick, McCarthy, and Yorty—9.

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 969—An act to amend Section 9516, and to repeal Section 9543 of the Business and Professions Code, relating to the practice of cleaning and dyeing.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 851 ordered re-referred to Committee on Public Utilities and Corporations.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 347

Mr. Clarke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 347, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 347

Senate Bill No. 347—An act to amend Section 13143 of the Health and Safety Code, relating to preparation and adoption of fire safety regulations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 317 FROM COMMITTEE

Mr. Kirkwood gave notice that on the second legislative day he would move to withdraw Senate Bill No. 317 from the Committee on Public Morals, and have it placed upon the file.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 283

Relative to allocations of the Contingent Fund of the Assembly

Resolved by the Assembly of the State of California, That the balance of all money appropriated (and now or hereafter available) for contingent expenses of the Assembly, except such sums as are available for the expenses of interim committees or for other purposes, is hereby made available to the Assembly Legislative Process Committee (created by House Resolutions Nos. 13 and 180, 1949 General Session) from the Contingent Fund of the Assembly and for any charges, expenses, or claims it may incur, to be paid from said Contingent Fund and disbursed as provided in said resolutions. The unexpended balance of any money heretofore or hereafter made available for the expenses of any Assembly interim committee shall be available to the Assembly Legislative Process Committee upon the expiration of such interim committee.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 283, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

By Mr. Stewart:

House Resolution No. 284

Relating to a study of problems of air pollution

WHEREAS, The problems of air pollution resulting from industrial operations and other causes are a vital concern in many areas of the State; and

WHEREAS, Air pollution in many instances constitutes an imminent hazard to health, cripples industry, and results in the depreciation of the value of property; and

WHEREAS, Since the correction of conditions of water pollution caused by disposal of industrial wastes often result in the pollution of air, the problems of air pollution can not be divorced from those of water pollution; and

WHEREAS, An exhaustive study of conditions of water pollution must necessarily include a study of all matters related to air pollution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Water Pollution be requested to include problems of air pollution in its studies and investigations; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chairman of the Assembly Interim Committee on Water Pollution.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Davis, Geddes, and Hoffman:

House Resolution No. 285

Relative to the creation of the Assembly Interim Committee on Fairs and Expositions

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fairs and Expositions is hereby created and authorized and directed to ascertain, study, and analyze all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions or exhibitions, and all facts relating to the feasibility and desirability of the purchase by the State of the interests of the City of Los Angeles and the County of Los Angeles in the Coliseum and Coliseum Park in Los Angeles, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To confer with the Department of Finance with respect to the allocation of money to the various fairs and to state agencies which receive money from the Fair and Exposition Fund.

(e) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

BILLS STRICKEN FROM INACTIVE FILE BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that all of the Assembly bills on the inactive file be ordered stricken from the inactive file; and that all House resolutions, Assembly concurrent resolutions, and Senate bills now on the inactive file be continued on the inactive file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 162

At 4.45 p m., on motion of Mr. Babbage, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 162 refused passage by the following vote:

AYES—Anderson, Babbage, Brady, Burke, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Dickey, Dolwig, Elliott, Fletcher, Fleury, Grant, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, Morris, Niehouse, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—38.

NOES—Beck, Berry, Brown, Burkhalter, Butters, Coats, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Gaffney, Hagen, Heisinger, Kilpatrick, Lowrey, McCarthy, McMillan, Meyers, Moss, Rosenthal, Rumford, Stewart, and Yorty—28.

Notice of Motion to Reconsider Senate Bill No. 162

Mr. Babbage gave notice that on the next legislative day he would move to reconsider the vote whereby Senate Bill No. 162 was this day refused passage.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1331

Mr. Conrad asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1331, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1331

Senate Bill No. 1331—An act to add Section 11004 to the Elections Code, relating to petitions for the recall of state officers.

Bill read third time.

Motion to Amend

Mr. Conrad moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Senate on April 21, 1949, after the first "the", insert "text of the".

Amendment No. 2

On page 1, line 15, of said bill, after "signed", insert "and filed for verification of signatures with the county clerk or registrar of voters in each county wherein such petitions were circulated".

Amendment No. 3

On page 1, line 16, of said bill, strike out "of such filing", and insert "the text was filed with the Office of the Secretary of State".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONSTITUTIONAL AMENDMENT NO. 1

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Constitutional Amendment No. 1, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONSTITUTIONAL AMENDMENT NO. 1

Senate Constitutional Amendment No. 1—Proposed amendment to Article IV of the Constitution, relative to initiative measures, by adding Section 1c.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 4 of the title of the printed measure, strike out "initiative measures", and insert "measures submitted to the electors".

Amendment No. 2

On page 1, line 9, of said measure, after "initiative", insert "and every constitutional amendment proposed by the Legislature".

Amendment No. 3

On page 1, line 8, of said measure, strike out "1c", and insert "1d".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Beck, the usual courtesies of the Assembly for this day were unanimously extended to former Senator George Luckey of Brawley.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Bill Corbitt of Sacramento, whose father, Elige Corbitt, is a former Member of the Assembly in Georgia.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to J. R. Doughanbaugh of Portola.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. M. V. Taylor of San Jose.

On request of Mrs. Nichouse and Mr. Luckel, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. B. Latch of San Diego.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to James G. Smyth of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Miss Alma Aviani of San Francisco.

ADJOURNMENT

At 4.52 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9.30 a.m., Saturday, June 25, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ONE HUNDREDTH LEGISLATIVE DAY

ONE HUNDRED SEVENTY-FOURTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Saturday, June 25, 1949

The Assembly met at 9.30 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—66.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Presence: May we rise in thought for a moment into that mysterious world beyond the visible and tangible about us.

The world of mystery—the mystery of the Heavenly realms in which Thou and all the holy presences and the saints in glory dwell.

"Beyond the spectrum's violet bar other spheres there are,
And realms that touch us not, voyaging afar."

The mystery of Thy spirit, omniscient and omnipresent, where the morning stars sing together, and yet the light of our minds and the love of our hearts.

"Lord of all being throned afar, Thy glory streams from star to star
Centre and soul of every sphere, yet to each human heart how near."—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lowrey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Lincoln, on motion of Mr. Rumford.

Mr. Price, on motion of Mr. Levering.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Lipscomb, on motion of Mr. Huyck.

Mr. Clarke, on motion of Mr. Lowrey.

Mr. Way, on motion of Mr. Lindsay.

Mr. Grunsky, on motion of Mr. Thompson.

Mr. Hinckley, on motion of Mr. Erwin.

Mr. Smith, on motion of Mr. Huyck.

The following members were granted leaves of absence for the day, and desired to waive their per diems:

Mr. Reagan, on motion of Mr. Levering.

Mr. Waters, on motion of Mr. Butters.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Constitutional Amendment No. 12
Assembly Concurrent Resolution No. 91
Assembly Joint Resolution No. 23

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 11
Assembly Bill No. 26
Assembly Bill No. 29
Assembly Bill No. 39
Assembly Bill No. 78
Assembly Bill No. 82
Assembly Bill No. 139
Assembly Bill No. 171
Assembly Bill No. 234
Assembly Bill No. 237
Assembly Bill No. 248
Assembly Bill No 390
Assembly Bill No 421
Assembly Bill No. 579
Assembly Bill No 596
Assembly Bill No. 631
Assembly Bill No. 660
Assembly Bill No. 667
Assembly Bill No. 765
Assembly Bill No 778
Assembly Bill No. 1382
Assembly Bill No. 1391
Assembly Bill No 1407
Assembly Bill No. 2084
Assembly Bill No. 2122
Assembly Bill No 2152
Assembly Bill No. 2197
Assembly Bill No 2210
Assembly Bill No. 2225
Assembly Bill No 2499
Assembly Bill No. 2697
Assembly Bill No. 2699
Assembly Bill No. 2765
Assembly Bill No. 2944
Assembly Bill No. 3142
Assembly Bill No. 3159

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 443	Assembly Bill No. 1869
Assembly Bill No. 620	Assembly Bill No. 2019
Assembly Bill No. 797	Assembly Bill No. 2183
Assembly Bill No. 1123	Assembly Bill No. 2362
Assembly Bill No. 1626	Assembly Bill No. 2804
Assembly Bill No. 1743	Assembly Bill No. 2855
Assembly Bill No. 1858	Assembly Bill No. 2858

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Rich, Breed, and Coombs as a Committee on Conference concerning

Senate Bill No. 31—An act to amend Section 13554 of the Health and Safety Code and to add Section 9535 to the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 31

The Speaker announced the appointment of Messrs. Yorty, Lipscomb, and Hagen as a Committee on Conference concerning Senate Bill No. 31.

CONSIDERATION OF DAILY FILE

SECOND READING OF SENATE BILLS

Senate Bill No. 687—An act to amend Section 135 of the Streets and Highways Code, relating to properties acquired for highway purposes.

Bill read second time, and ordered to third reading.

Senate Bill No. 718—An act to add Section 70.3 to the Streets and Highways Code, relating to the California Highway Commission.

Bill read second time, and ordered to third reading.

Senate Bill No. 1368—An act to amend Section 3 of an act entitled "An act to cede certain property to the town of Crescent City," approved March 26, 1868, as amended, relating to the cession of certain tidelands and submerged lands to the town of Crescent City.

Bill read second time, and ordered to third reading.

Senate Bill No. 87—An act to amend Section 9359.8 of, and to add Sections 9359.85, 9360.2, 9360.3, 9360.4, 9360.5, and 9360.6, to, the Government Code, relating to retirement of, and allowances to, members of the Legislators' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 681—An act to amend Section 9359 of the Government Code, relating to the retirement of legislators and state officers.

Bill read second time, and ordered to third reading.

Senate Bill No. 109—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 110—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read second time, and ordered to third reading.

Senate Bill No. 287—An act to amend Section 14813 of the Revenue and Taxation Code, relating to confidential nature of inheritance tax records.

Bill read second time, and ordered to third reading.

Senate Bill No. 1453—An act to amend Section 17053.5 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1627—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fair associations from taxation.

Bill read second time, and ordered to third reading.

Senate Bill No. 578—An act to add Section 4458.5 to the Labor Code, relating to benefits under the Workmen's Compensation Act.

Bill read second time, and ordered to third reading.

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, providing for the establishment of special accounts for certain appropriations for expenses of the Legislature.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on April 26, 1949, strike out lines 3 to 10, inclusive, and insert

"An act to amend Section 9744 of, to add Section 9704 to, to add Article 5 to Chapter 1, Part 1, Division 2, Title 2, of, and to repeal Sections 9027, 9028, 9029, and 9030 of, the Government Code, relating to the Legislature and the administration of the Senate and Assembly, creating special funds in the Treasury, providing for the administration and disbursement of the funds available for the contingent expenses of the two houses and for legislative printing, and making an appropriation."

Amendment No. 2

On page 1, line 4, of said bill, strike out "Accounts", and insert "Funds and Administration".

Amendment No. 3

On page 1 of said bill, strike out lines 6 to 18, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"9126. Unless specifically exempted from this section, all appropriations for contingent expenses of the Senate and legislative committees thereof, including appropriations previously made which have not reverted to the General Fund, shall be deposited in and credited to the Senate Contingent Fund, which fund is created in the State Treasury. The money in the fund shall be available for the expenses of the Senate and legislative committees thereof, and shall be disbursed under or pursuant to the direction of the Senate as provided in the Rules, orders, and resolutions of the Senate, or as provided by the Senate Committee on Rules (which committee has a continuing

existence during sessions and between sessions with such powers, duties and responsibilities as the Senate from time to time shall prescribe) as and when thereunto authorized by the Senate. The money in the fund shall be disbursed, pursuant to the powers, duties and responsibilities of the Senate Committee on Rules as provided by the Rules, orders and resolutions adopted by the Senate at the 1949 Regular Session unless modified or superseded by Senate action at a subsequent session.

9127. Unless specifically exempted from this section, all appropriations for contingent expenses of the Assembly and legislative committees thereof, including appropriations previously made which have not reverted to the General Fund, shall be deposited in and credited to the Assembly Contingent Fund, which fund is created in the State Treasury. The money in the fund shall be available for the expenses of the Assembly and legislative committees thereof and shall be disbursed under or pursuant to the direction of the Assembly as provided in the Rules, orders, and resolutions of the Assembly, or as provided by the Assembly Legislative Process Committee as and when thereunto authorized by the Assembly

9128. Unless specifically exempted from this section, all appropriations for legislative printing, including appropriations previously made which have not reverted to the General Fund, shall be deposited in and credited to the Legislative Printing Fund, which fund is created in the State Treasury The money in the fund shall be available for legislative printing and shall be disbursed under or pursuant to the direction of the Senate or Assembly as provided in the Rules, orders, and resolutions of the Senate or Assembly or their Joint Rules and resolutions

9129. Appropriations deposited in and credited to the Senate Contingent Fund, the Assembly Contingent Fund, and the Legislative Printing Fund shall be continuously available without regard to fiscal years, except that appropriations made at budget sessions and at extraordinary or special sessions for the expenses of said sessions shall be maintained as special accounts within the particular funds and shall be available for expenditure for such purpose for a period of one year after the date upon which the appropriation first becomes available for expenditure, and the unexpended balance of any such appropriation shall revert to the fund from which the appropriation was made upon the expiration of one year following the last day of the period of its availability.

9130. Expenditures from the Senate Contingent Fund, the Assembly Contingent Fund, and the Legislative Printing Fund are not subject to the provisions of Sections 16003 or 13320 of this code, except that the State Controller is not required to draw warrants thereon until the original claims and vouchers, itemized and properly sworn to, are filed with him."

Amendment No. 4

On page 2, line 18, of said bill, strike out "Account provided for in Section 9126", and insert "Fund established by Section 9128".

Amendment No. 5

On page 2 of said bill, after line 20, insert

"SEC. 4. Sections 9027, 9028, 9029, and 9030 of said code are repealed."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT BILLS ON SECOND READING FILE BE DEEMED READ

Mr. Hollibaugh asked for, and was granted, unanimous consent that the remaining bills on the Senate second reading file, with proposed committee amendments, be deemed read, and that the proposed committee amendments be deemed unanimously adopted.

CONSIDERATION OF DAILY FILE (RESUMED)
SECOND READING OF SENATE BILLS (RESUMED)

Senate Bill No. 409—An act to amend Section 20009.1 of the Government Code, relating to the definition of public agencies authorized to become local members of the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on May 25, 1949, strike out "Section 20009.1", and insert "Sections 31460, 31468, 31469, and 31502".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strike out "definition of public agencies authorized to become local members of the State Employees' Retirement System.", and insert "membership of county employees' retirement systems."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 31460 of the Government Code is amended to read:

31460. *(a)* "Compensation" means the remuneration paid in cash out of county or district funds controlled by the board of supervisors plus the monetary value, as determined by the board, of board, lodging, fuel, laundry, and other advantages furnished to a member in payment for his services.

(b) In respect to employees of districts as defined in subdivision (c) of Section 31468, "compensation" means the remuneration paid in cash out of funds of the district plus the monetary value, as determined by the board, of board, lodging, fuel, laundry, and other advantages furnished to a member in payment for his services.

SEC. 2. Section 31468 of said code is amended to read:

31468 (a) "District" means a district, other than school district, formed under the laws of the State, and required by law to deposit its funds in the county treasury.

(b) "District" also includes any institution operated by two or more counties, in one of which there has been adopted an ordinance placing this chapter in operation.

(c) "District" also includes any organization or association authorized by Chapter 26, Statutes of 1935, as amended by Chapter 30, Statutes of 1941, or by Section 50024 of this code, which organization or association is maintained and supported entirely from funds derived from counties, and the board of any retirement system is authorized to receive the officers and employees of such organization or association into the retirement system managed by the board.

SEC. 3. Section 31469 of said code is amended to read:

31469. (a) "Employee" means any officer or other person employed by a county whose compensation is fixed by the board of supervisors or by statute and whose compensation is paid by the county, and includes any officer or other person employed by any district within the county whose compensation is fixed by the board of supervisors or by the board in ex officio capacity and whose compensation is paid from the funds of the district.

(b) "Employee" includes any officer or other person employed by a district defined in subdivision (b) of Section 31468 and whose compensation is paid from the funds of the district.

(c) "Employee" includes any officer or attache of any superior court or municipal court which has been brought within the operation of this chapter.

(d) "Employee" includes any officer or other person employed by a district as defined in subdivision (c) of Section 31468 and whose compensation is paid from funds of the district.

SEC. 4. Section 31502 of said code is amended to read:

31502. This chapter may be made effective by a resolution adopted by a majority of the governing board or committee of any institution operated by two or more counties, *or by a majority of the governing board or committee of any district as defined in subdivision (c) of Section 31468,* if one of the counties involved in the operation of the institution has adopted its provisions [.] *, or, in the case of a district as defined in subdivision (c) of Section 31468, if one of the counties comprising the organization or association has adopted its provisions.* Upon the adoption of the resolution the employees of the institution shall become members of the retirement system of the county designated by the governing board or committee of the institution, and all contributions made by the employees and by the institution shall be paid into the county retirement system of the county selected. The governing board or committee shall cause to be paid the county operating the retirement system, the institution's proportionate share of the cost of operation of the system."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 18, inclusive.

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

Senate Bill No. 1323—An act to amend Section 20361 of the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Civil Service and State Personnel:

Amendment No. 1

On page 1, line 17, of the printed bill, strike out "was", and insert "is".

Amendment No. 2

On page 1, line 19, of said bill, strike out "state officers", and insert "officers of the state or contracting agencies".

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

Senate Bill No. 66—An act to amend Section 374 of the Vehicle Code and Section 10781 of the Revenue and Taxation Code, relating to exemption of vehicles from registration and license fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 374 of the Vehicle Code and", and insert "add Section 374.1 to the Vehicle Code and amend".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 374.1 of the Vehicle Code is added to the Vehicle Code, to read:

374.1. Exemptions from Registration Fees. The fees specified in this code except fees for duplicate license plates, certificates or cards need not be paid for any vehicle of a type subject to registration hereunder owned by a public fire department organized as a nonprofit corporation and used exclusively for fire fighting purposes. Such vehicles shall be registered as otherwise required by this code by the person having custody thereof and such custodian shall display upon said vehicle a license plate or plates bearing distinguishing marks or symbols as hereinbefore specified which said plate or plates shall be furnished by the department free of charge."

Amendment No. 3

On page 2 of said bill, strike out lines 1 to 7, inclusive.

Amendments read, and adopted.
Bill ordered reprinted, and to third reading.

Senate Bill No. 1045—An act to add Section 10783 to the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, strike out "10783", and insert "10786".

Amendment No. 2

On page 1, line 1, of said bill, strike out "10783", and insert "10786".

Amendment No. 3

On page 1, line 3, of said bill, strike out "10783", and insert "10786".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 850—An act to add Chapter 1.6 to Division 3 of the Education Code, providing for school district public works, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 20, 1949, strike out line 6, and insert

"5041. The Legislature hereby declares that it is in the interest of the State and of the people thereof for the State to aid school districts of the State in providing necessary and adequate school sites and buildings for the pupils of the public school system, such system being a matter of general concern inasmuch as the education of the children of the State is an obligation and function of the State.

In adopting this act, the Legislature considers that the great need in school construction is for adequate classrooms for the education of the pupils of the Public School System. It is the intent of the Legislature to first satisfy this primary need to the greatest extent possible before providing additional educational facilities, regardless of how desirable such additional facilities may be. To the end that school classrooms may be made available at once and to all school districts in need of such classrooms, provision for other needed school facilities is necessarily subordinated.

5042. As used in this chapter:

(a) "Board" means the State Allocation Board, created by Section 7 of the Construction and Employment Act as amended.

(b) "Director" means the Director of Education,

(c) "Project" means the purposes for which a school district has applied for an apportionment under this chapter,

(d) "Grade level maintained by a district" means (1) the kindergarten, if any, and grades 1 to 6, or grades 1 to 8, inclusive, maintained by an elementary school district or a unified school district; or (2) grades 7 to 12, grades 9 to 12, inclusive, or grades 7 to 10, inclusive, maintained by a high school district or unified school district; and (3) grades 13 and 14 maintained by a high school district, unified school district, or junior college district, but not more than one grade level shall be claimed by any district under any one of the subdivisions of this paragraph,

(e) "Apportionment" means an apportionment made under this chapter unless the context otherwise requires.

5043. The Director of Finance shall administer this chapter and shall provide such assistance to the board as it may require.

5044. The State Allocation Board is continued in existence for the purposes of this chapter. The members of the board and the Members of the Legislature meeting with the board in an advisory capacity shall receive no compensation for their services under this chapter but shall be reimbursed for their actual and necessary expenses incurred in connection with the performance of their duties hereunder, to be paid out of the Public School Building Loan Fund.

5045. In addition to such other powers and duties as are granted the board by this chapter, the board shall (1) establish such qualifications not in conflict with other provisions of this chapter as it deems will best serve the purposes of this chapter for determining the eligibility of school districts to apportionments of funds under this

chapter; (2) establish such procedures and policies in connection with the administration of, and the expenditure of funds made available for the purpose of, this chapter as it deems necessary and which are not in conflict with the powers and duties of the Department of Education or of the director granted or imposed by this chapter; and (3) adopt such rules and regulations for the administration of this chapter, requiring such procedure, forms, and information, as it may deem necessary.

5046. Apportionments from the Public School Building Loan Fund to school districts shall be made in the manner and subject to the conditions herein provided and in accordance with policies adopted by the board, for the following purposes: (a) the purchase and improvement of school sites which have been approved by the State Department of Education; (b) the purchase of built-in or fixed equipment, except desks, as listed in Part III of the California School Accounting Manual contained in the Bulletin of the California State Department of Education, Volume XIII, No. 2, June 1944 or as amended or revised; and (c) the planning and construction, reconstruction, alteration of, and addition to, school buildings for such facilities as are approved by the Department of Education as essential, all of which purposes are hereby declared to be, and are, public works.

5047. In making application for, and in expending, apportionments of funds under this chapter, a school district acts as an agent of the State and all sites purchased and improved, all equipment purchased, and all buildings constructed, reconstructed, altered, or added to through the expenditure of funds apportioned under this chapter, are declared to be, and are, the property of the State. Upon the payment by the district of the amounts required to be paid by it to the State under this chapter, the board shall, in the name of the State, convey such property to the district.

5047.5. A school district shall not expend money apportioned under this chapter unless the contracts under which the funds are expended have been let after competitive bids thereafter pursuant to this code.

5048. Each school district which desires an apportionment for a grade level maintained by it, shall submit through its governing board to the board an application therefor in such form and number of copies as the board shall prescribe. Each copy of the application shall be accompanied by a statement of the estimated cost of the project certified by an architect or structural engineer, and by layout plans showing the entire project for which the district desires an apportionment Estimates of cost for new construction appearing in an application shall not exceed typical current costs of comparable new construction by school districts in the same area not receiving or not eligible for apportionment under this chapter, as determined by the Director of Finance, or if there has been no new construction by school districts in the area, the estimates of cost shall not exceed the reasonable current cost of similar construction in the area as determined by the Director of Finance. Immediately upon receipt of an application in the prescribed form accompanied by the required estimate of cost, a copy thereof shall be transmitted by the board to the director and to the Director of Finance.

A school district may at any time amend or supplement its application.

The Director of Finance shall determine the school district's financial ability to meet all or a portion of the cost of the project and the amount which the school district can contribute toward the cost of the project out of its available funds, and shall submit his report thereon to the board.

The director shall as promptly as possible prepare a report and recommendation with respect to the application and refer the application, report, and recommendation to the Director of Finance, who shall, if he finds said documents to be in proper form and otherwise sufficient, refer them to the board If the Director of Finance finds said documents to be lacking in any respect as to any matter which is subject to the jurisdiction or approval of the director or Department of Education, he shall refer them to the director who shall take such action as may be necessary The board shall, subject to the provisions of this chapter approve or reject each application referred to it by the Director of Finance It the board approves of the application, either in whole or in part, it shall, by a resolution adopted by it, apportion to the district from the Public School Building Loan Fund the amount applied for, or such portion thereof as the board may deem appropriate This shall be known as a conditional apportionment and shall become final only if the vote provided for in Section 5050 is favorable and if bonds are authorized and sold in the amounts prescribed by the board, and the proceeds of the bonds sold earmarked for the project as approved The conditional apportionment shall remain effective for a period of nine months from the date of said resolution of the board, and if it does not become a final apportionment by that date, it shall become void and the money so apportioned shall become again available for apportionment pursuant to this chapter.

5049. No apportionment shall be made for new construction which when added to the area of adequate school construction existing in the applicant school district at the time of application, will provide a total area of school building construction per

pupil of the estimated enrollment in excess of that computed under the following schedule:

Type of school	*Enrollment*	*Sq. ft. per pupil*
Elementary school comprising kindergarten and grades 1 to 6, inclusive	300 or more	55
Elementary school comprising grades 7 and 8	750 or more	75
Junior high school comprising grades 7 to 9, inclusive	750 or more	75
Junior high school comprising grades 7 to 10, inclusive	750 or more	75
High school comprising grades 7 to 12, inclusive	750 or more	80
High school comprising grades 9 to 12, inclusive	750 or more	80
High school comprising grades 10 to 12, inclusive	750 or more	80
Junior college comprising grades 13 and 14	750 or more	80
Junior college comprising grades 11 to 14, inclusive	750 or more	80

The maximum total building areas per pupil allowed to applicants having schools with smaller estimated enrollments than shown in the above schedule shall be determined by the Department of Education, and shall be building areas to provide comparable facilities to those enumerated above, and shall be the least building area required to house adequately the estimated enrollment and the normal instructional and other services.

No estimate of enrollment made by an applicant for the purpose of justifying an apportionment shall be made for a longer time than the second fiscal year beyond the fiscal year in which an application is made, and in no case shall be given effect unless approved by the Department of Education.

5050. No apportionment to a school district shall become final unless: (a) the total amount of bonds of the district exceeds ninety-five percent (95%) of the total amount of the bonds of the district permitted by the Education Code, or any law, to be issued, or (b) if the total amount of the bonds of the district outstanding and unpaid is less than ninety-five percent (95%) of the amount of the bonds permitted to be issued by the district, the amount of district bonds outstanding is within ten thousand dollars ($10,000) of the total bond limit permitted. At the time the board makes a conditional apportionment pursuant to Section 5048, it shall determine the amount of bonds required to be issued and sold by the district, the proceeds of which shall be applied to the cost of the project for which the apportionment is sought, and shall make such apportionment conditioned upon the approval and sale of such bonds by the district.

No apportionment to a school district shall become final unless, at an election called by the governing board of the district, two-thirds of the qualified electors of the district voting thereat have authorized the governing board of the district to accept, expend, and repay, as provided in this chapter, an apportionment under the provisions of this chapter. Such election shall be combined with and held at the same time as the bond election to authorize the amount of bonds required by the board, if any, and shall be called, held, and conducted in the same manner as are elections to authorize the issuance of school district bonds, except that the ballot, in addition to the bond proposition, shall contain substantially the following words:

"Shall the governing board of the _____ school district be authorized to accept and expend an apportionment in an amount not to exceed $_____ from the State of California under and subject to the provisions of Chapter 1.6 of Division 3 of the Education Code which amount is subject to repayment as provided by said chapter? Yes_____ No _____."

5050.1 Immediately after the result of the election has been determined, the county superintendent of schools shall make a certificate in duplicate stating whether the bonds have been authorized in the amount prescribed by the board and whether the school district has authorized the acceptance and expenditure of the apportionment. One copy of the certificate shall be sent to the board and one copy to the State Controller. When the bonds authorized have been issued and sold and the proceeds thereof made available for the purposes of the application, the county superintendent of schools shall also certify this fact to the board and the State Controller. Upon the receipt by the board of the certificate stating that the bonds have been issued and sold and the proceeds thereof made available for the purposes of the application, the apportionment shall become final.

5051. No apportionment shall be made to a school district for any grade level if the estimated cost of the project, as approved by the Director of Finance, is (1) an amount which would result in an apportionment to the district exceeding the amount authorized at the district election held under Section 5050, or (2) is an amount which if raised by the issuance and sale of bonds of the district running for 25 years bearing the current going rate of interest as determined by the board and the principal of which is payable in 25 equal annual payments, would require the levy of a tax under Section 7516 upon property in the district which would, when added to the tax actually being levied upon property in the district for the grade level as determined by the Director of Finance under said section, amount to less than thirty cents ($0.30) on each one hundred dollars ($100) of assessed valuation of property in the district during the next fiscal year.

At the time the board makes an apportionment, it shall, with the approval of the Director of Finance fix the interest to be paid by the district on the sum apportioned to it at a rate equal to the effective rate paid by the State upon the bonds sold from the proceeds of which the apportionment is made, giving effect to the price at which the bonds are sold and the premium, if any, paid thereon, adjusted to the next highest one-eighth of 1 percent, to cover the costs of sale and issuance of the bonds and costs of administration, to be compounded annually on the first day of January of each year.

5052. No apportionment shall be made to a district for the construction, reconstruction, or alteration of, or addition to, school buildings if the requirements prescribed by this code for the construction of school buildings are not met by the plans for the entire building program of the district in connection with which the district applied for an apportionment or for any project or part thereof which has not been approved by the Department of Education.

5053. Each district to which an apportionment has been made under this chapter shall repay the principal amount of such apportionment and the accrued interest thereon in the amount and in the manner hereinafter provided in this chapter.

5054. On or before the first day of January of each fiscal year, the State Controller shall compute for each grade level of a district for which an apportionment has been made during any preceding fiscal year the amount that would be produced by a tax of thirty cents ($0.30) on each one hundred dollars ($100) of assessed valuation for the current fiscal year within the district. Such amount is designated as the "first computation."

5055. On or before the first day of December preceding the first day of January of each fiscal year, the Director of Finance shall determine and certify to the State Controller the amount raised and to be raised by the district during the current fiscal year for the payment of principal and interest on that portion of the bonded indebtedness of the district that was incurred for each such grade level prior to the making of the apportionment referred to in Section 5054, which amount is designated as the "second computation." The Director of Finance shall determine the amount of the bonded indebtedness that was incurred by the district for each grade level, when bonds were issued and sold for purposes of more than one grade level.

5056. On or before the first day of December preceding the first day of January of each fiscal year, the Director of Finance shall determine and certify to the State Controller for each grade level the amount that was or will be produced by the rate of tax levied under Section 7516 of this code, but not exceeding the first ten cents ($0.10) thereof, that is required to pay during the current fiscal year the principal and interest on that portion of the bonded indebtedness of the district that was incurred for each such grade level prior to the making of the apportionment referred to in Section 5054, which amount is designated as the "third computation."

5057. On or before the first day of January of each fiscal year, the State Controller shall compute the "annual" repayment, if any, due from each district during the next succeeding fiscal year as herein provided. If, for any grade level of a district, the amount, if any, by which the second computation exceeds the third computation is greater than the first computation, the amount of such excess, herein called a "negative difference," shall be disregarded, and no reimbursement shall be due the State from such district with respect to such grade level during the next succeeding fiscal year. If, for any grade level of a district, the amount of the first computation is greater than the amount, if any, by which the second computation exceeds the third computation, the amount of such excess, herein called a "positive difference," shall constitute the amount of reimbursement due the State from such district with respect to such grade level during the next succeeding fiscal year. The sum of the "positive differences" so computed for all grade levels having a "positive difference" within each district is herein designated as the "annual repayment" of such district.

5058. The State Controller shall, during the next fiscal year following that in which he determines the annual repayment as herein provided, deduct the total amount of the annual repayment of each district in equal amounts from each installment of the apportionments made to such district from the State School Fund under Chapter 15 of this division; and, on order of the State Controller, the amount so deducted shall be transferred to the State General Fund.

5059. The State Controller shall make the deduction provided by Section 5058 during each fiscal year, as herein provided, until the principal amount of the apportionment made to the district for such grade level, and all accrued interest due thereon, has been withheld; but no interest shall accrue or become due and payable to the State with respect to the principal amount of any such apportionment after the expiration of 25 years from the first day of January of the fiscal year next succeeding the date of the warrant issued by the State Controller covering the payment to the county treasurer of the original amount of such apportionment. At the expiration of 30 years from the first day of January of the fiscal year next succeeding the date of the warrant issued by the State Controller covering the payment to the county treasurer of the original amount of such apportionment, any unpaid balance of the principal amount of any such apportionment, including all interest included in such principal amount, shall be canceled on the books of the State Controller, and the State shall have no further right to the repayment of such unpaid balance.

5060. The State Controller shall certify to the board the cancellation of the unpaid balance of the principal amount of such apportionment; and upon receipt of such certification, the board shall, in the name of the State, convey to the district all sites purchased and improved, all equipment purchased, and all buildings constructed, reconstructed, altered, or added to, from moneys provided by the apportionment covered by such cancellation.

5061. The State Controller shall determine and maintain a record of the amount due the State in connection with each apportionment made to each grade level of a district under the provisions of this chapter. He shall compute interest on the original amount of the apportionment at the rate fixed by the board, from the date of issuance of the State Controller's warrant covering the payment to the county treasurer of the original amount of the apportionment until the first day of January of the fiscal year next succeeding that in which the warrant was issued. Thereafter, interest shall accrue to and be compounded as a part of the principal amount due the State pursuant to such apportionment, on the first day of the following January of each year, until the principal and interest have been paid, or until the interest ceases to accrue, as provided in this chapter. No interest shall accrue on the principal amount of any apportionment because of the withholding of the annual repayment from apportionments made to school districts from the State School Fund on dates subsequent to the first day of January of the year in which the computation of the annual repayment is determined.

5062. Upon computing in any fiscal year the amount to be deducted from the apportionments to the district from the State School Fund during the succeeding fiscal year, the State Controller shall notify the governing board of the district of the amount to be deducted

5063. The maximum tax rate fixed by Section 6357 or authorized by Section 6358 for any district which under this chapter will have moneys withheld by the State Controller from the apportionments to be made to it from the State School Fund during any fiscal year is hereby increased, for such fiscal year, by such amount as will produce an amount equal to that to be deducted by the State Controller during the fiscal year from apportionments made to the district from the State School Fund.

5064. The board shall prescribe in such detail as it deems necessary, the purposes for which moneys apportioned by it to a school district under this chapter may be expended and such prescription shall be binding upon the governing board of such district except as it may be, for good cause, modified by the board

5065. Unless the board has received the certificates of the county superintendent of schools required by Section 5050.1 within nine months from the date of the conditional apportionment, it shall, at the expiration of said nine months' period, void said conditional apportionment and shall certify this fact to the State Controller. Each final apportionment made by the board under this chapter shall be certified by it to the State Controller who shall thereupon draw his warrant on the State Treasurer in favor of the county treasurer of the county having jurisdiction over the district. The warrant shall be exempt from the provisions of Division 4 of Title 2 of the Government Code and shall be paid by the State Treasurer from the Public School Building Loan Fund.

5066. A public school building fund is hereby created in the county treasury in each county for each school district in such county. The county treasurer of each county shall pay into the public school building fund of each school district, exactly as apportioned by the board, all moneys received by him under this chapter with respect to each such school district.

5067. A fund in the State Treasury is hereby created, to be known as the Public School Building Loan Fund. All money in the Public School Building Loan Fund, including any money deposited in said fund from any source whatsoever after the effective date of this chapter, is hereby continuously appropriated without regard to fiscal years for expenditure pursuant to apportionments made under the provisions of this chapter.

5068. The governing board of each school district to which an apportionment has been made under this chapter shall expend the moneys in the Public School Building Fund of the school district exactly as apportioned by the board and only for the purposes for which said moneys were apportioned to the district, and for no other purpose, and shall make such reports relating to the expenditure of such moneys as the board and the State Controller shall require.

5069. A complete detailed report of expenditure of funds allocated pursuant to this chapter shall be made by the board annually to the Legislature. The report shall contain a detailed statement of facilities provided, type of construction, square footage provided and all other items which will enable the Legislature fully to understand the nature of the construction performed by the school districts.

5070. It shall be the duty of the State Controller to make such audit or audits of the books and records of counties and school districts receiving apportionments under this chapter, as he may deem necessary from time to time, for the purpose of determining that the money received by school districts as apportionments hereunder has been expended for the purposes and under the conditions authorized by this chapter.

5071. Whenever the State Controller determines that any money apportioned to a school district has been expended by such school district for purposes not authorized by this chapter, or exceeds the final cost of the project which is authorized by this

chapter to be paid therefrom, the State Controller shall furnish written notice to the board, the governing board of the school district, the county superintendent of schools, the county auditor, and the county treasurer of the county whose county superintendent of schools has jurisdiction over the school district, directing the school district and the county treasurer to pay into the State Treasury, at the time of the next county settlement following receipt of such notice, the amount of such unauthorized expenditures, or the amount of such excess apportionment, as the case may be. Upon receipt of such notice, such governing board shall, at the time specified herein, order the county treasurer to pay to the State Treasurer, out of any moneys in the county treasury available to the school district for that purpose, the amount set forth in such notice. Such amount shall, upon order of the State Controller, be deposited in the State Treasury to the credit of the Public School Building Loan Fund.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

5072. An apportionment paid to a school district under this chapter shall be available for expenditure by its governing board for three years after the date on which the warrant covering the apportionment was issued by the State Controller. For the purposes of this chapter, an apportionment shall be deemed to be expended at the time and to the extent that the amount thereof on deposit in the county treasury has been encumbered by the creation of a valid obligation on the part of the school district. Upon the expiration of its period of availability, the unencumbered balance of any apportionment made under this chapter shall become due and payable to the State of California; and the governing board of the school district and the county treasurer shall, at the time of the next county settlement following the expiration of such period of availability, pay the amount of such unencumbered balance to the State Treasurer, out of the funds, and in the manner specified in Section 5071 of this code. Such payment shall, on order of the State Controller, be deposited in the Public School Building Loan Fund in the State Treasury.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

5073. Whenever a school district receives an apportionment under this chapter for the purchase or improvement of a school building site and within a period of three years after the date on which the warrant covering the apportionment was drawn on the State Treasurer from the Public School Building Loan Fund, sells or otherwise disposes of such site or the improvements thereon, or any portion thereof, purchased or improved in whole or in part from such apportionment, or within said period of three years does not begin to use such site or the improvements thereon for the purpose or purposes for which such apportionment was made, the board shall demand the return by the school district of the total amount apportioned to and received by the school district for such purpose or purposes or, in the case of a sale of a portion of such site or the improvements thereon, a proportionate share of such apportionment, taking into consideration any improvement of the site from such apportionment. Written notice of such demand, setting forth the amount due the State pursuant thereto, shall be furnished by the board to the governing board of the school district, the county superintendent of schools, the county auditor, the county treasurer of the county whose county has jurisdiction over the school district, and the State Controller Upon receipt of such notice and demand, the governing board of the school district shall, at the time of the next county settlement following receipt of such notice, order the county treasurer to pay to the State Treasurer, out of any moneys in the county treasury available to the school district for that purpose, the amount set forth in such notice. Such amount shall, upon order of the State Controller, be deposited in the State Treasury to the credit of the Public School Building Loan Fund.

It shall be the duty of such governing body and county treasurer to make the payments to the State Treasurer as provided in this section, and it shall be the duty of the State Controller to enforce such collection on behalf of the State.

SEC. 2. This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect. A statement of the facts constituting such necessity is as follows:

There are hundreds of impoverished school districts in California that do not have the financial means to provide either suitable buildings or adequate instruction. Many of these districts and other districts have had tremendous population increases as well as a disproportionate increase in the number of children of kindergarten and grammar school age. The children living in those districts are being denied their birthright of a good education. There must be equalization of educational opportunities by helping the poorer districts to render more adequate service to the children upon whom the future of the State depends. They are our future citizens, and it is clearly our duty to give them every opportunity to become useful and happy people. The need is great, and the State is under a direct obligation.

In order that the benefits arising from this measure may inure to the children of the State at the earliest possible time, it is necessary that this act take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 18, inclusive; and strike out pages 2 to 11, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1417—An act to add Chapter 1.7 to Division 3 of the Education Code to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 2, lines 8 and 9, of the printed bill, as amended in the Senate on June 10, 1949, strike out "four hundred million dollars ($400,000,000)", and insert "two hundred fifty million dollars ($250,000,000)".

Amendment No. 2

On page 5, line 50, of said bill, after "tee.", insert "Two Members of the Senate appointed by the Senate Committee on Rules, and two Members of the Assembly appointed by the Speaker, shall meet and advise with the committee to the extent that such advisory participation is not incompatible with their respective positions as Members of the Legislature. For the purposes of this chapter said Members of the Legislature shall constitute an interim investigating committee on the subject of this chapter and as such shall have the powers and duties imposed upon such committees by the Joint Rules of the Senate and the Assembly."

Amendment No. 3

On page 6, line 9, of said bill, after "sold", insert "Not more than fifty million dollars ($50,000,000) shall be immediately available from the proceeds of the sale of the bonds and thereafter an amount not in excess of five million dollars ($5,000,000) a month, as the State Allocation Board shall determine from the need of construction, salability of the bonds, and the ability of the construction industry to absorb the work load without throwing the industry out of adjustment."

Amendment No. 4

On page 7, line 30, of said bill, after "Committee", insert "and the legislative interim committee".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 352—An act to amend Section 827 of the Agricultural Code, relating to apple standards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 352?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 827", and insert "Sections 827 and 813.7".

Amendment No. 2

In line 2 of the title of said bill, after "apple", insert "and corn".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 26, insert

"SEC 2. Section 813.7 of said code is amended to read:

813.7. Ears of green corn shall be free from serious damage caused by smut or other diseases, mold, decay, or fermentation, insects or other causes. Damage from any cause shall be considered serious if it affects any of the kernels below a distance from the tip of more than 25 percent of the length of the cob. In addition, the kernels on at least one-half of the length of the cob shall be plump, milky, and well developed, but not shriveled.

[*Not more than 10 percent of the ears in any one container or lot may be below these requirements.*]

Not more than 10 percent, by count, of the ears in any one lot of containers or bulk lot may be below these requirements but no container shall have more than 20 percent, by count, of ears which are below these requirements."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 352 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 352 ordered enrolled.

Assembly Bill No. 1097—An act to add Section 18709.5 to the Government Code, relating to reemployment rights of state employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1097?

Amendment No. 1

On page 1 of the printed bill, after line 25, insert

"The foregoing provisions shall likewise apply to former employees of the Department of Employment who although otherwise entitled to such determinations entered *recognized military service from federal employment and were reemployed by the* Department of Employment within six months after their release from the military service and within six months from the termination of the state military emergency as proclaimed by the Governor. Such time spent in the military service shall be construed as time spent on military leave from the state civil service."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1097 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr Speaker—54.

NOES—None.

Assembly Bill No. 1097 ordered enrolled.

Assembly Bill No. 1914—An act to add Section 337.6 to the Code of Civil Procedure, relating to limitation upon the period during which actions may be brought.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1914?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "net", and insert "next".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1914 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1914 ordered enrolled.

Assembly Bill No. 1168—An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1168?

Amendment No. 1

On page 2, line 8, of the printed bill, as amended in the Assembly on April 1, 1949, after "facilities", strike out ", or community redevelopment", and insert "and parks".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1168 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1168 ordered enrolled.

Assembly Bill No. 1113—An act to add Sections 27174, 27175, 27176, 27177, and 27178 to the Streets and Highways Code, relating to bridge and highway districts, and the adoption of traffic regulations by such districts, and the enforcement of such regulations by the California Highway Patrol, and providing penalties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1113?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on May 9, 1949, strike out "either".

Amendment No. 2

On page 1, lines 17 and 18, of said bill, strike out ", or by publication as provided in Section 27175,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1113 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1113 ordered enrolled.

Assembly Bill No. 1995—An act to amend Section 444 of, to add Section 513 to, and to repeal Section 530 of, the Streets and Highways Code, relating to state highway routes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1995?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 444", and insert "Sections 303, 346, 444, and 460".

Amendment No. 2

In line 1 of said bill, strike out "Section 444 of the Streets and Highways Code", and after the period following the words "SECTION 1", insert "Section 303 of the Streets and Highways Code is amended to read:

303 Route 3 is from Sacramento to the Oregon State line *via Yreka.*

[The bridge which extends across the Yuba River from the city of Marysville on the north to the state highway on the south, and the bridge which extends across the Feather River between the city of Marysville and the city of Yuba City, are parts of Route 3 and are under the supervision and control of the department which shall maintain them. In the case of the bridge and highway thereon across the Feather River, the State assumes only that obligation of maintenance imposed upon the counties of Yuba and Sutter under any contract existing on August 14, 1931, with any railroad company for the maintenance thereof. The department acting through the commission may, by resolution of the commission, at such time as the department finds it necessary and proper, relinquish the State's interest to the counties of Yuba and Sutter and thereupon the State's supervision and control over such bridge and highway thereon shall entirely revest in these counties.]

SEC. 2. Section 346 of said code is amended to read:

346. Route 46 is from *a point on Route 3 near* the Klamath River Bridge [on Route 3] to Route 1.

SEC. 3. Section 444 of said code".

Amendment No. 3

On page 1, line 5, of said bill, strike out "SEC. 2", and insert

"SEC. 4. Section 460 of the Streets and Highways Code is amended to read:

460. Route 160 is Highland Avenue, Los Angeles, from [Cahuenga Boulevard] *Route 2* to [Santa Monica Boulevard] *Route 162.*

SEC. 5."

Amendment No. 4

On page 1, line 11, of said bill, strike out "SEC 3", and insert "SEC. 6."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1995 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1995 ordered enrolled.

Assembly Bill No. 1958—An act to amend Sections 1156 and 1157 of the Fish and Game Code, relating to closure of hunting areas.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1958?

Amendment No. 1

On page 1 of the printed bill, following line 16, insert

"SEC. 3. The provisions of Sections 1156 and 1157 shall be effective until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature and thereafter shall have no force or effect."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1958 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1958 ordered enrolled.

Assembly Bill No. 1959—An act to amend Sections 495 and 496 of the Fish and Game Code, relating to closure of fishing waters.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1959?

Amendment No. 1

On page 1 of the printed bill, following line 14, insert

"SEC. 3. The provisions of Sections 495 and 496 shall be effective until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature and thereafter shall have no force or effect."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1959 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1959 ordered enrolled.

Assembly Bill No. 2344—An act to amend Sections 4850, 4851, 4852, and 4854 of, and to repeal Section 4853 of, the Labor Code, relating to leave of absence with pay in lieu of disability payments.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2344?

Amendment No. 1

In line 1 of the title of the printed bill, after "4852," add "4853,".

Amendment No. 2

In lines 1 and 2 of the title of said bill, strike out ", and to repeal Section 4853 of,".

Amendment No. 3

On page 1, line 3, of said bill, after "4850.", add: "Whenever any city policeman or city fireman who is a member of the State Employees' Retirement System is disabled by injury or illness arising out of and in the course of his duties, he shall become entitled, regardless of his period of service with the city, to leave of absence while so disabled without loss of salary, in lieu of disability payments under this chapter, for the period of not exceeding one year. This section shall apply only to city policemen who are members of the State Employees' Retirement System and excludes such employees of a police department whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise and whose functions do not clearly fall within the scope of active law enforcement service. It shall also apply to city firemen who are members of the State Employees' Retirement System and excludes such employees of the city fire department whose principal duties are those of a telephone operator, clerk, stenographer, machinist, mechanic, or otherwise and whose functions do not clearly fall within the scope of active fire fighting and prevention service."

Amendment No. 4

On page 1, line 21, of said bill, strike out "The governing".

Amendment No. 5

On page 1 of said bill, strike out all of lines 22 to 26, inclusive.

Amendment No. 6

On page 2 of said bill, strike out all of line 1, and in line 2, strike out "ing one year."

Amendment No. 7

On page 2, line 10, of said bill, after "entitled," insert "including the State Employees' Retirement System,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 8

On page 2, line 28, of said bill, strike out "repealed", and insert "is amended to read.

4853. Whenever such disability of such city policeman or city fireman continues for a period beyond one year, such member shall thereafter be subject as to disability indemnity to the provisions of this division other than Section 4850 [which refers to temporary disability only,] during the remainder of the period of said disability or until the effective date of his retirement under the State Employees' Retirement Act, [except that such compensation shall be paid out of the funds of such city,] and the leave of absence shall continue. [No disability shall be paid to any such city fireman or city policeman on account of or for a permanent disability rating made by the Industrial Accident Commission]."

Amendment No. 9

On page 2, lines 30 and 31, of said bill, strike out "said officer or employee", and insert "such city policeman or city fireman".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2344 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen,

Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 2344 ordered enrolled.

Assembly Bill No. 2618—An act to amend Section 1 of, and to add Section 10.1 to the Sewer District Revenue Bond Act of 1939, in relation to public corporations and the collection of revenues, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2618?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in Assembly April 20, 1949, after "any", insert "municipal".

Amendment No. 2

On page 2, line 3, of said bill, after "Such", insert "provision or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2618 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2618 ordered enrolled.

Assembly Bill No. 2624—An act to amend the title and Sections 1a, 1c, 1b, 5, 15, and 19, the repeal of Section 3a, and to add Sections 2a, 2b, 4a, 5a, 8a, 18a, 18b, 18c, and 18d, to the Municipal Improvement Act of 1913, relating to the acquisition or construction of sanitary sewers and other local improvements, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2624?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on April 20, 1949, after "2b," insert "2c,".

Amendment No. 2

On page 2 of said bill, after line 50, insert

"SEC. 6 1. Section 2c is added to said act, to read:

Sec. 2c The provisions of Chapter 4 of Part 3 and the provisions of Part 4 of the Improvement Act of 1911, relating to grades, are incorporated herein by reference."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2624 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 2624 ordered enrolled.

Assembly Bill No. 3113—An act to repeal Chapter 2 of Part 1 of Division 14 of, and add Chapter 2 of Part 1 of Division 14 to the Health and Safety Code, relating to police protection districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3113?

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on April 29, 1949, between lines 44 and 45, insert

"20342. The board of supervisors may by resolution or order entered upon its minutes appoint a commission of five (5) commissioners to manage the affairs of the district.

20343. The commissioners shall hold office at the pleasure of the board. They shall serve without compensation, but may be paid their actual and necessary traveling expenses while on the business of the district.

20344. Commissioners appointed shall organize by electing one of their number president, and by electing a secretary, who need not be a commissioner and who may or may not be compensated for his services.

20345. The commission shall keep a record of its proceedings and of receipts and disbursements of the district.

20346. The commission has the same power as the board to make and enforce rules and regulations necessary for the furnishing of police protection to the district."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 3113 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Yorty, and Mr. Speaker—55.
NOES—None.

Assembly Bill No. 3113 ordered enrolled.

Assembly Bill No. 3137—An act to amend Section 24265 of the Health and Safety Code, relating to air pollution control.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3137?

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Assembly on May 27, 1949, after "Board", insert "of any county, any part of which lies south of the Sixth Standard Parallel South, Mount Diablo Base and Meridian,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3137 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—54.
NOES—None.

Assembly Bill No. 3137 ordered enrolled.

Assembly Bill No. 590—An act to amend Section 17702 of the Health and Safety Code, relating to the State Housing Act.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 590?

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Assembly on May 26, 1949, after "room", insert ", not less in area than one hundred twenty (120) square feet,".

Amendment No. 2

In line 1 of the title of the printed bill, as amended in the Senate on June 20, 1949, after "of", strike out "to".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 590 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—55

NOES—None

Assembly Bill No. 590 ordered enrolled.

NOTICES OF MOTION TO RECONSIDER CONTINUED

By unanimous consent, the consideration of notice of motion to reconsider vote on the following bill was continued until the next legislative day:

Assembly Bill No. 162, on request of Mr. Babbage.

REQUEST FOR UNANIMOUS CONSENT THAT ASSEMBLY BILL NO. 2776 HOLD PLACE ON FILE

Mr. Geddes asked for, and was granted, unanimous consent that Assembly Bill No. 2776 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1988—An act to amend Sections 20703, 20751, 20757, 20800, and 20805 of the Health and Safety Code, relating to the sale of poisons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1988?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 18, 1949, after "20751," insert "20753,".

Amendment No. 2

On page 3 of said bill, between lines 2 and 3, insert

"SEC. 2.5. Section 20753 of said code is amended to read:

20753. No poison *enumerated in Schedules "A" and "B" in Section 20753* shall be sold or delivered to any person who is less than eighteen years of age."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1988 by the following vote:

AYES—Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Heisinger, Hoffman,

Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1988 ordered enrolled.

Assembly Bill No. 801—An act to amend Section 420.5 of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 801?

Amendment No. 1

In the title of the printed bill, strike out "420.5", and insert "423".

Amendment No. 2

On page 1, line 1, of said bill, strike out "420 5", and insert "423".

Amendment No. 3

On page 1, line 3, of said bill, strike out "420.5. Custody, Disposition and Return", and insert "423. Custody and Disposition".

Amendment No. 4

On page 2, line 15, of said bill, strike out "420 2", and insert "422.3".

Amendment No. 5

On page 2 of said bill, strike out lines 17 to 51, inclusive, and on page 3, strike out lines 1 and 2, and insert

"(c) Every distribution of funds from the security deposit shall be subject to the limits of the department's evaluation on behalf of a claimant but not in excess of the maximum amounts provided in this chapter for bodily injury and for property damage."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 801 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 801 ordered enrolled

CONSIDERATION OF HOUSE RESOLUTION NO. 266

By Mr. Burke:

House Resolution No. 266

Congratulating Cliff Cooper of Alhambra, California upon his election as President of the United States Junior Chamber of Commerce

WHEREAS, At the conclusion of a whirlwind campaign, which wound up in an unrestrained demonstration of cheering, parading bands, and extended ovations worthy of a major political convention, Cliff Cooper of Alhambra, California, was elected President of the United States Junior Chamber of Commerce on June 11, 1949, at a convention in Colorado Springs; and

WHEREAS, California can well be proud of Alhambra's handsome and youthful candidate, already known as an up and coming industrialist, and who has demonstrated his ability and leadership in winning the election and national recognition for himself, his home community, and his State; now, therefore, be it

Resolved by the Assembly of the State of California, That Cliff Cooper of Alhambra, California, is hereby congratulated upon the successful outcome of the hard fought campaign which elected him President of the United States Junior Chamber of Commerce, and the Members of this Assembly extend to him good wishes for a successful administration; and be it further

Resolved, That the Chief Clerk of this Assembly transmit a copy of this resolution to Cliff Cooper of Alhambra.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 272

By Mr. Burke:

House Resolution No. 272

Relative to commending Herbert G. Klein

WHEREAS, Herbert G. Klein has served during 1948-1949 as President of the Alhambra Junior Chamber of Commerce; and

WHEREAS, During Mr. Klein's term of office 27 projects of community development were successfully completed, redounding to the benefit of the people of the City of Alhambra and the San Gabriel Valley; and

WHEREAS, Largely due to the efforts and tireless endeavor of Mr. Klein, the Alhambra Junior Chamber of Commerce succeeded in sponsoring and electing one of its own members, Clifford D. Cooper, as President of the United States Junior Chamber of Commerce at the National Convention of the organization at Colorado Springs, Colorado in June, 1949; and

WHEREAS, Mr. Klein, by his clearness of vision, his principles and outstanding leadership, has contributed in large measure to the civic betterment of the City of Alhambra and the San Gabriel Valley; now, therefore, be it

Resolved by the Assembly of the State of California, That Herbert G. Klein be hereby commended for his career of constructive service; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit to Herbert G. Klein a copy of this resolution.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 268

By Messrs. Moss and Fleury:

House Resolution No. 268

Relative to the public service career of Captain Joseph Calvin Beard

WHEREAS, Joseph Calvin Beard entered the state service in 1911 and through the intervening years has well and faithfully performed all duties imposed upon him; and

WHEREAS, By reason of his efficiency he has attained the rank of Captain in the California State Police; and

WHEREAS, His devotion to the service and his neverfailing tact and courtesy in performing the duties of his office have won for him the friendship, admiration and respect of all who came in contact with him, including the Members of the Legislature; and

WHEREAS, Captain Beard's long and distinguished career of public service is about to be terminated by his retirement in August of 1949; now, therefore, be it

Resolved, by the Assembly of the State of California, the Senate thereof concurring, That Captain Beard be congratulated upon his fine career of public service and that he be hereby assured of the best wishes of all members for his continuous good health and prosperity; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to Joseph Calvin Beard.

Resolution read, and adopted unanimously.

CONSIDERATION OF HOUSE RESOLUTION NO. 265

By Mr. Weber:

House Resolution No. 265

Relative to the resignation of Chief Deputy Legislative Counsel Clarence H. Langstaff

WHEREAS, Since 1932 Clarence H "Nic" Langstaff has served the State in the capacity of Deputy Legislative Counsel, and has held the position of Chief Deputy Legislative Counsel since July 1, 1936, except for the period from January 1, 1943, to June 17, 1946, during which he served in the United States Navy, where he rose to the rank of Lieutenant Commander, U S.N.R.; and

WHEREAS, During all of his state service the Members of the Legislature have received from Nic Langstaff legal counsel of the highest quality, and constant, courteous, unfailing devotion to the welfare of the State and the interests of the Legislature and its members, and the individual Members of the Legislature have come

to have the greatest confidence in and reliance upon him, and feelings of the warmest friendship for him; and

WHEREAS, In the position of Chief Deputy Legislative Counsel Nic Langstaff has demonstrated not only outstanding legal and administrative ability and effective leadership, but also such kindliness, consideration, and geniality as to win him the admiration and affection of the Members of this Assembly, as well as of his colleagues in the Office of the Legislative Counsel; and

WHEREAS, The Assembly has learned with regret that Nic Langstaff has resigned from the position of Chief Deputy Legislative Counsel, as of June 17, 1949, in order to direct his professional activities into a different legal field in his home County of Los Angeles; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby express their appreciation of the invaluable services that Clarence H. "Nic" Langstaff has rendered to the State of California and to the Legislature, their confidence that he will continue to further the interests of and serve the people of California, directly or indirectly, in whatever channel his professional activities may be directed, and their very sincere good wishes to him for success in his chosen field. "Well done, Commander!" And be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a copy of this resolution to Clarence H. Langstaff, former Chief Deputy Legislative Counsel.

Resolution read, and adopted unanimously.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2700—An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2700?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 7, 1949, after "circulation", insert ", if circulation is required by law, or otherwise prior to filing with the board of supervisors,".

Amendment No. 2

On page 1, line 5, of said bill, strike out "tax levies or special assessments", and insert "taxes or special assessment taxes levied".

Amendment No. 3

On page 1, line 6, of said bill, after "district", insert "and collected along with regular county taxes".

Amendment No. 4

On page 1, line 13, of said bill, after "secretary", insert ", but not a member,".

Amendment No. 5

On page 1, line 21, of said bill, after "requested", strike out "or", and insert "and".

Amendment No. 6

On page 2, line 18, of said bill, after "made", insert "or the proposal may be filed with the board of supervisors if circulation is not required by law".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2700 by the following vote:

AYES—Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2700 ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 277

By Mr. Luckel:

House Resolution No. 277

Relating to straight percentage reductions in the next annual budget estimates of the various state departments

WHEREAS, The economic stability of the State depends in large measure upon an intelligent and thrifty spending of public moneys; and

WHEREAS, The effects of unnecessary high expenditures of public moneys touch all citizens in the form of higher taxes and higher costs of living; and

WHEREAS, It is of paramount importance in these days of high costs of government to recognize the economic consequences of such costs upon the taxpayers, manufacturers, businessmen, farmers, and consumers in this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the responsible officers of the various state departments, when preparing their next annual budgets, be required to make such straight percentage reductions on all estimates as may be deemed practicable; and be it further

Resolved, That the Director of Finance is hereby directed to transmit copies of this resolution to each department of the State of California which submits annual budget estimates.

Resolution read, and adopted.

Speaker Pro Tempore Presiding

At 10.25 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 280

By Mr. McMillan:

House Resolution No. 280

Relating to the retirement of Joseph S. Hunter

WHEREAS, Joseph S. Hunter is retiring after 42 years service with the Division of Fish and Game; and

WHEREAS, Joseph S. Hunter entered the Division of Fish and Game on May 16, 1907, as a field deputy and was brought into the head office in 1910; and

WHEREAS, He has assisted in building up the Division of Fish and Game from a staff of less than 100 employees to more than 600 employees and has assisted in building up the income of the Division of Fish and Game from $119,000 to over $3,000,000; and

WHEREAS, He has been in attendance at every legislative session since 1913 as advisor on conservation problems; and

WHEREAS, He has drafted many of the conservation acts adopted by the Legislature and has helped to place California in the lead among conservation states; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly extend their congratulations and appreciation to Joseph S Hunter for his long and faithful service to the Division of Fish and Game and to the people of the State of California and extend their best wishes for his future happiness; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to transmit a copy of this resolution to Joseph S Hunter.

Resolution read, and adopted.

THIRD READING OF SENATE BILLS

Senate Bill No. 68—An act to amend Section 660 of the Vehicle Code, relating to the sale of used vehicles.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey,

Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Tomlinson, Weber, and Yorty—53.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 72—Relating to the use of Sonoma State Home for the custody of psychopathic delinquents.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, and Weber—51.
NOES—Hagen—1.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE JOINT RESOLUTION NO. 31 HOLD PLACE ON FILE

Mr. Beck asked for, and was granted, unanimous consent that Senate Joint Resolution No. 31 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1080 HOLD PLACE ON FILE

Mr. McCollister asked for, and was granted, unanimous consent that Senate Bill No. 1080 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1637—An act creating the "Sonoma County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 69—Relative to protection at locations where school children cross state highways in rural areas.

Resolution read, and adopted.

Senate Bill No. 32—An act to amend Section 7211 of the Business and Professions Code, relating to the Guide Dog Fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—52.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE JOINT RESOLUTION NO. 26 HOLD PLACE ON FILE

Mr. Davis asked for, and was granted, unanimous consent that Senate Joint Resolution No 26 be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 359

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 359, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 359

Senate Bill No. 359—An act to add Section 1044.5 to the Agricultural Code, relating to the powers and duties of the Director of Agriculture with reference to noncomplying fertilizing materials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—52.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 232—An act to amend Section 9 of the Dangerous Weapons Control Law, relating to dealer's registers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—52.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 464—An act to amend Sections 20767 and 20773 of the Business and Professions Code, relating to motor fuel pump inspection and license fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 465—An act to amend Sections 20951 and 20952 of, and to add Sections 20806 and 20982 to, the Business and Professions Code, relating to petroleum products inspection and enforcement.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—52.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 282

Mr. Doyle asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 282, temporarily passed on file, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 282

By Messrs. Doyle and Geddes:

House Resolution No. 282

Expressing the gratitude of the Members of the Assembly to the Christian Science Monitor and the Los Angeles Daily News for free copies of newspapers supplied during the 1949 Regular Session

WHEREAS, The consideration and enactment of sound laws for the State depend in large part upon a familiarity with many facts of current political and social significance; and

WHEREAS, The Christian Science Monitor and Los Angeles Daily News have sent free copies of their respective newspapers to Members of the Assembly during the 1949 Regular Session; and

WHEREAS, Such service has been highly successful in bringing to the attention of the Members of the Assembly those political and social realities with reference to which all enlightened legislative activities should be framed; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby express their gratitude to the Christian Science Monitor and to the Los Angeles Daily News for the service rendered; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the central offices of the Christian Science Monitor and the Los Angeles Daily News.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 462

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 462, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 462

Senate Bill No. 462—An act to add Section 12500.5 to, and to amend Sections 12500 and 12501 of, the Business and Professions Code, relating to weighing and measuring instruments.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—60

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 463

Mr. Brown asked for, and was granted, unanimous consent that he permitted to take up Senate Bill No. 463, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 463

Senate Bill No. 463—An act to amend Sections 12701, 12704, 12706, and 12707 of the Business and Professions Code, relating to public weighmasters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 451

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 451, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 451

Senate Bill No. 451—An act to amend Section 40 of the Alcoholic Beverage Control Act, relating to alcoholic beverage control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, and Weber—52.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 389 HOLD PLACE ON FILE

Mr. McCollister asked for, and was granted, unanimous consent that Senate Bill No. 389 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 946—An act to amend Section 2008 of the Business and Professions Code, relating to professional rights, privileges or powers, and charitable institutions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thompson, Weber, and Yorty—48.

NOES—Crowley and Moss—2.

Bill ordered transmitted to the Senate.

Senate Bill No. 738—An act to amend Section 204a of the Code of Civil Procedure, relating to jury commissioners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 947—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read third time, and ordered temporarily passed on file.

Senate Bill No. 952—An act to amend Section 2145 of the Business and Professions Code, relating to physicians and surgeons visiting the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Sher-Win, Stanley, Stewart, Thomas, Thompson, Tomlinson, and Yorty—51.

NOES—Davis, Heisinger, Lowrey, McMillan, and Moss—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1080

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1080, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1080

Senate Bill No. 1080—An act to add Article 5B to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1950.

Bill read third time.

Motion to Amend

Mr. McCollister moved the adoption of the following amendments:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on June 13, 1949, strike out lines 15 to 17, inclusive, and insert "as such principal matures; and providing for the sub-".

Amendment No. 2

On page 4, line 30, of said bill, strike out "sale", and insert "seal".

Amendment No. 3

On page 4, line 41, of said bill, strike out "Each", and insert "If said bonds are offered for sale upon sealed bids, then each".

Amendment No. 4

On page 8, line 44, of said bill, strike out "Veterans' Welfare Board", and insert "Department of Veterans Affairs".

Amendment No. 5

On page 8, line 51, of said bill, strike out "Veterans' Welfare Board", and insert "Department of Veterans Affairs".

Amendment No. 6

On page 9, line 1, of said bill, after "veterans", insert "to acquire farms and homes".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1343—An act to amend Section 10332 of the Government Code, relating to the California Code Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 11.15 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 279

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 279, temporarily passed on file, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 279

By Mr. Dickey:

House Resolution No. 279

Commending Mr. Jerry Ohlrich for his conscientious and fine work as State Gardener

WHEREAS, The beauty of the gardens cared for by Mr. Jerry Ohlrich, State Gardener, has been and remains a constant source of pride for all citizens of this State; and

WHEREAS, The floral beauty directly attributable to the efforts of Mr. Jerry Ohlrich has, further, been a source of pleasure and enjoyment to the legislators and state employees during the 1949 Regular Session; and

WHEREAS, Mr. Jerry Ohlrich has demonstrated extremely good taste and aesthetic sensitivity in his work as State Gardener; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of the Assembly do hereby commend and congratulate Mr. Jerry Ohlrich for his outstanding and competent fulfillment of his responsibilities as State Gardener, and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit a copy of this resolution to Mr. Jerry Ohlrich.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 271

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 271, temporarily passed on file, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 271

By Mr. Evans:

House Resolution No. 271

Relating to the completion of exhibits for the Sixth District Agricultural Association

WHEREAS, The Sixth District Agricultural Association of the State of California operates a permanent exposition which operates 363 days per year; and attracts upward of 400,000 visitors per year; and

WHEREAS, Said exposition consists of exhibits depicting the agriculture and industry and other resources and activities of the State; and

WHEREAS, Said exhibits are permanent in nature, in that they are constructed as part of the Exposition Building and stand until torn down and remodeled; and

WHEREAS, Many exhibits now in the exposition have not been remodeled for more than 15 years and hence do not correctly depict and represent their subject matter; and

WHEREAS, Two major exhibits, namely mining and minerals, and water and other natural resources have been under preparation and considerable sums have been expended upon them during the past year; and

WHEREAS, Although they are approximately half completed, funds are lacking to complete them under the operating budget of the Sixth District; and

WHEREAS, There is available to the Director of Finance and the Board of Public Works a certain fund known as the Second Balance of the Fair and Exposition Fund which is specifically allocated for permanent improvements such as the above, on the grounds of district agricultural associations; now, therefore, be it

Resolved by the Assembly of the State of California, That the Director of Finance and the Board of Public Works are hereby requested to make available to the Sixth District Agricultural Association sufficient funds from the Emergency Fund, not to exceed $50,000, in the next two fiscal years, for the completion of these exhibits; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to send copies of this resolution to the Director of Finance and the Board of Public Works.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stewart, Thomas, Thompson, Weber, and Yorty—54.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 422—An act to amend Section 2722 of the Penal Code, relating to the sale of jute goods.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.20 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 103: By Messrs. Sam L. Collins and Dickey—Relative to the creation of a Joint Fact-Finding Committee on Un-American Activities in California to investigate the activity of persons and groups known or suspected to be foreign dominated or controlled and to recommend legislation for their regulation.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1331—An act to add Section 11004 to the Elections Code, relating to petitions for the recall of state officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, and Weber—50.

NOES—Yorty—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1594

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1594, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1594

Senate Bill No. 1594—An act to repeal Section 987 of and add Section 987 to the Revenue and Taxation Code, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—60.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1527—An act authorizing the grant, without cost of certain real property, in the City of Porterville, not required for existing state functions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1528—An act authorizing the sale of certain real property in the County of Madera not required for existing state functions and providing for the disposition of the proceeds of such sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1534—An act to add Sections 13370.1 and 13370.2 to the Government Code, relating to the control of specifications for bids.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1542—An act to authorize the sale of a part of the property used by the Napa State Hospital and to provide for the disposition of the proceeds from such sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans,

Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1543—An act to authorize the sale of a part of the property used by the Sonoma State Home and to provide for the disposition of the proceeds from such sale.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 615—An act to amend Section 27164 of the Streets and Highways Code, relating to bridge and highway districts, and to the acquisition and construction of property thereby.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 424—An act to amend Section 2700 of the Penal Code, relating to compensation of prisoners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1436—An act to amend Section 330.24 of the Civil Code, relating to mutual water companies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury,

Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1579—An act to amend Section 752 of the Political Code, relating to fees collected by the Clerk of the Supreme Court.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 616—An act to add Section 27174 to the Streets and Highways Code, relating to trespass upon district toll bridges; declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 604—An act to amend Section 432 of the Education Code, relating to the superintendent of schools of a county of the thirty-second class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D Collins, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh,

Huyck, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 20 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Stanley asked for unanimous consent that Senate Bill No. 20 be withdrawn from the file, and be re-referred to the Committee on Municipal and County Government.

Mr. Crowley withheld unanimous consent.

Request for Unanimous Consent That Senate Bill No. 20 Hold Place on File

Messrs. Stanley and Crowley asked for, and were granted, unanimous consent that Senate Bill No. 20 be passed on file, and hold its place on file on the next legislative day.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 469—An act to add Section 14.5 to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to water conservation districts.

Bill read third time, and ordered temporarily passed on file.

Hon. James G. Crichton Presiding

At 11.45 a.m., Hon. James G. Crichton, Member of the Assembly from the Thirty-fourth District, presiding.

Senate Bill No. 1643—An act to amend Section 13.1 of, and to add Section 11b to, the County Waterworks District Act, relating to county waterworks districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliottt, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Weber, and Yorty—56.

NOES—Caldecott and Luckel—2.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 11.47 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 24, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 78

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Hon. Charles M. Weber Presiding

At 11.48 a.m., Hon. Charles M. Weber, Member of the Assembly from the Eleventh District, presiding.

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 78—In honor of the Honorable Edgar Whitney Stow.

Request for Unanimous Consent

Mr. Tomlinson asked for, and was granted, unanimous consent to take up Senate Concurrent Resolution No. 78, at this time, without reference to committee, print, or file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 78

Senate Concurrent Resolution No. 78—In honor of the Honorable Edgar Whitney Stow.

Resolution read, and adopted unanimously by a rising vote.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT REMARKS BY MR. TOMLINSON BE PRINTED IN THE JOURNAL

Mr. Maloney asked for, and was granted, unanimous consent that the remarks by Mr. Tomlinson relative to Senate Concurrent Resolution No. 78 be reduced to writing, and ordered printed in the Journal, in 10-point type.

REMARKS BY MR. TOMLINSON RELATIVE TO SENATE CONCURRENT RESOLUTION NO. 78

It is with profound regret and genuine sorrow that I address you this morning to the memory of a former State Legislator and my fellow native townsman.

The passing yesterday of Senator Ed Stow brings to a close the career of a distinguished gentleman and statesman, and it takes away another member of that rapidly diminishing group of native Californians whose zeal, high principle and energetic leadership have contributed so much in making California great.

During his terms of office in the Assembly and Senate, he brought to State Government the many qualities of leadership that had made him universally admired and loved in his own community. As a descendant of families long associated with the growth and development of California, he was thoroughly imbued with the traditions of California. His many accomplishments in behalf of his Country, State, and home community will serve as an everlasting monument to this great man.

We of Santa Barbara who have known Senator Stow all of our lives are deeply grieved at his passing because we have lost a devoted friend and a great leader.

Mr. Speaker, I therefore move you that when this Assembly adjourns today, it adjourn to the memory of Edgar W. Stow.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1405—An act to amend Section 28154 of the Government Code, relating to compensation for public services in counties of the fifty-fourth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 11.59 a.m., Mr. Thompson asked for, and was granted, unanimous consent that Mr. Kirkwood be excused, for the balance of the legislative day, because of legislative business elsewhere; and that Mr. Silliman be excused for the balance of the legislative day, because of illness.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 770

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 770, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 770

Senate Bill No. 770—An act to amend Section 2010 of the Streets and Highways Code, relating to duties of boards of supervisors on county road systems.

Bill read third time.

Motion to Amend

Mr. Lowrey moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 18, 1949, following "to", and before "amend", insert "add Section 10.7 to the County Highway Aid Act of 1945 and to".

Amendment No. 2

In lines 3 and 4 of the title of said bill, strike out "duties of boards of supervisors on", and insert "the".

Amendment No. 3

On page 2 of said bill, following line 10, insert

"SEC. 2. Section 10 7 is added to the County Highway Aid Act of 1945, to read:

Sec. 10.7. Any unexpended and unobligated balance of the appropriation made in Section 5 of this act may be expended in accordance with this act to match funds made available by the Federal Aid Highway Act of 1948."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1197

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1197, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1197

Senate Bill No. 1197—An act to amend Sections 8505, 8550, and 8671 and to repeal Section 8572 of the Business and Professions Code, relating to the regulation of structural pest control.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1641

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1641, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1641

Senate Bill No. 1641—An act to authorize the sale of certain state-owned property now held for the use of the California State Prison at San Quentin.

Bill read third time.

Motion to Amend

Mr. McCollister, for Mr. Weber, moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 5, of the printed bill, after "land", insert ", or any portion thereof,".

Amendment No. 2

On page 1, line 9, of said bill, after "located in", insert "or near".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1016

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1016, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1016

Senate Bill No. 1016—An act to amend Section 29741 of the Government Code, relating to the audit and allowance of claims against counties.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Tomlinson, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 33

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 33, temporarily passed on file, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 33

Senate Joint Resolution No. 33—Relative to memorializing the President and the Congress of the United States in relation to the Oriental fruit fly.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Tomlinson, and Yorty—56.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 34

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 34, temporarily passed on file, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 34

Senate Joint Resolution No. 34—Relative to memorializing the Congress of the United States in relation to providing facilities for the

prevention of the spread of Oriental fruit fly from the Hawaiian Islands to the mainland.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thomas, Weber, and Yorty—60.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 1563 BE WITHDRAWN FROM FILE, AND BE RE-REFERRED

Mr. Stewart asked for, and was granted, unanimous consent that Senate Bill No. 1563 be withdrawn from the file, and be re-referred to the Committee on Governmental Efficiency and Economy.

RESOLUTIONS

The following resolution was offered:

By Mr. Dolwig:

House Resolution No. 286

Amending House Resolution No. 44, relative to the powers and duties of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

Resolved by the Assembly of the State of California, That House Resolution No. 44, heretofore adopted by this Assembly on the twenty-eighth day of March, 1949, is hereby amended by inserting between paragraphs 3 and 4 thereof the following paragraph:

"3.5. The committee and each subcommittee thereof is authorized to leave the State of California in the performance of its duties."

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 239	House Resolution No. 240
House Resolution No. 286	House Resolution No. 264
House Resolution No. 195	House Resolution No. 262

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1567—An act to repeal Article 19 of the Community Redevelopment Act, relating to the Redevelopment Agency.

Bill read third time.

The roll was called, ~~and the bill passed by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll calls, which would appear in strikeout type, are indicated by being enclosed within brackets.

[AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Stanley, Stewart, Thomas, Tomlinson, and Weber—48.

NOES—Beck, Hagen, and Rosenthal—3.]

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 1567

Mr. Dickey asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, passed Senate Bill No. 1567.

The question being on the passage of the Senate Bill No. 1567.

The roll was called, ~~and the bill refused passage by the following vote:~~

[AYES—Babbage, Burke, Collier, Crichton, Crowley, Dickey, Doyle, Grant, Lowrey, Luckel, McCollister, and Thomas—12.

NOES—Beck, Bennett, Berry, Burkhalter, Caldecott, George D. Collins, Cooke, Davis, Elliott, Fletcher, Fleury, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, McCarthy, Meyers, Moss, Rosenthal, Rumford, Stanley, and Yorty—24.]

Speaker Pro Tempore Presiding

At 12.20 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Request for Unanimous Consent to Expunge Record, and Rescind Action on Senate Bill No. 1567

Mr. McCollister asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused passage to Senate Bill No. 1567.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 250	House Resolution No. 241
House Resolution No. 133	House Resolution No 242
House Resolution No. 222	House Resolution No. 253
House Resolution No 232	House Resolution No. 258

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS (RESUMED)

The following resolution was offered:

Assembly Concurrent Resolution No. 104: By Mr. Lowrey—Relative to the expenditure of state highway funds.

Referred to Committee on Rules.

ANNOUNCEMENTS

Mr. Dickey announced that the California Real Estate Magazine will give each member a print of the picture to be taken of all Members of the Legislature on next Monday, June 27th, upon the noon recess.

REQUEST FOR UNANIMOUS CONSENT THAT ALL MATTERS ON UNFINISHED BUSINESS FILE BE CONTINUED

Mr. Dickey asked for unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT THAT REPORT OF ASSEMBLY STANDING COMMITTEE ON FINANCE AND INSURANCE BE PRINTED IN JOURNAL

Mr. Geddes asked for, and was granted, unanimous consent that the Report of the Assembly Standing Committee on Finance and Insurance be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear in the Assembly Journal for Monday, June 27th, prior to the motion to adjourn.)

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Carrell H. Christie and Mr. and Mrs. Herbert Klotzly of Fullerton.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Charles M. Wickett and children: Penny, Chip, and Geofrey Wickett of Fullerton.

On request of Mr. Sherwin, the usual courtesies of the Assembly for this day were unanimously extended to Eunice Hilliard of Oakland.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mary Thomas and Carol Ann Thomas of San Pedro.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mildred Stanley and Joseph Gallant of Newport Harbor.

ADJOURNMENT

At 12.26 p.m., on motion of Mr. Dickey, Speaker pro Tempore Maloney declared the Assembly adjourned until 10 a.m., Monday, June 27, 1949, out of respect to the memory of the late Edgar Whitney Stow of Santa Barbara, former Senator.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ONE HUNDRED FIRST LEGISLATIVE DAY

ONE HUNDRED SEVENTY-SIXTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Monday, June 27, 1949

The Assembly met at 10 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—72.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Almighty God: May we pledge allegiance this morning to Thee, knowing that our political ideals are derived from our religious principles.

From the belief in the dignity and sacredness of every human soul—that man is made in the image and likeness of God—has sprung the belief in the inalienable rights of liberty and self government.

Let us remember that the founders of this Nation solemnly declared, "In God we trust," and that His moral laws are our guide, and that this concept is the guarantee of the survival of the sacred freedoms of this glorious Republic

Let us look around the world and see that the nations without God are without conscience, without mercy, without any moral sense, and bent on the destruction of their decent rivals.

In this great hour, let us pledge allegiance to the God of Our Fathers, whose political purpose for us is symbolized in the Star Spangled Banner.—AMEN

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Waters, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following members were granted leaves of absence for the day, because of illness:

Mr. Price, on motion of Mr. Elliott.

Mr. Lincoln, on motion of Mr. Rumford.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Rosenthal, on motion of Mr. Bennett.

Mr. Beck, on motion of Mr. Bennett.

Mr. Brown, on motion of Mr. Caldecott.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Reagan, on motion of Mr. Collier.

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from L. M. Giannini, President, Bank of America, expressing appreciation for the adoption of House Resolution No. 227, relative to the memory of his father, was received, and ordered noted in the Journal.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 77—An act to amend Section 736 of the Fish and Game Code, relating to the taking of fish;

Assembly Bill No. 152—An act to amend Section 28158 of the Government Code, relating to compensation for public services in counties of the fifty-eighth class;

Assembly Bill No. 366—An act to amend Section 24260 of the Government Code, and to repeal Section 24256 of the Government Code, relating to office hours of county officers;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 368—An act adding Section 31676.9 to the Government Code, relating to retirement pensions;

Assembly Bill No. 369—An act to amend Section 31679 of, and to add Section 31676.7 to, the Government Code, relating to retirement systems;

Assembly Bill No. 446—An act relating to the establishment of the old Overland Emigrant Trail as a state historical monument;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 576—An act to amend Section 18702 of the Education Code, relating to the sale of personal property of school districts;

Assembly Bill No. 635—An act to add Section 697.1 to the Vehicle Code, relating to the length of passenger busses;

Assembly Bill No. 1068—An act to add Section 212 to the Health and Safety Code, and to amend Section 269 of the Vehicle Code, relating to refusal or revocation of operator's or chauffeur's licenses and to the reporting of cases of neurosyphilis to the State Department of Motor Vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1120—An act to amend Section 29610 of the Government Code, relating to convention expenses of county officers;

Assembly Bill No. 1208—An act to amend Section 439 of the Military and Veterans Code and Section 37392 of the Government Code, relating to the leasing of property owned by local agencies for a term not to exceed fifty years for military or armory purposes;

Assembly Bill No. 1240—An act to amend Section 27122 of the Streets and Highways Code, relating to bridge and highway districts, and the number of directors thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1323—An act to amend the Building and Loan Association Act by amending Section 11 01 thereof, relating to licenses of agents, salesmen and collectors, and Section 12 06 thereof, relating to restrictions on advertising;

Assembly Bill No. 1376—An act to amend Section 27164 of the Streets and Highways Code, relating to bridge and highway districts, and to the acquisition and construction of property thereby;

Assembly Bill No. 1670—An act to add Article 4, comprising Sections 16390 to 16396, inclusive, to Chapter 2 of Part 2 of Division 4 of Title 2 of the Government Code, relating to the payment of compensation to state officers and employees, creating the State Pay Roll Revolving Fund, and providing for the use thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1759—An act to amend Section 9a of Chapter 189 of the Statutes of 1933, relating to the deposit of public moneys with banks;

Assembly Bill No. 1846—An act to amend Section 4 of the Municipal Improvement Act of 1913, relating to improvement proceedings;

Assembly Bill No. 1933—An act to add Sections 5056 and 5472 to the Health and Safety Code, relating to fees, rates, tolls, rentals and other charges for sewage and sanitation services;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2001—An act to amend Sections 1018 and 1073 of the Fish and Game Code, relating to commercial fishing reports;

Assembly Bill No. 2060—An act to amend Section 19533, 19534, and 19540 of the Government Code, relating to layoff of state civil service employees;

Assembly Bill No. 2082—An act to amend Sections 2410 and 2411 of the Labor Code, relating to labor camps;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2407—An act to amend Sections 28138 and 28139 of the Government Code and Section 439 of the Education Code, relating to the compensation for public service in counties;

Assembly Bill No. 2472—An act to amend Section 5439 of, and to add Section 5459 to, the Public Resources Code, relating to county recreation districts;

Assembly Bill No. 2622—An act to amend Sections 2820, 2905, 3012, 5500, 6460, 6463, and 8702, and to add Sections 2932, 6464, and 6465 to the Streets and Highways Code, relating to special assessment and bond proceedings for financing the cost of sanitary sewers and other local improvements, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2755—An act to amend Section 142 of the Code of Civil Procedure and Section 24254.5 of the Government Code, relating to sessions of the superior court;

Assembly Bill No. 2846—An act to amend Sections 980, 981, 982, and 983 of, and to add Section 984 to, the Civil Code, relating to rights in products of the mind;

Assembly Bill No. 2847—An act to amend Sections 329 and 1233 of the Probate Code, relating to rules of pleading in probate proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3157—An act to amend Sections 1252 and 1311 of the Fish and Game Code, relating to mammals;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-fifth day of June, 1949, at 3 p.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No 114
Senate Bill No. 133
Senate Bill No. 198
Senate Bill No. 247
Senate Bill No. 248
Senate Bill No 415
Senate Bill No. 418
Senate Bill No. 420
Senate Bill No. 428
Senate Bill No 436
Senate Bill No. 477
Senate Bill No 492
Senate Bill No. 583
Senate Bill No. 697
Senate Bill No. 824
Senate Bill No. 945
Senate Bill No. 966
Senate Bill No. 995
Senate Bill No. 1035
Senate Bill No. 1117
Senate Bill No. 1213
Senate Bill No 1314

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 268
Assembly Bill No. 658
Assembly Bill No. 668
Assembly Bill No. 879
Assembly Bill No. 1122
Assembly Bill No. 1275
Assembly Bill No. 1357
Assembly Bill No. 1395
Assembly Bill No. 1472
Assembly Bill No. 1910
Assembly Bill No. 1934
Assembly Bill No. 2093
Assembly Bill No. 2139
Assembly Bill No. 2146
Assembly Bill No. 2227
Assembly Bill No. 2240
Assembly Bill No. 2244
Assembly Bill No. 2372

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 580	Assembly Bill No. 2439
Assembly Bill No. 594	Assembly Bill No. 2626
Assembly Bill No. 619	Assembly Bill No. 3036
Assembly Bill No. 807	Assembly Bill No. 3037
Assembly Bill No. 1706	Assembly Bill No. 3038

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 461	Senate Bill No. 1252
Senate Bill No. 470	Senate Bill No 1304

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 118	Assembly Bill No. 716
Assembly Bill No. 121	Assembly Bill No. 910
Assembly Bill No. 207	Assembly Bill No. 1448
Assembly Bill No. 568	Assembly Bill No. 2226
Assembly Bill No. 570	Assembly Bill No 2326
Assembly Bill No. 679	Assembly Bill No. 2738
Assembly Bill No. 713	Assembly Bill No. 2936

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 419	Assembly Bill No. 1955
Assembly Bill No. 420	Assembly Bill No. 1972
Assembly Bill No. 573	Assembly Bill No. 2461
Assembly Bill No. 1303	Assembly Bill No. 2926
Assembly Bill No. 1488	Assembly Bill No 3019

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 23, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed.

Assembly Bill No. 621

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO 14, June 27, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 1729,** entitled, "An act to validate the organization boundaries, acts, proceedings, and bonds of public bodies, as herein defined"

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to S. L. Heisinger, a Member of the Assembly, at 4.20 o'clock p m

on the twenty-fifth day of June, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 25, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1729, entitled: "An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined."

This bill is a general validating act identical with Assembly Bill No. 1730, except for the fact that that bill contains an urgency clause. These bills are acceptable and the only reason for returning them is that the Legislature has also passed Senate Bill No. 314 and Senate Bill No. 315, which likewise are general validating acts.

I am informed by the Legislative Counsel that the Senate bills are more comprehensive than the Assembly bills, and that they will accomplish everything accomplished by the Assembly bills and in addition will validate other actions not comprehended within the terms of the Assembly bills.

For this reason and to avoid the approval of unnecessary bills, I am returning this bill and Assembly Bill No. 1730 without my signature.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 1729 ordered to unfinished business file.

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 25, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 1730,** entitled, "An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to S. L. Heisinger, a Member of the Assembly, at 4.20 o'clock p m., on the twenty-fifth day of June, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 25, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1730, entitled: "An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately."

This bill is a general validating act identical with Assembly Bill No. 1729, except for the fact that that bill does not contain an urgency clause. These bills are acceptable and the only reason for returning them is that the Legislature has also passed Senate Bill No. 314 and Senate Bill No. 315, which likewise are general validating acts.

I am informed by the Legislative Counsel that the Senate bills are more comprehensive than the Assembly bills, and that they will accomplish everything accomplished by the Assembly bills and in addition will validate other actions not comprehended within the terms of the Assembly bills.

For this reason and to avoid the approval of unnecessary bills, I am returning this bill and Assembly Bill No. 1729 without my signature.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 1730 ordered to unfinished business file.

SECOND READING OF ASSEMBLY BILLS (BY UNANIMOUS CONSENT)

Assembly Bill No. 3180—An act calling a special election to submit to the electors of California certain amendments to the Constitution of the State proposed by the Legislature, to take effect immediately.

Bill read second time, and ordered engrossed.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2361—An act to amend Sections 669, 791, 808, and 843 of the Fish and Game Code, and to add Section 651.5 thereto, relating to nets and fishing.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2361?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 26, 1949, strike out "791".

Amendment No. 2

On page 1 of said bill, strike out lines 7 to 10, inclusive.

Amendment No. 3

On page 1, line 13, of said bill, strike out "on any spawning bed or", and insert "in any such spawning".

Amendment No. 4

On page 1 of said bill, strike out lines 15 to 18, inclusive, and insert "District 6 at the mouth of the Smith and Klamath Rivers within three nautical miles north and south of a line drawn due west for three nautical miles from the center of the mouth of each of said streams, or during the months of August and September in District 7 at the mouth of the Eel River within two nautical miles north and south of a line drawn due west for two nautical miles from the center of the mouth of said stream."

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 26, inclusive.

Amendment No. 6

On page 2, line 27, of said bill, strike out "4.", and insert "3."

Amendment No. 7

On page 2, line 34, of said bill, strike out "5", and insert "4."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2361 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Way, Weber, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2361 ordered enrolled.

Assembly Bill No. 443—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 443?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 22, 1949, strike out lines 20, 21, and 22, and insert

"(9) Any vehicle which is operated upon a highway only for the purpose of transporting agricultural products across a highway and is in no event operated along a highway for a greater distance than one-quarter mile.

(10) A two-wheeled trailer of the tip-bed type when used exclusively in the transportation of other implements of husbandry."

Amendment No. 2

On page 2 of said bill, strike out line 26, and insert

"(e) Any self-propelled wheel chair or invalid tricycle while being operated by a person who by reason of physical disabilities is otherwise unable to move about as a pedestrian."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 443 by the following vote:

AYES—Babbage, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 443 ordered enrolled.

Assembly Bill No. 620—An act to add Section 531.1 to the Vehicle Code, relating to overtaking and passing on a grade.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 620?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on March 21, 1949, strike out "531 1", and insert "530 5".

Amendment No. 2

On page 1, line 1, of said bill, strike out "531.1", and insert "530.5".

Amendment No. 3

On page 1, line 3, of said bill, strike out "531.1", and insert "530.5".

Amendment No. 4

On page 1, line 7, of said bill, strike out "fifteen", and insert "twelve".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 620 by the following vote:

AYES—Babbage, Bennett, Berry, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 620 ordered enrolled.

Assembly Bill No. 797—An act to amend Section 7302 of the Business and Professions Code, relating to cosmetology.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 797?

Amendment No. 1

In line 1 of the title of the printed bill, following "7302 of", insert ", and to add Section 7317 and Section 7437.5 to".

Amendment No. 2

On page 1 of said bill, following line 29, insert

"SEC. 2 Section 7317 is added to the Business and Professions Code, to read:

7317. The board shall appoint commissioners on examination to conduct the practical and oral examinations. No person shall be appointed as a commissioner who (a) is subject to any of the prohibitions of Section 7302 of this code, (b) has not had five years of experience in the practice of cosmetology, and/or as a licensed instructor, in this State immediately prior to appointment.

The provisions of this section shall become effective July 1, 1950.

SEC. 3 Section 7437.5 is added to the Business and Professions Code, to read

7437.5. Notwithstanding the provisions of Section 7437, any hairdresser and cosmetician or cosmetologist manager-operator, hairdresser and cosmetician or cosmetologist, instructor, electrologist, manicurist or permanent waver whose right to a restoration of license under said section expired during the period commencing December 7, 1941 and ending with the termination of hostilities, may have such license restored upon payment of all lapsed renewal and delinquency fees; provided that application for such restoration must be made within ninety days from the date this section takes effect."

Amendment No. 3

In lines 1 and 2 of the title of the printed bill, as amended in the Senate on May 13, 1949, strike out "Section 7302 of, and to add Section 7317 and Section 7437.5 to", and insert "Section 7324 of".

Amendment No. 4

On page 1 of said bill, strike out lines 1 to 26, inclusive, and insert

"SECTION 1. Section 7324 of the Business and Professions Code is hereby amended to read as follows:

7324. The following persons are exempt from this chapter:

(a) All persons authorized by the laws of this State to practice medicine, surgery, dentistry, pharmacy (including those employed in pharmacies), osteopathy, chiropractic, naturopathy or chiropody.

(b) Commissioned officers of the Medical Corps of the United States Army, Navy or Marine Hospital Service or Public Health Service when engaged in the actual performance of their official duties, and attendants attached to these services.

(c) Barbers, insofar as their usual and ordinary vocation and profession is concerned when engaged in any of the following practices:

(1) Arranging, dressing, curling and waving (except permanent waving), cleansing, cutting or singeing the hair of any person.

(2) Massaging, cleansing, stimulating, exercising or similar work upon the scalp, face or neck of any person, with the hands or with mechanical or electrical apparatus or appliances, or by the use of cosmetic preparations, antiseptics, tonics, lotions or creams.

(d) Employees employed to render cosmetological services in the course of and incidental to the business of employers engaged in the theatrical, radio, television or motion picture production industry."

Amendment No. 5

On page 2 of said bill, strike out lines 1 to 23, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 797 by the following vote:

AYES—Conrad, Evans, Geddes, Hollibaugh, and Sherwin—5.

NOES—Anderson, Babbage, Bennett, Berry, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Tomlinson, and Way—47.

Appointment of Committee on Conference Concerning Assembly Bill No. 797

The Speaker announced the appointment of Mrs. Niehouse, Messrs. Sherwin, and Evans as a Committee on Conference concerning Assembly Bill No. 797.

Assembly Bill No. 1858—An act to amend Section 576 of, to add Sections 51, 58, and 59 to, and to amend and renumber Section 684 of, the Vehicle Code, relating to vehicles and vehicular traffic including definitions of terms used in that code.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1858?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 18, 1949, after "amend", strike out "Section 576", and insert "Sections 576 and 599".

Amendment No. 2

On page 1, line 11, of said bill, after "inch", insert "gage".

Amendment No. 3

On page 1, line 11, of said bill, after "inch", insert "gage".

Amendment No. 4

On page 2 of said bill, strike out lines 23 to 27, inclusive, and insert

"(d) The driver of any motor vehicle need not stop as required in this section at any spur or industrial track within a business or residence district, or at any such tracks where with the approval of the Public Utilities Commission distinctive signs are displayed indicating that no stop need be made unless a train or locomotive is approaching upon any such spur or industrial track."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 2 of said bill, after line 32, insert

"SEC. 5. Section 599 of the Vehicle Code is amended to read:

599. Signs on Vehicles Carrying Explosives, *Poisonous Gases, Inflammables or* [Poisonous Gases] *Liquefied Petroleum Gases.* (a) No person shall operate any motor vehicle, trailer or semitrailer transporting any explosive substance, [inflammable liquids] or poisonous gases as a cargo or part of a cargo, *or any motor tank truck, tank trailer or tank semitrailer, used for the transportation of inflammable liquids or liquefied petroleum gases within the tanks thereon,* unless at the time of such transportation there shall be displayed upon each side and the rear of the exterior of such vehicle a sign upon which shall appear the word "explosives," [or "inflammables,"] or "poisonous gases," *or "inflammables,"* whichever may correctly designate such cargo, in letters not less than three inches in height upon a background of sharply contrasting color.

(b) The provisions of this section shall have no application when any such explosive substances, [inflammable liquids or] poisonous gases, *inflammable liquids or liquefied petroleum gases* are transported in a truck or in any trailer or semitrailer attached thereto when such truck, and each said trailer and semitrailer so attached thereto, has prominently displayed on each side and the rear of the exterior thereof a trademark, trade name, other designating mark, or a legend, substantially descriptive of the *type of* cargo of said truck, trailer or semitrailer and generally known to the public as being applied to such explosive substance, [inflammable liquids or] poisonous gases, *inflammable liquids or liquefied petroleum gases.*"

Amendment No. 6

On page 2, line 33, of said bill, strike out "SEC. 5.", and insert "SEC. 6."

Amendment No. 7

On page 2, line 39, of said bill, after "below," insert "liquefied petroleum gas,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1858 by the following vote:

AYES—Bennett, Berry, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1858 ordered enrolled.

Assembly Bill No. 1869—An act to amend Sections 61, 124.5, 131, 379, 454.2, 681, and 750.5, and to add Sections 62.1, 449, and 617 to the Vehicle Code, relating to the powers and duties of the Department of Motor Vehicles and the California Highway Patrol.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1869?

Amendment No. 1

On page 2, line 23, of the printed bill, as amended in the Assembly on April 27, 1949, after "(b)", strike out "The", and insert "Except as otherwise provided in subdivision (c), the".

Amendment No. 2

On page 3 of said bill, after line 11, insert

"(c) When the department determines that the cost of collection of any fee, penalty, or both, by seizure and sale as provided herein will exceed the proceeds to be realized therefrom the department need not pursue this method of collection. The provisions of this subdivision shall be limited to vehicles of a value of fifty ($50) or less as appraised by an officer or employee of the department or the California Highway Patrol; and provided, further, that such vehicle shall be reduced to junk. The department shall indicate its intention to refrain from collection of fees or penalties by seizure and sale as provided herein by affixing an appropriate notice to each such vehicle concerned."

Amendment No. 3

On page 3, line 12, of said bill, strike out "(c)", and insert "(d)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1869 by the following vote:

AYES—Bennett, Berry, Burkhalter, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Way, Weber, and Mr. Speaker—47.

NOES—None.

Assembly Bill No. 1869 ordered enrolled.

Assembly Bill No. 2362—An act to amend Sections 32125 and 32126 of the Health and Safety Code, and to add Section 32128 to said code, all relating to hospital districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2362?

Amendment No. 1

On page 2, line 22, of the printed bill, as amended in the Assembly on June 1, 1949, strike out "met", and insert "meet".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2362 by the following vote:

AYES—Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin,

Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 2362 ordered enrolled.

Assembly Bill No. 2804—An act to amend Section 6695 of the Health and Safety Code, relating to tax limitation for sewerage facilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2804?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 28, 1949, strike out "district taxes", and insert "districts".

Amendment No. 2

On page 1 of said bill, strike out lines 10 to 18, inclusive, and insert

"4819. Waste water produced from oilfield operations is hereby declared to be an industrial waste under the provisions of this chapter, and any person liable for the payment of a mineral rights tax on property within a district shall be entitled to dispose of any oilfield waste water produced from such property into the sewerage facilities of said district, after the waste water has been properly treated."

Amendment No. 3

On page 1 of said bill, strike out lines 20 to 22, inclusive; and on page 2, strike out lines 1 to 6, inclusive, and insert

"6702. Waste water produced from oilfield operations is hereby declared to be an industrial waste under the provisions of this chapter, and any person liable for the payment of a mineral rights tax on property within a district shall be entitled to dispose of any oilfield waste water produced from such property into the sewerage facilities of said district, after the waste water has been properly treated."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2804 by the following vote:

AYES—Bennett, Berry, Burkhalter, Butters, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Tomlinson, and Mr. Speaker—48.

NOES—None.

Assembly Bill No. 2804 ordered enrolled.

Assembly Bill No. 2855—An act to add Sections 24205.1 and 24205.2 to the Education Code, relating to the conferring of diplomas and degrees by schools and colleges, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2855?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on June 13, 1949, after "($10,000)", insert "a year".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2855 by the following vote:

AYES—Babbage, Bennett, Berry, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis,

Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—55.

NOES—None.

Assembly Bill No 2855 ordered enrolled.

Assembly Bill No. 2858—An act to add Section 1509.7 to the Elections Code, relating to measures submitted to the voters.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2858?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on March 30, 1949, after the period, insert "The length of any such analysis shall not exceed five hundred words, except with the approval of the State Board of Control."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2858 by the following vote:

AYES—Babbage, Bennett, Berry, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Tomlinson, Way, Weber, and Mr. Speaker—47.

NOES—None

Assembly Bill No. 2858 ordered enrolled.

THIRD READING OF SENATE BILLS

Senate Constitutional Amendment No. 1—Proposed amendment to Article IV of the Constitution, relative to initiative measures, by adding Section 1c.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

In line 3 of the title of the printed measure, as amended in the Assembly on June 24, 1949, strike out "1c", and insert "1e".

Amendment No. 2

On page 1, line 7, of said measure, strike out "1c", and insert "1e".

Amendment No. 3

On page 1, line 8, of said measure, strike out "1d", and insert "1e".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

Senate Bill No. 554—An act relating to the acquisition of a bridge or bridges across the Bay of San Francisco connecting the Counties of San Mateo and Alameda, defining the powers and duties of the California Toll Bridge Authority and of the State Department of Public Works in relation thereto, providing for the inclusion thereof in the State Highway System upon the acquisition thereof, and amending Sections 405 and 407 of the Streets and Highways Code in connection therewith.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Burkhalter, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn,

Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—48.

NOES—McCarthy—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 320—An act to repeal Sections 6309 and 6360 of the Education Code, and to amend Sections 6301, 6302, 6303, 6304, 6305, 6306, and 6361 of said code, relating to school district budgets.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Moss, Niehouse, Sherwin, Smith, Stewart, Thompson, Way, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 398—An act to amend Section 11151 of the Education Code, relating to teachers' manuals for use in kindergarten schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Moss, Niehouse, Sherwin, Smith, Stewart, Thompson, Way, and Mr. Speaker—47.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1648

Mr. Stewart asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1648, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1648

Senate Bill No. 1648—An act to add Section 11031.5 to the Government Code, relating to the headquarters and residence of the Franchise Tax Commissioner.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lipscomb, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Smith, Stewart, Thompson, Waters, Way, and Mr. Speaker—41.

NOES—Berry, George D. Collins, Condon, Elliott, Gaffney, Hagen, Kilpatrick, Luckel, McCarthy, Meyers, and Niehouse—11.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 432—An act to add Article 2.5 to Chapter 2 of Division 10 of the Education Code, relating to state college advisory boards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stewart, Thompson, Way, and Mr. Speaker—52.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1641

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1641, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1641

Senate Bill No. 1641—An act to authorize the sale of certain state-owned property now held for the use of the California State Prison at San Quentin.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Crowley, Dickey, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thompson, Way, Weber, and Mr. Speaker—51.

NOES—None.

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Senate Bill No. 1641

Mr. Kilpatrick asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Bill No. 1641, and that he be recorded as voting, "Aye."

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 23, 1949

Honorable Members of the Assembly
Sacramento, California

GENTLEMEN: In conformity with Section 6028.4, Penal Code, there are herewith reported to the Legislature the names of all persons appointed by me under the provisions of Section 6028 Penal Code, together with a statement of the expenses incurred by them and a statement of the expenses incurred by the five special Crime Study Commissions established by me by Executive Order November 1, 1947, pursuant to Section 6028 Penal Code.

Respectfully,

EARL WARREN, Governor

Appointees of the Governor to the Special Crime Study Commissions

Commission on Juvenile Justice
CHARLES DE Y. ELKUS, Chairman
San Francisco 4, California
MRS. CARMEN J. BOYLE
Pasadena, California
CAPTAIN ROBERT W. BOWLING
Los Angeles 12, California
ROBERT J. BALL
Santa Barbara, California
DR. WALTER R. HEPNER
San Diego, California

Commission on Criminal Law and Procedure
JUDGE ISAAC PACHT, Chairman
Beverly Hills, California
WILLIAM B NEELEY
(Nov. 1, 1947-March 1, 1949)
Los Angeles 12, California
MISS CECIL MOSBACHER
Oakland, California
MAXWELL M. WILLENS
Stockton 5, California
C. B. HORRALL
Los Angeles, California
ELLERY E. CUFF
(March 1, 1949-June 30, 1949)
Los Angeles 12, California

Commission on Social and Economic Causes of Crime and Delinquency
DR ARLIEN JOHNSON, Chairman
Los Angeles, California
CHARLES W REAL
Oakland 7, California
(Resigned)
KNOWLES A. RYERSON
Davis, California
WALTER L TREADWAY
Santa Barbara, California
FLOYD C. COVINGTON
Los Angeles, California

Commission on Adult Corrections and Release Procedures
BURDETTE J. DANIELS, Chairman
Los Angeles, California
JOHN E LOUSTALOT
Bakersfield, California
JOHN M. ZUCK
Los Angeles 12, California
DR MILTON CHERNIN
Berkeley, California
MRS. SUMNER SPAULDING
Beverly Hills, California

Commission on Organized Crime
ADM. WM. H. STANDLEY, Ret., Chairman
San Diego, California
WM M. JEFFERS
Los Angeles, California
GERALD H. HAGAR
Oakland, California
HARVEY S. MUDD
Los Angeles, California
GEN. KENYON A JOYCE
San Francisco, California

SUMMARY

ACTUAL AND ESTIMATED EXPENDITURES IN SUPPORT OF SPECIAL CRIME STUDY COMMISSIONS

State funds were expended for the period extending from October 1, 1947, the date on which this program was activated, up to and including May 31, 1949, in the amount of $176,779.13. Of this amount, $107,876 20 was expended for salaries and wages, and the sum of $68,902 93 was expended for operating expenses and necessary equipment.

A. Salaries and Wages

The expenditures for salaries and wages for the above period from funds allocated to the Commissions by the Legislature, are detailed as follows:

Administration	$38,448.77
Commission on Organized Crime	58,279 42
Commission on Juvenile Justice	707.31
Commission on Social and Economic Causes of Crime and Delinquency	4,150 20
Commission on Adult Corrections and Release Procedures	778.66
Commission on Criminal Law and Procedure	5,511.84

B. Operating Expenses and Equipment

The expenditures for operating expenses and equipment are detailed as follows:

Administration	12,957.16
For the Five Crime Commissions	55,945.77

C. Fees for Confidential Information—Commission on Organized Crime

The sum for the payment of fees for obtaining confidential information withdrawn from the State Controller's office, amounted to $40.000 for this period. Approximately $25,495 46 of this sum has actually been paid for fees to May 31, 1949.

D. Estimated Expenditures, June, 1949

The above period extends only to May 31, 1949, therefore, the estimated expenditures in support of this program for June, 1949, are estimated to be $30,792.22. Of this

amount, it is estimated that net salaries and wages will total $8,000, and for operating expense and equipment, $22,792.22.

E. Travel Expenses—Crime Commission Members

Schedule A, attached hereto, lists the travel expenses incurred by individual members of the five Special Crime Study Commissions for the period November 1, 1947 to May 31, 1949.

F. Assistance Furnished by the Director of Corrections

In addition to the foregoing statement of expenditures (A to E), the Director of Corrections, in conformity with the provisions of Section 6028.2 Penal Code, has, from time to time, furnished personnel from his staff (including the Youth Authority) to assist the Special Crime Study Commissions as the exigencies of their work required. Of these personnel, some have been assigned on a part-time basis, others full time, for varying periods according to need.

Supporting detail of items included in the above summary of expenditures is available. Supporting detail as to the personnel furnished by the Director of Corrections (F, immediately above) is available from existing records.

SCHEDULE "A"

Department of Corrections

Travel Expenses

Members, Special Crime Study Commissions

Commission on Organized Crime	*November 1, 1947 to May 31, 1949*
Gerald Hagar	$306 50
Wm. M. Jeffers	36 00
General Kenyon Joyce	227 25
Admiral Wm. H. Standley, Ret	185 12
	$754 87
Commission on Juvenile Justice	
Robert J. Ball	$959 57
Captain Robert W. Bowling	563 60
Mrs Carmen J. Boyle	1,547 50
Charles de Y. Elkus	1,056 29
Dr. Walter R. Hepner	782 40
	$4,909 36
Commission on Social and Economic Causes of Crime and Delinquency	
Floyd C. Covington	$316 68
Dr. Arlien Johnson	274 55
Charles W. Real	30 15
Knowles A. Ryerson	260 74
Dr. Walter L. Treadway	271 19
	$1,153 31
Commission on Adult Corrections and Release Procedures	
Dr. Milton Chernin	$689 99
Burdette J. Daniels	1,240 99
John E. Loustalot	523 36
John M Zuck	607 31
	$3,061 65
Commission on Criminal Law and Procedure	
C. B. Horrall	$338 63
Miss Cecil Mosbacher	698 66
William B. Neeley	549 95
Judge Isaac Pacht	770 94
Maxwell M. Willens	689 50
Ellery E. Cuff	120 85
	$3,168 53
GRAND TOTAL	$13,047 72

SCHEDULE "B"

Department of Corrections
Board of Corrections—Crime Commissions
Schedule of Available Appropriations and Unexpended Balances by Fiscal Years, as of May 31, 1949

1947-1948 Fiscal Year	*Appropriations and augmentations*	*Estimated expenditures*	*Unexpended balance*
Chapter 486/47 Item 44.5	$55,000 00		
Executive Order 2840—Emergency Funds	42,848 00		
	$97,848 00	$60,962 77	$36,885 23
1948-1949 Fiscal Year			
Chapter 23/48 Item 56			
Board Conferences—traveling	$800 00	$800 00	
Crime Commissions	169,736 00	146,608 58	
Executive Order 49-212 Salary Increase Fund	1,660 00		$24,787 42
Totals	$172,196 00	$147,408 58	$24,787 42
Chapter 23/48 Item 57 Compensation of Confidential Personnel in Study of Crime	$50,000 00	$50,000 00	
TOTAL FOR 1948-49 F. Y.	$222,196 00	$197,408 58	$24,787 42

* $6,195 of unexpended balance was set aside in Unbudgeted Reserve. The estimated unexpended balance in excess of the $6,195 set aside is from salaries and wages in amount of $18,592.42.

SCHEDULE "C"

Department of Corrections
Crime Commissions
Summary of Actual Expenditures, October 1, 1947, to May 31, 1949

	Totals	
Salaries and wages	$107,876 20	
Operating expense	50,654 24	
Equipment	18,248 69	
TOTAL EXPENDITURES FOR SUPPORT		$176,779 13
Compensation of confidential personnel in the study of crime		$40,000 00

* Total amount placed in the Revolving Fund, not necessarily expended.

DEPARTMENT OF CORRECTIONS—CRIME COMMISSIONS

Schedule of Actual and Estimated Expenditures for the 1947-48 and 1948-49 Fiscal Years

	Actual expenditures 1947-48 F Y as of May 31, 1949	Actual expenditures 1948-49 F Y July 1, 1948 to May 31, 1949	Department of Corrections Estimate of Expenditures for June, 1949	Total Expenditures 1948-49 F Y
Salaries and wages				
Administration	$10,184 43	$28,264 34	$2,900 00	$31,164 34
Commission on Organized Crime	17,288 19	40,991 23	3,900 00	44,891 23
Commission on Juvenile Justice	--	707 31	100 00	807 31
Commission on Social and Economic Causes	--	4,150 20	450 00	4,600 20
Commission on Adult Corrections	--	778 66	--	778 66
Commission on Criminal Law	--	5,511 84	650 00	6,161 84
Total, salaries and wages	$27,472 62	$80,403 58	$8,000 00	$88,403 58
Operating expense				
Administration				
Office	639 96	1,218 55	131 45	1,350 00
Printing	311 51	178 08	1,391 92	1,570 00
Travel	441 69	1,401 46	498 54	1,900 00
Telephone and telegraph	508 44	1,297 57	492 43	1,790 00
Postage	280 38	789 00	194 00	983 00
Automobile operation	215 37	245 90	204 10	450 00
Rent	--	750 00	150 00	900 00
Hearing reporter services	--	--	--	--
Total, Administration	$2,397 35	$5,880 56	$3,062 44	$8,943 00
* Crime Commissions				
Office	952 47	889 89	430 11	1,320 00
Printing	166 40	4,131 09	7,868 91	12,000 00
Travel (Members and staff)				
Commission on Organized Crime	2,871 13	5,311 08	2 608 92	7,920 00
Commission on Juvenile Justice	1 528 25	3,405 50	1,244 50	4,650 00
Commission on Social and Economic Causes of Crime	441 63	1 510 66	789 34	2,300 00
Commission on Adult Corrections	1,373 65	1,311 40	888 60	2,700 00
Commission on Criminal Law and Procedure	1,198 86	2 401 47	1 098 53	3,500 00
Telephone and telegraph	1,186 37	2 978 93	1,021 07	4 000 00
Postage	115 49	374 50	397 50	772 00
Automobile operation				
Commission on Organized Crime	454 59	1,553 35	1,246 65	2,800 00
Commission on Social and Economic Causes of Crime	--	243 77	206 23	450 00
Rent	1,965 00	3 310 00	390 00	3,700 00
Hearing reporter services				
Commission on Organized Crime	489 80	50 00	450 00	500 00
Commission on Juvenile Justice	166 00	872 12	102 88	975 00
Commission on Social and Economic Causes of Crime	--	240 70	434 30	675 00
Commission on Adult Corrections	152 25	98 13	301 87	400 00
Commission on Criminal Law and Procedure	131 85	--	100 00	100 00
Total Crime Commissions	$13,193 74	$29,182 59	$19,579 41	$48,762 00
Total, Operating Expense	$15,591 09	$35,063 15	$22,641 85	$57,705 00
Equipment				
Administration				
Office—Additional	2,975 83	116 98	24 71	141 69
Automobile—Additional	1,586 44	--	--	--
Total, Administration	$4,562 27	$116 98	$24 71	$141 69
Commission on Organized Crime				
Office—Additional	3 725 37	121 66	125 66	247 32
Automobile—Additional	7,940 58	110 99	--	110 99
Total, Commission on Organized Crime	$11,665 95	$232 65	$125 66	$358 31
Committee on Social and Economic Causes of Crime				
Automobile—additional	1,670 84	--	--	--
Totals, Equipment	$17,899 06	$349 63	$150 37	$500 00
TOTAL EXPENDITURES FOR SUPPORT—				
Crime Commissions	$60,962 77	$115,816 36	$30,792 22	$146,608 58
COMPENSATION OF CONFIDENTIAL PERSONNEL IN THE STUDY OF CRIME	--	$40,000 00	$10,000 00	$50,000 00

* All expenses shown are those of Commission on Organized Crime unless otherwise designated

* Total amount placed in the Revolving Fund, not necessarily expended

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 603—An act to add Section 6962 to the Education Code, relating to the education of adults.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Way—59.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Way—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 701—An act to add Section 9.5 to the Property Acquisition Act, relating to sites for student housing on the campuses of state colleges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thompson, Waters, Way, and Mr. Speaker—55.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1414—An act to amend Sections 21155, 21155.1, and 21156 of the Education Code, relating to the State Nautical School.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Waters, Way, and Mr. Speaker—58.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 447—An act to add Section 66p to the Code of Civil Procedure, and to repeal an act entitled "An act to provide one additional Judge of the Superior Court in the County of Fresno,"

approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of two additional Superior Court Judges in and for the County of Fresno.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Crichton moved a call of the Assembly.

Motion carried. Time, 11.15 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Conrad, Clayton A. Dills, Doyle, Evans, Fletcher, Geddes, Hagen, Hinckley, Hoffman, Hollibaugh, Lowrey, McMillan, Silliman, Smith, Thomas, Tomlinson, Waters, and Yorty—19.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Caldecott asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 69
Senate Bill No 134
Senate Bill No. 164
Senate Bill No. 457
Senate Bill No. 462
Senate Bill No. 463
Senate Bill No. 638
Senate Bill No. 738
Senate Bill No. 952
Senate Bill No. 958
Senate Bill No. 962
Senate Bill No. 1005
Senate Bill No. 1164
Senate Bill No. 1298
Senate Bill No. 1331
Senate Bill No. 1635
Senate Bill No. 1637

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 249
House Resolution No. 275
House Resolution No. 284

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Kraft, Burns, and Williams as a Committee on Conference concerning:

Assembly Bill No. 797—An act to amend Section 7324 of the Business and Professions Code, relating to cosmetology.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1468—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court;

And appointed Senators Kraft, Miller, and Regan as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1468

The Speaker announced the appointment of Mrs. Niehouse, Messrs. Brady, and Thompson as a Committee on Conference concerning Senate Bill No. 1468.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 520, on motion of Mr. Erwin.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 791 was taken up.

Senate Bill No. 791—An act to add Chapter 19 to Division 3, to amend Sections 10074 and 10461 of, and repeal Chapter 5 of Part 1 of Division 4, and Sections 10009, 10020, 10021, 10022, 10084, and 10085 of, the Business and Professions Code, relating to cemeteries, including the regulation of cemetery brokers and salesmen and cemetery corporations.

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendment:

Amendment No. 1

On page 3 of the printed bill, as amended in the Assembly on June 2, 1949, between lines 40 and 41, insert

"(d) The board shall publish in newspapers of general circulation full and complete information setting forth the financial statement and the portfolio of investments of each cemetery corporation; this shall be done annually."

Amendment read.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, George D. Collins, Condon, Connolly, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Elliott, Gaffney, Hagen, Heisinger, Lewis, Luckel, Maloney, Niehouse, and Silliman—18.

NOES—Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Doyle, Erwin, Fleury, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, McCarthy, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Stewart, Thompson, Waters, Way, and Yorty—32.

The question being on the passage of Senate Bill No. 791.

Consideration of Further Amendments

Motion to Amend

Mr. Anderson moved the adoption of the following amendment:

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on June 2, 1949, between lines 45 and 46, insert

"9659. The directors of a cemetery shall make reasonable rules and regulations for the use, care, management, operation, and protection of the property of the cemetery and all lots, plots and parts thereof. Such rules and regulations shall be plainly printed and conspicuously posted in the office of the cemetery, and shall be subject to review and approval by the cemetery board. A copy of the rules and regulations then in effect shall be furnished to the purchaser of any burial lot, plot or part thereof at the time the instrument of conveyance is executed."

Amendment read.

Point of Order

Mr. Caldecott arose to the following point of order: That Mr. Anderson is not speaking to the amendment.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Anderson to Senate Bill No. 791.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Bennett, Condon, Connolly, Conrad, Cooke, Dickey, Clayton A. Dills, Dolwig, Elliott, Heisinger, Lewis, Luckel, Niehouse, and Silliman—15.

NOES—Babbage, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Davis, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—45.

The question being on the passage of Senate Bill No. 791.

Motion That Senate Bill No. 791 Be Withdrawn From File, and Be Re-referred

Mr. Collier moved that Senate Bill No. 791 be withdrawn from the file, and be re-referred to the Committee on Rules for the purpose of permitting an interim committee to study the subject matter contained in the bill.

Mr. Anderson seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Bennett, Butters, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Elliott, Fletcher, Hagen, Heisinger, Lewis, Luckel, McCollister, Meyers, Niehouse, and Silliman—22.

NOES—Berry, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Crichton, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lindsay, Lipscomb, Maloney, McCarthy, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—44.

The question being on the passage of Senate Bill No. 791.

Demand for Previous Question

Messrs. Hoffman, Kirkwood, Silliman, Morris, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 791.

Point of Order

Mr. Levering arose to the following point of order: That Mr. Caldecott's time has expired.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Crichton, Davis, Doyle, Dunn, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kirkwood, Lindsay, Lipscomb, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—47.

NOES—Anderson, Bennett, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Clayton A. Dills, Dolwig, Elliott, Fletcher, Hagen, Heisinger, Lewis, Lowrey, Luckel, Maloney, and Niehouse—20.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 447

At 12.35 p.m., on motion of Mr. Crichton, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 447 passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—Anderson, George D. Collins, Condon, Hahn, Hawkins, Heisinger, and Luckel—7.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1387—An act to amend Section 257 of the Vehicle Code, relating to drivers licenses of minors;

And appointed Senators O'Gara, Donnelly, and Regan as a Committee on Conference to meet a like committee from the Assembly

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1387

The Speaker announced the appointment of Messrs. McCarthy, Fleury, and Rumford as a Committee on Conference concerning Senate Bill No. 1387.

NOTICE OF MOTION TO WITHDRAW SENATE BILLS NOS. 132, 280, 515 AND SENATE CONSTITUTIONAL AMENDMENT NO. 14 FROM COMMITTEE

Mr. Levering gave notice that on the second legislative day he would move to withdraw Senate Bills Nos. 132, 280, 515, and Senate Constitutional Amendment No. 14 from the Committee on Rules, and have them placed upon the file.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 516 FROM COMMITTEE

Mr. Levering gave notice that on the second legislative day he would move to withdraw Senate Bill No. 516 from the Committee on Industrial Relations, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 298 FROM COMMITTEE

Mr. Levering gave notice that on the second legislative day he would move to withdraw Senate Bill No. 298 from the Committee on Judiciary, and have it placed upon the file.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 130 FROM COMMITTEE

Mr. Levering gave notice that on the second legislative day he would move to withdraw Senate Bill No. 130 from the Committee on Education, and have it placed upon the file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 162 FROM COMMITTEE CONTINUED

Mr. Babbage asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 162 from committee be continued until the next legislative day.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 317 FROM COMMITTEE CONTINUED

Mr. Kirkwood asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 317 from committee be continued until the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 239

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 239, temporarily passed on file, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 239

By Mr. Geddes:

House Resolution No. 239

Pertaining to the creation of the Assembly Interim Committee on Finance and Insurance

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Finance and Insurance is hereby created, authorized and directed to ascertain, study and analyze all facts relating to:

(a) Unemployment insurance

(b) Unemployment disability insurance

(c) Workmen's compensation insurance

(d) Commercial insurance in all its branches.

(e) Self insurers authorized by and operating subject to California laws.

(f) Voluntary plans of hospital and/or health insurance or plans operating to protect persons from the high costs of sickness and accident in this State.

(g) Insurers operating under the lodge system and other means or kinds of insurance differing from insurance generally available to the public.

(h) Banks, saving and loan and other investment and loaning institutions.

(i) Other matters pertaining to the subject of legislation referred to the Standing Committee on Finance and Insurance of the Assembly under the 1949 Rules.

(j) The conduct of the office of each state agency, bureau or commission responsible for the enforcement and supervision of the laws pertaining to the above.

2. The committee shall consist of the same members as the Standing Committee on Finance and Insurance. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) The chairman shall be appointed by the Speaker.

(b) To select a vice chairman from its membership

(c) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(d) To meet in Sacramento at the State Capitol or any other place in this State either in full committee or subcommittees thereof as appointed by the chairman.

(e) To meet outside of this State within the United States to confer with the agencies of the Federal Government and/or national organizations or conferences sponsoring or proposing legislation pertaining to any of the subjects enumerated in paragraph 1, hereof.

(f) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(g) To report its findings and recommendations to the Legislature and to the people from time to time and at any time not later than herein provided.

(h) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of thirty thousand dollars ($30,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin,

Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—55.

NOES—George D. Collins and Elliott—2.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE BILL NO. 64 HOLD PLACE ON FILE

Mrs. Niehouse asked for, and was granted, unanimous consent that Senate Bill No. 64, be passed on file, and hold its place on file on the next legislative day.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 286

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 286, temporarily passed on file, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 286

By Mr. Dolwig:

House Resolution No. 286

Amending House Resolution No 44, relative to the powers and duties of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

Resolved by the Assembly of the State of California, That House Resolution No. 44, heretofore adopted by this Assembly on the twenty-eighth day of March, 1949, is hereby amended by inserting between paragraphs 3 and 4 thereof the following paragraph:

"3 5. The committee and each subcommittee thereof is authorized to leave the State of California in the performance of its duties."

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP HOUSE RESOLUTION NO. 195

Mr. Fletcher asked for, and was granted, unanimous consent that he be permitted to take up House Resolution No. 195, temporarily passed on file, at this time.

CONSIDERATION OF HOUSE RESOLUTION NO. 195

By Messrs. Ralph C. Dills and Fletcher:

House Resolution No. 195

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created; and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks

by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and four Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Motion That All House Resolutions Now at Desk Be Printed, as Amended

Mr. Cooke moved that all House resolutions now at the desk, which pertain to interim committees, be ordered printed in the Journal, as amended.

Mr. Kirkwood seconded the motion.

Substitute Motion

Mr. Doyle moved, as a substitute motion, that all House resolutions as they appear in the Daily File, be placed upon the desks of members in their bill files.

Motion died for lack of a second.

The question being on the motion by Mr. Cooke.

Roll Call Demanded

Messrs. Butters, Gaffney, and Lipscomb demanded a roll call.

The roll was called, and the motion by Mr. Cooke carried by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Elliott, Erwin, Gaffney, Grant, Grunsky, Hagen, Hinckley, Huyck, Kirkwood, Levering,

Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Rosenthal, Rumford, Sherwin, Waters, and Way—39.

NOES—Crowley, Dickey, Dolwig, Doyle, Dunn, Evans, Fletcher, Geddes, Heisinger, Hollibaugh, Lipscomb, McCollister, McMillan, Niehouse, Silliman, Stanley, Thomas, Thompson, Tomlinson, and Weber—20.

HOUSE RESOLUTIONS IN THE ORIGINAL, OR WITH PROPOSED AMENDMENTS, AS ORDERED PRINTED IN THE JOURNAL

Pursuant to the provisions of the above motion the following House resolutions now at the desk are printed below, in the original or with proposed amendments, as follows:

HOUSE RESOLUTION NO. 133

By Mr. Hollibaugh:

House Resolution No. 133

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the scope of state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the state and local governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1951 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of March 21, 1949, at pages 1216-1217, in the paragraph numbered "2", strike out "seven Members of the Assembly appointed by the Speaker thereof.", and insert "the membership of the Standing Committee on Revenue and Taxation."

Amendment No. 2

In the paragraph numbered "7", insert "forty-five thousand dollars ($45,000)".

HOUSE RESOLUTION NO. 222

By Mr. Silliman:

House Resolution No. 222

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof, and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them, now, therefore, be it

Resolved by the Assembly of the State of the State of California, As follows:

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 10 Members of the Assembly appointed by Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of May 31, 1949, at pages 3883-3884, in the paragraph numbered "2", strike out "10", and insert "11".

HOUSE RESOLUTION NO. 232

By Mr. Brown:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on the Judicial System and Judicial Process

WHEREAS, There is great need of a thorough investigation into all phases of the Judicial System of the State, and the administration of justice therein, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on the Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) The composition, structure, jurisdiction and administration of the several courts;

(b) The method of selection, compensation and retirement of judicial officers and attaches;

(c) The procedure, process, and rules of the courts, statutory and otherwise;

(d) All provisions of the law relating to civil actions and remedies, and all laws relating to criminal procedure;

(e) All laws relating to publication of notices and service of process;

(f) All laws relating to family relations including marriage, divorce and adoptions and the administration of such laws; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman of said standing committee shall be the chairman of this interim committee.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In resolution as printed in the Assembly Journal of June 6, 1949, at pages 4132-33, in the paragraph numbered "2", strike out "of said standing committee shall be the chairman of this interim committee", and insert "shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power."

HOUSE RESOLUTION NO. 240

By Mr. McMillan:

House Resolution No. 240

Relative to the creation of the Assembly Interim Committee on Public Morals

WHEREAS, Each session of the Legislature is confronted with numerous bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that the Assembly be fully informed on all phases of such subjects and of the administration and adequacy of the existing laws relating thereto, in order that it may intelligently propose and consider legislation in those fields; and

WHEREAS, The Committee on Public Morals created by House Resolution No. 213 of the 1947 Session has declared a need exists for further studies in this field and has recommended that a new committee be created for that purpose; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Morals is hereby created and authorized and directed to ascertain, study and analyze all facts relating to public morality, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Amendment

By Mr. McMillan:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 8, 1949, in the paragraph numbered "6", strike out "twenty-five thousand dollars ($25,000)", and insert "ten thousand dollars ($10,000)".

HOUSE RESOLUTION NO. 241

By Mr. Sherwin:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That the Assembly Standing Committee on Ways and Means is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1949-50 and 1950-51 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1949 and 1950 Regular Sessions.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until April 30, 1951, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution

5. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 8, 1949, at pages 4223-4224, in paragraph 1, add

"The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power."

HOUSE RESOLUTION NO. 242

By Mr. Dunn, Mrs. Niehouse, Messrs. Huyck, Kirkwood, and Geddes:

House Resolution No. 242

Relative to the creation of the Assembly Interim Committee on Public Education

WHEREAS, In order to properly carry out its legislative function it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any place within the State or within the United States.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims *it may incur under this resolution, to be paid from the said Contingent Fund and* disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 8, 1949, at page 4224, in the paragraph numbered "6", insert "twelve thousand dollars ($12,000)".

HOUSE RESOLUTION NO. 249

By Mr. Conrad:

House Resolution No. 249

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study traffic-management procedures of the State Government and its agencies

WHEREAS, It appears that a saving to the State might be effected by establishing an agency qualified and authorized to see that shipments made by the State or its agencies, and goods shipped to the State or its agencies, are routed and accomplished in the most expeditious, economical and efficient manner possible; and

WHEREAS, It appears that further savings could be effected by adequate state representation, through such agency, before administrative and other bodies authorized to act on rates, tariffs, traffic and related matters; and

WHEREAS, In order to ascertain whether legislation to create such an agency is necessary, and to determine the nature and extent thereof, it is essential that the Assembly be fully informed as to the adequacy and efficiency of existing procedures in state governmental agencies with respect to such shipments, rates, tariffs and traffic problems, and as to the qualifications, experience and efficiency of the persons engaged therein or dealing therewith; and

WHEREAS, Such study falls within the scope of the duties generally imposed on the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy to be created at this session of the Legislature is hereby authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

HOUSE RESOLUTION NO. 250

By Messrs. Dickey, Hollibaugh, Anderson, Silliman, Dolwig, Doyle, Crowley, and McCollister:

House Resolution No. 250

Relative to the creation of a Fact-Finding Committee on Problems of Water Pollution resulting from sewage and industrial waste disposal

WHEREAS, The problem of water pollution resulting from the disposal of industrial wastes and sewage is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, Substantial progress toward solution of this problem by proper legislation has been made out of an investigation and study by an interim committee, and continuation of this progress is essential to the health and welfare of the people; and

WHEREAS, It is essential that the Legislature be thoroughly informed on the continued progress made toward eventual solution of this problem; and

WHEREAS, In the interests of the welfare of the public health, agriculture, industry and all others concerned, it is deemed advisable that continued study be given to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Water Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to procedures designed to abate, prevent and control pollution of

1. The underground waters of the State; and

2. The lakes, streams and other surface waters, and

3. The lower reaches of the river systems, and harbor, bay and coastal waters; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of _____ Members of the Assembly appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the _____ legislative day of the next regular general session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5. The committee or any subcommittee may meet and travel within or outside of this State in pursuing the investigations committed to it.

6. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other persons or agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purpose for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

7. The sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 13, 1949, at pages 4388-4389, in the first line of the title of the printed measure, strike out "Problems of".

Amendment No. 2

In the title, strike out line 2.

Amendment No. 3

In line 2 of the first "Whereas" clause, after "sewage", insert ", from saline intrusion and from other causes"

Amendment No. 4

In the paragraph numbered "1", line 4, strike out "1", and insert "a".

Amendment No. 5

In the paragraph numbered "1", line 5, strike out "2", and insert "b".

Amendment No. 6

In the paragraph numbered "1", line 6, strike out "3", and insert "c".

Amendment No. 7

In the paragraph numbered "1", line 9, after "resolution," insert "including the reclamation and utilization of waste waters, and any other matter referred to the committee for study by the Legislature,".

Amendment No. 8

In the paragraph numbered 2, line 1, insert "11".

Amendment No. 9

In the paragraph numbered 3, line 4, before "legislative", insert "last".

Amendment No. 10

In the paragraph numbered 7, insert "one hundred thousand dollars ($100,000)".

HOUSE RESOLUTION NO. 253

By Mr. Stewart:

House Resolution No. 253

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate; and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of eleven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the final legislative day of the 1951 Regular Session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 14, 1949, at pages 4444-4445, in the paragraph numbered "6", insert "forty thousand dollars ($40,000)".

HOUSE RESOLUTION NO. 258

By Mr. Clayton A. Dills:

House Resolution No. 258

Relating to the creation of the Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations

WHEREAS, The Assembly has been informed that a need exists for new and additional legislation concerning the associations named in the title hereof; and

WHEREAS, Such organizations are quasi-public corporations and their activities affect the health, welfare and safety of the citizens of the State; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such organizations in order that it may intelligently legislate thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations is hereby created and authorized and directed to ascertain, study and analyze all facts and laws in any way bearing upon or relating to the subject of this resolution and the recitals thereof, including, but not limited to, the investment and management of perpetual care funds of such associations, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of_____dollars ($_____) or so much thereof as may be

(f) To employ auditors and other technical and clerical assistance

necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 15, 1949, at pages 4526-4527, in the paragraph numbered "6", insert "ten thousand dollars ($10,000)".

HOUSE RESOLUTION NO. 275

By Mr. Reagan:

House Resolution No. 275

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to Investigate Transportation Facilities in Metropolitan Areas

WHEREAS, Public utilities operating rapid transit and other public transportation facilities in heavily populated metropolitan areas have failed to expand existing facilities sufficiently to meet the public need caused by the unprecedented increase in population in such areas; and

WHEREAS, This failure may be due to a number of reasons, including inability to finance renewals, extensions and improvements; and

WHEREAS, Officials and citizens of such metropolitan areas are vitally interested in the problem and have expressed their desire to cooperate with the State in the solution thereof; and

WHEREAS, In order to properly legislate on this subject it is vital that the Assembly be fully informed as to all facts relating thereto or bearing thereon; and

WHEREAS, The Assembly Interim Committee on Governmental Efficiency and Economy created at this session is well equipped by experience to ascertain such facts; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy or a duly constituted subcommittee thereof is hereby authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subject expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or relating thereto, and to cooperate with and secure the cooperation of, local governmental agencies in such metropolitan areas in ascertaining such facts, and to report thereon to the Assembly, including in its reports its recommendations for legislation.

HOUSE RESOLUTION NO. 284

By Mr. Stewart:

House Resolution No. 284

Relating to a study of problems of air pollution

WHEREAS, The problems of air pollution resulting from industrial operations and other causes are a vital concern in many areas of the State; and

WHEREAS, Air pollution in many instances constitutes an imminent hazard to health, cripples industry, and results in the depreciation of the value of property; and

WHEREAS, Since the correction of conditions of water pollution caused by disposal of industrial wastes often result in the pollution of air, the problems of air pollution can not be divorced from those of water pollution; and

WHEREAS, An exhaustive study of conditions of water pollution must necessarily include a study of all matters related to air pollution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Water Pollution be requested to include problems of air pollution in its studies and investigations; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chairman of the Assembly Interim Committee on Water Pollution.

MOTION TO SET SPECIAL ORDER

Mr. Collier moved that all House resolutions, with or without proposed amendments, ordered printed above in the Journal, be made a special order of business for Wednesday, June 29, 1949, at 10 a m.

Mr. Levering seconded the motion.

Substitute Motion to Set Special Order

Mr. Butters moved that all House resolutions, with or without proposed amendments, ordered printed above in the Journal, be made a special order of business for Friday, July 1, 1949, at 11 a.m.

Motion died for lack of a second.

The question being on the motion by Mr. Collier.

The roll was called, and the motion lost by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Elliott, Fleury, Gaffney, Hagen, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Tomlinson, and Way—43.

NOES—Brady, Burke, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Evans, Fletcher, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hollibaugh, Kilpatrick, McMillan, Morris, Rosenthal, Silliman, Stanley, Stewart, Thomas, Waters, Weber, and Yorty—26.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Concurrent Resolution No. 105: By Mr. McCollister—Relative to approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of June, 1949.

Referred to Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 947

Mr. Connolly asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 947, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 947

Senate Bill No. 947—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read third time.

Motion to Amend

Mr. Connolly moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on May 19, 1949, between the period and "Nothing", insert "Machines or mechanical devices for measuring or ascertaining height or weight are excluded from this section."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO SET SPECIAL ORDER

Messrs. Babbage and Dunn moved that Senate Bills Nos. 850 and 1417 be made a special order of business for Tuesday, June 28, 1949, at 10 a.m.

Motion carried unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE JOINT RESOLUTION NO. 35

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up Senate Joint Resolution No. 35, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE JOINT RESOLUTION NO. 35

Senate Joint Resolution No. 35—Relative to the retrocession by the Congress of the United States of jurisdiction over certain territory granted by the War Department within the Presidio of San Francisco Military Reservation, California, to permit the use of additional areas to the Golden Gate Bridge and Highway District.

Resolution read.

Motion to Amend

Mr. Maloney moved the adoption of the following amendments:

Amendment No. 1

Strike out the title of the printed measure, and insert

"Senate Joint Resolution No. 35—Relative to accepting permit from the Government of the United States for the transfer of lands for the use of the Golden Gate Bridge and Highway District for the construction of additional garage area and for other purposes and relating to the retrocession by the Congress of the United States of jurisdiction over said area"

Amendment No. 2

On page 1 of said measure, strike out line 1, and insert

"WHEREAS, The Secretary of the Army of the United States has, by grant dated the fifteenth day of June 1949, granted, to the Golden Gate Bridge and Highway District control over certain areas additional to the present Golden Gate Bridge and Highway District for the purpose of constructing, erecting, operating and maintaining certain improvements in order to provide additional space for machine shop facilities, storage of bridge equipment, and garaging; and

WHEREAS, The said grant is by its terms granted, an extension of the original permit to erect the Golden Gate Bridge made by the Assistant Secretary of War, dated October 27, 1930, and various permits granted subsequent to that date; and

WHEREAS, Said permit dated the thirteenth day of February 1931, requires as a condition precedent to the taking effect of such permit that the State of California accept the same and conform to the requirements therein contained; now, therefore, be it

Resolved by the Senate and Assembly of the State of California, jointly, That the said permit granted by the Secretary of the Army, successor to the previously designated Secretary of War, to the Golden Gate Bridge and Highway District be and the same hereby is, together with each, all, every and singular, the terms, conditions, limitations, reservations and requirements therein contained accepted by and on behalf of the State of California; and be it further

Resolved, That the State of California does hereby make application to Congress for a retrocession of jurisdiction over all the lands and territories described in the original and amendatory permits heretofore or hereafter to be made; and be it further

Resolved, That the State of California will, in case such retrocession of jurisdiction is granted by Congress, accept such retrocession of jurisdiction and will assume the responsibility for managing, controlling, and policing the same, all subject to the conditions embraced within said permit; and be it further

Resolved, That each and every condition and restriction contained within said permit granted by the United States Government will be fully complied with; and be it further

Resolved, That the State of California does hereby agree to accept said permit and will in all respects comply therewith and obey all of the requirements thereof; and be it further

Resolved, That copies of this resolution be transmitted to the President of the United States, to the Secretary of the Army, to each House of Congress, and to the Senators and Representatives in Congress of the State of California."

Amendment No. 3

On page 1 of said measure, strike out lines 2 to 26, inclusive; and strike out page 2

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

REQUEST FOR UNANIMOUS CONSENT THAT SENATE JOINT RESOLUTIONS NOS. 31 AND 26 HOLD PLACES ON FILE

Mr. Davis asked for, and was granted, unanimous consent that Senate Joint Resolutions Nos. 31 and 26 be passed on file, and hold their places on file on the next legislative day.

RESOLUTIONS

The following resolution was offered:

By Mr. Crowley:

House Resolution No. 287

Relative to the creation of the Assembly Interim Committee on Constitutional Amendments

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Standing Committee on Constitutional Amendments is hereby constituted the Assembly Interim Committee on Constitutional Amendments and is authorized and directed to ascertain, study and analyze all facts relating to the general welfare, education and rehabilitation of the blind, and state and local facilities therefor and institutions and agencies engaged therein, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all provisions of the Constitution and laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation, both by way of amendments to the Constitution and revision of the statutory law.

2. The committee shall consist of the same members who comprise the membership of the Standing Committee on Constitutional Amendments. The chairman shall be appointed by the Speaker Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act both within and without the State in carrying out the duties imposed upon it.

6 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or

claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

ANNOUNCEMENTS

Mr. Dickey announced that the meeting of the legislators, scheduled for this noon, for the purpose of posing for a group picture, will be postponed until Wednesday noon.

Mr. Stanley announced the last breakfast meeting and Republican Caucus of this session, tomorrow morning, at the Hotel Sacramento, at 7.30 a.m.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today—

At 3 p.m.—

Elections and Reapportionment.
Ways and Means.
Public Utilities and Corporations.

At 3 30 p.m.—

Rules.

Tonight, at 8 p.m —

Finance and Insurance.
Judiciary.

REPORT OF THE ASSEMBLY STANDING COMMITTEE ON FINANCE AND INSURANCE

Concerning an Investigation of the Activities and Conduct of the Office of the Insurance Commissioner of the State of California, as Authorized and Directed by House Resolution No. 221, Adopted by the Assembly, June 18, 1949

ASSEMBLY CHAMBER, June 25, 1949

MR SPEAKER: Your committee acting under the directive of House Resolution No. 221, reports through our subcommittee as follows:

1. Although House Resolution No. 221 was introduced May 31, 1949, and reported out of the Committee on Rules, June 3, 1949, the crowded calender of the Assembly and the long debates on the Budget Bill and other matters prevented action until the resolution was adopted by the Assembly on June 18th, just seven days before today, the date specified in the resolution for filing the report.

2. We also point out that no funds were allocated by House Resolution No. 221 for conducting hearings, hiring court reporters, or transportation of witnesses. We do not however, quibble over this fact since it must at once be evident that in the short time available only the most perfunctory research and investigation could have been made.

3. A third impediment to an immediate and formal investigation exists in the possible immunity to either party in the case at issue and

before the courts should the other party be required to testify under oath as to matters touching the controversy. We have decided it best not to interpose an investigation between the parties and the court.

4. We have, therefore, appointed a subcommittee to gather together information bearing on the situation existing between the Commissioner and the Rhode Island Insurance Company. As much of this data as is deemed necessary to give a picture of the situation is here included in the following exhibits which are included and made a part of this report:

Exhibit A

Copy of Court Order

DISTRICT COURT OF THE UNITED STATES FOR THE DISTRICT OF RHODE ISLAND

RHODE ISLAND INSURANCE COMPANY, *Plaintiff*
vs.
WALLACE K. DOWNEY, both individually and as Insurance Commissioner of the State of California, *Defendant*
Civil Action No. 1008

ORDER

This cause came on to be heard on the verified complaint herein, and the Court makes the following Findings of Fact and Conclusions of Law with respect thereto:

(1) Plaintiff is a stock insurance corporation created by act of the General Assembly of the State of Rhode Island;

(2) Plaintiff owns assets and conducts an insurance business within the State and District of Rhode Island;

(3) On May 17, 1949, an order was entered *ex parte* by the Superior Court of the State of California in and for the City and County of San Francisco upon the application of the defendant appointing said defendant conservator of the business of the plaintiff and purporting to vest all right, title and interest of plaintiff's assets, wheresoever situated, in defendant as Insurance Commissioner of the State of California, and directing the defendant forthwith to take possession of all of the books, records, property, real and personal, and assets of plaintiff, wheresoever situated, and to conduct as conservator the business of plaintiff;

(4) Despite its express provisions to the contrary the aforesaid order does not legally vest in defendant title to assets outside the State of California or confer upon defendant the right to take possession of assets outside of said State of California; the provisions of the aforesaid order purporting to vest in the defendant title to assets outside the State of California, and directing the defendant to take possession of such assets is calculated to result in doubts and misunderstandings as to the right of the plaintiff to deal with its assets and business outside the State of California, to the irreparable damage of the plaintiff, and accordingly constitutes an encumbrance upon and a cloud on the title of the plaintiff to the assets of the plaintiff located outside the State of California, and

any action taken by the defendant pursuant to the directions contained in said order with respect to property outside of the State of California will constitute a cloud on the title to such property and cause immediate and irreparable damage to plaintiff, and that immediate and irreparable injury, loss and damage will result to plaintiff before notice can be served and a hearing had on plaintiff's prayer for a preliminary injunction, in that unless the aforesaid doubts and uncertainties are removed immediately and the defendant enjoined from following the directions of said decree outside the State of California, a serious and irreparable immediate interruption to the insurance business of the plaintiff may result;

(5) It further appearing to the Court that this is an action under Section 1655 of Title 28 of the United States Code to remove an encumbrance or lien or cloud upon the title to personal property within the District of Rhode Island, and that the defendant is not an inhabitant of the State or District of Rhode Island and cannot be found therein;

It is therefore ORDERED that the defendant, Wallace K. Downey, his agents and servants, be and they hereby are restrained from taking possession of or interfering in any way with the assets of any kind or nature of the plaintiff within the State and District of Rhode Island, and from interfering with the plaintiff in the conduct of its business in said State and District; it appearing to the Court that the plaintiff has given security in proper form in the sum of Ten Thousand Dollars ($10,000.) for the payment of such loss and damage as may be suffered by any party who is found to have been wrongfully enjoined or restrained.

It is further ORDERED that the defendant, Wallace K. Downey, is hereby directed to appear, plead, answer or otherwise move with respect to the complaint herein on or before the 24th day of June, 1949, or in default thereof the Court will proceed to the hearing and adjudication of this suit.

It is further ORDERED that a certified copy of this order and of the complaint herein shall be served on the said defendant on or before June 3, 1949, and that such service shall be made on said defendant by the United States Marshal, or his deputy, of the United States District Court for the Northern District of California, or by the United States Marshal, or his deputy, of the United States District Court for the Southern District of California, if said defendant is to be found in either of said Districts.

It is further ORDERED that this order expire within ten (10) days after entry unless within such time the order, for good cause shown, is extended for a like period, or unless the defendant consents that it may be extended for a longer period.

It is further ORDERED that the plaintiff's prayer for a preliminary injunction be set down for hearing on June 6, 1949, at 10:00 o'clock A.M. E.D.S.T.

Entered as the decree of Court this 26th day of May, 1949, at 5:05 P.M., E.D.S.T.

Enter:

/s/ JOHN P. HARTIGAN
United States District Judge.

(SEAL)

Attest: true copy, NEALE D. MURPHY, Clerk

Exhibit B—Statement of Condition as of January 1, 1949, of the Rhode Island Insurance Company as Published in an Advertisement in the Pacific Insurance Magazine, Issue of June, 1949

Rhode Island Insurance Company

JANUARY 1, 1949 STATEMENT

ASSETS	
Bonds	$2,839,499.94
Stocks	2,056,550 63
Cash Balances	1,849,420.29
Agents Balances Outstanding	1,102,293.64
Balances due from Reinsurers	3,045,544.88
Reinsurance Recoverable, other Assets	636,416.13
Accrued Interest	24,851.78
	$11,554,577.29

LIABILITIES		
Reserve for Unearned Premiums		$2,919,113.87
Losses in Course of Adjustment		430,070.00
Reserve for Taxes		175,000.00
Reserve for Expenses and other Liabilities		261,731.76
Funds Held as Security for Accounts Receivable		895,751.65
Funds Held under Reinsurance Treaties		4,597,192.57
Contingency Reserve		250,000.00
Capital Stock	$1,000,000.00	
Net Surplus beyond all Liabilities	1,025,717.44	
Surplus to Policyholders		2,025,717.44
		$11,554,577.29

Securities at Market Valuations December 31, 1948	
Surplus to Policyholders	$2,001,569.12
Assets	11,530,428.97

Securities at Valuations adopted by the National Association of Insurance Commissioners

Chairman of the Board
STEWART B. HOPPS
President
JESSE B. WHITE
Vice Presidents and Secretaries
WILLIAM D. CORBETT
TAZEWELL T. TALLEY
Vice Presidents
WILLIAM C. EATON
HENRY B. LAMY, JR.

Vice President and Western Department Manager
WILLIAM M. CARLSON

Treasurer
CHARLES A. MASON, JR.

Assistant Treasurer
FLOYD W. BUSWELL

Secretaries
ROBERT A. BARRETT
JOHN F. HARTNETT
JOSEPH A. PELLETIER
DONALD LEITH

Assistant Secretaries
AARON T. COATES
FRANK A. MURPHY
JOHN G. DEGELMAN

This company is built on the best practices of insurance and the fine traditions typical of New England.

Exhibit C

Editorial—Pacific Insurance Magazine, Issue of June, 1949, Page 78

WHAT'S WRONG WITH THE CALIFORNIA INSURANCE DEPT?

California's Insurance Commissioner has too much power! In Russia the Government can and does take private property on the flimsiest of legal grounds or on no grounds at all. Here in California the Insurance Commissioner has the power of life and death over the business life of individuals, corporations, and partnerships. Wisely used the tremendous power possessed by the Commissioner *might* be all right—but used the way Commissioner *Wallace K. Downey* and his staff of legalite hair splitters use it—it is a menace to the public and the insurance business The law isn't so bad—it is the Commissioner's often ill advised INTERPRETATION of what he THINKS is the law that makes most of the trouble.

CALIFORNIA'S REPUBLICAN GOVERNOR EARL WARREN APPOINTED DOWNEY AND IT IS UP TO THE GOVERNOR TO REMOVE HIM—FAST! If the way in which the Insurance Commissioner (who acts as though ins. people are CROOKS and should be treated accordingly) operates is the Republican way of doing things, then this writer (a life long Republican) is ashamed of the party. Kangaroo courts, seizure of private property on flimsy pretexts and without the defendant having his day in court, business MURDER and cut rate competition by the State with the taxpayers may be okay in Russia (if the Russians like it) but it should not be allowed to continue in California.

Without waiting the results of a convention examination of the Rhode Island Ins Co., which started on May 2nd, and participated in by the States of Rhode Island, Pennsylvania, Florida, Indiana, New Mexico and California (whose examiner failed to arrive on time) Insurance Commissioner *Wallace K. Downey,* obtained a Superior Court order on the grounds that the company is insolvent (so *he* says) and seized its California business, assets, bank accounts, accounts receivable, etc.

In his "wisdom" the California Commissioner used as one of his excuses for what seems to have been unjustified seizure of private property, that the Rhode Island's financial condition was such as to render its continued operation hazardous to policyholders, loss claimants and creditors. Up until the time he seized it, no one in California had any complaint about the Rhode Island. It paid its obligations promptly and in full and is still doing so in all the other 34 States in which it operates.

Now, because the Commissioner has been substituted for the lawful management in California, California policyholders, agents and brokers cannot secure return premiums, lost claimants are having loss drafts returned unpaid, and over 150,000 policyholders are incurring financial loss because of having to purchase new insurance to replace Rhode Island policies.

The Calif. Ins. Dept. cannot discharge Rhode Island's obligations and it has made it impossible for the Rhode Island management to do so!

Therefore, the California Insurance Department has brought about the very situation which it was afraid might happen!

We do not question the Commissioner's honesty of purpose nor his sincerity in trying to "enforce the law," nor do we doubt his good intentions. The Road to Hell is paved with them!

The Rhode Island case is merely the culmination of a long series of unfortunate and costly mistakes by the present California Ins. Commissioner. Others we can cite, in which real courts have over-ruled Downey and his fellow gnat strainers of the Insurance Department include the National Auto & Casualty case, the Thomas V. Humphreys case and the Mal Pillsbury case.

The insurance business pays taxes of over $20 millions per year to the State of California and the head of the Insurance Department should be interested in preserving—not destroying the business that makes such revenue possible. In the case of the Rhode Island Ins. Co. Downey says it is "insolvent within the meaning of the California law" so he seizes it and makes it impossible for the company to pay off California obligations, although it continues successfully and pays all of its obligations in all the other 34 States in which it operates and everybody except Downey and his hair splitters say the company is solvent. Contrast Doubting Downey with Ins. Supt. Robert Dineen of the State of New York.

Not long ago Mr. Dineen learned that one of his home State companies, the great Preferred Accident, was in financial difficulties. Did he immediately seize it? Did he carry out legal steps to destroy it? Supt. Dineen called a meeting of the leaders of the casualty business in New York and in effect said: "Gentlemen, the Preferred Accident needs several millions of dollars in order to rehabilitate itself. It is up to you to assist us in securing this money because the collapse of one insurance company will be harmful to ALL the insurance business."

The Eastern executives agreed with the Superintendent but when they failed to display much interest in the matter Dineen secured the money from the R.F.C., down at Washington, and today the Preferred Accident is in fine shape and will soon be repaying the Government loan with interest.

California, the second largest insurance State in the union, deserves to have one of the BEST Insurance Commissioners.

Exhibit D

Article in The National Underwriter (Insurance Magazine) May 26, 1949

THE NATIONAL UNDERWRITER, May 26, 1949

FRACTIONAL RECEIVERSHIP

The action of the California department in bringing about a receivership for the California branch of Rhode Island Ins. Co. constitutes an eccentric and unheard of departure and one that we fear contains the possibility of seeds of discord that could be menacing to the system of state supervision. We hold no brief for the Rhode Island Ins. Co. and are not undertaking here to champion its cause, but the idea that a state could or would place in receivership that portion of an insurance company's operations over which it could command jurisdiction, is shocking and depressing to contemplate. In the depression days when insurance companies were toppling over in considerable numbers, there was a mad rush to get ancillary receivers named in an endeavor to seize for the policyholders of an individual state assets that would provide more than

a pro rata recovery for assured and claimants in that state. This caused such an awkward problem that there was brought into being, through the good offices of National Assn. of Ins. Commissioners, the uniform liquidation act that was put on the statute books of most states.

That problem, however, doesn't hold a candle to the kind of a situation that could be precipitated by the course of procedure such as California has instituted here. Commissioner Downey wanted Rhode Island Ins. Co. to leave the state. We suppose he exhausted the various possibilities open to him to effect such departure and failing to persuade the company to leave the state voluntarily or to effect a revocation of license that would stand up, he took the unprecedented action of getting a court order placing the California branch of Rhode Island Ins. Co. in receivership.

This introduces a type of situation that could be paralyzing to the insurance business, and completely disruptive of state supervision. Until now, receivership has been thought of as being akin to pregnancy in that it was impossible to be a little bit that way. Mr. Downey, however, has proceeded on the theory that an insurance company can be 1/48th in receivership. What is appalling to contemplate is the possibility of retaliatory laws being invoked and companies being subjected to receivership proceedings in one state so as to get even with the state of domicile of an insurer.

From a practical standpoint, a receivership for a branch of an insurance company in a particular state is an anomaly. The only assets to be seized usually will consist of the state deposit which is usually in a token amount, premiums receivable and any local bank accounts. These would ordinarily be insufficient to cover the liabilities unless the company would be willing and could find some way to make head office funds available to the receiver of the branch.

However, the fact that the mechanics of the situation are confounding is less disturbing than the fact that such a procedure was conceivable to any state authority. There have been plenty of commissioners throughout the years that have desired and have had reason to cause the departure from their shores of foreign insurers, and time and time again this has been accomplished either with or without recourse to court action and on other occasions, foreign insurers have been able to establish their right to remain in a state.

Rhode Island Ins. Co. apparently had decided not to back down in California. The question was whether it should be permitted to remain in the state and the issue was whether its license there should be revoked. Mr. Downey, it seems to us, has said in effect that if he can't bring about the departure of a foreign company by any other means, he will resort to partition of that company and place the California branch in receivership. Granted that Mr. Downey has had a terriffic mad on for Rhode Island, we can't endorse the principle that when a commissioner's blood pressure exceeds a certain point he shall be privileged to place a portion of a foreign insurance company that is within his domain in receivership.

Exhibit E

Copy of Photostat of Letter to Hon. George A. Bisson, Insurance Commissioner of the State of Rhode Island, From Hon. Seth B. Thompson, Insurance Commissioner for the State of Oregon, Announcing Designation of Maurice D. Rouble (California) to Represent Zone Six (Which Includes California) in the Conference Examination. Also News Release Relating to Same

SETH B. THOMPSON
INSURANCE COMMISSIONER

DOUGLAS McKAY
GOVERNOR

WM. F. LEARY, Deputy
LOUIS GARFIN, Actuary

[SEAL]

Received
Apr 20 1949
Insurance

STATE OF OREGON
DEPARTMENT OF INSURANCE
FIRE MARSHAL DEPARTMENT
SALEM

April 15, 1949

Hon. George A. Bisson
Insurance Commissioner
Providence 2, Rhode Island

DEAR COMMISSIONER BISSON: Mr. Maurice D. Rouble, Principal Examiner for the California Insurance Department, has been designated to represent Zone Six on the examination of the RHODE ISLAND INSURANCE COMPANY of Providence, Rhode Island, and will report to the executive offices of the Company at 1409 North Broad Street, Philadelphia, Pennsylvania, on May 2, 1949.

Yours very truly,

(Signed) SETH B. THOMPSON
Chairman of Zone 6, NAIC

SBT:LM
cc Mr John T. Richardson

FOR IMMEDIATE RELEASE

FROM: RHODE ISLAND INSURANCE COMPANY
15 Westminster Street
Providence 3, Rhode Island

NEW YORK, N. Y., June 9, 1949—Wallace K. Downey, California Insurance Commissioner, was today revealed as having failed to keep his Department's pledge to participate in the quadrennial convention examination of the Rhode Island Insurance Company's books, now in progress. This disclosure was made immediately following action of the California Assembly which passed a resolution calling for a legislative investigation of the actions of Commissioner Downey in seizing assets of the Rhode Island Insurance Company.

The information was made public here today by Stewart B. Hopps, Chairman of the Insurance Company's Board of Directors, in commenting upon the controversy between the Commissioner and the Company.

"There is at present being conducted in our Philadelphia office by the National Association of Insurance Commissioners the regular four-year convention examination." Hopps continued, "One state in each of the six zones takes part. Participating are Rhode Island, our home state,

Pennsylvania for the East, Florida for the South, Indiana for the Central West, New Mexico for the Southwest and, for the Pacific Coast, California had indicated acceptance. The examination has been in progress since May 2, 1949, and Mr. Downey's examiner has so far failed to put in an appearance at the Company's offices.

"Photostatic evidence is herewith presented (attached) showing that the California Department had, prior to April 15, 1949, designated their Principal Examiner by name to report to the Executive Offices of the Company at 1409 North Broad St., Philadelphia, Pa.

"Now, why has Mr. Downey failed to keep his word and participate in the examination which will conclusively settle his vicious charges against our Company? I will answer that question. Mr. Downey knows that the convention examination will show the Company to be amply solvent. That will effectively prevent him from carrying out his plan to railroad the Company out of the State of California. Therefore, he chose not to officially know the truth and he kept his examiners home.

"There is far more involved here than just the relationship of the Rhode Island Insurance Company with the California Department of Insurance. If Mr. Downey succeeds in having his way against our Company, all other insurance companies entered in the State of California will be threatened with the same kind of heavy handed and arbitrary treatment."

Exhibit F

Letter From Wallace K. Downey, California Insurance Commissioner, to Chairman of Committee

This letter, together with the form letter referred to in Mr. Downey's communication, was sent to the chairman by Mr. Downey voluntarily.

WALLACE K. DOWNEY
Insurance Commissioner

EARL WARREN
Governor
[SEAL]
STATE OF CALIFORNIA
OFFICE OF THE
INSURANCE COMMISSIONER
1182 Market Street
San Francisco 4

June 21, 1949

Honorable Ernest R. Geddes, Chairman
Assembly Committee on Finance and Insurance
State Capitol, Sacramento, California

Re: House Resolution No. 221

DEAR MR. GEDDES: Jack Maloney has just informed me that he discussed the above mentioned Resolution with you yesterday in Sacramento. He told me that you felt that the Committee would not have an opportunity, due to press of legislative business, to carry on this investigation and report back by next Saturday, and that you felt that the matter should be referred to the Interim Committee when the Assembly establishes it.

Mr. Maloney further stated that you had told him that the only information you had regarding the recent conservation action taken by

this Department against Rhode Island Insurance Company and Pioneer-Equitable Insurance Company of Indiana, was various statements that have been circulated to the members of the Legislature either by the Rhode Island Insurance Company or, on its behalf, by an insurance trade publication.

The activities of the Rhode Island Insurance Company have been under study by this Department for about four years, and under intensive scrutiny for about two years. Since I was unable to have the home States of these companies call a convention examination last summer, I had the California Department examine them, beginning last September. The Report of Examination by Mr. Rouble, the California Examiner, is over 270 pages long, and is quite complex. I will be glad to furnish a copy of this report to you if you wish it. It is now a public record in the Superior Court in San Francisco.

Mr. Maloney indicated that you might be interested in a resume of the proceedings and the reasons why the Department brought this conservatorship action. I am, therefore, enclosing a copy of a letter dated June 8, 1949,* that I sent to the Insurance Commissioner of each State of the United States and the District of Columbia.

The conservation proceeding is pending before the Superior Court in San Francisco. Neither Rhode Island Insurance Company nor Pioneer-Equitable Insurance Company of Indiana has filed any proceeding in that court as yet to show that any reason exists for terminating the conservatorship. Rhode Island Insurance Company did file a mandamus proceeding in the District Court of Appeal here in San Francisco seeking to have me ousted as Conservator, but that action is still pending and the court has as yet issued no decision therein.

Mr. Maloney further told me that he had informed you that I intended to attend the spring meeting of the National Association of Insurance Commissioners in Seattle, and that you had stated to him that my presence would not be required before the Committee prior to the time that the National Association meeting is completed, which will be the end of next week.

I will be glad to furnish you or the Committee with any information you may desire regarding the subject of investigation or any other pertinent subject, at any time.

Yours very truly,

(Signed) WALLACE K. DOWNEY
Insurance Commissioner

WKD:mo
encl.

* NOTE: Copy of letter (mimeographed) follows this letter, and is part of this exhibit.—GEDDES, Chairman.

Copy of Form Letter Sent to the Insurance Commissioner of Each State

WALLACE K. DOWNEY
INSURANCE COMMISSIONER

EARL WARREN
GOVERNOR

STATE OF CALIFORNIA

Office of the
INSURANCE COMMISSIONER
417 MONTGOMERY STREET
SAN FRANCISCO 4

June 8, 1949

DEAR COMMISSIONER: This letter is written to clarify a somewhat widespread misunderstanding of the basis of the action taken by the California Department against the Rhode Island Insurance Company which misunderstanding apparently has resulted from the extensive publicity given to the Company's claim of unwarranted, ill-considered and untimely action on the part of the California Commissioner.

The affairs of the Rhode Island Company have been under scrutiny of and a source of concern to the California Department for nearly four years. During 1948, I was in almost continuous contact with the Commissioners of the states most closely involved and attended many conferences with them regarding this company. During this period I had no reliable data as to the company's financial condition since the official statements of the company contained obvious defects that could not be readily reconciled. But I believe it was the consensus of opinion of the Commissioners present at the various conversations that the Rhode Island Company was in questionable financial condition and that the practices of its management with respect to intercorporate financial and reinsurance transactions presented a definite hazard. The Company had recently withdrawn under compulsion from the states of Connecticut, Minnesota, and New York. Best's publication had withdrawn its rating of the company.

As early as April 22, 1948, I urged that there be a convention examination of the Company. That suggestion was repeated in July, 1948, and again on September 2, 1948, but no action thereon was obtained. Since September, 1948, the Company has been under examination by the California Department Concurrently therewith examinations were in progress by the Rhode Island, Pennsylvania, Colorado and Indiana Departments as well as by two or three different firms of public accountants. By reason of the many controversies that existed and the absence of reliable and essential information, none of the examiners or accounting firms concerned, with the exception of the examiner from Rhode Island, would certify to a financial statement of the Company. The Rhode Island examiner produced a financial statement as of September 30, 1948, but that statement was so qualified by notes on almost every item contained therein as to make it of little help in analyzing the situation. The California examiner continued his efforts until March, 1949, but was still unable to produce a financial statement to which he cared to certify.

In October, 1948, an interim report of examination was submitted by examiners of the Rhode Island, Pennylvania, and Indiana Departments. Again, this report did not contain a financial statement but it

disclosed records of transactions which could not but cause grave concern to a regulatory official. The report of examination by the California examiner dated April 22, 1949, produced an amazing record of intracompany and intercorporate transactions which, with information theretofore received, forced me to the conclusion that the Company had been grossly mismanaged and was in a condition in which its continued operation would be hazardous to its policyholders and to the public.

It may be noted that, as early as September 10, 1948, I advised the Commissioners of Rhode Island and Pennsylvania that, pending clarification of the company's affairs, I would press my previous request made to the Company that there be a voluntary termination of writing of new business in California. I was unable to obtain such voluntary action on the part of the Rhode Island, but the Pioneer Equitable did voluntarily cease to write further business here. Thereafter, in response to the query of its officers, I urged the withdrawal of the Rhode Island Company from California.

As required by law, the Rhode Island Company, on or about March 1, 1949, filed a verified statement of its affairs as of December 31, 1948, showing a surplus to policyholders of $2,025,717.44. This statement indicated, on the basis of the Company's own financial statements, a loss of surplus of $2,830,926.83 in the three year period between December 31, 1945, and December 31, 1948, of which amount $1,369,298.76 represented a loss in 1948.

An analysis by this office of the December 31, 1948 statement of the Company and of a transaction with Pioneer Equitable Insurance Company of Indiana effective the following day resulted in our making a number of adjustments as follows:

The Company had ceded to Lloyds of London premiums aggregating $3,810,784.74 under a treaty of reinsurance providing for a commission to Rhode Island of four per cent less than the difference between the loss ratio and 100% up to a loss ratio of seventy-five per cent. Lloyds guaranteed a minimum commission of twenty-five per cent. The date of the first settlement under the Lloyds' treaty is March 31, 1950, covering the period October 31, 1948, to December 31, 1949. I was informed by an official of the Company that its 1948 statement had been set up on the basis of a commission due the Rhode Island on this reinsurance of forty-six per cent, based on an assumed prospective loss ratio of fifty per cent. Obviously, the Company may not create an asset in the form of a commission due from Lloyds upon the basis of an assumed loss ratio for a period not yet completed, since such a procedure would have the effect of taking a profit not yet realized, and the only commission asset for which it could properly take credit was the minimum commission guaranteed by the reinsurer, i.e., twenty-five per cent, and, further, since under the type of agreement involved, the reinsurer accepts no liability for losses whatsoever within normal limits of loss ratio and consequently such reinsurance cannot create the basis of a deduction from unearned premium reserves except to the extent of the guaranteed commission. The reduction in the Lloyds' commission taken in the Rhode Island statement from forty-six per cent to twenty-five per cent, results in a reduction in the Company's surplus as of December 31, 1948, of $800,264.79.

A revaluation of the securities in the Company's portfolio resulted in a decrease in the valuation thereof of $26,716.

Under date of March 21, 1949, but effective as of January 1, 1949, Rhode Island entered into an agreement with Pioneer Equitable Insurance Company of Indiana settling the various disputes theretofore existing between the two companies, under which Rhode Island reinsured and took over the entire insurance business of Pioneer. As a result of this transaction, the following adjustments were made in the Rhode Island statement:

(1) Among the considerations received by Rhode Island for the reisurance were 4 percent notes of Pioneer Equitable due in 1954 in the amount of $379,500. These notes are unsecured and are not believed to be a sound investment within the meaning of the California Insurance Code. The amount thereof was deducted as an asset not admitted and, therefore, adversely affected the surplus in the full amount thereof.

(2) In the transaction, Pioneer Equitable turned over to Rhode Island 259,213 shares of Rhode Island common capital stock of a par value of $1 per share at an agreed valuation of $1,330,000. Since a company cannot carry its own stock as an asset, the stock was considered to be retired, resulting in a decrease in assets of $1,330,000.

(3) The cession to Rhode Island of the insurance business of Pioneer Equitable resulted in automatic reinsurance by Lloyds of London of 50 percent of the total so ceded, upon which Rhode Island would become entitled to a minimum commission of 25 percent, or $183,875.

(4) The total of the obligations assumed by Rhode Island and the securities transferred by it to Pioneer Equitable exceeded the assets received by $908,066.

The effect of all of these adjustments, applied to its own statement, is to create an impairment of the Company's capital of $734.954.35, which constitutes insolvency under the California statute. This impairment was determined after surplus had been credited with an amount of $1,240,787 representing the difference between the redemption value of $1,500,000 and the par value of $259,213 of Rhode Island 5 percent preferred capital stock issued to Pioneer Equitable in accordance with the reinsurance agreement. The redemption feature of this preferred capital stock is discussed under paragraph 1 below.

Further, in determining the amount of impairment, no consideration has been given to a number of items which, upon further analysis, may further increase the impairment as follows:

1. In connection with the Pioneer Equitable transaction, Rhode Island issued to Pioneer 259,213 shares of its $1 par value preferred capital stock at an agreed valuation of $1,500,000. The agreement provided that such preferred capital stock is to be redeemed at $5.7862 per share at the rate of $75,000 redemption value every six months commencing July 1, 1949. It further provides for the impounding in the hands of a trustee of securities of the aggregate value of $1,522,130 in order to guarantee such redemption.

There appears to be ground for considering that the redemption agreement and the impounding of securities creates a liability in the amount of the total redemption price of the stock less its par

value, amounting to $1,240,787. In such case, however, the Pioneer Equitable's 4 per cent notes in the amount of $379,500, which may be used to effect such redemption and previously treated as not admitted above, would be allowed as an admitted asset. The result, therefore, would be a further impairment of $861,267.

2. The questionable value of Rhode Island's accounts receivable from Wm. Penn Fire Insurance Company, due to disputes which exist with that company.

3. The possible liability of the Rhode Island as a defendant in a number of derivative suits by stockholders of other corporations.

4. The questionable value of various accounts receivable appearing on the company's statements in substantial amounts.

In seeking an order appointing me Conservator of the Rhode Island Company in California, I alleged an impairment of capital of $734,954.35 creating insolvency under California law and the possibility of still further substantial additional impairment due to the various causes cited above and further that the Company was in a hazardous condition based not only upon the financial impairment referred to above but also by reason of the following conditions:

(1) The practice of entering into management agreements with concerns in which officers or employees of the Company, past or present, had a substantial or controlling interest.

(2) The writing of excessive amounts of insurance in comparison with the capital and surplus of the Company and then reinsuring an undue proportion of the amount so written.

(3) The reinsurance of a substantial portion of the Company's business in alien insurers, most of which are not authorized to do business in any State of the United States and whose capacity to respond to catastrophe losses and to pay losses in American currency is open to question.

(4) The possibility of cancellation of Lloyds, London, reinsurance agreement as a result of changes in the Company's underwriting policies.

(5) The handling of the business of the Company by its officers in such a manner as to cause the Company to become embroiled in disputes with others such as that with La Metropolitana Compania Nacional de Seguro, S. A., of Havana, Cuba, the Pioneer Equitable Insurance Company of Indiana, and the Wm. Penn Fire Insurance Company.

(6) The practice of the management in causing the Company to purchase the securities of other companies in which the officers of Rhode Island were interested.

(7) The investment of Rhode Island's funds in questionable securities.

(8) The existence of a number of transactions not adequately set forth in the records of the Company.

The Company's contention that my action is premature does not square with the facts of the situation, regardless of the Convention Examination now in progress. During the past two years, and particularly during last year, practically every method of meeting the situation by means other than those finally adopted was thoroughly canvassed. Suggestions that additional assets be placed in the Rhode Island, that the Company cease the writing of new business in California pending clarification of its affairs, or that the Company withdraw from California, failed to bring a favorable response.

Efforts to obtain an earlier Convention Examination were not successful. Consequently, I was obliged to examine the Company alone. The examination report when submitted forced the conclusion that the Company had been grossly mismanaged. Since the management remained essentially unchanged, there was involved a condition of hazard to which it was felt that the people of California should no longer be exposed. Until the execution of the Pioneer Equitable agreement on March 21, 1949, the extent of the loss to which the Rhode Island would be subjected in the settlement of their disputes with the Pioneer Equitable was impossible of computation.

The examination report analyzed the annual statement submitted by the Company as of December 31, 1948, and made certain substantial adjustments therein as outlined above. It likewise indicated the effect of the Pioneer Equitable settlement upon that statement. The result showed a wiping out of the Company's surplus and 73 per cent of the Company's capital with the distinct possibility that, upon further analysis, and information with respect to other existing controversies and accounts, there may be a further impairment which would result in an impairment of reserves.

In these circumstances it appeared that patience ceased to be a virtue and that the only method open to me of avoiding involving the people of this State in further loss was the action taken in conservation.

Yours very truly,

WALLACE K. DOWNEY
Insurance Commissioner

Conclusions

After considering the foregoing, your committee concludes that an unhurried investigation and a more detailed report is justified, and, since a resolution creating an interim committee authorized to investigate such matters will shortly be before the Assembly, and, anticipating favorable action in creating such committee, we recommend that the subject matter of House Resolution No. 221 be referred to it.

Respectfully submitted,

ERNEST R. GEDDES, Chairman
RICHARD J. DOLWIG, Vice Chairman
CHARLES W. MEYERS
DELBERT G. MORRIS
EARL W. STANLEY
FRANCIS DUNN, JR.
T. J. DOYLE
T. A. MALONEY
BERNARD R. BRADY
Subcommittee of Assembly Committee on Finance and Insurance

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. Richard Eby of Pomona.

On request of Mr. Hollibaugh, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Mattie Barr, Mrs. Agnes Olson, Richard W. Stephens, and James C. Barr of Huntington Park.

On request of Mr. Dickey, the usual courtesies of the Assembly for this day were unanimously extended to Cecil Kwok of Sacramento.

On request of Mr. McMillan, the usual courtesies of the Assembly for this day were unanimously extended to Lucille E. Holden and Edith E. Aguilar of Los Angeles.

On request of Mr. Dolwig, the usual courtesies of the Assembly for this day were unanimously extended to Emma Bocci of San Francisco and Mrs. W. E. O'Brien of San Carlos.

On request of Mr. Hahn, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Henry B. Hahn and Carolyn Louise Hahn of Los Angeles.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to Orlo Mohr of Dunsmuir.

ADJOURNMENT

At 1.14 p.m., on motion of Mr. Dickey, the Speaker declared the Assembly adjourned until 9 a.m., Tuesday, June 28, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ONE HUNDRED SECOND LEGISLATIVE DAY

ONE HUNDRED SEVENTY-SEVENTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Tuesday, June 28, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Wisdom: Upon this day, when taxes were levied on the colonists that precipitated the Revolution, we pray that Congress may beware of taxing our Country into exhaustion.

Taxes of wasteful duplication of inefficient agencies, taxes of pork barrel maneuvering and handouts by political log rollers who think the public exchequer is bottomless.

Taxes that eat up the investing capacity and decrease the surplus devoted to charitable and character building institutions that mould the foundations of democracy

May the people learn the peril of spending more than they earn, the peril of a nation spending beyond its resources, and the peril of that rosy optimism that Eldorado is around the corner.

May the people remember that a sound nation can not spend its way into Utopia. —AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Silliman, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Morris.

The following members were granted leaves of absence for the day, because of legislative business elsewhere:

Mr. Hahn, on motion of Mr. Morris.

Mr. Lincoln, on motion of Mr. Morris.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Reagan, on motion of Mr. Morris.

APPOINTMENT OF TEMPORARY ASSISTANT MINUTE CLERK BY UNANIMOUS CONSENT

Mr. Dickey asked for, and was granted, unanimous consent that Paul Crum, Assistant Clerk, be temporarily assigned to the position of Assistant Minute Clerk.

COMMUNICATIONS

By the Chief Clerk:

A communication from Lottie Emery, relative to Assembly Bill No. 3180, was received, ordered noted in the Journal, and filed with the Secretary of State.

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

FORT WORTH 3, TEXAS, June 26, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
Assembly Chamber, State Capitol
Sacramento, California

DEAR MR. OHNIMUS: Will you please convey to the Members of the California Assembly my deepest appreciation and gratitude for the beautiful illuminated copy of the House Resolution No. 192, which I received this week. It was, indeed, a great honor to have this tribute paid to me as the American Mother.

This resolution will be one of my treasured keepsakes, and when framed, will hang on the wall of my home, a daily reminder of the graciousness of the State of California toward its mothers and the mothers of the Nation.

May I thank you again for this lovely gift.

Sincerely yours,

MRS. E. A. GILLIS
American Mother, 1949

MESSAGES FROM THE SENATE

SENATE, CALIFORNIA LEGISLATURE
SACRAMENTO, CALIFORNIA, June 27, 1949

Hon. Arthur A. Ohnimus
Chief Clerk of the Assembly
State Capitol, Sacramento, California

DEAR SIR: I am directed by the Senate to request you to return to the Senate for further action Assembly Bill No. 679.

Very truly yours,

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

ASSEMBLY BILL NO. 679 ORDERED RETURNED TO SENATE

Mr. Erwin moved that Assembly Bill No. 679 be recalled from enrollment, and returned to the Senate.

Motion carried unanimously.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Assembly Bill No. 3180

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered engrossed.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1444

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bill ordered to third reading.

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 851

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

EVANS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 851—An act to amend the title and Sections 1, 2, 3, 15, and 16 of the Sanitation and Sewer Revenue Bond Act of 1941, relating to the financing of revenue-producing enterprises by municipalities.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 149

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 149—An act to repeal Section 3720 of the Elections Code, thereby repealing certain temporary provisions for ballots and envelopes for absent voting during wartime.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 1166
Senate Bill No. 1614

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Senate Bill No. 1166 ordered to second reading.
Senate Bill No. 1614 ordered to third reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1166—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3180

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported bill ordered to third reading.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 702
Assembly Bill No. 1190
Assembly Bill No. 1450
Assembly Bill No. 1589
Assembly Bill No. 1639
Assembly Bill No. 1805
Assembly Bill No. 2170
Assembly Bill No. 2265
Assembly Bill No. 2890
Assembly Bill No. 2948
Assembly Bill No. 3154

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 40
Assembly Bill No. 599
Assembly Bill No. 644
Assembly Bill No. 798
Assembly Bill No. 834
Assembly Bill No. 835
Assembly Bill No. 893
Assembly Bill No. 947
Assembly Bill No. 1001
Assembly Bill No. 1160
Assembly Bill No. 1173
Assembly Bill No. 1559
Assembly Bill No. 1560
Assembly Bill No. 1659
Assembly Bill No. 1734
Assembly Bill No. 1748
Assembly Bill No. 1752
Assembly Bill No. 1921
Assembly Bill No. 1974
Assembly Bill No. 2036
Assembly Bill No. 2264
Assembly Bill No. 2266
Assembly Bill No. 2280
Assembly Bill No. 2309
Assembly Bill No. 2414
Assembly Bill No. 3158

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 33

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1468—An act to amend Section 9 5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 23, 1949, strike out "eighty-five dollars ($485)", and insert *"fifty dollars ($450)"*.

Amendment No. 2

On page 2, lines 2 and 3, of said bill, strike out "eighty-five dollars ($485)", and insert *"fifty dollars ($450)"*.

REGAN
MILLER
KRAFT
Senate Committee on Conference

THOMPSON
BRADY
NIEHOUSE
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, Coats, Conrad, Cooke, Crichton, Davis, Doyle, Erwin, Fleury, Gaffney, Grant, Hawkins, Heisinger, Hinckley Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, Meyers, Moss, Niehouse, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr Speaker—42.

NOES—None.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 28, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 404**, entitled, "An act to add Section 21.2 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to John E. Moss, Jr., Member of the Assembly, at 10.20 o'clock p.m. on the twenty-seventh day of June, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 27, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 404, entitled, "An act to add Section 21 2 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof."

The Presiding Judge of the Municipal Court of the City of Los Angeles has informed me that the judges of the court are unanimously opposed to this bill. He

states that there is no correlation between Assembly districts within the city and the need for divisions of the court. He advises me that the branches of this court are now open and in session throughout the entire year for the filing and trial of both civil and criminal cases with each branch having a judge presiding there full time and one or more deputy clerks and deputy marshals on a full time basis. These branches are performing full court services with the sole exception of jury trials.

The Judicial Council has recommended a veto of this bill, stating that it is not necessary inasmuch as a branch of the municipal court is being maintained in San Pedro and the bill establishes a bad precedent.

The Judiciary Committee of the Los Angeles Bar Association was polled on this bill and all the members except one, who could not be reached, opposed the measure on the ground that the branch court idea is bad and that the court should not be further decentralized Further, the presiding judge of the municipal court informs me that the measure is ambiguous and would probably not apply to any Assembly district in the City of Los Angeles inasmuch as there is no Assembly district which is more than 20 miles from the city hall. The boundary line of the Sixty-eighth Assembly District nearest to the city hall is 14 miles away. If this measure would apply to the Sixty-eighth Assembly District, it would also apply to the Sixtieth Assembly District, the boundary of which is just a few blocks south of the present West Los Angeles Division of the court

Because of these objections and the ambiguity of the bill I am returning it without my signature.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 404 ordered to unfinished business file.

ANNOUNCEMENTS

Speaker Sam L. Collins announced, upon request of Senator Swing, that the final meeting of the Senate Governmental Efficiency Committee is at 11 a.m. this morning. The calendar, as set out in the Senate File, will be followed so that Members of the Assembly may anticipate about when their bills will be heard, and they will not be unnecessarily delayed.

The committee will stay in session until all bills are heard, and the cooperation of members in being present and presenting their measures will be appreciated.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 28, 1949

To the Assembly of the State of California
Sacramento, California

GENTLEMEN: I am transmitting to you herewith a copy of a message with reference to **Assembly Bill No. 20,** entitled, "An act to add Sections 159.5, 159.6, and 159.7 to the Vehicle Code, relating to motor vehicle registration."

This bill, with my message relative thereto, I (through my Legislative Secretary) delivered to John E. Moss, Jr., Member of the Assembly, at 10.20 o'clock p.m. on the twenty-seventh day of June, 1949, at which time your honorable body had adjourned for the day but not for the session.

Respectfully submitted,

EARL WARREN, Governor

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, June 27, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 20, entitled "An act to add Sections 159.5, 159.6, and 159.7, to the Vehicle Code, relating to motor vehicle registration."

My objections to this bill are as follows:

This bill would require the Director of Motor Vehicles to establish a system of staggered registration for all motor vehicles with the registration of motor vehicles distributed as uniformly as practical over each of 12 monthly periods. The bill does not provide for details as to how the conversion from the present plan of registration is to be accomplished, nor does it make any provision with regard to corresponding changes which would be required in the taxing provisions of our law, nor in the provisions relative to payments to counties from such fees.

I am informed that there have been no studies which would indicate the effects such a system would have, nor have there been any studies as to the means whereby the transfer could be accomplished. The Department of Motor Vehicles is just recovering from the difficulties imposed on it by the change from a manual to a machine type of operation Confusion which would result from this proposed change is impossible to foretell so long as there has been no investigation of the subject

It has been pointed out to me that only two states now use this system, both of which are comparatively small in the number of vehicles registered as compared with the registration in California. The system of staggered registrations is now in effect in Wisconsin and Missouri, and in those states it applies only to automobiles, and not to trucks, trailers, or motorcycles. In addition, in these states the registration fee is a flat fee regardless of age or the value of the vehicle, whereas such is decidedly not the case in California. In this State the total number of transactions involved in each year is approximately seven million items. The transfer from the present system to the new system would require an additional number of registration items totaling some two million transactions.

Because of the fluid nature of the population in this State 87,000 certificates and plates were returned unclaimed in 1948. The addition of 2,000,000 additional transactions to the work load in the department could not help but result in confusion and the requirement of added expense and personnel To convert more than four million vehicles to the new registration system it would be necessary either to register each vehicle twice within a year's time, or to collect a full year's fee and a pro rata share of the following year's fee. Either system immediately suggests serious obstacles.

Before a plan could be evolved to meet such difficulties, the department would be required to make a most complete study and evolve detailed plans for the transfer No provision has been made in the department budget for any such activity. Under the circumstances and until studies have been made which will produce more detailed information as to the difficulties involved, I do not believe that this bill should be approved. Inasmuch as it is not by its terms to go into effect until January 1, 1952, no harm will result if this bill does not go into effect this year Under the circumstances I am returning the bill without my approval

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No 20 ordered to unfinished business file

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1472—An act to amend Section 22 of the Bank and Corporation Franchise Tax Act, relating to the appointment of the Franchise Tax Commissioner.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1472?

Amendment No. 1

Strike out the title of the printed bill, and insert

"An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdiction, purposes, and functions and abolishing the office of Franchise Tax Commissioner."

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 23, inclusive, and insert

"SECTION 1. There is hereby established in the State Government a Franchise Tax Board consisting of the Director of Finance, the State Controller, and the Chairman of the State Board of Equalization. The board shall succeed to, and is hereby vested with, all of the duties, powers, purposes, responsibilities, and jurisdiction of the Franchise Tax Commissioner, which office is hereby abolished, provided, however, that the statutes and laws under which such office existed and all laws prescribing the duties powers, purposes, responsibilities and jurisdiction of such office, together with all lawful rules and regulations established thereunder, are hereby expressly continued in force. The term "Franchise Tax Commissioner" when used in any statute, law, rule or regulation now in force, or that may hereafter be enacted or adopted, shall be construed to mean and refer to the Franchise Tax Board the same as though the title of the Franchise Tax Board had been specifically set forth therein No action now pending to which the Franchise Tax Commissioner is a party shall abate by reason hereof but shall continue in the name of the Franchise Tax Board, and the Franchise Tax Board shall be substituted for the Franchise Tax Commissioner by the court wherein the

action is pending The substitution shall not in any way affect the rights of the parties to the action.

SEC. 2 The Franchise Tax Board, by unanimous consent, may appoint an executive officer who shall serve at the pleasure of the board and shall perform such duties as are delegated to him by the board The executive officer may be removed only by unanimous consent of the board The annual salary of the executive officer shall be twelve thousand dollars ($12,000). The board shall employ, in addition to existing employees of the Franchise Tax Commissioner, such other assistants and clerical and other employees as it deems necessary for the effective conduct of its work, and shall fix their compensation in accordance with law.

SEC. 3 Any power granted to, or duty imposed on, the Franchise Tax Board by any provision of law may be exercised or performed by any officer or employee of the board authorized by the board unless it is expressly provided that the power or duty shall be exercised or performed only by the board."

Amendment No. 3

On page 2, lines 2 and 3, of the printed bill, as amended in the Senate on April 27, 1949, strike out "Director of Finance, the State Controller", and insert "Lieutenant Governor, the Secretary of State".

Amendment No. 4

On page 2, lines 24 and 25, of said bill, strike out "The Franchise Tax Board, by unanimous consent", and insert "The Governor, with the consent and approval of two-thirds of the Senate".

Amendment No. 5

On page 2, lines 25 and 26, of said bill, strike out "serve at the pleasure of the board", and insert "be a civil executive officer".

Amendment No. 6

On page 2, line 28, of said bill, strike out "only by unanimous consent of", and insert "by".

Amendment No. 7

On page 2, line 30, of said bill, strike out "board", and insert "executive officer".

Amendment No. 8

On page 2 of said bill, after line 39, insert

"SEC. 4. The provisions of this act shall become effective January 1, 1950."

Amendment No. 9

On page 1, line 4, of the printed bill, as amended in the Senate on May 11, 1947, strike out "Secretary of State", and insert "Director of Finance".

Amendment No. 10

On page 2, line 4, of said bill, strike out "Governor", and insert "Franchise Tax Board".

Amendment No. 11

On page 2 of said bill, strike out line 8, and in line 9, strike out "by the board.", and insert "board. The Legislature hereby requests the board to designate said executive officer as the person holding the position confidential to it, within the meaning of subdivision 5 of Section 4, Article XXIV of the Constitution."

Amendment No. 12

On page 2, line 13, of said bill, strike out "it", and insert "he".

Amendment No. 13

On page 2, line 14, of said bill, strike out "its", and insert "his".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1472 by the following vote:

AYES—Beck, Brown, Burkhalter, Conrad, Geddes, and Luckel—6.

NOES—Bennett, Berry, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lindsay, Maloney, McMillan, Moss, Niehouse, Rumford, Stanley, Stewart, Thompson, Tomlinson, Way, and Mr. Speaker—38.

Appointment of Committee on Conference Concerning Assembly Bill No. 1472

The Speaker announced the appointment of Messrs. Stewart, Brown, and Erwin as a Committee on Conference concerning Assembly Bill No. 1472.

Assembly Bill No. 1123—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1123?

Amendment No. 1

On page 1, line 23, of the printed bill, after "action", insert "; provided, that any action based on malfeasance or misfeasance shall be commenced within one year from discovery, by the aggrieved party or his agent, of the facts constituting said cause of action or within three years from the performance of the notarial act giving rise to said action, whichever is later; and provided further, that any action against a notary public on his bond or in his official capacity must be commenced within six years."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1123 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Stanley, Thompson, Tomlinson, Way, Weber, and Mr Speaker—49.

NOES—None.

Assembly Bill No. 1123 ordered enrolled.

Assembly Bill No. 1626—An act to amend Sections 18100, 18102, 18105, 18200, 18300, 18302, 18408, 18460, 18461, 18464, 18466, 18467, 18470, 18625, 18650, 18652, 18654, 18656, 18658; and to add Sections 18104.5, 18106.5, 18107.1, 18203, 18400.5, 18401, 18401.1, 18401.2, 18401.3, 18432.5, 18432.6, 18432.7, Article 2.5 (comprising Section 18440), Article 2.6 (comprising Sections 18450 and 18451), and Article 2.7 (comprising Section 18455.5) to Chapter 4, Part 2, Division 13, Sections 18460.4, 18466.5, 18466.6, 18466.7, 18466.8, 18467 5, 18470.5, 18600, 18600.5, 18625.5, 18625.6, 18625.7, 18650.2, 18656.8, 18710.5, Chapter 5.5 (comprising Sections 18715 and 18715.1) to Part 2, Division 13, and Section 18720.7 to; and to repeal Sections 18302.5 and 18600 of, the Health and Safety Code, relating to auto courts, resorts, and motels and auto and trailer parks.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1626?

Amendment No. 1

On page 7, line 42, of the printed bill, as amended in the Assembly on April 20, 1949, after "removed", insert "therefrom, except for the purpose of making temporary repairs or placing it in dead storage".

Amendment No. 2

On page 8, line 5, of said bill, after "unsound", insert "and does not protect its habitants against the elements".

Amendment No. 3

In line 12 of the title of said bill, after "18652," insert "18653,".

Amendment No. 4

In line 12 of the title of said bill, after "18658", insert ", 18721.5".

Amendment No. 5

In line 24 of the title of said bill, strike out "and 18600", and insert ", 18600 and 18659".

Amendment No. 6

On page 9 of said bill, between lines 7 and 8, insert

"SEC. 50.3. Section 18653 of said code is amended to read:

18653. It is unlawful for any person to use, or permit the use of, any toilet in any trailer coach located or camped within an auto and trailer camp, *unless such toilet*

meets the requirements of the Division of Housing as set forth in rules and regulations of the said division for such use, and the said division is hereby empowered to draft and enforce such rules and regulations."

Amendment No. 7

On page 9, line 33, of said bill, strike out "18656.71", and insert "18656.8".

Amendment No. 8

On page 9 of said bill, strike out line 40, and insert "18466, 18466.5, 18466.6, 18466.7, 18466.8, 18467, and 18467.5 of this part.

SEC. 52.7 Section 18659 of said code is repealed."

Amendment No. 9

On page 11 of said bill, after line 8, insert

"SEC. 66. Section 18721.5 of said code is amended to read:

18721.5. (a) This part does not apply to any hotel which is subject to the provisions of Part 1 of this division. A "motel" as defined in Section 18100.5 shall not be considered subject to Part 1.

(b) This part does not apply to any apartment house *which is over one story in height and* which is subject to the provisions of Part 1 of this division.

SEC. 67. No provision of this act shall be construed to require a structural addition, structural alteration or a structural change in or on an existing building where such is not required by law prior to the effective date of this act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1626 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—51.

NOES—None.

Assembly Bill No. 1626 ordered enrolled.

Assembly Bill No. 1743—An act to amend Sections 12460 and 12461 of the Government Code, relating to the duties of the Controller.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1743?

Amendment No. 1

On page 2 of the printed bill, strike out lines 8 and 9.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1743 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—52.

NOES—Dolwig—1.

Assembly Bill No. 1743 ordered enrolled.

Assembly Bill No. 2019—An act to amend Sections 139.51, 139.52, and 139.53 of the Vehicle Code, relating to members of the California Highway Patrol.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2019?

Amendment No. 1

On page 1, line 3, of the printed bill, after "139.51.", insert "The California Highway Patrol Personnel Enumerated."

Amendment No. 2

On page 1, line 9, of said bill, after "139.52.", insert "Efficiency Ratings."

Amendment No. 3

On page 1, line 15, of said bill, after "139.53.", insert "Rules Regarding Promotions."

Amendment No. 4

On page 1, line 20, of said bill, strike out "considered equal", and insert "eligible, and for the purposes of examinations for captain the classes of lieutenant and sergeant shall be eligible."

Amendment No. 5

On page 1 of said bill, after line 20, insert "The filling of any position of lieutenant shall not be by demotion of any member holding a permanent rating of captain on July 1, 1949, except as provided in the Government Code."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2019 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—52.

NOES—None.

Assembly Bill No. 2019 ordered enrolled.

Assembly Bill No. 2183—An act to add Chapter 5.5 to Division 21 of the Health and Safety Code, relating to frozen food.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2183?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 3, 1949, strike out lines 8 to 13, inclusive.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2183 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2183 ordered enrolled.

Assembly Bill No. 580—An act to amend Section 1361 of the Government Code, relating to oaths of office.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 580?

Amendment No. 1

On page 1, lines 5 and 6, of the printed bill, strike out "Not less than fifteen days".

Amendment No. 2

In line 6 of said bill, capitalize "Before".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 580 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant,

Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 580 ordered enrolled.

Assembly Bill No. 594—An act to add Section 20374.1 to the Education Code, relating to the termination of employment of employees of state colleges.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 594?

Amendment No. 1

On page 1, beginning in line 5, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "at the close of the fiscal year in which he attains the age of", and insert "on the first day of the calendar month next succeeding that in which he attains age".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 594 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thompson, Way, Weber, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 594 ordered enrolled.

Assembly Bill No. 619—An act to amend Sections 525, 525.1, and 540 of, and to add Section 525.2 to the Vehicle Code, relating to the driving of vehicles on highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 619?

Amendment No. 1

On page 3 of the printed bill, following line 21, insert

"SEC. 4. Section 604 is added to the Vehicle Code, to read:

604. No Vehicle to Oppose One-Way Traffic. No person shall operate or move a vehicle upon a street or highway designated and signposted for one-way traffic in a direction opposed to that indicated by such designation or signpost."

Amendment No. 2

In line 2 of the title of the printed bill, as amended in the Senate on June 18, 1949, strike out "Sections 525.2", and insert "Sections 525.2 and 604".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 619 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 619 ordered enrolled.

Assembly Bill No. 807—An act to add Section 130 to the Military and Veterans Code, prohibiting segregation and discrimination in the Militia.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 807?

Amendment No. 1

On page 1 of the printed bill, after line 5, insert

"It is hereby declared to be the policy of the State of California that there shall be equality of treatment and opportunity for all members of the militia of the State without regard to race or color. Such policy shall be put into effect in the militia by rules and regulations to be issued by the Governor with due regard to the powers of the Federal Government which are, or may be, exercised over all the militia of the State, and to the time required to effectuate changes without impairing the efficiency or morale of the militia."

Amendment No. 2

In line 4, of said bill, after "of", strike out "race, color or creed", and insert "race or color".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 807 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Smith, Stanley, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 807 ordered enrolled.

Assembly Bill No. 1706—An act to amend the chapter heading of Chapter 1 of Part 3 of Division 6 of the Welfare and Institutions Code, and to amend Sections 6000, 6001, 6002, 6003, and 6004 of, and to add Section 6005 to said code, relating to county psychopathic hospitals, and providing for the temporary admission and treatment therein of mental patients and the powers of counties in respect thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1706?

Amendment No. 1

Amend title of the printed bill, by changing "Section" to "Sections" in line 4, and inserting thereafter, "6002.5 and".

Amendment No. 2

On page 2 of said bill, between lines 33 and 34, insert

"SEC. 5. Section 6002.5 is added to said code, to read:

6002.5. Any adult person detained in such hospital, who is in such condition of mind as to render him competent to make such application shall at his request be exempt from medical or psychopathic treatment, upon filing with the superintendent a statement that he depends upon prayer or spiritual means for healing in the practice of the religion of a well recognized religious church, sect, denomination, or organization. In case of an adult not found to be in such condition of mind, a similar statement may be filed on his behalf by another and thereupon similar exemption shall be granted. Any minor detained in such hospital shall be exempt from medical or psychopathic treatment, if his parent or guardian shall file with said superintendent an affidavit stating that he relies upon prayer or spiritual means for healing in the practice of the religion of a well recognized religious church, sect, denomination, or organization."

Amendment No. 3

Renumber Sections 5, 6, and 7 to read Sections 6, 7, and 8.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1706 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr Speaker—57

NOES—None.

Assembly Bill No. 1706 ordered enrolled.

Assembly Bill No. 2626—An act to amend Sections 6484, 6485, 6611, and 6647, and to add Sections 6497, 6531, 6629, and 6654 to the Health and Safety Code, relating to sanitary districts declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2626?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 19, 1949, in line 1 of the title, strike out "6611 and 6647, and", and insert "6562, 6564, 6611, 6647, 6850, and 6854,"

Amendment No. 2

In line 2 of said title, after "6654", insert ", and to repeal Sections 6565 and 6652"

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 3 of said bill, after line 22, insert

"SEC 9. Section 6562 of said code is amended to read as follows:

6562. At an annexation election every qualified voter resident [in the district or] in the territory proposed to be annexed for the length of time necessary to enable him to vote at a general election may vote.

SEC 10. Section 6564 of said code is amended to read as follows:

6564 [For election of officers and for bond elections] the board [shall select one, and] may not select more than ten[,] polling places [in the district].

SEC. 11 Section 6565 of said code is hereby repealed.

SEC. 12. Section 6850 of said code is hereby amended to read as follows:

6850. If a majority of the votes [in the district and a majority of the votes] in the territory proposed to be annexed, *at an election called therein by the District Board for that purpose*, are in favor of the annexation the Secretary shall make and cause to be entered in the minutes and endorsed on the petition an order approving the petition, and the petition shall be transmitted to and filed with the board of supervisors.

SEC 13. Section 6854 of said code is amended to read as follows:

6854. If at the election less than a majority of the votes in [either the district or] the territory proposed to be annexed are in favor of the annexation of the territory to the district, the signors of the petition shall, within ten days after the canvassing of the votes of the election, pay to the board the reasonable cost of the election, and if not paid within ten days, the board may sue on the bond to recover the cost of the election.

SEC. 14 Section 6652 of said code is hereby repealed."

Amendment No. 4

On page 3, line 37, of said bill, strike out "9", and insert "15".

Amendment No. 5

On page 4, line 11, of the printed bill, as amended in the Senate on June 9, 1949 strike out "SEC. 8.", and insert

"SEC. 14.5."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2626 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 2626 ordered enrolled.

Assembly Bill No. 3036—An act to add Section 1245.4 to the Code of Civil Procedure, relating to actions to determine title to property appearing upon the recorded maps as a "square" or other open space.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3036?

Amendment No. 1

On page 1, line 12, of the printed bill, following "dedicated", insert "and no deed, offer of dedication or other instrument appears of record in the office of the county recorder showing or indicating the uses or purposes for which the same may have been abandoned or dedicated".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3036 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 3036 ordered enrolled.

Assembly Bill No. 3037—An act to add a new section to the Code of Civil Procedure, to be numbered 1245.3, relating to proceedings in eminent domain.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3037?

Amendment No. 1

On page 2, line 24, of the printed bill, as amended in the Assembly on May 24, 1949, following "person", insert "or".

Amendment No. 2

On page 2, line 37, of said bill, following "of", insert a comma

Amendment No. 3

On page 2, line 38, of said bill, following "under", insert a comma

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3037 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen,

Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 3037 ordered enrolled.

Assembly Bill No. 3038—An act to add Article 8, comprising Sections 50530 to 50533, inclusive, to Chapter 2, Part 1, Division 1, Title 5 of the Government Code, relating to the use of public squares for the erection of public buildings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3038?

Amendment No. 1

On page 2, line 34, of the printed bill, strike out ". and no other"; and strike out lines 35, 36, and 37, and insert in lieu thereof "when no other words or insignia appear upon the map or plat showing the purposes for which the square may have been dedicated and when no deed, offer of dedication or other instrument appears of record in the office of the county recorder showing or indicating the purposes for which the same may have been dedicated."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3038 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 3038 ordered enrolled.

Assembly Bill No. 2439—An act to add Section 4765 to the Health and Safety Code, relating to county sanitation districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2439?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4765", and insert "Sections 4765 and 6521.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "county sanitation districts", and insert "districts organized for sanitary and sanitation purposes".

Amendment No. 3

On page 1 of said bill, after line 9, insert

"SEC. 2. Section 6521.5 is added to said code, to read:

6521.5. Any district may join the California League of Sanitary Districts. The members of the district board may attend the convention of the California League of Sanitary Districts and receive their necessary traveling and other expenses. Contribution toward the operation of the organization and the expenses of members of the district board shall be a proper charge against the funds of the district."

Amendment No. 4

On page 1 of the printed bill, as amended in the Senate on May 25, 1949, strike out lines 3 to 9, inclusive, and insert

"4765. Any district, directly or through a representative, may attend the Legislature and any committees thereof and present information to aid the passage of legislation which the district deems beneficial to the district or to prevent the passage of legislation which the governing board of the district deems detrimental to the district. The cost and expense incident thereto are proper charges against the district. The governing boards of districts may enter into associations and through a representative of

the associations attend the Legislature, and any committees thereof, and present information to aid the passage of legislation which the association deems beneficial to the districts in the association, or to prevent the passage of legislation which the association deems detrimental to the districts in the association. The cost and expense incident thereto are proper charges against the districts comprising the association."

Amendment No. 5

On page 1 of said bill, strike out lines 11 to 17, inclusive, and insert

"6521.5. Any district may exercise the power granted to sanitation districts by Section 4765 of this code."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2439 by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55

NOES—None.

Assembly Bill No. 2439 ordered enrolled.

Assembly Bill No. 658—An act to amend Section 589.5 of, and to add Section 589.7 to, the Vehicle Code, relating to parking regulations by local authorities, including cities and counties and the enforcement thereof.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 658?

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", and to add Section 589.7 to,".

Amendment No. 2

On page 1 of said bill, strike out lines 20 to 27, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 658 by the following vote:

AYES—Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 658 ordered enrolled.

Assembly Bill No. 668—An act to amend Section 476 of the Vehicle Code, relating to traffic signals.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 668?

Amendment No. 1

On page 2, line 39, of the printed bill, before the period, insert "; provided, however, the amendments to this subsection shall not become effective until July 1, 1951."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 668 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky,

Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 668 ordered enrolled.

Assembly Bill No. 1275—An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1275?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on April 8, 1949, after line 11, insert

"SEC. 9. Subdivision (f) of Section 8352 and Sections 8354 to 8358, inclusive, of the Revenue and Taxation Code shall be effective until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendment No. 2

On page 2, line 44, of the printed bill, as amended in the Senate on June 23, 1949, strike out the comma after "counties", and insert "There shall first be paid to each county the sum of two thousand five hundred dollars ($2,500) annually or six hundred twenty-five dollars ($625) per quarter and the balance shall be apportioned".

Amendment No. 3

On page 3 of said bill, strike out lines 29 to 33, inclusive, and insert

"All sections of this act shall remain in effect until the ninety-first day after adjournment of the 1951 Regular Session of the Legislature, at which time they shall become nonoperative unless extended by further act of the Legislature."

The roll was called, ~~and the Assembly concurred in Senate amendments to Assembly Bill No. 1275 by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—53.

NOES—Beck—1.]

~~Assembly Bill No. 1275 ordered enrolled.~~

On this day the above record was expunged, and the action rescinded, whereby the Assembly concurred in Senate amendments to Assembly Bill No. 1275.

Assembly Bill No. 1122—An act to add Section 812 to the Civil Code, relating to estates in real property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1122?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 16, 1949, strike out "by reason of the frontage of lots thereon".

Amendment No. 2

On page 1, line 5, of said bill, strike out "or".

Amendment No. 3

On page 1 of said bill, between lines 6 and 7, insert "other than a private easement necessary for the purpose of ingress and egress to any such lot from or to a public street or highway,".

Amendment No. 4

On page 1, line 15, of said bill, following the period, insert "Nothing in this section shall be construed to create any such private easement, nor to extend any such private easement now recognized by law, nor to make the rights of the public in or to any street or highway subordinate to any such private easement."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1122 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 1122 ordered enrolled.

Assembly Bill No. 1357—An act to amend Section 1767.5 of the Welfare and Institutions Code, relating to the care of paroled persons.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1357?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on March 30, 1949, after the comma, insert "but not to exceed forty-five dollars ($45) per month"

Amendment No. 2

On page 1, line 9, of said bill, after "home", insert ", except that the Department of Finance may approve higher rates in exceptional cases".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1357 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—53

NOES—None.

Assembly Bill No. 1357 ordered enrolled.

Assembly Bill No. 1395—An act to amend Sections 1470, 1471, and 1472 of the Probate Code, relating to restoration to capacity of an insane or incompetent person.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1395?

Amendment No. 1

On page 1, line 15, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "for", and insert "incompetent"

Amendment No. 2

On page 1, line 16, of said bill, strike out "whom a guardian has been appointed,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1395 by the following vote:

AYES—Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1395 ordered enrolled.

Assembly Bill No. 1910—An act to amend Sections 20023, 20024, 20920, 20921, 20922, 21253, and 21362 of, to repeal Section 21255 of, and to add Sections 20654.6, 20654.7, 20654.8, 20654.9, 20654.95, and 21251.3 to, the Government Code, relating to the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1910?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on April 18, 1949, strike out "Section", and insert "Sections 21254, 21254.1, and".

Amendment No. 2

On page 1, line 7, of said bill, strike out "or", and insert "for".

Amendment No. 3

On page 3, line 7, of said bill, after "20921", insert "or Section 20921.1".

Amendment No. 4

On page 3, line 51, and on page 4, line 1, of said bill, strike out "other than Highway Patrol Service, warden service, or forestry service," and insert ", except service in a category of membership other than that of a state miscellaneous, local miscellaneous or prison member.".

Amendment No. 5

On page 5 of said bill, strike out lines 3 to 6, inclusive, and insert

"(b) In respect to prior service consisting of service other than as a state miscellaneous, local miscellaneous or prison member, the pension computed pursuant to the provisions for computation of prior service of members of the category in which the prior service was rendered."

Amendment No. 6

On page 5, line 50, of said bill, strike out the period, and insert ", unless a contingent beneficiary has been named to receive the balance of the guaranteed installments."

Amendment No. 7

On page 6 of said bill, strike out line 3, and insert

"SEC 8. Sections 21254, 21254.1, and 21255 of the Government Code are".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1910 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Tomlinson, Way, Yorty, and Mr. Speaker—54.

NOES—None.

Assembly Bill No. 1910 ordered enrolled.

Assembly Bill No. 1934—An act to add Sections 229, 230, 231 to, and Chapter 7 to Division 4 of, the Water Code, relating to investigation of water quality and the reclamation and use of polluted water and to water wells.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1934?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 28, 1949, after line 36, insert

"7077. Every person who hereafter converts, for use as a water well, any oil or gas well originally constructed under the jurisdiction of the Department of Natural Resources pursuant to the provisions of Article 4, Chapter 1, Division 3 of the Public Resources Code, shall comply with all provisions of this chapter.

7078. Failure to comply with any provision of this chapter, or wilful and deliberate falsification of any report required by this chapter is a misdemeanor."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1934 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1934 ordered enrolled.

Speaker Pro Tempore Presiding

At 9.55 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2093—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2093?

Amendment No. 1

On page 1 of the printed bill, following line 13, insert

"(d) Out of any money in the State Treasury not otherwise appropriated, the sum of seventy-five thousand dollars ($75,000) is hereby appropriated to the Department of Agriculture to augment their budget for the purpose of bovine tuberculosis eradication."

Amendment No. 2

In line 2 of the title of the printed bill, as amended in the Senate on June 23, 1949, after "tuberculosis", insert ", and making an appropriation".

Amendment No. 3

On page 1, line 13, of said bill, strike out "(d)", and insert

"SEC. 2."

Amendment No. 4

On page 1, line 16, of said bill, strike out "their budget", and insert "its budget for the 1949-1950 Fiscal Year".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2093 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Rosenthal, Rumford, Smith, Stanley, Tomlinson, Way, Weber, and Yorty—54.
NOES—None.

Assembly Bill No. 2093 ordered enrolled.

Assembly Bill No. 2139—An act to add Section 1.7 to the Judges' Retirement Act and to add Section 4.7 to the Judges' Retirement Fund Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2139?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on March 31, 1949, strike out "and to add Section 4.7 to the Judges' Retirement Fund Act".

Amendment No. 2

On page 1, line 15, of said bill, after "thereafter", insert "The provisions of this section shall apply to any person who resigned judicial office to enter military service in time of national emergency declared by the President prior to the authorization by law of military leave; provided, such person has returned to judicial office within ninety days after his separation from military service."

Amendment No. 3

On page 1 of said bill, strike out lines 16 to 24, inclusive; and on page 2, strike out lines 1 to 11, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2139 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.
NOES—None.

Assembly Bill No. 2139 ordered enrolled.

Assembly Bill No. 2146—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance at drills, camps and exercises; performance of duty during insurrection or emergency; private employees and restoration to positions.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2146?

Amendment No. 1

On page 2, lines 9 and 10, of the printed bill, as amended in the Assembly on March 23, 1949, strike out "in any calendar year", and insert "during the 100th Fiscal Year and thereafter".

Amendment No. 2

On page 2, lines 13 and 14, of said bill, strike out "in any calendar year", and insert "during the 100th Fiscal Year and thereafter".

Amendment No. 3

On page 2, line 15, of said bill, strike out "the first".

Amendment No. 4

On page 2, line 10, of the printed bill, as amended in the Senate on May 26, 1949, strike out "100th", and insert "1949-1950".

Amendment No. 5

On page 2, line 15, of said bill, strike out "100th", and insert "1949-1950".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2146 by the following vote:

AYES—Burkhalter, Geddes, and Weber—3

NOES—Babbage, Beck, Bennett, Berry, Burke, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Linscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—55.

Appointment of Committee on Conference Concerning Assembly Bill No. 2146

The Speaker pro Tempore announced the appointment of Messrs. McCollister, Thomas, and Weber as a Committee on Conference concerning Assembly Bill No. 2146.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1275

Mr. McMillan asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, concurred in Senate amendments to Assembly Bill No. 1275.

FURTHER CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1275—An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1275?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on April 8, 1949, after line 11, insert

"SEC. 9. Subdivision (f) of Section 8352 and Sections 8354 to 8358, inclusive, of the Revenue and Taxation Code shall be effective until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature and thereafter shall have no force or effect."

Amendment No. 2

On page 2, line 44, of the printed bill, as amended in the Senate on June 23, 1949, strike out the comma after "counties", and insert "There shall first be paid to each county the sum of two thousand five hundred dollars ($2,500) annually or six hundred twenty-five dollars ($625) per quarter and the balance shall be apportioned".

Amendment No. 3

On page 3 of said bill, strike out lines 29 to 33, inclusive, and insert

"All sections of this act shall remain in effect until the ninety-first day after adjournment of the 1951 Regular Session of the Legislature, at which time they shall become nonoperative unless extended by further act of the Legislature."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1275 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck,

Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None

Assembly Bill No. 1275 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2227?

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Assembly on May 25, 1949, strike out "twenty-one", and insert "ten".

The roll was called, and the Assembly refused to concur in Senate amendment to Assembly Bill No. 2227 by the following vote:

AYES—Collier, Gaffney, Geddes, Hollibaugh, Huyck, Moss, and Way—7.

NOES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Coats, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Niehouse, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Weber—45.

Appointment of Committee on Conference Concerning Assembly Bill No. 2227

The Speaker pro Tempore announced the appointment of Messrs. Fleury, McCarthy, and Moss as a Committee on Conference concerning Assembly Bill No. 2227.

Assembly Bill No. 2240—An act relating to the acquisition, construction, establishment, operation, maintenance and financing of off-street parking facilities for the parking of motor vehicles and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue bonds and other obligations and defining the powers and duties of parking authorities, cities and cities and counties with respect to off-street parking facilities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2240?

Amendment No. 1

On page 2, lines 2 and 3, of the printed bill, as amended in the Assembly on May 26, 1949, strike out "of state concern".

Amendment No. 2

On page 2 of said bill, strike out lines 14 and 15

Amendment No. 3

On page 2, line 20, of said bill, before "board", and after "aldermen", insert commas.

Amendment No. 4

On page 2, line 21, of said bill, strike out "or trustees or common council", and insert "or other body in which the general legislative powers of the city are vested".

Amendment No. 5

On page 2, lines 32 and 33, of said bill, strike out "Federal Government when it is a party to any contract with the authority", and insert "State, or the United

States or any agency of either, when a party to any contract with an authority by which aid or a loan is given or made to the authority".

Amendment No. 6

On page 2 of said bill, between lines 38 and 39, insert

"(i) "Indenture" as used in this act means ordinance, resolution, or indenture which may be passed, adopted or entered into by an authority or by the legislative body of a city and "clause" includes article, section, subsection, paragraph, sentence or provision."

Amendment No. 7

On page 2, lines 44 and 45, of said bill, strike out "adopted by a two-thirds vote thereof".

Amendment No. 8

On page 3, lines 1 and 2, of said bill, strike out "involving any contract by or on behalf of", and insert "by or against or in any manner relating to".

Amendment No. 9

On page 3, line 12, of said bill, after "city", insert a period; and strike out the balance of line 12, and all of lines 13 and 14, and insert "If both such resolutions are adopted they shall clearly specify areas within the city less than the whole thereof, within which, or projects over which, the authority and the city, respectively, are to have jurisdiction and control. The division of such jurisdiction and control shall be as so specified, but may be changed from time to time by action of both the legislative body and the authority, to such extent as may be consistent with obligations to bond holders assumed under this act.

The power to issue revenue bonds as provided in this act shall not be operative in any city until the legis-".

Amendment No. 10

On page 3, line 19, of said bill, after the period, strike out the balance of line 19, and all of lines 20 and 21, and insert "If at such election a majority of the voters voting upon the proposition shall vote in favor of such proposition, such authority, or such city, or both, as may have been so specified, may from time to time issue revenue bonds in accordance with the provisions of this act for projects provided for herein; provided, however, that this act shall authorize the issuance of such revenue bonds, without such submission or vote, by an authority in any city in which the voters thereof have prior thereto authorized the issuance of general obligation bonds or revenue bonds for parking facilities."

Amendment No. 11

On page 3, lines 27 and 28, of said bill, strike out "an odd number of not less than three (3) nor more than nine (9)", and insert "five (5)".

Amendment No. 12

On page 3, line 38, of said bill, after the period, strike out the balance of line 38; strike out all of lines 39 and 40.

Amendment No. 13

On page 4 of said bill, strike out line 22, and insert "lation, published in the city, or if none is so published then in such newspaper of general circulation as the authority may deem most likely to give notice to the residents of the city, a statement of all its financial affairs, audited by independent certified public accountants."

Amendment No. 14

On page 4 of said bill, strike out all of line 41, and in line 42, strike out "standing the", and insert "The".

Amendment No. 15

On page 4, line 43, of said bill, strike out "creation", and insert "activation".

Amendment No. 16

On page 4, line 47, of said bill, strike out "with-", and strike out all of lines 48 and 49, and insert "no such transfer shall be made in contravention of any covenant or agreement made with the holders of any bonds of the authority theretofore issued and then outstanding."

Amendment No. 17

On page 5 of said bill, strike out lines 9 to 16, inclusive, and insert

"(c) To select and appoint or remove such officers, agents, counsel and employees, permanent and temporary, as it may require, and to determine their qualifications, duties and compensation. The powers of the authority under this subsection (c) shall be subject to all limitations and rights applicable to similar employment by the city, unless the legislative body, by resolution, shall otherwise determine"

Amendment No. 18

On page 5, line 21, of said bill, strike out "real".

Amendment No. 19

On page 5, line 43, of said bill, strike out "public".

Amendment No. 20

On page 5, line 49, of said bill, strike out "or", and insert "and".

Amendment No. 21

On page 5, line 51, of said bill, after "uses", insert "of such building".

Amendment No. 22

On page 5, line 52, of said bill, strike out "of such building".

Amendment No. 23

On page 6 of said bill, strike out line 7, and insert "parking space owned, controlled or operated by the authority; to receive, control, and order the expenditure of, any and all moneys and funds pertaining to parking facilities or related properties, including, without limiting the generality of, this provision, (i) all revenues derived from operations of the authority, (ii) all money appropriated or made available by the city pursuant to Section 8 of this act, or otherwise, (iii) the proceeds of all financial aid or assistance by the city, Federal or State Governments, (iv) the proceeds of assessments levied pursuant to Section 56 of this act, (v) the proceeds of all bonds issued pursuant to this act, and (vi) the proceeds of all general obligation, revenue, or other bonds issued by the city for parking facilities."

Amendment No. 24

On page 6, line 11, of said bill, strike out the period, and insert a comma and "but no such investment shall be made in contravention of any covenant or agreement made with the holders of any bonds of the authority theretofore issued and then outstanding."

Amendment No. 25

On page 6 of said bill, strike out line 17, and insert

"SEC 10 2. Acquisition of Existing Parking Facilities. Limitation. No existing parking facility shall be acquired by the exercise of the power of eminent domain by an".

Amendment No. 26

On page 6 of said bill, strike out line 29, and insert

"If the limitation in this section is held invalid, no existing parking facility may be acquired by an authority.

SEC. 10 3. Lease. Bids. The authority shall lease any project acquired by it".

Amendment No. 27

On page 6 of said bill, strike out line 45, and insert "lease; provided, that the authority may reject any and all bids presented and readvertise; provided further, if no bid is received the authority need not readvertise. If no valid bid is received after such readvertisement,".

Amendment No. 28

On page 6, line 50, of said bill, after the colon, insert "Cooperation of City Officers and Departments:".

Amendment No. 29

On page 7, line 18, of said bill, after the period following "12,", insert "Revenue Bonds. Obligation of Authority Only."

Amendment No. 30

On page 7, line 27, of said bill, after the period following "13", insert "Types of Bonds Sources from which Payable."

Amendment No. 31

On page 7, line 42, of said bill, strike out "When permitted by law the", and insert "The".

Amendment No. 32

On page 7, line 45, of said bill, before "principal", insert "the payment of".

Amendment No. 33

On page 7 of said bill, strike out lines 48, 49, and 50, and insert

"SEC. 14. Authority to Determine Terms and Conditions. Each authority shall have power to determine, by resolution, with reference to each issue of bonds to be issued under this act, all the terms and conditions of such bonds, and of the sale

and issuance thereof, and any and all matters necessary or appropriate to be determined in connection therewith, excepting only as such power is limited by, or under the authority of, express provisions of this act. Without excluding the exercising of any other powers under, or in any way limiting the generality of, the preceding general grant of power, or in any way excluding or limiting the exercising of any or all other powers granted by this act, the general power granted by this section shall include, and each such authority shall have and in its discretion may exercise, the specific powers provided by this act.

SEC. 15. Same. The authority may enter into indentures pro-".

Amendment No. 34

On page 8, line 6, of said bill, strike out "and of this act".

Amendment No. 35

On page 8, line 10, of said bill, strike out "and of this act".

Amendment No. 36

On page 8, line 12, of said bill, after the period following "16", insert "Same."

Amendment No. 37

On page 8, line 16, of said bill, after "project", insert a period and strike out the balance of line 16.

Amendment No. 38

On page 8, line 17, of said bill, after "Sec. 17.", insert "Same"

Amendment No. 39

On page 8, line 23, of said bill, after "Sec. 18.", insert "Same."

Amendment No. 40

On page 8, line 26, of said bill, after "bonds", insert "or from other proceeds".

Amendment No. 41

On page 8, line 28, of said bill, after "Sec. 19.", insert "Same."

Amendment No. 42

On page 8, line 32, of said bill, after "Sec. 20", insert "Same."

Amendment No. 43

On page 8, line 36, of said bill, after "Sec. 21.", insert "Same."

Amendment No. 44

On page 8, line 43, of said bill, after "bonds", and before the comma, insert "or from other proceeds"

Amendment No. 45

On page 8, line 45, of said bill, after "Sec. 22.", insert "Same"

Amendment No. 46

On page 8, line 49, of said bill, after "bonds", and before the comma, insert "or from other proceeds".

Amendment No. 47

On page 9, line 3, of said bill, after "Sec. 23.", insert "Same."

Amendment No. 48

On page 9, line 8, of said bill, after "bonds", and before the comma, insert "or from other proceeds".

Amendment No. 49

On page 9, line 15, of said bill, after "Sec. 24.", insert "Same."

Amendment No. 50

On page 9, line 22, of said bill, after "Sec. 25.", insert "Same."

Amendment No. 51

On page 9, line 27, of said bill, after "Sec. 26.", insert "Same"

Amendment No. 52

On page 9, line 31, of said bill, after "Sec. 27.", insert "Same"

Amendment No. 53

On page 9, line 36, of said bill, after "Sec. 28.", insert "Same."

Amendment No. 54

On page 9, line 42, of said bill, after "Sec. 29.", insert "Same."

Amendment No. 55

On page 9, line 46, of said bill, after "Sec. 30.", insert "Same."

Amendment No. 56

On page 9, line 47, of said bill, following "which", strike out "the", and insert "certain specified".

Amendment No. 57

On page 10, line 13, of said bill, following "Sec 31.", insert "Same."

Amendment No. 58

On page 10, line 17, of said bill, following "Sec 32.", insert "Same."

Amendment No. 59

On page 10, line 18, of said bill, strike out ", qualified to do business in this State,".

Amendment No. 60

On page 10, lines 20 and 21, of said bill, strike out "or any stated percentage thereof,".

Amendment No. 61

On page 10 of said bill, strike out line 24, and insert
"SEC. 33 Same. The authority may fix and determine the con-".

Amendment No. 62

On page 10, line 27, of said bill, strike out "shall", and insert "may".

Amendment No. 63

On page 10, line 33, of said bill, after "Sec. 34.", insert "Same."

Amendment No. 64

On page 10, line 34, of said bill, after "two", insert "or".

Amendment No. 65

On page 10 of said bill, strike out all of line 43, and in line 44 strike out "registered bonds.", and insert
"SEC 35. Same. The authority may issue such types of bonds as it may determine"

Amendment No. 66

On page 10, line 49, of said bill, after "Sec. 36", insert "Same."

Amendment No. 67

On page 11, line 3, of said bill, after "Sec. 37.", insert "Same."

Amendment No. 68

On page 11, line 10, of said bill, after "Sec. 38", insert "Same."

Amendment No. 69

On page 11, line 14, of said bill, after "Sec. 39.", insert "Same"

Amendment No. 70

On page 11, line 24, of said bill, after "Sec 40.", insert "Same."

Amendment No. 71

On page 11, line 34, of said bill, after "Sec. 41.", insert "Same."

Amendment No. 72

On page 11, line 42, of said bill, after "Sec. 42", insert "Same"

Amendment No. 73

On page 11, line 44, of said bill, after "Sec. 43.", insert "Same."

Amendment No. 74

On page 11, line 50, of said bill, after "Sec. 44.", insert "Same."

Amendment No. 75

On page 12, line 3, of said bill, after "Sec. 45.", insert "Same."

Amendment No. 76

On page 12, line 8, of said bill, after "Sec. 46.", insert "Same"

Amendment No. 77

On page 12, line 11, of said bill, after "Sec. 47.", insert "Same."

Amendment No. 78

On page 12, line 13, of said bill, after "Sec. 48", insert "Refunding Bonds"

Amendment No. 79

On page 12, line 19, of said bill, after "Sec. 49.", insert "Funding or Refunding Bonds."

Amendment No. 80

On page 12, line 36, of said bill, after "Sec. 50.", insert "Negotiability of Bonds."

Amendment No. 81

On page 12, line 39, of said bill, after "Sec. 51.", insert "Validity of Bonds."

Amendment No. 82

On page 12, line 50, of said bill, after "Sec. 52.", insert "Rates, Fees and Charges. Lien."

Amendment No. 83

On page 13, line 7, of said bill, after "revenue", insert "which together with other revenue shall be".

Amendment No. 84

On page 13, line 12, of said bill, after the period, strike out "The", and insert "The authority may provide that".

Amendment No. 85

On page 13, line 27, of said bill, after "Sec. 53", insert "Contracts. Indenture. Lease. Incorporation by Reference."

Amendment No. 86

On page 14, lines 5 and 6, of said bill, strike out "When permitted by law an", and insert "An".

Amendment No. 87

On page 14, line 27, of said bill, after "Sec. 56", insert "Alternative Procedure and Financing."

Amendment No. 88

On page 14, line 31, of said bill, after the period following "amended", strike out the balance of line 31, and all of lines 32 to 39, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2240 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Moss, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, and Yorty—53.

NOES—None

Assembly Bill No. 2240 ordered enrolled.

Assembly Bill No. 268—An act to amend Section 1086.1 of the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of

California and for the reimbursement of hospitals and physicians rendering this aid.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 268?

Amendment No. 1

In line 1 of the title of the printed bill, after "of", insert ", and to add Section 1091.1 to,".

Amendment No. 2

In line 4 of the title of said bill, strike out the first "and", and insert a comma.

Amendment No. 3

In line 5 of the title of said bill, after "aid", insert "and to provide for the purchase of grave plots for members of such home".

Amendment No. 4

On page 2 of said bill, after line 22, insert

"SEC. 2. Section 1091.1 is added to said code, to read:

1091.1. The manager of the Division of Veterans Homes may purchase grave plots for the interment of indigent members of the home out of any funds under his control."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 268 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Moss, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—53

NOES—None.

Assembly Bill No. 268 ordered enrolled.

Assembly Bill No. 2244—An act to amend Section 14797 of the Revenue and Taxation Code, relating to the commissions payable for inheritance tax collections.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2244?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on April 11, 1949, strike out line 12, and insert "twenty-five thousand dollars ($25,000)."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2244 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—54.

NOES—None.

Assembly Bill No. 2244 ordered enrolled.

Hon. William S. Grant Presiding

At 10.10 a.m., Hon. William S. Grant, Member of the Assembly from the Seventieth District, presiding.

Assembly Bill No. 2372—An act to amend Section 1101 of the Agricultural Code, relating to eggs.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2372?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 5, 1949, strike out "Section 1101", and insert "Sections 1101 and 1107".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, after line 23, insert

"SEC. 2. Section 1107 of said code is amended to read.

1107. [Violation of any of the provisions of this article is a misdemeanor.]

(a) Any person who wilfully or intentionally violates any provision of this article, and any person who knowingly participates in such a violation, is guilty of a misdemeanor.

(b) Any person who violates any provision of this article and who is not punishable under paragraph (a) above, shall be liable civilly, in an action brought by the director, in an amount not to exceed one thousand dollars. Any money received under this section shall be paid into the Department of Agriculture Fund. A representative of a corporation acting in such capacity shall not be held personally liable in any action brought under this paragraph."

Amendment No. 3

On page 2 of the printed bill, as amended in the Senate on June 2, 1949, strike out lines 27 to 37, inclusive, and insert "Violation of any of the provisions of this article shall be punishable by a fine of not to exceed two hundred dollars ($200); provided, however, that any wilful or intentional violation shall be punishable by a fine of not to exceed five hundred dollars ($500), or by imprisonment not to exceed six months, or by both such fine and imprisonment."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2372 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Erwin, Fletcher, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Rosenthal, Rumford, Silliman, Stewart, Thomas, Tomlinson, Waters, Way, and Yorty—47.

NOES—None.

Assembly Bill No. 2372 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1729—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1729 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan,

Meyers, Moss, Rosenthal, Rumford, Silliman, Thomas, Tomlinson, Way, Weber, and Yorty—54.

Assembly Bill No. 1730—An act to validate the organization, boundaries, acts, proceedings, and bonds of public bodies, as herein defined, declaring the urgency of this act, to take effect immediately.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1730 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—None.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Silliman, Thomas, Tomlinson, Way, Weber, and Yorty—54.

HOUSE RESOLUTIONS PASSED ON FILE BY UNANIMOUS CONSENT

By unanimous consent all House resolutions pertaining to interim committees were temporarily passed on file.

Speaker Pro Tempore Presiding

At 10.20 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

PARLIAMENTARY INQUIRIES

Mr. Hawkins arose to a question of parliamentary inquiry relative to Assembly Bill No. 3180.

Mr. Lowrey arose to a question of parliamentary inquiry relative to Assembly Bill No. 3180.

Mr. Anderson arose to a question of parliamentary inquiry relative to Assembly Bill No. 3180.

Ruling by Speaker

The Speaker pro Tempore ruled that Assembly Bill No. 3180 is properly on file.

Speaker Presiding

At 10.35 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

MOTION THAT HOUSE RESOLUTION BE PASSED ON FILE

Mr. Kirkwood moved that all House resolutions on file, relative to interim committees, be passed on file, and printed in the Journal.

Mr. Hinckley seconded the motion.

Motion Withdrawn

Mr. Hinckley withdrew his second.

Mr. Kirkwood withdrew his motion.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 195

By Messrs. Ralph C. Dills and Fletcher:

House Resolution No. 195

Relative to the creation of the Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum

WHEREAS, An Assembly interim committee on the subject of this resolution was first created in 1943, and committees thereon have subsequently been created; and

WHEREAS, There is a continuing need for legislative investigation, study, and fact-finding in this field; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum Oil and Its Products is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to

(a) The subject (within the scope of legislative regulation and control) of attaining maximum efficiency and minimum waste at all the various phases of the discovery, production, transportation, refining, and use of oil, gas and other hydrocarbon substances, including production thereof from lands owned by the State, public agencies, and political subdivisions, cooperating therein to the fullest extent in every way with federal agencies; and

(b) The title of the State of California and its grantees in and to the tide, submerged and reclaimed lands lying within its borders and adjacent to its seacoast, the use, administration, and management thereof by the State and its grantees, any attacks by federal officials relating thereto, litigation with reference thereto, and legislation pending in Congress affecting such title, and any and all matters relating thereto or connected therewith or which affect the interests of the State therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the report its recommendations for appropriate legislation.

2. The committee shall consist of the Speaker of the Assembly and four Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To meet at the State Capitol or at any other place in this State or within the United States

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Motion to Reduce Appropriation

Mr. Kirkwood moved that the amount available to this committee be reduced to $10,000.

Ruling by Speaker

Speaker Collins ruled the motion out of order as it is not in the proper form for an amendment.

Motion to Be Granted Permission to Prepare Amendment

Mr. Kirkwood moved that he be given time to prepare a proper amendment to the resolution.

Motion carried.

The question being on the adoption of House Resolution No. 195.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

In House Resolution No. 195, as printed in the Assembly Journal for June 27, 1949, on page 5027, in Section 6, line 1, on page 5028, strike out "fifteen thousand dollars ($15,000)", and insert "ten thousand dollars ($10,000)".

Amendment read.

Roll Call Demanded

Messrs. Kirkwood, Heisinger, and Hagen demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Caldecott, Coats, Collier, George D. Collins, Connolly, Fleury, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kirkwood, Luckel, and McCarthy—15

NOES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Hawkins, Hollibaugh, Huyck, Levering, Lindsay, Lipscomb, McMillan, Meyers, Morris, Niehouse, Smith, Stanley, Thomas, Tomlinson, Way, and Yorty—37.

The question being on the adoption of House Resolution No. 195.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lipscomb, Lowrey, McMillan, Meyers, Morris, Moss, Niehouse, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—51

NOES—Grunsky, Hinckley, Kirkwood, and Luckel—4.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bills Nos. 850 and 1417 were taken up.

Senate Bill No. 850—An act to add Chapter 1.6 to Division 3 of the Education Code, providing for school district public works, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey,

Luckel, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—60.
NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—60
NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 1417—An act to add Chapter 1.7 to Division 3 of the Education Code to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

In line 12 of the title of the printed bill, as amended in the Assembly on June 25, 1949, after "chapter", insert "; and calling a special election to submit to the electors of California an amendment to the Constitution of the State proposed by the Legislature authorizing the issuance of such bonds, to take effect immediately".

Amendment No. 2

On page 8 of said bill, after line 23, insert

"SEC. 2. A special election is hereby called to be held throughout the State of California on the eighth day of November, 1949 At said special election there shall be submitted to the qualified voters of the State a certain amendment to the Constitution of the State of California relating to the issuance of bonds to provide aid to school districts of the State proposed by the Legislature to the electors of the State at the 1949 Regular Session of the Legislature in accordance with the provisions of Section 1 of Article XVIII of the State Constitution.

SEC 3. The special election, provided for in this act, shall be proclaimed, held, conducted, the ballots shall be prepared, marked, collected, counted and canvassed and the results shall be ascertained and the returns thereof made in all respects in accordance with the provisions of the Constitution applicable thereto and the law governing general elections insofar as provisions thereof are applicable to the election provided for in this act; provided, that election precincts may be consolidated for such election as provided in Section 9050 of the Elections Code.

SEC. 4 The presiding officer of the house in which the proposed constitutional amendment originates shall immediately appoint the author or one of the authors of such proposed constitutional amendment and one member of the same house who voted in favor thereof to draft an argument giving the reasons for the adoption thereof, and he shall also appoint a member of the same house who voted against such proposed constitutional amendment to draft an argument against the adoption thereof. If no member of such house voted against such proposed amendment the presiding officer shall appoint a qualified person to draft such argument Each argument shall consist of not more than five hundred words and shall be submitted by the author or authors to the Secretary of State on or before July 20, 1949 or on or before the tenth day after this act takes effect, whichever is the earlier

SEC. 5 It shall be the duty of the Attorney General to prepare and deliver to the Secretary of State a valid ballot title for such measure on or before July 20, 1949 or on or before the tenth day after this act takes effect, whichever is the earlier

SEC. 6. Inasmuch as this act provides for the calling of an election, it shall, under the provisions of Section 1 of Article IV of the Constitution, take effect immediately "

Amendments read.

Demand for Previous Question

Messrs. Hoffman, Heisinger, Silliman, Babbage, and Burkhalter demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Dunn to Senate Bill No. 1417.

Roll Call Demanded

Messrs. Heisinger, Brady, and Kirkwood demanded a roll call.

The roll was called, and the amendments adopted by the following vote:

AYES—Babbage, Berry, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Lowrey, Maloney, McCarthy, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—45.

NOES—Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Coats, Condon, Crowley, Clayton A. Dills, Doyle, Elliott, Evans, Hawkins, Kilpatrick, Lewis, Luckel, Meyers, Morris, Niehouse, Rosenthal, Thomas, and Yorty—23.

Bill ordered reprinted, and to third reading.

Explanation of Votes

I voted against Mr Dunn's amendment to Senate Bill No. 1417 calling for a special election for school bonds because I believe that the bonds might be defeated at a special election. I think that moving up the election one year is not worth the gamble of defeat I am wholeheartedly in favor of the school bonds, and will urge their approval at the 1950 general election, if the special election is not called this year.

ROBERT L. CONDON
SAM YORTY
WM. H. ROSENTHAL

RECESS

At 11.58 a.m., on motion of Mr. Hollibaugh, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Concurrent Resolution No. 65

Has had the same under consideration, and reports the same back with amendments with the recommendation Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 65 (BY UNANIMOUS CONSENT)

Senate Concurrent Resolution No. 65—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 1, of the printed measure, as amended in the Senate on June 9, 1949, strike out "three", and insert "five"

Amendment No. 2

On page 2, line 2, of said measure, strike out "three", and insert "five"

Amendment No. 3

On page 2, lines 38 and 39, of said measure, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty thousand dollars ($20,000)".

Amendments read, and ordered printed in the Journal.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER. Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 54
Senate Concurrent Resolution No. 66
Senate Concurrent Resolution No. 75

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 216
House Resolution No. 217
House Resolution No. 255
House Resolution No. 269
House Resolution No. 287

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered printed in the Journal, and on file for adoption.

HOUSE RESOLUTION NO. 216

By Mr. McCollister:

House Resolution No. 216

Relative to the creation of the Assembly Committee on Interstate Cooperation

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Interstate Cooperation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to cooperation between this State and the other states and with the Federal Government and to make recommendations thereon for appropriate legislation.

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951

Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

HOUSE RESOLUTION NO. 217

By Mr. McCollister:

House Resolution No. 217

Relative to the creation of the Assembly Committee on Military and Veterans Affairs

WHEREAS, In this period of postwar adjustment it is of the utmost importance that the military affairs of the State and all matters relating to veterans and their adjustment to civil life be competently and economically handled; and

WHEREAS, It is necessary that the Assembly be fully informed on all matters relating to Military and Veterans Affairs in order to enable it to properly consider legislation relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Military and Veterans Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the military affairs of the State, and to veterans and their return to civil life and employment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

HOUSE RESOLUTION NO. 255

By Messrs. Huyck, Levering, Smith, and Connolly:

House Resolution No. 255

Relative to the creation of the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classification of Public Employees

WHEREAS, Each session of the Legislature is confronted with numerous bills affecting the salaries of persons employed in various capacities in local governmental subdivisions of the State; and

WHEREAS, The enactment of laws affecting these matters in some local governmental subdivisions and failure to enact similar laws affecting other subdivisions widens the existing disparity between salaries, classifications and qualifications among city, county and state governmental agencies; and

WHEREAS, These conditions hamper the efforts of the state and local governmental subdivisions to stabilize and equalize governmental wage scales, job classifications and qualifications of public employees and to insure the payment to all of the prevailing wage for similar work, and result in the "pirating" of employees among such agencies; and

WHEREAS, In order that the Assembly may take appropriate action to alleviate these conditions it is necessary that it be fully informed on all matters relating to wage scales, job classifications and qualifications in all branches of public employment, federal, state and local, and on all other matters relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Equalization of Salaries, Qualifications, and Job Classification of Public Employees is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

HOUSE RESOLUTION NO. 269

By Messrs. Gaffney, Burke, and Berry:

House Resolution No. 269

Relative to the creation of the Assembly Interim Committee on Industrial Safety

WHEREAS, Industrial deaths and accidents continue to cause misery to thousands of citizens of this State annually, and result in hardship to workers and their dependents and a loss in the purchasing power of the State; and

WHEREAS, At each session of the Legislature numerous bills on this subject are introduced; and

WHEREAS, In order that the Assembly may properly legislate on this subject it is necessary that it be fully informed as to all matters relating thereto or affecting or bearing thereon; and

WHEREAS, A continuous study of all facts relating to this subject is in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial accidents in this State, the promulgation and enforcement of safety measures in connection therewith, the scope and adequacy of existing agencies in this field, and the nature and extent of needed development in this field including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this season of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

HOUSE RESOLUTION NO. 287

By Mr. Crowley:

House Resolution No. 287

Relative to the creation of the Assembly Interim Committee on Constitutional Amendments

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Constitutional Amendments is hereby constituted the Assembly Interim Committee on Constitutional Amendments and is authorized and directed to ascertain, study and analyze all facts relating to the general

welfare, education and rehabilitation of the blind, and state and local facilities therefor and institutions and agencies engaged therein, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all provisions of the Constitution and laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation, both by way of amendments to the Constitution and revision of the statutory law.

2. The committee shall consist of the same members who comprise the membership of the Standing Committee on Constitutional Amendments. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act both within and without the State in carrying out the duties imposed upon it.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals of Monday, June 20, 1949; Tuesday, June 21, 1949; Wednesday, June 22, 1949; Thursday, June 23, 1949; Friday, June 24, 1949; and Saturday, June 25, 1949, were approved as corrected by the Minute Clerk.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 600	Senate Bill No. 285
Senate Bill No. 1295	Senate Bill No. 282
Senate Bill No. 712	Senate Bill No. 906
Senate Bill No. 832	

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

GEDDES, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 600—An act to amend Section 9.15 of the Building and Loan Association Act, relating to limitation on single loans.

Bill read second time, and ordered to third reading.

Senate Bill No. 1295—An act to add Section 1370.5 to the Insurance Code, relating to insurance.

Bill read second time, and ordered to third reading.

Senate Bill No. 712—An act to amend Section 10314 of the Insurance Code, relating to disability insurance policies.

Bill read second time, and ordered to third reading.

Senate Bill No. 832—An act to amend Section 44 2 of the Unemployment Insurance Act, relating to unemployment insurance and refunds of wage-earner contribution.

Bill read second time, and ordered to third reading.

Senate Bill No. 285—An act to amend the Building and Loan Association Act by amending Sections 9.07 and 9.10 thereof, relating to loans.

Bill read second time, and ordered to third reading.

Senate Bill No. 282—An act to amend Section 4 of an act entitled "An act to provide for the rights, powers, privileges, exemptions, and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions, and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, relating to joint tenancy shares and accounts.

Bill read second time, and ordered to third reading.

Senate Bill No. 906—An act to add Section 36 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 29	Senate Bill No. 1318
Senate Bill No. 512	Senate Bill No. 1358
Senate Bill No. 553	Senate Bill No. 1568
Senate Bill No. 606	Senate Bill No. 1645
Senate Bill No. 802	Senate Bill No 1646
Senate Bill No. 1256	Senate Bill No 1655

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 29—An act relating to officers and employees of the Supreme Court and district courts of appeal, and making an appropriation.

Bill read second time, and ordered to third reading.

Senate Bill No. 512—An act making an appropriation for the construction and equipment of buildings for a liberal arts college on the campus of the University of California at Riverside.

Bill read second time, and ordered to third reading.

Senate Bill No. 553—An act relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and preventing the spread of the same and making an appropriation therefor, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 606—An act to add Sections 35 and 36 to the Construction and Employment Act, making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Bill read second time, and ordered to third reading.

Senate Bill No. 802—An act to amend Sections 419 and 420 of the Vehicle Code, relating to financial responsibility and declaring the urgency thereof.

Bill read second time, and ordered to third reading.

Senate Bill No. 1256—An act to add Section 34 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act.

Bill read second time, and ordered to third reading.

Senate Bill No. 1318—An act to amend Sections 20603, 20750.2, 21250, 21330 of the Government Code and to add Section 21262 thereto, relating to the State Employees' Retirement System, and providing for status, rights, privileges, contributions, and benefits of patrol members thereof, and for the state contribution thereto in respect to such members.

Bill read second time, and ordered to third reading.

Senate Bill No. 1358—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of a water works, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1568—An act to amend Section 16305 of, and to add Sections 16305.1, 16305.2, 16305.3, 16305.4, 16305.5, 16305.6, 16305.7, and 16305.8 to the Government Code, relating to money held in trust by the State Treasurer as provided in Section 29 of Article IV of the Constitution of California, and to provide a support appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1645—An act making an appropriation to the Regents of the University of California for the support and maintenance in the University of California of an Institute of Real Estate.

Bill read second time, and ordered to third reading.

Senate Bill No. 1646—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

Senate Bill No. 1655—An act making an appropriation for support of the California Centennials Commission.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred.

House Resolution No. 197
House Resolution No. 212
House Resolution No. 237
House Resolution No. 243
House Resolution No. 251

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered printed in the Journal and on file.

HOUSE RESOLUTION NO. 197

By Mr. Conrad:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the Standing Committee on Elections and Reapportionment. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties.

(g) To conduct a preliminary survey of the 1950 Census and to ascertain any and all facts and make any needed studies concerning the best means of reapportioning the State in the light of that census.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules.

Amendment No. 1

In the resolution as printed in the Assembly Journal of May 16, 1949, at pages 3258-59, add to the paragraph numbered "2" "The chairman shall be appointed by the Speaker".

HOUSE RESOLUTION NO. 212

By Messrs. Weber, Lindsay, Moss, Lincoln, Hagen, Lewis, and Stanley:

House Resolution No. 212

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of _____ Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of May 24, 1949, at page 3603, strike out paragraph 2, and insert

"2. The committee shall consist of the membership of the Assembly Standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power."

Amendment No. 2

In the paragraph numbered 6, strike out "fifteen thousand dollars ($15,000)", and insert "ten thousand dollars ($10,000)"

HOUSE RESOLUTION NO. 237

By Messrs. Thompson and Connolly:

House Resolution No. 237

Relative to the creation of the Assembly Interim Committee on Public Health

WHEREAS, Experience has shown that, in order to protect and safeguard the public health, there is a continuous need for legislation on numerous subjects; and

WHEREAS, In order to enable it to consider and enact proper legislation relating to public health, it is necessary that the Assembly be fully informed on all facts relating to those matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon public health including, but not limited to, the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports

to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the third line of the first numbered subdivision of the measure, as printed on page 4169 of the Assembly Journal for June 7, 1949, after "upon", insert "any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Standing Committee on Public Health, and any and all other matters relating to or affecting".

Amendment No. 2

In the first line of the sixth numbered subdivision of said measure, strike out "one hundred thousand dollars ($100,000)", and insert "twenty thousand dollars ($20,000)".

HOUSE RESOLUTION NO. 243

By Messrs. Kilpatrick, Burke, Hahn, Babbage, Bennett, Cooke, Fleury, Smith, Beck, Rosenthal, Doyle, Crowley, Coats, Moss, Hagen, Way, Morris, Luckel, Thomas, Fletcher, Hawkins, Anderson, Huyck, Grant, McMillan, Caldecott, Mrs. Niehouse, Messrs. Elliott, Reagan, McCarthy, Thompson, Geddes, McCollister, George D. Collins, Evans, Dunn, Conrad, Berry, Lowrey, Burkhalter, Crichton, Rumford, Gaffney, Yorty, Lipscomb, Levering, Condon, Dolwig, Clayton A. Dills, Erwin, Butters, Heisinger, Stanley, Connolly, Clarke, and Meyers:

House Resolution No. 243

Relative to the creation of the Assembly Interim Committee on Crime and Corrections

WHEREAS, The continued increase in population in this State and the lack of new custodial facilities has intensified the need for information by the Legislature with respect to custodial institutions in this State; and

WHEREAS, Available information indicates a rising tide of adult and juvenile delinquency and crime without the development of adequate means of custody and properly caring for the adults and juveniles involved in order to restrain and re-educate them; and

WHEREAS, It is important that this Assembly continue to have complete information as to the planning, construction and costs thereof, management, discipline, educational and curative facilities, food cleanliness, and adequacy of all custodial institutions for juvenile and adult persons in this State, except those expressly maintained for the insane and feeble-minded; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Crime and Corrections is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to custodial institutions for juvenile and adult persons in this State except those expressly maintained for the insane and feeble-minded, including the planning, design, and construction of such institutions, the cost thereof, management, discipline, facilities, cleanliness, educational program, curative program, all facts relating to the prevention of crime and process by which adult persons suspected or charged with criminal or delinquent conduct are apprehended and convicted or acquitted, including but not limited to the operation, effect, administration, enforcement and needed revision of any

and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6 The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 8, 1949, at pages 4225-4226, in the paragraph numbered "6", strike out "thirty-five thousand dollars ($35,000)", and insert "fifteen thousand dollars ($15,000)".

HOUSE RESOLUTION NO. 251

By Messrs. Erwin, Doyle, Hahn, Butters, Heisinger, Burkhalter, and Lindsay:

House Resolution No. 251

Relative to the creation of the Assembly Interim Committee on Fish and Game

WHEREAS, *The Constitution of this State guarantees to the people the right to* fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly Standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the

opening and closing of waters around Catalina Island; netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1951, with authority to file its final report not later than the last legislative day of the 1951 Regular Session. Vacancies shall be filled by the Speaker

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

5. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal on June 13, 1949, to the paragraph numbered "1", add "The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power"

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 644
Senate Bill No. 866
Senate Bill No 928

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 644—An act to repeal Sections 9.5, 41.1, and 102 of, and amend Sections 9, 9.2, 45, 45.5, 53, 54, 55, 57, 71, 151, 205, and 40

of, and add Section 41.1 to the Unemployment Insurance Act, relating to unemployment insurance and disability insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on May 11, 1949, strike out "151,".

Amendment No. 2

In line 3 of the title of said bill, strike out "Section 41.1", and insert "Sections 41.1 and 151.1".

Amendment No. 3

On page 7 of said bill, strike out lines 27 to 50, inclusive, and insert

"SEC. 11. Section 151.1 is added to the Unemployment Insurance Act, to read .".

Amendment No. 4

On page 7, line 51, of said bill, before "An", insert

"Sec. 151.1."

Amendment No. 5

On page 11 of said bill, after line 5, insert

"SEC. 16 The amendment to Section 205 made by this act shall become operative on January 1, 1950."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 866—An act to amend Section 1591 of the Insurance Code, relating to alien insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 6 of the title of the printed bill, as amended in the Senate on June 9, 1949, after "of", insert ", and to add Article 3.5 comprising Sections 11615 and 11616 to Chapter 1, Part 3, Division 2 to,".

Amendment No. 2

In line 7 of the title of said bill, strike out "alien insurers", and insert "insurance".

Amendment No. 3

On page 7 of said bill, between lines 7 and 8, insert

"SEC. 2. Article 3.5, comprising Sections 11615 and 11616, is added to Chapter 1 of Part 3, Division 2 of the Insurance Code, to read:

Article 3.5. Motor Vehicle Liability Insurance

11615. No admitted insurer, licensed to issue motor vehicle liability policies as defined in Section 415 of the Vehicle Code shall fail or refuse to accept an application in writing for sure insurance, to issue such insurance to an applicant therefor, or issue such insurance under conditions less favorable to the insured than in other comparable cases, except for reasons applicable alike to persons of every race or color; nor shall race or color of itself constitute a condition or risk for which a higher rate, premium, or charge may be required of the insured for such insurance.

11615. Each separate act of an insurer in violation of Section 11615 shall render the insurer liable in damages in an amount not in excess of one hundred dollars ($100), which may be recovered in an action at law brought for that purpose by the person aggrieved by any such act.

Any action based upon or arising under this article shall be instituted within six months after the date of the alleged violation of Section 11615.

The burden of proof shall be upon the person bringing the action to establish that the alleged violation of Section 11615 is based solely upon a condition of race or color.

"Insurer," as used in this article, includes reciprocal or interinsurance exchanges and their attorneys-in-fact."

Amendments read, ~~and adopted.~~
~~Bill ordered reprinted, and to third reading.~~

(On this day, the above record was expunged, and the action rescinded, whereby the Assembly adopted the above amendments to Senate Bill No. 866.)

Senate Bill No. 928—An act to amend Sections 69, 70, 72, and 77 of, and to add Section 78.1 to, the Unemployment Insurance Act, relating to unemployment insurance.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 19, 1949, lines 38 to 40, inclusive, strike out "or the director or his authorized deputy or authorized employee of the department."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred: Senate Bill No. 970

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 970—An act to add Sections 22.5 and 23.5 to the Insurance Code, relating to the definition of insurance, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In the title of the printed bill, as amended in the Senate on March 31, 1949, strike out the first two lines, and insert

"An act to add Section 12931 to the Insurance Code, relating to false and misleading representations and advertisements and declaring".

Amendment No. 2

On page 1, line 2, of said bill, strike out "'regulate", and insert "prohibit".

Amendment No. 3

On page 1, line 12, of said bill, strike out ", and it is hereby declared to be a", and insert a period.

Amendment No. 4

On page 1 of said bill, strike out lines 13 to 25, inclusive; and on page 2, strike out "but not be limited to any contract", and insert

"SEC. 2. Section 12931 is added to the Insurance Code to read:

12931. (a) The issuance, circulation, use or making of any false or misleading representations or advertisements relating to contracts of the type described in paragraph (b), the services promised thereunder, or the facilities owned, controlled, or contractually available to the person issuing such contracts for the performance thereof in good faith in the manner represented, is hereby prohibited.

(b) The contracts referred to in paragraph (a) are those".

Amendment No. 5

On page 2 of said bill, strike out lines 25 to 50, inclusive; and on page 3, strike out lines 1 to 20, inclusive, and insert

"(c) In addition to all other means of enforcement of the provisions of this section by the commissioner, the violation thereof by any person is a misdemeanor.

(d) Nothing contained in this section shall be construed or applied to permit any person unlicensed to do so to practice or engage in any of the healing arts or any person to issue contracts of insurance which precludes the free choice by the insured of any of the professional persons described in subdivision (1) of paragraph (b) of this section and any of the establishments described in subdivision (2) of paragraph (b) of this section.

(e) This section shall not be construed to make legal any activity which is or would be otherwise illegal nor to mean that persons issuing contracts of the type described in paragraph (b) are or are not engaged in insurance business or are or are not insurers, or that such contracts are or are not contracts of insurance."

Amendment No. 6

On page 3, line 21, of said bill, strike out "5", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 288

Resolved, That the Controller be and he is hereby authorized and directed to draw his warrants on the Contingent Fund of the Assembly in the sum of two thousand five hundred dollars ($2,500), in favor of Arthur A. Ohnimus, Chief Clerk of the Assembly, and the State Treasurer is hereby directed to pay the same, for postage, telephone service, telegraph service, supplies, traveling expenses, bills from state departments, and performing any duties imposed by the Rules or resolutions of the Assembly, also to pay any bills for incidental expenses of the Assembly heretofore incurred but for which payment has not been provided by other resolutions, and other incidental expenses in connection with completing the work of the 1949 Regular Session of the Assembly of the State of California.

The Chief Clerk of the Assembly is instructed to file with the Controller receipts covering all expenditures made hereunder.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 288, at this time, without reference to committee or file.

Resolution read

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Dickey moved a call of the Assembly.

Motion carried Time, 2.12 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Brady, Brown, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Crichton, Crowley, Davis, Clayton A. Dills, Dunn, Elliott,

Fletcher, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Stanley, and Yorty—35.

Speaker Pro Tempore Presiding

At 2 20 p.m., Hon Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Further Proceedings Under Call of the Assembly Dispensed With on House Resolution No. 288

At 2 21 p.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 288 adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66.

NOES—None.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 289

WHEREAS, The Members of the Assembly will desire to have shipped to their various places of residence their bill files, books of codes, stationery and other printed matter at the end of the session; now, therefore, be it

Resolved, That the Sergeant-at-Arms, Wilkie Ogg, be authorized to procure such boxes, packing and other materials as are necessary for the purpose of shipping same properly packed, to said Members, and the State Controller is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of said Wilkie Ogg, in the sum not to exceed three thousand five hundred dollars ($3,500), and the State Treasurer is hereby directed to pay the same; and it is further directed that Wilkie Ogg furnish to the Controller vouchers and receipts for all expenditures made by him

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 289, at this time, without reference to committee or file.

Resolution read

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—66

NOES—None.

By Mr. Maloney:

House Resolution No. 290

Relating to regulations of privately owned ambulances

WHEREAS, There is a demand for regulations of privately owned ambulances due to the many incorrect practices incurred by an injured person while being treated for injury sustained by reason of accident, and the many inadequacies of treatment given to the injured person by a nonqualified ambulance driver attendant; and

WHEREAS, In the interest of public health and safety ambulance driver attendants should be properly qualified to act as driver attendants of ambulances operating within the State of California at all times; and

WHEREAS, It is essential that an ambulance driver attendant be qualified in the prescribed Red Cross first aid course so that he may be properly prepared to take care of an injured person; and

WHEREAS, It is essential that some body be set up by legislative authority to recommend to the California State Legislature rules and regulations and other qualifications so that a person, or persons, may become qualified ambulance driver attendants; now, therefore, be it

Resolved by the Assembly of the State of California, That the Interim Committee on Public Health be respectfully requested to take into consideration the provisions as contained in Assembly Bill No. 2532, introduced January 28, 1949, for the purpose of making a study and investigation to regulate privately owned ambulances and hospital attendants; and be it further

Resolved, That said recommendations be presented to the California State Legislature in the month of January, 1951, for the purpose of preparing remedial legislation which will regulate privately owned ambulances and hospital attendants, and all matters which come within that scope.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Stanley, Brown, and McMillan:

House Resolution No. 291

Relative to the creation of the Assembly Interim Committee on Aviation

WHEREAS, Following World War I a step was taken by our National Government, our State Government cooperating, for the road building program which has resulted in the creation of the automobile industry as we know it today; and

WHEREAS, In its infancy today we have the aviation industry embarking into a greater place in our economy; and

WHEREAS, With the federal direction now being given to the aviation industry, we in the State of California should take forward and progressive steps to encourage this infant industry; and

WHEREAS, Legislation will necessarily be presented to us in 1951 for our consideration; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Aviation is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the aviation industry, specifically including the following subjects:

(a) The regulation and taxation of aircraft;

(b) The location, establishment, construction, improvement, and financing of landing facilities;

(c) The responsibilities and activities of the California Aeronautics Commission;

(d) The continuation of the study of zoning in relation to airports;

including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Burkhalter:

House Resolution No. 292

Relative to requesting the Assembly Interim Committee on Public Health to investigate the feasibility of establishing institutions for inebriates

WHEREAS, A need exists for a thorough study of alcoholism, and chronic inebriates, the effect thereof upon the public health, welfare, safety and morals, and the means of preventing and alleviating the suffering caused thereby; and

WHEREAS, Assembly Bills Nos. 582 and 1055, introduced at the 1949 General Session of the Legislature attempted to deal with this problem by providing for the establishment and maintenance of institutions for inebriates, and the commitment, transfer and admission of persons thereto and the release of persons therefrom; and

WHEREAS, The Assembly should be fully informed as to all facts bearing upon or in any way affecting the above; and

WHEREAS, The ascertainment of such facts falls within the scope of the duties imposed on the Assembly Interim Committee on Public Health; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health, created at this session be, and it hereby is, authorized and requested to ascertain, study and analyze all facts relating to, bearing upon or in any manner affecting the subjects expressed in the recitals of this resolution, including, but not limited to, the feasibility of establishing and maintaining institutions for the treatment, custody and care of alcoholics and chronic inebriates, and including, but not limited to, the operation, effect, administration and enforcement of any and all laws bearing thereon, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

FURTHER CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 65

Senate Concurrent Resolution No. 65—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

On page 2, line 1, of the printed measure, as amended in the Senate on June 9, 1949, strike out "three", and insert "five".

Amendment No. 2

On page 2, line 2, of said measure, strike out "three", and insert "five".

Amendment No. 3

On page 2, lines 38 and 39, of said measure, strike out "twenty-five thousand dollars ($25,000)", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Resolution ordered reprinted, and on file for adoption.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 1128

Has had the same under consideration, and reports the same back with amendments with the recommendation · Amend, and do pass, as amended.

DOLWIG, Vice Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1128—An act to amend Section 9.17 of, and to add Section 9.15a to, the Building and Loan Association Act, relating to the regulation of building and loan associations.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Finance and Insurance:

Amendment No. 1

On page 3, line 3, of the printed bill, as amended in the Senate on June 20, 1949, after "thereon", insert "; provided that the legislative intent is not to interfere with any presently existing contract".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 240

By Mr. McMillan:

House Resolution No. 240

Relative to the creation of the Assembly Interim Committee on Public Morals

WHEREAS, Each session of the Legislature is confronted with numerous bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that the Assembly be fully informed on all phases of such subjects and of the administration and adequacy of the existing laws relating thereto, in order that it may intelligently propose and consider legislation in those fields; and

WHEREAS, The Committee on Public Morals created by House Resolution No. 213 of the 1947 Session has declared a need exists for further studies in this field and has recommended that a new committee be created for that purpose; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Morals is hereby created and authorized and directed to ascertain, study and analyze all facts relating to public morality, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Motion to Amend

Mr. McMillan moved the adoption of the following amendment:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 8, 1949, in the paragraph numbered "6", strike out "twenty-five thousand dollars ($25,000)", and insert "ten thousand dollars ($10,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 240, as Amended

By Mr. McMillan:

House Resolution No. 240

Relative to the creation of the Assembly Interim Committee on Public Morals

WHEREAS, Each session of the Legislature is confronted with numerous bills proposing to regulate various phases of public morality, including alcoholic beverages, gambling, vice of all kinds, wrestling and boxing matches, horse racing, dog racing and matters of a similar nature; and

WHEREAS, The importance of the subject requires that the Assembly be fully informed on all phases of such subjects and of the administration and adequacy of the existing laws relating thereto, in order that it may intelligently propose and consider legislation in those fields; and

WHEREAS, The Committee on Public Morals created by House Resolution No. 213 of the 1947 Session has declared a need exists for further studies in this field and has recommended that a new committee be created for that purpose; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Morals is hereby created and authorized and directed to ascertain, study and analyze all facts relating to public morality, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, McMillan, Meyers, Morris, Moss, Nicholson, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—50.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR SPEAKER: Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No. 105

Has had the same under consideration, and reports the same back with the recommendation: Be adopted

DICKEY, Chairman

Above reported resolution ordered engrossed.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 264

By Mr. Evans:

House Resolution No. 264

Relative to the creation of the Assembly Interim Committee on Public Utilities and Corporations

WHEREAS, At each session of the Legislature numerous bills relating to or affecting public utilities and corporations and related matters are introduced; and

WHEREAS, In order to properly consider such measures it is necessary that the Assembly be fully informed as to all facts directly or indirectly bearing thereon; and

WHEREAS, The Assembly Standing Committee on Public Utilities and Corporations, and the members thereof, have acquired experience and knowledge of the problems peculiar to this subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Public Utilities and Corporations is hereby constituted the Assembly Interim Committee on Public Utilities and Corporations and is authorized and directed to ascertain, study and analyze all facts relating to, bearing upon or in any way affecting the public utilities and corporations and other subjects which, under the Standing Rules and the legislative practices of the Assembly, would be referred to the Standing Committee on Public Utilities and Corporations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members. Vacancies shall be filled by the Speaker

4. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

5 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Grant, Hagen, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—56

NOES—Heisinger—1.

CONSIDERATION OF HOUSE RESOLUTION NO. 262

By Mr. Dolwig:

House Resolution No. 262

Relative to augmenting the funds of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings

Resolved by the Assembly of the State of California, That in addition to any money heretofore made available, the sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the Assembly Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings (created by House Resolution No. 44, 1949 Regular Session) and its members and for any charges, expenses or claims it may incur under said resolution, to be paid from said Contingent Fund

and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Motion to Continue Consideration of All House Resolutions

Mr. Lowrey moved that no House resolution relative to interim committees be considered until all such resolutions have been reported out of the Committee on Rules.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Lowrey's motion is not in order.

Motion Withdrawn

Mr. Lowrey withdrew his motion.

The question being on the adoption of the resolution.

The roll was called, and the resolution adopted by the following vote:

AYES—Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Silliman, Smith, Stanley, Stewart, Tomlinson, Waters, Way, and Yorty—50.

NOES—Hinckley and Luckel—2.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 116	Senate Bill No. 1391
Senate Bill No. 1030	Senate Bill No. 1657

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 116—An act to provide for leasing additional facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on May 11, 1949, strike out lines 4 to 18, inclusive, and insert "Justice with the sheriffs' offices of Plumas, Lassen, Del Norte, Nevada, Sierra, Lake, and Alpine Counties and the Bakersfield Police Department.

SEC. 2. The Attorney General may lease facilities and equipment for the purpose of connecting the teletypewriter system of communication maintained by the State Department of Justice with any county, city and county, city, or district if it pays the installation and maintenance costs.

SEC. 3. The sum of twelve thousand six hundred fourteen dollars and thirty-eight cents ($12,614.38) is hereby appropriated out of any".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1030—An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 6, of the printed bill, strike out "Superin-"; and strike out line 7, and insert "State Allocation Board under the Local Agency Allocation Act, to school districts and to county".

Amendment No. 2

On page 1, line 12, of said bill, strike out "State Superintendent of Public Instruction", and insert "Director of Finance".

Amendment No. 3

On page 1 of said bill, after line 15, insert

"SEC. 2. Expenditures from this appropriation shall be post-audited by the Department of Finance."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1391—An act to add Section 3300.4 to the Health and Safety Code, relating to operation of necessary facilities to care for persons suffering from tuberculosis, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 20, 1949, strike out line 7, and insert "2600.5 of the Health and Safety Code. The county referring such person for such care shall not be eligible to receive subsidy for such person under the provisions of this division, and the State shall deduct from the subsidy payments to be made to such county an amount computed at the rate of three dollars ($3.00) for each patient day the person is cared for in such facility."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1657—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 23, of the printed bill, strike out "one hundred eighty-one thousand dollars ($181,000)", and insert "one hundred thirty thousand dollars ($130,000)".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No 15	Senate Bill No. 1049
Senate Bill No. 128	Senate Bill No. 1051
Senate Bill No. 138	Senate Bill No 1469
Senate Bill No. 197	Senate Bill No. 1642
Senate Bill No. 668	

Has had the same under consideration, and reports the same back with the recommendation: Do pass

BROWN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 15—An act to add Section 66m to the Code of Civil Procedure and to repeal an act entitled "An act increasing the number of Judges of the Superior Court in the State of California, in and for the County of San Bernardino, and providing for the appointment of an additional judge and for his compensation," approved May 17, 1927, relating to the number of Judges in the County of San Bernardino, the appointment of an additional judge, and for his compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 128—An act to amend Section 737hh of the Political Code, relating to salaries of Superior Judges in Sacramento County.

Bill read second time, and ordered to third reading.

Senate Bill No. 138—An act to add Section 66q to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Butte, and providing for the appointment of an additional judge and for compensation.

Bill read second time, and ordered to third reading.

Senate Bill No. 197—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Bill read second time, and ordered to third reading.

Senate Bill No. 668—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Bill read second time, and ordered to third reading.

Senate Bill No. 1049—An act to amend Section 1143 of the Probate Code, relating to payment of expenses by public administrator.

Bill read second time, and ordered to third reading.

Senate Bill No. 1051—An act to add Section 1148.5 to the Probate Code, relating to estates of two hundred dollars ($200) or less.

Bill read second time, and ordered to third reading.

Senate Bill No. 1469—An act to amend Section 9.3 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Bill read second time, and ordered to third reading.

Senate Bill No. 1642—An act to add Section 261d to the Code of Civil Procedure, relating to phonographic reporters.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which was referred: Senate Bill No. 1037

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SHERWIN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1037—An act making an appropriation for services for physically handicapped children suffering from rheumatic fever and rheumatic heart disease.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 250

By Messrs. Dickey, Hollibaugh, Anderson, Silliman, Dolwig, Doyle, Crowley, and McCollister:

House Resolution No. 250

Relative to the creation of a Fact-Finding Committee on Problems of Water Pollution resulting from sewage and industrial waste disposal

WHEREAS, The problem of water pollution resulting from the disposal of industrial wastes and sewage is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, Substantial progress toward solution of this problem by proper legislation has been made out of an investigation and study by an interim committee, and continuation of this progress is essential to the health and welfare of the people; and

WHEREAS, It is essential that the Legislature be thoroughly informed on the continued progress made toward eventual solution of this problem; and

WHEREAS, In the interests of the welfare of the public health, agriculture, industry and all others concerned, it is deemed advisable that continued study be given to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Water Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to procedures designed to abate, prevent and control pollution of

1. The underground waters of the State; and

2. The lakes, streams and other surface waters, and

3. The lower reaches of the river systems, and harbor, bay and coastal waters; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of ____ Members of the Assembly appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the ____ legislative day of the next regular general session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules

of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5. The committee or any subcommittee may meet and travel within or outside of this State in pursuing the investigations committed to it

6. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other persons or agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purpose for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

7. The sum of _____ or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 13, 1949, at pages 4388-4389, in the first line of the title of the printed measure, strike out "Problems of".

Amendment No. 2

In the title, strike out line 2.

Amendment No. 3

In line 2 of the first "WHEREAS" clause, after "sewage", insert ", from saline intrusion and from other causes".

Amendment No. 4

In the paragraph numbered "1", line 4, strike out "1", and insert "a".

Amendment No. 5

In the paragraph numbered "1", line 5, strike out "2", and insert "b".

Amendment No. 6

In the paragraph numbered "1", line 6, strike out "3", and insert "c".

Amendment No. 7

In the paragraph numbered "1", line 9, after "resolution," insert "including the reclamation and utilization of waste waters, and any other matter referred to the committee for study by the Legislature,".

Amendment No. 8

In the paragraph numbered "2", line 1, insert "11".

Amendment No. 9

In the paragraph numbered "3", line 4, before "legislative", insert "last".

Amendment No. 10

In the paragraph numbered "7", insert "one hundred thousand dollars ($100,000)".

Amendments read, and adopted.

Consideration of Further Amendments to House Resolution No. 250

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendment:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 27, 1949, at page 5035, in the paragraph numbered "7", strike out "$100,000", and insert "fifty thousand dollars ($50,000)".

Amendment read.

Unanimous Consent Granted to Correct Amendment

Mr. Kirkwood asked for, and was granted, unanimous consent to correct his amendment to House Resolution No. 250 to read "strike out one hundred thousand dollars ($100,000), and insert "fifty thousand dollars ($50,000)"."

Amendment read, as corrected.

Roll Call Demanded

Messrs. Heisinger, Hagen, and Sherwin demanded a roll call.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Cooke, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lowrey, Luckel, McCarthy, Sherwin, and Way—19.

NOES—Anderson, Berry, Brady, Brown, Burke, Butters, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Gaffney, Geddes, Grant, Hawkins, Hollibaugh, Huyck, Kilpatrick, Lewis, McCollister, Morris, Niehouse, Rumford, Silliman, Stewart, Thomas, Thompson, Weber, and Yorty—31

Consideration of House Resolution No. 250, as Amended

By Messrs. Dickey, Hollibaugh, Anderson, Silliman, Dolwig, Doyle, Crowley, and McCollister:

House Resolution No. 250

Relative to the creation of a Fact-Finding Committee on Water Pollution

WHEREAS, The problem of water pollution resulting from the disposal of industrial wastes and sewage from saline intrusion and from other causes is a subject of vital concern to the entire State of California; and

WHEREAS, It is a problem requiring exhaustive analysis, intelligent treatment and widespread education of all concerned; and

WHEREAS, Substantial progress toward solution of this problem by proper legislation has been made out of an investigation and study by an interim committee, and continuation of this progress is essential to the health and welfare of the people; and

WHEREAS, It is essential that the Legislature be thoroughly informed on the continued progress made toward eventual solution of this problem; and

WHEREAS, In the interests of the welfare of the public health, agriculture, industry and all others concerned, it is deemed advisable that continued study be given to the subject of this resolution; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Water Pollution is hereby created and authorized and directed to ascertain, study and analyze all facts relating to procedures designed to abate, prevent and control pollution of

a. The underground waters of the State; and

b. The lakes, streams and other surface waters, and

c. The lower reaches of the river systems, and harbor, bay and coastal waters; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution including the reclamation and utilization of waste waters, and any other matter referred to the committee for study by the Legislature, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the last legislative day of the next regular general session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

Until the adoption of Joint Rules at this session, the Joint Rules of the last preceding regular session are incorporated herein and made applicable to this committee and its members.

5 The committee or any subcommittee may meet and travel within or outside of this State in pursuing the investigations committed to it.

6. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other persons or agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purpose for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to service subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

7. The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby made available from the Contingent Funds of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution to be disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Condon, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lowrey, McCollister, McMillan, Morris, Nicholson, Rosenthal, Rumford, Sillman, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—47.

NOES—Collier, Heisinger, Hinckley, Kirkwood, and Luckel—5.

CONSIDERATION OF HOUSE RESOLUTION NO. 133

By Mr. Hollibaugh:

House Resolution No. 133

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the scope of state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and

counties, counties, and districts and by the federal government to the state and local governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1951 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendents were proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of March 21, 1949, at pages 1216-1217, in the paragraph numbered "2", strike out "seven Members of the Assembly appointed by the Speaker thereof.", and insert "the membership of the Standing Committee on Revenue and Taxation."

Amendment No. 2

In the paragraph numbered "7", insert "forty-five thousand dollars ($45,000)"

Amendments read, and adopted.

Consideration of Further Amendments to House Resolution No. 133

Motion to Amend

Mr. Hinckley moved the adoption of the following amendments:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 27, 1949, at pages 5029 and 5030, as amended, in the first line of the paragraph numbered "7", after "of", strike out "forty-five thousand", and insert "fifteen thousand".

Amendment No. 2

In the first line of the paragraph numbered "7", after "dollars", strike out "($45,000)", and insert "($15,000)".

Amendments read.

Roll Call Demanded

Messrs. Kirkwood, Heisinger, and Sherwin demanded a roll call.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Babbage, Burkhalter, Caldecott, Collier, George D. Collins, Cooke, Grunsky, Hagen, Heisinger, Hinckley, Kirkwood, Levering, Luckel, and Sherwin—14.

NOES—Anderson, Berry, Brady, Brown, Burke, Butters, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Geddes, Hawkins, Hollibaugh, Kilpatrick, Lewis, Lipscomb, McCollister, McMillan, Morris, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Way, and Yorty—33.

Consideration of House Resolution No. 133, as Amended

By Mr. Hollibaugh:

House Resolution No. 133

Relative to the creation of the Assembly Interim Committee on State and Local Taxation

WHEREAS, The impact of federal, state, and local taxes are of immediate and vital concern to each and every person in this State; and

WHEREAS, It is a prerequisite to sound government that the tax burden be equal as between all taxpayers; and

WHEREAS, Taxes cannot be fairly imposed unless the administration thereof by government officers and agencies is uniform and efficient as to each and every taxpayer; and

WHEREAS, There is need to ascertain the extent to which it is sound financial policy for revenues raised by one governmental unit to be granted or subvented to, or shared with, another governmental unit; and

WHEREAS, The need for taxes for each governmental unit cannot be ascertained unless the need for revenue for each such unit is also ascertained with exactitude; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on State and Local Taxation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the scope of state and local taxation, including the relationship thereof to federal taxes, subventions or grants of financial assistance by the State to cities, cities and counties, counties, and districts and by the Federal Government to the state and local governments, the sharing of revenues by the State, the administration and expenditure of all state and local taxes, with special reference to the adequacy of the tax base for each and the simplification of their fiscal interrelation, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject and recitals of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the Standing Committee on Revenue and Taxation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the adjournment of the 1951 Regular Session, with authority to file its final report not later than the last legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee, and any subcommittee thereof when so authorized by the committee, may meet and act without as well as within the State of California, and is hereby authorized to leave the State in the performance of its duties.

7. The sum of forty-five thousand dollars ($45,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Condon, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Geddes, Grant, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—46

NOES—Collier, Grunsky, Heisinger, Hinckley, Kirkwood, Luckel, and Sherwin—7.

CONSIDERATION OF HOUSE RESOLUTION NO. 222

By Mr. Silliman:

House Resolution No. 222

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof; and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them; now, therefore, be it

Resolved by the Assembly of the State of California, As follows

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and coordinating related activites, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 10 Members of the Assembly appointed by Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of May 31, 1949, at pages 3883-3884, in the paragraph numbered "2", strike out "10", and insert "11".

Amendment read, and adopted.

Consideration of House Resolution No. 222, as Amended

By Mr. Silliman:

House Resolution No. 222

Relative to the creation of the Assembly Committee on Governmental Reorganization

WHEREAS, The structure of the State Government of this State has increased in size and complexity, the functions assumed by the State have increased in number and in the extent of services performed by governmental agencies and units, and the cost of State Government has increased correspondingly with the increase in the size and activities thereof, and

WHEREAS, The Assembly has need to be fully advised in all facts relating to the organization of the State Government and the duties, functions, and responsibilities of the various departments, commissions, boards, authorities, divisions, bureaus, offices, and other units of government and the relationships between and within them, their methods of operation, procedures, and techniques, their costs of operation, and the value of the services rendered by them, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Governmental Reorganization is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the organization, functions, procedures, and operations of the State Government and its departments, commissions, boards, authorities, divisions, bureaus, offices, and other units thereof, the relationship of such units to one another, the internal organization thereof, their methods of operation, their cost to the State, the necessity or desirability of their continuance, the existence of duplicating, overlapping, or needless functions, the desirability of centralizing and coordinating related activities, modernizing techniques and proceedings, and all facts and matters relating to the nature and extent of governmental activities and operations, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules

of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifty thousand dollars ($50,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Geddes, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Meyers, Moss, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—51

NOES—Heisinger and Luckel—2

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 25, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 693

Has had the same under consideration, and reports the same back without recommendation, and be re-referred to Interim Committee on Conservation, Planning, and Public Works or other appropriate committee.

WEBER, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 232

By Mr. Brown:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on the Judicial System and Judicial Process

WHEREAS, There is a great need of a thorough investigation into all phases of the Judicial System of the State, and the administration of justice therein, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on the Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to

(a) The composition, structure, jurisdiction and administration of the several courts;

(b) The method of selection, compensation and retirement of judicial officers and attaches;

(c) The procedure, process, and rules of the courts, statutory and otherwise;

(d) All provisions of the law relating to civil actions and remedies, and all laws relating to criminal procedure;

(e) All laws relating to publication of notices and service of process,

(f) All laws relating to family relations including marriage, divorce and adoptions and the administration of such laws; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman of said standing committee shall be the chairman of this interim committee

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 6, 1949, at pages 4132-4133, in the paragraph numbered "2", strike out "of said standing committee shall be the chairman of this interim committee.", and insert "shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power."

Amendment read, and adopted.

Consideration of House Resolution No. 232, as Amended

By Mr. Brown:

House Resolution No. 232

Relative to the creation of the Assembly Interim Committee on the Judicial System and Judicial Process

WHEREAS, There is great need of a thorough investigation into all phases of the Judicial System of the State, and the administration of justice therein, in order that facts may be obtained and correlated as a basis for future legislation; and

WHEREAS, The facts relating to said subjects can best be secured by a fact-finding committee of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on the Judicial System and Judicial Process is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution, and all facts included and in any way related to the subjects mentioned in the recitals hereof, including but not limited to:

(a) The composition, structure, jurisdiction and administration of the several courts;

(b) The method of selection, compensation and retirement of judicial officers and attaches;

(c) The procedure, process, and rules of the courts, statutory and otherwise;

(d) All provisions of the law relating to civil actions and remedies, and all laws relating to criminal procedure;

(e) All laws relating to publication of notices and service of process;

(f) All laws relating to family relations including marriage, divorce and adoptions and the administration of such laws; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same Members of the Assembly who comprise the membership of the Assembly Standing Judiciary Committee and the chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Geddes, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Way, Weber, and Yorty—54.

NOES—Heisinger, Hinckley, Kirkwood, and Luckel—4.

CONSIDERATION OF HOUSE RESOLUTION NO. 241

By Mr. Sherwin:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Ways and Means.

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That the Assembly Standing Committee on Ways and Means is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1949-50 and 1950-51 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1949 and 1950 Regular Sessions.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until April 30, 1951, with authority to file its final report not later than that date.

3. The committee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and the Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said contingent fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 8, 1949, at pages 4223-4224, in paragraph 1, add "The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power."

Amendment read, and adopted.

Consideration of House Resolution No. 241, as Amended

By Mr. Sherwin:

House Resolution No. 241

Relative to the creation of the Assembly Interim Committee on Ways and Means

WHEREAS, It is necessary that a continuing study be made as to the needs for appropriations for state purposes and particularly of the items to be contained in the Budget Bill enacted at each regular session of the Legislature; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. That the Assembly Standing Committee on Ways and Means is hereby constituted the Assembly Interim Committee on Ways and Means and is authorized and directed to ascertain, study, and analyze all facts relating to the needs for state expenditures, including expenditures for support of state agencies, for construction, improvements, and all other purposes, and the adequacy of the revenues of the State during the 1949-50 and 1950-51 Fiscal Years, and particularly with respect to the items of appropriation to be included in the Budget Act to be enacted at the 1949 and 1950 Regular Sessions. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until April 30, 1951, with authority to file its final report not later than that date

3. The commitee and its members shall have and exercise all of the rights, duties, and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all oher things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To appoint subcommittees from the membership of the committee, which subcommittees shall have the same rights, powers, and duties as are conferred and imposed upon the committee itself under this resolution.

5 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney McCollister, McMillan, Meyers, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—62

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 105

And reports the same correctly engrossed.

HUYCK, Chairman

REQUEST FOR UNANIMOUS CONSENT

Mr. McCollister asked for, and was granted, unanimous consent, and the consent of the Speaker pro Tempore, to take up Assembly Concurrent Resolution No. 105, at this time.

CONSIDERATION OF ASSEMBLY CONCURRENT RESOLUTION NO. 105

Assembly Concurrent Resolution No. 105—Relative to approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of June, 1949.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 242

By Mr. Dunn, Mrs. Niehouse, Messrs. Huyck, Kirkwood, and Geddes:

House Resolution No. 242

Relative to the creation of the Assembly Interim Committee on Public Education

WHEREAS, In order to properly carry out its legislative function it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of Public Education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any place within the State or within the United States.

6 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 8, 1949, at page 4224, in the paragraph numbered "6", insert "twelve thousand dollars ($12,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 242, as Amended

By Mr. Dunn, Mrs. Niehouse, Messrs. Huyck, Kirkwood, and Geddes:

House Resolution No. 242

Relative to the creation of the Assembly Interim Committee on Public Education

WHEREAS, In order to properly carry out its legislative function it is essential that the Assembly be fully informed as to the manner in which the Public School System is being conducted, the effectiveness with which its obligations are being discharged, and all facts relating to the subject of public education, including, but not limited to, the organization and administration of the Public School System, the financing thereof and possible economies therein, the effectiveness of the curricula and methods of teaching, the adequacy of textbooks in use, the manner of their selection and purchase, and the advisability of providing vocational guidance to students prior to their entering secondary schools; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1 The Assembly Interim Committee on Public Education is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects mentioned in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any place within the State or within the United States.

6. The sum of twelve thousand dollars ($12,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Meyers, Niehouse, Rumford, Sherwin, Silliman, Stewart, Thomas, Thompson, Tomlinson, Way, and Yorty—54.

NOES—Noes.

CONSIDERATION OF HOUSE RESOLUTION NO. 253

By Mr. Stewart:

House Resolution No. 253

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of state and local government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of state and local government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplate; and

WHEREAS It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of 11 Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951

Regular Session, with authority to file its final report not later than the final legislative day of the 1951 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To meet at the State Capitol or at any other place in this State or within the United States

6 The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 14, 1949, at pages 4444-4445, in the paragraph numbered "6", insert "forty thousand dollars ($40,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 253, as Amended

By Mr. Stewart:

House Resolution No. 253

Relative to the creation of the Assembly Interim Committee on Governmental Efficiency and Economy

WHEREAS, The complicated machinery of State and local Government in this State, erected to serve the citizens of this State can function only under law; and

WHEREAS, Numerous changes in the organization and administration of State and local Government are proposed at each session of the Legislature by reason of new circumstances constantly arising which previous statutes did not contemplte; and

WHEREAS, It is necessary for the Legislature to study these circumstances carefully, with a view to revising and amending the laws relating thereto, in order that the most efficient, economical and equitable administration of the laws may be fostered; and

WHEREAS, During the interim between sessions it is desirable to ascertain and collate the facts upon which legislation may be based, which fact-finding work can best and most expeditiously be performed through a legislative committee charged with the duty of considering every phase of the subject; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Governmental Efficiency and Economy is hereby created and authorized and directed to ascertain, study, and analyze accurately and in detail all facts relating to the State Government and the government of counties, cities, and districts in this State and of any department, agency, or subdivision thereof, particularly with respect to their organization, functions, and administration, for the purpose of recommending changes and proposing legislation in order to promote efficiency, to reduce and eliminate costs, to provide for the consolidation of functions and removal of duplication, and to do all other things necessary and proper to increase the efficiency and effectiveness of the state and local governments

and the agencies and subdivisions thereof, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of eleven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the final legislative day of the 1951 Regular Session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of forty thousand dollars ($40,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Gaffney, Geddes, Grant, Hagen, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lindsay, Lipscomb, Lowrey, McCollister, Rosenthal, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—45.

NOES—Heisinger—1.

Hon. Richard H. McCollister Presiding

At 4.11 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred

House Resolution No. 121

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered printed in the Journal, and on file.

HOUSE RESOLUTION NO. 121

By Mr. Lowrey:

House Resolution No. 121

Relating to the creation of the Assembly Committee on Public Lands

WHEREAS, In 1947 the Federal Government owned almost half of the total land area in the State of California, and federal ownership of such land is increasing; and

WHEREAS, In addition thereto a substantial amount of land is now owned by the State of California and its municipalities and political subdivisions and agencies; and

WHEREAS, Such property in most instances is not subject to taxation by the taxing agencies of state and local governments and results in the imposition of inequitable tax burdens on the taxpayers of this State and its local governmental subdivisions; and

WHEREAS, The State of California has an interest in all phases of the use, management, and control of publicly owned lands in this State and all activities connected therewith or related thereto; and

WHEREAS, It is necessary that the Legislature be fully informed on all phases of these problems, in order that it may take appropriate action; and

WHEREAS, It is necessary also for the Legislature to be fully informed on all matters relating to the recordation or registration of land titles to public or privately owned lands; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Public Lands is hereby created and authorized and directed to ascertain, study and analyze. All facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the state, federal and local governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies, all facts relating to the recordation and registration of land titles, and all other facts relating to or bearing upon the subject of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or related thereto and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of March 11, 1949, at pages 1008-1009, in the paragraph numbered "2", strike out "five", and insert "three".

Amendment No. 2

In the paragraph numbered "6", strike out "ten thousand dollars ($10,000)", and insert "three thousand dollars ($3,000)"

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 258

By Mr. Clayton A. Dills:

House Resolution No. 258

Relating to the creation of the Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations

WHEREAS, The Assembly has been informed that a need exists for new and additional legislation concerning the associations named in the title hereof, and

WHEREAS, Such organizations are quasi-public corporations and their activities affect the health, welfare and safety of the citizens of the State; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such organizations in order that it may intelligently legislate thereon, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations is hereby created and authorized and directed to ascertain, study and analyze all facts and laws in any way bearing upon or relating to the subject of this resolution and the recitals thereof, including, but not limited to, the investment and management of perpetual care funds of such associations, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpeans, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To employ auditors and other technical and clerical assistance.

6. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 15, 1949, at pages 4526-4527, in the paragraph numbered "6", insert "ten thousand dollars ($10,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 258, as Amended

By Mr. Clayton A. Dills:

House Resolution No. 258

Relating to the creation of the Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations

WHEREAS, The Assembly has been informed that a need exists for new and additional legislation concerning the associations named in the title hereof; and

WHEREAS, Such organizations are quasi-public corporations and their activities affect the health, welfare and safety of the citizens of the State; and

WHEREAS, It is necessary that the Assembly be fully informed on all facts relating to such organizations in order that it may intelligently legislate thereon; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Cemetery, Mausoleum, Crematorium and Similar Associations is hereby created and authorized and directed to ascertain, study and analyze all facts and laws in any way bearing upon or relating to the subject of this resolution and the recitals thereof, including, but not limited to, the investment and management of perpetual care funds of such associations, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To employ auditors and other technical and clerical assistance.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Clayton A. Dills moved a call of the Assembly.

Motion carried. Time, 4.25 p.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brady, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Erwin, Fleury, Grunsky, Hagen, Lindsay, Maloney, McCarthy, McMillan, Rosenthal, and Thomas—17.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Hollibaugh asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS

Senate Bill No. 20—An act to add Part 2, comprising Chapters 1 to 13, inclusive, and Sections 8100 to 8268, inclusive, to Division 9 of the Streets and Highways Code, providing for the formation, government, and dissolution of separation of grade districts, prescribing their powers, providing for the performance of certain functions relating thereto by county officers, and relating to separation of grade by overpass, underpass and tunnel.

Bill read third time.

Motion to Amend

Mr. Crowley moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 1, 1949, after line 51, insert

"8121.5. The board shall exclude uninhabited farm acreage from the district as not benefited and in addition shall determine whether or not any parcel so excluded will be benefited if and when inhabited.

If the board determines that parcels of then inhabited farm acreage will be benefited by the formation of the district it shall select and describe five acres from each such parcel plus five acres for each family in excess of one inhabiting any such parcel for taxation for the support of the district as provided with respect to other real property within the district.

As of the first Monday in March of each year after the formation of the district the commission shall ascertain the status of inhabitancy of each parcel of farm acreage in the district and shall file a report in writing with the board describing the portion of each such parcel which is to be taxed, determined as provided in this section for the taxation of farm acreage in the district as originally formed. The board shall levy taxes on the farm acreage so determined and described in all respects as provided in Section 8221 for the taxation of other real property within the district."

Amendment No. 2

On page 11 of said bill, after line 6 insert

"8269. If any provision of this part is for any reason held to be unconstitutional, such decision shall not affect the validity of the remaining portion of this part. The Legislature hereby declares that it would have passed each provision of this part irrespective of the fact that any one or more such provisions be declared unconstitutional."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

PERMISSION TO CONSIDER ASSEMBLY BILL NO. 2776

Pursuant to the provisions of Joint Rule 23, the consent of the Acting Speaker having been obtained, Mr. Geddes asked for, and was granted, permission to consider Assembly Bill No. 2776 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—60.

NOES—None.

CONSIDERATION OF ASSEMBLY BILL NO. 2776

Assembly Bill No. 2776—An act to amend Section 14256 of the Government Code, relating to state contracts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lowrey, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—56.

NOES—None

CONSIDERATION OF DAILY FILE (RESUMED)
CONSIDERATION OF HOUSE RESOLUTION NO. 249

By Mr. Conrad:

House Resolution No. 249

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study traffic-management procedures of the State Government and its agencies

WHEREAS, It appears that a saving to the State might be effected by establishing an agency qualified and authorized to see that shipments made by the State or its agencies, and goods shipped to the State or its agencies, are routed and accomplished in the most expeditious, economical and efficient manner possible; and

WHEREAS, It appears that further savings could be effected by adequate state representation, through such agency, before administrative and other bodies authorized to act on rates, tariffs, traffic and related matters; and

WHEREAS, In order to ascertain whether legislation to create such an agency is necessary, and to determine the nature and extent thereof, it is essential that the Assembly be fully informed as to the adequacy and efficiency of existing procedures in state governmental agencies with respect to such shipments, rates, tariffs and traffic problems, and as to the qualifications, experience and efficiency of the persons engaged therein or dealing therewith; and

WHEREAS, Such study falls within the scope of the duties generally imposed on the Assembly Interim Committee on Governmental Efficiency and Economy; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy to be created at this session of the Legislature is hereby authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or relating thereto, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 284

By Mr. Stewart:

House Resolution No. 284

Relating to a study of problems of air pollution

WHEREAS, The problems of air pollution resulting from industrial operations and other causes are a vital concern in many areas of the State; and

WHEREAS, Air pollution in many instances constitutes an imminent hazard to health, cripples industry, and results in the depreciation of the value of property; and

WHEREAS, Since the correction of conditions of water pollution caused by disposal of industrial wastes often result in the pollution of air, the problems of air pollution cannot be divorced from those of water pollution; and

WHEREAS, An exhaustive study of conditions of water pollution must necessarily include a study of all matters related to air pollution; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Water Pollution be requested to include problems of air pollution in its studies and investigations; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to the Chairman of the Assembly Interim Committee on Water Pollution.

Resolution read, and adopted.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 27, 1949

MR. SPEAKER: Your Committee on Judiciary, to which was referred:

Senate Bill No. 1178

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

BROWN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1178—An act to repeal Sections 314, 314.5, 315, 316, and 317 of and to add Sections 314, 315, 316, 317, 318, 319, and 319.1 to the Vehicle Code, relating to proceedings in reference to refusal to issue or the suspension or revocation or other action pertaining to drivers' licenses.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Judiciary:

Amendment No. 1

On page 4 of the printed bill, as amended in the Senate on May 26, 1949, following line 20, insert

"(c) In applying the provisions of this section the department shall give due consideration to the more frequent use of motor vehicles by chauffeurs."

Amendment No. 2

On page 5, line 3, of said bill, following "opinion", insert "because of the mental or physical condition of such person".

Amendment No. 3

On page 7, line 20, of said bill, before "modify", insert "terminate or to".

Amendment No. 4

On page 7, line 21, of said bill, after "therefore", strike out the remainder of the line, and lines 22 and 23, and insert a period.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 258

At 4.47 p.m., on motion of Mr. Clayton A. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and House Resolution No. 258 adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lowrey, McCollister, Meyers, Morris, Niehouse, Rumford, Sillman, Stanley, Stewart, Thompson, Weber, and Mr. Speaker—42.

NOES—Babbage, Burke, Burkhalter, Butters, Collier, Hawkins, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lipscomb, Luckel, Moss, Sherwin, Smith, Tomlinson, Waters, Way, and Yorty—20.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 11
Senate Bill No. 68
Senate Bill No. 447
Senate Bill No. 605
Senate Bill No. 791
Senate Bill No. 797
Senate Bill No. 1641

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 240
Assembly Bill No. 241
Assembly Bill No. 242
Assembly Bill No. 408
Assembly Bill No. 679
Assembly Bill No. 759
Assembly Bill No. 886
Assembly Bill No. 898
Assembly Bill No. 1295
Assembly Bill No. 1345
Assembly Bill No. 1445
Assembly Bill No. 2639
Assembly Bill No. 3085
Assembly Bill No. 3144

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Joint Resolution No. 38

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Joint Resolution No. 38—Relative to San Francisco's One Hundred Seventy-third Birthday.

Referred to Committee on Rules.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Desmond, Tenney, and Breed as a Committee on Conference concerning:

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 11—An act to add Section 66n to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the State of California, in and for the County of Sacramento, to provide for the appointment of an additional judge and for his compensation," approved June 16, 1923, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Sacramento;

Assembly Bill No. 26—An act to add Section 20894.2 to the Government Code, relating to employees of contracting agencies in the State Employees' Retirement System;

Assembly Bill No. 29—An act to add Section 66k to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Marin, and providing for the appointment of an additional judge and for compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 39—An act to add Article 4, comprising Sections 17390 to 17394, inclusive, to Chapter 4, Part 10, Division 2, of the Revenue and Taxation Code, relating to the personal income tax;

Assembly Bill No. 78—An act to amend Section 8101 of the Revenue and Taxation Code, relating to motor vehicle fuel license taxes;

Assembly Bill No. 82—An act to amend Section 252 of the Unemployment Insurance Act, relating to unemployment compensation disability insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 139—An act to add Section 66s to the Code of Civil Procedure, and to repeal an act entitled "An act to reduce the number of Judges of the Superior Court in and for the County of Humboldt and to repeal an act entitled 'An act to provide for the appointment and election of one additional Judge for the County of Humboldt,' approved March 8, 1895," approved June 10, 1933, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Humboldt;

Assembly Bill No. 171—An act to add Section 66r to the Code of Civil Procedure, relating to the number of Judges in the Superior Court in the County of Monterey and providing for the appointment of an additional Superior Court Judge in and for the County of Monterey, and for his compensation;

Assembly Bill No. 234—An act to add Section 66*l* to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the County of Riverside, and to provide for the appointment of an additional judge," approved June 3, 1921, relating to the number of superior court judges and providing for the appointment of an additional Superior Court Judge in and for the County of Riverside;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 237—An act to amend Section 66e to the Code of Civil Procedure, relating to the number of Judges in the Superior Court in the County of Santa Clara and providing for the appointment of an additional Superior Court Judge in and for the County of Santa Clara, and for his compensation;

Assembly Bill No. 248—An act to amend Section 737m of the Political Code, relating to salaries of judges of superior courts;

Assembly Bill No. 352—An act to amend Sections 827 and 813.7 of the Agricultural Code, relating to apple and corn standards;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 390—An act to amend Sections 704 and 705 of the Vehicle Code, relating to axle loading and spacing;

Assembly Bill No. 421—An act to add Section 959.1 to, and to amend Section 960 of, the Streets and Highways Code, relating to the reservation of easements on the abandonment of county highways;

Assembly Bill No. 579—An act to amend Section 737ff of the Political Code, relating to the salary of the Judge of the Superior Court in the County of Plumas;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 590—An act to amend Section 17702 of the Health and Safety Code, relating to the State Housing Act;

Assembly Bill No. 596—An act to add Section 20394.15 to the Education Code, relating to demotion of state college employees;

Assembly Bill No. 631—An act to amend Sections 641 and 650.6 of the Vehicle Code, relating to lights and reflectorized materials on vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 660—An act to amend Section 17305 of the Revenue and Taxation Code, relating to income taxes;

Assembly Bill No. 667—An act to amend Section 314 of the Vehicle Code, relating to operators' and chauffeurs' licenses;

Assembly Bill No. 765—An act to amend Section 2884 of the Streets and Highways Code, relating to special assessment investigation;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 778—An act to amend Section 203 of the Code of Civil Procedure, relating to the selection of jurors in municipal courts and in police courts in cities of the second class;

Assembly Bill No. 801—An act to amend Section 423 of the Vehicle Code, relating to financial responsibility, and declaring the urgency thereof;

Assembly Bill No. 1097—An act to add Section 18709.5 to the Government Code, relating to reemployment rights of state employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1113—An act to add Sections 27174, 27175, 27176, 27177, and 27178 to the Streets and Highways Code, relating to bridge and highway districts, and the adoption of traffic regulations by such districts, and the enforcement of such regulations by the California Highway Patrol, and providing penalties;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-eighth day of June, 1949, at 4 p.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate appointed Senators Keating, Sutton, and O'Gara as a Committee on Conference concerning:

Assembly Bill No. 2146—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance at drills, camps and exercises; performance of duty during insurrection or emergency; private employees and restoration to positions.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Hulse, Mayo, and Williams as a Committee on Conference concerning:

Assembly Bill No. 1472—An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the Office of Franchise Tax Commissioner.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 444	Assembly Bill No. 1707
Assembly Bill No. 486	Assembly Bill No. 1802
Assembly Bill No 749	Assembly Bill No. 1877
Assembly Bill No. 986	Assembly Bill No 2296
Assembly Bill No. 1467	Assembly Bill No. 2905
Assembly Bill No 1678	Assembly Bill No. 2909

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 1404 FROM COMMITTEE

Mr. George D. Collins gave notice that on the second legislative day he would move to withdraw Senate Bill No. 1404 from the Committee on Revenue and Taxation, and have it placed upon the file.

MOTION TO EXPUNGE RECORD, AND RESCIND ACTION ON AMENDMENTS TO SENATE BILL NO. 866

Mr. Sherwin moved to expunge the record, and rescind the action whereby the Assembly on this day, adopted amendments to Senate Bill No. 866.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Burke, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—55.

NOES—None.

Amendments Withdrawn

Mr. Sherwin withdrew the above amendments.

RESOLUTIONS

The following resolution was offered:

By Messrs. Morris, Sam L. Collins, Dickey, Geddes, and Hollibaugh:

House Resolution No. 293

Relating to Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly

WHEREAS, Mr. Arthur A. Ohnimus has faithfully and efficiently served the Assembly from 1915 to the present time, beginning as an attache from 1915 to 1921, then as Minute Clerk from 1921 to 1923, and finally as Chief Clerk continuously from 1923 to the present time excepting the years 1937 to 1940; and

WHEREAS, During this long period Mr. Ohnimus has devoted his able services impartially to all the Members of the Assembly; and

WHEREAS, Mr. Ohnimus because of his long and distinguished career as the chief aide of the Assembly has become an integral and necessary part of the Assembly; and

WHEREAS, Mr. Ohnimus has come to represent the Assembly of the State of California both to the members thereof and to many others; and

WHEREAS, The Assembly desires to publicly proclaim that Arthur A Ohnimus is so regarded by its members; now, therefore, be it

Resolved by the Assembly of the State of California, That Arthur A Ohnimus, Chief Clerk of the Assembly, is recognized as a part of the Assembly, and the Members of the Assembly request that all state officers and agencies extend appropriate consideration and courtesies to him.

Resolution read, and ordered referred to the Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 31—Relative to federal control of forest cutting practices.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Berry, Brady, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr Speaker—52.

NOES—Anderson, Elliott, and Hawkins—3.

Resolution ordered transmitted to the Senate.

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, providing for the establishment of special accounts for certain appropriations for expenses of the Legislature.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

In line 7 of the title of the printed bill, as amended in the Assembly on June 25, 1949, strike out "Section 9744", and insert "Sections 9744 and 16001".

Amendment No. 2

On page 2, line 29, of said bill, strike out ", pursuant to", and insert "pursuant to, and".

Amendment No. 3

On page 2, line 31, of said bill, after "by", insert a comma.

Amendment No. 4

On page 2, line 32, of said bill, strike out "unless", and insert "until".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 5

On page 3 of said bill, after line 37, insert

"SEC. 5. *Section 16001 of said code is amended to read:*

16001. Claims [upon the contingency funds] *for expenses* of either house of the Legislature *or members or committees thereof*, and *claims* for official salaries *fixed by statute*, are exempt from this chapter."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 409—An act to amend Sections 31460, 31468, 31469, and 31502 of the Government Code, relating to the membership of county employees' retirement systems.

Bill read third time.

Motion to Amend

Mr. Kirkwood moved the adoption of the following amendments:

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on June 25, 1949, strike out "includes"

Amendment No. 2

On page 2, line 6, of said bill, strike out "whose compensa-", and lines 7 to 9, inclusive, and insert a period.

Amendment No. 3

On page 2 of said bill, strike out lines 10 to 13, inclusive, and insert

"(b) "Employee" includes any justice of the peace whose compensation is fixed by the board of supervisors or by statute and whose compensation is paid by the county."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

MOTION TO SET SPECIAL ORDER

Mr. Dickey moved that Senate Bill No. 1417 be made a special order of business for Wednesday, June 29, 1949, at 10 a.m.

Motion carried unanimously.

REQUEST FOR UNANIMOUS CONSENT TO CONTINUE ALL MATTERS ON THE UNFINISHED BUSINESS FILE

Mr Dickey asked for, and was granted, unanimous consent that all matters on the unfinished business file be continued until the next legislative day.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today Upon Adjournment—

Livestock and Dairies, in Room 430. Subject: Senate Bills Nos. 647 and 690.

Tonight, at 8 p.m.—

Public Health, in Room 426.

Tomorrow Upon Adjournment—

Judiciary, in Post Office. Subject: Senate Bills Nos. 793, 628, and 1365.

At Time to Be Announced—

Rules.

It was announced that there will be no meeting of the Committee on Agriculture.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Julian McPhee of San Luis Obispo, and Harold Wilson, Lee Aldrich, and Paul Spencer of San Dimas.

On request of Mr. Connolly, the usual courtesies of the Assembly for this day were unanimously extended to Victor E. Cappa, of San Francisco.

On request of Messrs. Conrad and Beck, the usual courtesies of the Assembly for this day were unanimously extended to James Harvey Brown of Hollywood.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Sister Mary Timothena, Sister Mary Gemma, Sister Mary Paula Ellen, Sister Mary Bernard, and Sister Mary Anne Francie of Sacramento, and Sister Mary Aloysia, James Naccarata, and Miss Sally Simpson, of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to James Symes and William Carpenter of San Francisco, and William D. Smith of Berkeley.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to A. C. Handel of Napa.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Representative Lewis R. Burch, a Member of the House of Representatives of Arizona.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs A. J. Bringelson, Mrs. Theresa O'Loughlin of San Pedro, and A. Ducoing of Wilmington.

On request of Mr. Levering, the usual courtesies of the Assembly for this day were unanimously extended to Mr. and Mrs. Frank H. Cummingham and Frank H. Cummingham, Jr., of Santa Monica.

ADJOURNMENT

At 5 p.m., on motion of Mr. Dickey, Acting Speaker Richard H. McCollister declared the Assembly adjourned until 9 a.m., Wednesday, June 29, 1949.

SAM L. COLLINS, Speaker

PAUL CRUM, Assistant Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ONE HUNDRED THIRD LEGISLATIVE DAY

ONE HUNDRED SEVENTY-EIGHTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Wednesday, June 29, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—76.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Eternity: Lift Thou our thoughts this morning above the mundane and temporal to the timeless

May we dwell for a moment upon the shore of the Infinite Sea however earthbound we may be, and this moment in which we pause is the gateway into a world the senses cannot perceive.

The far sweep of the Eternal calls to us and the breath of the distant reaches of the Infinite bears us out on waves of longing to the illimitable.

Let the sea surge of the Infinite beat within us, and awaken whatever is grand, untamed, and soaring in our innermost selves.

May the tides of that Eternal Sea bear us up to the far horizon where we dwell in thought on the margin of Infinitude.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Weber, further reading of the Journal of the previous legislative day was dispensed with.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 286
Assembly Bill No. 664
Assembly Bill No. 1200
Assembly Bill No. 1227
Assembly Bill No. 1386
Assembly Bill No. 1839
Assembly Bill No. 2027
Assembly Bill No. 2241
Assembly Bill No. 2268
Assembly Bill No. 2389
Assembly Bill No. 2529
Assembly Bill No. 2558
Assembly Bill No. 2566
Assembly Bill No. 2567
Assembly Bill No. 2568
Assembly Bill No. 2571
Assembly Bill No. 2577
Assembly Bill No. 2587
Assembly Bill No. 2887
Assembly Bill No. 2961
Assembly Bill No. 3124
Assembly Bill No. 3152

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 105

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 593
Assembly Bill No. 782
Assembly Bill No. 2508

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 707

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER. The Committee on Conference concerning:

Senate Bill No. 1387—An act to amend Section 257 of the Vehicle Code, relating to drivers licenses of minors;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on June 22, 1949, after "is", insert "either".

Amendment No. 2

On page 1, line 15, of said bill, strike out the period, and insert ", or".

O'GARA	FLEURY
REGAN	McCARTHY
DONNELLY	RUMFORD
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Beck, Berry, Burke, Burkhalter, Clarke, Coats, Connolly, Conrad, Crichton, Crowley, Dickey, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grunsky, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, and Mr. Speaker—42.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 581

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

THOMPSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 581—An act to amend Sections 3301.5 and 3301.6 of the Health and Safety Code, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from tuberculosis, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Health:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on June 20, 1949, after "shall", insert "be".

Amendment No. 2

On page 2, line 12, of said bill, strike out "ninety cents ($2.90)", and insert "sixty cents ($2.60)".

Amendment No. 3

On page 2, line 15, of said bill, strike out "fifty-five cents ($2.55)", and insert "thirty cents ($2.30)".

Amendment No. 4

On page 2, line 17, of said bill, after "shall", insert "be".

Amendment No. 5

On page 2, line 18, of said bill, strike out "ninety-five cents ($1.95)", and insert "seventy-five cents ($1.75)".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 1029
Senate Bill No. 1250

Has had the same under consideration, and reports the same back with the recommendation: Do pass

THOMPSON, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1029—An act to amend Sections 32004 and 32100 of the Health and Safety Code, and to add Sections 32100.1, 32100.5, 32100.6, 32100.7 to said code, relating to local hospital districts, and declaring the urgency of this act, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 1250—An act to add Chapter 8, comprising Sections 5500 to 5656 inclusive, to Part 3, Division 5, of the Health and Safety Code, to provide for the formation, organization, and operation of sanitation districts within the counties of the State.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Public Health, to which was referred:

Senate Bill No. 468

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

THOMPSON, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 468—An act to add Sections 32100.3 and 32100.4, to the Health and Safety Code, relating to local hospital districts.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1190—An act to add Section 6604 to the Labor Code, relating to effect of refusal to work where order of Division of Industrial Safety is violated.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1190?

Amendment No. 1

On page 1, line 13, of the printed bill, as amended in the Assembly on April 25, 1949, after "work", insert "in the performance of".

Amendment No. 2

On page 1, line 13, of said bill, after "which", strike out "is in violation of", and insert "this code or".

Amendment No. 3

On page 1, line 14, of said bill, strike out the period, and insert "will be violated; provided, however, that no employee who is laid off or discharged for refusing to perform work in the performance of which this code or any safety order of the Division of Industrial Safety will be violated shall have a right of action for wages unless such employee files a claim with the Labor Commissioner within ten days after being laid off or discharged."

Amendment No. 4

In line 6 of the printed bill, as amended in the Senate on June 3, 1949, following "violated", insert "where such violation would create a real and apparent hazard to the employee or his fellow employees;".

Amendment No. 5

In line 9 of said bill, following "violated", insert "and where such violation would create a real and apparent hazard to the employee or his fellow employees;"

Amendment No. 6

In line 10 of said bill, following "employee", insert "notifies his employer and"

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Gaffney moved a call of the Assembly.

Motion carried. Time, 9.12 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Bennett, Brady, Brown, Caldecott, Collier, Condon, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Fletcher, Fleury, Geddes, Grant, Hagen, Heisinger, Huyck, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Price, Reagan, Rosenthal, Stewart, Thomas, Waters, Way, Weber, and Yorty—38.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1190

At 9.25 a.m., on motion of Mr. Gaffney, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1190 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Elliott, Erwin, Evans, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thompson, Tomlinson, Way, and Mr. Speaker—50

NOES—Sherwin—1.

Assembly Bill No. 1190 ordered enrolled.

MEMBERS EXCUSED

At 9.28 a.m., Mr. Evans asked for, and was granted, unanimous consent that Mr. Price be excused for the balance of the legislative day, because of illness; and that Mr. Reagan be excused for the balance of the legislative day, and that it be noted that he desires to waive his per diem.

MOTION TO RECESS

At 9.30 a.m., Mr. Evans moved that the Assembly do now recess until 10.30 a.m.

Mr. Hollibaugh seconded the motion.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Brown, Burkhalter, Butters, George D. Collins, Dickey, Elliott, Erwin, Evans, Fleury, Gaffney, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lipscomb, Meyers, Moss, Smith, Stanley, Tomlinson, and Yorty—23.

NOES—Babbage, Caldecott, Connolly, Doyle, Fletcher, Geddes, Grunsky, Hagen, Kirkwood, Luckel, Sherwin, Silliman, Thomas, and Thompson—14.

REASSEMBLED

At 10.30 a.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REQUEST FOR UNANIMOUS CONSENT THAT FIRST REPORT OF THE INTERIM FACT-FINDING COMMITTEE ON TIDELAND RECLAMATION AND DEVELOPMENT BE PRESENTED TO THE ASSEMBLY

Mr. Dolwig asked for, and was granted, unanimous consent that the First Report of the Interim Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings, printed as a separate document, be presented to the Assembly, at this time, and that it be noted in the Journal that copies of this report have been placed upon the desks of all members.

MOTION THAT REPORT BE ADOPTED

Mr. Dolwig moved that the First Report of the Interim Fact-Finding Committee on Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings be adopted.

~~Motion carried.~~

Request for Unanimous Consent to Expunge Record, and Rescind Action on Report of Interim Fact-Finding Committee on Tideland Reclamation

Mr. Sherwin asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, adopted the Report of the Interim Fact-Finding Committee on fornia, Related Traffic Problems, and Relief of Congestion on Transbay Tideland Reclamation and Development in Northern California, Related Traffic Problems, and Relief of Congestion on Transbay Crossings.

COMMUNICATIONS

By Speaker Sam L. Collins:

A communication from George C. Price, protesting the new fee schedule of the Board of Pharmacy, was received, and ordered transmitted to the Board of Pharmacy.

By the Chief Clerk:

A communication from Mr. and Mrs. H. C. Murrill of Compton, relative to Assembly Bill No. 3180, was received, and ordered noted in the Journal.

By Speaker Sam L. Collins:

A communication and a resolution from George H. Geyer, Executive Secretary of the Commission on School Districts, relative to recommending that the three levels of our state program of public education—State, county, and district be clearly delineated and defined, were received, and ordered referred to the Committee on Education.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Senate Concurrent Resolution No. 79

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following resolution was read:

Senate Concurrent Resolution No. 79—Relative to the creation of a Fact-Finding Committee on Community Redevelopment and Housing Problems with particular reference to legislation supplementary to federal legislation.

Referred to Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 690

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

SILLIMAN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1450—An act to amend Sections 9200, 9300, 9301, 9303, 9304, 9305, 9400, 9402, 9600, and 9602 of the Corporations Code, relating to nonprofit corporations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1450?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on April 13, 1949, strike out "accumulations,".

Amendment No. 2

On page 1, line 15, of said bill, strike out "accumulations,".

Amendment No. 3

On page 3, line 7, of said bill, strike out "submission", and insert "subdivision".

Amendment No. 4

In line 2 of the title of the printed bill, as amended in the Senate on June 22, 1949, after "of", insert ", and to add Section 9003 to,".

Amendment No. 5

On page 4 of said bill, after line 36, insert

"SEC 11. Section 9003 is added to the Corporations Code, to read:

9003. Every domestic and qualified foreign nonprofit corporation expressly exempted from taxation under the Bank and Corporation Franchise Tax Act shall file in the office of the Secretary of State each calendar year, commencing with the year 1950, a statement of the names of its president or other head, its secretary or clerk, and any other officers desired, and a statement of the location and address of its principal office in this State.

If any such corporation fails to file such statements on or before December 31, 1950, the Secretary of State shall forthwith mail written notice, postage prepaid, of the provisions of this section to the corporation. If the only address of the corporation disclosed by the records of the Secretary of State is the county in which the principal office in this State is located, then the notice may be mailed to the corporation in care of any officer, director, or agent whose address is disclosed by such records or in care of the last known attorney of record for the corporation according to the records of the Secretary of State. If the corporation then fails to file said statements within ninety (90) days after the mailing of such notice the corporation shall be presumed to have abandoned its corporate rights and privileges, including its corporate name, and the Secretary of State may remove the corporation from his active file and thereupon the name of such corporation shall become available for use by another corporation.

Similar notice shall be given by the Secretary of State following the end of each calendar year subsequent to 1950 to each such corporation which fails to file said statements during the preceding year except that no notice need be given to a corporation as to which the presumption of abandonment already exists. Failure to file within ninety (90) days after such notice shall create the presumption of abandonment thereinabove provided for.

The presumption of abandonment shall not affect corporate existence nor adversely affect the rights of third persons.

Any such presumption of abandonment may be overcome and the corporation restored to the active files of the Secretary of State by the filing of the statements required by this section, except that if, during the period of presumed abandonment, another corporation has adopted the same name or any name so similar as to tend to deceive, then the corporation may not file said statements and be restored to the active files until it has amended its articles of incorporation to adopt a new available name.

No fee shall be charged or collected for the filing of any statement of the names of officers or of the location and address of the principal office of a corporation pursuant to this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1450 by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 1450 ordered enrolled.

Assembly Bill No. 1639—An act to add Section 801.5 to the Fish and Game Code, relating to abalones.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1639?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "if so used only in the vicinity", and insert "only if so used within five miles".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1639 by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 1639 ordered enrolled.

Assembly Bill No. 1805—An act to amend Section 4702 of the Labor Code, relating to death benefits under the Workmen's Compensation Act.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1805?

Amendment No. 1

On page 1, lines 25 and 26, of the printed bill, strike out "dis-ability", and insert "original injury".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1805 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—60.

NOES—None.

Assembly Bill No. 1805 ordered enrolled.

Assembly Bill No. 2170—An act to add Section 13¼ to the Los Angeles County Flood Control Act, relating to storm waters and drainage, the expenditure of moneys for improvements, the control of same and the levy of taxes therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2170?

Amendment No. 1

On page 1, line 5, of the printed bill, as amended in the Assembly on June 9, 1949, strike out the comma after "improvements", and insert "and".

Amendment No. 2

On page 1, line 6, of said bill, strike out "and storm water areas".

Amendment No. 3

On page 1, line 10, of said bill, strike out ", systems or areas", and insert "or systems"

Amendment No. 4

On page 1, line 15, of said bill, strike out ", systems and areas", and insert "and systems and".

Amendment No. 5

On page 1, line 5, of said bill, after "systems", insert a comma and "improved or unimproved,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2170 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr Speaker—60

NOES—None

Assembly Bill No. 2170 ordered enrolled.

Assembly Bill No. 2265—An act to amend the title of Article 6 of Chapter 11 of Division 7 of the Education Code and to add thereto Section 13653, relating to the rights of probationary employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2265?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on June 6, 1949, strike out "3."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2265 by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 2265 ordered enrolled.

Assembly Bill No. 2890—An act to amend Section 4658 of the Labor Code, relating to computation of payment for permanent disability under the Workmen's Compensation Act.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2890?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 4658", and insert "Sections 4658 and 4659".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 28, insert

"SEC. 2. Section 4659 of the Labor Code is amended to read:

4659. The payment for permanent disabilities intermediate to those fixed by the foregoing schedule shall be computed and allowed as follows:

(a) [If under 70 percent, 65] *65* percent of the average weekly earnings for four weeks for each 1 percent of disability.

(b) If 70 percent or over, [65 percent of the average weekly earnings for 240 weeks and thereafter 1] 1 percent of [such] *the average* weekly earnings for each 1 percent of disability in excess of 60 percent to be paid during the remainder of life [.], *after payment for the maximum number of weeks specified in the foregoing schedule has been made.*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2890 by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No 2890 ordered enrolled.

Statement by Mr. Meyers Relative to Assembly Bill No. 2890

In order to clarify any questions as to legislative intent, as author of the bill, it is my understanding that the amendments contained in Assembly Bill No. 2890 are applicable only to original injuries occurring on and after the effective date thereof

CHARLES W. MEYERS

Assembly Bill No. 2948—An act to add Article 4, comprising Section 6060 to 6064, inclusive, to Chapter 1 of Division 7 of Title 1 of the Government Code, relating to the publication of matter required by law to be published in a newspaper of general circulation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2948?

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended in the Assembly on May 23, 1949, and insert

"An act to add Section 6040.5 and Article 4, comprising Sections 6060 to 6065, inclu-".

Amendment No. 2

On page 1, line 18, of said bill, strike out the period, and insert "thereafter."

Amendment No. 3

On page 2, line 5, of said bill, strike out the period, and insert "thereafter."

Amendment No. 4

On page 2, line 10, of said bill, strike out the period, and insert "thereafter."

Amendment No. 5

On page 2 of said bill, after line 10, insert

"6065. Publication of notice pursuant to this section shall be once a week for eight successive weeks. Eight publications, whether in a daily or weekly newspaper,

are sufficient. The period of notice commences upon the first day of publication and terminates at the end of the fourth week thereafter.

SEC. 2. Section 6040.5 is added to said code, to read:

6040.5. As used in any law of this State providing for any publication, or notice by publication, or official advertising, "daily newspaper" means a newspaper of general circulation that is published on five or more days in a calendar week, and "weekly newspaper" includes any newspaper of general circulation that is published on at least one, but less than five days in a calendar week.

Any provision in any such law for publication in a weekly newspaper shall be deemed complied with if publication is made once a week for the period specified in a weekly newspaper as defined in this section."

Amendment No. 6

On page 2, line 17, of the printed bill, as amended in the Senate on June 23, 1949, strike out "fourth", and insert "eighth".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 2948 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 2948 ordered enrolled.

Assembly Bill No. 3154—An act to amend Sections 32204, 32262, 32322, 32324, 32334, 32335, 32351, 32354, and 32355 of, to add Sections 32204.5, 32235.5, 32330.5, 32339, 32340, 32363, 32364, and 32365 to, and to repeal Section 32363 of the Government Code, relating to County Fire Service Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3154?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on June 3, 1949, strike out "32339, 32340", and insert "32341, 32342".

Amendment No. 2

On page 3, line 9, of said bill, strike out "32339", and insert "32341".

Amendment No. 3

On page 3, line 38, of said bill, strike out "32339", and insert "32341".

Amendment No. 4

On page 3, line 39, of said bill, strike out "32339.", and insert "32341."

Amendment No. 5

On page 4, line 14, of said bill, strike out "32340", and insert "32342".

Amendment No. 6

On page 4, line 15, of said bill, strike out "32340.", and insert "32342."

Amendment No. 7

On page 4, line 16, of said bill, strike out "32339", and insert "32341".

Amendment No. 8

On page 4, line 21, of said bill, strike out "32339", and insert "32341".

Amendment No. 9

On page 4, line 29, of said bill, strike out "32339", and insert "32341".

Amendment No. 10

On page 4, line 35, of said bill, strike out "32339", and insert "32341".

Amendment No. 11

On page 4, line 41, of said bill, strike out "32339", and insert "32341".

Amendment No. 12

On page 4, line 49, of said bill, strike out "32339", and insert "32341".

Amendment No. 13

On page 5, line 23, of said bill, strike out "32339", and insert "32341".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3154 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Bill No. 3154 ordered enrolled.

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 404—An act to add Section 21.2 to the Municipal Court Act of 1925, relating to departments of the municipal court in cities and cities and counties of the first and one-half class, including judges and attaches thereof.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 404 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Anderson, Brady, Condon, Cooke, Doyle, Geddes, Lipscomb, and Thomas—8.

NOES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Connolly, Conrad, Crowley, Davis, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Luckel, Maloney, McMillan, Meyers, Morris, Niehouse, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—46.

Motion That Remarks by Mr. Thomas Relative to Assembly Bill No. 404 Be Printed in Journal

Mr. Crowley moved that the remarks by Mr. Thomas relative to Assembly Bill No. 404 be reduced to writing and ordered printed in the Journal in 10-point type.

Mr. Lewis seconded the motion.

Motion carried.

REMARKS BY MR. THOMAS RELATIVE TO ASSEMBLY BILL NO. 404

Mr. Speaker and Members of the Assembly:

Before voting on Governor Warren's veto of Assembly Bill No. 404 which provides for jury trials in the Municipal Court in San Pedro, I would be derelict in my duty as the representative of the Sixty-eighth Assembly District unless I first explained to the Members of the Assembly some facts concerning the history of this bill.

During the last five sessions of the California Legislature, the people in the Los Angeles Harbor area have sought better court services. Several years ago a judge was assigned to the Municipal Court Division in San Pedro for short periods because the judges felt it an additional expense to travel to San Pedro from Los Angeles without the payment of mileage. The Legislature adopted several bills providing for the payment of mileage which made it possible for longer assignments in San Pedro. At that time the attorneys were denied the right to argue on questions of law, and no provision was made for the filing of actions in the court in San Pedro. I was informed that this has been corrected, but the people are still denied the right to a trial by a jury in San Pedro.

The people appearing before the court must travel a distance of 25 miles to Los Angeles in order to have their case tried by a jury. This also applies to the people living in Avalon, Catalina Island, which is over 45 miles from the court in Los Angeles.

I was surprised to learn that the presiding judge of the municipal court came to Sacramento for the purpose of lobbying against Assembly Bill No. 404. He was very much concerned whether the bill would become a law and also I regret very much that the Governor disregarded the wishes of the people in San Pedro and was convinced by the same judges who serve in a judiciary capacity to veto Assembly Bill No. 404 thereby disregarding the fact that it is the function of the legislative body to enact the law. This is in violation to our structure of government which consists of three departments· Legislative, Executive and Judicial. The legislative power is vested in the Senate and the Assembly. The supreme executive power is vested in the Governor and the judicial power is vested in the courts Here is an example where the Judicial Department has influenced both the Legislative and Executive Departments of our government.

I was always under the impression that the Governor objected to lobbying. Similar instances have occurred during the last several years We have gone far afield and have permitted the interference by many judges through their influence and expression of opinions to defeat proposed legislation pending before the Legislature. We are constantly forgetting the demands of the people whom we represent and we give more credence to the opinions of judges simply because they are the ones who try the cases in accordance with the laws the Legislative Department is supposed to have enacted.

There have been 10 long years of effort on the part of the people of San Pedro to improve the administration of justice in the court of San Pedro. It has been a slow process and they have made some improvement but, nevertheless, they still demand that some provision should be made for jury trials in the Municipal Court in San Pedro without having to travel a long distance in order to exercise their right guaranteed to them by the Constitution.

I discussed this matter with the Governor and he informed me that the Judicial Council advised him that the bill was not necessary, and it established a bad precedent. It is my opinion that this argument failed because the courts, themselves, have broken precedents in their decisions.

The reason why I am requesting the Assembly to sustain the Governor's veto is because I have polled the Assembly and have found that I cannot get 54 votes to pass this measure over the Governor's veto. I

realize the significance of this matter, and I fully realize the importance of this measure, and I regret very much that we do not have the courage of our own conviction as to what is good and as to what is bad legislation. Therefore, I ask for a "NO" VOTE.

In conclusion, it is my opinion that judges oftentimes express their opinions openly for the purpose of passing or defeating certain proposed legislation rather than leaving the enactment of laws entirely up to the people and to the Senate and Assembly who are vested with this function.

Respectfully submitted,

VINCENT THOMAS

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 444—An act to add Section 7.3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 444?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 26, 1949, after the period, insert "The provisions of this section shall not be construed to be a legislative determination that hay baling operations other than those specified herein either are or are not within the meaning of the term "agricultural labor" as used in Section 7 of this act, it being the legislative intent to leave the matter of the exclusion or inclusion of such other operations exactly as they were prior to the enactment of this section."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 444 by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—55.

NOES—None.

Assembly Bill No. 444 ordered enrolled.

Assembly Bill No. 749—An act to add Section 9414 to the Government Code, relating to production of prisoners as witnesses in legislative proceedings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 749?

Amendment No. 1

Strike out line 1 of the title of the printed bill, as amended in the Assembly on March 23, 1949, and insert

"An act to amend Section 9408 and to add Sections 9414 and 9415 to".

Amendment No. 2

On page 1 of said bill, strike out lines 2 to 24, inclusive; and strike out page 2, and insert "9408 of the Government Code is amended to read:

9408. If the contempt is committed before a committee when the Legislature is not in session, the superior court in and for the county in which any inquiry, investigation, hearing or proceeding may be held by the committee may compel the

attendance of the witness, the giving of testimony, and the production of *persons confined or imprisoned*, books, papers, documents and accounts, as required by the subpena issued by the committee, on the filing by the committee of a petition to the court asking that the witness be so compelled.

SEC. 2. Section 9414 is added to said code, to read:

9414. Committees acting on any matter within the scope of the powers and duties imposed upon them, or their authorized employees or representatives when accompanied by one or more committee members, shall, at all reasonable times and without prior notice to the officials concerned, be afforded free access to the public prisons, county or city jails, or other detention or custodial facilities, or public institutions, including the state hospitals for the mentally ill, the state homes for the mentally deficient, and similar institutions, and the opportunity to interview privately persons imprisoned or confined therein. Any official refusing to afford such access has committed a contempt.

SEC. 3. Section 9415 is added to said code, to read:

9415. If, in the course of its investigation, a committee acting on any matter within the scope of the powers and duties imposed upon it, believes it is necessary to secure the testimony of a person imprisoned or confined in any public prison, county or city jail, or other detention or custodial facilities, or public institutions, including the state hospitals for the mentally ill, the state homes for the mentally deficient and similar institutions, the chairman thereof shall issue a subpena to the person having the custody of the individual so imprisoned or confined directing such person to produce the person confined or imprisoned at the time and place specified in the subpena. The person so having the custody, or the deputy or authorized representative of such person, shall thereupon produce the prisoner at the time and place specified in the subpena, safely keep him and, after the committee has secured his testimony in public or executive session, return him to the prison from whence he was taken. The expense of complying with said order shall be a proper charge against and shall be paid by, the city, county, or the state agency which employs the person having custody of said person so imprisoned or confined."

Amendment No. 3

On page 2, line 51, of the printed bill, as amended in the Senate on May 31, 1949, after the period, insert "Any official refusing to produce such person pursuant to said subpena has committed a contempt."

Amendment No. 4

On page 2, lines 19 to 21, inclusive, of the printed bill, as amended in the Senate on June 8, 1949, strike out "by, the city, county, or the state agency which employs the person having custody of said person so imprisoned or confined", and insert "from the funds of the committee issuing said subpena".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 749 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 749 ordered enrolled.

Assembly Bill No. 1467—An act to amend Sections 4, 6, 14, and 22 of, and to add Section 17 1 to the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of loans and lenders.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1467?

Amendment No. 1

On page 5 of the printed bill, as amended in the Assembly on June 8, 1949, after line 51, insert

"Notwithstanding any other provision of this section, it is hereby provided that the charges by a personal property broker, broker, and all other persons on any loan,

forbearance of money, credit, goods or things in action under this section shall not exceed in the aggregate the maximum charges provided in Section 17 of this act."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1467 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—59.
NOES—None.

Assembly Bill No 1467 ordered enrolled.

Assembly Bill No. 1678—An act to amend Sections 11380, 11382, 11382 5, 11383, 11385, 11409, and 11422 of the Government Code, relating to rules and regulations of state agencies and providing for the transfer of certain records from the Secretary of State to the Department of Professional and Vocational Standards.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1678?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 3, 1949, after "11409," insert "11421,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 3 of said bill, between lines 6 and 7, insert

"SEC. 7 Section 11421 of said code is amended to read:

11421 (a) The provisions of this article shall not apply to any regulation not required to be filed with the [Secretary of State] *department* under this chapter, and only this section and Section 11422 of this article shall apply to any regulation prescribing an agency's organization or procedure or to an emergency regulation adopted pursuant to subdivision (b) of this section.

(b) If in any particular case the state agency makes a finding that the adoption of a regulation or order of repeal is necessary for the immediate preservation of the public peace, health and safety or general welfare and that notice and public procedure thereon are impracticable, unnecessary, or contrary to the public interest, the regulation or order of repeal may be adopted as an emergency regulation or order of repeal."

Amendment No. 3

On page 3, line 7, of said bill, strike out "SEC. 7", and insert "SEC. 8".

Amendment No. 4

On page 3, line 30, of said bill, strike out "SEC. 8", and insert "SEC. 9".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1678 by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Cooke, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—56.
NOES—None.

Assembly Bill No. 1678 ordered enrolled.

Assembly Bill No. 1707—An act to add Section 7409 to the Welfare and Institutions Code, relating to the qualifications of the superintendent of a psychiatric hospital clinic in the City of Los Angeles under the control of the Department of Mental Hygiene.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1707?

Amendment No. 1

On page 1 of the printed bill, strike out lines 15 to 20, inclusive, and insert "the above-mentioned additional requirements. The questions for the examination of such superintendent shall also weigh his qualifications or experience in hospital administration, in the field of teaching, and in the organization and successful prosecution of meritorious research projects, and shall".

Amendment No. 2

On page 2 of the printed bill, strike out lines 1 to 7, inclusive, and insert "a representative of the State Personnel Board."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1707 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 1707 ordered enrolled.

Assembly Bill No. 1802—An act to add Section 12024.4 to Chapter 1 of Division 5 of the Business and Professions Code, relating to the sale of poultry and rabbits by weight.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1802?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 5, 1949, after "poultry", insert ", fowl".

Amendment No. 2

On page 1, line 4, of the printed bill, as amend in the Senate on June 9, 1949, after "at", insert "a".

Amendment No. 3

On page 1, line 4, of said bill, after "retail", insert "store"

Amendment No. 4

On page 2, line 4, of said bill, before "and", insert "or into which it was packed,"

Amendment No. 5

On page 1 of the printed bill, as amended in the Senate on June 23, 1949, strike out lines 3 and 4, and insert

"12024.4. It shall be unlawful for any retailer to sell or advertise for sale to the consumer any poultry, fowl, or rabbits, in any".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1802 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Collier, George D. Collins, Condon, Connolly, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Nie-

house, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1802 ordered enrolled.

Assembly Bill No. 1877—An act to add Section 311 to and to amend Section 459 of the California Unemployment Insurance Act, relating to the payment of unemployment compensation disability benefits.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1877?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on June 13, 1949, after "dispute.", insert "The commission may prescribe by regulation a procedure through which such disputes may be determined by the Appeals Board"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1877 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Moss, Nicholson, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 1877 ordered enrolled.

Assembly Bill No. 2296—An act to add Section 7.6 to the Unemployment Insurance Act, relating to unemployment insurance and excluded employments thereunder.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2296?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 18, 1949, strike out "and excluded employments thereunder".

Amendment No. 2

On page 4, line 6, of said bill, strike out "election", and insert "intention".

Amendment No. 3

On page 4, line 7, of said bill, after "hereto", insert ", or to have any of its departments or units thereof become employers subject hereto.".

Amendment No. 4

On page 4, line 10, of said bill, strike out "election", and insert "intention have held an election and"

Amendment No. 5

On page 4, line 11, of said bill, strike out "or instrumentality", and insert ", instrumentality, or department or unit thereof".

Amendment No. 6

On page 4, line 14, of said bill, after the period, insert "This section shall not apply to employees holding civil service or permanent tenure positions"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2296 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey

Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 2296 ordered enrolled.

Assembly Bill No. 2905—An act to amend Section 5082.1 of the Business and Professions Code, relating to the practice of public accountancy.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2905?

Amendment No. 1

On page 1, line 14, of the printed bill, strike out "December 31, 1949", and insert "March 15, 1950".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2905 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Moss, Niehouse, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 2905 ordered enrolled.

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent or other juveniles are housed.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2909?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended, strike out "of the first class", and insert "having a population in excess of two million".

Amendment No. 2

On page 1, line 19, of said bill, as amended, strike out "of the first class", and insert "having a population in excess of two million".

Amendment No. 3

On page 2, line 2, of said bill, as amended, strike out "of the first class", and insert "having a population in excess of two million".

Amendment No. 4

On page 2, line 8, of said bill, as amended, strike out "of the first class", and insert "having a population in excess of two million"

Amendment No. 5

On page 2, line 17, of said bill, as amended, strike out "of the first class", and insert "having a population in excess of two million".

Amendment No. 6

On page 2, lines 20 and 21, of said bill, as amended, strike out "of the first class", and insert "having a population in excess of two million".

Amendment No. 7

On page 2, line 26, of said bill, as amended, strike out "of the first class", and insert "having a population in excess of two million".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2909 by the following vote:

AYES—Burke, Connolly, Crowley, Dolwig, Geddes, Kilpatrick, Kirkwood, Lincoln, Maloney, and Moss—10.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Burkhalter, Clarke, George D. Collins, Condon, Conrad, Crichton, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lewis, Lindsay, Luckel, McCarthy, Morris, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Way—41.

Appointment of Committee on Conference Concerning Assembly Bill No. 2909

The Speaker announced the appointment of Messrs. Kilpatrick, Moss, and Condon as a Committee on Conference concerning Assembly Bill No. 2909.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 707

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 707, out of order, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 707—An act to amend Sections 19601.5 and 19607 of, and to add Sections 19604.1 and 19619 to the Education Code, relating to child care centers and declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 707?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on March 11, 1949, strike out lines 18 to 21, inclusive, and insert

"SEC. 2. Section 19609.5 is added to said code, to read:

19609.5. No standard, rule or regulation shall require medical examination or immunization for admission to a child care center of a child whose parent or guardian files a letter with the governing board of the school district stating that such medical examination or immunization is contrary to his or her religious beliefs, or provide for the exclusion of a child from the center because of parent or guardian having filed such a letter; provided, however, that whenever there is good cause to believe that a child is suffering from a recognized contagious or infectious disease, the child may be temporarily excluded from the center until the governing board of the school district is satisfied that any contagious or infectious disease does not exist."

Amendment No. 2

On page 2 of said bill, strike out lines 40 to 47, inclusive; and in line 48, strike out "SEC. 5.", and insert

"SEC. 4."

Amendment No. 3

In line 3 of the title of said bill, strike out "19604.1 and 19619", and insert "19609.5".

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on April 11, 1949, strike out "19601.5 and 19607", and insert "19601, 19601.5, 19607, and 19613.5".

Amendment No. 5

In line 2 of the title of said bill, strike out "tion 19609.5", and insert "tions 19609.5 and 19613.6".

Amendment No. 6

In line 3 of the title of said bill, after "and", insert "making an appropriation therefor,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 7

On page 2 of said bill, after line 52, insert

"SEC. 4. Section 19601 of said code is amended to read:

19601. *The purpose of the Legislature in enacting this chapter in 1943 was to provide for the wartime emergency conditions which necessitated the employment of many mothers as a result of the 24-hour operation of wartime industries necessary for the successful outcome of World War II.*

It is hereby declared by the Legislature in enacting amendments to this chapter at the 1949 Session that such wartime emergency is rapidly disappearing so that the state support for child care centers will no longer be necessary after June 30, 1950, and that while in some communities there is still a need for child care centers, such need is a matter of local rather than state interest and therefore should be supported by the local school districts after June 30, 1950.

[The policy of the Legislature in enacting this chapter is to provide for the care of children of needy parents and other children in need of care and supervision during usual working hours and who would not otherwise receive such care because of the financial inability of the supporting parent.] As used in this chapter "parent" includes any person having legal custody of a child.

SEC. 5 Section 19613.5 of said code is amended to read:

19613.5 No state funds shall be expended for the operation of child care centers *after June 30, 1950 The unencumbered balance of any appropriation for child care centers shall revert to the General Fund July 1, 1950.* [until all available federal funds, including federal funds appropriated or which may be appropriated prior to March 1, 1946, have been expended.

No state funds shall be expended for the operation of child care centers except funds appropriated therefor from the General Fund of the State.]

SEC. 6 Section 19613.6 is added to said code, to read:

19613.6. Pursuant to Chapter 10 of Division 3, the governing board of any school district maintaining a child care center may include in its budget the amount necessary to carry out its child care center program pursuant to this chapter and the board of supervisors shall levy a school district tax necessary to raise such amount. The tax shall be in addition to any other school district tax authorized by law to be levied.

SEC. 7. The sum of six million dollars ($6,000,000) is hereby appropriated out of the General Fund to the Department of Education to be expended for the administration and support of child care centers during the 1949-1950 Fiscal Year. The department shall apportion the money directly to school districts and to the governing authorities of state institutions maintaining child care centers pursuant to Chapter 11, Division 9 of the Education Code upon the basis of demonstrated need."

Amendment No. 8

On page 3, line 9, of said bill, strike out "SEC. 4.", and insert "SEC. 8."

Amendment No. 9

On page 3, line 4, of the printed bill, as amended in the Senate on June 27, 1949, strike out "six million dollars ($6,000,000)", and insert "five million eight hundred forty-eight thousand five hundred dollars ($5,848,500)".

Amendments read.

Demand for Previous Question

Messrs. Levering, Hinckley, Babbage, Silliman, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 707.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 707 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—70.

NOES—None.

Assembly Bill No. 707 ordered enrolled.

Explanations of Vote on Assembly Bill No. 707

I voted for Assembly Bill No. 707 in its present form since it appeared to be the only means of continuing child care centers for another year. I do not agree that child care centers should be closed on June 30, 1950, or that on that date their maintenance should be turned over to local control. I do not feel bound by Section 4 or 5 of the bill, which purports to stop state aid after June 30, 1950, and will vote for a further continuation of the program at the Budget Session in 1950.

ROBERT L CONDON

In voting "Aye" for Senate amendments to Assembly Bill No. 707, we wish to make it clear that we do not feel Section 4 to be a proper expression of legislative intent

GORDON A. FLEURY
JOHN E. MOSS, JR.

Although I voted in favor of Assembly Bill No. 707, I do not concur in the statement of legislative intent set forth in Section 4 of the bill, particularly that portion which reads "That state support for child care centers will no longer be necessary after June 30, 1950."

JULIAN BECK

I voted "Aye" on concurrence because failure to enact the bill on this day would mean discontinuation of the child care center program. Among other objections, I do not agree with the legislative intent expressed therein that "State support will no longer be necessary after June 30, 1950."

GLENN M ANDERSON
AUGUSTUS F HAWKINS
EDWARD E. ELLIOTT

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 879

Mr. Thomas asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 879, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 879—An act to repeal Section 1071 of and to add a new Section 1071 to the Fish and Game Code, relating to mixed fish, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 879?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on May 26, 1949, strike out "or sardines", and insert "of sardines"

Amendment No. 2

In lines 1 and 2 of the title of the printed bill, as amended in the Senate on June 16, 1949, strike out "repeal Section 1071 of and to add a new Section 1071 to", and insert "amend Section 1071 of".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 1071 of the Fish and Game Code is amended to read:

1071. Fish which are mixed with sardines when delivered to the packer are the equivalent of sardines and included within the percentage of the total amount of sardines received by the packer during the calendar month

Except during the time when sardines may be taken for use in a reduction plant or by a packer pursuant to Section 1067 of this code, loads or lots of fish taken by or for a packer may contain 10 percent or less by weight of sardines. Such sardines shall be separated from such load or lot and may be used by a packer: provided, 648 one-pound oval cans of sardines are packed per ton of sardines, or the equivalent if other cans are used."

Amendment No. 4

On page 1, line 12, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 879 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Assembly Bill No. 879 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1166

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1166, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1166

Senate Bill No. 1166—An act making an appropriation for the support of the Legislative Counsel Bureau, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Way, Yorty, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1614

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1614, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1614

Senate Bill No. 1614—An act making an appropriation in augmentation of the appropriation in Item 11 of the Budget Act of 1948, for legislative printing, binding, mailing, etc., to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Weber, Yorty, and Mr. Speaker—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1368

Mr. Morris asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1368, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1368

Senate Bill No. 1368—An act to amend Section 3 of an act entitled "An act to cede certain property to the town of Crescent City," approved March 26, 1868, as amended, relating to the cession of certain tidelands and submerged lands to the town of Crescent City.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—65.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 216

By Mr. McCollister:

House Resolution No. 216

Relative to the creation of the Assembly Committee on Interstate Cooperation

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Interstate Cooperation is hereby created and authorized and directed to ascertain, study and analyze all facts relating to cooperation between this State and the other states and with the Federal Government and to make recommendations thereon for appropriate legislation.

2. The committee shall consist of the same five Members of the Assembly as authorized by Section 8001 of the Government Code.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee, and any subcommittee when so authorized by the committee, may meet and act without as well as within the State of California, and is authorized to leave the State in the performance of its duties.

6 The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, and Weber—52.

NOES—Cooke, Hagen, Hinckley, and Luckel—4.

RECONSIDERATION OF SENATE BILL NO. 162

In compliance with a notice given on a previous day, Mr. Babbage moved that the vote whereby Senate Bill No. 162 was refused passage be reconsidered.

Demand for Previous Question

Messrs. Hoffman, Silliman, Thompson, Levering, and Luckel demanded the previous question.

Demand for previous question sustained.

The question being on the motion that the vote whereby Senate Bill No. 162 was refused passage be reconsidered.

The roll was called, and Senate Bill No. 162 reconsidered by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Dickey, Dolwig, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hahn, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McMillan, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—44.

NOES—Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Crichton, Crowley, Davis, Doyle, Dunn, Fletcher, Gaffney, Geddes, Hagen, Heisinger, Hollibaugh, Kilpatrick, Lowrey, McCarthy, Meyers, Moss, Rosenthal, Rumford, and Yorty—27.

Senate Bill No. 162 ordered to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 986

Mr. Maloney asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 986, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 986—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 986?

Amendment No. 1

On page 1, line 3, of the printed bill, after "county", insert "having a population of less than two million but more than five hundred thousand, as ascertained and determined in the manner provided by Section 28020 of the Government Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 9 to 15, inclusive, and insert "nine hundred dollars ($900) per month In counties having a population of"

Amendment No. 3

On page 1, line 16, of said bill, strike out "three hundred thousand", and insert "five hundred thousand, as ascertained and determined in the manner provided by Section 28020 of the Government Code,".

Amendment No. 4

On page 1, line 19, of said bill, after "thousand", insert "but less than two million".

Amendment No. 5

On page 2, line 5, of said bill, strike out "two hundred fifty dollars ($250)", and insert "three hundred fifty dollars ($350)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 986 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Nichouse, Rumford, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

Assembly Bill No. 986 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1589

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 1589, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1589—An act to amend Sections 54310, 54427, 54610, and 54611 of, to amend and renumber Section 54353 of, and to add Section 54353 to, the Government Code, relating to sanitation and sewer enterprises.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1589?

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Assembly on May 26, 1949, strike out "54310,".

Amendment No. 2

Strike out lines 4 and 5 of the title of said bill, and insert "and 54611 of, and to add Section 54813 to.".

Amendment No. 3

On page 1, line 2, of said bill, strike out "54310", and insert "54427".

Amendment No. 4

On page 1 of said bill, strike out lines 4 to 15, inclusive.

Amendment No. 5

On page 2 of said bill, strike out lines 8 to 14, inclusive, and insert "SEC. 2. Section 54813 is added to said code, to read."

Amendment No. 6

On page 2, line 15, of said bill, strike out "54353", and insert "54813".

Amendment No. 7

On page 2, line 29, of said bill, after "equitable.", insert "Such contracts may be made irrespective of whether bonds are issued in connection therewith."

Amendment No. 8

On page 2, line 30, of said bill, strike out "SEC. 5", and insert "SEC. 3".

Amendment No. 9

On page 2, line 39, of said bill, strike out "SEC. 6", and insert "SEC. 4".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1589 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1589 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 702

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 702, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 702—An act to add Section 6007 to the Business and Professions Code, relating to membership in the State Bar.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 702?

Amendment No. 1

In line 5 of the printed bill, as amended in the Assembly on March 30, 1949, between "capacity," and "the court", insert "or that he has been adjudged to be mentally ill or insane and committed to an institution for care and treatment and that he has not recovered from his mental illness or insanity,".

Amendment No. 2

In line 6 of said bill, strike out "the suspension", and insert "any suspension imposed because of adjudication of incompetency".

Amendment No. 3

In line 7 of said bill, immediately following "capacity", insert ", and shall terminate any suspension imposed because of mental illness or insanity when it appears that the member has recovered from his mental illness or insanity".

Amendment No. 4

Beginning in line 9 of said bill, with "When the time", strike out the balance of said line and all of lines 10 to 17, inclusive, and insert

"When such adjudication of incompetency or such judgment of mental illness or insanity has become final, the clerk of the court in which such adjudication is had or such judgment is rendered shall, within thirty days thereafter, transmit a certified copy of the record of adjudication of incompetency or of the judgment of mental illness or insanity to the Supreme Court. The proceedings to suspend the attorney shall be undertaken by the court upon receipt of a certified copy of the record of such adjudication of incompetency or of the judgment of mental illness or insanity."

Amendment No. 5

In line 19 of said bill, immediately after "determined", insert "or when a certificate of his recovery from mental illness or insanity has been filed as provided by law".

Amendment No. 6

In lines 21 and 22 of said bill, strike out "shall, within thirty days after the judgment has become final, transmit a certified copy thereof", and insert "or in which

such certificate has been filed shall, within thirty days after the judgment of restoration to capacity has become final or within thirty days after the filing of such certificate, transmit a certified copy of such judgment of restoration to capacity or of such certificate".

Amendment No. 7

In line 25 of said bill, strike out "adjudication", and insert "judgment".

Amendment No. 8

In lines 26 and 27 of said bill, strike out "any certificate the issuance of which effects, by provision of law, a restoration to capacity", and insert "the certificate of recovery from mental illness or insanity".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 702 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 702 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1642

Mr. Butters asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1642, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1642

Senate Bill No. 1642—An act to add Section 261d to the Code of Civil Procedure, relating to phonographic reporters.

Bill read third time.

Motion to Amend

Mr. Butters moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, between lines 18 and 19, insert
"SEC. 2. Section 261d is added to the Code of Civil Procedure, to read:".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Senate Bill No. 972

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended

GEDDES, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 972—An act to add Section 704.7 to the Insurance Code, relating to the denial, suspension and revocation of certificates of authority to insurers.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Finance and Insurance:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 15, 1949, strike out "Section 704.7 to", and insert "Article 3.5, comprising Sections 11615 and 11616, to Chapter 1, Part 3, Division 2 of".

Amendment No. 2

Strike out lines 2 and 3 of the title of said bill, and insert "insurance."

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Article 3.5, comprising Sections 11615 and 11616, is added to Chapter 1 of Part 3, Division 2 of the Insurance Code, to read:

Article 3.5. Motor Vehicle Liability Insurance

11615. No admitted insurer, licensed to issue motor vehicle liability policies as defined in Section 415 of the Vehicle Code shall fail or refuse to accept an application in writing for such insurance, to issue such insurance to an applicant therefor, or issue such insurance under conditions less favorable to the insured than in other comparable cases, except for reasons applicable alike to persons of every race or color; nor shall race or color of itself constitute a condition or risk for which a higher rate, premium, or charge may be required of the insured for such insurance.

11616. Each separate act of an insurer in violation of Section 11615 shall render the insurer liable in damages in an amount not in excess of one hundred dollars ($100), which may be recovered in an action at law brought for that purpose by the person aggrieved by any such act.

Any action based upon or arising under this article shall be instituted within six months after the date of the alleged violation of Section 11615.

The burden of proof shall be upon the person bringing the action to establish that the alleged violation of Section 11615 is based solely upon a condition of race or color.

"Insurer," as used in this article, includes reciprocal or interinsurance exchanges and their attorneys-in-fact."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 25, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Heisinger asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal in 10-point type:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 29, 1949

Hon. S. L. Heisinger
Assembly Chamber

POWER OF THE LEGISLATURE TO CALL A SPECIAL ELECTION—No. 8031

DEAR MR. HEISINGER: You have asked us whether or not there is a specific provision in our State Constitution which authorizes the Legislature to call a special election and if not, whether this power may be implied.

We are not aware of any provision in the Constitution which specifically authorizes the Legislature to call a special election but we are of the opinion the Legislature does have this power.

It is a fundamental principle of constitutional law that a state has general powers of legislation and that a state constitution operates as a restriction upon those general powers. In other words, a state law is presumed to be within the powers of the state legislature unless it is prohibited by the constitution of the state or the United States.

Nowhere in the Constitution of the State of California is the power to call a special election denied to the Legislature. Therefore, since the Legislature has the law making power in this State, it has such a power.

With respect to whether or not such a power could be implied Section 1 of Article XVIII of our State Constitution which relates to constitutional amendments proposed by the Legislature provides in part with respect to such constitutional amendments:

> "* * * and it shall be the duty of the Legislature to submit such proposed amendment or amendments to the people in such manner, and at such time, and after such publication as may be deemed expedient."

We are of the opinion that this provision necessarily implies a power in the Legislature to call a special election for the submission of such constitutional amendments. The case of *Hatch* vs. *Stoneman,* 66 Cal. 632, held that an act calling a special election passed by the Legislature and approved by the Governor is an appropriate method by which to specify the time and manner for the submission of a constitutional amendment or amendments.

This conclusion is strengthened by the following provision in Section 1 of Article IV:

> "* * * No act passed by the Legislature shall go into effect until 90 days after the final adjournment of the session of the Legislature which passed such act, except acts calling elections, acts providing for tax levies or appropriations for the usual current expenses of the State, and urgency measures necessary for the immediate preservation of the public peace, health or safety, passed by a two-thirds vote of all the members elected to each house."

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOHN R. BERRETT, Deputy

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 1098 FROM COMMITTEE

Mr. Condon gave notice that on the second legislative day he would move to withdraw Senate Bill No. 1098 from the Committee on Finance and Insurance, and have it placed upon the file.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal in 10-point type:

Opinion of Legislative Counsel

(COPY)

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 28, 1949

Hon. George D. Collins, Jr.
Assembly Chamber

Assembly Bill No. 3180—No. 8293

DEAR MR. COLLINS: You have requested our opinion as to the constitutionality of Assembly Bill No. 3180. You call our attention to the fact that there is now a qualified initiative petition affecting Article XXV of the Constitution. You ask whether, in view of paragraphs 3 and 12 of Section 1 of Article IV, the Legislature can call a special election.

In our opinion Assembly Bill No. 3180 as introduced is constitutional.

Assembly Bill No. 3180 provides for a special election at which shall be submitted all constitutional amendments proposed by the Legislature at this session.

Section 1 of Article XVIII authorizes the Legislature to propose constitutional amendments and provides that the Legislature shall submit "such proposed amendment or amendments to the people in such manner, *and at such time,* and after such publication as may be deemed expedient."

This provision clearly gives to the Legislature the power to call a special election for the submission of constitutional amendments proposed by the Legislature.

This does not of itself affect the submission of initiative measures. The third paragraph of Section 1 of Article IV (as printed by the Assembly, 1948, which differs from the paragraphing of the section as printed in the 1948 Statutes volume where paragraphs 2 and 3 of the Assembly version appear as one paragraph) provides that initiative measures shall be submitted to the people at the general election first occurring subsequent to 130 days after presentation of the petition or at any special election called by the Governor in his discretion prior to such general election.

However, the twelfth paragraph of said Section 1 reads:

> "If for any reason any initiative or referendum measure, proposed by petition as herein provided, be not submitted at the election specified in this section, such failure shall not prevent its submission at a succeeding general election *and* no law or amendment to the Constitution, proposed by the Legislature, shall be submitted *at any election* unless at the same election there shall be submitted all measures submitted by petition of the electors, if any be so proposed, as herein provided."

We do not think the conjunctive "and" operates to tie the last clause into the first. The last clause should be read as if it were a separate sentence.

The purpose of providing for the submission of initiative measures which are already qualified at an election at which legislative measures are submitted is obviously to protect the initiative process. What the framers of Section 1 of Article IV probably visualized was a situation where the Legislature could steal a march on an initiative measure by proposing another constitutional amendment and putting it on the ballot at a special election, thus taking the wind out of the sails of the initiative.

This does not affect the power of the Governor to call a special election for submitting initiative measures, except, of course, that he would have to choose a date prior to a special election called by the Legislature for submitting legislative measures.

Reading all of the provisions together we think that it is clear that the Legislature has control of the situation where its measures only are involved, that the Governor has control when only initiative measures are involved, but that when both are involved the qualified initiative measures automatically go on the ballot when any legislative measures are submitted.

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Copies to authors of Assembly Bill No. 3180, pursuant to Joint Rule 34.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1645

Mr. Caldecott asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1645, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1645

Senate Bill No. 1645—An act making an appropriation to the Regents of the University of California for the support and maintenance in the University of California of an Institute of Real Estate.

Bill read third time.

Motion to Amend

Mr. Caldecott moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, strike out "eight hundred twenty-five thousand dollars ($825,000),".

Amendment No. 2

On page 1, line 4, of said bill, strike out "of".

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 14, inclusive, and insert "the University of California. In the Institute of".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENTS

Mr. Dickey announced that the group legislative picture, scheduled to be taken on the steps of the Capitol this noon, will be postponed until tomorrow noon.

REQUEST FOR UNANIMOUS CONSENT THAT COMMITTEE REPORTS BE DEEMED READ

Mr. Dickey asked for, and was granted, unanimous consent that the following reports of standing committees be deemed read:

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 118—An act to amend Section 6a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Assembly Bill No. 121—An act to amend Section 6 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to municipal courts;

Assembly Bill No. 207—An act to amend Section 29.1 of the Fish and Game Code, relating to bounties on crows and magpies;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 419—An act to amend Section 638 of the Welfare and Institutions Code, relating to the duties of probation officers;

Assembly Bill No. 420—An act to amend Section 721 of the Welfare and Institutions Code, relating to the duties of probation officers;

Assembly Bill No. 443—An act to amend Section 142 of the Vehicle Code, relating to vehicles exempted from registration and the definition of implements of husbandry in relation thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 568—An act to amend Section 737qq of the Political Code, relating to the compensation of superior court judges in Santa Clara County;

Assembly Bill No. 570—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class;

Assembly Bill No. 573—An act to repeal Division 9 of, and to add Division 9 to, the Public Resources Code, relating to soil conservation, prescribing the duties and functions of the State Soil Conservation Commission, and regulating the organization, operations, finances, and functions of soil conservation districts and providing for the discontinuance or change in boundaries of such districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 620—An act to add Section 530.5 to the Vehicle Code, relating to overtaking and passing on a grade;

Assembly Bill No. 621—An act to amend Sections 552, 553, and 554 of the Vehicle Code, relating to pedestrians and the operation of vehicles on highways;

Assembly Bill No. 713—An act to amend Section 1908 of the Harbors and Navigation Code, relating to fire protection;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 716—An act to amend Section 737dd of the Political Code, relating to the compensation of Superior Court Judges in the County of Orange;

Assembly Bill No. 910—An act to amend Section 224 of the Civil Code, relating to the adoption of children;

Assembly Bill No. 1303—An act to amend Sections 31469, 31472, 31581, 31582, 31583, 31591, 31620, 31622, 31623, and 31624 of, to add Section 31532 to, and to repeal Sections 31202 and 31559 and Article 7.5 consisting of Sections 31660 and 31661 of, the Government Code, relating to county employee retirement systems;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1448—An act to amend Sections 3302, 3303, 3305, 3306, 6501, 6502, 6503, and 6504 of the Corporations Code and to repeal Section 3304 of the Corporations Code, relating to the service of process on corporations;

Assembly Bill No. 1488—An act to add Section 5a to, and to amend Section 10 of, an act entitled "An act to regulate the importation and keeping of wild birds and animals and providing a penalty for the violation of the provisions hereof," approved April 13, 1933, as amended, relating to permits for and inspections of wild birds and animals in confinement;

Assembly Bill No. 1869—An act to amend Sections 61, 124.5, 131, 379, 454.2, 681, and 750.5 and to add Sections 62.1, 449, and 617 to the Vehicle Code, relating to the powers and duties of the Departments of Motor Vehicles and the California Highway Patrol;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1955—An act to add Section 11792 to the Education Code of the State of California, relating to the furnishing of textbooks to adults;

Assembly Bill No. 1972—An act to repeal Section 951.5 of, and to add Section 951.5 to, the Fish and Game Code, relating to nets, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2226—An act to add Section 160.1 to the Vehicle Code, relating to the renewal of the registration of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2326—An act to amend Sections 776 and 777 of the Vehicle Code, relating to moneys of the Departments of Motor Vehicles and California Highway Patrol;

Assembly Bill No. 2361—An act to amend Sections 669, 808, and 843 of the Fish and Game Code, and to add Section 651.5 thereto, relating to nets and fishing;

Assembly Bill No. 2362—An act to amend Sections 32125 and 32126 of the Health and Safety Code, and to add Section 32128 to said code, all relating to hospital districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2461—An act to add Section 18626.5 to the Business and Professions Code, relating to the salary of the Secretary to the State Athletic Commission;

Assembly Bill No. 2738—An act to amend Section 1239 of the Code of Civil Procedure, relating to the taking of property for public use;

Assembly Bill No. 2855—An act to add Sections 24205.1 and 24205.2 to the Education Code, relating to the conferring of diplomas and degrees by schools and colleges, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2858—An act to add Section 1509.7 to the Elections Code, relating to measures submitted to the voters,

Assembly Bill No. 2926—An act to amend Section 401 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the first class;

Assembly Bill No. 2936—An act to amend Section 11401 of the Water Code, relating to the Water Project Authority;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3019—An act to repeal Sections 1, 2, 2.5, 3, 4, 5, and 21 of the California Airport District Act, to add Sections 1, 2, 3, 4, 5, and 21 and to amend Sections 3 5 and 14 thereof, relating to the formation of airport districts.

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1168—An act to amend Section 1 of an act entitled "An act conveying certain tidelands and lands lying under inland navigable waters situate in the Bay of San Diego to the City of Coronado, in furtherance of navigation, commerce and fisheries, and providing for the government, management and control thereof," approved April 27, 1923, relating to tidelands in San Diego Bay;

Assembly Bill No. 1382—An act to repeal Section 362 of the Education Code, relating to the traveling expenses of county superintendents of schools;

Assembly Bill No. 1391—An act to add Section 66t to the Code of Civil Procedure, and to repeal an act entitled "An act to increase the number of Judges of the Superior Court of the State of California, in and for the County of Stanislaus, to provide for the appointment of an additional judge and for his compensation" approved May 21, 1915, relating to the number of superior court judges and providing for the appointment and compensation of an additional Superior Court Judge in and for the County of Stanislaus;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1407—An act to add Section 20570 to the Water Code, relating to irrigation districts;

Assembly Bill No. 1914—An act to add Section 337.6 to the Code of Civil Procedure, relating to limitation upon the period during which actions may be brought;

Assembly Bill No. 1958—An act to amend Sections 1156 and 1157 of the Fish and Game Code, relating to closure of hunting areas;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1959—An act to amend Sections 495 and 496 of the Fish and Game Code, relating to closure of fishing waters;

Assembly Bill No. 1988—An act to amend Sections 20703, 20751, 20753, 20757, 20800, and 20805 of the Health and Safety Code, relating to the sale of poisons;

Assembly Bill No. 1995—An act to amend Sections 303, 346, 444, and 460 of, to add Section 513 to, and to repeal Section 530 of, the Streets and Highways Code, relating to state highway routes;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2084—An act to amend Section 1048 of the Penal Code, relating to the order of trial of criminal prosecutions;

Assembly Bill No. 2122—An act to amend Sections 3492, 3593, 3594, 3595, 3597, 3598, 3662, 3663, and 3665 of; to add Sections 3593.1, 3593.2, 3594.1, 3661.2, and 3661.3 to; and to repeal Sections 3599 and 3600 of, the Education Code, all relating to high school districts;

Assembly Bill No. 2152—An act to add Sections 140.3 and 377.6 to the Vehicle Code, relating to permits for the operation of vehicles and the payment of fees therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2197—An act to amend Section 372 of the Vehicle Code, relating to vehicle registration fees, to take effect immediately;

Assembly Bill No. 2210—An act to amend Section 21100 of the Water Code, relating to irrigation district offices;

Assembly Bill No. 2225—An act to amend Section 26881 of the Water Code, relating to inclusion petitions in irrigation districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2344—An act to amend Sections 4850, 4851, 4852, 4853, and 4854 of the Labor Code, relating to leave of absence with pay in lieu of disability payments;

Assembly Bill No. 2499—An act to amend Sections 13216, 13250, 13300, 13301, 13302, 13305, 13308, 13311, 13312, 13350, 13370, 13377, 13390, 13392, 13397.1, and 13450 of; to amend the title of Article 3 of, to amend and renumber the title of Article 5 of, and to add a new Article 5 to, Chapter 2 of Part 2 of Division 12 of; and to add Sections 13203.1 and 13204.1 to the Health and Safety Code, relating to dry cleaners;

Assembly Bill No. 2618—An act to amend Section 1 of, and to add Section 10.1 to, the Sewer District Revenue Bond Act of 1939, in relation to public corporations and the collection of revenues, declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2624—An act to amend the title and Sections 1a, 1c, 1b, 5, 15, and 19, the repeal of Section 3a, and to add Sections 2a, 2b, 2c, 4a, 5a, 8a, 18a, 18b, 18c, and 18d, to the Municipal Improvement Act of 1913, relating to the acquisition or construction of sanitary sewers and other local improvements, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2697—An act to add Section 261 to the Revenue and Taxation Code, relating to veterans' and welfare property tax exemptions;

Assembly Bill No. 2699—An act to add Section 1256 to the Revenue and Taxation Code, relating to assessors' maps and block-books;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2700—An act to establish county boundary commissions to pass upon the boundaries proposed for taxing districts and to repeal Chapter 1025 of the Statutes of 1939;

Assembly Bill No. 2762—An act to amend Sections 11001, 11104, 11166, 11166 05, 11166 11, 11166 12, 11170, 11200, 11331 5, 11391, 11392, 11393, 11530, 11555, 11556, 11611, 11715, 11715 7, 11721, and 11780 of, and to add Sections 11002 1, 11163.5, 11166.02, 11166 13, 11166 14, 11170 5, and 11390.5 to, the Health and Safety Code, relating to the sale, possession, transportation, distribution, and use of habit forming narcotics and other dangerous drugs and providing penalties for the violation thereof, and to the Division of Narcotic Enforcement, Department of Justice;

Assembly Bill No. 2765—An act to amend Section 1659 of the Probate Code, relating to compensation of veterans' guardians;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2944—An act to repeal Sections 209.5, 256.5, and 987 of the Revenue and Taxation Code, relating to property taxation and exemptions therefrom;

Assembly Bill No. 3113—An act to repeal Chapter 2 of Part 1 of Division 14 of, and add Chapter 2 of Part 1 of Division 14 to the Health and Safety Code, relating to police protection districts;

Assembly Bill No. 3137—An act to amend Section 24265 of the Health and Safety Code, relating to air pollution control;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3142—An act to amend Sections 5601 and 5602 of the Education Code, relating to the support of schools from funds received from potash and potassium bearing lands;

Assembly Bill No. 3159—An act to add Section 6503.1 to the Welfare and Institutions Code, relating to rights of way across state property and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 11 a.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 23—Relative to the construction of navigable channels on the Sacramento and Feather Rivers;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 91—Relating to liquefied petroleum gas;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 12—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the twenty-ninth day of June, 1949, at 11 a.m.

HUYCK, Chairman

RECESS

At 12.05 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 197

By Mr. Conrad:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the Standing Committee on Elections and Reapportionment. Vacancies occurring in the membership of the committee shall be filled by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties.

(g) To conduct a preliminary survey of the 1950 Census and to ascertain any and all facts and make any needed studies concerning the best means of reapportioning the State in the light of that census.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for

the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of May 16, 1949, at pages 3258-3259, add to the paragraph numbered "2" "The chairman shall be appointed by the Speaker."

Amendment read, and adopted.

House Resolution No. 197 ordered temporarily passed on file.

CONSIDERATION OF HOUSE RESOLUTION NO. 212

By Messrs. Weber, Lindsay, Moss, Lincoln, Hagen, Lewis, and Stanley:

House Resolution No. 212

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of _____ Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of May 24, 1949, at page 3603, strike out paragraph 2, and insert

"2 The committee shall consist of the membership of the Assembly Standing Committee on Conservation, Planning, and Public Works. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power."

Amendment No. 2

In the paragraph numbered "6", strike out "fifteen thousand dollars ($15,000)", and insert "ten thousand dollars ($10,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 212, as Amended

By Messrs. Weber, Lindsay, Moss, Lincoln, Hagen, Lewis, and Stanley:

House Resolution No. 212

Relating to creating the Assembly Interim Committee on Conservation, Planning, and Public Works

WHEREAS, The increase in the population of the State has caused a rapid expansion of the population of the counties, cities and local governmental subdivisions of the State; and

WHEREAS, There is a need for careful planning to prevent future conflict between the commercial, industrial and domestic interests in the State and its counties, cities and local governmental subdivisions; and

WHEREAS, It is necessary that the Assembly be fully informed in the premises, particularly as to whether existing laws relating to the subject of Conservation, Planning, and Public Works are adequate; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Conservation, Planning, and Public Works is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the operation, effect and administration of the Conservation and Planning Act and all facts relating to or in any way bearing upon the subject matter of the recitals of this resolution, including but not limited to the operation, effect administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the membership of the Assembly Standing Committee on Conservation, Planning, and Public Works The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Berry, Burkhalter, Butters, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lowrey, McCollister, Morris, Moss, Niehouse, Sherwin, Smith, Stanley, Stewart, Tomlinson, Waters, Weber, and Yorty—41.

NOES—Hinckley and Luckel—2.

CONSIDERATION OF HOUSE RESOLUTION NO. 251

By Messrs. Erwin, Doyle, Hahn, Butters, Heisinger, Burkhalter, and Lindsay:

House Resolution No. 251

Relative to the creation of the Assembly Interim Committee on Fish and Game

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game, (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests) in order that proper legislation may be enacted to protect and make fruitful and constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly Standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including; but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the opening and closing of waters around Catalina Island; netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1951 with authority to file its final report not later than the last legislative day of the 1951 Regular Session. Vacancies shall be filled by the Speaker.

3. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 13, 1949, to the paragraph numbered "1", add "The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power."

Amendment read, and adopted.

Consideration of House Resolution No. 251, as Amended

By Messrs. Erwin, Doyle, Hahn, Butters, Heisinger, Burkhalter, and Lindsay:

House Resolution No. 251

Relative to the creation of the Assembly Interim Committee on Fish and Game

WHEREAS, The Constitution of this State guarantees to the people the right to fish upon and from the public lands of the State and authorizes the Legislature to enact such laws for the protection of fish and game as it may deem appropriate; and

WHEREAS, It is necessary that a careful and continuous study be made of all factors directly or indirectly affecting fish and game (including but not limited to the propagation and protection thereof and the taking thereof by sportsmen and commercial interests), in order that proper legislation may be enacted to protect and make fruitful the constitutionally guaranteed rights mentioned above; and

WHEREAS, All matters generally referred to the Assembly Standing Committee on Fish and Game are comprehended within the matters hereinabove referred to, and the members of said committee have acquired some knowledge and experience relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Fish and Game is hereby designated and constituted the Assembly Interim Committee on Fish and Game and is authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the matters expressed in the recitals of this resolution including, but not limited to: Game farms; game and management areas; game refuges; fish hatcheries; the opening and closing of waters around Catalina Island; netting in the inland waters of the State; the utilization of the public domain for the propagation of fish and wild life; the taking of fish and wild life by sportsmen and commercial interests and the effect of both upon the rights of present and future generations of citizens; and all other matters directly or indirectly dealing with, related to or affecting fish and game or the enjoyment by the people of their constitutionally guaranteed interest therein; including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

2. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until March 15, 1951, with authority to file its final report not later than the last legislative day of the 1951 Regular Session. Vacancies shall be filled by the Speaker.

3 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

4. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

5. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Coats, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, McCollister, Meyers, Morris, Moss, Rosenthal, Sherwin, Stanley, Stewart, Thompson, Way, and Yorty—44.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 121

By Mr. Lowrey:

House Resolution No. 121

Relating to the creation of the Assembly Committee on Public Lands

WHEREAS, In 1947 the Federal Government owned almost half of the total land area in the State of California, and federal ownership of such land is increasing; and

WHEREAS, In addition thereto a substantial amount of land is now owned by the State of California and its municipalities and political subdivisions and agencies; and

WHEREAS, Such property in most instances is not subject to taxation by the taxing agencies of state and local governments and results in the imposition of inequitable tax burdens on the taxpayers of this State and its local governmental subdivisions; and

WHEREAS, The State of California has an interest in all phases of the use, management, and control of publicly owned lands in this State and all activities connected therewith or related thereto; and

WHEREAS, It is necessary that the Legislature be fully informed on all phases of these problems, in order that it may take appropriate action; and

WHEREAS, It is necessary also for the Legislature to be fully informed on all matters relating to the recordation or registration of land titles to public or privately owned lands; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Public Lands is hereby created and authorized and directed to ascertain, study and analyze: All facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the state, federal and local governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies, all facts relating to the recordation and registration of land titles; and all other facts relating to or bearing upon the subject of this resolution, including but not limited to the operation, effect, administration, enforcement and

needed revision of any and all laws in any way bearing thereon or related thereto and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of March 11, 1949, at pages 1008-1009, in the paragraph numbered "2", strike out "five", and insert "three".

Amendment No. 2

In the paragraph numbered "6", strike out "ten thousand dollars ($10,000)", and insert "three thousand dollars ($3,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 121, as Amended

By Mr. Lowrey:

House Resolution No. 121

Relating to the creation of the Assembly Committee on Public Lands

WHEREAS, In 1947 the Federal Government owned almost half of the total land area in the State of California, and federal ownership of such land is increasing; and

WHEREAS, In addition thereto a substantial amount of land is now owned by the State of California and its municipalities and political subdivisions and agencies; and

WHEREAS, Such property in most instances is not subject to taxation by the taxing agencies of state and local governments and results in the imposition of inequitable tax burdens on the taxpayers of this State and its local governmental subdivisions; and

WHEREAS, The State of California has an interest in all phases of the use, management, and control of publicly owned lands in this State and all activities connected therewith or related thereto; and

WHEREAS, It is necessary that the Legislature be fully informed on all phases of these problems, in order that it may take appropriate action; and

WHEREAS, It is necessary also for the Legislature to be fully informed on all matters relating to the recordation or registration of land titles to public or privately owned lands; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Public Lands is hereby created and authorized and directed to ascertain, study and analyze: All facts relating to publicly owned lands in this State and the use, management, and control thereof and all activities connected therewith or related thereto, and the state, federal and local governmental relationships involved therein, including but not limited to the effect of such public acquisition, ownership and jurisdiction, upon taxes levied or leviable by the State and its local governmental agencies; all facts relating to the recordation and registration of land titles; and all other facts relating to or bearing upon the subject of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or related thereto and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses, or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lowrey, McCollister, Meyers, Morris, Niehouse, Rosenthal, Sherwin, Silliman, Stanley, Stewart, Thompson, Way, Weber, and Yorty—50.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 217

By Mr. McCollister:

House Resolution No. 217

Relative to the creation of the Assembly Committee on Military and Veterans Affairs

WHEREAS, In this period of postwar adjustment it is of the utmost importance that the military affairs of the State and all matters relating to veterans and their adjustment to civil life be competently and economically handled; and

WHEREAS, It is necessary that the Assembly be fully informed on all matters relating to military and veterans affairs in order to enable it to properly consider legislation relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Committee on Military and Veterans Affairs is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the military affairs of the State, and to veterans and their return to civil life and employment including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, McCollister, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Thompson, Waters, Way, and Yorty—50.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 255

By Messrs. Huyck, Levering, Smith, and Connolly:

House Resolution No. 255

Relative to the creation of the Assembly Interim Committee on Equalization of Salaries, Qualifications and Job Classification of Public Employees

WHEREAS, Each session of the Legislature is confronted with numerous bills affecting the salaries of persons employed in various capacities in local governmental subdivisions of the State; and

WHEREAS, The enactment of laws affecting these matters in some local governmental subdivisions and failure to enact similar laws affecting other subdivisions widens the existing disparity between salaries, classifications and qualifications among city, county and state governmental agencies; and

WHEREAS, These conditions hamper the efforts of the state and local governmental subdivisions to stabilize and equalize governmental wage scales, job classifications and qualifications of public employees and to insure the payment to all of

the prevailing wage for similar work, and result in the "pirating" of employees among such agencies; and

WHEREAS, In order that the Assembly may take appropriate action to alleviate these conditions it is necessary that it be fully informed on all matters relating to wage scales, job classifications and qualifications in all branches of public employment, federal, state and local, and on all other matters relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Equalization of Salaries, Qualifications, and Job Classification of Public Employees is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subjects expressed in the recitals of this resolution including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2 The committee shall consist of five Members of the Assembly appointed by the Speaker thereof Vacancies occurring in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lowrey, McCollister, McMillan, Meyers, Niehouse, Rosenthal, Silliman, Smith, Stanley, Stewart, Thompson, Weber, and Yorty—46.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 237

By Messrs. Thompson and Connolly:

House Resolution No. 237

Relative to the creation of the Assembly Interim Committee on Public Health

WHEREAS, Experience has shown that, in order to protect and safeguard the public health, there is a continuous need for legislation on numerous subjects; and

WHEREAS, In order to enable it to consider and enact proper legislation relating to public health, it is necessary that the Assembly be fully informed on all facts relating to those matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon public health including, but not limited to, the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of one hundred thousand dollars ($100,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the third line of the first numbered subdivision of the measure, as printed on page 4169 of the Assembly Journal for June 7, 1949, after "upon", insert "any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Standing Committee on Public Health, and any and all other matters relating to or affecting".

Amendment No. 2

In the first line of the sixth numbered subdivision of said measure, strike out "one hundred thousand dollars ($100,000)", and insert "twenty thousand dollars ($20,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 237, as Amended

By Messrs. Thompson and Connolly:

House Resolution No. 237

Relative to the creation of the Assembly Interim Committee on Public Health

WHEREAS, Experience has shown that, in order to protect and safeguard the public health, there is a continuous need for legislation on numerous subjects; and

WHEREAS, In order to enable it to consider and enact proper legislation relating to public health, it is necessary that the Assembly be fully informed on all facts relating to those matters; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Public Health is hereby created and authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon any matter which, under the Standing Rules of the Assembly and the legislative practices thereunder would be referred to the Standing Committee on Public Health, and any and all other matters relating to or affecting public health including, but not limited to, the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation

2. The committee shall consist of seven Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of twenty thousand dollars ($20,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lowrey, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Stewart, Thompson, Way, Weber, and Yorty—50.

NOES—Heisinger and Luckel—2.

CONSIDERATION OF HOUSE RESOLUTION NO. 287

By Mr. Crowley:

House Resolution No. 287

Relative to the creation of the Assembly Interim Committee on Constitutional Amendments

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Standing Committee on Constitutional Amendments is hereby constituted the Assembly Interim Committee on Constitutional Amedments and is authorized and directed to ascertain, study and analyze all facts relating to the general welfare, education and rehabilitation of the blind, and state and local facilities therefor and institutions and agencies engaged therein, including but not limited to the operation,

effect, administration, enforcement and needed revision of any and all provisions of the Constitution and laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation, both by way of amendments to the Constitution and revision of the statutory law.

2. The committee shall consist of the same members who comprise the membership of the Standing Committee on Constitutional Amendments. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and act both within and without the State in carrying out the duties imposed upon it.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lowrey, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Stanley, Stewart, Thompson, Way, Weber, and Yorty—48.

NOES—None.

Hon. Richard H. McCollister Presiding

At 2.20 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF HOUSE RESOLUTION NO. 243

By Messrs. Kilpatrick, Burke, Hahn, Babbage, Bennett, Cooke, Fleury, Smith, Beck, Rosenthal, Doyle, Crowley, Coats, Moss, Hagen, Way, Morris, Luckel, Thomas, Fletcher, Hawkins, Anderson, Huyck, Grant, McMillan, Caldecott, Mrs. Niehouse, Messrs. Elliott, Reagan, McCarthy, Thompson, Geddes, McCollister, George D. Collins, Evans, Dunn, Conrad, Berry, Lowrey, Burkhalter, Crichton, Rumford, Gaffney,

Yorty, Lipscomb, Levering, Condon, Dolwig, Clayton A. Dills, Erwin, Butters, Heisinger, Stanley, Connolly, Clarke, and Meyers:

House Resolution No. 243

Relative to the creation of the Assembly Interim Committee on Crime and Corrections

WHEREAS, The continued increase in population in this State and the lack of new custodial facilities has intensified the need for information by the Legislature with respect to custodial institutions in this State; and

WHEREAS, Available information indicates a rising tide of adult and juvenile delinquency and crime without the development of adequate means of custody and properly caring for the adults and juveniles involved in order to restrain and re-educate them; and

WHEREAS, It is important that this Assembly continue to have complete information as to the planning, construction and costs thereof, management, discipline, educational and curative facilities, food cleanliness, and adequacy of all custodial institutions for juvenile and adult persons in this State, except those expressly maintained for the insane and feeble-minded; now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Interim Committee on Crime and Corrections is hereby created and authorized and directed to ascertain, study and analyze all facts relating to custodial institutions for juvenile and adult persons in this State except those expressly maintained for the insane and feeble-minded, including the planning, design and construction of such institutions, the cost thereof, management, discipline, facilities, cleanliness, educational program, curative program, all facts relating to the prevention of crime and process by which adult persons suspected or charged with criminal or delinquent conduct are apprehended and convicted or acquitted, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6. The sum of thirty-five thousand dollars ($35,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 8, 1949, at pages 4225-4226, in the paragraph numbered "6", strike out "thirty-five thousand dollars ($35,000)", and insert "fifteen thousand dollars ($15,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 243, as Amended

By Messrs. Kilpatrick, Burke, Hahn, Babbage, Bennett, Cooke, Fleury, Smith, Beck, Rosenthal, Doyle, Crowley, Coats, Moss, Hagen, Way, Morris, Luckel, Thomas, Fletcher, Hawkins, Anderson, Huyck, Grant, McMillan, Caldecott, Mrs. Niehouse, Messrs. Elliott, Reagan, McCarthy, Thompson, Geddes, McCollister, George D. Collins, Evans, Dunn, Conrad, Berry, Lowrey, Burkhalter, Crichton, Rumford, Gaffney, Yorty, Lipscomb, Levering, Condon, Dolwig, Clayton A. Dills, Erwin, Butters, Heisinger, Stanley, Connolly, Clarke, and Meyers:

House Resolution No. 243

Relative to the creation of the Assembly Interim Committee on Crime and Corrections

WHEREAS, The continued increase in population in this State and the lack of new custodial facilities has intensified the need for information by the Legislature with respect to custodial institutions in this State; and

WHEREAS, Available information indicates a rising tide of adult and juvenile delinquency and crime without the development of adequate means of custody and properly caring for the adults and juveniles involved in order to restrain and re-educate them; and

WHEREAS, It is important that this Assembly continue to have complete information as to the planning, construction and costs thereof, management, discipline, educational and curative facilities, food cleanliness, and adequacy of all custodial institutions for juvenile and adult persons in this State, except those expressly maintained for the insane and feeble-minded; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Crime and Corrections is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to custodial institutions for juvenile and adult persons in this State except those expressly maintained for the insane and feeble-minded, including the planning, design, and construction of such institutions, the cost thereof, management, discipline, facilities, cleanliness, educational program, curative program, all facts relating to the prevention of crime and process by which adult persons suspected or charged with criminal or delinquent conduct are apprehended and convicted or acquitted, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within

the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet at the State Capitol or at any other place in this State or within the United States.

6 The sum of fifteen thousand dollars ($15,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Connolly, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Geddes, Grant, Hahn, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lowrey, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Stanley, Stewart, Way, Weber, and Yorty—47.

NOES—None.

Speaker Pro Tempore Presiding

At 2.25 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETO

Assembly Bill No. 20—An act to add Sections 159.5, 159.6, and 159.7 to the Vehicle Code, relating to motor vehicle registration.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 20 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Brady, Crowley, Davis, Doyle, Evans, Fletcher, Geddes, Lowrey, McCollister, Smith, Thomas, and Yorty—12.

NOES—Anderson, Babbage, Bennett, Berry, Brown, Burkhalter, Butters, Coats, Collier, George D. Collins, Condon, Connolly, Clayton A. Dills, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, and Way—42.

REPORTS OF STANDING COMMITTEES

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 628
Senate Bill No. 1365

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

BROWN, Chairman

Senate Bill No. 628 ordered to second reading.

Senate Bill No. 1365 ordered to third reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 628—An act to amend Section 737nn of the Political Code, relating to the compensation of the Judge of the Superior Court in and for the County of San Luis Obispo.

Bill read second time, and ordered to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 269

By Messrs. Gaffney, Burke, and Berry:

House Resolution No. 269

Relative to the creation of the Assembly Interim Committee on Industrial Safety

WHEREAS, Industrial deaths and accidents continue to cause misery to thousands of citizens of this State annually, and result in hardship to workers and their dependents and a loss in the purchasing power of the State; and

WHEREAS, At each session of the Legislature numerous bills on this subject are introduced; and

WHEREAS, In order that the Assembly may properly legislate on this subject it is necessary that it be fully informed as to all matters relating thereto or affecting or bearing thereon; and

WHEREAS, A continuous study of all facts relating to this subject is in the public interest; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Industrial Safety is hereby created and authorized and directed to ascertain, study and analyze all facts relating to industrial accidents in this State, the promulgation and enforcement of safety measures in connection therewith, the scope and adequacy of existing agencies in this field, and the nature and extent of needed development in this field including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of three thousand dollars ($3,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Gaffney, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lowrey, McCollister, McMillan, Meyers Morris, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, and Way—44

NOES—Grunsky—1

Hon. Richard H. McCollister Presiding

At 2 40 p.m., Hon. Richard H McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Constitutional Amendment No. 1—Proposed amendment to Article IV of the Constitution, relative to initiative measures, by adding Section 1c.

Resolution read.

Demand for Previous Question

Messrs. Connolly, Dolwig, Thompson, Lincoln, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Constitutional Amendment No. 1.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Maloney's time has expired.

Ruling by Speaker

Acting Speaker McCollister ruled the point of order well taken.

The roll was called, and the resolution refused adoption by the following vote:

AYES—Babbage, Berry, Burke, Butters, Clarke, Collier, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hoffman, Levering, Lincoln, Lindsay, Lowrey, Maloney, McCollister, Meyers, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—34.

NOES—Anderson, Beck, Bennett, Brady, Burkhalter, George D. Collins, Condon, Connolly, Cooke, Davis, Dunn, Elliott, Evans, Gaffney, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, McMillan, Niehouse, Rosenthal, Rumford, Stanley, Thomas and Yorty—26.

APPOINTMENT OF SELECT COMMITTEE

Acting Speaker McCollister announced the appointment of Messrs. Weber, Dickey, and Hagen as a Select Committee, to join with Senator Abshire, to escort Miss Jone Pedersen of Santa Rosa, "Miss California," to the rostrum.

RECESS

At 2.59 p.m., on motion of Mr. McCollister, the Assembly recessed until 3.01 p.m., to welcome Miss Jone Pedersen, of Santa Rosa, "Miss California."

REASSEMBLED

At 3.01 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

CONSIDERATION OF SPECIAL ORDER

The hour having arrived, Senate Bill No. 1417 was taken up.

Senate Bill No. 1417—An act to add Chapter 1.7 to Division 3 of the Education Code to provide for the preparation, issuance and sale of state bonds to create a fund to provide aid to school districts of the State; defining the powers and duties of state officers in respect to the administration of the provisions hereof; providing ways and means for the payment of the interest of such bonds as such interest falls due, and also for the payment and discharge of the principal of such bonds as such principal matures; and appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued, and for the administration of this chapter.

Bill read third time.

Motion to Amend

Mr. Anderson moved the adoption of the following amendments:

Amendment No. 1

On page 8 of the printed bill, as amended in the Assembly on June 28, 1949, strike out line 27, and insert

"SEC. 2. The constitutional amendment described in Section 5101 of the Education Code shall be submitted to the voters at any state-wide special election called by the Governor for any purpose prior to the general election of 1950; but if no such special election is called, such constitutional amendment shall be submitted to the voters at the general election of 1950."

Amendment No. 2

On page 8 of said bill, strike out lines 28 to 52, inclusive; and strike out page 9.

Amendments read.

Point of Order

Mr. Condon arose to the following point of order: That amended copies of Senate Bill No. 1417 are not on the desks of the members.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

Point of Order

Mr. Yorty arose to the following point of order: That the amendments to Senate Bill No. 1417, as adopted in the Assembly on June 28th, are not germane to the contents of the bill.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken for two reasons: That the Legislative Counsel has issued an opinion to the contrary, and that the point of order is being brought up too late.

Demand for Previous Question

Messrs Kirkwood, Lincoln, Weber, Connolly, and Hoffman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Anderson to Senate Bill No. 1417.

Roll Call Demanded

Messrs Coats, Lowrey, and Beck demanded a roll call.

The roll was called, and the demand for the previous question not sustained by the following vote:

AYES—Babbage, Butters, Caldecott, Collier, Connolly, Conrad, Crichton, Crowley, Dolwig, Dunn, Erwin, Grant, Grunsky, Huckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCollister, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Way—32.

NOES—Anderson, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Coats, George D Collins, Condon, Cooke, Davis, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Thomas, Weber, and Yorty—36.

The question being on the adoption of the amendments offered by Mr. Anderson to Senate Bill No. 1417.

Amendment Ruled Not in Order

Speaker Sam L. Collins ruled Amendment No. 1, being offered by Mr. Anderson to Senate Bill No. 1417 not in order.

Amendments by Mr. Anderson ordered temporarily passed on file.

The question being on the passage of Senate Bill No. 1417.

Consideration of Further Amendments

Motion to Amend

Mr. Hawkins moved the adoption of the following amendments:

Amendment No. 1

In line 16 of the title of the printed bill, as amended in the Assembly on June 28, 1949, after "bonds", insert "and making an appropriation for school district public works, declaring the urgency thereof".

Amendment No. 2

On page 9 of said bill, strike out lines 12 to 14, inclusive, and insert

"SEC. 6. The sum of twenty-five million dollars ($25,000,000) is hereby appropriated, out of any moneys in the State Treasury not otherwise appropriated, to the Public School Building Fund for expenditure during the Fiscal Year 1949-1950.

Of said sum there shall first be allocated and made available for the support of the Director of Finance, the Director of Education, and the State Controller during the Fiscal Year 1949-1950 in carrying out their duties under Chapter 1 6 of Division 3 of the Education Code, such amount as the Director of Finance may determine.

SEC. 7 This act is hereby declared to be an urgency measure necessary for the immediate preservation of the public peace, health, and safety within the meaning of Section 1 of Article IV of the Constitution and shall therefore go into immediate effect A statement of the facts constituting such necessity is as follows:

There are hundreds of impoverished school districts in California that do not have the financial means to provide either suitable buildings or adequate instruction. Many of those districts and other districts have had tremendous population increases as well as a disproportionate increase in the number of children of kindergarten and grammar school age. The children living in those districts are being denied their birthright of a good education. There must be equalization of educational opportunities by helping the poorer districts to render more adequate service to the children upon whom the future of the State depends. They are our future citizens, and it is clearly our duty to give them every opportunity to become useful and happy people. The need is great, and the State is under a direct obligation.

In order that the benefits arising from this measure may inure to the children of the State at the earliest possible time, it is necessary that this act take effect immediately."

Amendments read.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Brady, Burkhalter, Coats, George D. Collins, Condon, Crowley, Doyle, Elliott, Evans, Fletcher, Geddes, Hahn, Hawkins, Lewis, McMillan, Morris, Niehouse, Rosenthal, Thomas, and Yorty—23.

NOES—Babbage, Burke, Butters, Caldecott, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky,

Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, Moss, Rumford, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—42.

The question being on the passage of Senate Bill No. 1417.

Further Consideration of Amendments Offered by Mr. Anderson
Motion to Amend

Mr. Anderson again moved the adoption of the following amendments, as corrected:

Amendment No. 1

On page 8 of the printed bill, as amended in the Assembly on June 28, 1949, strike out line 27, and insert

"SEC 2 The constitutional amendment described in Section 5101 shall be submitted to the voters at any state-wide special election called by the Governor for any purpose prior to the general election of 1950; but if no such special election is called, such constitutional amendment shall be submitted to the voters at the general election of 1950"

Amendment No. 2

On page 8 of said bill, strike out lines 28 to 52, inclusive; and strike out page 9

Amendments read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Anderson moved a call of the Assembly.

Roll Call Demanded

Messrs. Hawkins, Anderson, and Crichton demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Butters, Coats, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Kilpatrick, Levering, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Stanley, Thomas, Waters, Weber, and Yorty—51.

NOES—Collier, Dunn, Heisinger, Hoffman, Huyck, Silliman, Smith, Stewart, Tomlinson, and Way—10

Time, 3.50 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Brown, Clarke, and Lowrey—3

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 197

Mr. Waters asked for, and was granted, unanimous consent that he be permitted to take up further consideration of House Resolution No 197, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 197

Consideration of House Resolution No. 197, as Previously Amended

By Mr. Conrad:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the Standing Committee on Elections and Reapportionment. Vacancies occurring in the membership of the committee shall be filled by the Speaker. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

(f) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties.

(g) To conduct a preliminary survey of the 1950 Census and to ascertain any and all facts and make any needed studies concerning the best means of reapportioning the State in the light of that census.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

Motion to Amend

Mr. Beck moved the adoption of the following amendment:

Amendment No. 1

Strike out paragraph 2 of said resolution, as printed in the Assembly Journal of June 28, 1949, and insert

"The committee shall consist of nine members to be appointed by the Speaker. Five members of the committee shall be Republican Party Members of the Assembly and four members shall be Democratic Party Members of the Assembly. Vacancies occurring in the membership of the committee shall be filled by the Speaker."

Amendment read.

Roll Call Demanded

Messrs. Beck, Rosenthal, and Rumford demanded a roll call.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Motion carried. Time, 4 08 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Clarke, Clayton A. Dills, and Evans—3.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

REQUEST FOR TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Collier asked for unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

Mr. Rosenthal withheld unanimous consent.

Motion to Temporarily Suspend the Rules

Mr. Collier moved that the Rules be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file, at this time.

The roll was called, and the Rules temporarily suspended by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Dickey, Dolwig, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Silliman, Smith, Stanley, Thompson, and Tomlinson—46.

NOES—Geddes, Hahn, Lowrey, Rosenthal, and Yorty—5.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER The Committee on Conference concerning:

Assembly Bill No. 797—An act to amend Section 7324 of the Business and Professions Code, relating to cosmetology;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 17, 1949, strike out "Section 7324", and insert "Sections 7324 and 7393".

Amendment No. 2

On page 2 of said bill, between lines 26 and 27, insert

"SEC. 2 Section 7393 of said code is amended to read:

7393. Every school shall, at all times, be in charge of and under the immediate supervision of a licensed hairdresser and cosmetician or cosmetologist manager-operator, who has had at least a total of three years practical experience in the practice or teaching of all of the branches of cosmetology, except the branch of electrology, in a licensed cosmetological establishment or a licensed school of cosmetology and who holds an instructor's permit.

Every person employed in a school to instruct students therein shall be a licensed hairdresser and cosmetician or cosmetologist (1) who has had either (a) one year of practical experience in all branches of cosmetology, except the branch of electrology, in a licensed cosmetological establishment or (b) 600 hours of teacher training in a school of cosmetology over a period of not less than four months and (2) who has passed an instructor's examination given by the board and has received an instructor's

permit. In order to take the instructor's examination, the instructor's examination fee shall be paid

All instructors shall be continuously engaged in teaching students in theoretical or practical work. Except when instructing a student and the student is doing the manual work, no instructor may practice upon a patron and any instructor who does so is subject to disciplinary action by the board.

Every school shall have at least two instructors and when the enrollment *for either day or night school* averages more than fifty students for a period of three months, an additional instructor shall be engaged for each three months average of 25 students after the first 50

Before any school license, as provided herein shall be finally granted, a second inspection shall be made after the equipment has been installed and before the school is permitted to begin operation

No applicant shall be granted a license to operate a school unless, in the opinion of the board, sufficient equipment has been installed for the requirements of enrolling a minimum of not less than twenty-five bona fide students; and provided further, that the floor space shall provide a separate lecture room and a separate locker room with sufficient space for the proper placement of said equipment.

No school shall be licensed until the board has had ample opportunity to verify sworn statements as to the actual ownership and in this respect, if false statements are submitted to the board in connection with said application, this in itself shall constitute sufficient grounds for the refusal to grant any application hereunder, or if an application is granted and thereafter the board discovers that false statements were made in connection therewith this shall constitute sufficient grounds for the cancellation of said school license even though it is detected after a license has been issued.

The board reserves the right to deny school license to any applicant who fails to present satisfactory evidence of personal integrity and moral responsibility, and in the event that the said applicant is a corporation, this shall apply to all the officers thereof; provided further, that no school license shall be issued until the real owner files with the department a statement definitely designating who is authorized to accept service of notice from the said board and to transact all business negotiations in behalf of the said school, including answers to citations for hearing, and compliance with rulings issued by the said board

No person, firm or corporation shall be granted a license to operate a school of cosmetology unless he first presents to the board 25 verified applications for enrollment as students for a course of training of the minimum number of hours and months required by this chapter

No school shall advertise student work to the public for pay through any medium including radio."

KRAFT	NIEHOUSE
HUGH M. BURNS	EVANS
WILLIAMS	SHERWIN
Senate Committee on Conference	*Assembly Committee on Conference*

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr Speaker—67.

NOES—None.

Speaker Pro Tempore Presiding

At 4.29 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: The *Committee on Conference concerning*:

Assembly Bill No. 2146—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance

at drills, camps and exercises, performance of duty during insurrection or emergency; private employees and restoration to positions;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following.

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2, line 11, of the printed bill, as amended in the Senate on June 23, 1949, strike out "1949-1950", and insert "100th".

Amendment No. 2

On page 2, line 15, of said bill, strike out "1949-1950", and insert "100th".

KEATING	McCOLLISTER
SUTTON	THOMAS
O'GARA	WEBER
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—69.

NOES—None

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENT OFFERED BY MR. BECK TO HOUSE RESOLUTION NO. 197

At 4.33 p.m., on motion of Mr. Beck, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendment offered by Mr. Beck to House Resolution No. 197, as amended, refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Davis, Doyle, Dunn, Elliott, Fletcher, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Thomas, Weber, and Yorty—35.

NOES—Babbage, Burke, Butters, Caldecott, Collier, Connolly, Conrad, Dickey, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, Morris, Niehouse, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—39.

FURTHER CONSIDERATION OF HOUSE RESOLUTION NO. 197

Consideration of House Resolution No. 197, as Previously Amended

By Mr. Conrad:

House Resolution No. 197

Relative to the creation of the Assembly Interim Committee on Elections and Reapportionment

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Elections and Reapportionment is hereby created and authorized and directed to ascertain, study and analyze all facts relating to elections and reapportionment, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of the same members as the Standing Committee on Elections and Reapportionment. Vacancies occurring in the membership of the committee shall be filled by the Speaker. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties.

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To work with all political parties on questions involving the advisability of changes in the Elections Code relating to political parties

(g) To conduct a preliminary survey of the 1950 Census and to ascertain any and all facts and make any needed studies concerning the best means of reapportioning the State in the light of that census.

6. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Morris, Niehouse, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Weber—43.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Coats, George D. Collins, Condon, Cooke, Crowley, Davis, Dunn, Elliott, Fletcher, Gaffney, Hagen, Hawkins, Heisinger, Kilpatrick, Lewis, Lowrey, McCarthy, McMillan, Meyers, Rosenthal, Rumford, and Yorty—29.

Speaker Presiding

At 4.45 p m, Hon Sam L. Collins, Speaker of the Assembly, presiding.

COMMUNICATIONS

By the Chief Clerk:

The following communication was received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, June 29, 1949

Mr. Arthur A. Ohnimus, Chief Clerk
State Assembly, State Capitol
Sacramento 14, California

DEAR MR. OHNIMUS: Further reference is made to your letter of June 21, 1949, forwarding a copy of House Resolution No. 261, by Mr. Geddes, relating to driveway entrances on state highways.

Attached hereto is a report prepared by Mr. G. T. McCoy, State Highway Engineer, which outlines the policy and practice being followed by the Division of Highways with respect to control of driveway entrances; also a copy of the regulations for driveways heretofore issued by the division.

The resolution will be presented to the California Highway Commission at its July meeting, as requested by the Assembly.

Very truly yours,

C. H. PURCELL
Director of Public Works

Attch.

Above mentioned report ordered referred to the Committee on Transportation and Commerce.

ANNOUNCEMENTS

Mr. Dickey announced that sample vouchers will be placed upon the desks of members. Vouchers must be used for the employment of secretarial help during the interim, and must be returned to the office of Mr. Dickey, Chairman of the Committee on Rules, who, after compiling a master file, will transmit vouchers to the Office of the State Controller, who will then issue warrants for secretarial salaries.

MOTION TO WITHDRAW SENATE BILL NO. 132 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Levering moved that Senate Bill No. 132 be withdrawn from the Committee on Rules, and be placed upon the file.

Demand for Previous Question

Messrs. Geddes, Hahn, Morris, McMillan, and Thompson demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Levering that Senate Bill No. 132 be withdrawn from the Committee on Rules, and be placed upon the file.

The roll was called, and the motion lost by the following vote:

AYES—Babbage, Butters, Collier, Connolly, Dolwig, Fleury, Hagen, Hinckley, Hoffman, Huyck, Levering, Lindsay, Niehouse, Smith, Stanley, and Tomlinson—16.

NOES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

Request for Unanimous Consent That Names Be Placed Upon Roll Call on Motion to Withdraw Senate Bill No. 132

Messrs. Brown and Dunn asked for, and were granted, unanimous consent that their names be placed upon the roll call on the motion to withdraw Senate Bill No. 132 from committee, and that they be recorded as voting "No".

Explanation of Vote

The reason I voted "No" on the withdrawal of Senate Bills Nos. 132, 208, 515, 516, 298, 130, and Senate Constitutional Amendment No. 14 by Senator Tenney was that I stated on the floor of the Assembly over two weeks ago that I was opposed to all withdrawals from the committees.

Had the bills come up for a vote on the floor in their regular form I would have voted for them.

THOMAS M. ERWIN

PLEDGE OF ALLEGIANCE TO THE FLAG

Upon request of the Speaker, the Assembly gave the pledge of allegiance to the Flag.

MOTION THAT REMARKS BY MR. LEVERING BE PRINTED IN JOURNAL

Mr. Collier moved that the remarks by Mr. Levering, relative to Senate Bill No. 132, be ordered printed in the Journal in 10-point type.

Mr. Doyle seconded the motion.

Motion carried.

REMARKS BY MR. LEVERING RELATIVE TO SENATE BILL NO. 132

Before setting forth the reasons for the withdrawal of this bill from the Committee on Rules, I wish to make a short statement:

I do not believe the Speaker or Mr. Yorty were a party to any conspiracy, nor do I believe that the Speaker pro Tempore was guilty of steamroller tactics. Any member of this House had an opportunity to debate Mr. Yorty's motion, or to ask for a roll call. If we failed to take advantage of the opportunity, it was our fault and not the fault of the Speaker or the Speaker pro Tempore.

Here are the specific reasons why I believe these bills should be withdrawn from committee: I am speaking to the four bills, but my motion to withdraw is only on Senate Bill No. 132.

1. Each of these four bills had passed the Senate committee, the Senate, and the Assembly committee to which each had been referred. They were before this House for a debate and a vote on each one—and they got neither.

2. I do not think Mr. Yorty's motion was the proper motion to make —to send all of these bills to the Committee on Rules. I do not think it was for the purpose of having a future hearing on them. Mr. Yorty was quoted as saying he sent them to Rules to *be killed.* Mr. Dickey's published quote substantiated this. If the motion had been the proper one, it would have been to send them to the respective committees which had considered them, and which had passed them out. This is the custom of this House—at least during this session.

3. Mr. Dickey, Chairman of Rules, is quoted as saying that a hearing on these bills would be granted upon the request of the author or any other interested person. I made such a request in writing last Friday and, up to the present time, I have not been notified of any hearing, or proposed hearing.

4. These bills are very controversial, and the people of California have a right to expect their elected representatives to vote for or against them, as their consciences dictate. They have this right and they are demanding just that.

5. Whether you vote on this motion to withdraw, or vote on a motion to table, or on any other kind of a motion whatsoever, relative to these bills, I believe it will be interpreted by the people as a vote for or against the bills. Remember this when you cast your vote.

6. In conclusion, let me point out that the name of every member of this House is under a shadow because of our failure to stand up and be counted on this subject. We are being called traitors and cowards because of the honest mistake we have made. You can, and should, correct this mistake by withdrawing these bills from the Rules Committee and placing them before this House for further consideration.

HAROLD K. LEVERING

MOTION THAT REMARKS BY MR. YORTY BE PRINTED IN JOURNAL

Mr. Doyle moved that the remarks by Mr. Yorty relative to Senate Bill No. 132 be ordered printed in the Journal in 10-point type

Mr. Evans seconded the motion.

Motion carried.

STATEMENT BY MR. YORTY

MR. SPEAKER: On June 6, 1949 you were kind enough to permit me to insert a statement in the Journal relative to my opinion of the so-called "Tenney Loyalty Oath Bills."

I feel highly complimented by the action of the body requesting that my remarks of June 29, 1949, relative to these bills, be printed in the Journal, but I feel that an additional statement would add nothing to what has been said already, and I, therefore, respectfully refer anyone interested to the Assembly Journal of June 6, 1949.

SAM YORTY

NOTICES OF MOTION TO WITHDRAW SENATE BILLS NOS. 280, 515, 516, 298, 130 AND SENATE CONSTITUTIONAL AMENDMENT NO. 14 FROM COMMITTEE WAIVED

Mr. Levering waived his notices of motion to withdraw Senate Bills Nos. 280, 515, 516, 298, 130, and Senate Constitutional Amendment No. 14 from committee.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 28, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 401

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1007
Assembly Bill No 1163
Assembly Bill No. 1333
Assembly Bill No. 1452
Assembly Bill No. 1711
Assembly Bill No. 1814
Assembly Bill No. 1815
Assembly Bill No. 1816
Assembly Bill No. 1817
Assembly Bill No. 1818
Assembly Bill No. 1819
Assembly Bill No. 1820
Assembly Bill No. 1821
Assembly Bill No. 1823
Assembly Bill No. 1935
Assembly Bill No. 1952
Assembly Bill No. 2037
Assembly Bill No. 2127
Assembly Bill No. 2318
Assembly Bill No 2698
Assembly Bill No. 2829
Assembly Bill No 3004
Assembly Bill No. 3120
Assembly Bill No. 3171

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 56
Assembly Bill No. 57
Assembly Bill No. 172
Assembly Bill No. 129
Assembly Bill No. 577
Assembly Bill No. 1119
Assembly Bill No. 1174
Assembly Bill No. 1486
Assembly Bill No. 1657
Assembly Bill No. 1822
Assembly Bill No. 2034
Assembly Bill No. 2110
Assembly Bill No. 2156
Assembly Bill No. 2185
Assembly Bill No. 2186
Assembly Bill No 2366
Assembly Bill No. 2383
Assembly Bill No. 2547
Assembly Bill No. 2791
Assembly Bill No. 2802

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Miller, O'Gara, and Regan as a Committee on Conference concerning:

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent or other juveniles are housed.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1030

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1030, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 1030

Senate Bill No. 1030—An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children.

Bill read third time.

Motion to Amend

Mrs. Niehouse moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 28, 1949, between lines 17 and 18, insert

"No allocation shall be made to a school district or to a county superintendent of schools for any housing or equipment which has not been approved by the Department of Education."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. Sam L. Collins:

House Resolution No. 294

Relative to commending McGeorge College of the Law for conferring upon Ralph C. Dills and Joseph A. Beek the honorary degree of Doctor of Laws

WHEREAS, At its silver anniversary commencement exercises on June 17, 1949, McGeorge College of the Law, as a part of its program celebrating the centennial of the discovery of gold in California, honored a select number of men of extraordinary achievement and service to the people of the State of California; and

WHEREAS, On that occassion McGeorge College of Law conferred upon Ralph C. Dills, former Assemblyman from Los Angeles County, and Joseph A. Beek, the Secretary of the Senate of the State of California, the honorary degree of Doctor of Laws; and

WHEREAS, Both of these men are worthy recipients of the honor bestowed upon them, serving the people of the State of California well and faithfully; Mr. Beek, in his office as Secretary of the Senate, and Mr. Dills, both in his office as Assemblyman and in his new office as a Justice of the Peace in Los Angeles County; and

WHEREAS, The selection of Ralph C. Dills and Joseph A. Beek as recipients of the honorary degree of Doctor of Laws gives to the Members of the Assembly the utmost pleasure and gratification; now, therefore, be it

Resolved by the Assembly of the State of California, That McGeorge College of the Law be heartily commended for conferring upon Ralph C. Dills and Joseph A. Beek the honorary degree of Doctor of Laws; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to send a copy of this resolution to McGeorge College of the Law.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Caldecott:

House Resolution No. 295

Relating to the expenditure of appropriations to provide housing for students at the University of California and at the state colleges

WHEREAS, By the enactment of Chapter 147 of the Statutes of the 1946 First Extra Session, the Legislature made an appropriation for construction, improvements, and equipment needed by the University of California which appropriation was intended to provide funds for student housing for students of the university at its several campuses and units; and

WHEREAS, By the enactment of Chapter 155 of the Statutes of the 1946 First Extra Session, the Legislature made an appropriation for the acquisition of sites and for the construction, furnishing, and equipment of student housing on the campuses of the state colleges; and

WHEREAS, While there is no express limitation contained in either chapter it was contemplated at the time they were enacted that the funds made available for student housing would be matched either from the sale of revenue bonds or from other sources; and

WHEREAS, It now appears that requiring of such matching funds in the construction of student housing may necessitate the fixing of rental charges for occupancy by students at rates which are beyond the reasonable ability of students to pay; now, therefore, be it

Resolved by the Assembly of the State of California, That the State Public Works Board is requested and directed to consider this problem and to determine with the Regents of the University of California and the Director of Education and the Director of Finance as to what extent, the expenditure of these appropriations for student housing should be matched by funds from other sources; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to send a copy of this resolution to the State Public Works Board.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. McCollister:

House Resolution No. 296

Relative to requesting the Assembly Interim Committee on Interstate Cooperation to ascertain facts relating to motor vehicle registration

WHEREAS, Under existing procedures all vehicle registrations must be renewed annually with the Department of Motor Vehicles within a period of a little over a month; and

WHEREAS, This shortage of time and the vast number of registrations required to be renewed strains the facilities available to the department for processing such registrations during such periods; and

WHEREAS, These conditions have resulted in delays and in great inconvenience to the public; and

WHEREAS, It is necessary in order to enable the Legislature to intelligently consider legislation designed to remedy the situation that a committee investigate and study in detail methods whereby the registration of vehicles may be distributed evenly throughout the year and the present extreme fluctuations of work avoided; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Interstate Cooperation be and it hereby is authorized and requested to ascertain, study and analyze all facts relating to the development of a system of registration of motor vehicles on a monthly basis so as to permit, as far as possible, uniform distribution of the work of registration throughout each month of the calendar year and the establishment of twelve registration periods of twelve months duration, each of which shall begin on the first day of a calendar month and end on the last day of the twelfth month from the date of beginning, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. McCollister:

House Resolution No. 297

Relative to requesting the Assembly Interim Committee on Crime and Corrections to study the feasibility of continuous and full-time instruction for San Quentin Prison guards

WHEREAS, The maintenance of a well-trained and efficient prison staff is vital to the proper functioning of our State Prison System; and

WHEREAS, It is necessary in order to maintain a high level of efficiency to have refresher courses and constant training in police work and in the techniques of prison administration; and

WHEREAS, Such courses of training are now required to be taken by all regular guards at San Quentin Prison; and

WHEREAS, The present system of requiring the regular guards to attend classes at odd hours and on their own time is inefficient and ineffective; and

WHEREAS, In order to enable it to intelligently consider legislation designed to remedy this situation, it is necessary that the Assembly be fully informed on all facts relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Crimes and Corrections created at the 1949 General Session of the Legislature be and it hereby is authorized and requested to ascertain, study and analyze all facts relating to or in any way bearing upon the recitals of this resolution, including, but not limited to the administration, operation and needed revision of any and all laws bearing thereon, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Dolwig, Connolly, McCollister, Mrs. Niehouse, and Mr. Lipscomb:

House Resolution No. 298

Relative to memorializing the Civil Aeronautics Board to effect rules and regulations which will require all air carriers engaged in common carriage of passengers to maintain the same safety standards

WHEREAS, The safety standards now imposed on the certificated air carriers has resulted in the United States maintaining the highest safety record in world air transportation; and

WHEREAS, Tremendous losses occur to the air transport industry when public confidence is destroyed by air accidents; and

WHEREAS, There now exists in California and the United States air carriers engaged in the common carriage of passengers who are *not* required to meet the same safety standards required of the certificated air carriers; and

WHEREAS, California citizens traveling by air should be afforded every practical air safety measure now employed by the air transportation industry; now, therefore, be it

Resolved by the Assembly of the State of California, That the Civil Aeronautics Board be memorialized to immediately effect such rules and regulations which will require all air carriers engaged in common carriage of passengers to maintain the same safety standards as required of the certificated carriers; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the chairman and members of the Civil Aeronautics Board.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Dickey:

House Resolution No. 299

Resolved, That Justin G. Child, Chief of the Division of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all of the committee rooms and other rooms used by the Members and Officers of the Assembly in such condition that they will be available for use by the Members and Officers of the Assembly at any time. It is further directed that no person other than the Members and Officers of the Assembly be permitted to occupy or use the offices, committee rooms, or other rooms now occupied by the Assembly or any of the Assembly equipment now being used by the Assembly; and that the desks, furniture and equipment of the Assembly be at the disposal of the Chief Clerk of the Assembly subsequent to the *sine die* adjournment of the session and until the Assembly shall reconvene for the next regular session; and be it further

Resolved, That subsequent to the *sine die* adjournment, and until the reconvening of the Assembly for the next regular session, permission to use the Assembly Chamber

shall not be permitted except on the written authorization of the Speaker and the Chairman of the Committee on Rules; and be it further

Resolved, That any requests for the use of committee rooms shall be made to the Chief Clerk of the Assembly, in writing, at least 10 days prior to the requested date for the use of such committee rooms, which request must be approved by the Speaker or Chairman of the Committee on Rules.

Resolution read, and ordered referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 707—An act to amend Sections 19601, 19601.5, 19607, and 19613.5 of, and to add Sections 19609.5 and 19613.6 to, the Education Code, relating to child care centers and making an appropriation therefor, declaring the urgency thereof, to take effect immediately;

And reports that the same has been correctly enrolled, and presented to the Governor on the twenty-ninth day of June, 1949, at 4.45 p.m.

HUYCK, Chairman

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON AMENDMENTS OFFERED BY MR. ANDERSON TO SENATE BILL NO. 1417

At 5.15 p.m., on motion of Mr. Beck, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the amendments offered by Mr. Anderson to Senate Bill No. 1417 refused adoption by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Burkhalter, Coats, George D. Collins, Condon, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Evans, Fletcher, Geddes, Hahn, Hawkins, Hollibaugh, Kilpatrick, Lewis, Luckel, McMillan, Meyers, Morris, Niehouse, Rosenthal, Thomas, Weber, and Yorty—31.

NOES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Dickey, Dolwig, Dunn, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—43

The question being on the passage of Senate Bill No. 1417.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—52.

NOES—Anderson, Beck, Bennett, Burkhalter, George D. Collins, Condon, Crowley, Doyle, Elliott, Evans, Fletcher, Hahn, Hawkins, Kilpatrick, Lewis, Luckel, McMillan, Morris, Niehouse, Rosenthal, Thomas, and Yorty—22.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Kirkwood asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal, in 10-point type:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 29, 1949

Honorable Robert C. Kirkwood
Assembly Chamber

AID TO SCHOOLS—No. 8358

DEAR MR. KIRKWOOD: You have asked us the following question: Can the Legislature amend Senate Bill No. 1417 to provide that if a special election is called by the Governor the constitutional amendment mentioned in the bill shall be presented to the voters at that special election?

In our opinion this cannot constitutionally be done.

Section 1 of Article XVIII of the Constitution provides that the *Legislature* shall fix the manner and the time at which constitutional amendments proposed by it shall be submitted to the electors.

The proposed amendment provides in effect that the Governor will fix the time. It does this by providing that if the Governor calls a special election of the kind that can be called by the Governor, such as for submitting an initiative measure, the legislative measure referred to will also be on the ballot We think this is a surrender of the legislative power specifically imposed upon the Legislature by Section 1, Article XVIII, of the Constitution.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Copy to author of S.B. 1417, pursuant to Joint Rule 34.

REQUEST FOR UNANIMOUS CONSENT THAT OPINION OF LEGISLATIVE COUNSEL BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal, in 10-point type:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, June 28, 1949

Hon. Francis Dunn, Jr.
Assembly Chamber

SENATE BILL NO 1417, RE STATE SCHOOL BUILDING BONDS—No. 8239

DEAR MR. DUNN: You have advised us that amendments to the above bill have been adopted which provide for calling a special election to submit a constitutional amendment to the people providing for an issue of

bonds for school building purposes. These amendments include a section declaring that the act shall take effect immediately inasmuch as it is an act calling an election. You ask whether the bill as so amended can be passed by a majority vote or whether a two-thirds vote is required. You have also asked us to examine the other provisions of the bill as amended June 25th and to advise you what vote is required for passage.

It is our opinion that the bill as amended June 25th can be passed by a majority vote. It still may be passed by a majority vote notwithstanding the fact that as amended today it provides for calling a special election and that it shall take effect immediately.

Section 1 of Article IV of the Constitution provides in part:

> "No act passed by the Legislature shall go into effect until 90 days after the final adjournment of the session of the Legislature which passed such act, except acts calling elections, acts providing for tax levies or appropriations for the usual current expenses of the State, and urgency measures necessary for the immediate preservation of the public peace, health or safety, passed by a two-thirds vote of all the members elected to each house."

In *Roth Drug, Inc.* vs. *Johnson,* 13 Cal. App. 2d 720, the court had under consideration the Retail Sales Tax Act, which act provided that it should take effect immediately as a tax levy. The court determined that the two-thirds vote requirement of the quoted provision of the Constitution applied only to urgency measures and that the other types of acts specified therein could take effect immediately even though they were passed by only a majority vote.

It follows, therefore, that Senate Bill No. 1417 may be placed in immediate effect as an act calling an election by a majority vote.

With respect to the other provisions of the bill, the only question is whether a two-thirds vote is required for passage by reason of the provisions of Section 34a of Article IV of the Constitution.

Briefly, the bill provides for the creation of a fund to provide aid to school districts. This fund is to consist of the proceeds of a bond issue which would be authorized by a constitutional amendment if such amendment is adopted by the people. The bill prescribes the form of bonds and the procedure for issuance and sale thereof. It appropriates from the General Fund such sum annually as will be necessary to pay the principal of and the interest on the bonds issued. It also appropriates $75,000 from the General Fund for use as a Revolving Fund for the expenses of the State Treasurer in having the bonds prepared and in advertising their sale or their prior redemption. As to this Revolving Fund the money transferred thereto from the General Fund shall be returned to the General Fund when all the bonds have been sold.

Section 34a of Article IV of the Constitution provides that appropriations from the General Fund in excess of a specified formula must be passed by a two-thirds vote of all the members elected to each house of the Legislature. But these appropriations are "appropriations from the General Fund of the State for any fiscal year, *exclusive of appropriations for the support of the Public School System* * * *".

It is our opinion that the appropriation from the General Fund made by Senate Bill No. 1417 is one for the support of the Public School System and hence that it comes within the exception to the two-thirds

vote requirement in Section 34a of Article IV of the Constitution. It seems clear that the Legislature could make a direct appropriation from the General Fund by a majority vote to assist the schools in the manner contemplated by this bill and by the constitutional amendment providing for the bond issue and we believe the same logic applies to an appropriation to pay the principal and interest of such a bond issue. The Revolving Fund created for the expenses in issuing the bonds (assuming that it is in fact an appropriation and not a temporary transfer of funds) is an expenditure necessarily incidental to and an integral part of the general appropriation, all of which is for the support of the Public School System.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By LAWRENCE G. ALLYN, Deputy

Copy to co-author pursuant to Joint Rule 34.

POINT OF ORDER RELATIVE TO SENATE BILL NO. 1417

Mr. Condon arose to the following point of order: That it takes 54 votes to pass Senate Bill No. 1417.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order not well taken because of the above mentioned ruling of the Legislative Counsel.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 486

Mr. Rosenthal asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 486, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 486—An act to amend Section 25a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to powers and duties of marshals in municipal courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 486?

Amendment No. 1

On page 1, lines 9 and 10 of the printed bill, as amended in the Assembly on May 11, 1949, strike out "except those relating to criminal process".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 486 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy,

McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None

Assembly Bill No 486 ordered enrolled.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 317 FROM COMMITTEE CONTINUED

Mr. Kirkwood asked for, and was granted, unanimous consent that his notice of motion to withdraw Senate Bill No. 317 from committee be continued until the next legislative day.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 31—An act to amend Section 13554 of the Health and Safety Code and to add Section 9535 to the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in.

RICH	YORTY
BREED	HAGEN
COOMBS	LIPSCOMB
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

NOES—None.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Tonight, at 8 p m.—

Education.
Constitutional Amendments.
Governmental Efficiency and Economy.
Municipal and County Government.

Today Upon Adjournment—

Conservation, Planning, and Public Works. Subject: Senate Bill No. 14.
Rules, in Room 430.
Manufacturing, Oil, and Mining Industry

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. McCollister, the usual courtesies of the Assembly for this day were unanimously extended to Miss Jone Pedersen, "Miss

California," Mr. and Mrs. Fred Pedersen, and Edwin Davis of Santa Rosa, and Senator and Mrs. F. Presley Abshire of Geyserville.

On request of Mr. Lindsay, the usual courtesies of the Assembly for this day were unanimously extended to William K. Jones, former Speaker of the House of Representatives of Wyoming, and Mrs. Courtney.

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bill Swingle, Sacramento; Catholyn Holley, Clinton, Louisiana; Mrs. Sam Gordon and Sammy Gordon, Jr., of Napa.

On request of Messrs. Maloney, Cooke, and Doyle, the usual courtesies of the Assembly for this day were unanimously extended to Bob Rofer, Grant Butcher, and Danny Jackson of San Francisco.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Alene Aviani and George Lane of San Francisco.

ADJOURNMENT

At 5.30 p.m., on motion of Mr. Hollibaugh, the Speaker declared the Assembly adjourned until 9 a.m., Thursday, June 30, 1949.

SAM L. COLLINS, Speaker

GERALDINE B HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ONE HUNDRED FOURTH LEGISLATIVE DAY

ONE HUNDRED SEVENTY-NINTH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO
Thursday, June 30, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

God of Hope: In this age of peril and uncertainty, may we look forward with hope to the world-transforming principles of our Religion.

Civilizing the barbarians through long Dark Ages, instituting orderly society, and establishing the moral, civil, and benevolent institutions, the first colleges, hospitals, and democracies.

Let us remember that all efforts to emancipate womanhood, elevate the common man, and abolish poverty sprang from the teachings of the Man of Galilee, who fed the hungry and uplifted the fallen.

The vision and possibility of Universal Peace were born when the angels sang of goodwill above the Manger of Bethlehem.

Above all, when we return to our homes, may we promote in private life organizations which diffuse these principles and offer us every earthly blessing and Heavenly consolation.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Thompson, further reading of the Journal of the previous legislative day was dispensed with.

ANNOUNCEMENTS

Mr. Dickey announced that all office equipment being used by members whose offices are located in the section of the Capitol about to be dismantled must be moved on Saturday and Sunday to some other location.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 75

Mr. Sherwin asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 75, out of order, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 75

Senate Concurrent Resolution No. 75—Relative to making additional funds available to the Legislative Budget Committee, established by Senate Concurrent Resolution No. 7 (Res. Ch. 75, 1949).

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Berry, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCarthy, Morris, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—43.

NOES—None.

Resolution ordered transmitted to the Senate.

NOTICE OF MOTION TO WITHDRAW SENATE BILL NO. 317 FROM COMMITTEE WAIVED

Mr. Kirkwood waived his notice of motion to withdraw Senate Bill No. 317 from committee.

CONSIDERATION OF DAILY FILE
UNFINISHED BUSINESS
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 593—An act to amend Section 20382 of the Education Code, relating to sabbatical leave of state college employees.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 593?

Amendment No. 1

On page 1, line 7, of the printed bill, strike out "Time spent by"; and strike out all of lines 8, 9, and 10; and in line 11, strike out "of computing the six consecutive years of employment.", and insert "Provided, if any employee is granted a leave of absence without pay the time necessary to qualify for a leave of absence under this article shall be extended by the amount of time that such employee is on leave of absence without pay."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 593 by the following vote:

AYES—Anderson, Beck, Berry, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, Morris, Moss, Sherwin, Sullivan, Stanley, Stewart, Thompson, Waters, Way, and Mr Speaker—46.

NOES—None.

Assembly Bill No. 593 ordered enrolled.

Assembly Bill No. 782—An act to amend Section 26301 of the Government Code, and to amend Section 5157 of the Public Resources Code, relating to public recreation areas and facilities, and to the powers and duties of counties and the boards of supervisors and State Park Commission in connection therewith, and authorizing the issuance and sale of revenue bonds for public improvements and the acquisition and leasing of public property for recreational purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 782?

Amendment No. 1

On page 2, line 3, of the printed bill, as amended in the Assembly on May 5, 1949, strike out "but not limited to".

Amendment No. 2

On page 2, line 6, of said bill, strike out "restaurants,".

Amendment No. 3

On page 2, line 7, of said bill, strike out "and all other works, properties".

Amendment No. 4

On page 2, line 8, of said bill, after the period, insert "The provisions of this section shall not be construed to authorize a board of supervisors to operate any restaurant, lodging house or hotel except during such periods as it is unable to lease such restaurant, lodging house or hotel to a private concessionaire. Public notice calling for bids by prospective lessees of such restaurant, lodging house or hotel shall be published once a week for four successive calendar weeks, in a newspaper of general circulation, and it shall be conclusively presumed that the board of supervisors is not unable to lease such restaurant, lodging house or hotel to a private concessionaire until one week following the last publication has elapsed without securing reasonable bids."

Amendment No. 5

On page 2 of said bill, strike out lines 9 to 32, inclusive

Amendment No. 6

On page 2 of the printed bill as amended in the Senate on June 8, 1949, strike out lines 5 to 11, inclusive, and insert "improvement and development of skiing areas. The pro-".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 782 by the following vote:

AYES—Anderson, Beck, Berry, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, Morris, Moss, Sherwin, Silliman, Stanley, Stewart, Thompson, Waters, Way, and Mr. Speaker—46.
NOES—None.

Assembly Bill No. 782 ordered enrolled.

Hon. Thomas J. Doyle Presiding

At 9.16 a.m., Hon. Thomas J. Doyle, Member of the Assembly from the Forty-fifth District, presiding.

Assembly Bill No. 2508—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to licenses.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2508?

Amendment No. 1

On page 2, line 43, of the printed bill, after "licenses", insert "of one spouse may be transferred to the other spouse when the application for transfer is made prior to the entry of a final decree of divorce, and the license or licenses".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2508 by the following vote:

AYES—Anderson, Berry, Burke, Burkhalter, Butters, Clarke, George D Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Kilpatrick, Kirkwood, Levering, Lewis, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Way—44.
NOES—None

Assembly Bill No 2508 ordered enrolled.

Assembly Bill No. 56—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 56?

Amendment No. 1

On page 2, line 45, of the printed bill, as amended in Assembly May 26, 1949, strike out "three thousand three hundred dollars ($3,300)", and insert "three thousand five hundred forty dollars ($3,540)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 56 by the following vote:

AYES—Anderson, Beck, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Way—45.
NOES—None.

Assembly Bill No. 56 ordered enrolled.

Assembly Bill No. 57—An act to amend Section 103 of the Code of Civil Procedure, relating to compensation of justices of the peace.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 57?

Amendment No. 1

On page 4 of the printed bill, as amended in the Assembly on May 19, 1949, strike out lines 24 and 25.

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 57 by the following vote:

AYES—Anderson, Beck, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Way—45.
NOES—None.

Assembly Bill No. 57 ordered enrolled.

Assembly Bill No. 129—An act to add Article 4, comprising Sections 9220 to 9223, inclusive, to Chapter 2, Part 1, Division 2, Title 2 of the Government Code, relating to the powers and duties of the Speaker of the Assembly.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 129?

Amendment No. 1

In line 3 of the title of the printed bill, strike out "powers and duties of the Speaker", and insert "Speaker and Members".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No 129 by the following vote:

AYES—Anderson, Beck, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Tomlinson, Waters, and Way—45.
NOES—None.

Assembly Bill No. 129 ordered enrolled.

Assembly Bill No. 1119—An act to amend the title of, and to add Section 1.5 to "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, and to validate contracts executed by the State of California and the Golden Gate Bridge and Highway District in pursuance of said act, relating to public bridges and highways, relating to the purposes of expenditure of said appropriation, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1119?

Amendment No. 1

On page 1, line 12, of the printed bill, as amended in the Assembly on June 13, 1949, after the comma, insert "any part or all of".

Amendment No. 2

In lines 8 and 9 of the title of the printed bill, as amended in Senate June 22, 1949, strike out "relating to the purposes of expenditure of said appropriation,".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1119 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—54

NOES—None.

Assembly Bill No. 1119 ordered enrolled.

Assembly Bill No. 1486—An act to add Section 4917.3 to the Education Code, relating to the unification and reorganization of school districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1486?

Amendment No. 1

On page 1, lines 19 and 20, of the printed bill, as amended in Assembly June 17, 1949, strike out "of Chapter 637 of the Statutes of 1949".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1486 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, and Yorty—55

NOES—None.

Assembly Bill No. 1486 ordered enrolled.

Assembly Bill No. 1657—An act to add Section 729.5 to the Welfare and Institutions Code, relating to the protection of minors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1657?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on April 21, 1949, strike out "forthwith"

Amendment No. 2

On page 1, line 6, of said bill, strike out "unless"

Amendment No. 3

On page 1, line 7, of said bill, after "hours", and before the comma, insert "after having been taken into custody".

Amendment No. 4

On page 1, line 7, of said bill, after "days," insert "unless within said period of time"

Amendment No. 5

On page 1 of said bill, strike out lines 11 to 15, inclusive, and insert

"If the minor remains in the custody of any peace officer or probation officer, within twenty-four hours, excluding Sundays and nonjudicial days, after the filing of the petition, the judge of the juvenile court shall conduct a hearing for the purpose of determining the reasons for the necessity of the detention of the minor. If within

said period such a hearing has not been held then the minor shall be released from custody".

The roll was called, and the Assembly concurred in Senate amendamendments to Assembly Bill No. 1657 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Way, and Yorty—52

NOES—None.

Assembly Bill No. 1657 ordered enrolled.

Assembly Bill No. 172—An act to amend Section 3208 of the Labor Code, dealing with workmen's compensation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 172?

Amendment No. 1

On page 1, line 5, of the printed bill, before the period, insert "; provided, however, that eye glasses will not be replaced, repaired, or otherwise compensated for, unless injury to them is incident to an injury causing disability in excess of seven days."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 172 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Way, and Yorty—56.

NOES—None.

Assembly Bill No. 172 ordered enrolled.

Assembly Bill No. 1822—An act prescribing the regulation, government, procedure and jurisdiction of municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1822?

Amendment No. 1

On page 2, line 43, of the printed bill, as amended in the Assembly on April 19, 1949, after "vided," insert "that when a constable who has been elected becomes a marshal, he shall continue in office until his successor is elected and qualifies, and in such cases the marshal shall be elected by the electors of the judicial district at the general state election for a term of six years from and including the first Monday in January after the first day of January next succeeding his election; provided, however, that the first election of marshals under this act shall take place at the general state election held in the year 1954; provided, further,".

Amendment No. 2

On page 5 of said bill, strike out lines 50 to 52, inclusive, and insert

"SEC. 13. The judges of a municipal court and the judges, officers, and attaches of a justice court shall be electors of the judicial district or city and county in which they are elected or appointed."

Amendment No. 3

On page 9 of said bill, between lines 39 and 40, insert

"The provisions of the Municipal Court Act of 1925 relative to the obligations of counties and cities in connection with the cost of maintaining and operating municipal courts and relative to the disposition of fines and forfeitures collected therein shall not apply to municipal courts from and after January 1, 1952."

Amendment No. 4

On page 6 of the printed bill, as amended in the Senate on May 20, 1949, strike out line 27, and insert

"SEC. 14. The clerk of the court, his".

Amendment No. 5

On page 6, line 29, of said bill, after "court", insert "who were appointed from civil service lists or who are entitled to the rights and privileges of one so appointed under the provisions of this act or other law".

Amendment No. 6

On page 7, line 27, of said bill, strike out "each district of the county", and insert "the district".

Amendment No. 7

On page 7, line 28, of said bill, strike out "municipal or".

Amendment No. 8

On page 7 of said bill, between lines 29 and 30, insert "in counties in which there are one or more but less than ten municipal courts".

Amendment No. 9

On page 7, line 35, of said bill, strike out "justice's", and insert "justice".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1822 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—57.

NOES—None.

Assembly Bill No. 1822 ordered enrolled.

Assembly Bill No. 1174—An act to add Section 6962 to the Education Code, relating to the education of adults, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1174?

Amendment No. 1

In line 1 of the title of the printed bill as amended in the Assembly on May 6, 1949, strike out "6962", and insert "6971.1".

Amendment No. 2

On page 1, line 1, of said bill, strike out "6962", and insert "6971.1".

Amendment No. 3

On page 1, line 3, of said bill, strike out "6962", and insert "6971.1".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1174 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood,

Levering, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—57.

NOES—None.

Assembly Bill No. 1174 ordered enrolled.

Assembly Bill No. 2110—An act to amend Sections 8 and 23 of, and to add Sections 8.1, 8.2, 8.3, and 8.4 to, an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, as amended, relating to the establishment of municipal courts in cities of the second class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2110?

Amendment No. 1

On page 1 of the printed bill, as last amended in the Assembly on June 2, 1949, amend the last line of the title thereof by striking out the period and adding after "second class", the words "and collateral matters."

Amendment No. 2

On page 2 of said bill, strike out lines 5 and 6, and insert "each receive the monthly compensation set opposite the title of their respective offices or positions; the persons first appointed to such positions shall be the persons succeeding by operation of law to such positions and all vacancies thereafter occurring in such positions shall be filled in the manner provided in Section 18."

Amendment No. 3

On page 2 of said bill, strike out lines 11 to 36, inclusive, and insert

"Three deputy assistant clerks, each three hundred five dollars ($305);
Four deputy assistant clerks, each two hundred seventy-five dollars ($275);
One typist clerk, one hundred ninety dollars ($190);

OFFICE OF BAIL AND FINES

One deputy senior clerk (cashier-bookkeeper), three hundred fifteen dollars ($315);
Two deputy clerks, each two hundred forty-five dollars ($245);
One deputy clerk, two hundred fifteen dollars ($215);
One deputy clerk (bail office teller), two hundred seventy-five dollars ($275);
Five deputy clerks (bail office tellers), each two hundred sixty-five dollars ($265);
One deputy clerk (bail office teller), two hundred forty-five dollars ($245);
One typist clerk, two hundred thirty dollars ($230);
Four typist clerks, each one hundred ninety dollars ($190);
One file clerk, one hundred eighty dollars ($180)."

Amendment No. 4

On page 2 of said bill, strike out lines 40 to 52, inclusive, and on page 3, strike out lines 1 to 8, inclusive, and insert

"Two senior deputy clerks, each of whom shall receive a minimum salary of two hundred ninety-one dollars ($291) monthly during the first year of such service with annual increments of seventeen dollars ($17), sixteen dollars ($16), seventeen dollars ($17) and nineteen dollars ($19) per month during the second, third, fourth and fifth years respectively of such service to a maximum of three hundred sixty dollars ($360) monthly;

Six deputy clerks, each of whom shall receive a minimum salary of two hundred sixty-four dollars ($264) during the first year of such service with annual increments of twelve dollars ($12), fifteen dollars ($15), seventeen dollars ($17), and sixteen dollars ($16) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of three hundred twenty-four dollars ($324) monthly;

One stenographer who shall receive a minimum salary of one hundred ninety-six dollars ($196) monthly during the first year of such service with annual increments of ten dollars ($10), ten dollars ($10), ten dollars ($10), and twelve dollars ($12) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum of two hundred thirty-eight dollars ($238) monthly;

One junior stenographer who shall receive a minimum salary of one hundred seventy-nine dollars ($179) monthly during the first year of such service with annual increments of nine dollars ($9), eight dollars ($8), ten dollars ($10), and ten dollars ($10) per month, during the second, third, fourth and fifth years respectively of such service, to a maximum salary of two hundred sixteen dollars ($216) monthly."

Amendment No. 5

On page 3 of said bill, strike out lines 10 to 27, inclusive.

Amendment No. 6

On page 3 of said bill, amend lines 28 to 30 to read

"(b) All persons succeeding by operation of law to any of the aforesaid positions at the time such municipal court is established, shall continue to hold the same".

Amendment No. 7

On page 3 of said bill, amend lines 35 to 36, inclusive, to read "addition to the minimum rate, the annual increments provided for herein commensurate with years of service including prior service up to the maximum rate."

Amendment No. 8

On page 3, line 46, of said bill, after "or not.", insert "The clerk shall have the power to lay off and suspend any employee or employees because of lack of the type of work which such employee was appointed to perform."

Amendment No. 9

On page 3 of said bill, strike out lines 47 to 52, inclusive; and on page 4, strike out lines 1 to 3, inclusive, and insert

"Persons succeeding by operation of law to any of the aforesaid positions upon the establishment of such municipal court, shall remain members of the classified civil service systems of the city or county of which they were members immediately prior thereto, and persons succeeding to positions of the court as hereinabove provided, who are not at such time members of either classified civil service system, shall upon succeeding to such".

Amendment No. 10

On page 4 of said bill, amend line 17 to read "holding any of the aforesaid positions mentioned in Section 8.1 (a),".

Amendment No. 11

On page 4 of said bill, strike out lines 21 to 52, inclusive; and on page 5, strike out lines 1 to 8, inclusive, and insert

"(c) Notwithstanding any provisions of the County Employees Retirement Law of 1937, as it now reads or as same may be hereafter amended, whenever a municipal court is established in a city of the second class in a county in which there is in effect a retirement system established under the County Employees Retirement Law of 1937, all employees of the county in which such court is established except elective officers, who succeed by operation of law to positions in such municipal court upon its establishment and who were on such date members of a retirement system established under the County Employees Retirement Law of 1937 shall remain members of such retirement system without prejudice to any of their prior or future rights therein; all employees of the city in which such court is established, except elective officers, who succeed by operation of law to positions in such municipal court upon its establishment and who were not on such date members of any retirement system of such city shall upon the first day of the month after entrance into the service of such court become members of such retirement system established in such county under the County Employees Retirement Law of 1937; all persons appointed to positions, except elective offices, in such municipal court after its establishment, other than persons who succeed by operation of law to such positions and other than officers and members of the police department of such city acting as ex officio marshal, ex officio deputy marshals or ex officio assistant marshals of such court, shall upon the first day of the month after entrance into the service of such court become members of such retirement system established in such county under the County Employees Retirement Law of 1937; all officers and members of the police department of such city in which such court is established acting as ex officio marshal, ex officio deputy marshals or ex officio assistant marshals of such court, and all other employees of such city who succeed by operation of law to positions in such municipal court upon its establishment, and who were on such date members of any retirement system or police relief and pension fund of such city, shall remain members of such retirement system or police relief and pension fund without prejudice to any of their prior or future rights therein, and no such city employees, or officers or members of the police department of such city, shall become members of such retirement system established under the County Employees Retirement Law of 1937."

Amendment No. 12

On page 5 of said bill, after the paragraph ending on line 8, add

"(d) The judges of such municipal court shall require each of the persons succeeding by operation of law to, or appointed to, the positions of clerk, deputy clerks, or deputy senior clerks, and each of the persons appointed to serve as ex officio deputy marshals or ex officio assistant marshals, and also such other employees or attaches of the court as the judges shall designate, to give a surety bond in an amount to be fixed by the judges of such municipal court conditioned for the faithful performance of the duties of his position. Such bond shall be payable to the State of California and shall be obligatory upon the principal and surety to and for the use and benefit of all persons, including the county and city in which such municipal court is established, and the sheriff of the county and the chief of police of the city in which such municipal court is established, who may be injured or aggrieved by the wrongful act or default of such principal in his official capacity. Any person so injured or aggrieved may bring suit on the bond in his own name without assignment thereof. Such bonds shall be approved and filed in the same manner as are bonds of county and township officers. The premium or charge for bonds given by surety companies for such employees and attaches of such municipal court shall not exceed one-half of one percent on the amount of the bond and shall be paid by the county in which such municipal court is established."

Amendment No. 13

On page 5 of said bill, amend lines 11 to 23, inclusive, to read

"SEC. 8.2. Whenever a municipal court is established in a city of the second class, the sheriff of the county in which such municipal court is established shall perform all the duties and exercise all the powers conferred upon the marshal of a municipal court in the exercise of civil jurisdiction by such municipal court or by a judge thereof and shall be ex officio the marshal in the performance of such duties and in the exercise of such powers. The chief of police of the city in which such municipal court is established shall perform all the duties and exercise all the powers conferred upon the marshal of a municipal court in the exercise of criminal jurisdiction by such municipal court, or by a judge thereof, and shall be ex officio the marshal in the performance of such duties and in the exercise of such powers. Such sheriff must assign at least one senior constable ex officio deputy sheriff, or one constable ex officio deputy sheriff, or one deputy constable ex officio deputy sheriff to attend on each of the civil department of such court and the judges thereof as ex officio deputy marshals and assistant marshals thereof, and the chief of police of the city in which such court is established must assign at least one officer or member of the police department of such city to attend on each of the departments of the court and the judges thereof acting in the exercise of criminal jurisdiction as ex officio deputy marshals and assistant marshals of such".

Amendment No. 14

On page 5 of said bill, strike out lines 33 to 52, inclusive; on page 6 of said bill, strike out lines 1 to 25, inclusive, and insert

"SEC. 8.3. (a) Whenever a municipal court is established in any city of the second class which, prior to and at the time of the establishment of such court, maintained its own police court or courts, wherein pursuant to the provisions of the charter of such city and other existing law, the district attorney of the county wherein such court is situated, his assistants or deputies, prosecuted all proceedings in such court on behalf of the people whether for the violation of any law of the State or ordinances of such city, and such city prior thereto and thereafter continues to provide suitable quarters for the use of such district attorney, his assistants and deputies, in connection with criminal prosecutions in such court, without charge to the county, and in addition such city, after the establishment of such municipal court, is required by law to reimburse such county annually in an agreed amount, or in such amount as may be provided by such law, for the costs and charges incurred by such county in operating the criminal departments of such court, such district attorney, his assistants and deputies shall prosecute all misdemeanor charges in such court with the same rights, duties and privileges with respect thereto, that he formerly exercised with respect to such charges in such police court or courts, including the prosecution of appeals in criminal cases arising in the municipal court and the defense of all writs arising out of arrests for offenses triable in the municipal court in whatever court or courts the same may be appealed to or initiated in. Such district attorney, his assistants or deputies shall draw all complaints for violations of the charter or ordinances of such city, and shall prosecute all recognizances or forfeitures of bail arising or resulting from the filing of complaints charging such violations, and in performing such functions they shall be deemed to be officers or other persons employed by such city within the meaning of Section 1463 of the Penal Code of the State of California. Such municipal court shall be deemed to be a court maintained by such city within the meaning of Section 771 of the Vehicle Code of the State of California.

In addition, such district attorney, his assistants and deputies shall perform such other duties as may be prescribed by law.

(b) The clerk of such municipal court shall as soon as practicable, upon the receipt thereof, pay to the treasurer of the city in which such court is maintained:

1. All fines and forfeitures collected upon conviction or upon the forfeiture of bail, together with moneys deposited instead of bail, for the violation of the charter or any ordinance of such city.

2. All fines and forfeitures collected upon conviction or upon forfeiture of bail, together with moneys deposited instead of bail, from any person charged with a misdemeanor under said Vehicle Code following arrest by an officer employed by such city, together with such portion of fines and forfeitures, including moneys deposited instead of bail, collected from any person charged with a misdemeanor under such code following arrests by any officer employed by the State or county, and the imposition of the fine or forfeiture by such municipal court so maintained by such city, as Section 771 of the said code provides.

3. Any other moneys or deposits received by the clerk of such municipal court which such city is entitled to receive.

(c) The clerk of such municipal court shall, except where otherwise specifically provided by law, as soon as practicable, upon the receipt thereof pay to the treasurer of the county in which court is situated all fines and forfeitures collected upon conviction or upon the forfeiture of bail, together with moneys deposited instead of bail, for the violation of any state law, other than the provisions of the Vehicle Code, which are misdemeanors. He shall likewise deposit with the treasurer of such county any other moneys received by him which such county is entitled to receive.

(d) All fines, forfeitures and other revenues, including moneys deposited instead of bail, for the violation of any law which is a misdemeanor, except forfeitures collected by a judge of such municipal court when sitting as a committing magistrate, which may be deposited by the clerk of such municipal court with the county treasurer of the county in which such court is situated, pursuant to the provisions of Section 1463 of the Penal Code, together with any other revenues which the said clerk of such court may deposit with such county treasurer which may be the property of such city, shall be credited by such county against the amounts hereinafter set forth in Section 8 4 to be paid to the county by the city."

Amendment No. 15

On page 6 of said bill, strike out lines 43 to 45, inclusive, and add "and maintain suitable quarters for four criminal departments of such court, including heat,".

Amendment No. 16

On page 6 of said bill, strike out lines 49 to 52, inclusive, and on page 7, strike out lines 1 to 11, inclusive, and insert "provided, shall reimburse the county for the costs upon the county of paying the salaries of the judges, clerks, deputies and other attaches of such four criminal departments of the court, excepting the salaries of the district attorney, or any of his assistants, deputies or clerks, and shall also reimburse the county for any additional costs or charges, including rental, if any, incurred by it in operating such four criminal departments of the court. The amount of such".

Amendment No. 17

On page 7, line 19, of said bill, strike out "settlement in this connec-"; and on page 7, strike out lines 20 to 29, inclusive, and insert "In addition to the foregoing provisions, whenever a municipal court is established in a city of the second class and such city had prior to and at the time of the establishment of such court maintained and operated a police court and persons convicted in such court were sentenced pursuant to the provisions of Chapter 182 of the Statutes of 1901 of the State of California and such city had accordingly maintained a city jail for confining such persons so sentenced, imprisonment shall be in the county jail only where the term is thirty (30) days or longer, and the county shall be entitled to reimbursement by such city at the rate of one and one-half dollars ($1.50) a day, or at such other rate as may be agreed upon by such city and county, for each such person confined in the jail maintained by such county who is sentenced in such municipal court for any violation of state law and whose term of imprisonment is less than sixty (60) days and for each such person confined in the jail maintained by such county who is sentenced in such municipal court for violation of the charter or any ordinance of such city.

Settlement of the foregoing accounts between said city and county shall be made monthly and the auditor of such city shall draw his warrant upon the city treasury for the amount due such county upon receipt of a requisition therefor from the auditor of such county."

Amendment No. 18

On page 7, line 52, of said bill, strike out "upon", and insert "and operative immediately prior to".

Amendment No. 19

On page 8, line 4, of said bill, strike out "in forming such judicial township".

Amendment No. 20

On page 8, line 1, of said bill, after "court.", insert "Whenever provision has been made for the establishment of a municipal court for any city which lies partly within and partly without one or more judicial townships and the board of supervisors of the county within which provision has been made for the establishment of such court has by ordinance divided such county into judicial townships as public convenience may require and has created a judicial township lying outside of the boundaries of the city for which such municipal court is provided and such judicial township comprises only territory within the boundaries of then existing cities and towns which are respectively served by inferior courts located therein, the establishment of such new judicial township shall not affect, alter or diminish the previously existing jurisdiction of such inferior courts or the judges thereof and, notwithstanding the provisions of Section 103(a) of the Code of Civil Procedure of the State of California, no township justice's court shall exist in such new judicial township unless and until the board of supervisors of the county in which such judicial township is created shall, by order, find that public convenience requires such justice's court."

Amendment No. 21

On page 8, line 10, of said bill, strike out "Whenever".

Amendment No. 22

On page 8 of said bill, strike out lines 11 to 19, inclusive.

Amendment No. 23

On page 5, line 10, of the printed bill, as amended in the Senate on June 22, 1949, strike out "and suspend", at the end of the line.

Amendment No. 24

On page 6, line 42, of said bill, after "established", insert a comma.

Amendment No. 25

On page 7, line 26, of said bill, strike out "judges", and insert "presiding judge".

Amendment No. 26

On page 7, line 31, of said bill, strike out "judges", and insert "presiding judge".

Amendment No. 27

On page 7, line 33, of said bill, strike out "judges", and insert "presiding judge".

Amendment No. 28

On page 8, line 32, of said bill, change "department" to read "departments".

Amendment No. 29

On page 9, line 49, of said bill, change "ordinances" to read "ordinance".

Amendment No. 30

On page 10, line 43, of said bill, strike out "code", and insert "Vehicle Code".

Amendment No. 31

On page 10, line 49, of said bill, after "which", insert "such".

Amendment No. 32

On page 11, line 1, of said bill, delete the comma after the words "Vehicle Code".

Amendment No. 33

On page 11, line 16, of said bill, after "city.", strike out "to the treasurer of", and strike out all of lines 17 and 18.

Amendment No. 34

On page 12, line 10, of said bill, strike out "of such additional costs or charges for", and insert "in".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2110 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Holhbaugh, Huyck, Kilpatrick, Kirkwood,

Levering, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Sillman, Stewart, Thompson, Tomlinson, Waters, Way, and Yorty—57

NOES—None.

Assembly Bill No. 2110 ordered enrolled.

Assembly Bill No. 2366—An act to amend Sections 8937 and 8971 of the Business and Professions Code, relating to the licensing and regulation of yacht and ship brokers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2366?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "8937 and 8971 of", and insert "8909, 8916, 8920, 8937, 8938, 8970, 8971, and 8975 of, to repeal Sections 8954, 8955, and 8974 of, and to add Sections 8938.1, 8938.2, 8943, 8954, 8955, 8971.5, and 8972.1 to".

Amendment No. 2

In line 3 of the title of said bill, after "brokers", insert "and salesmen".

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 8909 of the Business and Professions".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 4

On page 1 of said bill, between lines 2 and 3, insert

"8909 "Person" includes individual, copartnership, association and corporation.

SEC. 2. Section 8916 of said code is amended to read:

8916. No individual shall be appointed commissioner who shall not have been for five years a yacht and ship broker actively engaged as such in California. The director shall fix the salary of the commissioner, which shall not exceed [three thousand six hundred dollars per annum] *six thousand dollars ($6,000) per annum.*

SEC. 3. Section 8920 of said code is amended to read:

8920 The commissioner, with the approval of the director, may:

(a) Regulate and control the issuance and revocation, both temporary and permanent, of the licenses issued under this chapter

(b) Prescribe rules and regulations to carry this chapter into effect

(c) Perform all other acts and duties necessary for the proper enforcement of this chapter.

(d) Institute proceedings in any court of competent jurisdiction to enforce the provisions of this chapter by injunction or otherwise.

SEC. 4 Section 8937 of said code is amended to read."

Amendment No. 5

On page 1, line 5, of said bill, strike out ", provided that, at the time the transaction", and strike out lines 6 to 9, inclusive, and insert a period.

Amendment No. 6

On page 1 of said bill, after line 17, insert

"(e) To any transaction involving the foreclosure of a security interest in a yacht or ship"

Amendment No. 7

On page 1 of said bill, strike out lines 18 to 25, inclusive; and strike out all of page 2, and insert

"SEC. 5. Section 8938 of said code is amended to read:

8938. All applications for licenses shall be made in writing and every application shall be accompanied by the recommendations of two yacht and ship or real estate brokers of the county in which the applicant resides or has his place of business, certifying that the applicant is honest, truthful and of good reputation, *and recommending that the applicant be granted a license.*

If the applicant has not resided or engaged in business in the county for at least one year, the yacht and ship or real estate brokers of any county in which he formerly resided or had his place of business may make such recommendations.

SEC. 6. Section 8938.1 is added to said code, to read:

8938.1. The commissioner may deny a license upon applicant's failure to.

(a) Pass the written examination.

(b) Furnish satisfactory certification of honesty, truthfulness, and good reputation, and recommendations that a license be issued.

(c) Certify that he has never been convicted of a felony.

(d) Post the required bond as provided in Section 8938.2. The commissioner may also deny a license in the event an applicant has been convicted of a felony.

SEC. 7. Section 8938.2 is added to said code, to read:

8938.2. Every applicant for a broker's license or renewal thereof shall deposit with the commissioner a good and sufficient surety bond issued by a company authorized to do business in this State in an amount not to exceed one thousand dollars ($1,000) and in such form and on such conditions as the commissioner may require for the protection of persons with whom said applicant may deal as a licensee.

SEC. 8. Section 8943 is added to said code, to read:

8943. Upon the issuance of a license, a pocket card of such size, design, and content as may be determined by the commissioner shall be issued without charge to each licensee, if an individual, or if the licensee is a person other than an individual, to its manager and to each of its officers, directors, members, and partners, which card shall be evidence that the licensee is duly licensed pursuant to this chapter. When any person person to whom a card is issued terminates his position, office or association with the licensee, the card shall be surrendered to the licensee and within five days thereafter shall be mailed or delivered by the licensee to the commissioner for cancellation.

SEC. 9. Sections 8954 and 8955 of said code are repealed.

SEC. 10. Section 8954 is added to said code, to read:

8954. The commissioner may suspend or revoke the license of a broker or salesman who has committed any of the following acts:

(a) Makes a substantial misrepresentation upon which any person has relied,

(b) Makes a false promise of a character likely to influence, persuade or induce any person with whom business is transacted under this chapter;

(c) Engages in a continued and flagrant course of misrepresentation or makes false promises, whether or not relied upon by another person;

(d) Acts for the buyer and seller in a transaction without the knowledge and consent of both parties;

(e) Commingles the money or other property of his principal with that of his own;

(f) Does any of the acts or participates in any of the transactions defined in Section 8902 of this code with respect to any yacht or ship not registered in accordance with the provisions of Sections 3101 to 3112, inclusive, of the Revenue and Taxation Code;

(g) Performs any act or participates in any transaction which belongs to or is connected with a class or activity other than the class for which he is licensed;

(h) Uses coercive or oppressive methods for the purpose of obtaining business or of procuring an exclusive listing, or participating in a transaction knowing that such means have been or will be used therein;

(i) Quotes prices other than the gross listing prices;

(j) Engages in any other conduct constituting fraud or dishonest dealings, either with respect to his principal or other persons.

SEC. 11. Section 8955 is added to said code, to read:

8955. The commissioner may suspend or revoke the license of a broker or salesman who within three years immediately preceding has committed any of the following acts or against whom and within said period any of the following conditions exist:

(a) Procuring a license under this chapter for himself or another by fraud, misrepresentation, or deceit;

(b) Has been convicted of a felony and has withheld information of that fact from the commissioner;

(c) Knowingly authorizes, directs, connives, or aids in the publication, advertisement or distribution or circulation of any material false statement or misrepresentation concerning his business or any such transaction under this chapter;

(d) Wilfully disregards or violates any of the provisions of this chapter;

(e) Wilfully uses the term "yacht and ship broker" or "yacht and ship salesman" without being licensed as such.

SEC. 12 Section 8970 of said code is amended to read:

8970 The commissioner shall charge and collect the following fees:

1. One hundred dollars ($100) for every original broker's license, regardless of class [. and also regardless of whether or not an original license covers two or more classes].

2. Fifty dollars ($50) for the annual renewal of an original broker's license, regardless of class [. and whether or not the license covers two or more classifications].

3. Ten dollars ($10) for every original salesman's license, regardless of class [. and whether or not such license covers two or more classifications].

4. Ten dollars ($10) for annual renewal of a salesman's license, regardless of class [and whether or not such license covers two or more classes].

5. Fifteen dollars ($15) for a broker's or salesman's examination. Fifteen dollars ($15) for each examination to increase the scope of a B [,] *or* C [, D, E or F] license [, but if an examination to increase the scope of a license covers two or more subjects at one time, then only one examination fee will be charged].

6. One hundred dollars ($100) for any licensee holding a B [,] *or* C [, D, E or F] license, who wishes to convert such license to an A license.

[7. Twenty-five dollars ($25) for each class in which the licensee, other than an A licensee, wishes to increase the scope of his original license]

7. [8.] Five dollars ($5) for a salesman's temporary license.

8. [9.] Ten dollars ($10) for every license obtained by a broker for a branch office, and for every renewal thereof.

9. [10.] One dollar ($1) for changing the name or address of a licensee on the records of the department.

10. [11.] One dollar ($1) for every transfer of a salesman's license for every change of employment.

11. [12.] One dollar ($1) for a duplicate license.

12. [13.] Ten dollars ($10) for the substitution of a name in the license of a corporation or copartnership, and an examination fee of fifteen dollars ($15).

[At the time of reclassification and reissuance of licenses, as hereinafter described, the commissioner shall charge and collect a fee of five dollars ($5) from each licensee, irrespective of renewal fees. If an examination is given pursuant to request, the regular fee of fifteen dollars ($15) shall be charged and collected therefor.]

SEC. 13. Section 8971 of said code is amended to read:

8971. The commissioner shall have the power to adopt rules and regulations classifying yacht and ship brokers or salesmen, on the following basis:

A license issued to a broker or salesman shall be limited to the class or classes for which the applicant has demonstrated his qualifications and fitness by his application and examination

No salesman shall be licensed in any class other than that for which the employing broker is licensed.

A person shall be deemed qualified to be licensed as a broker only if, as shown by the affidavits of two responsible persons, he has.

(a) Held master papers for a period of one year or has owned and operated a shipyard, or ship repair facility, or a landing or mooring basin or has been a marine surveyor, or has been a foreman or superintendent of a shipyard for a period of one year, prior to making an application;

(b) Been licensed by this or another state for a period of one year; or

(c) Been employed as a yacht or ship salesman for at least one year.

(d) Been engaged in the steamship business for a period of one year, as owner or operator.

[The commissioner shall issue licenses for the following classes:

(a) Yacht and ship brokers or salesmen, covering all phases of the business.

(b) Yacht brokers or salesmen: Those handling transactions involving vessels under three hundred (300) gross tons, other than the transactions defined in subsections (d), (e), and (f) hereof.

(c) Ship brokers or salesmen: Those handling transactions involving yachts and ships in excess of three hundred (300) gross tons, other than the transactions defined in subsections (d), (e), and (f) hereof.

(d) Sport fishing craft brokers or salesmen: Those handling transactions involving the chartering, renting or leasing of a yacht or ship for sport or pleasure fishing.

(e) Charter brokers or salesmen: Those handling transactions involving the chartering of mercantile vessels, regardless of tonnage.

(f) Newly built pleasure boat brokers or salesmen: Those handling transactions involving the sale or exchange of new stock built pleasure boats.

The commissioner may issue one license covering two or more of the classes, other than class (a), hereinbefore described.]

SEC. 14. Section 8971.5 is added to said code, to read:

8971.5. The commissioner shall issue licenses for the following classes:

(a) Yacht and ship brokers or salesmen, covering all phases of the business.

(b) Yacht Brokers or Salesmen. Those handling transactions involving vessels under three hundred (300) gross tons.

(c) Ship Brokers or Salesmen. Those handling transactions involving yachts and ships in excess of three hundred (300) gross tons.

(d) Charter Brokers or Salesmen. Those handling transactions involving the chartering of mercantile vessels, regardless of tonnage.

SEC. 15. Section 8972.1 is added to said code, to read:

8972.1. The commissioner shall ascertain by written examination that the applicant, and in the case of a copartnership or corporation, that each officer, agent or member, thereof, through whom it proposes to act as a licensee, has a general and fair understanding of the obligations between principal and agent, of the principles of yacht and ship brokerage practices, and the canons of business ethics pertaining thereto.

SEC. 16. Section 8974 of said code is repealed.

SEC. 17. Section 8975 of said code is amended to read:

8975. Temporary licenses may be issued to salesmen under the following conditions:

(a) Such licenses shall be issued for a period not to exceed sixty (60) days.

(b) An application must be filed for a temporary license *and for a permanent license*, and at the same time the applicant must pay the prescribed fee.

(c) The applicant must state under oath his qualifications for the position of salesman, and must show that he has not been guilty of any conduct and has not done any act that would constitute good cause for the suspension or revocation of a permanent license.

(d) On or before the expiration date of the temporary license, such licensee shall take a written examination for a permanent license of the class or classes which he selects and for which he is qualified. If without valid excuse he fails to appear for the examination at the time prescribed, the examination fee shall be forfeited."

Amendment No. 8

On page 1 of the printed bill, as amended in the Senate on June 10, 1949, strike out lines 10 and 11, and insert "the salary of the commissioner in accordance with the provisions of the state civil service law".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2366 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stewart, Tomlinson, Way, and Yorty—53.

NOES—None.

Assembly Bill No. 2366 ordered enrolled.

Assembly Bill No. 2383—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2383?

Amendment No. 1

On page 1, line 7, of the printed bill, as amended in Assembly May 13, 1949, strike out "manifestly".

Amendment No. 2

On page 1, line 8, of said bill, strike out "clearly", and insert "reasonably".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2383 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Condon, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stewart, Tomlinson, Way, and Yorty—53

NOES—None.

Assembly Bill No. 2383 ordered enrolled.

Assembly Bill No. 2791—An act to add Section 5003.1 to and amend Section 5013 of the Public Resources Code, relating to the State Park Commission.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2791?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 27, 1949, after "5003.1", insert "and Section 5157.4".

Amendment No. 2

In line 2 of the title of said bill, strike out "State Park", and strike out line 3 of the title and insert "powers and duties of the State Park Commission, the Department of Natural Resources, and counties in connection with public recreation areas and facilities."

Amendment No. 3

On page 1 of said bill, strike out lines 8 to 14, inclusive, and insert "skiing areas".

Amendment No. 4

On page 2 of said bill, after line 17, insert

"SEC. 3. Section 5157.4 is added to the Public Resources Code, to read:

5157.4. The Legislature finds that a state purpose exists in the acquisition of public beaches and small boat harbors.

The Department of Natural Resources through the State Park Commission may contribute from any funds available not to exceed one-half the cost of any project where the acquisition of small boat harbors is undertaken by a county.

Before any contributions are made by the department, the county board of supervisors shall first make available for the purpose a sum equal to any contributions to be made by the department. The sum made available by the board of supervisors may be from any county funds or from money obtained by the issuance and sale of revenue bonds pursuant to Chapter 14, Part 2, Division 2, Title 3 of the Government Code.

Contributions to the county may be expended for any of the purposes enumerated in this section and title to any property purchased shall be in the county. The State Park Commission shall make such regulations as to the applications for contributions, payment of money to the counties, and expenditure of the funds as it deems necessary to effectuate this section and secure the expenditure of the contributions for the purposes for which made."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2791 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Way, and Yorty—50.

NOES—Lowrey—1.

Assembly Bill No. 2791 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 84

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS

Senate Joint Resolution No. 26—Relative to memorializing Congress to refuse passage of H. R. 2394, creating a Franklin Delano Roosevelt Memorial Redwood Forest in the Counties of Del Norte, Humboldt, Mendocino, and Sonoma, State of California.

Resolution read, and ordered temporarily passed on file.

MEMBER EXCUSED

At 10 a.m., Mr. Geddes asked for, and was granted, unanimous consent that Mr. Price be excused, for the balance of the legislative day, because of illness.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 64—An act to amend Chapter 8 of Division 10 of the Education Code, relating to establishing 24-hour schools to be known as California Academies for dependent, neglected, and homeless children who require special care and supervision, and providing for the government and administration thereof.

Bill read third time.

Demand for Previous Question

Messrs. Heisinger, Hoffman, Silliman, Kirkwood, and Connolly demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 64.

Motion That Additional Time Be Granted to Mr. Collier

Mr. Kirkwood moved that one minute additional time be granted Mr. Collier for the purpose of debating Senate Bill No. 64.

Motion carried.

Point of Order

Mr. Kirkwood arose to the following point of order: That Mr. Collier has exceeded his time.

Ruling by Speaker

Acting Speaker Doyle ruled the point of order well taken.

The question being on the passage of Senate Bill No. 64.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Collier moved a call of the Assembly.

Motion carried. Time, 10.28 a.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Sam L. Collins, Dolwig, Evans, Grant, Hollibaugh, Kilpatrick, McCollister, Niehouse, Reagan, and Yorty—10.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY
BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2034?

Amendment No. 1

On page 2, line 25, of the printed bill, as amended in the Assembly on May 17, 1949, strike out "within the boundaries of the State including saline", and strike out

line 26 and insert "including saline waters, within the boundaries of the State as defined and described in Section 1 of Article XXI of the Constitution and as given greater precision in Sections 170, 171, and 172 of the Government Code."

Amendment No. 2

On page 4 of said bill, strike out lines 9 and 10, and insert "to correct a condition of pollution which exists contrary to the state-wide policy established by the board,".

Amendment No. 3

On page 4, line 12, of said bill, strike out "may", and insert "shall".

Amendment No. 4

On page 4 of said bill, strike out lines 20 to 29, inclusive, and insert "division, into nine regions:

(a) North Coastal Region, which comprises all basins including Lower Klamath Lake and Lost River basins draining into the Pacific Ocean from the California-Oregon state line southerly to the northerly boundary of the watershed of Lagunitas Creek in Marin County.

(b) San Francisco Bay Region, which comprises all basins draining into San Francisco Bay and Suisun Bay including the watershed of the westerly slope of the Montezuma Hills in Solano County draining into the Sacramento River downstream from Collinsville, Winter and Browns islands in Contra Costa County and basins westerly from the easterly boundary of the watershed of Kirker Creek in Contra Costa County, and all basins draining into the Pacific Ocean between the northerly boundary of the watershed of Lagunitas Creek in Marin County to the southerly boundary of the watershed of Pescadero Creek in San Mateo and Santa Cruz Counties

(c) Central Coastal Region, which comprises all basins draining into the Pacific Ocean from the southerly boundary of the watershed of Pescadero Creek in San Mateo and Santa Cruz Counties to the southeasterly boundary located in the westerly part of Ventura County of the watershed of Rincon Creek

(d) Los Angeles Region, which comprises all basins draining into the Pacific Ocean between the southeasterly boundary located in the westerly part of Ventura County of the watershed of Rincon Creek and the northern boundary of the Santa Ana River watershed.

(e) Santa Ana Region, which comprises the entire watershed of the Santa Ana River.

(f) San Diego Region, which comprises all basins draining into the Pacific Ocean between the southern boundary of the watershed of the Santa Ana River and the California-Mexico boundary.

(g) Central Valley Region, which comprises all basins including Goose Lake Basin draining into the Sacramento and San Joaquin Rivers to the easterly boundary of Area 2 near Collinsville.

(h) Lahontan Region, which comprises all basins east of the Santa Ana, Los Angeles and Central Valley Regions from the California-Oregon boundary to the southerly boundary located in Los Angeles and San Bernardino Counties of the watersheds draining into Antelope Valley, Mojave River basin and Dry Lake basin near Ivanpah.

(i) Colorado River Basin Region, which comprises all basins east of the Santa Ana and San Diego Regions draining into the Colorado River, Salton Sea and local sinks from the southerly boundary of area 6 to the California-Mexico boundary.

The regions defined and described in this section shall be as precisely delineated on official maps of the Division of Water Resources."

Amendment No. 5

On page 5, line 10, of said bill, after "year", insert "and may redesignate its chairman at any meeting upon concurrence of any three members of the board".

Amendment No. 6

On page 5, line 12, of said bill, after ")", insert "per month".

Amendment No. 7

On page 2, line 1, of the printed bill, as amended in the Senate on June 3, 1949, after "ruling of", insert "the State Water Pollution Control Board or".

Amendment No. 8

On page 2, line 2, of said bill, strike out "on", and insert a colon, and

"(a) On".

Amendment No. 9

On page 2, line 8, of said bill, strike out "This division does not limit", and insert

"(b) On".

Amendment No. 10

On page 2, line 10, of said bill, strike out "This division does not limit", and insert

"(c) On".

Amendment No. 11

On page 2, line 13, of said bill, insert

"(d) On the right of any person to maintain at any time any appropriate action for relief against any private nuisance as defined in the Civil Code or for relief against any contamination or pollution.

13002. No provision of this division shall be construed as affecting the right of any person to the use of water for any beneficial use other than the use for disposal of sewage and industrial wastes."

Amendment No. 12

On page 2, line 38, of said bill, strike out "imminent", and insert "actual".

Amendment No. 13

On page 2, line 45, of said bill, strike out "imminent", and insert "actual".

Amendment No. 14

On page 6, line 51, of said bill, strike out "Any", and insert

"13053. Any".

Amendment No. 15

On page 7, line 10, of said bill, strike out "13053", and insert "13054".

Amendment No. 16

On page 7 of said bill, after line 49, insert

"SEC. 2. This act becomes operative only if Assembly Bill No. 2156 introduced in the 1949 Regular Session is enacted by the Legislature at its 1949 Regular Session."

Amendment No. 17

On page 3, line 8, of the printed bill, as amended in the Senate on June 15, 1949, insert

"13006. No act or event shall be deemed to be "threatened" or "threatening" within the meaning of this division unless there is a reasonable probability that the act or event will occur."

Amendment No. 18

On page 3, lines 15 and 16, of said bill, strike out "the chairman of the regional boards", and insert "nine members appointed by the Governor".

Amendment No. 19

On page 3, between lines 21 and 22, of said bill, insert

"Of the nine members appointed by the Governor, at least one shall be selected from qualified persons engaged in each of the following fields:

(a) Production and supply of domestic water;
(b) Irrigated agriculture;
(c) Industrial water use;
(d) Production of industrial waste;
(e) Public sewage disposal;
(f) City government;
(g) County government.

Insofar as reasonably practicable the Governor shall appoint a member from each of the nine regions defined in Section 13040.

Of the members originally appointed to the state board, three members shall be appointed for a term of two years; three members shall be appointed for a term of three years; and three members shall be appointed for a term of four years. Thereafter, all members shall be appointed for a term of four years."

Amendment No. 20

On page 3 of said bill, between lines 47 and 48, insert

"(g) Have the power to require any state or local agency to inspect and report on any technical factors involved in water pollution."

Amendment No. 21

On page 3 of said bill, strike out lines 48 to 51, inclusive, and insert

"13021. The board shall take no action which is not approved by seven or more of its members. The State".

Amendment No. 22

On page 4, lines 8 and 9, of said bill, strike out "over which it shall act in an advisory capacity".

Amendment No. 23

On page 4, line 13, of said bill, strike out "agency thereof", and insert "person".

Amendment No. 24

On page 4, of said bill, strike out lines 22 to 28, inclusive, and insert

"13025. Whenever a regional board fails to take or obtain appropriate action to correct any particular existing or threatened condition of pollution, the state board shall direct that action to correct the condition be taken by any state agency having jurisdiction or may, itself, take such action.

In taking any such action the state board is vested with the powers granted to the regional boards in Sections 13053, 13054, and 13055 and Article 3, Chapter 4, of this division, and the state board shall follow the procedures set forth therein.

The state board upon finding that a contamination exists and is not being corrected, shall direct that action be taken by any state agency having jurisdiction."

Amendment No. 25

On page 5, line 38, of said bill, strike out "One representative of", and insert "One person associated with".

Amendment No. 26

On page 5, line 40, of said bill, strike out "One representative of", and insert "One person associated with irrigated".

Amendment No. 27

On page 5, line 42, of said bill, strike out "One representative of industry," and insert "One person".

Amendment No. 28

On page 5, line 45, of said bill, strike out "One representative of", and insert "One person associated with".

Amendment No. 29

On page 5, line 46, of said bill, strike out "One representative of", and insert "One person associated with".

Amendment No. 30

On page 6 of said bill, strike out lines 14 to 16, inclusive, and insert "lar meeting held each year"

Amendment No. 31

On page 6 of said bill, strike out lines 38 to 40, inclusive.

Amendment No. 32

On page 6, line 41, of said bill, strike out "(f)", and insert "(e)".

Amendment No. 33

On page 6, line 43, of said bill, strike out "(g)", and insert "(f)".

Amendment No. 34

On page 6, line 47, of said bill, strike out "(h)", and insert "(g)".

Amendment No. 35

On page 6 of said bill, between lines 49 and 50, insert

"13053. Each regional board shall prescribe requirements relative to any particular condition of pollution or nuisance, existing or threatened, in the region"

Amendment No. 36

On page 6, line 50, of said bill, strike out "13053", and insert "13054".

Amendment No. 37

On page 7 of said bill, strike out lines 3 and 4, and insert "necessary hearing, shall prescribe requirements as to the nature of such discharge with relation to the conditions existing from time to time in the disposal area or receiving waters upon or"

Amendment No. 38

On page 7, line 6, of said bill, after "action.", insert "Such requirements may be revised from time to time."

Amendment No. 39

On page 7 of said bill, strike out line 8, and insert "meet any such requirements with respect to the discharge".

Amendment No. 40

On page 7, line 10, of said bill, strike out "13054", and insert "13055".

Amendment No. 41

On page 7, lines 10 and 11, of said bill, strike out ", on the motion of any interested person, or on its own motion,".

Amendment No. 42

On page 7, line 19, of said bill, strike out "Section 13052", and insert "Sections 13053, 13054, and 13055".

Amendment No. 43

On page 7, line 29, of said bill, strike out "exists", and insert "is existing or threatening".

Amendment No. 44

On page 7, line 37, of said bill, strike out "causing the", and insert "causing or threatening a".

Amendment No. 45

On page 7, line 43, of said bill, after "injunction.", insert "The court shall receive in evidence the order of the regional board or state board, any transcript of the proceedings before the regional board or the state board, and such further evidence as the court in its discretion deems proper."

Amendment No. 46

On page 7, line 44, of said bill, strike out "by a regional board"

Amendment No. 47

On page 7, line 47, of said bill, strike out "water pollution", and insert "pollution or nuisance".

Amendment No. 48

On page 3 of the printed bill, as amended in the Senate on June 16, 1949, between lines 11 and 12, insert

"'District attorney,' as used in this division, means 'county counsel' with respect to any county having such an officer and 'city attorney' with respect to any city and county having such an officer."

Amendment No. 49

On page 3, line 43, of said bill, after "years", insert "commencing on the effective date of this act".

Amendment No. 50

On page 3, line 44, of said bill, after "years", insert "commencing on the effective date of this act".

Amendment No. 51

On page 3, line 45, of said bill, after "years", insert "commencing on the effective date of this act".

Amendment No. 52

On page 3 of said bill, between lines 46 and 47, insert "Vacancies shall be immediately filled by the Governor for the unexpired portion of the terms in which they occur."

Amendment No. 53

On page 6, line 7, of said bill, strike out "Area 2", and insert "the San Francisco Bay region".

Amendment No. 54

On page 6, line 18, of said bill, strike out "Area 6", and insert "the Lahontan region".

Amendment No. 55

On page 6, line 41, of said bill, after "years", insert "commencing on the effective date of this act".

Amendment No. 56

On page 6, line 42, of said bill, strike out the comma, and insert "commencing on the effective date of this act;".

Amendment No. 57

On page 6, line 43, of said bill, after "years", insert "commencing on the effective date of this act".

Amendment No. 58

On page 6, line 44, of said bill, after "years", insert "Vacancies shall be immediately filled by the Governor for the unexpired portion of the terms in which they occur."

Amendment No. 59

On page 8, line 33, of said bill, strike out ", it", and insert "or state board, the board issuing the order".

Amendment No. 60

On page 8, lines 34 and 35, of said bill, strike out "pollution or nuisance exists", and insert "discharge originates".

Amendment No. 61

On page 8 of said bill, between lines 48 and 49, insert

"When complaint is made to the Attorney General that the district attorney of any county has not performed a duty devolving upon him by the provisions of this division or is not proceeding with due diligence or in the proper manner in the performance of the duty, the Attorney General shall make an investigation. If he finds the charge to be true, the Attorney General shall diligently prosecute the action to secure the issuance of an injunction restraining the person or persons who have failed to comply with any such order of the regional board or state board from continuing any activity causing or threatening a pollution or a nuisance, and in such case he shall have the powers and duties of the district attorney."

Amendment No. 62

On page 8, line 51, of said bill, after "causing", insert "or threatening to cause".

Amendment No. 63

On page 9, of said bill, after line 6, insert

"SEC. 3 This act may be referred to as the Dickey Water Pollution Act."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2034 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66

NOES—None.

Assembly Bill No. 2034 ordered enrolled.

Assembly Bill No. 2156—An act to repeal Articles 2 and 3 of Chapter 6, Part 3, Division 5 of, to add Articles 2 and 3 to Chapter 6, Part 3, Division 5 of, and to amend Sections 4024, 4451, 4452, and 4475 of, to add Sections 4025, 4458, 4459, 4460, and 4461 to, the Health and Safety Code, relating to contamination and pollution of waters and the regulation, abatement, and correction of such conditions, the disposal of sewage and industrial wastes, and the supply of water for domestic and other purposes, all relating to public health.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2156?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on May 17, 1949, strike out all of line 38 after "5414."

Amendment No. 2

On page 2, line 39, of said bill, strike out "article with", and insert "With".

Amendment No. 3

On page 2, line 42, of said bill, after "sufficient.", strike out the remainder of the line; and strike out all of lines 43 to 45, inclusive.

Amendment No. 4

On page 3, line 23, of said bill, after "system", strike out the comma and the remainder of the line; and strike out all of lines 24 and 25, and insert "and the contributor or contributors to the system whose waste in and of itself creates a contamination."

Amendment No. 5

On page 2, line 2, of said bill, strike out "within the boundaries of the State including", and strike out all of line 3, and insert "including saline waters, within

the boundaries of the State as defined and described in Section 1 of Article XXI of the Constitution and as given greater precision in Sections 170, 171, and 172 of the Government Code."

Amendment No. 6

On page 3, line 13, of said bill, after "tamination", insert ", and shall immediately furnish to the proper regional board a report of information and data relating thereto".

Amendment No. 7

On page 2, line 12, of the printed bill, as amended in the Senate on June 3, 1949, strike out "imminent", and insert "actual".

Amendment No. 8

On page 2, line 19, of said bill, strike out "imminent", and insert "actual".

Amendment No. 9

On page 3, line 1, of said bill, strike out "on", and insert a colon, and "(a) On".

Amendment No. 10

On page 3, line 6, of said bill, strike out "This article does not limit", and insert "(b) On".

Amendment No. 11

On page 3, line 8, of said bill, strike out "This article does not limit", and insert "(c) On".

Amendment No. 12

On page 3 of said bill, between lines 10 and 11, insert

"(d) On the right of any person to maintain at any time any appropriate action for relief against any private nuisance as defined in the Civil Code or for relief against any contamination or pollution."

Amendment No. 13

On page 1, line 8, of the printed bill, as amended in the Senate on June 15, 1949, strike out "article", and insert "chapter".

Amendment No. 14

On page 2, line 49, of said bill, strike out "article", and insert "chapter".

Amendment No. 15

On page 3 of the printed bill, as amended in the Senate on June 16, 1949, between lines 27 and 28, insert

"5461. Any person who discharges sewage or industrial waste in any manner which results in contamination is guilty of a misdemeanor."

Amendment No. 16

On page 3, line 28, of said bill, strike out "5461", and insert "5462".

Amendment No. 17

On page 5 of said bill, after line 8, insert

"SEC. 13. The provisions of this act shall become operative on December 15, 1949."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2156 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Assembly Bill No. 2156 ordered enrolled.

Assembly Bill No. 2802—An act to amend Section 862.11 of an act entitled "An act to provide for the organization, incorporation, and

government of municipal corporations," approved March 13, 1883, relating to taxation by sixth class cities.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2802?

Amendment No. 1

Strike out lines 1 to 4, inclusive, of the title of the printed bill, and insert "An act to amend Section 43068 of the Government Code, relating to taxation by sixth class cities."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 43068 of the Government Code is amended to read:

43068. Unless [two-thirds] *a majority* of the city electors voting at an election held for that purpose are in favor of it, the annual property tax shall not exceed one dollar ($1) on each one hundred dollars ($100) , *exclusive of such tax as may be necessary to pay the costs of any pension plan for city employees adopted pursuant to Article 2, Chapter 2, of Division 5 and exclusive of such tax as may be necessary to pay the costs of sewerage facilities.*"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 18, inclusive.

Amendment No. 4

In line 1 of the title of the printed bill, as amended in the Senate on June 15, 1949, strike out "Section 43068", and insert "Sections 43068 and 43069".

Amendment No. 5

On page 1 of said bill, between lines 12 and 13, insert

"SEC. 2. Section 43069 of said code is amended to read:

43069. In a city which constructs embankments, sea walls, or other works to protect the city from overflow, the legislative body may levy and collect an annual property tax not to exceed twenty cents ($0.20) on each one hundred dollars ($100). When collected, this tax shall be kept in a separate fund and used exclusively for the purpose for which levied. *This tax is in addition to the taxes authorized to be levied and collected pursuant to this article.*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2802 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None

Assembly Bill No. 2802 ordered enrolled.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1651—An act to amend Section 28109 of the Government Code, relating to compensation for public services in counties of the ninth class.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Levering, Lewis, Lincoln,

Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—Heisinger and Luckel—2.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION NO. 26

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Joint Resolution No. 26, temporarily passed on file, at this time.

FURTHER CONSIDERATION OF SENATE JOINT RESOLUTION NO. 26

Senate Joint Resolution No. 26—Relative to memorializing Congress to refuse passage of H. R. 2394, creating a Franklin Delano Roosevelt Memorial Redwood Forest in the Counties of Del Norte, Humboldt, Mendocino, and Sonoma, State of California.

Resolution read.

Speaker Presiding

At 11.05 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Demand for Previous Question

Messrs. Kirkwood, Hoffman, Thompson, Lindsay, and Dolwig demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Joint Resolution No. 26.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—60.

NOES—Anderson, George D. Collins, Condon, Elliott, Hagen, Hawkins, Heisinger, Lewis, Morris, and Rosenthal—10.

Resolution ordered transmitted to the Senate.

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Senate Joint Resolution No. 26

Mr. George D. Collins asked for, and was granted, unanimous consent that his name be placed upon the roll call on Senate Joint Resolution No. 26, and that he be recorded as voting "No."

Explanation of Vote on Senate Joint Resolution No. 26

Due to my absence from the Assembly Chamber during debate, my vote was cast opposite to my wishes. Since I had misunderstood what the subject matter contained, I desired to vote "No."

VERNON KILPATRICK

MOTION TO SUSPEND RULES FOR THE PURPOSE OF PERMITTING PICTURES TO BE TAKEN

Mr. Dickey moved that the Rules be suspended for the purpose of permitting photographers, representing Collier's magazine, to take pictures of the Assembly in session.

Mr. Waters seconded the motion.

Motion carried unanimously.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2547

Mr. Grunsky asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2547, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2547—An act to repeal Section 11556.5 of the Insurance Code and to amend Section 11699 of the Insurance Code, relating to workmen's compensation insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2547?

Amendment No. 1

On page 2, line 5, of the printed bill, as amended in the Assembly on May 11, 1949, after the words "Not less than", insert "the sum of".

Amendment No. 2

On page 2, line 18, of said bill, after "such 70 percent;", insert "except that the amount for each such year shall not be less than".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2547 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 2547 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal

Sections 19501 and 19577, and to add Sections 19583.1, 19575.5, and 19583.5 of the Government Code, relating to disciplining state employees

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 7, 1949, between lines 12 and 13, insert

"(o) Improper political activity."

Amendment No. 2

On page 2, line 14, of said bill, strike out "(o)", and insert "(p)".

Amendment No. 3

On page 2, line 15, of said bill, strike out "(p)", and insert "(q)".

Amendment No. 4

On page 2, line 16, of said bill, strike out "(q)", and insert "(r)".

Amendment No. 5

On page 2, line 17, of said bill, strike out "(r)", and insert "(s)".

Amendment No. 6

On page 2, line 20, of said bill, strike out "(s)", and insert "(t)".

Amendment No. 7

On page 4, line 5, of said bill, strike out "The", and insert "Any person with the consent of the board or the".

MAYO	STEWART
COLLIER	BECK
TENNEY	FLEURY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—68.

NOES—None.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 577

Mr. Burke asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 577, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 577—An act to amend Section 18059 of, and to add Section 18861 to, the Education Code, relating to the letting of contracts by school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 577?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on June 1, 1949, strike out ", and to add Section 18861 to,"

Amendment No. 2

On page 2 of said bill, strike out lines 3 to 19, inclusive.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 577 by the following vote:

AYES—Beck, Davis, Geddes, Hagen, Kirkwood, and Maloney—6

NOES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—63.

Appointment of Committee on Conference Concerning Assembly Bill No. 577

The Speaker announced the appointment of Messrs. Burke, Beck, and Lowrey as a Committee on Conference concerning Assembly Bill No. 577.

NOTICE OF MOTION TO AMEND STANDING HOUSE RULES

Mr. Kirkwood gave notice that on the next legislative day he will move to amend the Standing House Rules, by offering a House Resolution; and that his proposed amendment will relate to vacancies on interim committees.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2186

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2186, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2186—An act to amend Sections 2¾ and 50¾ of the Public Utilities Act, relating to petroleum carriers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2186?

Amendment No. 1

On page 4, line 22, of the printed bill, as amended in the Assembly on May 4, 1949, strike out "continuously".

Amendment No. 2

On page 4. line 21, of said bill, strike out "May", and insert "September".

Amendment No. 3

On page 4, line 26, of said bill, strike out "one hundred twenty (120)", and insert "one hundred eighty (180)".

Amendment No. 4

On page 4 of said bill, strike out lines 31 to 33, inclusive, and insert "rier was authorized to conduct on September 1, 1949, pending the issuance of such certificate."

Amendment No. 5

On page 4, line 39, of said bill, strike out "one hundred twenty", and insert "one hundred eighty".

Amendment No. 6

On page 4, line 40, of said bill, strike out "(120)", and insert "(180)".

Amendment No. 7

On page 5 of said bill, after line 14, insert

"(e) It is hereby declared to be the legislative intent that the provisions of this section relating to the transportation of petroleum or of petroleum products in any tank-truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation and that the provisions of this section have been enacted for the limited purpose of providing necessary regulation for said specialized type of truck transportation only, and are not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2186 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—54.

NOES—Hagen, Heisinger, and Lowrey—3.

Assembly Bill No. 2186 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2185

Mr. Evans asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2185, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2185—An act to amend Sections 1, 2, and 3 of, and to add Section 3½ to, the Highway Carriers' Act, relating to petroleum carriers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2185?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 4, 1949, strike out "1, 2, and 3 of, and to add Section", and insert "2 and 3 of, and to add Sections 1.5 and".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 26, inclusive, and strike out all of page 2; and on page 3, strike out lines 1 to 8, inclusive, and insert

"SECTION 1. Section 1.5 is added to the Highway Carriers' Act, to read:

Sec. 1.5. (a) The term "petroleum contract carrier" when used in this act means any person or corporation, their lessees, trustees, receivers, or trustees appointed by any court whatsoever, who, or which, under individual contracts or agreements, engages in the transporation of petroleum or petroleum products in tank truck or tank trailer for compensation over any public highway in this State.

(b) The term "petroleum irregular route carrier" when used in this act includes every corporation or person and their lessees, trustees, receivers or trustees appointed by any court whatsoever, operating within this State, engaged as a common carrier, other than as a highway common carrier, for compensation in the ownership, control, operation or management of any motor vehicle transporting petroleum or petroleum products in tank truck or tank trailer over any public highway in this State."

Amendment No. 3

In line 1 of the title of said bill, strike out "Section 3½", and insert "Sections 3½ and 3¾".

Amendment No. 4

On page 3 of said bill, strike out lines 50 to 52, inclusive, and insert "(b) hereof, setting forth the existence of such a continuous permit, the commission shall, upon proof of the existence of such a continuous permit and operations thereunder, with or without

hearing, issue to such applicant an operating permit authorizing operations co-extensive with the operations authorized under such permit possessed by applicant on May 1, 1949"

Amendment No. 5

On page 4 of said bill, strike out lines 1 and 2, and in line 3 strike out "that time."

Amendment No. 6

On page 4 of said bill, as amended, strike out lines 20 to 28, inclusive, and insert "this section, before a permit is issued hereafter the commission shall require the applicant to establish ability and reasonable financial responsibility to initiate the proposed operations. The commission shall have power, with or without hearing, to issue said permit as prayed for, or to refuse to issue the same. If it be found that the applicant possesses such ability and financial responsibility to initiate the proposed operations, a permit shall be issued as prayed for."

Amendment No. 7

On page 4, line 12, of the printed bill, as amended in the Senate on June 15, 1949, after "and", strike out "con-", and on page 4, line 13, strike out "tinuously."

Amendment No. 8

On page 4, lines 12 and 27, of said bill, strike out "May", and insert "September."

Amendment No. 9

On page 4, lines 17 and 36, of said bill, strike out "one hundred twenty (120)", and insert "one hundred eighty (180)."

Amendment No. 10

On page 4, line 24, of said bill, strike out "continuous."

Amendment No. 11

On page 5, between lines 21 and 22, of said bill, insert

"(e) It is hereby declared to be the legislative intent that the provisions of this section relating to the transportation of petroleum or of petroleum products in any tank-truck or trailer for compensation over any public highway in this State is a highly specialized type of truck transportation and that the provisions of this section have been enacted for the limited purpose of providing necessary regulation for said specialized type of truck transportation only, and are not to be construed for any purpose as a precedent for the extension of such regulation to any other type of truck transportation not presently so restricted."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2185 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Holibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—54.

NOES—Hagen, Heisinger, and Lowrey—3.

Assembly Bill No. 2185 ordered enrolled.

Speaker Pro Tempore Presiding

At 11.38 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 84?

Amendment No. 1

On page 2, line 17, of the printed bill, as amended in the Assembly on June 16, 1949, after "him," insert "other than mileage,".

Amendment No. 2

On page 2, line 27, of said bill, strike out "standing"

Amendment No. 3

On page 2, line 30, of said bill, after "any", strike out "biennium, sixty days as a member of a joint", and strike out all of lines 31, 32, 33, 34, 35, and 36, and insert "calendar year, forty days as a member of one or more committees of either house, or sixty days as a member of one or more joint committees, but not exceeding sixty days in the aggregate for all such committee work"

Amendment No. 4

On page 2, line 16, of the printed measure, as amended in the Senate on June 25, 1949, after "for", insert "his".

Amendment No. 5

On page 2, line 17, of said measure, strike out "incurred by him, other than mileage".

Amendment No. 6

On page 2, line 40, of said measure, after the period, insert "The limitations in this subsection (b) are not applicable to nonpersonal expenses incurred on behalf of a legislative committee or mileage allowances."

Amendment No. 7

On page 2, lines 34 and 35, of the printed measure, as amended in the Senate June 28, 1949, strike out "nonpersonal expenses incurred on behalf of a legislative committee or".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 84 by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—Anderson, Beck, Bennett, Elliott, and Heisinger—5

Assembly Constitutional Amendment No. 84 ordered enrolled.

Request for Unanimous Consent That Vote Be Changed

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to change his vote on the roll call on concurrence in Senate amendments to Assembly Constitutional Amendment No. 84 from "No" to "Aye," and that he be recorded as voting "Aye."

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 64

At 11.40 a.m., on motion of Mr. Collier, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 64 passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burkhalter, Collier, Condon, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Geddes, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Stanley, Thomas, Thompson, Tomlinson, Way, and Yorty—43

NOES—Bennett, Brady, Burke, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Crichton, Erwin, Gaffney, Grunsky, Heisinger, Hinckley, Hoffman, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, McCarthy, Sherwin, Silliman, Smith, Stewart, Waters, and Weber—29.

Bill ordered transmitted to the Senate.

MEMBERS EXCUSED

At 11.44 a.m., Mr. Evans asked for, and was granted, unanimous consent that Mrs. Niehouse be excused, for the balance of the legislative day, because of legislative business elsewhere.

Mr. Tomlinson asked for, and was granted, unanimous consent that Mr. Reagan be excused, for the balance of the legislative day, and that it be noted that he desired to waive his per diem.

ANNOUNCEMENTS

Mr. Evans announced that Mrs. Niehouse has just been elected "The Woman of the Year" in San Diego County.

RECESS

At 11.45 a.m., on motion of Mr. Dickey, the Assembly recessed until 2.15 p.m.

REASSEMBLED

At 2.15 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No. 38

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 28
Senate Concurrent Resolution No. 70
Senate Concurrent Resolution No. 77
Senate Concurrent Resolution No. 79

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 285
House Resolution No. 290
House Resolution No. 292
House Resolution No. 293
House Resolution No. 294
House Resolution No. 295
House Resolution No. 296
House Resolution No. 297
House Resolution No. 298
House Resolution No. 299

Has had the same under consideration, and reports the same back with the recommendation. Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 233
House Resolution No. 291

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1209

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to third reading.

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 319

Has had the same under consideration, and reports the same back with the recommendation: Do pass, and be re-referred to Committee on Ways and Means.

DUNN, Chairman

Above reported bill ordered re-referred to Committee on Ways and Means.

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

Senate Bill No. 230

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bill ordered to third reading.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Moss and Fleury:

House Resolution No. 300

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study the feasibility of closing state offices on Saturday

WHEREAS, State offices are required by law to remain open on Saturday mornings which unnecessarily increases the cost of State Government in those instances where there is not sufficient use of the office to justify it; and

WHEREAS, Some state offices have their heaviest work load on Saturday and a study should be made of those offices to determine if, in the interests of the public and the employees, there are ways of distributing the work more evenly over the other days in the week and of better scheduling the working days and hours of the employees involved; and

WHEREAS, There was legislation introduced and considered in this session of the Legislature dealing with the closing of state offices on Saturday; and

WHEREAS, Action was deferred on such legislation because of insufficient information on the various problems involved in closing some or all state offices on Saturdays and of the general effect of such legislation upon the public and the state employees; and

WHEREAS, The Legislature should consider the matter at the next regular session and therefore have full and complete information on the subject by that time; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy created at this session of the Legislature is hereby authorized and directed to ascertain, study and analyze all facts

and data relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws and departmental policies in any way bearing thereon or relating thereto and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation or other action

Resolution read, and ordered referred to the Committee on Rules

By Mr. Maloney:

House Resolution No. 301

Relating to preprinting the proposed codes

WHEREAS, Upon the adjournment of this current session of the Legislature, the California Code Commission will continue its work of codifying the general statutory laws of this State; and

WHEREAS, It is the practice of the Code Commission to prepare preliminary drafts of proposed codes in mimeographed form for distribution to interested persons and groups for study and criticism prior to submission to the Legislature, but distribution by such means is necessarily limited; and

WHEREAS, If such proposed codes were printed they could be more widely circulated among interested persons and groups, thus enabling them to receive the careful scrutiny to which proposed legislation of such importance is entitled; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare for printing as soon as practical after the adjournment of the 1949 Regular Session of the Legislature, such codes or portions thereof as it proposes to submit to the Legislature for consideration, and immediately upon such printing to distribute the same to all interested persons and groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to have not to exceed 1,500 copies of each of such proposed codes printed, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and ordered referred to the Committee on Rules.

By Mr. Kirkwood:

House Resolution No. 302

Relative to amending the Standing Rules of the Assembly with respect to vacancies in interim committees

Resolved by the Assembly of the State of California, That a new rule to be numbered 23.5 is hereby added to the Standing Rules of the Assembly to read as follows:

23.5. Whenever a member of an interim committee of the Assembly fails to file for reelection to the Assembly, or fails to receive his party's nomination therefor, or fails to be reelected, and whenever a member has been absent without leave from three meetings of an interim committee and that fact is certified by the chairman of the committee, the position of such member shall be deemed vacant and the Speaker shall immediately make an appointment to fill the vacancy

Resolution read, and ordered referred to the Committee on Rules.

Hon. Ernest R. Geddes Presiding

At 2:25 p.m., Hon. Ernest R. Geddes, Member of the Assembly from the Forty-ninth District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Education, to which was referred:

A communication from the State Commission on School Districts, signed by Dr. George Geyer, Director;

Has had the same under consideration, and reports the same back with the recommendation: Be printed in the Assembly Journal.

DUNN, Chairman

Above reported communication ordered printed in the Journal.

COMMUNICATION FROM STATE COMMISSION ON SCHOOL DISTRICTS

STATE OF CALIFORNIA
COMMISSION ON SCHOOL DISTRICTS
SACRAMENTO 16, June 28, 1949

To the Assembly of the State of California

The State Commission on School Districts, created by the Legislature in 1945 through provisions of Chapter 16 of Division 2 of the Education Code, wishes to forward to your honorable body the enclosed resolution passed unanimously at the meeting of the Commission on June 18, 1949, at San Francisco. This resolution is also being transmitted this date to the Senate of the State of California

The State Commission on School Districts has expressed the hope that its resolution can receive the consideration of the Legislature.

Respectfully,

GEORGE H. GEYER, Executive Secretary

RESOLUTION of the State Commission on School Districts June 18, 1949, at San Francisco

WHEREAS, In furtherance of constitutional provisions, and of the social policy and educational idealism of the people of the State, the powers, duties, functions and activities of the State Superintendent of Public Instruction and the State Board of Education have, during the last quarter of a century, been greatly expanded and increased, and

WHEREAS, During the same period, the professional functions and activities of the county superintendency have greatly increased; and

WHEREAS, The professional functions of the county superintendency seem destined to continue to expand and increase through the delegation by the State Legislature of new duties and authorities to that office; and

WHEREAS, Partly as a result of local initiative and invention, and partly at the instance of state authority, the range and character of school district services have greatly changed and expanded, and

WHEREAS, Under pressures of local problems and burdens, school districts have come more and more to depend upon the State and the county, both for funds and for professional guidance and leadership; and

WHEREAS, Responsibility for the rendering of many types and kinds of educational services is not clearly defined by law, and

WHEREAS, Expansion and growth of educational services have been accompanied by piecemeal legislation which has created a situation involving some considerable degree of conflict of authority which can be corrected only by appropriate legislation, and

WHEREAS, The existing situation involves governmental policy which has implications for present trends in matters of educational control and administration; now therefore be it

Recommended, That the California State Legislature give serious consideration to legislation whereby the legitimate activities of the three levels of our state program of public education—state, county, and district—can be clearly delineated and defined.

It is further recommended, That either by means of a joint interim committee, or by joint action of Interim Committees on Education, of the Senate and Assembly, action be taken by the Legislature to discover and evaluate educational services at all levels of the Public School System, to fix responsibilities for such services, and to delineate and define the powers and duties of (a) the State Superintendent of Public Instruction, (b) the county superintendency, and (c) the local school district.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1338—An act authorizing the sale, exchange or other disposition of certain state property located in Alameda County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig,

Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1649

Mr. Way asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1649, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1649

Senate Bill No. 1649—An act creating the "Mendocino County Flood Control and Water Conservation District" for the controlling, conservation, diversion, storage and disposition of storm, flood, and other surface waters, prescribing the boundaries, organization, operation, management, financing and powers and duties of the district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, and Weber—55.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 625—An act to amend Section 6803 of the Education Code, relating to daily attendance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Way, and Weber—53.

NOES—None.

Bill ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 33—Relative to memorializing Congress to enact legislation to give postal employees civil service credit for time spent in military service;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3037—An act to add a new section to the Code of Civil Procedure, to be numbered 1245.3, relating to proceedings in eminent domain;

Assembly Bill No. 3038—An act to add Article 8, comprising Sections 50530 to 50533, inclusive, to Chapter 2, Part 1, Division 1, Title 5 of the Government Code, relating to the use of public squares for the erection of public buildings;

Assembly Bill No. 3158—An act to add Section 1953.5 to the Government Code, relating to liability of public officers;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2626—An act to amend Section 6484, 6485, 6562, 6564, 6611, 6647, 6850, and 6854, to add Sections 6497, 6531, 6629, 6654, and to repeal Sections 6565 and 6652 to the Health and Safety Code, relating to sanitary districts, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2804—An act to add Sections 4819 and 6702 to the Health and Safety Code, relating to sanitation and sanitary districts;

Assembly Bill No. 3036—An act to add Section 1245.4 to the Code of Civil Procedure, relating to actions to determine title to property appearing upon the recorded maps as a "square" or other open space;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2372—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs;

Assembly Bill No. 2414—An act to add Section 8004.5 to the Government Code, relating to the Commission on Interstate Cooperation and members thereof;

Assembly Bill No. 2439—An act to add Sections 4765 and 6521.5 to the Health and Safety Code, relating to districts organized for sanitary and sanitation purposes;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2264—An act to amend Section 13502 of the Education Code, as amended by Statutes 1947, Chapter 1356, and to repeal the same section as amended by Statutes 1947, Chapter 271, relating to reemployment of certificated employees after resignation;

Assembly Bill No. 2266—An act to amend Section 13652 of the Education Code, relating to rights of permanent employees whose services have been terminated because or reduction in attendance or discontinuance of a particular kind of service;

Assembly Bill No. 2280—An act to amend Section 7011 of the Business and Professions Code, relating to contractors;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2139—An act to add Section 1.7 to the Judges' Retirement Act, relating to the retirement of justices and judges who served in the armed forces of the United States during war or national emergency;

Assembly Bill No. 2183—An act to add Chapter 5.5 to Division 21 of the Health and Safety Code, relating to frozen food;

Assembly Bill No. 2244—An act to amend Section 14797 of the Revenue and Taxation Code, relating to the commissions payable for inheritance tax collections;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 2019—An act to amend Sections 139 51, 139.52, and 139.53 of the Vehicle Code, relating to members of the California Highway Patrol;

Assembly Bill No. 2036—An act to amend Section 18975 of the Government Code, relating to credit in state examinations for service in the armed forces;

Assembly Bill No. 2093—An act to amend Section 239 of the Agricultural Code, relating to bovine tuberculosis, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1921—An act to repeal Sections 3474 and 3474.1 of the Welfare and Institutions Code, relating to the responsibility of relatives of partially self-supporting blind persons who are receiving public assistance;

Assembly Bill No. 1934—An act to add Sections 229, 230, 231 to, and Chapter 7 to Division 4 of, the Water Code, relating to investigation of water quality and the reclamation and use of polluted water and to water wells;

Assembly Bill No. 1974—An act to amend Section 29907 of the Government Code, relating to elections on county bonds;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1748—An act to amend Section 1501 of the Welfare and Institutions Code, relating to definition of terms;

Assembly Bill No. 1858—An act to amend Sections 576 and 599 of, to add Sections 51, 58, and 59 to, and to amend and renumber Section 684 of, the Vehicle Code, relating to vehicles and vehicular traffic including definitions of terms used in that code;

Assembly Bill No. 1910—An act to amend Sections 20023, 20024, 20920, 20921, 20922, 21253, and 21362 of, to repeal Sections 21254, 21254 1, and 21255 of, and to add Sections 20654.6, 20654.7, 20654 8, 20654 9, 20654 95, and 21251 3 to, the Government Code, relating to the State Employees' Retirement System,

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1659—An act to add Section 1752.15 to the Welfare and Institutions Code, relating to contracts for the extension of services by counties to the Youth Authority;

Assembly Bill No. 1706—An act to amend the chapter heading of Chapter 1 of Part 3 of Division 6 of the Welfare and Institutions Code, and to amend Sections 6000, 6001, 6002, 6003, and 6004 of, and to add Sections 6002 5 and 6005 to, said code, relating to county psychopathic hospitals, and providing for the temporary admission and treatment therein of mental patients and the powers of counties in respect thereto;

Assembly Bill No. 1743—An act to amend Sections 12460 and 12461 of the Government Code, relating to the duties of the Controller;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1559—An act to amend Sections 1102 and 1140 of the Health and Safety Code, relating to local public health administration;

Assembly Bill No. 1560—An act to amend Sections 452, 476, 504, and 936 of the Health and Safety Code, relating to the regulation of public health;

Assembly Bill No. 1626—An act to amend Sections 18100, 18102, 18105, 18200, 18300, 18302, 18408, 18460, 18461, 18464, 18466, 18467, 18470, 18625, 18650, 18652, 18653, 18654, 18656, 18658, 18721.5; and to add Sections 18104 5, 18106.5, 18107.1, 18203, 18400.5, 18401, 18401.1, 18401.2, 18401.3, 18432.5, 18432.6, 18432.7, Article

2.5 (comprising Section 18440), Article 2.6 (comprising Sections 18450 and 18451), and Article 2.7 (comprising Section 18455.5) to Chapter 4, Part 2, Division 13, Sections 18460.4, 18466.5, 18466.6, 18466.7, 18466.8, 18467.5, 18470.5, 18600, 18600.5, 18625.5, 18625.6, 18625.7, 18650.2, 18656.8, 18710.5, Chapter 5.5 (comprising Sections 18715 and 18715.1) to Part 2, Division 13, and Section 18720.7 to; and to repeal Sections 18302.5, 18600 and 18659 of, the Health and Safety Code, relating to auto courts, resorts, and motels and auto and trailer parks;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1275—An act to amend Section 8352 of, and to add Sections 8354 to 8358, inclusive, to, the Revenue and Taxation Code, relating to aviation and airports and the financing thereof, including revenue from taxes on motor vehicle fuel;

Assembly Bill No. 1357—An act to amend Section 1767.5 of the Welfare and Institutions Code, relating to the care of paroled persons;

Assembly Bill No. 1395—An act to amend Sections 1470, 1471, and 1472 of the Probate Code, relating to restoration to capacity of an insane or incompetent person;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1160—An act to add Section 66f to the Code of Civil Procedure, and to repeal an act entitled "An act increasing the number of Judges of the Superior Court of the State of California, in and for the County of San Mateo, and providing for the appointment of an additional judge and for his compensation," approved May 28, 1931, relating to Superior Court Judges in the County of San Mateo;

Assembly Bill No. 1173—An act to repeal Section 1176 of the Labor Code, to renumber Section 1177 to be Section 1176 thereof, to renumber Section 1178 to be Section 1177 thereof, to amend and renumber Section 1179 to be Section 1178 thereof, to amend and renumber Section 1180 to be Section 1179 thereof, to amend and renumber Section 1181 to be Section 1180 thereof, to repeal Section 1182 of said code, to amend and renumber Section 1183 to be Section 1181 thereof, to amend and renumber Section 1184 to be Section 1182 thereof, to amend and renumber Section 1185 to be Section 1183 thereof, to amend and renumber Section 1186 to be Section 1184 thereof, and to add Section 1185 to said code, relating to women and minors;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1001—An act to amend Sections 785 and 971 of the Fish and Game Code, relating to lobsters;

Assembly Bill No. 1122—An act to add Section 812 to the Civil Code, relating to estates in real property;

Assembly Bill No. 1123—An act to amend Section 338 of the Code of Civil Procedure, relating to limitation of actions;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 835—An act to add Section 13668 to the Government Code, relating to mailing lists maintained by state agencies for distribution of publications or other printed matter;

Assembly Bill No. 893—An act to add Section 3451 to the Welfare and Institutions Code, relating to the blind;

Assembly Bill No. 947—An act to amend Section 1628 of the Business and Professions Code, relating to qualifications of applicants for examination to practice dentistry;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 798—An act to amend Section 5837 of the Streets and Highways Code, relating to maintenance districts,

Assembly Bill No. 807—An act to add Section 130 to the Military and Veterans Code, prohibiting segregation and discrimination in the militia;

Assembly Bill No. 834—An act to amend Sections 4011.5 and 4011.6 of, and to add Section 4010.5 to, the Health and Safety Code, relating to water and water supply systems;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 644—An act to repeal Article 7.5 comprising Sections 7125 and 7126 of Chapter 9 of Division 3 of the Business and Professions Code, relating to contractors, including workmen's compensation reports of such contractors and reports by their insurers;

Assembly Bill No. 658—An act to amend Section 589.5 of the Vehicle Code, relating to parking regulations by local authorities, including cities and counties and the enforcement thereof;

Assembly Bill No. 668—An act to amend Section 476 of the Vehicle Code, relating to traffic signals;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 594—An act to add Section 20374.1 to the Education Code, relating to the termination of employment of employees of state colleges;

Assembly Bill No. 599—An act to amend Section 1258 of the Civil Code, relating to compensation of appraisers;

Assembly Bill No. 619—An act to amend Sections 525, 525.1, and 540 of, and to add Sections 525.2 and 604 to the Vehicle Code, relating to the driving of vehicles on highways;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 40—An act to amend Sections 1500, 1501, and 1503 of the Welfare and Institutions Code, relating to needy children;

Assembly Bill No. 268—An act to amend Section 1086.1 of, and to add Section 1091.1 to, the Military and Veterans Code, relating to the hospitalization and medical aid for physically ill members of the Woman's Relief Corps Home of California, for the reimbursement of hospitals and physicians rendering this aid, and to provide for the purchase of grave plots for members of such home;

Assembly Bill No. 580—An act to amend Section 1361 of the Government Code, relating to oaths of office;

And reports that the same have been correctly enrolled, and presented to the Governor on the thirtieth day of June, 1949, at 2 p.m.

HUYCK, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 831
Senate Bill No. 1326
Senate Bill No. 1482

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

DUNN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 831—An act to amend Section 1 of an act entitled "An act to provide for the expansion of publicly supported higher education and to repeal an act entitled 'An act establishing a four-year institution of higher education in the City of Sacramento, County of Sacramento,' approved July 1, 1947 (Chapter 1017 of the Statutes of 1947), and an act entitled 'An act making an appropriation for the establishment, equipment and maintenance of a four-year state institution of higher education at Sacramento,' approved July 10, 1947 (Chapter 1349 of the Statutes of 1947), all relating to the system of publicly supported higher education," approved by Governor May 25, 1949, relating to the Sacramento State College.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

In line 23 of the title of the printed bill, as amended in the Senate on June 18, 1949, before the period, insert ", declaring the urgency thereof, to take effect immediately".

Amendment No. 2

On page 1 of said bill, after line 9, insert

"SEC. 2. This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect. The facts constituting such necessity are:

In order to care for the many students of the Sacramento and outlying areas who desire to enroll in the Sacramento State College, a site for the new college should be acquired and improved at the earliest possible time.

There is a great need for increased facilities for publicly supported higher education which must be met to insure the welfare of the State and the needs of the people.

An urgency has existed and now exists in publicly supported higher education. This urgency exists by reason of the following facts: The tremendous increase in population in recent years will continue to make overwhelming demands upon the existing facilities for higher education; practically all of the publicly supported institutions of higher education of the State are greatly overcrowded and compelled to resort to unsatisfactory devices in order to care for the students who are seeking admission; large concentrations of students upon single campuses with inadequate facilities would result in the lowering of the quality of education service.

As so positively stated by Section 1 of Article IX of the Constitution of this State, a general diffusion of knowledge and intelligence is essential to the preservation of the rights and liberties of the people. The enactment of this act at the earliest possible moment, is necessary if there is to be in the future, as there has been in the past, that diffusion of knowledge and intelligence essential to the rights and liberties of the people, and it is therefore necessary that this act take effect immediately."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1326—An act to repeal Sections 1204.1 and 12401.1 of the Education Code; to add Sections 12011, 12012, 12105, 12106, 12401.1, and 12401.2 to said code; and to amend the heading of Article 7 of Chapter 1 of Division 7 of said code, all relating to the authorization of persons to serve in the public schools.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Education:

Amendment No. 1

On page 1, line 16, of the printed bill, as amended in the Senate on April 25, 1949, strike out "2", and insert "7".

Amendment No. 2

On page 2, line 1, of said bill, strike out "such evidence of"; and strike out lines 2 and 3 and insert "reasonable evidence of identification and good moral character."

Amendment No. 3

On page 2 of said bill, beginning in line 19, strike out "or suspended".

Amendment No. 4

On page 2, line 22, of said bill, after "any", insert "material".

Amendment No. 5

On page 2, line 23, of said bill, strike out "such", and insert "reasonable".

Amendment No. 6

On page 2 of said bill, strike out lines 24 and 25, and insert "cation or good moral character."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1482—An act to add Chapter 2.5, comprising Sections 18120 to 18122, inclusive, to Division 9 of the Education Code, relating to plans for school buildings, and making an appropriation.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committe on Education:

Amendment No. 1

In line 3 of the title of the printed bill, as amended in the Senate on June 18, 1949, strike out ", and making an appropriation".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 84	Senate Bill No. 591
Senate Bill No. 474	Senate Bill No 1268
Senate Bill No. 590	Senate Bill No 1426

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 84—An act to add Section 37a to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under

the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to inclusion of land.

Bill read second time, and ordered to third reading.

Senate Bill No. 474—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read second time, and ordered to third reading.

Senate Bill No. 590—An act to amend Section 14033 of the Government Code, relating to the Revolving Fund of the Division of Architecture.

Bill read second time, and ordered to third reading.

Senate Bill No. 591—An act to amend Section 185 of the Streets and Highways Code, relating to the Revolving Fund of the Division of Highways.

Bill read second time, and ordered to third reading.

Senate Bill No. 1268—An act to provide for the acceptance of the old State Capitol Building at Benicia as a State Monument, authorizing the City of Benicia to grant such property to the State, and authorizing the Division of Beaches and Parks in the Department of Natural Resources to lease portions of the property and building to the City of Benicia.

Bill read second time, and ordered to third reading.

Senate Bill No. 1426—An act to amend Sections 5083, 5097, 5100 and 5132 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR SPEAKER: Your Committee on Governmental Efficiency and Economy, to which was referred:

Senate Bill No. 1487

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STEWART, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1487—An act to create the Old Age and Blind Security Fund in the State Treasury, to transfer certain moneys thereto, and to raise revenue for and to make all moneys in said fund available for expenditure to meet the appropriation made by Section 10 of Article XXV of the Constitution before other money is available therefor.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which was referred:

Senate Bill No. 1658

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

STANLEY, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1658—An act to add Section 31506 to the Water Code, relating to improvements by county water districts.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 14

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and re-refer to the Rules Committee; subject matter to be re-referred to the Interim Committee on Conservation, Planning, and Public Works.

WEBER, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 14—An act to add Division 3.5 to the Water Code, relating to tunnels, and providing for the licensing, inspection and approval of tunnels through water bearing strata and preserving the rights to water flowing into such tunnel.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Conservation, Planning, and Public Works:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate on June 7, 1949, strike out lines 1 to 23, inclusive, and insert

"CHAPTER 2. RIGHTS IN INTERCEPTED WATER

6650. If in the operation of any completed tunnel, water to which the owner is not lawfully entitled drains into the tunnel, the owner, or any claimant to said water, may request the department to investigate and report thereon.

6651. The department, upon receiving such a request, shall inspect the tunnel, and if the department finds it to be in the public interest, it shall proceed to investigate and report upon the facts involved, together with its conclusions and recommendations.

6652. If the department is able to devise a practicable physical solution of the problem, it shall include the same in its report.

6653. The department may at any time, before or after completion, inspect any tunnel.

6654. The statute of limitations on any action or other proceeding relating to such diversion of water that drains into the tunnel shall be 10 years from the date of commencement of the diversion of the water."

Amendment read, and adopted.

Bill ordered reprinted, and to be re-referred to the Committee on Rules.

REPORTS OF STANDING COMMITTEES

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No 35	Senate Bill No. 685
Senate Bill No. 274	Senate Bill No 1325
Senate Bill No. 453	Senate Bill No. 1362
Senate Bill No. 486	Senate Bill No. 1364

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

DUNN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 35—An act to repeal Chapter 3 of Division 12 of the Education Code, consisting of Sections 24351 to 24355, inclusive, relating to the California State Historical Association.

Bill read second time, and ordered to third reading.

Senate Bill No. 274—An act to amend Section 16272 of the Education Code, relating to the operation of school busses.

Bill read second time, and ordered to third reading.

Senate Bill No. 453—An act to add Section 7209 to the Education Code, relating to the county school service fund.

Bill read second time, and ordered to third reading.

Senate Bill No. 486—An act to amend Sections 14305, 14307, 14379, 14382, 14401, 14402, 14601, 14606, 14610, 14612, 14613, 14632, 14639, 14641, 14669, of the Education Code, and to add Section 14663.1 to said code, all relating to the State Teachers' Retirement System.

Bill read second time, and ordered to third reading.

Senate Bill No. 685—An act to add Section 5044.5 to the Education Code, relating to school district public works.

Bill read second time, and ordered to third reading.

Senate Bill No. 1325—An act to amend Sections 12752 and 12754 of the Education Code, and to add Section 12752.1 to said code, relating to the revocation of credentials, life diplomas, documents, and certificates authorizing service in the public schools.

Bill read second time, and ordered to third reading.

Senate Bill No. 1362—An act to repeal Section 22048 of the Education Code, relating to the State Library.

Bill read second time, and ordered to third reading.

Senate Bill No. 1364—An act to repeal Sections 187 to 192, inclusive, 8161, 9034.1, 16276, 16277, 18058, and 19155, and Article 5 of Chapter 8 of Division 4 of the Education Code; to amend Sections 12142, 13831, and 16273 of said code; to amend the heading of Article 3.5 of Chapter 5 of Division 9 of said code; and to amend and renumber the headings of Article 4.5 of Chapter 13 of Division 2, comprising Sections 4321 to 4325, inclusive, Article 9 of Chapter 1 of Division 10, comprising

Sections 20221 and 20222, and Chapter 8 of Division 10, comprising Sections 21601 to 21613, inclusive, of said code, all relating to the Public School System.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 281

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

HOUSE RESOLUTIONS CREATING INTERIM COMMITTEES ORDERED PRINTED IN THE JOURNAL

By order of Speaker Sam L Collins, the following House resolutions, creating interim committees, with and without proposed committee amendments, were ordered printed in the Journal:

HOUSE RESOLUTION NO. 233

By Mr. Burkhalter:

House Resolution No. 233

Relative to the creation of the Assembly Investigating Committee on Traffic Control

WHEREAS, It is common knowledge that great and constantly increasing numbers of motor vehicles are present on the streets and highways of this State, with the result that most serious problems of traffic congestion and safety, particularly noticeable in metropolitan areas, have manifested themselves; and

WHEREAS, It is necessary for this Legislature to undertake an investigation of the causes, effects, and remedies of these problems so as to enable it to abate the inconveniences and hazards to which the public is subjected under the existing circumstances; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Traffic Control is hereby created and authorized and directed to ascertain, study and analyze all facts relating to traffic safety and congestion generally and rapid transit problems in metropolitan areas and any allied problems, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power The chairman shall be appointed by the Speaker.

3 The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its preliminary report not later than the fifteenth legislative day of the 1950 Regular Session and its final report not later than the fifteenth legislative day of the 1951 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within

the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To employ engineers to assist and advise it in carrying out the objects and purposes herein.

(g) To travel within or without the State of California in connection with its investigations.

(h) To meet and confer with the representatives of the board of supervisors of Los Angeles County and the City of Los Angeles who are now engaged in a similar survey.

6. The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur within or without the State of California under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the measure as printed in the Assembly Journal of June 6, 1949, at pages 4133-4134, in paragraph numbered "5", strike out subsections "f" and "g".

Amendment No. 2

Change subsection "(h)" to read "(f)".

Amendment No. 3

In paragraph numbered "6", line 1, strike out "twenty-five thousand dollars ($25,000)", and insert "five thousand dollars ($5,000)".

HOUSE RESOLUTION NO. 281

By Messrs Morris and Geddes:

House Resolution No. 281

Relative to the creation of the Assembly Fact-Finding Committee on Highways, Streets and Bridges and the allocation of costs for the construction, maintenance and improvement thereof

WHEREAS, The public highways, streets and bridges of California are useful, necessary and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, Such facilities have been built and are maintained by the use of funds derived from taxes on property, from federal aid, and from registration fees, gasoline taxes and other fees collected as compensation for road use; and

WHEREAS, The development and growth of this State during and since the war have subjected the streets and highways of this State to unusual and destructive burdens; and

WHEREAS, It is recognized that pavements and other highway improvements are not permanent, but must be rebuilt, resurfaced and modernized, indicating the need of foresight in the treatment of financial problems in connection with the inevitable program of reconstruction; and

WHEREAS, The planning and construction of highways, streets and bridges in California must include a complete analysis of all the problems involved, including the fullest economic development of the State by opening up under-developed areas to economic opportunity and to provide proper transportation to meet changing economic and industrial conditions; and

WHEREAS, Careful study is required to determine whether the funds contributed for highway, street and bridge construction and maintenance have been levied equitably either on property or business in relation to its benefits or upon the users in direct proportion to their use; and

WHEREAS, Complete information should be available to the Legislature as to the actual annual cost of roads and streets and the fair apportionment of such cost between those who use them; and to that end the Legislature is in need of data as to the total mileage of roads and streets, the capital investment therein, the total sum which should be collected each year in road use charges or other fees in order to maintain, replace and modernize the same, and the proper amount which should be

paid each year by users of public thoroughfares to meet the total annual cost of all public roads and streets; and

WHEREAS, The Legislature is in need of additional information on the foregoing matters, including (a) the present status of the highway system, state, county and local, (b) existing deficiencies therein to meet present demands, (c) a schedule of progressive improvements necessary to keep abreast of future demands, (d) a schedule of maintenance to keep the capital investment up to standard, (e) a schedule of improvements necessary to develop areas of the State that should be opened up to economic opportunity, (f) special problems relating to highways and matters incidental thereto, (g) the financing of highways and the administration of the highway system including alternate plans to those heretofore proposed for financing a highway construction program with the purpose of reducing as much as is equitable the burden of taxation which the motorist of the next decade must bear, (h) the interrelationship between state and local governments in relation to the foregoing and the interrelationship of the State and Federal Government, and (i) the control of traffic on the highways in the interest of safety, which information should include so far as feasible both present needs and future needs for a period of at least ten years, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Highways, Streets and Bridges is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts and matters relating or pertaining to the subjects set forth in the foregoing recitals, including but not limited to all facts relative to the cost of constructing, maintaining and improving public highways, streets and bridges in the State, the need and cost for bringing them up to acceptable standards, the cost of maintaining them in such condition, and the need and cost of expanding the highway system of the State to meet the increasing demands for travel, the demands arising from changing economic and industrial conditions, and the opening up of undeveloped areas, the use now and hereafter to be made of such highways, streets and bridges, and the proper distribution and allocation of the cost and burden of construction and maintenance in proportion to benefits both to users and to property as demonstrated by impartial engineering studies, and also including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly, one of which shall be the Speaker of the Assembly, appointed by the Speaker thereof. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the fifteenth legislative day of the next regular general session. The committee may prepare and submit preliminary reports containing such information and data as then may be available to it to be submitted to the Legislature and the Governor during any recess or at the next regular budget session or at any extraordinary session which is convened to act upon problems bearing upon or related to the subject of this resolution.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter, within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its employees, and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund, and

disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 23, 1949, at pages 4881-4882, in the paragraph numbered "2", change the first two lines to read "The committee shall consist of five Members of the Assembly, appointed by the Speaker thereof, one of which shall be the Speaker of the Assembly."

Amendment No. 2

In the paragraph numbered "7," in the first line, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

HOUSE RESOLUTION NO. 285

By Messrs. Davis, Geddes, and Hoffman:

House Resolution No. 285

Relative to the creation of the Assembly Interim Committee on Fairs and Expositions

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fairs and Expositions is hereby created and authorized and directed to ascertain, study, and analyze all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions or exhibitions, and all facts relating to the feasibility and desirability of the purchase by the State of the interests of the City of Los Angeles and the County of Los Angeles in the Coliseum and Coliseum Park in Los Angeles, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To confer with the Department of Finance with respect to the allocation of money to the various fairs and to state agencies which receive money from the Fair and Exposition Fund.

(e) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

HOUSE RESOLUTION NO. 291

By Messrs. Stanley, Brown, and McMillan:

House Resolution No. 291

Relative to the creation of the Assembly Interim Committee on Aviation

WHEREAS, Following World War I a step was taken by our National Government, our State Government cooperating, for the road building program which has resulted in the creation of the automobile industry as we know it today; and

WHEREAS, In its infancy today we have the aviation industry embarking into a greater place in our economy; and

WHEREAS, With the federal direction now being given to the aviation industry, we in the State of California should take forward and progressive steps to encourage this infant industry; and

WHEREAS, Legislation will necessarily be presented to us in 1951 for our consideration; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Aviation is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the aviation industry, specifically including the following subjects.

(a) The regulation and taxation of aircraft;

(b) The location, establishment, construction, improvement, and financing of landing facilities;

(c) The responsibilities and activities of the California Aeronautics Commission;

(d) The continuation of the study of zoning in relation to airports;

including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4 The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5 The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 28, 1949, at pages 5112-5113, in paragraph numbered "7", in the first line, insert "ten thousand dollars ($10,000)".

MOTION THAT AUTHORITY BE GRANTED TO PRINT VOUCHERS

Mr. Dickey moved that authority be granted for the printing of sufficient vouchers for interim secretarial use.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT THAT 2,000 COPIES OF REPORT OF INTERIM COMMITTEE ON WATER POLLUTION BE PRINTED

Mr. Dickey asked for, and was granted, unanimous consent that 2,000 additional copies of the Report of the Interim Committee on Water Pollution, previously printed as a separate document, be ordered printed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN THE JOURNAL

Mr. Fletcher asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal, in 10-point type:

LETTER OF TRANSMITTAL

ASSEMBLY, CALIFORNIA LEGISLATURE, June 29, 1949

Honorable Sam L. Collins, Speaker of the Assembly
State Capitol Building, Sacramento, California

DEAR SPEAKER COLLINS: Attached hereto is Part Two of The Report of The California State Assembly Committee On State-Federal Cooperation In The Discovery, Production, Transportation, Refining, And Use of Petroleum created by House Resolution No. 219—1947 Session.

Respectfully submitted,

RALPH C. DILLS, Chairman
CARL FLETCHER
JONATHAN J. HOLLIBAUGH
FRANCIS DUNN
SAM L. COLLINS
J. G. CRICHTON

RCD/ed

REQUEST FOR UNANIMOUS CONSENT THAT REPORT BE PRINTED AS SEPARATE DOCUMENT, AND THAT 500 COPIES BE PRINTED

Mr. Fletcher asked for, and was granted, unanimous consent that the Report of the California State Assembly Committee on State-Federal Cooperation in the Discovery, Production, Transportation, Refining, and Use of Petroleum be printed as a separate document, in 10-point type, and that 500 copies be ordered printed.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 558—An act to add Section 16.5 to the Fish and Game Code, relating to the taking of deer in game refuges.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Waters, Way, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 699—An act to add Section 16.4 to the Fish and Game Code, relating to the taking of female deer.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Waters, Way, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1053—An act to amend Sections 14.2, 15, 15.1, 15.2, 15.3, 18, and 19.6 and to repeal Sections 16, 16.1, and 16.2 of the Fish and Game Code, relating to the powers of the Fish and Game Commission.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—58.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Dickey announced, on behalf of President pro Tempore Powers of the Senate, that many Assembly bills are being passed on the Senate third reading file because Members of the Assembly have not provided Senators with explanations; and urged all members with bills pending in the Senate to immediately furnish needed explanations.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 318

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 318, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 318

Senate Bill No. 318—An act to amend Sections 9802, 9807, and 12143.5 of the Education Code and to add Sections 9802.1, 9807.2, and 9807.3 to said code, all relating to the education of mentally retarded minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, and Waters—59.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1236—An act to repeal Section 24 of, and to add Section 24 to, the Fish and Game Code, relating to seizure of illegal birds, mammals or fish.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 109

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 109, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 109

Senate Bill No. 109—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 110

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 110, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 110

Senate Bill No. 110—An act to add Section 7.1 to the Alcoholic Beverage Control Act, relating to transfer of licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, and Weber—53.

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Joint Resolution No. 35—Relative to the retrocession by the Congress of the United States of jurisdiction over certain territory granted by the War Department within the Presidio of San Francisco Military Reservation, California, to permit the use of additional areas to the Golden Gate Bridge and Highway District.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—56.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 30—Relative to the Spanish-Mexican Land Grant Papers.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Silliman, Smith Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—53.

NOES—None.

Resolution ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 3.02 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 99—An act to add Article 5 to Chapter 2, Title 1, Part 3 of Division 1 of the Civil Code, relating to the recognition of a divorce obtained in another jurisdiction.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Coats, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Evans, Fletcher, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Thomas, Thompson, Tomlinson, Way, and Weber—41.

NOES—Beck, Butters, George D. Collins, Cooke, Elliott, Gaffney, Kilpatrick, Luckel, Rosenthal, Sherwin, Smith, and Yorty—12.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1632

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1632, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1632

Senate Bill No. 1632—An act to add Sections 20.5, 20.6, 20.7, 49.5, and 81 to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to water conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—54.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

UNFINISHED BUSINESS (RESUMED)

MOTION TO WITHDRAW SENATE BILL NO. 1404 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. George D. Collins moved that Senate Bill No 1404 be withdrawn from the Committee on Revenue and Taxation, and be placed upon the file.

Demand for Previous Question

Messrs. Connolly, Hoffman, Lincoln, Caldecott, and Grunsky demanded the previous question.

Demand for previous question sustained

The question being on the motion by Mr. George D. Collins that Senate Bill No. 1404 be withdrawn from the Committee on Revenue and Taxation, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Hagen moved a call of the Assembly.

Roll Call Demanded

Messrs. Hagen, Lowrey, and Yorty demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Berry, Brown, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Cooke, Crichton, Crowley, Elliott, Fleury, Gaffney, Grunsky, Hagen, Heisinger, Hinckley, Kirkwood, Lowrey, Maloney, McCarthy, McCollister, Moss, Rumford, Sherwin, Stanley, Thomas, Weber, and Yorty—30.

NOES—Connolly, Doyle, Evans, Geddes, Grant, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Luckel, McMillan, Morris, Smith, Stewart, Thompson, Tomlinson, Waters, and Way—23.

Time, 3.50 p m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Bennett, Brady, Burke, Butters, Clarke, Collier, Condon, Davis, Dickey, Clayton A. Dills, Dunn, Erwin, Fletcher, Lindsay, Rosenthal, and Silliman—16.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 813
Senate Bill No. 1654

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

STEWART, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 813—An act to amend Sections 9510, 9512, 9540.2, 9551, of, and to add Section 9524 to the Business and Professions Code, relating to establishments regulated by the State Board of Dry Cleaners.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

Strike out all of lines 1 and 2 of the title of the printed bill, as amended in the Senate on May 17, 1949, and insert

"An act to amend Section 9540.2 of the Business and Professions Code,".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 12, inclusive.

Amendment No. 3

On page 1, line 13, of said bill, strike out "SEC. 3", and insert "SECTION 1".

Amendment No. 4

On page 2 of said bill, strike out lines 26 to 50, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 1654—An act to add Section 13114 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Governmental Efficiency and Economy:

Amendment No. 1

On page 1 of the printed bill, after line 16, insert

"This section shall remain in effect until the ninety-first day after final adjournment of the 1951 Regular Session of the Legislature."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

ANNOUNCEMENTS

Mr. Brown announced that the gifts of canned fruit mix which have been placed upon the desks of members are there through the courtesy of the Pacific Grape Products Company of Modesto.

Speaker pro Tempore Maloney expressed appreciation, on behalf of the Members of the Assembly, for the gifts of canned fruit mix.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 645—An act authorizing suit against the State of California to quiet title to certain real property, and regulating the procedure therein.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Thomas, Way, Weber, and Yorty—47.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Marvin Sherwin Presiding

At 3.55 p.m., Hon Marvin Sherwin, Member of the Assembly from the Sixteenth District, presiding.

Senate Bill No. 485—An act to add Chapter 1a to Division 2 to, and to repeal Section 150 of, the Agricultural Code, relating to agricultural pest control operators.

Bill read third time.

Motion to Amend

Mr. Hinckley moved the adoption of the following amendments:

Amendment No. 1

In lines 2 and 3 of the title of the printed bill, as amended in the Senate on May 9, 1949, strike out "Chapter 1a to Division 2 to, and to repeal Section 150 of," and insert "Section 150.5 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 25, inclusive; strike out page 2; and on page 3, strike out lines 1 to 45, inclusive, and insert

"SECTION 1. Section 150.5 is added to the Agricultural Code to read:

150.5 It is unlawful to operate any aircraft in the bus-".

Amendment No. 3

On page 4 of said bill, strike out lines 21 to 36, inclusive.

Amendments read.

Demand for Previous Question

Messrs. Grunsky, Kirkwood, Caldecott, Thompson, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Hinckley to Senate Bill No. 485.

Point of Order

Mr. Grunsky arose to the following point or order: That Mr. Hinckley has exceeded his time.

Ruling by Speaker

Acting Speaker Sherwin ruled the point of order not well taken.

The roll was called, and the amendments refused adoption by the following vote:

AYES—Babbage, Beck, Collier, Conrad, Erwin, Grant, Hahn, Hinckley, Huyck, Sherwin, Thomas, Tomlinson, and Yorty—13.

NOES—Anderson, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Gaffney, Geddes, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Silliman, Stanley, Thompson, and Way—41

The question being on the passage of Senate Bill No. 485.

Demand for Previous Question

Messrs. Tomlinson, Grunsky, Luckel, Grant, and Levering demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 485.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Doyle, Dunn, Fleury, Gaffney, Geddes, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Silliman, Stanley, Thomas, Thompson, Way, and Weber—42.

NOES—Beck, Collier, Conrad, Elliott, Erwin, Hahn, Hawkins, Hinckley, Sherwin, Stewart, Tomlinson, and Yorty—12.

Bill ordered transmitted to the Senate.

Senate Bill No. 1393—An act authorizing a suit or suits against the State of California to quiet title against it to certain real property in the County of Monterey, State of California.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent or other juveniles are housed;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 19, of the printed bill, as amended in the Senate on June 18, 1949, after "In", insert "all counties except".

MILLER	CONDON
REGAN	KILPATRICK
O'GARA	MOSS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Beck, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—53

NOES—None.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL BE PRINTED IN JOURNAL

Mr. Gaffney asked for, and was granted, unanimous consent that the following letter of transmittal be ordered printed in the Journal, in 10-point type, and that the report, mentioned in the letter be ordered filed with the Secretary of State.

ASSEMBLY, CALIFORNIA LEGISLATURE, June 30, 1949

Hon. Sam L. Collins
Speaker of the Assembly

HONORABLE SPEAKER: I am submitting transcript of testimony taken at meetings of Assembly Interim Committee on Industrial Safety at Los Angeles, San Francisco, and Eureka, California.

In accordance with House Resolution No. 239, as amended 1947 Session.

Kindly file.

Respectfully submitted,

EDWARD M. GAFFNEY, Chairman

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW SENATE BILL NO. 1404 FROM COMMITTEE

At 4.27 p.m., on motion of Mr. George D. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. George D. Collins that Senate Bill No. 1404 be withdrawn from the Committee on Revenue and Taxation, and be placed upon the file, lost by the following vote:

AYES—Beck, Brown, Coats, George D. Collins, Condon, Cooke, Fleury, Hagen, Heisinger, Hinckley, Kirkwood, Lowrey, McCarthy, Moss, Rumford, and Yorty—16.

NOES—Anderson, Babbage, Berry, Burke, Burkhalter, Butters, Caldecott, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—51.

MOTION TO EXPUNGE RECORD, AND RESCIND ACTION ON CONFERENCE COMMITTEE REPORT CONCERNING SENATE BILL NO. 596

Mr. Dickey moved to expunge the record, and rescind the action whereby the Assembly on Monday, June 13th, adopted the report of the Committee on Conference concerning Senate Bill No. 596.

The roll was called, and the motion carried by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Rumford, Sherwin, Stewart, Thomas, Thompson, Tomlinson, and Yorty—55.

NOES—None.

The question being on the adoption of the report of the Committee on Conference concerning Senate Bill No. 596.

Request for Unanimous Consent That Corrected Conference Report Be Substituted

Mr. Dickey asked for, and was granted, unanimous consent to substitute the following corrected report of the Committee on Conference concerning Senate Bill No. 596:

Report of Committee on Conference

The following corrected report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows.

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on May 26, 1949, strike out lines 10 to 21, inclusive, and insert

"526. Route 226 is from:

(a) A point in the vicinity of the intersection of Davis Street and East Fourteenth Street in San Leandro, thence via Davis Street through the City of San Leandro and through the City of Oakland via Bayshore Boulevard and Doolittle Drive, thence through the City of Alameda via Webster Street and Posey Tube and any other tube or crossing to be used in connection with Posey Tube, to Route 69 in Oakland near Seventh and Harrison Streets.

(b) Route 69 near Seventh and Harrison Streets in Oakland to Route 5."

BREED	DICKEY
MILLER	BRADY
COOMBS	CLAYTON A. DILLS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Coats, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—56

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1634—An act to amend Section 11 of an act entitled "An act to define the boundary, provide for the care, strengthening and repairing of levees, and the payment of the indebtedness of Levee District Number 1 of Sutter County," approved March 20, 1874, relating to the compensation and powers of officers of said district.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 684—An act to amend Sections 2, 3, 25, 26, 27, 28, and 29 of the Retirement Systems Act, and to amend Sections 28001, 28002, 28100, 28101, 28102, 28103, 28104, 28301, and 28402 of, and to add Section 28002.5 to, the Corporations Code, relating to what constitutes a retirement system and the exemption of certain retirement systems from various provisions of the act.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 809—An act to amend Sections 6722, 7017, 8537, 8714, and 8926 of the Business and Professions Code, relating to reports to the Governor by certain officers and boards within the Department of Professional and Vocational Standards.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges;

(as amended June 9, 1949, in Senate)

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be not concurred in, and that the bill, be further amended as follows:

Amendment No. 1

On page 1, line 16, strike out ", except that".

Amendment No. 2

On page 1, strike out lines 17 and 18.

Amendment No. 3

On page 1, line 19, strike out "of retirement".

KEATING
SALSMAN
Senate Committee on Conference

BROWN
CONNOLLY
BECK
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Weber, and Yorty—62.

NOES—None.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolutions were offered:

Assembly Concurrent Resolution No. 106: By Messrs. Dolwig, George D. Collins, McCollister, Gaffney, Berry, Brady, Caldecott, Connolly, Crowley, Dunn, Grunsky, Kirkwood, Maloney, McCarthy, Meyers, Rumford, and Thompson—Relative to the acquisition of Butano Forest as a state park.

Referred to Committee on Rules.

Assembly Concurrent Resolution No. 107: By Messrs. Meyers, Morris, Dolwig, McCarthy, Berry, Brady, George D. Collins, Condon, Connolly, Crichton, Crowley, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hollibaugh, Lipscomb, Maloney, McCollister, Moss, Rosenthal, Stanley, Thompson, and Yorty—Relative to the erection of buildings for the use of youth organizations on the California State Fair site.

Referred to Committee on Rules.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1048—An act to amend Section 1144 of the Probate Code, relating to administration by the public administrator of estates of a value not exceeding two hundred dollars ($200).

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rosenthal, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, and Yorty—58.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1047—An act to amend Section 932 of the Probate Code, relating to accounts of deceased or incompetent executor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—65.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 592

Mr Brown asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 592, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 592

Senate Bill No. 592—An act to authorize cities, cities and counties, counties, parking districts and parking authorities and the legislative bodies thereof to acquire, construct, maintain and operate public parking places for automobiles and to issue and sell revenue bonds to finance the same and to provide for the use and expenditure of the proceeds of such bonds and the use and disposition of revenue arising from public parking places so financed.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—60

NOES—Levering—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 711—An act to amend Sections 10310, 10270.95, 10291.5, and 12957 of, and to add Section 10310.5 to the Insurance Code, relating to disability insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 4.50 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Senate Bill No. 574—An act to add Chapter 3.5, comprising Sections 26880 to 26885, inclusive, to Part 3, Division 2, Title 3 of the Government Code, relating to the county controller.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Luckel, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—63.

NOES—Hagen and McCarthy—2.

Bill ordered transmitted to the Senate.

Hon. Richard H. McCollister Presiding

At 4.52 p.m , Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

REQUEST FOR UNANIMOUS CONSENT THAT ALL BILLS TEMPORARILY PASSED ON FILE HOLD PLACES ON FILE

Mr. Dickey asked for, and was granted, unanimous consent that all bills temporarily passed on file, today, hold their places on file on the next legislative day.

RESOLUTIONS

The following resolutions were offered:

By Mr. McMillan:

House Resolution No. 303

Relative to the package sale of alcoholic beverages on military and naval reservations

WHEREAS, Alcoholic beverages are sold and dispensed in military and naval reservations in this State, distilled spirits being sold and dispensed in officers clubs in such reservations; and

WHEREAS, The volume of sales of alcoholic beverages in packages at certain military and naval reservations in this State is reported as not confined to military personnel and that a considerable proportion of such volume of sales is indirectly made for the use of civilians rather than for use by members of the military personnel; and

WHEREAS, The diversion in such military reservation of such alcoholic beverage sales to civilian use results in loss of sales and excise tax to the State of California and further adversely affects the efforts of this State in the regulation and control of the sale of alcoholic beverages through licensed sales outlets of this State in the manner deemed best suited to the welfare of this State and the people of this State; and

WHEREAS, This problem of both state tax loss and state welfare can more readily be solved by federal legislation with respect to practices on military and naval reservations rather than by the enactment of legislation by this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the responsible officers of the armed military and naval forces of the United States are urged to take such action as may be necessary to prevent civilians from indirectly and improperly obtaining alcoholic beverages sold in packages on military or naval reservations for the use of personnel of the armed forces; and be it further

Resolved, That the Congress of the United States is respectfully urged to consider and enact such legislation as may be necessary to prevent the sale in packages of alcoholic beverages to other than military personnel on any Army, Navy or Air Force reservation or base; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the President and Vice President of the United States, the Speaker

of the House of Representatives of the United States, to the Senators and Representatives from California in the Congress of the United States, and to the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of Air.

Resolution read, and ordered referred to the Committee on Rules.

By Messrs. Hahn, Beck, Hollibaugh, Fletcher, Crichton, Thompson, Waters, Geddes, Dolwig, Maloney, Doyle, Crowley, Dunn, Evans, and McCollister:

House Resolution No. 304

Relative to commending Mr Leslie E. Claypool for his outstanding record as a distinguished member of the press

WHEREAS, Leslie E. Claypool has graced these legislative halls for the past five years; and

WHEREAS, Mr. Claypool has gained prominence as a newspaper reporter of 41 years' experience throughout the Nation; and

WHEREAS, Leslie E Claypool affectionately known to many of his readers as "L.E C.," has conscientiously reported the news of this Legislature to the people of Los Angeles through the columns of the Los Angeles Daily News, of which newspaper Mr. Claypool is the political editor; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby express their admiration for, and extend their congratulations to, Mr. Leslie E. Claypool for his outstanding record as a distinguished member of the press; and be it further

Resolved, That because of his many years of journalistic activities in this State, Mr. Leslie E. Claypool be hereafter known as "Uncle Leslie" by which name so many of his close friends already call him, and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to Leslie E. Claypool.

Resolution read, and ordered referred to the Committee on Rules.

RE-REFERENCE OF BILLS

By order of the Speaker, the following bill was withdrawn from the file, and re-referred as follows:

Senate Bill No. 581 ordered re-referred to Committee on Ways and Means.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Dilworth, Abshire, and Donnelly as a Committee on Conference concerning:

Assembly Bill No. 577—An act to amend Section 18059 of, and to add Section 18861 to, the Education Code, relating to the letting of contracts by school districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused passage to:

Assembly Bill No. 1139

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 1417

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 850
Senate Bill No. 1251

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Concurrent Resolution No. 102

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 669
Assembly Bill No. 687
Assembly Bill No. 869
Assembly Bill No. 896
Assembly Bill No. 1082
Assembly Bill No. 1114
Assembly Bill No. 1305
Assembly Bill No. 1514
Assembly Bill No. 1646
Assembly Bill No. 1751
Assembly Bill No. 1971
Assembly Bill No. 2056
Assembly Bill No. 2279
Assembly Bill No. 2575
Assembly Bill No. 2695
Assembly Bill No. 2740
Assembly Bill No. 2964
Assembly Bill No. 3141

And respectfully requests your honorable body to concur in said amendments.

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 100

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 47
Assembly Bill No. 153
Assembly Bill No. 170
Assembly Bill No. 487
Assembly Bill No. 488
Assembly Bill No. 491
Assembly Bill No. 492
Assembly Bill No. 721
Assembly Bill No. 744
Assembly Bill No. 750
Assembly Bill No. 987
Assembly Bill No. 1025
Assembly Bill No. 1049
Assembly Bill No. 1205
Assembly Bill No. 1276
Assembly Bill No. 1291
Assembly Bill No. 1315
Assembly Bill No. 2061
Assembly Bill No. 2311
Assembly Bill No. 2316
Assembly Bill No. 2495
Assembly Bill No. 2588
Assembly Bill No 2596
Assembly Bill No. 2631
Assembly Bill No. 3093
Assembly Bill No. 3115

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

ANNOUNCEMENT OF COMMITTEE MEETINGS

It was announced that the following committees would hold meetings:

Today Upon Adjournment—

Ways and Means.
Public Morals, in Room 427.
Rules.

It was announced that no meeting will be held today of the Committee on Transportation and Commerce.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Geddes, the usual courtesies of the Assembly for this day were unanimously extended to Dr. and Mrs. Richard Eby and son Walter of Pomona.

On request of Mr. Thompson, the usual courtesies of the Assembly for this day were unanimously extended to Harold Thompson, George Hessling, William Hessling, and Henry Perry of Morgan Hill.

On request of Mr. Stanley, the usual courtesies of the Assembly for this day were unanimously extended to Claude Deal of San Pedro.

On request of Mr. Thomas, the usual courtesies of the Assembly for this day were unanimously extended to Claude Deal, Jose Dela Cruz of San Pedro, and Thomas Stout of Wilmington.

On request of Mr. George D. Collins and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Wm. F. Guiles, William J. Pappas, and Lee F. Deweder of San Francisco.

On request of Mr. Cooke, the usual courtesies of the Assembly for this day were unanimously extended to Clyde Powell, former Member of the Ohio Legislature, and Mrs. Powell of Columbus, Ohio.

On request of Mr. Maloney and the San Francisco Delegation, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Bernard Brady, and Bernard, Mary Anne, and Gerald Brady of San Francisco.

On request of Mr. Davis, the usual courtesies of the Assembly for this day were unanimously extended to David Olson of San Bruno, and Joseph Weber of Sewickley, Pennsylvania.

On request of Mr. Meyers, the usual courtesies of the Assembly for this day were unanimously extended to Mr. Joseph F. Neil of Berkeley.

ADJOURNMENT

At 4.57 p.m., on motion of Mr. Dickey, acting Speaker McCollister declared the Assembly adjourned until 9.30 a.m., Friday, July 1, 1949.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ONE HUNDRED FIFTH LEGISLATIVE DAY

ONE HUNDRED EIGHTIETH CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Friday, July 1, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—75.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite Presence: How marvelous that we may pause for a moment to realize Thou art no mere empty name.

Thou dost uphold the star domed canopy of the universe and in the order of the heavenly bodies and the harmonies of earth and sky are the outlines of Eternal Thought.

How wonderful that Thou art with us when we walk alone in the darkness, and Thou art the power that fights with us in the confusion of daylight hours.

In perplexity, Thou art our hope, in sorrow, our comfort, and underlying our daily efforts are Thy Everlasting Arms.

When we are one with Thee we are more truly alive and we have another and greater life, and we rise above time into the ineffable.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Lowrey, further reading of the Journal of the previous legislative day was dispensed with.

LEAVES OF ABSENCE FOR THE DAY

The following member was granted leave of absence for the day, because of illness:

Mr. Price, on motion of Mr. Levering.

The following member was granted leave of absence for the day, because of legislative business elsewhere:

Mrs. Niehouse, on motion of Mr. Levering.

The following member was granted leave of absence for the day, and desired to waive his per diem:

Mr. Reagan, on motion of Mr. Levering.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent or other juveniles are housed.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1387—An act to amend Section 257 of the Vehicle Code, relating to drivers licenses of minors.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 596—An act to amend Section 526 and to repeal Section 252 of the Streets and Highways Code, relating to state highway routes.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586; to repeal Sections 19501 and 19577, and to add Sections 19583.1, 19575.5, and 19583.5 of the Government Code, relating to disciplining state employees.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 92
Assembly Joint Resolution No. 45

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 106
Assembly Bill No. 365
Assembly Bill No. 727
Assembly Bill No. 971
Assembly Bill No. 1096
Assembly Bill No 1172
Assembly Bill No 1324
Assembly Bill No 1925
Assembly Bill No. 2247
Assembly Bill No 2947
Assembly Bill No 3045
Assembly Bill No. 3161

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 342
Assembly Bill No. 490
Assembly Bill No. 493
Assembly Bill No. 1076
Assembly Bill No. 2120
Assembly Bill No. 2854
Assembly Bill No 2992

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 687—An act to add Sections 6348.2 and 6348.4 to the Business and Professions Code, relating to the powers and duties of boards of law library trustees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 687?

Amendment No. 1

On page 1 of the printed bill, strike out lines 18 to 21, inclusive, and insert "6348.4. Real property".

Amendment No. 2

On page 1, lines 22 and 23, of the printed bill, strike out "the power of eminent domain or by".

Amendment No. 3

On page 1, line 3, of the printed bill, as amended in the Senate on June 1, 1949, after "trustees", insert "in any county having a population in excess of two million".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 687 by the following vote:

AYES—Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 687 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, June 29, 1949

MR. SPEAKER The Committee on Conference concerning:

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, line 9, of the printed bill, as amended in the Senate on June 22, 1949, strike out "ten", and insert "twenty-one".

TENNEY	FLEURY
DESMOND	McCARTHY
BREED	MOSS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Berry, Burke, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—53.

NOES—None.

Assembly Bill No. 2227 ordered enrolled.

Speaker Pro Tempore Presiding

At 9.46 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2120

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2120, out of order, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2120—An act to repeal Chapters 2, 12, 13, 14, 15, and 16 of Division 3 of the Education Code; to repeal Sections 4713, 8704, 8761, 9613, 9614, 9615, 9616, 9617, 9642, 9645, 9809, and 16486 of said code; to repeal Article 10 of Chapter 16 of Division 2 of said code; to repeal Sections 671 and 671.1 of the Welfare and Institutions Code; to add Chapters 2, 12, 13, 14, 15, and 16 to Division 3 of the Education Code; to amend Section 16256 of said code, and to add Sections 8704 and 8761 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2120?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on June 20, 1949, strike out lines 1 to 8, inclusive, and in line 9 strike out "and 8761 of said code", and insert

"An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters

2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947)".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 10 of the act cited in the title hereof is amended to read:

Sec. 10. This act shall remain effective [for two years commencing July 1, 1947] *until July 1, 1950.*"

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 8, inclusive, and strike out all of pages 2 to 35, inclusive, and on page 36, strike out lines 1 to 32, inclusive.

Amendment No. 4

On page 36, line 33, strike out "SEC. 14.", and insert

"SEC. 2."

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 2120 by the following vote:

AYES—Dunn and Geddes—2.

NOES—Babbage, Beck, Berry, Burke, Butters, Caldecott, Clarke, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—53

Appointment of Committee on Conference Concerning Assembly Bill No. 2120

The Speaker pro Tempore announced the appointment of Messrs. Dunn, Beck, and Kirkwood as a Committee on Conference concerning Assembly Bill No. 2120.

Hon. Richard H. McCollister Presiding

At 9.50 a.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1082—An act to amend Section 6060 of the Business and Professions Code, relating to the practice of law.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1082?

Amendment No. 1

On page 2, line 7, of the printed bill, as amended in the Assembly on May 19, 1949, strike out "(1)".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1082 by the following vote:

AYES—Babbage, Beck, Berry, Burke, Burkhalter, Caldecott, George D Collins, Condon, Connolly, Conrad, Crowley, Dickey, Dolwig, Doyle, Dunn, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—51

NOES—None.

Assembly Bill No. 1082 ordered enrolled.

Assembly Bill No. 1114—An act to amend Sections 27281 and 27300 of the Streets and Highways Code and to add Sections 27174, 27281a, and 27300a thereto, relating to bridge and highway districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1114?

Amendment No. 1

On page 1 of the printed bill, after line 24, insert

"(e) Provide an emergency fund or other fund or funds, for use in the event of disaster, damage to, or destruction of works, owned or operated by the district, and for any purpose which the district board of directors may deem necessary and advisable for the safe, efficient and proper operation and maintenance of bridge and highway district properties and/or to carry out the provisions of this act. All appropriations heretofore made to an insurance reserve fund for any such aforesaid purpose are legalized."

Amendment No. 2

On page 2 of said bill, between lines 22 and 23, insert

"(e) Provide an emergency fund or other fund or funds, for use in the event of disaster, damage to, or destruction of works, owned or operated by the district, and for any purpose which the district board of directors may deem necessary and advisable for the safe, efficient and proper operation and maintenance of bridge and highway district properties, and/or to carry out the provisions of this act. All appropriations heretofore made to an insurance reserve fund for any such aforesaid purpose are legalized."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1114 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Assembly Bill No. 1114 ordered enrolled.

Assembly Bill No. 1305—An act to amend Section 8202 of the Government Code, relating to eligibility to, and performing the duties of, the office of notary public.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1305?

Amendment No. 1

In line 1 of the title of the printed bill, after "Code", insert "and Section 1183.5 of the Civil Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, after line 7, insert

"SEC. 2. Section 1183.5 of the Civil Code is amended to read:

1183.5. 1. Any officer of any component of the Army *or Air Force* of the United States on active duty in federal service commissioned in or assigned or detailed

to duty with the Judge Advocate General's Department, any staff judge advocate or acting staff judge advocate, and the adjutant, assistant adjutant, personnel adjutant or commanding officer of any command;

2. Any commanding officer or executive officer of a ship, shore station or establishment and any officer of or above the rank of lieutenant, senior grade, on active duty with the Navy or Coast Guard of the United States;

3. Any officer of or above the rank of captain on active duty with the United States Marine Corps;

Shall have the power if a commissioned officer to administer and certify oaths or affirmations, attest documents, take acknowledgments, and perform all other notarial acts, for any person serving in or with the armed forces of the United States, wherever located within or without this State.

Any instrument acknowledged by any such officer or any oath or affirmation made before such officer shall not be rendered invalid by the failure to state therein the place of execution or acknowledgment No authentication of the officer's certificate of acknowledgment or of any jurat signed by him shall be required but the officer taking the acknowledgment shall endorse thereon or attach thereto a certificate substantially in a form authorized by the laws of this State or in the following form:

On this the ____ day of _____, 19___, before me, _____, the undersigned officer, personally appeared _____ known to me (or satisfactorily proven) to be serving in or with the armed forces of the United States and to be the person whose name is subscribed to the within instrument and acknowledged that ___he___ executed the same And the undersigned does further certify that he is at the date of this certificate a commissioned officer of the rank stated below and is in the active service of the armed forces of the United States.

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed

To any affidavit subscribed and sworn to before such officer there shall be attached a jurat substantially in the following form:

Subscribed and sworn to before me on this _____ day of _____, 19___

_____

_____

Signature of officer and serial number, rank, branch of service and capacity in which signed.

The recitals contained in any such certificate or jurat shall be prima facie evidence of the truth thereof, and any certificate of acknowledgment, oath or affirmation purporting to have been made by any commissioned officer of the Army, *Air Force*, Navy, Marine Corps or Coast Guard shall, notwithstanding the omission of any specific recitals therein, constitute presumptive evidence of the existence of the facts necessary to authorize such acknowledgment, oath or affirmation to be taken by the certifying officer pursuant to this section.

This section shall remain in effect until the ninety first day after final adjournment of the [Fifty-eighth] *1951* Regular [General] Session of the Legislature. While this section is in effect it shall superseded any existing provisions of law which are in conflict with this section; but such provisions are not repealed by this section and after this section is no longer effective shall have the same force as though this section had not been enacted.

SEC. 3 *The administration and certification of oaths or affirmations, the attestation of documents, the taking of acknowledgments, and the performance of all other notarial acts on or after December 31, 1946, and prior to the effective date of the amendment to Section 1183.5 of the Civil Code by this act, and which would have been authorized by said section if it were then in effect, are hereby validated, confirmed and declared legally effective.*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1305 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Connolly, Conrad, Crichton, Dolwig, Doyle, Dunn, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—52

NOES—None.

Assembly Bill No. 1305 ordered enrolled.

Assembly Bill No. 1514—An act to amend Sections 5, 6, 8, 9, and 16 of the California Agricultural Products Marketing Act of 1943, relating to the marketing of agricultural products, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1514?

Amendment No. 1

On page 7 of the printed bill, as amended in the Assembly on June 13, 1949, strike out lines 50 and 51.

Amendment No. 2

On page 8 of said bill, strike out lines 1 to 15, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1514 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Assembly Bill No. 1514 ordered enrolled.

Assembly Bill No. 1646—An act to amend Section 1300.16 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1646?

Amendment No. 1

On page 2, line 7, of the printed bill, after "finds", insert "one or more of the following: (A)".

Amendment No. 2

On page 2, line 8, of said bill, strike out "or approved or favored".

Amendment No. 3

On page 2, line 14, of said bill, between "or" and "that", insert "(B)".

Amendment No. 4

On page 2, line 15, of said bill, strike out "or approved", and on line 16, strike out "or favored".

Amendment No. 5

On page 2, line 19, of said bill, after "engaged", strike out ". To determine whether or not producers by"; and strike out all of lines 20 to 34, inclusive, on page 2, and insert ", or (C) that such marketing order or amendment thereto has been approved or favored by producers in a referendum among producers directly affected if the valid votes cast in such referendum in favor of such marketing order or amendment thereto represent not less than fifty-one percent (51%) of the total number of producers of said commodity of record with the department who marketed not less than fifty-one percent (51%) of the total quantity of said commodity marketed in the next preceding marketing season by said total number of producers of record with the department. Whenever any marketing order or any amendment to any marketing order is issued by the director, he shall determine whether assent, approval, or favor thereto of the producers shall be by written assents or by referendum.

If the director determines that a referendum shall be had, he shall establish a referendum period of sixty (60) days. At the close of such referendum period, the director shall count and tabulate the ballots filed during said period. If from such tabulation the director finds that the number of producers voting in favor of such marketing order or amendment thereto is not less than fifty-one percent (51%) of the total number of producers of record with the department and that such producers who voted in favor of said marketing order or amendment thereto marketed not less

than fifty-one percent (51%) of the total volume of such commodity marketed by all producers of record with the department during the marketing season next preceding such referendum the director may make such marketing order or amendment thereto effective. If he finds from the tabulation of such referendum that the number of producers who have voted in favor of such marketing order or amendment thereto is less than the required fifty-one percent (51%) of the total number of producers of record with the department or that the producers who have voted in favor of such marketing order or amendment thereto represent less than fifty-one percent (51%) of the total quantity of such agricultural commodity marketed by all producers of such commodity of record with the department during the marketing season next preceding the conducting of such referendum, or that such votes in favor represent less than fifty-one percent (51%) of the total by both number of producers and quantity of the commodity, the director may extend the period of such referendum for not exceeding thirty (30) days. At the close of such extended period the director shall again count and tabulate all ballots received during the entire period of referendum and he shall be authorized to make such marketing order or amendment thereto effective if he finds that not less than fifty-one percent (51%) of the total number of producers of such commodity of record with the department have voted in favor of such marketing order or amendment thereto and that such producers marketed not less than fifty-one percent (51%) of the total quantity of such commodity marketed by all producers of record with the department during the marketing season next preceding the conducting of such referendum. The director is authorized to prescribe such additional procedures as may be necessary to conduct such referendum."

Amendment No. 6

On page 2 of said bill, after line 42, insert

"(4) At each public hearing upon a marketing order or amendment thereto, the director shall receive testimony or evidence relative to the period of time which may be necessarily required for the filing, checking, and tabulating of written assents prescribed in this section. At the conclusion of each such hearing the director shall make a finding, based upon the evidence and testimony so received, with respect to the period of time which may be reasonably and necessarily required for such filing, checking and tabulating. On the basis of such finding the director shall fix and limit the period during which such assents may be received by the director and such period shall be announced by the director at the time of mailing of assent forms to producers and handlers affected; provided, however, that if the director finds that an extension of such period is reasonably warranted he may extend such period for receiving assents."

Amendment No. 7

On page 2, line 12, of the printed bill, as amended in the Senate on June 16, 1949, after "engaged", insert a comma

Amendment No. 8

On page 3, line 47, of said bill, after "so to assent", insert a comma

Amendment No. 9

On page 4 of said bill, between lines 12 and 13, insert

"At a public hearing held to consider a proposed marketing order or amendments to an existing marketing order which directly affects producers or producer marketing, the director shall also receive testimony or evidence from which he can determine whether the assent, approval or favor of such producers shall be determined by written assents or by referendum as hereinabove prescribed. Upon the conclusion of any hearing which involves a marketing order or amendment thereto directly affecting producers or producer marketing, the director shall make a finding, based upon testimony and evidence received, whether producer assent, approval or favor shall be determined by written assents or by referendum. If the director finds that a referendum shall be had, he shall direct that a referendum be held in accordance with the provisions of subdivision (a) (2) of this section. If a referendum is conducted, the director shall not be required, with respect to the assent, approval or favor of producers, to make a finding concerning or fix and limit the period during which assents may be received by the director."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1646 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn,

Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, **Tomlinson, Way, Weber, and Yorty—57.**

NOES—None.

Assembly Bill No. 1646 ordered enrolled.

Assembly Bill No. 1751—An act to amend the article headings of Article 1 and Article 2 of Chapter 3 of Part 1 of Division 6 of the Welfare and Institutions Code, and to amend Sections 5350, 5352, 5354, 5355, 5400, 5401, and 5404 of said code, relating to drug addicts, designating certain persons as narcotic drug addicts, and other persons as addicted to the intemperate use of habit forming drugs, and providing for their commitment.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1751?

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on April 4, 1949, after "5355", insert "5355.1,".

Amendment No. 2

On page 1, line 9, of said bill, after "uses", insert "to the extent of having lost the power of self control".

Amendment No. 3

On page 1 of said bill, strike out lines 12 to 14, inclusive, and insert "Safety Code"

Amendment No. 4

On page 2, line 19, of said bill, strike out "eight", and insert "three".

Amendment No. 5

On page 2 of said bill, strike out lines 20 to 25, inclusive, and insert "than two years."

Amendment No. 6

On page 2 of said bill, strike out line 26 and line 27, and insert "If satisfactory evidence is submitted to the trial judge show-"

Amendment No. 7

On page 2, line 28, of said bill, strike out "not".

Amendment No. 8

On page 2 of said bill, strike out line 31, and insert "person if committed will not be benefited by treatment, the judge shall not commit the person to a state hospital."

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 9

On page 2 of said bill, after line 31, insert

"SEC. 5. Section 5355.1 of said code is amended to read:

5355.1. Any person committed as a drug addict except such persons as have been committed under the provisions of Section 5360, may be paroled after the expiration of [eight] *three* months under the same rules and conditions under which the mentally ill are paroled, and the superintendent, on filing his written certificate with the Director of Mental Hygiene, may discharge any person committed under this article after the expiration of [eight] *three* months and before the expiration of the

maximum term of confinement when such superintendent is satisfied that the person will not receive substantial benefit from further hospital treatment."

Amendment No. 10

On page 2, line 32, of said bill, strike out "SEC. 5.", and insert "SEC. 6."

Amendment No. 11

On page 2, line 39, of said bill, strike out "SEC 6.", and insert "SEC. 7."

Amendment No. 12

On page 3, line 11, of said bill, strike out "SEC 7", and insert "SEC. 8."

Amendment No. 13

On page 3, line 16, of said bill, strike out "SEC. 8.", and insert "SEC. 9."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1751 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Assembly Bill No. 1751 ordered enrolled.

Assembly Bill No. 1971—An act authorizing and directing the State Water Resources Board to make a study and investigation and to submit recommendations for the control of storm and flood waters in Dorchester Creek in Los Angeles County

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1971?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 1, 1949, following line 12, insert

"SEC. 5. Before undertaking any investigation under this act the State Water Resources Board shall prepare and submit to the cities of Alhambra, South Pasadena and Los Angeles and to the Los Angeles County Flood Control District a written estimate of the cost of making the investigation. If the local agencies agree to pay the cost of the investigation the State Water Resources Board shall proceed with the same. The local agencies referred to are authorized to reimburse the State Water Resources Board for the cost of any investigation made by it under this act."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1971 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Assembly Bill No. 1971 ordered enrolled.

Assembly Bill No. 2056—An act to amend Sections 18023, 18575, 18700, 18709, 18805, and 18806, of the Government Code, and repeal Section 19366 of said code, relating to state civil service.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2056?

Amendment No. 1

On page 2, line 16, of the printed bill, after "to", insert "budgetary authorization and".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2056 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—63.

NOES—None.

Assembly Bill No. 2056 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 669

Mr. Berry asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 669, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 669—An act to amend Section 53 of the Unemployment Insurance Act, relating to unemployment insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 669?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in Assembly May 26, 1949, after "of", insert "and to add Sections 209 and 250.1 to".

Amendment No. 2

On page 1 of said bill, after line 13, insert

"SEC. 2. Section 209 is added to the Unemployment Insurance Act, to read:

Sec. 209. Commencing January 1, 1950, any disabled individual during his confinement in a hospital shall be entitled to receive in addition to all benefits otherwise provided in this act, the amount of eight dollars ($8) for each day not in excess of twelve (12) days, during which he is so confined pursuant to orders of his physician; and any such individual shall not be subject to any waiting period requirement as a condition precedent to the receipt of any benefits under Article 10 of this act.

SEC. 3. Section 250.1 is added to the Unemployment Insurance Act, to read:

Sec. 250.1. Claims for the benefits provided in Section 209 of this act shall be made in accordance with authorized regulations but such claims must be supported by a certificate signed by the physician of the claimant stating the date the physician ordered such confinement and the duration thereof."

Amendment No. 3

On page 1 of the printed bill, as amended in Senate June 28, 1949, strike out line 17, and insert "individual eligible for benefits under Article 10 of this act shall, during his confinement in a hospital, be entitled".

Amendment No. 4

On page 1, line 20, of said bill, strike out the comma, and insert "in any one benefit year,".

Amendment No. 5

On page 1, line 23, of said bill, strike out the period, and insert "during the disability which caused such confinement."

Demand for Previous Question

Messrs. Waters, Evans, Hinckley, Conrad, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 669.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 669 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—Silliman—1.

Assembly Bill No 669 ordered enrolled

Request for Unanimous Consent That Name Be Placed Upon Roll Call on Concurrence in Senate Amendments to Assembly Bill No. 669

Mr. Lincoln asked for, and was granted, unanimous consent that he be permitted to add his name to the roll call on the concurrence in Senate amendments to Assembly Bill No. 669, and that he be recorded as voting "Aye."

Explanation of Vote

Due to a dental appointment, I was absent when Assembly Bill No 669 was concurred in, in the Assembly Had I been present I would have voted "Aye"

RALPH BROWN

Speaker Pro Tempore Presiding

At 10.10 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

MOTION TO AMEND STANDING RULES

In compliance with a notice of motion given on a previous legislative day, Mr. Kirkwood moved to amend the Standing Rules of the Assembly as follows:

Amendment No. 1

A new rule to be numbered 23.5 is hereby added to the Standing Rules of the Assembly to read as follows:

"23.5. Whenever a member of an interim committee of the Assembly fails to file for re-election to the Assembly, or fails to receive his party's nomination therefor, or fails to be re-elected, and whenever a member has been absent without leave from three meetings of an interim committee and that fact is certified by the chairman of the committee, the position of such member shall be deemed vacant and the Speaker shall immediately make an appointment to fill the vacancy."

Amendment read.

Demand for Previous Question

Messrs. Grant, Levering, Hinckley, Connolly, and Silliman demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Kirkwood to the Standing Rules of the Assembly.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Caldecott, Collier, Connolly, Conrad, Erwin, Fleury, Hinckley, Kirkwood, Lindsay, Maloney, Sherwin, Stanley, and Waters—14.

NOES—Anderson, Bennett, Berry, Brown, Burkhalter, Butters, Clarke, Coats, George D. Collins, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lipscomb, Luckel, McCollister, McMillan, Smith, Stewart, Thomas, Way, Weber, and Yorty—38.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 869

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 869, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 869—An act to amend Section 330 of the Fish and Game Code, relating to public shooting grounds.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 869?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on April 14, 1949, strike out "owned", and insert "acquired".

Amendment No. 2

In line 4 of said bill, after the comma following "Game", insert "without any contribution toward the purchase price having been made by the Federal Government, for".

Amendment No. 3

In line 5 of said bill, after "operated", insert "solely by the State".

Amendment No. 4

In line 10 of said bill, after "levied", strike out the balance of line 10, and insert "upon that portion of such property so operated as public shooting grounds at the time title to said property was".

Amendment No. 5

In line 12 of said bill, after "Fund", strike out the period and the balance of line 12, and all of line 13, and insert a period.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 869 by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Maloney, McMillan, Morris, Moss, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—46.

NOES—Doyle—1.

Assembly Bill No. 869 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2575—An act to amend Section 1260 of the Penal Code, relating to appeals.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2575?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 1260", and insert "Sections 1260 and 1265".

Amendment No. 2

On page 1 of said bill, after line 7, insert

"SEC. 2. Section 1265 of said code is amended to read:

1265. After the certificate of the judgment has been remitted to the court below, the appellate court has no further jurisdiction of the appeal or of the proceedings thereon, and all orders necessary to carry the judgment into effect must be made by the court to which the certificate is remitted; *provided, however, that if a judgment has been affirmed on appeal no motion shall be made or proceeding in the nature of a petition for a writ of error coram nobis shall be brought to procure the vacation of said judgment, except in the court which affirmed the judgment on appeal. When a judgment is affirmed by a district court of appeal and a hearing is not granted by the Supreme Court, the application for the writ shall be made to the district court of appeal.*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2575 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Assembly Bill No. 2575 ordered enrolled.

Assembly Bill No. 2740—An act to add Chapter 4 to Part 6 of Division 12 of the Water Code, relating to improvement districts in county water districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2740?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 18, 1949, after "to", insert "amend Section 32851 of, and to".

Amendment No. 2

In line 2 of the title of said bill, after "to", insert a comma.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 7, insert

"SEC. 2. Section 32851 of said code is amended to read:

32851. [Forty] *Fifteen* percent of the electors or owners of 40 percent in assessed value of the land and improvements in the district may propose the dissolution of the district by a petition filed with the secretary."

Amendment No. 4

On page 1, line 18, of the printed bill, as amended in the Senate on June 22, 1949, strike out "the same manner as annual assessments", and insert "as nearly the same manner as practicable as annual taxes".

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on June 22, 1949, strike out "amend Section 32851 of", and insert "add Section 32851.5 to".

Amendment No. 6

Strike out line 3 of the title of said bill, and insert "county water districts, including improvement districts therein and dissolution of county water districts."

Amendment No. 7

On page 2 of said bill, strike out lines 1 to 5, inclusive, and insert

"SEC. 2. Section 32851.5 is added to said code, to read:

32851.5. In the Atascadero County Water District only 15 percent of the electors or owners of 40 percent in assessed value of the land and improvements in the district need propose the dissolution of the district by a petition filed with the secretary, and such petition shall have the same effect as a petition filed pursuant to Section 32851."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2740 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Assembly Bill No. 2740 ordered enrolled.

Assembly Bill No. 2964—An act to amend Section 146 of the Civil Code, relating to disposition of community property on divorce.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2964?

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on May 25, 1949, strike out "disposition", and insert "assignment".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2964 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Assembly Bill No. 2964 ordered enrolled.

Assembly Concurrent Resolution No. 102—Relative to a survey of a Central Valley Road by the Division of Highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Concurrent Resolution No. 102?

Amendment No. 1

On page 1, line 17, of the printed measure, strike out "for the purpose of", and insert "in accordance with Section 75 of the Streets and Highways Code."

Amendment No. 2

On page 1 of said measure, strike out line 18.

Amendment No. 3

On page 1, line 18, of said measure, strike out the period, and insert ", such survey to be completed prior to March 15, 1950."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Concurrent Resolution No. 102 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Assembly Concurrent Resolution No. 102 ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 275

By Mr. Reagan:

House Resolution No. 275

Relative to requesting the Assembly Interim Committee on Governmental Efficiency and Economy to Investigate Transportation Facilities in Metropolitan Areas

WHEREAS, Public utilities operating rapid transit and other public transportation facilities in heavily populated metropolitan areas have failed to expand existing facilities sufficiently to meet the public need caused by the unprecedented increase in population in such areas; and

WHEREAS, This failure may be due to a number of reasons, including inability to finance renewals, extensions and improvements; and

WHEREAS, Officials and citizens of such metropolitan areas are vitally interested in the problem and have expressed their desire to cooperate with the State in the solution thereof; and

WHEREAS, In order to properly legislate on this subject it is vital that the Assembly be fully informed as to all facts relating thereto or bearing thereon; and

WHEREAS, The Assembly Interim Committee on Governmental Efficiency and Economy created at this session is well equipped by experience to ascertain such facts; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy or a duly constituted subcommittee thereof is hereby authorized and directed to ascertain, study and analyze all facts relating to or in any way bearing upon the subject expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing thereon or relating thereto, and to cooperate with and secure the cooperation of, local governmental agencies in such metropolitan areas in ascertaining such facts, and to report thereon to the Assembly, including in its reports its recommendations for legislation.

Resolution read, and ordered placed upon the inactive file, on request of Mr. Reagan, by Mr. Levering.

CONSIDERATION OF HOUSE RESOLUTION NO. 233

By Mr. Burkhalter:

House Resolution No. 233

Relative to the creation of the Assembly Investigating Committee on Traffic Control

WHEREAS, It is common knowledge that great and constantly increasing numbers of motor vehicles are present on the streets and highways of this State, with the result that most serious problems of traffic congestion and safety, particularly noticeable in metropolitan areas, have manifested themselves; and

WHEREAS, It is necessary for this Legislature to undertake an investigation of the causes, effects, and remedies of these problems so as to enable it to abate the inconveniences and hazards to which the public is subjected under the existing circumstances; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Investigating Committee on Traffic Control is hereby created and authorized and directed to ascertain, study and analyze all facts relating to traffic safety and congestion generally and rapid transit problems in metropolitan areas and any allied problems, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its preliminary report not later than the fifteenth legislative day of the 1950 Regular Session and its final report not later than the fifteenth legislative day of the 1951 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To employ engineers to assist and advise it in carrying out the objects and purposes herein.

(g) To travel within or without the State of California in connection with its investigations.

(h) To meet and confer with the representatives of the board of supervisors of Los Angeles County and the City of Los Angeles who are now engaged in a similar survey.

6 The sum of twenty-five thousand dollars ($25,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur within or without the State of California under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 6, 1949, at pages 4133-4134, in paragraph numbered "5", strike out subsections "f" and "g".

Amendment No. 2

Change subsection "(h)" to read "(f)".

Amendment No. 3

In paragraph numbered "6", line 1, strike out "twenty-five thousand dollars ($25,000)", and insert "five thousand dollars ($5,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 233, as Amended

By Mr. Burkhalter:

House Resolution No. 233

Relative to the creation of the Assembly Investigating Committee on Traffic Control

WHEREAS, It is common knowledge that great and constantly increasing numbers of motor vehicles are present on the streets and highways of this State, with the result that most serious problems of traffic congestion and safety, particularly noticeable in metropolitan areas, have manifested themselves; and

WHEREAS, It is necessary for this Legislature to undertake an investigation of the causes, effects, and remedies of these problems so as to enable it to abate the inconveniences and hazards to which the public is subjected under the existing circumstances; now, therefore, be it

Resolved by the Assembly of the State of California, As follows.

1. The Assembly Investigating Committee on Traffic Control is hereby created and authorized and directed to ascertain, study and analyze all facts relating to traffic safety and congestion generally and rapid transit problems in metropolitan areas and any allied problems, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. Vacancies occurring in the membership of the committee shall be filled by the appointing power The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its preliminary report not later than the fifteenth legislative day of the 1950 Regular Session and its final report not later than the fifteenth legislative day of the 1951 Regular Session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

(f) To meet and confer with the representatives of the Board of Supervisors of Los Angeles County and the City of Los Angeles who are now engaged in a similar survey.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur within or without the State of California under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

Demand for Previous Question

Messrs. Grant, Luckel, Heisinger, Silliman, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of House Resolution No. 233, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Cooke, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Lewis, Lindsay, Lowrey, Maloney, McCollister, Meyers, Morris, Rosenthal, Rumford, Stanley, Thomas, Weber, and Yorty—42

NOES—Babbage, Conrad, Evans, Hinckley, Huyck, Kirkwood, Lipscomb, Luckel, Nicholson, Sherwin, Waters, and Way—12.

CONSIDERATION OF HOUSE RESOLUTION NO. 291

By Messrs. Stanley, Brown, and McMillan:

House Resolution No. 291

Relative to the creation of the Assembly Interim Committee on Aviation

WHEREAS, Following World War I a step was taken by our National Government, our State Government cooperating, for the road building program which has resulted in the creation of the automobile industry as we know it today; and

WHEREAS, In its infancy today we have the aviation industry embarking into a greater place in our economy; and

WHEREAS, With the federal direction now being given to the aviation industry, we in the State of California should take forward and progressive steps to encourage this infant industry; and

WHEREAS, Legislation will necessarily be presented to us in 1951 for our consideration; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Aviation is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the aviation industry, specifically including the following subjects:

(a) The regulation and taxation of aircraft;

(b) The location, establishment, construction, improvement, and financing of landing facilities;

(c) The responsibilities and activities of the California Aeronautics Commission;

(d) The continuation of the study of zoning in relation to airports;

including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of _____ dollars ($_____) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 28, 1949, at pages 5112-5113, in paragraph numbered "7" of said resolution, in the first line, insert "ten thousand dollars ($10,000)".

Amendment read, and adopted.

Consideration of House Resolution No. 291, as Amended

By Messrs. Stanley, Brown, and McMillan:

House Resolution No. 291

Relative to the creation of the Assembly Interim Committee on Aviation

WHEREAS, Following World War I a step was taken by our National Government, our State Government cooperating, for the road building program which has resulted in the creation of the automobile industry as we know it today; and

WHEREAS, In its infancy today we have the aviation industry embarking into a greater place in our economy; and

WHEREAS, With the federal direction now being given to the aviation industry, we in the State of California should take forward and progressive steps to encourage this infant industry; and

WHEREAS, Legislation will necessarily be presented to us in 1951 for our consideration; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Aviation is hereby created and authorized and directed to ascertain, study, and analyze all facts relating to the aviation industry, specifically including the following subjects:

(a) The regulation and taxation of aircraft;

(b) The location, establishment, construction, improvement, and financing of landing facilities;

(c) The responsibilities and activities of the California Aeronautics Commission;

(d) The continuation of the study of zoning in relation to airports;

including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Butters, Coats, Collier, George D. Collins, Condon, Conrad, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lipscomb, Lowrey, Maloney, McCollister, Meyers, Morris, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—53.

NOES—None.

RESOLUTIONS

The following resolution was offered:

By Messrs. Evans and Hollibaugh:

House Resolution No. 305—Relative to congratulations being extended to Mrs. Kathryn T. Niehouse.

Resolution read.

Request for Unanimous Consent That Names Be Placed Upon House Resolution No. 305 as Co-authors

Messrs. Evans and Hollibaugh asked for, and were granted, unanimous consent that the names of all members present be placed upon House Resolution No. 305, as co-authors.

The roll was called, and the following expressed a desire to be so recorded:

By Messrs. Evans, Hollibaugh, Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty:

House Resolution No. 305

Relative to congratulations being extended to Mrs. Kathryn T. Niehouse

WHEREAS, Mrs. Kathryn T. Niehouse, the gracious and lovely lady who so ably represents the Seventy-ninth Assembly District in the Assembly, has been chosen as San Diego's Woman of the Year by the Soroptimist Club of San Diego; and

WHEREAS, The Members of the Assembly feel that Mrs. Kathryn T. Niehouse is eminently qualified to be the recipient of this honor because of her distinguished career as the only woman Member of the Legislature of the State of California and because of her charm, beauty and gracious nature; and

WHEREAS, The Members of the Assembly wish to express their recognition and appreciation for the honor that has been bestowed upon their fellow legislator; now, therefore, be it

Resolved by the Assembly of the State of California, That Mrs. Kathryn T. Niehouse be congratulated for the title conferred upon her; and be it further

Resolved, That the Chief Clerk is directed to transmit a copy of this resolution to Mrs. Kathryn T. Niehouse.

Request for Unanimous Consent

Mr. Evans asked for, and was granted, unanimous consent to take up House Resolution No. 305, at this time, without reference to committee or file.

Resolution read, and adopted unanimously by a rising vote.

Hon. L. Stewart Hinckley Presiding

At 11.15 a.m., Hon. L. Stewart Hinckley, Member of the Assembly from the Seventy-third District, presiding

MOTION TO WITHDRAW SENATE BILL NO. 1098 FROM COMMITTEE

In compliance with a notice given on a previous day, Mr. Condon moved that Senate Bill No. 1098 be withdrawn from the Committee on Finance and Insurance, and be placed upon the file.

Speaker Pro Tempore Presiding

At 11.18 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Demand for Previous Question

Messrs. Kirkwood, Heisinger, Connolly, Lincoln, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Condon that Senate Bill No. 1098 be withdrawn from the Committee on Finance and Insurance, and be placed upon the file.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 11.24 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Berry, Burkhalter, Caldecott, Cooke, Crowley, Clayton A. Dills, Dunn, Fletcher, Grunsky, Hawkins, Hoffman, McCollister, Silliman, and Waters—15

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Davis asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 61

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 61, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 61

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, providing for the establishment of special accounts for certain appropriations for expenses of the Legislature.

Bill read third time.

Motion to Amend

Mr. Dickey moved the adoption of the following amendments:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on June 28, 1949, strike out lines 22 and 23, and insert "either the Assembly Legislative Process Committee or the Assembly Committee on Rules, or both (each of which committees has a continuing existence during sessions and between sessions with such powers, duties and responsibilities as the Assembly from time to time shall prescribe), as and when thereunto authorized by the Assembly. The money in the fund shall be disbursed, pursuant to, and the powers, duties and responsibilities of the Assembly Legislative Process Committee and the Assembly Committee on Rules shall be as provided by, the Rules, orders and resolutions adopted by the Assembly at the 1949 Regular Session until modified or superseded by Assembly action at a subsequent session."

Amendment No. 2

On page 3, line 9, of said bill, strike out "from", and insert "for".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 61

Mr. Dickey moved that a rush order be placed upon the printing of Senate Bill No. 61.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 285

By Messrs. Davis, Geddes, and Hoffman:

House Resolution No. 285

Relative to the creation of the Assembly Interim Committee on Fairs and Expositions

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fairs and Expositions is hereby created and authorized and directed to ascertain, study, and analyze all facts relating or in anywise appertaining to fairs and expositions, the allocation of state moneys thereto, the advisability of establishing additional agricultural fairs or other expositions or exhibitions, and all facts relating to the feasibility and desirability of the purchase by the State of the interests of the City of Los Angeles and the County of Los Angeles in the Coliseum and Coliseum Park in Los Angeles, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the thirtieth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To confer with the Department of Finance with respect to the allocation of money to the various fairs and to state agencies which receive money from the Fair and Exposition Fund.

(e) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided

(f) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Connolly, Crichton, Crowley, Davis, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rumford, Stanley, Thomas, Thompson, Waters, Way, and Yorty—42.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 290

By Mr. Maloney:

House Resolution No. 290

Relating to regulations of privately owned ambulances

WHEREAS, There is a demand for regulations of privately owned ambulances due to the many incorrect practices incurred by an injured person while being treated for injury sustained by reason of accident, and the many inadequacies of treatment given to the injured person by a nonqualified ambulance driver attendant; and

WHEREAS, In the interest of public health and safety ambulance driver attendants should be properly qualified to act as driver attendants of ambulances operating within the State of California at all times, and

WHEREAS, It is essential that an ambulance driver attendant be qualified in the prescribed Red Cross first aid course so that he may be properly prepared to take care of an injured person; and

WHEREAS, It is essential that some body be set up by legislative authority to recommend to the California State Legislature rules and regulations and other qualifications so that a person, or persons, may become qualified ambulance driver attendants; now, therefore, be it

Resolved by the Assembly of the State of California, That the Interim Committee on Public Health be respectfully requested to take into consideration the provisions as contained in Assembly Bill No. 2532, introduced January 28, 1949, for the purpose of making a study and investigation to regulate privately owned ambulances and hospital attendants; and be it further

Resolved, That said recommendations be presented to the California State Legislature in the month of January, 1951, for the purpose of preparing remedial legislation which will regulate privately owned ambulances and hospital attendants, and all matters which come within that scope

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Connolly, Crichton, Crowley, Davis, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Geddes, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rumford, Stanley, Thomas, Thompson, Waters, Way, and Yorty—42.

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 294

By Mr. Sam L. Collins:

House Resolution No. 294

Relative to commending McGeorge College of the Law for conferring upon Ralph C. Dills and Joseph A. Beek the honorary degree of Doctor of Laws

WHEREAS, At its silver anniversary commencement exercises on June 17, 1949, McGeorge College of the Law, as a part of its program celebrating the centennial of the discovery of gold in California, honored a select number of men of extraordinary achievement and service to the people of the State of California; and

WHEREAS, On that occasion McGeorge College of Law conferred upon Ralph C. Dills, former Assemblyman from Los Angeles County, and Joseph A Beek, the Secretary of the Senate of the State of California, the honorary degree of Doctor of Laws; and

WHEREAS, Both of these men are worthy recipients of the honor bestowed upon them, serving the people of the State of California well and faithfully; Mr. Beek, in his office as Secretary of the Senate, and Mr. Dills, both in his office as Assemblyman and in his new office as a Justice of the Peace in Los Angeles County; and

WHEREAS, The selection of Ralph C Dills and Joseph A. Beek as recipients of the honorary degree of Doctor of Laws gives to the Members of the Assembly the utmost pleasure and gratification; now, therefore, be it

Resolved by the Assembly of the State of California, That McGeorge College of the Law be heartily commended for conferring upon Ralph C. Dills and Joseph A. Beek the honorary degree of Doctor of Laws; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to send a copy of this resolution to McGeorge College of the Law.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 295

By Mr. Caldecott:

House Resolution No. 295

Relating to the expenditure of appropriations to provide housing for students at the University of California and at the state colleges

WHEREAS, By the enactment of Chapter 147 of the Statutes of the 1946 First Extra Session, the Legislature made an appropriation for construction, improvements, and equipment needed by the University of California which appropriation was intended to provide funds for student housing for students of the University at its several campuses and units; and

WHEREAS, By the enactment of Chapter 155 of the Statutes of the 1946 First Extra Session, the Legislature made an appropriation for the acquisition of sites and for the construction, furnishing, and equipment of student housing on the campuses of the state colleges; and

WHEREAS, While there is no express limitation contained in either chapter it was contemplated at the time they were enacted that the funds made available for student housing would be matched either from the sale of revenue bonds or from other sources; and

WHEREAS, It now appears that requiring of such matching funds in the construction of student housing may necessitate the fixing of rental charges for occupancy by students at rates which are beyond the reasonable ability of students to pay, now, therefore, be it

Resolved by the Assembly of the State of California, That the State Public Works Board is requested and directed to consider this problem and to determine with the Regents of the University of California and the Director of Education and the Director of Finance as to what extent the expenditure of these appropriations for student housing should be matched by funds from other sources; and be it further

Resolved, That the Chief Clerk of the Assembly be directed to send a copy of this resolution to the State Public Works Board.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 296

By Mr. McCollister:

House Resolution No. 296

Relative to requesting the Assembly Interim Committee on Interstate Cooperation to ascertain facts relating to motor vehicle registration

WHEREAS, Under existing procedures all vehicle registrations must be renewed annually with the Department of Motor Vehicles within a period of a little over a month; and

WHEREAS, This shortage of time and the vast number of registrations required to be renewed strains the facilities available to the department for processing such registrations during such periods; and

WHEREAS, These conditions have resulted in delays and in great inconvenience to the public; and

WHEREAS, It is necessary in order to enable the Legislature to intelligently consider legislation designed to remedy the situation that a committee investigate and study in detail methods whereby the registration of vehicles may be distributed evenly throughout the year and the present extreme fluctuations of work avoided; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Interstate Cooperation be and it hereby is authorized and requested to ascertain, study and analyze all facts relating to the development of a system of registration of motor vehicles on a monthly basis so as to permit, as far as possible, uniform distribution of the work of registration throughout each month of the calendar year and the establishment of 12 registration periods of 12 months duration, each of which shall begin on the first day of a calendar month and end on the last day of the twelfth month from the date of beginning, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in its report its recommendations for appropriate legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Connolly, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Lewis, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Silliman, Thomas, Thompson, Way, Weber, and Yorty—52

NOES—None.

CONSIDERATION OF HOUSE RESOLUTION NO. 297

By Mr. McCollister:

House Resolution No. 297

Relative to requesting the Assembly Interim Committee on Crime and Corrections to study the feasibility of continuous and full-time instruction for San Quentin Prison guards

WHEREAS, The maintenance of a well-trained and efficient prison staff is vital to the proper functioning of our State Prison System; and

WHEREAS, It is necessary in order to maintain a high level of efficiency to have refresher courses and constant training in police work and in the techniques of prison administration; and

WHEREAS, Such courses of training are now required to be taken by all regular guards at San Quentin Prison; and

WHEREAS, The present system of requiring the regular guards to attend classes at odd hours and on their own time is inefficient and ineffective; and

WHEREAS, In order to enable it to intelligently consider legislation designed to remedy this situation, it is necessary that the Assembly be fully informed on all facts relating thereto; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Crimes and Corrections created at the 1949 General Session of the Legislature be and it hereby is authorized and requested to ascertain, study and analyze all facts relating to or in any way bearing upon the recitals of this resolution, including, but not limited to the administration, operation and needed revision of any and all laws bearing thereon, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and adopted.

INTRODUCTION, FIRST READING, AND REFERENCE OF ASSEMBLY BILLS

The following resolution was offered:

Assembly Joint Resolution No. 46: By Messrs. Lindsay, Fleury, Hoffman, Moss, Berry, Butters, Coats, George D. Collins, Condon, Connolly, Crichton, Dunn, Erwin, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Lewis, Lowrey, McCarthy, McCollister, Meyers, Thompson, Way, and Weber—Relative to memorializing the President and Congress of the United States in relation to regulation of speed boats on Lake Tahoe.

Request for Unanimous Consent

Mr. Lindsay asked for, and was granted, unanimous consent to take up Assembly Joint Resolution No. 46, at this time, without reference to committee, print, or file, and that the same be considered engrossed.

CONSIDERATION OF ASSEMBLY JOINT RESOLUTION NO. 46

Assembly Joint Resolution No. 46—Relative to memorializing the President and Congress of the United States in relation to regulation of speed boats on Lake Tahoe.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, Yorty, and Mr. Speaker—72.

NOES—None

Resolution ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 292

By Mr. Burkhalter:

House Resolution No. 292

Relative to requesting the Assembly Interim Committee on Public Health to investigate the feasibility of establishing institutions for inebriates

WHEREAS, A need exists for a thorough study of alcoholism, and chronic inebriates, the effect thereof upon the public health, welfare, safety and morals, and the means of preventing and alleviating the suffering caused thereby; and

WHEREAS, Assembly Bills Nos. 582 and 1055, introduced at the 1949 General Session of the Legislature attempted to deal with this problem by providing for the establishment and maintenance of institutions for inebriates, and the commitment, transfer and admission of persons thereto and the release of persons therefrom; and

WHEREAS, The Assembly should be fully informed as to all facts bearing upon or in any way affecting the above; and

WHEREAS, The ascertainment of such facts falls within the scope of the duties imposed on the Assembly Interim Committee on Public Health; now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Public Health, created at this session be, and it hereby is, authorized and requested to ascertain, study and analyze all facts relating to, bearing upon or in any manner affecting the subjects expressed in the recitals of this resolution, including, but not limited to, the feasibility of establishing and maintaining institutions for the treatment, custody and care of alcoholics and chronic inebriates, and including, but not limited to, the operation, effect, administration and enforcement of any and all laws bearing thereon, and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 298

By Messrs. Dolwig, Connolly, McCollister, Mrs. Niehouse, and Mr. Lipscomb:

House Resolution No. 298

Relative to memorializing the Civil Aeronautics Board to effect rules and regulations which will require all air carriers engaged in common carriage of passengers to maintain the same safety standards

WHEREAS, The safety standards now imposed on the certificated air carriers has resulted in the United States maintaining the highest safety record in world air transportation; and

WHEREAS, Tremendous losses occur to the air transport industry when public confidence is destroyed by air accidents; and

WHEREAS, There now exists in California and the United States air carriers engaged in the common carriage of passengers who are *not* required to meet the same safety standards required of the certificated air carriers; and

WHEREAS, California citizens traveling by air should be afforded every practical air safety measure now employed by the air transportation industry; now, therefore, be it

Resolved by the Assembly of the State of California, That the Civil Aeronautics Board be memorialized to immediately effect such rules and regulations which will require all air carriers engaged in common carriage of passengers to maintain the same safety standards as required of the certificated carriers; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit copies of this resolution to the Chairman and members of the Civil Aeronautics Board.

Resolution read.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Dolwig has exceeded his time.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being on the adoption of House Resolution No. 298.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Dolwig moved a call of the Assembly.

Roll Call Demanded

Messrs. Dolwig, McCollister, and Hinckley demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Babbage, Beck, Berry, Butters, Caldecott, Coats, Collier, George D. Collins, Connolly, Conrad, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rumford, Silliman, Stanley, Thomas, Waters, Way, and Weber—49.

NOES—None.

Time, 11.58 a.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Bennett, Brady, Brown, Burke, Coats, George D. Collins, Sam L. Collins, Condon, Cooke, Clayton A. Dills, Dunn, Evans, Grant, Hawkins, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, McCarthy, Silliman, Smith, and Thompson—25.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dolwig asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER. Your Committee on Rules, to which were referred:

House Resolution No. 300
House Resolution No. 301
House Resolution No. 303
House Resolution No. 304

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 304

By Messrs. Hahn, Beck, Hollibaugh, Fletcher, Crichton, Thompson, Waters, Geddes, Dolwig, Maloney, Doyle, Crowley, Dunn, Evans, and McCollister:

House Resolution No. 304—Relative to commending Mr. Leslie E. Claypool for his outstanding record as a distinguished member of the press.

Resolution read.

Request for Unanimous Consent That All Members Present Be Named Co-authors

Mr. Hahn asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 304, as co-authors. The roll was called and the following expressed a desire to be so recorded:

By Messrs. Hahn, Beck, Hollibaugh, Fletcher, Crichton, Thompson, Waters, Geddes, Dolwig, Maloney, Doyle, Crowley, Dunn, Evans, McCollister, Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Davis, Dickey, Clayton A. Dills, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, McMillan, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Tomlinson, Way, Weber, and Yorty:

House Resolution No. 304

Relative to commending Mr. Leslie E. Claypool for his outstanding record as a distinguished member of the press

WHEREAS, Leslie E. Claypool has graced these legislative halls for the past five years; and

WHEREAS, Mr. Claypool has gained prominence as a newspaper reporter of 41 years' experience throughout the Nation; and

WHEREAS, Leslie E. Claypool, affectionately known to many of his readers as "L. E. C.," has conscientiously reported the news of this Legislature to the people of Los Angeles through the columns of the Los Angeles Daily News, of which newspaper Mr. Claypool is the political editor; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly do hereby express their admiration for, and extend their congratulations to, Mr. Leslie E. Claypool for his outstanding record as a distinguished member of the press; and be it further

Resolved, That because of his many years of journalistic activities in this State, Mr. Leslie E. Claypool be hereafter known as "Uncle Leslie" by which name so many of his close friends already call him; and be it further

Resolved, That the Chief Clerk of the Assembly be hereby directed to transmit copies of this resolution to Leslie E. Claypool.

Resolution read, and adopted unanimously.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced that Mr. Hahn is leaving shortly for a trip to Tokio, Japan, and wished him a happy and successful trip, on behalf of the Members of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 299

By Mr. Dickey:

House Resolution No. 299

Resolved, That Justin G. Child, Chief of the Division of Buildings and Grounds, be and he is hereby directed to leave the Assembly Chamber and all of the committee rooms and other rooms used by the members and officers of the Assembly in such condition that they will be available for use by the members and officers of the Assembly at any time It is further directed that no person other than the members and officers of the Assembly be permitted to occupy or use the offices, committee rooms, or other rooms now occupied by the Assembly or any of the Assembly equipment now being used by the Assembly; and that the desks, furniture and equipment of the Assembly be at the disposal of the Chief Clerk of the Assembly subsequent to the *sine die* adjournment of the session and until the Assembly shall reconvene for the next regular session, and be it further

Resolved, That subsequent to the *sine die* adjournment, and until the reconvening of the Assembly for the next regular session, permission to use the Assembly Chamber shall not be permitted except on the written authorization of the Speaker and the Chairman of the Committee on Rules; and be it further

Resolved, That any requests for the use of committee rooms shall be made to the Chief Clerk of the Assembly, in writing, at least 10 days prior to the requested date for the use of such committee rooms, which request must be approved by the Speaker or Chairman of the Committee on Rules

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 281

By Messrs. Morris and Geddes:

House Resolution No. 281

Relative to the creation of the Assembly Fact-Finding Committee on Highways, Streets and Bridges and the allocation of costs for the construction, maintenance and improvement thereof

WHEREAS, The public highways, streets and bridges of California are useful, necessary and indispensable arteries of travel and commerce and have been constructed *and improved at great public expense; and*

WHEREAS, Such facilities have been built and are maintained by the use of funds derived from taxes on property, from federal aid, and from registration fees, gasoline taxes and other fees collected as compensation for road use; and

WHEREAS, The development and growth of this State during and since the war have subjected the streets and highways of this State to unusual and destructive burdens; and

WHEREAS, It is recognized that pavements and other highway improvements are not permanent, but must be rebuilt, resurfaced and modernized, indicating the need of foresight in the treatment of financial problems in connection with the inevitable program of reconstruction; and

WHEREAS, The planning and construction of highways, streets and bridges in California must include a complete analysis of all the problems involved, including the fullest economic development of the State by opening up under-developed areas to economic opportunity and to provide proper transportation to meet changing economic and industrial conditions; and

WHEREAS, Careful study is required to determine whether the funds contributed *for highway, street and bridge construction and maintenance have been levied equitably* either on property or business in relation to its benefits or upon the users in direct proportion to their use; and

WHEREAS, Complete information should be available to the Legislature as to the actual annual cost of roads and streets and the fair apportionment of such cost

between those who use them; and to that end the Legislature is in need of data as to the total mileage of roads and streets, the capital investment therein, the total sum which should be collected each year in road use charges or other fees in order to maintain, replace and modernize the same, and the proper amount which should be paid each year by users of public thoroughfares to meet the total annual cost of all public roads and streets; and

WHEREAS, The Legislature is in need of additional information on the foregoing matters, including (a) the present status of the highway system, state, county and local, (b) existing deficiencies therein to meet present demands, (c) a schedule of progressive improvements necessary to keep abreast of future demands, (d) a schedule of maintenance to keep the capital investment up to standard, (e) a schedule of improvements necessary to develop areas of the State that should be opened up to economic opportunity, (f) special problems relating to highways and matters incidental thereto, (g) the financing of highways and the administration of the highway system including alternate plans to those heretofore proposed for financing a highway construction program with the purpose of reducing as much as is equitable the burden of taxation which the motorist of the next decade must bear, (h) the interrelationship between state and local governments in relation to the foregoing and the interrelationship of the State and Federal Government, and (i) the control of traffic on the highways in the interest of safety, which information should include so far as feasible both present needs and future needs for a period of at least ten years; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Highways, Streets and Bridges is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts and matters relating or pertaining to the subjects set forth in the foregoing recitals, including but not limited to all facts relative to the cost of constructing, maintaining and improving public highways, streets and bridges in the State, the need and cost for bringing them up to acceptable standards, the cost of maintaining them in such condition, and the need and cost of expanding the highway system of the State to meet the increasing demands for travel, the demands arising from changing economic and industrial conditions, and the opening up of undeveloped areas, the use now and hereafter to be made of such highways, streets and bridges, and the proper distribution and allocation of the cost and burden of construction and maintenance in proportion to benefits both to users and to property as demonstrated by impartial engineering studies, and also including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation

2 The committee shall consist of five Members of the Assembly, one of which shall be the Speaker of the Assembly, appointed by the Speaker thereof Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power The chairman shall be appointed by the Speaker

3 The Committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the fifteenth legislative day of the next regular general session The committee may prepare and submit preliminary reports containing such information and data as then may be available to it to be submitted to the Legislature and the Governor during any recess or at the next regular budget session or at any extraordinary session which is convened to act upon problems bearing upon or related to the subject of this resolution.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter, within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution

6 The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of ten thousand dollars ($10,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its employees, and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund, and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 23, 1949, at pages 4881-4882, in the paragraph numbered "2," change the first two lines to read "The committee shall consist of five Members of the Assembly, appointed by the Speaker thereof, one of which shall be the Speaker of the Assembly"

Amendment No. 2

In the paragraph numbered "7," in the first line, strike out "ten thousand dollars ($10,000)", and insert "five thousand dollars ($5,000)".

Amendments read, and adopted.

Consideration of House Resolution No. 281, as Amended

By Messrs. Morris and Geddes:

House Resolution No. 281

Relative to the creation of the Assembly Fact-Finding Committee on Highways, Streets and Bridges and the allocation of costs for the construction, maintenance and improvement thereof

WHEREAS, The public highways, streets and bridges of California are useful, necessary and indispensable arteries of travel and commerce and have been constructed and improved at great public expense; and

WHEREAS, Such facilities have been built and are maintained by the use of funds derived from taxes on property, from federal aid, and from registration fees, gasoline taxes and other fees collected as compensation for road use; and

WHEREAS, The development and growth of this State during and since the war have subjected the streets and highways of this State to unusual and destructive burdens; and

WHEREAS, It is recognized that pavements and other highway improvements are not permanent, but must be rebuilt, resurfaced and modernized, indicating the need of foresight in the treatment of financial problems in connection with the inevitable program of reconstruction; and

WHEREAS, The planning and construction of highways, streets and bridges in California must include a complete analysis of all the problems involved, including the fullest economic development of the State by opening up under-developed areas to economic opportunity and to provide proper transportation to meet changing economic and industrial conditions; and

WHEREAS, Careful study is required to determine whether the funds contributed for highway, street and bridge construction and maintenance have been levied equitably either on property or business in relation to its benefits or upon the users in direct proportion to their use, and

WHEREAS, Complete information should be available to the Legislature as to the actual annual cost of roads and streets and the fair apportionment of such cost between those who use them; and to that end the Legislature is in need of data as to the total mileage of roads and streets, the capital investment therein, the total sum which should be collected each year in road use charges or other fees in order to maintain, replace and modernize the same, and the proper amount which should be paid each year by users of public thoroughfares to meet the total annual cost of all public roads and streets; and

WHEREAS, The Legislature is in need of additional information on the foregoing matters, including (a) the present status of the Highway System, State, county and local, (b) existing deficiencies therein to meet present demands, (c) a schedule of progressive improvements necessary to keep abreast of future demands, (d) a schedule of maintenance to keep the capital investment up to standard, (e) a schedule of improvements necessary to develop areas of the State that should be opened up to economic opportunity, (f) special problems relating to highways and matters incidental thereto, (g) the financing of highways and the administration of the Highway System including alternate plans to those heretofore proposed for financing a highway construction program with the purpose of reducing as much as is equitable the burden

of taxation which the motorist of the next decade must bear, (h) the interrelationship between State and local Governments in relation to the foregoing and the interrelationship of the State and Federal Government, and (i) the control of traffic on the highways in the interest of safety, which information should include so far as feasible both present needs and future needs for a period of at least ten years; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Fact-Finding Committee on Highways, Streets and Bridges is hereby created and appointed and authorized and directed to ascertain, study and analyze all facts and matters relating or pertaining to the subjects set forth in the foregoing recitals, including but not limited to all facts relative to the cost of constructing, maintaining and improving public highways, streets and bridges in the State, the need and cost for bringing them up to acceptable standards, the cost of maintaining them in such condition, and the need and cost of expanding the highway system of the State to meet the increasing demands for travel, the demands arising from changing economic and industrial conditions, and the opening up of undeveloped areas, the use now and hereafter to be made of such highways, streets and bridges, and the proper distribution and allocation of the cost and burden of construction and maintenance in proportion to benefits both to users and to property as demonstrated by impartial engineering studies, and also including but not limited to the operation, effect, administration, enforcement, and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Legislature, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly, appointed by the Speaker thereof, one of which shall be the Speaker of the Assembly. Vacancies occurring or existing in the membership of the committee shall be filled by the appointing power. The chairman shall be appointed by the Speaker.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the next regular general session, with authority to file its final report not later than the fifteenth legislative day of the next regular general session. The committee may prepare and submit preliminary reports containing such information and data as then may be available to it to be submitted to the Legislature and the Governor during any recess or at the next regular budget session or at any extraordinary session which is convened to act upon problems bearing upon or related to the subject of this resolution.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(c) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(d) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6 The committee is authorized to meet in the State Capitol, or at any other place within this State or within the United States, and to expend the funds made available to it by this resolution for charges, expenses, or claims incurred or expended for traveling, living or other expenses within or outside the limits of the State of California.

7. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its employees, and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund, and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Butters, Clarke, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Evans, Fletcher, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey,

McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Silliman, Stanley, Thomas, Thompson, Way, Weber, and Yorty—49.

NOES—Luckel and Waters—2

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2695

Mr. Brown asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No 2695, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2695—An act to add Section 261d to the Code of Civil Procedure, relating to fees for phonographic reporters.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2695?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 9, 1949, strike out "261d", and insert "261g"

Amendment No. 2

On page 1, line 1, of said bill, strike out "261d", and insert "261g".

Amendment No. 3

On page 3, line 1, of said bill, strike out "261d", and insert "261g"

Amendment No. 4

In line 2 of the title of said bill, strike out "fees for".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2695 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, and Weber—61

NOES—None

Assembly Bill No 2695 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON MOTION TO WITHDRAW SENATE BILL NO. 1098

At 12.15 p.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the motion by Mr. Condon that Senate Bill No. 1098 be withdrawn from the Committee on Finance and Insurance, and be placed upon the file, carried by the following vote:

AYES—Anderson, Bennett, Brown, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Cooke, Crichton, Davis, Dolwig, Elliott, Evans, Fleury, Gaffney, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Tomlinson, Way, and Yorty—41.

NOES—Babbage, Beck, Brady, Burke, Butters, Connolly, Conrad, Dickey, Doyle, Dunn, Erwin, Geddes, Grant, Hahn, Hollibaugh, Huyck, Levering, Lipscomb, Luckel, McMillan, Morris, Smith, Stewart, Thompson, Weber, and Mr. Speaker—26.

Senate Bill No. 1098 ordered to third reading.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON HOUSE RESOLUTION NO. 298

At 12.20 p.m., on motion of Mr. Dolwig, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, ~~and House Resolution No. 298 refused adoption by the following vote:~~

PRINTER'S NOTE—There being no 7-point strikeout type available, the following roll call, which should appear in strikeout type, is indicated by being enclosed within brackets.

[AYES—Berry, Brady, Burke, Butters, Clarke, Condon, Connolly, Crowley, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Heisinger, Hoffman, Lewis, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Niehouse, Silliman, Stanley, Thomas, Thompson, Tomlinson, and Weber—32

NOES—Babbage, Beck, Bennett, Burkhalter, Caldecott, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Davis, Doyle, Dunn, Elliott, Geddes, Grunsky, Hagen, Hahn, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lowrey, Luckel, McMillan, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stewart, Waters, Way, and Yorty—39.]

(On this day the above record was expunged, and the action rescinded, whereby the Assembly refused adoption to House Resolution No. 298.)

RECESS

At 12.25 p.m., on motion of Mr. Dickey, the Assembly recessed until 2 p.m.

REASSEMBLED

At 2 p.m., the Assembly reconvened.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Concurrent Resolution No. 99

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No. 106

Assembly Concurrent Resolution No. 107

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolutions ordered engrossed.

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 254

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and be adopted, as amended.

DICKEY, Chairman

Above reported resolution with proposed committee amendments ordered printed in the Journal, and on file for adoption.

HOUSE RESOLUTION NO. 254

By Mr. Rosenthal:

House Resolution No. 254

Relative to the creation of the Assembly Interim Committee on Fire Hazards and Prevention

WHEREAS, Disastrous fires in hotels and other buildings and disastrous explosions, both resulting in great loss of life and damage to property, continue to occur throughout the Nation and in the State of California; and

WHEREAS, It is necessary that the facts be ascertained concerning the origins and causes of fires and explosions in hotels, apartment houses, manufacturing plants and other buildings, and that modern fire prevention methods be studied and investigated, in order that the Legislature may enact proper legislation to remedy the situation; now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fire Hazards and Prevention is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution as expressed in the recitals thereof, including but not limited to facts concerning the origins, causes and methods of prevention of fires and explosions in hotels, apartment houses, manufacturing plants, and other buildings, establishment and facilities, and any proposed plans, methods or systems for fireproofing buildings, plants and property and combating or preventing the spread of fires, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Proposed Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution, as printed in the Assembly Journal of June 14, 1949, at page 4445, in line 1 of the paragraph numbered "2", strike out "three", and insert "five".

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Concurrent Resolution No. 99
Assembly Concurrent Resolution No. 106
Assembly Concurrent Resolution No 107

And reports the same correctly engrossed.

HUYCK, Chairman

Above reported resolutions ordered on file for adoption.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2146—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance at drills, camps and exercises; performance of duty during insurrection or emergency; private employees and restoration to positions

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 797—An act to amend Section 7324 of the Business and Professions Code, relating to cosmetology.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 31—An act to amend Section 13554 of the Health and Safety Code and to add Section 9535 to the Business and Professions Code, relating to the inspection of cleaning, dyeing or pressing establishments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Salsman, Brown, and Mayo as a Committee on Conference concerning:

Assembly Bill No. 2120—An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13 6, 14, 15, 15.5, 16, and 16 5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1468—An act to amend Section 9.5 of the Municipal Court Act of 1925, relating to compensation of officials of the municipal court.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 318
Senate Bill No 558
Senate Bill No. 592
Senate Bill No. 625
Senate Bill No. 645
Senate Bill No. 699
Senate Bill No. 711
Senate Joint Resolution No. 35
Senate Bill No. 1047
Senate Bill No. 1053
Senate Bill No. 1236
Senate Bill No. 1338
Senate Bill No. 1632
Senate Bill No. 1649

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 283
Assembly Bill No 525
Assembly Bill No. 1556
Assembly Bill No 2859

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 80

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 91
Assembly Bill No. 1243
Assembly Bill No. 1784
Assembly Bill No. 2255
Assembly Bill No 2468
Assembly Bill No 2576
Assembly Bill No 2591
Assembly Bill No. 2852
Assembly Bill No. 2949
Assembly Bill No 3128
Assembly Bill No. 3139
Assembly Bill No 3147

J. A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day adopted, as amended:

Assembly Constitutional Amendment No. 81

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 625
Assembly Bill No. 680
Assembly Bill No. 1304
Assembly Bill No. 2310
Assembly Bill No. 2619

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No. 234
Senate Bill No. 235
Senate Bill No. 319
Senate Bill No. 581
Senate Bill No. 690

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 234—An act making an appropriation to the Vocational Education Fund for fire training, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 6, of the printed bill, after the period, insert "Any personal services required by the State Board of Education under this appropriation shall be by contract in accordance with Section 9165 of the Education Code."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 235—An act making an appropriation to the Vocational Education Fund for fire training institutes, declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 5, of the printed bill, after the period, insert "Any personal services required by the State Board of Education under this appropriation shall be by contract in accordance with Section 9165 of the Education Code."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 319—An act to amend Sections 7102.1 and 7104 of the Education Code, relating to the excess cost of educating mentally retarded minors.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 20, 1949, after "Sections", insert "5153.5,".

Amendment No. 2

On page 1, line 1, of said bill, strike out "7102.1", and insert "5153.5".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, between lines 2 and 3, insert

"5153.5. (a) In addition there shall be provided such sum as the Superintendent of Public Instruction shall certify as necessary to reimburse school districts for 75 percent of the excess cost of educating mentally retarded minors, including transportation, during the preceding fiscal year, but not in excess of [seventy-five dollars ($75)] *one hundred dollars ($100)* for each unit of average daily attendance during the preceding school year of mentally retarded minors given instruction by the district in special schools or classes.

(b) In addition there shall be provided such amount as the Superintendent of Public Instruction shall certify as necessary to reimburse the county school service fund of each county for 75 percent of the excess cost to the county superintendent of schools of each county of educating mentally retarded minors, including transportation, during the preceding fiscal year, but not in excess of [seventy-five dollars ($75)] *one hundred dollars ($100)* for each unit of average daily attendance during the preceding school year of mentally retarded minors given instruction by the county superintendent of schools in special schools or classes.

SEC. 2. Section 7102.1 of said code is amended to read:".

Amendment No. 4

On page 1, line 10, of said bill, strike out "2", and insert "3".

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 581—An act to amend Sections 3301.5 and 3301.6 of the Health and Safety Code, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from tuberculosis, and declaring the urgency thereof, to take effect immediately.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Ways and Means:

Amendment No. 1

In line 4 of the title of the printed bill, as amended in the Assembly on June 29, 1949, after "tuberculosis," insert "and making an appropriation therefor,".

Amendment No. 2

On page 2 of said bill, between lines 19 and 20, insert

"SEC. 2.5 Out of any money in the State Treasury not otherwise appropriated, there is hereby appropriated the sum of four hundred seventy-five thousand dollars ($475,000) or so much thereof as may be necessary, to the State Department of Public Health for the payment of tuberculosis subsidies under Division 4 of the Health and Safety Code to be expended during the 1949-1950 Fiscal Year."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Senate Bill No. 690—An act making an appropriation to the Department of Agriculture for the purpose of establishing and equipping a livestock and poultry diagnostic and testing laboratory at Petaluma.

Bill read second time.

Consideration of Committee Amendments

The followings amendment was proposed by the Committee on Ways and Means:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended, strike out "Post-", and in line 4, strike out "war Employment Reserve", and insert "Fair and Exposition Fund".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which was referred:

Senate Bill No. 967

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

HOLLIBAUGH, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 967—An act to amend Section 18711 of, and to add Section 18753 to, the Business and Professions Code, relating to boxing and wrestling.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Revenue and Taxation:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 23, 1949, strike out ", and to add Section 18753 to,".

Amendment No. 2

On page 1, line 16, of said bill, strike out "Every club, manager, boxer,"; and strike out lines 17 to 23, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 12 to 26, inclusive.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 1353

Has had the same under consideration, and reports the same back with amendments with the recommendation: Amend, and do pass, as amended.

McMILLAN, Chairman

Above reported bill ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 1353—An act to amend Sections 5, 6, 7, 8, 11, 11a, 24.5, 24.6, 27b, and 60 of the Alcoholic Beverage Control Act, relating to alcoholic beverages control.

Bill read second time.

Consideration of Committee Amendments

The following amendments were proposed by the Committee on Public Morals:

Amendment No. 1

On page 10, line 21, of the bill, as amended in the Senate on June 13, 1949, strike out "4", and insert "3".

Amendment No. 2

On page 12 of said bill, between the lines 11 and 12, insert

"SEC. 4 Section 7 4 is added to said act, to read as follows:

Sec. 7 4. No distilled spirits wholesaler's license or rectifier's license shall be issued or renewed to any person who holds on deposit funds obtained from any retailer and which funds were obtained for the purpose of applying them either in whole or in part, toward the payment of any future delivery of distilled spirits to such retailer.

SEC 4.5. Section 7 3 is added to said act, to read as follows:

Sec 7.3. No licensee shall enter into any agreement wherein he pledges the transfer of his license as security for a loan or as security for the fulfillment of any agreement. Each application for the transfer of a license must be accompanied by or contain a statement verified by both the transferror and transferee specifically stating that the transfer application or proposed transfer is not made to satisfy the payment of a loan or to fulfill an agreement entered into more than ninety (90) days preceding the day on which the transfer application is filed with the board or to gain or establish a preference to or for any creditor of transferror or to defraud or injure any creditor of transferror. Said statement shall become part of the transfer application and any misrepresentation contained in said statement shall be considered the misrepresentation of a material fact."

Amendment No. 3

Strike out lines 1 to 3 of the title of said bill, and insert

"An act to amend Sections 5, 6, 7, 8, 11, 11a, 24 5, 24.6, 27b, and 60 of the Alcoholic Beverage Control Act, and to add Sections 7 3 and 7 4 thereto, relating to alcoholic beverages control"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR SPEAKER. Your Committee on Ways and Means, to which were referred.

Senate Bill No. 238	Senate Bill No 694
Senate Bill No 316	Senate Bill No 887

Has had the same under consideration, and reports the same back with the recommendation: Do pass

SHERWIN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 238—An act to add Section 9165 to the Education Code, relating to instructors for fire training programs, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 316—An act making an appropriation to the Department of Agriculture for the purpose of extending market news service.

Bill read second time, and ordered to third reading.

Senate Bill No. 694—An act to add Sections 20355, 20356, and 20357 to the Education Code, relating to student housing facilities at state colleges, making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read second time, and ordered to third reading.

Senate Bill No. 887—An act to provide for the purchase of the "Alvarado Adobe" building in the City of San Pablo as a part of the State Park System, and making an appropriation therefor.

Bill read second time, and ordered to third reading.

REPORTS OF STANDING COMMITTEES

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Senate Bill No. 168
Senate Bill No. 1653

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

McMILLAN, Chairman

Above reported bills ordered to second reading.

SECOND READING OF SENATE BILLS (BY UNANIMOUS CONSENT)

Senate Bill No. 168—An act to amend Sections 56 and 61 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read second time, and ordered to third reading.

Senate Bill No. 1653—An act to amend Section 19421 of the Business and Professions Code, relating to horse racing.

Bill read second time, and ordered to third reading.

ANNOUNCEMENTS

Speaker Sam L. Collins announced that members should leave instructions in their desks for the shipping of their papers, books, and other belongings, and should leave proper information with the Sergeant-at-Arms; and that if members wish telephones disconnected at their Sacramento residences they should see Bill Watts in the Telephone Exchange; and that requests and preferences for appointments on interim committees should be submitted to his office within the next 10 days.

RESOLUTIONS

The following resolutions were offered:

By Messrs. Sam L. Collins, Hollibaugh, and Waters:

House Resolution No. 306

Relative to the designation of "Modjeska Day"

WHEREAS, On the evening of June 28, 1949, in Los Angeles in response to an invitation by Attorney Joseph Scott, a group of more than one hundred, including civic leaders, artists of the stage, screen, opera and musical world and representatives of the Los Angeles City Government, gathered for the first meeting of the "Los Angeles Citizens' Committee for the Commemoration of the Fortieth Anniversary of the Death of Helena Modjeska," world famous actress, patriot and pioneer resident of California; and

WHEREAS, Helena Modjeska fled from Warsaw to California in 1876 as a result of political oppression instituted by the Czarist Russian Government against her and her illustrious husband, Count Charles Bozenta-Chlapowski; and

WHEREAS, Mastering the English language in barely eight months, Helena Modjeska became the incomparable Shakespearean actress, truly beloved throughout America and the English-speaking world and, she in turn, loving her adopted country, while at the same time praying and fighting for the eventual freedom of her native Poland; and

WHEREAS, Helena Modjeska died 40 years ago in Newport Beach after living 33 years in California, closing a life radiant not only with the fame of a brilliant artist, but as a great patriot and a deeply religious woman, worthy of the long-remembered

eloquent eulogy delivered by Bishop Conaty at the Requiem High Mass of her funeral in St. Vibiana's Cathedral, Los Angeles, California; and

WHEREAS, In the latter part of this year a special "Modjeska Day" in Los Angeles will be officially designated by the City Government with an all-day memorial program, culminating in an all-star testimonial performance by artists of the stage, screen and musical world; and

WHEREAS, Governor Earl Warren and the honorable members of the State Senate and Assembly will be invited by the Modjeska Commemoration Committee to help make this tribute to the memory of a great California lady state-wide in its celebration; now, therefore, be it

Resolved by the Assembly of the State of California, That the Governor of the State of California be urged to officially designate the date selected by the Los Angeles Committee in the latter part of 1949 as "Modjeska Day" in Los Angeles; and be it further

Resolved, That the Chief Clerk be directed to send a copy of this resolution to the Governor.

Request for Unanimous Consent

Mr. Hollibaugh asked for, and was granted, unanimous consent to take up House Resolution No. 306, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Lipscomb:

House Resolution No. 307

Relative to honoring Duke Wilson

WHEREAS, Joyce Lipscomb, five year old daughter of Assemblyman Glenard P. Lipscomb, was accidentally pushed into Balboa Bay at the ferry landing; and

WHEREAS, There were no adults about to come to the aid of the endangered child; and

WHEREAS, Joyce Lipscomb was unable to swim and in great peril; and

WHEREAS, Fourteen year old Duke Wilson of Thermal, California, with complete disregard for his personal safety, jumped into the bay fully clothed and towed the drowning child 40 yards to safety; and

WHEREAS, This was the second instance in which young Duke Wilson has heroically saved the life of another; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express to Mr. Duke Wilson their admiration of his heroism and resourcefulness and extend their best wishes; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Mr. Duke Wilson.

Resolution read, and ordered referred to the Committee on Rules

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 36—An act to add Section 2137.1 to the Business and Professions Code, relating to the practice of medicine within state institutions, prisons, or homes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, and Mr. Speaker—49.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 437—An act to amend Section 11611 of the Business and Professions Code, relating to streets and easements in real estate subdivisions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Yorty, and Mr Speaker—46

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1093—An act to add Article 6 to Chapter 1 of Part 5 of Division 12, and amend and renumber Sections 31026 and 31027, of the Water Code, relating to the acquisition, construction, maintenance, and operation of sewer facilities by or in county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Cooke, Crichton, Davis, Dolwig, Doyle, Elliott, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Huyck, Kilpatrick, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, Meyers, Moss, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—43.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 293—An act to amend Sections 1105 of, and to add Section 11005.1 to, the Government Code, relating to the acquisition of real and personal property and the powers of the Director of Finance relative thereto.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 718—An act to add Section 70.3 to the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on June 9, 1949, strike out "Section 70.3 is", and insert "Sections 70.3 and 70.4 are".

Amendment No. 2

On page 1 of said bill, between lines 4 and 5, insert

"70.3. The commission in order to guarantee to every community traversed by a state highway the fullest consideration of local problems affecting the economic and cultural development of the community as relating to a proposed highway or freeway right of way or route, shall by order, rule or regulation provide for public hearings on the matters involved if requested to do so by the governing body of the municipality, area, or community, or the citizens thereof."

Amendment No. 3

On page 1, line 5, of said bill, strike out "70.3", and insert "70.4"

Amendment No. 4

On page 1 of said bill, between lines 9 and 10, insert

"70.5. In enacting Sections 70, 70.1, 70.2, 70.3, and 70.4 the Legislature declares that while property taken or damaged for highway purposes is paid for to the owner under the laws of this State the only way in which those intangible property rights of the community at large may be compensated is by avoiding insofar as may be possible, the interference with the pattern of the orderly growth and economic and cultural development of the community and contemplates as justifiable the added expenditures necessary to change direction, depress or elevate highways traversing the communities of California."

Amendment No. 5

In line 1 of the title of said bill, strike out "Section 70.3", and insert "Sections 70.3, 70.4, and 70.5".

Amendments read, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1299

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1299, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1299

Senate Bill No. 1299—An act to amend Sections 20025, 20032, and 20131 of, and to add Sections 20006, 20032.1, and 20071.5, and Article 4.5 to Chapter 1, Part 1, Division 14 of, the Health and Safety Code, relating to police protection districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—54.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1633

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1633, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1633

Senate Bill No. 1633—An act to add Section 13.8 to the Construction and Employment Act, relating to projects for which the county allocation thereunder is available, providing for the construction and improvement of waterworks systems by county waterworks districts, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—63.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—63.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 801

Mr. Weber asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 801, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 801

Senate Bill No. 801—An act to amend Sections 8706, 8710, 8712, 8714, 8741, 8761, 8762, 8764, and 8784 of the Business and Professions Code, relating to the practice of land surveying.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 87—An act to amend Section 9359.8 of, and to add Sections 9359.85, 9360.2, 9360.3, 9360.4, 9360.5, and 9360.6, to, the Government Code, relating to retirement of, and allowances to, members of the Legislators' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh,

Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 681—An act to amend Section 9359 of, the Government Code, relating to the retirement of legislators and state officers.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendments:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 16, 1949, strike out "Section", and insert "Sections 9351, 9351.3, 9353.6,".

Amendment No. 2

In line 3 of the title of said bill, strike out "of," and insert ", and 9359.1 of, and to add Sections 9355.4 and 9355.5 to,".

Amendment No. 3

On page 2 of said bill, strike out lines 23 and 24, and insert

"SECTION 1. Section 9351 of the Government Code is amended to read:

9351. "Service" means the period of time, computed in years and fractions thereof, a member has held office as a Member of the Senate or of the Assembly or as an elective officer of the State in any office provided for by the Constitution, except that of judge.

SEC. 2. Section 9351.3 of said code is amended to read:

9351.3. "Legislator" means a Member of the Assembly or a Member of the Senate or an elective officer of the State whose office is provided for by the Constitution.

SEC. 3. Section 9353.6 of said code is amended to read:

9353.6. The Chief Clerk of the Assembly shall give the board immediate written notice of the change in status of any Member of the Assembly resulting from induction into office, resignation, expulsion, death, or any other circumstances terminating his office as Member of the Assembly, and the Secretary of the Senate shall give the board immediate written notice of any such change in status of any Member of the Senate. The Secretary of State shall give the board immediate written notice of any such change in status of any elective state officer who is eligible to membership in the system.

SEC. 4. Section 9355.4 is added to said code, to read:

9355.4. Every elective officer of the State whose office is provided for by the Constitution, except judges, may become a member of this system. Every such officer in office at the time this section becomes effective may, within ninety days after the effective date, file with the board a written election to become a member of this system. Every such officer elected after the effective date of this section may file an election within ninety days after the commencement of the first term of office for which he is elected. Upon the filing of the election he becomes a member of this system on the first day of the month following the filing of the election.

SEC. 5. Section 9355.5 is added to said code, to read:

9355.5. Membership in this system is exclusive of membership in any other retirement system for state officers and employees. Upon becoming a member of this system, a member ceases to be a member of any other retirement system for state officers and employees of which he has been a member. The member is entitled to credit for service rendered prior to membership in this system pursuant to Section 9356.1, but is not entitled to such credit and credit for the same service in any other system.

SEC. 6. Section 9359 of said code is amended to read:".

Amendment No. 4

On page 2 of said bill, between lines 31 and 32, insert

"SEC. 7. Section 9359.1 of said code is amended to read:

9359.1. The retirement allowance is an annual amount equal to five percent (5%) of the compensation payable, at the time payments of the allowance fall due, to the officer holding the office which the retired member last held prior to his retirement, multiplied by the number of years of service with which the member is entitled to be credited at the time of his retirement, (a) not to exceed fifteen (15) years in the case of a Member of the Legislature, and (b) not to exceed seven (7) years in the case of any other officer. In no event shall any retirement allowance payable under this chapter exceed (a) in the case of Members of the Legislature, seventy-five percent (75%) of

the compensation payable to Members of the Legislature at the time the payment of the allowance is made, or (b) in the case of officers other than Members of the Legislature, thirty-five percent (35%) of the compensation payable at the time the payment of the allowance is made, to the officer holding the office which the retired member last held prior to his retirement."

Amendments read, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1045

Mr. Kirkwood asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1045, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1045

Senate Bill No. 1045—An act to add Section 10783 to the Revenue and Taxation Code and to amend Section 374 of the Vehicle Code, relating to exemptions of vehicles from certain fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Yorty, and Mr. Speaker—60.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 2.50 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 287—An act to amend Section 14813 of the Revenue and Taxation Code, relating to confidential nature of inheritance tax records.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, and Yorty—62

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 896

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 896, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 896—An act to repeal Section 90 of the Unemployment Insurance Act and to add Section 90 to the Unemployment Insurance Act, dealing with unemployment insurance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 896?

Amendment No. 1

On page 1, line 8, of the printed bill, strike out "commission", and insert "director".

Amendment No. 2

On page 1, line 23, of said bill, strike out "commission", and insert "director".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 896 by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, and Thompson—61.

NOES—None.

Assembly Bill No. 896 ordered enrolled.

Hon. Thomas W. Caldecott Presiding

At 2.55 p.m., Hon. Thomas W. Caldecott, Member of the Assembly from the Eighteenth District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2279

Mr. Brady asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 2279, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2279—An act to renumber Section 6403 of the Public Resources Code, as said section was added by Chapter 887, Statutes of 1947, and to add Sections 6405 and 6406 to said code, relating to the reservation of oil, gas, and mineral rights in state lands, and to the duties of the State Lands Commission with respect thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2279?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on June 6, 1949, strike out "shall include all"; and strike out lines 12 to 16, inclusive, and insert "means oil, gas, oil shale, and coal."

Amendment No. 2

In the title of the printed bill, as amended in the Senate on June 25, 1949, strike out lines 1 and 2, and in line 3, strike out "and", and insert "An act".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 17, inclusive.

Amendment No. 4

On page 2, line 1, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 5

On page 2, line 19, of said bill, strike out "Section 6403", and insert "that section".

Amendment No. 6

In line 3 of the title of the printed bill, as amended in the Senate on June 28, 1949, strike out "said code", and insert "the Public Resources Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2279 by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Clarke, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Weber, and Yorty—51

NOES—None.

Assembly Bill No. 2279 ordered enrolled.

Speaker Pro Tempore Presiding

At 2.58 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Hon. Thomas W. Caldecott Presiding

At 3 p.m., Hon. Thomas W. Caldecott, Member of the Assembly from the Eighteenth District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1627—An act to amend Section 94.5 of the Agricultural Code, relating to the exemption of citrus fruit fair associations from taxation.

Bill read third time.

Demand for Previous Question

Messrs. Grunsky, Connolly, Thompson, McCarthy, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1627.

Motion to Expunge Record, and Rescind Action on Demand for Previous Question

Mr. Doyle moved to expunge the record, and rescind the action whereby the Assembly, at this time, sustained the demand for previous question.

Mr. Hinckley seconded the motion.

The roll was called, and the motion lost by the following vote:

AYES—Brady, Burkhalter, Clarke, George D. Collins, Cooke, Doyle, Geddes, Hagen, Hinckley, Levering, Lindsay, Maloney, Morris, Rumford, Sherwin, Way, and Yorty—17.

NOES—Anderson, Berry, Brown, Burke, Butters, Collier, Connolly, Crichton, Dickey, Clayton A. Dills, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Smith, Stanley, Thomas, Thompson, Waters, and Weber—34.

The question being on the passage of Senate Bill No. 1627.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hinckley, Hoffman, Hollibaugh, Levering, Lewis, Lindsay, Luckel, Maloney, McMillan, Meyers, Morris, Niehouse, Stewart, Thomas, Thompson, Way, Weber, and Yorty—45.

NOES—Butters, Collier, George D. Collins, Erwin, Hahn, Heisinger, Lipscomb, Lowrey, McCarthy, Sherwin, Smith, Stanley, and Waters—13

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3141

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly Bill No. 3141, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3141—An act to amend Section 19480 of the Business and Professions Code, relating to licenses to conduct horse racing meetings.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3141?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 24, 1949, strike out "Section 19480", and insert "Sections 19532 and 19532.5".

Amendment No. 2

In line 2 of the title of said bill, strike out "licenses to conduct".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. Section 19532 of the Business and Professions Code is amended to read:

19532. In the area embraced within each county of the second class and such territory as may lie within twenty miles from the exterior boundaries thereof, the board may allow not to exceed [80] *ninety* racing days per year for the entire area and no part of a county of the second and one-half class may be included in such area.

SEC. 2. Section 19532.5 of said code is amended to read.

19532.5. In each county of the second and one-half class the board may allow not to exceed [40] *forty-five* racing days per year."

Point of Order

Mr. Maloney arose to the following point of order: That Mr. Dickey is not speaking to the subject.

Ruling by Speaker

Acting Speaker Caldecott ruled the point of order well taken.

Point of Order

Mr. Hinckley arose to the following point of order: That Mr. Dickey is not speaking to the subject.

Ruling by Speaker

Acting Speaker Caldecott ruled the point of order well taken.

Question of Personal Privilege

Mr Doyle arose to a question of personal privilege.

Point of Order

Mr. Waters arose to the following point of order: That Mr. Doyle's question of personal privilege is not well taken.

Ruling by Speaker

Acting Speaker Caldecott ruled the point of order well taken.

Demand for Previous Question

Messrs. Hinckley, Connolly, Levering, Evans, and Hahn demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 3141.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McMillan moved a call of the Assembly.

Motion carried. Time, 3.55 p.m.

The Acting Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Brown, Clarke, George D. Collins, Sam L. Collins, Condon, Crichton, Clayton A. Dills, Dunn, Erwin, Fleury, Grant, Kirkwood, Levering, Lewis, Lindsay, Moss, Silliman, and Tomlinson—20.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Evans asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

NOTICE OF MOTION TO RECONSIDER HOUSE RESOLUTION NO. 298

Mr. Evans gave notice that on the next legislative day he would move to reconsider the vote whereby House Resolution No. 298 was this day refused adoption.

Notice of Motion Ruled Out of Order

Acting Speaker Caldecott ruled the notice of motion by Mr. Evans not in order, pursuant to the Standing Rules.

Motion to Expunge Record, and Rescind Action on House Resolution No. 298

Mr. Evans moved to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to House Resolution No. 298.

Mr. Doyle seconded the motion.

Point of Order

Mr. Sherwin arose to the following point of order: That, as of this date, a motion to expunge is, in effect, the same as a motion to reconsider, and that the motion by Mr. Evans is not in order.

Ruling by Speaker

Acting Speaker Caldecott ruled that, while the effect is the same, the Rule is different, and the point of order is not well taken.

Motion to Expunge Record, and Rescind Action on House Resolution No. 298 Renewed

Mr. Evans again moved to expunge the record, and rescind the action whereby the Assembly on this day refused adoption to House Resolution No. 298.

Mr. Doyle seconded the motion.

Point of Order

Mr. Sherwin arose to the following point of order: That motions are not properly before the House, at this time, and that the motion by Mr. Evans is not in order.

Ruling by Speaker

Acting Speaker Caldecott ruled the point of order well taken, pursuant to Rule No. 27, Section 10.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 389—An act to add Section 452.5 to the Unemployment Insurance Act, relating to unemployment compensation disability insurance.

Bill read third time.

Motion to Amend

Mr. Condon moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 20, 1949, after the second "to", insert ", and to amend Section 453 of,".

Amendment No. 2

On page 2 of said bill, after line 14, insert

"SEC. 2. Section 453 of said act is amended to read:

Sec. 453. Employers whose employees are participating in an approved voluntary plan and any insurer of an approved plan shall furnish such reports and information and make available to the commission such records as the commission may by authorized regulations require for the proper administration of this board.

The commission shall require every insurance company insuring an approved plan to make a report to the commission on April 1st of every year. The report shall include: (a) the aggregate number of employees insured as to each employer; (b) the amount of premium received for such insurance from each employer; (c) the amount of benefits paid out under such insurance with respect to each employer; and (d) the estimated amount of administrative expenses of the insurance company in connection with such unemployment compensation disability insurance, including the cost of promotion and selling of the insurance."

Amendments read, and ordered temporarily passed on file.

Senate Bill No. 191—An act to amend Sections 5932, 7003, and 7791.5, to add Sections 5911.5, 5931.1, 7103.5, 7208.5, and 7208.7 and Article 1.5, consisting of Sections 7031 to 7038, inclusive, to Chapter 1

of Division 9, all of the Elections Code, relating to elections, including provisions relating to ballots and absent voting.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—56

NOES—Collier—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 947—An act to add Section 2013 to the Business and Professions Code, relating to the definition of the words "diagnose" and "diagnosis."

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 304—An act to amend Section 1382 of the Penal Code, relating to the dismissal of criminal actions for delay in bringing a case to trial.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, and Weber—60.

NOES—Yorty—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 194—An act to provide for the incorporation and government of Metropolitan Rapid Transit Districts; prescribing the powers thereof, and providing for the performance of certain functions relating thereto by officers of counties and cities and counties, and relating to rail, monorail, and subway transportation in metropolitan areas.

Bill read third time.

Demand for Previous Question

Messrs. Waters, Connolly, Silliman, Luckel, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 194

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—60.

NOES—Lincoln and Sherwin—2.

Bill ordered transmitted to the Senate

Senate Bill No. 469—An act to add Section 14.5 to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to water conservation districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 20—An act to add Part 2, comprising Chapters 1 to 13, inclusive, and Sections 8100 to 8268, inclusive, to Division 9 of the Streets and Highways Code, providing for the formation, government, and dissolution of separation of grade districts, prescribing their powers, providing for the performance of certain functions relating thereto by county officers, and relating to separation of grade by overpass, underpass and tunnel.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—64.

NOES—None.

Motion to Amend Title

Mr. Crowley moved the adoption of the following amendment to the title:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 28, 1949, strike out "8268", and insert "8269".

Amendment read, and adopted.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1080

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1080, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1080

Senate Bill No. 1080—An act to add Article 5B to Chapter 6 of Division 4 of the Military and Veterans Code, authorizing the creation of a debt or debts, liability or liabilities, through the issuance and sale of state bonds, to create a fund to provide farm and home aid for veterans in accordance with the provisions of the Veterans Farm and Home Purchase Act of 1943 and acts amendatory and supplemental thereto; defining the powers and duties of said committee and of the Department of Veterans Affairs and other state officers in respect to the administration of the provisions hereof; providing ways and means, exclusive of loans, for the payment of the interest of such debt or debts, liability or liabilities, as such interest falls due, and also for the payment and discharge of the principal of such debt or debts, liability or liabilities, as such principal matures; appropriating money for the expense of preparing and of advertising the sale of bonds herein authorized to be issued; and providing for the submission of this act to a vote of the people at the general election to be held in the month of November, 1950.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McMarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—67.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 623

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 623, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 623

Senate Bill No. 623—An act to amend Section 28148 of the Government Code, relating to county officers' salaries.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—55.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1240—An act to amend Articles 4, 5, 6, 7, and 8, and Sections 45.5, 45.6, 45.7, 46, 49, 55, 59, 63, 64, 68, 70, 71, 73, 87, and 89, and to repeal Sections 56, 57, and 58 of, and to add Section 2.1 to, the Community Redevelopment Act, relating to housing and redevelopment.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 652—An act to amend Sections 1804 and 1829 of the Education Code, and to add Article 18.5 to Chapter 11 of Division 3 of said code, all relating to school districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—65.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 900—An act to repeal Article 8, comprising Sections 230 and 231, of Chapter 1 of Division 2 of, to amend Section 806 of, and to add Section 804.5 to, the Fish and Game Code, relating to the taking of clams.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Yorty—61.

NOES—Hagen—1.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1472—An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the Office of Franchise Tax Commissioner.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1, lines 2 and 3, of the printed bill, as amended in the Senate on June 13, 1949, strike out "Lieutenant Governor," and insert "State Controller,".

Amendment No. 2

On page 2, line 10, of said bill, strike out "The", and insert "Said civil executive officer may be removed by the board only with the consent of two-thirds of the Senate. The".

HULSE	STEWART
WILLIAMS	BROWN
MAYO	ERWIN
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Evans, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hoffman, Hollibaugh, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCollister, Meyers, Niehouse, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Waters, Weber, and Mr. Speaker—42.

NOES—Anderson, Bennett, Berry, Coats, Condon, Crowley, Elliott, Hagen, Hawkins, Kilpatrick, Lowrey, Maloney, Moss, and Yorty—14

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 681

Mr. Davis asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 681, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 681

Senate Bill No. 681—An act to amend Section 9359 of, the Government Code, relating to the retirement of legislators and state officers.

Bill read third time.

Motion to Amend

Mr. Davis moved the adoption of the following amendments, as previously offered:

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Senate on June 16, 1949, strike out "Section", and insert "Sections 9351, 9351.3, 9353.6,".

Amendment No. 2

In line 3 of the title of said bill, strike out "of," and insert ", and 9359.1 of, and to add Sections 9355.4 and 9355.5 to,".

Amendment No. 3

On page 2 of said bill, strike out lines 23 and 24, and insert

"SECTION 1. Section 9351 of the Government Code is amended to read

9351. "Service" means the period of time, computed in years and fractions thereof, a member has held office as a Member of the Senate or of the Assembly or as an elective officer of the State in any office provided for by the Constitution, except that of judge.

SEC. 2. Section 9351.3 of said code is amended to read:

9351.3 "Legislator" means a Member of the Assembly or a Member of the Senate or an elective officer of the State whose office is provided for by the Constitution.

SEC. 3. Section 9353.6 of said code is amended to read:

9353.6 The Chief Clerk of the Assembly shall give the board immediate written notice of the change in status of any Member of the Assembly resulting from induction into office, resignation, expulsion, death, or any other circumstances terminating his office as Member of the Assembly, and the Secretary of the Senate shall give the board immediate written notice of any such change in status of any Member of the Senate. The Secretary of State shall give the board immediate written notice of any such change in status of any elective state officer who is eligible to membership in the system.

SEC. 4. Section 9355.4 is added to said code, to read:

9355.4. Every elective officer of the State whose office is provided for by the Constitution, except judges, may become a member of this system. Every such officer in office at the time this section becomes effective may, within ninety days after the effective date, file with the board a written election to become a member of this system. Every such officer elected after the effective date of this section may file an election within ninety days after the commencement of the first term of office for which he is elected. Upon the filing of the election he becomes a member of this system on the first day of the month following the filing of the election.

SEC. 5. Section 9355.5 is added to said code, to read

9355.5. Membership in this system is exclusive of membership in any other retirement system for state officers and employees. Upon becoming a member of this system, a member ceases to be a member of any other retirement system for state officers and employees of which he has been a member. The member is entitled to credit for service rendered prior to membership in this system pursuant to Section 9356.1, but is not entitled to such credit and credit for the same service in any other system.

SEC. 6. Section 9359 of said code is amended to read:"

Amendment No. 4

On page 2 of said bill, between lines 31 and 32, insert

"SEC. 7. Section 9359.1 of said code is amended to read:

9359.1. The retirement allowance is an annual amount equal to five percent (5%) of the compensation payable, at the time payments of the allowance fall due, to the officer holding the office which the retired member last held prior to his retirement, multiplied by the number of years of service with which the member is entitled to be credited at the time of his retirement, (a) not to exceed fifteen (15) years in the case of a Member of the Legislature, and (b) not to exceed seven (7) years in the case of any other officer. In no event shall any retirement allowance payable under this chapter exceed (a) in the case of Members of the Legislature, seventy-five percent (75%) of the compensation payable to Members of the Legislature at the time the payment of the allowance is made, or (b) in the case of officers other than Members of the Legislature, thirty-five percent (35%) of the compensation payable at the time the payment of the allowance is made, to the officer holding the office which the retired member last held prior to his retirement."

Amendments read, and adopted.

Consideration of Further Amendment
Motion to Amend

Mr. Davis moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 31, of the printed bill, as amended in the Senate on June 16, 1949, after "chapter", insert ", except that no elective officer other than a member of the Legislature shall be eligible for retirement hereunder prior to July 1, 1950".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 578—An act to add Section 4458.5 to the Labor Code, relating to benefits under the Workmen's Compensation Act.

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton,

Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—60.

NOES—None

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF SENATE BILL NO. 61

Senate Bill No. 61—An act to add Article 5, comprising Section 9126, to Chapter 1, Part 1, Division 2, Title 2 of the Government Code, providing for the establishment of special accounts for certain appropriations for expenses of the Legislature.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 66—An act to amend Section 374 of the Vehicle Code and Section 10781 of the Revenue and Taxation Code, relating to exemption of vehicles from registration and license fees.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—57

NOES—None.

Bill ordered transmitted to the Senate.

Senate Constitutional Amendment No. 33—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XI thereof a new section to be numbered 18¼, empowering any city, county, city and county, parking authority, or other public body, agency, or district, to pledge revenues derived from parking meters as additional security for the payment of revenue bonds.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey,

Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58.
NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 149—An act to repeal Section 3720 of the Elections Code, thereby repealing certain temporary provisions for ballots and envelopes for absent voting during wartime.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—68.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 851—An act to amend the title and Sections 1, 2, 3, 15, and 16 of the Sanitation and Sewer Revenue Bond Act of 1941, relating to the financing of revenue-producing enterprises by municipalities.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Silliman, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1295—An act to add Section 1370.5 to the Insurance Code, relating to insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Way, Weber, and Yorty—61.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 600

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 600, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 600

Senate Bill No. 600—An act to amend Section 9.15 of the Building and Loan Association Act, relating to limitation on single loans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Waters, Weber, and Yorty—62

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 712—An act to amend Section 10314 of the Insurance Code, relating to disability insurance policies.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Thomas, Waters, Weber, and Yorty—58

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1444—An act to add Section 10202.8 to, and to amend Sections 10203.4, 10204, 10270.5, and 10270.6 of, the Insurance Code, relating to group life and disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 285—An act to amend the Building and Loan Association Act by amending Sections 9.07 and 9.10 thereof, relating to loans.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig,

Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—68.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 282—An act to amend Section 4 of an act entitled "An act to provide for the rights, powers, privileges, exemptions, and immunities of federal savings and loan associations, incorporated under the provisions of the Home Owners' Loan Act of 1933, which are doing business in the State of California, and for the rights, powers, privileges, exemptions, and immunities of the holders of shares or share accounts issued by any such association," approved June 13, 1939, relating to joint tenancy shares and accounts

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—68.

NOES—None

Bill ordered transmitted to the Senate.

Senate Bill No. 29—An act relating to officers and employees of the Supreme Court and district courts of appeal, and making an appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Waters, Way, Weber, and Yorty—62.

NOES—Heisinger, Luckel, and Morris—3.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 770

Mr. Lowrey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 770, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 770

Senate Bill No. 770—An act to amend Section 2010 of the Streets and Highways Code, relating to duties of boards of supervisors on county road systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—67.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 512—An act making an appropriation for the construction and equipment of buildings for a liberal arts college on the campus of the University of California at Riverside.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty—61.
NOES—Burkhalter—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 906

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 906, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 906

Senate Bill No. 906—An act to add Section 36 to the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—65.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 553—An act relating to the prevention of the introduction of injurious agricultural pests and providing for controlling

and preventing the spread of the same and making an appropriation therefor, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Smith, Stanley, Thompson, Waters, Way, Weber, and Yorty—61

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 577—An act to amend Section 18059 of the Education Code, relating to the letting of contracts by school districts;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 25, 1949, after "of", insert ", and to add Sections 18861 and 7209 to,".

Amendment No. 2

Beginning in line 2 of the title of said bill, strike out "by school districts".

Amendment No. 3

On page 2 of said bill, after line 2, insert

"SEC. 2. Section 18861 is added to said code, to read:

18861. The county superintendent of schools or the county purchasing agent, as the case may be, shall let any contract involving an expenditure of one thousand dollars ($1,000) or more for materials, equipment, or supplies, whether patented or otherwise, purchased for school districts under this article, to the lowest responsible bidder, who shall give such security as the county superintendent of schools or the county purchasing agent, as the case may be, requires, or reject all bids.

For the purpose of securing bids the county superintendent of schools or the county purchasing agent, as the case may be, shall publish at least once a week for two weeks in some newspaper of general circulation published in the county, or if there be no such newspaper, then in some newspaper of general circulation circulated in the county, a notice calling for bids and stating where a list of the materials, equipment, or supplies to be furnished may be obtained and the time when and the place where bids will be opened.

If three or more bids are not received in response to such notice, the county superintendent of schools or the county purchasing agent, as the case may be, may, with the approval of the county board of education, let the contract to the lowest responsible bidder or to any other responsible party.

SEC. 3. Section 7209 is added to said code, to read:

7209. The county superintendent of schools shall let any contract involving an expenditure of one thousand dollars ($1,000) or more from the county school service fund for materials, equipment, or supplies, whether patented or otherwise, to the lowest responsible bidder, who shall give such security as the county superintendent of schools requires, or reject all bids.

For the purpose of securing bids the county superintendent of schools shall publish at least once a week for two weeks in some newspaper of general circulation published in the county, or if there be no such newspaper, then in some newspaper of general circulation circulated in the county, a notice calling for bids and stating where a list of the materials, equipment, or supplies to be furnished may be obtained and the time when and the place where bids will be opened.

If three or more bids are not received in response to such notice, the county superintendent of schools may, with the approval of the county board of education, let the contract to the lowest responsible bidder or to any other responsible party."

DILWORTH	BURKE
DONNELLY	LOWREY
ABSHIRE	BECK
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Beck, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Geddes, Grant, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—54.

NOES—Berry, Brady, Gaffney, Hagen, McCarthy, and Meyers—6.

MOTION THAT SENATE APPROPRIATION BILLS BE TEMPORARILY PASSED ON FILE

Mr. Kirkwood moved that all Senate bills carrying appropriations be temporarily passed on file until the Committee on Conference concerning Assembly Bill No. 2120 brings in a report.

Mr. Hinckley seconded the motion.

Demand for Previous Question

Messrs. Hinckley, Levering, Luckel, Morris, and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the motion by Mr. Kirkwood that all Senate bills carrying appropriations be temporarily passed on file until the Committee on Conference concerning Assembly Bill No. 2120 submits its report.

The roll was called, and the motion carried by the following vote:

AYES—Beck, Brown, Burke, Burkhalter, Caldecott, Collier, Connolly, Cooke, Crichton, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grunsky, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lipscomb, Luckel, Morris, Rosenthal, Silliman, Smith, Stanley, Thomas, Thompson, Waters, and Way—37.

NOES—Butters, Davis, Evans, Hagen, Lowrey, Moss, Weber, and Yorty—8.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 3141

At 5.30 p.m., on motion of Mr. McMillan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3141 by the following vote:

AYES—Berry, Brady, Brown, Burkhalter, Clarke, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Hawkins, Heisinger, Kilpatrick, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rosenthal, Rumford, Silliman, Stanley, Thompson, Way, Weber, and Yorty—41.

NOES—Anderson, Babbage, Beck, Bennett, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Elliott, Evans, Geddes, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Lewis, Lipscomb, Luckel, Morris, Niehouse, Sherwin, Smith, Stewart, Thomas, and Waters—31.

Assembly Bill No. 3141 ordered enrolled.

RECESS

At 5.35 p.m., on motion of Mr. Dickey, the Assembly recessed until 8 p.m.

REASSEMBLED

At 8 p.m., the Assembly reconvened.
Hon. Sam L. Collins, Speaker of the Assembly, presiding.
Chief Clerk Arthur A. Ohnimus at the desk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No 407
Assembly Bill No 1365
Assembly Bill No. 1402
Assembly Bill No. 1850
Assembly Bill No. 2711
Assembly Bill No 2969
Assembly Bill No 3177
Assembly Bill No 88
Assembly Bill No 194

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No 1659

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, June 30, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 2164

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 85
Assembly Bill No. 261
Assembly Bill No. 281
Assembly Bill No 331
Assembly Bill No. 351
Assembly Bill No 531
Assembly Bill No. 717
Assembly Bill No. 734
Assembly Bill No. 768
Assembly Bill No. 990
Assembly Bill No. 1029
Assembly Bill No. 1116
Assembly Bill No. 1130
Assembly Bill No. 1308
Assembly Bill No. 1346
Assembly Bill No. 1403
Assembly Bill No. 1435
Assembly Bill No 1436
Assembly Bill No 1566
Assembly Bill No 1604
Assembly Bill No. 1685
Assembly Bill No. 1801
Assembly Bill No. 1845
Assembly Bill No. 1847
Assembly Bill No. 1848
Assembly Bill No. 1849
Assembly Bill No 1851
Assembly Bill No. 1852
Assembly Bill No 1879
Assembly Bill No 2029
Assembly Bill No 2031
Assembly Bill No. 2221
Assembly Bill No. 2441
Assembly Bill No. 3165

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1472—An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the office of Franchise Tax Commissioner.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Maloney:

House Resolution No. 308—Commending and thanking James T. Doyle for his service to this Assembly.

Resolution read.

Request for Unanimous Consent That Names of All Members Present Be Placed Upon House Resolution No. 308 As Co-Authors

Mr. Maloney asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 308, as co-authors.

The roll was called, and the following members expressed a desire to be so recorded:

By Messrs. Maloney, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, George D. Collins, Sam L. Collins, Crichton, Crowley, Davis, Doyle, Erwin, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, McCarthy, Morris, Moss, Rosenthal, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, and Way:

House Resolution No. 308

Commending and thanking James T. Doyle for his service to this Assembly

WHEREAS, James T. Doyle, familiarly known as "Jimmy" to the Members of the Assembly, has once more faithfully and skillfully operated the public address system of the Assembly during its session this year; and

WHEREAS, The Members of the Assembly appreciate the patience and skill "Jimmy" has demonstrated, throughout all the lengthy sessions this year of the Assembly, in his operation of the sound equipment; now, therefore, be it

Resolved by the Assembly of the State of California, That James T. Doyle is commended for the skillful performance of his duties for this Assembly; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to James T. Doyle as a token of the appreciation and friendship of the Members of this Assembly.

Request for Unanimous Consent

Mr. Maloney asked for, and was granted, unanimous consent to take up House Resolution No. 308, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Doyle:

House Resolution No. 309

Relative to the appointment of a committee to prepare plans for organization of the California Legislators Association

Resolved by the Assembly of the State of California, That the Speaker of the Assembly be and hereby is requested to appoint a committee of five Members of the Assembly to prepare plans for the organization of an association to be known as the

California Legislators Association consisting of present and former Members of the Legislature, and to prepare a proposed constitution and by-laws for such association.

Resolution read, and ordered referred to the Committee on Rules.

REQUEST FOR UNANIMOUS CONSENT THAT 5,000 ADDITIONAL COPIES OF REPORT ON ORIENTAL FRUIT FLY BE PRINTED

Mr. Clarke asked for, and was granted, unanimous consent that 5,000 additional copies of the Special Report of the Joint Legislative Committee on Agriculture and Livestock Problems on the Oriental Fruit Fly in the Hawaiian Islands, be ordered printed.

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED

Mr. Stewart asked for, and was granted, unanimous consent that a letter of transmittal and the Final Report of the Assembly Interim Committee on Governmental Efficiency and Economy be ordered printed in the Journal in 10-point type.

Above mentioned letter of transmittal and report will appear prior to the motion to adjourn.

RESOLUTIONS

The following resolutions were offered:

By Mr. Levering:

House Resolution No. 310—Relative to laying the corner stone of the Westwood Hills Christian Church.

Resolution read.

Request That All Members Present Be Named Co-Authors on House Resolution No. 310

Mr. Levering asked for, and was granted, unanimous consent that the names of all members present be named co-authors on House Resolution No. 310.

The roll was called, and the following members expressed a desire to be so recorded:

By Messrs. Levering, Bennett, Berry, Brown, Burke, Butters, Caldecott, George D. Collins, Sam L. Collins, Crichton, Crowley, Dickey, Doyle, Erwin, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty:

House Resolution No. 310

Relative to laying the corner stone of the Westwood Hills Christian Church

WHEREAS, On June 5, 1949, appropriate ceremonies were held at the laying of the cornerstone for the new church being erected at the corner of Le Conte and Hilgard Avenues, Westwood Hills, Los Angeles, by the Westwood Hills Christian Church; and

WHEREAS, The building of this magnificent church is a true community endeavor by the people of Westwood Hills, and the completed church, adjoining the campus of the University of California at Los Angeles, will serve as a center for religious activities of great spiritual inspiration and moral guidance to the thousands of young men and women students at the university; and

WHEREAS, The Minister of the Westwood Hills Christian Church, the Reverend Jesse Randolph Kellems, and his wife, have worked unceasingly, giving their time, inspiration, and large sums of money, to bring this great project to realization; and

WHEREAS, Dr. Kellems was a Member of this Assembly for six years, representing the district in which the new church is being built, sponsoring legislation beneficial to the people of his district and to the university, including authorship of the bill providing the new School of Engineering; now, therefore, be it

Resolved by the Assembly of the State of California, That the people of Westwood Hills, and particularly those having membership in the Westwood Hills Christian Church, are most heartily congratulated upon their great foresight and the monumental efforts which have resulted in the building of this church which will stand as a beacon light to the community for untold generations, and the Members of this Assembly extend to the Reverend Jesse Randolph Kellems, their friend and former colleague in this Assembly, warm felicitations upon the occasion of the laying of the corner stone of the Westwood Hills Christian Church edifice; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Dr. Kellems, Minister of the Westwood Hills Christian Church.

Request for Unanimous Consent

Mr. Levering asked for, and was granted, unanimous consent to take up House Resolution No. 310, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. Rosenthal, Thomas, Sam L. Collins, and Yorty:

House Resolution No. 311—Relating to extending sympathy and expressing regret for the death of Merle Templeton.

Resolution read.

Request for Unanmious Consent That All Members Present Be Named Co-Authors on House Resolution No. 311

Mr. Rosenthal asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 311, as co-authors.

The roll was called, and the following members expressed a desire to be so recorded:

By Messrs. Rosenthal, Thomas, Sam L. Collins, Yorty, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, George D. Collins, Crichton, Crowley, Davis, Doyle, Erwin, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, Morris, Moss, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, and Way:

House Resolution No. 311

Relating to extending sympathy and expressing regret for the death of Merle Templeton

WHEREAS, The Members of this Assembly are grieved to learn of the death on June 26, 1949 in Los Angeles, California, of Merle Templeton, an employee of the State Board of Equalization; and

WHEREAS, Merle Templeton began his career with the State Board of Equalization on December 1, 1932, serving in the Fuel Tax Division; and

WHEREAS, Merle Templeton has more recently served with the board as District Liquor Control Administrator in San Diego and Los Angeles; and

WHEREAS, He leaves behind him a distinguished record of public service to the people of the State of California; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly express their deep regret for the death of Merle Templeton and extend their kindest sympathy to his widow, Martha Templeton; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably engrossed copy of this resolution to Martha Templeton as an expression of the sympathy and esteem of the Members of this Assembly, and to the Board of Equalization.

Request for Unanimous Consent

Mr. Rosenthal asked for, and was granted, unanimous consent to take up House Resolution No. 311, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

MESSAGES FROM THE GOVERNOR

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, July 1, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1093, entitled: "An act to amend Section 45.11 of the Unemployment Insurance Act, relating to claims for refund and authorizing civil action against the commission for recovery."

This bill would provide that suits against the State to claim a refund from the California Employment Stabilization Commission may be brought in the county seat of the county wherein the employer maintains his principal place of business. At the present time such suits may be brought in any county in which the Attorney General maintains an office. This means that such suits may be brought in Los Angeles, San Francisco or Sacramento Counties.

This measure is opposed by the Attorney General and the Employment Stabilization Commission. Both departments point out that this bill would extend to this type of tax refund action a privilege which is not extended in the case of any other action to recover a tax. In fact, Assembly Bill No. 3002, which was introduced to permit any person having a claim against the State arising out of a tax matter to bring the suit in any county, was not approved by this session of the Legislature.

The Attorney General asks for a veto of this bill pointing out that actions to recover sales and use tax, use fuel tax, or motor vehicle transportation license tax among others must be brought in one of the three cities in which the Attorney General maintains an office. He states that this authority sufficiently protects the rights and conveniences of all taxpayers. Passage of this bill would bring an unreasonable burden and expense on the State in having to defend such actions in every county of the State. The expense which this would impose on the State would constitute an unreasonable burden on State Government.

The Director of Employment reports that there is good reason to require persons suing the State to bring their actions in those counties where the State maintains its offices.

I am satisfied that if it is fair and equitable to permit this type of action to be brought in any county in the State, it would be equally fair and equitable to extend the same right to any other type of tax refund action and possibly to any other action against the State. This would of course require the employment of a much larger staff in the Attorney General's Office with a corresponding increase in state expenditures. I do not believe that this is desirable.

Under the circumstances I am returning this bill without my approval.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 1093 ordered to unfinished business file.

Receipt of Assembly Bill No. 1093 Acknowledged

I acknowledge receipt this first day of July, 1949, at 8.05 o'clock p.m. of Assembly Bill No. 1093 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

STATE OF CALIFORNIA, GOVERNOR'S OFFICE
SACRAMENTO, July 1, 1949

To the Honorable Members of the Assembly
State of California, Sacramento, California

GREETINGS: I am returning herewith, without my signature,

Assembly Bill No. 1862, entitled: "An act to add Section 737.5 to the Vehicle Code, permitting certain nonresident violators to be taken immediately before a magistrate and procedure when magistrate is not available."

The obvious purpose of this bill is to permit arresting officers in those cases of minor traffic violations, where a five-day notice to appear is ordinarily given, to take

a person driving an out-of-state vehicle and who has no satisfactory evidence of a California address, immediately before a magistrate. However, the bill has several ambiguities which I cannot believe were intended.

I am advised by the Attorney General that, under its terms, a nonresident motorist would not come within the provisions of the section if he were driving a vehicle bearing California license plates. Neither would he come within the provisions of this section if he furnished some address within this State However, if a resident of this State, driving a vehicle of foreign registration, failed to furnish to the arresting officer an address within this State, he would come within the provisions of the section. The Attorney General further states that the last sentence of the section would need considerable interpretation in order to ascertain the legislative intent. There is no precise language in any section of the Vehicle Code that authorizes the continued detention of a violator "in the event a magistrate is not available at the time of the arrest." Therefore, in the event a magistrate is not available at the time of the arrest, it may be that a person arrested in accordance with the provisions of Section 737.5, because of an alleged violation of some action of the Vehicle Code (be it a misdemeanor or a felony) may be entitled to secure his immediate release while a resident of this State charged with a felony violation, or any of the violations specifically mentioned in subparagraph *d* of Section 736 and those mentioned in Section 737 would not be entitled to secure his immediate release.

I do not believe that it was intended by this bill to discriminate against resident drivers in favor of nonresident operators, nor do I believe that it was intended to provide that nonresident operators, arrested for felonies or serious offenses should be released in the event a magistrate is not immediately available, while at the same time and under the same circumstances a resident would not be released. While the purpose of the bill is not objectionable, the draftsmanship is such that under its terms, as interpreted by the Attorney General, results not desirable nor intended may be realized.

The Highway Patrol, which sponsored this legislation, advises me that if the bill has the effect as stated by the Attorney General it should not be approved. The author joins in this request.

Under the circumstances I am returning the bill without my approval.

Respectfully submitted,

EARL WARREN, Governor

Assembly Bill No. 1862 ordered to unfinished business file.

Receipt of Assembly Bill No. 1862 Acknowledged

I acknowledge receipt this first day of July, 1949, at 8.05 o'clock p.m. of Assembly Bill No. 1862 without the Governor's signature, together with a statement of his objections thereto signed by the Governor, delivered to me personally by Beach Vasey, Legislative Secretary to the Governor.

ARTHUR A. OHNIMUS, Chief Clerk of the Assembly

REPORTS OF STANDING COMMITTEES

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which was referred:

Senate Bill No. 1659

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

WATERS, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Waters:

Resolved, That Senate Bill No. 1659 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle,

Dunn, Erwin, Fleury, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1659

Senate Bill No. 1659—An act calling a special election to submit to the electors of California certain amendments to the Constitution of the State proposed by the Legislature, to take effect immediately.

Bill read second time, and ordered to third reading.

RESOLUTIONS

The following resolutions were offered:

By Mr. George D. Collins:

House Resolution No. 312—Relative to the election of Judge Edward F. O'Day.

Resolution read.

Request for Unanimous Consent That All Members Present Be Named Co-authors on House Resolution No. 312

Mr. George D. Collins asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 312, as co-authors.

The roll was called, and the following expressed a desire to be so recorded:

By Messrs. George D. Collins, Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Mrs. Niehouse, Messrs. Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, and Yorty:

House Resolution No. 312

Relating to the election of Judge Edward F. O'Day

WHEREAS, Edward F. O'Day, a distinguished member of the California State Bar Association and former Member of the Legislature, has been elected to the Office of Judge of the Municipal Court in and for the City and County of San Francisco; and

WHEREAS, Edward F. O'Day, a native son of San Francisco, was graduated from the University of San Francisco and the University of San Francisco Law School and was admitted to the State Bar on May 12, 1937; and

WHEREAS, Edward F. O'Day commenced his career of public service in 1938 upon his election to the Legislature as the representative for the Twenty-fourth Assembly District; and

WHEREAS, Edward F. O'Day demonstrated his proficiency and leadership as a legislator and was re-elected for four subsequent terms; and

WHEREAS, Edward F O'Day was elected to the Office of Judge of the Municipal Court in and for the City and County of San Francisco as further recognition of his outstanding abilities; now, therefore, be it

Resolved by the Assembly of the State of California, That Edward F. O'Day is hereby congratulated upon his election to the Office of the Judge of the Municipal Court in and for the City and County of San Francisco, and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Judge Edward F. O'Day.

Request for Unanimous Consent

Mr. George D. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 312, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Messrs. Dickey and Sam L. Collins:

House Resolution No. 313

Relating to the Honorable Bartley W. Cavanaugh

WHEREAS, The Honorable Bartley W. Cavanaugh, the genial and very capable City Manager of the City of Sacramento, takes great pride in the fact his city is the capital city of California; and

WHEREAS, Mr. Cavanaugh has demonstrated this pride in his city by keeping it a clean and wholesome community as well as one of great beauty, to the end that visitors to California's capital city may be impressed by the desirability of the setting for the Capitol of one of the Nation's great states; and

WHEREAS, This pride on the part of the Sacramento City Manager for his city and for the State Capitol is one to inspire all Members of the Legislature in their work during their sojourn in the California Capital City; and

WHEREAS, Mr. Cavanaugh, for the reason of his great interest in the Legislature as well as for the affairs of his city, has on innumerable occasions demonstrated his sincere concern for the welfare and comfort of the Members of the California Legislature and has on behalf of the City of Sacramento extended many courtesies to the members in an effort to make our work here easier and our stay in Sacramento more pleasant; now, therefore, be it

Resolved by the Assembly of the State of California, That we do gratefully commend the Honorable Bartley W. Cavanaugh for his capable management of the City of Sacramento, to the end that every Member of the Legislature is proud of the capital city and that we do extend to the city manager our thanks for the many courtesies and kindnesses which have resulted in making more pleasant our stay in Sacramento during this long and arduous session now being completed; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to transmit a suitably prepared copy of this resolution to the Honorable Bartley W. Cavanaugh, City Manager of the City of Sacramento.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 313, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Evans:

House Resolution No. 314

WHEREAS, Wilkie Ogg, Sergeant-at-Arms, has again demonstrated his ability to perform the duties of his important and difficult office; and

WHEREAS, Wilkie Ogg has efficiently and competently and with uniform courtesy, performed the duties of Sergeant-at-Arms of the Assembly during this and former sessions of the Legislature; and

WHEREAS, Wilkie Ogg has been in constant attendance during the daily sessions of this House and has given most generously of his time in assisting the Members of the Legislature during the night committee meetings; now, therefore, be it

Resolved, That the Members of the Assembly extend to Wilkie Ogg their thanks for the efficient and courteous manner in which he has handled the duties of his office; and be it further

Resolved, That a copy of this resolution be presented to Wilkie Ogg.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 314, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Hinckley:

House Resolution No. 315

Resolved, That the thanks of the Assembly are hereby extended to Geraldine B. Hadsell, Minute Clerk, for the efficient and capable manner in which she has performed the duties of her office during the 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to Geraldine B. Hadsell.

Request for Unanimous Consent

Mr. Hinckley asked for, and was granted, unanimous consent to take up House Resolution No. 315, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

ANNOUNCEMENTS

Mr. Geddes announced that the Final Report of the Assembly Fact-Finding Committee on Highways, Streets, and Bridges has been printed, and will be placed upon the desks of all members prior to adjournment.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 389, on motion of Mr. McCollister.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 490—An act to amend Section 12 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure, and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to residential qualifications of attaches of municipal courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 490?

Amendment No. 1

On page 1, line 3, of the printed bill, after "judges", insert ", clerks and other attaches".

Amendment No. 2

On page 1, line 5, of said bill, strike out ". The", and insert "or appointed, except that in cities or cities and counties having a population of 2,000,000 or more, the".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 490 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick,

Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 490 ordered enrolled.

Assembly Bill No. 342—An act to amend Section 3440 of the Civil Code, relating to transfers of particular personal property without delivery.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 342?

Amendment No. 1

On page 2, line 7, of the printed bill, strike out "seven", and insert "ten".

Amendment No. 2

On page 2, line 27, of said bill, strike out "two", and insert "five".

Amendment No. 3

On page 2, line 34, of said bill, strike out "seven", and insert "ten".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 342 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 342 ordered enrolled.

Assembly Bill No. 493—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to deputy marshals and attaches in municipal courts in cities of the first and one-half class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 493?

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Assembly on June 8, 1949, strike out "(crew heads)".

Amendment No. 2

On page 2, line 17, of said bill, strike out "(senior clerk typists)".

Amendment No. 3

On page 2, line 19, of said bill, strike out "(senior clerk typists)".

Amendment No. 4

On page 2, line 21, of said bill, strike out "(clerk typists)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 493 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis,

Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—61.

NOES—None.

Assembly Bill No. 493 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 813

Mr. Yorty asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 813, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 813

Senate Bill No. 813—An act to amend Sections 9510, 9512, 9540.2, 9551 of, and to add Section 9524 to the Business and Professions Code, relating to establishments regulated by the State Board of Dry Cleaners.

Bill read third time.

Motion to Amend

Mr. Yorty moved the adoption of the following amendment:

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 30, 1949, strike out lines 16 to 20, inclusive; and on page 2, strike out lines 1 and 2, and insert "edge by personal appearance or by the appearance of an officer, employee, or other person who is or will be actively engaged in performing or supervising the performance of the operations which are the subject of the examination."

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2854—An act to amend Section 1274bb of the Code of Civil Procedure, relating to unclaimed money or other property in custody of United States courts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2854?

Amendment No. 1

On page 2, line 9, of the printed bill, between "or property", and "a corpora-", insert "was".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2854 by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—None.

Assembly Bill No. 2854 ordered enrolled.

Assembly Bill No. 2992—An act to amend Section 4005 of the Penal Code and Section 660 of the Welfare and Institutions Code, relating to custody and detention in state or county prisons, jails or other detention facilities of persons committed or detained by process or order issued under the authority of the United States.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2992?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 27, 1949, strike out "Section 4005", and insert "Sections 2902 and 4005".

Amendment No. 2

In line 8 of the title of said bill, after "United States", insert "or of any state or territory of the United States, and providing for the terms under which such services are to be rendered".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 2902 of the Penal Code is amended to read:

2902. All criminals sentenced to [the state prisons] *prison* by the authority of the United States *or of any state or territory of the United States,* [shall] *may* be received [and kept according to] *by the Director of Corrections and imprisoned in California state prisons in accordance with* the sentence of the court by which they were tried [.] . The prisoners so confined shall be subject in all respects to discipline and treatment as though committed under the laws of this State *and the Director of Corrections is authorized to enter into contracts with the proper agencies of the United States and of other states and territories of the United States with regard to the per diem rate such agencies shall pay to the State of California for the keep of each prisoner.*

SEC. 2. Section 4005 of the Penal Code is amended to read:".

Amendment No. 4

On page 1, line 10, of said bill, strike out "SEC. 2", and insert "SEC. 3".

Amendment No. 5

In line 1 of the title of the printed bill, as amended in the Senate on May 25, 1949, strike out "Sections 2902 and 4005", and insert "Section 2902".

Amendment No. 6

In line 2 of the title of said bill, strike out "and Section 660 of the Welfare and Insti-".

Amendment No. 7

Strike out all of lines 3 to 5, inclusive, of the title of said bill, and insert "relating to the admission into California state prisons of persons convicted of crimes and sentenced to prison by the".

Amendment No. 8

On page 2 of said bill, strike out all of lines 1 to 27, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2992 by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.

NOES—Evans, Lowrey, and Silliman—3.

Assembly Bill No. 2992 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 832

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 832, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 832

Senate Bill No. 832—An act to amend Section 44.2 of the Unemployment Insurance Act, relating to unemployment insurance and refunds of wage-earner contributions.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments.

Amendment No. 1

In line 1 of the title of the printed bill, strike out "Section 44.2", and insert "Sections 44.2 and 252".

Amendment No. 2

In line 3 of the title of said bill, after "contributions", insert "and disability benefits".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 2 of said bill, after line 41, insert

"SEC. 2. Section 252 of the Unemployment Insurance Act is amended to read:

Sec. 252. The commission shall require for each uninterrupted period of disability that the first claim for unemployment compensation disability benefits be supported by the certificate of a physician as defined in Section 3209.3 of the Labor Code, [other than an optometrist,] or the certificate of a dentist or chiropodist duly licensed by California state law, acting within the scope of his practice, stating the medical facts within his knowledge, his conclusion with respect to the disability of the claimant and his opinion with respect to probable duration thereof; provided, *that the claim of any eligible individual who obtains care and treatment outside this State may pursuant to authorized regulations be supported by a like certificate of a similar licensee of the state in which the claimant is receiving care and treatment, and provided further,* that with respect to any eligible claimant who is hospitalized in or under the care of any medical facility of the United States Government, a certificate as to such individual's disability signed by any duly authorized medical officer of such facility shall satisfy the requirements of this section. If any individual in good faith adheres to the teachings of any bona fide church, sect, denomination or organization and in accordance with its principles depends for healing entirely upon prayer or spiritual means, no medical examination shall be required, but in lieu thereof the commission may accept the certificate of a duly authorized and accredited practitioner of such bona fide church, sect, denomination or organization as to the disability of the claimant and the estimated duration of such disability, and no authorized regulation prescribing the manner of proof of illness or injury shall discriminate against such individual."

Amendments read, and adopted

Bill ordered reprinted, and to third reading.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 928

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 928, out of order, for purpose of amendment, at this time.

CONSIDERATION OF SENATE BILL NO. 928

Senate Bill No. 928—An act to amend Sections 69, 70, 72, and 77 of, and to add Section 78.1 to, the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 28, 1949, after "72," insert "76,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 3 of said bill, after line 29, insert

"SEC. 6. Section 76 of said act is amended to read:

Sec. 76. The work and functions of the department shall be segregated and allotted according to their nature into divisions. One of such divisions shall be designated Division of Public Employment Offices and Benefit Payments, and one shall be designated the Division of Accounts and Tax Collections. Each of these two divisions shall be under a chief who shall be appointed by the Governor, subject to the approval of the Senate, and who shall serve at the pleasure of the Governor. The chief of each of these two divisions shall devote his full time to the performance of his duties as such chief of a division and shall receive a salary of [ten thousand ($10,000)] *twelve thousand ($12,000)* per year. There shall be such other divisions as the commission may determine that the exigencies and nature of the work of the department require."

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 680—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 680?

Amendment No. 1

On page 1, line 15, of the printed bill, after "absent.", insert "For the purpose of this section, the member absent on military service shall be deemed to have received a service rating for the period of such absence entitling him to annual salary adjustments."

Amendment No. 2

On page 2, line 46, of the printed bill, as amended in the Senate on June 18, 1949, after "section.", insert "Contributions by the employer pursuant to this section shall not be made for any period of time after January 1, 1950, for any member who has not returned to state service prior to that date."

Amendment No. 3

On page 2, line 2, of the printed bill, as amended in the Senate on June 23, 1949, after "list", insert ", or if he retires under this system for service or disability during such leave. Retirements, heretofore effective, of members during such leaves, and the

contribution by the employer of said amounts with respect to said members, are hereby validated and confirmed".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 680 by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, George D. Collins, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Grunsky, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lipscomb, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Way, Weber, and Mr. Speaker—45.

NOES—Evans, Hagen, Hinckley, Levering, and Waters—5.

Assembly Bill No. 680 ordered enrolled.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 1051, on motion of Mr. Rosenthal.

CONSIDERATION OF DAILY FILE (RESUMED)
UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 625—An act to repeal Section 586 5 of, and to add Sections 39.7 and 586.5 to the Vehicle Code, relating to the operation of tow cars.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 625?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on March 28, 1949, after "roadway", insert "outside a business or residence district".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 625 by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Way, Weber, Yorty, and Mr. Speaker—52.

NOES—None.

Assembly Bill No. 625 ordered enrolled

Assembly Bill No. 1304—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1304?

Amendment No. 1

On page 1 of the printed bill, strike out lines 13 to 20, inclusive, and insert "for such distribution. The State Printer shall deliver 100 copies of all legislative publications including committee reports to the Secretary of State.

The Secretary of State shall maintain a room for the filing of all bills, laws, resolutions, Journals and committee reports for all prior sessions of the Legislature for the use of the Members of the Legislature, other state officers and the public."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1304 by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger,

Hollibaugh, Huyck, Kilpatrick, Lewis, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Sherwin, Smith, Stanley, Thomas, Thompson, Way, and Weber—45.

NOES—Butters, Erwin, Evans, Hinckley, Levering, Lincoln, Lowrey, McCarthy, and Waters—9.

Assembly Bill No. 1304 ordered enrolled.

Speaker Pro Tempore Presiding

At 9.05 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 2619—An act to amend Section 5053 of, and to add section 5472 to the Health and Safety Code, relating to the collection of sewer revenue charges, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2619?

Amendment No. 1

On page 2, line 11, of the printed bill, strike out ". In such case", and insert ". which agreement shall establish the terms and conditions upon which such collections shall be made. Such agreement, in the discretion of such department or agency or public utility owner making the collections, also may provide that".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2619 by the following vote:

AYES—Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehous, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—50.

NOES—Lowrey—1.

Assembly Bill No. 2619 ordered enrolled.

Assembly Bill No. 283—An act to amend Sections 1476 and 1505 of the Penal Code, relating to habeas corpus proceedings and bail.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 283?

Amendment No. 1

On page 1, line 14, of the printed bill, as amended in the Assembly on May 26, 1949, after "bailable," insert "unless bail has previously been fixed,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 283 by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—51.

NOES—None.

Assembly Bill No. 283 ordered enrolled.

Assembly Bill No. 525—An act to amend Sections 11 and 11d of Municipal Court Act of 1925, relating to municipal courts and the attaches of said courts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 525?

Amendment No. 1

On page 3, line 46, of the printed bill, as amended in the Assembly on June 8, 1949, strike out "in the service on the effective date of the amendment to this", and insert "under this".

Amendment No. 2

On page 6, line 24, of said bill, strike out "in the service on the effective date of the amendment to this", and insert "under this".

Amendment No. 3

On page 3, line 48, of said bill, after "or", insert "any".

Amendment No. 4

On page 6, line 26, of said bill, after "or", insert "any".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 525 by the following vote:

AYES—Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Lincoln, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Smith, Stanley, Thomas, Thompson, Tomlinson, Way, and Weber—51.

NOES—None.

Assembly Bill No. 525 ordered enrolled.

Resolution to Suspend Constitutional Provision

The following resolution was offered:

By Mr. Brady:

Resolved, That Senate Bill No. 168 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the third time, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 168

Senate Bill No. 168—An act to amend Sections 56 and 61 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read third time.

Motion to Amend

Mr. Brady moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "any person under the age of twenty-one years", and insert "minors".

Amendment read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 404—An act to add Section 20344.2 to the Education Code, relating to the education in state colleges of persons in the service of the Federal Government.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 802—An act to amend Section 7205, and to add Sections 7214, 7215, 7216, and 7217 to of the Business and Professions Code, relating to the members of the State Board of Guide Dogs for the Blind, and the regulation of guide dog schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—65

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 409

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 409, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 409

Senate Bill No. 409—An act to amend Sections 31460, 31468, 31469, and 31502 of the Government Code, relating to the membership of county employees' retirement systems.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crichton, Dickey, Clayton A Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Huyck, Kilpatrick, Levering, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—56.

NOES—Cooke—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 54—Relative to the creation of a Fact-Finding Committee on Agriculture and Livestock Problems.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Way, Weber, and Yorty—47.

NOES—George D. Collins, Geddes, Hahn, Levering, and Morris—5.

Resolution ordered transmitted to the Senate.

MOTION TO INCLUDE RESOLUTIONS WHICH CREATE JOINT INTERIM COMMITTEES IN PREVIOUS MOTION

Mr. Waters moved that the resolutions relative to the creation of joint interim committees be included with Senate appropriation bills in the motion previously offered by Mr. Kirkwood, and carried.

Mr. Geddes seconded the motion.

Motion carried.

Hon. Richard H. McCollister Presiding

At 9.35 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 66—Relative to the creation of the Joint Committee on Water Problems.

Resolution read.

Motion to Amend

Mr. Lewis moved the adoption of the following amendment:

Amendment No. 1

On page 2, line 13, of the printed measure, as amended in the Senate on June 3, 1949, strike out "the feasibility of the transfer"; strike out lines 14 and 15; and in line 16, strike out "tion of such transfers;".

Amendment read.

Point of Order

Mr. Dickey arose to the following point of order: That Mr. Lewis is not speaking to the amendment.

Ruling by Speaker

Acting Speaker McCollister ruled the point of order well taken.

The question being on the adoption of the amendment offered by Mr. Lewis to Senate Concurrent Resolution No. 66.

Demand for Previous Question

Messrs. Caldecott, Silliman, Grant, Conrad, and Connolly demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Lewis to Senate Concurrent Resolution No. 66.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Anderson, Burkhalter, George D. Collins, Condon, Cooke, Davis, Dunn, Elliott, Fletcher, Gaffney, Hawkins, Heisinger, Kilpatrick, Lewis, McCarthy, Moss, Rosenthal, and Thomas—18.

NOES—Babbage, Berry, Burke, Butters, Caldecott, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hahn, Hinckley, Hollibaugh, Huyck, Levering, Lincoln, Lindsay, Lowrey, Luckel, McCollister, Morris, Niehouse, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—38.

The question being on the adoption of Senate Concurrent Resolution No. 66.

Demand for Previous Question

Messrs. Lincoln, Connolly, Grunsky, Silliman, and Waters demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Senate Concurrent Resolution No. 66.

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Butters, Caldecott, Connolly, Conrad, Crichton, Davis, Dickey, Dolwig, Doyle, Erwin, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hollibaugh, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—45.

NOES—Anderson, George D. Collins, Cooke, Elliott, Hawkins, and Thomas—6.

Resolution ordered transmitted to the Senate.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communications were received, read, and ordered printed in the Journal:

STATE OF CALIFORNIA
DEPARTMENT OF CORRECTIONS, June 30, 1949

The Honorable Earl Warren
Governor of California
The Honorable Goodwin J. Knight
President of the Senate
The Honorable Sam L. Collins
Speaker of the Assembly

I have the honor to transmit herewith the attached communication addressed to the State Board of Corrections under date of June 29, 1949, by Gerald H. Hagar, Acting Chairman, the Special Crime Study Commission on Organized Crime.

Mr. Hagar sets forth the reasons why the commission is not prepared at this time to submit to the Governor and the Legislature a report on the status of the studies initiated since the submission of its Second Progress Report on March 7, 1949.

Respectfully yours,

RICHARD A. McGEE, Chairman, State Board of Corrections

(COPY)

STATE OF CALIFORNIA
SPECIAL CRIME STUDY COMMISSION ON ORGANIZED CRIME, June 29, 1949

State Board of Corrections
State Office Building No. 1
Sacramento 14, California

ATTENTION: *Honorable Richard A McGee, Chairman*

GENTLEMEN: On March 7, 1949, the Commission for the Study of Organized Crime submitted its Second Progress Report which presented the commission's investigation of the bookmaking racket and of the slot machine racket in California.

Special studies initiated since March 7, 1949, have not progressed to the point where the commission can issue a report at this time. To do so would jeopardize the current inquiries and successful completion of our studies.

As soon as practical, a report on current inquiries will be submitted by the commission.

Respectfully yours,

(SIGNED)

GERALD H. HAGAR
Acting Chairman
Commission for the Study of Organized Crime

RESOLUTIONS

The following resolution was offered:

By Mr. Dickey:

House Resolution No. 316

Resolved, That the Controller be and he is hereby authorized to draw his warrants on the Contingent Fund of the Assembly in favor of the persons or firms listed below and for the amounts of money set opposite their respective names, and as itemized below, and the State Treasurer is hereby authorized and directed to pay the same:

Department of Finance (supplies)	118 35
Department of Finance (miscellaneous repairs and items for Assembly)	250 88
Department of Finance (miscellaneous repairs and equipment for Assembly)	25 12
Department of Finance (miscellaneous expenses and items for Assembly)	263 68
The Shasta Water Company (drinking water)	20 59
Cascade Towel Supply (towel supply)	75 20
Pacific Telephone & Telegraph Company (tolls)	611 60

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 316, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 197—An act to amend Section 694 of the Code of Civil Procedure, relating to sales of real and personal property under execution.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 668—An act to amend Section 1295 of the Penal Code, relating to bail and deposits instead of bail.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, and Way—56.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 687

Mr. Cooke asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 687, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 687

Senate Bill No. 687—An act to amend Section 135 of the Streets and Highways Code, relating to properties acquired for highway purposes.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, and Yorty—60.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1049—An act to amend Section 1143 of the Probate Code, relating to payment of expenses by public administrator.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher,

Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, and Yorty—62.

NOES—None.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mr. Rosenthal announced that the Assembly Baseball Team has appreciated the services of Mr. Fleury as captain of their team, and presented to Mr. Fleury a gift on behalf of the members of the Assembly Baseball Team.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 861
Assembly Bill No. 1682
Assembly Bill No. 2167
Assembly Bill No. 2589
Assembly Bill No 2636
Assembly Bill No. 3106
Assembly Bill No. 3145

J A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 25
Assembly Bill No. 626
Assembly Bill No 1558
Assembly Bill No 2124
Assembly Bill No. 2175
Assembly Bill No. 2191
Assembly Bill No. 3084

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 359
Assembly Bill No. 931
Assembly Bill No. 942
Assembly Bill No. 1431
Assembly Bill No 1899
Assembly Bill No 2200
Assembly Bill No 2487
Assembly Bill No 2488
Assembly Bill No. 2617

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1077
Assembly Bill No 1178
Assembly Bill No. 1306
Assembly Bill No 1307
Assembly Bill No. 1309
Assembly Bill No. 1311
Assembly Bill No. 1562
Assembly Bill No. 1606
Assembly Bill No. 1642
Assembly Bill No 2081
Assembly Bill No 2099
Assembly Bill No. 2397
Assembly Bill No. 2438
Assembly Bill No. 2486
Assembly Bill No. 3111

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1469—An act to amend Section 9.3 of the Municipal Court Act of 1925, relating to the constitution of the court and to compensation of officials.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Condon, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1642—An act to add Section 261d to the Code of Civil Procedure, relating to phonographic reporters.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—66.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 644—An act to repeal Sections 9.5, 41.1, and 102 of, and amend Sections 9, 9.2, 45, 45.5, 53, 54, 55, 57, 71, 151, 205, and 40 of, and add Section 41.1 to the Unemployment Insurance Act, relating to unemployment insurance and disability insurance.

Bill read third time, and ordered temporarily passed on file.

Senate Bill No. 1178—An act to repeal Sections 314, 314.5, 315, 316, and 317 of and to add Sections 314, 315, 316, 317, 318, 319, and 319.1 to the Vehicle Code, relating to proceedings in reference to refusal to issue or the suspension or revocation or other action pertaining to drivers' licenses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 468—An act to add Section 32100 5 to the Health and Safety Code, relating to local hospital districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—61.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 866

Mr. Dolwig asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 866, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 866

Senate Bill No. 866—An act to amend Section 1591 of the Insurance Code, relating to alien insurers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—57.

NOES—Lowrey—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1029—An act to amend Sections 32004 and 32100 of the Health and Safety Code, and to add Sections 32100 1, 32100.5, 32100.6, 32100.7 to said code, relating to local hospital districts, and declaring the urgency of this act, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way Weber, and Yorty—62

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—62

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1250—An act to add Chapter 8, comprising Sections 5500 to 5656, inclusive, to Part 3, Division 5, of the Health and Safety Code, to provide for the formation, organization, and operation of sanitation districts within the counties of the State.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 972—An act to add Section 704.7 to the Insurance Code, relating to the denial, suspension and revocation of certificates of authority to insurers.

Bill read third time.

Point of Order

Mr. Lowrey arose to the following point of order: That Mr. Grunsky is not speaking to the subject.

Ruling by Speaker

Acting Speaker McCollister ruled the point of order well taken.

Point of Order

Mr. Dickey arose to the following point of order: That the amendments placed in the bill, and previously adopted, are not germane to the bill, in violation of Rule 74.

Ruling by Speaker

Acting Speaker McCollister ruled the point of order not well taken because consideration of the amendments is not before the House, but passage of the bill.

The question being on the passage of Senate Bill No. 972.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Hagen, Hahn, Hawkins, Heisinger, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Way, Weber, and Yorty—54.

NOES—Brown, Grunsky, and Silliman—3.

Bill ordered transmitted to the Senate.

Speaker Pro Tempore Presiding

At 10.38 p m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

ANNOUNCEMENTS

Speaker pro Tempore Maloney announced, on behalf of the Speaker who has just returned from the Senate, that the Senate is more rapidly concluding its work than the Assembly, and urged more action on the part of Members of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1098—An act to add Section 768 of the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms or corporations loaning money on the security of personal and real property.

Bill read third time.

Motion to Amend

Mr. Levering moved the adoption of the following amendment:

Amendment No. 1

On page 1, line 15, of the printed bill, after "performed", strike out "negotiati any", and insert "cancel or otherwise cause to terminate an existing policy of insurance and negotiate a new".

Amendment read.

Demand for Previous Question

Messrs. Waters, Burke, Silliman, Luckel and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendment offered by Mr. Levering to Senate Bill No. 1098.

The roll was called, and the amendment refused adoption by the following vote:

AYES—Babbage, Connolly, Conrad, Doyle, Geddes, Huyck, Levering, Lipscomb, Morris, Smith, and Tomlinson—11.

NOES—Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Crichton, Davis, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Kirkwood, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Nichouse, Rumford, Sherwin, Stanley, Thomas, Waters, Way, and Yorty—40.

Senate Bill No 1098 ordered to third reading.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2859—An act to amend Section 209 of the Penal Code, relating to kidnaping.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2859?

Amendment No. 1

On page 1, line 17, of the printed bill, as amended in the Assembly on June 9, 1949, strike out "torture or"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2859 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crichton,

Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Assembly Bill No. 2859 ordered enrolled.

Assembly Bill No. 407—An act to add Section 587.6 to the Vehicle Code, relating to fire hoses.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 407?

Amendment No. 1

On page 1, line 4, of the printed bill, as amended in the Assembly on March 21, 1949, after "587.6.", insert "Running over Fire or Chemical Hose."

Amendment No. 2

On page 1, line 8, of said bill, after "California.", insert "However any vehicle may cross such hose provided suitable jumpers or other appliances are installed to protect such hose."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 407 by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—62.

NOES—None.

Assembly Bill No. 407 ordered enrolled.

Assembly Bill No. 1365—An act making an appropriation in augmentation of the appropriation in Item 162 of the Budget Act of 1948, for support of the Department of Finance, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1365?

Amendment No. 1

On page 1, line 4, of the printed bill, strike out "support of the", and insert "alterations, repairs, and equipment, State Capitol, state office buildings, and rented office buildings,".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1365 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Assembly Bill No. 1365 ordered enrolled.

Assembly Bill No. 1402—An act to add Sections 153.1, 153.2, and 153.3 to the Agricultural Code, relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and

preventing the spread of the same and making an appropriation therefor, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1402?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 17, 1949, strike out ", 153.2, and 153 3", and insert "and 153 2".

Amendment No. 2

On page 2 of said bill, strike out lines 2 to 10, inclusive, and insert

"153 2. Upon discovery of Oriental fruit fly (Dacus dorsalis) in any area of the State, and proclamation of an eradication area with respect thereto, as provided in Section 108, whenever the director in his discretion shall deem it necessary to destroy any host plant of Oriental fruit fly within such area, he may pay to the owner of any plant so destroyed, out of any money available for the purpose, the value thereof determined as pro-".

Amendment No. 3

On page 2, line 24, of said bill, strike out "4", and insert "3".

Amendment No. 4

On page 2, line 28, of said bill, strike out "5", and insert "4".

Amendment No. 5

On page 2, line 30, of the printed bill, as amended in the Senate on June 27, 1949, strike out "153 3", and insert "153 2".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1402 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63

NOES—None.

Assembly Bill No. 1402 ordered enrolled.

Assembly Bill No. 1850—An act to amend Sections 5181, 5241, 5242, 5254, 5258, 5369, and 6420 of the Streets and Highways Code, relating to improvement proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1850?

Amendment No. 1

On page 2, line 42, of the printed bill, before "warrant", insert "recordation of the"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1850 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Huckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Assembly Bill No. 1850 ordered enrolled.

Assembly Bill No. 2711—An act to add Article 10, comprising Sections 8001 to 8025, inclusive, to Chapter 4 of Part 3 of Division 6 of the Public Resources Code, relating to surveys and maps, creating the office of State Supervisor of Maps and Surveys, and prescribing his powers and duties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 2711?

Amendment No. 1

In line 3 of the title of the printed bill as amended in the Assembly, on April 18, 1949, after "maps", strike out comma; strike out all of lines 4 to 8, inclusive; and in line 9, strike out "prescribing his powers and duties."

Amendment No. 2

On page 1 of said bill, strike out lines 11 to 13, inclusive.

Amendment No. 3

On page 2 of said bill, strike out lines 4 to 39, inclusive.

Amendment No. 4

On page 2 of said bill, in each of lines 40, 46, and 48, strike out "supervisor", and insert "State Engineer".

Amendment No. 5

On page 3 of said bill, in each of lines 3, 9, 14, and 18, strike out "supervisor", and insert "State Engineer".

Amendment No. 6

On page 3 of said bill, strike out line 24, and insert

"8016. To enable the coordination of the programs of the several map making agencies, the State Engineer shall cause data to be assembled"

Amendment No. 7

On page 3 of said bill, in each of lines 33, 39, 42, 44, and in lines 48 and 49, strike out "supervisor", and insert "State Engineer"

Amendment No. 8

On page 4 of said bill, in each of lines 1, 19, and 31, strike out "supervisor", and insert "State Engineer"

Amendment No. 9

On page 4, line 34, of said bill, strike out "Water Resources Fund", and insert "Water Resources Revolving Fund"

Amendment No. 10

On page 4, line 43, of said bill, strike out "supervisor", and insert "State Engineer".

Amendment No. 11

On page 4 of said bill, at end of line 44, insert "Revolving".

Amendment No. 12

On page 5 of said bill, after line 11, insert

"SEC. 3. Notwithstanding anything in this act to the contrary or in conflict herewith, no mapping shall be carried out pursuant to this act unless funds are specifically appropriated therefor apart from and in addition to funds appropriated for topographic mapping pursuant to the act approved July 17, 1945, Chapter 1424, Statutes of 1945."

Amendment No. 13

On page 3, line 2, of the printed bill, as amended in the Senate on May 25, 1949, strike out "supervisor", and insert "State Engineer".

Amendment No. 14

On page 3, line 34, of said bill, strike out "supervisor", and insert "State Engineer".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No 2711 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins,

Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63.

NOES—None.

Assembly Bill No. 2711 ordered enrolled.

Assembly Bill No. 2969—An act making an appropriation to the Division of Forestry, Department of Natural Resources, to provide for special standby brush burning fire protection services, declaring the urgency of this act, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2969?

Amendment No. 1

On page 1, line 14, of the printed bill as amended in the Assembly on April 29, 1949, after "expended", insert "during the 1949-50 Fiscal Year".

Amendment No. 2

On page 2, line 4, of said bill, strike out "months of July, August and September", and insert "regular burning permit season as established in Section 4153 of the Public Resources Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2969 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63

NOES—None.

Assembly Bill No. 2969 ordered enrolled.

Assembly Bill No. 3177—An act making an appropriation for the support of the State Agricultural Society, Department of Finance, for the 1949-50 Fiscal Year.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3177?

Amendment No. 1

On page 1, line 1, of the printed bill, as amended in the Assembly on June 20, 1949, strike out "the".

Amendment No. 2

On page 1, line 2, of said bill, strike out "Fair and Exposition Construction Fund", and insert "any moneys in the Fair and Exposition Fund available for permanent improvements upon the property of state, citrus, county, or district agricultural associations for fair purposes, allocated by Section 19626 of the Business and Professions Code".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3177 by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—55.

NOES—Anderson, Beck, Elliott, Geddes, Hawkins, and Lewis—6.

Assembly Bill No. 3177 ordered enrolled.

Assembly Bill No. 2164—An act to amend Section 107 of the Welfare and Institutions Code and to add Section 18598 to the Government Code, relating to employees of the Department of Social Welfare, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2164?

Amendment No. 1

On page 1, line 2, of the title of the printed bill, as amended in the Assembly on May 23, 1949, after "code", insert "and Section 18950 of the Government Code"; and after "Section" in line 2, add "s".

Amendment No. 2

On page 1, line 3, of the title of said bill, after "18598", insert "and 19533.1".

Amendment No. 3

On page 3, line 8, of said bill, after "department", add "Time during which employees were on authorized absence from county service shall be excluded in computing such periods".

Amendment No. 4

On page 3, line 23, of said bill, after "is", insert "or shall be".

Amendment No. 5

On page 3, line 33, of said bill, after semicolon, insert "(2) prescribe the manner of certification and the order in which such employees must be considered for employment;".

Amendment No. 6

On page 3, line 33, of said bill, strike out "(2)", and insert "(3)".

Amendment No. 7

On page 3, line 34, of said bill, strike out "(3)", and insert "(4)".

Amendment No. 8

On page 3, line 38, of said bill, after "Welfare", insert "under subsection (a) or (b) of Section 107 of the Welfare and Institutions Code".

Amendment No. 9

On page 3, line 43, of said bill, after "layoff", insert "or reemployment".

Amendment No. 10

On page 3, line 44, of said bill, after "to", insert "the foregoing", and after "for", insert "State", and after "service", insert "regardless of other provisions of law or for service".

Amendment No. 11

On page 3 of said bill, strike out lines 47 to 52, inclusive.

Amendment No. 12

On page 4 of said bill, strike out lines 1 and 2.

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 13

On page 3 of said bill, after line 46, insert

"SEC. 3. Section 18950 of the Government Code is amended to read:

18950. Vacancies in positions shall be filled insofar as possible and consistent with the best interests of the State, by promotion from among persons holding positions in lower classes, and appropriate promotional eligible lists shall be established to facilitate this purpose [.] *, provided, however, the board may open appropriate promotional examinations to persons who in accordance with Section 107(b) of the Welfare and Institutions Code and Section 18598 have been employed by the State Department of Social Welfare or who are or will become eligible for such employment.*"

Amendment No. 14

After the foregoing amendment insert

"SEC. 4. Section 19533.1 is added to the Government Code, to read:

19533.1. Whenever any employee under consideration for layoff receives seniority credits for service in accordance with the provisions of Section 18598(d), the board in order to maintain equity may prescribe the extent to which other employees under consideration for layoff shall receive seniority credits for similar service if any."

Amendment No. 15

On page 4, line 3, of said bill, after "SEC.", strike out "3", and insert "5".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2164 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63

NOES—None.

Assembly Bill No. 2164 ordered enrolled.

Assembly Bill No. 194—An act to amend and renumber Section 66a of the Code of Civil Procedure as added by Chapter 415 of the 1945 Statutes of California to be Section 66a-1, relating to the number of Judges of the Superior Court in the County of San Diego, and providing for the appointment of one additional judge and for his compensation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 194?

Amendment No. 1

On page 1, line 11, of the printed bill, as amended in the Assembly on June 15, 1949, strike out "1950", and insert "1951".

Amendment No. 2

On page 1, line 12, of the printed bill, strike out "1949", and insert "1950".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 194 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Sillman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—63

NOES—None.

Assembly Bill No. 194 ordered enrolled.

Assembly Bill No. 359—An act to amend Section 24526 of the Education Code, relating to uniform fire signals in schools.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 359?

Amendment No. 1

On page 1, line 6, of the printed bill, as amended in the Assembly on June 10, 1949, after "system", insert a period, and strike out "and every such school building having six or more classrooms or having a capacity of two hundred (200) or more, constructed

after the effective date of this act, shall be provided with a fire alarm system of a type approved by a laboratory nationally recognized as properly equipped and staffed to test and approve such alarm systems."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 359 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, and Yorty—53.
NOES—None

Assembly Bill No. 359 ordered enrolled.

Assembly Bill No. 931—An act to amend Section 13676 of the Education Code, relating to employees' leaves of absence.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 931?

Amendment No. 1

In line 1 of the title of page 1 of the printed bill, strike out "amend Section 13676", and insert "add Section 13676.1 to".

Amendment No. 2

On page 1 of the printed bill, strike out lines 1 to 27, inclusive, and insert

"SECTION 1. Section 13676.1 is added to the Education Code, to read

13676.1. Where one governing board serves as the governing board of two or more separate districts, an employee may fulfill the service requirements provided in Section 13674 or in 13676, or both, by service in any one or more of the districts under the jurisdiction of such governing board. At the option of the governing board the provisions of this section may apply in whole or in part to service rendered prior to the effective date hereof."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 931 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—53.
NOES—None.

Assembly Bill No. 931 ordered enrolled.

Assembly Bill No. 942—An act to add Section 19 to the County Waterworks District Act, relating to property of county waterworks districts.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 942?

Amendment No. 1

On page 1, line 10, of the printed bill, as amended in the Assembly on June 17, 1949, after "be", insert "sold or".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 942 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury,

Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—53

NOES—None.

Assembly Bill No. 942 ordered enrolled.

Assembly Bill No. 1899—An act to add Section 18005.5 to the Government Code, relating to payment for overtime of state employees, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1899?

Amendment No. 1

On page 1, lines 13 and 14, of the printed bill, as amended in the Assembly on June 20, 1949, strike out "five hundred six thousand six hundred ninety-one dollars ($506,691)", and insert "five hundred eight thousand five hundred ninety-one dollars ($508,591)".

Amendment No. 2

On page 2, line 6, of said bill, strike out "27,051", and insert "28,951".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1899 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—54.

NOES—None.

Assembly Bill No. 1899 ordered enrolled.

Assembly Bill No. 2200—An act to add Section 5034.1 to the Education Code, and to add Section 4.5 to Chapter 24, Statutes of 1948, relating to distressed school districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2200?

Amendment No. 1

On page 1 of the printed bill, as amended in Assembly June 18, 1949, strike out lines 3 to 22, inclusive, and on page 2 strike out lines 1 and 2, and insert

"5034.1 If, without the approval of the State Allocation Board, the governing board of a school district which has purchased or improved a school building site from funds apportioned to it under this chapter therefor, fails to use such site as a school building site, or sells or otherwise disposes of such site or improvements or any portion thereof, within three years after the payment of such funds into the county treasury to the credit of the emergency school building fund of the district, the board shall demand the return by the school district of the amount of such funds expended for the purchase of such site or for such improvements, or portion thereof, as the case may be.

If, with the approval of the State Allocation Board, the governing board of a school district which has purchased or improved a school building site from funds apportioned to it under this chapter therefor, sells or otherwise disposes of such site or improvements or any portion thereof, within three years after the payment of such funds into the county treasury to the credit of the emergency school building fund of the district, the board shall demand the return by the school district of such amount, not in excess of the amount of such funds expended for the purchase of such site or for such improvements, or portion thereof, as the case may be, sold or otherwise disposed of, as the board and the governing board of the district agreed upon at the time the approval of the board was given.

Written notice of such demand, setting".

Amendment No. 2

In the first line of the title of said bill, strike out "Section", and insert "Sections".

Amendment No. 3

In the first line of the title of said bill, after "5034.1", insert "and 9176.2".

Amendment No. 4

On page 2 of said bill, after line 26, insert

"SEC. 3. Section 9176.2 is added to the Education Code, to read:

9176.2. Notwithstanding any provisions of this article, whenever by any act of Congress funds are provided as federal aid to education to the several states for apportionment or allocation to school districts for the purposes set forth in this section, and such act of Congress does not require that it be administered in this State by a state officer or agency other than the State Allocation Board, such act, with respect to the funds herein mentioned, shall be administered and such funds shall be apportioned by the State Allocation Board under the Local Agency Allocation Act.

The funds to which this section shall apply are funds appropriated by Congress for (a) the purchase and improvement of school sites; or (b) the purchase of furniture and equipment; or (c) the planning and construction, reconstruction, repair, alteration of, and addition to, school buildings and incidental facilities.

The State Allocation Board shall by rule provide for securing the recommendations or approval of the Department of Education as to the facilities to be provided.

Funds apportioned under this section shall be paid in accordance with the provisions of Section 9178 of this code on claims submitted by the Director of Finance.

The State Allocation Board is hereby authorized to accept any such funds on behalf of the State, and to cooperate with the Government of the United States or any agency or agencies thereof in the administration of the act of Congress and rules and regulations lawfully adopted thereunder."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2200 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Assembly Bill No. 2200 ordered enrolled.

Assembly Bill No. 2487—An act to amend Sections 8, 9, and 21 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2487?

Amendment No. 1

On page 4, line 21, of the printed bill, after "metal," insert "bauxite,".

Amendment No. 2

On page 4, line 22, of said bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 3

On page 4, line 23, of said bill, after "ball", strike out "and", and insert a comma.

Amendment No. 4

On page 4, line 23, of said bill, after "sagger", insert ", and china".

Amendment No. 5

On page 4, line 23, of said bill, after "clay," insert "phosphate rock,".

Amendment No. 6

On page 4, line 23, of said bill, after "asphalt", insert ", trona, bentonite, gilsonite, thenardite,".

Amendment No. 7

On page 5, line 6, of said bill, after "mines," insert "bauxite,".

Amendment No. 8

On page 5, line 7, of said bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 9

On page 5, line 8, of said bill, after "ball", strike out "and", and insert a comma.

Amendment No. 10

On page 5, line 8, of said bill, after "sagger", insert ", and china".

Amendment No. 11

On page 5, line 8, of said bill, after "clay", insert ", phosphate rock,".

Amendment No. 12

On page 5, line 8, of said bill, after "mines," insert "trona, bentonite, gilsonite, thenardite (from brines or mixtures of brines),".

Amendment No. 13

On page 12, lines 23 and 24, of said bill, after "to", on line 23, strike out "Section 5219 of the Revised Statutes of the United States,".

Amendment No. 14

On page 13, line 15, of said bill, after "(1)", strike out "(A)".

Amendment No. 15

On page 13, line 19, of said bill, after "stock", strike out ", or", and insert a period.

Amendment No. 16

On page 13 of said bill, strike out lines 20 to 25, inclusive.

Amendment No. 17

On page 13, line 47, of said bill, after "persons," strike out "corporations or banks".

Amendment No. 18

On page 13, lines 48 and 49, of said bill, after "corporation", on line 48, strike out "or bank".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2487 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Assembly Bill No. 2487 ordered enrolled.

Assembly Bill No. 2488—An act to amend Sections 7, 8, and 12 of the Corporation Income Tax Act, relating to taxes on the income of corporations, associations and Massachusetts or business trusts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2488?

Amendment No. 1

On page 4, line 24, of the printed bill, after "metal", insert "bauxite,".

Amendment No. 2

On page 4, line 25, of said bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 3

On page 4, line 26, of said bill, after "ball", strike out "and", and insert a comma.

Amendment No. 4

On page 4, line 26, of said bill, after "sagger", insert ", and china".

Amendment No. 5

On page 4, line 26, of said bill, after "clay," insert "phosphate rock,".

Amendment No. 6

On page 4, line 27, of said bill, after "asphalt", insert ", trona, bentonite, gilsonite, thenardite,".

Amendment No. 7

On page 5, line 9, of said bill, after "mines," insert "bauxite,".

Amendment No. 8

On page 5, line 10, of said bill, after "talc", insert "(including pyrophyllite)".

Amendment No. 9

On page 5, line 10, of said bill, after "ball", strike out "and", and insert a comma.

Amendment No. 10

On page 5, line 11, of said bill, after "sagger", insert ", and china".

Amendment No. 11

On page 5, line 11, of said bill, after "clay", insert ", phosphate rock".

Amendment No. 12

On page 5, line 11, of said bill, after "asphalt mines," insert "trona, bentonite, gilsonite, thenardite (from brines or mixtures of brines)".

Amendment No. 13

On page 13, line 1, of said bill, after "(1)", strike out "(A)".

Amendment No. 14

On page 13, line 5, of said bill, after "stock", strike out all language to and including "interests", on line 10

Amendment No. 15

On page 20, line 2, of said bill, after "the", insert "value of real property attributable to buildings erected or other improvements made by a lessee in respect of such property was included in gross income of the lessor for any taxable year beginning before January 1, 1943, the basis of each portion of such property shall be properly adjusted for the amount so included in gross income."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2488 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.

NOES—None.

Assembly Bill No. 2488 ordered enrolled.

Assembly Bill No. 25—An act to add Section 544 to the Streets and Highways Code, relating to state highway routes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 25?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 13, 1949, strike out lines 3 and 4, and insert

"544. Route 231 is hereby added to the State Highway System to run from Route 165 in San Pedro to Route 167 in Long".

Amendment No. 2

On page 1, line 6, of said bill, strike out the period, and insert ", subject to the following conditions:

1. Except as provided in paragraph numbered 2, no expenditure shall be made from state highway funds for the acquisition of rights of way for or construction, improvement or maintenance of said highway until the following conditions have been met:

(a) The Federal Government shall have made available all funds necessary for the construction of said route, other than funds provided under paragraph 2

(b) The Federal Government and the Cities of Los Angeles and Long Beach shall have granted a sufficient and adequate right of way without cost to the State of California for that portion of said route traversing lands owned or controlled by each of them.

(c) The authorized representatives of the Cities of Long Beach and Los Angeles and of the appropriate agency of the Federal Government shall have approved the proposed alignment and the proposed location of all major structures on the route submitted by the State Department of Public Works.

2. Any city or county may contribute to, and the California Highway Commission may allocate moneys from the State Highway Fund for the improvement of portions of Route 231 on the mainland when such improvement is found necessary to complete an integrated system of freeways between San Pedro, Long Beach and the civic center in the City of Los Angeles.

3. If funds from sources other than state highway funds have not been made available for the construction of all portions of said Route 231 that are not on the mainland prior to January 15, 1953, said Route 231 shall on that date cease to be a state highway and this section shall have no further force or effect.

SEC 2 The Department of Public Works, Division of Highways, is directed to make a preliminary survey of Route 231 as soon as practical after the effective date of this act, and the California Highway Commission is directed to make available to the Division of Highways the necessary funds for such survey."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 25 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60

NOES—None.

Assembly Bill No. 25 ordered enrolled.

Assembly Bill No. 2617—An act to add Section 3.1 to the Sanitation and Sewer Revenue Bond Act of 1941, relating to the collection of revenues, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2617?

Amendment No. 1

Strike out the title of the printed bill, as amended in the Assembly on April 20, 1949, and insert "An act to amend Section 54345 and to add Sections 54346 1 and 54346.2 to the Government Code, relating to the collection of revenues for revenue bonds, declaring the urgency thereof, to take effect immediately."

Amendment No. 2

On page 1 of said bill, strike out lines 1 through 15, and insert

"SECTION 1. Section 54345 of said code is amended to read as follows:

54345. The local agency may provide that charges for any sewer enterprise or service shall be collected *together with and not separately from* the charges for any other utility service rendered by it, and that all charges shall be billed upon the same bill and collected as one item."

Amendment No. 3

On page 1 of said bill, after line 15, insert

"SEC. 3 Section 54346 1 is added to the code cited in the title, to read as follows:

54346 1. The local agency may enter into a written contract with a privately owned public utility that the charges for any sewer enterprise or service shall be collected together with and not separately from the charges of said privately owned public utility for any other utility service rendered by it, and that all charges shall be billed upon the same bill and collected as one item."

Amendment No. 4

On page 1 of said bill, after line 15, insert

"SEC 4. Section 54346 2 is added to said code, to read as follows:

54346 2. If all or any part of the bill of any privately owned public utility on which any sewer enterprise or service charge is collected, the privately owned public utility may discontinue its utility service until said bill is paid."

Amendment No. 5

On page 2, line 11, of the printed bill, as amended in the Senate on June 9, 1949, after "utility", insert "rendering other than gas or electric service,".

Amendment No. 6

On page 2, line 21, of said bill, after "collected", insert "is not paid".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2617 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60
NOES—None.

Assembly Bill No. 2617 ordered enrolled.

Assembly Bill No. 626—An act to amend Sections 589.5 and 589.6 of and to add Section 595.1 to the Vehicle Code, relating to the parking or stopping of vehicles.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 626?

Amendment No. 1

On page 1, in lines 1 and 2, of the title of the printed bill, as amended in the Assembly on June 6, 1949, strike out "Sections 589.5 and ", and insert "Section".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 15, inclusive.

Amendment No. 3

On page 1, line 16, of said bill, strike out "SEC. 2.", and insert "SECTION 1."

Amendment No. 4

On page 3, line 21, of said bill, strike out "SEC. 3.", and insert "SEC. 2."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 626 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—59.
NOES—Cooke—1.

Assembly Bill No. 626 ordered enrolled.

Assembly Bill No. 1558—An act to amend Section 7110 of the Business and Professions Code, relating to causes for disciplinary action against contractors.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1558?

Amendment No. 1

On page 1, lines 7 and 8, of the printed bill, as amended in the Assembly on June 17, 1949, strike out "of the Water Code," and insert "Water Code, relating to the digging, boring, or drilling of water wells".

Amendment No. 2

On page 1, line 6, of the printed bill, as amended in the Senate on June 28, 1949, after "or", insert "violation by any licensee".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1558 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D Collins, Condon, Connolly, Conrad, Crichton, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Niehouse, Rumford, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—50

NOES—Beck and Lowrey—2

Assembly Bill No. 1558 ordered enrolled.

Assembly Bill No. 2124—An act to add Section 1243 to the Water Code, relating to appropriations and use of water, declaring the urgency thereof, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2124?

Amendment No. 1

On page 1, lines 3 and 4, of the printed bill, as amended in the Assembly on June 3, 1949, strike out "storage of unappropriated waters in reservoirs and", and insert "construction of".

Amendment No. 2

On page 1, line 4, of said bill, as amended, strike out "thereof", and insert "therefrom of water".

Amendment No. 3

On page 1, line 7, of said bill, as amended, strike out "so released".

Amendment No. 4

In line 1 of the title of the printed bill as amended in the Senate on June 22, 1949, strike out "1243", and insert "8621".

Amendment No. 5

Strike out lines 2 and 3 of the title of said bill, and insert "flood control projects".

Amendment No. 6

On page 1, line 1, of said bill, strike out "1243", and insert "8621".

Amendment No. 7

On page 1 of said bill, strike out lines 3 to 19, inclusive, and insert

"8621. The board, with the approval of the Department of Finance, may when a saving to the State will result, in lieu of acquiring rights of way, contribute to the United States a portion of the construction cost of any flood control project under its jurisdiction when changes in the design of the project are made which, while resulting in increased construction costs, will reduce the costs of rights of way which otherwise might be required. Any funds heretofore or hereafter appropriated to the board for the acquisition of rights of way may be used for the purposes specified in this section."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2124 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Bill No. 2124 ordered enrolled.

Assembly Bill No. 2175—An act to amend Sections 303, 346, 444, and 460 of, to add Section 513 to, and to repeal Section 530 of the Streets and Highways Code, relating to state highway routes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2175?

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets.

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on April 4, 1949, strike out "444," and insert "362, 375, 444, 467".

Amendment No. 2

In line 2 of the title of said bill, strike out "Section", and insert "Sections 507, 508 and".

Amendment No. 3

On page 1 of said bill, between lines 7 and 8, insert

"SEC. 3. Section 362 of said code is amended to read:

362. Route 62 is from:

[(a) Route 171 near Buena Park to Route 9 near Azusa.

(b) Route 9 at Azusa to Route 61 via Pine Flats in San Gabriel Canyon.]

(a) Route 171 near Buena Park to Route 2 near La Habra.

(b) Route 26 in West Covina to Route 61 via Pine Flats in San Gabriel Canyon.

SEC. 4. Section 375 of said code is amended to read:

375. Route 75 is from:

(a) Oakland to Route 5 near Stockton via Walnut Creek and Antioch.

(b) *Route (a) above north of Walnut Creek to Martinez.*

(c) Route 4 near Stockton via Copperopolis to Route 65 near Altaville."

Amendment No. 4

On page 1, line 8, of said bill, strike out "3", and insert "5".

Amendment No. 5

On page 1, line 11, of said bill, strike out "4", and insert "6".

Amendment No. 6

On page 1 of said bill, between lines 14 and 15, insert

"SEC. 7. Section 467 of said code is amended to read:

467. Route 167 is from [:

(a) Long Beach to Route 166

(b) (a) above, near Los Angeles River to Route 26 via Atlantic Boulevard.]

Long Beach to Route 205 in South Pasadena.

SEC. 8. Section 507 is added to said code, to read:

507. Route 207 is from Sacramento to Marysville; provided, however, that Section 600 of the Streets and Highways Code shall be applicable to the route added to the State Highway System by this section, the same as if said route had been added by the Collier-Burns Highway Act of 1947, and the Department of Public Works shall not be required to maintain any portion of said route until the same has been laid out and constructed as a state highway.

SEC. 9. Section 508 is added to said code, to read:

508. Route 214 is from Route 68 near Ralston Avenue to Route 55."

Amendment No. 7

On page 1, line 15, of said bill, strike out "5", and insert "10".

Amendment No. 8

On page 1, line 20, of said bill, strike out "6", and insert "11".

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Thomas moved a call of the Assembly.

Motion carried. Time, 11.30 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Collier, Sam L. Collins, Crowley, Hahn, Hoffman, Huyck, Lipscomb, Lowrey, McMillan, Silliman, Smith, and Stewart—13

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 3084—An act to amend Section 19399 of the Government Code, relating to employees returning or who have returned from military service.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 3084?

Amendment No. 1

On page 1, of the printed bill, as amended in the Assembly on May 24, 1949, strike out lines 25 and 26, and insert "this section, whether actually reinstated or not, shall be reinstated in such position if he was separated from his position through resignation without fault or delinquency on his part."

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 3084 by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Way, Weber, and Yorty—55.

NOES—None.

Assembly Bill No. 3084 ordered enrolled.

Assembly Bill No. 1076—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof, and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1076?

Amendment No. 1

On page 2 of the printed bill, between lines 3 and 4, insert

"(d) Any yacht club which is a nonprofit organization and is a regular member of a regional yachting association of such clubs which regional association is a member of a recognized national nonprofit yachting organization having a membership of not less than ten such regional yachting associations nor less than two hundred member yacht clubs, and which has more than one hundred bona fide regular members more than 25 percent of whom are the owners of small boats, and which owns, maintains or operates a clubhouse adjacent to regular facilities for the mooring of small boats and which has operated such clubhouse adjacent to such facilities for not less than one year. For the purposes of this section, a small boat is defined as a vessel designed for navigating in the water and regularly designed for or equipped with a sail or an inboard marine engine."

Amendment No. 2

On page 2 of the printed bill, as amended in the Senate on June 18, 1949, strike out lines 4 to 17, inclusive, and insert

"(d) Any yacht club which is a nonprofit organization and is a regular member of a recognized national nonprofit yachting organization having a membership of not less than two hundred member yacht clubs, and which has more than one hundred bona fide regular members, and which owns, maintains or operates a clubhouse and which has operated such clubhouse for not less than one year."

Amendment No. 3

On page 2, between lines 24 and 25, of the printed bill, as amended in the Senate June 21, 1949, insert

"(e) Any bar association having an authorized delegate to the American Bar Association and composed entirely of attorneys at law, duly admitted, licensed and qualified to practice as such within the State of California, which has a bona fide membership of more than one thousand members and has been in existence for a period of more than twenty years and which owns, leases, operates or maintains a club room or rooms for its membership and which has operated such club room or rooms for a period of not less than five years"

Demand for Previous Question

Messrs. Waters, Rosenthal, Luckel, Hinckley, and Conrad demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 1076.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 1076 by the following vote:

AYES—Berry, Brady, Burkhalter, Butters, Condon, Connolly, Cooke, Dickey, Dolwig, Fletcher, Fleury, Gaffney, Grant, Hinckley, Lincoln, Lindsay, Maloney, McCarthy, McMillan, Meyers, Moss, Rosenthal, Sherwin, Stanley, Thomas, Thompson, Weber, and Yorty—28.

NOES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Caldecott, Clarke, George D. Collins, Conrad, Dunn, Elliott, Evans, Geddes, Grunsky, Hahn, Hawkins, Heisinger, Hollibaugh, Kirkwood, Levering, Lewis, Lowrey, Luckel, Morris, Niehouse, Tomlinson, Waters, Way, and Mr. Speaker—30.

Appointment of Committee on Conference Concerning Assembly Bill No. 1076

The Speaker pro Tempore announced the appointment of Messrs. Stanley, Evans, and Connolly as a Committee on Conference concerning Assembly Bill No. 1076.

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 5 of Article XI thereof, relating to compensation of officers.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Constitutional Amendment No. 81?

Amendment No. 1

On page 2, line 20, of the printed measure, strike out "and the 1950 Session".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 81 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley,

Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Thomas, Thompson, Waters, Way, Weber, and Yorty—58.

NOES—Lowrey—1.

Assembly Constitutional Amendment No. 81 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2175

At 11.45 p m., on motion of Mr. Thomas, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2175 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dolwig, Elliott, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Thomas, Tomlinson, Way, Weber, and Yorty—45.

NOES—Babbage, Brady, Burkhalter, Butters, Caldecott, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Geddes, Hinckley, Hollibaugh, Levering, Lincoln, Morris, Stanley, Thompson, and Waters—20.

Assembly Bill No. 2175 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1431—An act to create a flood control district to be called Alemada County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1431?

Amendment No. 1

On page 2, line 14, of the printed bill, as amended in the Assembly on May 31, 1949, strike out the period, and insert "; provided, that before acquiring authority to proceed with the establishment of any zone the exterior boundaries of which will include any land lying within the exterior boundaries of any chartered or incorporated city within the district, the board of supervisors shall first obtain the concurrence of such city to conduct such proceedings, such concurrence to be evidenced by a resolution or ordinance adopted by a majority of the members of the city council of such city, or by a vote of a majority of the qualified electors residing in such city or portion

thereof to be included in said zone voting at any regular or special election on said proposition; said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge."

Amendment No. 2

On page 9, line 14, of said bill, after "expenses", insert "incurred or".

Amendment No. 3

On page 11, line 41, of said bill, strike out "five cents ($0.05)", and insert "two cents ($0.02)".

Amendment No. 4

On page 19 of said bill, between lines 25 and 26, insert

"SEC. 26.1. Notwithstanding any provisions of this act to the contrary, the withdrawal of all the area lying within the exterior boundaries of any chartered or incorporated city from the district may be effected by the vote of a majority of the qualified electors of said city voting at any regular or special election on the proposition to withdraw the area lying within such city from the district. Said election shall in all particulars be held as provided by law for holding a municipal election in said city and the cost thereof shall be a city charge. The city council shall cause the results of the election to be certified to the board of supervisors of the district and if a majority of the votes cast on the proposition to withdraw such area from the district are in favor thereof, thereupon the area lying within the exterior boundaries of such city shall no longer be a part of the district. Provided, however, that the withdrawal of the area lying within the exterior boundaries of such city from the district shall not release the area so withdrawn from debts and obligations for or upon which it was liable or chargeable at the time such withdrawal was made."

Amendment No. 5

On page 5, line 51, of said bill, after "existing", insert "city and county or".

Amendment No. 6

On page 6, line 30, of said bill, after "existing", insert "city and county or".

Amendment No. 7

On page 6, line 31, of said bill, after "such", insert "city and county or".

Amendment No. 8

On page 6, line 33, of said bill, after "such", insert "city and county or".

Amendment No. 9

On page 11, line 41, of the printed bill, as amended in the Assembly on May 31, 1949, strike out "five cents ($0.05)", and insert "one cent ($0.01)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1431 by the following vote:

AYES—Anderson, Babbage Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—None.

Assembly Bill No. 1431 ordered enrolled.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 109, on motion of Mr. Dickey.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 28—Relative to creating an Interim Committee on the State Program for the Adult Blind.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Waters, Way, and Weber—53.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 70—Relative to commending Mr. Robert Sibley for his work as Executive Manager of the California Alumni Association and Editor of the California Monthly.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Senate Concurrent Resolution No. 77—Relative to the powers of the Legislative Budget Committee.

Resolution read, and adopted.

Resolution ordered transmitted to the Senate.

Senate Joint Resolution No. 38—Relative to San Francisco's 173d Birthday.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Conrad, Cooke, Crichton, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58.

NOES—None.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO EXPUNGE RECORD, AND RESCIND ACTION ON HOUSE RESOLUTION NO. 298

Mr. Sam L. Collins asked for, and was granted, unanimous consent to expunge the record, and rescind the action whereby the Assembly, on this day, refused adoption to House Resolution No. 298.

Resolution Withdrawn From Active File, and Placed on the Inactive File

House Resolution No. 298, on motion of Mr. Sam L. Collins.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE CONCURRENT RESOLUTION NO. 65

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Concurrent Resolution No. 65, temporarily passed on file, for purpose of amendment, at this time.

CONSIDERATION OF SENATE CONCURRENT RESOLUTION NO. 65

Senate Concurrent Resolution No. 65—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Resolution read.

Motion to Amend

Mr. Lindsay moved the adoption of the following amendment:

Amendment No. 1

On page 2 of the printed measure, as amended in the Assembly on June 28, 1949, between lines 37 and 38, insert

"(f) The committee and each subcommittee thereof is authorized to leave the State of California in the performance of its duties."

Amendment read, and adopted.

Resolution ordered reprinted, and on file for adoption.

LETTER OF TRANSMITTAL

July 1, 1949

Hon. Sam L. Collins
Speaker of the Assembly
Assembly Chamber

MR. SPEAKER AND MEMBERS OF THE ASSEMBLY:

Your Assembly Interim Committee on Governmental Efficiency and Economy, created by House Resolution No. 216 of the 1947 Regular Session, submits herewith its final report of its investigations.

Yours very truly,

A. I. STEWART, Chairman
Assembly Interim Committee on
Governmental Efficiency and Economy

FINAL REPORT

ASSEMBLY INTERIM COMMITTEE ON GOVERNMENTAL EFFICIENCY AND ECONOMY

The Assembly Interim Committee on Governmental Efficiency and Economy was created by House Resolution No. 216 of the 1947 Regular Session.

Its main activities consisted of four investigations undertaken pursuant to request of the Ways and Means Committee of the Assembly or resolutions regularly adopted by the Assembly.

The first investigation concerned the Office of the Franchise Tax Commissioner and was undertaken pursuant to a recommendation contained in the Report of the Assembly Committee on Ways and Means, printed in the Assembly Journal of March 10, 1948. The investigation of this office disclosed conditions detrimental to the welfare of the State, which are fully set forth in the partial report of this committee printed in the Assembly Journal for January 21, 1949, at pages 510 and 537.

Legislation was introduced by the chairman of your committee, with the advice and consent of a majority of the members thereof, which will go far toward removing the conditions mentioned in that report and preventing the recurrence of such conditions in this and other state agencies.

The second investigation was undertaken as the result of a request by the Assembly Committee on Ways and Means that an interim committee of the Assembly make a complete investigation of the State Personnel Board.

The committee made an extensive study and survey of the Personnel Board and engaged the services of an expert in personnel matters to assist it in its task. The results of that investigation are embodied in the partial report of the committee printed in the Assembly Journal for March 25, 1949, at pages 1390 to 1394.

A series of bills was introduced by the chairman of your committee, with the advice and consent of a majority of the members thereof, to remedy certain defects in the operation of the Civil Service Laws of the State and the administration of the Personnel Board.

In response to a request embodied in House Resolution No. 29 of the 1948 General Session, your committee appointed a subcommittee to investigate the use of state-owned automobiles and equipment for other than official purposes. Although no formal report was filed concerning this investigation, Mr. Huyck, the chairman of the subcommittee, with the assistance of the other members thereof, made a thorough study of this matter, and introduced legislation designed to correct existing conditions and to prevent further misuse of state automobiles and equipment.

Finally, in response to a request embodied in House Resolution No. 22, 1949 Regular Session, your committee conducted an investigation of "smog" and the efficiency of the governmental agencies responsible for its control. A report of this investigation was made on April 1, 1949, and a letter transmitting said report appears in the Assembly Journal for April 1, at page 1642.

Your committee feels that its investigation, and the legislation which resulted therefrom, will result in increased efficiency of operation of the state agencies involved and a consequent saving to the taxpayers of the State.

Of the moneys allocated to your committee, the sum of $13,266.52 has not been used or obligated and can now revert to the Contingent Fund of the Assembly.

DATED: July 1, 1949.

Respectfully submitted,

A. I. STEWART, Chairman

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Crowley, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Marie M. Clisham and Dr. Berthold Lowenfield of Berkeley.

On request of Speaker Sam L. Collins, the usual courtesies of the Assembly for this day were unanimously extended to Judge Raymond F. Thompson and son Tommy Thompson of Fullerton.

ADJOURNMENT

At 11.59 p.m., on motion of Mr. Dickey, the Speaker pro Tempore declared the Assembly adjourned until 9 a.m., Saturday, July 2, 1949, out of respect to the memory of the late Merle Templeton.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

CALIFORNIA LEGISLATURE

1949 REGULAR SESSION

ASSEMBLY DAILY JOURNAL

ONE HUNDRED SIXTH LEGISLATIVE DAY

ONE HUNDRED EIGHTY-FIRST CALENDAR DAY

IN ASSEMBLY

ASSEMBLY CHAMBER, SACRAMENTO

Saturday, July 2, 1949

The Assembly met at 9 a.m.

Hon. Sam L. Collins, Speaker of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ROLL CALL

The roll was called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—74.

Quorum present.

PRAYER

The following prayer was offered by the Chaplain, Dr. Torrance Phelps:

Infinite God:

As We Part Today

Let us cherish the memory of the eventful associations beneath this majestic dome,

The mystic chords of affection which now reach out to every corner of the State.

Day by Day

Steadfast in our affections, with serenity and courage for every crisis,

With faith that "Earth hath no sorrow Heaven cannot heal."

May the People

Realize the heavy labors and responsibilities cheerfully borne by the Members of this Assembly,

At personal sacrifice without adequate or worthy compensation or material support.

Let Us Continue

To make California a State ideal in culture and general welfare,

And guard the Liberties of America as the source of our own security and the model for the world.—AMEN.

READING OF THE JOURNAL DISPENSED WITH

On motion of Mr. Beck, further reading of the Journal of the previous legislative day was dispensed with.

APPRECIATION EXPRESSED

Speaker Sam L. Collins expressed appreciation to Dr. Torrance Phelps, Chaplain of the Assembly, for his loyalty of service during this present legislative session, and for the splendid prayers he has offered each legislative day in the Assembly Chamber.

CONSIDERATION OF DAILY FILE

UNFINISHED BUSINESS

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1556—An act to amend Section 2470 of the Civil Code and to add Section 2469.1 thereto, relating to use of fictitious names.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1556?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on May 26, 1949, strike out "and", and insert a comma.

Amendment No. 2

In line 2 of the title of said bill, after "thereto," insert "and to add Section 15035.5 to the Corporations Code,".

Amendment No. 3

In line 2 of the title of said bill, strike out "use of", and insert "notices and records of cessation of doing business under".

Amendment No. 4

In line 2 of the title of said bill, strike out "names.", and insert "name or as partnership."

Amendment No. 5

On page 2 of said bill, after line 11, insert

"SEC. 3. Section 15035.5 is added to the Corporations Code, to read:

15035.5 Whenever a partnership is dissolved, a notice of the dissolution shall be published at least once in a newspaper of general circulation in the place, or in each place if more than one, at which the partnership business was regularly carried on, and an affidavit showing the publication of such notice shall be filed with the county clerk within thirty days after such publication."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Beck moved a call of the Assembly.

Motion carried. Time, 9.10 a.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Bennett, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Grunsky, Hagen, Hawkins, Hollibaugh, Huyck, Levering, Lindsay, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Price, Reagan, Rosenthal, Rumford, Stewart, Thomas, Waters, Way, Weber, and Yorty—44.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Maloney asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No. 2510

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 3162

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Senate Bill No. 1660

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

FIRST READING AND REFERENCE OF SENATE BILLS

The following bill was read the first time:

Senate Bill No. 1660—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Referred to Committee on Livestock and Dairies.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day refused to adopt the report of the Committee on Conference concerning:

Assembly Constitutional Amendment No. 8—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding to Article VI thereof a new section to be numbered 27, relating to the retirement of judges.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 46

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

MOTION THAT ALL BILLS ON THE INACTIVE FILE BE STRICKEN FROM FILE

Mr. Lowrey moved that all bills on the inactive file be stricken from the file.

Mr. Beck seconded the motion.

Motion carried.

Bills Ordered Stricken From Inactive File

Pursuant to the above motion, the following bills were ordered stricken from the inactive file:

Assembly Bills Nos. 16, 230, 259, 313, 413, 541, 659, 890, 1034, 1136, 1325, 1577, 1590, 1830, 1903, 1938, 2017, 2088, 2347, 2559, 2594, 2620, 2645, 2704, 2713, 3003, and 3126.

Assembly Constitutional Amendment No. 35.

Assembly Concurrent Resolution No. 97.

House Resolutions Nos. 140, 275, and 298.

Senate Bills Nos. 109, 389, 520, 985, 1051, 1382, 1489, and 1509.

Above Senate bills ordered transmitted to the Senate.

REPORTS OF STANDING COMMITTEES

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 105—Relative to approving amendments to the charter of the City of Petaluma, a municipal corporation in the County of Sonoma, State of California, voted for and ratified by the qualified electors of said city at a general municipal election held therein on the fourteenth day of June, 1949;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 669—An act to amend Section 53 of and to add Sections 209 and 250.1 to the Unemployment Insurance Act, relating to unemployment insurance;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3154—An act to amend Sections 32204, 32262, 32322, 32324, 32334, 32335, 32351, 32354, and 32355 of, to add Sections 32204.5, 32235.5, 32330.5, 32341, 32342, 32363, 32364, and 32365 to, and to repeal Section 32363 of the Government Code, relating to County Fire Service Retirement System;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3124—An act to amend Section 2982 of the Civil Code, relating to the conditional sale of personal property;

Assembly Bill No. 3144—An act to add Section 5082.5 to the Business and Professions Code, relating to refund of application fees;

Assembly Bill No. 3152—An act to amend Section 11513 of the Government Code, relating to administrative adjudication;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2948—An act to add Section 6040.5 and Article 4, comprising Sections 6060 to 6065, inclusive, to Chapter 1 of Division 7 of Title 1 of the Government Code, relating to the publication of matter required by law to be published in a newspaper of general circulation;

Assembly Bill No. 2961—An act authorizing the conveyance of property belonging to the State of California at San Francisco State College in the City and County of San Francisco, State of California, and the acquisition of property in payment therefor;

Assembly Bill No. 3085—An act to add Section 32050 5 to the Government Code, relating to retirement of county peace officers, including but not limited to constables, deputy constables and employees of the sheriff's office;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER · Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2887—An act to amend Section 11005 of the Revenue and Taxation Code, relating to vehicle license fee money allocable to cities;

Assembly Bill No. 2890—An act to amend Sections 4658 and 4659 of the Labor Code, relating to computation of payment for permanent disability under the Workmen's Compensation Act;

Assembly Bill No. 2905—An act to amend Section 5082.1 of the Business and Professions Code, relating to the practice of public accountancy;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2571—An act to amend Section 489 of the Penal Code, relating to the punishment for the crime of grand theft;

Assembly Bill No. 2577—An act to amend Section 1018 of the Penal Code, relating to pleadings and proceedings after indictment;

Assembly Bill No. 2587—An act to amend Sections 1089 and 1098 and to add Section 1070.5 to the Penal Code, relating to alternate jurors and the number of challenges in criminal cases;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2566—An act to amend Section 4550 of the Penal Code, relating to rescues;

Assembly Bill No. 2567—An act to amend Section 3704 of the Penal Code, relating to insane persons sentenced to death;

Assembly Bill No. 2568—An act to amend Section 1476 of the Penal Code, relating to writs of habeas corpus, and the manner of indicating presentation thereof and the action of the court thereon;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman·

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER · Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2389—An act to amend Section 1057a of the Code of Civil Procedure, relating to sureties on bonds or undertakings;

Assembly Bill No. 2529—An act to amend Section 403 of the Education Code, relating to the salary and credential of the county superintendent of schools of a county of the third class;

Assembly Bill No. 2558—An act to amend Section 1338 of the Penal Code, relating to notice of conditional examination of witnesses;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2268—An act to amend Section 4a of the Bank and Corporation Franchise Tax Act, relating to the levy and collection of taxes upon banks, and providing that this act shall take effect immediately;

Assembly Bill No. 2296—An act to add Section 7 6 to the Unemployment Insurance Act, relating to unemployment insurance;

Assembly Bill No. 2309—An act to amend the title and Sections 4, 15, 17, 19.5, 20, and 23 of the Personal Property Brokers Act as revised by Chapter 952 of the

Statutes of 1939, and to amend the title and Sections 4, 15, 17, 19.5, 20, and 24 of the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of personal property brokers;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2240—An act relating to the acquisition, construction, establishment, operation, maintenance and financing of off-street parking facilities for the parking of motor vehicles and providing alternative ways and means therefor, including the creation of parking authorities, the issuance of revenue bonds and other obligations and defining the powers and duties of parking authorities, cities and cities and counties with respect to off street parking facilities,

Assembly Bill No. 2241—An act to amend Section 172a of the Penal Code, relating to alcoholic beverages,

Assembly Bill No. 2265—An act to amend the title of Article 6 of Chapter 11 of Division 7 of the Education Code and to add thereto Section 13653, relating to the rights of probationary employees whose services have been terminated because of reduction in attendance or discontinuance of a particular kind of service;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1877—An act to add Section 311 to and to amend Section 459 of the California Unemployment Insurance Act, relating to the payment of unemployment compensation disability benefits,

Assembly Bill No. 2027—An act to amend Section 753 of the Revenue and Taxation Code, to amend and renumber Sections 754 to 758, inclusive, 1831 to 1834, inclusive, and 1882.5 of said code, to add thereto new sections to be numbered 754, 757, 1831 to 1838, inclusive, 1904 to 1908, inclusive, and to add Article 4, comprised of Sections 2001 to 2005, inclusive, to Chapter 2, Part 3, Division 1 of said code, all relating to property taxation and providing for the assessment of property, the equalization of assessments and the adjustment thereof for allocations of state funds, and the adjustment of tax rates to promote equity in tax burdens and providing when certain provisions of this act shall take effect;

Assembly Bill No. 2170—An act to add Section 13¼ to the Los Angeles County Flood Control Act, relating to storm waters and drainage, the expenditure of moneys for improvements, the control of same and the levy of taxes therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1802—An act to add Section 12024.4 to Chapter 1 of Division 5 of the Business and Professions Code, relating to the sale of poultry, fowl and rabbits by weight;

Assembly Bill No. 1805—An act to amend Section 4702 of the Labor Code, relating to death benefits under the Workmen's Compensation Act;

Assembly Bill No. 1839—An act to amend Sections 3.4, 10.4, and 10.5, of the World Trade Center Authorities Act, relating to world trade centers;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1707—An act to add Section 7409 to the Welfare and Institutions Code, relating to the qualifications of the superintendent of a psychiatric hospital clinic in the City of Los Angeles under the control of the Department of Mental Hygiene;

Assembly Bill No. 1734—An act to amend Sections 1, 2.3, 5, 7, 9, 10, 13, 14, 28, 44, 46, 47, 48, 49, 51, and 55 of, and to add Section 45.1 to, the Vehicle Parking District Act of 1943, relating to vehicle parking districts and the formation and financing thereof, the acquisition and improvement of parking places and of means of ingress thereto, contributions by cities and counties to pay portions of the cost thereof, the levy of taxes, and the management and operation of parking places;

Assembly Bill No. 1752—An act to amend Section 7405 of the Welfare and Institutions Code, relating to minors believed to be mentally unsound and their temporary placement for observation in institutions under the jurisdiction of the Department of Mental Hygiene.

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1589—An act to amend Sections 54427, 54610, and 54611 of, and to add Section 54813 to, the Government Code, relating to sanitation and sewer enterprises;

Assembly Bill No. 1639—An act to add Section 8015 to the Fish and Game Code, relating to abalones;

Assembly Bill No. 1678—An act to amend Sections 11380, 11382, 11382.5, 11383, 11385, 11409, 11421, and 11422 of the Government Code, relating to rules and regulations of state agencies and providing for the transfer of certain records from the Secretary of State to the Department of Professional and Vocational Standards;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1445—An act to amend Sections 113, 301, 304, 307, 310, 802, 1101, 1102, 1713, 1908, 2402, 3601, 3602, 3632, 3671, 3672, 3700, 4102, 4105, 4106, 4107, 4110, 4114, 4118, 4119, 4120, 4600, 4603, 4606, 5200, and 6404 of the Corporations Code, to add Sections 4124 and 5201.5 thereto, and to add Article 5, comprising Sections 3800 and 3801 to Chapter 1 of Part 8 of Division 1 of Title 1 thereof, all relating to corporations;

Assembly Bill No. 1450—An act to amend Sections 9200, 9300, 9301, 9303, 9304, 9305, 9400, 9402, 9600, and 9602 of, and to add Section 9003 to, the Corporations Code, relating to nonprofit corporations;

Assembly Bill No. 1467—An act to amend Sections 4, 6, 14, and 22 of, and to add Section 17.1 to, the Personal Property Brokers Act, as revised by Chapter 1044 of the Statutes of 1939, relating to the regulation of loans and lenders;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1295—An act to amend Section 2 of Chapter 1276, Statutes of 1947 and Section 10155 of the Fish and Game Code, relating to fish, providing for a privilege tax in relation thereto, establishing a Marine Research Committee;

Assembly Bill No. 1345—An act to amend Section 2020 of the Welfare and Institutions Code, relating to aid to the aged;

Assembly Bill No. 1386—An act to amend Section 6358 of the Education Code, relating to elections respecting increases in the maximum tax rate of school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1190—An act to add Section 6604 to the Labor Code, relating to effect of refusal to work where order of Division of Industrial Safety is violated;

Assembly Bill No. 1200—An act to amend Section 17053.5 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately;

Assembly Bill No. 1227—An act to amend Section 64 of the Alcoholic Beverage Control Act, relating to the possession, consumption, sale, giving and delivery of alcoholic beverages;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 886—An act to amend Sections 794.5, 795, and 802 of, and to repeal Section 799 of, the Fish and Game Code, relating to abalones;

Assembly Bill No. 898—An act to amend Section 204 of the Unemployment Insurance Act, dealing with disability insurance,

Assembly Bill No. 986—An act to amend Section 204e of the Code of Civil Procedure, relating to the duties and compensation of the secretary and jury commissioner of the superior court, and assistants;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 749—An act to amend Section 9408 and to add Sections 9414 and 9415 to the Government Code, relating to production of prisoners as witnesses in legislative proceedings;

Assembly Bill No. 759—An act to amend Section 28130 of the Government Code, relating to compensation for public services in counties of the thirtieth class;

Assembly Bill No. 879—An act to amend Section 1071 of the Fish and Game Code, relating to mixed fish, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 664—An act to add Article 4.5 to Chapter 2 of Division 10 of the Education Code, relating to the Public School System;

Assembly Bill No. 679—An act to add Sections 21253 2 and 21253 3 to the Government Code, relating to crediting "prior service," under certain conditions, to persons who were absent from state service on military service prior to January 1, 1932, and revising the benefits payable with respect to certain classes of members, including those who have retired prior to the effective date hereof, in connection with the State Employees' Retirement System;

Assembly Bill No. 702—An act to add Section 6007 to the Business and Professions Code, relating to membership in the State Bar;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 286—An act to add Section 1057b to the Code of Civil Procedure, relating to exception to the sufficiency of corporate sureties;

Assembly Bill No. 408—An act to amend Section 53 of an act entitled "An act to provide for the organization and government of drainage districts, for the drainage of agricultural lands other than swamp and overflowed lands, and to provide for the acquisition or construction thereby of works for the drainage of the lands embraced within such district," approved March 20, 1903, as amended, and relating to compensation of directors;

Assembly Bill No. 444—An act to add Section 7 3 to the Unemployment Insurance Act, relating to the definition of employment of agricultural labor;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 240—An act to amend Section 10b of the Municipal Court Act of 1925, relating to municipal courts in cities of the second and one-half class, and the marshals and attaches thereof;

Assembly Bill No. 241—An act to amend Section 10a of the Municipal Court Act of 1925, relating to clerks and attaches of municipal courts;

Assembly Bill No. 242—An act to amend Section 10 of the Municipal Court Act of 1925, relating to the constitution of said court and the judges, clerks, marshals and attaches thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 10 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 84—A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3171—An act to add Article 5.1 to Chapter 11 of Division 2 of the Education Code and to add Section 4919.2 to said code, all relating to the formation of union high school districts;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2829—An act to amend Sections 2891, 2892, 2893, 2894, and 2895 of the Education Code, relating to the annexation of school districts;

Assembly Bill No. 3004—An act to repeal Article 19, comprising Sections 95 and 96, of the Community Redevelopment Act, relating to the State Redevelopment Agency, and to abolish the State Redevelopment Agency;

Assembly Bill No. 3120—An act to amend Sections 1, 3, 6, 7, 13, and 14 of, to add Sections 3¾, 7¼, 12¾, 13½, 13¾, 19¾, 19½, and 20¼ to, and to repeal Section 8 of the City Carriers Act, relating to the use of certain public highways by motor vehicles operated thereon for the transportation of property for compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2698—An act to amend Section 3692 of the Political Code, relating to the powers and duties of the State Board of Equalization.

Assembly Bill No. 2791—An act to add Section 5003.1 and Section 5157.4 to and amend Section 5013 of the Public Resources Code, relating to the powers and duties of the State Park Commission, the Department of Natural Resources, and counties in connection with public recreation areas and facilities;

Assembly Bill No. 2802—An act to amend Sections 43068 and 43069 of the Government Code, relating to taxation by sixth class cities;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2383—An act to add Section 11374 to the Government Code, relating to regulations and the scope and validity of regulations adopted by state agencies;

Assembly Bill No. 2508—An act to amend Section 7 of the Alcoholic Beverage Control Act, relating to licenses;

Assembly Bill No. 2547—An act to repeal Section 11556.5 of the Insurance Code and to amend Section 11699 of the Insurance Code, relating to workmen's compensation insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2186—An act to amend Sections 2¾ and 50¾ of the Public Utilities Act, relating to petroleum carriers,

Assembly Bill No. 2318—An act to amend Section 8274 of the Education Code, relating to the pupils of the public schools;

Assembly Bill No. 2366—An act to amend Sections 8909, 8916, 8920, 8937, 8938, 8970, 8971, and 8975 of, to repeal Sections 8954, 8955, and 8974 of, and to add Sections 8938.1, 8938.2, 8943, 8954, 8955, 8971.5, and 8972.1 to the Business and Professions Code, relating to the licensing and regulation of yacht and ship brokers and salesmen;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2127—An act to add Section 73f to the Code of Civil Procedure, relating to the holding of sessions of the superior court in places other than the county seat,

Assembly Bill No. 2156—An act to repeal Articles 2 and 3 of Chapter 6, Part 3, Division 5 of, to add Articles 2 and 3 to Chapter 6, Part 3, Division 5 of, and to amend Sections 4024, 4451, 4452, and 4475 of, to add Sections 4025, 4458, 4459, 4460, and 4461 to, the Health and Safety Code, relating to contamination and pollution of waters and the regulation, abatement, and correction of such conditions, the disposal of sewage and industrial wastes, and the supply of water for domestic and other purposes, all relating to public health,

Assembly Bill No. 2185—An act to amend Sections 2 and 3 of, and to add Sections 1.5 and Sections 3½ and 3¾ to, the Highway Carriers' Act, relating to petroleum carriers;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2034—An act to add Division 7 to the Water Code, relating to the control of water pollution,

Assembly Bill No. 2037—An act to amend Section 18939 of the Government Code, relating to state civil service employment lists and examinations;

Assembly Bill No. 2110—An act to amend Sections 8 and 23 of, and to add Sections 8.1, 8.2, 8.3, and 8.4 to, an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925 as amended relating to the establishment of municipal courts in cities of the second class and collateral matters;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1823—An act providing for the division of counties into judicial districts and for the determination of the population of said districts, and repealing Sections 27800, 27801, 27802, and 27803 of the Government Code;

Assembly Bill No. 1935—An act to add Section 481.5 to the Fish and Game Code, relating to pollution;

Assembly Bill No. 1952—An act to amend Section 12 of an act entitled "An act relating to aeronautics; providing for the development and regulation thereof within this State; creating a State Aeronautics Commission and the Office of Director of Aeronautics; prescribing the powers and duties of such commission and director; prescribing penalties; and to make uniform the law with reference to state development and regulation of aeronautics, and repealing acts inconsistent herewith," approved July 11, 1947, relating to aeronautics;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1820—An act to amend Sections 1425 and 1462 of, and to add Sections 1462.1 and 1462.2 to, the Penal Code, relating to municipal and justice courts;

Assembly Bill No. 1821—An act to amend Sections 89, 112, and 396a, and to repeal Section 81, of the Code of Civil Procedure, relating to municipal and justice courts;

Assembly Bill No. 1822—An act prescribing the regulation, government, procedure and jurisdiction of municipal and justice courts, and providing for the election and appointment of the judges, officers and attaches of such courts, their terms of office, qualifications and compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1817—An act to amend Section 26203 of the Government Code, relating to census;

Assembly Bill No. 1818—An act to amend Section 77a of the Code of Civil Procedure and Section 1469 of the Penal Code, relating to appeals to superior courts;

Assembly Bill No. 1819—An act to amend Sections 1457 and 1463 and to repeal Section 1570 of the Penal Code, and to amend Section 771 of the Vehicle Code, relating to fines and forfeitures;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1814—An act to amend Section 1770 of the Government Code, relating to vacancies in office;

Assembly Bill No. 1815—An act to repeal Sections 159 and 159a of the Code of Civil Procedure, relating to qualifications of justices of the peace;

Assembly Bill No. 1816—An act to amend Section 144 of the Code of Civil Procedure, relating to courtrooms;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1486—An act to add Section 4917.3 to the Education Code, relating to the unification and reorganization of school districts;

Assembly Bill No. 1657—An act to add Section 729.5 to the Welfare and Institutions Code, relating to the protection of minors;

Assembly Bill No. 1711—An act to amend Section 10490 1 of the Insurance Code, relating to insurance;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1174—An act to add Section 6971.1 to the Education Code, relating to the education of adults, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1333—An act to amend Section 261 of the Code of Civil Procedure, relating to court commissioners of the superior court in counties, or cities and counties, having a population of 2,000,000 inhabitants and over;

Assembly Bill No. 1452—An act to amend Sections 24201, 24205, and 24211 of the Education Code, relating to the incorporation and powers of colleges and seminaries of learning;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1007—An act to amend Sections 16001 and 16002 of, and to add Section 16001 to, the Education Code, relating to admission to the public schools, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1119—An act to amend the title of, and to add Section 1.5 to "An act to provide for the construction of a road in Marin County, and including its incorporation into the State Highway System, and making an appropriation," approved July 18, 1945, and to validate contracts executed by the State of California and the Golden Gate Bridge and Highway District in pursuance of said act, relating to public bridges and highways, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1163—An act to amend Sections 222 and 223 of the Elections Code, relating to elections;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 172—An act to amend Section 3208 of the Labor Code, dealing with workmen's compensation;

Assembly Bill No. 486—An act to amend Section 25a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to powers and duties of marshals in municipal courts;

Assembly Bill No. 593—An act to amend Section 20382 of the Education Code, relating to sabbatical leave of state college employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 56—An act to amend Section 103½ of the Code of Civil Procedure, relating to clerks in justices' courts;

Assembly Bill No. 57—An act to amend Section 103 of the Code of Civil Procedure, relating to compensation of justices of the peace;

Assembly Bill No. 129—An act to add Article 4, comprising Sections 9220 to 9223, inclusive, to Chapter 2, Part 1, Division 2, Title 2 of the Government Code, relating to the Speaker and Members of the Assembly;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 11 a.m.

HUYCK, Chairman

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 301

By Mr. Maloney:

House Resolution No. 301

Relating to preprinting the proposed codes

WHEREAS, Upon the adjournment of this current session of the Legislature, the California Code Commission will continue its work of codifying the general statutory laws of this State; and

WHEREAS, It is the practice of the Code Commission to prepare preliminary drafts of proposed codes in mimeographed form for distribution to interested persons and groups for study and criticism prior to submission to the Legislature, but distribution by such means is necessarily limited; and

WHEREAS, If such proposed codes were printed they could be more widely circulated among interested persons and groups, thus enabling them to receive the careful scrutiny to which proposed legislation of such importance is entitled; now, therefore, be it

Resolved by the Assembly of the State of California, That the California Code Commission is hereby directed to prepare for printing as soon as practical after the adjournment of the 1949 Regular Session of the Legislature, such codes or portions

thereof as it proposes to submit to the Legislature for consideration, and immediately upon such printing to distribute the same to all interested persons and groups; and be it further

Resolved, That the Chief Clerk of the Assembly is hereby directed to have not to exceed 1,500 copies of each of such proposed codes printed, the cost thereof to be payable from the legislative printing appropriation.

Resolution read, and adopted.

REQUEST FOR UNANIMOUS CONSENT TO HOLD SPECIAL MEETING OF COMMITTEE

At 9.15 a.m., Mr. Silliman asked for, and was granted, unanimous consent to hold a special meeting of the Committee on Livestock and Dairies in the Post Office, at this time. Subject: Senate Bill No. 1660.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF ASSEMBLY BILLS

Assembly Concurrent Resolution No. 99—Relative to designating the California State Rose.

Resolution read, and adopted unanimously, there being more than a quorum present.

Resolution ordered transmitted to the Senate.

RESOLUTIONS

The following resolutions were offered:

By Mr. Dickey:

House Resolution No. 317

WHEREAS, Fox West Coast Theatres, Charles P. Skouras, President; Richard Spier, Division Manager; W. H. Lollier, Tax Division and Civic Public Relations; have contributed to the entertainment of the Members of the Assembly and their families during their stay in Sacramento, by granting admission courtesies of their various places of amusement; now, therefore, be it

Resolved, That the Members of the Assembly hereby express their appreciation of the thoughtful courtesy extended them by the aforesaid theatres and their officials; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to each of said parties.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 317, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 318

WHEREAS, California Theaters Association; Blumenfeld Theater Circuit, Joseph Blumenfeld, Manager; and Mrs. Hulda McGinn, have contributed to the entertainment of the Members of the Assembly and their families during their stay in Sacramento, by granting admission courtesies of their various places of amusement; now, therefore, be it

Resolved, That the Members of the Assembly hereby express their appreciation of the thoughtful courtesy extended them by the aforesaid theaters and their officials; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to transmit a copy of this resolution to each of said parties.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 318, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Doyle:

House Resolution No. 319

WHEREAS, During this 1949 Regular Session of the Legislature, Roy Hann, Paying Teller in the Office of the State Treasurer, has extended innumerable courtesies to the Members of this Assembly, and has given most cheerfully and willingly of his time to be of assistance to the Members of this House; now, therefore, be it

Resolved by the Assembly of the State of California, That in concluding its labors of the 1949 Regular Session of the Legislature, this House sincerely desires to express its appreciation and thanks to Roy Hann; and be it further

Resolved, That the Chief Clerk is directed to transmit a copy of this resolution to Mr. Roy Hann.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 319, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Fleury:

House Resolution No. 320

Resolved, That the thanks of the Assembly are hereby extended to Herbert B. Bronner, Chief of the Division of Audits and Disbursements, to J. E. Esola, Assistant Chief of the Division of Audits and Disbursements, and to Lee Artz, Legislative Accounting Officer, for the uniform courtesy they have shown to each and every Member of this Assembly during the 1949 Regular Session of the Legislature, and for the able and competent manner in which they have handled the business of their offices; and be it further

Resolved, That copies of this resolution be presented to Herbert B. Bronner, J. E Esola, and Lee Artz.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 320, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Crichton:

House Resolution No. 321

Resolved, That the Members of the Assembly of the 1949 Regular Session of the Legislature, extend a vote of thanks to Harold F. Lewright, Assistant Chief Clerk, for the efficient, courteous and competent manner in which he has conducted the business of his office; and be it further

Resolved, That a copy of this resolution be presented to Harold F. Lewright.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 321, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. McCollister:

House Resolution No. 322

WHEREAS, Lillian Burger Slater, Assistant Minute Clerk, has performed the duties of her office capably, intelligently, efficiently and courteously during this 1949 Regular Session of the Legislature; now, therefore, be it

Resolved, That the thanks of the Members of this House are hereby tendered to Lillian Burger Slater for the splendid manner in which she has performed the duties of her office; and be it further

Resolved, That a copy of this resolution be presented to Lillian Burger Slater.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 322, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 323

Resolved, That the thanks of the Assembly are extended to Walter W. Feeley, Journal Clerk, for the able manner in which he has conducted the business of his office in proofreading the Daily Journal; and be it further

Resolved, That a copy of this resolution be presented to Walter W. Feeley.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take of House Resolution No. 323, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dolwig:

House Resolution No. 324

WHEREAS, Jacqueline Carol Dunn has performed the important duty of Assistant Minute Clerk during the 1949 Regular Session of the Legislature in a most capable and efficient manner; and

WHEREAS, Jacqueline Carol Dunn, with her unfailing attendance to duty and the uniform courtesy she has extended to each and every Member of this Assembly, has helped in expediting the business of this session, now, therefore, be it

Resolved, That the thanks of this Assembly are extended to Jacqueline Carol Dunn; and be it further

Resolved, That a copy of this resolution be presented to Jacqueline Carol Dunn.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 324, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Geddes:

House Resolution No. 325

WHEREAS, Mary Helen Smith, affectionately known as Dolly Smith, Secretary to the Chief Clerk, during this 1949 Regular Session of the Legislature has, by her strict and conscientious attention to duty, greatly assisted in expediting the work of this House; and

WHEREAS, Dolly Smith, by her efficiency and competency and the uniform courtesy extended to each and every Member of the Assembly, has assisted the members in the performance of their duties; now, therefore, be it

Resolved, That the Members of this House express to "Scotty" Dolly Smith their appreciation for the way in which she has performed the duties of her office; and be it further

Resolved, That a copy of this resolution be presented to Dolly Smith.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No 325, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Fletcher:

House Resolution No. 326

WHEREAS, Eleanor K. Donoghue, Legislative Copy Editor, in the preparation and editing of legislative publications during the 1949 Regular Session of the Legislature and former sessions of the California Legislature, has rendered valuable service to the Speaker, Officers and Members of the Assembly; and

WHEREAS, Her assistance to Members and Officers of the Assembly, given cheerfully and agreeably without regard to her working hours, has helped to expedite the business of this session; and

WHEREAS, Her genial disposition and charming smile were ever in evidence, and her uniform courtesy unchanged; now, therefore, be it

Resolved, That the Assembly express to Eleanor K. Donoghue its appreciation for her services, and be it further

Resolved, That a copy of this resolution be presented to Eleanor K. Donoghue.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 326, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. McMillan:

House Resolution No. 327

Resolved, That the thanks of the Assembly are hereby extended to Randal F. Dickey, Jr., for the able, conscientious, and painstaking manner in which he has performed the duties of his office during this 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to Randal F. Dickey, Jr.

Request for Unanimous Consent

Mr. McMillan asked for, and was granted, unanimous consent to take up House Resolution No. 327, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Weber:

House Resolution No. 328

Resolved, That the thanks of the Assembly are hereby extended to Byron McMillan, Assistant Clerk, for the efficient, courteous and competent manner in which he has performed the duties of his office during the 1949 Regular Session of the Legislature, and be it further

Resolved, That a copy of this resolution be presented to Byron McMillan.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 328, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Sherwin:

House Resolution No. 329

Resolved, That the thanks of the Assembly are hereby extended to John R. Wendt, Assistant Clerk, for the efficient, courteous and competent manner in which he has conducted the business of his office during the 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to John R. Wendt

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 329, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Rumford:

House Resolution No. 330

Resolved, That the thanks of the Assembly are extended to Paul F. Crum, for the uniform courtesy and competent manner in which he has conducted the business of Assistant Clerk of the Assembly during the 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to Paul F. Crum.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 330, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Anderson:

House Resolution No. 331

Resolved, That the thanks of the Assembly are hereby extended to Marvin Riley, Assistant Clerk, for the able and painstaking manner in which he has performed the duties of his office during the 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to Marvin Riley.

Request for Unanimous Consent

Mr. Anderson asked for, and was granted, unanimous consent to take up House Resolution No. 331, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Berry:

House Resolution No. 332

Resolved, That the thanks of the Assembly are hereby extended to Ethel E. Brockelbank, History Clerk of the Assembly, for the competent and efficient manner in which she has compiled the Assembly History and conducted the business of her office during the 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to Ethel E. Brockelbank.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 332, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Hollibaugh:

House Resolution No. 333

Resolved, That the thanks of the Assembly are hereby extended to Mrs. Ruth Riley, File Clerk, for the spendid and most efficient manner in which she has kept the File, and the courtesy which she has extended to each and every Member of the Assembly on all occasions; and be it further

Resolved, That a copy of this resolution be presented to Mrs. Riley.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 333, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Hawkins:

House Resolution No. 334

WHEREAS, Juanita L. Dependener, as Chief Stenographer, and her corps of efficient stenographers have at all times, and under all conditions, served each and every Member of the Assembly with the greatest possible dispatch, efficiency, and uniform courtesy; now, therefore, be it

Resolved, That we, the Members of this Assembly, extend to them our sincere thanks and appreciation for the splendid services they have performed during this 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to Juanita L. Dependener.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 334, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Grant:

House Resolution No. 335

Resolved, That the thanks of the Assembly are hereby extended to William J. Greene, Assistant at Desk, for the efficient, courteous and competent manner in which he has performed the duties of his office during this 1949 Regular Session of the Legislature; now, therefore, be it

Resolved, That a copy of this resolution be presented to William J. Greene.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 335, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Stanley:

House Resolution No. 336

Resolved, That the thanks of the Assembly are extended to Helen Hartong, Assistant History Clerk, for the able and competent manner in which she has conducted the business of her office during this 1949 Regular Session of the Legislature; and be it further

Resolved, That a copy of this resolution be presented to Helen Hartong.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 336, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 337

Relative to Commending Charles W. Robbins for his services to the Assembly

WHEREAS, Charles W. Robbins has ably and conscientiously performed the duties of Engrossing and Enrolling Clerk of this Assembly for the 1949 Regular Session as he has in previous sessions; and

WHEREAS, The painstakingly, competent manner in which he has performed his duties has greatly expedited the work of this legislative body; now, therefore, be it

Resolved by the Assembly of the State of California, That Charles W. Robbins, Engrossing and Enrolling Clerk, be congratulated on the characteristically efficient

and skillful manner in which he has performed his duties, and that the sincere appreciation of this Assembly be extended to him; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to Charles W Robbins.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 337, at this time, without reference to committee on file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 338

Resolved, That Arthur A Ohnimus, Chief Clerk, be and he is hereby authorized and empowered to receipt for any warrants that may be due members, officers, or other attaches of the Assembly, after the close of the session, or that may be drawn upon the Contingent Fund of the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 338, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 339

Resolved, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is hereby directed to take charge of arranging and preparing the bills, books, and all other records of the Assembly, and filing the same with the Secretary of State, as provided by law, subsequent to adjournment of the 1949 Regular Session of the Legislature; and shall have charge of indexing, correcting, comparing and proofreading, and otherwise preparing the Journal and the Final History of the Assembly of the 1949 Regular Session of the Legislature; such indexing, correcting, comparing and proofreading of the Assembly Journals and Final History shall be performed by the State Printer under the direction of the Chief Clerk of the Assembly, making the information therein contained readily available for the use of the Members of the Legislature, state officers, and the general public, as a permanent record of the business transacted during the 1949 Regular Session. He shall also have charge of compiling, preparing, and having printed after adjournment, a final calendar of the legislative business of the 1949 Regular Session, said calendar to comprise a history of all bills introduced and their authors, the numbers that shall have become law; those that have been refused passage; an index to all measures introduced; and any and all such information as will provide a complete history of the session's business and a guide for the information of subsequent sessions of the Legislature

When the final calendar is prepared, said Arthur A. Ohnimus, Chief Clerk, is directed to forward one copy of the Final History to each public library in the State which may apply for same, and one copy to each Member of the Assembly, and one copy of the complete unbound chapters to each Member of the Assembly; and be it further

Resolved, That the Chief Clerk shall prepare and have printed subsequent to adjournment and during the 30-day period allowed the Governor to sign bills, a Bulletin showing the bills that the Governor has signed during said 30-day period and at the conclusion of the 30-day period he shall have compiled and printed a Bulletin showing the complete action on all bills signed and those pocket vetoed, and such other information as he may deem useful to advise the members of the status of each individual bill introduced during the session.

He shall mail a copy of said Bulletin to each Member of the Assembly and to each person making a request for a copy of the same; and be it further

Resolved, That the Chief Clerk is hereby authorized to employ such help as may be necessary to complete the aforesaid work of the Assembly and the same shall be compensated at a rate per diem not greater than that allowed them during the time the Legislature is in session; provided, however, that no compensation shall be allowed except for services actually performed in Sacramento, and the Chief Clerk is hereby directed to keep an accurate attendance record of all attaches so employed and certified by him to the State Controller as being entitled to compensation; and be it further

Resolved, That the State Controller is hereby authorized and directed to pay weekly compensation in such amounts and to such persons as may be certified to him

by the Chief Clerk as being entitled to the same until the said work has been completed, and such sums shall be payable from the unexpended balance of the fund provided for the payment of officers and attaches of the Assembly.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 339, at this time, without reference to committee or file.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—58.

NOES—None.

REPORTS OF STANDING COMMITTEES

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred:

Senate Bill No. 1660

Has had the same under consideration, and reports the same back with the recommendation: Do pass.

SILLIMAN, Chairman

Above reported bill ordered to second reading.

RESOLUTION TO SUSPEND CONSTITUTIONAL PROVISION

The following resolution was offered:

By Mr. Silliman:

Resolved, That Senate Bill No. 1660 presents a case of urgency, as that term is used in Article IV, Section 15, of the Constitution, and the provision of that section requiring that the bill be read on three several days in each house is hereby dispensed with, and it is ordered that said bill be read the second and third times, and placed upon its passage.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Article IV, Section 15, of the Constitution was declared suspended.

CONSIDERATION OF SENATE BILL NO. 1660

Senate Bill No. 1660—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Bill read second time.

Senate Bill No. 1660—An act to amend Sections 1101 and 1107 of the Agricultural Code, relating to eggs.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—60.

NOES—None.

Bill ordered transmitted to the Senate.

Hon. Richard J. Dolwig Presiding

At 9.43 a.m., Hon. Richard J. Dolwig, Member of the Assembly from the Twenty-second District, presiding.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1659

Mr. Sam L Collins asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1659, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1659

Senate Bill No. 1659—An act calling a special election to submit to the electors of California certain amendments to the Constitution of the State proposed by the Legislature, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Mr. Speaker—52.

NOES—Anderson, Beck, George D. Collins, Elliott, Luckel, Niehouse, and Yorty—7.

Bill ordered transmitted to the Senate.

Speaker Presiding

At 9.45 a.m., Hon. Sam L. Collins, Speaker of the Assembly, presiding.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1291—An act to amend Sections 32002 and 32100 of, to repeal Section 32004 of, and to add Sections 32002.1, 32002.2, 32002.3, 32004, 32004.1, 32004.2, 32004.3, 32004.4, 32004.5, 32004.6, 32100.5, 32100.6, 32100.7, 32100.8, and 32130 to, the Health and Safety Code, relating to hospital districts.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1291?

Amendment No. 1

Strike out lines 1, 2, 3, and 4 of the title of the printed bill, as amended in the Assembly on May 26, 1949, and insert

"An act to amend Section 32002 of, and to add Sections 32002.1, 32002.2, 32002.3, 32004.1, 32004.3, 32004.4, 32004.5, 32004.6, 32100.5, 32100.8, and 32130 to the".

Amendment No. 2

On page 2 of said bill, strike out lines 22 to 30, inclusive.

Amendment No. 3

On page 2, line 31, of said bill, strike out "SEC. 7.", and insert "SEC. 5."

Amendment No. 4

On page 2, line 32, of said bill, strike out "Territory", and insert "As an alternative procedure to that prescribed in Section 32004, territory".

Amendment No. 5

On page 2 of said bill, strike out lines 43 to 52, inclusive; and on page 3, strike out lines 1 to 4, inclusive.

Amendment No. 6

On page 3, line 5, of said bill, strike out "SEC. 9.", and insert "SEC. 6."

Amendment No. 7

On page 3, line 23, of said bill, strike out "SEC. 10.", and insert "SEC. 7."

Amendment No. 8

On page 3, line 49, of said bill, strike out "SEC. 11.", and insert "SEC. 8."

Amendment No. 9

On page 4, line 3, of said bill, strike out "SEC. 12.", and insert "SEC. 9."

Amendment No. 10

On page 4 of said bill, strike out lines 15 to 39, inclusive.

Amendment No. 11

On page 4, line 40, of said bill, strike out "SEC. 14.", and insert "SEC. 10."

Amendment No. 12

On page 5 of said bill, strike out lines 7 to 42, inclusive.

Amendment No. 13

On page 5, line 43, of said bill, strike out "SEC. 17.", and insert "SEC. 11."

Amendment No. 14

On page 5, line 47, of said bill, strike out "SEC. 18.", and insert "SEC. 12."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1291 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Morris, Niehouse, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Yorty, and Mr. Speaker—58.

NOES—None.

Assembly Bill No. 1291 ordered enrolled.

Speaker Pro Tempore Presiding

At 9.55 a.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75, 76, and 77 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 21 of the Corporate Securities Act, and Section 25301 of the Corporations Code, and Section

10055 of the Business and Professions Code, and Sections 107.5 and 13101 of the Health and Safety Code, and Section 21 of the Agricultural Code, and to add Section 3700a to the Political Code, relating to state officers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 88?

Amendment No. 1

In line 10 of the title of the printed bill, as amended in the Assembly on June 15, 1949, after "107.5", insert "and 13101"

Amendment No. 2

In line 11 of the title of said bill, after the comma insert "and to add Section 3700a to the Political Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 5 of said bill, after line 37, insert

"SEC. 17. Section 13101 of the Health and Safety Code is amended to read:

13101. The State Fire Marshal shall be appointed by the Governor with the advice and consent of the Senate and shall hold office at the pleasure of the Governor. In order to be eligible for appointment, he shall have had not less than eight years experience in a regularly organized fire department in this State. He shall be paid a salary of [ten thousand dollars ($10,000)] *twelve thousand dollars ($12,000)* per annum."

Amendment No. 4

On page 5, after line 37, insert

"SEC. 18. Section 3700a is added to the Political Code, to read:

3700a. The annual salary of the State Liquor Administrator is twelve thousand dollars ($12,000)."

Amendment No. 5

In the title of the printed bill as amended in the Senate on June 25, 1949, strike out lines 1 to 12, inclusive, and insert

"An act to amend Section 5051 of the Penal Code, Section 152 of the Welfare and Institutions Code, Section 1723 of the Welfare and Institutions Code, Section 76 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 107.5 of the Health and Safety Code, relating".

Amendment No. 6

On page 1 of said bill, strike out lines 1 to 8, inclusive.

Amendment No. 7

On page 2 of said bill, strike out lines 1 to 12, inclusive.

Amendment No. 8

On page 2, line 13, of said bill, strike out "SEC. 3", and insert "SECTION 1".

Amendment No. 9

On page 2, line 25, of said bill, strike out "thirteen", and insert "twelve".

Amendment No. 10

On page 2, line 26, of said bill, strike out "$13,500", and insert "$12,500".

Amendment No. 11

On page 2, line 28, of said bill, strike out "4", and insert "2".

Amendment No. 12

On page 2, lines 30 and 31, of said bill, strike out "and hold office at the pleasure of".

Amendment No. 13

On page 2, line 31, of said bill, after "Governor", insert ", with the consent of the Senate, for a term of four years".

Amendment No. 14

On page 2, line 37, of said bill, strike out "5", and insert "3".

Amendment No. 15

On page 3 of said bill, strike out lines 1 to 37, inclusive

Amendment No. 16

On page 3, line 38, of said bill, strike out "8", and insert "4".

Amendment No. 17

On page 4, line 1, of said bill, strike out "twelve", and insert "eleven".

Amendment No. 18

On page 4, line 2, of said bill, strike out "$12,000", and insert "$11,000".

Amendment No. 19

On page 4 of said bill, strike out lines 5 to 22, inclusive.

Amendment No. 20

On page 4, line 23, of said bill, strike out "10", and insert "5".

Amendment No. 21

On page 4 of said bill, strike out lines 31 to 52, inclusive.

Amendment No. 22

On page 5 of said bill, strike out lines 1 to 15, inclusive.

Amendment No. 23

On page 5, line 16, of said bill, strike out "15", and insert "6".

Amendment No. 24

On page 5, line 26, of said bill, strike out "five hundred dollars ($13,500)", and insert "dollars ($13,000)".

Amendment No. 25

On page 5 of said bill, strike out lines 29 to 50, inclusive.

Demand for Previous Question

Messrs. Connolly, Caldecott, Silliman, Waters, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the concurrence in Senate amendments to Assembly Bill No. 88.

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 88 by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Collier, Connolly, Conrad, Erwin, Fleury, Hinckley, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Maloney, Morris, Niebouse, Sherwin, Smith, Stanley, Tomlinson, Waters, and Weber—24.

NOES—Anderson, Beck, Bennett, Berry, Brown, Burkhalter, Coats, George D. Collins. Condon, Cooke, Crowley, Davis, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lowrey, Luckel, McCarthy, McCollister, McMillan, Meyers, Moss, Silliman, Thomas, and Yorty—36.

Appointment of Committee on Conference Concerning Assembly Bill No. 88

The Speaker pro Tempore announced the appointment of Messrs. Sherwin, Beck, and Geddes as a Committee on Conference concerning Assembly Bill No. 88.

Assembly Bill No. 2310—An act to add Section 20585 to the Government Code, relating to the retirement of persons connected with the Educational System of the State.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2310?

Amendment No. 1

On page 3, line 26, of the printed bill, as amended, strike out "employees' ", and insert "employers' ".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2310 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Weber, and Yorty—64.

NOES—None.

Assembly Bill No. 2310 ordered enrolled.

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

EMERYVILLE, CALIFORNIA, June 30, 1949

Hon Sam L Collins, Assembly Chamber
State Capitol, Sacramento, California

DEAR SAM: Perhaps, during a lull while the boys are sitting around under a "Call of the House" you may have a chance to extend this little greeting to our tired and worn out public servants.

I really thought I would be in Sacramento during this session to say hello to all of you, but was unable to do so

Just tell the boys that they have my good wishes—also my sympathy.

Why I stayed in Sacramento six years I'll never know.

With kindest regards,

FREE AS THE BIRDS CAREY
(E. J. CAREY)

By Speaker Sam L. Collins:

A communication from Dr Robert Gordon Sproul, President of the University of California, relative to expressing appreciation for the adoption of Assembly Concurrent Resolution No 17 by the Legislature, was received, and ordered noted in the Journal.

By Speaker Sam L. Collins:

A communication from G. F. Shadle, of South Gate, relative to Communism, public health, and other matters, was received, and ordered referred to the Committee on Public Health.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2331

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 409
Senate Bill No. 468
Senate Bill No. 770
Senate Bill No. 1029
Senate Bill No. 1178
Senate Bill No. 1250
Senate Bill No. 1642

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 332

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 534
Assembly Bill No. 1056

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 577—An act to amend Section 18059 of the Education Code, relating to the letting of contracts by school districts.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed

Assembly Bill No. 459
Assembly Bill No. 1744
Assembly Bill No. 2677

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended

Assembly Bill No 569
Assembly Bill No. 629
Assembly Bill No 1492
Assembly Bill No. 3164

And respectfully requests your honorable body to concur in said amendments

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to

Senate Bill No 20
Senate Bill No. 36
Senate Bill No 61
Senate Bill No. 66
Senate Bill No. 191
Senate Constitutional Amendment No. 33
Senate Bill No. 851
Senate Bill No 947
Senate Bill No. 1045
Senate Bill No 1080
Senate Bill No. 1444

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2399

And respectfully requests your honorable body to concur in said amendments.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Burns, O'Gara, and Watson as a Committee on Conference concerning:

Assembly Bill No. 1076—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof, and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Rich, Mayo, and Williams as a Committee on Conference concerning:

Assembly Bill No. 88—An act to amend Section 51 of the Labor Code, Section 105 of the Vehicle Code, Section 5051 of the Penal Code, Sections 152 and 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, and Section 151 of the Business and Professions Code, Sections 75, 76, and 77 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 21 of the Corporate Securities Act, and Section 25301 of the Corporations Code, and Section 10055 of the Business and Professions Code, and Sections 1075 and 13101 of the Health and Safety Code, and Section 21 of the Agricultural Code, and to add Section 3700a to the Political Code, relating to state officers

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

APPRECIATION EXPRESSED

Speaker pro Tempore Maloney expressed appreciation, on behalf of the Members of the Assembly, to Mr. James S. Dean, Director of the State Department of Finance, and to Mr. Paul E. Gallagher, State Printer, for their wonderful cooperation accorded the Legislature during the present session.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF GOVERNOR'S VETOES

Assembly Bill No. 1093—An act to amend Section 45.11 of the Unemployment Insurance Act, relating to claims for refund and authorizing civil action against the commission for recovery.

Governor's message stating his objections read previously.

The question being · Shall Assembly Bill No. 1093 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Thomas—1.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—57.

Assembly Bill No. 1862—An act to add Sections 737.5 and 738.1 to the Vehicle Code, permitting certain nonresident violators to be taken immediately before a magistrate and procedure when magistrate is not available.

Governor's message stating his objections read previously.

The question being: Shall Assembly Bill No. 1862 become a law notwithstanding the objections of the Governor?

The roll was called, and the Assembly sustained the objections of the Governor by the following vote:

AYES—Thomas—1.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Butters Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—57.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2191—An act amending Section 50 of the Vehicle Code, relating to definition of unladen weight of vehicles.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2191?

Amendment No. 1

On page 1, line 22, of the printed bill, as amended in the Assembly on April 22, 1949, after the period, insert "Unladen weight as defined herein shall have no application to or bearing upon any other fee under this code or the Revenue and Taxation Code other than Section 372 of this code".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2191 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick,

Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Smith, Thomas, Thompson, Waters, Weber, and Yorty—55.

NOES—None.

Assembly Bill No. 2191 ordered enrolled.

Assembly Bill No. 2964—An act to amend Section 146 of the Civil Code, relating to disposition of community property on divorce.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2964?

Amendment No. 1

On page 2, line 15, of the printed bill, as amended in the Assembly on May 25, 1949, strike out "disposition", and insert "assignment"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2964 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—58

NOES—None.

Assembly Bill No 2964 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1657—An act to add Section 13 5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Bill read third time.

Motion to Amend

Mr. Coats moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 28, 1949, strike out "13 5", and insert "13 6".

Amendment No. 2

In lines 2 and 3 of the title of said bill, strikeout "providing for allocations to counties for the purpose of said act and making appropriation", and insert "relating to allocations to counties for repair, restoration, and repair and restoration of county roads, making an appropriation, and declaring the urgency hereof, to take effect immediately."

Amendment No. 3

On page 1 of said bill, strike out line 1, and insert

"SECTION 1. Section 13.6 is added to the Construction and Employment Act, to read:

Sec 13 6 In addition to other allocations to counties, any county may apply for an allocation pursuant to this act for the repair, restoration, and repair and restoration, of county roads or portions of county roads where such roads or portions thereof have been damaged or destroyed by freezing or snow, or both, subsequent to October 30, 1948.

The Legislature hereby finds and declares that there is a state interest in such projects.

The Legislature further finds and declares that, because of economic dislocations caused by the extremely severe winter of 1948-49, widespread unemployment exists in the mountain areas served by roads which have been damaged or destroyed by freezing or snow, and any project otherwise qualifying under the provisions or this section will contribute to the prevention and alleviation of unemployment.

All the provisions of this act shall be applicable to allocations made under this section, except where such provisions are by their nature inapplicable and provided that all such allocations shall be made on the basis of need and importance of the respective projects, as determined by the board, with priority being given to the projects of greatest need and greatest importance.

The provisions of this act relating to the allocation of funds among counties in specified portions are specifically found and declared to be inapplicable to allocations made under this section Not more than 20 percent of money appropriated by this act shall be expended in any one county.

Allocations under this section shall be made only from money appropriated specifically for allocations pursuant to this section and shall be in addition to all other allocations to counties provided for in this act. The State's share as made available by this act of the cost of such repair or restoration, or repair and restoration, shall not exceed one-half of the cost of completion. In the event that work on the construction of any such project has been commenced prior to making of application for an allocation under this section the State shall credit towards the county's share of the cost all amounts heretofore expended and also all amounts obligated for expenditure by the county but not yet expended.

SEC. 2. The sum of five hundred thousand dollars ($500,000) is hereby appropriated out of unappropriated money in the Postwar Unemployment and Construction Fund to be expended without regard to fiscal years for allocations made pursuant to Section 13.6 of the Construction and Employment Act.

SEC 3 This act is an urgency measure necessary for the immediate preservation of the public peace, health or safety within the meaning of Article IV of the Constitution and shall go into immediate effect The facts constituting such necessity are:

During the extremely cold winter of 1948-49 much of the roads in the mountain areas of the State were seriously damaged or destroyed by excessive freezing or snow. The damage occasioned was unprecedented in the history of the State. At present these roads are in such condition that travel over them is dangerous, difficult, and in some cases impossible The county governments charged with the responsibility of maintaining these roads are without sufficient funds to make necessary repairs and restoration The economic life of these areas has been brought to a standstill and the maintenance of public peace, health and safety has been seriously impaired. In order to remedy such conditions it is necessary that this act take effect immediately."

Amendment No. 4

On page 1 of said bill, strike out lines 2 to 23, inclusive; and strike out page 2.

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

Motion to Place Rush Order on Printing of Senate Bill No. 1657

Mr. Coats moved that a rush order be placed upon the printing of Senate Bill No. 1657.

Motion carried.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 690

Mr. McCollister asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 690, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 690

Senate Bill No. 690—An act making an appropriation to the Department of Agriculture for the purpose of establishing and equipping a livestock and poultry diagnostic and testing laboratory at Petaluma.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Leverino, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy,

McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—57
NOES—Luckel—1.

Bill ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bills Nos. 590 and 591, on motion of Mr. Dolwig.
Assembly Bill No. 3180, on motion of Mr. Sam L. Collins.

CONSIDERATION OF DAILY FILE (RESUMED)

CONSIDERATION OF HOUSE RESOLUTION NO. 300

By Messrs. Moss and Fleury:

House Resolution No. 300

Relative to directing the Assembly Interim Committee on Governmental Efficiency and Economy to study the feasibility of closing state offices on Saturday

WHEREAS, State offices are required by law to remain open on Saturday mornings which unnecessarily increases the cost of State Government in those instances where there is not sufficient use of the office to justify it; and

WHEREAS, Some state offices have their heaviest work load on Saturday and a study should be made of those offices to determine if, in the interests of the public and the employees, there are ways of distributing the work more evenly over the other days in the week and of better scheduling the working days and hours of the employees involved; and

WHEREAS, There was legislation introduced and considered in this session of the Legislature dealing with the closing of state offices on Saturday; and

WHEREAS, Action was deferred on such legislation because of insufficient information on the various problems involved in closing some or all state offices on Saturdays and of the general effect of such legislation upon the public and the state employees; and

WHEREAS, The Legislature should consider the matter at the next regular session and therefore have full and complete information on the subject by that time, now, therefore, be it

Resolved by the Assembly of the State of California, That the Assembly Interim Committee on Governmental Efficiency and Economy created at this session of the Legislature is hereby authorized and directed to ascertain, study and analyze all facts and data relating to or in any way bearing upon the subjects expressed in the recitals of this resolution, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws and departmental policies in any way bearing thereon or relating thereto and to report thereon to the Assembly, including in its reports its recommendations for appropriate legislation or other action.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 303

By Mr. McMillan:

House Resolution No. 303

Relative to the package sale of alcoholic beverages on military and naval reservations

WHEREAS, Alcoholic beverages are sold and dispensed in military and naval reservations in this State, distilled spirits being sold and dispensed in officers clubs in such reservations; and

WHEREAS, The volume of sales of alcoholic beverages in packages at certain military and naval reservations in this State is reported as not confined to military personnel and that a considerable proportion of such volume of sales is indirectly made for the use of civilians rather than for use by members of the military personnel; and

WHEREAS, The diversion in such military reservation of such alcoholic beverage sales to civilian use results in loss of sales and excise tax to the State of California and further adversely affects the efforts of this State in the regulation and control of the sale of alcoholic beverages through licensed sales outlets of this State in the manner deemed best suited to the welfare of this State and the people of this State; and

WHEREAS, This problem of both state tax loss and state welfare can more readily be solved by federal legislation with respect to practices on military and

naval reservations rather than by the enactment of legislation by this State; now, therefore, be it

Resolved by the Assembly of the State of California, That the responsible officers of the armed military and naval forces of the United States are urged to take such action as may be necessary to prevent civilians from indirectly and improperly obtaining alcoholic beverages sold in packages on military or naval reservations for the use of personnel of the armed forces; and be it further

Resolved, That the Congress of the United States is respectfully urged to consider and enact such legislation as may be necessary to prevent the sale in packages of alcoholic beverages to other than military personnel on any Army, Navy or Air Force reservation or base; and be it further

Resolved, That the Chief Clerk of the Assembly is directed to send copies of this resolution to the President and Vice President of the United States, the Speaker of the House of Representatives of the United States, to the Senators and Represenatives from California in the Congress of the United States, and to the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, and the Secretary of Air.

Resolution read, and adopted.

CONSIDERATION OF HOUSE RESOLUTION NO. 254

By Mr. Rosenthal:

House Resolution No. 254

Relative to the creation of the Assembly Interim Committee on Fire Hazards and Prevention

WHEREAS, Disastrous fires in hotels and other buildings and disastrous explosions, both resulting in great loss of life and damage to property, continue to occur throughout the Nation and in the State of California; and

WHEREAS, It is necessary that the facts be ascertained concerning the origins and causes of fires and explosions in hotels, apartment houses, manufacturing plants and other buildings, and that modern fire prevention methods be studied and investigated, in order that the Legislature may enact proper legislation to remedy the situation, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fire Hazards and Prevention is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution as expressed in the recitals thereof, including but not limited to facts concerning the origins, causes and methods of prevention of fires and explosions in hotels, apartment houses, manufacturing plants, and other buildings, establishments and facilities, and any proposed plans, methods or systems for fireproofing buildings, plants and property and combating or preventing the spread of fires, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of three Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer.

Resolution read.

Consideration of Committee Amendments

The following amendment was proposed by the Committee on Rules:

Amendment No. 1

In the resolution as printed in the Assembly Journal of June 14, 1949, at page 4445, in line 1 of the paragraph numbered "2", strike out "three", and insert "five".

Amendment read, and adopted.

Consideration of House Resolution No. 254, as Amended

By Mr. Rosenthal:

House Resolution No. 254

Relative to the creation of the Assembly Interim Committee on Fire Hazards and Prevention

WHEREAS, Disastrous fires in hotels and other buildings and disastrous explosions, both resulting in great loss of life and damage to property, continue to occur throughout the Nation and in the State of California; and

WHEREAS, It is necessary that the facts be ascertained concerning the origins and causes of fires and explosions in hotels, apartment houses, manufacturing plants and other buildings, and that modern fire prevention methods be studied and investigated, in order that the Legislature may enact proper legislation to remedy the situation, now, therefore, be it

Resolved by the Assembly of the State of California, As follows:

1. The Assembly Interim Committee on Fire Hazards and Prevention is hereby created and authorized and directed to ascertain, study and analyze all facts relating to the subject of this resolution as expressed in the recitals thereof, including but not limited to facts concerning the origins, causes and methods of prevention of fires and explosions in hotels, apartment houses, manufacturing plants, and other buildings, establishments and facilities, and any proposed plans, methods or systems for fireproofing buildings, plants and property and combating or preventing the spread of fires, including but not limited to the operation, effect, administration, enforcement and needed revision of any and all laws in any way bearing upon or relating to the subject of this resolution, and to report thereon to the Assembly, including in the reports its recommendations for appropriate legislation.

2. The committee shall consist of five Members of the Assembly appointed by the Speaker thereof. The chairman shall be appointed by the Speaker. Vacancies occurring in the membership of the committee shall be filled by the appointing power.

3. The committee is authorized to act during this session of the Legislature, including any recess, and after final adjournment until the commencement of the 1951 Regular Session, with authority to file its final report not later than the fifteenth legislative day of that session.

4. The committee and its members shall have and exercise all of the rights, duties and powers conferred upon investigating committees and their members by the provisions of the Joint Rules of the Senate and Assembly and of the Standing Rules of the Assembly as they are adopted and amended from time to time at this session, which provisions are incorporated herein and made applicable to this committee and its members.

5. The committee has the following additional powers and duties:

(a) To select a vice chairman from its membership.

(b) To contract with such other agencies, public or private, as it deems necessary for the rendition and affording of such services, facilities, studies and reports to the committee as will best assist it to carry out the purposes for which it is created.

(c) To cooperate with and secure the cooperation of county, city, city and county, and other local law enforcement agencies in investigating any matter within the scope of this resolution and to direct the sheriff of any county to serve subpenas, orders and other process issued by the committee.

(d) To report its findings and recommendations to the Legislature and to the people from time to time and at any time, not later than herein provided.

(e) To do any and all other things necessary or convenient to enable it fully and adequately to exercise its powers, perform its duties, and accomplish the objects and purposes of this resolution.

6. The sum of five thousand dollars ($5,000) or so much thereof as may be necessary is hereby made available from the Contingent Fund of the Assembly for the expenses of the committee and its members and for any charges, expenses or claims it may incur under this resolution, to be paid from the said Contingent Fund and disbursed, after certification by the chairman of the committee, upon warrants drawn by the State Controller upon the State Treasurer

Resolution read, as amended.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, Thompson, Weber, and Yorty—56.

NOES—None.

THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 106—Relative to the acquisition of Butano Forest as a state park.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Weber, and Yorty—54.

NOES—None.

Resolution ordered transmitted to the Senate.

BILLS WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bills Nos. 1113 and 1653, on motion of Mr. McMillan.

REQUEST FOR UNANIMOUS CONSENT THAT SUBJECT MATTER OF SENATE BILLS NOS. 1113 AND 1653 BE RE-REFERRED

Mr. McMillan asked for, and was granted, unanimous consent that the subject matter of Senate Bills Nos. 1113 and 1653 be ordered referred to the Interim Committee on Public Morals for further study.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 107—Relative to the erection of buildings for the use of youth organizations on the California State Fair site.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger,

Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Thomas, Thompson, Tomlinson, Weber, and Yorty—53.

NOES—None.

Resolution ordered transmitted to the Senate.

MEMBERS EXCUSED

At 10.46 a.m., Mr. Silliman asked for, and was granted, unanimous consent that Messrs. Price and Stewart be excused, for the balance of the legislative day, because of illness; and that Mr. Reagan be excused for the balance of the legislative day, and that it be noted that he desires to waive his per diem.

RESOLUTIONS

The following resolution was offered:

By Mr. Sam L. Collins:

House Resolution No. 340

Relative to rescission of Assembly action and the expunging of the record thereof, interpreting Assembly Standing Rule No. 83

WHEREAS, The commonly accepted meaning of "expunge" is "to blot out, to rub out, to obliterate," and this word is used with that meaning in Assembly Standing Rule No. 83; now, therefore, be it

Resolved by the Assembly of the State of California, That whenever any action of the Assembly is rescinded and its record ordered expunged, as provided in Assembly Standing Rule No. 83, the record of the action expunged shall not appear in any form whatsoever, but the record of the proceedings on the motion to rescind and expunge shall appear, in the Assembly Journal as and when printed.

Request for Unanimous Consent

Mr. Sam L. Collins asked for, and was granted, unanimous consent to take up House Resolution No. 340, at this time, without reference to committee or file.

Resolution read, and adopted.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2510—An act to amend Section 1191 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2510?

Amendment No. 1

On page 4, line 2, of the printed bill, as amended in the Assembly on June 15, 1949, strike out "such", and insert "the".

Amendment No. 2

On page 4, line 2, of said bill, after "improvement", insert "of the character referred to in this section".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2510 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Geddes, Grant,

Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—59.

NOES—None

Assembly Bill No. 2510 ordered enrolled.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 681—An act to amend Section 9359 of the Government Code, relating to the retirement of legislators and state officers.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Yorty—60.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 718

Mr. Tomlinson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 718, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 718

Senate Bill No. 718—An act to add Section 70.3 to the Streets and Highways Code, relating to the California Highway Commission.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 3, of the printed bill, as amended in the Senate on June 9, 1949, strike out "Section 70.3 is", and insert "Sections 70.3 and 70.4 are".

Amendment No. 2

On page 1 of said bill, between lines 4 and 5, insert

"70.3. The commission in order to guarantee to every community traversed by a state highway the fullest consideration of local problems affecting the economic and cultural development of the community as relating to a proposed highway or freeway right of way or route, shall by order, rule or regulation provide for public hearings on the matters involved if requested to do so by the governing body of the municipality, area, or community, or the citizens thereof."

Amendment No. 3

On page 1, line 5, of said bill strike out "70.3", and insert "70.4".

Amendment No. 4

On page 1 of said bill, between lines 9 and 10, insert

"70.5. In enacting Sections 70, 70.1, 70.2, 70.3, and 70.4 the Legislature declares that while property taken or damaged for highway purposes is paid for to the owner under the laws of this State the only way in which those intangible property rights of the community at large may be compensated is by avoiding insofar as may be possible, the interference with the pattern of the orderly growth and economic and cultural development of the community and contemplates as justifiable the added

expenditures necessary to change direction, depress or elevate highways traversing the communities of California."

Amendment No. 5

In line 1 of the title of said bill, strike out "SECTION 70.3", and insert "SECTIONS 70.3, 70.4, and 70.5".

Amendments read.

Request for Unanimous Consent That Opinion of Legislative Counsel Be Read

Mr. Geddes asked for, and was granted, unanimous consent that an opinion of the Legislative Counsel, addressed to Mr. Tomlinson, relative to Senate Bill No. 718, be ordered read, at this time.

Above mentioned opinion of the Legislative Counsel read.

The question being on the adoption of the amendments offered by Mr. Geddes.

Amendments Ruled Not in Order

Speaker pro Tempore Maloney ruled that the amendments offered by Mr. Geddes to Senate Bill No. 718 are not in order, pursuant to the provisions of the opinion of the Legislative Counsel, just read.

Appeal From the Decision of the Chair

Mr. Geddes appealed from the decision of the Chair.

Point of Order

Mr. Tomlinson arose to the following point of order: That Mr. Geddes is not speaking to the subject.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Mr. Grunsky arose to the following point of order: That Mr. Geddes is not speaking to the subject.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Point of Order

Messrs Grunsky and Sherwin arose to the following point of order: That an appeal from the decision of the Chair is not debatable, and that the Chair can now put the question

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

The question being: Shall the decision of the Chair be sustained?

The roll was called, and the decision of the Chair sustained by the following vote:

AYES—Babbage, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Huyck, Levering, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—46

NOES—Anderson, Doyle, Elliott, Geddes, Hollibaugh, and Lowrey—6

The question being on the passage of Senate Bill No. 718.

Request for Unanimous Consent That Opinion of Legislative Counsel Be Printed in Journal

Mr. Geddes asked for, and was granted, unanimous consent that the following opinion of the Legislative Counsel be ordered printed in the Journal, in 10-point type:

Opinion of Legislative Counsel

(Copy)

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
LOS ANGELES 12, CALIFORNIA, November 5, 1948

Honorable Ernest R. Geddes
1445 Alameda Street
Pomona, California

HIGHWAY COMMISSION RESOLUTION—1259

DEAR MR. GEDDES:

QUESTION

You have asked us for an analysis as to effect and efficiency of a resolution of the Highway Commission which prescribes certain hearing procedures in connection with the locations and relocations of freeway routes.

OPINION

We believe that the resolution of the Highway Commission which you have submitted to us is not legally binding on the commission and we also believe that the commission has no present power to bind itself in the exercise of the functions mentioned above. The commission may therefore change its policy in this matter at any time and without notice to anyone.

ANALYSIS

We have examined the statement of policy contained in the following resolution of the Highway Commission:

"WHEREAS, This Commission has carefully reviewed and considered the recommendation made to the Commission by the Statewide Highway Committee of the State Chamber of Commerce, through Neil Petree, Chairman, and Martel Wilson, Vice Chairman, of the Committee, at the meeting of this Commission on June 24, 1948, relating to procedure on location or major relocation of freeways, and

WHEREAS, The State Highway Engineer has recommended to this Commission the adoption of the procedure so recommended, and

WHEREAS, It appears to the commission that the public interest will be best served by the adoption of such procedure; now, therefore,

Be it resolved, by the California Highway Commission as follows:

1. That at the time of commencing studies or surveys for the location or major relocation of any state highway which is to be constructed as a freeway, a meeting shall be called with local officials, to which the local Press shall be invited, for the purpose of advising those interested that such studies or surveys are being commenced.

2. That the Division of Highways of the Department of Public Works determine on that location for the freeway which in its judgment will best serve the public interest and report the same to this Commission.

3 That the Division of Highways, on authorization of this Commission, give adequate public notice of the Commission's intention to consider the adoption of the location so determined and also give written notice to the City Council or Board of Supervisors, if unincorporated territory is involved, or both, of such intention. Such notice to the local legislative body or bodies shall specify that if any such legislative body considers a public hearing on the matter necessary or desirable, this Commission will hold or cause to be held such hearing if requested by any such local legislative body within thirty days after the first regular meeting of such legislative body following receipt of such written notice; or the Commission may, on its own initiative, call a public meeting or grant such hearings as it may deem necessary or desirable.

4. If any such legislative body requests such hearing, this commission shall hold or cause to be held a hearing, after due public notice of the time and place thereof, at which time and place all persons interested in the matter will be heard and all questions and objections pertaining to the matter will be answered or explained by the State Highway Engineer or members of his staff.

5. After such hearing, or after the expiration of such period of thirty (30) days, if no hearing is requested, the Commission will take action in respect to the location or relocation of such freeway.

6. The authorization referred to in Paragraph 3 of this resolution, to give public notice of the Commission's intention, shall be by specific resolution of the commission relating to each such location or major relocation In all other respects this resolution authorizes the State Highway Engineer to do such things without further resolution or order of this Commission as are necessary to comply with the above specified procedure."

The power of the commission to act in the matter to which the above resolution relates arises out of Section 75 of the Streets and Highways Code which reads as follows:

"75. [Location of highways: Allocation of moneys: Authorization of preliminary surveys.] Except as otherwise provided by law, the commission at any time and from time to time may:

(a) Select, adopt, and determine the location for state highways on routes authorized by law.

(b) Allocate, from the funds available therefor, moneys for the construction, improvement or maintenance of the various highways or portions thereof under the jurisdiction of the department. The commission may determine in each case the maximum sum of money that shall be made available therefor.

(c) Authorize preliminary surveys to determine the advisability of including in or excluding from the State Highway System any highway or portion thereof."

We doubt that a power to issue rules and regulations can be implied from the section cited above. We have found no statute vesting the Highway Commission or the Department of Public Works either expressly or impliedly with any rule-making power in connection with location or major relocation of freeway routes by the Highway Commission.

Had the Highway Commission rule making power, its declaration of policy would be a regulation within the meaning of subdivision (b) of Section 11371 of the Government Code, cited below:

> "'Regulation' means every rule, regulation, order, or standard of general application or the amendment, supplement or revision of any such rule, regulation, order or standard adopted by any state agency to implement, interpret, or make specific the law enforced or administered by it, or to govern its procedure, except one which relates only to the organization or internal management of the state agency."

A state agency must file its rules and regulations with the Secretary of State unless they come within certain exceptions which we do not believe here applicable, as provided in Section 11380 of the Government Code, cited below:

> "[Filing agency regulations and repeals: Duplicate copies: Citation of authority.] Every state agency shall:
>
> (a) File with the Secretary of State a certified copy of every regulation adopted by it except one which:
>
> (1) Establishes or fixes rates or tariffs.
>
> (2) Relates to the use of public works, including streets and highways, under the jurisdiction of any state agency when the effect of such order is indicated to the public by means of signs or signals.
>
> (3) Is directed to a specifically named person or to a group of persons and does not apply generally throughout the State.
>
> (b) File with the Secretary of State a certified copy of every order of repeal of a regulation required to be filed under subdivision (a) of this section.
>
> (c) Deliver to the Secretary of State at the time of filing a regulation or order of repeal two duplicate copies of the regulation or order of repeal together with a citation of the authority pursuant to which it or any part thereof was adopted."

Section 11421 of the Government Code provides that no regulation or its repeal, except for emergencies, shall be effective prior to 30 days from filing.

The restraints imposed by the provisions of the Government Code described above are not applicable if a state agency has no rule making power in the field in which such agency issues a declaration of policy. And we believe the Highway Commission has no rule making power with reference to its manner of selecting freeway routes.

We conclude, therefore, that the statement of policy of the Highway Commission is not binding upon the Highway Commission and that the Highway Commission has no legal power to issue a statement of policy

or regulation which will bind legally its future course of action in the exercise of the powers granted to the commission under Section 75 of the Streets and Highways Code.

The commission may therefore deviate from its statement of policy at any time without notice to anyone. The commission may, of course, in fact follow the declaration of policy at all times but it would not have to do so.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By ALBERT VIERI, Deputy

The question being on the passage of Senate Bill No. 718.

Motion That No Further Action Be Taken on Senate Bill No. 718, at This Time

Mr. Doyle moved that no further action be taken on Senate Bill No. 718, at this time.

Motion died for lack of a second, and ruled out of order by the Speaker.

The question being on the passage of Senate Bill No. 718.

Point of Order

Mr. Waters arose to the following point of order: That Mr. Lowrey is not speaking to the question.

Ruling by Speaker

Speaker pro Tempore Maloney ruled the point of order well taken.

Demand for Previous Question

Messrs. McCarthy, Connolly, Silliman, Waters, and Grunsky demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 718.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dolwig, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Huyck, Kilpatrick, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Rumford, Sherwin, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—46.

NOES—Doyle and Luckel—2

Bill ordered transmitted to the Senate.

Request for Unanimous Consent That Opinion of Legislative Counsel Be Printed in Journal

Mr. Geddes asked for, and was granted, unanimous consent that the opinion of the Legislative Counsel, previously read, addressed to Mr.

Tomlinson, relative to Senate Bill No. 718, be ordered printed in the Journal in 10-point type as follows:

Opinion of Legislative Counsel

STATE OF CALIFORNIA
OFFICE OF LEGISLATIVE COUNSEL
SACRAMENTO 2, CALIFORNIA, July 1, 1949

Honorable Stanley T. Tomlinson
Assembly Chamber

SENATE BILL No. 718—No. 8378

DEAR MR. TOMLINSON: You have requested our opinion as to whether certain proposed amendments to this bill are germane to the bill under Assembly Rule 74 or Joint Rule 9, or both.

Senate Bill No. 718 provides that each appointive member of the Highway Commission shall receive a per diem of $15 while conducting or attending any public hearing pursuant to rule, order or regulation of the commission for purposes of state highway planning.

The bill would strike out the proposed new section and insert new Sections 70.3 and 70.5 reading as follows:

(Page 1, between lines 4-5)

"70.3. The commission in order to guarantee to every community traversed by a state highway the fullest consideration of local problems affecting the economic and cultural development of the community as relating to a proposed highway or freeway right of way or route, shall by order, rule or regulation provide for public hearings on the matters involved if requested to do so by the governing body of the municipality, area, or community, or the citizens thereof.

70.5. In enacting Sections 70, 70.1, 70.2, 70.3, and 70.4 the Legislature declares that while property taken or damaged for highway purposes is paid for to the owner under the laws of this State the only way in which those intangible property rights of the community at large may be compensated is by avoiding insofar as may be possible, the interference with the pattern of the orderly growth and economic and cultural development of the community and contemplates as justifiable the added expenditures necessary to change direction, depress or elevate highways traversing the communities of California."

Assembly Rule 74 provides that no amendment shall be in order when it relates to a different subject, is intended to accomplish a different purpose, or requires a title essentially different from the original title of the bill.

The purpose of the present bill is to provide a per diem for certain members of the commission.

The purpose of the proposed amendment is to require the commission to provide public hearings relating to certain proposed highways or freeways, and to declare a state policy of avoiding interference with the pattern of growth and development of local communities.

We believe that the amendments, therefore, are intended to accomplish a different purpose than the present bill and to that extent would violate Assembly Rule 74 if that rule is strictly construed and applied.

We do not think that the proposed amendments necessarily relate to a different subject than Assembly Rule 74 nor that an essentially different title is required. The rule is, however, stated disjunctively and if it is determined that the amendments are intended to accomplish a different purpose than the bill a ruling that the amendments violated Rule 74 would be probable.

Very truly yours,

FRED B. WOOD, Legislative Counsel
By JOSEPH W. PAULUCCI, Deputy

Copy to Senator Collier.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1453—An act to amend Section 17053.5 of the Revenue and Taxation Code, relating to personal income taxes, and providing that this act shall take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote.

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Fletcher, Fleury, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 70, on motion of Mr. McCollister.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 928—An act to amend Sections 69, 70, 72, and 77 of, and to add Section 78 1 to, the Unemployment Insurance Act, relating to unemployment insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—56.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 813

Mr. Yorty asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 813, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 813

Senate Bill No. 813—An act to amend Sections 9510, 9512, 9540.2, 9551 of, and to add Section 9524 to the Business and Professions Code, relating to establishments regulated by the State Board of Dry Cleaners.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Conrad, Cooke, Crichton, Crowley, Dickey, Doyle, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—56.

NOES—None.

Bill ordered transmitted to the Senate

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Concurrent Resolution No. 65—Relative to the creation of a Joint Legislative Committee on Soil Conservation and defining its powers and duties.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Erwin, Fletcher, Fleury, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—58.

NOES—None.

Resolution ordered transmitted to the Senate.

Senate Bill No. 162—An act to amend Section 2540 of the Elections Code, relating to parties qualified to participate in a primary election.

Bill read third time.

Demand for Previous Question

Messrs. Luckel, Heisinger, Hinckley, Silliman, and Connolly demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 162.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Waters moved a call of the Assembly.

Roll Call Demanded

Messrs. Waters, Hinckley, and Conrad demanded a roll call.

The roll was called, and the motion carried by the following vote:

AYES—Berry, Brady, Caldecott, George D. Collins, Condon, Connolly, Conrad, Crichton, Dolwig, Fleury, Gaffney, Grant, Grunsky, Heisinger Hinckley, Hoffman, Huyck, Levering, Lindsay, Maloney, McCarthy, Sherwin, Silliman, Thomas, and Waters—25.

NOES—Butters, Hagen, Luckel, Smith, Stanley, and Yorty—6

Time, 11.40 a m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Bennett, Clarke, Coats, Sam L. Collins, Dickey Dunn, Elliott, Evans, Hahn, Hollibaugh, Kirkwood, McMillan, Meyers, Rosenthal, and Way—16.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Sam L. Collins asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1556

At 11 41 a m., on motion of Mr. Sam L. Collins, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1556 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Morris, Moss, Nicholson, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, Yorty, and Mr. Speaker—65.

NOES—None.

Assembly Bill No. 1556 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT THE FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS BE PRINTED

Mr. Kilpatrick asked for, and was granted, unanimous consent that the Final Report of the Assembly Interim Committee on Crime and Corrections be ordered printed in the Journal in 10-point type.

(Above mentioned report will appear prior to the motion to adjourn.)

Hon. Richard H. McCollister Presiding

At 11.50 a m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1365—An act to add Section 758.5, to amend Sections 758 and 759.1, and to repeal Section 758a of the Political Code, relating to officers and employees of the district courts of appeal.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hawkins, Hinckley, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Yorty—56.

NOES—Heisinger—1.

Bill ordered transmitted to the Senate.

Senate Concurrent Resolution No. 79—Relative to the creation of a Fact-Finding Committee on Community Redevelopment and Housing Problems with particular reference to legislation supplementary to federal legislation.

Resolution read.

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sillman, Stanley, Thomas, Thompson, Waters, Weber, Yorty, and Mr. Speaker—51.

NOES—Clarke, Crichton, Hoffman, Huyck, Levering, Luckel, Sherwin, and Smith—8.

Resolution ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1323

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1323, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1323

Senate Bill No. 1323—An act to amend Section 20361 of the Government Code, relating to exclusions from membership in the State Employees' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Mr. Speaker—58.

NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 474—An act to amend Section 12302 of the Government Code, relating to salaries of State Treasurer's assistants.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Nicholson, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Mr. Speaker—54.

NOES—Geddes and Luckel—2.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 162

At 11.53 a.m., on motion of Mr. Babbage, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 162 refused passage by the following vote:

AYES—Babbage, Burke, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Dickey, Dolwig, Erwin, Fleury, Grant, Grunsky, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, Nicholson, Sherwin, Silliman, Smith, Stanley, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—37.

NOES—Anderson, Berry, Brady, Brown, Burkhalter, George D. Collins, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Doyle, Fletcher, Gaffney, Geddes, Hagen, Hawkins, Heisinger, Kilpatrick, Lowrey, McCarthy, Meyers, Morris, Moss, Rumford, Thomas, and Yorty—27.

ANNOUNCEMENTS

Mr. Dickey announced that at 1.30 p.m. bills on the third reading file, carrying appropriations, will be considered, and that a call of the Assembly will be moved if members are not prompt in their return to their desks, after luncheon.

RECESS

At 11.55 a.m., on motion of Mr. Dickey, the Assembly recessed until 1.30 p.m.

REASSEMBLED

At 1.30 p.m., the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Clayton A. Dills suggested the lack of a quorum.

The roll was called.

Call of the Assembly

Mr. Clayton A. Dills moved a call of the Assembly.

Motion carried. Time, 1.36 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following members:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Burkhalter, Caldecott, Collier, George D. Collins, Sam L. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCarthy, McCollister, McMillan, Niehouse, Rosenthal, Rumford, Sherwin, Smith, Stanley, Thompson, Tomlinson, Waters, Way, and Weber—56.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Doyle asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 128
Assembly Bill No. 321
Assembly Bill No. 447
Assembly Bill No. 1861
Assembly Bill No. 1889
Assembly Bill No 2033
Assembly Bill No 2157
Assembly Bill No. 2606
Assembly Bill No 2607
Assembly Bill No. 2770
Assembly Bill No 3040

J. A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 690

J A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

COMMUNICATIONS

By Speaker pro Tempore Maloney:

The following communication was received, read, and ordered printed in the Journal:

BOARD OF REGENTS, UNIVERSITY OF SAN FRANCISCO
SAN FRANCISCO, CALIFORNIA, June 30, 1949

Speaker pro Tempore of the Assembly
California Legislature, State Capitol
Sacramento 14, California

DEAR SIR: On behalf of Reverend William J. Dunne, S J, President of the University of San Francisco, the administration, faculty and students, I send this message of our deep appreciation for the honor conferred upon our basketball team by the unanimous passing of Assembly Concurrent Resolution No. 62.

To the San Francisco Delegation for introducing this resolution is extended our everlasting gratitude for their heartwarming interest and loyalty.

The recognition shown to our university by this action of the California State Legislature shall be a perpetual source of pride and inspiration to us.

Sincerely yours,

JAMES R. NEEDLES, Secretary
Board of Regents

RESOLUTIONS

The following resolutions were offered:

By Mr. Moss:

House Resolution No. 341

Resolved, That the thanks of the Assembly are hereby extended to Paul E Gallagher, State Printer; Ralph Titus, Assistant State Printer; and to the entire staff of the State Printing Office for the splendid manner in which they have handled the legislative printing during this 1949 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly present a copy of this resolution to Paul E. Gallagher and Ralph Titus, and that Paul E Gallagher make known the contents of this resolution to the entire staff of the State Printing Office.

Request for Unanimous Consent

Mr. Moss asked for, and was granted, unanimous consent to take up House Resolution No. 341, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 342

Resolved, That the thanks of the Assembly are hereby extended to Justin G. Child and his entire staff for the splendid manner in which they have conducted the business of their office during the 1949 Regular Session of the Legislature; and be it further

Resolved, That the Chief Clerk of the Assembly present a copy of this resolution to Justin G. Child and that he convey to his entire staff the contents of this resolution.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 342, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

Hon. Charles M. Weber Presiding

At 1.40 p.m., Hon. Charles M Weber, Member of the Assembly from the Eleventh District, presiding.

REPORTS OF STANDING COMMITTEES

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 309

Has had the same under consideration, and reports the same back with the recommendation: Be adopted.

DICKEY, Chairman

Above reported resolution ordered on file for adoption.

CONSIDERATION OF HOUSE RESOLUTION NO. 309

By Mr. Doyle:

House Resolution No. 309

Relative to the appointment of a committee to prepare plans for organization of the California Legislators Association

Resolved by the Assembly of the State of California, That the Speaker of the Assembly be and he hereby is requested to appoint a committee of five Members of the Assembly to prepare plans for the organization of an association to be known as the California Legislators Association consisting of present and former Members of the Legislature, and to prepare a proposed constitution and by-laws for such association.

Resolution read, and adopted.

Speaker Pro Tempore Presiding

At 1.43 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Appointment of Committee

Speaker pro Tempore Maloney announced the appointment of Mr. Doyle to membership on, and the chairmanship of, said Committee for the Organization of the California Legislators Association as set forth in the provisions of House Resolution No. 309.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1209—An act to amend Section 4001 of the Government Code, relating to public work.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Butters moved a call of the Assembly.

Motion carried. Time, 1.55 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Brady, Brown, Caldecott, Coats, Collier, George D. Collins, Sam L. Collins, Connolly, Conrad, Dickey, Evans, Fleury, Geddes, Grunsky, Hahn, Hawkins, Huyck, Kirkwood, Lindsay, Lipscomb, McMillan, Meyers, Rosenthal, Sherwin, Silliman, Thompson, Way, Weber, and Yorty—32

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Butters asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1318

Mr. Dickey asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1318, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1318

Senate Bill No. 1318—An act to amend Sections 20603, 20750.2, 21250, 21330 of the Government Code and to add Section 21262 thereto, relating to the State Employees' Retirement System, and providing for status, rights, privileges, contributions, and benefits of patrol members thereof, and for the state contribution thereto in respect to such members.

Bill read third time.

Motion to Amend

Mr. Sherwin moved the adoption of the following amendments:

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Senate on June 9, 1949, strike out "20750.2," and insert "20750.1, 20750.2, 20750.3, 20750.4,".

Amendment No. 2

In line 2 of the title of said bill, strike out "Section", and insert "Sections 20612 and".

Amendment No. 3

In line 5 of the title of said bill, strike out "patrol", and insert "State".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendments is indicated by being enclosed within brackets

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Amendment No. 4

On page 1 of said bill, between lines 15 and 16, insert

"SEC. 1.5. Section 20750.1 of said code is amended to read.

20750.1 The State's contribution to the Retirement Fund in respect to state miscellaneous members is a sum equal to [8] *13.1* percent of the compensation paid state miscellaneous members."

Amendment No. 5

On page 1 of said bill, strike out lines 20 to 23, inclusive; and on page 2, strike out lines 1 and 2, and insert

"SEC. 3.1. Section 20750.2 of said code is amended to read:

20750.2. The State's contribution to the Retirement Fund in respect to state patrol members is a sum equal to [19.10] *27.70* percent of the compensation paid state patrol members.

SEC. 3.2. Section 20750.3 of said code is amended to read:

20750.3 The State's contribution to the Retirement Fund in respect to forestry members is a sum equal to [13.39] *21.99* percent of the compensation paid forestry members.

SEC. 3.3. Section 20750.4 of said code is amended to read:

20750.4 The State's contribution to the Retirement Fund in respect to warden members is a sum equal to [23.17] *31.77* percent of the compensation paid warden members."

Amendment No. 6

On page 2, line 7, of said bill, strike out "patrol", and insert "all State".

Amendment No. 7

On page 2, line 8, of said bill, strike out the period, and insert ", and consisting of the sum of the annuities provided for him in this part."

Amendment No. 8

On page 2, line 9, of said bill, strike out the period, and insert ", consisting of the sum of the current service pensions provided for him in this part."

Amendment No. 9

On page 2, line 10, of said bill, strike out the period, and insert ", consisting of the sum of the prior service pensions provided for him in this part."

Amendment No. 10

On page 2, line 19, of said bill, strike out "patrol", and insert "all State".

Amendment No. 11

On page 2, line 30, of said bill, strike out "a patrol", and insert "any State".

Amendment No. 12

On page 3 of said bill, between lines 10 and 11 insert

"SEC. 5.1. Section 20612 is added to said code, to read:

20612. In fixing the rates of contribution of all State members, automatic continuance of the retirement allowance of a deceased member to his surviving wife and children pursuant to Section 21262 shall be excluded from consideration."

Amendments read.

Demand for Previous Question

Messrs. Kirkwood, Connolly, Hinckley, Levering, and Grant demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of the amendments offered by Mr. Sherwin to Senate Bill No. 1318.

Roll Call Demanded

Messrs. Sherwin, Clayton A. Dills, and Collier demanded a roll call.

The roll was called, and the amendments offered by Mr. Sherwin to Senate Bill No. 1318 refused adoption by the following vote:

AYES—Burke, Collier, Dunn, Erwin, Geddes, Hinckley, Levering, Lincoln, and Sherwin—9.

NOES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burkhalter, Caldecott, Coats, George D. Collins, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Evans, Fletcher, Fleury, Gaffney, Grunsky, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thomas, and Tomlinson—43.

The question being on the passage of Senate Bill No. 1318.

Demand for Previous Question

Messrs. Grant, Luckel, Heisinger, Morris, and Burke demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1318.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.

NOES—Babbage, Conrad, Geddes, Hinckley, Levering, and Sherwin—6.

Bill ordered transmitted to the Senate.

ANNOUNCEMENTS

Mrs. Niehouse announced, on behalf of Assemblyman and Mrs. Evans, the pending engagement of their daughter, Miss Annette Evans, to Mr. Stanley Carter, representative of the Associated Press in Sacramento, and expressed on behalf of the Members of the Assembly best wishes to this young couple.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 628

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 628, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 628

Senate Bill No. 628—An act to amend Section 737nn of the Political Code, relating to the compensation of the Judge of the Superior Court in and for the County of San Luis Obispo.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hahn, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss,

Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Weber, and Yorty—56.
NOES—Geddes and Heisinger—2.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1268—An act to provide for the acceptance of the old State Capitol Building at Benicia as a state monument, authorizing the City of Benicia to grant such property to the State, and authorizing the Division of Beaches and Parks in the Department of Natural Resources to lease portions of the property and building to the City of Benicia.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hoffman, Huyck, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Smith, Thomas, Thompson, and Weber—50.
NOES—Silliman—1.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP FURTHER CONSIDERATION OF SENATE BILL NO. 1657

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up further consideration of Senate Bill No. 1657, at this time.

CONSIDERATION OF SENATE BILL NO. 1657

Senate Bill No. 1657—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Thomas, Thompson, Tomlinson, Weber, and Yorty—55
NOES—Smith—1.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 486—An act to amend Sections 14305, 14307, 14379, 14382, 14401, 14402, 14601, 14606, 14610, 14612, 14613, 14632, 14639, 14641, 14669, of the Education Code, and to add Section 14663.1 to said code, all relating to the State Teachers' Retirement System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Smith, Thomas, Thompson, Tomlinson, Weber, and Yorty—47.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 128

Mr. Fleury asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 128, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 128

Senate Bill No. 128—An act to amend Section 737hh of the Political Code, relating to salaries of Superior Judges in Sacramento County.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Berry, Brady, Burke, Caldecott, Clarke, Coats, Condon, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Erwin, Fletcher, Fleury, Gaffney, Grant, Hagen, Hawkins, Hinckley, Huyck, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Smith, Thomas, Thompson, Tomlinson, Weber, and Yorty—41.

NOES—Burkhalter, George D. Collins, Heisinger, and Hoffman—4.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 15

Mr. Hinckley asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 15, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 15

Senate Bill No. 15—An act to add Section 66m to the Code of Civil Procedure and to repeal an act entitled "An act increasing the number of Judges of the Superior Court in the State of California, in and for the County of San Bernardino, and providing for the appointment of an additional judge and for his compensation," approved May 17, 1927, relating to the number of judges in the County of San Bernardino, the appointment of an additional judge, and for his compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Caldecott, Clarke, Coats, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Hinckley, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—54.

NOES—Burkhalter, George D. Collins, Heisinger, Hoffman, and Luckel—5.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1358

Mr. Lindsay asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1358, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1358

Senate Bill No. 1358—An act making an appropriation to the Division of Beaches and Parks, Department of Natural Resources, for the acquisition of a waterworks, to take effect immediately.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sillman, Smith, Thomas, Thompson, Tomlinson, Weber, and Yorty—54.

NOES—Levering and Luckel—2.

Bill ordered transmitted to the Senate.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 629—An act to amend Sections 700.5 and 709 of, and to add Section 604 to the Vehicle Code, and to amend Section 731 of the Streets and Highways Code, relating to the use of and damage to highways.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 629?

Amendment No. 1

On page 1, line 2, of the title of the printed bill, as amended in the Assembly on June 6, 1949, strike out "604", and insert "604.5".

Amendment No. 2

On page 2 of said bill, strike out lines 23 to 30, inclusive, and insert

"604.5. Restrictions on Use of Freeways. The State Department of Public Works and local authorities may, by order, ordinance or resolution, with respect to freeways or designated portions thereof under their respective jurisdictions, to which all rights of access have been acquired, prohibit or restrict the use of such freeways or any portion thereof by pedestrians, bicycles or other nonmotorized traffic or by any person operating a motor-drive cycle."

Amendment No. 3

On page 2 of said bill, strike out lines 48 and 49, and on page 3, strike out lines 1 and 2, and insert "thing, is a public nuisance and the department may immediately".

Amendment No. 4

On page 2, line 22, of the printed bill, as amended in the Senate on June 30, 1949, strike out "604", and insert "604.5".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 629 by the following vote:

AYES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sillman, Smith, Thomas, Thompson, Tomlinson, Weber, and Yorty—53.

NOES—None.

Assembly Bill No. 629 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT COMMUNICATION BE PRINTED IN JOURNAL

Mr. Lowrey asked for, and was granted, unanimous consent that the following communication be ordered printed in the Journal, in 10-point type:

STATE OF CALIFORNIA
DEPARTMENT OF PUBLIC WORKS
SACRAMENTO, July 2, 1949
Assembly Bill No. 629

Honorable Lloyd W. Lowrey
Member of the Assembly
Assembly Chamber
Sacramento, California

DEAR MR. LOWREY: You will recall that at the time Assembly Bill No. 629 was under consideration on the floor of the Assembly you expressed concern as to whether farm implements would be prohibited from crossing freeways under the provisions of Section 3 of this bill.

As I agreed to do, the bill was amended on the Senate side to remove any possibility that the prohibition against the use of freeways by pedestrians, bicycles, etc., would result in what you feared. This was done by limiting the power to restrict the use of freeways to those freeways or portions thereof where all rights of access have been acquired.

Where the State has acquired all rights of access, there are no openings into the freeway from adjoining lands. Therefore, there would be no possibility that any person or firm could cross such a freeway from lands one side to lands on the other.

By and large, rights of access are acquired in their entirety only in urban areas where intersections are separated by structures, and pedestrian undercrossings or overcrossings are provided.

Your assistance in securing Assembly concurrence in the Senate amendments will be appreciated.

Very truly yours,

RUSSELL S. MUNRO, Attorney

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1655

Mr. Silliman asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1655, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1655

Senate Bill No. 1655—An act making an appropriation for support of the California Centennials Commission.

Bill read third time.

Demand for Previous Question

Messrs. Conrad, Tomlinson, Levering, Luckel, and Morris demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1655.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Silliman moved a call of the Assembly.

Motion carried. Time, 3 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Babbage, Beck, Burke, Sam L. Collins, Condon, Connolly, Dickey, Dolwig, Erwin, Geddes, Hahn, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lipscomb, Lowrey, McMillan, Rosenthal, Sherwin, Waters, and Way—22.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dunn asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 2120—An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code, to amend Section 8761 of said code, and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947), all relating to the Public School System, declaring the urgency thereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 19 of the title of the printed bill, as amended in the Senate on June 29, 1949, after "Statutes of 1947)", insert "; to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 2

On page 2 of said bill, between lines 6 and 7, insert

"SEC. 2. Section 5152 of the Education Code is amended to read:

5152. The Superintendent of Public Instruction shall report to the Controller, on or before the tenth day of September of each year, the total average daily attendance during the preceding [school] *fiscal* year in all elementary school districts, high school districts, and junior college districts, together with the [amount] *amounts* required to be apportioned to the several districts and county school service funds [for the excess cost to school districts and county superintendents of schools of educating physically handicapped pupils] under the provisions of this code.

SEC. 3 Section 5153 of said code is amended to read:

5153. The State Controller shall during each fiscal year transfer from the General Fund of the State to the State School Fund such sums, in addition to the sums accruing to the State School Fund from other sources, as shall provide in the State School Fund for distribution during the fiscal year a total amount to be computed as follows:

(a) There shall first be provided an amount not less than one hundred twenty dollars ($120) per pupil in average daily attendance in the day and evening kindergarten schools, elementary schools, secondary schools and technical schools, in the Public School System during the next preceding fiscal year, as certified by the Superintendent of Public Instruction.

(b) In addition there shall be provided such amount as the Superintendent of Public Instruction shall certify as necessary to reimburse school districts for the excess cost of educating physically handicapped *minor* pupils. The amount shall not exceed four hundred dollars ($400) for each unit of average daily attendance during the next preceding fiscal year of the physically handicapped *minor* pupils educated by school districts.

(c) In addition there shall be provided such amount as the Superintendent of Public Instruction shall certify as necessary to reimburse the county school service fund of each county for the excess cost to the county superintendent of schools of such county of educating physically handicapped *minor* pupils. The amount shall not exceed four hundred dollars ($400) for each unit of average daily attendance during the next preceding fiscal year of the physically handicapped *minor* pupils educated by the county superintendent of schools.

(d) In addition there shall be provided such amount as the Superintendent of Public Instruction shall certify as necessary to reimburse school districts for the excess cost of educating pupils in 24-hour elementary schools. The amount shall not exceed two hundred dollars ($200) for each unit of average daily attendance during the next preceding fiscal year of such pupils.

SEC. 4. Section 5156 of said code is amended to read.

5156. The Controller shall draw warrants on the State Treasury in favor of the county treasurer of each county in the months of September, October, November, December, January, February, March, April, May, and June of each fiscal year in such amounts as to provide in each warrant one-tenth of the total amount certified by the Superintendent of Public Instruction as apportioned *under Article 13 of Chapter 15 of Division 3 of this code* during the fiscal year from the State School Fund to the school districts under the jurisdiction of the county superintendent of schools of the county and to the county school service fund of the county. The drawing of the warrants required to be drawn during any one of the months mentioned may be postponed by the Controller for not to exceed 30 days, but the total amounts due the several counties during any fiscal year shall be paid within the fiscal year. The warrants shall be paid by the State Treasurer from the State School Fund and are not subject to the provisions of Government Code Section 16003.

SEC. 5 Section 5157 is added to said code, to read:

5157. The Controller shall draw warrants on the State Treasurer in favor of the county treasurer of each county in such amounts as are certified by the Superintendent of Public Instruction as apportioned under Article 13.5 of Chapter 15 of Division 3 of this code to school districts under the jurisdiction of the county superintendent of schools of the county.

SEC 6 Section 6703 of said code is amended to read:

6703 Not less than 85 percent of all moneys apportioned to a school district from the State School Fund under Articles 12 and 13 of Chapter 15 of this division, exclusive of said amounts allowed under Article 2 of Chapter 15, during any fiscal year must be expended during the same fiscal year for the payment of salaries of persons employed by the district in positions requiring certification qualifications or for the payment of tuition by the district to another district.

In the event it appears to the governing board of a school district that the application of the preceding paragraph of this section would result in serious hardship to the district, or in the payment of salaries to persons employed by the district in positions requiring certification qualifications substantially in excess of the salaries paid persons employed in positions requiring certification qualifications by other districts of comparable type and functioning under comparable conditions, the board may, with the written approval of the county superintendent of schools having jurisdiction over the district [and the Superintendent of Public Instruction], apply to the [State Board of Education] *Superintendent of Public Instruction* for exemption from the requirements of the preceding paragraph of this section. Upon receipt of such application, duly approved, the [State Board of Education] *Superintendent of Public Instruction* may grant the district exemption, to the extent deemed necessary by [the State Board of Education] *him*, from such requirements.

SEC. 7. Section 6713 of said code is repealed

SEC. 8 Section 6714 of said code is amended to read:

6714. No school district shall receive any apportionment from the State School Fund unless each employee of the district employed in a position requiring certification qualifications in the district has secured and registered as required by law and within the time required by law *an* appropriate valid credential or certificate.

SEC 8 5. The heading of Article 1 of Chapter 15 of Division 3 of said code is amended to read:

Article [1.] *15* Computation of Allowances to County School Service Funds

SEC. 9. Article 1 is added to Chapter 15 of Division 3 of said code, to read:

Article 1. General Provisions

7000. For the purposes of Articles 4, 6, 7, 8, 9, 10, 12, and 13, excepting Section 7126 thereof, of this chapter:

(a) Each elementary school district shall be deemed to comprise the kindergartens and grades one to eight, inclusive, maintained by the district, and, for the purpose of this section, the 7th and 8th grades of the district not maintained by the district because of the attendance upon a junior high school of pupils who would otherwise attend upon 7th and 8th grades maintained by the district, shall be deemed to be maintained by the district.

(b) Each high school district shall be deemed to comprise all of grades 9 to 12, inclusive, maintained within the high school district whether maintained by a high school district or by a junior college district.

(c) Each junior college district shall be deemed to comprise the 13th and 14th grades maintained by the district.

(d) Each high school district maintaining grades 13 and 14 shall be deemed to be a junior college district comprising grades 13 and 14

SEC 10 Section 7002 of said code is amended to read:

7002. The county superintendent of schools shall on or before July 15th of each fiscal year submit to the Superintendent of Public Instruction a budget for the current fiscal year, in such form as the Superintendent of Public Instruction shall prescribe, setting forth all known and estimated revenues of the county school service fund for the current fiscal year from all sources other than the State School Fund, and the proposed expenditures from the county school service fund for the current fiscal year. The budget shall be subject to the approval of the Superintendent of Public Instruction.

Upon the approval of the budget by the Superintendent of Public Instruction, he shall note his approval thereon and transmit one copy thereof to the county superintendent of schools and one copy to the county auditor of the county.

SEC. 11. Section 7012 of said code is amended to read:

7012. He shall allow to each elementary school district and high school district which during the preceding fiscal year[,] provided for the transportation of pupils between their homes and the schools attended by such pupils *or made payments of money to parents or guardians of pupils in lieu of providing for such transportation*, an amount which shall be computed by subtracting from the total expenditures of the district for such transportation during the preceding fiscal year, exclusive of capital outlay, *and for such payments*, as approved by the Superintendent of Public Instruction, the amount which a tax of two cents ($0.02) levied on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce if levied and dividing the remainder by two

SEC. 12. Section 7023 of said code is amended to read:

7023. The governing board of a school district eligible to an allowance under this article may submit to the Superintendent of Public Instruction on or before May 1st of each fiscal year an application, in such form as he may prescribe, for such an allowance.

The Superintendent of Public Instruction may allow to each eligible school district submitting an application for an apportionment from the funds available under Section 7021 such additional allowance as in his judgment is necessary because of emergency conditions existing in the district *with respect to other than the 13th and 14th grades. The amount so allowed shall be expended only for such purposes as are specified by the Superintendent of Public Instruction*.

SEC 13 Section 7032 of said code is amended to read:

7032 For each elementary school district which had an average daily attendance during the preceding fiscal year of less than 26, he shall compute three thousand [two] *three* hundred dollars [($3,200)] *($3,300)* for the first 16 units of average daily attendance or fraction thereof, as computed under Sections 6911 and 6944, [plus twenty-five dollars ($25) for the seventeenth unit of average daily attendance,] plus [fifty] *fifty-five* [($50)] *($55)* for each unit of average daily attendance in excess of [17] *16*

SEC 14. Section 7033 of said code is amended to read.

7033 For each elementary school district which had an average daily attendance during the preceding fiscal year of 26 or more and less than 51, as computed under Sections 6911 and 6944, he shall compute six thousand *three hundred* dollars [($6,000)] *($6,300)* for the first 37 units of average daily attendance or fraction thereof [plus fifty dollars ($50) for the thirty-eighth unit of average daily attendance] plus one hundred *five* dollars [($100)] *($105)* for each additional unit of average daily attendance in excess of [38] *37*.

SEC. 15. Section 7034 of said code is amended to read:

7034. For each elementary school district having an average daily attendance during the preceding fiscal year of 51 or more but less than 76, as computed under Sections 6911 and 6944, he shall compute nine thousand *three hundred* dollars [($9,000)] *($9,300)* for the first 62 units or fraction thereof, [as so computed plus one hundred thirty-five dollars ($135) for the sixty-third unit of average daily attendance] plus one hundred [forty-five] *fifty* dollars [($145)] *($150)* for each unit of such average daily attendance in excess of [63] *62*.

SEC. 16. Section 7035 of said code is amended to read.

7035. For each elementary school district which had an average daily attendance during the preceding fiscal year of 76 or more but less than 85, as computed under Sections 6911 and 6944, he shall compute twelve thousand *four hundred fifty* dollars [($12,000] *($12,450)*.

SEC. 17. Section 7036 of said code is amended to read

7036. For each elementary school district which had an average daily attendance during the preceding fiscal year of 85 or more, as computed under Sections 6911 and 6944, he shall multiply the number of units of average daily attendance so computed by one hundred [forty-five] *forty-eight* dollars [($145)] *($148)*.

SEC. 18. Section 7037 of said code is amended to read.

7037. For each high school district he shall multiply the number of units of average daily attendance computed for the district under [Section 6943] *Sections 6943 and 6952* by one hundred [seventy-five] *eighty-five* dollars [($175)] *($185)* [and shall multiply the number of units of average daily attendance in grades 13 and 14 computed for the district under Sections 6951 and 6953 by two hundred dollars ($200), and shall multiply the number of units of average daily attendance in grades 11 and 12 computed for the district under Sections 6952 and 6953 by one hundred seventy-five dollars ($175)] and shall multiply the number of units of average daily attendance computed for the district under Section 6961 by one hundred [seventy-five] *eighty-five* dollars [($175)] *($185)* if subject to *the* provisions of Section 7148 [, and by two hundred dollars ($200) if subject to the provisions of Section 7149].

SEC. 19. Section 7038 of said code is amended to read

7038. For each junior college district he shall multiply the number of units of average daily attendance in grades 13 and 14 [subject to provisions of Section 7149] computed for the district under Sections 6951, 6953, and 6961, *subject to the provisions of Section 7149*, by two hundred *ten* dollars [($200)] *($210)*.

SEC. 20. Section 7039 of said code is repealed

SEC. 21. Section 7041 of said code is amended to read:

7041. For the purposes of this article, the Superintendent of Public Instruction shall allow, in addition to all other allowances, to the county school service fund:

(a) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of each county for the first 300 or major fraction of 300 units of average daily attendance in the aggregate in all the elementary districts of the county, including union and joint union elementary school districts, having less than 300 units of average daily attendance during the preceding fiscal year and in the emergency schools maintained within the elementary school districts of the county by the county superintendent of schools during the preceding fiscal year. Two thousand four hundred dollars ($2,400) for supervision of instruction shall be allowed to the fund for the next 300, or any fraction of 300 units of average daily attendance, and two thousand four hundred dollars ($2,400) shall be allowed to the fund for each succeeding 300 or major fraction of 300 units of average daily attendance.

(b) Two thousand four hundred dollars ($2,400), for supervision of instruction, to the county school service fund of the county for each 500 or major fraction of 500 units of average daily attendance in the aggregate in all the elementary school districts of the county, including union and joint union elementary school districts having an average daily attendance of 300 or more but less than 900 units of average daily attendance during the preceding fiscal year.

(c) For all emergency schools maintained in each elementary school district of the county by the county superintendent of schools during the preceding fiscal year, the same amount as he would compute as the foundation program of an elementary school district under Article 4 of this chapter.

(d) One hundred [seventy-five] *eighty-five* dollars [($175)] *($185)* for each unit of average daily attendance of physically handicapped pupils of secondary grade educated by the county superintendent of schools during the preceding fiscal year.

SEC. 22. Section 7061 of said code is amended to read

7061. The Superintendent of Public Instruction shall allow to each high school district one thousand dollars ($1,000) for each year of [the four year course covering] grades 9 to 12, inclusive, maintained in each day [high] school of the district, other than continuation high schools, during the preceding fiscal year.

SEC. 23. Section 7062 of said code is amended to read:

7062. He shall allow to each high school district for each year of [the four year course covering] grades 9 to 12, inclusive, maintained in each day [high] school of the district, other than continuation high schools, during said preceding fiscal year which had, exclusive of average daily attendance in classes for adults maintained in connection with such day [high] school, during said preceding fiscal year an average

daily attendance of less than [270] *300*, an additional one hundred dollars ($100) for each 10 units, or fraction of 10 units, of average daily attendance, the average daily attendance of the high school during said fiscal year was below [270] *300*, but not more than [two] *three* thousand [eight] *one* hundred dollars [($2,800)] *($3,100)* for any year so maintained

In the application of this section to junior high schools and to senior high schools the average daily attendance measures of [270] *300* and of 10 units shall be reduced by the ratio that the number of years within the grade range 9 to 12, inclusive, actually maintained in each such junior high school or senior high school during said preceding fiscal year bears to four.

SEC. 24. Section 7063 of said code is amended to read

7063. He shall allow to each high school district four thousand dollars ($4,000) for each evening high school and for each continuation high school [and two thousand dollars ($2,000) for each evening junior college] maintained during the preceding fiscal year except that no allowance shall be made for any evening high school [or junior college] or continuation high school which does not comply with all requirements made by the State Board of Education

SEC. 25. Section 7064 of said code is repealed

SEC. 26. Section 7067 of said code is amended to read

7067. He shall allow to each high school district ninety dollars ($90) for each unit of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, 6952, [6953,] and 6961, [for grades 11 and 12,] subject to *the* provisions of Section 7148 [, and for each unit of average daily attendance in the eleventh and twelfth grades of a four year junior college situated in the district but maintained by a junior college district]

SEC. 27. Section 7081 of said code is amended to read

7081. The Superintendent of Public Instruction shall then compute for each district described herein the amount which a tax levied on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year would produce [for the schools and classes mentioned] if levied, if such tax was:

(a) Forty-five cents ($0.45) in an elementary school district [, for all kindergarten and elementary schools and classes maintained by the district].

(b) Thirty-two cents ($0.32) in a high school district [for all schools and classes maintained by the district other than the thirteenth and fourteenth grades, including the eleventh and twelfth grades of a four-year junior college located in the high school district and maintained by a junior college district].

[(c) Twenty cents ($0.20) in a high school district for the thirteenth and fourteenth grades maintained by the district

(d)] *(c)* [Twenty] *Twenty-two* cents [($0.20)] *($0.22)* in [each] *a* junior college district [for the thirteenth and fourteenth grades and all classes for adults maintained by the district].

SEC. 28. Section 7091 of said code is amended to read:

7091. The Superintendent of Public Instruction shall then compare the total of the amounts allowed *to, and computed* for, each elementary district pursuant to Articles 6 and 9 of this chapter with the amount of the Foundation Program of School Support computed for each such district pursuant to Article 4 of this chapter.

If the total amount *allowed to, and* computed for, any elementary school district pursuant to Articles 6 and 9 of this chapter is less than the amount of the Foundation Program of School Support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount computed for such district pursuant to Articles 6 and 9 of this chapter such additional amount, to be known as State Equalization Aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any elementary school district under this article shall be not less than it would have been had the Foundation Program of School Support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6911 and 6944 by one hundred fifty-three dollars ($153) and had the tax used in making the computation for the district under Article 9 of this chapter been fifty-five cents ($0.55), but no computation shall be made for any district pursuant to this paragraph for the Fiscal Year 1948-1949 or during any subsequent fiscal year unless there shall have been levied, pursuant to Division 3 of this code, for such district during the preceding fiscal year a tax of not less than fifty-five cents ($0.55) on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year.

SEC. 29. Section 7092 of said code is amended to read:

7092. The Superintendent of Public Instruction shall then compare the total of the amounts allowed to, and computed for, each high school district pursuant to Articles 7 and 9 of this chapter with the amount of the Foundation Program of School Support computed for each *such* district pursuant to Article 4 of this chapter.

If the total amount allowed to, and computed for, any high school district pursuant to Articles 7 and 9 of this chapter is less than the amount of the Foundation

Program of School Support computed for such district pursuant to Article 4 of this chapter, he shall add to the amount *allowed to, and* computed for, such district pursuant to Articles 7 and 9 of this chapter such additional amount, to be known as State Equalization Aid, as may be necessary to equal that computed for such district pursuant to Article 4 of this chapter.

Notwithstanding anything in this article to the contrary, the amount computed for any high school district under this article shall be not less than it would have been had the Foundation Program of School Support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6948, 6952, and 6961 by two hundred ten dollars ($210) and had the tax used in making the computation for the district under Article 9 of this chapter been fifty cents ($0.50), but no computation shall be made for any district pursuant to this paragraph for the Fiscal Year 1948-1949 or during any subsequent fiscal year unless there shall have been levied, pursuant to Division 3 of this code, for such district during the preceding fiscal year a tax of not less than fifty cents ($0.50) on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year.

SEC. 30. Section 7094 of said code is amended to read.

7094. No State Equalization Aid shall be allowed to any [elementary school] *junior college* district under this article during the Fiscal Year [1947-1948] *1949-1950* unless, during the preceding fiscal year, there shall have been levied a tax for such district in an amount equal to twenty cents ($0.20) or more on 90 percent of each one hundred dollars ($100) of the assessed valuation in such district as shown by the equalized assessment roll of the district for the next preceding year and no [elementary school] *junior college* district which has met the requirements of this section and is otherwise entitled to State Equalization Aid shall be denied such aid.

SEC. 31. Section 7095 of said code is amended to read:

7095. [No] *Except as otherwise provided in Section 7094, no* State Equalization Aid shall be allowed under this article during the Fiscal Year [1948-1949] *1949-1950*, or during any subsequent fiscal year unless there shall have been levied, pursuant to Division 3 of this code, for such district during the preceding fiscal year a tax not less than that set forth in Article 9 of this chapter for the district, and no district which has met the requirements of this section and is otherwise entitled to State Equalization Aid shall be denied such aid.

SEC. 32. Section 7101 of said code is amended to read:

7101. The Superintendent of Public Instruction shall allow to each school district an amount equal to the excess cost to such district of educating physically handicapped *minor* pupils but not in excess of four hundred dollars ($400) for each unit of average daily attendance of physically handicapped *minor* pupils in the district during the next preceding fiscal year.

SEC. 33. Section 7103 of said code is amended to read:

7103. The Superintendent of Public Instruction shall allow to the county school service fund of each county an amount equal to the excess cost to the county superintendent of schools of educating physically handicapped *minor* pupils but not in excess of four hundred dollars ($400) for each unit of average daily attendance of physically handicapped *minor* pupils educated by the county superintendent of schools during the preceding fiscal year.

SEC. 34. Section 7111 of said code is amended to read:

7111. If the total amount allowed *from the State School Fund* to all elementary school districts and to all county school service funds under Articles 5, 6 and 10 of this chapter on account of the average daily attendance of pupils in elementary school [grades] *districts* and in schools or classes of elementary school grade maintained by county superintendents of schools, is less than the total amount [required to be transferred to] *provided in* the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus three-fourths of the mount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to elementary school districts receiving State Equalization Aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount [apportioned] *computed* as equalization aid [to] *for* all elementary school districts, multiplied by the amount of equalization aid [apportioned to] *computed for* the district.

SEC. 35. Section 7112 of said code is amended to read:

7112. If the total amount allowed *from the State School Fund* to all *high school* districts [maintaining high school grades] and *to all* county school service funds under Articles 5, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school [grades] *districts* and in schools or classes of high school grade maintained by county superintendents of schools is less than the total amount [required to be tranferred to] *provided in* the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus one-fourth of the amount allowed under Section 7003, the balance shall be allowed by the Superintendent of Public Instruction to *high school* districts [maintaining high school grades] receiving State

Equalization Aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount [apportioned] *computed* as equalization aid [to] *for* all [such] *high school* districts, multiplied by the amount of equalization aid [apportioned to] *computed for* the district.

SEC. 36. Section 7113 of said code is amended to read:

7113. If the total amount allowed *from the State School Fund* to all *junior college* districts [maintaining junior colleges] *and to all county school service funds* under Articles *5*, 8 and 10 of this chapter on account of the average daily attendance of pupils in junior college districts and in schools or classes of junior college grade maintained by county superintendents of schools is less than the total amount [required to be transferred to] *provided in* the State School Fund on account of such average daily attendance, less the amount computed as provided in Section 7001 on account of such average daily attendance, the balance shall be allowed by the Superintendent of Public Instruction to such districts receiving State Equalization Aid during the then current fiscal year. The amount allowed each such district shall be in the ratio that the amount of the balance bears to the total amount [apportioned] *computed* as equalization aid [to] *for* all *junior college* districts [maintaining junior colleges] multiplied by the amount of equalization aid [apportioned to] *computed for* the district.

SEC. 37. Section 7114 of said code is amended to read:

7114. If the total amount allowed *from the State School Fund* to all elementary school districts and *to all* county school service funds [from the State School Fund] under Articles *5*, 6 and 10 of this chapter on account of the average daily attendance of pupils in elementary school districts and in schools or classes of elementary school grade maintained by county superintendents of schools is larger than the total [amounts required to be transferred to] *amount provided in* the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011 on account of such average daily attendance plus three-fourths of the amount [provided in] *allowed under* Section 7003, the amount allowed each such district as State Equalization Aid [,] *from the State School Fund* shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid *computed for the district* multiplied by the amount of equalization aid [assumed to be apportioned to] *computed for* the district.

SEC. 38. Section 7115 of said code is amended to read:

7115. If the total amount allowed *from the State School Fund* to all *high school* districts [maintaining high school grades] and *to all* county school service funds [from the State School Fund] under Articles *5*, 7 and 10 of this chapter on account of the average daily attendance of pupils in high school districts and in schools or classes of high school grade maintained by county superintendents of schools, is larger than the total [amounts required to be transferred to] *amount provided in* the State School Fund on account of such average daily attendance, minus an amount equal to the amounts allowed under Sections 7001 and 7011, on account of such average daily attendance plus one-fourth of the amount allowed [in] *under* Section 7003, the amount allowed each such district as [equalization aid] *State Equalization Aid* from the State School Fund [,] shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid *computed for all high school districts* multiplied by the amount of equalization aid [assumed to be apportioned to] *computed for* the district.

SEC. 39. Section 7116 of said code is amended to read:

7116. If the total amount allowed *from the State School Fund* to all *junior college* districts [maintaining junior college grades] and *to all* county school service funds [from the State School Fund] under Articles *5*, 8 and 10 of this chapter on account of the average daily attendance of pupils in junior college districts and in schools or classes of junior college grade maintained by county superintendents of schools, is larger than the total [amounts required to be transferred to] *amount provided in* the State School Fund on account of such average daily attendance, minus an amount equal to the amount allowed under Section 7001 on account of such average daily attendance, the amount allowed each such district [from the State School Fund] as [equalization aid] *State Equalization Aid from the State School Fund* [,] shall be reduced in the ratio that the amount of the deficit bears to the total amount of equalization aid *computed for all junior college districts* multiplied by the amount of equalization aid [assumed to be apportioned] *computed for* the district.

SEC. 40. Section 7117 of said code is repealed.

SEC. 41. The heading of Article 13 of Chapter 15 of Division 3 of said code is amended to read:

Article 13. *Principal* Apportionment of State School [Funds] *Fund*

SEC. 42. Section 7121 of said code is amended to read:

7121. The Superintendent of Public Instruction shall apportion to each elementary school district the total of the amounts computed for the district under Articles 2, [3,] 6, 10, 11 and 12 of this chapter. [Notwithstanding anything in Article 10 of this chapter to the contrary, the amount computed for any elementary school district under Article 10 of this chapter shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6911 and 6944 by one hundred fifty dollars ($150) and had the tax used in making the computation

for the district under Article 9 of this chapter been fifty-five cents ($0.55), but no computation shall be made for any district pursuant to this sentence for the Fiscal Year 1948-1949 or during any subsequent fiscal year unless there shall have been levied, pursuant to Division 3 of this code, for such district during the preceding fiscal year a tax of not less than fifty-five cents ($0.55) on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year]

SEC. 43. Section 7122 of said code is amended to read.

7122. The Superintendent of Public Instruction shall apportion to each high school district the total of the amounts computed for the district under Articles 2, [3,] 7, 10, 11 and 12 of this chapter. [Notwithstanding anything in Article 10 of this chapter to the contrary, the amount computed for any high school district under Article 10 of this chapter shall be not less than it would have been had the foundation program of school support for such district under Article 4 of this chapter been computed by multiplying the number of units of average daily attendance in the district during the preceding fiscal year as computed under Sections 6943, 6952, 6953, and 6961 by two hundred dollars ($200) and had the tax used in making the computation for the district under Article 9 of this chapter been fifty cents ($0.50), but no computation shall be made for any district pursuant to this sentence for the Fiscal Year 1948-1949 or during any subsequent fiscal year unless there shall have been levied, pursuant to Division 3 of this code, for such district during the preceding fiscal year a tax of not less than fifty cents ($0.50) on each one hundred dollars ($100) of 90 percent of the assessed valuation in such district as shown by the equalized assessment roll of the district for the preceding year]

SEC. 43.1. Section 7124 of said code is amended to read

7124. The Superintendent of Public Instruction shall apportion to each county school service fund the total of the amounts computed for the fund under Articles [1,] *1.5*, 5, *and* 11 [and 12] of this chapter.

SEC. 44. Section 7126 of said code is repealed.

SEC. 45. Section 7126 is added to said code, to read:

7126. (a) The Superintendent of Public Instruction shall withhold from the apportionment to each high school district all amounts allowed such high school district by reason of the operation of subdivision (b) of Section 7000 for each year of grades 11 and 12 maintained in the district by a junior college district, plus an amount which shall bear the same ratio to the total amount computed for the high school district on account of the average daily attendance in grades 9 to 12, inclusive, as the average daily attendance in grades 11 and 12 maintained by the junior college district bears to the whole of the average daily attendance in grades 9 to 12, inclusive, maintained in the high school district, and shall add the amounts so withheld to the apportionment required to be made to the junior college district

(b) The Superintendent of Public Instruction shall apportion to each high school district the amount computed for the high school district as a junior college district pursuant to subdivision (d) of Section 7000.

SEC. 46. Section 7128 of said code is repealed.

SEC. 47. Section 7130 of said code is amended to read:

7130. The Superintendent of Public Instruction shall certify the apportionment made by him under this [chapter] *article* to the State Controller, who shall, subject to Sections [7128] *7126* and 7129, draw his warrants during the [school] *fiscal* year on the State School Fund in favor of the treasurer of each county for the amount apportioned to all the school districts of the county and to the county school service fund and to the county high school tuition fund from the State School Fund.

SEC. 48. Section 7132 is added to said code, to read:

7132. The apportionments made under this article shall be known as the principal apportionment.

SEC. 49. Article 13.5 is added to Chapter 15 of Division 3 of said code, to read:

Article 13.5. Emergency and Final Apportionments of State School Fund

7135. The Superintendent of Public Instruction shall apportion to each school district each allowance made to the district under Article 3 of this chapter.

7136. The Superintendent of Public Instruction shall certify each apportionment made by him under Article 3 of this chapter to the State Controller who shall draw his warrants during the fiscal year on the State School Fund in favor of the treasurer of each county for the amounts apportioned to the school districts of the county

7137. All moneys received by the treasurer of any county from apportionments of the State School Fund shall be immediately credited by the treasurer to the general funds of the school districts to which such apportionments were made exactly as apportioned by the Superintendent of Public Instruction.

7138. Apportionments made on account of allowances made under Sections 7021 to 7023, inclusive, of Article 3 of this chapter, shall be known as emergency apportionments and apportionments made on account of allowances made under Section 7024 of said article shall be known as the final apportionment.

SEC. 50. Section 7146 of said code is amended to read

7146. [For the purposes of this division, whenever the levy of a tax at any certain rate is required as a condition precedent to the making of any allowance or apportionment of funds on account of any elementary school district, high school

district, or junior college district included within a unified school district, the requirement shall be deemed to be one requiring the levy of a tax for the unified school district at a rate which shall be determined by adding to the rate of tax required to be levied for such elementary school district, high school district or junior college district, the maximum rate of district tax fixed by Section 6357 for every other district included within the unified school district and subtracting ten cents ($0.10) from the total.] *No State Equalization Aid shall be allowed under Article 10 of this chapter to any district included within a unified school district unless there shall have been levied, pursuant to Division 3 of this code, for such unified school district during the preceding fiscal year a tax in not less than the amount determined by adding the rates of tax required to be levied under Section 7081 as may be applicable for each type of district included within the unified school district.*

SEC. 51. Section 7146.1 of said code is amended to read:

7146.1. [For the purposes of this division, whenever the levy of a tax at any certain rate is required as a condition precedent to the making of any allowance or apportionment of funds on account of any high school district or junior college district and a tax is levied under subsection (c) of Section 6357 for such high school district and a junior college district or for such junior college district and a high school district, as the case may be, for combined high school and junior college purposes, the requirement shall be deemed to be one requiring the levy of a tax at a rate which shall in the case of a high school district be determined by adding to the rate of tax required to be levied for the high school district, the maximum rate of district tax fixed by Section 6357 for a junior college district, and, in the case of a junior college district by adding to the rate of tax required to be levied for the junior college district, the maximum rate of district tax fixed by Section 6357 for a high school district.] *No State Equalization Aid shall be allowed under Article 10 of this chapter to any high school district or junior college district for which a tax is levied under subsection (c) of Section 6357 unless there shall have been levied, pursuant to Division 3 of this code, during the preceding fiscal year, a tax under said subsection in not less than the amount determined by adding the rates of tax required to be levied under such of Sections 7091 and 7095 as may be applicable for a high school district and for a junior college district.*

SEC. 52. Section 7147 of said code is repealed.

SEC. 53. Section 7148 of said code is amended to read:

7148. For the purposes of this division whenever computations of apportionments based on average daily attendance are made for [grades 9 to 12, all attendance in such grades] *high school districts only the attendance in all classes of grades 9 to 12, inclusive,* and in all types of ungraded classes, including classes for adults, [assigned to grades 9 to 12] *which have been reported as attached to, or as a part of, a school which maintains any of grades 9 to 12, inclusive,* shall be included [whether maintained by a high school district or a junior college district].

SEC. 54. Section 7149 of said code is amended to read:

7149. For the purposes of this division whenever computations of apportionments based on average daily attendance are made for [grades 13 and 14, all attendance in such grades] *junior college districts only the attendance in all classes of grades 13 and 14* and all types of ungraded classes, including classes for adults, [assigned to grades 13 and 14,] *which have been reported as attached to, or as a part of, a junior college which maintains grades 13 and 14* shall be included [whether maintained by a high school district or a junior college district].

SEC. 55. Section 7150 of said code is amended to read.

7150. For all purposes of this division the computations of the foundation programs for each of the *elementary school* districts merged or otherwise included within a union elementary school district, joint union elementary school district or a unified school district must be computed either under Article 4 of this chapter or under the alternative foundation program in Article [13] *10* of this chapter. If the foundation programs of *the elementary school* districts comprising a union, joint union or unified district are computed under said Article 4, the district aid must be computed under Article 9 of this chapter, but if the foundation programs of the districts are computed under said Article [13] *10*, the district aid must be computed as specified in said Article [13] *10*.

SEC. 56. Section 7208 of said code is amended to read.

7208. No moneys shall be expended from the county school service fund for any purpose in excess of the total proposed expenditures for such purpose as approved by the Superintendent of Public Instruction under Section 7002, without the approval *in writing* of the Superintendent of Public Instruction. *The Superintendent of Public Instruction shall transmit one copy of such approval to the county superintendent of schools and one copy thereof to the county auditor of the county.*

SEC. 57. Section 9645 of said code is amended to read.

9645. The Superintendent of Public Instruction shall determine the amount of the excess cost incurred by each county superintendent of schools for the education of physically handicapped pupils. "Excess cost" as employed in this section includes the total current expenditures incurred for remedial classes and for individual instruction of physically handicapped children, plus the excess amount of the current

expenditures made for all other physically handicapped pupils instructed in special schools, in special classes, or in the regular classes *over the amount to be* apportioned [for] *as basic state aid to the county school service fund during the then current fiscal year on account of* the average daily attendance of these pupils [under apportionment for basic state aid for pupils not classified as physically handicapped pupils]. "Remedial classes" as herein employed includes special classes providing remedial instruction for physically handicapped pupils who are excused in small numbers for a portion of a class period from regular classes, without appreciable reduction in the costs of the regular classes.

SEC. 58. Section 6812 of said code is amended to read:

6812. The minimum school day for pupils of kindergartens [shall be] *is* 180 minutes, inclusive of recesses except that [during the Fiscal Year 1946-1947, the minimum school day shall be deemed to have been 130 minutes, inclusive of recesses. As an emergency provision] if during the Fiscal Years [1947-1948 and] 1948-1949, *1949-1950, and 1950-1951* a school district *maintained or* maintains two kindergarten classes on the same day which are taught by the same teacher, the minimum school day for each of such classes shall be 130 minutes inclusive of recesses.

SEC. 59. Section 7231 of said code is amended to read:

7231. Not later than the twentieth day of July of each year the superintendent of schools of each county in which there is not a county junior college shall certify to the board of supervisors and to the county auditor of the county the total cost of education during the next preceding school year of all junior college pupils residing in the county and not in any junior college district, nor in any high school district maintaining junior college courses, and the estimated amount needed for that purpose for the current year.

The total cost shall not include outlays for permanent construction or improvements. [nor, in the case of junior college districts, money received from state apportionment, nor, in the case of high school districts maintaining junior college courses, money received from state and county apportionments,] *or moneys received from the State School Fund or from the Federal Government* but shall include [sixty-five dollars ($65)] *one hundred dollars ($100)* per unit of average daily attendance for the use of buildings and equipment.

SEC. 60. Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code are repealed.

SEC. 61. Article 4 is added to Chapter 13 of Division 3 of said code, to read:

Article 4. Attendance in Junior College

6831. No pupil in grades 11 and 12 of a junior college shall be credited with more than fifteen clock hours of attendance in any calendar week.

6832. The minimum school day in any junior college, other than an evening junior college, is 180 minutes.

6833. Each 180 minutes of attendance in grades 11 and 12 shall constitute one day of attendance.

SEC. 62. Article 6 is added to Chapter 14 of Division 3 of said code, to read:

Article 6. Junior Colleges

6951. The units of average daily attendance in grades 13 and 14 in each junior college of a district for a fiscal year shall be computed by dividing the total number of hours of pupils attendance in the junior college during the fiscal year by 525.

6952. The units of average daily attendance in the eleventh and twelfth grades of each four-year junior college of the district shall be computed by dividing the total number of days of pupils attendance in such grades of the junior college during the fiscal year by the number of days school was actually taught in the regular day junior colleges of the district during the fiscal year.

6953. The total units of average daily attendance in the junior colleges of a district shall be the total of units of average daily attendance computed under Sections 6951 and 6952.

SEC. 63. Sections 7052 and 7068 of said code are repealed.

SEC. 64. Section 7151 is added to said code, to read:

7151. Notwithstanding anything in this division to the contrary, the amount allowed by the Superintendent of Public Instruction during each of the first five fiscal years as the total basic state aid and state equalization aid for a union elementary school district, joint union elementary school district, or unified school district formed after July 1, 1947 under Chapter 16 of Division 2 of this code, or for any district formed under any provision of this code after July 1, 1947 and conforming with approved plans and recommendations of a local survey committee or county committee, shall during each of the first five fiscal years of its existence for all purposes be not less than the total of the amounts which would have been computed as basic state aid and state equalization aid to the districts merged into the union elementary school district, joint union elementary school district, or unified school district had such school district not been formed."

Amendment No. 3

On page 37, line 20, of said bill, strike out "SEC. 2", and insert "SEC. 65".

SALSMAN	DUNN
BROWN	KIRKWOOD
MAYO	BECK
Senate Committee on Conference	Assembly Committee on Conference

Demand for Previous Question

Messrs. Hinckley, Morris, Conrad, Luckel, and Thompson demanded the previous question.

Demand for previous question sustained

The question being on the adoption of the report of the Committee on Conference concerning Assembly Bill No. 2120.

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nichouse, Rumford, Smith, Thomas, Thompson, Tomlinson, Weber, and Yorty—55

NOES—George D. Collins—1

Explanation of Vote on Concurrence in Senate Amendments to Assembly Bill No. 2120

I voted for concurrence because rejection of the Senate amendments would have meant that this School Support Bill would not have been passed

I am very much opposed to those amendments which had the effect of eliminating an estimated $36,000,000 in additional school support.

EDWARD E. ELLIOTT

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1646

Mrs. Nichouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1646, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1646

Senate Bill No. 1646—An act for the construction and development of water resources in the Cuyamaca State Park, and making an appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hoffman, Huyck, Lewis, Lincoln, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Nichouse, Rumford, Sillman, Smith, Thomas, Thompson, Tomlinson, and Weber—54.

NOES—None

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP CONSIDERATION OF SENATE AMENDMENTS TO ASSEMBLY CONSTITUTIONAL AMENDMENT NO. 80

Mr. Dunn asked for, and was granted, unanimous consent that he be permitted to take up consideration of Senate amendments to Assembly

Constitutional Amendment No. 80, temporarily passed on the unfinished business file, at this time.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Constitutional Amendment No. 80—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 14 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Constitutional Amendment No. 80?

Amendment No. 1

In line 3 of the title of the printed measure, as amended in the Assembly on June 20, 1949, strike out "14", and insert "15".

Amendment No. 2

On page 1, line 7, of said measure, strike out "14", and insert "15".

Amendment No. 3

On page 1, line 8, of said measure, strike out "14", and insert "15".

Amendment No. 4

On page 2, line 8, of said measure, after "section.", insert "Such laws may provide for the allocation of funds to school districts pursuant to this section by the State Allocations Board or a similar agency, and in that event, notwithstanding any other provision of this Constitution, Members of the Legislature who are required to meet with such board shall have equal rights and duties with the nonlegislative members to vote and act upon matters pending before such board."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 80 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, and Weber—58.

NOES—George D. Collins—1.

Assembly Constitutional Amendment No 80 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1353

Mr. McMillan asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1353, out of order, at this time.

CONSIDERATION OF SENATE BILL NO. 1353

Senate Bill No. 1353—An act to amend Sections 5, 6, 7, 8, 11, 11a, 24.5, 24.6, 27b, and 60 of the Alcoholic Beverage Control Act, relating to alcoholic beverages control.

Bill read third time, and ordered temporarily passed on file.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 138

Mr. Coats asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 138, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 138

Senate Bill No. 138—An act to add Section 66q to the Code of Civil Procedure, relating to the number of Judges of the Superior Court in the County of Butte, and providing for the appointment of an additional judge and for compensation.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hinckley, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lowrey, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sillman, Smith, Thomas, Thompson, Tomlinson, Weber, Yorty, and Mr. Speaker—54.

NOES—Burke, Burkhalter, George D. Collins, Heisinger, Hoffman, Luckel, and Morris—7.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 84

Mr. Thompson asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 84, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 84

Senate Bill No. 84—An act to add Section 37a to an act entitled "An act to provide for the creation, organization and government of water conservation districts, defining their powers and prescribing the method of exercising the same, reenacting and continuing in force the provisions of Chapter 166 of the Statutes of 1929, known as the 'Water Conservation Act of 1929,' and validating and confirming all proceedings had and taken under the provisions of said act resulting in the organization of water conservation districts, and continuing such districts under the provisions of this act with the powers herein conferred," approved June 16, 1931, relating to inclusion of land.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—55

NOES—None.

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1256

Mr. Condon asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 1256, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1256

Senate Bill No. 1256—An act to add Section 34 to an act entitled "An act making an appropriation for allocation to cities, counties, and cities and counties, to develop a postwar public works program comprising the preparation of surveys and plans and specifications for proposed public works and the acquisition of rights of way and sites for major streets, roads, bridges, sewerage and other public facilities, and providing the procedure for making such allocations," approved June 20, 1944, relating to postwar public works programs and making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act

Bill read third time

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—59.

NOES—None

Bill ordered transmitted to the Senate

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1037

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1037, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1037

Senate Bill No. 1037—An act making an appropriation for services for physically handicapped children suffering from rheumatic fever and rheumatic heart disease.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lincoln, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Silliman, Thomas, Thompson, Tomlinson, Waters, and Weber—56

NOES—None

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1426—An act to amend Sections 5083, 5097, 5100, and 5132 of the Business and Professions Code, relating to the State Board of Accountancy.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, George D Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Dilley, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sillman, Smith, Thompson, Waters, and Weber—57

NOES—Tomlinson—1.

Bill ordered transmitted to the Senate.

Senate Bill No. 1487—An act to create the Old Age and Blind Security Fund in the State Treasury, to transfer certain moneys thereto, and to raise revenue for and to make all moneys in said fund available for expenditure to meet the appropriation made by Section 10 of Article XXV of the Constitution before other money is available therefor.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D Collins, Condon, Connolly, Conrad, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—58

NOES—Anderson and Elliott—2

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, George D. Collins, Condon, Connolly, Conrad, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—58.

NOES—Anderson and Elliott—2

Bill ordered transmitted to the Senate.

Senate Bill No. 35—An act to repeal Chapter 3 of Division 12 of the Education Code, consisting of Sections 24351 to 24355, inclusive, relating to the California State Historical Association.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Collier, Condon, Connolly, Conrad, Cooke, Crowley, Dickey, Clayton A Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, McCollister, Moss, Rumford, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—52.

NOES—Maloney—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1209

At 3 01 p m , on motion of Mr Butters, further proceedings under the call of the Assembly were dispensed with

The names of the absentees were called, and Senate Bill No. 1209 passed by the following vote :

AYES—Babbage, Berry, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Grant, Grunsky, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lindsay, Luckel, Maloney, McCarthy, McCollister, Meyers, Sherwin, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—43

NOES—Anderson, Brady, George D. Collins, Cooke, Davis, Dunn, Elliott, Evans, Gaffney, Hagen, Hawkins, Heisinger, Hollibaugh, Kilpatrick, Lewis, Lincoln, Lowrey, Morris, Moss, Niehouse, and Rumford—21

Bill ordered transmitted to the Senate.

BIRTHDAY WISHES EXTENDED

Speaker pro Tempore Maloney expressed birthday wishes to Mr. Dickey, Majority Floor Leader, on behalf of Members of the Assembly.

Mr. Dickey expressed birthday wishes to Mr. Stewart, on behalf of Members of the Assembly.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 230—An act to amend Sections 12200 and 13031.1 of, and to repeal Section 13226 of, the Education Code, relating to the employment of persons in positions requiring certification qualifications.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Lincoln, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Smith, Thomas, Thompson, Tomlinson, Waters, and Weber—51.

NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 1030

Mrs. Niehouse asked for, and was granted, unanimous consent that she be permitted to take up Senate Bill No. 1030, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 1030

Senate Bill No. 1030—An act to make an appropriation to provide housing and equipment for the education of cerebral palsied children.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger,

Hoffman, Huyck, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Tompson, Tomlinson, and Weber—54.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 274—An act to amend Section 16272 of the Education Code, relating to the operation of school busses.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, and Weber—54
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 453—An act to add Section 7209 to the Education Code, relating to the county school service fund.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Lewis, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Moss, Niehouse, Rumford, Silliman, Smith, Thomas, Thompson, Tomlinson, and Weber—54
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 685—An act to add Section 5044.5 to the Education Code, relating to school district public works.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, and Waters—57.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1325—An act to amend Sections 12752 and 12754 of the Education Code, and to add Section 12752.1 to said code, relating to the revocation of credentials, life diplomas, documents, and certificates authorizing service in the public schools

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Caldecott, Clarke, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, Meyers, Morris, Moss, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, and Waters—57.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1362—An act to repeal Section 22048 of the Education Code, relating to the State Library.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1364—An act to repeal Sections 187 to 192, inclusive, 8161, 9034.1, 16276, 16277, 18058, and 19155, and Article 5 of Chapter 8 of Division 4 of the Education Code; to amend Sections 12142, 13831, and 16273 of said code; to amend the heading of Article 3.5 of Chapter 5 of Division 9 of said code; and to amend and renumber the headings of Article 4.5 of Chapter 13 of Division 2, comprising Sections 4321 to 4325, inclusive, Article 9 of Chapter 1 of Division 10, comprising Sections 20221 and 20222, and Chapter 8 of Division 10, comprising Sections 21601 to 21613, inclusive, of said code, all relating to the Public School System.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1658—An act to add Section 31506 to the Water Code, relating to improvements by county water districts.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon Connolly, Conrad, Crichton, Crowley, Davis Clayton A Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel,

Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 106
Assembly Concurrent Resolution No 107

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolutions ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 2120—An act to amend Section 10 of an act entitled "An act to repeal Chapters, 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately.

J A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Assembly Bill No. 2120 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 956

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By C. V TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 831—An act to amend Section 1 of an act entitled "An act to provide for the expansion of publicly supported higher education and to repeal an act entitled 'An act establishing a four-year institution of higher education in the City of Sacramento, County of Sacramento,' approved July 1, 1947 (Chapter 1017 of the Statutes of 1947), and an act entitled 'An act making an appropriation for the establishment, equipment and maintenance of a four-year state institution of higher education at Sacramento,' approved July 10, 1947 (Chapter 1349 of the Statutes of 1947), all relating to the system of publicly supported higher education," approved by Governor May 25, 1949, relating to the Sacramento State College.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel,

Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, and Weber—59.
NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1326—An act to repeal Sections 12041.1 and 12401.1 of the Education Code; to add Sections 12011, 12012, 12105, 12106, 12401.1, and 12401.2 to said code; and to amend the heading of Article 7 of Chapter 1 of Division 7 of said code, all relating to the authorization of persons to serve in the public schools.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Levering, Lewis, Lincoln, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss Niehouse, Rumford, Sherwin, Silliman, Smith, Thomas, Thompson, Tomlinson, Waters, and Weber—59.
NOES—None.

Bill ordered transmitted to the Senate.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 644

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 644, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 644

Senate Bill No. 644—An act to repeal Sections 9 5, 41.1, and 102 of, and amend Sections 9, 9.2, 45, 45.5, 53, 54, 55, 57, 71, 151, 205, and 40 of, and add Section 41.1 to the Unemployment Insurance Act, relating to unemployment insurance and disability insurance.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, and Waters—60.
NOES—None.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1482—An act to add Chapter 2.5, comprising Sections 18120 to 18122, inclusive, to Division 9 of the Education Code, relating to plans for school buildings, and making an appropriation.

Bill read third time.

Motion to Amend

Mr. Dunn moved the adoption of the following amendments:

Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Assembly on June 30, 1949, before the period following "Education", insert ", but such expense shall not exceed more than 2 percent of the total cost of the project."

Amendment No. 2

On page 2 of the printed bill, strike out lines 11 to 19, inclusive, and insert "18125. The district shall furnish its own architect and/or structural engineer for necessary structural engineering and supervision of construction."

Amendments read.

Division of the Question

Mr. Dunn asked for a division of the question.

Division of the question ordered.

Consideration of Amendment No. 1
Amendment No. 1

On page 1, line 24, of the printed bill, as amended in the Assembly on June 30, 1949, before the period following "Education", insert ", but such expense shall not exceed more than 2 percent of the total cost of the project."

Amendment read, and adopted.

Consideration of Amendment No. 2
Amendment No. 2

On page 2 of said bill, strike out lines 11 to 19, inclusive, and insert "18125. The district shall furnish its own architect and/or structural engineer for necessary structural engineering and supervision of construction."

Amendment read.

Demand for Previous Question

Messrs. Connolly, Grunsky, McCarthy, Kirkwood, and Heisinger demanded the previous question.

Demand for previous question sustained.

The question being on the adoption of Amendment No. 2 offered by Mr. Dunn to Senate Bill No. 1482.

The roll was called, and the amendment adopted by the following vote:

AYES—Berry, Brady, Brown, Burkhalter, Caldecott, Collier, George D. Collins, Condon, Connolly, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hollibaugh, Huyck, Lincoln, Lowrey, McCarthy, McCollister, Meyers, Morris, Niehouse, Rumford, Smith, Thomas, Tomlinson, and Weber—37.

NOES—Anderson, Babbage, Beck, Bennett, Burke, Butters, Clarke, Conrad, Erwin, Geddes, Hawkins, Heisinger, Hinckley, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Moss, Sherwin, Stanley, and Waters—22.

Bill ordered reprinted, and re-engrossed.

Motion to Place Rush Order on Printing of Senate Bill No. 1482

Mr. Dunn moved that a rush order be placed upon the printing of Senate Bill No. 1482.

Motion carried.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 1076—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof, and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended in the Senate, strike out lines 15 to 23, inclusive.

O'GARA
WATSON
HUGH M. BURNS
Senate Committee on Conference

STANLEY
CONNOLLY
EVANS
Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Berry, Brady, Burke, Butters, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Doyle, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hawkins, Hinckley, Kilpatrick, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Stanley, Thomas, Thompson, Tomlinson, Waters, Weber, and Yorty—41.

NOES—Anderson, Beck, Brown, Burkhalter, Caldecott, Collier, George D. Collins, Conrad, Davis, Grunsky, Hagen, Heisinger, Hollibaugh, Huyck, Kirkwood, Levering, Lowrey, Luckel, Smith, and Mr. Speaker—20

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 1340
Assembly Bill No. 2312
Assembly Bill No. 2459
Assembly Bill No. 2664
Assembly Bill No. 2715
Assembly Bill No. 520
Assembly Bill No. 1666

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered enrolled

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 928
Senate Bill No. 1365
Senate Concurrent Resolution No. 65

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER. I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended.

Assembly Bill No. 473	Assembly Bill No 2028
Assembly Bill No. 672	Assembly Bill No 2102
Assembly Bill oN. 891	Assembly Bill No 3156
Assembly Bill No. 1138	

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2399—An act to amend Section 28133 of the Government Code and Section 737ee of the Political Code, relating to compensation for public services.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2399?

Amendment No. 1

In lines 1 and 2 of the title of the printed bill, as amended in the Assembly on April 1, 1949, strike out "28133 of the Government Code and Section 737ee of the Political Code", and insert "28146 of the Government Code".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive, and strike out all of page 2, and insert

"SECTION 1. Section 28146 of the Government Code is amended to read:

28146. In a county of the forty-sixth class the following shall receive as compensation for the services required of them by law, or by virtue of their offices, the following sums:

(a) The auditor, two thousand two hundred twenty dollars ($2,220) a year.

(b) The district attorney, three thousand six hundred dollars ($3,600) a year.

(c) Each supervisor, two thousand four hundred dollars ($2,400) a year for all services performed by him, as supervisor, members of the board of equalization and road commissioner.

In lieu of mileage, supervisors may use automobiles provided and maintained by the county in connection with the performance of their official duties.

(d) The official reporter of the superior court shall receive as full compensation for taking notes in criminal cases in the superior court, before the grand jury, for preliminary examinations and for coroner's inquests, and for transcribing notes in justices' courts preliminary examinations, *as Secretary of the superior court, a* monthly salary of [one hundred thirty-five dollars ($135)] *two hundred dollars ($200)* payable out of the county treasury at the same time and in the same manner as the salaries of the county officers are paid. He shall receive as compensation for taking notes when required in civil cases a per diem as provided by law, to be paid by the litigants as the court directs, and for transcription of such notes in civil cases, and in criminal cases on appeal from the superior court, such fees as are provided by law. The compensation for transcription in criminal cases on appeal from the superior court shall be audited and allowed upon a written order of the court and paid out of the county treasury, and in civil cases shall be paid by the party ordering the transcript, or when ordered by the judge, by either party, or by both or all parties, as the court directs. He shall also be allowed his actual traveling expenses when reporting outside the county seat.

(e) Grand jurors and jurors in the superior court shall be paid three dollars ($3) a day for each day's attendance, and twenty-five cents ($0.25) for each mile actually traveled in attending court as such jurors, in going only. In criminal cases the county clerk shall certify to the auditor the number of day's attendance and the number of miles traveled by each juror. The auditor shall draw his warrant for the fees and mileage due the juror, and the treasurer shall pay the warrant.

(f) Witnesses when legally required to attend upon the superior court in criminal cases and upon the juvenile court in juvenile court matters, shall be paid two dollars ($2) a day for each day's actual attendance, and twenty-five cents ($0.25) for each mile actually traveled, in going only. The county clerk shall certify to the auditor the number of days' attendance and the number of miles traveled by each witness. The auditor shall draw his warrant for the fees and mileage due the witness, and the treasurer shall pay the warrant.

The compensation provided by this section shall be paid to incumbent officers."

Amendment No. 3

On page 3 of the printed bill, as amended in the Senate on June 30, 1949, strike out lines 20 and 21.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2399 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Erwin, Evans, Fleury, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Stanley, Tomlinson, Waters, Weber, and Yorty—52.

NOES—Lowrey—1.

Assembly Bill No. 2399 ordered enrolled.

Assembly Bill No. 332—An act to amend Sections 5501, 5502, 5511, 5512, 5514, and to repeal Section 5512.5 of and to add Section 5518 to, the Welfare and Institutions Code, and to amend and renumber Section 5502.5 thereof to be Section 5517, relating to sexual psychopaths and providing for their commitment and discharge.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 332?

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on April 28, 1949, strike out lines 13 and 14, and insert "the allegation of sexual psychopathy, the court finds there is sufficient cause to believe the person is a sexual psychopath within the meaning of this chapter, the".

Amendment No. 2

On page 2 of said bill, strike out line 26, and insert "finds that the person is a sexual psychopath within the meaning of this chapter, he shall make an order committing the person to the Department of Mental Hygiene for placement in a state hospital designated by the court for an indeterminate period. If, after examination and hearing, the judge is in doubt whether the person is a sexual".

Amendment No. 3

On page 3, line 9, of said bill, after "hospital", insert "designated by the court".

Amendment No. 4

On page 4, line 36, of said bill, after "paths", insert "designated by the court".

Amendment No. 5

On page 2, line 29, of said bill, after "hospital", insert "designated by the court".

Amendment No. 6

On page 1, line 5, of said bill, after "that", insert "there is probable cause for believing".

Amendment No. 7

On page 1, line 10, of said bill, after "code", insert "except that the title and body of the affidavit shall refer to such person as "an alleged sexual psychopath" ".

Amendment No. 8

On page 3, lines 44, 45, and 46, of said bill, strike out "and unless within thirty days after the receipt of such opinion and certification the court shall order the return of the person", and insert "the person shall be returned to the court".

Amendment No. 9

On page 3, line 47, of said bill, after "him", strike out the comma, and insert a period.

Amendment No. 10

On page 3 of said bill, strike out all of lines 48 to 52, inclusive.

Amendment No. 11

On page 4 of said bill, strike out all of lines 1 to 8, inclusive

Amendment No. 12

On page 4 of said bill, strike out all of lines 14 to 17, inclusive, and in line 18, strike out "the case originated. Such", and insert "The".

Amendment No. 13

On page 4, line 18, of said bill, after "proceedings," insert "upon the return of the person to the court,".

Amendment No. 14

On page 4, line 36, of said bill, after "paths", insert "At such hearing, the person shall be entitled to present witnesses in his own behalf, to be represented by counsel and to cross-examine any witnesses who testify against him"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 332 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Sillman, Smith, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None.

Assembly Bill No. 332 ordered enrolled.

Assembly Bill No. 1056—An act to repeal Sections 6, 7, 8, 14, 15, and 16, and to amend Sections 2, 5, 10, and 12, of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, as amended, and to add Sections 6, 7, and 8 thereto, relating to county facilities for the detention of persons charged with or convicted of crime, the commitment of persons for placement therein, the transfer of persons thereto and therefrom, and the release of persons therefrom, and providing for the establishment of county classification committees to authorize such placements and transfers.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1056?

Amendment No. 1

In line 8 of the title of the printed bill, as amended in the Assembly on May 20, 1949, after the comma, insert "and to amend Section 19a of the Penal Code,".

Amendment No. 2

On page 5, line 20, of said bill, after "16", insert "of said act".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 3

On page 5 of said bill, after line 27, insert

"SEC. 10. Section 19a of the Penal Code is amended to read:

19a. In no case shall any person sentenced to confinement in a county or city jail, *or in a county or joint county penal farm, road camp, work camp, or other county adult detention facility, or committed to the sheriff for placement in any such county*

adult detention facility, on conviction of misdemeanor, or as a condition of probation, or for any reason, be committed for a period in excess of one year. [If, however, any county, or group of counties together, should establish a penal farm, road or work camp, or if there be established a state institution for long-term misdemeanants, then commitment to such penal farms, road or work camps or such state institution shall be for such period as the court may order within the limits prescribed by statute for the offense.]

This section shall not apply to civil commitments of persons to industrial farms, road camps, or other county adult detention facilities made pursuant to the Welfare and Institutions Code and not as punishment for crime."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1056 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None

Assembly Bill No. 1056 ordered enrolled.

Assembly Bill No. 534—An act to amend Section 374 of the Vehicle Code and to add Section 10783 to the Revenue and Taxation Code, relating to exemption of automobiles given to paraplegic veterans from registration fees and vehicle license fees.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 534?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "amend Section 374 of", and insert "add Section 374.4 to".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 24, inclusive, on page 2 strike out lines 1 to 11, inclusive, and insert

"SECTION 1. Section 374.4 is added to the Vehicle Code, to read:

374.4. Exemptions from Registration Fees for Paraplegic Veterans The fees specified in this code except fees for duplicate license plates, certificates or cards need not be paid for any vehicle of a type subject to registration hereunder owned by any paraplegic veteran when such vehicle has been given to said paraplegic veteran by the United States Government. Such vehicles shall be registered as otherwise required by this code by the person having custody thereof and such custodian shall display upon said vehicle a license plate or plates bearing distinguishing marks or symbols as hereinbefore specified which said plate or plates shall be furnished by the department free of charge."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 534 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None.

Assembly Bill No. 534 ordered enrolled.

Assembly Bill No. 2331—An act to amend Section 1233 of the Probate Code, relating to rules of pleading and practice in judicial proceedings.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2331?

Amendment No. 1

On page 1, line 17, of the printed bill, after "hath", insert "The evidence of one or more of the subscribing witnesses may be received by an affidavit to which there is attached a photographic copy of the will, in any uncontested will proceedings"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2331 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Tomlinson, Waters, Weber, and Yorty—54.

NOES—None.

Assembly Bill No. 2331 ordered enrolled.

Assembly Bill No. 569—An act to amend Section 28106 of the Government Code, relating to compensation for public services in counties of the sixth class.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 569?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 20, 1949, after "Code," insert "Section 406 of the Education Code, and Section 737qq of the Political Code,".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets.

Amendment No. 2

On page 2 of said bill, strike out lines 11 to 15, inclusive, and insert

"SEC. 2. Section 406 of the Education Code is amended to read:

406. The annual salary of the county superintendent of schools of a county of the sixth class is *eight* [seven] thousand *four* [two] hundred dollars *($8,400)* [($7,200)], and he shall possess a valid general administrative credential issued by the State Board of Education.

SEC. 3. Section 737qq of the Political Code is amended to read:

737qq. The annual salary of each of the judges of the Superior Court in and for the County of Santa Clara is [ten thousand dolars ($10,000)] *twelve thousand five hundred dollars ($12,500).*"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 569 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Niehouse, Rumford, Sherwin, Silliman, Smith, Tomlinson, Waters, Weber, and Yorty—54

NOES—None

Assembly Bill No. 569 ordered enrolled.

Assembly Bill No. 1492—An act providing for loans to municipalities and districts for sewerage facilities, prescribing the conditions

under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 1492?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 20, 1949, after "sewerage", insert "and storm drainage".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 1492 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Waters, Weber, and Yorty—63

NOES—None.

Assembly Bill No. 1492 ordered enrolled.

Hon. Laughlin E. Waters Presiding

At 3:05 p.m., Hon. Laughlin E. Waters, of the Assembly from the Fifty-eighth District, presiding.

Assembly Bill No. 3164—An act to add Chapter 7 to Part 3, Division 3, Title 2 of the Government Code, relating to the State Department of Finance, providing for the establishment of a Bureau of Traffic Management, and specifying its powers and duties.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 3164?

Amendment No. 1

In line 3 of the title of the printed bill, strike out "Bureau", and insert "Unit".

Amendment No. 2

On page 1, line 8, of said bill, strike out "Bureau", and insert "Unit"

Amendment No. 3

On page 1, line 11, of said bill, after "(a)", strike out "Bureau", and insert "Unit"; and after "the", strike out "Bureau", and insert "Unit".

Amendment No. 4

On page 1, line 12, of said bill, strike out "Bureau", and insert "Unit".

Amendment No. 5

On page 1, line 15, of said bill, strike out "Bureau", and insert "Unit".

Amendment No. 6

On page 2 of said bill, strike out lines 4 to 6, inclusive, and insert

"13731. The chief and all employees of the unit shall be subject to the provisions of the State Civil Service Act."

Amendment No. 7

On page 2, line 7, of said bill, strike out "two", and insert "such".

Amendment No. 8

On page 2 of said bill, strike out lines 14 to 16, inclusive.

Amendment No. 9

On page 2, line 20, of said bill, after section number 13750, insert "Under the direction of the Director of Finance".

Amendment No. 10

On page 2, line 21, of said bill, strike out "Bureau", and insert "Unit".

Amendment No. 11

On page 2, line 22, of said bill, strike out "Bureau", and insert "Unit".

Amendment No. 12

On page 2, lines 24 and 25, of said bill, strike out "rate clerks shall, under the supervision of the chief," and insert "Unit shall".

Amendment No. 13

On page 2 of said bill, strike out all of lines 27 to 30, inclusive, and substitute "(b) Audit all freight and other transportation bills involving state shipments in order to determine the most advantageous and economical shipping rates which can be secured and to determine what refunds may be due the State on completed shipments."

Amendment No. 14

On page 2 of said bill, strike out lines 40 to 43, inclusive.

Amendment No. 15

On page 1, line 13, of the printed bill, as amended in the Senate on June 22, 1949, strike out "Bureau", and insert "Unit".

Amendment No. 16

On page 2 of said bill, strike out lines 5 to 23, inclusive, and insert

"13730. The director, subject to the State Civil Service Act, shall appoint a chief of the unit and such other personnel as is necessary to perform the functions of the unit."

Amendment No. 17

On page 3 of said bill, after line 2, insert

"13752 Upon request of any state agency, the unit shall assign competent personnel to work directly with such state agency at such locations as the agency shall designate in order that such personnel shall become familiar with the particular problems of such agency and that the purposes of this chapter can be best accomplished."

Amendment No. 18

In line 5 of the title of said bill, after "duties", insert ", and making an appropriation".

Amendment No. 19

On page 3 of said bill, following line 6, insert

"SEC. 2. There is hereby appropriated out of the General Fund the sum of $13,513 for support of the Department of Finance in augmentation of Item 123 in the Budget Act of 1949 to enable the Department of Finance to carry out the provisions of this act"

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3164 by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly Conrad, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Thomas, Thompson, Waters, Way, Weber, and Yorty—65

NOES—None.

Assembly Bill No. 3164 ordered enrolled.

Assembly Bill No. 3156—An act to add Section 26 5 to, and to amend Section 1026 of, the Penal Code, relating to the insanity of an accused.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 3156?

Amendment No. 1

In line 1 of the title of the printed bill, strike out ", and to amend Section 1026 of,".

Amendment No. 2

On page 1 of said bill, strike out lines 18 to 26, inclusive, and on page 2, strike out lines 1 to 49, inclusive.

Amendment No. 3

On page 1, line 4, of the printed bill, as amended in the Senate on June 23, 1949, strike out "(a)".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 3156 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Waters, and Yorty—56

NOES—None.

Assembly Bill No. 3156 ordered enrolled.

Assembly Bill No. 956—An act to amend Sections 14267, 14479, 14521, 14601, 14606, 14631, 14632, 14635, 14636, 14637, and 14640 of, to repeal Section 14608 of, and to add Article 10.1 to, Chapter 14 of Division 7 of, the Education Code, relating to the State Teachers' Retirement System.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 956?

Amendment No. 1

On page 2, line 10, of the printed bill, as amended in the Assembly on April 15, 1949, strike out "1949", and insert "1950"

Amendment No. 2

On page 2, line 11, of said bill, strike out "1949", and insert "1950".

Amendment No. 3

On page 6, line 1, of said bill, strike out "the first day", and insert "July 1, 1950."

Amendment No. 4

On page 6 of said bill, strike out lines 2 to 4, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 956 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Waters, and Weber—54.

NOES—Condon—1.

Assembly Bill No. 956 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT TO TAKE UP SENATE BILL NO. 970

Mr. Geddes asked for, and was granted, unanimous consent that he be permitted to take up Senate Bill No. 970, temporarily passed on file, at this time.

CONSIDERATION OF SENATE BILL NO. 970

Senate Bill No. 970—An act to add Sections 22.5 and 23.5 to the Insurance Code, relating to the definition of insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Motion to Amend

Mr. Geddes moved the adoption of the following amendments:

Amendment No. 1

In line 5 of the title of the printed bill, as amended in the Assembly on June 28, 1949, strike out "and advertisements".

Amendment No. 2

On page 2, line 6, of said bill, strike out "or advertisements"

Amendments read, and adopted.

Bill ordered reprinted, and to third reading.

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2102—An act to amend Section 7 of, and to add Sections 7.5, 7.6, 7.7, 7.8, and 7.9 to, an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to housing projects.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2102?

Amendment No. 1

In the first line of the title of the printed bill, after "of", insert ", and to add Sections 7.5, 7.6, 7.7, 7.8, and 7.9 to,".

Amendment No. 2

In the seventh line of the title of said bill, strike out "the".

Amendment No. 3

In the last line of the title of said bill, strike out "period of operation of such".

PRINTER'S NOTE—There being no 7-point strikeout type available, the material which should appear in strikeout type in the following amendment is indicated by being enclosed within brackets

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Amendment No. 4

On page 1 of said bill, strike out lines 3 to 21, inclusive; and on page 2, strike out lines 1 to 26, inclusive, and insert

"SEC. 7. The director shall enter into agreements with local agencies providing for the management, operation, and maintenance of any housing facilities acquired and established pursuant to this act In addition to such other matters as the director deems necessary, and subject only to federal law or regulations adopted pursuant thereto, the agreement shall provide:

(a) That if the acquisition of any housing facility or if the remodeling, repair, or removal and reerection of buildings is not under the control and direction of the United States or any of its agencies, no contract for any of such acts shall be made by the local agency without first obtaining the approval of the director.

(b) That when any housing facility is discontinued, in whole or in part, it shall be liquidated in such manner as may be agreed upon between the local agency and the director and according to rules and regulations prescribed by the director for the purpose in such manner as to secure to the local agency and the State a share of the proceeds proportionate to their respective investments

(c) That the operation and maintenance of any housing facility acquired pursuant to this act may be terminated at any time, if consistent with the terms of the federal

act under which it was acquired, and if the director or the Legislature determines that the necessity therefor no longer exists, but in no event shall such housing facility be operated and maintained [after December 31, 1950] *beyond the date now or hereafter established by the Federal Government for the termination thereof.*

(d) For the fixing of minimum and maximum rentals.

(e) For repayment to the State of the costs advanced pursuant to this act, to the extent permitted by the federal act, it being the intent of this act that the maximum amount of recovery possible be obtained.

(f) For the payment of the costs of operation and maintenance, including administration, with a view that such costs shall be adequate for the purpose, but not excessive.

(g) For a division of the proceeds upon final or partial liquidation in proportion to the investment made by the local agency and the State.

(h) For showing of all conditions, terms, rentals, expenditures and receipts and all other matters done or agreed to pursuant to the federal program.

(i) For the establishment of a reserve from the original amount allocated for the purpose of demolition and site restoration in such sum as may be agreed upon by the director and the local agency."

Amendment No. 5

On page 2 of said bill, after line 26, insert

"SEC. 2. Section 7.5 is added to the act cited in the title hereof, to read:

Sec. 7.5. Unless inconsistent with federal law or regulations adopted pursuant thereto, every local agency now or hereafter conducting a housing facility from which the State is entitled to receive more than 50 percent of the net operating revenue under this act shall, prior to January 1, 1950, and prior to the beginning of each fiscal year thereafter, submit to the director for approval, in such form and detail as the director may prescribe, a budget setting forth all proposed revenues and expenditures of such housing facility for the period beginning January 1, 1950, and ending with the close of the then current fiscal year, and for each ensuing fiscal year. No local agency shall incur any expenditures in connection with such housing facility except in accordance with the provisions of a budget approved by the director under this section. A local agency may, with the approval of the director, amend any such budget from time to time. In connection with his approval of any such budget, the director shall be guided by the expenditures allowed by the Federal Public Housing Administration or its successor for comparable projects, to the end that the allowable expenditures under the aforesaid budget shall be reasonable but not excessive. "Fiscal year" as used in this section shall mean the period from July 1st to June 30th of the following year, or such other twelve-month period as the director may approve.

SEC. 3. Section 7.6 is added to the act cited in the title hereof, to read:

Sec. 7.6. Unless inconsistent with agreements between a local agency and the Federal Government, any acquisition, improvement, installation, facility, utility, property, or equipment, real or personal, acquired by such local agency in whole or in part from the Federal Government, or with state funds or with local agency's required contribution in connection with a housing facility established by such local agency under this act, shall be and constitute an asset or assets of the housing facility and shall be subject to liquidation upon termination of the housing facility, in whole or in part, in order to reimburse the State and the local agency, insofar as such asset or assets permit, in proportion to their respective investments in the housing facility. A local agency shall not sell, exchange, encumber or otherwise dispose of any such asset or assets unless the written consent of the director is first had and obtained, except as otherwise may be agreed upon between the local agency and the director.

SEC. 4. Section 7.7 is added to the act cited in the title hereof, to read:

Sec. 7.7. In the event the director determines that the necessity for housing facility, or a portion thereof, established with state aid under this act, no longer exists, he shall, provided that termination of such housing facility in whole or in part is consistent with federal law and regulations and with agreements between the local agency and the Federal Government, in writing request the local agency conducting such housing facility to terminate the same in whole or in part, as the case may be. Upon receipt of such written request, the local agency shall forthwith proceed to terminate such project in whole or in part as requested and to liquidate the same pursuant to the provisions of any applicable agreement between the director and the local agency.

SEC. 5. Section 7.8 is added to the act cited in the title hereof, to read:

Sec. 7.8. The director may make such audit of the books and records of any local agency pertaining to any housing facility established with state aid under this act, as he may deem necessary from time to time. In the event it is determined as the result of such audit or otherwise that any revenues or funds in which the State has

an interest have been expended contrary to law or to any agreement between the director and the local agency, the local agency shall, upon written demand of the director, restore to the proper funds or accounts, any money improperly expended, or, if the director requires, transmit to the State such amount as may be owing to the State.

SEC. 6 Section 7.9 is added to the act cited in the title hereof, to read:

Sec 7.9. A local agency conducting a housing facility established with state aid under this act pursuant to an agreement between such local agency and the Federal Public Housing Administration or its successor, shall not agree to any modification or amendment of such agreement without first obtaining the written approval of the director."

Amendment No. 6

On page 3 of the printed bill, as amended in the Senate on June 24, 1949, between lines 23 and 24, insert

"SEC. 7.5. In the event the Federal Government relinquishes or transfers its interests in and to its agreements or contracts with any local agency conducting a housing facility established with state aid under this act, such local agency shall promptly upon such relinquishment or transfer enter into an agreement with the director for the operation, maintenance, termination and liquidation of such housing facility substantially in accordance with the agreements or contracts relinquished or transferred by the Federal Government as aforesaid Every such agreement shall provide that the net revenue of any such project shall be paid to the State and local agency in proportion to their respective investments until such time as the State recovers its investment"

Amendment No. 7

On page 3 of said bill, strike out lines 24 to 51, inclusive, and strike out all of page 4.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2102 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Waters, and Weber—54

NOES—Condon—1.

Assembly Bill No. 2102 ordered enrolled.

Assembly Bill No. 861—An act to add Section 5711 to the Labor Code, relating to proof of pneumonoconiosis.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 861?

Amendment No. 1

In line 2 of the title of the printed bill, as amended in the Assembly on June 20, 1949, strike out "pneumonoconiosis", and insert "silicosis"

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 861 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Waters, and Weber—54.

NOES—Condon—1.

Assembly Bill No. 861 ordered enrolled.

REQUEST FOR UNANIMOUS CONSENT THAT JOURNAL BE CORRECTED TO SHOW THAT MR. DOLWIG'S NAME IS PLACED UPON ROLL CALL

Mr. Dickey asked for, and was granted, unanimous consent that the name of Mr. Dolwig be placed upon the roll call on concurrence in Senate amendments to Senate Bill No. 1899, and that he be recorded as voting, "Aye," as printed on page 5401 of the Assembly Journal for Friday, July 1, 1949.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1138—An act making an appropriation for the support of child care centers, to take effect immediately.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1138?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 20, 1949, between lines 17 and 18, insert

"SEC. 2 The appropriation in this act shall be in lieu of the appropriation contained in "An act to amend Sections 19601, 19601.5, 19607, and 19613.5 of, and to add Sections 19609.5 and 19613.6 to the Education Code, relating to child care centers and making an appropriation therefor, declaring the urgency thereof, to take effect immediately," enacted at the 1949 Regular Session of the Legislature"

Amendment No. 2

On page 1, line 18, of said bill, strike out "2", and insert "3".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1138 by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Coats, Collier, George D. Collins, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Hagen, Heisinger, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Smith, Thomas, Thompson, Waters, and Weber—54.

NOES—Condon—1.

Assembly Bill No. 1138 ordered enrolled.

Assembly Bill No. 2028—An act to amend Section 108 of the Civil Code, relating to grounds for divorce.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2028?

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on June 25, 1949, between lines 4 and 5, insert 'duly and regularly adjudged to be insane by legally constituted authorities of this or some other state at least three years immediately preceding the filing of the action and upon proof by the testimony of either a member of a medical staff of a state institution or other competent witnesses that such spouse is incurably insane. Either the plaintiff or the defendant is entitled to have an examination of the defendant by two or more competent physicians to determine the mental condition of the defendant."

Amendment No. 2

On page 1 of said bill, strike out lines 13 to 22, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2028 by the following vote:

AYES—Babbage, Bennett, Brown, Burke, Burkhalter, Butters, Caldecott, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills,

Dolwig, Erwin, Evans, Fletcher, Fleury, Grant, Grunsky, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lincoln, Lindsay, Lapscomb, McCollister, McMillan, Morris, Moss, Rumford, Sillman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, and Weber—45

NOES—George D. Collins, Gaffney, Geddes, Hawkins, Luckel, Maloney, and Niehouse—7.

Assembly Bill No. 2028 ordered enrolled.

Assembly Bill No. 891—An act to add Section 20975 to the Education Code, relating to the education of blind children and making an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 891?

Amendment No. 1

On page 1, line 8, of the printed bill, as amended in the Assembly on June 20, 1949, strike out "It", and insert "With the consent of the parents of any blind child of preschool age it".

Amendment No. 2

On page 1, lines 9 and 10, of said bill, strike out "their blind", and insert "said".

Amendment No. 3

On page 1 of said bill, strike out lines 13 through 18, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 891 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lapscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—56.

NOES—None.

Assembly Bill No. 891 ordered enrolled.

Assembly Bill No. 672—An act to amend the headings of Article 6 of Chapter 14, Article 3 of Chapter 15, and Article 2 of Chapter 16, of Division 3 of the Education Code and to amend Sections 6951, 7021, 7146, 7149, 7150, 7211, 7212, 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, and 7222 of, and to add Section 7223 to said code, all relating to the attendance of pupils residing in California and attending school in an adjoining state.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 672?

Amendment No. 1

In the title of the printed bill, as amended in the Assembly on June 3, 1949, beginning in line 1, strike out "headings of Article 6 of Chapter 14, Article 3 of Chapter 15, and", and insert "heading of".

Amendment No. 2

In line 4 of the title of said bill, strike out "6951, 7021, 7146, 7149, 7150,".

Amendment No. 3

On page 1 of said bill, strike out lines 1 to 22, inclusive; and on page 2, strike out lines 1 to 26, inclusive.

Amendment No. 4

On page 2, line 27, of said bill, strike out "8", and insert "1".

Amendment No. 5

On page 2, line 32, of said bill, strike out "9", and insert "2".

Amendment No. 6

On page 2, line 38, of said bill, strike out "10", and insert "3".

Amendment No. 7

On page 2 of said bill, between lines 48 and 49, insert

"The Superintendent of Public Instruction, in making the apportionments of the State School Fund, shall allow to the county school tuition fund ninety dollars ($90) for each unit of average daily attendance of pupils residing in the county and attending school in an adjoining state during the preceding fiscal year."

Amendment No. 8

On page 3, line 3, of said bill, strike out "11", and insert "4".

Amendment No. 9

On page 3, line 8, of said bill, strike out "12", and insert "5".

Amendment No. 10

On page 3, line 29, of said bill, strike out "13", and insert "6".

Amendment No. 11

On page 3, line 34, of said bill, strike out "14", and insert "7".

Amendment No. 12

On page 3, line 44, of said bill, strike out "15", and insert "8".

Amendment No. 13

On page 4, line 5, of said bill, strike out "16", and insert "9".

Amendment No. 14

On page 4, line 9, of said bill, strike out "17", and insert "10".

Amendment No. 15

On page 4, line 13, of said bill, strike out "18", and insert "11".

Amendment No. 16

On page 4, line 19, of said bill, strike out "19", and insert "12".

Amendment No. 17

On page 4, line 25, of said bill, strike out "20", and insert "13".

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 672 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fleury, Gaffney Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Nicholson, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—56.

NOES—None.

Assembly Bill No. 672 ordered enrolled.

Assembly Bill No. 473—An act relating to the operation of airports and airparks, providing for procedure to abate as a nuisance.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 473?

Amendment No. 1

On page 1 of the printed bill, strike out lines 1 to 10, inclusive.

Amendment No. 2

On page 1, line 11, of said bill, strike out "SEC. 3. In any such action or proceeding", and insert

"SECTION 1. In any action or proceeding to abate the use of an airport or an airpark".

Amendment No. 3

On page 1 of said bill, strike out lines 16 to 22, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 473 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—56.

NOES—None.

Assembly Bill No. 473 ordered enrolled.

Hon. Richard H. McCollister Presiding

At 3.06 p.m., Hon. Richard H. McCollister, Member of the Assembly from the Seventh District, presiding.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1655

At 3.06½ p.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1655 refused passage by the following vote:

AYES—Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lincoln, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Stanley, Thomas, Thompson, Tomlinson, Weber, and Yorty—48

NOES—Anderson, Beck, Burkhalter, George D. Collins, Cooke, Clayton A. Dills, Dolwig, Dunn, Elliott, Evans, Geddes, Hagen, Hawkins, Heisinger, Kirkwood, Levering, Lowrey, Luckel, and Smith—19.

Explanation of Vote

In explanation of my failure to appear on the roll call on Senate Bill No. 1655, I wish to advise that I was absent from the Assembly Chamber in conference in the Governor's Office. Had I been present, I would have voted "Aye."

JOHN BABBAGE

REQUEST FOR UNANIMOUS CONSENT THAT LETTER OF TRANSMITTAL AND REPORT BE PRINTED IN JOURNAL

Mr. Dunn asked for, and was granted, unanimous consent that a letter of transmittal, and the Final Report of the Assembly Interim Committee on Public Education, be printed in the Journal, in 10-point type.

(Above mentioned letter and report will appear prior to the motion to adjourn.)

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 7

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 7?

Amendment No. 1

On page 1 of the printed bill, as amended in the Assembly on June 20, 1949, strike out lines 4 to 18, inclusive, and insert "of Justice with the sheriffs' offices of Plumas, Lassen, Del Norte, Nevada, Sierra, Lake, and Alpine Counties and the Bakersfield Police Department.

SEC. 2. The Attorney General may lease facilities and equipment for the purpose of connecting the teletypewriter system of communication maintained by the State Department of Justice with any county, city and county, city, or district if it pays the installation and maintenance costs.

SEC. 3. The sum of twelve thousand six hundred fourteen dollars and thirty-eight cents ($12,614.38) is hereby appro".

Amendment No. 2

On page 2, line 1, of the printed bill, as amended in the Senate on June 30, 1949, after "Counties", insert "and the sheriff's office substations at Barstow and Needles,".

Amendment No. 3

On page 2, line 8, of said bill strike out "twelve thousand six hundred fourteen dollars and thirty-eight cents ($12,614.38)", and insert "nineteen thousand six hundred thirty-five dollars and ninety-six cents ($19,635.96)".

The roll was called, and the Assembly refused to concur in Senate amendments to Assembly Bill No. 7 by the following vote:

AYES—George D. Collins, Dolwig, Geddes, Hagen, Maloney, and McCollister—6.

NOES—Anderson, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hawkins, Heisinger, Hoffman, Hollibaugh, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, McMillan, Meyers, Morris, Moss, Niehouse, Rumford, Sherwin, Silliman, Smith, Thompson, Tomlinson, Waters, and Weber—51.

Appointment of Committee on Conference Concerning Assembly Bill No. 7

The Acting Speaker announced the appointment of Messrs. Dickey, Dolwig, and Grunsky as a Committee on Conference concerning Assembly Bill No. 7.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 3.07 p.m., on motion of Mr. Clayton A. Dills, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lincoln, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Rumford, Smith, Stanley, Thompson, Tomlinson, Waters, Way, Weber, and Youtz—56.

RECESS

At 3 08 p.m., on motion of Mr. Dickey, the Assembly recessed until 3.09 p m.

REASSEMBLED

At 3.09 p.m , the Assembly reconvened.

Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

Chief Clerk Arthur A. Ohnimus at the desk.

ABSENCE OF QUORUM SUGGESTED

Mr. Rumford suggested the absence of quorum.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Thompson moved a call of the Assembly.

Motion carried. Time, 3.10 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Babbage, Beck, Bennett, Brady, Brown, Clarke, Coats, George D Collins, Sam L. Collins, Connolly, Conrad, Dickey, Clayton A. Dills, Dolwig, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Kilpatrick, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, McCarthy, McCollister, McMillan, Morris, Niehouse, Rosenthal, Silliman, Smith, Stanley, Thomas, Tomlinson, Waters, Way, Weber, and Yorty—48.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MEMBER EXCUSED

At 3.11 p.m., Mr. Hinckley asked for, and was granted, unanimous consent that Mr. Rosenthal be excused, for the balance of the legislative day, because of legislative business elsewhere.

MOTION THAT SMALL PAMPHLET BE PRINTED

Mr. Dickey moved that a small pamphlet be printed containing the Rules of the Assembly and the Joint Rules, as amended during this session of the Legislature.

Motion carried.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 168—An act to amend Sections 56 and 61 of the Alcoholic Beverage Control Act, relating to alcoholic beverages.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Crichton, Davis, Dickey, Dolwig, Doyle, Elliott, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh,

Huyck, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Moss, Sherwin, Stewart, Thompson, Waters, Way, Yorty, and Mr. Speaker—45.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1654—An act to add Section 13114 to the Government Code, relating to the power of the Director of Finance to lease state property.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Caldecott, Coats, Collier, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Heisinger, Hinckley, Hoffman, Holibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Waters, and Yorty—48.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 1391—An act to add Section 3300.4 to the Health and Safety Code, relating to operation of necessary facilities to care for persons suffering from tuberculosis, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr Silliman moved a call of the Assembly.

Motion carried. Time, 3.12 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Brady, Butters, Clarke, George D Collins, Sam L. Collins, Cooke, Clayton A Dills, Dunn, Evans, Hahn, Hawkins, Hinckley, Kirkwood, Levering, Lincoln, Lipscomb, Niehouse, Rosenthal, Smith, and Thomas—23.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Silliman asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 238—An act to add Section 9165 to the Education Code, relating to instructors for fire training programs, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Brown moved a call of the Assembly.

Motion carried. Time, 3.12½ p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Brady, Butters, Clayton A. Dills, Dolwig, Dunn, Hahn, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, McCollister, Niehouse, Rosenthal, Sherwin, Smith, Thomas, Waters, and Weber—23.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Heisinger asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 316—An act making an appropriation to the Department of Agriculture for the purpose of extending market news service.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Weber moved a call of the Assembly.

Motion carried. Time, 3.13 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Bennett, Caldecott, Sam L. Collins, Condon, Dickey, Doyle, Evans, Hahn, Hawkins, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lincoln, Lipscomb, Meyers, Niehouse, Sherwin, Smith, Stanley, Thomas, and Way—24.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Grant asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1391

At 3.13½ p.m., on motion of Mr. Silliman, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1391 passed by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney,

McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sillman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.
NOES—Sherwin—1.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON URGENCY CLAUSE ON SENATE BILL NO. 238

At 3.14 p.m., on motion of Mr. Brown, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the urgency clause on Senate Bill No. 238 adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rumford, Sillman, Stanley, Stewart, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.
NOES—Geddes, Hinckley, Luckel, Sherwin, and Tomlinson—5.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McMillan, Meyers, Morris, Moss, Rumford, Sillman, Stanley, Stewart, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—56.
NOES—Geddes, Hinckley, Luckel, Sherwin, and Tomlinson—5.

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 234—An act making an appropriation to the Vocational Education Fund for fire training, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Sillman, Stanley, Stewart, Thompson, Weber, and Yorty—56
NOES—Luckel, Tomlinson, and Waters—3.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Sillman, Stanley, Stewart, Thompson, Weber, and Yorty—56.
NOES—Luckel, Tomlinson, and Waters—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 235—An act making an appropriation to the Vocational Education Fund for fire training institutes, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Weber, and Yorty—56

NOES—Luckel, Tomlinson, and Waters—3.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Weber, and Yorty—56

NOES—Luckel, Tomlinson, and Waters—3.

Bill ordered transmitted to the Senate.

Senate Bill No. 1128—An act to amend Section 9.17 of, and to add Section 9.15a to, the Building and Loan Association Act, relating to the regulation of building and loan associations.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Brady, Brown, Burke, Burkhalter, Butters, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dunn, Elliott, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—53.

NOES—None.

Bill ordered transmitted to the Senate.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate appointed Senators Parkman, Collier, and Busch as a Committee on Conference concerning:

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 681

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1645—An act making an appropriation to the Regents of the University of California for the support and maintenance in the University of California of an Institute of Real Estate.

Bill read third time.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Doyle, Erwin, Fletcher, Fleury, Grant, Grunsky, Hawkins, Hinckley, Hollibaugh, Huyck, Lowrey, Maloney, McCarthy, McCollister, McMillan, Moss, Rumford, Silliman, Stanley, Stewart, Thompson, and Weber—37.

NOES—Berry, Clarke, George D Collins, Crichton, Clayton A. Dills, Dunn, Elliott, Evans, Gaffney, Geddes, Hagen, Heisinger, Hoffman, Luckel, and Tomlinson—15

Senate Bill No. 1568—An act to amend Section 16305 of, and to add Sections 16305.1, 16305.2, 16305.3, 16305.4, 16305.5, 16305.6, 16305.7, and 16305.8 to the Government Code, relating to money held in trust by the State Treasurer as provided in Section 29 of Article IV of the Constitution of California, and to provide a support appropriation therefor.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—57.

NOES—None.

Bill ordered transmitted to the Senate.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: The Committee on Conference concerning:

Assembly Bill No. 88—An act to amend Section 5051 of the Penal Code, Section 152 of the Welfare and Institutions Code, Section 1723 of the Welfare and Institutions Code, Section 76 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 107.5 of the Health and Safety Code, relating to state officers.

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be concurred in, and that the bill be further amended as follows:

Amendment No. 1

In line 16 of the title of the printed bill, as amended in the Senate on June 30, 1949, after "code", insert "Section 501 of the Public Resources Code, Section 105 of the Vehicle Code,".

Amendment No. 2

On page 1, line 38, of said bill, after "by", insert "and hold office at the pleasure of".

Amendment No. 3

On page 2, line 39, of said bill, strike out ", with the consent of the Senate,".

Amendment No. 4

On page 2, line 40, of said bill, strike out "for a term of four years".

Amendment No. 5

On page 5 of said bill, between lines 36 and 37, insert

"SEC 7. Section 105 of the Vehicle Code is amended to read:

105. Office of Director Created. The department shall be under the control of a civil executive officer to be known as the Director of Motor Vehicles, which office is hereby created The director shall be appointed by, and hold office at the pleasure of, the Governor. He shall receive a salary of twelve thousand dollars ($12,000) per year and shall be allowed his actual and necessary traveling expenses incurred in the performance of the duties of his office The director shall execute and deliver, as provided by law, *an official bond in the sum of twenty-five thousand dollars ($25,000).*

SEC 8 Section 501 of the Public Resources Code is amended to read:

501 There is in the State Government a Department of Natural Resources. The department shall be conducted under the control of an executive officer known as Director of Natural Resources. The director shall be appointed by and hold office at the pleasure of the Governor and shall receive a salary of twelve thousand dollars ($12,000) a year."

RICH	SHERWIN
WILLIAMS	GEDDES
MAYO	BECK
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Babbage, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Dickey, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kirkwood, Lewis, Lindsay, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—51.

NOES—Crowley, Davis, Lowrey, Luckel, and McMillan—5

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 694—An act to add Sections 20355, 20356, and 20357 to the Education Code, relating to student housing facilities at state colleges, making an appropriation, declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fetcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, and Weber—57.

NOES—None

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fetcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Lewis, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, and Weber—57.

NOES—None.

Bill ordered transmitted to the Senate.

Senate Bill No. 887—An act to provide for the purchase of the "Alvarado Adobe" building in the City of San Pablo as a part of the State Park System, and making an appropriation therefor.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 3 15 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Bennett, Sam L. Collins, Dolwig, Doyle, Dunn, Erwin, Evans, Grunsky, Hagen, Hahn, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, McCarthy, McCollister, Meyers, Niehouse, Rumford, Sillman, Smith, Thomas, Thompson, and Weber—28.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Heisinger asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 832—An act to amend Section 44 2 of the Unemployment Insurance Act, relating to unemployment insurance and refunds of wage-earner contributions.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Burke, Burkhalter, Butters, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Holhbaugh, Huyck, Kirkwood, Lewis, Lowrey, Luckel, Maloney, Meyers, Morris, Moss, Rumford, Sillman, Stanley, Stewart, Thompson, Tomlinson, and Waters—49.

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER CONSIDERATION OF SENATE BILL NO. 1482

Senate Bill No. 1482—An act to add Chapter 2.5, comprising Sections 18120 to 18122, inclusive, to Division 9 of the Education Code, relating to plans for school buildings, and making an appropriation.

Bill read third time.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Geddes moved a call of the Assembly.

Motion carried. Time, 3.15½ p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Bennett, Caldecott, Clarke, George D Collins, Sam L Collins, Condon, Crowley, Clayton A. Dills, Elliott, Evans, Fleury, Grant, Grunsky, Hahn, Kilpatrick,

Levering, Lewis, Lincoln, Lindsay, Lipscomb, McCarthy, McMillan, Niehouse, Sherwin, Silliman, Smith, Thomas, Way, and Yorty—30.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. McCollister asked for, and was granted, unanimous consent that Assembly Rule No 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 316

At 3.16 p m., on motion of Mr. Weber, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 316 passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Lewis, Lindsay, Lowrey, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Weber, and Yorty—54.

NOES—Collier, George D. Collins, Conrad, Hinckley, Luckel, McCarthy, and Waters—7

Bill ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)

THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 319—An act to amend Sections 7102.1 and 7104 of the Education Code, relating to the excess cost of educating mentally retarded minors.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, and Weber—54

NOES—None.

Bill ordered transmitted to the Senate

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. I am directed to inform your honorable body that the Senate on this day respectfully refused to concur in Assembly amendments to:

Senate Bill No. 1657—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation;

And appointed Senators Johnson, Hulse, and Mayo, as a Committee on Conference to meet a like committee from the Assembly.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

APPOINTMENT OF COMMITTEE ON CONFERENCE CONCERNING SENATE BILL NO. 1657

The Speaker pro Tempore announced the appointment of Messrs. Lindsay, Coats, and Davis as a Committee on Conference concerning Senate Bill No. 1657.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 581—An act to amend Sections 3301.5 and 3301.6 of the Health and Safety Code, relating to state grants-in-aid to counties, cities and counties, and cities for the treatment and care of persons suffering from tuberculosis, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, and Weber—56.

NOES—None.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, and Weber—56.

NOES—None.

Bill ordered transmitted to the Senate

FURTHER CONSIDERATION OF SENATE BILL NO. 1353

Senate Bill No. 1353—An act to amend Sections 5, 6, 7, 8, 11, 11a, 24.5, 24.6, 27b, and 60 of the Alcoholic Beverage Control Act, relating to alcoholic beverages control.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McMillan moved a call of the Assembly.

Motion carried Time, 3.17 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Caldecott, Coats, Crichton, Davis, Dunn, Evans, Fletcher, Hahn, Hinckley, Levering, Lincoln, Lipscomb, Niehouse, Sherwin, Silliman, Smith, Thomas, Thompson, Way, and Yorty—21.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 230
Senate Bill No 813
Senate Bill No 1030
Senate Bill No. 1209
Senate Bill No. 1323
Senate Bill No 644
Senate Bill No 831
Senate Bill No 1326

J A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Joint Resolution No. 36

J A. BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER. I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No 2653
Assembly Bill No 2776

J. A BEEK, Secretary of the Senate
By C V. TAYLOR, Assistant Secretary

Above bills ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No 2219
Assembly Bill No. 2708
Assembly Bill No. 2902

And respectfully requests your honorable body to concur in said amendments

J A BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bills ordered to unfinished business file.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: The Committee on Conference concerning

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Senate be not concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 1 of the printed bill, as amended in the Senate on July 1, 1949, strike out lines 1 to 14, inclusive, and insert

"SECTION 1. The Attorney General shall lease facilities and equipment for the purpose of connecting the teletypewriter system of communication maintained by the

State Department of Justice with the San Leandro Police Department, San Mateo Police Department, Escondido Police Department, Coronado Police Department, Plumas County Sheriff's Office, Monterey County Sheriff's Office Substation at Monterey, Lassen County Sheriff's Office, Portola Police Department, Watsonville Police Department, Riverside Sheriff's Office Substation at Indio, San Bernardino Sheriff's Office Substations at Needles and Barstow, Brawley Police Department, Tulare Police Department, Long Beach Police Department, Del Norte County Sheriff's Office, Nevada County Sheriff's Office, Sierra County Sheriff's Office, Palo Alto Police Department, Lake County Sheriff's Office, Bakersfield Police Department, and Alpine County Sheriff's Office

SEC. 2. The sum of thirty-two thousand eight hundred sixty-five dollars and four cents ($32,865.04) is hereby appropriated out of any money in the State Treasury, not otherwise appropriated, to be expended during the 1949-1950 Fiscal Year by the State Department of Justice in accordance with law in carrying out the provisions of this act."

Amendment No. 2

On page 2 of said bill, strike out lines 1 to 5, inclusive

PARKMAN	DICKEY
COLLIER	DOLWIG
BUSCH	GRUNSKY
Senate Committee on Conference	Assembly Committee on Conference

The roll was called

Call of the Assembly

Pending the announcement of the vote, Mr. Dickey moved a call of the Assembly.

Motion carried. Time, 3:18 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Bennett, Coats, George D. Collins, Sam L. Collins, Davis, Dunn, Evans, Fletcher, Hahn, Hinckley, Levering, Lincoln, Lindsay, Lipscomb, McMillan, Niehouse, Silliman, Smith, Thomas, Waters, Way, and Yorty—23.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2219—An act to add Chapter 4.5, comprising Sections 5600 and 5606 inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the commitment, care and treatment of mentally-abnormal sex offenders.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2219?

Amendment No. 1

In line 1 of the title of the printed bill, as amended in the Assembly on June 16, 1949, strike out "5606", and insert "5607".

Amendment No. 2

On page 1, line 20, of said bill, after "person;", insert "or".

Amendment No. 3

On page 1, line 23, of said bill, strike out "or the", and insert "(b) The".

Amendment No. 4

On page 2 of said bill, after line 50, insert

"5607. Proceedings under this chapter shall not be brought, and a petition under this chapter may not be filed, by or in behalf of any person against whom a criminal charge has been made which has not been prosecuted to final judgment."

Amendment No. 5

On page 2, line 12, of said bill, strike out "Whenever the court", and strike out lines 13 to 17, inclusive.

Amendment No. 6

On page 2, line 30, of said bill, after "court", insert "for a period of time not to exceed two years."

Amendment No. 7

On page 2, line 35, of said bill, after "code.", insert "The petition, the reports, the court orders and other court documents filed in the court shall not be open to inspection by any other than the parties to the proceeding, the attorneys for the party or parties, and the State Department of Mental Hygiene, except upon the written authority of a judge of the superior court of the county in which the proceedings were had."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. McMillan moved a call of the Assembly.

Motion carried. Time, 3 18½ p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Coats, George D. Collins, Sam L. Collins, Davis, Dunn, Elliott, Evans, Fletcher, Fleury, Grunsky, Hahn, Levering, Lincoln, Lipscomb, McCarthy, Meyers, Niehouse, Silliman, Smith, Stewart, Thomas, Thompson, Waters, Way, and Yorty—26

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Weber asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2708—An act to add Sections 7 and 8 to "An act to provide for the establishment within municipalities of districts or zones within which the use of property, height of improvements and required open spaces for light and ventilation of such buildings, may be regulated by ordinance," approved May 31, 1917, relating to building restrictions and the powers and duties of planning commissions and zoning commissions in connection therewith.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2708?

Amendment No. 1

Strike out lines 1 to 8, inclusive, of the title of the printed bill, as amended in the Assembly on May 19, 1949, and insert

"An act to add Sections 38707 and 38708 to the Government Code, relating to the establishment of zoning commissions in cities."

Amendment No. 2

On page 1 of said bill, strike out lines 1 and 2, and insert

"SECTION 1. Section 38707 is added to the Government Code, to read:

38707. In addition to a planning commission, a city may establish a zoning commission to investigate, act upon, and report to the legislative body upon applications for variance permits. A copy of the zoning commission's report shall be filed with

the city planning commission at least ten days prior to the date of any public hearing before the legislative body on the application. If written objections to the granting of the variance permit are filed by the planning commission, a majority vote of the members of the legislative body, taken after the public hearing, is required for the granting of the permit

SEC. 2. Section 38708 is added to said code, to read:

38708. This article may be cited as the "Zoning Law of 1917."

Amendment No. 3

On page 1 of said bill, strike out lines 3 to 19, inclusive.

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2708 by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Stanley, and Weber—42.

NOES—None.

Assembly Bill No. 2708 ordered enrolled.

Assembly Bill No. 2902—An act to add Section 11005.6 to the Government Code, relating to acquisition of real property by state agencies, and providing for referral of proposed acquisitions to local planning agencies and for approval thereof by the State Public Works Board.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 2902?

Amendment No. 1

On page 1, lines 8 and 9, of the printed bill, as amended in the Assembly on April 29, 1949, strike out "planning agency", and insert "legislative authority".

Amendment No. 2

On page 1, line 10, of said bill, strike out the period, and insert ", which approval shall be in writing and filed with the Director of Finance. Nothing in this section shall affect the power of the Public Works Board to purchase the property."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2902 by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCollister, McMillan, Morris, Moss, Stanley, and Weber—42.

NOES—None.

Assembly Bill No. 2902 ordered enrolled.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1683

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1683—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations

and clubs, and providing for the issuance of on-sale general licenses thereto.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No 1683?

Amendment No. 1

On page 2, lines 10 and 11, of the printed bill, as amended in the Assembly on April 11, 1949, strike out "of a regional yachting association of such clubs which regional association is a member,".

Amendment No. 2

On page 2, line 13, of said bill, strike out "less than ten such regional yachting associations nor".

Amendment No. 3

On page 2, lines 15 and 16, of said bill, strike out "more than 25 percent of whom are the owners of small boats"

Amendment No. 4

On page 2, lines 17 and 18, of said bill, strike out "adjacent to regular facilities for the mooring of small boats".

Amendment No. 5

On page 2, line 19, of said bill, strike out "adjacent to such facilities".

Amendment No. 6

On page 2 of said bill, strike out lines 20 to 23, inclusive

Amendment No. 7

On page 2 of the printed bill, as amended in the Senate on June 18, 1949, between lines 14 and 15, insert

"(e) Any bar association having an authorized delegate to the American Bar Association and composed entirely of attorneys at law, duly admitted, licensed and qualified to practice as such within the State of California, which has a bona fide membership of more than one thousand members and has been in existence for a period of more than twenty years and which owns, leases, operates or maintains a club room or rooms for its membership and which has operated such club room or rooms for a period of not less than five years."

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Connolly moved a call of the Assembly.

Motion carried. Time, 3.19 p.m.

The Speaker pro Tempore directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Beck, Bennett, Brown, Coats, George D. Collins, Sam. L. Collins, Clayton A. Dills, Dunn, Evans, Geddes, Hahn, Huyck, Levering, Lincoln, Lipscomb, Niehouse, Rumford, Silliman, Smith, Stewart, Thomas, Tomlinson, Waters, Way, and Yorty—25.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT

TEMPORARY SUSPENSION OF ASSEMBLY RULE NO. 85

Mr. Dickey asked for, and was granted, unanimous consent that Assembly Rule No. 85 be temporarily suspended for the purpose of placing a call of the Assembly on any matter on file.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 1220

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON ADOPTION OF REPORT OF COMMITTEE ON CONFERENCE CONCERNING ASSEMBLY BILL NO. 7

At 3.19½ p.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the report of the Committee on Conference concerning Assembly Bill No. 7 adoped by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Silliman, Stanley, Stewart, Thompson, Tomlinson, and Weber—58.
NOES—Lowrey and Sherwin—2.

Speaker Presiding

At 3.20 p.m, Hon. Sam L. Collins, Speaker of the Assembly, presiding.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 168
Senate Bill No. 234
Senate Bill No. 235
Senate Bill No 581
Senate Bill No. 1128
Senate Bill No. 1391
Senate Bill No. 1654

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

UNFINISHED BUSINESS (RESUMED)

CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 1220—An act to add Section 5815 to the Labor Code, relating to the Industrial Accident Commission.

The question being: Shall the Assembly concur in the following Senate amendments to Assembly Bill No. 1220?

Amendment No. 1

In line 1 of the title of the printed bill, strike out "5815", and insert "5800.5".

Amendment No. 2

On page 1 of said bill, strike out lines 1 to 6, inclusive, and insert
"SECTION 1. Section 5800.5 is added to the Labor Code, to read
5800.5. The thirty-day period specified in Section 5800, shall run from the date of the submission of the application for decision and the provisions requiring the decision within such thirty-day period shall be deemed mandatory and not merely directive."

The roll was called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1220 by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lowrey, Luckel, McCollister, Meyers, Morris, Moss, Stanley, Thompson, and Weber—48.
NOES—Silliman—1

Assembly Bill No. 1220 ordered enrolled.

CONSIDERATION OF HOUSE RESOLUTION NO. 293

By Messrs. Morris, Sam L. Collins, Dickey, Geddes, and Hollibaugh:

House Resolution No. 293

Relating to Mr. Arthur A. Ohnimus, Chief Clerk of the Assembly

WHEREAS, Mr. Arthur A. Ohnimus has faithfully and efficiently served the Assembly from 1915 to the present time, beginning as an attache from 1915 to 1921, then as Minute Clerk from 1921 to 1923, and finally as Chief Clerk continuously from 1923 to the present time excepting the years 1937 to 1940; and

WHEREAS, During this long period Mr. Ohnimus has devoted his able services impartially to all the Members of the Assembly; and

WHEREAS, Mr. Ohnimus because of his long and distinguished career as the chief aide of the Assembly has become an integral and necessary part of the Assembly; and

WHEREAS, Mr. Ohnimus has come to represent the Assembly of the State of California both to the members thereof and to many others; and

WHEREAS, The Assembly desires to publicly proclaim that Arthur A. Ohnimus is so regarded by its members; now, therefore, be it

Resolved by the Assembly of the State of California, That Arthur A. Ohnimus, Chief Clerk of the Assembly, is recognized as a part of the Assembly, and the Members of the Assembly request that all state officers and agencies extend appropriate consideration and courtesies to him

Resolution read, and adopted unanimously.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Constitutional Amendment No. 7, on motion of Mr. Lindsay.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1567—An act to repeal Article 19 of the Community Redevelopment Act, relating to the Redevelopment Agency.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Lowrey, Luckel, Maloney, McCollister, Meyers, Silliman, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—42.

NOES—Anderson, George D. Collins, Elliott, Evans, Hagen, Hawkins, Lewis, and Moss—8.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1353

At 3.21 p.m., on motion of Mr. McMillan, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1353 passed by the following vote:

AYES—Anderson, Bennett, Berry, Brady, Brown, Burkhalter, Clarke, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Gaffney, Geddes, Grant, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lewis, Maloney, McCollister, McMillan, Meyers, Morris, Rumford, Silliman, Stanley, Thompson, Weber, and Mr. Speaker—41

NOES—Babbage, Burke, Butters, Collier, George D. Collins, Conrad, Erwin, Fleury, Grunsky, Hagen, Kirkwood, Lindsay, Lowrey, Luckel, McCarthy, Moss, Stewart, Tomlinson, and Waters—19.

Bill ordered transmitted to the Senate.

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 606, on motion of Mr. Condon.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 970—An act to add Sections 22.5 and 23.5 to the Insurance Code, relating to the definition of insurance, and declaring the urgency thereof, to take effect immediately.

Bill read third time.

Urgency Clause

Urgency clause read, and refused adoption by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCollister, McMillan, Meyers, Moss, Sherwin, Stanley, Stewart, Thompson, and Weber—45

NOES—Burke, Grant, Hollibaugh, Luckel, Morris, and Mr. Speaker—6.

The roll was called, and the bill refused passage by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Maloney, McCollister, McMillan, Meyers, Moss, Sherwin, Stanley, Stewart, Thompson, and Weber—45.

NOES—Burke, Grant, Hollibaugh, Luckel, Morris, and Mr. Speaker—6.

Statement by Thomas A. Maloney

I voted "aye" on the urgency clause on Senate Bill No. 970 when I thought I voted "no." I had already had a speech ready to use against the bill, but when the urgency clause was defeated, that defeated the bill.

I was ready to talk and vote against the bill.

THOMAS A. MALONEY

BILL WITHDRAWN FROM ACTIVE FILE, AND PLACED ON THE INACTIVE FILE

Senate Bill No. 116, on motion of Mr. Dickey.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Senate Bill No. 1657—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 1076—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof, and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 1076 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 88—An act to amend Section 5051 of the Penal Code, Section 152 of the Welfare and Institutions Code, Section 1723 of the Welfare and Institutions Code, Section 76 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 107.5 of the Health and Safety Code, relating to state officers.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 88 ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted:

Assembly Concurrent Resolution No. 99

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above resolution ordered enrolled.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate amended, and on this day passed, as amended:

Assembly Bill No. 2561

And respectfully requests your honorable body to concur in said amendments.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered to unfinished business file.

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 967
Senate Bill No. 1353

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day concurred in Assembly amendments to:

Senate Bill No. 832
Senate Bill No. 319

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day adopted the report of the Committee on Conference concerning:

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor.

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Assembly Bill No. 7 ordered enrolled.

REPORT OF COMMITTEE ON CONFERENCE

The following report of Committee on Conference was received, and read:

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: The Committee on Conference concerning:

Senate Bill No. 1657—An act to add Section 136 to the Construction and Employment Act, relating to allocations to counties for repair, restoration, and repair and restoration of county roads, making an appropriation, and declaring the urgency hereof, to take effect immediately;

consisting of the undersigned members, has met, and reports that it has agreed to recommend the following:

That the amendments of the Assembly be concurred in, and that the bill be further amended as follows:

Amendment No. 1

On page 2 of the printed bill, as amended in the Assembly on July 2, 1949, strike out line 23, and insert

"SEC. 2. The sum of one hundred thousand dollars ($100,-".

JOHNSON	LINDSAY
MAYO	COATS
HULSE	DAVIS
Senate Committee on Conference	Assembly Committee on Conference

The roll was called, and the report adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—56.

NOES—None.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 967—An act to amend Section 18711 of, and to add Section 18753 to, the Business and Professions Code, relating to boxing and wrestling.

Bill read third time.

The roll was called, and the bill passed by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Sherwin, Stanley, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—56

NOES—None.

Bill ordered transmitted to the Senate.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1482

At 3.25 p.m., on motion of Mr. Geddes, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1482 refused passage by the following vote:

AYES—Anderson, Babbage, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Davis, Clayton A. Dills, Doyle,

Elliott, Erwin, Geddes, Hagen, Hawkins, Heisinger, Hinckley, Hollibaugh, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Moss, Sherwin, Silliman, and Tomlinson—33.

NOES—Berry, Brady, Brown, Caldecott, Crichton, Crowley, Dickey, Dolwig, Dunn, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hoffman, Huyck, Maloney, McCarthy, McCollister, Meyers, Morris, Rumford, Stanley, Stewart, Thompson, Waters, and Weber—27.

Senate Bill No. 1482 ordered transmitted to the Senate.

CONSIDERATION OF DAILY FILE (RESUMED)
THIRD READING OF SENATE BILLS (RESUMED)

Senate Bill No. 1098—An act to add Section 768 of the Insurance Code, in relation to prohibiting the designation of particular insurance agents or brokers by persons, firms and corporations loaning money on the security of personal and real property.

Bill read third time.

Demand for Previous Question

Messrs. Waters, Luckel, Morris, Kirkwood, and McCarthy demanded the previous question.

Demand for previous question sustained.

The question being on the passage of Senate Bill No. 1098.

The roll was called.

Call of the Assembly

Pending the announcement of the vote, Mr. Condon moved a call of the Assembly.

Motion carried. Time, 3.27 p.m.

The Speaker directed the Sergeant-at-Arms to close the doors, and to bring in the following absent members:

Anderson, Beck, Crichton, Dunn, Evans, Hagen, Hahn, Hinckley, Hollibaugh, Kilpatrick, Levering, Lincoln, Lipscomb, McCollister, Niehouse, Silliman, Smith, Thomas, Tomlinson, Way, and Yorty—21.

PROCEEDINGS UNDER CALL OF THE ASSEMBLY BY UNANIMOUS CONSENT
FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 2219

At 3.29 p.m., on motion of Mr. Kilpatrick, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 2219 by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A Dills, Dolwig, Doyle, Erwin, Fletcher, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Stanley, Stewart, Tomlinson, and Weber—57.

NOES—None.

Assembly Bill No. 2219 ordered enrolled.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON CONCURRENCE IN SENATE AMENDMENTS TO ASSEMBLY BILL NO. 1683

At 3.30 p.m., on motion of Mr. Connolly, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called.

Point of Order

Mr. Collier arose to the following point of order: That Mr. Condon is at the desk during a roll call.

Ruling by Speaker

Speaker Sam L. Collins ruled the point of order well taken.

The names of the absentees were called, and the Assembly concurred in Senate amendments to Assembly Bill No. 1683 by the following vote:

AYES—Berry, Brady, Burkhalter, Butters, Clarke, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hoffman, Hollibaugh, Huyck, Kilpatrick, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber—41.

NOES—Anderson, Babbage, Bennett, Brown, Burke, Caldecott, Coats, Collier, George D. Collins, Conrad, Davis, Elliott, Geddes, Hawkins, Heisinger, Hinckley, Kirkwood, Lewis, Lowrey, Luckel, and Morris—21.

Assembly Bill No. 1683 ordered enrolled.

UNFINISHED BUSINESS (RESUMED)
CONSIDERATION OF SENATE AMENDMENTS

Assembly Bill No. 2561—An act to amend Section 283 of the Penal Code, relating to punishment for bigamy.

The question being: Shall the Assembly concur in the following Senate amendment to Assembly Bill No. 2561?

Amendment No. 1

On page 1, line 3, of the printed bill, after "by", insert "a fine not exceeding five thousand dollars, or by".

The roll was called, and the Assembly concurred in Senate amendment to Assembly Bill No. 2561 by the following vote:

AYES—Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Rumford, Sherwin, Silliman, Stewart, Thompson, Tomlinson, Waters, Weber, and Mr. Speaker—56.

NOES—None.

Assembly Bill No. 2561 ordered enrolled.

RESOLUTIONS

The following resolutions were offered:

By Mr. Evans:

House Resolution No. 343—Congratulating Assemblyman and Mrs. John B. Cooke upon their Silver Wedding Anniversary.

Resolution read.

Request for Unanimous Consent That All Members Present Be Named Co-authors on House Resolution No. 343

Mr. Hawkins asked for, and was granted, unanimous consent that the names of all members present be placed upon House Resolution No. 343, as co-authors.

The roll was called, and the following members indicated a desire to be so recorded:

By Messrs. Evans, Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, Sam L. Collins, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, and Weber:

House Resolution No. 343

Congratulating Assemblyman and Mrs. John B. Cooke upon their silver wedding anniversary

WHEREAS, On more than one occasion it has been the pleasure of this Assembly to recite the exploits and extol the virtues of our distinguished colleague John B. Cooke of the Thirty-eighth Assembly District, Naval Commander and hero, today this Assembly returns to a favorite theme, for

On July 2, 1924, John B. Cooke, forsaking the sailor's traditional privilege of a sweetheart in every port, took unto himself a wife, the gracious and charming Anna Klassen; and

WHEREAS, Their marriage has logged 25 years of smooth sailing; now, therefore, be it

Resolved by the Assembly of the State of California, That the Members of this Assembly extend to John B. and Anna Cooke heartiest congratulations upon the happy occasion of their silver wedding anniversary and wish them many more years of happiness; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a suitably prepared copy of this resolution to Assemblyman and Mrs. John B. Cooke.

Request for Unanimous Consent

Mr. Hawkins asked for, and was granted, unanimous consent to take up House Resolution No. 343, at this time, without reference to committee or file.

Resolution read, and adopted unanimously.

By Mr. Dickey:

House Resolution No. 344

Resolved by the Assembly of the State of California, That each and every person heretofore employed by the Assembly is hereby stricken from the list of Assembly attaches, and the names stricken from the pay roll of the Assembly, to take effect upon the completion of work on Saturday, July 2, 1949, save and except Arthur A. Ohnimus, Chief Clerk, and those who are certified to the Controller by the Chief Clerk.

Request for Unanimous Consent

Mr. Dickey asked for, and was granted, unanimous consent to take up House Resolution No. 344, at this time, without reference to committee or file.

Resolution read, and adopted.

By Mr. Clayton A. Dills:

House Resolution No. 345

Resolved, That the Speaker appoint a Committee of five to notify the Senate that the Assembly is ready to adjourn sine die and ask if the Senate has any further communications to transmit to this House.

Request for Unanimous Consent

Mr. Clayton A. Dills asked for, and was granted, unanimous consent to take up House Resolution No. 345, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 345, the Speaker announced the appointment of Messrs. Fletcher, Clayton A. Dills, Grant, Collier, and Babbage as such Select Committee to wait upon the Senate.

By Mr. Sherwin:

House Resolution No. 346

Resolved, That the Speaker appoint a Committee of Five to wait upon His Excellency, the Governor of the State of California, and inform him that the Assembly has concluded its labors and awaits his further pleasure.

Request for Unanimous Consent

Mr. Sherwin asked for, and was granted, unanimous consent to take up House Resolution No. 346, at this time, without reference to committee or file.

Resolution read, and adopted.

Appointment of Select Committee

Pursuant to the provisions of House Resolution No. 346, the Speaker announced the appointment of Messrs. Sherwin, Crichton, Waters, Heisinger, and Hinckley as such Select Committee to wait upon the Governor.

Speaker Pro Tempore Presiding

At 3.38 p.m., Hon. Thomas A. Maloney, Speaker pro Tempore of the Assembly, presiding.

By Mr. Brown:

House Resolution No. 347

Wishing happy birthday to all Assemblymen having a birthday anniversary between July and December

WHEREAS, It as long been the pleasant custom of the Members of this Assembly, upon the occasion of the birthday or wedding anniversary of a member, by appropriate resolution, to extol his virtues and wish him a happy birthday or wedding anniversary; and

WHEREAS, A reasonable proportion of our membership are so unfortunate as to have their birthday or wedding anniversaries occur when this Legislature is not ordinarily in session, and therefore never have had a resolution wishing them a happy anniversary; now, therefore, be it

Resolved by the Assembly of the State of California, That in order to cure this patent inequality and bring cheer to the hearts of these neglected and resolutionless colleagues, the Members of this Assembly extend to all Assemblymen whose birthday or wedding anniversaries occur during nonsession months heartiest congratulations upon their long and successful public service and express to them good wishes for a happy anniversary and many happy years of successful life, liberty, and the pursuit of happiness.

Request for Unanimous Consent

Mr. Brown asked for, and was granted, unanimous consent to take up House Resolution No. 347, at this time, without reference to committee or file.

Resolution read, and adopted.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 1098

At 3.32 p.m., on motion of Mr. Condon, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 1098 refused passage by the following vote:

AYES—Bennett, Berry, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Davis, Dickey, Clayton A. Dills, Elliott, Erwin, Fleury, Gaffney, Grunsky, Heisinger, Hinckley, Kilpatrick, Kirkwood, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, Meyers, Moss, Rumford, Sherwin, Stanley, Stewart, Waters, and Weber—37.

NOES—Babbage, Brady, Burkhalter, Connolly, Conrad, Cooke, Crowley, Dolwig, Doyle, Fletcher, Geddes, Grant, Hawkins, Hoffman, Huyck, McMillan, Morris, Thompson, and Mr. Speaker—19.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON SENATE BILL NO. 887

At 3.33 p.m., on motion of Mr. Condon further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and Senate Bill No. 887 passed by the following vote:

AYES—Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Clarke, Coats, George D. Collins, Condon, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Way, Weber, and Yorty—55

NOES—Butters, Caldecott, Collier, Connolly, Geddes, Luckel, and Waters—7.

Bill ordered transmitted to the Senate.

COMMITTEE FROM THE SENATE

Senators Dilworth, Breed, and Kraft appeared before the bar of the Assembly, and announced that the Senate had concluded its labors and was now ready to adjourn sine die.

FURTHER PROCEEDINGS UNDER CALL OF THE ASSEMBLY DISPENSED WITH ON QUORUM CALL

At 3.35 p.m., on motion of Mr. Dickey, further proceedings under the call of the Assembly were dispensed with.

The names of the absentees were called, and the following answered to their names:

Anderson, Babbage, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Lewis, Lindsay, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—64.

BILLS ORDERED STRICKEN FROM INACTIVE FILE

Pursuant to a motion previously made this day, the following bills were ordered stricken from the inactive file:

Assembly Bill No. 3180.

Senate Bills Nos. 70, 116, 590, 591, 606, 1113, and 1653.

Above Senate bills ordered transmitted to the Senate.

Senate Constitutional Amendment No. 7.

Above Senate resolution ordered transmitted to the Senate.

REPORTS OF SELECT COMMITTEES

The Select Committee appointed to wait upon the Senate appeared before the bar of the Assembly, and reported that the instructions of the Assembly had been carried out, and that the Senate had concluded its labors and was ready to adjourn.

The Select Committee appointed to wait upon His Excellency, the Governor, appeared before the Bar of the Assembly, and reported that it had communicated with the Governor, and that he had no further communication to make to the Assembly.

MOTION TO APPROVE JOURNALS

Upon motion of Mr. Dickey, the Assembly Journals for Monday, June 27, 1949; Tuesday, June 28, 1949; Wednesday, June 29, 1949; Thursday, June 30, 1949; Friday, July 1, 1949; and Saturday, July 2, 1949, were approved as corrected by the Minute Clerk.

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 1, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day passed:

Assembly Bill No. 2579

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

Above bill ordered enrolled.

REPORTS OF STANDING COMMITTEES

Committee on Agriculture

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 15
Assembly Bill No. 110
Assembly Bill No. 314
Assembly Bill No. 315
Assembly Bill No. 371
Assembly Bill No. 516
Assembly Bill No. 723
Assembly Bill No. 726
Assembly Bill No. 927
Assembly Bill No. 974
Assembly Bill No. 975
Assembly Bill No. 1006
Assembly Bill No. 1017
Assembly Bill No. 1063
Assembly Bill No. 1131
Assembly Bill No. 1263
Assembly Bill No 1289
Assembly Bill No. 1336
Assembly Bill No. 1350
Assembly Bill No. 1465
Assembly Bill No. 1579
Assembly Bill No. 1778
Assembly Bill No. 1779
Assembly Bill No. 1837
Assembly Bill No. 2016
Assembly Bill No. 2090
Assembly Bill No. 2130
Assembly Bill No. 2148
Assembly Bill No. 2273
Assembly Bill No. 2274
Assembly Bill No. 2448
Assembly Bill No. 2452
Assembly Bill No. 2470
Assembly Bill No. 2778

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Assembly Bill No. 2866
Assembly Bill No. 2872
Assembly Bill No. 2873
Assembly Bill No. 2984
Assembly Bill No. 3022
Assembly Bill No. 3043
Assembly Bill No. 3060
Assembly Bill No. 3148

Respectfully reports the same back without further action.

CLARKE, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Agriculture, to which were referred:

Senate Bill No. 1222
Senate Bill No. 1625

Respectfully reports the same back without further action.

CLARKE, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which were referred:

Assembly Bill No. 6
Assembly Bill No. 117
Assembly Bill No. 367
Assembly Bill No. 394
Assembly Bill No. 454
Assembly Bill No. 456
Assembly Bill No. 457
Assembly Bill No. 693
Assembly Bill No. 856
Assembly Bill No. 1258
Assembly Bill No. 1463
Assembly Bill No. 1504
Assembly Bill No. 1505
Assembly Bill No. 1790
Assembly Bill No. 1826
Assembly Bill No. 1901
Assembly Bill No. 1902
Assembly Bill No. 1905
Assembly Bill No. 1906
Assembly Bill No. 1907
Assembly Bill No. 1908
Assembly Bill No. 1909
Assembly Bill No. 1932
Assembly Bill No. 2131
Assembly Bill No. 2163
Assembly Bill No. 2165
Assembly Bill No. 2166
Assembly Bill No. 2293
Assembly Bill No. 2322
Assembly Bill No. 2517
Assembly Bill No. 2609
Assembly Bill No. 2610
Assembly Bill No. 2930
Assembly Bill No. 3076

Respectfully reports the same back without further action.

CALDECOTT, Chairman

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which were referred:

Assembly Bill No. 5
Assembly Bill No. 64
Assembly Bill No. 65
Assembly Bill No. 215
Assembly Bill No. 266
Assembly Bill No. 272
Assembly Bill No. 349
Assembly Bill No. 395
Assembly Bill No. 396
Assembly Bill No. 400
Assembly Bill No. 545
Assembly Bill No. 564
Assembly Bill No. 785
Assembly Bill No. 1075
Assembly Bill No. 1636
Assembly Bill No. 1745
Assembly Bill No. 1871
Assembly Bill No. 1872
Assembly Bill No. 1912
Assembly Bill No. 2190
Assembly Bill No. 2213
Assembly Bill No. 2291
Assembly Bill No. 2384
Assembly Bill No. 2464
Assembly Bill No. 2465
Assembly Bill No. 2466
Assembly Bill No. 2509
Assembly Bill No. 2689
Assembly Bill No. 2714
Assembly Bill No. 2722
Assembly Bill No. 2790
Assembly Bill No. 2976
Assembly Bill No. 2977
Assembly Bill No. 3097
Assembly Bill No. 3104
Assembly Bill No. 3151

Respectfully reports the same back without further action.

WEBER, Chairman

Committee on Crime and Correction

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Crime and Correction, to which were referred:

Assembly Bill No. 306
Assembly Bill No. 328
Assembly Bill No. 392
Assembly Bill No. 932
Assembly Bill No. 1649
Assembly Bill No. 1650

Respectfully reports the same back without further action.

BURKE, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 4
Assembly Bill No. 17
Assembly Bill No. 37
Assembly Bill No. 48
Assembly Bill No. 55
Assembly Bill No. 161
Assembly Bill No. 253
Assembly Bill No. 257
Assembly Bill No. 338
Assembly Bill No. 339
Assembly Bill No. 399
Assembly Bill No. 532
Assembly Bill No. 549
Assembly Bill No. 558
Assembly Bill No. 566
Assembly Bill No. 575
Assembly Bill No. 589
Assembly Bill No. 597
Assembly Bill No. 648
Assembly Bill No. 649
Assembly Bill No. 650
Assembly Bill No. 654
Assembly Bill No. 675
Assembly Bill No. 677
Assembly Bill No. 708
Assembly Bill No. 810
Assembly Bill No. 840
Assembly Bill No. 853
Assembly Bill No. 858
Assembly Bill No. 999
Assembly Bill No. 1016
Assembly Bill No. 1027
Assembly Bill No. 1081
Assembly Bill No. 1089

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred.

Assembly Bill No. 1090
Assembly Bill No. 1192
Assembly Bill No. 1278
Assembly Bill No. 1292
Assembly Bill No. 1348
Assembly Bill No. 1366
Assembly Bill No. 1385
Assembly Bill No. 1392
Assembly Bill No. 1444
Assembly Bill No 1485
Assembly Bill No. 1487
Assembly Bill No. 1494
Assembly Bill No 1495
Assembly Bill No. 1512
Assembly Bill No. 1522
Assembly Bill No. 1527
Assembly Bill No. 1528
Assembly Bill No. 1529
Assembly Bill No. 1534
Assembly Bill No. 1575
Assembly Bill No. 1603
Assembly Bill No. 1661
Assembly Bill No. 1689
Assembly Bill No 1671
Assembly Bill No. 1735
Assembly Bill No. 1736
Assembly Bill No 1746
Assembly Bill No. 1771
Assembly Bill No. 1774
Assembly Bill No. 1789
Assembly Bill No. 1897
Assembly Bill No 1978
Assembly Bill No. 1996
Assembly Bill No. 2089

Respectfully reports the same back without further action.

DUNN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Assembly Bill No. 2123
Assembly Bill No. 2133
Assembly Bill No. 2151
Assembly Bill No 2154
Assembly Bill No. 2155
Assembly Bill No. 2169
Assembly Bill No. 2196
Assembly Bill No. 2238
Assembly Bill No. 2256
Assembly Bill No. 2288
Assembly Bill No. 2297
Assembly Bill No. 2319
Assembly Bill No. 2321
Assembly Bill No. 2323
Assembly Bill No. 2329
Assembly Bill No. 2398
Assembly Bill No. 2412
Assembly Bill No. 2447
Assembly Bill No. 2531
Assembly Bill No. 2644
Assembly Bill No 2683
Assembly Bill No. 2684
Assembly Bill No. 2685
Assembly Bill No. 2739
Assembly Bill No. 2766
Assembly Bill No. 2787
Assembly Bill No 2867
Assembly Bill No 2869
Assembly Bill No. 2883
Assembly Bill No. 2884
Assembly Bill No. 2931
Assembly Bill No 2993
Assembly Bill No. 3078
Assembly Bill No. 3136

Respectfully reports the same back without further action.

DUNN, Chairman

Committee on Elections and Reapportionment

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred.

Assembly Bill No. 1
Assembly Bill No. 50
Assembly Bill No. 107
Assembly Bill No. 134
Assembly Bill No. 135
Assembly Bill No. 136
Assembly Bill No 137
Assembly Bill No. 202
Assembly Bill No 228
Assembly Bill No. 292
Assembly Bill No. 296
Assembly Bill No. 302
Assembly Bill No. 305
Assembly Bill No. 316
Assembly Bill No. 355
Assembly Bill No 397
Assembly Bill No. 480
Assembly Bill No. 495
Assembly Bill No. 496
Assembly Bill No. 513
Assembly Bill Uo. 592
Assembly Bill No. 661
Assembly Bill No. 662
Assembly Bill No. 673
Assembly Bill No. 674
Assembly Bill No. 676
Assembly Bill No. 728
Assembly Bill No. 741
Assembly Bill No. 825
Assembly Bill No. 1003
Assembly Bill No. 1085
Assembly Bill No. 1086
Assembly Bill No. 1087

Respectfully reports the same back without further action.

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Assembly Bill No. 1162
Assembly Bill No. 1164
Assembly Bill No. 1176
Assembly Bill No. 1177
Assembly Bill No. 1234
Assembly Bill No. 1290
Assembly Bill No. 1293
Assembly Bill No 1294
Assembly Bill No. 1539
Assembly Bill No. 1548
Assembly Bill No. 1549
Assembly Bill No. 1550
Assembly Bill No. 1890
Assembly Bill No. 1953
Assembly Bill No. 1975
Assembly Bill No. 1982
Assembly Bill No. 2142
Assembly Bill No. 2159
Assembly Bill No. 2192
Assembly Bill No. 2346
Assembly Bill No. 2402
Assembly Bill No. 2490
Assembly Bill No. 2504
Assembly Bill No. 2505
Assembly Bill No. 2506
Assembly Bill No. 2629
Assembly Bill No. 2675
Assembly Bill No. 2800
Assembly Bill No 2830
Assembly Bill No. 2850
Assembly Bill No. 2917
Assembly Bill No. 3059
Assembly Bill No. 3062

Respectfully reports the same back without further action

WATERS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Elections and Reapportionment, to which were referred:

Senate Bill No. 190
Senate Bill No. 984
Senate Bill No 1423

Respectfully reports the same back without further action.

WATERS, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 13
Assembly Bill No 14
Assembly Bill No. 32
Assembly Bill No. 34
Assembly Bill No. 76
Assembly Bill No. 115
Assembly Bill No. 122
Assembly Bill No. 124
Assembly Bill No. 126
Assembly Bill No. 145
Assembly Bill No. 146
Assembly Bill No 156
Assembly Bill No. 163
Assembly Bill No. 165
Assembly Bill No. 173
Assembly Bill No. 174
Assembly Bill No 175

Respectfully reports the same back without further action

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 176
Assembly Bill No. 177
Assembly Bill No. 178
Assembly Bill No. 179
Assembly Bill No. 180
Assembly Bill No. 181
Assembly Bill No 182
Assembly Bill No. 205
Assembly Bill No 303
Assembly Bill No. 344
Assembly Bill No. 398
Assembly Bill No. 410
Assembly Bill No 411
Assembly Bill No. 448
Assembly Bill No. 482
Assembly Bill No 499

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 538
Assembly Bill No. 666
Assembly Bill No. 690
Assembly Bill No. 691
Assembly Bill No. 745
Assembly Bill No. 786
Assembly Bill No. 788
Assembly Bill No 789
Assembly Bill No. 790
Assembly Bill No. 791
Assembly Bill No. 803
Assembly Bill No 804
Assembly Bill No. 805
Assembly Bill No 806
Assembly Bill No. 824
Assembly Bill No 826
Assembly Bill No. 828

Respectfully reports the same back without further action

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 829
Assembly Bill No. 830
Assembly Bill No. 831
Assembly Bill No. 832
Assembly Bill No. 860
Assembly Bill No. 895
Assembly Bill No. 1060
Assembly Bill No. 1061
Assembly Bill No. 1238
Assembly Bill No. 1269
Assembly Bill No 1320
Assembly Bill No. 1321
Assembly Bill No 1322
Assembly Bill No. 1372
Assembly Bill No. 1432
Assembly Bill No 1437
Assembly Bill No. 1438
Assembly Bill No 1439

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1440
Assembly Bill No. 1441
Assembly Bill No. 1442
Assembly Bill No. 1443
Assembly Bill No. 1454
Assembly Bill No. 1468
Assembly Bill No 1469
Assembly Bill No. 1551
Assembly Bill No. 1552
Assembly Bill No. 1592
Assembly Bill No. 1595
Assembly Bill No. 1598
Assembly Bill No. 1599
Assembly Bill No. 1600
Assembly Bill No. 1601
Assembly Bill No 1607
Assembly Bill No. 1608
Assembly Bill No. 1609
Assembly Bill No. 1610
Assembly Bill No 1611
Assembly Bill No 1612
Assembly Bill No 1613
Assembly Bill No. 1614
Assembly Bill No 1615
Assembly Bill No. 1617
Assembly Bill No. 1618
Assembly Bill No. 1619

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSLMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 1620
Assembly Bill No. 1621
Assembly Bill No 1622
Assembly Bill No. 1623
Assembly Bill No. 1624
Assembly Bill No. 1625
Assembly Bill No. 1675
Assembly Bill No. 1701
Assembly Bill No 1738
Assembly Bill No 1757
Assembly Bill No. 1758
Assembly Bill No 1786
Assembly Bill No. 1809
Assembly Bill No 1824
Assembly Bill No. 1825
Assembly Bill No. 1853

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 1876
Assembly Bill No. 1924
Assembly Bill No. 1940
Assembly Bill No. 1961
Assembly Bill No 2005
Assembly Bill No. 2006
Assembly Bill No. 2178
Assembly Bill No 2201
Assembly Bill No. 2202
Assembly Bill No. 2203
Assembly Bill No. 2281
Assembly Bill No. 2294
Assembly Bill No. 2342
Assembly Bill No. 2363
Assembly Bill No. 2364
Assembly Bill No. 2365
Assembly Bill No. 2408

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No 2413
Assembly Bill No. 2463
Assembly Bill No 2503
Assembly Bill No. 2600
Assembly Bill No 2611
Assembly Bill No. 2627
Assembly Bill No. 2628
Assembly Bill No. 2637
Assembly Bill No. 2665
Assembly Bill No. 2737
Assembly Bill No. 2749
Assembly Bill No. 2752
Assembly Bill No. 2753
Assembly Bill No. 2760
Assembly Bill No. 2761
Assembly Bill No 2792
Assembly Bill No. 2860

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Assembly Bill No. 2918
Assembly Bill No. 3015
Assembly Bill No. 3065
Assembly Bill No. 3066
Assembly Bill No. 3073
Assembly Bill No. 3081
Assembly Bill No. 3100
Assembly Bill No. 3123

Respectfully reports the same back without further action.

GEDDES, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which was referred:

Assembly Bill No. 3176

Respectfully reports the same back without further action.

GEDDES, Chairman

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 43
Assembly Bill No. 148
Assembly Bill No. 208
Assembly Bill No. 211
Assembly Bill No. 274
Assembly Bill No. 275
Assembly Bill No. 319
Assembly Bill No. 320
Assembly Bill No. 505
Assembly Bill No. 559
Assembly Bill No. 867
Assembly Bill No. 878
Assembly Bill No. 880
Assembly Bill No. 889
Assembly Bill No. 936
Assembly Bill No. 940
Assembly Bill No 969
Assembly Bill No. 982
Assembly Bill No. 1002
Assembly Bill No. 1106
Assembly Bill No 1108
Assembly Bill No 1133
Assembly Bill No. 1134
Assembly Bill No. 1135
Assembly Bill No 1137
Assembly Bill No. 1140
Assembly Bill No. 1141
Assembly Bill No. 1142
Assembly Bill No. 1143
Assembly Bill No. 1144
Assembly Bill No. 1145
Assembly Bill No. 1146
Assembly Bill No. 1147
Assembly Bill No. 1148

Respectfully reports the same back without further action.

ERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1149
Assembly Bill No. 1150
Assembly Bill No. 1151
Assembly Bill No. 1152
Assembly Bill No. 1153
Assembly Bill No 1154
Assembly Bill No. 1155
Assembly Bill No 1156
Assembly Bill No. 1179
Assembly Bill No. 1223
Assembly Bill No 1224
Assembly Bill No. 1225
Assembly Bill No. 1226
Assembly Bill No 1267
Assembly Bill No 1277
Assembly Bill No. 1281
Assembly Bill No. 1297
Assembly Bill No. 1298
Assembly Bill No. 1299
Assembly Bill No. 1300
Assembly Bill No. 1302
Assembly Bill No. 1327
Assembly Bill No. 1328
Assembly Bill No. 1329
Assembly Bill No. 1330
Assembly Bill No. 1331
Assembly Bill No 1332
Assembly Bill No. 1342
Assembly Bill No 1409
Assembly Bill No 1410
Assembly Bill No. 1489
Assembly Bill No. 1563
Assembly Bill No. 1571
Assembly Bill No. 1663

Respectfully reports the same back without further action.

ERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 1694
Assembly Bill No. 1695
Assembly Bill No. 1708
Assembly Bill No. 1710
Assembly Bill No. 1724
Assembly Bill No. 1725
Assembly Bill No. 1776
Assembly Bill No. 1782
Assembly Bill No. 1800
Assembly Bill No. 1812
Assembly Bill No 1828
Assembly Bill No. 1829
Assembly Bill No. 1892
Assembly Bill No 1895
Assembly Bill No. 1951
Assembly Bill No. 1968
Assembly Bill No. 1994
Assembly Bill No. 1997
Assembly Bill No. 1998
Assembly Bill No. 1999
Assembly Bill No. 2000
Assembly Bill No. 2015
Assembly Bill No. 2021
Assembly Bill No. 2022
Assembly Bill No. 2077
Assembly Bill No. 2111
Assembly Bill No. 2199
Assembly Bill No. 2211
Assembly Bill No. 2214
Assembly Bill No. 2246
Assembly Bill No. 2403
Assembly Bill No. 2528
Assembly Bill No. 2642
Assembly Bill No 2862

Respectfully reports the same back without further action.

ERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Fish and Game, to which were referred:

Assembly Bill No. 2879
Assembly Bill No. 2880
Assembly Bill No. 2881
Assembly Bill No 2904
Assembly Bill No 2929
Assembly Bill No. 2971
Assembly Bill No. 3053
Assembly Bill No. 3054
Assembly Bill No 3108

Respectfully reports the same back without further action.

ERWIN, Chairman

Committee on Governmental Efficiency and Economy

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 108
Assembly Bill No. 167
Assembly Bill No. 204
Assembly Bill No. 233
Assembly Bill No. 235
Assembly Bill No. 255
Assembly Bill No. 273
Assembly Bill No. 317
Assembly Bill No. 334
Assembly Bill No. 340
Assembly Bill No. 343
Assembly Bill No. 374
Assembly Bill No. 435
Assembly Bill No. 452
Assembly Bill No 455
Assembly Bill No. 458
Assembly Bill No. 463
Assembly Bill No. 464
Assembly Bill No. 511
Assembly Bill No. 514
Assembly Bill No. 537
Assembly Bill No. 560
Assembly Bill No. 574
Assembly Bill No. 663
Assembly Bill No. 682
Assembly Bill No 694
Assembly Bill No. 706
Assembly Bill No. 739
Assembly Bill No. 774
Assembly Bill No. 818
Assembly Bill No. 866
Assembly Bill No. 899
Assembly Bill No. 900
Assembly Bill No. 915

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 922
Assembly Bill No. 953
Assembly Bill No. 968
Assembly Bill No. 984
Assembly Bill No. 1053
Assembly Bill No. 1054
Assembly Bill No. 1066
Assembly Bill No. 1069
Assembly Bill No. 1070
Assembly Bill No. 1072
Assembly Bill No. 1105
Assembly Bill No. 1125
Assembly Bill No. 1128
Assembly Bill No. 1181
Assembly Bill No. 1187
Assembly Bill No. 1188
Assembly Bill No. 1189
Assembly Bill No. 1191
Assembly Bill No. 1233
Assembly Bill No. 1257
Assembly Bill No. 1260
Assembly Bill No. 1283
Assembly Bill No. 1286
Assembly Bill No. 1301
Assembly Bill No. 1337
Assembly Bill No. 1347
Assembly Bill No. 1361
Assembly Bill No. 1377
Assembly Bill No. 1405
Assembly Bill No. 1406
Assembly Bill No. 1425
Assembly Bill No. 1429
Assembly Bill No. 1430
Assembly Bill No. 1453

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 1457
Assembly Bill No. 1458
Assembly Bill No. 1459
Assembly Bill No. 1464
Assembly Bill No. 1478
Assembly Bill No. 1507
Assembly Bill No. 1525
Assembly Bill No. 1535
Assembly Bill No. 1540
Assembly Bill No. 1632
Assembly Bill No. 1638
Assembly Bill No. 1703
Assembly Bill No. 1716
Assembly Bill No. 1739
Assembly Bill No. 1762
Assembly Bill No. 1783
Assembly Bill No. 1787
Assembly Bill No. 1792
Assembly Bill No. 1797
Assembly Bill No. 1798
Assembly Bill No. 1842
Assembly Bill No. 1843
Assembly Bill No. 1878
Assembly Bill No. 1927
Assembly Bill No. 1896
Assembly Bill No. 1929
Assembly Bill No. 1963
Assembly Bill No. 1964
Assembly Bill No. 1977
Assembly Bill No. 1993
Assembly Bill No. 2012
Assembly Bill No. 2023
Assembly Bill No. 2032
Assembly Bill No. 2039

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2091
Assembly Bill No. 2095
Assembly Bill No. 2105
Assembly Bill No. 2132
Assembly Bill No. 2134
Assembly Bill No. 2137
Assembly Bill No. 2160
Assembly Bill No. 2206
Assembly Bill No. 2231
Assembly Bill No. 2232
Assembly Bill No. 2313
Assembly Bill No. 2315
Assembly Bill No. 2337
Assembly Bill No. 2338
Assembly Bill No. 2360
Assembly Bill No. 2368
Assembly Bill No. 2390
Assembly Bill No. 2453
Assembly Bill No. 2454
Assembly Bill No. 2460
Assembly Bill No. 2498
Assembly Bill No. 2500
Assembly Bill No. 2511
Assembly Bill No. 2521
Assembly Bill No. 2522
Assembly Bill No. 2527
Assembly Bill No. 2543
Assembly Bill No. 2544
Assembly Bill No. 2621
Assembly Bill No. 2625
Assembly Bill No. 2630
Assembly Bill No. 2634
Assembly Bill No. 2635

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2638
Assembly Bill No. 2649
Assembly Bill No. 2669
Assembly Bill No. 2670
Assembly Bill No. 2678
Assembly Bill No. 2688
Assembly Bill No. 2719
Assembly Bill No. 2720
Assembly Bill No. 2721
Assembly Bill No. 2726
Assembly Bill No. 2735
Assembly Bill No. 2745
Assembly Bill No. 2796
Assembly Bill No. 2797
Assembly Bill No. 2809
Assembly Bill No. 2810
Assembly Bill No. 2811
Assembly Bill No. 2812
Assembly Bill No. 2813
Assembly Bill No. 2814
Assembly Bill No. 2815
Assembly Bill No. 2816
Assembly Bill No. 2817
Assembly Bill No. 2818
Assembly Bill No. 2819
Assembly Bill No. 2820
Assembly Bill No. 2821
Assembly Bill No. 2822
Assembly Bill No. 2844
Assembly Bill No. 2845
Assembly Bill No. 2853
Assembly Bill No. 2868
Assembly Bill No. 2876
Assembly Bill No. 2877

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 2878
Assembly Bill No. 2882
Assembly Bill No. 2911
Assembly Bill No. 2927
Assembly Bill No. 2932
Assembly Bill No. 2933
Assembly Bill No. 2935
Assembly Bill No. 2939
Assembly Bill No. 2940
Assembly Bill No. 2962
Assembly Bill No. 2996
Assembly Bill No. 2998
Assembly Bill No. 3005
Assembly Bill No. 3006
Assembly Bill No. 3007
Assembly Bill No. 3012
Assembly Bill No. 3013
Assembly Bill No. 3017
Assembly Bill No. 3020
Assembly Bill No. 3027
Assembly Bill No. 3031
Assembly Bill No. 3033
Assembly Bill No. 3046
Assembly Bill No. 3050
Assembly Bill No. 3052
Assembly Bill No. 3057
Assembly Bill No. 3061
Assembly Bill No. 3079
Assembly Bill No. 3082
Assembly Bill No. 3109
Assembly Bill No. 3118
Assembly Bill No. 3131
Assembly Bill No. 3134

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Assembly Bill No. 3150
Assembly Bill No. 3175
Assembly Bill No. 3179

Respectfully reports the same back without further action.

STEWART, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Governmental Efficiency and Economy, to which were referred:

Senate Bill No. 218
Senate Bill No. 1377
Senate Bill No. 1563
Senate Bill No. 1656

Respectfully reports the same back without further action.

STEWART, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No. 99
Assembly Bill No. 127
Assembly Bill No 186
Assembly Bill No 264
Assembly Bill No 307
Assembly Bill No. 310
Assembly Bill No. 311
Assembly Bill No. 382
Assembly Bill No 393
Assembly Bill No 483
Assembly Bill No 902
Assembly Bill No 950
Assembly Bill No 995
Assembly Bill No 1062
Assembly Bill No 1343
Assembly Bill No 1359
Assembly Bill No 1370
Assembly Bill No 1496
Assembly Bill No. 1616
Assembly Bill No. 2149
Assembly Bill No. 2189
Assembly Bill No 2328
Assembly Bill No 2341
Assembly Bill No 2375
Assembly Bill No. 2434
Assembly Bill No 2435
Assembly Bill No. 2436
Assembly Bill No. 2623
Assembly Bill No. 2648
Assembly Bill No 2673
Assembly Bill No. 2831
Assembly Bill No 2832
Assembly Bill No 2870
Assembly Bill No. 2871

Respectfully reports the same back without further action

FLETCHER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Industrial Relations, to which was referred:

Assembly Bill No. 324

Respectfully reports the same back without further action.

FLETCHER, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Assembly Bill No 2907
Assembly Bill No 2908
Assembly Bill No 2985
Assembly Bill No 3063

Respectfully reports the same back without further action.

FLETCHER, Chairman

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 73
Assembly Bill No. 79
Assembly Bill No. 80
Assembly Bill No. 103
Assembly Bill No 104
Assembly Bill No. 105
Assembly Bill No. 109
Assembly Bill No. 119
Assembly Bill No. 120
Assembly Bill No. 131
Assembly Bill No. 132
Assembly Bill No. 133
Assembly Bill No 140
Assembly Bill No. 141
Assembly Bill No 168
Assembly Bill No. 184
Assembly Bill No. 189
Assembly Bill No 290
Assembly Bill No. 293
Assembly Bill No. 318
Assembly Bill No. 201
Assembly Bill No. 206
Assembly Bill No. 210
Assembly Bill No. 216
Assembly Bill No. 224
Assembly Bill No. 227
Assembly Bill No. 245
Assembly Bill No. 246
Assembly Bill No. 276
Assembly Bill No 277
Assembly Bill No. 278
Assembly Bill No. 280
Assembly Bill No. 284
Assembly Bill No. 285
Assembly Bill No. 287
Assembly Bill No. 288
Assembly Bill No. 289
Assembly Bill No. 356

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No 403
Assembly Bill No. 405
Assembly Bill No. 418
Assembly Bill No. 436
Assembly Bill No 439
Assembly Bill No. 440
Assembly Bill No. 468
Assembly Bill No. 484
Assembly Bill No 485
Assembly Bill No. 489
Assembly Bill No. 504
Assembly Bill No. 512
Assembly Bill No. 515
Assembly Bill No. 529
Assembly Bill No 544
Assembly Bill No. 552
Assembly Bill No 562
Assembly Bill No. 751
Assembly Bill No. 752
Assembly Bill No. 753
Assembly Bill No 565
Assembly Bill No 591
Assembly Bill No. 609
Assembly Bill No. 613
Assembly Bill No 614
Assembly Bill No. 617
Assembly Bill No. 637
Assembly Bill No 639
Assembly Bill No. 698
Assembly Bill No. 700
Assembly Bill No 722
Assembly Bill No. 729
Assembly Bill No 731
Assembly Bill No 733
Assembly Bill No 742
Assembly Bill No. 743
Assembly Bill No. 746
Assembly Bill No 754
Assembly Bill No 755
Assembly Bill No 756

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Judiciary, to which were referred:

Assembly Bill No. 769
Assembly Bill No. 780
Assembly Bill No. 812
Assembly Bill No. 821
Assembly Bill No. 839
Assembly Bill No. 854
Assembly Bill No. 864
Assembly Bill No. 870
Assembly Bill No. 909
Assembly Bill No. 913
Assembly Bill No. 914
Assembly Bill No. 951
Assembly Bill No. 960
Assembly Bill No. 961
Assembly Bill No. 962
Assembly Bill No. 985
Assembly Bill No. 988
Assembly Bill No. 1185
Assembly Bill No. 1186
Assembly Bill No. 1211
Assembly Bill No. 989
Assembly Bill No. 1013
Assembly Bill No. 1014
Assembly Bill No 1041
Assembly Bill No. 1042
Assembly Bill No. 1043
Assembly Bill No. 1044
Assembly Bill No. 1047
Assembly Bill No 1048
Assembly Bill No 1050
Assembly Bill No. 1051
Assembly Bill No 1052
Assembly Bill No. 1058
Assembly Bill No. 1074
Assembly Bill No 1079
Assembly Bill No. 1121
Assembly Bill No. 1184
Assembly Bill No 1228
Assembly Bill No. 1235
Assembly Bill No. 1239

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1250
Assembly Bill No. 1252
Assembly Bill No 1259
Assembly Bill No. 1261
Assembly Bill No. 1262
Assembly Bill No. 1279
Assembly Bill No 1310
Assembly Bill No 1367
Assembly Bill No. 1368
Assembly Bill No 1373
Assembly Bill No. 1374
Assembly Bill No. 1375
Assembly Bill No. 1387
Assembly Bill No. 1388
Assembly Bill No. 1389
Assembly Bill No. 1390
Assembly Bill No. 1433
Assembly Bill No 1690
Assembly Bill No. 1691
Assembly Bill No. 1702
Assembly Bill No. 1434
Assembly Bill No. 1446
Assembly Bill No. 1471
Assembly Bill No. 1473
Assembly Bill No. 1513
Assembly Bill No 1515
Assembly Bill No. 1516
Assembly Bill No. 1518
Assembly Bill No. 1532
Assembly Bill No. 1570
Assembly Bill No. 1573
Assembly Bill No. 1602
Assembly Bill No. 1645
Assembly Bill No. 1656
Assembly Bill No. 1658
Assembly Bill No 1677
Assembly Bill No 1688
Assembly Bill No. 1704
Assembly Bill No. 1714
Assembly Bill No. 1715

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 1726
Assembly Bill No. 1727
Assembly Bill No. 1728
Assembly Bill No. 1756
Assembly Bill No. 1795
Assembly Bill No. 1796
Assembly Bill No. 1810
Assembly Bill No 1811
Assembly Bill No. 1928
Assembly Bill No. 1930
Assembly Bill No. 1956
Assembly Bill No. 1957
Assembly Bill No. 1980
Assembly Bill No. 1981
Assembly Bill No 2010
Assembly Bill No 2013
Assembly Bill No 2014
Assembly Bill No 2208
Assembly Bill No 2220
Assembly Bill No. 2222
Assembly Bill No. 2100
Assembly Bill No. 2114
Assembly Bill No. 2115
Assembly Bill No 2116
Assembly Bill No. 2117
Assembly Bill No. 2119
Assembly Bill No. 2125
Assembly Bill No 2126
Assembly Bill No 2135
Assembly Bill No 2140
Assembly Bill No. 2158
Assembly Bill No. 2168
Assembly Bill No 2179
Assembly Bill No 2180
Assembly Bill No 2181
Assembly Bill No. 2194
Assembly Bill No. 2205
Assembly Bill No 2223
Assembly Bill No. 2224
Assembly Bill No. 2228

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2230
Assembly Bill No 2236
Assembly Bill No. 2237
Assembly Bill No. 2267
Assembly Bill No 2277
Assembly Bill No. 2278
Assembly Bill No 2286
Assembly Bill No. 2290
Assembly Bill No. 2314
Assembly Bill No 2325
Assembly Bill No 2330
Assembly Bill No. 2354
Assembly Bill No. 2356
Assembly Bill No. 2377
Assembly Bill No 2379
Assembly Bill No. 2380
Assembly Bill No. 2382
Assembly Bill No. 2485
Assembly Bill No 2507
Assembly Bill No. 2512
Assembly Bill No. 2386
Assembly Bill No. 2394
Assembly Bill No. 2395
Assembly Bill No. 2406
Assembly Bill No 2415
Assembly Bill No. 2416
Assembly Bill No 2418
Assembly Bill No 2419
Assembly Bill No 2429
Assembly Bill No 2430
Assembly Bill No 2433
Assembly Bill No. 2451
Assembly Bill No. 2457
Assembly Bill No 2462
Assembly Bill No 2482
Assembly Bill No 2483
Assembly Bill No. 2484
Assembly Bill No. 2545
Assembly Bill No. 2554
Assembly Bill No 2557

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Assembly Bill No. 2560
Assembly Bill No. 2569
Assembly Bill No. 2573
Assembly Bill No. 2580
Assembly Bill No. 2581
Assembly Bill No 2584
Assembly Bill No 2585
Assembly Bill No 2586
Assembly Bill No 2590
Assembly Bill No. 2597
Assembly Bill No 2598
Assembly Bill No 2654
Assembly Bill No. 2655
Assembly Bill No 2656
Assembly Bill No. 2657
Assembly Bill No. 2668
Assembly Bill No. 2676
Assembly Bill No. 2842
Assembly Bill No. 2848
Assembly Bill No. 2853
Assembly Bill No. 2691
Assembly Bill No. 2693
Assembly Bill No 2694
Assembly Bill No 2725
Assembly Bill No. 2727
Assembly Bill No. 2748
Assembly Bill No. 2768
Assembly Bill No 2784
Assembly Bill No 2785
Assembly Bill No. 2788
Assembly Bill No. 2793
Assembly Bill No. 2794
Assembly Bill No. 2795
Assembly Bill No. 2801
Assembly Bill No 2805
Assembly Bill No. 2837
Assembly Bill No. 2838
Assembly Bill No 2861
Assembly Bill No 2863
Assembly Bill No. 2864

Respectfully reports the same back without further action.

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Judiciary, to which were referred

Assembly Bill No 2865
Assembly Bill No. 2888
Assembly Bill No. 2892
Assembly Bill No 2906
Assembly Bill No 2912
Assembly Bill No 2915
Assembly Bill No. 2924
Assembly Bill No 2938
Assembly Bill No 2942
Assembly Bill No. 2943
Assembly Bill No 2946
Assembly Bill No. 2950
Assembly Bill No. 2951
Assembly Bill No 2952
Assembly Bill No 2953
Assembly Bill No 2954
Assembly Bill No 2955
Assembly Bill No 3034
Assembly Bill No 3056
Assembly Bill No 3067
Assembly Bill No 2956
Assembly Bill No 2957
Assembly Bill No 2958
Assembly Bill No 2959
Assembly Bill No 2965
Assembly Bill No. 2966
Assembly Bill No 2967
Assembly Bill No 2978
Assembly Bill No. 2983
Assembly Bill No. 2987
Assembly Bill No 2988
Assembly Bill No 2989
Assembly Bill No. 2991
Assembly Bill No 2997
Assembly Bill No 2999
Assembly Bill No 3011
Assembly Bill No 3025
Assembly Bill No. 3068
Assembly Bill No. 3080
Assembly Bill No 3083

Respectfully reports the same back without further action

BROWN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER Your Committee on Judiciary, to which were referred:

Assembly Bill No 3092
Assembly Bill No 3121
Assembly Bill No 3135
Assembly Bill No. 3143
Assembly Bill No. 3167
Assembly Bill No 3169

Respectfully reports the same back without further action.

BROWN, Chairman

Committee on Livestock and Dairies

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which were referred:

Assembly Bill No. 51
Assembly Bill No 53
Assembly Bill No. 114
Assembly Bill No. 348
Assembly Bill No 354
Assembly Bill No. 779
Assembly Bill No 865
Assembly Bill No. 887
Assembly Bill No. 1341
Assembly Bill No 1479
Assembly Bill No 1480
Assembly Bill No. 1696
Assembly Bill No. 1919
Assembly Bill No 2092
Assembly Bill No 2332
Assembly Bill No 2333
Assembly Bill No 2334
Assembly Bill No 2400
Assembly Bill No 3090

Respectfully reports the same back without further action.

SILLIMAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Livestock and Dairies, to which was referred: Senate Bill No. 1647

Respectfully reports the same back without further action

SILLIMAN, Chairman

Above reported bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

Committee on Manufacturing, Oil, and Mining Industry

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which were referred:

Assembly Bill No 102
Assembly Bill No 1030
Assembly Bill No. 1966
Assembly Bill No. 2393
Assembly Bill No. 2718
Assembly Bill No. 2913
Assembly Bill No. 2934
Assembly Bill No. 3042
Assembly Bill No. 3047

Respectfully reports the same back without further action.

MORRIS, Vice Chairman

Committee on Military Affairs

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Military Affairs, to which were referred:

Assembly Bill No. 31
Assembly Bill No. 66
Assembly Bill No. 151
Assembly Bill No. 220
Assembly Bill No 221
Assembly Bill No. 500
Assembly Bill No. 501
Assembly Bill No. 502
Assembly Bill No. 508
Assembly Bill No. 510
Assembly Bill No 517
Assembly Bill No 524
Assembly Bill No. 692
Assembly Bill No. 1204
Assembly Bill No 1206
Assembly Bill No. 1288
Assembly Bill No. 1587
Assembly Bill No 1669
Assembly Bill No 2094
Assembly Bill No 2234
Assembly Bill No. 2292
Assembly Bill No. 2409
Assembly Bill No 2410
Assembly Bill No. 2411
Assembly Bill No 2520
Assembly Bill No 2550
Assembly Bill No 2732
Assembly Bill No. 2828
Assembly Bill No. 2893
Assembly Bill No 2928
Assembly Bill No. 3009
Assembly Bill No. 3039
Assembly Bill No. 3105

Respectfully reports the same back without further action

McCOLLISTER, Chairman

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred

Assembly Bill No 97
Assembly Bill No. 192
Assembly Bill No 199
Assembly Bill No. 222
Assembly Bill No 262
Assembly Bill No. 322
Assembly Bill No 363
Assembly Bill No. 364
Assembly Bill No 402
Assembly Bill No. 475
Assembly Bill No 497
Assembly Bill No 583
Assembly Bill No 584
Assembly Bill No. 585
Assembly Bill No. 586
Assembly Bill No. 587
Assembly Bill No. 641
Assembly Bill No. 710
Assembly Bill No 711
Assembly Bill No. 712
Assembly Bill No 714
Assembly Bill No 732
Assembly Bill No. 737
Assembly Bill No. 757
Assembly Bill No 758
Assembly Bill No 760
Assembly Bill No. 761
Assembly Bill No. 762
Assembly Bill No. 763
Assembly Bill No. 783
Assembly Bill No. 799
Assembly Bill No. 800
Assembly Bill No 811
Assembly Bill No 841
Assembly Bill No. 857

Respectfully reports the same back without further action.

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 862
Assembly Bill No 888
Assembly Bill No. 964
Assembly Bill No 1019
Assembly Bill No. 1020
Assembly Bill No. 1064
Assembly Bill No 1065
Assembly Bill No 1067
Assembly Bill No 1080
Assembly Bill No. 1157
Assembly Bill No. 1169
Assembly Bill No 1237
Assembly Bill No 1248
Assembly Bill No 1251
Assembly Bill No. 1271
Assembly Bill No. 1326
Assembly Bill No. 1339
Assembly Bill No. 1404
Assembly Bill No 1427
Assembly Bill No. 1428
Assembly Bill No 1498
Assembly Bill No 1531
Assembly Bill No. 1533
Assembly Bill No 1544
Assembly Bill No. 1545
Assembly Bill No 1644
Assembly Bill No. 1699
Assembly Bill No 1700
Assembly Bill No 1740
Assembly Bill No. 1773
Assembly Bill No. 1880
Assembly Bill No 1881
Assembly Bill No. 1882
Assembly Bill No. 1883
Assembly Bill No. 1884

Respectfully reports the same back without further action

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 1885
Assembly Bill No 1886
Assembly Bill No. 1887
Assembly Bill No 1939
Assembly Bill No. 1946
Assembly Bill No 1949
Assembly Bill No. 2009
Assembly Bill No 2086
Assembly Bill No. 2118
Assembly Bill No 2145
Assembly Bill No 2187
Assembly Bill No 2174
Assembly Bill No. 2198
Assembly Bill No. 2209
Assembly Bill No 2233
Assembly Bill No. 2243
Assembly Bill No 2270
Assembly Bill No. 2283
Assembly Bill No 2284
Assembly Bill No 2357
Assembly Bill No 2373
Assembly Bill No. 2376
Assembly Bill No 2378
Assembly Bill No 2449
Assembly Bill No. 2474
Assembly Bill No 2524
Assembly Bill No. 2525
Assembly Bill No. 2663
Assembly Bill No. 2667
Assembly Bill No 2680
Assembly Bill No 2681
Assembly Bill No 2686
Assembly Bill No 2687
Assembly Bill No 2696

Respectfully reports the same back without further action

STANLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Assembly Bill No. 2743
Assembly Bill No. 2774
Assembly Bill No. 2782
Assembly Bill No 2823
Assembly Bill No. 2910
Assembly Bill No 3064
Assembly Bill No. 3077
Assembly Bill No. 3088
Assembly Bill No 3091
Assembly Bill No 3127

Respectfully reports the same back without further action.

STANLEY, Chairman

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER Your Committee on Public Health, to which were referred:

Assembly Bill No. 229
Assembly Bill No 333
Assembly Bill No 391
Assembly Bill No. 474
Assembly Bill No. 481
Assembly Bill No. 523
Assembly Bill No 528
Assembly Bill No. 530
Assembly Bill No. 539
Assembly Bill No. 551
Assembly Bill No. 555
Assembly Bill No. 561
Assembly Bill No. 794
Assembly Bill No. 795
Assembly Bill No 819
Assembly Bill No. 863
Assembly Bill No 944
Assembly Bill No. 955
Assembly Bill No 957
Assembly Bill No. 1004
Assembly Bill No 1009
Assembly Bill No 1059
Assembly Bill No. 1092
Assembly Bill No 1094
Assembly Bill No. 1110
Assembly Bill No 1212
Assembly Bill No. 1213
Assembly Bill No 1215
Assembly Bill No 1216
Assembly Bill No. 1217
Assembly Bill No 1218
Assembly Bill No 1219
Assembly Bill No. 1242
Assembly Bill No 1244

Respectfully reports the same back without further action

THOMPSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No 1245
Assembly Bill No. 1246
Assembly Bill No 1247
Assembly Bill No. 1256
Assembly Bill No. 1316
Assembly Bill No. 1397
Assembly Bill No. 1426
Assembly Bill No 1499
Assembly Bill No. 1500
Assembly Bill No 1526
Assembly Bill No 1542
Assembly Bill No 1553
Assembly Bill No 1554
Assembly Bill No. 1580
Assembly Bill No 1586
Assembly Bill No. 1588
Assembly Bill No 1648
Assembly Bill No 1680
Assembly Bill No. 1686
Assembly Bill No 1697
Assembly Bill No 1806
Assembly Bill No. 1808
Assembly Bill No. 1831
Assembly Bill No. 1965
Assembly Bill No 1983
Assembly Bill No 1984
Assembly Bill No 1985
Assembly Bill No. 1986
Assembly Bill No 1987
Assembly Bill No. 1989
Assembly Bill No. 1990
Assembly Bill No. 2069
Assembly Bill No 2070
Assembly Bill No 2071
Assembly Bill No. 2072

Respectfully reports the same back without further action.

THOMPSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Public Health, to which was referred:

Assembly Bill No 2469

Respectfully reports the same back without further action

THOMPSON, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Assembly Bill No 2074
Assembly Bill No. 2085
Assembly Bill No 2097
Assembly Bill No 2098
Assembly Bill No 2172
Assembly Bill No. 2173
Assembly Bill No 2239
Assembly Bill No 2242
Assembly Bill No 2257
Assembly Bill No. 2282
Assembly Bill No 2287
Assembly Bill No 2289
Assembly Bill No. 2396
Assembly Bill No. 2420
Assembly Bill No 2497
Assembly Bill No 2513
Assembly Bill No 2514
Assembly Bill No. 2515
Assembly Bill No 2516
Assembly Bill No. 2518
Assembly Bill No 2532
Assembly Bill No. 2533
Assembly Bill No. 2535
Assembly Bill No 2542
Assembly Bill No. 2672
Assembly Bill No 2690
Assembly Bill No 2734
Assembly Bill No 2763
Assembly Bill No 2772
Assembly Bill No 2781
Assembly Bill No. 2789
Assembly Bill No 2798
Assembly Bill No 2803
Assembly Bill No. 2834
Assembly Bill No 2886
Assembly Bill No. 2895
Assembly Bill No. 2994
Assembly Bill No 2995
Assembly Bill No 3026
Assembly Bill No. 3069

Respectfully reports the same back without further action.

THOMPSON, Chairman

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 38
Assembly Bill No. 49
Assembly Bill No. 336
Assembly Bill No 337
Assembly Bill No. 519
Assembly Bill No. 595
Assembly Bill No. 655
Assembly Bill No. 813
Assembly Bill No 815
Assembly Bill No 823
Assembly Bill No. 833
Assembly Bill No. 837
Assembly Bill No. 855
Assembly Bill No 1005
Assembly Bill No. 1008
Assembly Bill No. 1083
Assembly Bill No. 1182
Assembly Bill No 1265
Assembly Bill No. 1313
Assembly Bill No. 1422
Assembly Bill No. 1490
Assembly Bill No. 1693
Assembly Bill No 1698
Assembly Bill No. 1737
Assembly Bill No 1741
Assembly Bill No. 1970
Assembly Bill No. 2113
Assembly Bill No 2300
Assembly Bill No 2301
Assembly Bill No. 2381
Assembly Bill No. 2391
Assembly Bill No. 2392
Assembly Bill No. 2404
Assembly Bill No. 2405

Respectfully reports the same back without further action

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Morals, to which were referred:

Assembly Bill No. 2445
Assembly Bill No 2446
Assembly Bill No. 2456
Assembly Bill No. 2458
Assembly Bill No. 2475
Assembly Bill No 2476
Assembly Bill No 2477
Assembly Bill No 2478
Assembly Bill No. 2479
Assembly Bill No. 2489
Assembly Bill No 2519
Assembly Bill No. 2526
Assembly Bill No 2539
Assembly Bill No 2593
Assembly Bill No 2601
Assembly Bill No. 2633
Assembly Bill No 2643
Assembly Bill No. 2661
Assembly Bill No 2730
Assembly Bill No 2733
Assembly Bill No 2777
Assembly Bill No 2856
Assembly Bill No 2891
Assembly Bill No 2914
Assembly Bill No. 2916
Assembly Bill No. 2919
Assembly Bill No 2920
Assembly Bill No. 2921
Assembly Bill No 2922
Assembly Bill No. 2923
Assembly Bill No 2925
Assembly Bill No 3023
Assembly Bill No. 3058
Assembly Bill No 3072

Respectfully reports the same back without further action

McMILLAN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Public Morals, to which were referred:

Assembly Bill No 3166
Assembly Bill No 3168

Respectfully reports the same back without further action.

McMILLAN, Chairman

Committee on Public Utilities and Corporations

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which were referred:

Assembly Bill No. 147
Assembly Bill No. 335
Assembly Bill No. 1229
Assembly Bill No. 1230
Assembly Bill No 1231
Assembly Bill No 1232
Assembly Bill No 1241
Assembly Bill No. 1254
Assembly Bill No. 1264
Assembly Bill No 1543
Assembly Bill No 1769
Assembly Bill No. 1770
Assembly Bill No 2359
Assembly Bill No 2067
Assembly Bill No. 2442
Assembly Bill No. 2443
Assembly Bill No 2444
Assembly Bill No 2471
Assembly Bill No. 2750
Assembly Bill No 2751
Assembly Bill No. 2756
Assembly Bill No 2757
Assembly Bill No 2824
Assembly Bill No. 3049

Respectfully reports the same back without further action.

EVANS, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Utilities and Corporations, to which was referred:

Senate Bill No. 430

Respectfully reports the same back without further action.

EVANS, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 52
Assembly Bill No. 68
Assembly Bill No. 69
Assembly Bill No. 70
Assembly Bill No. 71
Assembly Bill No. 254
Assembly Bill No. 308
Assembly Bill No. 358
Assembly Bill No. 380
Assembly Bill No. 381
Assembly Bill No. 423
Assembly Bill No. 472
Assembly Bill No. 478
Assembly Bill No. 638
Assembly Bill No. 647
Assembly Bill No. 719
Assembly Bill No 814
Assembly Bill No. 822
Assembly Bill No. 836
Assembly Bill No. 851
Assembly Bill No. 1021
Assembly Bill No. 1124
Assembly Bill No. 1126
Assembly Bill No. 1127
Assembly Bill No 1183
Assembly Bill No. 1249
Assembly Bill No 1272
Assembly Bill No. 1273
Assembly Bill No. 1362
Assembly Bill No. 1369
Assembly Bill No. 1423
Assembly Bill No 1424
Assembly Bill No. 1481
Assembly Bill No 1520

Respectfully reports the same back without further action

HOLLIBAUGH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 1521
Assembly Bill No. 1546
Assembly Bill No. 1581
Assembly Bill No. 1582
Assembly Bill No 1583
Assembly Bill No. 1637
Assembly Bill No 1763
Assembly Bill No. 1764
Assembly Bill No 1765
Assembly Bill No. 1780
Assembly Bill No. 1781
Assembly Bill No 1832
Assembly Bill No. 1833
Assembly Bill No. 1834
Assembly Bill No. 1835
Assembly Bill No. 1841
Assembly Bill No. 1875
Assembly Bill No. 1920
Assembly Bill No. 1992
Assembly Bill No 2078
Assembly Bill No. 2087
Assembly Bill No. 2188
Assembly Bill No. 2215
Assembly Bill No. 2245
Assembly Bill No. 2258
Assembly Bill No 2304
Assembly Bill No 2534
Assembly Bill No. 2537
Assembly Bill No 2538
Assembly Bill No 2652
Assembly Bill No. 2671
Assembly Bill No. 2679
Assembly Bill No. 2736
Assembly Bill No. 2754

Respectfully reports the same back without further action

HOLLIBAUGH, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Assembly Bill No. 2758
Assembly Bill No 2773
Assembly Bill No. 2799
Assembly Bill No. 2806
Assembly Bill No. 2894
Assembly Bill No 2937
Assembly Bill No. 2970
Assembly Bill No. 2974
Assembly Bill No 2979
Assembly Bill No. 3000
Assembly Bill No. 3001
Assembly Bill No. 3002
Assembly Bill No. 3008
Assembly Bill No. 3018
Assembly Bill No. 3021
Assembly Bill No. 3044
Assembly Bill No 3048
Assembly Bill No 3070
Assembly Bill No. 3071
Assembly Bill No. 3074
Assembly Bill No. 3087
Assembly Bill No. 3089
Assembly Bill No. 3133
Assembly Bill No. 3173

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Assembly Bill No. 329
Assembly Bill No. 353
Assembly Bill No 357
Assembly Bill No 1088
Assembly Bill No. 1170
Assembly Bill No. 1282
Assembly Bill No. 1719
Assembly Bill No. 1791
Assembly Bill No. 1891
Assembly Bill No. 1913
Assembly Bill No. 1915
Assembly Bill No. 1916
Assembly Bill No. 2250
Assembly Bill No. 2473
Assembly Bill No. 2494
Assembly Bill No. 2552
Assembly Bill No. 2553
Assembly Bill No. 2963

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 10
Assembly Bill No. 12
Assembly Bill No. 157
Assembly Bill No. 195
Assembly Bill No 196
Assembly Bill No. 197
Assembly Bill No. 198
Assembly Bill No 217
Assembly Bill No 218
Assembly Bill No 263
Assembly Bill No 387
Assembly Bill No. 571
Assembly Bill No 572
Assembly Bill No. 598
Assembly Bill No 615
Assembly Bill No 622
Assembly Bill No. 624
Assembly Bill No 633
Assembly Bill No 634
Assembly Bill No. 636
Assembly Bill No. 657
Assembly Bill No. 665
Assembly Bill No. 670
Assembly Bill No. 738
Assembly Bill No. 816
Assembly Bill No 838
Assembly Bill No 849
Assembly Bill No. 850
Assembly Bill No 897
Assembly Bill No 907
Assembly Bill No. 1026
Assembly Bill No. 1091
Assembly Bill No 1112
Assembly Bill No. 1115
Assembly Bill No 1118
Assembly Bill No 1129
Assembly Bill No 1165
Assembly Bill No 1166
Assembly Bill No. 1167
Assembly Bill No. 1214

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 1221
Assembly Bill No. 1285
Assembly Bill No 1335
Assembly Bill No. 1399
Assembly Bill No. 1400
Assembly Bill No. 1401
Assembly Bill No. 1414
Assembly Bill No. 1415
Assembly Bill No. 1416
Assembly Bill No. 1418
Assembly Bill No. 1419
Assembly Bill No. 1420
Assembly Bill No. 1474
Assembly Bill No. 1475
Assembly Bill No. 1476
Assembly Bill No. 1491
Assembly Bill No 1517
Assembly Bill No 1561
Assembly Bill No. 1681
Assembly Bill No 1772
Assembly Bill No 1803
Assembly Bill No. 1973
Assembly Bill No 2008
Assembly Bill No 2129
Assembly Bill No. 2153
Assembly Bill No. 2176
Assembly Bill No. 2184
Assembly Bill No 2235
Assembly Bill No 2252
Assembly Bill No 2253
Assembly Bill No. 2254
Assembly Bill No. 2271
Assembly Bill No. 2272
Assembly Bill No 2324
Assembly Bill No. 2336
Assembly Bill No. 2343
Assembly Bill No 2371
Assembly Bill No 2491
Assembly Bill No 2548
Assembly Bill No. 2549

Respectfully reports the same back without further action.

LUCKEL, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Assembly Bill No. 2613
Assembly Bill No 2614
Assembly Bill No 2640
Assembly Bill No 2641
Assembly Bill No 2658
Assembly Bill No 2659
Assembly Bill No 2660
Assembly Bill No. 2662
Assembly Bill No. 2724
Assembly Bill No 2741
Assembly Bill No 2746
Assembly Bill No. 2747
Assembly Bill No. 2759
Assembly Bill No 2769
Assembly Bill No 2771
Assembly Bill No 2808
Assembly Bill No 2825
Assembly Bill No 2826
Assembly Bill No. 2827
Assembly Bill No 2839
Assembly Bill No. 2857
Assembly Bill No 2874
Assembly Bill No 2875
Assembly Bill No. 2889
Assembly Bill No 2897
Assembly Bill No. 2941
Assembly Bill No 2960
Assembly Bill No 2972
Assembly Bill No 2973
Assembly Bill No 2981
Assembly Bill No 2986
Assembly Bill No. 2990
Assembly Bill No 3010
Assembly Bill No 3014
Assembly Bill No 3016
Assembly Bill No 3028
Assembly Bill No 3029
Assembly Bill No 3030
Assembly Bill No 3051
Assembly Bill No 3055
Assembly Bill No. 3075

Respectfully reports the same back without further action.

LUCKEL, Chairman

Committee on Civil Service and State Personnel

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Civil Service and State Personnel, to which was referred:

Senate Bill No. 336

Respectfully reports the same back without further action.

CALDECOTT, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Conservation, Planning, and Public Works

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Conservation, Planning, and Public Works, to which was referred:

Senate Bill No. 482

Respectfully reports the same back without further action.

WEBER, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Constitutional Amendments

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which was referred:

Senate Constitutional Amendment No. 32

Respectfully reports the same back without further action.

CROWLEY, Chairman

Above reported resolution ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 1
Assembly Constitutional Amendment No. 2
Assembly Constitutional Amendment No. 4
Assembly Constitutional Amendment No. 5
Assembly Constitutional Amendment No. 6
Assembly Constitutional Amendment No. 7
Assembly Constitutional Amendment No. 9
Assembly Constitutional Amendment No. 10
Assembly Constitutional Amendment No 11
Assembly Constitutional Amendment No. 13
Assembly Constitutional Amendment No. 14
Assembly Constitutional Amendment No. 15
Assembly Constitutional Amendment No. 16
Assembly Constitutional Amendment No. 17
Assembly Constitutional Amendment No. 18
Assembly Constitutional Amendment No. 19
Assembly Constitutional Amendment No 20
Assembly Constitutional Amendment No. 22
Assembly Constitutional Amendment No. 23
Assembly Constitutional Amendment No. 26
Assembly Constitutional Amendment No. 27
Assembly Constitutional Amendment No 29
Assembly Constitutional Amendment No. 30
Assembly Constitutional Amendment No 31
Assembly Constitutional Amendment No. 32
Assembly Constitutional Amendment No. 34
Assembly Constitutional Amendment No. 36
Assembly Constitutional Amendment No. 37
Assembly Constitutional Amendment No. 38
Assembly Constitutional Amendment No 39
Assembly Constitutional Amendment No. 40
Assembly Constitutional Amendment No. 41
Assembly Constitutional Amendment No 42
Assembly Constitutional Amendment No. 43
Assembly Constitutional Amendment No 45
Assembly Constitutional Amendment No. 46
Assembly Constitutional Amendment No. 47
Assembly Constitutional Amendment No. 48
Assembly Constitutional Amendment No. 50
Assembly Constitutional Amendment No 51

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Constitutional Amendments, to which were referred:

Assembly Constitutional Amendment No. 53
Assembly Constitutional Amendment No 54
Assembly Constitutional Amendment No. 55
Assembly Constitutional Amendment No. 56
Assembly Constitutional Amendment No. 57
Assembly Constitutional Amendment No. 58
Assembly Constitutional Amendment No. 59
Assembly Constitutional Amendment No. 60
Assembly Constitutional Amendment No. 61
Assembly Constitutional Amendment No. 62
Assembly Constitutional Amendment No. 63
Assembly Constitutional Amendment No. 64
Assembly Constitutional Amendment No 65
Assembly Constitutional Amendment No. 74
Assembly Constitutional Amendment No. 75
Assembly Constitutional Amendment No. 77
Assembly Constitutional Amendment No. 78
Assembly Constitutional Amendment No. 79
Assembly Constitutional Amendment No. 82
Assembly Constitutional Amendment No. 83
Assembly Constitutional Amendment No. 85

Respectfully reports the same back without further action.

CROWLEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER Your Committee on Constitutional Amendments, to which was referred:

Assembly Constitutional Amendment No. 8

Respectfully reports the same back without further action.

CROWLEY, Chairman

Committee on Education

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 130
Senate Bill No 295
Senate Bill No. 894
Senate Bill No. 1019
Senate Bill No. 1203
Senate Bill No. 1381
Senate Bill No. 1383

Respectfully reports the same back without further action.

DUNN, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Education, to which were referred:

Senate Bill No. 707
Senate Bill No. 1380

Respectfully reports the same back without further action.

DUNN, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Finance and Insurance

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Finance and Insurance, to which were referred:

Senate Bill No. 313
Senate Bill No 375
Senate Bill No. 378
Senate Bill No. 379
Senate Bill No. 386
Senate Bill No. 466
Senate Bill No. 700
Senate Bill No. 833
Senate Bill No. 901
Senate Bill No. 903
Senate Bill No. 913
Senate Bill No. 921
Senate Bill No. 1038
Senate Bill No. 1284
Senate Bill No. 1319

Respectfully reports the same back without further action.

GEDDES, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Fish and Game

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Fish and Game, to which were referred:

Senate Bill No. 323
Senate Bill No. 1638

Respectfully reports the same back without further action.

ERWIN, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Industrial Relations

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Industrial Relations, to which were referred:

Senate Bill No. 1066
Senate Bill No 516

Respectfully reports the same back without further action.

FLETCHER, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Judiciary

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Judiciary, to which were referred:

Senate Bill No. 94
Senate Bill No. 184
Senate Bill No. 244
Senate Bill No. 298
Senate Bill No. 542
Senate Bill No. 686
Senate Bill No. 793
Senate Bill No. 835
Senate Bill No 1042
Senate Bill No. 1221
Senate Bill No. 1264
Senate Bill No. 1418

Respectfully reports the same back without further action

BROWN, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Senate Bill No. 1618

Respectfully reports the same back without further action.

MORRIS, Vice Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Municipal and County Government

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Municipal and County Government, to which were referred:

Senate Bill No. 324
Senate Bill No. 1100
Senate Bill No. 680

Respectfully reports the same back without further action.

STANLEY, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Public Morals

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Morals, to which was referred:

Senate Bill No. 317

Respectfully reports the same back without further action.

McMILLAN, Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Revenue and Taxation

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Revenue and Taxation, to which were referred:

Senate Bill No. 329
Senate Bill No. 1404
Senate Bill No. 1562

Respectfully reports the same back without further action.

HOLLIBAUGH, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Social Welfare

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Social Welfare, to which were referred:

Senate Bill No. 532
Senate Bill No. 609

Respectfully reports the same back without further action.

NIEHOUSE, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Transportation and Commerce

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Transportation and Commerce, to which were referred:

Senate Bill No. 75
Senate Bill No 593

Respectfully reports the same back without further action

LUCKEL, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Ways and Means

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred.

Assembly Bill No. 2147
Assembly Bill No 2182
Assembly Bill No. 2261
Assembly Bill No. 2262
Assembly Bill No. 2263
Assembly Bill No. 2335
Assembly Bill No 2385
Assembly Bill No. 2401
Assembly Bill No. 2432
Assembly Bill No. 2437
Assembly Bill No. 2467
Assembly Bill No. 2493
Assembly Bill No 2523
Assembly Bill No. 2536
Assembly Bill No 2728
Assembly Bill No 2731
Assembly Bill No. 2786
Assembly Bill No. 2885
Assembly Bill No 2896
Assembly Bill No 3170
Assembly Bill No 3172
Assembly Bill No. 3174

Respectfully reports the same back without further action

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Ways and Means, to which were referred:

Assembly Bill No. 24
Assembly Bill No. 33
Assembly Bill No 61
Assembly Bill No. 81
Assembly Bill No. 83
Assembly Bill No. 203
Assembly Bill No 219
Assembly Bill No. 350
Assembly Bill No 370
Assembly Bill No. 415
Assembly Bill No. 550
Assembly Bill No. 582
Assembly Bill No 689
Assembly Bill No. 709
Assembly Bill No 777
Assembly Bill No 784
Assembly Bill No. 852
Assembly Bill No. 952
Assembly Bill No 954
Assembly Bill No. 1055
Assembly Bill No 1095
Assembly Bill No. 1117
Assembly Bill No 1193
Assembly Bill No 1280
Assembly Bill No 1398
Assembly Bill No 1493
Assembly Bill No 1652
Assembly Bill No 1654
Assembly Bill No 1692
Assembly Bill No 1705
Assembly Bill No 1742
Assembly Bill No 1747
Assembly Bill No 1838
Assembly Bill No 1844
Assembly Bill No. 1898
Assembly Bill No 1911
Assembly Bill No. 1922
Assembly Bill No 1931
Assembly Bill No. 1936
Assembly Bill No 1937

Respectfully reports the same back without further action

SHERWIN, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Ways and Means, to which were referred:

Senate Bill No 449
Senate Bill No. 517
Senate Bill No. 559
Senate Bill No. 702
Senate Bill No 720
Senate Bill No. 1341
Senate Bill No. 1425

Respectfully reports the same back without further action

SHERWIN, Chairman

Above reported bills ordered transmitted to the Senate

Committee on Public Health

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Public Health, to which were referred:

Senate Bill No. 956
Senate Bill No 1006
Senate Bill No 1220
Senate Bill No 1424

Respectfully reports the same back without further action

THOMPSON, Chairman

Above reported bills ordered transmitted to the Senate.

Committee on Rules

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Senate Joint Resolution No 23

Respectfully reports the same back without further action.

DICKEY, Chairman

Above reported resolution ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Bill No. 132
Senate Bill No. 280
Senate Bill No. 515

Respectfully reports the same back without further action.

DICKEY, Chairman

Above reported bills ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

Senate Constitutional Amendment No. 14

Respectfully reports the same back without further action.

DICKEY, Chairman

Above reported resolution ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER Your Committee on Rules, to which was referred:

Senate Bill No. 594

Respectfully reports the same back without further action.

DICKEY, Chairman

Above reported bill ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Senate Concurrent Resolution No. 20
Senate Concurrent Resolution No. 30
Senate Concurrent Resolution No. 47
Senate Concurrent Resolution No 64

Respectfully reports the same back without further action.

DICKEY, Chairman

Above reported resolutions ordered transmitted to the Senate.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Joint Resolution No. 3
Assembly Joint Resolution No 11
Assembly Joint Resolution No 12
Assembly Joint Resolution No. 14
Assembly Joint Resolution No 21
Assembly Joint Resolution No 28
Assembly Joint Resolution No. 32

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR SPEAKER. Your Committee on Rules, to which was referred:

House Resolution No 157

Respectfully reports the same back with the recommendation: The subject matter only, be referred to the Interim Committee on Public Health, if and when created.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 260

Has had the same under consideration, and respectfully reports the same back with amendments with the recommendation: The subject matter only, be referred to the Interim Committee on Conservation, Planning, and Public Works, if and when created.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER Your Committee on Rules, to which was referred:

House Resolution No. 98

Respectfully reports the same back with the recommendation: The subject matter only, be referred to the Interim Committee on Judicial System and Judicial Process, if and when created.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No. 72

Respectfully reports the same back with the recommendation: The subject matter only, be referred to the Interim Committee on Agriculture, if and when created.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

House Resolution No 215

Respectfully reports the same back with the recommendation: The subject matter only, be referred to the Interim Committee on Transportation and Commerce, if and when created

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred.

Assembly Concurrent Resolution No. 70

Respectfully reports the same back with the recommendation: The subject matter only, be referred to the Interim Committee on Transportation and Commerce, if and when created.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred.

House Resolution No. 12
House Resolution No 14
House Resolution No 23
House Resolution No. 30
House Resolution No. 37
House Resolution No. 43
House Resolution No. 65
House Resolution No. 66
House Resolution No 74
House Resolution No. 76
House Resolution No 79
House Resolution No. 101
House Resolution No 116
House Resolution No. 124
House Resolution No. 125
House Resolution No. 126
House Resolution No 128
House Resolution No. 129
House Resolution No 134
House Resolution No. 136
House Resolution No 148
House Resolution No 151
House Resolution No 178
House Resolution No 191
House Resolution No 201
House Resolution No 213
House Resolution No 219
House Resolution No 223
House Resolution No 225
House Resolution No 229
House Resolution No 274
House Resolution No 276
House Resolution No 307
House Resolution No 172
House Resolution No 302

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Bill No. 2716
Assembly Bill No. 2717

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No 32
Assembly Concurrent Resolution No. 90

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Rules, to which were referred:

Amendments to Permanent Standing Rules of the Assembly and amendments to Standing Rules

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which was referred:

Assembly Bill No. 2217

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER. Your Committee on Rules, to which were referred:

Assembly Concurrent Resolution No 6
Assembly Concurrent Resolution No. 12
Assembly Concurrent Resolution No. 14
Assembly Concurrent Resolution No. 20
Assembly Concurrent Resolution No 30
Assembly Concurrent Resolution No. 34
Assembly Concurrent Resolution No. 39
Assembly Concurrent Resolution No. 40
Assembly Concurrent Resolution No. 41
Assembly Concurrent Resolution No. 42
Assembly Concurrent Resolution No. 44
Assembly Concurrent Resolution No. 45
Assembly Concurrent Resolution No. 49
Assembly Concurrent Resolution No. 51
Assembly Concurrent Resolution No. 59
Assembly Concurrent Resolution No. 61
Assembly Concurrent Resolution No. 64
Assembly Concurrent Resolution No 66
Assembly Concurrent Resolution No. 67
Assembly Concurrent Resolution No 82
Assembly Concurrent Resolution No. 83
Assembly Concurrent Resolution No. 84
Assembly Concurrent Resolution No. 88
Assembly Concurrent Resolution No 93
Assembly Concurrent Resolution No. 94
Assembly Concurrent Resolution No 95
Assembly Concurrent Resolution No. 96
Assembly Concurrent Resolution No. 103
Assembly Concurrent Resolution No. 104

Respectfully reports the same back without further action.

DICKEY, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Rules, to which were referred:

House Resolution No. 34
House Resolution No 35

Respectfully reports the same back with the recommendation: The subject matter only, be referred to the Interim Committee on Public Utilities, if and when created.

DICKEY, Chairman

Committee on Manufacturing, Oil, and Mining Industry

ASSEMBLY CHAMBER, SACRAMENTO, July 1, 1949

MR SPEAKER Your Committee on Manufacturing, Oil, and Mining Industry, to which was referred:

Senate Bill No. 719

Respectfully reports the same back without further action.

MORRIS, Vice Chairman

Above reported bill ordered transmitted to the Senate.

Committee on Legislative Procedure

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 47—An act to amend Section 253 of and to add Section 254.6 to the Vehicle Code, relating to student licenses and instruction permits;

Assembly Bill No. 91—An act to add Sections 801.1, 801.2, 801.3, 801.4, 801.5, 801.6, 801.7, 801.8, 801.9, 801.10, 801.11, 801.12, 801.13, 801.14, and 801.15 to the Code of Civil Procedure, relating to the determination of interests in and liens on real property and for the partition and sale thereof;

Assembly Bill No. 106—An act to add Section 1630.1 to the Labor Code, relating to employment agencies;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 153—An act to amend Sections 311, 312, 313, and 314 of the Penal Code, relating to obscenity and indecency and punishment therefor and the destruction of materials used for those purposes;

Assembly Bill No. 170—An act to amend Section 32001 of the Health and Safety Code, relating to the establishment, organization, government and powers of hospital districts;

Assembly Bill No. 365—An act adding Section 10 2 to the Political Code, relating to holidays;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 487—An act to amend Section 19a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to emergency employees in municipal courts;

Assembly Bill No. 488—An act to amend Section 7e of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925 relating to the office of secretary and jury commissioner in municipal courts in cities of the first and one-half class;

Assembly Bill No. 491—An act to amend Sections 7, 10, 11, and 11d of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to judges and attaches in municipal courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 492—An act to amend Section 7a of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to attaches in municipal courts in cities of the first and one-half class;

Assembly Bill No. 687—An act to add Sections 6348.2 and 6348 4 to the Business and Professions Code, relating to the powers and duties of boards of law library trustees;

Assembly Bill No. 721—An act to add Section 11540 1 to the Business and Professions Code, relating to the regulation of real estate subdivisions;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 727—An act to amend Section 5931 of the Elections Code, relating to absentee voting;

Assembly Bill No. 744—An act to add Section 6 7 to the Unemployment Insurance Act, relating to unemployment insurance;

Assembly Bill No. 750—An act to amend Section 412 of the Code of Civil Procedure and to repeal Section 27291 of the Government Code, relating to service of summons, abolishing certificates of residence and recordation thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 782—An act to amend Section 26301 of the Government Code, relating to public recreation areas and facilities, and to the powers of counties and the boards of supervisors in connection therewith, and authorizing the issuance and sale of revenue bonds for public improvements and the acquisition and leasing of public property for recreational purposes,

Assembly Bill No. 869—An act to amend Section 330 of the Fish and Game Code, relating to public shooting grounds;

Assembly Bill No. 971—An act to amend Section 8728 of the Education Code, relating to the payment of tuition of high school pupils residing in elementary school districts not in high school districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 987—An act to amend Section 261e of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, having a population between 600,000 and 900,000;

Assembly Bill No. 1025—An act to add Section 7f to an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to the office of traffic commissioner in municipal courts in cities of the first and one-half class;

Assembly Bill No. 1049—An act to add Section 28304 to, and amend Section 28409 of, the Corporations Code, relating to the establishment of retirement systems to provide benefits in respect to the retirement or death of members thereof, and to licensing and supervision of such retirement systems by the Commissioner of Corporations;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1082—An act to amend Section 6060 of the Business and Professions Code, relating to the practice of law;

Assembly Bill No. 1096—An act to add Section 20800 to the Education Code, relating to the payment of expenses of graduates of the California School for the Deaf attending Gallaudet College;

Assembly Bill No. 1114—An act to amend Sections 27281 and 27300 of the Streets and Highways Code and to add Sections 27174, 27281a, and 27300a thereto, relating to bridge and highway districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1172—An act to add Section 74 to the Labor Code, relating to administration of the Division of Industrial Welfare;

Assembly Bill No. 1205—An act to amend Sections 502.1, 511.5, and 516.1 of the Military and Veterans Code, relating to the California Cadet Corps;

Assembly Bill No. 1243—An act to add Article 7 to Chapter 2 of Division 20 of the Health and Safety Code, relating to air pollution control districts and the officers thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1276—An act to amend Section 432.5 of the Fish and Game Code, relating to permits;

Assembly Bill No. 1304—An act to amend Section 13661 of the Government Code, relating to the distribution of state publications;

Assembly Bill No. 1305—An act to amend Section 8202 of the Government Code and Section 1183.5 of the Civil Code, relating to eligibility to and performing the duties of the office of notary public;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 85—An act authorizing the sale, exchange, or other disposition of certain state property located in the City of Los Angeles, appropriating the proceeds thereof, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 261—An act to add Article 4 to Chapter 2 of Division 9 of the Public Resources Code, relating to soil conservation, providing for a special fund for the acquisition of soil conservation machinery and equipment and the rental thereof to soil conservation districts, making an appropriation, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 281—An act to amend Section 1033.7 of the Code of Civil Procedure, relating to judgment creditors claiming costs or disbursements;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 283—An act to amend Sections 1476 and 1505 of the Penal Code, relating to habeas corpus proceedings and bail;

Assembly Bill No. 331—An act to amend Section 957 of the Welfare and Institutions Code, relating to state reimbursement of counties for juvenile homes and camps;

Assembly Bill No. 351—An act to amend Sections 19624 and 19626 of the Business and Professions Code, relating to the Fair and Exposition Fund and providing for the appropriation and expenditure of the money in said fund;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 490—An act to amend Section 12 of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to residential qualifications of attaches of municipal courts;

Assembly Bill No. 493—An act to amend Section 7b of an act entitled "An act authorizing the establishment of municipal courts, prescribing their constitution, regulation, government, procedure and jurisdiction, and providing for the election and appointment of the judges, clerks and other attaches of such courts, their terms of office, qualification and compensation and for the selection of jurors therein," approved May 23, 1925, relating to deputy marshals and attaches in municipal courts in cities of the first and one-half class;

Assembly Bill No. 680—An act to amend Section 20894.5 of the Government Code, relating to the State Employees' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 717—An act relating to the holding of Olympic games in California, creating the California Olympic Commission, describing the powers and duties thereof, and making an appropriation therefor;

Assembly Bill No. 734—An act to amend Section 67 of the Code of Civil Procedure, relating to the number of superior court judges and providing for the appointment of one additional Superior Court Judge in and for the City and County of San Francisco, and providing for their compensation;

Assembly Bill No. 768—An act to amend Section 956 of the Welfare and Institutions Code, relating to the care of wards of the juvenile court in juvenile homes or camps, and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 861—An act to add Section 5711 to the Labor Code, relating to proof of silicosis;

Assembly Bill No. 896—An act to repeal Section 90 of the Unemployment Insurance Act and to add Section 90 to the Unemployment Insurance Act, dealing with unemployment insurance;

Assembly Bill No. 990—An act to amend Section 141 of the Education Code, relating to the salary of the Superintendent of Public Instruction;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1077—An act to amend Section 19303 of the Education Code, relating to school cafeterias;

Assembly Bill No. 1116—An act making an appropriation for the state college established in the area of Orange County and the southeastern part of Los Angeles County;

Assembly Bill No. 1130—An act making an additional appropriation to the Regents of the University of California for all or any of the following purposes: The acquisition of lands, construction, improvements and equipment for and at the University of California;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1178—An act to amend Section 28125 of the Government Code, relating to compensation for public services in counties of the twenty-fifth class;

Assembly Bill No. 1306—An act to amend Section 261a of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 900,000 population or more;

Assembly Bill No. 1307—An act to amend Section 261.5 of the Code of Civil Procedure, relating to superior court employees in counties, or cities and counties, of 2,000,000 population or more;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1309—An act to amend Section 204h of the Code of Civil Procedure, relating to the performance of commissioner's duties by judges' secretary, assistant secretary and clerks;

Assembly Bill No. 1346—An act to amend Sections 3025 and 3084 of the Welfare and Institutions Code, relating to aid to the needy blind, and making an appropriation therefor;

Assembly Bill No. 1403—An act making an appropriation to the Regents of the University of California for the purpose of conducting research work on fruit flies, declaring the urgency thereof to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1436—An act to add two sections to the Banking Code, to be numbered 274 and 275, relating to the State Banking Fund and the Revolving Fund in the State Banking Department;

Assembly Bill No. 1562—An act to amend Section 28143 of the Government Code, relating to compensation for public services in counties of the forty-third class;

Assembly Bill No. 1566—An act to add Sections 335, 348.1a, 348.1b, 348.1c, 350.2, and 353 10 to, and to amend Sections 337, 348.1, 348.6, and 349.9 of, the Agricultural Code, relating to livestock identification and hide and brand inspection, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1604—An act making an appropriation to the Youth Authority for payments under Section 957 of the Welfare and Institutions Code;

Assembly Bill No. 1606—An act to add Section 13099 4 to the Education Code, relating to classification of certificated employees in summer schools;

Assembly Bill No. 1642—An act to amend Section 31553 of the Government Code, relating to membership in County Employees' Retirement Association;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1682—An act to amend Sections 425, 438, and 439 of the Vehicle Code and Sections 3051, 3051a, and 3052 of the Civil Code, relating to liens;

Assembly Bill No. 1685—An act to amend Section 195 of the Streets and Highways Code, relating to expenditure of gas tax within cities;

Assembly Bill No. 1801—An act making an appropriation for the support of the San Francisco World Trade Center Authority and for the purposes of the authority, and providing for the return thereof;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined.

Assembly Bill No. 1845—An act to amend Sections 7140, 7142, and 7231 of, and to repeal Section 7143 of, Division 8 of the Streets and Highways Code, relating to street improvement proceedings;

Assembly Bill No. 1847—An act to amend Section 8322 of the Streets and Highways Code, relating to notices of street vacation;

Assembly Bill No. 1848—An act to amend Section 3222 of the Streets and Highways Code, relating to street opening proceedings;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1849—An act to amend Section 4141 of the Streets and Highways Code, relating to street opening proceedings;

Assembly Bill No. 1851—An act to amend Section 18071 of the Streets and Highways Code, relating to street lighting proceedings;

Assembly Bill No. 1852—An act to amend Section 5871 of the Streets and Highways Code, relating to the construction of gutters;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1879—An act to amend Sections 2160.7, 2182, and 3044.1 of, and to add Section 121.5 to, the Welfare and Institutions Code, relating to public assistance, including aid to the aged and aid to the blind, and making an appropriation;

Assembly Bill No. 2029—An act to add Sections 125, 126, 127, and 128 to the Welfare and Institutions Code, relating to the payment of allowances for old age security and security for the blind, creating the Social Welfare Disbursement Fund,

providing for the use thereof, and declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2031—An act to amend Section 428.5 of the Vehicle Code, relating to sale of certain vehicles by lienholder;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2081—An act amending Sections 32056, 32062, 32064, 32355, and 32361 of, and adding Section 32361.5 to, the Government Code, relating to county pension systems;

Assembly Bill No. 2099—An act to amend Sections 43604, 43608, 43610, 43612, and 43613 of the Government Code, relating to city bonds;

Assembly Bill No. 2167—An act to amend Section 89 of the Code of Civil Procedure, relating to jurisdiction of municipal courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2221—An act to amend Section 146.1 of the Vehicle Code, relating to the registration of vehicles;

Assembly Bill No. 2279—An act to add Sections 6405 and 6406 to the Public Resources Code, relating to the reservation of oil, gas, and mineral rights in state lands, and to the duties of the State Lands Commission with respect thereto;

Assembly Bill No. 2397—An act to add Section 25502.4 to and to amend Section 25501 of the Government Code, relating to county property, and the duties of the purchasing agent in connection therewith and in connection with the performance of services for the county;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2438—An act to amend Section 6530 of the Health and Safety Code, relating to sewer maintenance in cities;

Assembly Bill No. 2441—An act to add Sections 35 and 36 to the Construction and Employment Act, making an appropriation to be allocated to cities incorporated on or after September 19, 1947, and before the effective date of this act;

Assembly Bill No. 2486—An act to amend Sections 17301, 17351, and 17782 of the Revenue and Taxation Code, relating to deduction of farm expenses in computing personal income tax;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2589—An act to amend Section 1203 of the Penal Code and Section 11715.6 of the Health and Safety Code, relating to the granting of probation;

Assembly Bill No. 2619—An act to amend Section 5053 of, and to add Section 5472 to, the Health and Safety Code, relating to the collection of sewer revenue charges, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2636—An act to prohibit the inclusion of questions relative to race or religion in application blanks or forms;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2639—An act amending Section 1031 of the Education Code, relating to insurance;

Assembly Bill No. 2992—An act to amend Section 2902 of the Penal Code, relating to the admission into California state prisons of persons convicted of crimes and sentenced to prison by the authority of the United States or of any state or territory of the United States, and providing for the terms under which such services are to be rendered;

Assembly Bill No. 3106—An act to add Section 6368 to the Revenue and Taxation Code, relating to the exemption of watercraft used in interstate or foreign commerce or in commercial deep sea fishing operations and property and charges used and incurred in the construction or repair of such watercraft from the sales and use taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3111—An act to add Section 13805 to the Revenue and Taxation Code, relating to inheritance tax exemptions;

Assembly Bill No. 3141—An act to amend Sections 19532 and 19532.5 of the Business and Professions Code, relating to horse racing meetings;

Assembly Bill No. 3145—An act to implement the provisions of Article XXV of the State Constitution by providing for the transfer to the Director of the Department of Social Welfare of the possession and control of certain county records, books, papers, equipment, and other personal property used in connection with the administration of the aid to the aged and aid to the needy blind, and declaring the urgency thereof, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3165—An act to amend Section 580b of the Code of Civil Procedure, relating to deficiency judgments;

And reports that the same has been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1315—An act to amend Section 32121 of the Health and Safety Code, relating to the powers of local hospital districts, and authorizing the employment of legal counsel and other assistance by such districts;

Assembly Bill No. 1324—An act to amend Section 1706.9 of the Insurance Code, relating to life insurance agents;

Assembly Bill No. 1514—An act to amend Sections 5, 6, 8, 9, and 16 of the California Agricultural Products Marketing Act of 1943, relating to the marketing of agricultural products, declaring the urgency of this act to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1646—An act to amend Section 1300.16 of the Agricultural Code, relating to the marketing of agricultural products, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 1751—An act to amend the article headings of Article 1 and Article 2 of Chapter 3 of Part 1 of Division 6 of the Welfare and Institutions Code, and to amend Sections 5350, 5352, 5354, 5355, 5355.1, 5400, 5401, and 5404 of said code, relating to drug addicts, designating certain persons as narcotic drug addicts, and other persons as addicted to the intemperate use of habit forming drugs, and providing for their commitment;

Assembly Bill No. 1784—An act to amend Section 1269b of the Penal Code, relating to authority to accept bail in city courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1925—An act to amend Section 14089 of the Health and Safety Code, relating to fire protection districts;

Assembly Bill No. 1971—An act authorizing and directing the State Water Resources Board to make a study and investigation and to submit recommendations for the control of storm and flood waters in Dorchester Creek in Los Angeles County;

Assembly Bill No. 2056—An act to amend Sections 18023, 18575, 18700, 18709, 18805, and 18806, of the Government Code, and repeal Section 19366 of said code, relating to state civil service;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2061—An act to amend Section 19361 of the Government Code, relating to intradepartment transfer of civil service employees;

Assembly Bill No. 2247—An act to amend Section 2924c of the Civil Code, relating to reinstatement of deeds of trust and mortgages, and attorneys fees in connection therewith;

Assembly Bill No. 2255—An act to add Part 9 to the Vehicle Parking District Act of 1943, relating to an additional method of financing vehicle parking districts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2311—An act to add Section 1912.5 to the Harbors and Navigation Code, relating to the disposition of fines and forfeitures collected for violation of the provisions of Section 1912 of said code;

Assembly Bill No. 2316—An act to amend Sections 1990 and 2071 of the Harbors and Navigation Code, relating to powers and duties of the Board of State Harbor Commissioners for San Francisco Harbor;

Assembly Bill No. 2468—An act to amend Section 689.6 of the Code of Civil Procedure, relating to executions;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2495—An act to amend Section 129 of the Code of Civil Procedure, relating to rules of court;

Assembly Bill No. 2576—An act to amend Sections 27700, 27703, 27705, 27706, 27708 27709, and 27710, of the Government Code, to add Sections 27705.1 and 27711 thereto, and to repeal Section 27707 thereof, relating to public defenders;

Assembly Bill No. 2588—An act to amend Sections 1123 and 1140 and to repeal Section 1139 of the Penal Code, relating to discharge of jurors;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2591—An act to amend Section 1041 of the Penal Code, defining issue of fact;

Assembly Bill No. 2596—An act to amend Section 403 of the Penal Code, relating to disturbing public meetings;

Assembly Bill No. 2631—An act to amend Section 694 of the Vehicle Code, relating to the size, weight, and loading of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2695—An act to add Section 261g to the Code of Civil Procedure, relating to phonographic reporters;

Assembly Bill No. 2740—An act to add Section 32851.5 to, and to add Chapter 4 to, Part 6 of Division 12 of the Water Code, relating to county water districts, including improvement districts therein and dissolution of county water districts;

Assembly Bill No. 2852—An act to add Section 1274bbb to the Code of Civil Procedure, relating to abandoned property and escheats;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2947—An act to amend Section 28116 of the Government Code, relating to compensation for public service in counties of the sixteenth class;

Assembly Bill No. 2949—An act to amend Sections 553.5, 541, 545, and 1480 of the Probate Code, relating to substitution and discharge of surety and approval of bonds;

Assembly Bill No. 3045—An act to add Section 44.12 to the Vehicle Code, relating to emergency vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3093—An act to add Section 465.92 to the Vehicle Code, relating to street name signs at signal controlled intersections;

Assembly Bill No. 3115—An act to amend Section 57 of the Public Utilities Act, relating to fees and charges to be made and collected by the Public Utilities Commission;

Assembly Bill No. 3128—An act to amend Section 6364 of the Revenue and Taxation Code, relating to exemptions from sales and use taxes;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3139—An act to amend Sections 1.5 and 4 of the Judges' Retirement Act, relating to the retirement, with retirement allowances, of Justices of the Supreme Court and of the district courts of appeal, and of judges of the superior courts and municipal courts, in respect to computation of service and amount of allowances;

Assembly Bill No. 3147—An act to add Section 683.1 to the Civil Code, relating to the creation of joint tenancy or other ownership in contents of safe-deposit boxes;

Assembly Bill No. 3161—An act to add Chapter 5 to Division 5, Title 1 of the Government Code, relating to the termination of contracts for public work because of national emergencies which cause a stoppage of construction or work thereon, and to prescribe procedures, the adjustment and payment of compensation, and to provide a method for settlement of disputes in connection therewith;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 92—Relating to requesting the Judicial Council to study pretrial practice and procedure;

Assembly Concurrent Resolution No. 100—Relative to the acceptance of the Kellogg Ranch by the State Director of Education and the State Director of Finance on behalf of the State of California for the use of the California State Polytechnic College in accordance with Section 184 of the Education Code;

Assembly Concurrent Resolution No. 102—Relative to a survey of a Central Valley Road by the Division of Highways;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 45—Relative to the requirement by the Board of Regents of the University of California of a loyalty oath by faculty members;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p.m.

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 25—An act to add Section 544 to the Streets and Highways Code, relating to state highway routes;

Assembly Bill No. 128—An act authorizing the State Director of Finance to sell, exchange or otherwise dispose of certain state property located in the County of Sacramento, and providing for the disposition of funds received from the sale thereof;

Assembly Bill No. 194—An act to amend and renumber Section 66a of the Code of Civil Procedure as added by Chapter 415 of the 1945 Statutes of California to be Section 66a-1, relating to the number of Judges of the Superior Court in the County of San Diego, and providing for the appointment of one additional judge and for his compensation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 321—An act to add Sections 9413 and 9414 to the Government Code, relating to contempts before legislative committees;

Assembly Bill No. 332—An act to amend Sections 5501, 5502, 5511, 5512, 5514, and to repeal Section 5512.5 of and to add Section 5518 to, the Welfare and Institutions Code, and to amend and renumber Section 5502.5 thereof to be Section 5517, relating to sexual psychopaths and providing for their commitment and discharge;

Assembly Bill No. 359—An act to amend Section 24526 of the Education Code, relating to uniform fire signals in schools;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 407—An act to add Section 587.6 to the Vehicle Code, relating to fire hoses;

Assembly Bill No. 447—An act to add Chapter 10, comprising Sections 21700 to 21722, inclusive, to Division 8 of the Business and Professions Code, relating to the sale, standards and labeling of antifreeze substances and preparations for use in internal combustion engines;

Assembly Bill No. 459—An act to amend Section 5003 of the Public Resources Code, relating to powers and duties of State Park Commission;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 473—An act relating to the operation of airports and airparks, providing for procedure to abate as a nuisance;

Assembly Bill No. 520—An act to amend Section 19233 of the Streets and Highways Code, relating to highway lighting districts;

Assembly Bill No. 525—An act to amend Sections 11 and 11d of the Municipal Court Act of 1925, relating to municipal courts and the attaches of said courts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 531—An act to amend Section 18006 of the Government Code, relating to moving expenses of state officers, agents and employees;

Assembly Bill No. 534—An act to add Section 374.4 to the Vehicle Code and to add Section 10783 to the Revenue and Taxation Code, relating to exemption of automobiles given to paraplegic veterans from registration fees and vehicle license fees;

Assembly Bill No. 569—An act to amend Section 28106 of the Government Code, Section 406 of the Education Code, and Section 737qq of the Political Code, relating to compensation for public services in counties of the sixth class;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 625—An act to repeal Section 586.5 of, and to add Sections 39.7 and 586.5 to the Vehicle Code, relating to the operation of tow cars;

Assembly Bill No. 626—An act to amend Section 589 6 of, and to add Section 595 1 to, the Vehicle Code, relating to the parking or stopping of vehicles;

Assembly Bill No. 629—An act to amend Sections 700.5 and 709 of, and to add Section 604.5 to the Vehicle Code, and to amend Section 731 of the Streets and Highways Code, relating to the use of and damage to highways;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 672—An act to amend the heading of Article 2 of Chapter 16 of Division 3 of the Education Code and to amend Sections 7211, 7212, 7213, 7214, 7215, 7216, 7217, 7218, 7219, 7220, and 7222 of, and to add Section 7223 to said code, all relating to the attendance of pupils residing in California and attending school in an adjoining state;

Assembly Bill No. 797—An act to amend Sections 7324 and 7393 of the Business and Professions Code, relating to cosmetology;

Assembly Bill No. 891—An act to add Section 20975 to the Education Code, relating to the education of blind children and making an appropriation therefor;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 931—An act to add Section 13676.1 to the Education Code, relating to employees' leaves of absence;

Assembly Bill No. 942—An act to add Section 19 to the County Waterworks District Act, relating to property of county waterworks districts;

Assembly Bill No. 956—An act to amend Sections 14267, 14479, 14521, 14601, 14606, 14631, 14632, 14635, 14636, 14637, and 14640 of, to repeal Section 14608 of, and to add Article 10 1 to, Chapter 14 of Division 7 of, the Education Code, relating to the State Teachers' Retirement System;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1056—An act to repeal Sections 6, 7, 8, 14, 15, and 16, and to amend Sections 2, 5, 10, and 12 of an act entitled "An act providing for the establishment and administration of industrial farms or industrial road camps in the counties of the State and the commitment thereto and discipline of persons charged with or convicted of public offenses," approved June 3, 1921, as amended, and to add Sections 6, 7, and 8 thereto, and to amend Section 19a of the Penal Code, relating to county facilities for the detention of persons charged with or convicted of crime, the commitment of persons for placement therein, the transfer of persons thereto and therefrom, and the release of persons therefrom, and providing for the establishment of county classification committees to authorize such placements and transfers;

Assembly Bill No. 1138—An act making an appropriation for the support of child care centers, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1291—An act to amend Section 32002 of, and to add Sections 32002.1, 32002.2, 32002.3, 32004.1, 32004.3, 32004.4, 32004.5, 32004.6, 32100.5, 32100.8, and 32130 to, the Health and Safety Code, relating to hospital districts;

Assembly Bill No. 1311—An act to amend Section 1744 of the Code of Civil Procedure, relating to attaches of the conciliation court in counties of 900,000 population or more;

Assembly Bill No. 1340—An act to amend Section 8201 of the Government Code, relating to notaries public;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1365—An act making an appropriation in augmentation of the appropriation in Item 162 of the Budget Act of 1948, for support of the Department of Finance, to take effect immediately;

Assembly Bill No. 1402—An act to add Sections 153.1 and 153.2 to the Agricultural Code, relating to the prevention of the introduction of injurious agricultural pests and providing for controlling and preventing the spread of the same and making an appropriation therefor, declaring the urgency of this act, to take effect immediately;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1431—An act to create a flood control district to be called Alameda County Flood Control and Water Conservation District; to provide for the control and conservation of flood and storm waters and the protection of watercourses, watersheds, harbors, public highways, life and property from damage or destruction from such waters; to prevent the waste of water or the diminution of the water supply in, or the exportation of water from said district, and to import water into said district and to obtain, retain and reclaim drainage, storm, flood and other waters and to save and conserve all or any of such waters for beneficial use in said district; to authorize the incurring of indebtedness, the issuance and sale of bonds, and the levying and collection of taxes and assessments on property within said district and in the respective zones thereof; to provide for the government, management, and operation of said district and for the acquisition and construction of property and works to carry out the purposes of the district; to define the powers of said district and its officers, including the power to engage in recreational activities incidental to and in connection with said purposes;

Assembly Bill No. 1435—An act to add Section 3166 to the Banking Code, relating to the payment of claims to trust property or money deposited with the State Treasurer;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1472—An act to create the Franchise Tax Board, prescribing its powers, duties, jurisdictions, purposes, and functions and abolishing the Office of Franchise Tax Commissioner;

Assembly Bill No. 1492—An act providing for loans to municipalities and districts for sewerage and storm drainage facilities, prescribing the conditions under which such loans shall be made, creating the State Water Pollution Control Fund, and making an appropriation,

Assembly Bill No. 1556—An act to amend Section 2470 of the Civil Code, to add Section 2469.1 thereto, and to add Section 15035.5 to the Corporations Code, relating to notices and records of cessation of doing business under fictitious name or as partnership,

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1558—An act to amend Section 7110 of the Business and Professions Code, relating to causes for disciplinary action against contractors;

Assembly Bill No. 1666—An act to amend Sections 46 and 48 of the Fish and Game Code, relating to the disposition of fish and game fines and forfeitures, and making an appropriation;

Assembly Bill No. 1744—An act to amend Sections 18023, 18024, 18025, and 18026, and to repeal Section 18027 of the Education Code, relating to the maintenance and repair of school district property;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1850—An act to amend Sections 5181, 5241, 5242, 5254, 5258, 5369, and 6420 of the Streets and Highways Code, relating to improvement proceedings;

Assembly Bill No. 1889—An act to add Section 19259 to the Government Code, relating to state employees completing twenty-five years or more of state service;

Assembly Bill No. 1899—An act to add Section 18005.5 to the Government Code, relating to payment for overtime of state employees, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2028—An act to amend Section 108 of the Civil Code, relating to grounds for divorce;

Assembly Bill No. 2033—An act making an appropriation for research in technical problems of disposal of sewage, garbage and industrial waste, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2102—An act to amend Section 7 of, and to add Sections 7.5, 7.6, 7.7, 7.8, and 7.9 to, an act entitled "An act to provide for the acquisition of temporary and emergency housing facilities for veterans and families of servicemen by joint action of the state and local agencies, providing for the operation of such facilities, making an appropriation, and declaring the urgency thereof, to take effect immediately," approved February 15, 1946, as amended, relating to housing projects;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2124—An act to add Section 8621 to the Water Code, relating to flood control projects;

Assembly Bill No. 2146—An act to amend Section 395 of the Military and Veterans Code, relating to absence of public officers and employees on military or naval duty; compensation and salary during absence on military or naval leave; attendance at drills, camps and exercises; performance of duty during insurrection or emergency; private employees and restoration to positions,

Assembly Bill No. 2157—An act making an appropriation to the State Water Pollution Control Board for administrative expenses and providing for the allocation of any portion thereof to the several regional water pollution control boards;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2164—An act to amend Section 107 of the Welfare and Institutions Code and Section 18950 of the Government Code and to add Sections 18598 and 19533.1 to the Government Code, relating to employees of the Department of Social Welfare, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2175—An act to amend Sections 303, 346, 362, 375, 444, 467, and 460 of, to add Sections 507, 508, and 513 to, and to repeal Section 530 of, the Streets and Highways Code, relating to state highway routes;

Assembly Bill No. 2191—An act amending Section 50 of the Vehicle Code, relating to definition of unladen weight of vehicles;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2200—An act to add Sections 5034.1 and 9176.2 to the Education Code, and to add Section 4.5 to Chapter 24, Statutes of 1948, relating to distressed school districts;

Assembly Bill No. 2227—An act to amend Sections 1435.20 and 1461.3 of the Probate Code, relating to notices to be given to the Director of Mental Hygiene;

Assembly Bill No. 2310—An act to add Section 20585 to the Government Code, relating to the retirement of persons connected with the educational system of the State;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2312—An act to add Section 1705.5 to the Harbors and Navigation Code, relating to the appointment of a member secretary;

Assembly Bill No. 2331—An act to amend Section 1233 of the Probate Code, relating to rules of pleading and practice in judicial proceedings;

Assembly Bill No. 2459—An act to amend Section 19433 of the Business and Professions Code, relating to horse racing;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2487—An act to amend Sections 8, 9, and 21 of the Bank and Corporation Franchise Tax Act, relating to bank and corporation taxes;

Assembly Bill No. 2488—An act to amend Sections 7, 8, and 12 of the Corporation Income Tax Act, relating to taxes on the income of corporations, associations and Massachusetts or business trusts;

Assembly Bill No. 2510—An act to amend Section 1191 of the Code of Civil Procedure, relating to liens of mechanics and others upon real property;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2575—An act to amend Sections 1260 and 1265 of the Penal Code, relating to appeals;

Assembly Bill No. 2606—An act to amend Section 6729 of the Welfare and Institutions Code, relating to persons discharged from a state hospital;

Assembly Bill No. 2607—An act to amend Section 1664 of the Probate Code, relating to the discharge of a person from a facility of the Veterans Administration;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2617—An act to amend Section 54345 and to add Sections 54346.1 and 54346.2 to the Government Code, relating to the collection of revenues for revenue bonds, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2664—An act to amend Sections 1156 and 1159 of the Harbors and Navigation Code, relating to the Board of Pilot Commissioners for the Bays of San Francisco, San Pablo and Suisun;

Assembly Bill No. 2677—An act to add Chapter 8, comprising Sections 9701 to 9707, inclusive, to Division 9 of the Public Resources Code, relating to soil conservation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2711—An act to add Article 10, comprising Sections 8001 to 8025, inclusive, to Chapter 4 of Part 3 of Division 6 of the Public Resources Code, relating to surveys and maps;

Assembly Bill No. 2715—An act making an appropriation for a state office building in the City of Stockton;

Assembly Bill No. 2770—An act to add Section 13.5 to the Construction and Employment Act, providing for allocations to counties for the purpose of said act and making appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2854—An act to amend Section 1274bb of the Code of Civil Procedure, relating to unclaimed money or other property in custody of United States courts;

Assembly Bill No. 2859—An act to amend Section 209 of the Penal Code, relating to kidnapping;

Assembly Bill No. 2964—An act to amend Section 146 of the Civil Code, relating to disposition of community property on divorce;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2969—An act making an appropriation to the Division of Forestry, Department of Natural Resources, to provide for special stand-by brush-burning fire protection services, declaring the urgency of this act, to take effect immediately;

Assembly Bill No. 3040—An act to amend Section 31526 of the Water Code, relating to officers in assessment proceedings by county water districts;

Assembly Bill No. 3084—An act to amend Section 19399 of the Government Code, relating to employees returning or who have returned from military service;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 3156—An act to add Section 26.5 to the Penal Code, relating to the insanity of an accused;

Assembly Bill No. 3162—An act to add Section 953.1 to the Probate Code, relating to contingent claims against the estates of decedents;

Assembly Bill No. 3177—An act making an appropriation for the support of the State Agricultural Society, Department of Finance, for the 1949-50 Fiscal Year;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 81—A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 5 of Article XI thereof, relating to compensation of officers;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 106—Relative to the acquisition of Butano Forest as a state park;

Assembly Concurrent Resolution No. 107—Relative to the erection of buildings for the use of youth organizations on the California State Fair site;

And reports that the same have been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 46—Relative to memorializing the President and Congress of the United States in relation to regulation of speedboats on Lake Tahoe;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 7—An act to provide for leasing adequate facilities and service for the extension, maintenance, and operation of the teletypewriter system of communication by the State Department of Justice, and to make an appropriation therefor;

Assembly Bill No. 88—An act to amend Section 5051 of the Penal Code, Section 152 of the Welfare and Institutions Code, Section 1723 of the Welfare and Institutions Code, Section 501 of the Public Resources Code, Section 105 of the Vehicle Code, Section 76 of the Unemployment Insurance Act, Section 22003 of the Education Code, Section 107 5 of the Health and Safety Code, relating to state officers;

Assembly Bill No. 342—An act to amend Section 3440 of the Civil Code, relating to transfers of particular personal property without delivery;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 577—An act to amend Section 18059 of, and to add Sections 18861 and 7209 to, the Education Code, relating to the letting of contracts;

Assembly Bill No. 1029—An act to amend Section 204f of the Code of Civil Procedure, relating to secretaries of the superior court and fixing salaries;

Assembly Bill No. 1076—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to clubs, fraternal organizations, and hall or building associations thereof and providing for the issuance of on-sale licenses carrying distilled spirits privileges to such organizations;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1220—An act to add Section 5800.5 to the Labor Code, relating to the Industrial Accident Commission;

Assembly Bill No. 1308—An act to amend Section 67a of the Code of Civil Procedure, relating to judges of the superior court in counties of the first class and the number of judges thereof;

Assembly Bill No. 1683—An act to amend Section 6.11 of the Alcoholic Beverage Control Act, relating to organizations, associations and clubs, and providing for the issuance of on-sale general licenses thereto;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Bill No. 1861—An act to amend Section 6 of the Dangerous Weapons Control Law, permitting retired highway patrolmen to carry arms;

Assembly Bill No. 2059—An act to amend Sections 19570, 19571, 19572, 19574, 19575, 19576, 19578, 19579, 19580, 19581, 19583, 19584, 19585, and 19586 of; to repeal Sections 19501 and 19577 of, and to add Sections 19583.1, 19575.5, and 19583.5 to, the Government Code, relating to disciplining state employees;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2120—An act to amend Section 10 of an act entitled "An act to repeal Chapters 2, 3, 4, 12, 13, 13.5, 13.6, 14, 15, 15.5, 16, and 16.5 of the Education Code; to add Chapters 2, 12, 13, 14, 15, and 16 to said code; to amend Section 8761 of said code; and to add Section 8704 to said code, all relating to the Public School System, declaring the urgency thereof to take effect immediately," approved May 28, 1947 (Chapter 401, Statutes of 1947); to repeal Sections 6713, 7039, 7052, 7064, 7068, 7117, 7126, 7128, and 7147 of the Education Code; to repeal Article 4 of Chapter 13, and Article 6 of Chapter 14, of Division 3 of said code; to add Article 4 to Chapter 13, Article 6 to Chapter 14, and Articles 1 and 13.5 to Chapter 15, of Division 3 of said code; to add Sections 5157, 7126, 7132, and 7151 to said code; to amend the headings of Articles 1 and 13 of Chapter 15 of Division 3 of said code; and to amend Sections 5152, 5153, 5156, 6703, 6714, 6812, 7002, 7012, 7023, 7032, 7033, 7034, 7035, 7036, 7037, 7038, 7041, 7061, 7062, 7063, 7067, 7081, 7091, 7092, 7094, 7095, 7101, 7103, 7111, 7112, 7113, 7114, 7115, 7116, 7121, 7122, 7124, 7130, 7146, 7146.1, 7148, 7149, 7150, 7208, 7231, and 9645 of said code, all relating to the Public School System, declaring the urgency thereof, to take effect immediately;

Assembly Bill No. 2219—*An act to add Chapter 4.5 comprising* Sections 5600 to 5607, inclusive, to Part 1 of Division 6 of the Welfare and Institutions Code, relating to the commitment, care and treatment of mentally abnormal sex offenders;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2399—An act to amend Section 28146 of the Government Code, relating to compensation for public services;

Assembly Bill No. 2561—An act to amend Section 283 of the Penal Code, relating to punishment for bigamy;

Assembly Bill No. 2579—An act to amend Section 995 of the Penal Code, and to add Section 999a thereto, relating to proceedings after indictment,

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2653—An act to amend Section 1089 of the Code of Civil Procedure, relating to answers and returns to applications for writs;

Assembly Bill No. 2708—An act to add Sections 38707 and 38708 to the Government Code, relating to the establishment of zoning commissions in cities;

Assembly Bill No. 2776—An act to amend Section 14256 of the Government Code, relating to state contracts;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Bill No. 2902—An act to add Section 11005.6 to the Government Code, relating to acquisition of real property by state agencies, and providing for referral of proposed acquisitions to local planning agencies and for approval thereof by the State Public Works Board;

Assembly Bill No. 2909—An act to amend Sections 633, 641, and 662 of the Welfare and Institutions Code, relating to institutions in which delinquent or other juveniles are housed;

Assembly Bill No. 3164—An act to add Chapter 7 to Part 3, Division 3, Title 2 of the Government Code, relating to the State Department of Finance, providing for the establishment of a unit of Traffic Management, and specifying its powers and duties, and making an appropriation;

And reports that the same have been correctly enrolled, and presented to the Governor on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Constitutional Amendment No. 80—A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 15 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: Your Committee on Legislative Procedure has examined:

Assembly Concurrent Resolution No. 99—Relative to designating the California State Rose;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

ASSEMBLY CHAMBER, SACRAMENTO, July 2, 1949

MR SPEAKER. Your Committee on Legislative Procedure has examined:

Assembly Joint Resolution No. 36—Relating to securing funds from the Federal Security Agency to pay for an adequate annual audit of the Department of Employment;

And reports that the same has been correctly enrolled, and presented to the Secretary of State on the second day of July, 1949, at 3 p.m.

HUYCK, Chairman

MESSAGES FROM THE SENATE

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Bill No. 2
Assembly Bill No. 3
Assembly Bill No. 9
Assembly Bill No. 21
Assembly Bill No. 22
Assembly Bill No. 35
Assembly Bill No. 36
Assembly Bill No. 42
Assembly Bill No. 45
Assembly Bill No. 46
Assembly Bill No. 54
Assembly Bill No. 58
Assembly Bill No. 67
Assembly Bill No. 72
Assembly Bill No. 75
Assembly Bill No. 84
Assembly Bill No. 86
Assembly Bill No. 92
Assembly Bill No. 112
Assembly Bill No. 125
Assembly Bill No. 142
Assembly Bill No. 149
Assembly Bill No. 162
Assembly Bill No. 187
Assembly Bill No. 191
Assembly Bill No 212
Assembly Bill No. 213
Assembly Bill No. 238
Assembly Bill No. 251
Assembly Bill No 269
Assembly Bill No. 282
Assembly Bill No 291
Assembly Bill No. 300
Assembly Bill No. 327
Assembly Bill No. 376
Assembly Bill No. 386
Assembly Bill No. 388
Assembly Bill No. 406
Assembly Bill No. 412
Assembly Bill No. 426
Assembly Bill No. 430
Assembly Bill No 437
Assembly Bill No. 445
Assembly Bill No 451
Assembly Bill No. 460
Assembly Bill No. 461
Assembly Bill No. 465
Assembly Bill No 466
Assembly Bill No. 470
Assembly Bill No. 494
Assembly Bill No. 509
Assembly Bill No 536
Assembly Bill No 542
Assembly Bill No. 547
Assembly Bill No. 557
Assembly Bill No. 567
Assembly Bill No 602
Assembly Bill No. 604
Assembly Bill No 627
Assembly Bill No 632
Assembly Bill No 640
Assembly Bill No. 653
Assembly Bill No. 701
Assembly Bill No. 740
Assembly Bill No. 747
Assembly Bill No. 748
Assembly Bill No. 766
Assembly Bill No. 772
Assembly Bill No. 775
Assembly Bill No. 787
Assembly Bill No 875
Assembly Bill No. 885
Assembly Bill No. 911
Assembly Bill No. 912
Assembly Bill No. 926
Assembly Bill No 933
Assembly Bill No 948
Assembly Bill No 949
Assembly Bill No. 965
Assembly Bill No 966
Assembly Bill No. 967
Assembly Bill No. 972
Assembly Bill No. 991
Assembly Bill No. 993
Assembly Bill No. 996
Assembly Bill No. 1022
Assembly Bill No. 1159
Assembly Bill No. 1175
Assembly Bill No. 1195
Assembly Bill No. 1199
Assembly Bill No. 1202
Assembly Bill No. 1209
Assembly Bill No 1236
Assembly Bill No. 1274
Assembly Bill No. 1284
Assembly Bill No. 1312
Assembly Bill No. 1317
Assembly Bill No 1338
Assembly Bill No. 1344
Assembly Bill No. 1378
Assembly Bill No. 1380
Assembly Bill No 1383
Assembly Bill No. 1384
Assembly Bill No. 1396
Assembly Bill No. 1417
Assembly Bill No. 1449
Assembly Bill No 1455
Assembly Bill No. 1456
Assembly Bill No. 1462
Assembly Bill No. 1477
Assembly Bill No. 1502
Assembly Bill No. 1506
Assembly Bill No. 1508
Assembly Bill No 1509
Assembly Bill No 1530
Assembly Bill No. 1536
Assembly Bill No. 1537
Assembly Bill No 1557
Assembly Bill No 1572
Assembly Bill No. 1584
Assembly Bill No 1593
Assembly Bill No 1594

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Bill No. 1596
Assembly Bill No. 1597
Assembly Bill No. 1628
Assembly Bill No. 1631
Assembly Bill No. 1635
Assembly Bill No. 1641
Assembly Bill No. 1653
Assembly Bill No 1655
Assembly Bill No. 1660
Assembly Bill No. 1664
Assembly Bill No. 1668
Assembly Bill No. 1673
Assembly Bill No 1674
Assembly Bill No. 1676
Assembly Bill No. 1718
Assembly Bill No. 1732
Assembly Bill No. 1733
Assembly Bill No. 1753
Assembly Bill No 1760
Assembly Bill No 1767
Assembly Bill No 1804
Assembly Bill No 1840
Assembly Bill No 1866
Assembly Bill No. 1867
Assembly Bill No 1894
Assembly Bill No. 1917
Assembly Bill No. 1923
Assembly Bill No. 1947
Assembly Bill No. 1969
Assembly Bill No. 2007
Assembly Bill No. 2043
Assembly Bill No. 2065
Assembly Bill No 2068
Assembly Bill No. 2079
Assembly Bill No. 2083
Assembly Bill No. 2096
Assembly Bill No. 2104
Assembly Bill No 2108
Assembly Bill No. 2112
Assembly Bill No. 2121
Assembly Bill No. 2128
Assembly Bill No. 2161
Assembly Bill No. 2171
Assembly Bill No. 2204
Assembly Bill No. 2251
Assembly Bill No. 2259
Assembly Bill No. 2260
Assembly Bill No. 2269
Assembly Bill No. 2276
Assembly Bill No. 2299
Assembly Bill No 2320
Assembly Bill No 2327
Assembly Bill No. 2339
Assembly Bill No. 2340
Assembly Bill No. 2369
Assembly Bill No. 2417
Assembly Bill No 2423
Assembly Bill No. 2440
Assembly Bill No. 2445
Assembly Bill No. 2492
Assembly Bill No. 2496
Assembly Bill No. 2530
Assembly Bill No. 2540
Assembly Bill No. 2551
Assembly Bill No. 2556
Assembly Bill No. 2562
Assembly Bill No. 2563
Assembly Bill No. 2570
Assembly Bill No. 2572
Assembly Bill No. 2574
Assembly Bill No. 2578
Assembly Bill No. 2579
Assembly Bill No. 2582
Assembly Bill No. 2583
Assembly Bill No. 2592
Assembly Bill No 2595
Assembly Bill No. 2599
Assembly Bill No 2608
Assembly Bill No. 2646
Assembly Bill No 2647
Assembly Bill No. 2650
Assembly Bill No. 2682
Assembly Bill No. 2692
Assembly Bill No. 2701
Assembly Bill No. 2702
Assembly Bill No. 2703
Assembly Bill No. 2705
Assembly Bill No. 2706
Assembly Bill No. 2707
Assembly Bill No. 2709
Assembly Bill No. 2710
Assembly Bill No. 2712
Assembly Bill No. 2723
Assembly Bill No. 2729
Assembly Bill No 2767
Assembly Bill No. 2779
Assembly Bill No. 2783
Assembly Bill No. 2807

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

SENATE CHAMBER, SACRAMENTO, July 2, 1949

MR. SPEAKER: I am directed to inform your honorable body that the Senate on this day returns without further action:

Assembly Bill No. 2843	Assembly Constitutional Amendment No. 25
Assembly Bill No. 2901	Assembly Constitutional Amendment No. 52
Assembly Bill No. 2903	Assembly Concurrent Resolution No. 19
Assembly Bill No. 2975	Assembly Concurrent Resolution No 38
Assembly Bill No 3024	Assembly Concurrent Resolution No. 52
Assembly Bill No 3086	Assembly Concurrent Resolution No. 54
Assembly Bill No. 3110	Assembly Concurrent Resolution No. 75
Assembly Bill No. 3125	Assembly Joint Resolution No. 9
Assembly Bill No. 3129	Assembly Joint Resolution No 37
Assembly Bill No 3130	Assembly Joint Resolution No. 39
Assembly Bill No 3138	Assembly Joint Resolution No 42
Assembly Bill No 3140	Assembly Joint Resolution No 43
Assembly Bill No 3146	Assembly Joint Resolution No. 44
Assembly Bill No 3155	Assembly Constitutional Amendment No 21
Assembly Bill No. 3160	Assembly Constitutional Amendment No. 44
Assembly Bill No 3163	Assembly Constitutional Amendment No. 76
Assembly Bill No. 389	Assembly Constitutional Amendment No 87
Assembly Bill No 540	Assembly Concurrent Resolution No. 57
Assembly Bill No. 3153	Assembly Concurrent Resolution No. 98

J. A. BEEK, Secretary of the Senate
By C. V. TAYLOR, Assistant Secretary

COMMUNICATIONS

By Speaker Sam L. Collins:

The following communication was received, read, and ordered printed in the Journal:

SACRAMENTO, CALIFORNIA, July 1, 1949

Hon. Sam Collins, Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. COLLINS: Some weeks ago Collier's magazine assigned Mr. Lester Velie, an associate editor of that magazine, to come to California to prepare an article on the California Legislature.

Mr. Velie interviewed me on several occasions and I understand he also interviewed a number of legislators as well as certain officers and attaches of the Legislature.

I call your attention to the enclosed copy of a letter I recently wrote to Mr. Velie concerning his forthcoming article and particularly to that paragraph in which I say I want "to make certain there will be no misunderstanding or that no wrong construction will be placed on the pictures or the text which might reflect derogatorily on the California Legislature."

This letter and the attached copy of my letter to Mr. Velie is for your information and file.

With all kind regards.

Sincerely,

ARTHUR H. SAMISH

Enclosure

(COPY)

ARTHUR H. SAMISH
HOTEL SENATOR
SACRAMENTO, CALIFORNIA, June 23, 1949

Mr. Lester Velie, Associate Editor
Collier's Magazine
250 Park Avenue, New York 17, New York

DEAR LESTER: It was very nice to have your letter of June 21; to learn that you had talked with Bartley Crum, and the kind things he said about me.

It is heartening to have your evaluation of such good friends as Messrs. Neylan, McCabe and Crum. One cannot have intimate associations with such outstanding personalities without absorbing something of their philosophy of honesty of purpose.

Over my many years of experience in dealing with people, I think I have developed an ability to read character and I endeavored to give you the benefit of that experience in evaluating a number of individuals about whom you sought information. At the same time, from my conversations with you, I am convinced that you are a fair minded person who would not knowingly do anything harmful to any individual who might be the subject of interest in your writings.

That is the reason I was more than ordinarily frank with you and wanted to give you every possible help in developing your story. I also tried to be as helpful as

possible in securing photographic illustrations for the article, even to suggesting several poses which were completely informal.

Knowing me as well as you do, you can understand my wanting to make certain there will be no misunderstanding or that no wrong construction will be placed on the pictures or the text which might reflect derogatorily on the California Legislature.

It is my very earnest request that I be privileged to review the article before publication in the interest of bringing facts up to date and verifying accuracy of incidents and quotations so that there may be no misunderstanding as to wrong inferences to be drawn or false conclusions reached.

In short, I want, more than anything, to help you to be certain that your article is as honest and factual as it can be made.

It was most interesting to have your friend's report on Dick Donovan. He was here with Stan Delaplane of the Chronicle who was developing information on a series of articles dealing with lobbying The series began in that paper today. Donovan was not completely honest in discussing what he had in mind. I told him very frankly that I could not talk with him He left then and I am told the Chronicle representatives later upbraided him for his lack of frankness and honesty.

I am looking forward to being with you on my next visit to New York and continuing a friendship which has begun so auspiciously.

With all kind regards.

Sincerely,

(Signed) ARTHUR
Arthur H. Samish

RESOLUTIONS

The following resolution was ordered printed in the Journal by the Speaker:

By Mr. Sam L. Collins:

House Resolution No. 348

Memorializing the Congress of the United States to remove the wartime excise taxes on alcoholic beverages

WHEREAS, The wartime excise taxes were deemed necessary to provide additional revenue to prosecute the war and make certain of victory at the earliest possible moment, thereby returning our Nation to the pursuits of peace; and

WHEREAS, It was the expectation of the people of the United States that these wartime excise taxes would be removed with the cessation of hostilities; and

WHEREAS, These high excise taxes on a legitimate industry in time of peace are inequitable and have become such a burden, particularly on small businessmen, that many have found their incomes and volume of business reduced with a resultant increase in unemployment and serious economic loss to the communities where such small business firms would otherwise be an asset; and

WHEREAS, The agricultural industry of the Nation is closely allied with the alcoholic beverage industry in that it provides an ever present market for agricultural products beyond that based on direct food requirements; and

WHEREAS, The viticultural industry of California, representing upwards of 90 percent of the Nation's total vineyard acreage finds its main outlet in the production of California wines, the equal of any in the world, now in surplus supply through loss of sales because of prohibitive price added by still existing wartime excise taxes; and

WHEREAS, Excess cereal crops and hops are the main ingredient of beers and ales, the beverage of the working man and the drink of moderation, upon which continued imposition of high excise taxes is inequitably increasing the cost; and

WHEREAS, The continuation of the imposition of such wartime excise taxes is reducing the normal sale of all alcoholic beverages, distilled spirits, wine and beer, to the loss of employment, taxes and normal business; now, therefore, be it

Resolved, by the Assembly of the State of California, That the said Assembly of the Legislature hereby memorialize the Congress of the United States to enact immediately legislation to remove the wartime excise taxes from alcoholic beverages; and be it further

Resolved, That the Secretary of the Assembly transmit copies of this resolution to the President and the Vice President of the United States, to the Speaker of the House of Representatives, to the chairman and each member of the Committee on Taxation in each House of Congress, and to each Senator and Representative from the State of California in the Congress of the United States.

BILLS REMAINING ON THIRD READING FILE WITHOUT FURTHER ACTION

Senate Bill No. 619.

TEXT OF PROPOSED CONSTITUTIONAL AMENDMENTS WHICH HAVE BEEN APPROVED BY BOTH HOUSES OF THE LEGISLATURE, TOGETHER WITH THE YEAS AND NAYS TAKEN THEREON

Pursuant to the provisions of Article XVIII, Section 1, of the Constitution of the State of California, the following proposed constitutional amendments, two-thirds of all the members elected to each of the two houses of the Legislature having voted in favor thereof, are hereby entered on the Journal, together with the yeas and nays taken thereon:

Assembly Constitutional Amendment No. 12

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 1 of Article II thereof, relating to the right to vote.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 1 of Article II thereof to read as follows.

SECTION 1. Every native citizen of the United States of America, every person who shall have acquired the rights of citizenship under and by virtue of the Treaty of Quieretaro, and every naturalized citizen thereof, who shall have become such 90 days prior to any election, of the age of 21 years, who shall have been a resident of the State one year next preceding the day of the election, and of the county in which he or she claims his or her vote 90 days, and in the election precinct 54 days, shall be entitled to vote at all elections which are now or may hereafter be authorized by law; provided, any person duly registered as an elector in one precinct and removing therefrom to another precinct in the same county within 54 days, or any person duly registered as an elector in any county in California and removing therefrom to another county in California within 90 days prior to an election, shall for the purpose of such election be deemed to be a resident and qualified elector of the precinct or county from which he so removed until after such election; provided, further, no alien ineligible to citizenship, no idiot, no insane person, no person convicted of any infamous crime, no person hereafter convicted of the embezzlement or misappropriation of public money, and no person who shall not be able to read the Constitution in the English language and write his or her name, shall ever exercise the privileges of an elector in this State; provided, that the provisions of this amendment relative to an educational qualification shall not apply to any person prevented by a physical disability from complying with its requisitions, nor to any person who had the right to vote on October 10, 1911, nor to any person who was 60 years of age and upwards on October 10, 1911; provided, further, that the Legislature may, by general law, provide for the casting of votes by duly registered voters who expect to be absent from their respective precincts or *unable to vote therein, by reason of physical disability, on the day on which any* election is held.

Yeas and Nays on Assembly Constitutional Amendment No. 12

Excerpt from Assembly Journal for June 9, 1949, page 4265

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Excerpt from Senate Journal for June 24, 1949, page 3074

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Collier, Coombs, Crittenden, Cunningham, Desmond, Dilworth, Donnelly, Gibson, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, Parkman, Powers, Rich, Salsman, Swing, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Assembly Constitutional Amendment No. 24

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 1d to Article IV thereof, relating to measures submitted to the voters.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 1d to Article IV thereof to read:

SEC. 1d. No amendment to the Constitution and no law or amendment thereto whether proposed by the initiative or by the Legislature which names any individual or individuals by name or names to hold any office or offices shall hereafter be submitted to the electors, nor shall any such amendment to the Constitution, law, or amendment thereto hereafter submitted to or approved by the electors become effective for any purpose.

Yeas and Nays on Assembly Constitutional Amendment No. 24

Excerpt from Assembly Journal for May 18, 1949, page 3339

The roll was called, and the resolution adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Grant, Grunsky, Hagen, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Huyck, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Weber, and Yorty—57.

NOES—Anderson and Ralph C. Dills—2

Excerpt from Senate Journal for May 31, 1949, page 2288

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dilliger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Mayo, Miller, O'Gara, Parkman, Salsman, Sutton, Tenney, Watson, Weybret, and Williams—27.

NOES—None.

Excerpt from Assembly Journal for June 1, 1949, page 3903

The names of the absentees were called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 24 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sillman, Smith, Stewart, Thomas, Thompson, Waters, Way, Weber, and Mr. Speaker—64.

NOES—None.

Assembly Constitutional Amendment No. 28

A resolution to propose to the people of the State of California an amendment to the Constitution of said State by adding Section 1¼a to Article XIII of said Constitution, relating to assessment of the possessory interest of veterans in real estate of the Veterans Welfare Board.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session, commencing on the third day of January, 1949, two-thirds of all members elected to each of the two houses voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 1¼a to Article XIII thereof, to read:

SEC. 1¼a. Notwithstanding any other provision in this Constitution the interest of a veteran in real property, purchased by him from the Veterans Welfare Board, or any agency which succeeds to the rights, powers and duties of said board, pursuant to a contract of sale under whose terms legal title is vested in said board, shall not be exempt from taxation, except as the Legislature may provide.

Yeas and Nays on Assembly Constitutional Amendment No. 28

Excerpt from Assembly Journal for April 1, 1949, page 1633

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Cramer, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Elliott, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Kilpatrick, Levering, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCollister, McMillan, Meyers, Moss, Niehouse, Reagan, Rosenthal, Rumford, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—60.

NOES—Sherwin—1.

Excerpt from Senate Journal for June 6, 1949, page 2441

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Coombs, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Mayo, Miller, O'Gara, Regan, Rich, Salsman, Sutton, Tenney, Ward, Watson, Weybret, and Williams—28.

Assembly Constitutional Amendment No. 49

A resolution to propose to the people of the State of California an amendment to the Constitution of the State of California, by amending Sections 1, 11, and 23 and repealing Sections 11a and 13 of Article VI thereof, relating to inferior courts.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1949 Regular Session, commencing on the third day of January, 1949, two-thirds of all the members elected to each of the houses thereof voting in favor hereof, hereby proposes to the people of the State of California that the Constitution of said State be amended as follows.

First: That Section 1 of Article VI be amended to read:

SECTION 1. The judicial power of the State shall be vested in the Senate, sitting as a court of impeachment, in a Supreme Court, district courts of appeal, superior courts, municipal courts, and justice courts.

Second. That Section 11 of Article VI be amended to read.

SEC. 11. Each county of the State shall be divided into judicial districts in the manner to be prescribed by the Legislature; provided, however, that no incorporated city or city and county shall be divided so as to lie partly within one district and partly within another.

In each district containing a population of more than 40,000 inhabitants, as ascertained in the manner prescribed by the Legislature, and in each consolidated city and county there shall be a municipal court; in each district containing a population of 40,000 inhabitants or less, as ascertained in the manner prescribed by the Legislature, there shall be a justice court, except that the Legislature may provide that each incorporated city the boundaries of which were coextensive with those of the township two years before the effective date of this amendment and which is entirely surrounded by another incorporated city containing a population of more than 40,000 inhabitants shall constitute a judicial district in which there shall be a municipal court. For each such municipal court and justice court at least one judge, with such additional judges as may be authorized, shall be elected by the qualified electors of the district; provided, however, that the judges of the municipal courts heretofore established pursuant to general law shall continue in office during the terms for which they were elected or appointed and until their successors are elected and qualify.

The Legislature shall provide by general law for the regulation, government, procedure and jurisdiction of municipal courts and of justice courts, and shall fix by law the powers, duties and responsibilities of such courts and of the judges thereof.

Except as such matters are otherwise provided in this article, the Legislature shall prescribe the manner in which, the time at which, and the terms for which the judges, officers and attaches of municipal courts and of justice courts shall be elected or appointed, the number, qualifications and compensation of the judges, officers and attaches of municipal courts, and provide for the manner in which the number, qualifications and compensation of the judges, officers and attaches of justice courts shall be fixed

In each judicial district or consolidated city and county in which a municipal or justice court is established, and in cities and townships situated in whole or in part in such district or city and county, there shall be no other court inferior to the superior court; provided, however, that in each such district or city and county existing courts shall continue to function as presently organized until the first selection and qualification of the judge or judges of the municipal or justice court, at which time, unless otherwise provided by law, pending actions, trials and all pending business of existing courts shall be transferred to and become pending in the municipal or justice court established for the judicial district or city and county in which they are situated, and all records of such superseded courts shall be transferred to, and thereafter be and become records of said municipal or justice court.

The compensation of the justices or judges of all courts of record shall be fixed, and the payment thereof prescribed, by the Legislature.

The Legislature shall enact such general or special laws, except in the particulars otherwise specified herein, as may be necessary to carry out the provisions of this section, and all laws relating to municipal and justice courts and to judicial districts enacted by the Legislature at its 1949 Regular Session are hereby validated and made fully and completely effective.

Third. That Section 11a of Article VI be repealed.

Fourth: That Section 13 of Article VI be repealed.

Fifth: That Section 23 of Article VI be amended to read:

SEC 23. No person shall be eligible to the office of a Justice of the Supreme Court, or of a district court of appeal, or of a judge of a superior court, or of a municipal court, unless he shall have been admitted to practice before the Supreme Court of the State for a period of at least five years immediately preceding his election or appointment to such office; provided, however, that any elected judge or justice of an existing court who has served in that capacity by election or appointment for five consecutive years immediately preceding the effective date of this amendment shall be eligible to become the judge of a municipal court by which the existing court is superseded upon the establishment of said municipal court or at the first election of judges thereto and for any consecutive terms thereafter for which he may be reelected. The requirement of consecutive years of judicial service shall be deemed to have been met even though interrupted by service in the armed forces of the United States during the period of war.

Yeas and Nays on Assembly Constitutional Amendment No. 49

Excerpt from Assembly Journal for May 10, 1949, page 3051

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Berry, Brown, Burke, Butters, Caldecott, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Clayton A. Dills, Ralph C. Dills, Dolwig, Doyle, Dunn, Erwin, Evans, Fleury, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Huyck, Kirkwood, Levering, Lindsay, Lipscomb, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Silliman, Smith, Stanley, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—55.

NOES—Brady, George D. Collins, Condon, Cramer, Gaffney, Heisinger, and Luckel—7.

Excerpt from Senate Journal for June 8, 1949, page 2486

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dilliger, Dilworth, Donnelly, Drobish, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Rich, Salsman, Sutton, Tenney, Ward, Watson, Weybret, and Williams—32.

NOES—None.

Excerpt from Assembly Journal for June 10, 1949, pages 4339-4340

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 49 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hahn, Hawkins, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, and Weber—62.

NOES—None.

Assembly Constitutional Amendment No. 66

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 7½a, 8a, and 18½ and amending Section 18 of Article XI thereof, relating to local government, thereby repealing and deleting certain obsolete and superseded provisions.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First, That Sections 7½a, 8a, and 18½ of Article XI thereof be repealed.

Second, That Section 18 of Article XI thereof be amended to read:

SEC. 18. No county, city, town, township, board of education, or school district, shall incur any indebtedness or liability in any manner or for any purpose exceeding in any year the income and revenue provided for such year, without the assent of two-thirds of the qualified electors thereof, voting at an election to be held for that purpose, nor unless before or at the time of incurring such indebtedness provision shall be made for the collection of an annual tax sufficient to pay the interest on such indebtedness as it falls due, and also provision to constitute a sinking fund for the payment of the principal thereof, on or before maturity, which shall not exceed 40 years from the time of contracting the same; provided, however, anything to the contrary herein notwithstanding, when two or more propositions for incurring any indebtedness or liability are submitted at the same election, the votes cast for and against each proposition shall be counted separately, and when two-thirds of the qualified electors, voting on any one of such propositions, vote in favor thereof, such proposition shall be deemed adopted.

Yeas and Nays on Assembly Constitutional Amendment No. 66

Excerpt from Assembly Journal for June 9, 1949, page 4265

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Excerpt from Senate Journal for June 17, 1949, page 2799

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Assembly Constitutional Amendment No. 67

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 19 of Article XX thereof, relating to expenses of the Constitutional Convention of 1879.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by repealing Section 19 of Article XX thereof.

Yeas and Nays on Assembly Constitutional Amendment No. 67

Excerpt from Assembly Journal for June 9, 1949, page 4266

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Excerpt from Senate Journal for June 17, 1949, page 2799

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Assembly Constitutional Amendment No. 68

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 1a of Article IV thereof, as adopted June 27, 1933, relating to the effective dates of statutes enacted in the year 1933.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by repealing Section 1a of Article IV thereof, as adopted June 27, 1933.

Yeas and Nays on Assembly Constitutional Amendment No. 68

Excerpt from Assembly Journal for June 9, 1949, page 4263

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Excerpt from Senate Journal for June 17, 1949, page 2799

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dilliger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—33.

NOES—None.

Assembly Constitutional Amendment No. 69

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 1.6, 8a, 14½, 14¾, 15½, and 16½ of, adding Section 18 to, and amending Sections 14 and 14⅝ of Article XIII thereof, relating to taxation.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First That Sections 1.6, 8a, 14½, 14¾, 15½, and 16½ of Article XIII thereof be repealed.

Second That Section 14 of Article XIII thereof be amended to read:

SEC. 14 All pipe lines, flumes, canals, ditches and aqueducts not entirely within the limits of any one county, and all property, other than franchises, owned or used by (1) railroad companies including street railways, herein defined to include interurban electric railways, whether operating in one or more counties, (2) sleeping car, dining car, drawing-room car, and palace car companies, refrigerator, oil, stock, fruit and other car-loaning and other car companies operating upon the railroads in the State, (3) companies doing express business on any railroad, steamboat, vessel or stage line in this State, (4) telegraph and telephone companies, (5) companies engaged in the transmission or sale of gas or electricity, shall be assessed annually by the State Board of Equalization, at the actual value of such property.

All property so assessed by said board shall be subject to taxation to the same extent and in the same manner as other property.

All companies herein mentioned and their franchises, other than insurance companies and their franchises, shall be taxed in the same manner and at the same rates as mercantile, manufacturing and business corporations and their franchises are taxed pursuant to Section 16 of this article; provided, that nothing herein shall be construed to release any company mentioned in this section from the payment of any amount agreed to be paid or required by law to be paid for any special privilege or franchise granted by any political subdivision or municipality of this State; provided further, that no excise, or income tax or any other form of tax or license charge shall be levied or assessed upon or collected from the companies, or any of them, mentioned in the first paragraph of this section, in any manner or form, different from, or at a higher rate than that imposed upon or collected from mercantile, manufacturing and business corporations doing business within this State.

The Legislature shall have the power to provide for the assessment, levy and collection of taxes upon all forms of tangible personal property, all notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages, and any legal or equitable interest therein, not exempt from taxation under the provisions of this Constitution, in such manner, and at such rates, as may be provided by law, and in pursuance of the exercise of such power the Legislature, two-thirds of all of the members elected to each of the two houses voting in favor thereof, may classify any and all kinds of personal property for the purposes of assessment and taxation in a manner and at a rate or rates in proportion to value different from any other property in this State subject to taxation and may exempt entirely from taxation any or all forms, types or classes of personal property.

The total tax imposed on notes, debentures, shares of capital stock, bonds, solvent credits, deeds of trust, mortgages and any legal or equitable interest therein in pursuance of the provisions of this section shall not be at a rate in excess of four-tenths of 1 percent of the actual value of such property and no tax burden shall be imposed upon any personal property either tangible or intangible which shall exceed the tax burden on real property in the same taxing jurisdiction in proportion to the actual value of such property.

The word "companies" as used in this section shall include persons, partnerships, joint stock associations, companies and corporations.

Nothing herein contained shall be construed to subject to assessment and taxation property which is exempt from taxation under other provisions of this Constitution.

Third. That Section 14¾ of Article XIII thereof be amended to read:

SEC. 14¾. (a) "Insurer," as used in this section, includes insurance companies or associations and reciprocal or interinsurance exchanges. As used in this paragraph, "companies" includes persons, partnerships, joint stock associations, companies and corporations

(b) An annual tax is hereby imposed on each insurer doing business in this State on the base, at the rates, and subject to the deductions from the tax hereinafter specified.

(c) In the case of an insurer not transacting title insurance in this State, the "basis of the annual tax" is, in respect to each year, the amount of gross premiums, less return premiums, received in such year by such insurer upon its business done in this State, other than premiums received for reinsurance and for ocean marine insurance.

In the case of an insurer transacting title insurance in this State, the "basis of the annual tax" is, in respect to each year, all income upon business done in this State, except:

(1) Interest and dividends.
(2) Rents from real property.
(3) Profits from the sale or other disposition of investments.
(4) Income from investments.

"Investments" as used in this subdivision (d) includes property acquired by such insurer in the settlement or adjustment of claims against it but excludes investments in title plants and title records Income derived directly or indirectly from the use of title plants and title records is included in the basis of the annual tax.

In the case of an insurer transacting title insurance in this State which has a trust department and does a trust business under the banking laws of this State, there shall be excluded from the basis of the annual tax imposed by this section, the income of, and from the assets of, such trust department and such trust business, if such income is taxed by this State or included in the measure of any tax imposed by this State.

(d) The rate of tax to be applied to the basis of the annual tax in respect to each year is 2.35 percent.

(e) Each insurer shall have the right to deduct from the annual tax imposed by this section upon such insurer in respect to a particular year the amount of real estate taxes paid by it, in that year, before, or within 30 days after, becoming delinquent, on real property owned by it at the time of payment, and in which was located, in that year, its home office or principal office in this State. Such real property may consist of one building or of two or more adjacent buildings in which such an office is located, the land on which they stand, and so much of the adjacent land as may be required for the convenient use and occupation thereof

Where as a result of merger, consolidation, or other method of acquisition of substantially all of the assets of one or more insurers by another insurer, effected prior to January 1, 1939, an insurer owns more than one parcel of real property in this State in which was located a home office or principal office of an insurer immediately prior to such acquisition, the owner shall designate one of such properties as its home or principal office Real estate taxes paid by it in any of the years 1943 to 1952, inclusive, before or within 30 days after, becoming delinquent, on such property owned by it at the time of payment and not so designated may also be deducted from the annual tax imposed by this section in respect to such year and are included within the deduction provided for in this subdivision.

(f) The tax imposed on insurers by this section is in lieu of all other taxes and licenses, state, county, and municipal, upon such insurers and their property, except:

(1) Taxes upon their real estate.

(2) That an insurer transacting title insurance in this State which has a trust department or does a trust business under the banking laws of this State is subject to taxation with respect to such trust department or trust business to the same extent and in the same manner as trust companies and the trust departments of banks doing business in this State.

(3) When by the laws of any other state or country any taxes, fines, penalties, licenses, fees, deposits of money or securities or other obligations or prohibitions are imposed on insurers of this State doing business in such other state or country, or upon their agents therein, in excess of those imposed upon insurers of such other state or country or upon their agents therein, so long as such laws continue in force, the same obligations and prohibitions of whatsoever kind may be imposed by the Legislature upon insurers of such other state or country doing business in this State, or upon their agents herein.

(4) The tax on ocean marine insurance

(g) Every insurer transacting the business of ocean marine insurance in this State shall annually pay to the State a tax measured by that proportion of the underwriting profit of such insurer from such insurance written in the United States, which the gross premiums of the insurer from such insurance written in this State bear to the gross premiums of the insurer from such insurance written within the United States, at the rate of 5 percentum which tax shall be in lieu of all other taxes and licenses, state, county and municipal, upon such insurer, except taxes upon real estate, and such other taxes as may be assessed or levied against such insurer on account of any other class of insurance written by it. Deductions from the annual tax pursuant to subdivision (e) cannot be made from the ocean marine tax. The Legislature shall define the terms "ocean marine insurance" and "underwriting profit," and shall provide for the assessment, levy, collection and enforcement of the ocean marine tax.

(h) The taxes provided for by this section shall be assessed by the State Board of Equalization.

(i) The Legislature, two-thirds of all the members elected to each of the two houses voting in favor thereof, may by law change the rate or rates of taxes herein imposed upon insurers.

(j) This section is not intended to and does not change the law as it has previously existed with respect to the meaning of the words "gross premiums, less return premiums, received" as used in this section or as used in Section 14 or 14¾ of this article.

Fourth. That Section 18 be added to Article XIII, to read:

SEC. 18. The repeal or deletion of any provision of this article, regardless of when effected, shall not affect the collectibility of any tax assessed pursuant to such provisions while such provision was in effect.

Yeas and Nays on Assembly Constitutional Amendment No. 69

Excerpt from Assembly Journal for June 9, 1949, page 4264

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Excerpt from Senate Journal for June 17, 1949, page 2800

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None.

Excerpt from Assembly Journal for June 21, 1949, page 4762

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 69 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Coats, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins,

Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—59.

NOES—None.

Assembly Constitutional Amendment No. 70

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Assembly Constitutional Amendment No. 31, 1927 Regular Session, and amending Section 22 of Article IV, as amended by the adoption on November 6, 1928, of the amendment proposed by Senate Constitutional Amendment No. 21, 1927 Regular Session.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First, That Section 22 of Article IV thereof as amended by the adoption on November 6, 1928, of the amendment proposed by Assembly Constitutional Amendment No. 31, 1927 Regular Session, be repealed.

Second, That Section 22 of Article IV thereof, as amended by the adoption on November 6, 1928, of the amendment proposed by Senate Constitutional Amendment No. 21, 1927 Regular Session be amended to read:

SEC. 22. No money shall be drawn from the Treasury but in consequence of appropriation made by law, and upon warrants duly drawn thereon by the Controller; and no money shall ever be appropriated or drawn from the State Treasury for the purpose or benefit of any corporation, association, asylum, hospital, or any other institution not under the exclusive management and control of the State as a state institution, nor shall any grant or donation of property ever be made thereto by the State; provided that notwithstanding anything contained in this or any other section of the Constitution, the Legislature shall have the power to grant aid to the institutions conducted for the support and maintenance of minor orphans, or half-orphans, or abandoned children or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances—such aid to be granted by a uniform rule, and proportioned to the number of inmates of such respective institutions; provided, further, that the Legislature shall have the power to grant aid to needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions; provided further, that the Legislature shall have power to grant aid to needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; provided further, that the State shall have at any time the right to inquire into the management of such institutions; provided further, that whenever any county, or city and county, or city, or town, shall provide for the support of minor orphans, or half-orphans, or abandoned children, or children of a father who is incapacitated for gainful work by permanent physical disability or is suffering from tuberculosis in such a stage that he cannot pursue a gainful occupation, or aged persons in indigent circumstances, or needy blind persons not inmates of any institution supported in whole or in part by the State or by any of its political subdivisions, or needy physically handicapped persons not inmates of any institution under the supervision of the Department of Mental Hygiene and supported in whole or in part by the State or by any institution supported in whole or part by any political subdivision of the State; such county, city and county, city, or town shall be entitled to receive the same prorata appropriations as may be granted to such institutions under church, or other control. An accurate statement of the receipts and expenditures of public moneys shall be attached to and published with the laws at every regular session of the Legislature.

Yeas and Nays on Assembly Constitutional Amendment No. 70

Excerpt from Assembly Journal for June 9, 1949, page 4264

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Excerpt from Senate Journal for June 17, 1949, page 2813

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Cunningham, Dillinger, Donnelly, Drobish, Gibson, Hatfield, Jespersen, Johnson, Judah, Mayo, McBride, Miller, Powers, Regan, Rich, Sutton, Swing, Ward, Watson, Weybret, and Williams—28.

NOES—None.

Excerpt from Assembly Journal for June 21, 1949, page 4763

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 70 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Brown, Burke, Burkhalter, Caldecott, Coats, George D. Collins, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—62.

NOES—None.

Assembly Constitutional Amendment No. 71

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Sections 4, 5, 6, 7, 8, and 9 of Article XXII, relating to the putting into effect of said Constitution of 1879 and the election for that purpose.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by repealing Sections 4, 5, 6, 7, 8, and 9 of Article XXII thereof.

Yeas and Nays on Assembly Constitutional Amendment No. 71

Excerpt from Assembly Journal for June 9, 1949, page 4262

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—None.

Excerpt from Senate Journal for June 17, 1949, page 2800

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Judah, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, Weybret, and Williams—34.

NOES—None.

Assembly Constitutional Amendment No. 72

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by repealing Section 26a of Article I thereof, relating to the suspension of nonexistent Sections 26 and 27 of said article, said sections not having been adopted.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by repealing Section 26a of Article I thereof.

Yeas and Nays on Assembly Constitutional Amendment No. 72

Excerpt from Assembly Journal for June 9, 1949, page 4262

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rumford, Sherwin, Silliman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None

Excerpt from Senate Journal for June 17, 1949, pages 2800-2801

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, and Williams—31.

NOES—None

Assembly Constitutional Amendment No. 73

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Sections 3, 5, and 18 of Article IV, Sections 17 and 22 of Article V, Section 25 of Article VI, Section 2 of Article IX, Section 20 of Article XX, and to repeal Section 19 of Article V, Section 17 of Article VI, and Section 10 of Article XXII, relating to state officers and deleting and repealing obsolete and superseded provisions relating to state officers and the election and compensation thereof.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended as follows:

First. That Section 3 of Article IV thereof be amended to read:

SEC. 3. Members of the Assembly shall be elected biennially, and their term of office shall be two years, and each election shall be on the first Tuesday after the first Monday in November, unless otherwise ordered by the Legislature.

Second. That Section 5 of Article IV thereof be amended to read:

SEC. 5. The Senate shall consist of 40 members and the Assembly of 80 members, to be elected by districts, numbered as hereinafter provided. One-half of the Senators shall be elected every two years; those from the odd-numbered districts being elected when the number of the year is divisible by four.

Third. That Section 18 of Article IV thereof be amended to read:

SEC. 18. The Governor, Lieutenant Governor, Secretary of State, Controller, Treasurer, Attorney General, Chief Justice and Associate Justices of the Supreme Court, judges of the district court of appeal, and judges of the superior courts, shall be liable to impeachment for any misdemeanor in office; but judgment in such cases shall extend only to removal from office, and disqualification to hold any office of honor, trust, or profit under the State; but the party convicted or acquitted shall nevertheless be liable to indictment, trial, and punishment according to law. All other civil officers shall be tried for misdemeanor in office in such manner as the Legislature may provide.

Fourth. That Section 17 of Article V thereof be amended to read:

SEC. 17. A Secretary of State, a Controller, a Treasurer, and an Attorney General shall be elected at the same time and places, and in the same manner as the Governor and Lieutenant Governor, and their terms of office shall be the same as that of the Governor.

Fifth. That Section 19 of Article V thereof be repealed

Sixth. That Section 22 of Article V thereof be amended to read:

SEC. 22. The compensation for the services of the Governor, the Lieutenant Governor, the State Controller, Secretary of State, Superintendent of Public Instruction and State Treasurer may be fixed at any time by the Legislature at an amount not less than ten thousand dollars ($10,000) per annum for the Governor, and not less than five thousand dollars ($5,000) per annum for each of the other state officers named herein. The compensation of no state officer named herein shall be increased nor diminished during his term of office.

Seventh. That Section 17 of Article VI thereof be repealed.

Eighth. That Section 25 of Article VI thereof be amended to read:

SEC. 25. No Supreme Court Commission shall be created or provided.

Ninth. That Section 2 of Article IX thereof be amended to read:

SEC. 2. A Superintendent of Public Instruction shall be elected by the qualified electors of the State. He shall enter upon the duties of his office on the first Monday after the first day of January next succeeding his election.

Tenth That Section 20 of Article XX thereof be amended to read:

SEC. 20. Elections of the officers provided for by this Constitution shall be held on the even-numbered years next before the expiration of their respective terms. The terms of such officers shall commence on the first Monday after the first day of January next following their election.

Eleventh That Section 10 of Article XXII be repealed.

Yeas and Nays on Assembly Constitutional Amendment No. 73

Excerpt from Assembly Journal for June 9, 1949, page 4263

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—70.

NOES—None.

Excerpt from Senate Journal for June 17, 1949, page 2801

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Ward, Watson, and Williams—33.

NOES—None.

Assembly Constitutional Amendment No. 80

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by adding Section 15 to Article XVI thereof, relating to the issuance of bonds to provide loans and grants to school districts of the State.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California, at its 1949 Regular Session, commencing on the third day of January, 1949, two-thirds of the members elected to each of the houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding Section 15 to Article XVI thereof, to read:

SEC. 15. Bonds of the State of California shall be prepared, issued, and sold in the amount of two hundred fifty million dollars ($250,000,000), in such denominations, to be numbered, to bear such dates, and to bear such rate of interest as shall be determined by the Legislature.

The proceeds of such bonds shall be used:

(a) To provide loans and grants to the several school districts of the State, subject to such legislation, rules, or regulations as the Legislature may, from time to time, determine.

(b) To pay the expenses that may be incurred in preparing, advertising, issuing, and selling the bonds, and in administering and directing the expenditure of the moneys realized from the sale of such bonds.

The issuance, signing, countersigning, endorsing, and selling of the bonds herein provided for, and the interest coupons thereon, the place and method of payment of principal and interest thereon, the procedure for initiating, advertising and holding sales thereof, and the performance by the several state boards and state officers of their respective duties in connection therewith; and all other provisions, terms, and conditions relating to the bonds, shall be as provided by the Legislature.

The Legislature shall pass all laws, general or special, necessary or convenient to carry into effect the provisions of this section. Such laws may provide for the allocation of funds to school districts pursuant to this section by the State Allocations Board or a similar agency, and in that event, notwithstanding any other provision of this Constitution, Members of the Legislature who are required to meet with such board shall have equal rights and duties with the nonlegislative members to vote and act upon matters pending before such board.

The people of the State of California in adopting this section hereby declare that it is in the interests of the State and of the people thereof for the State to aid school districts of the State in providing necessary and adequate school sites and buildings for the pupils of the Public School System, such system being a matter of general concern inasmuch as the education of the children of the State is an obligation and function of the State.

Yeas and Nays on Assembly Constitutional Amendment No. 80

Excerpt from Assembly Journal for June 21, 1949, page 4810

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lewis, Lincoln, Lindsay, Lipscomb, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Waters, Way, Weber, Yorty, and Mr. Speaker—71.

NOES—George D. Collins and Heisinger—2.

Excerpt from Senate Journal for July 1, 1949, page 3408

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dilliuger, Dilworth, Donnelly, Drobish, Gibson, Hulse, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, Miller, O'Gara, Parkman, Powers, Regan, Rich, Salsman, Sutton, Swing, Tenney, Watson, Weybret, and Williams—34.

NOES—None.

Excerpt from Assembly Journal for July 2, 1949, page 5484

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 80 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Condon, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Doyle, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Grant, Grunsky, Hagen, Hawkins, Heisinger, Hinckley, Hoffman, Huyck, Kirkwood, Lewis, Lincoln, Lipscomb, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Moss, Niehouse, Rumford, Sillman, Smith, Thomas, Thompson, Tomlinson, and Weber—58.

NOES—George D. Collins—1.

Assembly Constitutional Amendment No. 81

A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Section 5 of Article XI thereof, relating to compensation of officers.

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting in favor thereof, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 5 of Article XI of the Constitution, to read as follows:

SEC. 5. The Legislature, by general and uniform laws, shall provide for the election or appointment, in the several counties, of boards of supervisors, sheriffs, county clerks, district attorneys, and such other county, township, and municipal officers as public convenience may require, and shall prescribe their duties and fix their terms of office. It shall regulate the compensation of boards of supervisors, district attorneys and of auditors in the respective counties and for this purpose may classify the counties by population It may regulate the compensation of grand and trial jurors in all courts within the classes of counties herein permitted to be made. The boards of supervisors in the respective counties shall regulate the compensation of all officers in said counties other than boards of supervisors, district attorneys, auditors, and judges of municipal courts and shall regulate the number, method of appointment, terms of office or employment, and compensation of all deputies, assistants, and employees of the counties.

The provisions of this section shall not be construed to abridge, modify or otherwise affect the provisions of Sections 7½, 7½a and 8½ of this article, relating to county or city and county charters That certain act entitled "An act to add a new section to the Political Code to be numbered 4056d, relating to powers and duties of boards of supervisors with respect to county and township officers, deputies, assistants and employees." as enacted by the Legislature at its Fiftieth Session, is hereby validated and made fully and completely effective.

The term of any county, township or municipal officer shall not be extended beyond the period for which he was elected or appointed.

All acts of the 1949 Session of the Legislature fixing the compensation of the county officers permitted to be fixed by the Legislature are hereby validated and affirmed, and the compensation so fixed shall be paid to such officers from and after the effective date of this amendment and until changed by the Legislature.

The provisions of this section shall not abridge, modify or otherwise limit the power of the Legislature by general and uniform laws to prescribe the qualifications of any county officer or of any deputy or assistant or to prescribe the method of appointment of any person so qualified.

Yeas and Nays on Assembly Constitutional Amendment No. 81

Excerpt from Assembly Journal for May 31, 1949, page 3873

The names of the absentees were called, and Assembly Constitutional Amendment No. 81 adopted by the following vote:

AYES—Babbage, Berry, Brady, Burke, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Conrad, Crichton, Crowley, Dickey, Clayton A. Dills, Dolwig, Doyle, Erwin, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kirkwood, Levering, Lewis, Lindsay, Lipscomb, Lowrey, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Reagan, Rosenthal, Rumford, Sherwin, Silliman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—58.

NOES—Anderson, Brown, Burkhalter, Davis, Elliott, Evans, Hawkins, Heisinger, Kilpatrick, and Luckel—10.

Excerpt from Senate Journal for July 1, 1949, page 3391

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Coombs, Crittenden, Desmond, Dillinger, Dorsey, Gibson, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Salsman, Swing, Ward, Watson, Weybret, and Williams—27.

NOES—Senators Cunningham, Dilworth, Donnelly, Miller, Rich, and Sutton—6.

Excerpt from Assembly Journal for July 1, 1949, pages 5410-5411

The roll was called, and the Assembly concurred in Senate amendment to Assembly Constitutional Amendment No. 81 by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brady, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, George D. Collins, Connolly, Cooke, Crichton, Davis, Dickey, Clayton A. Dills, Dolwig, Dunn, Elliott, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hinckley, Hollibaugh, Kilpatrick, Kirkwood, Levering, Lewis, Lindsay, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Thomas, Thompson, Waters, Way, Weber, and Yorty—58.

NOES—Lowrey—1.

Assembly Constitutional Amendment No. 84

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by amending Section 2 of Article IV thereof, relating to the Legislature

Resolved by the Assembly, the Senate concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 2 of Article IV thereof to read:

SEC. 2. (a) The sessions of the Legislature shall be annual, but the Governor may, at any time, convene the Legislature, by proclamation, in extraordinary session.

All regular sessions in odd-numbered years shall be known as general sessions and no general session shall exceed one hundred twenty calendar days, exclusive of the recess required to be taken in pursuance of this section, in duration.

All regular sessions in even-numbered years shall be known as budget sessions, at which the Legislature shall consider only the Budget Bill for the succeeding fiscal year, revenue acts necessary therefor, the approval or rejection of charters and charter amendments of cities, counties, and cities and counties, and acts necessary to provide for the expenses of the session.

All general sessions shall commence at 12 o'clock m., on the first Monday after the first day of January, and shall continue for a period not exceeding thirty calendar days thereafter; whereupon a recess of both houses must be taken for not less than thirty calendar days. On the reassembling of the Legislature, no bill shall be introduced in either house without the consent of three-fourths of the members thereof, nor shall more than two bills be introduced by any one member after such reassembling.

All budget sessions shall commence at 12 m. on the first Monday in March and no budget session shall exceed thirty calendar days in duration.

(b) Each Member of the Legislature shall receive for his services the sum of three hundred dollars ($300) for each month of the term for which he is elected.

No Member of the Legislature shall be reimbursed for his expenses, except for expenses incurred (1) while attending a regular, special or extraordinary session of the Legislature (the expense allowances for which may equal but not exceed the expense allowances at the time authorized for other elected state officers), not exceeding one hundred twenty calendar days of any general session or thirty calendar days of any budget session or the duration of a special or extraordinary session or (2) while serving after the Legislature has adjourned or during any recess of the two houses of the Legislature as a member of a joint committee of the two houses or of a committee of either house, when the committee is constituted and acting as an investigating committee to ascertain facts and make recommendations, not exceeding, during any calendar year, forty days as a member of one or more committees of either house, or sixty days as a member of one or more joint committees, but not exceeding sixty days in the aggregate for all such committee work. The limitations in this subsection (b) are not applicable to mileage allowances.

Yeas and Nays on Assembly Constitutional Amendment No. 84

Excerpt from Assembly Journal for June 20, 1949, page 4681

The names of the absentees were called, and Assembly Constitutional Amendment No. 84 adopted by the following vote:

AYES—Babbage, Berry, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Dickey, Clayton A. Dills, Doyle, Dunn, Erwin, Evans, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Maloney, McCollister, Meyers, Morris, Niehouse, Reagan, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—57.

NOES—Anderson, Beck, Bennett, Coats, George D. Collins, Condon, Davis, Elliott, Heisinger, Lewis, McCarthy, Moss, and Rosenthal—13.

Excerpt from Senate Journal for June 29, 1949, page 3282

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Breed, Brown, Burns, Busch, Collier, Coombs, Crittenden, Cunningham, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Gibson, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Salsman, Sutton, Swing, Ward, Watson, and Weybret—33.

NOES—Senator Hulse—1.

Excerpt from Assembly Journal for June 30, 1949, page 5261

The roll was called, and the Assembly concurred in Senate amendments to Assembly Constitutional Amendment No. 84 by the following vote:

AYES—Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hagen, Hahn, Hinckley, Hoffman, Hollibaugh, Huyck, Kilpatrick, Kirkwood, Levering, Lincoln, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Rosenthal, Rumford, Sherwin, Sillman, Smith, Stanley, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, Yorty, and Mr. Speaker—65.

NOES—Anderson, Beck, Bennett, Elliott, and Heisinger—5.

Senate Constitutional Amendment No. 6

A resolution to propose to the people of the State of California an amendment to the Constitution of said State, by amending Sections 4 and 6 of Article XXIV thereof, relating to exemptions from state civil service.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California, at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of the members elected to each of the two houses voting in favor thereof, hereby proposes that Section 4 of Article XXIV of the Constitution of the State be amended to read as follows:

SEC 4. (a) The provisions hereof shall apply to, and the term "state civil service" shall include, every officer and employee of this State except:

(1) State officers elected by the people

(2) State officers directly appointed by the Governor with or without the consent or confirmation of the Senate and the employees of the Governor's Office.

(3) State officers and employees directly appointed or employed by the Attorney General or the Judicial Council; or by any court of record in this State or any justice, judge or clerk thereof.

(4) State officers and employees directly appointed or employed by the Legislature or either house thereof.

(5) One person holding a confidential position to any officer mentioned in paragraphs (1), (2) or (4) hereof except that there shall be but one such position to any board or commission composed in whole or in part of officers mentioned in said paragraphs, each such person to be selected by the officer, board or commission to be served.

(6) One deputy for the Legislative Counsel and for each state officer elected by the people, each such deputy to be selected by the officer to be served.

(7) Persons employed by the University of California.

(8) Persons employed by any state normal school or teachers college.

(9) The teaching staff of all schools under the direction or jurisdiction of the Superintendent of Public Instruction, the Department of Education or the director thereof or the State Board of Education who otherwise would be members of the state civil service.

(10) Employees of the Federal Government, or persons whose selection is subject to rules or requirements of the Federal Government, engaged in work done by cooperation between the State and Federal Government or engaged in work financed in whole or in part with federal funds.

(11) Persons appointed or employed by or under the State Board of Prison Directors or any warden of a state prison.

(12) The officers and employees of the Railroad Commission.

(13) Member help in the Veterans' Home of California and inmate help in all state charitable or correctional institutions.

(14) The members of the Militia of the State while engaged in military service.

(15) Officers and employees of district agricultural associations employed less than six months in any one calendar year.

(16) Stewards and veterinarians of the California Horse Racing Board who are not employed on a full time basis.

(b) The Legislature may provide that the provisions of this article shall apply to, and the term "state civil service" shall include, any person or group of persons hereinbefore excepted other than those mentioned in paragraphs (1), (2), (7) or (14) of subdivision (a) of this section. Hereafter, no exception shall be revived with respect to any person or group of persons heretofore or hereafter included in the state civil service under this subdivision. The Legislature may, however, provide that any officer included in the state civil service pursuant to this paragraph may be appointed by the Governor, and in such case the provisions of paragraph (2) shall apply.

(c) Whenever the appointment or employment of new or additional officers or employees of this State is hereafter authorized by law, such officers or employees shall be subject to the provisions hereof and included within the state civil service unless of a class excepted herein.

SEC. 6. (a) No temporary appointment of a person to any position shall be made unless there is no employment list from which such position can be filled.

(b) No person shall hold a given position under temporary appointment for a longer period than nine months in any consecutive 12 months, nor shall any person serve in the state civil service under temporary appointment for a longer total period than nine months in any consecutive 12 months.

Yeas and Nays on Senate Constitutional Amendment No. 6

Excerpt from Senate Journal for April 7, 1949, page 1071

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Breed, Brown, Hugh M. Burns, Collier, Crittenden, Cunningham, Desmond, Dilliger, Donnelly, Drobish, Gibson, Hatfield, Hulse, Jespersen, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Powers, Rich, Salsman, Tenney, Ward, and Watson—27.

NOES—None.

Excerpt from Assembly Journal for June 3, 1949, page 4043

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Beck, Bennett, Berry, Brown, Burke, Burkhalter, Caldecott, Clarke, Coats, Collier, George D. Collins, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Dolwig, Doyle, Elliott, Erwin, Evans, Fleury, Gaffney, Geddes, Grant, Hahn, Heisinger, Hinckley, Hoffman, Hollibaugh, Kilpatrick, Kirkwood, Lindsay, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, McMillan, Meyers, Morris, Moss, Reagan, Rumford, Sherwin, Sillman, Smith, Stewart, Thomas, Thompson, Tomlinson, Waters, Way, Weber, and Yorty—60.

NOES—None.

Senate Constitutional Amendment No. 30

A resolution to propose to the people of the State of California an amendment to the Constitution of the State, by amending Section 19 of Article IV thereof, relating to the holding of other trust or employment by Senators and Members of the Assembly.

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of

January, 1949, two-thirds of the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by amending Section 19 of Article IV thereof, to read:

SEC. 19. No Senator or Member of Assembly shall, during the term for which he shall have been elected, hold or accept any office, trust, or employment under this State, provided, that this provision shall not apply to any office filled by election by the people. Notwithstanding any provisions of this Constitution to the contrary, a Senator or Member of the Assembly may, during the term for which he has been elected, hold office and serve as a member of a board or commission created to apportion or allocate state funds to other state or local agencies.

Yeas and Nays on Senate Constitutional Amendment No. 30

Excerpt from Senate Journal of June 8, 1949, page 2481

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Drobish, Gibson, Hatfield, Johnson, Judah, Keating, Kraft, Mayo, Miller, O'Gara, Parkman, Powers, Rich, Sutton, Swing, Tenney, Ward, Watson, and Williams—28.

NOES—None.

Excerpt from Assembly Journal for June 24, 1949, pages 4949-4950

The names of the absentees were called, and Senate Constitutional Amendment No. 30 adopted by the following vote:

AYES—Babbage, Beck, Bennett, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, Connolly, Conrad, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grant, Grunsky, Hahn, Hoffman, Hollibaugh, Huyck, Levering, Lewis, Lindsay, Luckel, Maloney, McCollister, Meyers, Morris, Moss, Niehouse, Rosenthal, Rumford, Sherwin, Stanley, Stewart, Thomas, Thompson, Tomlinson, Way, Weber, and Mr. Speaker—56.

NOES—George D. Collins, Condon, Elliott, Hagen, Hawkins, Heisinger Kilpatrick, McCarthy, and Yorty—9.

Senate Constitutional Amendment No. 33

A resolution to propose to the people of the State of California an amendment to the Constitution of the State by adding to Article XI thereof a new section to be numbered 18¼, empowering any city, county, city and county, parking authority, or other public body, agency, or district, to pledge revenues derived from parking meters as additional security for the payment of revenue bonds

Resolved by the Senate, the Assembly concurring, That the Legislature of the State of California at its 1949 Regular Session commencing on the third day of January, 1949, two-thirds of all the members elected to each of the two houses of the Legislature voting therefor, hereby proposes to the people of the State of California that the Constitution of the State be amended by adding to Article XI thereof a new section to be numbered 18¼, and to read as follows:

SEC. 18¼. Whenever under the laws of this State or under its charter any city, county, city and county, parking authority, district, or other public body is authorized to acquire or construct public parking lots, garages, or other automotive parking facilities, and for the payment of the cost of any thereof, to issue any bonds or other securities payable in whole or in part from revenues of any such parking facilities, such public body, and any other public body within the territorial area of which such public parking facilities are or will be situated, is also authorized to pledge, place a charge upon, or otherwise make available, as additional security for the payment of such securities, any or all revenues from any or all street parking meters then owned or controlled or to be acquired or controlled by it.

Yeas and Nays on Senate Constitutional Amendment No. 33

Excerpt from Senate Journal for May 31, 1949, page 2284

The roll was called, and the resolution adopted by the following vote:

AYES—Senators Abshire, Brown, Burns, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Donnelly, Drobish, Gibson, Jespersen, Johnson, Judah, Kraft, Mayo, Miller, O'Gara, Parkman, Regan, Rich, Salsman, Sutton, Tenney, Ward, Watson, and Williams—27.

NOES—Senators Dilworth, Hatfield, and Hulse—3.

Excerpt from Assembly Journal for July 1, 1949, pages 5360-5361

The roll was called, and the resolution adopted by the following vote:

AYES—Anderson, Babbage, Berry, Brady, Brown, Burke, Burkhalter, Butters, Caldecott, Clarke, Coats, Collier, George D. Collins, Condon, Connolly, Cooke, Crichton, Crowley, Davis, Dickey, Clayton A. Dills, Dolwig, Doyle, Dunn, Elliott, Erwin, Fletcher, Fleury, Gaffney, Geddes, Grunsky, Hagen, Hahn, Hawkins, Heisinger, Hoffman, Hollibaugh, Huyck, Kilpatrick, Levering, Lincoln, Lipscomb, Lowrey, Luckel, Maloney, McCarthy, McCollister, Meyers, Morris, Moss, Rumford, Smith, Thomas, Thompson, Tomlinson, Way, Weber, and Yorty—58.

NOES—None.

Excerpt from Senate Journal for July 2, 1949, pages 3457-3458

The roll was called, and the Senate concurred in Assembly amendment to Senate Constitutional Amendment No. 33 by the following vote:

AYES—Senators Abshire, Breed, Brown, Collier, Coombs, Crittenden, Cunningham, Desmond, Dillinger, Dilworth, Donnelly, Dorsey, Drobish, Jespersen, Johnson, Keating, Kraft, Mayo, McBride, O'Gara, Parkman, Powers, Regan, Rich, Salsman, Sutton, Swing, Ward, Weybret, and Williams—30.

NOES—None

FINAL REPORT OF THE ASSEMBLY INTERIM COMMITTEE ON CRIME AND CORRECTIONS

Letter of Transmittal

July 2, 1949

To the Speaker and Members of the Assembly

GENTLEMEN: On behalf of this committee, recreated by House Resolutions Nos. 164 of the 1947 Session, and 16, 36, and 116 of the 1949 Session, we are happy to submit our further report.

This report will deal to a large extent with the work of this committee, extending back to its inception four years ago.

The members of this committee, during this period, have visited many penal institutions of the State, as well as those of the Youth Authority. Our contacts with these institutions have resulted in the acquisition of a vast amount of information concerning the inmates, the personnel, and the plants.

It is only natural that the members of the committee, having put in so much time trying to understand the problems of handling adult and youthful offenders, and trying to understand some of the age-old reasons for crime, should have some out-of-the-ordinary knowledge of these subjects.

Those of us who were Members of the Legislature when the present Youth Authority was set up have had a keen interest in its success over the years. In presenting the material on this subject in this report, we have attempted to give you a brief resume of the work the committee has done in its observation of its activities.

During the past four years we have collected data on the subject of probation from numerous authorities, as well as from the voluminous literature on the subject. We have endeavored to present an understandable outline of this subject to you, in the sincere belief that minimum standards will net immediate returns to the citizens of the State. To convince the counties, however, may prove to be a difficult task, and a great deal of work may be necessary to effectuate this worthy approach to a modern and workable concept.

Your committee has worked constantly to improve not only a workable liaison with the law enforcement and custodial authorities throughout the State, but to strive for improvement within its institutions. The setting up of an entirely new Medical Department within our State Department of Corrections is something of which this committee is very proud.

Your committee is happy to report that its relations with most of the department heads and personnel has been on the most courteous basis.

While this is the final report of this committee, its work will be continued under authority of House Resolution No. 243, adopted at this session of the Legislature.

Respectfully submitted,

VERNON KILPATRICK, Chairman
MONTIVEL A. BURKE, Vice Chairman
ELWYN S. BENNETT, Secretary
GORDON R. HAHN, Member
JOHN D. BABBAGE, Member

The Youth Authority

HISTORICAL BACKGROUND

Your Committee on Crime and Corrections, during the past four years, has devoted a great deal of its time in observing the working of the Youth Authority. We have visited all of the detention facilities and during the past few months have observed a very marked improvement in some of the operations. Probably what has happened is that the Authority, having gone through five years of organization, has about completed the setup and is settling down to sound operation.

The Youth Authority assumed responsibility for operation of the State's correctional schools in August, 1943. The shift of that responsibility from the Department of Institutions, now Mental Hygiene, to the Youth Authority, was made upon the recommendation of the Members of the Legislature, who had investigated the problem incident to the three schools then in operation.

Although the Youth Authority was created in 1941, the first two years of its operation were mainly in the fields of observation, planning, and preparation of recommendations. The Youth Authority had been asked by the then Director of Institutions to act in an advisory-consultant capacity, together in the operation of both the Fred C. Nelles School for Boys, and the Ventura School for Girls. The Authority was thus in a position to make valuable suggestions to the Members of the Legislature, who wrote the amendments to the act, and guided these amendments through the Senate and the Assembly. In this work the Members of the Legislature were assisted also by a number of lay clubs and individuals who were interested in youth welfare.

The total bed capacity of the three correctional schools in 1943 was approximately 1,150. There had been little increase in the schools' capacity during the 20 years preceding, although the state population had nearly doubled, and hundreds of boys and girls were being held in jails and detention homes under unfavorable conditions, awaiting transfer to state facilities.

The Legislature charged the Youth Authority with the responsibility of securing additional facilities to meet that crisis.

The following accomplishments were made by the Youth Authority under war and postwar conditions of scarcity of material and dearth of trained personnel.

REORGANIZATION OF THE CORRECTIONAL SCHOOLS

One of the first steps taken by the Youth Authority was an extensive reorganization of the three existing correctional schools, and this reorganization was carried out for two principal purposes: First, to alleviate the pressure from the counties for assignment of boys and girls to state facilities, and the second, to reflect the new concept of treatment inherent within the Youth Authority Act. This reorganization was accomplished through:

(a) An intensive analysis of needs:

(b) A critical analysis and alteration of existing programs of custody and training;

(c) An inter-change or transfer of superintendents;

(d) The employment of new personnel;

(e) Intensive staff and service training programs;

(f) The renovation of physical plants.

EDUCATIONAL DEFICIENCIES OF WARDS

Careful analysis revealed that most of the wards in the state correctional schools were educationally retarded, and in need of extensive and intensive remedial teaching, particularly in fundamental reading, writing, arithmetic, and language usage. From consultation with the State Department of Education, from the literature of the field, and from actual on-the-job experience, it became very apparent that this remedial work must be on a highly individualized basis, and in class groups of limited numbers.

REMEDIAL TEACHING

Many members of the teaching staff lacked the necessary abilities for this special type of teaching program They have no training in evaluation of achievement tests, nor have they the ability to translate such tests into a teaching program. This was not surprising. A similar situation existed in the public schools. Remedial teaching of delinquent children is still in its experimental stage. In fact, it was necessary that the State Department of Education establish a separate section for this work.

In view of the lack of trained personnel, it was necessary to work out a project type program, where each youngster made a contribution to the extent of his ability; where each was given supplies and materials within his capacity to handle; and in which techniques of individual remedial treatment were as closely integrated as staff capabilities would allow. This approach has worked fairly well and adjustments are being made as staff training increases.

By legislative action with the Authority, teachers were allowed sabbatical leave to attend special training institutes. (Assembly bills authored by your committee member and now in Senate Finance would

place teachers in custodial schools on same leave privileges as teachers in the public schools generally.) In cooperation with the State Department of Education, San Francisco State College has set up a workshop for training teachers in the techniques and methods of handling exceptional children. Many of the Youth Authority's teaching staff have attended these workshops and have benefited greatly from the instruction received therein.

CONSTRUCTION OF SCHOOLS AND CAMPS

Calaveras Big Trees Camp

The careful analysis of the areas of need referred to above revealed that the largest group involved was composed of boys between the ages of 16 and 20. In cooperation with the State Park Commission, 50 boys of this age were transferred from county jails in 1943 to the Calaveras Big Trees Park where, under the supervision of skilled tradesmen, they built a camp of 100-boy capacity. Portable buildings from Benicia State Guard Camp were dismantled and transported to the park The establishment of this camp was expedient and temporary in nature, but did relieve some of the pressure in county jails and detention homes

Benicia Arsenal and Stockton Ordnance Depot

In 1944, the Youth Authority entered into a contract with the Military for the establishment of two camps, one at Benicia Arsenal, and the other at the Stockton Ordnance Depot, each with a boy population of 150. Boys of the same age group as those who had attended the Calaveras Camp were taken directly from county jails. Camp staffs were recruited and, under joint supervision by the Military and Youth Authority personnel, the boys entered into the war-time programs of necessary and vital activity, working alongside of civilian personnel. The boys were paid the going rate of pay with costs for support being taken out of their earnings, leaving them an average of from fifty to sixty dollars per month for their trust funds. The end of the war, of course, brought an end of the operation of these camps.

Fricot Ranch School for Boys

The next largest group consisted of boys between the ages of 8 to 15. These boys were too young to be placed in work projects Development of extensive formal schools was out of the question, due to the lack of building materials and equipment. Early in 1944 the Youth Authority leased the Desire Fricot estate of 1,090 acres, situated 11 miles from San Andreas. Again, old State Guard camp and prison barracks were dismantled and these were taken to Fricot; and reassembled for use as dormitories and dining and mess halls. The old Fricot residence served as an administration building and as living quarters for part of the camp personnel. The first boys arrived at Fricot on July 7, 1944, and by the fall of 1945 the school had a full complement of staff and the population of the boys was at the 100 capacity. In 1946, the property was purchased at a very favorable price A simple, informal-type camp school program is carried on at Fricot. A remedial education program is the basis of the boys' training. The activity program of the school is centered around small maintenance tasks; these are made as interesting and purposeful as possible. Located as it is, the school has many of the advantages obtained in the Youth Authority forestry camps.

Los Guilucos School for Girls

The third need was for a school for younger girls, where limited school work and a home-type training could be given. The Youth Authority was fortunate in finding available, in the summer of 1943, the property and buildings near Santa Rosa which had formerly been used as a Knights of Pythias Old Peoples' Home. Boy wards were brought from the Preston School of Industry and Calaveras Camps to do the ground policing and renovating work on the buildings that was necessary before the school could be occupied. The first 20 girls arrived at the school in November of 1943. These were younger girls transferred from Ventura. By the fall of 1944, a sufficient staff had been recruited so that 100 younger girls were being given treatment and training. In the spring of 1948, through the alteration of the basement of one of the two dormitory buildings which were already on the property, the capacity of the school was stepped up to 115 girls.

Forestry Camps for Boys

The end of the war meant the end of the Army Camps. Through agreement with the Department of Natural Resources, the Youth Authority began the construction of Forestry Camps for boys. By 1947, four of these camps were in operation. They are located at Whitmore, Ben Lomond, Pine Grove, and Coarse Gold, each with a population capacity of from 50 to 60 boys. In these camps the boys are employed on a full time program of forestry work, such as construction of roads, reforestation, blister rust control, fire fighting, maintenance of equipment, and the manufacture of lumber and shingles. The types of boys sent to the Forestry Camps are those in the older age groups, whom the Youth Authority believes either do not require or do not benefit from the more formal educational program of the Preston School of Industry, or the California Vocational Institution. The Forestry Camps also are used as an intermediate step between release from those two schools and parole.

Vocational School for Older Youth

In 1945, the Legislature authorized the Director of Corrections to construct a medium secondary facility for the training and treatment of mature youths who were in need of correctional supervision and vocational training of a more terminal nature than that offered by the program of the Preston School of Industry, yet who were neither sufficiently mature nor offered adjustment problems of such a serious nature as to indicate commitment to San Quentin. Pending a permanent construction, a temporary facility was established at Lancaster in 1947. Under agreement between the Director of the Youth Authority and the Director of Corrections, certain older Youth Authority wards are assigned to the California Vocational Institution. On June 30, 1948, out of a total population of 475, all but seven were Youth Authority wards.

Paso Robles School for Boys

With the establishment of the schools and camps mentioned above, the only gap in the series of training centers for boys was a school for an intermediate age group, those too immature for Preston or Lancaster, and yet too old for Nelles or Fricot. After considerable search for a suitable site, the Youth Authority chose a surplus Army air base on the Estrella

Plain, near Paso Robles. This site was leased in April, 1947, and later purchased, on an additional discount, for $5,800. The property consists of 200 acres and, at time of purchase, had on it some 40 barracks buildings. The area contained a complete sewage disposal plant and a good water system. The first boys arrived at Paso Robles on September 30, 1947, and by the spring of 1948 a full complement of staff had been recruited, and population of the school established at 110 boys. Plans were completed by the summer of 1948 for an increase of population for the next fiscal year to 135 boys. Construction of permanent buildings is expected to start in the fall of 1949.

MEDICAL SERVICES PROVIDED

With the establishment of Paso Robles, Fricot, Los Guillucos, the camps, and the California Vocational Institution to supplement the program of the older schools, Preston, Nelles, and Ventura, the pattern for facilities for individualizing training to meet the needs of various types and ages of youth began to take shape. It became possible to gear the total state retaining program into the basic philosophy of the Youth Authority. A sick, ailing, deformed, or defective body is likely to result in warped thinking and delinquent behavior reaction. Knowing this, the Youth Authority took early steps to augment medical services in its schools and camps. Preston now has a well-equipped hospital staffed by competent physicians, a dentist, a laboratory technician, and full time nursing service. Physical examinations are given to all wards entering the clinic, and corrective surgery is given to wards in the Camps, Fricot, and Paso Robles, as well as at Preston itself. The Fred C. Nelles School also has a well-equipped hospital, a full-time physician, a surgery nurse and graduate nurse, a part-time dentist, and a part-time eye, ear, nose, and throat specialist.

The schools for girls receive medical service under contractual service with physicians in the nearby communities. Full-time nurses are on the staff of both of these schools.

THE FOOD PROGRAM

The correctional school food control plan in use in 1943 had been established 10 years previously. War-time shortages and rationing programs necessitated immediate revision and the services of a nutrition consultant initially from the State Department of Health. In 1944, the position of Food Administrator was established within the Division of Training and Treatment. New schedules for rations and operation procedures were established. Basic menus were set up, assuring adequate, suitable, and palatable food, for all of the schools and camps. In cooperation with the Farm Advisor from the Department of Finance, the Food Administrator reviews the farm or garden production at each school, to insure balance between production and needs.

THE RENOVATION PROGRAM

The Youth Authority found the physical plants, existing at the time in the correctional facilities, badly in need of repair. A broad program of renovation was developed by the Youth Authority staff manager, working cooperatively with the Division of Architecture. At the same time a comprehensive scheme of maintenance was worked out. During the period

from 1943 to 1948, approximately $650,000 of deferred maintenance funds were allocated to bring the physical structures all over the correctional schools up toward an economic standard.

INITIAL DIAGNOSIS AND CLASSIFICATION SERVICE

Initial diagnosis and classification service is one of the strongest links in the Youth Authority program of rehabilitation. During 1943 and 1944, initial clinical diagnosis was being done with a small percentage of Youth Authority wards. In 1945, one of the schools at Preston was set aside for clinic usage and a program of diagnosis, and clinical services began to emerge in a rather complete pattern. Initial psychological services for the two schools of girls are being given a full-time psychologist at each facility.

While money was appropriated for construction of a clinic in the North, and another in the South, the Youth Authority has experienced extreme difficulty in securing sites, and up to the end of 1948 had not been successful in finding locations that might be approved by the Department of Finance and the Public Works Board. It is expected that these sites will be found in 1949 and with the cooperation of the Division of Architecture it is hoped that construction of the two clinics will begin during this year.

PAROLE AND PLACEMENT SERVICES

At the time the operation of the correctional schools was shifted from the Department of Institutions to the Youth Authority, parole services of the three schools were operating independently, with consequent duplication in travel by school parole officer staff and lack of integration of the entire service.

Reorganization of the Services

In the reorganization of the parole and placement service, the first steps taken by the Youth Authority were the centralization of supervision and the assignment of parole case load on a lighter basis. Case loads were reduced from as high as 175 per officer to a standard of 80 cases. Parole case files were centralized in the Sacramento office. Survey of the total parole case load revealed a discrepancy of approximately 1,000 cases in the records. Criteria were established for the Division of Parole case load into active and inactive cases. Supervising parole officers were appointed and the staff was assigned to go for instruction and guidance.

Demands for Assistance in Youth Service and Delinquency Prevention Programs

Throughout the period covered by this report, the field staff of the Youth Authority was besieged with requests from committees of the State for assistance in their Youth Service and delinquency prevention programs. In this service the guiding principle at all times has been that the Youth Authority serve in an advisory and consultive capacity; all action must be on the local level and taken by the counties and cities. It is there that the problems arise and there that they have been and must continue to be, solved.

Responsibility for State Probation Supervision

In 1943 the Legislature also shifted responsibility for state probation supervision from the Department of Social Welfare to the Youth

Authority. The first step taken in discharge of that responsibility was the development of statistical reporting on probation by the counties of the State. Later, the Youth Authority embarked upon a broad program of assistance to the counties in improving their probation services. The media used were consultation service to the probation departments and courts, the development of standard forms, issuance of publications, the initiation of the Interstate Compact, and the Forestry Camp Subsidy. Present plans provide for the establishment of programs for in-service training, personnel recruitment, and improved personnel practices.

CALIFORNIA ADVISORS' COMMITTEE ON DETENTION HOME PROBLEMS

As a result of the swollen population during the early war period, the detention facilities of the State were crowded beyond capacity and many youths were being held for long periods of time in juvenile "tanks" in the jails of the State. At the suggestion of the Director of the Youth Authority, the California Advisors' Committee on Detention Home Problems was organized early in 1945. Under a grant from the Rosenberg Foundation, a comprehensive survey was made of the problems of juvenile detention within the State and a set of plans for detention home construction, operation, and management was formulated. In addition, a detention consultant was added to the staff of the Youth Authority. During the period covered by this report, over 20 counties have been given special assistance in their building plans for juvenile halls.

FORESTRY CAMPS

The Legislature in 1945, made possible a program of subsidy by the State of county-operated forestry camps, for youths who might otherwise be committed to the Youth Authority. These camps are considered an extension of juvenile hall programs of treatment and retraining of youths, in whom patterns of delinquency are not so rigid as to require the more lengthy and formalized treatment offered by the Youth Authority facilities. This program has proved highly successful. At the present time, there are 12 such camps for boys and one school for girls receiving subsidy. The camps are operated in conformance with the minimum standards established by the State.

YOUTH PROBLEM CONFERENCES AND WORKSHOPS

During the period from August, 1943, to December, 1948, the Youth Authority co-sponsored a total of 48 conferences, with workshop, on various versions of youth problems. Approximately 12,000 persons, all leaders in various services to youth throughout the State, attended those conferences. The workshops gave community leaders concrete techniques and methods for dealing with youth problems and they are developing and carrying on community-wide preventive programs and continuous recruitment of volunteer workers. From June of 1944, when the first conference of its kind in the country was held, until 1948, the Youth Authority sponsored a total of 20 meetings of youth groups, with a total attendance of 1,170 young persons and their adult advisors Out of these conferences of youth leaders came a stimulation for organization of a large number of teen-age centers.

STATE-WIDE SURVEYS AND STUDIES OF YOUTH-SERVING AGENCIES

At the request of governmental agencies, such as county boards and supervisors, juvenile courts, city mayors and managers, studies of youth-serving agencies have been conducted in 32 counties and five cities. These studies have been carried on cooperatively with several other state departments and usually with agencies of the cities or counties in which the surveys were made. Hundreds of special studies have also been made and there have been three state-wide surveys which were financed by Foundation grant. These studies were:

(1) Survey of the recreational facilities of the State, particularly as to the usage of school facilities

(2) An appraisal of the transient youth problem in California, and

(3) A state-wide study of detention principles and practices.

Reports on all three of those studies have been published and made available through wide distribution.

City and county enforcement agencies, including 35 departments with juvenile officers, departments or bureaus, have been provided consultation assistance. Fifteen more enforcement agencies are now providing specialized juvenile control services, and are a direct result of Youth Authority surveys or consultation.

REORGANIZATION EMPHASIS ON OLDER SCHOOLS

The main emphasis in the activity of the Youth Authority to date has been the reorganization of the programs in the older correctional schools, in order to reflect the basic philosophy of the Youth Authority Act; the recruitment and training of adequate staff; the establishment of additional facilities to care for the increasing number of hundreds committed to the Youth Authority by the courts; and the strengthening of already existing services for youth in the counties and cities of the State, and the establishment of new ones for the purpose of preventing the occurrence of delinquency.

ADDITIONAL FACILITIES REQUIRED

The housing of staff and wards in the newer schools is, in the main, in temporary buildings. Much construction must be done on a permanent basis and some further expansion of bed capacity is necessary to manage the continuous increase in population of the State. The construction of two clinics is imperative.

Much has been accomplished in both the fields of rehabilitation and delinquency prevention. That the expected increase in the rate of delinquency occurrence during the war and post-war years did not take place, is gratifying. The next few years will enable a further refinement of the Youth Authority program. The helpful assistance of cooperative action by the agencies of the State, county and city governments, as well as by the lay and volunteer groups, will continue to express its worth in service to the youth of California.

REASONS FOR DELINQUENCY

In concluding our report on the Youth Authority, this committee wishes to point out to the Members of the Legislature that in our many visits to our penal institutions, where we have interviewed prisoners and

examined their records, and in our many interviews with parolees both in and out of jails, that we have been appalled at the number whose conflicts with the law began at an early age.

The Delinquent Parent

The number who came from broken homes is very high. As we have listened to their stories and the explanations of their present difficulties, it has seemed in many instances that their criminal involvements were indeed inescapable.

Society, in dealing with delinquency, seems to direct most of its thought to the child, and in child delinquency discussion much is heard of the "delinquent boy" or the "delinquent girl."

Little has been said or legislated concerning the delinquent parents, who, because of their carelessness, ignorance, or utter disregard of their responsibilities as parents or citizens, are contributing today to tomorrow's criminal scourge.

In too many instances the wards of our Youth Authority are finding far better living conditions than they ever experienced in their homes. Their food, clothing, shelter, medical and dental care far exceeds anything that they have been accustomed to However, no institution, whether operated by State, county, or city, will ever offer as wholesome an atmosphere as is found in an acceptable American home.

Frankly, we do not know what to recommend to cure the condition; we do know, because of our experience in the work we have been doing, that in the field of Crime and Correction the delinquent parent imposes a tremendous charge on the public.

Interesting and Important Facts About Crime and Its Incidence

In the mass of material accumulated by this committee since its inception, are some interesting and important facts which have contributed to the overall knowledge of the members on the subject of crime and its incidence.

Age of Delinquency

We have learned, for instance, that the onset of youth delinquency difficulties occur before the age of 10 years in 35.5 percent of the cases; under 20 years in 89.7 percent Anti-social behavior begins to show for the most part in childhood, adolescence, or early adult life.

An examination of prison records of inmates discloses the fact that fully 50 percent of those sentenced to prison for the first time had a juvenile delinquency record. The man in prison, in other words, was inclined from early youth, for whatever reason, to continue the development of tendencies which lead him straight to prison.

Cerebral Birth Injury a Cause for Delinquency

Among the reasons which have been advanced to account for criminality growing out of delinquency, is that of cerebral birth injury. Detailed analysis of a mass of material yields strong evidence that the above cause is a factor of the highest importance in the study of child behavior difficulty, juvenile delinquency and adult criminality.

The findings of the above cases is illustrated better by the study of about 1,000 twins, from which it is shown that although the heredity

and environment are alike, in the one case one child has lead a normal existence with no indication of delinquency, the other has shown varying degrees of mental deficiencies resulting in behavior difficulties, juvenile delinquency, adult criminality, or various combinations of these. Whether it shall produce but a relative deficiency; that is, leaving behind an intellectual capacity which is still within normal limits, or whether it shall leave the subject without damage to his mental function, are, presumably, matters determined by the nature and extent of the brain injury.

CONCLUSIONS

From the foregoing, it will be apparent that in order to begin to form the most simple idea of what crime is and why, one should be willing to engage in a study that is many sided and takes one into strange places, in order to meet the unusual people one finds in our institutions.

Increased Medical and Psychiatric Services a Necessity

Members of the Legislature have asked us why this committee has stressed the need of increased medical and psychiatric services for our corrective institutions. When we have pointed out that a great many of our so-called criminals were destined from birth, because of injury, to be non-conformists, they have expressed surprise. Too often, society casts aside consideration of what it conceives to be a criminal with such remarks as "bad heredity," "bad environment."

While heredity and environment are important, they do not account for the total crime problem.

Youth Authority Well Equipped to Reduce Future Crime Incidence

We do not believe that any department in the State is as well equipped to reduce future crime incidence as is the Youth Authority, dealing as it does with crime in its embryonic stages. Staffed and equipped as it is, the Youth Authority is in a position to detect many of the factors which would inevitably lead to crime. The Youth Authority corrects many physical and mental faults, thereby reducing the crime incidence and provides for a better social and economic future of many of its wards.

The Authority is well aware that the cost of maintaining the program is very high. This is due to a great extent, to the extreme condition of shortages of materials and labor during its early stages of development.

Costs of the project per inmate are likely to be reduced in the near future, and a greater degree of efficiency in rehabilitation is anticipated.

ACTION ON COMMITTEE'S SUGGESTIONS TO DEPARTMENT OF CORRECTIONS

Following the submission of our last report to the Assembly, this committee made several suggestions to the Department of Corrections relative to the medical department of our penal institutions.

Panel Discussions by Chief Medical Officers and Medical Director

These suggestions were acted upon by the department and resulted in a panel discussion by the chief medical officer of each of the institutions, under the leadership of the Medical Director. Had all of the Members of the Legislature the time to devote to this panel discussion, we are

sure that the knowledge and insight to the needs and problems of penal medical practice in all of its phases would be viewed in a new light.

THE IMPORTANCE OF MEDICAL MEN IN THE INSTITUTIONS

There is practically universal agreement that the medical men, especially those qualified by special training to treat the mentally disturbed people who find themselves in our institutions, offer great hope, not only of helping these people, but of contributing concrete knowledge which will be of value in the future in understanding the cause of crime, and therefore, to a great extent, its prevention.

The importance of the medical profession in the study of the causes of crime and its correction is of comparatively recent origin, and the difficulty of fitting in their contribution of knowledge on this subject has been complicated for a number of reasons.

First of all, penal institutions, our own, as well as those of all other states, have been run until recently by men who were primarily experts in the methods of confining prisoners, and of little else. If a mentally disturbed prisoner got out of line, he was repressed or punished, sometimes in a brutal manner. The people little knew, nor apparently were greatly concerned with what went on inside a prison and it was only when a break occurred or a scandal leaked out that news of what took place in the prisons became known.

Under the old regime, the prison doctor was a relatively unimportant official, with only the barest facilities, generally housed in an improvised hospital.

Today, due, no doubt, to more widespread education in the sciences, which contribute to society's betterment, the physician, surgeon and psychiatrist are gradually assuming an entirely new role in penal affairs and are working closely with the psychologist and the sociologist.

PROBLEMS CONFRONTING MEDICAL MEN IN THE PENAL INSTITUTIONS

Three serious problems, however, confront the medical men in our penal institutions The first is the very structure of the institutions themselves, most of them built in the bastion style of a hundred years ago. This brings up the subject "shall we again burden ourselves financially to build structures to again become obsolete in 50 years." The second is educational, which calls for a selling job to society at large, and, of perhaps greater importance, the need of putting across the necessity for increasingly larger appropriations from the Legislature. The third arises from the difficulty of securing the right type of medically trained people for our institutions. Too few people who have studied and trained so long, and at such great expense, are willing to make penal work their career. This is especially true in the case of psychiatrists who, in addition to their medical training, are required to spent five years of additional training in order to qualify as psychiatrists or neurologists. When one considers the long period of training these men undergo, it is not surprising that their limited field offers financial rewards which the State is not usually prepared to meet.

MEDICAL DIRECTOR OF THE DEPARTMENT OF CORRECTIONS

The Department of Corrections is fortunate in having as its Medical Director one of the country's leading medical penologists.

Until recently, due to war conditions, the medical department was not coordinated, as have been the other departments of the Department of Corrections.

At the opening of the panel discussion by the Director of Corrections, he told the medical heads of the institutions that he was not a medical man—that he looked to the doctors to formulate a sound, unified medical policy, which would insure giving California's penal institutions, hospital, and other medical treatment which would meet the highest standards of the American Medical Association. Upon the completion of their recommendations, they are to submit them to the directors, who will then institute, for the first time in the history of California's penal system, a thoroughly unified and coordinated medical policy.

Your committee believes this new plan will be a distinct advance over methods used in the past, because the actions and the policy of every medical man in the institutions will be under the direct scrutiny of an experienced Medical Director who has a wide knowledge of penology.

This committee, having listened to these medical men, observed the very apparent devotion with which they applied themselves to the task of setting up something fine in the way of a complete medical facility within the department, are happy to report to the Assembly that they are pleased to have made some contribution to it.

Probation

During the four years that this committee has functioned in the field of crime and correction, we have covered many phases of this subject. The field which offers the greatest promise for constructive work and economics lies within the wise understanding and use of probation.

TRENDS IN ENLIGHTENED CRIME CORRECTION

We have pointed out in our previous reports that in the case of crime and its correction, the change of trends confronts one on every side.

In the State of California, it is interesting to note that not long ago punishment of a medieval character was inflicted upon those incarcerated for crime, regardless of the extent of the offense.

During the history of California, dating back to the formation of the State, at which time discipline amounted to outright cruelty and corporal punishment, there has been a constant and consistent evolution in penal procedures, leading to the present accepted standards of humane treatment divorced from physical torture or corporal chastisement or incarceration in dungeons under horrible conditions.

Even as recently as in the last decade, however, the reprimanding of prisoners in California sometimes descended to inflicting upon the inmates punishments which amounted to cruelty in the physical sense. The trends since then have changed, and today probation has come in to cut down not only the punishment philosophy, but to utilize humane knowledge and understanding.

PROBATION IN FELONY CONVICTIONS

During 1948 there were some 100,000 felony arrests in California, of which 14,000 resulted in convictions. Of these, 4,000 went to our penal institutions.

Probation was granted on a state-wide basis in 42 percent of the felony convictions. Sentences to penal institutions occurred in 28 percent of the cases.

An examination of conflicting statistics on probation procured from various sources which we have studied are very revealing. While these leave much in doubt, there are many near agreement. We found one county which granted probation to 80 percent of its felony convictions, and another county did not grant any probation in its felony convictions.

A group of five counties granted 60 percent or more probation. They are: Orange, 67 percent; Glenn 65 percent; Lassen 65 percent; Lake 80 percent; and Modoc 70 percent.

A group of eleven counties granted from 50 to 60 percent probation. These are: Alameda 52 percent; Sonoma 53 percent; Colusa 52 percent; Tulare 54 percent; Statislaus 52 percent; Merced 52 percent; Kings 55 percent; Mendocino 52 percent; Nevada 58 percent; Eldorado 50 percent; Calaveras 55 percent.

The following group of eight counties granted 40 to 50 percent probation: Los Angeles 43 percent; San Diego 48 percent; Riverside 47 percent; San Mateo 46 percent; Yolo 44 percent; Sutter 43 percent; Humboldt 40 percent; and Tuolumne 43 percent.

The following group of nine counties granted 30 to 40 percent probation: San Bernardino 31 percent; Kern 32 percent; Imperial 38 percent; San Francisco 37 percent; Santa Clara 35 percent; Fresno 35 percent; Madera 37 percent; Monterey 30 percent; and Santa Cruz 31 percent.

A group of four counties granted under 30 percent probation. They are: Santa Barbara 26 percent; Sacramento 28 percent; Tehama 28 percent; and San Joaquin 21 percent.

In another group, comprising 13 counties, some of them quite populous, the information given on probation matters was so obscure or at such great variance that it was impossible to classify them. They include: Ventura, San Luis Obispo, Contra Consta, Solano, Marin, Napa, Shasta, Butte, Placer, Yuba, Siskiyou, Plumas, and San Benito.

COSTS FOR PENAL CORRECTION

We have said repeatedly that it costs a great deal of money to send a person to prison. We have pointed out that a person in prison is a tax eater instead of a taxpayer. It costs approximately $1,000 a year to incarcerate one human being. The figures which we have before us, we believe, tell a very eloquent story.

NO SET RULES ON PROBATION

To begin with, there is no set rule throughout the State of California governing the granting of probation. Generally there are some fairly well understood rules which have been evolved over a long period of time throughout the United States and it is difficult to understand why one

county did not grant any probation, and another county granted probation in 80 percent of its felony convictions. The truth, or the right or the wrong, certainly lies somewhere in between.

THE HUMAN APPROACH TO THE PROBLEM

This committee in the past, while collecting information on this subject for the purpose of developing a comprehensive study, has come to the conclusion that wide variance results from the human approach to the problem. Officials use methods which, in a great many cases, they were not required to answer for to any one for their policies relating to probation matters.

We ran into many instances where judges and other county officials bluntly said they did not believe in probation and that what other counties did was of no concern to them. When it was pointed out to some of these people that they were responsible for contributing to a situation which required taxpayers throughout the State of California to pay an additional $1,150,000 a year for the upkeep in idleness of prisoners whom they were sending to the State's penal institutions, we received the invariable reply that for one reason or another probation just would not work in their county, which we took to mean that these officials just did not believe in probation.

UNIFORM PROBATION PROCEDURES RECOMMENDED

It certainly seems strange that, if probation works so satisfactorily in so many cases and at such a saving to the taxpayers, it could not be successfully utilized throughout the State. It is true that in some of the counties they do not have trained probation officers In many instances the salary paid is too low to attract trained people. Again we find that in many counties they do not have any statistics whatsoever on parole or other related cases. This committee believes that the quickest and surest method of showing positive savings to the people of California in crime and correction would be to require all counties to follow uniform probation procedures.

NEEDED LEGISLATION

In order to effectuate such a plan it would, of course, be necessary first of all to provide for good statistical information. There presently is pending before the Legislature a bill to subsidize up-to-date methods of probation throughout the State. We believe that this, or a similar bill, has merit. The mathematics which the present statistical information discloses indicates the necessity for more thorough methods.

TAX REDUCTION THROUGH PROBATION AND PAROLE

Let us bear in mind that throughout the State 42 percent of all felony convictions result in probation and 28 percent result in prison sentences. Considering the counties which grant probation in the higher percentages, it seems to us quite reasonable that, if the 28 percent of the cases resulting in prison terms were reduced to 20 percent and the 8 percent reduction added to the 42 percent which already receive probation, thereby making a total throughout the State of 50 percent receiving

probation, this would result in there being 1,150 fewer people in our penal institutions.

To put the above on a dollar and cents basis, the saving to the taxpayers of the State, by reducing the prison terms 8 percent and increasing the probation 8 percent, would be $1,150,000. In addition to the saving we have just pointed out, we could reduce the need for providing some of the new facilities which are so necessary because of overcrowded conditions, by the proper application of parole.

Every time a superior court judge of the State of California sends a man to one of our penal institutions in a case where parole could be used, he is punishing the taxpayer just as surely as he is punishing the man whom he send to jail.

Just as it was necessary for the 1947 Legislature to pass laws insuring the minimum standards, we believe that it is going to be necessary for some steps to be taken on a state-wide basis to insure uniformity in the use of probation.

RECOMMENDATIONS RELATIVE TO PROBATION

Some of the best informed men in our penal setup have told us repeatedly that courts are sending men to California prisons who should not be there. Examination of probation statistics, federal, State and county, discloses the fact that the percentage of violations of probation is very low.

In the case of first offenders, especially those convicted of nonvicious offenses, there is sufficient data to support the belief that the use of parole in a high percentage of cases could be applied with the assurance of full maintenance of all social values.

The federal courts grant probation in a very high percentage of cases, and their reports indicate that close to 95 percent of those to whom probation is granted, not only succeed, but where restitution is called for, this condition is satisfied.

The best authorities on penology in the world all agree that prisons do not make anyone better. Probation, when it can be used, benefits society at large. It aids the victim, where restitution is indicated, and also the convicted person, who escapes the stigma of having to serve time. In too many cases abject poverty of the family of a person serving time in prison is the result, and they become public charges.

The human and monetary values of the wise use of probation are overwhelmingly in its favor and the members of this committee recommend it.

FINAL REPORT OF ASSEMBLY INTERIM COMMITTEE ON PUBLIC EDUCATION

Letter of Transmittal

CALIFORNIA LEGISLATURE, STATE CAPITOL
SACRAMENTO, CALIFORNIA, July 1, 1949

Hon. Sam L. Collins
Speaker of the Assembly
State Capitol, Sacramento, California

DEAR MR. SPEAKER: The Assembly Interim Committee on Public Education submits herewith its final report.

The Second Report of the Interim Committee on Public Education has attracted nation-wide attention. Your committee has received many requests for copies. Since only 2,500 copies of the report were printed, your committee has attempted to arrange for their distribution in a manner calculated to convey the information gathered by the committee to people who will make the most effective use of it.

Members of the committee have introduced or advocated the passage of the following bills during the current session:

Assembly Bill No. 970 provided for the continuance of efforts to reorganize some of the school districts of the State into districts which may operate more efficiently and offer better educational opportunities.

Assembly Bill No. 971 which provides that elementary districts not in a high school district will contribute on behalf of pupils from the district attending high schools in another district, the sum of $100 to the high school district toward the cost of capital outlay for buildings and equipment.

Assembly Bill No. 1484 providing for the disposition on the real property and assets or bonded debt or other liabilities when districts either joined together into a new district or in case they should separate. This bill in effect provides that a new district would start without any bonded debt.

Assembly Bill No. 1486 provides for continuation of the present provisions of Chapter 16 of the Education Code for those districts now in the process of reorganization until after an election has been held despite the effective date of Assembly Bill No. 970 (Chapter 637, Statutes 1949). Only one bill having to do with reorganization of school districts has been rejected by the Legislature—Assembly Bill No. 972.

One of the most important problems recognized by the interim committee was the inequality of the assessed valuation of school districts in relation to market value of property.

Assembly Bill No. 2027 has successfully passed both houses of the Legislature. If this bill becomes a law it will do much to equalize the apportionment of state money based on assessed valuation, and should result in the saving of large amounts of state money.

Assembly Bill No. 2120, as introduced, called for state aid for districts having excess costs for pupil transportation or who incur increased costs by reason of excessive increase in enrollment. There were provisions for increasing the amount of money to be distributed so that a better minimum program of education could be furnished to the pupils in the public schools of this State, especially at the elementary level. As

the bill was finally approved, none of the foregoing provisions for additional financing by the Legislature in excess of the amount appropriated by the provisions of the Constitution were adopted.

It is interesting to note that the Legislature has not voted for many years to increase the state aid for current additional costs except for one $6 increase at the elementary level in 1943.

Perhaps the most important contributions of the 1949 Session has been the approval of an integrated program for aid to school districts for the provision of needed additional classrooms. The interim committee and other members of the standing committee have worked with Senator Dilworth and representatives of the State Department of Education and other state departments and with citizens and groups interested in the public educational problems of the State towards the drafting of the legislation which is contained in Senate Bills Nos. 850, 685 and 1417, and Assembly Constitutional Amendment No. 80.

The constitutional amendments will be submitted to the voters on November 8th, and will call for a state-wide bond issue of $250,000,000 to assist in financing the building of badly needed additional classrooms. The bills provide for a program of selling the bonds and apportioning the money to districts requesting aid, and for the repayment of the money by the districts. Also for the amount of construction which will be authorized, and for a system of priority to the districts in greatest need.

The committee feels that the 1947 Session has expressed its confidence in the recommendations of the interim committee by enacting almost all the legislation we have proposed. Only two bills, Assembly Bill No. 1384 which would have provided a system for auditing the funds of school districts and, Assembly Bill No. 1760 which would have permitted unified districts to use the total bonding capacity available at the level where the need was greatest rather than continue the present segregation into two or three 5 percent levels. These two bills were approved by the Assembly but failed to pass the Senate committee. We hope the work of the interim committee brought a better and clearer understanding of the problem facing the people of California and the Legislature in its responsibility of providing for the needs of public education.

Your committee is happy to report that there remains in the committee funds a balance of $440.08.

Respectfully submitted,

FRANCIS DUNN, JR., Chairman
MRS. KATHRYN T. NIEHOUSE, Vice Chairman
ERNEST R. GEDDES
WILLARD M. HUYCK
ROBERT C. KIRKWOOD

APPOINTMENT OF ASSEMBLY INTERIM COMMITTEES

Pursuant to the provisions of the House resolutions creating them, the Speaker announced the appointment of the following Assembly interim committees:

Aviation (House Resolution No. 291): Messrs. Stanley (Chairman), Brown, Waters, Sam L. Collins, and Gaffney.

California Legislators Association, Organization of (House Resolution No. 309): Messrs. Doyle (Chairman), Maloney, Cooke, Hollibaugh, and Fleury.

Cemetery, Mausoleum, Crematorium and Similar Associations (House Resolution No. 258). Messrs. Clayton A. Dills (Chairman), Smith, Rumford, Way, and Fletcher.

Crime and Corrections (House Resolution No. 243): Mr. Kilpatrick (Chairman), Mrs. Niehouse, Messrs. Burke, Hagen, and Meyers.

Fairs and Expositions (House Resolution No. 285): Messrs. Davis (Chairman), Hoffman, Evans, Moss, and Hinckley.

Fire Hazards and Prevention (House Resolution No. 254): Messrs. Rosenthal (Chairman), Yorty, Smith, Fleury, and Brady.

Governmental Efficiency and Economy (House Resolution No. 253): Messrs. Stewart (Chairman), Brown, Collier, Conrad, Grant, Lincoln, Lipscomb, McCarthy, McMillan, Waters, and Hawkins.

Governmental Reorganization (House Resolution No. 222): Messrs. Silliman (Chairman), Cooke, Hinckley, Huyck, Hollibaugh, Kirkwood, Levering, Rumford, Sherwin, Bennett, and Coats.

Highways, Streets, and Bridges (House Resolution No. 281): Messrs. Anderson (Chairman), Geddes, Sam L. Collins, Morris, and Dunn. (Resolution provides that Speaker be member of committee.)

Industrial Safety (House Resolution No. 269): Messrs. Gaffney (Chairman), Berry, and Conrad.

Military and Veterans Affairs (House Resolution No. 217): Messrs. McCollister (Chairman), Hoffman, McCarthy, Yorty, and Stanley.

Petroleum Oil and Its Products, State-Federal Cooperation In the Discovery, Production, Transportation, Refining, and Use of (House Resolution No. 195): Messrs. Fletcher (Chairman), Crichton, Sam L. Collins, Dunn, and Hollibaugh. (Resolution provides that the Speaker shall be a member of the committee.)

Public Education (House Resolution No. 242): Messrs. Dunn (Chairman), Kirkwood, Levering, Mrs. Niehouse, Messrs. Geddes, Rumford, and Babbage.

Public Employees, Equalization of Salaries, Qualifications and Job Classification of (House Resolution No. 255): Messrs. Huyck (Chairman), Caldecott, Rosenthal, Moss, and Tomlinson.

Public Health (House Resolution No. 237): Messrs. Thompson (Chairman), Connolly, Rumford, Lipscomb, Clayton A. Dills, Hawkins, and Smith.

Public Lands (House Resolution No. 121): Messrs. Lowrey (Chairman), Sherwin, and Lindsay.

Public Morals (House Resolution No. 240): Messrs. McMillan (Chairman), Fletcher, and Maloney.

Traffic Control (House Resolution No. 233): Messrs. Burkhalter (Chairman), Elliott, Grant, Conrad, and Kilpatrick.

Water Pollution (House Resolution No. 250): Messrs. Dickey (Chairman), Anderson, Crowley, Doyle, Dolwig, Clayton A. Dills, McCollister, Smith, Silliman, and Fletcher.

Pursuant to the provisions of the House resolutions which create interim committees out of certain standing committees, the Speaker announced the appointment of the various chairmen and personnel of the committees as follows:

Conservation, Planning, and Public Works (House Resolution No. 212): Messrs. Weber (Chairman), Clarke, Hagen, Lewis, Lincoln, Lindsay, Lowrey, Way (vice Mr. Luckel, resigned), McMillan, Moss, and Yorty.

Constitutional Amendments (House Resolution No. 287): Messrs. Crowley (Chairman), Maloney, Crichton, Dickey, McCollister, Rosenthal, and Thompson.

Elections and Reapportionment (House Resolution No. 197): Messrs. Waters (Chairman), Berry, Burke, Coats, George D. Collins, Conrad, Davis, Hahn, Sherwin, Stanley, Tomlinson, Anderson (vice Mr. Butters, resigned), and Hinckley.

Finance and Insurance (House Resolution No. 230) : Messrs. Geddes (Chairman), Dolwig, Beck, Brady, Doyle, Dunn, Grunsky, Levering, Lipscomb, Maloney, Meyers, Morris, and Condon (vice Mr. Stanley, resigned).

Fish and Game (House Resolution No. 251) : Messrs. Erwin (Chairman), Thomas, Burkhalter, Butters, Doyle, Hahn, Heisinger, Lindsay, and Gaffney (vice Mr. Luckel, resigned).

Judicial System and Judicial Process (*House Resolution No. 232*) : (Same membership as standing Committee on Judiciary) : Messrs. Brown (Chairman), Rosenthal, Babbage, Beck, Bennett, Brady, Caldecott, George D. Collins, Connolly, Crowley, Dolwig, Fleury, Grunsky, McCarthy, Smith, Tomlinson, and Waters.

Public Utilities and Corporations (House Resolution No. 264) : Messrs. Evans, (Chairman), Brady, Berry, Burke, Burkhalter, Dickey, Clayton A. Dills, Grant, Morris, Moss, Reagan, Stewart, and Yorty.

State and Local Taxation (House Resolution No. 133) (Same membership as standing Committee on Revenue and Taxation) : Messrs. Hollibaugh (Chairman), Clayton A. Dills, Anderson, Connolly, Doyle, Evans, Geddes, Hawkins, Hahn, Morris, Reagan, Sherwin, Thomas, and Way.

Ways and Means (House Resolution No 241) : Messrs. Sherwin (Chairman), Lowrey, Anderson, Butters, Caldecott, Clarke, Collier, George D. Collins, Connolly, Crowley, Elliott, Erwin, Gaffney, Grunsky, Hawkins, Hinckley, Kilpatrick, Kirkwood, Lipscomb, McCollister, McMillan, Fleury (vice Mr. Price, resigned), Silliman, Stewart, and Weber.

APPOINTMENT OF ASSEMBLY MEMBERS TO JOINT INTERIM COMMITTEES

Pursuant to the provisions of the concurrent resolutions creating them, the Speaker announced the appointment of Assembly members to joint legislative interim committees as follows:

Adult Blind, State Program for the (Senate Concurrent Resolution No. 28, Resolution Chapter 197) : Mr. Crowley, Mrs. Niehouse, and Mr. Coats.

Agriculture and Livestock Problems (Senate Concurrent Resolution No. 54, Resolution Chapter No. 193) : Messrs. Clarke, Butters, Erwin, Heisinger, Hoffman, and Lowrey.

Community Redevelopment and Housing Problems (Senate Concurrent Resolution No 79, Resolution Chapter 201) : Messrs Lincoln, Crichton, Morris, Condon, and Collier.

Legislative Budget (Senate Concurrent Resolution No. 7, Resolution Chapter 75) : Messrs. Sherwin, Lowrey, Lipscomb, Yorty (vice Mr. Ralph C. Dills, resigned), and Sam L. Collins. (Resolution provides that Speaker shall be a member of the committee.)

Soil Conservation (Senate Concurrent Resolution No. 65, Resolution Chapter 198) : Messrs. Lindsay, Hagen, Erwin, Thompson, and Lewis.

Water Problems (Senate Concurrent Resolution No. 66, Resolution Chapter 194) : Messrs. Weber, Heisinger, Stanley, Cooke, and Butters.

Pursuant to the provisions of the Government Code and House resolutions creating it, the Speaker announced the appointment of Assembly members to the following joint committee:

Interstate Cooperation (Government Code, Sections 8000, 8001, and 8004; House Resolutions Nos. 216 and 296) McCollister (Chairman), Crichton, Evans, (vice Mr. Ralph C. Dills, resigned), Thomas, and Thompson.

APPOINTMENT OF MEMBERS TO WRITE ARGUMENTS FOR AND AGAINST ASSEMBLY CONSTITUTIONAL AMENDMENTS

Pursuant to the provisions of Article IV, Section 1, of the Constitution, the Speaker announced the appointment of Members of the Assembly to write arguments for and against Assembly constitutional amendments as follows:

At Special Election Called for November 8, 1949, Pursuant to Provisions of Senate Bill No. 1417, Chapter 922, and Senate Bill No. 1659, Chapter 931, Statutes of 1949

Assembly Constitutional Amendment No. 66—Affirmative. Mr. Caldecott.

Assembly Constitutional Amendment No. 67—Affirmative: Mr. Waters.

Assembly Constitutional Amendment No. 68—Affirmative: Mr. Crowley.

Assembly Constitutional Amendment No. 69—Affirmative: Mr. Dolwig.

Assembly Constitutional Amendment No. 70—Affirmative: Mr. Brown.

Assembly Constitutional Amendment No. 71—Affirmative: Mr. Waters.

Assembly Constitutional Amendment No. 72—Affirmative: Mr. Caldecott.

Assembly Constitutional Amendment No. 73—Affirmative: Mr. Crowley.

Assembly Constitutional Amendment No. 80—Affirmative: Mr. Dunn; Negative: Mr. George D. Collins.

Assembly Constitutional Amendment No. 84—Affirmative: Mr. Dan W. Green (Publisher of the *Independent Review*); Negative: Mr. Rosenthal.

At General Election to Be Held on November 7, 1950, Pursuant to the Provisions of Sections 950, 1500, and 1501 of the Elections Code

Assembly Constitutional Amendment No. 12—Affirmative: Mr. Dolwig.

Assembly Constitutional Amendment No. 24—Affirmative: Messrs. Fleury and Moss; Negative: Messrs. Ralph C. Dills and Anderson.

Assembly Constitutional Amendment No. 28—Affirmative: Messrs. McCollister and Hoffman; Negative: Mr. Sherwin.

Assembly Constitutional Amendment No. 49—Affirmative: Mr. Brown; Negative: Mr. Brady.

Assembly Constitutional Amendment No. 81—Affirmative: Mr. Grunsky; Negative: Mr. Hawkins.

GUESTS EXTENDED COURTESIES OF ASSEMBLY

On request of Mr. Fleury, the usual courtesies of the Assembly for this day were unanimously extended to Alice Marie Barnes, Bob Darby, Mrs. Paul Crum, and Judy Crum of Sacramento.

On request of Mr. Lewis, the usual courtesies of the Assembly for this day were unanimously extended to Mrs. Jerry Sullivan of Bakersfield; Mrs. Joe Lewis, Miss Patty Lewis, and Miss Dixie Jo Lewis of Button Willow.

ADJOURNMENT SINE DIE

At 4 p.m., on Saturday, July 2, 1949, in accordance with the provisions of Senate Concurrent Resolution No. 74, the Honorable Sam L. Collins, Speaker of the Assembly, announced that the time for final adjournment of the Fifty-ninth General Session of the Legislature of the State of California had arrived, and therefore declared the Assembly adjourned sine die.

SAM L. COLLINS, Speaker

GERALDINE B. HADSELL, Minute Clerk

RECAPITULATION
OF ASSEMBLY MEASURES

ASSEMBLY BILLS APPROVED BY THE GOVERNOR, CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

The following Assembly bills were approved by the Governor, chaptered, and filed with the Secretary of State. Unless otherwise specified in the bills, all bills become effective 90 days after adjournment sine die of the Legislature, or on October 1, 1949.

A B. No	Chapter	A B. No	Chapter	A B No	Chapter	A B No	Chapter	A B No	Chapter	A B No	Chapter	A B No	Chapter	A B No.	Chapter	A B No	Chapter	A B No	Chapter
7	1365	299	734	588	634	846	119	1073	212	1413	51	1777	122	2010	473	2309	1033	2677	1473
8	4	301	735	593	1410	847	786	1078	66	1421	375	1785	600	2041	205	2310	1200	2695	1101
11	1559	309	93	594	1069	848	754	1084	787	1431	1275	1788	601	2042	206	2311	1102	2697	1579
18	419	323	589	596	1069	859	619	1096	1208	1435	1276	1793	256	2044	219	2312	1287	2698	1580
19	750	325	181	599	946	868	412	1097	963	1436	1277	1794	257	2045	575	2316	1234	2699	926
23	2	326	485	600	226	869	1046	1098	368	1445	997	1799	331	2046	220	2317	759	2700	920
25	1261	330	736	601	109	871	213	1099	463	1447	746	1801	1189	2047	489	2326	974	2708	1474
27	8	331	1118	603	40	872	214	1100	700	1448	1053	1802	1232	2048	207	2331	1509	2711	1581
29	1560	332	1325	605	770	873	517	1101	369	1450	1391	1805	1414	2049	221	2314	1143	2715	1203
30	769	341	696	606	147	874	215	1102	370	1451	621	1807	123	2050	208	2315	739	2738	978
40	889	342	1036	607	227	876	201	1103	371	1460	468	1813	33	2051	222	2348	798	2710	1052
41	420	345	697	608	273	877	743	1104	372	1461	664	1814	1512	2052	209	2319	336	2742	580
44	396	347	225	610	148	879	927	1107	330	1466	595	1815	1513	2053	249	2350	337	2744	619
47	1073	351	1037	611	149	881	216	1109	552	1467	1034	1816	1514	2054	643	2351	381	2755	867
56	1539	352	1077	612	150	882	200	1111	373	1470	236	1817	1515	2055	250	2352	338	2762	1475
57	1262	359	1249	616	627	883	458	1113	1350	1472	1188	1818	1516	2056	1141	2353	339	2764	581
59	21	361	448	618	182	884	403	1114	1227	1482	686	1819	1517	2057	474	2355	382	2765	1463
60	22	362	775	619	1093	886	958	1116	1182	1483	714	1820	1518	2058	190	2358	718	2770	1214
62	23	365	1429	620	1094	891	1224	1119	1431	1484	715	1821	1286	2059	1116	2361	982	2775	689
63	91	366	1078	621	1095	892	682	1122	996	1486	1229	1822	1510	2060	1000	2362	919	2776	1330
77	1221	368	924	625	1271	893	959	1123	1540	1488	966	1823	1511	2061	1057	2366	1470	2780	72
78	1108	369	935	626	1272	894	459	1132	712	1492	1551	1827	789	2062	475	2367	647	2802	1253
85	1071	372	11	628	679	896	1225	1138	1183	1497	559	1836	407	2063	251	2370	43	2829	1317
87	12	373	90	629	1273	898	1128	1158	840	1503	687	1839	999	2064	252	2374	425	2835	749
88	1005	375	678	630	680	901	120	1160	1567	1510	716	1845	1278	2066	253	2387	61	2840	73
89	498	377	397	631	1096	903	228	1161	737	1511	717	1846	1279	2073	644	2388	729	2841	196
90	586	378	544	635	1250	905	229	1163	1432	1514	932	1847	1190	2075	424	2389	1505	2846	921
91	1108	379	138	642	360	906	230	1168	1013	1523	192	1848	1191	2076	379	2397	1103	2847	1508
93	538	383	14	643	681	908	151	1171	713	1524	788	1849	1192	2080	738	2399	1438	2851	603
94	539	384	624	645	10	910	960	1172	1184	1538	153	1851	1193	2081	1367	2407	866	2852	1156
95	540	390	1038	646	328	916	362	1173	1154	1541	469	1852	1194	2082	1456	2414	975	2854	1476
96	483	407	1119	651	398	917	231	1178	1327	1547	596	1854	254	2084	917	2421	34	2855	1548
98	272	408	955	652	400	918	260	1180	184	1555	560	1855	757	2093	1090	2422	154	2858	979
100	319	409	761	656	482	919	505	1190	1060	1556	1210	1856	264	2099	1050	2424	106	2887	1582
101	320	414	698	658	1097	920	261	1194	464	1558	1433	1857	378	2101	784	2425	44	2890	1583
106	1035	416	322	664	985	921	50	1196	465	1559	967	1858	1351	2102	1283	2426	52	2899	768
111	86	417	323	669	951	923	460	1197	374	1560	968	1859	806	2103	1196	2427	36	2900	732
118	905	419	956	671	259	924	217	1198	246	1562	1040	1860	790	2106	724	2428	92	2905	1584
121	906	420	957	672	1223	925	486	1200	1014	1561	630	1861	1306	2107	725	2431	502	2909	1585
123	107	421	936	678	657	928	709	1201	593	1565	561	1863	640	2109	726	2438	1201	2926	1586
128	1176	422	449	679	1219	929	461	1203	466	1566	1431	1864	791	2110	1328	2439	1018	2944	1477
129	1247	424	410	680	1217	930	767	1205	1151	1567	562	1865	792	2120	1017	2441	1213	2945	478
130	1	425	20	681	635	931	1181	1207	1216	1568	563	1868	793	2122	1417	2450	602	2947	1041
138	742	427	545	683	773	934	591	1208	916	1569	413	1869	1307	2124	1284	2459	1576	2948	1587
139	1561	428	499	684	771	935	548	1210	573	1574	31	1870	719	2127	1285	2461	1577	2949	1588
143	13	429	652	685	401	937	592	1220	1455	1576	414	1873	641	2136	807	2468	1543	2961	990
144	126	431	653	686	402	938	549	1222	745	1578	415	1874	720	2138	1142	2472	878	2964	1589

150	5	432	654	687	1123	939	363	1227	1152	1585	193	1877	1393	2139	1395	2480	693	2968	582
152	1263	433	503	688	658	941	361	1240	851	1589	1555	1879	1016	2141	130	2481	730	2969	1254
153	1003	434	625	695	452	942	1150	1243	1185	1591	29	1888	688	2143	131	2486	1544	2980	604
154	705	438	707	696	42	943	365	1255	59	1601	1137	1889	1280	2144	132	2487	1545	2982	583
155	408	441	450	697	453	945	683	1266	152	1606	1153	1893	642	2146	1396	2488	1546	2992	1590
158	46	442	105	699	772	946	710	1268	553	1626	969	1899	1281	2150	645	2495	1471	3019	983
159	108	443	1092	702	917	947	961	1270	500	1627	762	1900	747	2152	1397	2499	1051	3032	740
160	804	444	1120	703	454	956	1158	1275	1465	1629	631	1904	691	2156	1550	2501	578	3035	584
164	751	446	839	704	617	958	550	1276	1047	1630	632	1910	1218	2157	1551	2508	1418	3036	1144
166	677	447	1430	705	455	959	329	1287	233	1633	665	1914	1282	2162	380	2510	1547	3037	1145
169	785	449	451	707	780	963	763	1291	1209	1634	597	1921	1048	2164	1059	2529	950	3038	1146
170	1075	450	626	713	1098	970	637	1295	1054	1639	928	1925	1139	2167	1519	2541	71	3040	1318
171	1562	453	324	715	456	971	1070	1296	551	1640	60	1926	501	2170	1368	2546	491	3041	801
172	1409	459	1177	716	877	973	744	1303	1228	1643	638	1933	865	2175	1467	2547	1472	3045	1591
183	587	462	47	717	1099	977	232	1305	1186	1646	1138	1934	1552	2177	476	2555	731	3085	1592
185	223	467	655	718	752	978	659	1306	1129	1647	104	1935	1553	2183	1197	2561	1252	3093	1058
188	116	469	776	720	183	979	660	1307	1130	1651	564	1941	721	2185	1398	2564	799	3094	134
190	137	471	590	721	1100	980	661	1308	1568	1657	1230	1942	512	2186	1399	2565	800	3095	492
193	89	473	1326	724	127	981	662	1309	1131	1662	376	1943	513	2191	1468	2566	1019	3096	197
194	1563	476	6	725	636	983	629	1311	1132	1665	690	1944	514	2193	576	2567	1020	3098	286
200	352	477	7	727	986	986	987	1314	32	1666	1435	1945	124	2195	692	2568	1021	3099	287
207	954	479	27	730	28	987	988	1315	964	1667	639	1948	794	2200	1308	2571	1460	3101	155
209	706	486	1269	734	1566	990	1071	1318	620	1670	929	1950	405	2207	797	2575	1309	3102	695
211	224	487	1064	735	618	992	218	1319	202	1672	470	1954	722	2210	918	2576	1288	3103	585
223	613	488	1065	736	708	994	755	1323	965	1679	666	1955	1072	2212	185	2577	1310	3106	1204
225	614	490	1121	744	1039	997	366	1324	1133	1682	1436	1958	972	2216	326	2579	1311	3107	87
226	615	491	1257	750	1124	998	38	1333	1251	1683	1305	1959	973	2218	808	2587	1312	3112	493
231	484	492	1066	759	1265	1000	285	1315	1220	1684	194	1962	335	2219	1457	2588	1313	3114	39
232	651	493	1122	761	110	1001	962	1316	1304	1685	1015	1971	1394	2221	1458	2589	1329	3115	1205
234	1564	498	188	765	915	1007	1226	1349	128	1687	136	1972	908	2225	937	2591	1314	3116	802
236	417	503	421	767	361	1010	756	1351	129	1706	1211	1974	1140	2226	1159	2596	1202	3117	1593
237	1565	506	411	768	1125	1011	663	1352	234	1707	998	1976	247	2227	1169	2602	242	3119	741
239	588	507	422	770	457	1012	367	1353	487	1709	598	1979	423	2229	758	2603	243	3120	1419
240	1256	518	504	771	546	1015	121	1351	203	1711	1302	1988	1195	2240	1503	2604	244	3121	1594
241	1248	520	1178	773	211	1018	506	1355	201	1712	237	1995	909	2241	1541	2605	245	3132	760
243	199	521	359	776	753	1023	507	1356	262	1713	574	2001	855	2244	1001	2606	1315	3137	910
244	572	522	699	781	628	1021	508	1357	970	1717	238	2002	240	2247	1437	2607	1461	3139	1595
247	541	526	616	782	1126	1025	1603	1358	235	1720	67	2003	241	2248	646	2612	618	3141	1319
248	854	527	18	792	189	1028	416	1360	594	1721	68	2004	795	2249	577	2615	842	3142	980
249	409	531	1207	793	190	1029	1412	1363	774	1722	69	2011	796	2255	1504	2616	843	3144	1596
250	542	534	1270	796	191	1031	509	1364	558	1723	599	2018	255	2264	1198	2617	1506	3145	981
252	765	535	766	797	1180	1032	510	1365	1187	1731	488	2019	1049	2265	1199	2618	925	3147	1597
256	623	513	777	798	1128	1033	551	1379	685	1734	1502	2024	761	2266	1233	2619	1507	3149	622
258	321	518	139	801	1349	1035	383	1381	467	1743	971	2025	218	2268	1542	2622	856	3151	1369
260	35	553	778	802	26	1036	381	1382	1134	1741	1231	2026	239	2275	477	2624	976	3157	857
261	1032	554	656	807	948	1037	385	1386	1135	1749	471	2027	1466	2279	1212	2626	977	3158	1598
265	633	556	481	808	557	1038	462	1391	1569	1750	805	2029	1151	2285	133	2631	1316	3159	911
267	513	563	146	817	49	1039	386	1393	511	1751	1159	2030	723	2295	210	2632	579	3161	1105
268	1264	568	907	827	198	1040	387	1394	263	1752	1055	2031	1155	2296	1101	2636	1578	3162	1601
271	17	569	1179	834	949	1045	388	1395	1413	1754	195	*2033	1575	2298	91	2639	930	3164	1464
281	1076	573	1031	835	1411	1046	389	1402	1274	1755	258	2034	1549	2302	727	2651	327	3165	1599
286	1501	576	1067	842	111	1049	989	1403	1136	1761	718	2035	811	2303	667	2653	1462	3171	1331
294	145	579	876	843	117	1056	1390	1407	1366	1766	70	2036	1056	2305	668	2664	1235	3177	1236
295	21	580	945	844	112	1057	681	1408	56	1768	377	2037	1415	2306	669	2666	694	3178	803
297	733	581	325	845	118	1071	711	1411	57	1775	779	2038	472	2307	728	2674	426		

* Amount reduced to $50,000. (Approved by Governor with reductions and eliminations Constitution, Art IV, Sec 34)

Number of Assembly bills approved by Governor—1019

ASSEMBLY BILLS VETOED BY THE GOVERNOR DURING SESSION

20, 346, 404, 578, 820, 904, 1862, 1967, 1991, 2308, 2502, 2849,
1093, 1252, 1501, 1605, 1729, 1730, 2898

Total---19

ASSEMBLY BILLS POCKET VETOED BY THE GOVERNOR

26, 39, 82, 242, 283, 321, 1659, 1678, 1748, 1759, 1784, 1850,
525, 570, 577, 590, 644, 660, 1952, 2028, 2197, 2280, 2318, 2372,
667, 668, 749, 778, 861, 976, 2383, 2558, 2791, 2804, 2859, 2902,
1068, 1076, 1077, 1082, 1120, 1130, 2936, 3004, 3084, 3111, 3113, 3128,
1174, 1304, 1340, 1376, 1452, 1642, 3152, 3156.

Total---56

ASSEMBLY BILLS STRICKEN FROM INACTIVE FILE IN ASSEMBLY

16, 230, 259, 313, 413, 541, 2088, 2347, 2559, 2594, 2620, 2645,
659, 890, 1034, 1136, 1325, 1334, 2704, 2713, 3003, 3126, 3180.
1577, 1590, 1830, 1903, 1938, 2017,

Total---29

ASSEMBLY BILLS DIED ON INACTIVE FILE IN SENATE

46, 142, 911, 912, 1317, 1641, 1676, 2496, 2975.

Total--- 9

ASSEMBLY BILL, ACTION POSTPONED INDEFINITELY IN SENATE

406.

Total--- 1

ASSEMBLY BILLS DIED ON SENATE FILE

1506, 1508, 1917, 2369, 2440.

Total--- 5

ASSEMBLY CONSTITUTIONAL AMENDMENTS STRICKEN FROM INACTIVE FILE IN ASSEMBLY

35.

Total--- 1

ASSEMBLY CONSTITUTIONAL AMENDMENTS DIED ON UNFINISHED BUSINESS FILE IN ASSEMBLY

8.

Total 1

ASSEMBLY CONSTITUTIONAL AMENDMENTS DIED ON INACTIVE FILE IN SENATE

52.

Total 1

ASSEMBLY CONSTITUTIONAL AMENDMENTS CHAPTERED, AND FILED WITH SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
12	172	Dolwig	Amending the Constitution of the State of California, relating to the right to vote	June 29
24	144	Fleury and Moss	Adding section to Constitution of State, relating to measures submitted to the voters	June 4
28	149	McCollister et al	Adding section to Article XIII, to Constitution of State, relating to assessment of possessory interest of veterans in real estate of the Veterans Welfare Board	June 10
49	153	Brown et al	Amending Constitution of the State of California, relating to inferior courts	June 15
66	160	Dolwig et al	Amending Constitution of the State of California, relating to local government, repealing and deleting certain obsolete and superseded provisions	June 20
67	161	Dolwig et al	Amending Constitution of the State of California, by repealing section relating to expenses of Constitutional Convention of 1879	June 20
68	162	Dolwig et al	Amending Constitution of the State of California, by repealing section relating to effective dates of statutes enacted in year 1933	June 20
69	167	Dolwig et al	Amending Constitution of the State of California, relating to taxation	June 22
70	168	Dolwig et al	Amending Constitution of the State of California, by repealing Section 22 of Article IV, as amended November 6, 1928, and amending Section 22 of Article IV, as amended November 6, 1928	June 22
71	163	Dolwig et al	Amending Constitution of the State of California, by repealing sections relating to putting into effect of said Constitution and the election for that purpose	June 20
72	164	Dolwig et al	Amending Constitution of the State of California, by repealing sections relating to suspension of nonexistent sections	June 20
73	165	Dolwig et al	Amending Constitution of the State of California, relating to state officers and deleting and repealing obsolete and superseded provisions	June 20
80	203	Dunn et al	Amending the Constitution of the State of California, relating to the issuance of bonds to provide loans and grants to school districts of the State	July 2
81	204	Lindsay et al	Amending Constitution of the State of California, relating to compensation of officers	July 2
84	187	Sam L Collins	Amending the Constitution of the State of California, relating to the Legislature	July 2

Total 15

ASSEMBLY CONCURRENT RESOLUTIONS STRICKEN FROM INACTIVE FILE IN ASSEMBLY

97.

Total 1

ASSEMBLY CONCURRENT RESOLUTIONS DIED ON INACTIVE FILE IN SENATE

19, 54.

Total 2

ASSEMBLY CONCURRENT RESOLUTIONS FROM SENATE WITHOUT FURTHER ACTION

52.

Total 1

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	1	Maloney et al	Honoring memory of the Honorable John C Lyons	Jan. 5
2	3	Grant and Fletcher	Approving amendments to charter of City of Long Beach	Jan 6
3	4	Smith	Approving amendments to charter of City of Glendale	Jan 6
4	9	Waters	Approving amendments to charter of County of Los Angeles	Jan 7
5	5	Way	Approving amendments to charter of City of Eureka	Jan. 6
7	17	Grunsky	Approving amendments to charter of City of Watsonville	Jan. 10
8	10	Thomas	Approving amendments to charter of City of Torrance	Jan 7
9	11	Maloney et al	Approving amendments to charter of City and County of San Francisco	Jan. 7
10	12	Maloney et al.	Approving amendments to charter of City and County of San Francisco	Jan. 7
11	6	Maloney et al	Selection of Legislative Counsel of California	Jan 6
13	19	Sherwin	Approving amendments to charter of City of Piedmont	Jan 12
15	25	Crichton	Approving amendments to charter of County of Fresno	Jan. 13
16	83	Cramer et al.	Naming freeway from San Diego to Tia Juana the John J. Montgomery Freeway	Mar 17
17	26	Dunn et al	Congratulating the University of California Varsity Eight upon its victory in 1948 Olympic Games	Jan 13
18	27	Caldecott	Approving amendments to charter of the City of Albany	Jan 13
21	39	Crowley et al	Reports of annual conventions of Jewish War Veterans	Jan 24
22	40	Crowley et al	Reports of annual conventions of Military Order of the Purple Heart	Jan 24
23	41	Crowley et al.	Reports of annual conventions of American Veterans of World War II (AMVETS)	Jan. 24
24	42	Crowley et al	Reports of department encampments and annual encampments or conventions of United Spanish American War Veterans	Jan 24
25	43	Crowley et al	Reports of annual conventions of American Legion	Jan 24
26	44	Crowley et al	Reports of sessions of department encampment of the Grand Army of the Republic	Jan. 24
27	45	Crowley et al	Reports of annual conventions or encampments of Veterans of Foreign Wars of the Department of California	Jan 24
28	46	Crowley et al	Reports of annual conventions of Disabled American Veterans of the Department of California	Jan. 24
29	29	Cooke et al	Adjournment in respect of memory of Marguerite Mary McBride	Jan. 17
31	38	Thompson et al.	Approving amendments to charter of City of San Jose	Jan. 24

ASSEMBLY CONCURRENT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE—Continued

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
33	51	Dolwig	Continuance of Legislative Constitutional Revision Committee	Jan 26
35	52	Meyers and Maloney	Commemorating Seventy-fifth Anniversary of Sacred Heart College High School	Jan 26
36	34	Anderson	Approving amendments to the charter of the City of Redondo Beach	Jan. 21
37	47	Davis	Relative to preservation of interests of State and its people in state waters	Jan 24
43	56	Sam L Collins	Approving amendments to charter of the City of Huntington Beach	Jan 27
46	140	McCollister	Relative to Valley of the Moon Scenic Route	May 27
47	87	Reagan and Levering	Commending the Board of Regents and the President of the University of Washington	Mar 21
48	151	McCollister	Relative to rules and regulations governing accountants	June 14
50	64	Silliman and Maloney	Relative to restoration and operation of Mission San Antonio de Padua	Feb. 3
53	154	Davis	Relative to survey of a state highway from MacArthur in Shasta County to Susanville in Lassen County	June 15
55	88	Maloney	Relative to persecution of religious sects of all Communist-controlled nations	Mar 23
56	128	McCollister	Relative to report of annual convention of Disabled American Veterans of California	May 18
58	84	Kilpatrick et al	Providing new quarters for Industrial Workshop for the Blind in Los Angeles	Mar 17
60	92	Nicholse et al	Authorizing Governor to proclaim general observance of Cabrillo Day	Apr 1
62	89	Meyers et al	University of San Francisco victory in National Invitational Basketball Championship	Mar 24
63	90	Maloney et al	Congratulating Brigadier General C Lyn Fox	Mar 24
65	100	Stewart	Approving amendment to charter of City of Pasadena	Apr 13
68	101	Burke et al	Relative to death of Kathy Fiscus	Apr. 13
69	107	Cooke et al	Congratulating Veterans of Foreign Wars	Apr 18
71	117	Smith	Approving amendments to charter of City of Glendale	May 4
72	108	Thomas and Maloney	Adjournment in respect to memory of R L Puccinelli	Apr. 25
73	150	Babbage et al	Relative to study by Judicial Council of Juvenile Court of the State	June 14
74	118	Evans	Approving amendments to charter of City of Los Angeles	May 4
76	123	Sam L Collins	Approving amendments to charter of City of Huntington Beach	May 9
77	130	Coats	Approving amendments to charter of City of Oroville	May 18
78	124	Crichton	Approving amendments to charter of City of Fresno	May 13
79	125	Silliman	Approving amendments to charter of City of Pacific Grove	May 13
80	139	Levering	Approving amendments to the charter of the City of Santa Monica	May 26
81	129	Gaffney and Maloney	Relative to I Am an American Week	May 18
85	146	Caldecott	Approving amendments to charter of the City of Berkeley	June 7
86	141	Tomlinson	Approving amendment to charter of City of Santa Barbara	June 2
87	142	Tomlinson	Approving amendment to charter of City of Santa Barbara	June 2
89	147	Kirkwood	Approving amendments to the charter of the City of Sunnyvale	June 7
91	174	Brown	Relating to liquefied petroleum gas	June 29
92	191	Rosenthal et al	Relating to requesting the Judicial Council to study pretrial practice and procedure	July 2
99	204	Doyle et al	Relative to designating the California State Rose	July 2
100	190	Geddes et al	Relative to the acceptance of the Kellogg Ranch by the State Director of Education and the State Director of Finance on behalf of the State of California for the use of the California State Polytechnic College	July 2
101	158	Waters	Approving amendments to charter of the City of Los Angeles	June 20
102	189	Lewis et al	Relative to a survey of a Central Valley road by the Division of Highways	July 2
105	183	McCollister	Approving amendments to the charter of the City of Petaluma	July 2
106	205	Dolwig et al	Relative to the acquisition of Butano Forest as a state park	July 2
107	206	Meyers et al	Relative to the erection of buildings for the use of youth organizations on the California State Fair site	July 2

Total 67

ASSEMBLY JOINT RESOLUTIONS STRICKEN FROM FILE IN ASSEMBLY

19.

Total 1

ASSEMBLY JOINT RESOLUTIONS LAID ON TABLE IN SENATE

42

Total 1

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
1	2	Ralph C Dills et al	Relative to election of the Honorable Harry S Truman, as President, and the Honorable Alben W Barkley as Vice President of the United States	Jan 5
2	58	Lowrey and Coats	Memorializing President and Congress of the United States in relation to two irrigation canals to supply water from Sacramento River to areas in Northern California	Jan 29
4	18	Maloney et al	Relative to shipbuilding on Pacific Coast	Jan. 11
5	59	Lewis et al	Memorializing President and Congress of the United States in relation to agricultural compositions and extensions under Federal Bankruptcy Law	Jan. 29
6	60	Heisinger et al	Relative to California water projects	Jan 29
7	48	Clarke et al	Memorializing and petitioning House of Representatives of the United States to appoint a committee to investigate the Mango fruit fly	Jan 25
8	61	Luckel et al	Relative to providing a veterans' hospital in San Diego	Jan. 29
10	57	Stewart et al	Memorializing Congress of the United States relative to waters of Colorado River	Jan 27
13	62	Lowrey et al	Memorializing President and Congress of United States re establishing parity prices for California products	Jan. 29
15	50	Ralph C Dills et al	Relative to tidelands and submerged lands adjacent to coast of California	Jan 26
16	63	Condon	Memorializing the President and Congress of the United States relative to the mooring of surplus vessels in the northern waters of San Francisco Bay	Feb 3
17	93	Condon et al	Memorializing Congress concerning minimum wage legislation	Apr 6
18	85	Clarke et al	Memorializing President and Congress of United States to have Mammoth Pass Road constructed as postwar construction project	Mar. 21
20	80	Ralph C Dills	Establishment of Air Force Academy	Mar. 14
22	95	Way and Condon	Reimbursing counties for loss of revenue caused by federal ownership of lands	Apr. 8
23	173	Coats and Lowrey	Relative to construction of navigable channels on the Sacramento and Feather Rivers	June 29
24	81	Butters	Relative to Upper Colorado River Basin Compact	Mar 15
25	86	Babbage et al	Memorializing and petitioning Congress of United States to make Corona Naval Hospital available to Veterans Administration	Mar. 21
26	96	Maloney et al	Relative to participation of the United States in a world federal government	Apr 8
29	97	Rumford et al	Relative to work of Dr Ralph Johnson Bunche in bringing about a peaceful settlement of Arabian-Israeli dispute	Apr 11
30	112	McCollister et al	Assistance to veterans in borrowing funds from established lending institutions for acquisition of homes and other purposes	Apr. 28

ASSEMBLY JOINT RESOLUTIONS CHAPTERED, AND FILED WITH THE SECRETARY OF STATE—Continued

Number	Resolution Chapter	Author	Subject of Title	Date filed with Secretary of State
31	113	Lindsay et al	Providing for public recreation, fish and wildlife development in flood, irrigation and power projects involving construction of dams	May 2
33	181	Hollibaugh et al	Memorializing Congress to enact legislation to give postal employees civil service credit for time spent in military service	June 30
34	116	Burkhalter	Memorializing President and Congress of the United States, relative to securing release of film industry assets frozen in foreign countries	May 3
35	114	Erwin	Establishment of an open hunting season on wild pigeons	May 2
36	207	Caldecott et al	Relating to securing funds from the Federal Security Agency to pay for an adequate annual audit of the Department of Employment	July 2
38	157	Lowrey	Relative to Sacramento River Flood Control Project	June 16
40	152	Lewis et al	Memorializing President and Congress of United States, relative to releasing warehouse space in San Francisco Bay area and Stockton-Tracy area for storage of California cotton crop	June 14
41	159	Ralph C Dills	Relative to completion of Four States Highway	June 20
45	188	Levering et al	Relative to the requirement by the Board of Regents of the University of California of a loyalty oath by faculty members	July 2
46	208	Lindsay et al	Relative to memorializing the President and Congress of the United States in relation to regulation of speedboats on Lake Tahoe	July 2

Total 31

SENATE BILLS STRICKEN FROM INACTIVE FILE IN THE ASSEMBLY

70, 109, 116, 389, 520, 590, 591, 606, 985, 1051, 1113, 1382, 1489, 1509, 1653.

Total 15

SENATE BILLS REMAINING ON ASSEMBLY THIRD READING FILE WITHOUT FURTHER ACTION

619.

Total 1

SENATE BILLS STRICKEN FROM FILE IN ASSEMBLY

14, 693.

Total 2

SENATE BILLS RECALLED FROM ASSEMBLY AND RETURNED TO SENATE FOR FURTHER ACTION

24.

Total 1

SENATE CONCURRENT RESOLUTIONS STRICKEN FROM FILE IN ASSEMBLY

31.

Total 1

SENATE CONSTITUTIONAL AMENDMENTS STRICKEN FROM INACTIVE FILE IN ASSEMBLY

7.

Total 1

SENATE JOINT RESOLUTIONS STRICKEN FROM FILE IN ASSEMBLY

12.

Total 1